

**Results of Online Survey for Draft Proposals to Improve Stream Health in
Development Areas**

37 Respondents – Survey was Open from 10/23/18 through 11/25/18

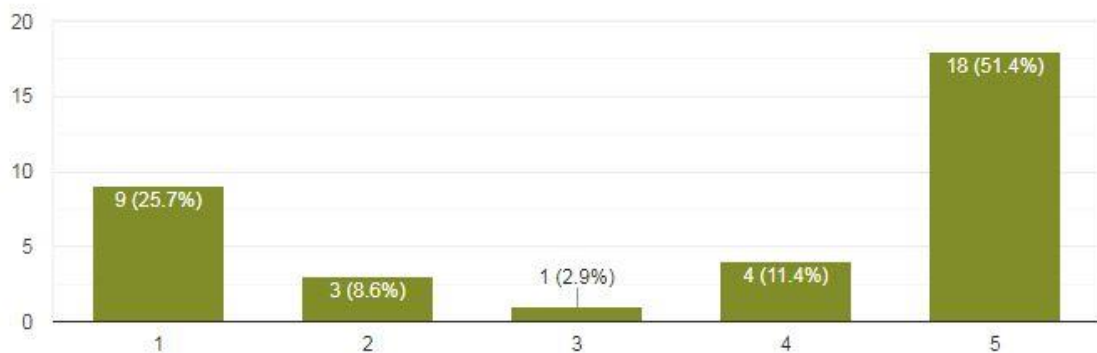
For all 13 draft proposals:

- Response value of 1 = Strongly Oppose
- Response value of 5 = Strongly Support

Section 1 - New or Revised Regulations

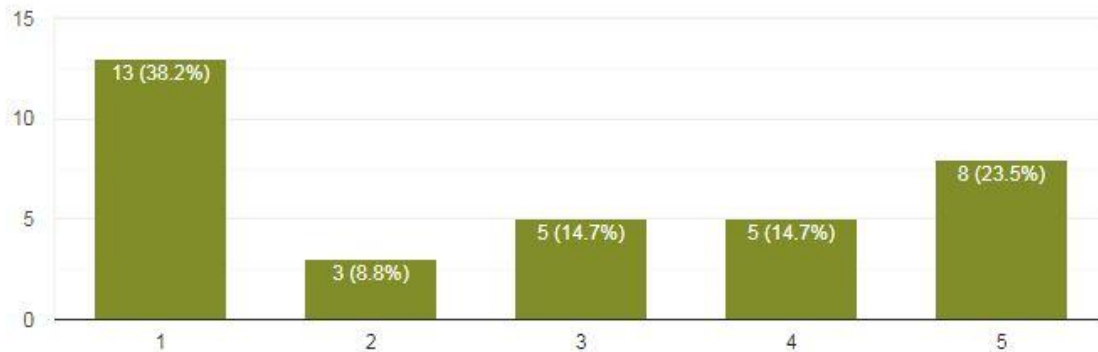
1. Implement the County's steep slope design standards when a VSMP or VESCP application is required. (VSMP = Virginia Stormwater Management Program, VESCP = Virginia Erosion and Sediment Control Program)

35 responses



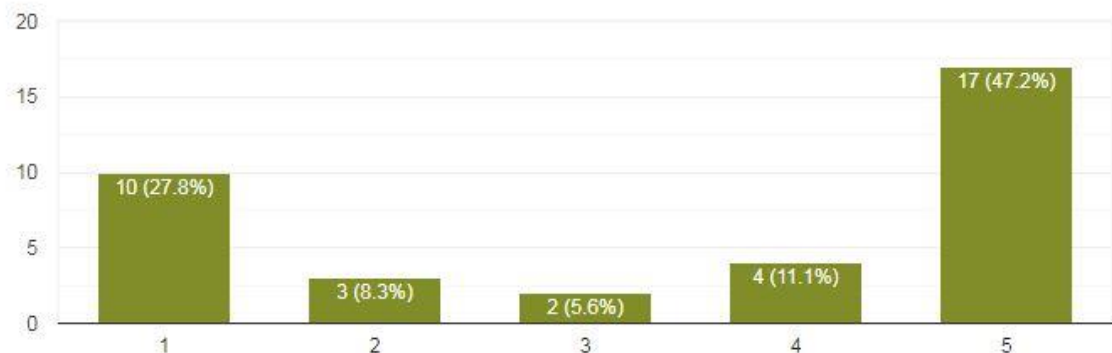
2. Eliminate the threshold for the area of land disturbing activity (LDA) to invoke VESCP regulations, but allow an agreement in lieu of a plan for LDA under 10,000 square feet. This would apply to any LDA involving a building permit, site plan, subdivision, or other activity requiring county approval, but still allow any applicant or project involving less than 10,000 square feet of LDA to submit an agreement in lieu of a plan.

