Chesapeake Bay Preservation Area (CBPA) Application

For RPA Boundary Determination Approval and Development Compliance

Updated June 2026

Stafford County Department of Development Services
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NOTICE

Stafford County treats all applications and applicants equally. The County does not discriminate against religion, or on the basis of race, sex, age, national origin, or disability, in its planning, permitting, utilities, and land use processes.

Under the laws of the United States and the Commonwealth of Virginia, no government may discriminate against any religion or on the basis of race, sex, age, national origin, or disability, in its planning, permitting, utilities, and land use processes.

Under the Religious Land Use and Institutionalized Persons Act ("RLUIPA"), no government may apply its zoning or land use laws, or its policies and procedures in a manner that unjustifiably imposes a substantial burden on the religious exercise of a person, assembly, or institution.

RLUIPA also provides that no government may apply its zoning or land use laws in a manner that treats a religious assembly or institution on unequal terms with a non-religious institution or assembly.

Finally, RLUIPA provides that no government may impose or implement a land use regulation in a manner that discriminates against a religious assembly or institution.

Stafford County does not discriminate in its planning, permitting, utilities, and land use processes, practices, and policies. Stafford County treats all applications and applicants equally.

The Chesapeake Bay Preservation Area Ordinance is intended to protect water quality by managing development and minimizing pollution impacts to the Chesapeake Bay and its tributaries. This application is administered in accordance with Chapter 27B – Chesapeake Bay Preservation Area Ordinance of the Stafford County Code.

HOW TO USE THIS APPLICATION

1. Complete Part 1 – Applicant-Prepared RPA Boundary Determination for all applications.
2. Use Part 2 – Development Review Checklist to determine additional requirements for RPA development.
3. Complete only the sections applicable to your project.

PART 1 - APPLICANT-PREPARED RPA BOUNDARY DETERMINATION

SECTION 1: PROJECT INFORMATION & PRIMARY CONTACTS

PROJECT #_____ (issued upon submittal) Date: _____

PROJECT INFORMATION

_____ _____
PROJECT NAME SECTION

ASSOCIATED PLAN AND/OR BUILDING PERMIT NUMBER _____

_____ _____
ADDRESS (IF AVAILABLE) TOTAL SITE ACREAGE

_____ _____ _____ _____
TAX MAP /PARCEL(S) DATE LOT/PARCEL RECORDED ELECTION DISTRICT ZONING DISTRICT

APPLICANT/AGENT

Primary Contact Person ☐

_____ _____
NAME COMPANY

_____
ADDRESS CITY STATE ZIP

_____
PHONE NUMBER FAX NUMBER EMAIL ADDRESS

OWNER (Provide attachments if multiple owners)

Primary Contact Person ☐

_____ _____
NAME COMPANY

_____
ADDRESS CITY STATE ZIP

_____
PHONE NUMBER FAX NUMBER EMAIL ADDRESS

PROFESSIONAL (Engineer, Surveyor, etc.)

Primary Contact Person ☐

_____ _____
NAME COMPANY

_____
ADDRESS CITY STATE ZIP

_____
PHONE NUMBER FAX NUMBER EMAIL ADDRESS

PART 1 - APPLICANT-PREPARED RPA BOUNDARY DETERMINATION

SECTION 2: SUBMITTAL, REVIEW & APPROVAL PROCESS

APPLICATION SUBMISSION	Submit a complete application and required fee to the Community Development Service Center (CDSC)/Permit Center through. Incomplete applications will be rejected.
APPLICATION INTAKE & ROUTING	Once accepted, the application is logged, assigned a number, and routed for review. Digital files can be submitted through SharePoint.
REVIEW & COMMENTS	The results and subsequent comment(s) can be viewed on the Integrated Web Response System (IWR) at http://hello.stafford.va.us. The applicant and listed contacts will be notified by email when comments are available.
RESUBMITTAL	Revise plans to address all comments and resubmit through SharePoint and email eplans@staffordcountyva.gov to schedule the next review. Resubmittals must include a comment response letter describing how each comment was addressed. A response letter explaining how each comment was addressed is required.
FINAL APPROVAL	Once all comments are resolved, an approval letter will be sent. Approval Letter must be added to the development plan.

PART 1 - APPLICANT-PREPARED RPA BOUNDARY DETERMINATION

SECTION 3: SUBMITTAL CHECKLIST

Use the most current version of this application (available on the Stafford County website)

- ☑ Submit a site-specific CBPA determination including:
  - Wetland Delineation Report (including data, mapping, photos, and findings)
    - prepared per "Corps of Engineers Wetlands Delineation Manual", Technical Report Y-87-1 (1987 Manual) and subsequent guidance
  - Perennial Flow Determination (PFD) using:
    - Fairfax County Department of Public Works and Environmental Services Perennial Stream Field Identification Protocol" (May 2003) (typically west of Route 1), or
    - North Carolina "Identification Methods for the Origins of Intermittent and Perennial Streams" (September 1, 2010, Version 4.11. (typically east of Route 1)
  - USACE Wetlands Confirmation Letter / VDEQ Surface Water Certification / DEQ-certified State Waters Delineation Endorsement

- ☐ Submit Completed **"Project Information & Primary Contacts"**
- ☐ Submit Completed **"Proposed Development Narrative"**
- ☐ Submit Signed **"Statements of Understanding"**
- ☐ Submit GIS Shapefiles in accordance with "Digital Shapefile Submittal"
- ☐ Submit Completed "Fee Determination Form**"**
- ☐ Submit Payment (check made payable to "Stafford County")
- ☐ Submit All Studies/Applications Identified in Part 2 "Development Review Checklist**"**
- ☐ Submit Fee Payment to CDSC

All required submittals must be provided. Incomplete applications will be rejected.

