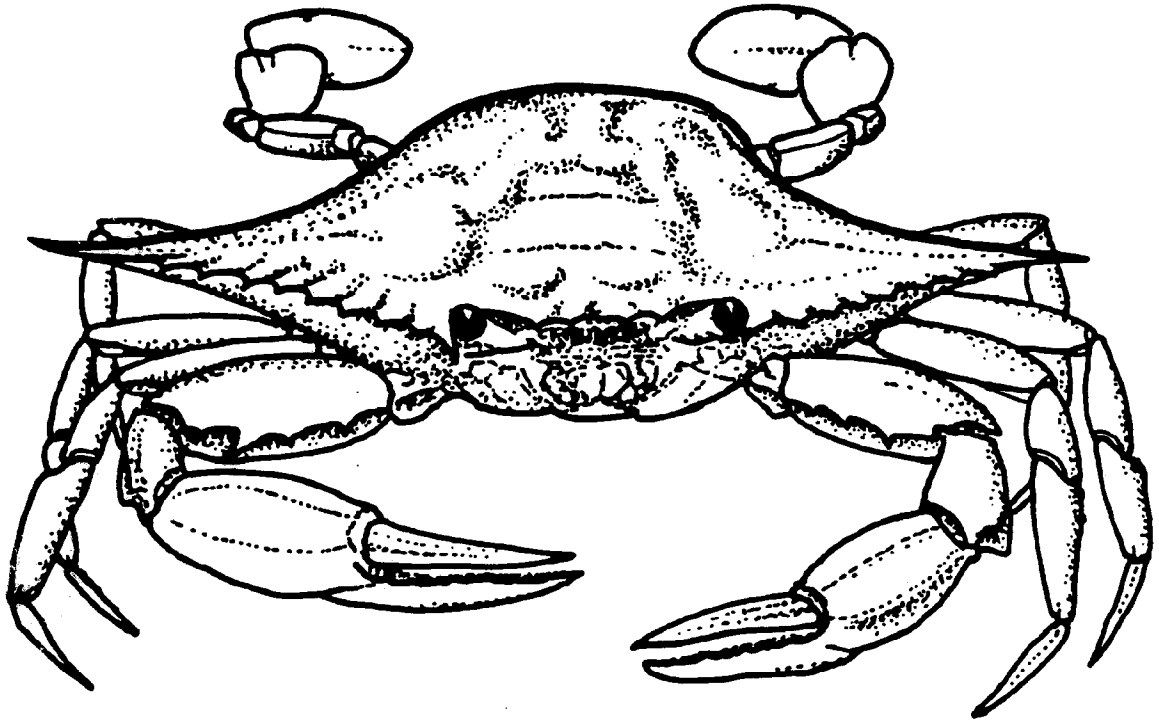
The Middlesex County Chesapeake Bay Preservation Area Development Handbook



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County of Middlesex

Department of Planning

Chesapeake Bay Preservation Area Development Handbook

This handbook is designed to provide Middlesex County citizens with information about developing and using land that is located within the Chesapeake Bay Preservation Areas. If you have any questions or comments, the Planning Department Staff will be glad to assist you.

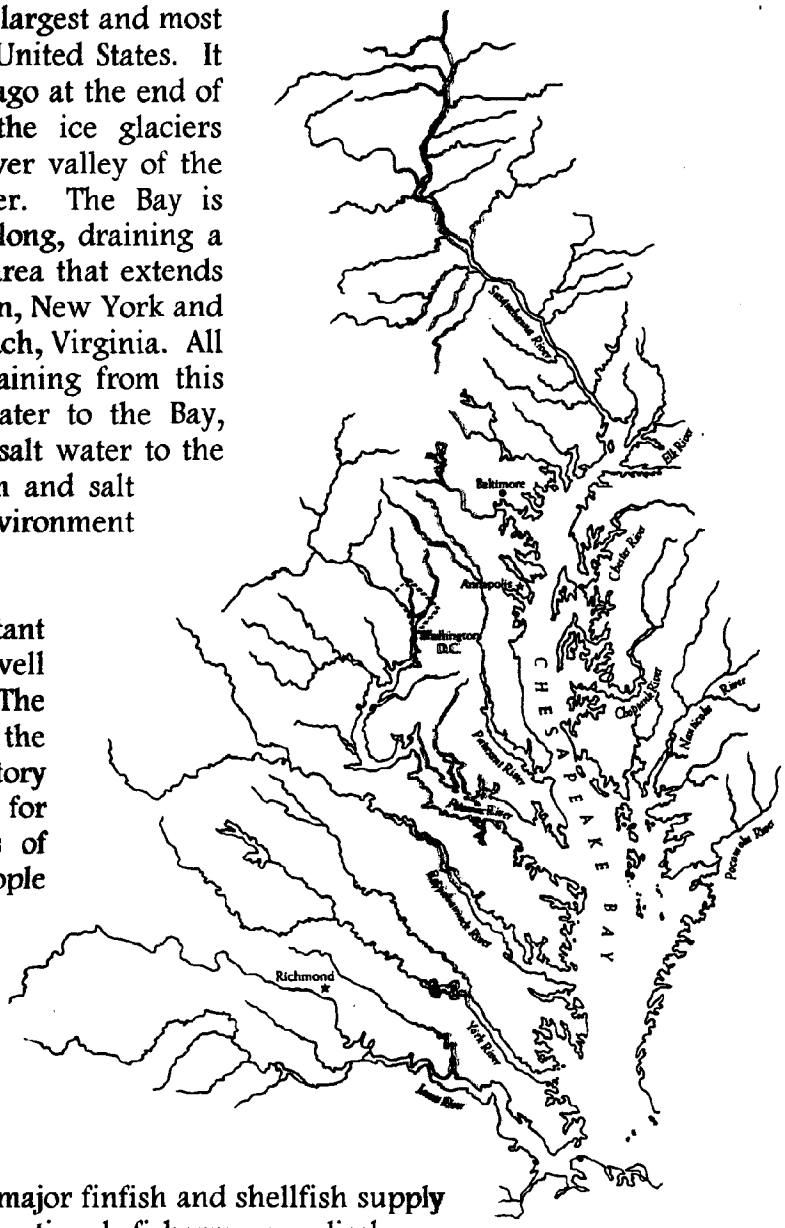
The Planning Department is located on the second floor of the Woodward Building at the Saluda Courthouse Complex.
The address is P O Box 427, Saluda, Virginia 23149.
The phone number is (804) 758-4715.

The funds for the staff that produced this handbook were provided by the Virginia Department of Environmental Quality Coastal Resource Management Program through grant #NA47OZ0287 of the National Oceanic Atmospheric Administration (NOAA) Office of Ocean and Coastal Resource Management under the Coastal Zone Management Act of 1972, as amended.

Thank you to the Gloucester County Department of Community Development for sharing the contents of its Development handbook.

Introduction - The Chesapeake Bay

The Chesapeake Bay is the largest and most productive estuary in the United States. It was created 10,000 years ago at the end of the last Ice Age when the ice glaciers melted and flooded the river valley of the ancient Susquehanna River. The Bay is approximately 200 miles long, draining a 64,000 square mile land area that extends as far north as Cooperstown, New York and as far south as Virginia Beach, Virginia. All the rivers and streams draining from this land area provide freshwater to the Bay, while the ocean provides salt water to the Bay. This mixing of fresh and salt water creates the rich environment called an estuary.



The Bay is an important resource for wildlife as well as for people. The Chesapeake Bay is part of the Atlantic Flyway for migratory birds and provides habitat for more than 2,700 species of plants and animals. People also utilize the Bay. Thirteen million people currently live in the Bay's watershed and 2.6 million more are expected by the year 2020. The Bay serves as a recreational resource; shipping route; major finfish and shellfish supply for commercial and recreational fishermen; discharge point for municipal sewage treatment plants and industrial wastewater; a tourism and historic resource; and much more.

What is the problem?