34 responses



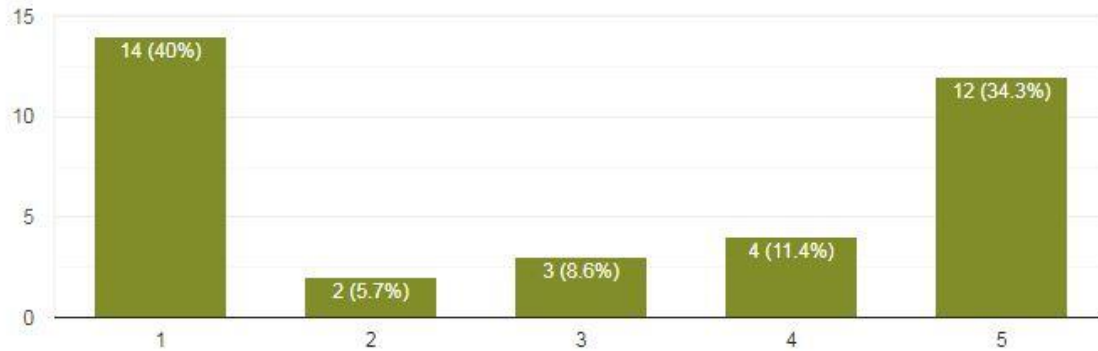
3. Do not allow temporary Erosion & Sedimentation Control measures to be located within a stream buffer without mitigation. The measures may be allowed within the landward 50 feet of the buffer with an approved mitigation plan for the area after construction is completed.

36 responses



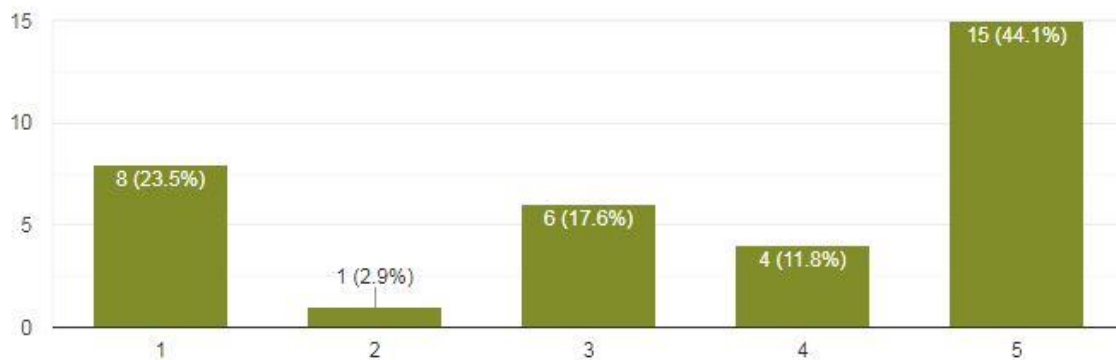
4. Lower the threshold for the area of land disturbing activity (LDA) to invoke VSMP regulations from the current threshold of 10,000 square feet to some other threshold (to be determined).

35 responses



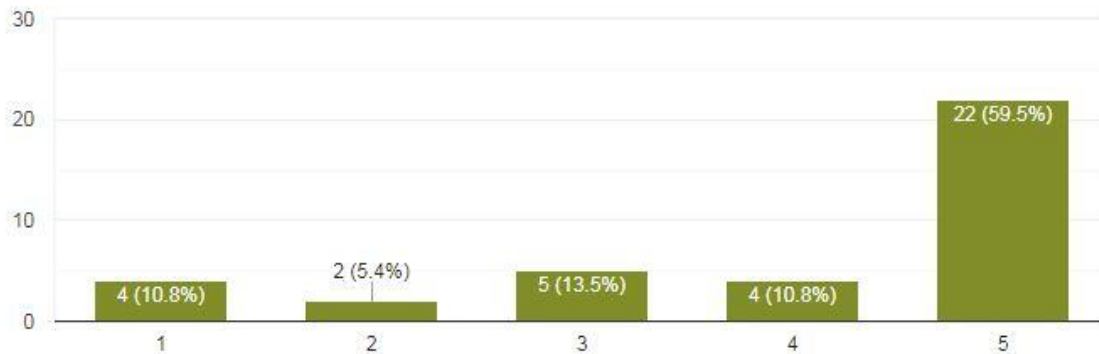
5. Expand the definition of a Common Plan of Development in the Water Protection Ordinance to include activities occurring within any five year period.