PART 1 - APPLICANT-PREPARED RPA BOUNDARY DETERMINATION

SECTION 4: PROPOSED DEVELOPMENT NARRATIVE

Site Characteristics (check all that apply):

- ☐ Tidal Wetland/ Tidal Shores
- ☐ Nontidal Wetland
- ☐ A RPA Buffer Equal to or Greater Than 100 ft
- ☐ A Reduced and/or Thinned RPA Buffer
  (Silvicultural – A forestry management plan is recommended prior to vegetation removal)
- ☐ Steep Slopes (slopes greater than 25%)
- ☐ Highly Erodible Soils (K factor equal to or greater than 0.35)
- ☐ Highly Permeable Soils

RPA Impacts:

Will there be vegetation removal within a Resource Protection Area (RPA)? ☐ Yes ☐ No

Will there be land disturbance of any nature within a Resource Protection Area (RPA)? ☐ Yes ☐ No

Square footage of disturbance within the RPA: _____ sq. ft.

Square footage of impervious area within the RPA: _____ sq. ft.

Will the proposed RPA encroachment be only for a water well, a passive recreation facility, archeological activities, public utilities, railroads, or public roads? ☐ Yes ☐ No

Plat information:

When was the most current plat of the property recorded?

- ☐ Prior to October 1, 1989
- ☐ Between October 1, 1989 and December 2, 2003
- ☐ After December 2, 2003
- ☐ This application is part of a Boundary Line Adjustment or Subdivision

Has there been a prior CBPA Special Exception or Waiver granted for this property? ☐ Yes ☐ No

If yes, please provide the date: _____

Provide a brief description of the current conditions of any RPA and/or wetland features on site:

Provide a brief description of the proposed project:

PART 1 - APPLICANT-PREPARED RPA BOUNDARY DETERMINATION

SECTION 5: STATEMENT OF UNDERSTANDING

I, as owner/co-owner of the property subject to this application, do hereby certify that I have read and understood the requirements of this submission of this request for review and approval as provided under the Stafford County Code, and further, that this submittal is in compliance with the requirements and applicable provisions of the Stafford County Code for zoning districts in which this project is located.

_____

Signature of Owner/Co-Owner Printed Name Date

_____

Signature of Owner/Co-Owner Printed Name Date

_____

Signature of Owner/Co-Owner Printed Name Date

I, as applicant or agent for the owner(s) of the property subject to this application, do hereby certify that I have read and understood the requirements of this submission of this request for review and approval as provided under the Stafford County Code, and further, that this submittal is in compliance with the requirements and applicable provisions of the Stafford County Code for zoning districts in which this project is located.

_____

Signature of Applicant/Agent Printed Name Date

PART 1 - APPLICANT-PREPARED RPA BOUNDARY DETERMINATION

SECTION 6: DIGITAL SHAPEFILE SUBMITTAL

Submit a compressed (.zip) file containing all required polygon shapefiles for the project through SharePoint.

Required Data:

- ☐ The submittal shall include polygon shapefiles for:
  - Resource Protection Area (RPA)
  - Wetland boundaries

File Naming Convention:

- ☐ The compressed file shall be named as follows:
  - Project#_MonthDayYear_CBPA.zip
- ☐ Individual shapefiles within the compressed file shall be named:
  - RPA Boundaries: Project#_MonthDayYear_RPA
  - Wetland Boundaries: Project#_MonthDayYear_Wetland

Shapefile Requirements:

- ☐ Each shapefile must include the following components:
  - .shp
  - .shx
  - .dbf
  - .prj

Coordinate System:

- ☐ All shapefiles shall use the following projected coordinate system:
  NAD_1983_HARN_StatePlane_Virginia_North_FIPS_4501_Feet

Submission Notes:

- Multiple shapefiles may be included within a single compressed file.
- Ensure all shapefiles are complete, properly projected, and align with submitted plans.
- Incomplete or incorrectly formatted shapefiles may result in application rejection.

A .zip file of all required shapefiles must be provided. Incomplete applications will be rejected.

PART 1 – APPLICANT-PREPARED RPA BOUNDARY DETERMINATION

SECTION 7: FEE DETERMINATION FORM

Fee Type	Fee	2.75% Technology Fee	Subtotal
☐ Part 1: CBPA Review (< 20 acres)	$460.00	$12.65	$472.65
☐ Part 1: CBPA Review (≥ 20 acres)	$850.00	$23.38	$873.38
☐ Part 1: CBPA Review (Family Subdivision)	$850.00	$23.38	$873.38

TOTAL FEE
$_____

PART 2 – RPA DEVELOPMENT REVIEW

SECTION 1: ADDITIONAL STUDY AND APPLICATION SUBMITTAL & REVIEW PROCESS

Part 2 guides applicants in determining which additional studies or applications are required based on proposed development within a Chesapeake Bay Resource Protection Area (RPA) identified in Part 1.

PRELIMINARY REVIEW	Determine whether your proposed development falls within an RPA or RMA, and review §27B-8 and §27B-9 to assess if the project is: • Permitted as proposed • Permitted with conditions • Requires a waiver or exception Confirm whether additional studies and or waivers/exceptions are required: • Water Quality Impact Assessment (WQIA) – Minor or Major (§27B-12) • Resiliency Assessment – Required for RPA encroachments (§27B-13) • Administrative Waiver – Relief from §27B-8 or §27B-9 (§27B-16) • Special Exception – Relief from other Chapter 27B requirements (§27B-17) • Administrative Exception – Relief from other Chapter 27B requirements (§27B-18) • RPA Vegetation Removal Request (§27B-9) • RPA Mitigation/Restoration/Landscaping Plan (§27B-9 & §27B-10)
ADDITIONAL DOCUMENTATION SUBMISSION	Submit all required studies and fees to the **Community Development Service Center (CDSC)/Permit Center** using the assigned application number. Digital files can be submitted through SharePoint. Include all relevant sections of this application: • WQIA (Minor or Major) • Resiliency Assessment • Administrative Waiver or Exception Forms (if applicable) ○ Please note that Special Exception Applications require a pre-application meeting • Mitigation/Restoration/ Landscaping plans (if applicable) • All required state and federal permits (if applicable) **Incomplete applications will be rejected**.
REVIEW & COMMENTS	Review comments can be viewed on the Integrated Web Response System (IWR) at http://hello.stafford.va.us. The applicant and listed contacts will be notified by email when comments are available.
RESUBMITTAL	If required, the applicant will make corrections to the plan per the review comments. Once all comments have been addressed, the applicant will upload the revised as-built to SharePoint for another review cycle and email eplans@staffordcountyva.gov to schedule the next as-built review. Resubmittals must include a comment response letter describing how each comment was addressed.
FINAL APPROVAL	**Administrative approvals:** Once all comments are resolved, the Administrator may approve applications, issue waivers, or exceptions. **Special Exceptions:** Applications requiring a Chesapeake Bay Board hearing will be scheduled for the next available meeting. The primary contact is notified via email once the application is approved. Approval letters and/or resolutions shall be shown in the development plans.

