

**CITY OF VIRGINIA BEACH
SPECIFIC GUIDELINES
FOR
JOINT PERMIT APPLICATION SUBMITTAL
Revised: August 2019**

A permit is required:

1. to build, erect, construct, alter, extend or repair any landing, wharf, dock, pier, bulkhead, jetty or like structure (City Code Section 6-136);
2. to dredge or carry on any landfill operation or to extend any existing real estate into waters, marshlands or lowlands in the city (City Code Section 6-151); and
3. to use or alter or develop any wetlands or Coastal Primary Sand Dune / Beach (City Zoning Ordinance Sections 1400 and 1600, *et seq.*).

A Joint Permit Application is required to apply for these waterfront construction permits above.

HOW TO OBTAIN A JOINT PERMIT APPLICATION

1. To obtain a Joint Permit Application, contact the Army Corps of Engineers at (757) 201-7652 or you may download a copy at:
<http://www.nao.usace.army.mil/Missions/Regulatory/JPA.aspx> or www.vbgov.com/waterfront

2. Submit all Joint Permit Applications and Re-submittals for waterfront construction to:

Virginia Marine Resource Commission
Habitat Management Division OR jpa.permits@mrc.virginia.gov
380 Fenwick Road, Building 96
Ft. Monroe, VA 23651

JOINT PERMIT APPLICATION FEE REQUIREMENTS

3. All Waterfront Construction Permit Applications: \$230.
4. Wetlands Board Permit Application for Wetland Development: \$450.00 includes application fee, advertisement fee, and notification fees.
5. Wetlands Board Permit Application for Altering a Coastal Primary Sand Dune: \$450.00 includes application fee, advertisement fee, and notification fees.
6. Wetlands Board/Sand Dune Deferral Fee: \$230.00 per Deferral
7. Sand Management Applications: \$230.00
8. Sandbridge General Permit Applications: \$100

9. All checks are to be made payable to: “*Treasurer, City of Virginia Beach*” and sent directly to the Planning Department, Attention: Waterfront Operations, 2875 Sabre Street, Suite 500, Virginia Beach, VA 23452. Please submit your checks with a cover letter including the applicant’s name, address, phone number and application file number, if known.
10. Applications for waterfront construction will not be reviewed and will remain incomplete until all the required processing fees have been remitted.
11. Applications and re-submittals will be reviewed in the order they are received. The applicant, agent and contractor will be notified when the review process is complete.

GENERAL INFORMATION FOR APPLICATION SUBMITTAL

10. Read all the instructions in the Joint Permit Application and these guidelines before completing the application. If you still have questions, you may contact the Waterfront Operations office at (757) 385-8246.
11. Answer all applicable questions and fill in all the blanks required on all the application forms.
12. Projects that encroach onto City Property; Easements; or Rights of Way may require encroachment approval from City Council. You may contact the Department of Public Works, Real Estate Office at 385-4161 regarding this requirement prior to your submittal for further details. Buffer restoration may also be required.
13. Applications for projects that encroach onto City of Norfolk owned lakes require written approval from the City of Norfolk. You may contact the City of Norfolk at 441-5678 regarding this requirement prior to your submittal for further details. A copy of the City of Norfolk’s approval must be provided to obtain final approval for a Virginia Beach permit.
14. All information required in the Joint Permit Application shall be prepared and certified as complete and accurate by a professional engineer or other appropriate person(s) duly licensed by the Commonwealth of Virginia to practice as such.
15. Request for waivers to the requirement for a professional certification on the construction plans may be requested by the applicant. Waivers may be granted, but primarily for minor repairs of privately owned bulkheads, revetments and piers on calm waters. This would be for such items as cap replacement, repairing a few damaged vertical sheeting members or pier decking, boat lifts, personal watercraft lifts and mooring piles. This would not include a new installation or major rehabilitation of an existing structure. The proposed repairs will need to be drawn to scale on a physical survey or site plan.
16. The proposed alignment of all projects shall have been staked in the field at the time the application is submitted. Stake the seaward extent of the proposed structure at each angle and the landward end of each return. Clearly label all stakes. Long pieces of white PVC work well, especially if there is tall vegetation or deep water.
 - a) For bulkheads stake the seaward face of the sheeting.
 - b) For riprap stake the seaward toe.

c) For a proposed dredge projects stake the box cut at appropriate linear intervals, at all angle points of the channel toe and around all turning basins.