34 responses



6. Increase fees for Water Protection Ordinance violations.

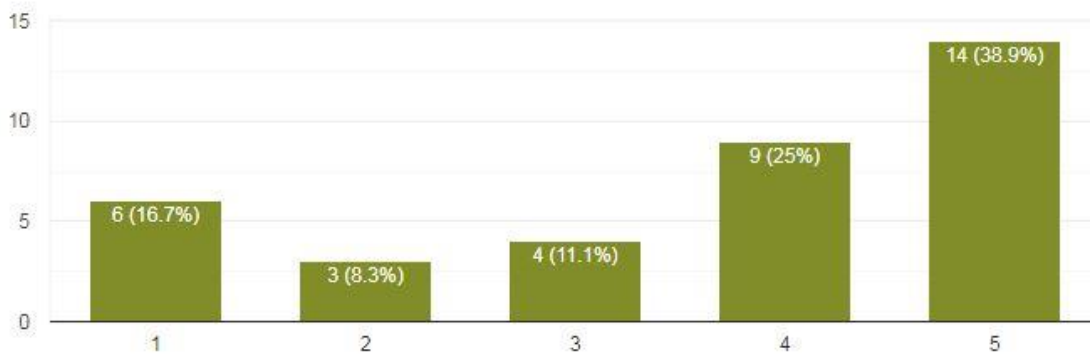
37 responses



Section 2- Incentives for Residential Development

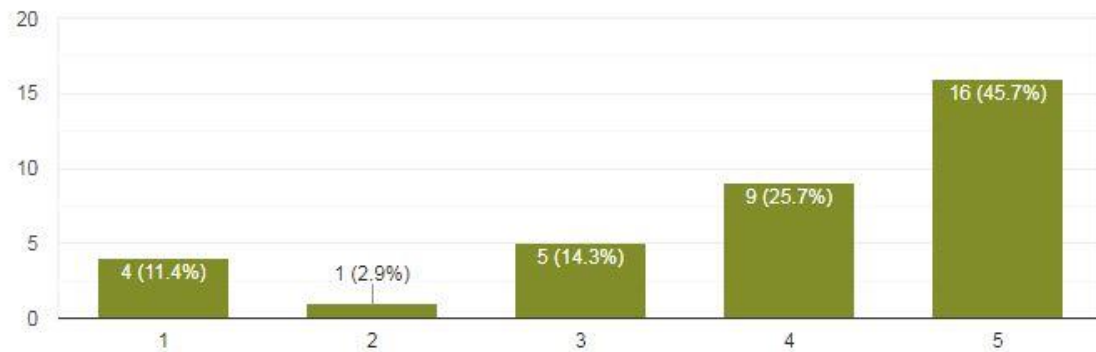
7A. Allow density bonuses if - Stream buffers are expanded by increasing buffer width where buffers exist or establishing buffers where they do not exist. This applies to both perennial and intermittent streams.

36 responses



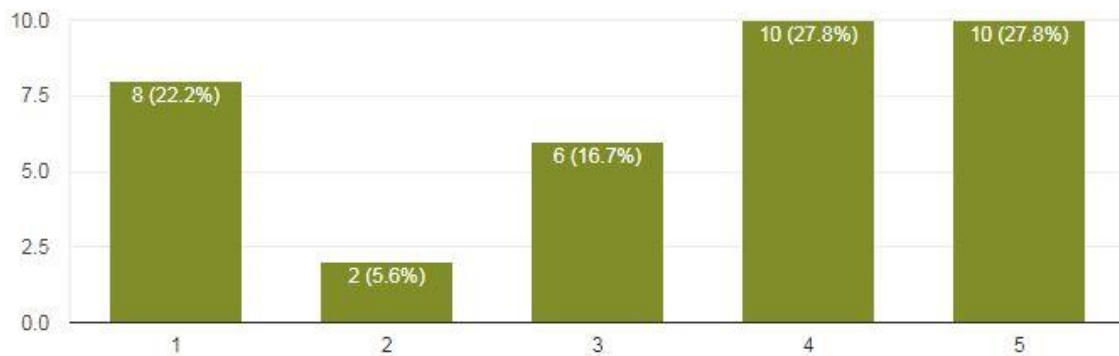
7B. Allow density bonuses if - The quality of existing stream buffers is improved or permanently preserved.