PART 2 – RPA DEVELOPMENT REVIEW

SECTION 2: DETERMINE REQUIRED STUDIES & APPLICATIONS

Instructions:

1. Review each study/ application to determine if they are required and check the box if required.
2. For each applicable requirement, complete the corresponding section of this application.
3. Refer to the indicated page for detailed submission requirements.

	Study / Application	When Required	Reference in Application
☐	Water Quality Impact Assessment (Minor or Major) (§27B-12)	Any land disturbance, development, or redevelopment within an RPA or as required by the Administrator	Appendix A
☐	Resiliency Assessment (§27B-13)	Any land disturbance, development, or redevelopment within an RPA or as required by the Administrator	Appendix B
☐	Administrative Waiver/ Exceptions (§27B-16)/ (§27B-18)	Applicant requests relief from general RPA development standards (§27B-8 or §27B-9) in accordance with §27B-16	Appendix C
☐	Special Exception (requires WQIA, Pre-Application meeting & Board Hearing) (§27B-17)	Applicant requests relief from general RPA development standards (§27B-8 or §27B-9) or other §27B Requirements in accordance with §27B-17	Appendix D
☐	RPA Vegetation Removal Request (§27B-9)	Applicant requests administrative approval for vegetation removal within RPA	Appendix E
☐	RPA Mitigation / Restoration Plan (§27B-9 & §27B-10)	For any land disturbance, development, or redevelopment within an RPA or as required by the Administrator	Appendix F

PART 2 – RPA DEVELOPMENT REVIEW

SECTION 3: FEE DETERMINATION FORM

Fee Type	Fee	2.75% Technology Fee	Subtotal
☐ Part 1: CBPA Review (< 20 acres)	$460.00	$12.65	$472.65
☐ Part 1: CBPA Review (≥ 20 acres)	$850.00	$23.38	$873.38
☐ Part 1: CBPA Review (Family Subdivision)	$850.00	$23.38	$873.38
☐ Part 2: Minor WQIA	$460.00	$12.65	$472.65
☐ Part 2: Major WQIA	$850.00	$23.38	$873.38
☐ Part 2: Resiliency Assessment	$0.00	$0.00	$0.00
☐ Part 2: Administrative Waiver	$460.00	$12.65	$472.65
☐ Part 2: CBPA Board Public Hearing	$2,080.00	$57.20	$2,137.2
☐ Part 2: Vegetation Removal Request	$260.00	$7.15	$267.15
☐ Part 2: Staff Mitigation / Restoration Plan	$520.00	$14.30	$534.30

Note: Staff Mitigation/ Restoration Plan only available for residential projects with disturbance < 5,000 sq. ft.). Review of Mitigation/ Restoration Plans is included in WQIA Review fee.

Note: Vegetation Removal Request Applications May be submitted independently and may not require Part 1: CBPA Review Documentation.

TOTAL FEE
$_____

PART 2– RPA DEVELOPMENT REVIEW

APPENDIX A - WATER QUALITY IMPACT ASSESSMENT (WQIA)

There are two (2) levels of WQIAs: minor and major, as established in Stafford County Code §27B-12.

MINOR WQIA: A minor WQIA applies to land disturbance, development, or redevelopment within an RPA that results in no more than five thousand (5,000) square feet of land disturbance and may encroach into the landward fifty (50) feet of the RPA buffer.

*MAJOR WQIA: A major WQIA is required for any land disturbance, development, or redevelopment that **exceeds five thousand (5,000) square feet** of land disturbance within an RPA; Disturbs **any portion of the seaward fifty (50) feet** of the RPA buffer; Disturbs any other component of an RPA; or is located within a Resource Management Area (RMA) or RPA and is deemed necessary by the Administrator due to site characteristics or project intensity, in accordance with **Chapter 27B-12**.*

The information required for a major WQIA represents minimum submission requirements unless the Administrator determines that certain elements are unnecessary based on the scope and nature of the proposed development.

A WQIA is **not required** for individual single-family residential lots or commercial or industrial uses located entirely within an RMA and outside of an RPA that disturb **less than twenty thousand (20,000) square feet of land**, unless otherwise required by the Administrator pursuant to **Chapter** §27B-12.

Minor WQIA Eligibility Confirmation:

Criteria	Yes	No
Land disturbance ≤ 5,000 sq. ft. within RPA	☐	☐
Encroachment limited to landward 50 ft of buffer	☐	☐

If "No" to any, a **Major WQIA is required**.

Major WQIA Eligibility Confirmation:

Criteria	Yes	No
Land disturbance > 5,000 sq. ft. within RPA	☐	☐
Encroachment into seaward 50 ft of buffer	☐	☐
Disturbance of wetlands/other RPA features	☐	☐
Required by Administrator (RMA)	☐	☐

If "Yes" to any, a **Major WQIA is required**.

Type Determination:

- ☐ Minor WQIA
- ☐ Major WQIA
- ☐ WQIA Not Required

MINOR WQIA §27B-12 (d)

OWNER/APPLICANT:	PROJECT NUMBER:

Narrative Statement:

- ☐ Describe the nature of the proposed RPA encroachment (type, location, and extent).
  - Type of encroachment (i.e. addition, deck, driveway, utilities)
  - Encroachment location within buffer (approximate distance from water body or buffer edge)
  - Total area of encroachment (sq. ft.)
- ☐ Provide justification for the proposed impacts to the RPA:
  - Why is the encroachment necessary?
- ☐ Demonstrate consistency with 27B-16(A):
  - How does the proposed project minimize impacts to water quality? How does the proposed represent the minimum necessary encroachment?
  - Describe any proposed conditions or design elements that protect water quality:

Buffer Performance Requirement:

☐ Provide calculations or summary demonstrating ≥ 75% sediment removal & ≥ 40% nutrient removal

Method used (check one):

☐ Riparian Buffer Manual

☐ VRRM / Runoff Reduction Method

☐ Other (describe): _____

Proposed Mitigation BMP Description:

☐ Identify the type and location of all proposed best management practices (BMPs) intended to mitigate the proposed RPA encroachment.

