

Department of Planning
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Chesapeake Bay Preservation Area
CBPA REVIEW COMMITTEE APPLICATION
INSTRUCTIONS

PURPOSE

This application pertains to the encroachment within the 50 foot landward portion of the 100-foot Resource Protection Area (RPA) buffer of the Chesapeake Bay Preservation Area (CBPA) district. It is intended for new development, additions/alterations, OR land disturbance on pre-existing “grandfathered” lots (lots recorded prior to January 21, 1992). All applicants should review the City’s CBPA Ordinance in Chapter 26, Article X of the City Code as well as the current CBPA Specifications Manual for additional information on district requirements. The Ordinance and Manual can be found on the City’s Website at: <http://www.cityofchesapeake.net/services/depart/planning/chesbaypreservation.shtml>

The following types of activities within the 50-foot landward portion of the 100-foot RPA require review by the CBPA Review Committee only:

- Addition(s) to the principal structure, provided that no more than one detached structure located within six (6) feet of the principal building shall be entitled to a waiver by the CBPA Review Committee (§ 26-525);
- Redevelopment activities (§ 26-519 C);
- Redevelopment activities within an Intensely Developed Area (IDA) (§ 26-519 D);
- Roads or driveways (§ 26-519 E); and
- Bona fide agricultural activities (§ 26-519 G).

The filing fee for the CBPA Review Committee application is \$125.00 per lot for which relief is sought. Other activities within the CBPA district may require approval by the Wetlands/CBPA Board, or may be exempt. All applicants shall consult the Planning Department to determine which CBPA application is required and to identify any potential problem areas.

PROCESS

The deadline for submitting a CBPA Review Committee application is exactly two weeks prior to the first and third Tuesday of each month. All applications are to be submitted to the Planning Department prior to 5:00 p.m. A copy of the meeting schedule can be found in the Planning Department or on the City's website at:

<http://www.cityofchesapeake.net/services/depart/planning/chesbaypreservation.shtml>

The Planning Department will review the application for completeness. If the application is found to be incomplete, the Planning Department will return the application, site plans and filing fee to the applicant, with a description of the manner and areas in which the application is incomplete.

Once an application is determined to be complete, the application will be reviewed by the CBPA Review Committee, which is made up of representatives from the:

- Planning Department,
- Department of Development and Permits,
- Public Utilities Department,
- Zoning Administration,
- Economic Development,
- City Arborist.

The CBPA Review Committee will approve the application, approve with conditions, deny the request or ask the applicant to submit revisions to the site plan or application. All final actions of the CBPA Committee may be appealed to the Wetlands/CBPA Board in writing within ten (10) days of the date of written determination.

Notwithstanding any initial determination of completeness, the Planning Director or the CBPA Review Committee may at any time during the review process find that essential information is lacking and may deem the application incomplete.

SITE PLAN / PLAT REQUIREMENTS

As a part of this application, a site plan or plat of the property drawn to scale (not reduced) and prepared by a certified surveyor or engineer must be submitted. All plans or plats shall adhere to the following standards:

- Folded to a size no larger than 9" x 14" and shall include a vicinity map. Please fold with the site plan facing out.
- All plans shall have a north arrow.
- If a revision is submitted, please include the Planning Department's application number in the title block.
- The limits of disturbance shall be clearly delineated
- If existing structures or other impervious areas are to be removed, note that they will be removed on the site plan or plat.

A scaled plan shall include:

- A survey or plat drawn to scale which shows accurate site boundary, topographic information with elevations, site-specific field delineated RPA feature, and existing BMP's
- Location and nature of the proposed encroachment into the RPA buffer area
- Areas of clearing, filling or grading
- Location of any buildings, structures, roads, drives, or other impervious cover
- Location of 50 foot and 100 foot RPA buffer area
- Location of existing RPA buffer vegetation and any necessary tree protection fencing
- Sewage disposal systems or reserve drainfield sites
- Erosion and Sediment Control measures
- Type and location of BMPs (if required) and other measures to mitigate the impact of the encroachment
- Trees to be preserved or installed to meet tree canopy coverage requirements in section 26-520(b)(3).