In the late 1970's, fisherman and other concerned citizens began to notice a decline in the water quality and health of aquatic living resources in the Chesapeake Bay. Underwater grasses, essential to maintaining life in the Bay, had decreased, and many popular fish species were at a mere fraction of their

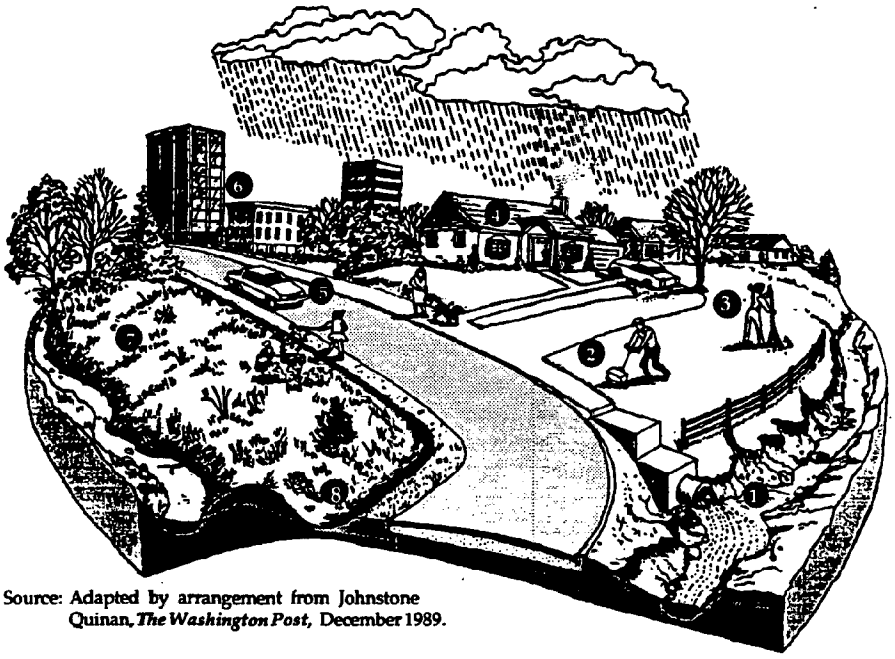
earlier numbers. In 1976, this concern was brought to the attention of the United States Congress which authorized the Environmental Protection Agency (EPA) to conduct a study to determine the cause of the Bay's decline.

In 1983, EPA released the results of the study which concluded that nonpoint source pollution, originating from urban and agricultural runoff, was the primary cause of degraded water quality.

What is nonpoint source pollution?

Sediments, excess nutrients, and other pollutants picked up by runoff (rainfall that can not soak into the soil) as it travels over the landscape is called *nonpoint source pollution.*

EVERYDAY LIFE AND NONPOINT SOURCE POLLUTION ***FIGURE 4-7***



Source: Adapted by arrangement from Johnstone Quinan, *The Washington Post,* December 1989.

1. Improperly designed outfall structure aggravate channel erosion, releasing sediments into the stream.

2. Nitrogen and phosphorous in runoff come from fertilizers and organic waste. These elements cause algae to grow profusely, robbing the water of oxygen and harming aquatic life.

3. The most prevalent problem is organic waste which comes from garbage, animal droppings, leaves, and grass clippings. Decaying waste uses oxygen in the water, leaving less for aquatic species.

4. Zinc enters the environment from the weathering and abrasion of galvanized iron and steel, often from aging pipes and gutters.

5. Automobiles contribute in two ways. Nitrogen oxides from exhaust fumes enter streams from acid rain. Motor oil residues are washed off streets and parking areas, polluting waterways.

6. Paved areas and other impervious surfaces do not absorb rainwater. Increased runoff floods streams, eroding banks and sending silt into the water. Silt can smother channel beds, choking aquatic life.

7. Natural, undisturbed land absorbs rainwater, recharging groundwater supplies. Root mats hold the soil and keep sediments from washing away.

8. Grassed swales can slow water velocities, reducing the risk of channel bank erosion.

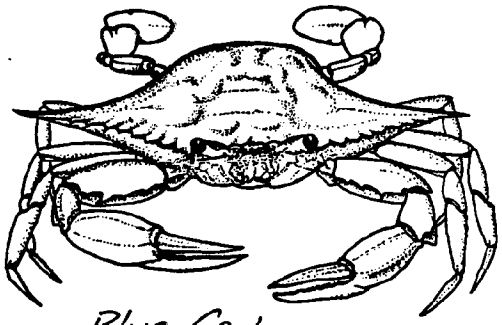
This runoff travels across the landscape. It catches pollutants such as oil, gasoline, brake fluid, and cigarette butts as it flows over parking lots. It catches pollutants such as pesticide and fertilizer residue as it flows over agricultural lands. It catches sediment as it flows across construction sites. This sediment degrades water quality

[Source: The Chesapeake Bay Local Assistance Manual]

by creating turbid water, which blocks out the amount of light available to plants, by covering fish eggs, and by clogging fish gills. It also serves as a transport medium for pollutants. Toxins, excess nutrients, and other pollutants attach to the sediment contained in the runoff and are carried directly to the Chesapeake Bay.

These pollutants do not originate from a specific point, such as a pipe, but from diffuse sources such as farm fields, streets, and suburban lawns. Daily activities that take place on land, such as construction, agriculture, fertilizing lawns, and driving cars, contribute to nonpoint source pollution.

The Chesapeake Bay Program


Blue Crab

In 1987, in response to the results of the EPA study, the Governors of Virginia, Maryland, and Pennsylvania, the Mayor of Washington D.C. and the Administrator of the Environmental Protection Agency signed the historic *Chesapeake Bay Agreement*, which pledged their commitment to the restoration of the Chesapeake Bay. This Agreement created a multi-governmental partnership, in order to establish goals and guidelines of the new Chesapeake Bay Program to restore the Chesapeake Bay.

What is the Chesapeake Bay Preservation Act?

As a partner in the Chesapeake Bay Program to restore water quality in the Bay, the Virginia General Assembly in 1988 passed the Chesapeake Bay Preservation Act (Bay Act) as Virginia's commitment to improving the health of the Chesapeake Bay. The purpose of the Bay Act is to *protect* and *improve* the water quality of the Chesapeake Bay, as well as the tributaries (rivers and streams) leading to the Bay. The Bay Act created a land use management program based on the idea that activities, such as construction, urbanization, and farming, taking place on land have a major impact on the quality of water found in the Chesapeake Bay. The Bay Act will affect how landowners develop land located in specially designated *Chesapeake Bay Preservation Areas.* The intent of the Bay Act is to balance environmental protection with economic development, as stated in Section 10.1-2100 of the Bay Act:

> "...Healthy state and local economies and a healthy Chesapeake Bay are integrally related; balanced economic development and water quality protection are not mutually exclusive..."

The Chesapeake Bay Local Assistance Board (CBLAB), was created at the state level to develop regulations establishing criteria for local governments to use in

designating and managing *Chesapeake Bay Preservation Areas* in their jurisdictions. All local governments in Tidewater Virginia, including Middlesex County, are responsible for implementation of the Bay Act and therefore are required to designate *Chesapeake Bay Preservation Areas* and develop local Chesapeake Bay Preservation Programs.

The Chesapeake Bay Local Assistance Department (CBLAD), is a state agency. It was created to provide technical and financial assistance to localities in order to develop and implement local Chesapeake Bay Preservation Programs.

Middlesex County adopted a Chesapeake Bay Preservation (CBP) District in its Zoning Ordinance to be effective on January 16, 1992. This CBP District was amended and adopted again to be effective April 21, 1993.

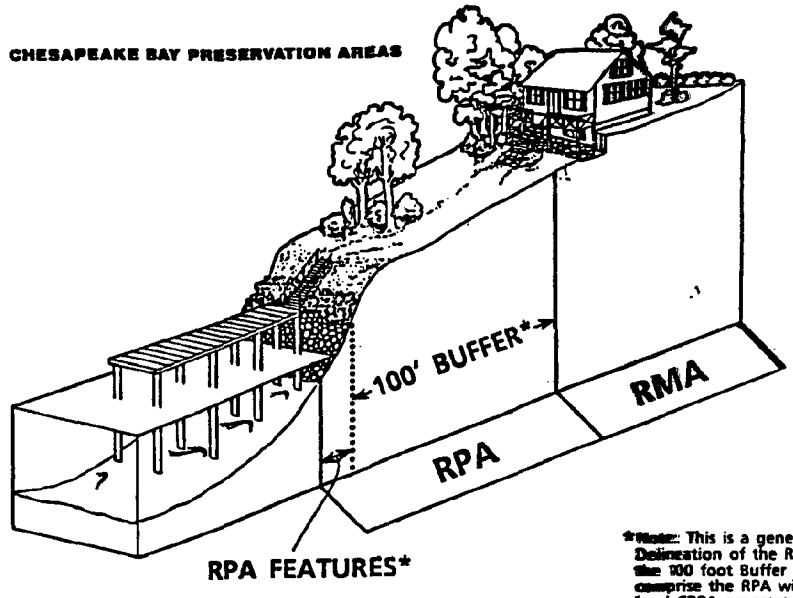
What are Chesapeake Bay Preservation Areas?

