

# Issue Analysis Form

**Date:** January 23, 2018

**Item:** Chesapeake Bay Ordinance Amendments

**Lead Department:** Community Development

**Contact Person:** Douglas Miles, Planning Manager



## Description and Current Status

Staff recommends amending the Zoning Ordinance and Subdivision Ordinance to comply with the Chesapeake Bay Preservation Program. The Virginia Department of Environmental Quality (DEQ) conducted a compliance review with the Prince George County on our existing Chesapeake Bay Preservation Program. As a result of the compliance visit DEQ staff identified three (3) sections of the Prince George County Code: Zoning Ordinance and Subdivision Ordinance that would require an ordinance amendment by Prince George County to be in compliance with the Code of Virginia.

## Government Path

**Does this require IDA action?**  Yes  No

**Does this require BZA action?**  Yes  No

**Does this require Planning Commission action?**

**Planning Commission Recommended Approval 6-0 after the December 21, 2017 Public Hearing**

Yes  No

**Does this require Board of Supervisors action?**

**Yes a Board Public Hearing on January 23, 2018**

Yes  No

## Fiscal Impact Statement

N/A There will be no fiscal impact to Prince George County other than the required public hearing notices within the Petersburg Progress-Index newspaper for notice.

## Prince George County Impact

The proposed Zoning and Subdivision Ordinance Amendments will add the required elements of a site plan to the Zoning Ordinance, rename the state group responsible for overseeing the Chesapeake Bay Program for the State of Virginia from CBLAD to the Virginia Department of Environmental Quality (VDEQ), add requirements for on-site sewage pump-out to the Zoning Ordinance, and add notations for subdivision plats into the Subdivision Ordinance. Thus, bringing the County into compliance with the VDEQ.

## Notes



## ***County of Prince George, Virginia***

*“A global community where families thrive and businesses prosper”*

To: Chairman Clarence Joyner, Jr.  
Vice Chairman Jim Easter  
Mr. Floyd Brown  
Mr. Alex Bresko, Jr.  
Mr. Joe Simmons  
Mrs. Imogene Elder  
Mr. Steve Brockwell

From: Horace H. Wade III, CFM, Planner

Date: December 12, 2017

Subject: Chesapeake Bay Ordinance Amendments

The Prince George County Community Development and Code Compliance Department staff members are working with the Virginia Department of Environmental Quality (VDEQ) on compliance with our Chesapeake Bay Preservation Program. As a result of the compliance visit by DEQ, the County is required to amend the Zoning Ordinance and Subdivision Ordinance to comply with certain regulations from the Code of Virginia. We have identified three (3) sections of the Prince George County Code that would require an amendment by the County:

**ORDINANCE AMENDMENT OA-17-02 § 90-824, SITE PLAN REQUIRED.** This ordinance specifies when a site plan is required and what is required on a site plan. After DEQ's evaluation, it was noted that the itemized requirements for a site plan were not included in the Zoning Ordinance. Staff has been utilizing a checklist attached to the site plan application and added this itemized checklist to the ordinance. In addition, staff has been utilizing, as a policy, Minor Site Plan. The Minor Site Plan is now added as a part of the ordinance instead of a policy for better implementation purposes.

**ORDINANCE AMENDMENT OA-17-03 §§ 90-666(C), 90-667(B); 90-668(E)(5); and 90-671(A), PERTAINING TO CHESAPEAKE BAY PROTECTION.** This ordinance establishes the Chesapeake Bay Protection for Prince George County. These ordinance sections amend the previous group responsible overseeing the Chesapeake Bay Program for the state of Virginia from the Chesapeake Bay Local Assistance Department to the Virginia Department of Environmental Quality. Also, the Code of Virginia requires on-site sewage treatment systems located in the Chesapeake Bay Preservation Area to be pumped-out every five(5) years another alternative as

prescribed in the state code. The on-site sewage treatment system pump-out requirement was a process that the county and health department were undertaking, but DEQ and the Code of Virginia require the County to include this section as a local ordinance.

**ORDINANCE AMENDMENT OA-17-04 §§ 70-512.2(C)(29)&(30), SIZE AND INFORMATION REQUIRED ON A PRELIMINARY PLAT; 70-514.4(C)(10)(C)&(D), ENGINEERING PLAN SPECIFICATIONS AND 70-516.2(B)(3)(T)&(U), ELEMENTS OF FINAL PLATS.** This ordinance establishes the requirements for preliminary plats, engineering plans, and final plats. As a result of the DEQ evaluation, the county must add two (2) additional elements under these headings of the (1) notation of requirement of pump-out of on-site sewage treatment systems in the Chesapeake Bay Preservation Areas, and (2) notation of requirement for 100% reserve drainfield for on-site sewage treatment systems in Chesapeake Bay Preservation Areas.

