



City of Virginia Beach

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PLANNING DEPARTMENT
PHONE (757) 385-4621
FAX (757) 385-5667
TDD (757) 385-4305

MUNICIPAL CENTER
BUILDING 2, ROOM 115
2405 COURTHOUSE DRIVE
VIRGINIA BEACH, VA 23456-9040

Chesapeake Bay Preservation Area Board Application Package Requirements and General Information

The Chesapeake Bay Preservation Area Board-

The CBPA Board is made up of nine private citizens who are appointed by City Council to serve a 3-year term. The names, addresses and phone numbers of the Board members are available from the Planning Department or City Clerk's Office.

The Public Hearing – The Chesapeake Bay Preservation Area (CBPA) Board meets on the 4th Monday of every month to hear applications for variances to the CBPA Ordinance. The hearing is held at 10:00 a.m. in the City Council Chambers, City Hall Building, 2nd floor. An informal session is held at 9:00 a.m. in the Council Chambers that allows the staff to brief the Board on each upcoming item on the agenda. The public is invited to speak on any item at the 10:00 a.m. hearing. There is no opportunity for public input at the 9:00 a.m. briefing.

Filing Deadline - The deadline for filing an application to be heard by the CBPA Board is the 20th of each month for the FOLLOWING month's meeting. Example, File by June 20th for the Public Hearing to be held on the fourth Monday of July.

Filing Fee – The filing fee for the CBPA Board Variance Application is \$250.00 – payable to the City Treasurer

Site Plans – The site plans submitted with the application package must be prepared by a professional engineer, land surveyor, or certified landscape architect licensed to practice in the Commonwealth of Virginia. They must conform to the Planning Department's / Development Services Center site plan requirements for a Chesapeake Bay Preservation Area Site Plan. (Special notes and features are required to be shown). See attached list of site plan requirements.

The following items must be submitted by the 20th of the month for the CBPA Application Package in order to be scheduled for the following month's agenda:

- 1) The CBPA Application for Chesapeake Bay Board Review form
- 2) A Water Quality Impact Assessment form
- 3) 15 copies of a CBPA site plan as outlined above. At a minimum this plan must show items on attached
- 4) 1 - 8 ½" x 11" reduced copy of the submitted site plan.
- 5) Check in the amount of \$250.00 made payable to the City Treasurer.
- 6) A narrative describing the project.
- 7) Any additional information or photographs that the applicant feels is pertinent to assist the Staff and Board in making a decision regarding the proposed improvements.

Sign Information:

At the time the application is submitted, the applicant will be required to sign a form giving information regarding posting of the signs giving public notice. The applicant will also be given a minimum of two signs and maybe more depending on the site location. One sign is to be posted visible from the public street and one sign posted visible from the water. See attached sign posting requirements for details.

Being Present at the Public Hearing

The applicant will be given the date of the Public Hearing. Someone must be present at the public hearing to represent the applicant and to answer questions that the Board may have.

Staff Visits to the Property

The Planning Department staff will visit the application site during the month to assess the site conditions and to take photographs that will be shown at the Public Hearing. No one is required to be at home when the Staff does the required field work.

Final Site Plan Review & Approval Required:

Once the Public Hearing is held, and if the variance is granted, a final site plan which includes all conditions of the variance, must be prepared by a licensed professional and submitted to the Planning Department / Development Services Center for site plan review and approval prior to issuance of a building permit for clearing, demolition and / or construction. See attached information regarding site plan submittals.

