

TXT-02-2023 - An ordinance to amend the Zoning of Port Royal, Virginia, by repealing and replacing Chapter 26, Section 26.802 - Site Plan Requirements, and establishing Chapter 25, Article XIV, Chesapeake Bay Preservation Area, to add Chesapeake Bay Preservation Act required notes and submission requirements.

#### §26.802 – Site Plan Requirements

To assure good arrangement, appearance, function, harmony with surroundings and adjacent uses, the objectives of the Comprehensive Plan, and compliance with the requirements of the Zoning Ordinance regulations, site plans for the following major uses shall be submitted and reviewed by the Town of Port Royal designee and Planning Commission, as required: 1. Special Exceptions, except Temporary Placement of a manufactured home. 2. Planned Unit Developments. 3. Manufactured Home Parks. 4. All Commercial and Industrial Developments. 5. All Multi-family Developments. 6. Churches, temples, and synagogues, where the total floor area of such use on a single parcel of land are more than five thousand (5,000) square feet.

Every site plan shall show the following information and location of land uses where necessary and applicable.

1. The proposed title of the project and the name, address and telephone number of the engineer, architect, land surveyor or landscape architect preparing the site plan.
2. Land Use.
3. Open space areas, recreation areas and buffer areas.
4. Boundary of the entire tract by courses and distances with a linear precision closure of one (1) foot in ten thousand (10,000) feet.
5. Area and present zoning of tract. If more than one zoning district, the area of each zoning district.
6. Tax map and parcel number(s)
7. Names and address of the owner or owners of record of the tract and the applicant.  
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8. Owner, present use, and zoning of all contiguous or abutting property except where the property is a subdivision, then the name of the subdivision.
9. Date, scale, north point, and number of sheets. The scale shall be as follows: a. For projects containing more than two hundred (200) acres, not more than two hundred (200) feet to one (1) inch. b. For projects containing fifty (50) to two hundred (200) acres, not more than one hundred (100) feet to one (1) inch. c. For projects containing more than ten (10) acres but less than fifty (50) acres, not more than fifty (50) feet to one (1) inch. d. For projects containing ten (10) acres or less, not more than thirty (30) feet to one (1) inch.

10. Vicinity map, at a scale of 1" = 2,000 feet.
11. All building restriction lines, utility easements, covenants, reservations, and rights-of-way.
12. Existing topography with a maximum of two (2) foot contour intervals within one hundred (100) feet of all buildings and a maximum of five (5) foot contour intervals on the remainder of the tract.
13. Limits of any established one hundred (100) year floodplains.
14. The location, dimension, size, and height of the following when proposed:
  - a. Sidewalks, streets, alleys, and easements.
  - b. Buildings and structures to include: (1) Distance between buildings. (2) Number of stories. (3) Area in square feet of each floor. (4) Number of dwelling units or guest rooms. (5) Structures above the building height limit.
    - c. Driveways, entrances, exits, parking areas and loading spaces to include: (1) Number, size, and location of parking spaces. (2) Number, size, and location of loading spaces.
    - d. Public sanitary sewer system.
    - e. Public water mains and fire hydrants.
    - f. Gas, power and telephone lines, utility company owned or operated.
    - g. Slopes, terraces, retaining walls, fencing, and screening within the required yards.
    - h. Plans for collecting and depositing stormwater in accordance with the requirements of the Town of Port Royal's Erosion and Sediment Control Plan and method of treatment of natural and artificial water courses, including a delineation of proposed limits of floodplains, if any, as created or enlarged by the proposed development.
    - i. Finish grading with a maximum of two (2) foot contour intervals within one hundred (100) feet of all building, and a maximum of five (5) foot contour intervals on the remainder of the property.
    - j. Outdoor lighting within the required yards.
15. Number of plans submitted for review and signature.
  - a. The number of sets of plans and plats submitted for preliminary review shall be sixteen (16).
  - b. The number of sets of plans submitted for final approval shall be four.

16. A copy of the accepted proffered conditions, special use permit conditions, if any, and any waiver or variances granted must be reproduced on a plan sheet.

