



DEVELOPMENT SERVICES CENTER



DSC Information Notice #182 (Revised)

October 14, 2011

Topic: Small Single-Family Projects Located within the Chesapeake Bay Preservation Area (CBPA) Resource Protection Area (RPA)

Background

The Over-the-Counter and Small Projects on Single-Family RPA Lots Guide, referenced in the September 20, 2011 DSC Information Notice #182, contained errors and omissions on the first and second pages. The “red lined” changes to the Guide are attached to this Notice. The complete revised version of the Guide may be found on the DSC webpage. [Checklist and Guide](#) (The submittal checklist did not change.)

Discussion of Changes

Page 1 – In order to qualify as a Small Project or be reviewed Over-the-Counter, the project must be **both** small (≤ 2500 square feet) and a single-family lot in the RPA. The third condition was removed to allow someone who received a previous Board variance the opportunity to use one of these processes. For example, if a homeowner received a Board variance for a pool and deck, they should be able to repair or replace their roof using this process. This type of construction activity should have no impact on the Chesapeake Bay or the RPA.

Page 2- These changes were added to ensure the continued protection of the seaward 50-foot buffer and the area of highly erodible slopes. Proposed construction activity located within these sensitive areas, as described in subsections b & f, will be reviewed by the Preliminary Project Request (PPR) Committee. The construction activities described in subsections b & f may be reviewed through the Over-the-Counter process if the activity is located within the landward portion of the RPA buffer.

Important Note: Staff may review an Over-the-Counter project and determine that the project must be reviewed by the PPR Committee, due to the uniqueness and location of the proposed project.

Effective Date: Immediately

For More Information, Please Contact:

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City of Virginia Beach Development Services Center

OVER-THE-COUNTER APPROVALS AND SMALL PROJECTS ON SINGLE-FAMILY RPA LOTS

◆ ELIGIBILITY ◆ PLAN REQUIREMENTS ◆ DSC PROCESS

I. HISTORY:

The Chesapeake Bay Preservation Area (CBPA) Program for Virginia Beach has experienced increasing concerns regarding the cost of site plan preparation for minor residential projects in the Resource Protection Area (RPA). Many homeowners have reported that the cost in time and money of the site plan preparation often exceed the cost of the project and has become a significant financial burden for them with little or no value added to the protection of the Chesapeake Bay.

II. ACTION:

In response to this concern, City staff developed two additional categories that may be applied to minor projects. Eligible projects that fall under either of these two categories will have fewer requirements for site plan preparation. The minimum site plan requirements are listed in the appropriate Submittal Checklist. *DSC Staff and/or the Preliminary Project Request (PPR) Review Committee will determine final eligibility.* The two additional categories are as follows:

- A. **OVER-THE-COUNTER (OTC) PROJECTS (NO REVIEW FEE)**
- B. **SMALL PROJECTS ON SINGLE-FAMILY RPA LOTS (\$135.00 REVIEW FEE)**

III. MINIMUM QUALIFICATIONS:

Projects must meet ~~at least one of~~ the following **minimum** qualifications in order to be eligible for one of the aforementioned categories:

- The land disturbance must be 2,500 square feet or less;
- The site must be a single-family lot (residential) within the RPA;
- ~~The site does not have a prior CBPA Board variance.~~

IV. PROCESSES:

A. OVER-THE-COUNTER (OTC) PROJECTS PROCESS:

1. An applicant comes to the DSC counter with the proposal on a survey and submits project for initial review by Staff.
2. Sites with active Stop Work Orders or Notice of Violation will require additional investigation to determine the appropriate process and may not be eligible for immediate OTC approval.
3. **Examples of Eligible Projects for OTC Approval:**
 - a. *Replacement roofing, shingles, or siding;*
 - b. *Repair and maintenance of rotten/damaged boards or railings of existing decks without foundation work, **not located in the first 50' seaward buffer or on highly erodible slopes;***
 - c. *Dormers and new roofs;*
 - d. *Arbors (no roof);*
 - e. *Enclosures of existing covered decks and/or porches that do not alter the main structure and/or floor's structural integrity or exceed the structure's existing footprint (e.g., installing windows).*
 - f. *Generator pads, ~~hot tub pads, or similar new impervious cover,~~ of 35 square feet or less, **not located in the first 50' seaward buffer or on highly erodible slopes.***
 - g. *Driveway and sidewalk replacements of 75 square feet or less.*
4. If a project is eligible for OTC Approval, the applicant's survey is stamped approved by DSC Staff. If a project is not eligible for OTC Approval, the applicant must submit a PPR Application.
5. The applicant proceeds to the permitting office. The applicant first checks zoning compliance at the Zoning counter. After Zoning approval, the applicant proceeds to obtain their permit from the Permits & Inspections (same office).

B. SMALL PROJECTS ON SINGLE-FAMILY RPA LOTS PROJECTS PROCESS (REDEVELOPMENT SCENARIO):

1. An application, complete with the PPR Form, is submitted for review by the PPR Committee.
2. Sites with active Stop Work Orders or Notice of Violation will require additional information and may not be eligible for the Small Projects Process.
3. **Examples of Eligible Projects (Redevelopment) with proposed improvements to be built within existing impervious cover:**
 - a. *Decks and Patios;*
 - b. *Building Additions;*
 - c. *Driveways;*
 - d. *Sidewalks;*
 - e. *Sheds;*
 - f. *Porches, stoops, and steps;*