MINIMUM SITE PLAN REQUIREMENTS FOR CBPA BOARD APPLICATION PACKAGE *Effective August 1, 2005*

A current, accurate physical survey/site plan of the entire property prepared in accordance with Virginia Law pertaining to Physical Improvements Surveys, and the following additional information, shown on the survey:

- Professional's seal, signed and dated
- The owner's name, mailing address, phone number and fax number
- Location of the edge of the perennial waterbody, tidal wetlands, tidal shore, and/or contiguous non-tidal wetlands (RPA feature)
- Location of the 50-foot seaward portion of the buffer
- Location of the 50-foot landward portion of the buffer
- Location of the top of the bank ($\geq 6\%$ slope), if present
- Location of the RMA (100' landward of the top of bank)
- Layout and dimensions of ALL proposed improvements
- Trees near or within the area of construction and construction access path
- Construction access path
- Erosion and sediment control measures
- Groups of trees or wooded areas
- Tree protection
- Buffer restoration and tree mitigation measures
- Required Notes for Single Family Site Plans in the RPA (for residential projects – see attached)

Note: 15 full size copies of the survey/site plan, and one reduced copy, sized 8 ½" x 11" are required to be submitted with the application.

REQUIRED NOTES FOR SINGLE FAMILY SITE PLANS IN THE RPA

The following notes are required in this order (separate any other notes from these on the plan):

1. The subdivision plat for this property was recorded in (map book & pages, deed book & pages or instrument numbers).
2. GPIN: _____.
3. Zoning: _____.
4. Proposed Number of Dwelling Units: _____.
5. Number of ERU=s: _____.
6. The property falls in the _____ Watershed. (*Chesapeake Bay, Southern, Owls Creek, Atlantic Ocean*)
7. The property does/does not fall in a Special Flood Hazard Area as shown on the FEMA NFIP FIRM for the City of Virginia Beach, Community-Panel Number 515531-_____, dated _____. The property falls in Flood Zone(s) _____. Base Flood Elevation (*if applicable*). _____ (NGVD 1929). The proposed dwelling is/is not located in a special flood hazard area.
8. The property does/does not fall in AFloodplains Subject to Special Restrictions@ (refer to Site Plan Ordinance, Section 5B.5(c))
9. The lowest proposed floor elevation, including basements and attached garages, is at least one foot above the one-hundred year base flood elevation as adopted by the City of Virginia Beach.
10. This Plan is based on the NAVD 1988 Datum. The City of Virginia Beach control

- reference point used for the survey and design is # _____, Elevation _____.
11. The lot grading on this plan is in accordance with the latest subdivision construction plan submitted to and approved by the Director of Planning or his designee on _____ . *(Use N/A if not applicable)*
 12. Sidewalks are/are not required per the approved subdivision plans.
 13. This site lies within aircraft accident potential zone _____ and/or noise zone(s)_____ and may be subject to aircraft accidents and/or above average noise levels due to its proximity to airport operations. Noise zone attenuation measures for new construction are required in accordance with the airport noise attenuation and safety ordinance and height restrictions have been imposed in accordance with Section 202(b) of the City Zoning Ordinance
 14. All erosion and sediment control measures shall be in accordance with the Virginia Erosion and Sediment Control Handbook, and as required by the city=s inspectors.
 15. Any and all material or debris tracked onto a public or private road surface will be removed at the end of each day. Sediment will be removed from roads by shoveling or sweeping, and will be transported to a sediment controlled disposal area.
 16. All excavated material shall be disposed of in a lawful manner.
 17. Area of site: _____sq.ft. _____acres.
 18. Area of site outside of water and tidal wetlands: _____sq.ft.
 19. Impervious Area calculations:
 Pre-development impervious area: _____sq.ft. _____% of site
 Post-development impervious area: _____sq.ft. _____% of site
 20. Area of Land Disturbance: _____sq.ft. _____acres.
 21. Residential tree calculation: _____sq.ft. required
 _____sq.ft. provided
(refer to Tree Planting, Preservation and Replacement Ordinance)
 22. Sequence of Construction: *(Site specific)*
 All construction sequences will contain the following first two steps:
 A. Obtain all required permits.
 B. Hold a pre-construction meeting on-site with the Civil Inspector, if required.
 23. Revegetation/seeding schedule: *(Site specific)*
 24. Silt Fence shall be installed in accordance with State Standard and Specification 3.05
 24. ALL LAND DISTURBING ACTIVITIES MUST CONFORM WITH THE APPLICABLE REGULATIONS OF THE CITY OF VIRGINIA BEACH CODES, ORDINANCES, AND PUBLIC WORKS SPECIFICATIONS AND STANDARDS AND THE VIRGINIA DEPARTMENT OF CONSERVATION AND RECREATION EROSION AND SEDIMENT CONTROL HANDBOOK. THE CONTRACTOR SHALL EXERCISE EVERY REASONABLE PRECAUTION, INCLUDING THE APPLICATION OF TEMPORARY AND/OR PERMANENT MEASURES DEEMED NECESSARY BEFORE, DURING AND AFTER CONSTRUCTION TO CONTROL EROSION AND PREVENT OR MINIMIZE SEDIMENT RUNOFF. THE PLANNING DEPARTMENT/PERMITS AND INSPECTIONS DIVISION SHALL ENFORCE THESE REQUIREMENTS. THE CITY INSPECTOR RESERVES THE RIGHT TO REQUIRE OTHER MEASURES NOT SPECIFICALLY DESCRIBED HEREIN TO CORRECT ANY EROSION OR SILTATION CONDITION.
 25. If required, AFTER OBTAINING ALL REQUIRED PERMITS, AND AT LEAST 48 HOURS PRIOR TO ANY LAND DISTURBING ACTIVITY, THE CONTRACTOR SHALL CONTACT CIVIL INSPECTIONS AT 385-4558 TO SCHEDULE A PRECONSTRUCTION MEETING.FAILED TO CONTACT CIVIL INSPECTIONS PRIOR TO ANY LAND DISTURBING ACTIVITY MAY RESULT IN A STOP WORK ORDER OR OTHER LEGAL ACTION.