Vegetation Removal Description:

☐ Describe the number and general type of trees and other vegetation proposed for removal to accommodate the buffer encroachment or modification.

Attach a Site Plan/ Lot Grading Plan

Submit a plan or drawing showing:

☐ Dimensions of the lot or parcel

☐ Location of existing buildings and proposed additions

☐ Location of the RPA and any wetlands

☐ proposed development and associated grading

☐ Location and description of any existing private water supply or sewage disposal system

Attach a RPA Landscaping Plan in accordance with the requirements – Appendix F

☐ Submit an RPA landscaping and vegetation removal plan, including calculations and the locations of any anticipated drainfield or wastewater irrigation areas.

MAJOR WQIA §27B-12 (e)

OWNER/APPLICANT: PROJECT NUMBER:

☐ All Minor WQIA requirements have been completed and attached
☐ A Report with the following information has been attached

Impact Statements:

(1) Topography Impacts

☐ Describe anticipated impacts to existing topography, soils, surface water and groundwater hydrology, and geology on the site and adjacent properties.

(2) Ecological Process & Relationship Impacts

☐ Describe the natural processes and ecological relationships present on the site and assess how the proposed development may affect those processes.

(3) Hydrologic and Water Supply Impacts

Water Supply Impacts? ☐ Yes ☐ No

☐ If yes, describe the extent and nature of any proposed disruptions or reductions in the supply of water to wetlands, streams, lakes, rivers, or other water bodies.

(4) Wetland Impacts

Wetland Impacts? ☐ Yes ☐ No

☐ If yes, provide justification for the disturbance or alteration of wetlands within RPAs, where applicable.

(5) Fill Material

Fill material? ☐ Yes ☐ No

☐ If yes, identify the source and location of any proposed fill material.

(6) Dredge Material

Dredging activities or material? ☐ Yes ☐ No

☐ If yes, identify the location of any dredging activities and proposed disposal areas for dredged material.

(7) Pollutant Load Analysis

☐ Provide an analysis of pre-development and post-development pollutant loads in stormwater runoff (attach supporting calculations).

(8) Impervious Surface Analysis

☐ Provide an analysis of the percent increase in impervious surface area and identify the types of surfacing materials proposed.

(9) Site Clearing Analysis

- ☐ Provide an analysis of the percentage of the site proposed to be cleared or graded.

(10) Construction Duration and Phasing

- ☐ Describe the anticipated duration and phasing schedule of the construction project.

(11) Mitigation Measures for Hydrogeologic Impacts

- ☐ Describe proposed mitigation measures, which may include, but are not limited to:
  - Erosion and sediment control concepts (e.g., minimized clearing, perimeter controls, stabilization measures, inspection schedule)
  - Stormwater management system
  - Measures to minimize excavation and fill

(12) Water-Dependent Activities (If Applicable)

- ☐ For water-dependent activities (docks, piers, boardwalks etc.), describe the location of and potential impacts to shellfish beds, submerged aquatic vegetation, and fish spawning or nursery areas.

(13) Future Land Disturbance

- ☐ Identify any anticipated future land disturbance within the RPA.

(14) Required Permits

- ☐ List all federal, state, and local permits required for the proposed development.

(16) Sewer Line Location (If Applicable)

- ☐ Where sewer lines are proposed within a Chesapeake Bay Preservation Area, provide justification for their location and describe construction methods and standards.

(17) On-Site Wastewater Systems (If Applicable)

- ☐ Describe any proposed on-site collection and treatment systems, including treatment levels and potential impacts to receiving waters.

(18) Wastewater System Impacts and Mitigation

- ☐ Describe potential impacts of proposed wastewater systems and identify mitigation measures.

PART 2– RPA DEVELOPMENT REVIEW

APPENDIX B: SEA LEVEL RISE RESILIENCY ASSESSMENT (27B-13)

OWNER/APPLICANT: PROJECT NUMBER:

Eligibility Confirmation:

Criteria	Yes	No
Proposed RPA Encroachment	☐	☐

If "yes" a **Resiliency Assessment is required**.

Submit a Graphic Analysis (Scaled Drawing showing the following):

- ☐ Scaled drawing of the proposed project
- ☐ Delineated RPA and required setbacks
- ☐ Existing topography
- ☐ Graphic depiction of anticipated impacts from:
  - Sea-level rise
    - NOAA Intermediate-High Scenario (2017 or latest) ☐
    - Model Source (e.g., AdaptVA/VFRIS) ☐
    - Inland extent of migration identified ☐
    - Water depth identified ☐
  - Storm surge
    - NOAA SLOSH Model ☐
    - Category 3 storm used ☐
    - Impact extent mapped ☐
  - Flooding
    - SFHA (FEMA/VFRIS) ☐
    - LiMWA (if applicable) ☐
    - Floodplain impacts mapped ☐

Timeframe used in Assessment:

Note: The required assessment timeframe is thirty (30) years unless a shorter timeframe is justified pursuant to §27B-13.

- ☐ 30 years
- ☐ ____ years based upon:
  - Type of structure: ☐ Temporary ☐ Movable
  - ☐ Materials: _____
  - ☐ Specifications: _____
  - ☐ Anticipated maintenance: _____
  - ☐ Other: _____

Complete the following:

A. Proposed Development

1. Provide the Type of Proposed Development [check all that apply]:
   - ☐ Commercial
   - ☐ Industrial
   - ☐ Multi-family Residential
   - ☐ New Single-Family Residential
   - ☐ Single-Family Residential Addition
   - ☐ Accessory Structure (e.g., pool, gazebo, detached garage, storage shed, etc.)
   - ☐ Water-Dependent Structure (e.g., boat house, pier, dock, etc.)