The Chesapeake Bay Preservation Act created a land use management program based on the idea that activities taking place on the land have a major impact on the quality of water found in the Chesapeake Bay and the rivers that empty into it. Certain land areas play a more important role in protecting water quality than other land areas. The Bay Act focuses on those land areas that *"if improperly developed, may result in substantial damage to the water quality of the Chesapeake Bay and its tributaries."* These areas are called Chesapeake Bay Preservation Areas (CBPAs) and include two components: a Resource Protection Area (RPA) and a Resource Management Area (RMA).

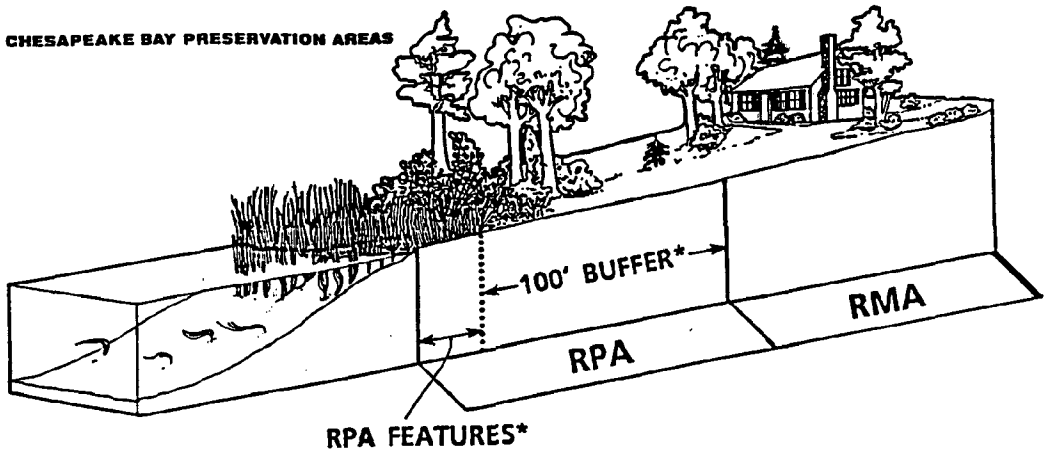
What is a Resource Protection Area (RPA)?

A Resource Protection Area (RPA) includes land area at or near the shoreline that contains sensitive features that play an important role in protecting water quality from *nonpoint source pollution* through the ecological and biological processes they perform. These areas are also sensitive to any impacts and can be easily damaged, resulting in degraded water quality. Under the Bay Act, the following land areas must be designated as Resource Protection Areas:

1. Tidal wetlands;
2. Nontidal wetlands connected by surface flow to tidal wetlands or perennial tributary streams;
3. Tidal shores;
4. A 100 foot wide buffer area located adjacent to and landward of perennial tributary streams and the other above RPA features.



*Note: This is a generic illustration. Delineation of the RPA features and the 100 foot Buffer Area which comprise the RPA will vary. Consult local CBPA program for proper delineation.



Reprinted and modified with permission: City of Virginia Beach, Virginia

[Source: Hampton Roads Planning District Commission Vegetative Practices Guide]

How does the RPA protect water quality from nonpoint source pollution?

The RPA features filter sediment and pollutants from runoff before they reach the Bay, thus improving water quality. In addition, such features hold soil in

place and decrease the velocity of runoff leaving a site, which prevents erosion. Specifically, wetlands act as sponges to absorb water, preventing flooding and naturally buffering the shore. Excess nutrients in the water cause algae blooms that decrease the amount of dissolved oxygen in the water. Vegetated buffers take up these excess nutrients before they enter the water, which helps prevent these algae blooms. Roots hold soil in place and tree canopies intercept rainfall, slowing it down before it impacts the ground, keeping sediment and pollutants from dislodging and entering the water.

What is a Resource Management Area (RMA)?

The Resource Management Area (RMA) is land area that protects and buffers the sensitive features of the RPA. The RMA is located landward and contiguous to the RPA. Land areas designated RMA include the follwoing areas: floodplains, highly erodible soils, steep slopes, highly permeable soils, and nontidal wetlands. These are land areas that if improperly developed would result in adverse impacts, such as erosion, flooding, and groundwater contamination. These impacts can prevent the RPA from functioning properly and result in degraded water quality.

How do I know if my land in Middlesex County is located in a Chesapeake Bay Preservation Area?

Seventy-two percent (72%) of Middlesex County is located within a Chesapeake Bay Preservation Area. The RPA component of the Chesapeake Bay Preservation Area is the most sensitive area and plays a large role in protecting water quality. Whenever possible, development should occur outside of the 100-foot RPA buffer. Therefore, only water dependent uses and redevelopment of existing uses are allowed in the RPA. However, if development can not occur outside of the RPA, the Middlesex County Planning Department may consider granting an exception to the requirements of the Chesapeake Bay Preservation Act Ordinance. (More information about proposed development in the RPA is discussed later in this manual.)

The RMA in Middlesex County consists of lands that contain any of the following features:

1. The one-hundred (100) year floodplain;
2. Nontidal wetlands not connected by surface flow and contiguous to tidal wetlands, tributary streams or other tidal waters;
3. Highly erodible and highly permeable soils;
4. Slopes in excess of fifteen (15%) percent;
5. Where none of the above features exist, the RMA will be a one hundred fifty (150) foot linear distance from the landward side of the RPA.

Development within the RMA must meet certain criteria in order to ensure that it will occur in such a way as not to degrade water quality.

How do I know if my building site is in a Chesapeake Bay Preservation Area?

The Middlesex County Planning Department has overlay maps that show the general location of Chesapeake Bay Preservation Areas. The Planning Department is located on the second floor of the Woodward Building at the Middlesex County Courthouse Complex in Saluda, Virginia. The Planning Department staff will delineate RPA and RMA boundaries on site for homeowners.

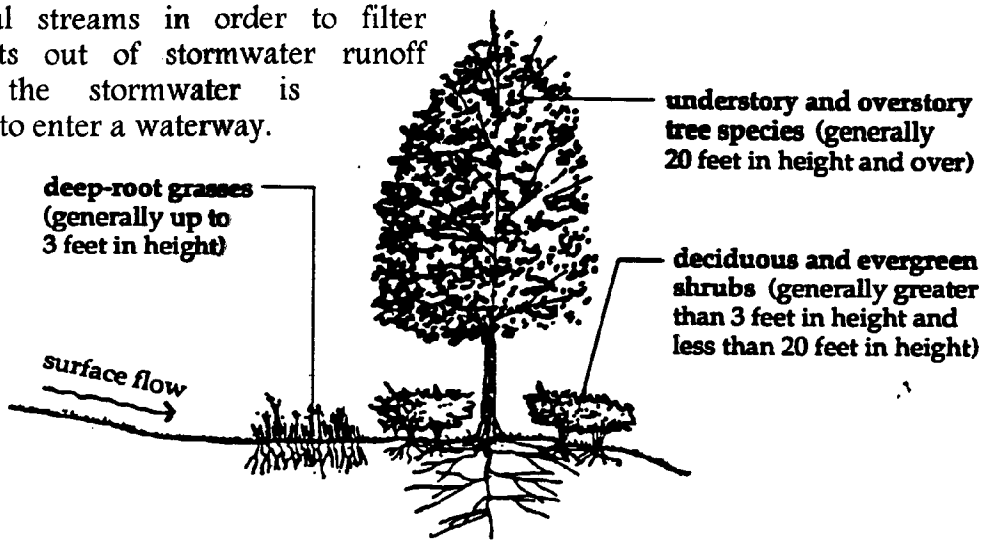
An applicant may hire a consultant to delineate the RPA and RMA boundaries. However these delineations will be reviewed and must meet approval of the Planning Director.

What criteria must I meet if I want to build in Middlesex County?

Any development and land disturbing activities within the Chesapeake Bay Preservation Areas (RPA and/or RMA) must meet the following criteria:

1. Limit land disturbance to the minimal areas necessary to provide for the desired use or development. (Land disturbance over 2,500 square feet requires an erosion and sediment control permit.)

2. Maintain a 100 foot vegetated buffer landward of wetlands and perennial streams in order to filter pollutants out of stormwater runoff before the stormwater is allowed to enter a waterway.