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Chesapeake Bay Preservation Area Board Sign Posting Instructions & Information

(Please retain for your reference)

****FAILURE TO FOLLOW AND ADHERE TO THESE INSTRUCTIONS WILL
RESULT IN THE DENIAL OR DEFERRAL OF YOUR APPLICATION****

PURPOSE:

Section 113(E) of the Chesapeake Bay Preservation Area Ordinance requires that:

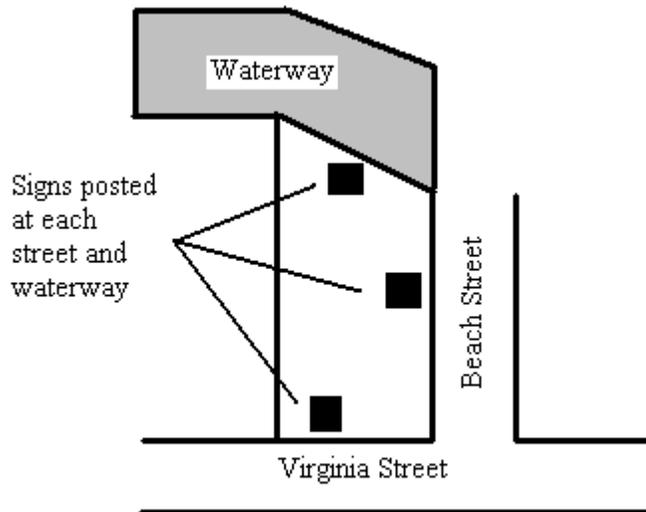
“In addition to the foregoing requirements, the applicant shall cause to be posted on the property which is the subject of the hearing, a sign of size, type and lettering approved by the board”

The purpose of the sign is to notify the public that a public hearing is to be held for the purpose of reviewing the request and receiving public comment on the request. While property owners immediately adjacent to the site under review and each waterfront property owner across the waterway from the subject property (if the water body is less than 500 feet wide) are notified by first class mail of the hearing, the general public receives notice either by an advertisement in the “Legals” portion of the Virginia-Pilot’s Classified section, or by the sign posted on the property. Therefore, the posting of the sign is extremely important and must be taken seriously by the applicant.