2. Nature of Proposed Development [check all that apply]:
   - ☐ Water-dependent facility
   - ☐ Adaptation Measure
   - ☐ Development in Intensely Developed Area (IDA)
   - ☐ Redevelopment
   - ☐ New use on a pre-Bay Act lot
   - ☐ Private road or driveway crossing
   - ☐ Regional flood control or stormwater management facility
   - ☐ Other permitted buffer encroachment as described: _____

     _____

   Intended Service Life of proposed structure: _____ years

B. Impact Identification:

Identify the potential impact of sea-level rise, storm surge, and flooding on the parcel and proposed development.

1. Sea-Level Rise

   Is sea-level rise projected to impact the parcel? ☐ Yes ☐ No

   ☐ If yes, describe the extent of sea-level rise in the RPA buffer including landward extent (e.g., seaward 10 feet or 25% of the buffer) in submitted narrative.

   Is sea-level rise projected to impact the current buffer? ☐ Yes ☐ No

   ☐ If yes, describe the extent of sea-level rise on the existing vegetation in the RPA buffer in submitted narrative.

   Is sea-level rise projected to directly impact any proposed structure? ☐ Yes ☐ No

   ☐ If yes, describe the extent of sea-level impact on structure[s] in submitted narrative.

2. Storm Surge

   Was the NOAA SLOSH model used? ☐ Yes ☐ No

   If No, Model Used: _____

   Is storm surge projected to impact the parcel? ☐ Yes ☐ No

☐ If yes, describe the extent of storm surge within the RPA buffer including landward extent (e.g., seaward 10 feet or portion of the property impact) in submitted narrative.

Is storm surge projected to impact any proposed structure? ☐ Yes ☐ No

☐ If yes, extent of storm surge on structure[s] in submitted narrative.

3. **Flooding**

Is the parcel subject to increased or recurrent flooding that is proposed to be addressed?

☐ Yes ☐ No

Is the development within a floodplain or in a Flood Hazard Zone?

☐ Yes ☐ No

Special Flood Hazard Area Zone: ____

Is a Limit of Moderate Wave Action (LiMWA) identified on the parcel?

☐ Yes ☐ No

Does the LiMWA intersect with any proposed structure?

☐ Yes ☐ No

Is the proposed development consistent with Stafford County floodplain management requirements?

☐ Yes ☐ No

Impact Determination:

Impact Type	Present	Not Present
Sea Level Rise	☐	☐
Storm Surge	☐	☐
Flooding	☐	☐

☐ No impacts identified therefore no alteration or adaptation required

☐ Impacts identified and addressed through project design (i.e. relocation, elevation, etc)

☐ Impacts identified and addressed through adaptation measures

4. **Alteration/Conditions/Adaptation Measure Consideration**

Are structures placed as far inland as possible, considering parcel size and setback requirements?

☐ Yes ☐ No

☐ If no, provide justification in submitted narrative.

Are any structural alterations, improvements, or design elements proposed to address these impacts (e.g., locating structure as far inland as possible, elevating structures, etc.)?

☐ Yes ☐ No

☐ If yes, provide description in submitted narrative.

Are any tree plantings, buffer mitigation, or other vegetative elements beyond those required for mitigation being proposed?

☐ Yes ☐ No

- ☐ If yes, provide description in submitted narrative.

Are any additional structures or development anticipated on the parcel in the future?

☐ Yes ☐ No

- ☐ If yes, provide description in submitted narrative.

Are any additional adaptation measures being proposed to address the potential impact?

☐ Yes ☐ No

- ☐ If yes, please describe and identify the adaptation measure in submitted narrative.

PART 2– RPA DEVELOPMENT REVIEW

APPENDIX C: ADMINISTRATIVE WAIVER/ EXCEPTION §(27B-16)

OWNER/APPLICANT: PROJECT NUMBER:

An Administrative Waiver may be requested for relief from the requirements of §27B-8 (General Performance Standards) and §27B-9 (RPA Development Criteria) and is generally used for relief from RPA performance standards and buffer requirements. An Administrative Exception may be requested for relief from all other provisions of the chapter EXCEPT §27B-9 (RPA Development Criteria) and is generally used to provide relief from other Chesapeake Bay ordinance requirements not related to RPA Development criteria.

All waiver requests shall be submitted in writing to the Administrator, as defined in §27B-2, and shall include the information listed below.

Waiver/ Exception Category

	Category	Code	Documents
☐	Living Shoreline	27B-15 (f)	• Exempt • Requires Administrative Verification • Site plan or sketch
☐	Public Utilities, Railroads, Roads and Facilities	27B-15(a)	• Exempt • Requires Administrative Verification • Site plan or sketch
☐	Local Utilities and Service Lines	27B-15(b)	• Exempt • Requires Administrative Verification • Site plan or sketch
☐	Water Wells, Access Paths, Archaeological Activities, etc.	27B-15(d)	• Exempt • Requires Administrative Verification • Site plan or sketch
☐	Vegetation Removal (View Corridors, Hazard Trees, Woodlot Management, etc.)	27B-9(c) 27B-12(c)(1) 27B-15(e)	• Vegetation Removal Application • Buffer management/restoration plan if applicable • Administrative Waiver/Exception Application
☐	Redevelopment	27B-9 (a) (1)	• WQIA • Resiliency Assessment • Administrative Waiver/ Exception Application
☐	New use	27B-9 (a) (1)	• WQIA • Resiliency Assessment • Administrative Waiver/ Exception Application
☐	Private Road or Driveway Crossing	27B-9 (a) (1)	• WQIA • Resiliency Assessment • Administrative Waiver/ Exception Application
☐	Structural shoreline stabilization	27B-9(a)(1)(d) 27B-12(c)(1)	• WQIA • Resiliency Assessment • Administrative Waiver/ Exception Application
☐	Nonconforming Use/ Structure	27B-14	• Administrative Waiver/ Exception Application

