



801 Crawford Street, Portsmouth, Virginia 23704

Chesapeake Bay Resource Protection Area (RPA) Administrative Exception Review Form

REVIEW FEE: \$25.00, \$150.00 (After-the-Fact); Must be paid at the time of review

ATTACH: Master Development Application and Water Quality Impact Assessment (WQIA) Checklist

Notes:
This form provides an official review by the **Planning Director** and **City Engineer** to allow for the administrative approval of structures and non-structural improvements in the Resource Protection Area (RPA) or to require the establishment of a landscaped buffer in an area classified as Intensely Developed Area (IDA).

Applicable City Code Sections:
Portsmouth City Code Sections 9.1-10(c)(4-6)

GENERAL PROJECT INFORMATION

Project Address : _____

When was the lot platted?

- Prior to October 1, 1989
- Between October 1, 1989 and March 1, 2002
- After March 1, 2002 (**POST MARCH 1, 2002 LOTS REQUIRE A PLANNING COMMISSION EXCEPTION – This form cannot be used for a request to encroach into the RPA on these lots.**)

What is the existing land use?

- Vacant
- Single Family
- Multifamily
- Commercial
- Industrial
- Government
- Other _____

What size is the land disturbance? less than 2,500 sf greater than 2,500 sf

Total square footage _____

*If greater than 2,500 square feet, the applicant must submit to the Plan of Development Review Process and provide: (1) A site plan, (2) Environmental Site Assessment, (3) Landscaping Plan, (4) Stormwater Management Plan, (5) Erosion and Sediment Control Plan, (6) Water Quality Impact Assessment and (7) Final Plan/Plat according to Portsmouth City Code Section 9.1-11.

Type of Water Quality Impact Assessment :

- Minor (Less than 5,000 sf of land disturbance)
- Major (Greater than 5,000 sf of land disturbance)

PRINCIPAL STRUCTURES & UTILITIES IN THE RESOURCE PROTECTION AREA Portsmouth City Code Section 9.1-10(c)(4) – Planning Director and City Engineer Review

This section is not applicable to this project.

An Administrative Exception cannot be granted unless all of the following specific findings have been met, as outlined in Portsmouth City Code Section 9.1-12(c)(4):

1. The request does not confer upon the applicant any special privileges denied by Portsmouth City Code Chapter 9.1 (The Chesapeake Bay Preservation Area Overlay Ordinance) to other property owners within the overlay district.

YES NO

Comment/Recommendation: _____

2. The request is not based upon conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances either permitted or nonconforming that relate to adjacent parcels.

YES NO

Comment/Recommendation: _____

3. The request is the minimum necessary to afford relief. YES NO

Comment/Recommendation: _____

4. The request will be in harmony with the purpose and intent of Portsmouth City Code Chapter 9.1 (The Chesapeake Bay Preservation Area Overlay Ordinance), and not injurious to the neighborhood or otherwise detrimental to water quality or the public welfare. YES NO

Comment/Recommendation: _____

5. Reasonable and appropriate conditions are imposed which will prevent the exception request from causing a degradation in water quality. YES NO

Comment/Recommendation: _____

MODIFICATION OF THE RESOURCE PROTECTION AREA
Portsmouth City Code Section 9.1-10(c)(5) – Planning Director and City Engineer Review

This section is not applicable to this project.

CERTIFICATION BY THE PLANNING DIRECTOR AND THE CITY ENGINEER

CITY ENGINEER (CHECK ONE)

I have reviewed the Administrative Exception Request, including the Water Quality Impact Assessment (WQIA), and have found that it meets our requirements. I am providing my recommendation of approval to the Planning Director with the following applicable conditions:

I have reviewed the Administrative Exception Request, including the Water Quality Impact Assessment (WQIA), and have found that the request does not meet our requirements for the following reason(s):

CITY ENGINEER SIGNATURE _____ DATE _____

This form shall be returned to the Planning Director after review and signature by the City Engineer.

PLANNING DIRECTOR (CHECK ONE)

I am providing my approval of the Administrative Exception Request to encroach into the Resource Protection Area (RPA) as outlined in Portsmouth City Code Section 9.1-10(c)(4-6). I am providing my recommendation of approval with the following applicable conditions:

****The applicant shall obtain all appropriate development permits prior to the start of land disturbance and construction activities.**

The administrative exception request has not been approved for the following reason(s):

PLANNING DIRECTOR SIGNATURE _____ DATE _____

This form shall be returned to the applicant for further action.