Instructions:

1. The applicant must post the sign, **not less than thirty (30) days** prior to the Chesapeake Bay Board hearing, and must remain in place until after the Board action. The sign must be removed **no later than five (5) days** after the Board action.
2. The applicant must post the signs, provided by the Planning Department, on the property, **within 10 feet of every public street**, on the shoreline, and must be clearly visible. (See sketch)

Example:



3. The sign must remain posted at all times during the 30 days prior to the Chesapeake Bay Board public hearing. We strongly advise you check each day to be sure the sign(s) is in place. If you need a new sign, contact the Planning Department immediately at 385-4621 to arrange to have a sign picked up.
4. **The posting of the sign for at least 30 days prior to the public hearing is the responsibility of the applicant. FAILURE TO INSURE THAT THE SIGN(S) ARE POSTED AND REMAIN IN PLACE CAN, AND LIKELY WILL, RESULT IN DEFFERAL OF THE APPLICATION TO THE NEXT AGENDA OR DENIAL.** Section 113(E) notes “in the even that such sign is removed, obscured, otherwise rendered illegible or if the board determines that the requirements of this section have not been met prior to the hearing, the board may deny of defer the application”.
5. To insure that the sign(s) are posted in such a manner that they remain in place against storm events or potential vandalism, we strongly recommend that you secure the sign on a sturdy post with large nails or screws and anchor the post in the ground with concrete or similar semi-permanent anchoring material. Another mounting method which has been successful, is to mount the sign in the ground by running two or three metal rods through the thickness of the sign along its length leaving up to half or third of the rod’s length sticking out of the bottom of the sign and then inserting the portion that sticks out of the sign into the ground (similar to the way in which some “House for Sale” signs are mounted), In any case, do not forget to check to make sure the sign is in place during the 30 days.

For detailed legislation concerning this and similar issues, see Section 113(E) of the Chesapeake Bay Preservation Area Ordinance.



Chesapeake Bay Preservation Area Ordinance
APPLICATION FOR CHESAPEAKE BAY BOARD REVIEW
City of Virginia Beach

The following application must be completed and submitted along with a Water Quality Impact Assessment and the appropriate plans and fees to the Planning Department. All questions on this application must be answered completely. Incomplete submissions may delay project review. A presubmittal meeting with the property owner, the consultant and the planning staff is strongly encouraged.

Current Property Owner's Information

Name: _____
Street Address: _____
City: _____ State: _____ Zip: _____
Telephone: (work) _____ (home) _____
Fax: _____ Email: _____

Contract Purchaser's Information

Name: _____
Street Address: _____
City: _____ State: _____ Zip: _____
Telephone: (work) _____ (home) _____
Fax: _____ Email: _____

Agent/Consultant's Information

Name: _____
Street Address: _____
City: _____ State: _____ Zip: _____
Telephone: _____ Fax: _____
Email: _____

Geographical Property Identification Number (GPIN): _____

If you do not know the GPIN, it is available at the City's Department of Public Works/Mapping and Surveys: Phone 385-1819.

Legal Description of Property, as noted on the plat:

Location (Street Address): _____

Subdivision: _____

Property District: _____

Name of Planner: _____

Please describe any **hardship** caused by the Chesapeake Bay Preservation Area Ordinance which you view as justification for granting a variance.

A waiver or modification of any of the information required in Sections 106 or 110 of the Chesapeake Bay Preservation Area Ordinance may be requested.

Unique characteristics of the site, or the intensity of the proposed use, or development, may require submission of additional plans and information. Is the applicant requesting a waiver or modification of any of the information required in either Section 106 or 110 of the CBPA Ordinance?