[Source: The Chesapeake Bay Local Assistance Manual]

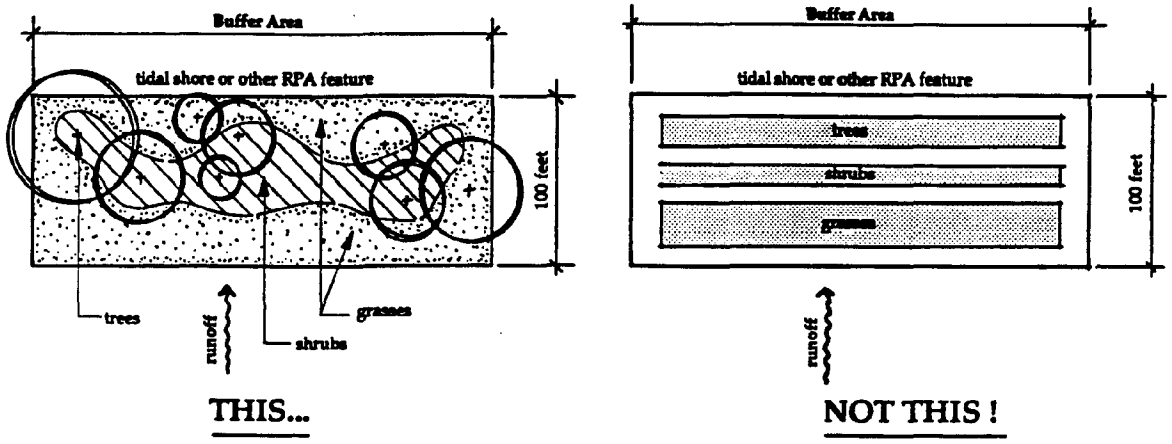
3. Strictly control erosion and sediment on the site. This is also required under the Virginia Erosion and Sediment Control Act. Sediment carries many pollutants and nutrients that degrade water quality. Sediment also clouds the water, which prevents light from reaching underwater grasses.

4. Preserve natural/indigenous vegetation on the site.

   - Existing trees, not within the building footprint, over twelve inches in diameter at breast height, shall be preserved. If twelve inch or greater trees outside of the building footprint need to be cut, a replanting plan and schedule are required. These trees need to be replaced with two new plants for every tree removed. However, it is suggested that you explain the scope of your project to the Planning Department staff because in certain circumstances, such as a home garden, a replanting plan is not necessary.

   - If you propose to disturb any land or vegetation within the 100 foot RPA, consult with the Planning Department staff. Clearing in the RPA is restricted, and with few exceptions, will require a RPA Development Permit. Tree limbs and shrubs may be trimmed and dead trees may be removed. However, no soil should be disturbed or roots taken out of the ground unless a RPA Development Permit has been submitted to and approved by the Planning Department. Any vegetation that is removed for sight views must be replaced with vegetation that is equally (or more) effective in retarding runoff, preventing erosion, and filtering nonpoint source pollution from runoff.

Buffer Area Layout Comparison



[Source: The Chesapeake Bay Local Assistance Manual]

5. Minimize impervious cover, such as paved driveways and rooftops, on a site in order to promoted infiltration of stormwater into the ground.

6. Manage stormwater runoff generated from development.

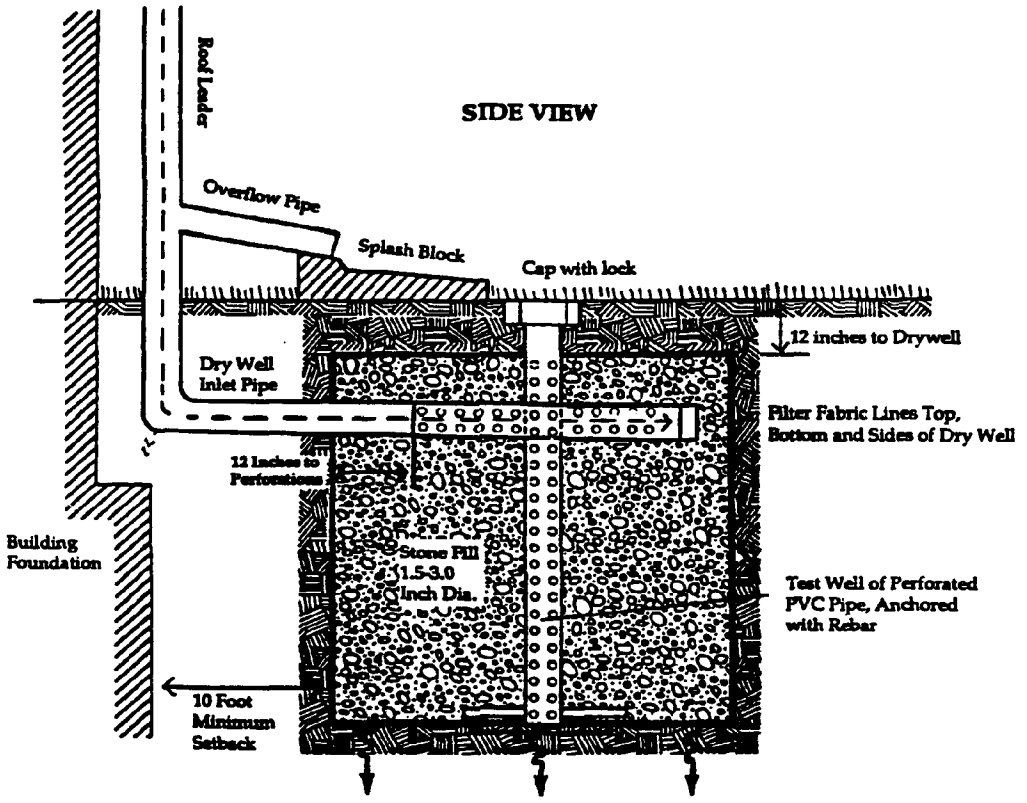
   - New development that exceeds 16% impervious cover on a site must provide Best Management Practices (BMPs) to reduce the sediment and pollutant load contained in the stormwater runoff leaving the site.

What are Best Management Practices (BMPs)?

Best management practices (BMPs) are structural or vegetative devices designed to reduce sediment and pollutant loads contained in stormwater runoff.

For single family homes, the most common BMPs are dry-wells, infiltration trenches, and vegetative practices, such as grass swales and filter strips.

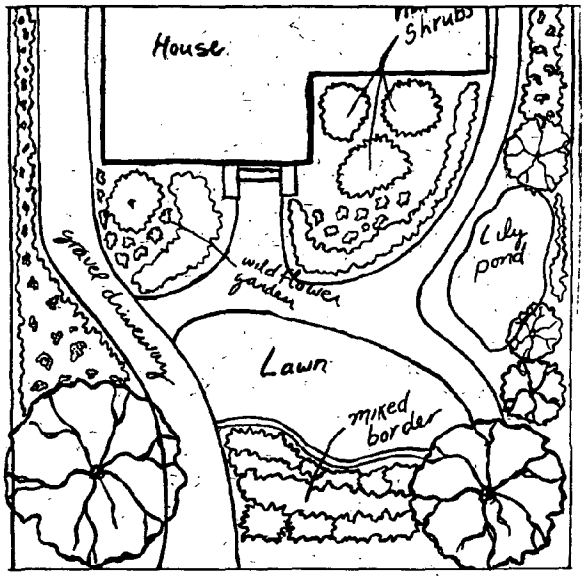
- A drywell is a gravel filled excavation, into which roof runoff is channeled, held and allowed to infiltrate back into the soil. A dry-well needs to be designed for the volume of stormwater it will receive.



[Source: The Chesapeake Bay Local Assistance Manual]

- An infiltration trench is similar to a dry well, but larger. Runoff is diverted or carried by PVC pipe into a shallow trench that is filled with stone. Runoff is allowed to drain through the stone into the underlying soil.

- Vegetative practices include vegetated filter strips, grass swales, and vegetated berms. Plants help to filter pollutants and nutrients out of the stormwater.



Choosing an appropriate BMP is based upon site specific information such as the topography, soil type, existing vegetative cover, scope of development, and location of development. Other factors such as aesthetics, recreational benefits, and community acceptance may also be considered when selecting the best BMP for the site.

7. Provide a reserve drainfield area approved by the Health Department.

What is a reserve drainfield?

A reserve drainfield is an area of undisturbed land set aside that contains suitable soils for a septic drainfield having the same capacity as the primary drainfield. This reserve drainfield area is "reserved" for future use as a drainfield, if the primary drainfield on site should ever fail. This area only needs to be set aside. The actual septic system is not required to be installed. However, this area is not to be disturbed or developed.

