

**BOARD OF SUPERVISORS  
COUNTY OF NEW KENT  
VIRGINIA**

**O-22-17**

At the regular meeting of the Board of Supervisors of the County of New Kent, in the Boardroom of the Administration Building in New Kent, Virginia, on the 5<sup>th</sup> day of September, 2017:

<u>Present:</u>	<u>Vote:</u>
Ron Stiers	Nay
Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
Patricia A. Paige	Nay
W. R. Davis, Jr.	Aye

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Motion was made by Mr. Tiller, which carried 3:2, to adopt the following ordinance:

**AN ORDINANCE TO APPROVE  
ORDINANCE AMENDMENT OA-03-17,  
AMENDING ARTICLE III, CHAPTER 91, SECTION 91-57(8)  
AND ARTICLE III, CHAPTER 91, SECTION 91-57(11)  
OF THE NEW KENT COUNTY CODE**

WHEREAS, pursuant to 62.1-44.15:69 and 62.1-44.15:71 of the Chesapeake Bay Preservation Act (Bay Act) and 9VAC25-830-260 of the Chesapeake Bay Preservation Area Designation and Management Regulation, Department of Environmental Quality (DEQ) is required to complete compliance reviews of a local governments program on a five-year cycle. If deficiencies are found, the board will establish a corrective action plan and a schedule for the local government to come into compliance. The board shall provide a copy of its decision to the local government that specifies the deficiencies, actions needed to be taken, and the approved compliance schedule. Based upon the review provided to the county February 27, 2017, there were a total of seven recommendations including amending the county ordinance to include certain notations on plats; and

WHEREAS, pursuant to Virginia Code Section 15.2-4300 et. seq., the New Kent County Board of Supervisors has the authority to amend Chapter 91 of the County Code; and

WHEREAS, the ordinance amendments were considered by the New Kent County Planning Commission (the "Planning Commission") in accordance with applicable procedures at a formal and duly advertised public hearing on August 21, 2017, where they carefully considered

the public comment received and voted 7:0:2 to forward a recommendation of approval to the Board of Supervisors; and

WHEREAS, within the timeframes established by the Code of Virginia and New Kent County Code, the Board of Supervisors scheduled and conducted a formal and duly advertised public hearing on September 5, 2017, and carefully considered the comments received; and

WHEREAS, the Board finds that proposed amendments to Section 91-57(8) and Section 91-57(11) are to address, protect, and promote public convenience, necessity, general welfare, and good zoning practices in the County and the health, safety, and general welfare of the Citizens in the County;

NOW THEREFORE, BE IT ORDAINED that the New Kent County Code be repealed, amended, restated, and readopted as follows:

- **Sec. 91-57. - Submittal requirements.**

The subdivider shall submit to the agent eight copies of the final plat on blue-line or black-line prints at a scale of 100 feet to the inch except in cases where the agent has approved an alternate scale. Where more than one sheet is used, sheets shall be numbered in sequence and match-lines shall be provided and labeled. The size of any final plat shall be 18 inches by 24 inches. The following information for the subdivision or part thereof shall be shown on the face of the final plat:

- (1) The name of the subdivision, owner, subdivider, land surveyor, and the date of drawing, number of sheets, graphic (bar) scale and, if applicable, the phase designation. Unless otherwise excepted by the agent, the side line of each sheet shall be a north-pointing (from bottom to top) grid line and labeled as such. If true north is used, the method of determination shall be shown.
- (2) The location of the proposed subdivision or part thereof on an inset map at a scale of not less than 2,000 feet to the inch, showing adjoining roads, their names and numbers, towns, subdivisions, watercourses, and other landmarks. Said inset map shall be oriented north.
- (3) A boundary survey providing a closure within an accuracy of not less than one in 20,000 or which meets or exceeds Second Order, Class II standards, as determined by the Federal Geodetic Control Committee and contained in the current edition of the publication entitled, Classification, Standards of Accuracy, and General Specifications of Geodetic Control Survey.
- (4) A known monument or other survey reference with the X-Y coordinate value in U.S. survey feet or meters.

(5) All existing, platted and proposed streets and public rights-of-way, their names, numbers and widths (both pavement and right-of-way). The data of all curves along street frontages shall be shown at the curve or in a curve data table and shall contain the following:

- a. Delta
- b. Radius
- c. Arc
- d. Tangent
- e. Chord
- f. Chord bearings

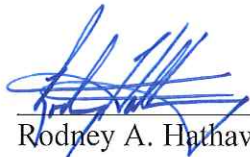
Temporary cul-de-sacs shall be shown and appropriately labeled to show both the permanent and the temporary portions of the right-of-way included.

- (6) All utility, public service corporation, and other easements, including landscape, preservation or conservation easements, public areas, and parking spaces. Easements shall be located and dimensioned by bearings and distances with curve data or X-Y coordinate values in U.S. survey feet or meters.
- (7) All proposed lots, lot areas, and building setback lines. All lots shall be located and dimensioned by bearings and distances with curve data or X-Y coordinate values in U.S. survey feet or meters.
- (8) The location of all approved private sewage disposal systems, including both primary and reserve locations **and a notation that "the private on-site sewage disposal system(s) shall be pumped out at least once every five years."**
- (9) The location of major stormwater management ponds or lakes.
- (10) The location of any floodplain area as depicted on the flood insurance rate map (FIRM) for the county as published by the Federal Emergency Management Agency including the flood hazard zone designation(s) and elevation(s) and any other information required by the floodplain management area provisions of the zoning ordinance for floodplain areas.
- (11) The location of any resource protection area and/or resource management area including delineation of all required buffers. If none of the area contained in the subdivision is within a resource protection area or resource management area, a note to this effect shall be shown on the face of the plat. **There shall also be a notation on the plat that specifies permitted development in the RPA (resource protection area) is limited to water dependent facilities or redevelopment.**

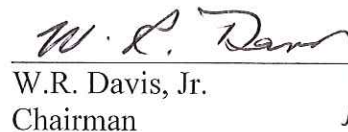
- (12) The location of all secondary ground control network monuments.
- (13) All parcels of land to be dedicated for public use or for the common use of the property owners.
- (14) The parcel identification number assigned to each lot, either within the boundaries of the lot itself or in tabular form.
- (15) The certificate of consent and dedication to be duly signed and notarized by all owners, including trustees, if any, in the format required by Section 15.2-2264, Code of Virginia.
- (16) The certificate to be duly signed by a land surveyor setting forth the source of title in accordance with Section 15.2-2262, Code of Virginia, and certifying that the monuments and survey markers shown on the plat have been correctly located and installed.
- (17) An approval block for the signature of the agent on behalf of the county.

(Ord. No. O-03-05(R), 3-14-2005, O-XX-17, TBD)

Attest:



Rodney A. Hathaway  
County Administrator



W.R. Davis, Jr.  
Chairman