YES NO

If yes, describe and justify the request:



**Chesapeake Bay Preservation Area Ordinance
DISCLOSURE STATEMENT
City of Virginia Beach**

If the property owner is a CORPORATION:

List the officers of the corporation:

If the property owner is a PARTNERSHIP, FIRM, or other UNINCORPORATED ORGANIZATION:

List all members or partners in the organization:

Signature and Title of Applicant or Authorized Agent

Date

Please note that the proposed project may require additional State and/or Federal Wetland Permits. For information about these permitting requirements, please contact the following:

The Virginia Department of Environmental Quality, 552-1840
The Virginia Marine Resources Commission, 247-2200
The U.S. Army Corps of Engineers, 441-7500



**CHESAPEAKE BAY PRESERVATION AREA
WATER QUALITY IMPACT ASSESSMENT
City of Virginia Beach**

Applicant's Name: _____

Applicant's Telephone Number: _____

Property Address: _____

Geographic Property Identification Number (GPIN): _____
(Please call the Department of Public Works for GPIN information at 385-1819)

CITY MAP GRID (determined by city staff): Letter _____ Number _____

IN THE SPACE BELOW, PLEASE DESCRIBE THE PROPOSED PROJECT:
(Please provide an attachment, if additional space is needed)

PLEASE CHECK ALL OF THE FOLLOWING INFORMATION WHICH APPLIES TO YOUR PROJECT:

PROJECT LOCATION:

- a. Resource Management Area (RMA)
- b. Resource Protection Area (RPA)
 - Landward 50 Feet of Buffer Area
 - Seaward 50 Feet of Buffer Area

- Slopes Exceeding 6% Grade (Highly Erodible Soils)
- Variable Width Buffer (landward of 50' landward buffer)

PROJECT DESCRIPTION:

- | | |
|--|--|
| <input type="checkbox"/> a. Deck | <input type="checkbox"/> e. Commercial |
| <input type="checkbox"/> b. Addition | <input type="checkbox"/> f. Multi-family residential |
| <input type="checkbox"/> c. Pool | <input type="checkbox"/> g. Industrial |
| <input type="checkbox"/> d. New House | |
| <input type="checkbox"/> h. Other: _____ | |

WILL THE PROJECT REQUIRE ANY OF THE FOLLOWING?

- a. Excavation
- b. Filling
- c. Grading

MATERIALS TO BE USED TO COVER LAND SURFACE:

- | | |
|---|---|
| <input type="checkbox"/> a. Wood | <input type="checkbox"/> f. Gravel |
| <input type="checkbox"/> b. Brick | <input type="checkbox"/> g. Stone |
| <input type="checkbox"/> c. Concrete | <input type="checkbox"/> h. Porous Paving |
| <input type="checkbox"/> d. Asphalt | <input type="checkbox"/> i. Roof |
| <input type="checkbox"/> e. Paving Blocks | <input type="checkbox"/> j. Pool |
| <input type="checkbox"/> k. Other: _____ | |

EXISTING SITE CONDITIONS:

- | | |
|---|---|
| <input type="checkbox"/> a. Heavily Wooded | <input type="checkbox"/> h. Understory/brush |
| <input type="checkbox"/> b. Sparsely Wooded | <input type="checkbox"/> i. Leaves/needles |
| <input type="checkbox"/> c. No Trees | <input type="checkbox"/> j. Bare Soil |
| <input type="checkbox"/> d. Marsh/Swamp | <input type="checkbox"/> k. Eroding soils/shoreline |
| <input type="checkbox"/> e. Stream | <input type="checkbox"/> l. Waterfront Property |
| <input type="checkbox"/> f. Ravine or Ditch | <input type="checkbox"/> m. Paved |
| <input type="checkbox"/> g. Grass | |
| <input type="checkbox"/> n. Other: _____ | |

IMPACTS ON EXISTING VEGETATION:

Provide a number in the space provided:

- _____ a. Number of trees to be removed
- _____ b. Approximate square footage of canopy to be removed

- _____ c. Approximate square footage of understory/brush/leaves/needles to be removed
- _____ d. Number of Trees To Be Heavily Pruned
- _____ e. Number of Dead, Dying or Diseased Trees to be removed
- _____ f. Other: _____

