



# Albemarle County

## Legislation Details

<b>File #:</b>	21-254	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Ordinance	<b>Status:</b>		Public Hearing	
<b>File created:</b>	3/30/2021	<b>In control:</b>		Board of Supervisors	
<b>On agenda:</b>	4/21/2021	<b>Final action:</b>			
<b>Title:</b>	<p>WPTA 2021-00002 Water Protection Ordinance Regarding Stream Buffer Regulations. Advertised as Stream Health Initiative - Phase 1a WPO Revisions. To receive public comment on a proposed ordinance to amend County Code Chapter 17, Water Protection. In addition to minor revisions, the proposed ordinance would amend § 17-201 by updating the name of the Facilities and Environmental Services Department; amend the definition of "Agricultural road" in § 17-205 to require construction in compliance with the water quality protection procedures established by the Virginia Department of Forestry; update the Virginia Stormwater BMP Clearinghouse Website hyperlink in the definition of "Best management practice" in § 17-205; amend the definition of "Nonstructure best management practices" in § 17-205 to include "forest and open space;" add a definition of "Forest and Open Space" to § 17-205; amend the definition of "Land disturbance or land disturbing activity" in § 17-205 to include filling; add a definition of "Streamside Management Zone" to § 17-205; amend the definition of "Water supply protection area" in § 17-205 to delete Chris Greene Lake from the list of reservoirs; amend § 17-209(A) to allow payment of fees through the County online payment system; amend § 17-209(B)(4) to change the billing and due dates of maintenance fees; amend § 17-301(F) to require that forestry activities comply with Virginia Department of Forestry Best Management Practices, including streamside management zones, to be exempt from VESCP requirements; amend § 17-303(B) to require that forestry activities comply with Virginia Department of Forestry Best Management Practices, including streamside management zones, to be exempt from VSMP requirements; add § 17-402(D)(1)(a) to require a Critical Resources Plan with each agreement in lieu of an erosion and sediment control plan; add § 17-402(D)(1)(b) to identify land disturbances not eligible for agreements in lieu of an erosion and sediment control plan; amend § 17-402(D)(2) to allow the administrator to require additional information for an agreement in lieu of an erosion and sediment control plan or to not accept an agreement; amend § 17-414 to require an agreement with surety before any land disturbance activity; amend § 17-414(A) to require an agreement with surety as a condition of a land disturbance permit; add § 17-423(C) to require developers, prior to release of construction performance security, to either (1) transfer maintenance responsibilities of stormwater management facilities to a Property Owners Association or (2) provide the County with a maintenance security; delete temporary erosion and sediment control measures from the types of structures, improvements and activities allowed in a stream buffer without mitigation under § 17-603(B); and add § 17-604(G) to permit temporary erosion and sediment control measures within the outer 50-feet of a stream buffer, provided that the measures are located outside of the stream buffer to the extent practical and that the disturbance impacts are minimized.</p>				

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Att.A - Proposed Ordinance

Date	Ver.	Action By	Action	Result
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