

BOARD APPLICATION INFORMATION

CBPA Board application forms and Public Hearing dates may be found at www.vbgov.com/cbpa.

BOARD APPLICATION REQUIREMENTS CHECKLIST

For development requests within the Chesapeake Bay Preservation Area (CBPA), Resource Protection Area (RPA) that require a variance from the provisions of the CBPA Ordinance, the following information must be submitted through the City of Virginia Beach Accela Citizen Access System at: <https://citizenaccess.vbgov.com>.

If you are a citizen submitting a Small Project in the RPA application and assistance is needed, Staff is available to assist with the Accela Citizen Access record creation. Please contact the Department of Planning & Community Development at (757) 385-4621.

CBPA Exhibit.

CBPA exhibit requirements vary by request. Please refer to page 2 of this application for the appropriate CBPA exhibit and associated requirements applicable to the specifics of this CBPA variance request.

- Small Project in the RPA or Tree Removal in the RPA
- Single Family Plan in the RPA
- Site Development Plan (Commercial Site Plan)
- Subdivision Construction Plan in the RPA

Water Quality Impact Assessment (WQIA).

Disclosure Statement.

If different, the Property Owner's signature and Applicant's signature or Contract Purchaser's signature is required.

Board Application Fee, payable to "Treasurer, City of Virginia Beach".

- \$450.00

PLEASE NOTE: In addition to submission of an application through the Accela Citizen Access System, one (1) hard copy of the CBPA Exhibit, Water Quality Impact Assessment, and Disclosure Statement shall be delivered to the Department of Planning & Community Development to complete the application submittal process.

DELIVERY OF APPLICATION FOR HARD COPY REQUIREMENTS

City of Virginia Beach, Department of Planning & Community Development
2875 Sabre St., Suite 500
Virginia Beach, Virginia 23452

STATE and FEDERAL LAW COMPLIANCE

Please note that requests may require additional State and/or Federal Permits. The property owner, applicant and/or consultant are responsible for contacting the Virginia Department of Game and Inland Fisheries, Virginia Department of Environmental Quality, and/or the Army Corps of Engineers regarding the potential presence of threatened or endangered species, critical habitat, and/or jurisdictional wetlands. For information regarding permitting requirements, please contact the following.

The Virginia Department of Game and Inland Fisheries
The Virginia Department of Environmental Quality
The Virginia Marine Resource Commission
The U.S. Army Corps of Engineers

(804) 367-1000 or www.dgif.virginia.gov
(804) 698-4000 or www.deq.state.va.us
(757) 247-2200 or www.mrc.state.va.us
(757) 201-7500 or www.usace.army.mil

CBPA REQUEST TYPES and EXHIBIT REQUIREMENTS

Tree Removal in the RPA

This variance request type is intended for individual requests for the removal of healthy trees located in the Chesapeake Bay Preservation Area RPA that meet the following criteria.

- Removal of approximately 7 or more healthy trees in the RPA.

This variance request is only intended for use once a Preliminary Project Request has been submitted to Staff for review and a response letter issued to the applicant.

CBPA Exhibit Requirements for a Tree Removal in the RPA variance request

The plan may be a new site plan or a current physical improvements survey signed and dated by the responsible professional. The exhibit must provide the following.

- All existing improvements currently located on the property.
- Location of trees requested for removal.
- Certified Arborist report, at the Applicant's discretion.

Small Project in the RPA

This variance request type is intended for an individual Single Family Dwelling located in the Chesapeake Bay Preservation Area RPA that meet the following criteria.

- Less than 2,500 square feet of land disturbance, including construction access and staging areas.
- Approximately 300 square feet or less of proposed impervious cover in the 50 foot seaward buffer

-or-

Approximately 500 square feet or less of proposed impervious cover in the 50 foot landward buffer.
(Please note that the square footage criteria within both buffers is not intended to be cumulative.)

CBPA Exhibit Requirements for a Small Project in the RPA variance request

The plan may be a new site plan or a current physical improvements survey signed and dated by the responsible professional. The exhibit must provide the following.

- All existing improvements currently located on the property.
- All proposed improvements (proposed impervious cover) with dimensions.
- The total square footage of proposed improvements (proposed impervious cover).

Single Family Site Plan in the RPA

This variance request type is intended for an individual Single Family Dwelling that requires DSC review and approval that is located in the Chesapeake Bay Preservation Area Resource Protection Area (RPA). These submittals may only contain one dwelling on one lot.