Staff recommends approval to these ordinance amendments to comply with the Code of Virginia and the Virginia Department of Environmental Quality (DEQ) compliance review. Staff suggests that the Planning Commission address these ordinance amendments as one public hearing. After the public hearing it is then suggested that each ordinance amendment have a separate motion and vote taken. Please contact me with any further questions at 804.722.8678 or at [hwade@princegeorgecountyva.gov](mailto:hwade@princegeorgecountyva.gov)

Board of Supervisors  
County of Prince George, Virginia

Ordinance

At a regular meeting of the Board of Supervisors of the County of Prince George held in the Boardroom, Third Floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia this 23rd day of January 2018:

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Present:

Alan R. Carmichael, Chairman  
Donald R. Hunter, Vice Chairman  
Floyd M. Brown, Jr  
Marlene J. Waymack  
T.J. Webb

Vote:

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On motion of \_\_\_\_\_, seconded by \_\_\_\_\_, which carried a vote \_\_\_\_\_, the following Ordinance was adopted in order to further public necessity, convenience, general welfare and good zoning practice:

ORDINANCE TO AMEND THE CODE OF THE COUNTY OF PRINCE GEORGE, VIRGINIA, 2005, AS AMENDED, CHAPTER 90 "ZONING", BY AMENDING § § 90-824, SITE PLAN REQUIRED.

BE IT ORDAINED by the Board of Supervisors of Prince George County:

*(1) That § 90-824 of The Code Of The County Of Prince George, Virginia, 2005, as amended, are amended and re-codified to read as follows:*

CHAPTER 90 ZONING

...

**Sec. 90-824 Site Plan Required**

**(a) A site plan shall be required for all structures which contain more than four residential units or are for other than agricultural purposes. No building**



permit shall be issued to erect or to alter any building until a site plan is approved under the provisions of this article.

- (b) Site plans shall be prepared by a licensed architect, landscape architect, engineer, or land surveyor; signed, sealed and dated and shall include but not be limited to: ~~scale; north arrow; property boundaries; including topography with site specific contour intervals; the location of the 100-year floodplain boundaries; location and size of utility lines such as water, sanitary sewer and storm sewer along with the required easements; both existing and proposed; points of site ingress and egress on state maintained roads; on-site and off-site stormwater drainage structures; erosion and sediment control measures; solid waste refuse storage and recycling collection facilities; proposed recreational areas and open space areas; parking areas; landscaping and screening; lighting; sidewalks; and curbs and gutters.~~

1. Name and location of the proposed development
2. The boundary of the entire tract showing distances and bearings
3. The name and address of the property owner and/or developer of the site, if different than the owner and the name and address of the person or firm preparing the site plan.
4. Area and present zoning of the site proposed for development
5. Adjacent and abutting properties with information on ownership, zoning and current use.
6. Location of the lot or parcel by vicinity map. Site plans shall also contain a north arrow, original date, revision dates and graphical scale.
7. The names and locations of existing and proposed public or private streets, alleys and easements on or adjacent to the site. The center lines or boundary of adjacent rights-of-way shall be known.
8. The exact location of buildings or structures existing on or proposed for the site, including their setbacks from property lines, and the distance between buildings or structures.
9. The existing topography of the parcel prior to grading and the proposed finished contours of the site with a maximum of two foot contour intervals.
10. Property lines of the parcel(s) proposed for development, including the distances and bearings of these lines. If only a portion of a parcel is proposed for development, a limit of development line shall also be shown.



11. The tax parcel number(s) of parcels proposed for development depicted on the site plan.
12. The name of adjacent property owners and owners of any property on which any utility or drainage easement may be required in conjunction with the development. Tax parcel numbers for each of these properties shall also be provided.
13. The nature of the land use(s) proposed for the site
14. The location, type, and size of site access points such as driveways, curb openings, and crossovers. Sight distances at these access points shall be provided. If existing median cuts will serve the site they shall be shown. If new median cuts are proposed, their location shall also be shown.
15. All proffers accepted pursuant to Section 90-622 shall be shown on the plan.
16. Off-street parking areas and parking spaces including handicapped spaces, loading spaces, and walkways indicating type of surfacing, size, angle of stalls, width of aisles, and a specific schedule showing the number of spaces provided and the number required by this ordinance.
17. The number of stories, floor area, building height, and elevations of each building proposed. If more than one land use is proposed, the floor area of each land use shall be provided. Floor area shall be calculated on the basis of parking required for the use(s).
18. For residential developments, the type of dwelling unit shall be stated along with the number of units proposed. Where necessary for determining the number of required parking spaces, the number of bedrooms in each unit shall also be provided.
19. The location of proposed or required fire lanes and signs.
20. Detailed utility plans and calculations shall be submitted for sites for which public water or sewer will be provided or for sites on which existing utilities will be modified. The County Engineer shall have the authority to set the standards for such plans.
21. An erosion and sedimentation control plan and detail sheet shall be submitted for site developments involving the grading disturbance of greater than 2500 square feet of area or 1,000 cubic yards of material.
22. A detailed storm water management plan and calculations shall be submitted. The County Engineer shall determine the requirements for such plans.
23. The location of existing and proposed freestanding signs on the parcel.
24. The location and type of proposed exterior site lighting, including height of poles and type of fixtures.