35 responses



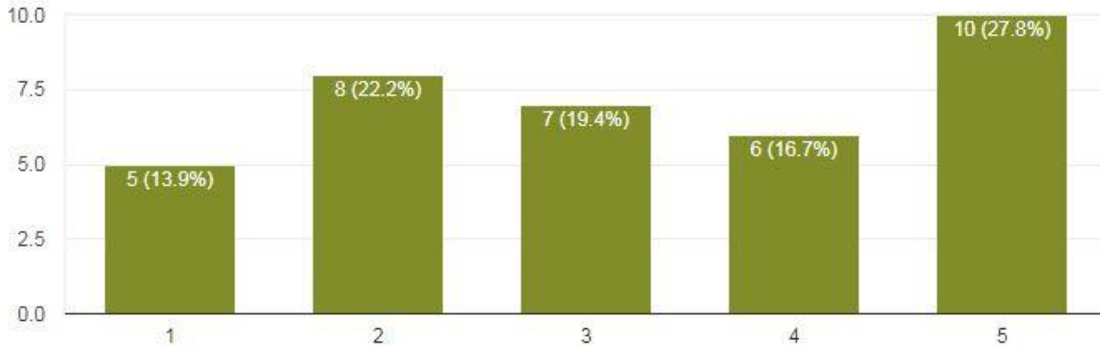
7C. Allow density bonuses if - Newly created lots do not include stream buffers. Buffer areas are located in common areas or other forms of protected open space.

36 responses



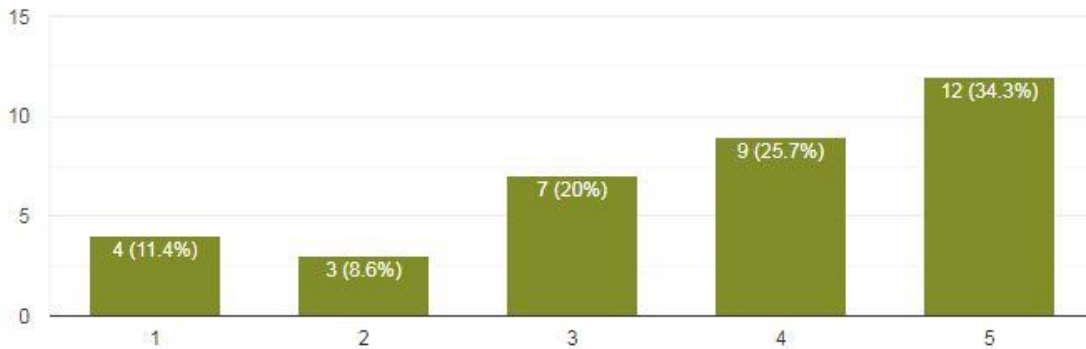
7D. Allow density bonuses if - Permanent signs are posted that identify stream buffer areas. The county will provide the signs to Homeowner Owner Associations (HOA).

36 responses



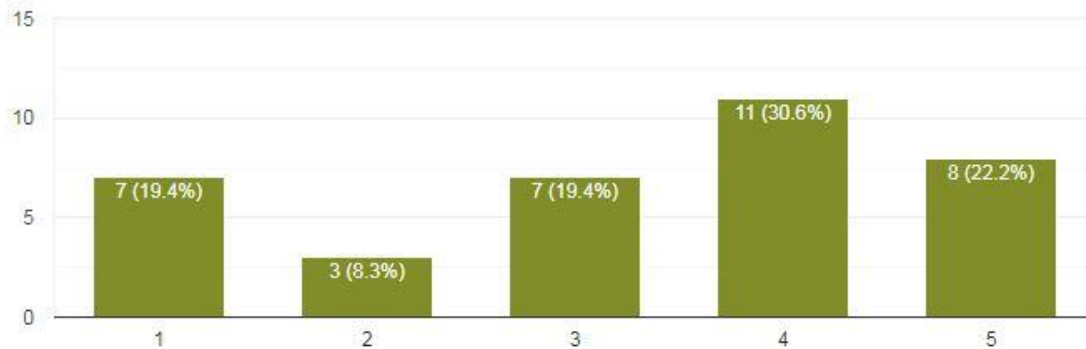
7E. Allow density bonuses if - Trees are planted (using locally native species) in excess of zoning requirements.