☐	Loss of Buildable Area for lots recorded before October 1, 1989	27B-9 (e) (1)	• WQIA • Resiliency Assessment • Administrative Waiver/ Exception Application
☐	Loss of Buildable Area for lots recorded between October 1, 1989 and December 2, 2003	27B-9 (e) (2)	• WQIA • Resiliency Assessment • Administrative Waiver/ Exception Application
☐	Adaptation Measures	27B-9 (a) (1) e. 27B-12 (C) (1)	• WQIA • Resiliency Assessment • Administrative Waiver/ Exception Application
☐	Other		• As required by administrator

Supporting Documents:

Water Quality Impact Assessment

Submit a Water Quality Impact Assessment (WQIA) submitted in accordance with §27B-12:

☐ Minor WQIA	☐ Submitted previously
☐ Major WQIA	☐ Submitted as a part of this application

Resiliency Assessment

Submit a Resiliency Assessment submitted in accordance with §27B-13

- ☐ Submitted previously
- ☐ Submitted as a part of this application

Required Findings for Administrative Waiver Approval

No administrative waiver from §§27B-8 or 27B-9 shall be granted unless **all** of the following findings are satisfied. Applicants shall address each finding below.

1. Minimum Necessary Relief

Describe how the requested waiver represents the minimum necessary to afford relief (include constraints and alternative considered):

2. No Special Privilege

Describe how granting the waiver will not confer special privileges denied to other similarly situated properties subject to Chapter 27B:

3. Consistency with Purpose and Intent

Describe how the waiver is consistent with the purpose and intent of Chapter 27B and will not result in a substantial detriment to water quality:

4. Not Self-Created

Describe how the waiver request is not based on conditions or circumstances that are self-created or self-imposed:

5. Conditions to Protect Water Quality

Describe any reasonable and appropriate conditions implemented to prevent degradation of water quality (BMPS/ Buffer Restoration/ Other):

PART 2– RPA DEVELOPMENT REVIEW

APPENDIX D: SPECIAL EXCEPTION APPLICATION § (27B-17)

OWNER/APPLICANT: PROJECT NUMBER:

A Special Exception is required for certain development activities within a Resource Protection Area (RPA) buffer as specified in §27B-17. Special Exception requests are reviewed and decided by the Stafford County Chesapeake Bay Board (CBB) and are generally requests for relief from RPA performance standards or buffer requirements that requires Chesapeake Bay Board approval and a public hearing due to the potential for greater impacts.

	Category	Code	Documents
☐	Septic/drainfield encroachments	27B-12 (e) (2)	• WQIA • Resiliency Assessment • Special Exception Application
☐	Accessory Structure to Water Dependent Facility	27B-9 (a) (1) c. 2.	• WQIA • Resiliency Assessment • Special Exception Application
☐	Stormwater Management Facility that does not meet conditions of 27B-9(a)(1)(f)	27B-9 (a) (1) f. 8.	• WQIA • Resiliency Assessment • Special Exception Application
☐	Road or Driveway Crossing that does not meet conditions of 27B-9(a)(1)e. 1-4	27B-9 (a) (1) e.	• WQIA • Resiliency Assessment • Special Exception Application
☐	Redevelopment with increase in impervious surface or further encroachment to the RPA	27B-9 (a) (1) d.	• WQIA • Resiliency Assessment • Special Exception Application
☐	Encroachment into the seaward 50'.	27B-12 (e) (2)	• WQIA • Resiliency Assessment • Special Exception Application
☐	Accessory Structure	27B-9(e)(1)	• WQIA • Resiliency Assessment • Special Exception Application
☐	Other RPA Encroachment	27B-9	• WQIA • Resiliency Assessment • Special Exception Application
☐	Conflict Over Delineation	27B-4 (d) (3)	• Perennial Flow Determination (PFD) • RPA Determination • Special Exception Application
☐	Other		• As required by administrator

SPECIAL EXCEPTION APPLICATION PROCESS

Pre-Application Conference	A pre-application conference with an Environmental Planner is required prior to submission to confirm eligibility and application requirements. A meeting can be scheduled by contacting the County's Environmental Division at (540) 658-8830.
Special Exception Application Package Submission	Submit a complete application package to the Community Development Service Center (CDSC), including: • Part 1 and Part 2 materials • Special Exception application form • All required supporting studies and plans • Applicable fees Associated digital files can be submitted through SharePoint. **Incomplete applications will be rejected.**
Review & Resubmittal	Applications are reviewed in accordance with the standard review process: • Review comments can be viewed on the Integrated Web Response System (IWR) at http://hello.stafford.va.us
Public Hearing Advertisement	Once the application is deemed complete and all review comments are resolved: • The application will be scheduled for the next available Chesapeake Bay Board meeting • Complete applications must meet established submission deadlines to be scheduled • Public notice will be provided in accordance with County requirements
Board Action & Final Decision	The Chesapeake Bay Board will hold a public hearing and may: • Approve • Approve with conditions • Deny • Defer the application
Appeals	Any person aggrieved by a decision of the Chesapeake Bay Board may appeal within thirty (30) days in accordance with §27B-20.

PRE-APPLICATION CONFERENCE CHECKLIST

OWNER/APPLICANT:	PROJECT NUMBER:

REQUIRED APPLICATION MATERIALS:

Pre-application meeting:

- ☐ Pre-application meeting has been held with a County Environmental Planner
  Appointments may be scheduled through the County's Environmental Division at (540) 658-8830.

Required Forms and Plans:

- ☐ Completed Special Exception Application Form
- ☐ Owner's Consent Form (if applicable)
- ☐ Site Plans/ Lot Grading Plan (including wetlands and RPA buffer)
  - ☐ Resource Protection Area (RPA)
  - ☐ Wetlands
  - ☐ Streams and water features
  - ☐ Proposed disturbance
  - ☐ Existing and proposed impervious surfaces
- ☐ WQIA submitted in accordance with §27B-12 and (Part 2 - Appendix A)
- ☐ Provide a statement of justification addressing Section 27B-14(d)
- ☐ Resiliency Assessment submitted in accordance with §27B-13 and (Part 2 – Appendix B)
- ☐ Other: _____

For Local Staff Use Only			
Pre-Application Conference Date:		Application Deemed Complete Date:	
Application Submitted Date:		Chesapeake Bay Board Meeting Date:	
Applications must be submitted by the established submission deadline to be scheduled for a Chesapeake Bay Board public hearing. Chesapeake Bay Board meetings are held at 6:00 p.m. in the Board of Supervisors Chambers unless otherwise advertised. The applicant or an authorized representative shall be present at the public hearing.		Staff Member Signature: Date:	

Application Fee and Withdrawal

- If an application is withdrawn prior to the first public hearing, fifty percent (50%) of the application fee may be refunded.
- Application fees are non-refundable once the public hearing process has begun.

