

18-23-124

(Also see 03-23-1, 04-23-4, 05-23-27, 06-23-30, 07-23-31, 08-23-34, 09-23-41.1, 10-23-82, 11-23-101, 12-23-104, 13-23-110, 14-23-114, 15-23-115, 16-23-118, 17-23-122, 19-23-A, and 20-23-Q, adopted simultaneously)

*ADOPTION OF AMENDMENTS TO CHAPTER 124
(STORMWATER MANAGEMENT ORDINANCE), ARTICLE 1
(GENERAL PROVISIONS), ARTICLE 4 (TECHNICAL CRITERIA
FOR REGULATED LAND-DISTURBING ACTIVITIES) AND
ARTICLE 5 (TECHNICAL CRITERIA FOR REGULATED LAND-
DISTURBING ACTIVITIES: GRANDFATHERED PROJECTS
AND PROJECTS SUBJECT TO TIME LIMITS ON
APPLICABILITY OF APPROVED DESIGN CRITERIA),
OF THE 1976 CODE OF THE COUNTY OF FAIRFAX,
VIRGINIA*

At a regular meeting of the Board of Supervisors of Fairfax, County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Tuesday, January 24, 2023, the Board after having first given notice of its intention so to do, in the manner prescribed by law, adopted amendments regarding Chapter 124 (Stormwater Management Ordinance), Article 1 (General Provisions), Article 4 (Technical Criteria for Regulated Land-Disturbing Activities)

and Article 5 (Technical Criteria for Regulated Land-Disturbing Activities: Grandfathered Projects and Projects Subject to Time Limits on Applicability of Approved Design Criteria), of the 1976 Code of the County of Fairfax, Virginia, said amendments so adopted being in the words and figures following, to wit:

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA:

That Chapter 124 (Stormwater Management Ordinance), Article 1 (General Provisions), Article 4 (Technical Criteria for Regulated Land-Disturbing Activities) and Article 5 (Technical Criteria for Regulated Land-Disturbing Activities: Grandfathered Projects and Projects Subject to Time Limits on Applicability of Approved Design Criteria), are amended and readopted as follows:

Chapter 124 – Stormwater Management Ordinance

Article 1. General Provisions.

Section 124-1-5. - Definitions.

"Floodplain" means the area adjacent to a channel, river, stream, or other water body that is susceptible to being inundated by water normally associated with the 100-year flood or storm event. This includes, but is not limited to, any floodplain designated by the Federal Emergency Management Agency or meets the definition of floodplain in Chapter 112.1 (Zoning Ordinance) of the Code.

Article 4. Technical Criteria for Regulated Land-Disturbing Activities.

Section 124-4-2. - Water Quality Design Criteria Requirements.

- B. The Board has established a Water Supply Protection Overlay District (WSPOD) in the Occoquan Watershed to prevent water quality degradation of the Occoquan Reservoir due to pollutant loadings within the watershed. WSPOD boundaries have been established on the Official Zoning Map. Use limitations are established which require that there shall must be water quality control measures designed to reduce the projected

phosphorus runoff by at least one-half for any subdivision which is subject to the provisions of Chapter 101 of the Code or any use requiring the approval of a site plan in accordance with the provisions of ~~Article 17~~Section 8100 of Chapter 112.1 of the Code, unless a modification or waiver is approved by the Director. In no instance ~~shall~~will the requirement for water quality control measures be modified or waived except where existing site characteristics make the provision impractical or unreasonable on-site and an alternative provision is not or cannot be accommodated off-site, and where it can be established that the modification or waiver will not affect the achievement of the water quality goals for the public water supply watershed as set forth in the adopted comprehensive plan.

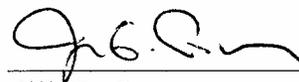
Article 5. Technical Criteria for Regulated Land-Disturbing Activities: Grandfathered Projects and Projects Subject to Time Limits on Applicability of Approved Design Criteria.

Section 124-5-4. - Water Quality.

- A.1. For development, the projected total phosphorus runoff pollution load for the proposed development ~~shall~~must be reduced by no less than forty (40) percent compared to phosphorus loads projected for the development without BMPs. This requirement ~~shall~~will not apply to any development that does not require a site plan ~~pursuant to~~under ~~Article 17~~subsection 8100.7 of the Zoning Ordinance, that does not require subdivision approval ~~pursuant to~~under Chapter 101 of the Fairfax County Code, and that does not result in an impervious area of 18% or greater on the lot or parcel on which the development will occur.

These amendments will become effective upon adoption.

GIVEN under my hand this 24th day of January, 2023.



Jill G. Cooper
Clerk for the Board of Supervisors