

**CHESAPEAKE BAY PRESERVATION ORDINANCE
RESOURCE PROTECTION AREA (RPA) EXEMPTION/EXCEPTION REQUEST FORM
(Does not require a Public Hearing)**

Associated Plan #: _____ Exception #: _____
 Project Name: _____ Magisterial District: _____
 Project Address: _____ Tax Map #: _____
 Applicant Name: _____ Owner Developer Agent Engineer
 Mailing Address: _____ City, State, ZIP: _____
 Phone Number: _____ Email Address: _____

Please Check All Sections That Apply

CHECK	COUNTY CODE REFERENCE	EXEMPTION/EXCEPTION/SUBMISSION DESCRIPTION
	§118-3-3(a)	Water Quality Impact Assessment (WQIA) – Required for any land disturbance, development or redevelopment within the RPA that is not exempt pursuant to Article 5. \$432 Review Fee (for non-bonded lots); \$1,652.40 Review Fee (for bonded lots)
	§118-3-3(d)	Buffer Area – (Request to remove vegetation) Applies to site lines, general woodlot management, habitat management or other authorized uses \$0 Review Fee
	§118-5-1	Exemption – Nonconforming uses and structures (WQIA not required) \$0 Review Fee
	§118-5-2	Exemption – Public utilities, railroads, public roads and facilities (WQIA not required) \$0 Review Fee
	§118-5-3	Exemption - Water wells, site amenities for passive recreation (e.g., access paths), historic preservation, and archeological activities. (WQIA not required) \$0 Review Fee
	§118-5-4(a)	Exception - Loss of buildable area in RPA for lots recorded prior to October 1, 1989 where encroachment (i.e., limits of clearing and grading) does not extend into the seaward 50' of the RPA buffer area. \$204 Review fee per lot + \$432 Fee for WQIA.
	§118-5-4(b)	Exception - Loss of buildable area in RPA for lots recorded between October 1, 1989 and November 17, 2003 where encroachment (i.e., limits of clearing and grading) does not extend into the seaward 50' of the RPA buffer area. \$204 Review Fee per lot + \$432 Review Fee for WQIA.
	§118-5-5(a)	Exception – Minor additions in RPA (does not include accessory structures/uses) to houses that were established (RUP issued) prior to July 1, 1993. \$204 Review Fee per lot + \$432 Review Fee for WQIA.
	§118-5-5(b)	Exception - Minor additions in RPA (does not include accessory structures/uses) to houses that were established (RUP issued) between July 1, 1993 and November 17, 2003 \$204 Review Fee per lot + \$432 Review Fee for WQIA.

LETTER OF JUSTIFICATION ATTACHED

Address how approval of the proposed encroachment within the RPA (refer to § 118-5-4 or § 118-5-5(c)):

1. Is the minimum necessary to afford relief.
2. Will not confer upon the applicant any special privileges that are denied by the Chesapeake Bay Preservation Ordinance (CBPO) to other property owners who are subject to the CBPO provisions and who are similarly situated.
3. Is in harmony with the purpose and intent of the CBPO and is not of substantial detriment to water quality.
4. Is not based upon conditions or circumstances that are self-created or self-imposed.
5. Will implement reasonable and appropriate conditions that will prevent the activity from causing a degradation of water quality.

WATER QUALITY IMPACT ASSESSMENT (WQIA) APPLICATION ATTACHED

Required for any land disturbance, development or redevelopment within the RPA unless exempt pursuant to Article 5. Include [WQIA Application](#) in letter of justification or plan. Include all the following elements (per CBPO § 118-4-3 and [LTI 20-02](#)):

1. Display the boundaries of the RPA.
2. Display and describe the location and nature of the proposed encroachment into and/or impacts to the RPA, including any clearing, grading, impervious surfaces, structures, utilities, and sewage disposal systems.
3. Provide justification for the proposed encroachment into and/or impacts to the RPA.
4. Describe the extent and nature of any proposed disturbance or disruption of wetlands.
5. Display and discuss the type and location of proposed best management practices to mitigate the proposed RPA encroachment and/or adverse impacts.
6. Demonstrate the extent to which the proposed activity will comply with all applicable performance criteria of the Chesapeake Bay Preservation Ordinance.

APPLICANT/AGENT SIGNATURE: _____ DATE: _____

Submit two copies of this form, Letter of Justification, and plans for all above requests to:

Customer and Technical Support Center, Site Application Center
 12055 Government Center Parkway, Suite 230
 Fairfax, Virginia 22035