Owner's Consent Form

I/We, the Owner(s) of the property listed below, hereby grant permission for the

Applicant, _____ to seek a

_____ as requested in the

Chesapeake Bay Board application relating to property located at _____

_____ On Assessor's

Parcel's _____.

_____ _____

Date *Signature*

_____

Printed Name

~Notary~

SUBSCRIBED & SWORN TO Before me this _____day of_____, _____

_____

Notary Public

My Commission Expires: _____

PART 2– RPA DEVELOPMENT REVIEW

APPENDIX E - RPA VEGETATION REMOVAL REQUEST (27B-9(C) ET. AL.)

OWNER/APPLICANT: PROJECT NUMBER:

Generally, RPAs are areas which should remain in a naturally vegetated and undisturbed condition. If an approved RPA encroachment is deemed necessary, the county is required to ensure that the encroachment is minimized and steps are taken to reduce the impacts of the encroachment on water quality. Indigenous vegetation may be removed from the RPA subject to approval by the county, only to provide for reasonable sight lines, access paths, general woodlot management and/or shoreline erosion projects approved by the county's Chesapeake Bay Board. For more information, please contact the Environmental Planners at 540-658-8668.

ADDITIONAL RESOURCES:

- Invasive Plant Management Program: http://www.dcr.virginia.gov/natural-heritage/
- Virginia Invasive Alien Plant Species List: http://www.dcr.virginia.gov/natural-heritage/invsppdflist
- A Management Guide for Invasive Plants in Southern Forests: https://www.srs.fs.fed.us/pubs/gtr/gtr_srs131.pdf
- Recommended Tree and Shrub Species for Reforestation of RPAs:
    - Virginia Stormwater Management Handbook – Plant Selection: https://online.encodeplus.com/regs/deq-va/doc-viewer.aspx#secid-1520
    - Fairfax County Recommended Tree and Shrubs for RPAs: https://www.fairfaxcounty.gov/landdevelopment/sites/landdevelopment/files/assets/documents/pdf/rpa_tree_and_shrub_list_9-24-07.pdf

APPLICATION TO (CHECK ALL THAT APPLY):

- ☐ Application to remove dead, diseased, and/or dying trees in an RPA.
- ☐ Application to remove invasive and/or noxious plants in an RPA.
- ☐ Application to remove other types of vegetation in an RPA. Specify:

Note: Any use of herbicides in the RPA must be in strict conformance with all product labeling. Treatments must be performed by or under direct supervision of Virginia Certified Pesticide Applicator or Registered Technician. The Applicant must be able to provide copies of applicator spray logs/labels upon request.

Provide a Description of the Proposed Work:

Vegetation Removal Request Submission Checklist:

- ☐ **A plat** showing:
  - proposed tree/vegetation removal
  - location of the landward RPA boundary.
  - *Applications for invasive vegetation removal must also delineate the target area(s).*
- ☐ **Photos** of:
  - target area(s),
  - tree(s) and vegetation identified with a ribbon.
- ☐ **A letter from the property owner's Certified Arborist or Registered Consulting Arborist** explaining:
  - the work to be done,
  - tree defects and/or condition analysis, as applicable (for dead/diseased/dying trees only).
- ☐ **A letter from the property owner's Certified Pesticide Applicator or Registered Technician** (for herbicide application only).

VEGETATION REMOVAL JUSTIFICATION:

- ☐ Explain the objective and proposed work for removal of invasive vegetation:

- ☐ Provide an itemized list of type and species of vegetation, to include scientific name, to be suppressed and managed.

- ☐ What is the total square footage of targeted area(s), consistent with areas delineated on house location plat.

- ☐ Describe the proposed method of management to be used (i.e. by hand, mechanical equipment, chemical control, etc., as well as how the proposed method will minimize impacts to surrounding vegetation.)

☐ Describe treatment (hand removal, mechanical equipment, or chemical treatments) and timing (start/finish dates).

☐ Complete and attach the appropriate WQIA application.

For Local Staff Use Only	Reviewer Name (Print):
☐ No approval required. ☐ Approved ☐ Approved as noted (conditions below and/or attached) ☐ Disapproved	Signature: Date:

- ☐ Tree removal shall be done by hand or with the aid of hand-held tools; no heavy equipment shall be used in the RPA. Limbs shall be lowered carefully so as not to harm adjacent vegetation.
- ☐ The stump within the RPA shall be cut at ground level and left to remain or carefully ground with a stump grinder.
- ☐ No land within the RPA shall be disturbed other than what is necessary to provide for tree removal.
- ☐ No open flames are permitted in the forested setting.
- ☐ An invasive vegetation species management plan has been submitted containing all the required information from the Submission Checklist.
- ☐ Number of re-plantings required (specify): _____
  - Understory (specify): _____
  - Overstory (specify): _____
  - Shrubs (specify): _____
  - Replacement tree(s) shall have a minimum caliper of (specify, in inches): _____
- ☐ All newly planted trees should be mulched with 2.5 foot radius around the tree, 2 inches deep and not touching the trunk.
- ☐ Native ground cover and seeding (specify):_____
- ☐ Recommended disposal method: Whole log can be left on ground or chipped outside of RPA and hauled.
- ☐ WQIA required.
- ☐ Environmental Planner recommendations and mitigation measures (specify):

PART 2– RPA DEVELOPMENT REVIEW

APPENDIX F – RPA LANDSCAPING, MITIGATION AND RESTORATION PLAN (§27B-9 & §27B-10)

OWNER/APPLICANT: PROJECT NUMBER:

This section must be completed and submitted with any application involving land disturbance within an RPA. Approval is required prior to clearing or grading.