17. Submit good quality **legible** drawings, on 8.5 X 11 paper, on the fewest number of sheets necessary to adequately illustrate the project.
18. Lettering must be easily read. Refrain from abbreviations.
19. For each submittal or resubmittal provide complete, accurate and consistent title blocks on all pages of the application drawings, including consistent revised dates on all sheet numbers on all pages of the drawings. Slip sheeting of drawings is not allowed.
20. Provide a one-inch margin at the top and a half-inch margin on the other three edges on all pages of the application drawings.
21. All lines on the application drawings must be labeled.
22. For project revisions, provide a transmittal letter that indicates all changes, revisions, or modifications. All transmittal letters must be addressed and sent to the Virginia Marine Resource Commission. Reference the City of Virginia Beach file number for the project.
23. It may be necessary during the review of certain applications to require additional information not presented in these guidelines. You will be notified if this is necessary.
24. When responding to a request for additional information, resubmit all of the information requested to eliminate duplication of staff processing time and delays in the permit process.
25. Application drawings must be able to be readily reproduced. Color shading, and paper larger than 8.5" by 11" may not be used.
26. Specify the datum used for the project on each drawing.
27. Only the work shown on the plans approved by Waterfront Operations is authorized to be performed. Field changes without approval are not allowed. If after a permit is issued there is a need, for whatever reason, to change, modify, improve, alter, delete, add, increase, etc. any activity shown on the approved plan, express consent must be first obtained from Waterfront Operations. There are no exceptions. If there is any doubt, ask first. The steps necessary to grant such changes vary from site to site depending on the nature of the project and the significance of the change. Accordingly, extreme care should be used in the original design of each project. Contractors, agents, engineers and consultants should thoroughly discuss the wants and needs of the applicant prior to the original submittal to avoid unrealistic expectations and the need for changes after the plan is approved.
28. Once Waterfront Operations has granted approval for a project, the applicant, agent and contractor will be notified in writing that the required building permit may be obtained.

29. Prior to issuance of the required building permit, the applicant or agent must provide to Waterfront Operations the selected contractor's information (name and phone number). If the contractor's information changes, Waterfront Operations must be notified. Pursuant to the Uniform Statewide Building Code, the owner or registered contractor must obtain the required building permit.
30. Pursuant to the Uniform Statewide Building Code, prior to a final release of a project by the City, the applicant's engineer of record must confirm in writing to Waterfront Operations that he has performed the necessary inspections for the project and that the project has been constructed in accordance with the approved plans and specifications he prepared. Accordingly, the owner and engineer of record must execute the attached Engineer/Surveyor's Inspection Statement (page 10) indicating acknowledgment of the inspection(s) requirement and submit it with the application.
31. The contractor and the owner of the property are required to ensure that the engineer of record completes the Engineer's Final Inspection Report, and returns it to Waterfront Operations within 30 days of the completion of the project.
32. Waterfront Operations will maintain records of those violations of the City Code it investigates. All violations will be forwarded to the applicable professional board for their action which may include fines and license forfeiture. These records will be made available to City Boards and Commissions.
33. For all applications involving piers, boat lifts, boathouses, mooring piles and similar structures, the applicant shall provide the adjacent property owners a written notice of the project. Verify this in your transmittal letter to VMRC or so note in the Joint Permit Application.
34. All requests for modifications for projects involving piers, boat lifts, boathouses, mooring piles and similar structures must include re-notification to the adjacent property owners.
35. The overland removal of dredge material from the site in excess of 337 cubic yards of material will require separate approval from the Development Services Center for a Hauling Permit. Contact the Development Services Center at (757) 385-8277 for additional information regarding the process for this requirement.
36. In accordance with City Code and the Department of Planning's sign posting requirements, signs shall be posted on the project site not less than thirty (30) days before the Wetlands Board public hearing and shall state the nature of the application and the date and time of the Wetlands Board public hearing. Such signs shall be removed no later than five (5) days after final action of the Board. Deferrals shall be duly noted on the sign and the date updated.