What is the purpose of a reserve drainfield?

If your septic drainfield should fail, the contents of your septic system (waste containing bacteria and nutrients) will leach from the system and may contaminate ground and surface water that will eventually reach the Chesapeake Bay. Closer to home, a failed septic system may leach waste into your nearby well. If a reserve drainfield is already on site, the failed system may be shut down and the dwelling may be easily and quickly connected to an available drainfield, avoiding unnecessary leaching of pollutants.

How do I know if my lot has soil suitable to provide a reserve drainfield?

Visit the Middlesex County Health Department located on Route 33 at Cook's Corner or call them at 758-2381 for more information.

Do I have to comply with the Bay Act requirements if my lot was recorded before the Bay Act came into effect?

Yes. Everyone must comply with the Chesapeake Bay Preservation Ordinance. Relief is provided, under certain circumstances, to the owners of lots recorded prior to the enactment of the Bay Act (prior to October 1, 1989). However, requirements must be met to the greatest extent possible. Exceptions and buffer modifications granted require the landowner to mitigate their impact to the Chesapeake Bay Preservation Area to the greatest extent possible.

How can I obtain a buffer modification in order to build within the 100 foot RPA buffer?

If the proposed development can not be located outside of the 100-foot buffer, options are available in order to obtain a modification. For any buffer modification request, a Water Quality Impact Assessment (WQIA) must be performed. A WQIA designs Best Management Practices (BMPs) that will filter stormwater as though a 100 foot buffer still existed on the property. A WQIA can be performed by a professional engineer, some land surveyors, a landscape architect, or another qualified professional. A WQIA and its BMPs are site specific and should be designed to accommodate the specific site and homeowner. The Planning Department staff is available for site visits during the design of a WQIA.

If the lot or parcel was recorded prior to October 1, 1989, the RPA buffer may be modified to not less than fifty (50) feet. The Chesapeake Bay Preservation Act Ordinance reads, "A combination of a buffer area not less than fifty (50) feet in width and appropriate Best Management Practices located landward of the buffer area which collectively achieve water quality protection, pollutant removal, and water resource conservation at least the equivalent of the one hundred (100) foot buffer area may be employed in lieu of the one hundred (100) foot buffer provided that it is approved by the Planning Director after review of the water quality impact assessment."

If the lot or parcel was recorded prior to October 1, 1989, a buffer modification to less than a fifty (50) foot RPA buffer may be permitted only if an Exception to the requirements of the Chesapeake Bay Preservation Act is granted by the Planning Director or a Variance is granted by the Board of Zoning Appeals.

If your lot was recorded between October 1, 1989 and April 21, 1993, an exception to the requirements of the Chesapeake Bay Preservation Act must be granted by the Planning Director or a Variance must be granted by the Board of Zoning Appeals for any buffer modification.

Lots recorded after April 21, 1993, are required to provide a building site outside of the 100-foot RPA, so buffer modifications are not needed.

What steps are required if I want to build a single family house in Middlesex County?

1. Obtain a Health Department Permit for primary and reserve drainfields.

2. Obtain a Zoning and Building Permit from the Middlesex County Planning Department (phone #758-4715).

3. Fill out a Zoning and Building Permit Application. [See Appendix A.]

4. Obtain an Erosion and Sediment Control Agreement BEFORE CLEARING, if your project will be disturbing 2,500 square feet or more of land area. Even if the area covered by the proposed house, or other structures, is less than 2,500 square feet, it is likely that more land will be cleared, graded, or otherwise disturbed to allow for construction, and to provide driveways, yards, and utilities. [See Appendix A.]

5. Submit a Plot Plan, that shows: [See Appendix B for examples.]
   - [] Acreage of the lot or parcel
   - [] The date the lot was recorded
   - [] The location and dimensions of all existing and proposed structure(s), driveway(s), sidewalk(s) Label each as existing or proposed.
   - [] The location of the existing septic field or the proposed septic field
   - [] The size of impervious area on lot (rooftops, concrete)
   - [] The distance from the proposed structure(s) to any stream, shoreline, marsh, or wetland
   - [] The distance from the proposed structure(s) to all property lines
   - [] The delineation of the RPA and RMA
   - [] The delineation of the limits of land clearing or disturbance
   - [] The size of the area of land clearing or disturbance(in square feet)
   - [] The location of any erosion and sediment control measures (silt fence, straw bales, gravel entrance, etc.)
   - [] The location of any trees (12"+ in diameter) that will be removed outside of the building, driveway, well, and/or septic footprint(s)

[] The location of new plants to replace trees (12"+ in diameter) that will be removed outside of the building, driveway, well and/or septic footprint(s) {Two new plants are required for every tree (12"+ in diameter) that is removed outside of the building, driveway, or septic field footprint(s).}

What are the required steps if I want to build a shed, garage, addition, or other small structure?

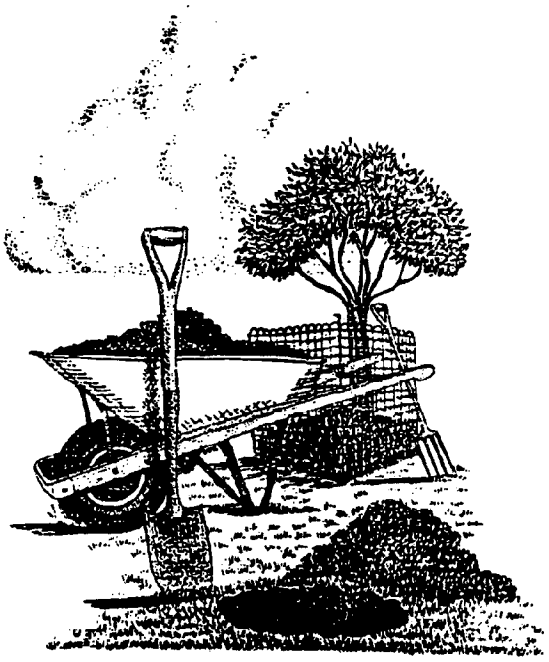
Contact the Health Department in order to determine the location of any existing drainfields. This will insure that your proposed structure will not harm your existing septic system. Also, if your proposed addition is an additional bedroom for your house, contact the Health Department at 758-2381. Then, follow the same steps required for a single family house.

What can I do within the 100-foot RPA buffer?

The RPA buffer is a vegetated buffer. In order for it to serve its function of filtering pollutants and nutrients from stormwater, it must remain vegetated. For this reason, there are restrictions on what vegetation can be removed from this 100-foot buffer.

The Chesapeake Bay Preservation Act Ordinance allows the following activities within the RPA buffer:

1. In order to maintain the functional value of the buffer area, indigenous vegetation may be removed to provide for reasonable sight lines, access paths, general woodlot management, and best management practices, if authorized by the Planning Director, on a case-by-case basis, upon presentation of documentation that the RPA buffer will still function in a manner that protects water quality. Such vegetation shall be replaced with other vegetation that is equally effective in retarding runoff, preventing erosion, and filtering nonpoint source pollution from runoff.

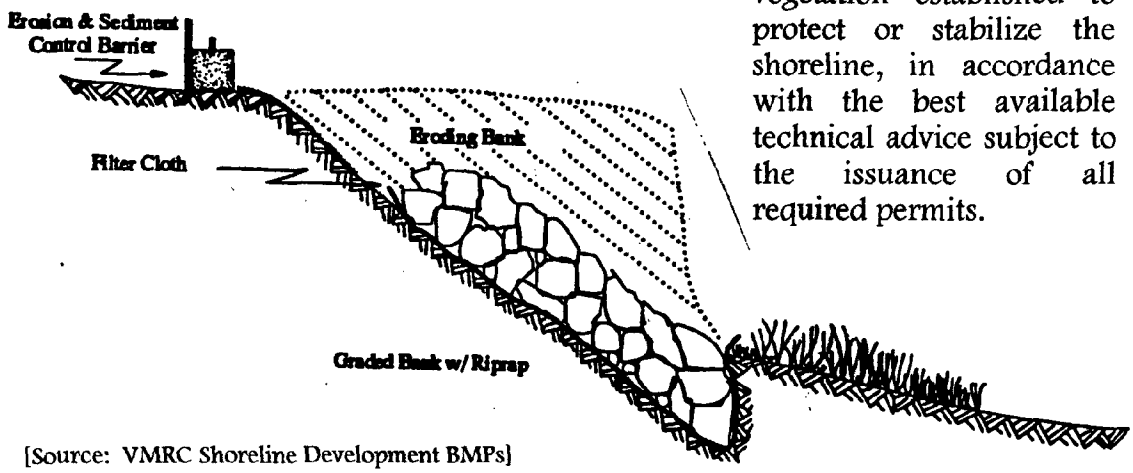


2. Trees may be pruned or removed only as is necessary to provide for sight lines, vistas and paths.

3. Any path shall be constructed and surfaced so as to effectively control erosion.

4. Dead, diseased, or dying trees or shrubs may be removed at the discretion of the landowner and silvicultural thinning may be conducted based upon the recommendation of a professional forester or arborist.