35 responses



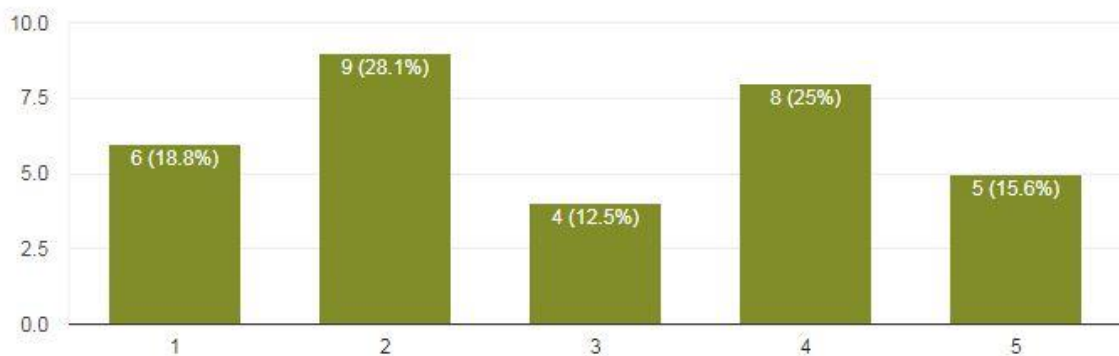
8A. Other incentives could include - Allow buffer widths on perennial streams to be reduced (for example, to 75 feet) if the existing buffer is of poor quality and the quality of the remaining buffer will be improved.

36 responses



8B. Other incentives could include - Allow reduced buffer widths, density bonuses, or other incentives if enhanced Erosion & Sedimentation Control measures are implemented during construction. Some examples are: Reduce maximum drainage areas served by sediment basins (e.g., 40 acres instead of 50 acres) and/or Reduce maximum drainage areas served by silt fences (e.g., 0.2 acres per 100 linear feet of silt fence instead of 0.25 acres per 100 linear feet).

32 responses



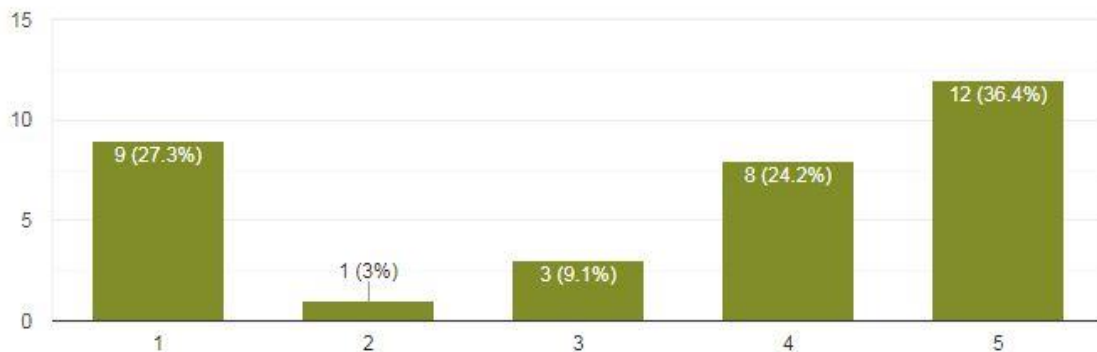
8C. Are there other incentives that should be included?

10 responses

- removal of invasive plants and plantings of a strong native stream buffer that will be maintained by the HOA
- Credits for stream restoration activities (i.e. correcting channelized streams and daylighting streams). Note that stream restoration may involve temporary removal of buffers.
- All buffer planting must require 80% native plants.
- 7 ACDE should be required not a parlay for density bonus
- Provide financial incentives for landowners that improve their stream buffers.
- Fencing is determined by actual livestock ownership and would be placed TOWARD DEVELOPMENT prairie mansions & houses that do not maintain streams
- Incentives for participation in a water quality monitoring program.
- There should have been bonus density increases implemented at the time that the size of the stream buffers were expanded in the Development Areas, and when they were first established. So I suggest that you implement retroactive bonus density -- in recognition that the buffers by definition make it much harder to develop in the development areas.
- Bonus density or other incentive if roads are voluntarily located away from stream buffers, despite the ability to go thru the buffer thru another means such as mitigation/conservation easements/credits/etc
- signs, higher density tree planting and higher e and s should be required with all development or any construction, not offered as a bribe for mediocre additions to standards

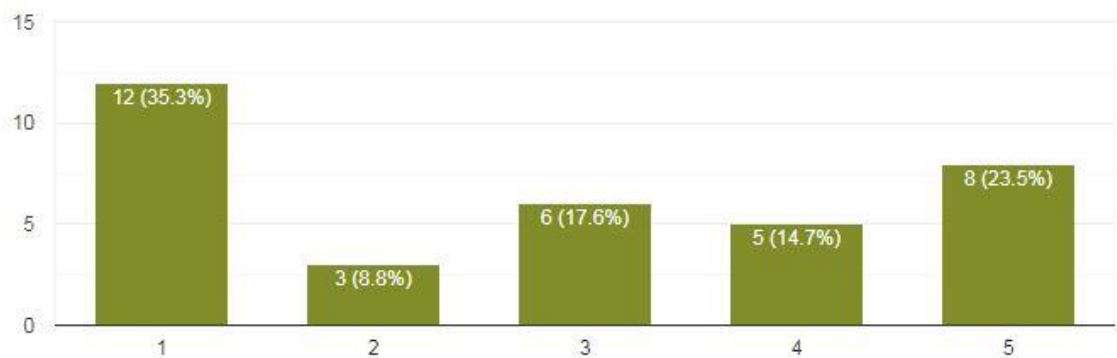
9. Require that all stormwater treatment be conducted on-site or that any nutrient credits purchased are from a nutrient credit bank located in Albemarle County in order to qualify for special exceptions to zoning requirements, density bonuses, or cluster provisions,

