

Notice to Building Permit Applicants in the Rural Areas

Effective February 7, 2008, building permit applicants that are not in a common plan areas zoning district will be required to submit a plan demonstrating compliance with zoning and water protection ordinances. What type of plan is submitted will depend on the size of the land disturbance. Below are descriptions of the two types;

1) For disturbances of 1 acre or more, an Erosion and Sediment Control Plan, SWM Agreement, Single Family SWPPP, narrative, application, and fee, must accompany a building permit application and plan. Erosion Control Agreements in Lieu of a Plan are not allowed for these projects. The Erosion and Sediment Control Plan will be required to show the existing and proposed topography, silt fence, driveway, stream buffers and critical slopes located on the site to demonstrate compliance with the county code. A performance bond will be required upon approval, the details of which will be determined based on the plan.

While it is not required, many applicants may find it necessary to retain the services of an engineer or surveyor to prepare and process the Erosion and Sediment Control Plan. Requirements for this plan can be found in the [Virginia Erosion and Sediment Control Handbook](#) (VESCH) found on the Department of Conservation website (<https://www.deq.virginia.gov/water/stormwater/esc-handbook>). The county takes from 2 to 6 weeks to review a plan. It typically takes 2-3 rounds of review and revisions before a plan is approved. A detailed list of County requirements for an Erosion and Sediment Control plan can be found in the Engineering Erosion and Sediment Control Plan checklist: (<https://www.albemarle.org/home/showpublisheddocument/1264/637792141577030000>).

2) For disturbances of less than 1 acre, an Erosion Control Agreement in Lieu of a Plan may be accepted, if accompanied by a Critical Resource Plan. The Critical Resource Plan must be prepared as follows:

