Chesapeake Bay Preservation Area

GUIDANCE FOR GENERAL YARD MAINTENANCE & LANDSCAPING

City of Virginia Beach
Planning & Community Development

The Chesapeake Bay and its tributaries constitute one of the most important and productive estuarine systems in the world, providing economic and social benefits to the citizens of the City of Virginia Beach and the Commonwealth of Virginia [City Code, Appendix F, Sec. 101]. The intent of this document is to provide guidance for property owners who live within the Chesapeake Bay Preservation Area (CBPA) buffer area regarding the performance standards and regulations of the City's CBPA Ordinance.

What is the CBPA buffer area or CBPA Resource Protection Area (RPA)?

The CBPA buffer area or RPA is the area of land adjacent to the shoreline of the Chesapeake Bay and its tributaries, including both the Lynnhaven River and the Elizabeth River. These shorelines and their tidal and nontidal wetlands, particularly when in a natural state, protect water quality by filtering rainwater, provide protection against erosion from waves and wind, and provide wildlife habitat for both migratory and non-migratory species.

What type of general yard maintenance is permitted within the CBPA buffer area?

General yard maintenance is permitted and may be performed within the CBPA buffer area without approval from City Staff. General yard maintenance within the CBPA buffer area consists of the following.

- Tree limbs may be pruned or removed as necessary using sound horticultural practices to provide for sight lines and vistas. Sound horticultural practices consist of limiting pruning to no more than 20% of any plant at one time or removing no more than the bottom 20% of any plant. Pruning of a plant should be uniform.
- Where mature trees exist adjacent to tidal waters, the select removal of lower tree limbs is permitted in order to allow sunlight on the tidal fringe marsh.
- Dead, diseased, dying or infested trees and shrubbery may be removed. Trees and shrubbery that are diseased or infested may threaten other trees or shrubbery. Use of chemicals to treat infestations is discouraged, as chemical applications may adversely affect adjacent vegetation or waterways.
- Invasive, non-native species and noxious weeds that are physically harmful or destructive to other desirable vegetation may be removed or managed to promote a naturally healthy CBPA buffer area.
- Man-made debris and trash may be removed from tidal marshes by nonmechanical means. Avoid unnecessary disturbance to wetland vegetation or soils and contact with wildlife.

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What type of general yard landscaping is permitted within the CBPA buffer?

Within the CBPA buffer, the replacement of turf with woody vegetation (trees and shrubs) and planting woody vegetation to supplement the existing buffer area is permitted without approval from City Staff. Creating vegetated areas that replicate a natural setting promotes water quality by capturing and filtering pollutants from rainwater runoff, enhance stabilization of shorelines, and creates wildlife habitat.

Permitted landscaping activities

- Amending soils within areas to be planted.
- Tilling existing soils for vegetable gardens.
- Top coating existing lawn areas with topsoil.
- Steppingstone paths through mulched areas.

PROHIBITED landscaping activities without permit

- Placing fill material or altering existing grades.
- Construction of sheds or garden gazebos.
- Construction of patios, fire pit area or brick walks.
- Repair, alter or construct piers, docks or wharfs.

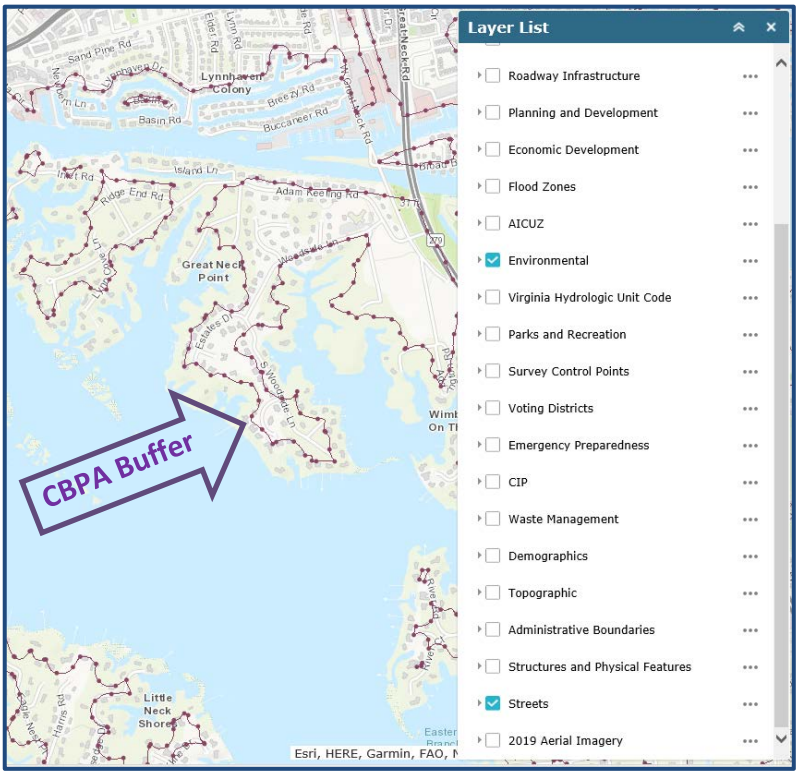
When planting woody vegetation within the CBPA buffer area, the following guidance is provided for the long-term health and survivability of the plants.

- Plant canopy trees more than 15 feet away from vegetated, tidal shorelines. Otherwise planting could result in marsh shading or interference with the integrity of shoreline protection structures.
- In areas prone to abnormal high tide flooding and storm surge, only plant salt and flood tolerant species to ensure greater survival of the plantings.

How can I determine if my property is within the CBPA buffer area?

The CBPA buffer area is delineated on the City's GIS map. Access to the City's GIS map is provided online at: www.vbgov.com/map

- Within the Layers List, activate the Environmental layer and the CBPA buffer area will be represented by a purple dotted line.
- Please be advised that the delineated CBPA buffer provided on the City's GIS map is used for guidance only.



Staff resources

Staff is also available to answer your CBPA questions. Please contact a CBPA Planner via phone or email.

Phone: (757) 385-4621
Email: planadmin@vbgov.com