33 responses



10. Allow the purchase of off-site nutrient credits for land development only if a payment is made to an Albemarle County fund dedicated to improving water quality.

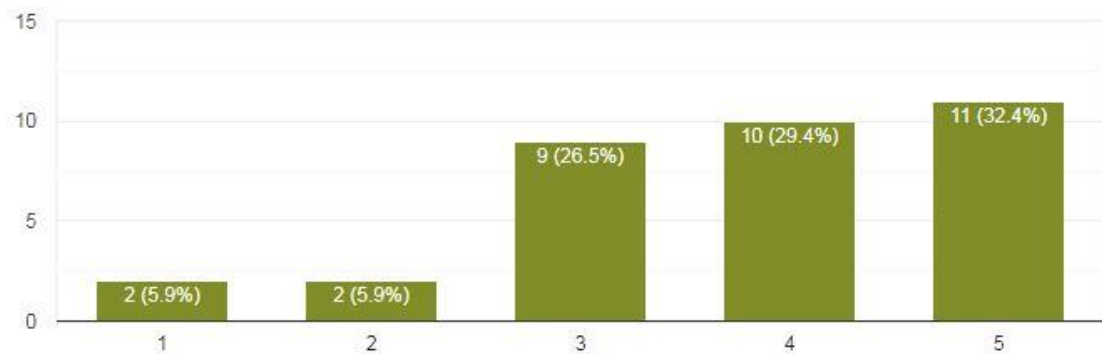
34 responses



Section 3 - Incentives for Non-Residential Property

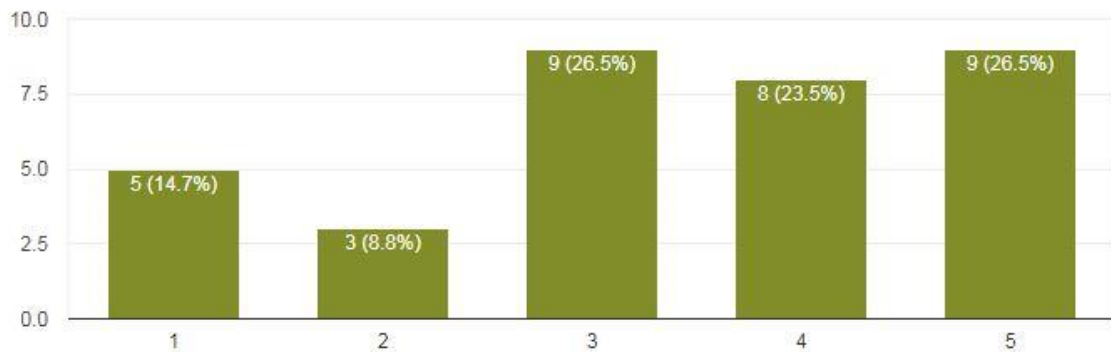
11A. Implementing any incentives described for Residential Property triggers - An expedited review process.

34 responses



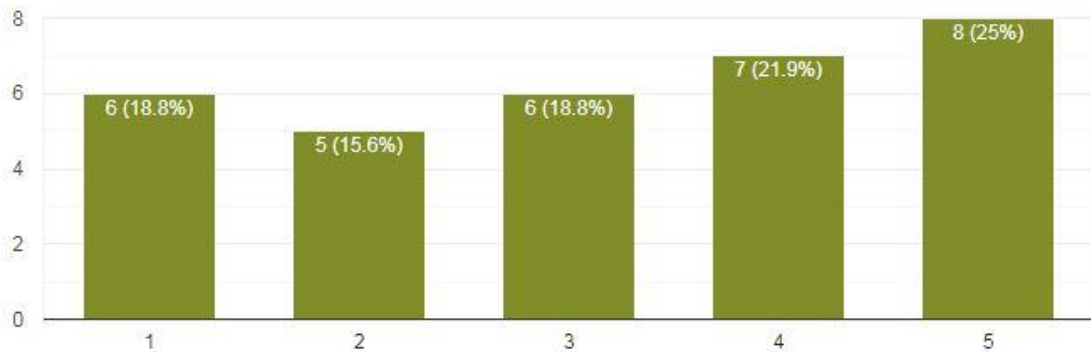
11B. Implementing any incentives described for Residential Property triggers - Reduced review fees.