5. For shoreline erosion control projects, trees and woody vegetation may be removed, necessary control techniques employed, and appropriate vegetation established to protect or stabilize the shoreline, in accordance with the best available technical advice subject to the issuance of all required permits.



[Source: VMRC Shoreline Development BMPs]

These projects often involve approval by the Middlesex County Wetlands Board. Also, the Virginia Department of Conservation and Recreation Shoreline Erosion Advisory Service (SEAS) at (804) 925-2468, provides free consultation on shoreline erosion.

The Planning Director may approve activities in the RPA on a case-by-case basis. A Chesapeake Bay Resource Protection Area Development Permit [See Appendix D.] must be submitted for the Planning Director's approval for projects in the RPA. There is no fee for this permit, and this permit application gives the applicant a form to present "...documentation that the RPA buffer will still function in a manner that protects water quality." The Planning Department is available for site visits and advice on these proposed projects.

If you have any questions or comments not answered in this handbook, please contact the Middlesex County Planning Department at 758-4715, or visit the office on the second floor of the Woodward Building at the Saluda Courthouse Complex. Office hours are 8:30 a.m. to 4:30 p.m, Monday through Friday.

Appendix A

MIDDLESEX COUNTY ZONING AND BUILDING PERMIT

E&S AGREEMENT #:_____ FEE: 25.00 APPROVAL:_____

ZONING PERMIT #:_____ FEE: 15.00

DATE:_____ APPROVAL: _____
ZONING ADMINISTRATOR
◊ see comments if checked

Any person aggrieved by this notice may have the right of appeal. Any appeal shall be filed within thirty (30) days and be in accordance with Section 15.1-496.1 of the Code of Virginia. This decision shall be final and unappealable if not appealed within thirty (30) days.

BUILDING PERMIT #:_____ FEE:_____

ELECTRIC PERMIT #:_____ FEE:_____

PLUMBING PERMIT #:_____ FEE:_____

MECHANICAL PERMIT #:_____ FEE:_____

MAN. HOME PERMIT #:_____ FEE:_____

DATE:_____ APPROVAL:_____
BUILDING OFFICIAL
◊ see comments if checked

PARCEL NUMBER:_____ ZONING DISTRICT:_____

MAGISTERIAL DISTRICT:_____ CBPA:_____

SEPTIC PERMIT #:_____ FLOOD ZONE:_____

LAND TO BE DISTURBED:_____ HYDROLOGIC UNIT:_____

TO BE COMPLETED BY APPLICANT:

DIRECTION TO SITE:_____

CURRENT USE:_____

PROJECT DESCRIPTION/PROPOSED USE:_____

_____

PROPERTY OWNER:_____

MAILING ADDRESS:_____

CITY, STATE, ZIP:_____

DAYTIME PHONE:_____

CONTRACTOR:_____

CONTRACTOR'S ADDRESS:_____

CITY, STATE, ZIP:_____

DAYTIME PHONE:_____

LICENSE NUMBER:_____ EXPIRATION DATE:_____

Middlesex Building Department, P O Box 423, Saluda, VA 23149 (804)758-4305 Fax (804)758-0061

AGENT:_____

AGENT ADDRESS:_____

CITY, STATE, ZIP:_____

DAYTIME PHONE:_____

MECHANICS LIEN AGENT:_____

MECHANICS LIEN ADDRESS:_____

TELEPHONE:_____

MECHANICS LIEN AGENT - NONE DESIGNATED:_____

MANUFACTURED HOMES ONLY:

MAKE:_____ LENGTH:_____ WIDTH:_____

YEAR:_____ VALUE OF MANUFACTURED HOME:_____

SERIAL #:_____ DATE OF ENTRY INTO COUNTY:_____

MANUFACTURED HOME PURCHASE FROM:_____

ZONING

☐ I hereby certify that I have the authority to make the foregoing application, that the application is correct and that construction and use will conform to the Middlesex County Zoning Ordinance, Subdivision Ordinance or any other applicable laws of Middlesex County. I understand approval of this permit is contingent upon approvals of necessary Federal and State agencies.

EROSION AND SEDIMENT CONTROL AGREEMENT

☐ In lieu of performing an E&S plan, I agree to comply with any reasonable requirements determined necessary by the Erosion and Sediment Control Program Administrator or agent.

BUILDING

☐ I hereby certify that I have the authority to make the foregoing application, that the application is correct and that construction conforms to all applicable laws of this jurisdiction. (CHECK ONE OF THE FOLLOWING: BOCA___ CABO_____)

ATTACH COPY OF STATE CONTRACTOR'S LICENSE (IF CLASS B CONTRACTOR, A $2,000 PERFORMANCE BOND IS REQUIRED.)

_____	_____	_____
SIGNATURE	DATE	DATE PERMIT ISSUED
FEES PAID:_____	CHECK #:_____	CASH

(STAFF USE) COMMENTS/CONDITIONS:_____

_____

_____

_____

_____

IN ORDER TO OBTAIN A **BUILDING** PERMIT, THE FOLLOWING MUST BE SUBMITTED:

-2 sets of building plans for residential, 3 sets of building plans for commercial
-Site plan prepared by a certified land surveyor or registered Civil Engineer showing base floor and finished floor elevation if construction is within a Flood Zone.
-Approval of the County Health Officer for sewage and water system and any such information as may be required by the Building Official.
-For a manufactured home, a copy of the Manufacturers Installation Instructions is required.
-A plot plan for Zoning Review that includes:

- [] Acreage of the parcel
- [] The date the parcel was recorded
- [] The location and dimensions of all existing and proposed structure(s), driveway(s), sidewalk(s) Label each as existing or proposed.
- [] The location of the existing septic field or the proposed septic field
- [] The size of impervious area on lot (rooftops, concrete)
- [] The distance from the proposed structure(s) to any stream, shoreline, marsh, or wetland
- [] The distance from the proposed structure(s) to all property lines
- [] The delineation of the RPA and RMA
- [] The delineation of the limits of land clearing or disturbance
- [] The size of the area of land clearing or disturbance(in square feet)
- [] The location of any erosion and sediment control measures (silt fence, straw bales, gravel entrance, etc.)
- [] The location of any trees (12"+ in diameter) that will be removed outside of the building, driveway, well, and/or septic footprint(s)
- [] The location of new plants to replace trees (12"+ in diameter) that will be removed outside of the building, driveway, well and/or septic footprint(s) {Two new plants are required for every tree (12"+ in diameter) that is removed outside of the building, driveway, or septic field footprint(s).}

When preparing the plot plan, it is preferable to use a copy of a survey. If a survey is not used, be as accurate as possible when drawing property lines.

NOTICE: It is the responsibility of the applicant to establish the location of the front, side and rear property lines whereby the County Officials can determine that the setback requirements noted in this plot plan have been met. It is the applicant's responsibility to complete the plot plan.

BUILDING PERMIT WORKSHEET **PERMIT #:_____**

MANUFACTURED HOME

Manufactured Home: _____ SQ. FT. x .06 = $_____

PERMIT FEE ($10.00 minimum): **$_____**

STATE MANDATED 1% FEE LEVY: $_____

TOTAL DUE: **$_____**

BUILDING

ESTIMATED VALUE OF CONSTRUCTION: $_____

Square feet calculations:

1st Floor:	_____ SQ. FT.	Porch(s):	_____ SQ. FT.
2nd Floor:	_____ SQ. FT.	Patio(s)/Deck(s):	_____ SQ. FT.
Loft:	_____ SQ. FT.	Garage/Carport:	_____ SQ. FT
Basement:	_____ SQ. FT.	Boathouse:	_____ SQ. FT
Storage Bldgs/Sheds:	_____ SQ. FT.	Relocation Fee:	_____ SQ. FT.
		All Commercial Construction:	_____ SQ. FT.