PLAN VIEW REQUIREMENTS

37. Show and label, with dimensions, all property lines for the project site as shown on the legally recorded plat. The use of match lines is acceptable for large lots.
38. Specify the scale and provide a graphic scale bar on each drawing.
39. Show and label the location of all easements.
40. Show and label the location of all adjacent property owners.
41. When a proposed structure crosses the applicant's platted property boundary, clearly label the adjacent property ownership at that location. The current adjacent owner of record must become co-applicant by signing the application or by completing a licensed agency agreement form (available from Waterfront Operations).
42. Show and label the existing physical features at the project site. Where appropriate, clearly label existing waterfront structures. Specify if the existing structures will remain or be removed.
43. Show and label the current existing location of Mean High Water (MHW) and Mean Low Water (MLW).
44. Show and label all proposed structures, specifically waterfront structures, at the project site. Where appropriate, clearly label structures to be altered.
45. Provide tie down distances to the seaward face of a proposed bulkhead; toe of proposed riprap; toe of a proposed dredge channel (at each angle point with linear dimensions between each) and to the landward and channelward corner of a proposed pier, starting from an existing permanent point of reference, readily recoverable in the field such as house corners and property pins. For a proposed dredge project stake toe of the alignment at appropriate linear intervals, at all angle points of the channel toe and around all turning basins. If additional reference points or control stakes are used, provide tie down distances to each as required above.
46. Specify the location of established channels and source of reference.
 - a) Specify the distance from the channelward edge of all proposed piers, boat lifts, boathouses, mooring piles and similar structures to established channels; and
 - b) Specify the width of the waterway as measured from mean low water to mean low water for all proposed piers, boat lifts, boathouses, mooring piles and similar structures. Measure from the location of mean low water at the improvements to the nearest location of mean low water across the waterway; and
 - c) Specify the distance from mean low water to the most channelward point of a proposed structure.
47. Structures such as piers and mooring piles:
 - a) cannot extend into the waterway more than 25% of the waterways width as measured from mean low water to mean low water in large waterways; and
 - b) cannot impede navigation in narrow waterways, as determined by Waterfront

Operations; and

c) cannot be erected within 25 feet of an established channel, as determined by Waterfront Operations.

48. Indicate a single construction access way to the project area and the square footage of the area. Indicate the limits of construction and all land disturbing activities along the entire limit of the construction footprint and provide the square footage of the area. Stormwater Management requirements may apply.
49. Specify the location of the 4X Buffer for all dredging projects.
50. Identify the location of any proposed dredge material transfer facility.

SECTION VIEW REQUIREMENTS

51. Provide appropriate number of cross sections to accurately depict the proposed project and the different conditions within the project area.
52. Provide accurate cross sections, drawn to scale, with appropriate grade elevations showing existing and proposed bank and bottom profiles for all proposed bulkheads, riprap, piers and dredge projects.
53. Specify the limits and maximum depth of proposed fill and the proposed elevation to match existing grade.
54. Show the length of the existing slope; height of the bank and the distance from the toe of the slope to the face of bulkhead or toe of riprap.
55. Specify the proposed slope for riprap structures and the square footage above MLW.
56. Provide well-designed and detailed sections for bulkhead corners; tie-ins; whaler splices; storm drains; etc.
57. Provide well-designed and detailed sections for any proposed dredge material transfer facility.
58. Specify if any of the existing structures will remain or be removed.
59. Specify the size and type of all construction materials.
60. Specify the size and type of riprap material to be used (e.g. quarry stone, concrete, brick, etc.).
61. Specify the use of filter fabric between bulkhead and back fill and underneath the riprap.
62. Specify that all manufactured structures or products will be used and/or installed pursuant to the manufactures specifications and recommendations.