RPA Landscaping, Mitigation & Restoration Plan Requirement Checklist:

- ☐ Plan prepared or certified by a qualified design professional
- ☐ Plan drawn to scale and clearly shows the following:
  - ☐ RPA and 100-foot buffer
  - ☐ Seaward and landward 50-foot zones
  - ☐ Restoration areas located within RPA
  - ☐ Restoration maximized within seaward 50 feet (to extent practicable)
  - ☐ Trees ≥ 6-inch DBH (landward or seaward 50')
  - ☐ Trees ≥ 3-inch DBH (seaward 50')
  - ☐ Mature trees individually identified
  - ☐ Tree stands outlined (if applicable)
  - ☐ Trees to remain clearly delineated and protected by tree protection fencing
  - ☐ Trees to be removed clearly delineated
  - ☐ Replacement planting clearly delineated
  - ☐ Native species used to the greatest extent practicable / Invasive species avoided
  - ☐ Salt/flood-tolerant species used below 5-ft contour (if applicable)
  - ☐ Planting schedule provided and includes location, type, and quantity of plantings shown and complies with Appendix D, Table A of the Buffers Manual
  - ☐ Plant materials meet American Standard for Nursery Stock
  - ☐ No trees planted within 15 feet of shoreline OR trees planted within 15 feet of a shoreline will not shade marsh or impact shoreline structures or slopes
  - ☐ RPA Sign locations shown along RPA boundary at intervals ≤ 100 feet, to be mounted to tree ≥ 3" DBH or approved post, to be installed 4–6 feet above ground
  - ☐ Maintenance narrative provided and states that:
    - All required vegetation will be maintained and not removed,
    - Buffer areas will not revert to turf
    - Dead/diseased plants will be replaced in next planting season
    - Buffer areas will remain free of debris
  - ☐ Buffer restoration narrative identifying the following information:
    - Buffer Restoration / Establishment (Appendix D Table A or B) Area-based planting using 400 sq ft units
    - Quantification of total buffer area to be restored (sq. ft.)
    - Number of 400 sq ft planting units required
    - Number of 400 sq ft planting units provided
    - Schedule of canopy trees, understory trees, and shrubs

PART 2– RPA DEVELOPMENT REVIEW

APPENDIX G – Applicant Certification Statement

I hereby certify that, to the best of my knowledge, the information submitted in this Chesapeake Bay Preservation Area (CBPA) Application, including all attachments, plans, and supporting documentation, is true, complete, and accurate. I further acknowledge that:

1. I am aware of the provisions of the **Stafford County Code Chapter 27B** and the **Chesapeake Bay Preservation Act**, and agree to comply with all applicable requirements.
2. No land-disturbing activity, clearing, grading, or development within the Resource Protection Area (RPA) shall occur without prior review and approval by the County in accordance with the approved application.
3. I understand that any deviation from the approved plans may constitute a violation of applicable County and State regulations and may result in enforcement action.
4. I authorize County staff and other designated representatives to enter the property for inspection and verification purposes related to this application.
5. I understand that approval of this application does not relieve me of responsibility for obtaining any other required permits or approvals.

Applicant Name: _____

Signature: _____

Date: _____

Property Address / Parcel Number: _____

PART 2– RPA DEVELOPMENT REVIEW

APPENDIX H – STAFF REVIEW SHEET

OWNER/APPLICANT: PROJECT NUMBER:

☐ WATER QUALITY IMPACT ASSESSMENT REQUIRED

☐ Minor WQIA

Item	Status	Reviewer Initials	Date	Comments
Minor WQIA Approved	☐			
Additional Info Required	☐			

☐ Major WQIA

Item	Status	Reviewer Initials	Date	Comments
Major WQIA Approved	☐			
Additional Info Required	☐			

☐ RESILIENCY ASSESSMENT REQUIRED

Item	Status	Reviewer Initials	Date	Comments
Resiliency Assessment Approved	☐			
Additional Info Required	☐			
No alterations/conditions required	☐			
Alterations/conditions/adaptation measures required	☐			

Details of Alteration / Condition / Adaptation

Alteration/Adaptation Provided:

Condition Requiring Alteration or Adaptation:

OWNER/APPLICANT: PROJECT NUMBER:

☐ ADMINISTRATIVE WAIVER / EXCEPTION SUBMITTED

Item	Status	Reviewer Initials	Date	Comments
Approved	☐			
Denied	☐			
Additional Information Required	☐			

Conditions Required by Administrator:

☐ SPECIAL EXCEPTION SUBMITTED

Item	Status	Reviewer Initials	Date	Comments
Requires CBB Hearing	☐			
Owner Consent Form Provided	☐ Yes ☐ No ☐ Not Required			

☐ RPA LANDSCAPING / MITIGATION / RESTORATION PLAN REQUIRED

Item	Status	Reviewer Initials	Date	Comments
Plan Complete & Adequate	☐ Yes ☐ No			
Tree Inventory Adequate	☐ Yes ☐ No			
Replanting Complies with Buffers Manual	☐ Complies ☐ Does Not Comply			
Mitigation / Replacement Adequate	☐ Yes ☐ No			
Buffer Compliance Met	☐ Yes ☐ No			

OWNER/APPLICANT: PROJECT NUMBER:

ANNUAL REPORT SUMMARY (FOR DEQ Reporting)

Report Item	Value / Status	Notes / Additional Information
CBPA Map Updated?	☐ Yes ☐ No ☐ N/A	
New Acres RPA Designated	☐ Yes ☐ No	Quantify:
Map Reductions Observed?	☐ Yes ☐ No	Quantify:
New Linear Miles of Streams Protected	☐ Yes ☐ No	Quantify:
Total WQIAs Submitted	Minor: ___ Major: ___ Total: ___	List Projects:
Wetland Permits Confirmed	Total: ___	Permit Number:

REVIEWER / ADMINISTRATOR SIGN-OFF

Name **Signature** **Date**

Additional Comments / Follow-Up Actions: