



# Albemarle County

## Legislation Text

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**File #:** 19-385, **Version:** 1

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**AGENDA DATE:** 7/9/2019

**TITLE:**

Improving Stream Health in Development Areas

**SUBJECT/PROPOSAL/REQUEST:** Review proposals and staff recommendations to improve stream health in the County's Development Areas.

**ITEM TYPE:** Regular Action Item

**STAFF CONTACT(S):** Richardson, Walker, Kamptner, Herrick, Graham, Hannah

**PRESENTER (S):** David Hannah, Frank Pohl, Bill Fritz

**LEGAL REVIEW:** Yes

**REVIEWED BY:** Jeffrey B. Richardson

**BACKGROUND:** During a work session on January 9, 2019, the Board directed staff to work on nine of the thirteen proposals that were presented to improve stream health and water quality in the County's Development Areas. Staff was directed to develop more detailed proposals and present recommendations to the Board and Planning Commission at a joint session.

Staff conducted a public review of the County's stream buffer regulations in 2017, culminating in a work session with the Board on December 6, 2017. Based on Board direction during the work session, staff developed thirteen proposals designed to improve stream health in the Development Areas while remaining true to the County's Growth Management Policy. None of the proposals should limit or hinder growth and development in the County's Development Areas.

During October and November of 2018, staff conducted a public engagement process to receive feedback and public comment on the proposed strategies. Staff participated in six Community Advisory Committee meetings, conducted a public meeting, and offered an online survey for people to provide ideas and comments. Responding to requests from individuals, staff also held three small group meetings.

**STRATEGIC PLAN:** Natural Resources Stewardship: Thoughtfully protect and manage Albemarle County's ecosystems and natural resources in both the rural and development areas to safeguard the quality of life of current and future generations.

**DISCUSSION:** A summary report (Attachment A) includes more details about the process of developing and reviewing the proposals. Attachment B provides the list of thirteen proposals, as presented to the public, with notations (highlighted in yellow). The notes help clarify and explain some of the proposals and address questions that were frequently asked during public meetings. Attachment C also lists the proposals and includes significant pros, cons, observations, and public comments (if any) about each. Results of the online survey are presented in Attachment D.

During the January 9, 2019 work session with the Board, staff was directed to continue working on nine of the thirteen proposals. The summary report (Attachment A) addresses each of the nine proposals, giving information and staff recommendations for each. The proposals are organized in three groups:

- 1) County Actions. The status of two proposals is described, including actions taken to date by County staff. No Board action is needed.
- 2) Revisions to Zoning Ordinance. Two proposals would require revising the County's Zoning Ordinance. Staff recommends Board approval of these proposals.
- 3) Revisions to Water Protection Ordinance (WPO). Four proposals would require revising the County's WPO. Staff recommends approval of these four proposals. One proposal is related to the WPO but does not require revising the WPO or other County actions, and no Board action is needed.

**BUDGET IMPACT:** The immediate budget impact for implementation of the proposals is minimal. Proposal #6 would result in a new fee structure for inspections and re-inspections required by the WPO. The intent of a new fee structure would be simply to accurately reflect the costs of inspections and may reduce the demand for General Fund support. Any anticipated budget impact as a result of new or revised regulations would be addressed as part of the Board considerations with the associated ordinance amendments.

**RECOMMENDATION:**

Staff recommends that the Board and Planning Commission direct staff to implement the six stream health proposals in Groups 2 and 3 listed above that involve changes to the Zoning Ordinance and the Water Protection Ordinance (as described in Attachment A).

If changes to the proposals are needed before implementation, staff recommends that the Board and Planning Commission provide guidance on the needed changes.

**ATTACHMENTS:**

- Attachment A - Summary Report on Stream Health Proposals
- Attachment B - Stream Health Proposals with Notations
- Attachment C - Stream Health Proposals - Pros and Cons
- Attachment D - Online Survey Results