



# ACCESS On-Line Permit Portal

## #6 - Do I Need a Permit?

Accomack County and the Commonwealth of Virginia require the acquisition of a permit for many types of projects. The Accomack County Department of Building, Planning and Economic Development and the Department of Environmental Services are responsible for the issuance of several types of permits:

- 1) Building permits;
- 2) Zoning permits;
- 3) Land Disturbance and Environmental permits.

### **Building Permits:**

The 2015 Virginia Residential code states: "Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the *building official* and obtain the required *permit*."

While this statement covers a broad range of building projects, there are some exceptions. Please refer to the “Permit Requirements” page on the Accomack County website at the following link for more details.

<https://www.co.accomack.va.us/departments/building-inspections-and-zoning/services/building-permits-and-code-inspections/permit-requirements>

Any further inquiries may be made by phone at (757) 787-5721 or by e-mail at [building@co.accomack.va.us](mailto:building@co.accomack.va.us).

### **Zoning permits:**

Pursuant to Accomack County Code Section 106-226(a), all buildings or structures shall be started, reconstructed, enlarged or altered only after a zoning permit has been obtained, even if it is exempt from needing a building permit. Any building or land development project, change of use or property line adjustment requires zoning consideration.

For more information regarding zoning permits, please refer to the document entitled “Frequently Asked Questions About the Accomack County Zoning Process”.

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### **Land Disturbance and Environmental permits:**

Land disturbance is not limited to the footprint under a proposed building. It encompasses any type of earthwork that will be done to develop or improve a particular site. Most non-residential projects, some existing residential projects and all new residential projects will require a **Land Disturbing permit**.

Typically, the requirements for a land disturbing permit require an erosion and sediment control (E&S) plan. The type of plan required is based on the proposed amount of land disturbance, with larger projects requiring an

engineered plan and associated calculations. More information on the limits of land disturbance and the associated E&S plan requirements can be found at:

<https://www.co.accomack.va.us/departments/environmental-programs/erosion-and-sediment-control>

The land disturbance permit review process may also include the preparation and submittal of a stormwater master plan. This requirement is based on the Virginia Stormwater Management Regulations, which is administered by Accomack County at the local level. Depending on the amount of land disturbance proposed, and whether the particular site drains to the seaside or the Chesapeake Bay, an engineered stormwater master plan and associated calculations will require approval by the Department of Environmental Programs before a land disturbance permit is issued. More information can be found at:

<https://www.co.accomack.va.us/departments/environmental-programs/stormwater-management>

**Environmental Permits:** Based on any environmental constraints that may be on your property, there are a few other permits you may need that are administered by the Department of Environmental Programs, the most important of which is a ***Tidal Wetlands Permit***.

The Accomack County Wetlands Board has jurisdiction for all areas on a property that fall within the tidal zone. A Tidal Wetlands Permit from the County is required for most waterfront construction activities, such as riprap shoreline protection or a bulkhead. Requests for this type of permit should be made through the ***Tidewater Joint Permit Application (JPA)*** process. See the following site for more information:

<https://www.nao.usace.army.mil/Missions/Regulatory/JPA.aspx>

Some projects, like private docks and living shoreline projects, may be exempt from the Tidal Wetlands permitting process, but a JPA should always be filed to be sure. All structural marine construction requires a building permit.

Accomack County's Chesapeake / Atlantic Preservation Overlay District is an area that buffers all major waters and certain water bodies with intrinsic value. All projects that propose to impact this area, and most projects that propose land disturbance adjacent to this area will require a delineation of the buffer area, known as the Resource Protection Area, to determine if any additional permits are necessary. More information can be found at:

<https://www.co.accomack.va.us/departments/planning-and-community-development/chesapeake-atlantic-preservation-area>

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