17. Wetlands Delineation: The location of any wetlands, ~~as determined~~ *based on field delineation or other methods of the US Army Corp of Engineers or Virginia DEQ shall be shown.* ~~as approved by the Director.~~ Where any wetlands are proposed to be disturbed, a copy of all required State and Federal permits shall be submitted or a letter from the appropriate agency stating no permits are required. *Such activities shall also be subject to the provisions of the Town of Port Royal Chesapeake Bay Preservation Area Ordinance.*

18. Chesapeake Bay Preservation Areas. ~~The location of any Chesapeake Bay Preservation Areas shall be shown on the site plan as determined by field delineation or approved by the Town Manager, as determined by the Town of Port Royal Chesapeake Bay Overlay District Maps.~~ *Any development activity subject to the provisions of this ordinance and located within the designated Chesapeake Bay Preservation Area must be designed and performed in compliance with the Port Royal Chesapeake Bay Preservation Area Ordinance and include the delineation of resource protection area and resource management area boundaries, if any, including notations of the following specific state requirements:*

- A. To retain an undisturbed and vegetated 100-foot-wide buffer area, as specified in subdivision 3 of 9VAC25-830-140.*
- B. The permissibility of only water dependent facilities or redevelopment in resource protection areas, including the 100-foot-wide buffer area.*
- C. The delineation of the buildable areas that are allowed, based on the performance criteria specified in Part IV (9VAC25-830-120 et seq.).*
- D. If the plan only includes areas within the RMA, delineation of its boundaries is not required, and the following note shall be added to the plan:*

*THE PARCEL SHOWN ON THIS PLAN IS LOCATED IN THE CHESAPEAKE BAY RESOURCE MANAGEMENT AREA.*

- E. If the plan includes areas within the RPA, the following notes shall be added to the plan:*

*NO LAND DISTURBANCE IS ALLOWED IN THE RPA BUFFER AREA WITHOUT REVIEW AND APPROVAL BY THE ZONING ADMINISTRATOR AND ONLY WATER-DEPENDENT FACILITIES OR REDEVELOPMENT OF EXISTING STRUCTURES ARE PERMITTED WITHIN THE RPA BUFFER.*

*ALL EXISTING VEGETATION WITHIN THE RPA SHALL REMAIN IN ITS UNDISTURBED NATURAL STATE, EXCEPT FOR VEGETATION WEAKENED BY AGE, STORM, FIRE OR OTHER NATURAL CAUSE.*

19. Chesapeake Bay Preservation Area Stormwater Management.

- A. *Site plans disturbing between or two thousand five hundred (2,500) square feet and one acre of land within designated Chesapeake Bay Preservation Areas, or any modifications to existing stormwater systems shall require the submittal and approval of a stormwater management plan in accordance with The Town Chesapeake Bay Preservation Area stormwater management regulations.*
- B. *Site Plans disturbing greater than one acre of land shall require evidence of stormwater permit coverage from the Virginia Department of Environmental Qual*

*20. Stormwater design standards.*

- A. *The applicant must provide all necessary information needed to determine what improvements are necessary to properly develop the subject property, including contour intervals, drainage plans and proposed stormwater management improvements.*
- B. *Stormwater management improvements must be designed, installed, and maintained in accordance with all applicable state and federal regulations.*
- C. *The use of low impact design (LOD) and best management practices (BMPs) to promote stormwater infiltration and manage stormwater is strongly encouraged. Examples include: Bioretention and biofiltration, rain gardens, infiltration, detention, and structural controls.*

*21. Water supply and sewerage facilities plan, acceptable and in conformity with standards of the Town of Port Royal and the Virginia Department of Health and State Water Control Board. The site plan shall contain water and sewer notes per site conditions as specified below.*

- A. *If the development is to be served by public water, a note shall be added to the plan that states:*

*THIS DEVELOPMENT SHALL BE SERVED BY PUBLIC WATER PROVIDED BY THE TOWN OF PORT ROYAL.*

- B. *If the development is to be served by private septic, Health Department confirmation for each parcel is required. Additionally, the primary and reserve septic system locations shall be shown on the plan or with the Health Department confirmation documents and the following Chesapeake Bay Ordinance septic system Notes added to the plan:*

*A 100% RESERVE DRAINFIELD IS REQUIRED FOR ON-SITE SEWAGE TREATMENT SYSTEMS.*

*ON-SITE SEPTIC SYSTEMS MUST BE PUMPED OUT EVERY FIVE YEARS, OR A CERTIFICATION MUST BE SUBMITTED BY A SEWAGE HANDLER PERMITTED BY THE VIRGINIA DEPARTMENT OF HEALTH THAT THE SEPTIC SYSTEM HAS BEEN INSPECTED, IS FUNCTIONING*

*PROPERLY, AND THE TANK DOES NOT NEED TO HAVE THE SOLIDS PUMPED OUT.*