TOTAL SQUARE FEET = _____ SQ. FT. x .06 = $_____

Signs: $10 + _____ x _____ = _____ SQ. FT. x .03 = $_____

Remodeling, Alterations, Bulkheads, Piers, Miscellaneous Marine Structures, Swimming Pools, Chimney, Fireplace, any other:

ESTIMATED COST:_____ $6/$1,000 of cost = $_____

Demolition Fee : $10.00 = $_____

PERMIT FEE ($10.00 minimum): **$_____**

STATE MANDATED 1% FEE LEVY OF PERMIT FEE: $_____

TOTAL DUE: **$_____**

Appendix B

R. Nicholas Hahn
Director of Planning

G. David Selph
Zoning Administrator

County of Middlesex
Department of Planning

Plot Plan Worksheet Information

A Plot Plan is required as part of the Middlesex County Zoning Permit Application. The attached worksheet provides a checklist to help you insure that your Plot Plan is complete. An incomplete or an inaccurate Plot Plan will cause a delay in the processing of your Permit Application.

The following four pages are examples of Plot Plans.

Do not hesitate to contact the Middlesex County Planning and Community Development Office at (804) 758-4715 with any questions. This office can discuss the requirements of a Plot Plan, inform you of the setback requirements for your proposed structure, and inform you of the location of any Chesapeake Bay Preservation Areas.

P.O. Box 427, Saluda, Virginia 23149 • Phone: (804) 758-4715 Fax: (804) 758-0061

Permit # _____

Property
Owner: _____ Tax Map: _____

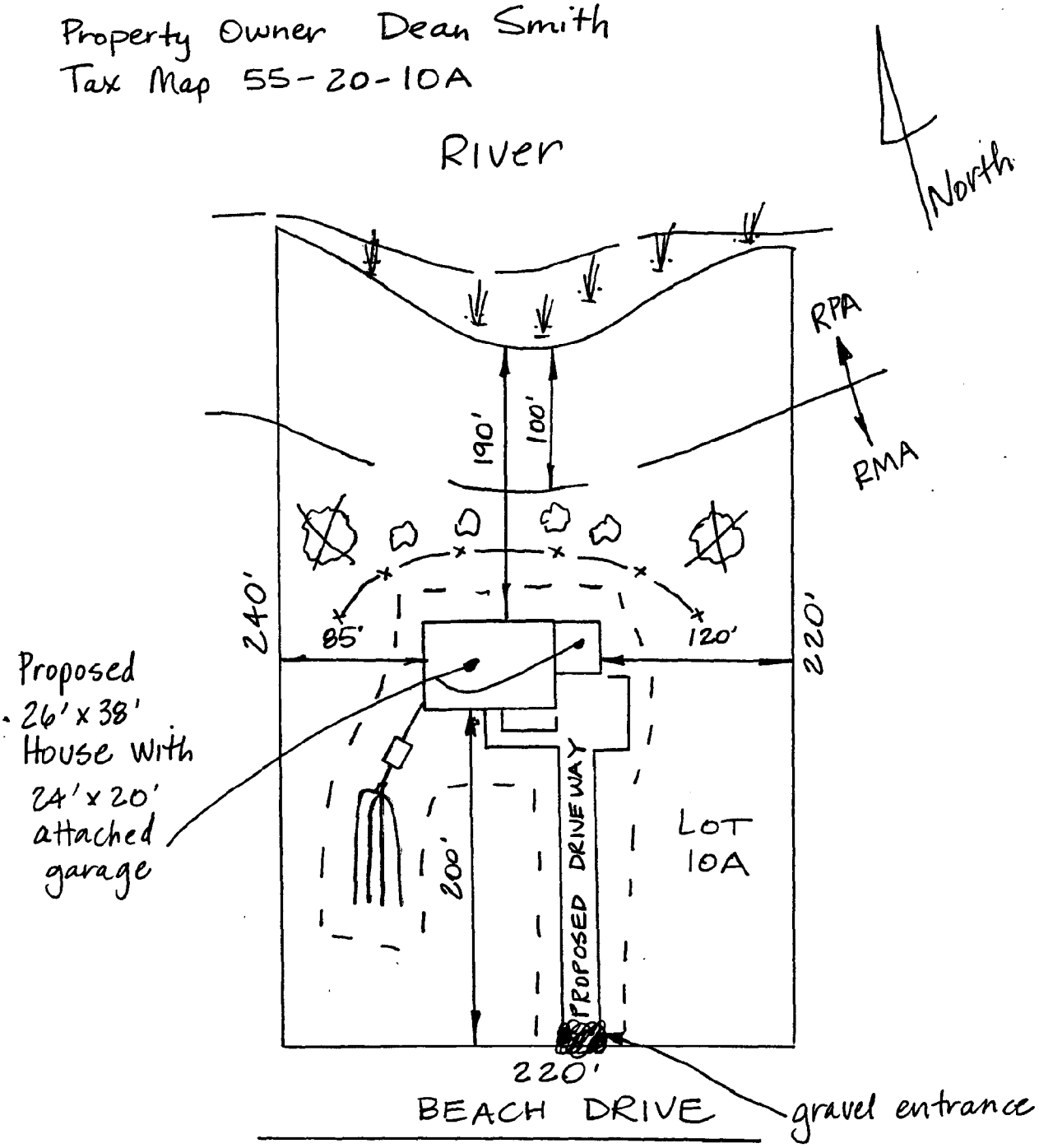
Plot Plan Worksheet

Include all of the following information on the plot plan:

- [] Acreage of the lot or parcel
- [] The date the lot was recorded
- [] The location and dimensions of all existing and proposed structure(s), driveway(s), sidewalk(s) Label each as existing or proposed.
- [] The location of the existing septic field or the proposed septic field
- [] The size of impervious area on lot (rooftops, concrete)
- [] The distance from the proposed structure(s) to any stream, shoreline, marsh, or wetland
- [] The distance from the proposed structure(s) to all property lines
- [] The delineation of the RPA and RMA
- [] The delineation of the limits of land clearing or disturbance
- [] The size of the area of land clearing or disturbance(in square feet)
- [] The location of any erosion and sediment control measures (silt fence, straw bales, gravel entrance, etc.)
- [] The location of any trees (12"+ in diameter) that will be removed outside of the building, driveway, well, and/or septic footprint(s)
- [] The location of new plants to replace trees (12"+ in diameter) that will be removed outside of the building, driveway, well and/or septic footprint(s) {Two new plants are required for every tree (12"+ in diameter) that is removed outside of the building, driveway, or septic field footprint(s).}

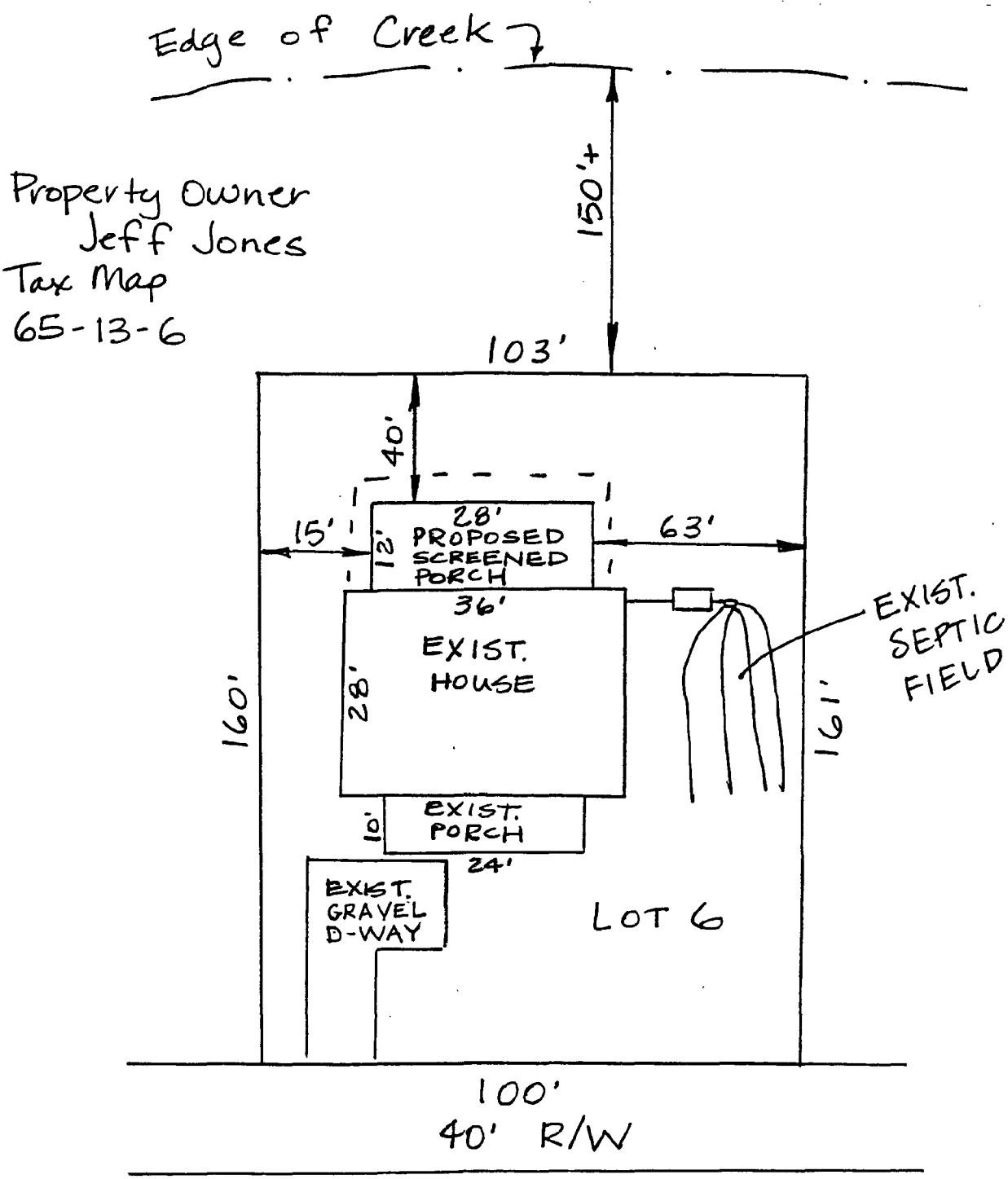
NOTICE: It is the responsibility of the applicant to establish the location of the front, side and rear property lines whereby the County Officials can determine that the setback requirements noted in this plot plan have been met. It is the applicant's responsibility to complete the plot plan.

