

**COUNTY OF ALBEMARLE
TRANSMITTAL TO BOARD OF SUPERVISORS**

<p>AGENDA TITLE: ZTA 2020-01 Erosion Protection Design Standards</p> <p>SUBJECT/PROPOSAL/REQUEST: Amend the Zoning Ordinance to adopt erosion protection design standards throughout the development area and to clarify the requirements for reverse benches and surface water diversions.</p>	<p>AGENDA DATE: July 15, 2020</p> <p>STAFF CONTACTS: Lea Brumfield, Frank Pohl, Bart Svoboda</p> <p>Presenters: Lea Brumfield, Senior Planner; Frank Pohl, County Engineer</p>
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BACKGROUND: During a May 3, 2017 work session, the Board of Supervisors endorsed a Natural Resources Program for the County, including a review of stream buffer requirements of the Water Protection Ordinance. After a review of the Water Protection Ordinance, County staff determined that both the Water Protection Ordinance and the Zoning Ordinance would require amendment in order to implement the proposed stream health protections. County staff presented the findings of that review to the Board on November 6, 2019. On December 18, 2019, the Board adopted a Resolution of Intent to amend the Zoning Ordinance as part of these stream health protections. On June 16, 2020, the Planning Commission held a public hearing regarding this proposed zoning text amendment. The staff report and action memo from this public hearing are provided as Attachments A and B. The Commission recommended approval of the zoning text amendment with the revisions noted in Attachment D.

DISCUSSION: The initial draft ordinance presented to the Planning Commission inadvertently applied the design standards only to those land disturbing activities in the steep slopes overlay district that required a Virginia Stormwater Management Plan (VSMP) application plan or a Virginia Erosion and Sediment Control Program (VЕСP) application plan. During its June 16, 2020 public hearing, the Planning Commission recommended approval of the zoning text amendment with revisions both (a) to clarify the requirements of certain water diversions and (b) to retain the design standards for all land disturbing activity in the steep slopes overlay district. The annotated proposed ordinance (Attachment D) reflects these recommendations.

RECOMMENDATION:

Staff recommends that the Board adopt the attached proposed ordinance (Attachment E).

ATTACHMENTS:

- A. Staff report for June 16, 2020 PC Public Hearing
- B. PC Action Letter from June 16, 2020 PC Public Hearing
- C. PC Minutes from June 16, 2020 PC Public Hearing
- D. Annotated Proposed Ordinance (with revisions recommended by PC on June 16, 2020)
- E. Proposed Ordinance