63. Provide specifications for treatment of all construction materials (e.g. treatment retention of 2.5 pcf CCA for lumber [MPL-80], Hot Dipped Galvanizing for hardware [ASTM:A153], etc. in accordance with industry standards.
64. Provide a comprehensive construction sequence of events and time schedule specific to the proposal.
65. The following notes shall be placed on the application cross section drawings:
- a. For bulkheads, riprap, & shoreline stabilization **“A 36” wire reinforced silt fence will be properly installed (staked and trenched) seaward of all disturbed areas and at the top of the new bulkhead or riprap prior to back filling and maintained at the conclusion of each work day until a permanent vegetative cover has been established.”**
 - b. **“All erosion and sediment control measures shall be installed and maintained in accordance with the Virginia Erosion Control Handbook, and as required by the City Inspectors.”**
 - c. **“All excavated material and construction debris will be disposed of in a lawful manner.”**
 - d. When removing a bulkhead or riprap, and replacing with a structure in the same alignment **“Only enough bulkhead will be removed each day that can be replaced in a single day. At the end of the day the site must be secured to prevent ant erosion into the waterway. “**
66. All plan and section views must be drawn to scale (NTS or plus or minus distances are unacceptable). Relying on dimensions is not sufficient.
67. The following do not require a Wetlands Board permit:
- a. Walkways over **dunes** that are installed a minimum of 3 feet measured from the bottom of the framing for the walkway to the existing grade and are less than 4 feet in width. The installation of routine stairs or ramps, less than 4 feet in width, to reach grade on either side of such structure is permissible.
 - b. Construction and maintenance of observation platforms and similar platforms on **coastal primary sand dunes** that are
 - 1) open sided; and
 - 2) no larger than 100 square feet; and
 - 3) not an integral part of any dwelling and
 - 4) are installed a minimum of 4-feet measured from the bottom of the framing to the existing grade; and
 - 5) 15 feet landward of the crest of the dune.
 - c. Construction and maintenance of walkways over **wetlands** that are:
 - 1) open sided; and
 - 2) Not an integral part of any dwelling; and

3) installed a minimum of 4-feet measured from the bottom of the framing to the existing grade up to 5-feet in width and 5-feet measured from the bottom of the framing to the existing grade up to 6-feet in width.

d. Construction and maintenance of observation platforms over **wetlands** that are:

- 1) open sided; and
- 2) no larger than 100 square feet; and
- 3) not an integral part of any dwelling; and
- 4) are installed a minimum of 4-feet measured from the bottom of the framing to the existing grade.

68. All roofed structures over water, including pergolas, require a permit. Roofed structures over wetlands require a permit from the Wetlands Board.

69. A Wetlands Board Permit is required to construct a deck that is cantilevered or on piles which adjoins a residential dwelling and encroaches into, over, or upon wetlands or a coastal primary sand dune/beach.

REQUIRED FOR APPLICATIONS ALONG THE ATLANTIC OCEAN AND CHESAPEAKE BAY

70. Bulkheads along the Atlantic Ocean and Chesapeake Bay shall be designed using good engineering practices and include a design basis with the application. The engineer of record shall consider scour in specifying the basis for sheeting toe, sheet pile toe, armor stone riprap toe, and/or all other elevations. The engineer of record shall provide all other factors and parameters in the design, and provide all data, calculations and other applicable notes to the City Planning Department for review and documentation.