CBPA Exhibit Requirements for a Single Family Site Plan in the RPA variance request

The exhibit shall be a site plan, prepared, stamped and endorsed by a registered engineer, surveyor or other persons duly licensed by the Commonwealth of Virginia to practice as such. The exhibit must provide the following.

- 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 and 50 foot landward portions of the buffer.

CBPA Exhibit Requirements for a Single Family Site Plan in the RPA (*continued*)

- Location of the top of bank (>6% slope), if present and 100 foot variable width buffer.
- Special flood hazard areas, base flood elevations and flood zone designation.
- Topographic survey per City Code, Appendix C, Section 4 (B)(4).
- All existing improvements currently located on the property.
- All proposed improvements (proposed impervious cover) with dimensions.
- The total square footage of proposed improvements (proposed impervious cover).
- Layout and dimension of all improvements.
- Limits of construction and tree protection areas.
- Trees near or within the area of construction and construction access path.
- Construction access path.
- Stockpile and staging area.
- Area of site provided in square feet, and acres.
- Area of site outside of water and tidal wetlands provided in square feet and acres.
- Area of site within Resource Protection Area provided in square feet and acres.
- Pre-development impervious cover provided in square feet and percent of site outside of water and tidal wetlands.
- Post-development impervious cover provided in square feet and percent of site outside of water and tidal wetlands.
- Area of land disturbance provided in square feet.

Site Development Plan (Commercial Site Plan)

This variance request is intended for commercial, office, industrial, multi-family (multi-family means 3 or more dwelling units on one parcel), or mixed use developments. A pre-submittal meeting with City Staff is required prior to the variance request being submitted to the CBPA Board process.

CBPA Exhibit Requirements for Site Development Plan (Commercial Site Plan) variance request

The exhibit shall be a site plan, prepared, stamped and endorsed by a registered engineer, surveyor or other persons duly licensed by the Commonwealth of Virginia to practice as such. The exhibit must provide the same requirements listed above for CBPA Exhibit Requirements for a Single Family Site Plan in the RPA.

Subdivision Construction Plan in the RPA

This variance request type is intended for projects involving the creation of new lots, resubdivision of existing lots or the creation of public streets in the RPA. A pre-submittal meeting with City Staff is required prior to the variance request being submitted to the CBPA Board process.

CBPA Exhibit Requirements for Subdivision Plan variance request

The exhibit shall be a site plan, prepared, stamped and endorsed by a registered engineer, surveyor or other persons duly licensed by the Commonwealth of Virginia to practice as such. The exhibit must provide the same requirements listed above for CBPA Exhibit Requirements for a Single Family Site Plan in the RPA.

BOARD APPLICATION PROCESS

Preliminary Project Request (PPR)

Optional

- Prior to submittal of an application, applicants are encouraged to meet with a Staff planner by email, phone, or in-person to discuss the application

Pre-submittal Meeting

Required for Site Plan Development Exhibit (Commercial Site Plan) and Subdivision Construction Plan Exhibit

- Prior to submittal of a Board Application, applicants may request to meet with Staff by email, phone, or in-person to discuss the application.
- Applicant's with Site Plan Development Exhibits or Subdivision Construction Plan Exhibits are required to meet with Staff prior to Board Application submittal.

Board Application Submittal

- Board Applications are due by the 5th of each month to be heard at the following month's CBPA Board public hearing.
- Board Application hard copy requirements are to be submitted to the Department of Planning and Community Development.

Application Review

- Staff reviews the content of the Board Application for completeness.
- Staff may contact the applicant, property owner or representative regarding the completeness or accuracy of the submitted Board Application.
- Application is routed to all applicable City Departments for review and comment.

Site Visit

- Staff will visit the site to conduct an existing conditions analysis and review of the accuracy of the CBPA Exhibit submitted.
- Staff will take photographs of the property to be presented to the CBPA Board at the public hearing.

Public Notice

- Notification signs must be posted on the property by the applicant 15 days prior to the CBPA Public Hearing. One at the public street and one at the waters edge.
- The City will mail notification letters to all adjacent property owners.
- The City will advertise the request in the Virginian-Pilot Beacon twice and on the City website.

CBPA Board Public Hearing

- CBPA Board Public Hearings dates are posted at www.vbgov.com/cbpa
- CBPA variance request is considered by the CBPA at the public hearing.
- The public have the opportunity to voice their opinions during the public hearing.
- The CBPA Board approves, denies or defers the application

CBPA Variance Conditions

- If a variance to the CBPA Ordinance is granted by the CBPA Board, approved conditions are emailed to the applicant, property owner or representative.
- CBPA variance conditions are approved by the CBPA Board at the following month's public hearing.