34 responses



11C. Implementing any incentives described for Residential Property triggers - Reduced parking standards.

32 responses



Are there other incentives that should be included?

7 responses

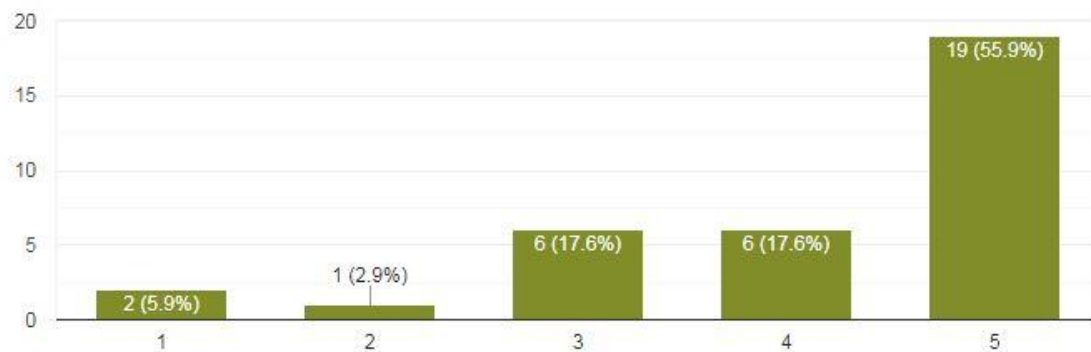
- should be a required suite of implemented bmps not a pick of the cheapest
- Allowing for steep slope build in helps housing utilities when eco green leed type homes are built. Protect the ground water. Limit wells and encourage through incentives gray water and black water with wildlife buffers for stream protection including indigenous trees & shrubs, American Chestnuts, & property owners who do not use pesticides.

- Expedite the review process by INCREASING the fees and employing more staff
- Same comment as in prior section: immediately implement retroactive density bonuses in recognition of the fact that when buffers were implemented, and then expanded, that they reduced the potential realistic densities of parcels in the development area. This should be in addition to any other incentives.
- The 3 above are really good, particularly the review process though it may be hard to quantify how expedited it is due to work flow
- confusing is this a non residential or residential set of questions

Section 4 - County Actions

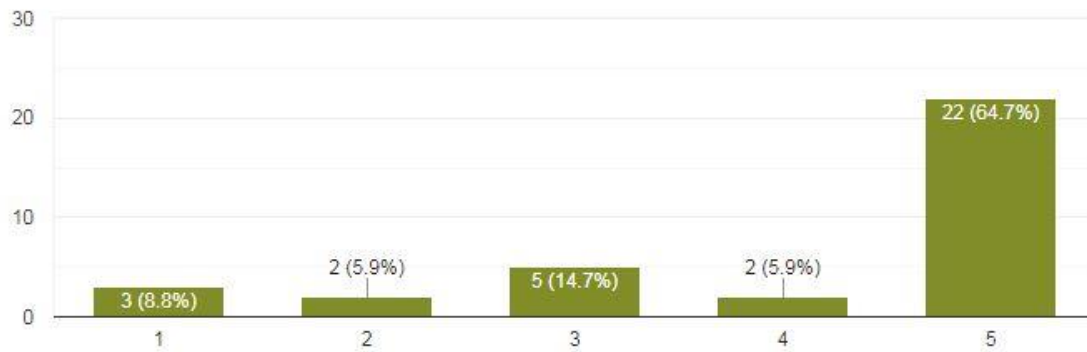
12A. Develop educational material and conduct public outreach - Explain the rules and regulations regarding stream health and stream buffers. Provide clarity.

34 responses



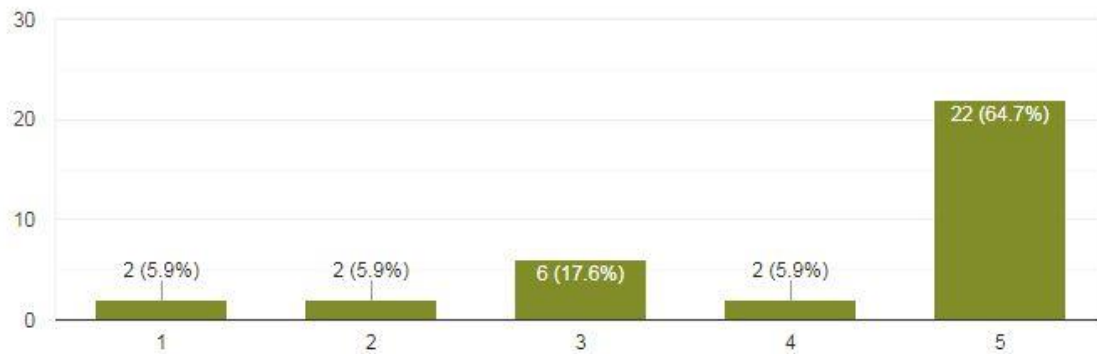
12B. Develop educational material and conduct public outreach - Explain why buffers are important.

