

**Additional Text Amendments  
December 7, 2010**

**Significant Non-RPA Stream:** ~~A stream that is determined to significantly contribute to the health of an RPA stream or public drinking water source and/or that~~ A stream that at a minimum has a defined channel, sorted substrate, groundwater input, and supports aquatic life according to the U.S. Environmental Protection Agency's Rapid Bioassessment Protocol.

Significant Non-RPA Streams shall be determined based on the following criteria:

- 1) Significant streams ~~The stream~~ will generally score > 18 points (if no flow is present) or 21 points (if flow is present) when assessed with the County's preferred stream assessment protocol during for the Perennial Flow Determination (PFD) process or as part of a watershed management plan and;
- 2) The determination of a stream's significance will further include consideration of ~~the will also consider the Virginia unified Stream Methodology's criteria such as~~ channel condition, riparian buffer condition, in-stream habitat, presence of wetlands and springs, and overall condition of the contributing watershed. ~~sub-watershed conditions.~~

**EN 3.2** Amend the cluster ordinance to ensure that open space is permanently protected, as defined in the Open Space Chapter and managed as a natural area.

**EN 3.7** Encourage the use of open space/conservation easements or fee simple dedication to preserve open space in already developed areas in order to provide natural areas, protect environmentally sensitive resources, preserve percent or greater slopes; areas with 15 percent or greater slopes in conjunction with soils that have severe limitations; soils with a predominance of marine clays; public water supply sources; and critically erodible shorelines and stream banks. The allowable dwelling unit density areas of the property encumbered by such features shall be based upon the maximum density permitted by the existing zoning of property at the time of the adoption of the Comprehensive Plan. Other relevant Comprehensive Plan components – such as the capacity of the transportation network, environmental constraints, and zoning requirements – must be addressed, as well, in determining the appropriate number of

dwelling units on a property. Amend the land use classifications in the Long-Range Land Use Plan chapter to reflect these guidelines.

EN 5.1 When designing a project, use the following priorities for protecting the natural landscape when compatible with the proposed land use:

- Development in the coastal plain in areas of ~~15%~~ 25% or greater slopes where shrink-swell soils exist should address slope stability through mitigation or avoidance.
- Along significant non-RPA streams, discourage development in all areas of 25% or greater slopes at least 50 feet ~~from the edge of the stream~~ along each side of all significant non-RPA streams.
- Encourage the preservation of a natural buffer of existing woodland or forestation area of at least 50 feet along each side of all significant non-RPA streams.
- Encourage mitigation where impacts are unavoidable.
- Emphasize the preservation of jurisdictional wetlands over mitigation, including measures that ensure the wetland's sustainability.

EN 5.2 Amend the DCSM to require identification of ~~and limit development~~ on all areas with shrink/swell soils, 15% slopes with an erodibility factor K of greater than 0.4, and/or with underlying marine clays. Where avoidance of impacts ~~is~~ are unavoidable impracticable, require mitigation.

EN 5.9 Amend the DCSM to require enhanced erosion and sedimentation controls ~~For~~ properties that include jurisdictional wetlands and waters, 15% or greater slopes, or unique habitats of special concern, require enhanced erosion and sedimentation controls, including super silt fences, erosion control blankets, soil stabilization matting, temporary vegetative cover, and other controls, as required by the Erosion and Sediment Control Program Administrator.

EN 5.17 ~~EN Policy 12~~ Encourage identification, management, and protection of ~~Identify, manage and protect~~ ecological communities and wildlife- especially critical habitats - ~~as well as endangered and threatened species and species of special concern, as identified in the official Federal and State lists.~~

EN 5.18 Ensure the County considers the most recent information available on the status and locations(s) of ~~rare, threatened and endangered species, rare plant communities and unique habitats of special concern, areas~~ located on the DCR map.

**EN6.5 RESIDENTIAL**

Preclude the development of habitable structures within 100-year floodplains. The allowable dwelling unit density for a property in the Urban, ~~and~~ Suburban, and Semi-Rural Areas shall be calculated based on the area outside the ~~Environmental Resource (ER) area, floodplain, and Chesapeake Bay RPAs, and areas~~ as shown in ~~an~~ the environmental constraints analysis submitted with a rezoning or special use permit application ~~with wetlands; 25 percent or greater slopes; areas with 15 percent or greater slopes in conjunction with soils that have sever limitation; soils with a predominance of marine clays; public water supply sources; and critically erodible shorelines and stream banks.~~ The allowable dwelling unit density areas of the property encumbered by such features shall be based upon the maximum density permitted by the existing zoning of the property at the time of adoption of the Comprehensive Plan. Other relevant Comprehensive Plan components – such as the capacity of the transportation network, environmental constraints, and zoning requirements – must be addressed, as well, in determining the appropriate number of dwelling units on a property. Amend the land use classifications in the Long-Range Land Use Plan chapter to reflect these guidelines.

~~EN 6.10 Update the DCSM to include a protocol for defining Significant Non-RPA Streams during the Perennial Flow Determination (PFD) process and establish standards for protection of these streams including but not limited to buffers, steep slope avoidance, development setbacks and necessary mitigation measures when the proposed development affects these streams.~~

EN 8.2 Amend the DCSM to require the extended detention of the ~~manage~~ stormwater, to meet the 1-year, 24-hour storm volume for a minimum of 24 hours, in addition to the traditional peak control of the 2-and 10-year storm events.

~~EN8.3 Amend the DCSM to establish and encourage low impact development (LID) standards, including:~~

- ~~• Filtering the “first flush” of urban run-off~~
- ~~• Expanded use of the constructed wetlands, multiple BMPs in a series, and superior BMPs~~
- ~~• enhanced and extended detention on-site (dry ponds with control structures or shallow marsh).~~

~~EN 10.2 Amend the Zoning Ordinance and the DCSM requirements for buffer areas, landscaping, and tree cover requirements to prioritize tree preservation instead of tree replacement to allow reductions in minimum lot areas, setbacks, street frontage, buffers, and other such requirements to encourage preservation of natural vegetation and other desirable features.~~