DELINEATION OF THE RESOURCE PROTECTION AREA (RPA)

The RPA delineation is required on the site plan utilized for all development within the Chesapeake Bay Preservation Overlay District. The RPA delineation is part of the required environmental assessment and can be prepared by a certified surveyor, landscape architect, engineer, or designated City staff. The CBPA Review Committee has determined three methods to be utilized for all RPA delineations within the City of Chesapeake.

1. All tidal areas shall measure the 100-foot RPA buffer from the four-foot (4') elevation mark, based upon 1929 National Geodetic Survey (NGS) vertical datum, 1972 adjustment. The RPA delineation shall follow this four-foot elevation line and the 100-foot buffer shall be measured from that line. If using the NAVD 88 datum, the three-foot (3') elevation mark must be indicated on the plan and used as a reference to delineate the RPA.
2. From all perennial water bodies with no surface flow connection to non-tidal wetlands, the RPA buffer shall be measured from the top edge of the active channel, stream, or ditch or the top of bank.
3. From all non-tidal wetland areas connected by surface flow to tidal wetlands or to a perennial water body, the RPA shall be based on an approved delineation, with the 100-foot buffer being measured from the landward edge of the delineated wetlands area. All field delineations will be subject to staff verification and will be handled on a case-by-case basis.

The delineation of the RPA shall also include any necessary determinations of "perennial water bodies," using the most recent U.S. Geological Survey (7½ minute topographic quadrangle map (scale 1:24,000)); or scientifically valid system of field indicators of perennial flow, approved by the City Manager's Designee. The determination shall also conform to the Chesapeake Bay Local Assistance Board (CBLAB) regulations and guidance documents.

The Resource Management Area (RMA) is the area adjacent to the RPA, as designated on the CBPA map. The Intensely Developed Area (IDA) is a designated redevelopment area as shown on the City's IDA Map. The CBPA map and the IDA map can be found in the Chesapeake Planning Department or online at:

<http://www.cityofchesapeake.net/services/depart/infotech/gis/maps.shtml>

The RMA and IDA area must be delineated on the site plan utilized for all development within the CBPA district.

All lots greater than 12,000 square feet in total lot area created by recordation of a subdivision plat on or after March 1, 2002, shall have at least seventy-five (75%) of the required lot area located landward of the 100-foot RPA buffer. All lots 12,000 square feet or less in total lot area created by recordation of a valid subdivision plat on or after March 1, 2002 shall have at least eighty percent (80%) of the required lot area located landward of the 100-foot RPA buffer.



CBPA Review Committee Application

CHESAPEAKE PLANNING DEPARTMENT

APPLICATION NUMBER: CBPA- _____
(Assigned by Chesapeake Planning Department)

1. ADDRESS / LOCATION OF PROJECT: _____
2. 13-Digit Tax Map Number(s): _____,
_____, _____
3. Subdivision Name with Lot #: _____
4. **Applicant(s):** _____
Address: _____
City: _____ State: ____ Zip: _____
Daytime Phone: _____ FAX Number: _____
E-mail address: _____
Interest in subject property: _____
5. **Agent (if applicable):** _____
Agency: _____
Address: _____
City: _____ State: ____ Zip: _____
Daytime Phone: _____ FAX Number: _____
E-mail address: _____
6. **Owner(s) of property:** (If different from applicant)
Name: _____
Address: _____
City: _____ State: ____ Zip: _____
Daytime Phone: _____ FAX Number: _____
E-mail address: _____

Signature of Applicant/Agent & Date: _____

WATER QUALITY IMPACT ASSESSMENT (WQIA)

APPLICATION NUMBER: CBPA-

1. Describe the purpose and necessity of the proposed encroachment. Include any design and location alternatives considered with the layout of the improvements. Describe why the improvements could not be located elsewhere on the site to avoid disturbance of the 100-foot buffer area or other RPA component:

2. Is the proposed encroachment the minimum necessary to afford relief based on the lot size, layout and land area (square footage) outside the RPA?

YES NO

3. Is the size of the proposed building/improvement similar to adjacent properties?

YES NO

4. Lot recordation Information: MB _____ PAGE _____ Date: _____

Was the subject lot recorded prior to October 1, 1989?