34 responses



13. Provide support and coordinate with other organizations and landowners to facilitate activities and projects to improve stream health.

34 responses



Are there proposals you would like to add to this list?

8 responses

- Take actions to prevent culverting (burying) streams and to protect headwaters. Also consider using the language "riparian" or "waterways" and including wetlands in incentives and restrictions as appropriate.
- Require that nutrient credits be purchased from a mitigation bank "in the same watershed (not necessarily in Albemarle County).
- walkable buffers, public access to waterways, canoe landings, riverkeepers to keep the streams open.
- Similar regulations for rural properties
- don't bury intermittent streams. Buffer instead.
- Incentives for clustered growth to keep as much common open space and connected trails.
- Public-private partnerships and coordination with existing non-profits to filter money into public outreach and K-12 education programs.
- we need to find a way to close the gap between farming and development which allows huge land disturbance work to go without safeguards

Do you have any comments you would like to share?

18 responses

- Please use language consistent with the Chesapeake Bay Act, and provide maps accordingly that show where these regulations incentives apply. (Intermittent growth area streams should be in Resource Management Areas, and perennial streams in the Resource Protection Area.)
- Require the use of native plants for mitigation, buffer improvement, etc.
- If people are using the waterways for recreation they will care more.
- We have to be careful not to micro manage private property rights in rural areas™s that are not growth areas, the cost of keeping the land is more difficult everyday and prices for this type of land are plummeting and developers will then find a way to develop our beautiful rural land.
- My main feedback is that new construction does not seem to be effectively protecting streams. A prime example of this is the new Colonial Auto construction, which negligently discharged paint into the Woodbrook stream; Colonial Auto has had several major water releases as well that have caused large amounts of sediment to flow into the stream, so the business must have been previously aware of the discharge and has clearly not taken appropriate steps to mitigate the discharge from the parking lots and construction. Many of these proposals are over my head, but I would suggest that CA has not been a responsible stakeholder/corporate citizen, nor has it made a good faith effort to do so; therefore, I hope that CA is receiving appropriate fines and increased regulatory hurdles.
- I can't wait to see this come forward.
- There are no nutrient credit banks in Albemarle County.
<https://www.deq.virginia.gov/Programs/Water/PermittingCompliance/PollutionDischargeElimination/NutrientTrading.aspx>

- This should be coordinated with the VDEQ and EPA storm water runoff requirements. Ditches and drainage culverts in the county should be maintained and inspected by VDOT. Many are in need of cleaning and this cost should not be placed upon landowner as they actually exist on VDOT right of way.
- A "density bonus" should NEVER be an incentive!
- The external implications of offering density bonuses on traffic and educational institutional impacts are not indicated here.
- I am very concerned about the water quality at Chris Greene Lake. The County needs to be very proactive in working with farmers and homeowners. The overuse of fertilizers is a real problem in the Chris Greene Watershed. Poorly maintained septic systems and livestock in the streams are adding to the problem. The lake has already been closed to the public three times in about 15 months. If decisive action is not taken, it will become a dead body of water that is not safe for recreation.
- No farms no food: we need to encourage grazing farm production and designate horses as livestock.
- There is insufficient background information to truly evaluate the options provided in this survey. In-depth knowledge of current and proposed policies is required. Caution should be taken when interpreting the survey results.
- I grew up on the North Fork of the Rivanna River. The rivers and streams hold immeasurable value (economic, environmental, historical, aesthetic, social and spiritual). These values should not be compromised in the interests of money and development.
- Work really hard to not make it ANY harder than it already is to develop in the Development Areas! Provide meaningful, valuable incentives and trade-offs for any new regulations that reduce the development areas or otherwise make it harder to develop in the development areas.
- Nice job with this survey. It appears that for the most part, there are a handful of local developers that have the County's best interest in mind. Regulations in place should reward those who historically have been good stewards and those that continue to be. Keeping associated development dollars in Albemarle is important for long term success, in my humble opinion.
- so glad you are working on this.
- Need to consider impact of climate change on all current and future water quality regulations