Property Owner Dean Smith
Tax Map 55-20-10A



Size of lot = 1.2 AC.
Lot recorded Jan. 3, 1993
Proposed impervious area = 1468 s.f.
(Driveway will be gravel)
- - - limits of land disturbance
x—x—x silt fence
Total area to be disturbed = 6,700 s.f.

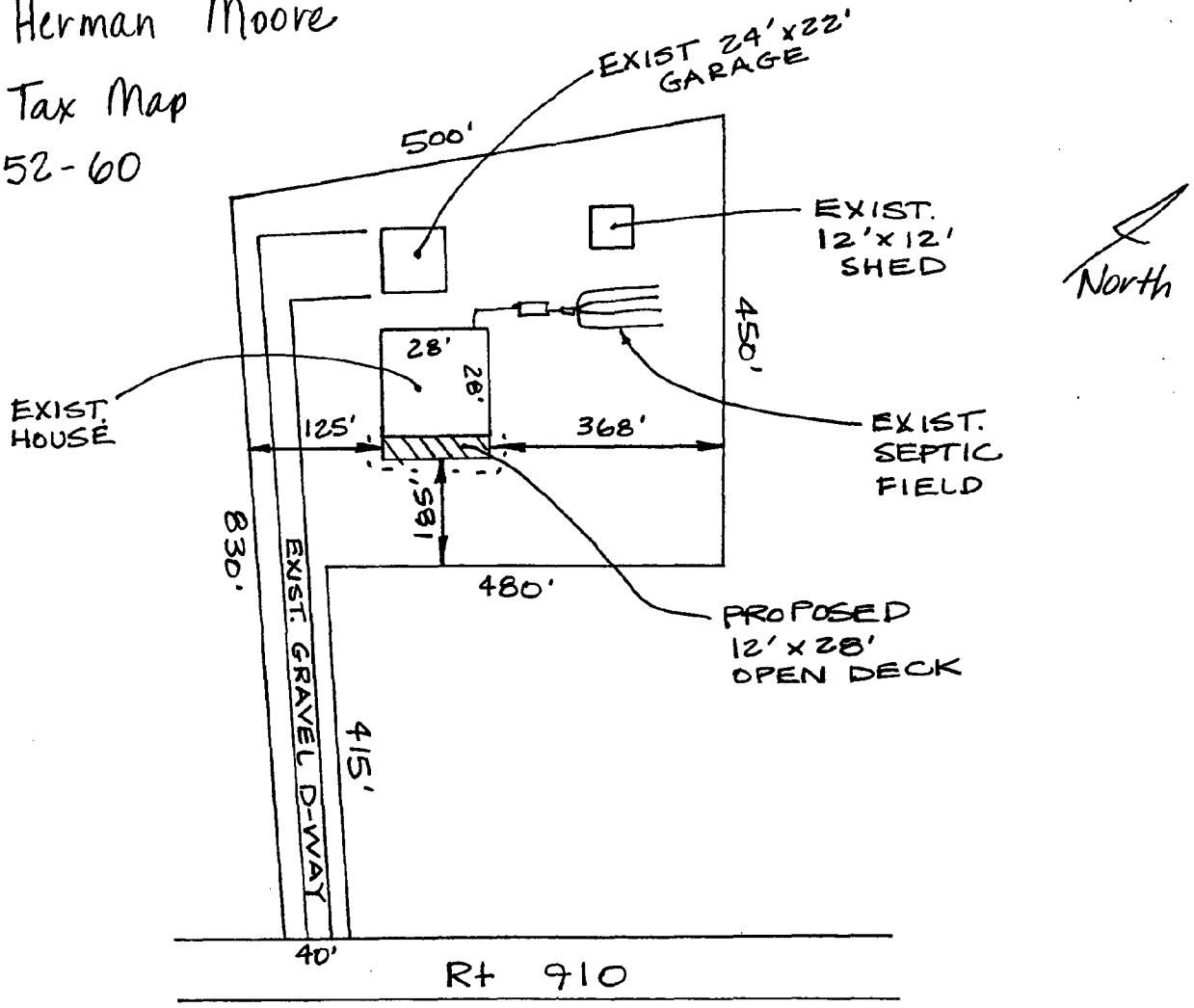
trees to be removed
replacement shrubs



Size of lot = 0.37 AC.
Lot recorded prior to 1989
Total Impervious area = 1584 s.f.
Entire lot is RMA
Total Area of land disturbance = 336 s.f.
--- area of land disturbance

Property Owner
Herman Moore

Tax Map
52-60



Size of lot is 5.6 Acres
Lot recorded prior to 1989
Total impervious area = 1456 S.f.
Lot is not within the CBPA
--- area of land disturbance
Total area of land disturbance = 336 S.f.

Chesapeake Bay Resource Protection Area Development Permit

In accordance with Final Regulation: VR 173-02-01. Chesapeake Bay Preservation Area Designation and Management Regulations and SS 10.1-2103 & 10.1-2107 of Chapter 21 of Title 10.1 of the Code of Virginia (The Chesapeake Bay Preservation Act), Middlesex County is required to regulate the use and development of land in the Chesapeake Bay Preservation Areas.

To be completed by the applicant: Please complete the following information. An incomplete application may cause your permit to be delayed. Type or print legibly. Attach a site plan of the proposed project. The Zoning Ordinance allows thirty (30) days for consideration of this permit.

Property Owner: _____ Phone Number: _____

Address: _____

Tax Map and Parcel Number: _____

Directions to the project: _____

_____

Description of the project: _____

_____

Distance from the shoreline, tidal wetlands or connected non-tidal wetlands: _____

Description of vegetation to be removed during the span of the project: _____

_____

Description of replacement vegetation: _____

_____

Total amount of land disturbance in square feet: _____

I hereby certify that the foregoing information and attachments are true and accurate to the best of my knowledge. I understand approval of this permit is contingent upon compliance to all requirements stated above and attached. Failure to comply can and may result in revocation of approval and/or stop of work order.

_____ _____

Date Owner/Applicant Signature

Permit # RPA-_____

A plat showing the following is required unless waived by the Director of Planning: (Waived if noted by the Planning Department.)

_____ RPA/RMA delineation

_____ Permanent benchmarks showing the location of the proposed project

_____ Existing vegetation to be removed.

_____ Proposed vegetation to replace existing vegetation

_____ Erosion and sediment control requirements

_____ Best Management Practices

_____ Water Quality Impact Assessment

Comments: _____

_____

_____

To be completed by the Planning Department:

Meets Ordinance Requirements YES NO Section _____

Administrative waiver or exception YES NO

Comments: _____

_____

_____

_____

Approval by the Planning Department:

_____ _____

Date Planning Director

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