71. The following notes shall be placed on the application drawings:

a. "The Design at least equivalent to or better than the City of Virginia Beach Standard Wakefield design as shown in Appendix C of the Department of Public Works Specifications and Standards."

b. "The City of Virginia Beach does not verify or affirm the design and, in fact, does not recommend building bulkheads or hardening the shoreline on the Atlantic Ocean at Sandbridge or along the bay front of the Chesapeake Bay where shifting and eroding sand may cause failure of these bulkheads and structures."

REQUIRED FOR APPLICATIONS IMPACTING A COASTAL PRIMARY SAND DUNE

72. Specify the current and proposed topography of the property from mean high water to the landward limit of the property in two-foot intervals in both plan and section views.

73. Indicate areas to be cut, graded, or filled, and the amounts in cubic yards.

74. Provide a note indicating that enclosures on grade impacting a Coastal Primary Sand Dune or Beach shall be limited to 100 square feet, except under exigent circumstances

and shall be built in compliance with the requirements of the Uniform Statewide Building Code and applicable regulations.

75. Specify the landward and lateral limits of the historical coastal primary sand dune. Contact Waterfront in regard to nourished beaches.

REQUIRED FOR APPLICATIONS IMPACTING WETLANDS

76. The Virginia Institute of Marine Sciences (VIMS) has created a Shoreline Inventory for consideration of shoreline uses in Virginia Beach. The following website should be consulted:

http://cmap.vims.edu/CCRMP/VaBeachCCRMP/VaBeach_CCRMP.html

77. Living shorelines are the preferred alternative for tidal shoreline stabilization.
78. All applications for projects that will impact wetlands, vegetated and non-vegetated, must contain a compensation component in order to be considered a complete application. This component must provide a detailed explanation as to why the project has been or cannot be minimized, moved, compensated on site, compensated through the use of a mitigation bank as authorized by Section 28.2-1308 of the Code of Virginia or compensated through acceptance of payment of an in-lieu fee amount established by the City of Virginia Beach and dedicated to wetlands creation and restoration. Payment of an in-lieu fee is a last resort for compensation and the inability of all other alternatives must be explained in the application.
79. When a permit condition requires the contribution of in-lieu fees to offset permitted wetland losses, staff shall credit the applicant for any in-lieu fee payments made to the Virginia Aquatic Resources Trust Fund or other dedicated restoration fund with reference to the same activity.

REQUIRED FOR APPLICATIONS IMPACTING THE CHESAPEAKE BAY WATERSHED

80. The plan view drawings must identify the location and label all vegetation removed, including trees, shrubs, turf, leaf litter, etc. The following note must be placed on the application drawing: **"In accordance with the Chesapeake Bay Preservation Area Ordinance--App. F, Section 106 (C)(2): where construction disturbs vegetation in the Resource Protection Area, such vegetation shall be replaced and may be replaced in kind; provided that trees shall not be planted within 15 feet of the shoreline where such planting would result in marsh shading or interference with integrity of the shoreline structure."**

REQUIRED FOR APPLICATIONS IMPACTING THE SOUTHERN RIVERS WATERSHED (Back Bay and North Landing River)

81. Wetlands of Back Bay and the North Landing River and their tributaries are areas subject to flooding by normal and wind tides, but not hurricanes or tropical storm tides. The Virginia Institute of Marine Science previously determined the normal wind tide range and

the elevations of mean low and mean high water for Back Bay. The normal wind tide range is 2.8' and based on current Datum (NAVD 88) MHW = +1.5 MSL & MLW = -1.3 MSL.

82. Vegetated wetlands of Back Bay and the North Landing River are lands lying between and contiguous to mean low water and an elevation above mean low water equal to the factor of one and on-half ($1 \frac{1}{2}$) times the mean tide range at the site of the proposed project in the City of Virginia Beach; and upon which is growing any one vegetated species listed in the Wetlands Zoning Ordinance at Section 1401 (e).