YES NO

Was the subject lot recorded between October 1, 1989 and March 1, 2002?

YES NO

Lot created in conformity with the subdivision ordinance?

YES NO N/A

5. Has this property undergone previous CBPA review?

YES NO If yes, application # CBPA-

Have all mitigation measures from previous CBPA Application been addressed?

YES NO N/A

WATER QUALITY IMPACT ASSESSMENT (WQIA) (continued)

Calculations:

- A. Area of lot: _____ ft.²
- B. Encroachment Area: Landward 50' Buffer _____ ft.² Seaward 50' Buffer: _____ ft.²
- C. Existing impervious Area: _____ ft.²
- D. New Impervious Area: _____ ft.² E. Area of disturbance: _____ ft.²
- F. Total Post Development Impervious Area (C +D): _____ ft.²
- G. Percent Imperviousness of Site (F/A * 100%): _____ % (I_{SITE})
- H. Watershed Impervious Percentage: _____ % (I_{SHED})*

*A map of the City's Watersheds (Master Drainage Map) can be found here:

<http://www.cityofchesapeake.net/services/depart/pub-wrks/watershed/index.shtml>

After locating the correct watershed (Eastern, Southern, or Western Branch of the Elizabeth River) from the map, use one of the three watershed percentages located below for I_{SHED}:

- Eastern Branch of the Elizabeth River - 52%
- Southern Branch of the Elizabeth River - 28%
- Western Branch of the Elizabeth River - 26%

If G (I_{SITE}) > H (I_{SHED}) then Stormwater Calculations are required.

Upon completion of the stormwater calculations, describe the type(s) of best management practices to be installed and maintained to achieve the requisite reduction in pollutant loads:

Provisions of section 26-520 of the CBPA Ordinance:

- Is the proposed activity water-dependent? YES NO
- Is the disturbance of any wetlands minimized? YES NO N/A
- Will the proposed activity result in significant degradation of the hydrology of the site?
 YES NO
- Will this development cause a significant degradation to vegetation or aquatic life?
 YES NO
- Will the proposed stormwater management facilities (BMPs) adequately control the stormwater runoff to achieve the required performance standard for pollutant control?
 YES NO N/A
- Will the proposed re-vegetation of disturbed areas provide optimum erosion and sediment control benefits? YES NO

WATER QUALITY IMPACT ASSESSMENT (WQIA) (continued)

Describe any proposed methods of Erosion and Sediment Control (note: an erosion and sediment control plan is required for land disturbance greater than 2,500 ft²):

Will the design and location of any proposed drainfield will be in accordance with the requirements of the CBPA Ordinance? YES NO N/A

Will the cumulative impact of the proposed land disturbance, use, development or redevelopment, when considered in relation to other development in the vicinity, both existing and proposed, result in a significant degradation of water quality?

YES NO If "YES", describe the cumulative impact:

Preservation of Indigenous Vegetation/ Land Disturbance

What is the condition of the existing RPA and/or buffer? (Describe existing vegetation within the buffer.)

Proposed Mitigation:

Is vegetation replacement proposed to mitigate for the proposed encroachment?

YES NO If "NO", what is the proposed mitigation?

CBPA APPLICATION CHECKLIST

- The **original** CBPA application, with original signatures and one (1) copy of the **completed CBPA application**, including all required information listed below. All information must be typed or clearly printed on the application and 8½" x 11" paper as needed. *Please ensure the following is consolidated with each application:*
 - Twelve (12) copies of a full-size site plan, survey or plat** of the proposed development drawn to scale. Site Plan or Survey. Reduced to 8½" x 11" paper.
 - Twelve (12) copies of a site plan, survey or plat** reduced to 8½" x 11" paper.
 - The **original** and one (1) copy of a **water quality impact assessment (WQIA)** as required by Section 26-523 of the Chesapeake City Code and Stormwater Water Quality Calculations (If I_{SITE} > I_{SHED})
 - Any additional drawings, pictures, or information which will assist the CBPA Review Committee in making their decision.
- \$125.00 filing fee per lot**. Please make check payable to: *City of Chesapeake*
- This completed CBPA Application checklist.

Please do NOT submit copies of the instructions with your submission.