25. The location of any 100-year floodplain and floodway on the site and the relationship of buildings and structures to the floodplain and floodway.
  26. The location of required or proposed buffer yards, screening, fencing, and site landscaping and irrigation. The type and size of the plant materials and screening to be used shall be provided. In addition, the relationship of these materials to physical site improvements and easements shall be provided.
  27. Chesapeake Bay Preservation Areas
  28. Notation of requirement of pump-out of on-site sewage treatment systems in Chesapeake Bay Preservation Areas.
  29. Notation of requirement for 100% reserve drainfield site for on-site sewage treatment systems in Chesapeake Bay Preservation Areas.
  30. Prince George Planning Area or Rural Conservation Area.
- (c) The county shall review and provide comments for any site plan that is submitted for review within 60 days of the filing of the plan with the county. Approval of a final site plan pursuant to the provisions of this article shall expire five years from the date of approval in accordance with Code of Virginia, § 15.2-2261, as amended, unless a building permit and/or a zoning permit has been obtained for the development. No building or zoning permit shall be issued by any county official for any building, structure or use depicted on a required site plan, until such time as the site plan is approved by the county.
1. Minor Site Plan Approval Process: Site Land Disturbance or a Building Addition of 2,500 – 10,000 square feet which meets the following qualifications:
    - a. No public water or public sewer mainline extensions are required for the proposed use.
    - b. No significant site draining improvements and uses existing on site retention structures.
    - c. No significant site access or any internal site circulation changes or road improvements.
    - d. No subdivision and conveyance of a portion of the property is needed for the expansion
    - e. No change of use of the building is permitted. Only interior and/or exterior renovations.

Black text to remain / Red text to be deleted / Green text is the proposed language

**PUBLIC NOTICE  
COUNTY OF PRINCE  
GEORGE**

Public Notice is hereby given to all interested persons regarding the following public meeting:

The Prince George County Board of Supervisors will hold public hearings on Tuesday, January 23, 2018 beginning at 7:30 p.m. concerning the following ordinance requests:

ORDINANCE AMENDMENT OA-17-02 ORDINANCE TO AMEND THE CODE OF THE COUNTY OF PRINCE GEORGE, VIRGINIA, 2005, AS AMENDED, BY AMENDING § 90-824, SITE PLAN REQUIRED.

ORDINANCE AMENDMENT OA-17-03 ORDINANCE TO AMEND THE CODE OF THE COUNTY OF PRINCE GEORGE, VIRGINIA, 2005, AS AMENDED, BY AMENDING §§ 90-666(C), 90-667(B); 90-668(E)(5); and 90-671(A), PERTAINING TO CHESAPEAKE BAY PROTECTION.

ORDINANCE AMENDMENT OA-17-04 ORDINANCE TO AMEND THE CODE OF THE COUNTY OF PRINCE GEORGE, VIRGINIA, 2005, AS AMENDED, BY AMENDING §§ 70-512.2(C)(29)&(30), SIZE AND INFORMATION REQUIRED ON A PRELIMINARY PLAT; 70-514.4(C)(10)(C)&(D), ENGINEERING PLAN SPECIFICATIONS AND 70-516.2(B)(3)(T)&(U), ELEMENTS OF FINAL PLATS.

The meeting will be held in the Board of Supervisors Meeting Room, third floor, County Administration Building, pursuant to §15.2-2204, §15.2-2225 and §15.2-2285, The Code of Virginia (1950, as amended). A copy of the related material may be examined in Planning and Zoning in the County Administration Building and is open from 8:30 a.m. to 5:00 p.m., Monday – Friday, (804) 722-8678. All interested persons shall have the opportunity to be heard at said public hearings.

Percy C. Ashcraft  
County Administrator