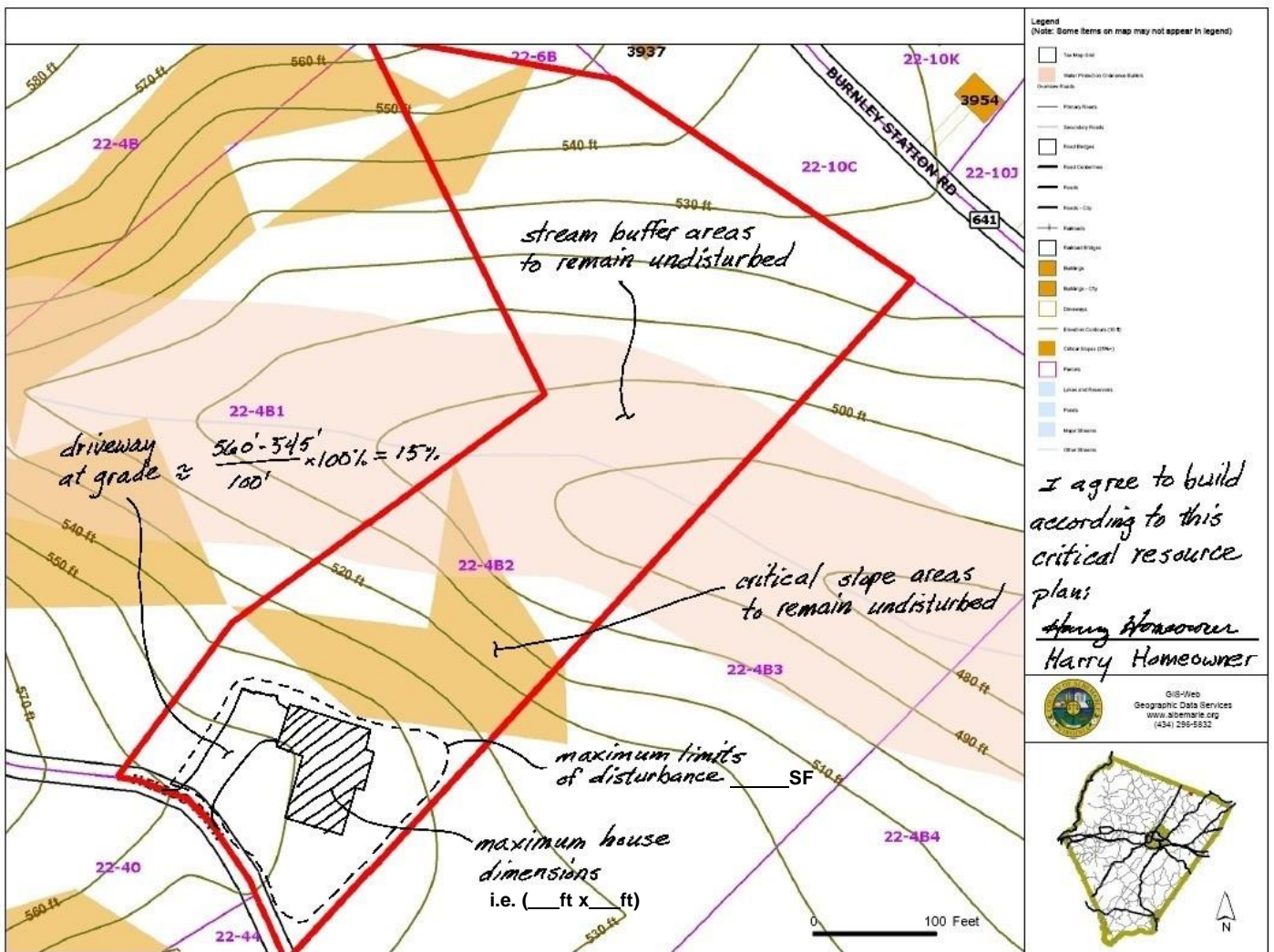
- A. Use county base mapping from the county website at https://gisweb.albemarle.org/gpv_51/Viewer.aspx#. Find the parcel and house location by searching for the owner's name or tax map number (left toolbar).
- B. Click "Maps" on the left toolbar and select the Critical Resource Map from the Map Theme dropdown. Allow the map to populate.
- C. Click the "Share" button on the left toolbar then select Print. Set the scale to 1" = 100' and add a title if you like. Click Create then print the page that is created.
- D. Using a ruler to scale, draw the house and driveway on the plan, measuring 1 inch on the plan sheet as 100 feet on the ground. Label the driveway and the house. If a drain field will be installed, draw the location of the drain field and label it.
- E. Draw a dashed line around total areas to be disturbed including drain field. Label this line; "maximum disturbance limits = __square feet" and fill in the estimated area of land disturbance.
- F. Label the stream buffer areas; "Stream buffer areas to remain undisturbed."
- G. Label the critical slope areas; "Critical slope areas to remain undisturbed."
- H. Place the following note on the plan, and have it signed by the owner, with the owner's name printed underneath: "I agree to build according to this critical resource plan:
signature / printed name"

An example of a Critical Resource Plan is shown on the next page.

County staff will check the Critical Resource Plan for three items:

1. Driveway grades; at any point on the driveway, to any other point, the grade must be 16% or less. This means the difference in vertical grades, divided by the length between two measurement points must be 0.16 or below. An example is shown on the plan. Driveways must be at least 10' wide and extend to within 50' of the proposed structure(s).
2. There must be no disturbance to the stream buffers. If disturbance is unavoidable, a mitigation plan, application and fee will be required before the building permit can be issued. Similar to an erosion control plan, this will take 2-6 weeks to review, and typically takes 2-3 revisions before approval.
3. There must be no disturbance to critical slopes. If disturbance is shown, unless it is unavoidable to obtain access to the parcel, a waiver must be requested, and will likely be heard by the Planning Commission. This is a 6-8 week process and must be concluded before a building permit is issued.

County Code for these requirements can be found in sections 18-4.6.6, 18-4.2, and 17-402, at <https://www.albemarle.org/government/community-development/planning-codes/county-code>.



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March 19, 2008