PROPOSED METHODS TO MINIMIZE SITE IMPACTS:

- a. Silt Fence
- b. Tree Protection/Barriers
- c. Limit Construction Activity To Flat Areas of Site
- d. Single Construction /Access Way
- e. Stockpile Construction Materials and Debris on Hard Surfaces
- f. Construction Entrance
- e. Barriers To Define Limits of Construction Activity/Land Disturbance
- f. New Structure Situated On Lot So As To Minimize The Encroachment Into the Resources Protection Area
- g. Multi-story Building
- h. Other: _____

PROPOSED MITIGATION MEASURES:

- a. Extensive Buffer Area Enhancement with Vegetation and Natural Ground Cover Consisting of:
 - Trees
 - Shrubs
 - Ground Cover of Pine Needles
 - Ground Cover of Mulch
 - Ground Cover of Leaves

Provide a number in the space provided:

- _____ a. Number of New Trees Proposed
- _____ b. Number of New Shrubs Proposed
- _____ c. Square Feet of Buffer Restoration

Best Management Practices Utilized:

- Infiltration Planting Bed
- Dry Well
- Grass Swale
- Wet Retention Pond

- Extended Dry Pond
- Bioretention
- Structural
- Other: _____

Erosion and Sediment Control Structures Utilized:

- Gravel Dripline Intercept
- Gravel Downspout Intercept
- Sand and Gravel Under Deck Treatment
- Other: _____

PLEASE DESCRIBE THE STEPS TO BE TAKEN FOR PROJECT CONSTRUCTION INCLUDING ANY PROTECTION AND MITIGATION MEASURES PROPOSED ALONG WITH THE CONSTRUCTION SEQUENCE OF THE PROJECT: Example: obtain permits, install silt fence and tree protection, build house, plant new trees, etc. *(Please provide an attachment, if additional space is needed.)*

ARE YOU SEEKING OR HAVE YOU ALREADY OBTAINED PERMITS FROM OTHER LOCAL, STATE OR FEDERAL AGENCIES INCONJUNCTION WITH THIS PROJECT? IF YES, PLEASE DESCRIBE: *(Please provide an attachment, if additional space is needed.)*

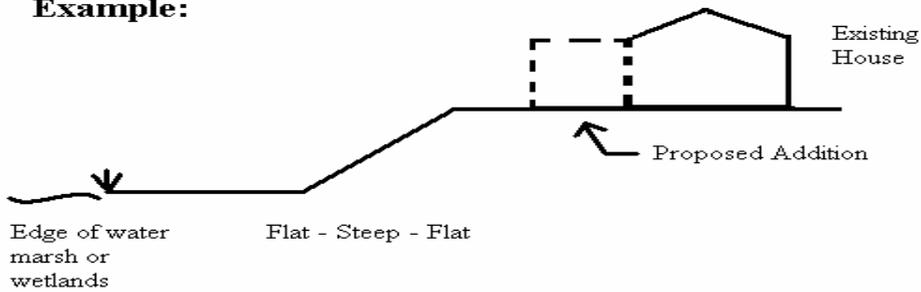
CAN YOU AVOID LOCATING THE PROJECT ON THE MOST SENSITIVE PORTION OF THE SITE AND IS THERE A SUITABLE AREA ON THE SITE TO DO SO?

- YES NO

IF YES DESCRIBE WHY THIS PROJECT DESERVES SPECIAL CONSIDERATION AND WHY AN ALTERNATIVE LOCATION IS NOT FEASIBLE: *(Please provide an attachment, if additional space is needed.)*

Please circle the number that best depicts the grade/slope of the yard and draw the approximate location of your proposal.

Example:



1. 
Flat Ground

5. 
Gradual Incline

2. 
Steep Slope

6. 
Gradual Incline - Flat

3. 
Flat - Steep - Flat

7. **Other**

4. 
Steep - Flat