Proposed Review Order for Stakeholder Issues Matrix
With Modified Options

November 22, 2010

NOTE: The purpose of the proposed modified options is to assist in facilitating possible Stakeholder consensus, based on the initial comments expressed at the last meeting on November 16, 2010.

RPA Map/Delineations:

Matrix #:	Issue / Modified Option:
1	RPA Map/Delineations
	New Option #7 – Use the RPA as currently mapped and required RPA delineations for projects that propose disturbances greater than 40,000 sf of land. Amend Section 1222.08(a) and 1222.17(a)ii to increase the RPA Delineation and Plan of Development thresholds from 2,500 sf to 40,000 sf.
28	Agreement in Lieu of a Plan
	New Option #3 – Maintain the Agreement in Lieu of a Plan for projects that disturb 40,000 sf or less. Require a grading plan for projects that disturb greater than 40,000 sf of land consistent with the Plan of Development requirement. Maintain existing grading plan requirements for Site Plans and Construction Plans.
30	RPA Delineation Application Requirements
	Existing Option #2 – Develop RPA delineation application submission requirements for the FSM.
12	Plan of Development Definition
	New Option #3 – An RPA delineation would be required for projects that propose disturbances greater than 40,000 sf of land. Amend Section 1222.17(a)ii to increase the Plan of Development threshold from 2,500 sf to 40,000 sf.
2	RPA/Wet Ponds
	Existing Option #1 – Retain the existing RPA (9/21/10 – ponds with up to 1.5 times the required water quality volume are not included in the RPA) given the relief afforded by the proposed Exemptions and Administrative Waivers for improvements within the RPA

RPA Exemptions/Waivers/Setbacks:

Matrix #:	Issue / Modified Option:
5	Exempt Structures less than 150 sf in the RPA
	Existing Option #3 – Exempt residential accessory structures in the RPA with a cumulative footprint and disturbance of up to 150 sf per lot inclusive of existing accessory structures in the RPA. This is more permissive than Fairfax County's policy in that it allows the removal of trees for construction of these improvements, as opposed to limiting these improvements to areas of existing lawn within the RPA.

7/6 Accessory Structures and Uses up to 2,500 sf in the Landward 50-feet of the RPA

New Option #3 – Modify Section 1222.20 to allow up to 2,500 square feet of land disturbance/impervious area in the Landward 50 feet by Administrative Waiver on lots that contain 50% or less RPA (86% of existing lots with RPA). Allow up to 5,000 sf of land disturbance/impervious area in the Landward 50 feet by Administrative Waiver on lots that contain more than 50% RPA (14% of existing lots with RPA). These limits would not be limited to additions and accessory structures and could include principle structures and uses. All other requirements in Section 1222.20, including the Water Quality Impact Assessment and required findings would apply. Consider adding an additional finding specifying that the waiver cannot be approved if adequate mitigation cannot be provided to offset the proposed disturbance/impervious cover. An RPA Exception would be required in such circumstances.

32 Accommodations for Dwellings in RPA at the Time of Adoption

Modify Existing Option #3 – Allow disturbances up to 2,500 sf in the Seaward 50-feet by Administrative Waiver with a Minor Water Quality Impact Assessment for additions and accessory structures associated with existing "structures" located in the RPA as of the date of adoption. The only modification is that "dwellings" is replaced with "structure" to allow expansions to any existing structure, including commercial structures.

14 Exempt Private Roads and Driveways in the RPA

Existing Option #2 – Exempts private roads and driveways subject to criteria outlined in Section 1222.11(d).

15 Exempt Wetland Restoration in the RPA

New Option #3 – Exempt stream and wetland restoration projects in the RPA with the condition that these projects conform with the Erosion and Sediment Control Requirements outlined in Section 1222.17, requiring a grading permit.

16 Exempt Septic Fields/Connections and Storm Drains in the RPA

New Option #3 – Include drainfields and drainfield connections approved prior to adoption as permitted uses in Section 1222.12. This would avoid the need for a property owner to obtain an RPA Exception to install a previously approved septic system/drainfield in the RPA or a connection to a previously approved septic field across the RPA, while requiring the development of a Water Quality Impact Assessment to assess and mitigate water quality impacts. Similar disturbances on new lots would require approval of an RPA Exception.

34 Exempt HOA Projects

Modify Existing Option #3 –The Administrative Waiver outlined in Issues #7/6 would apply. Disturbances in the Seaward 50-feet would be processed as RPA Exceptions, unless they are accessory to an existing structure in the RPA as outlined in Issue #32. Consider allowing a Minor Water Quality Impact Assessment to be provided for the construction of docks/piers, which are permitted in the RPA as water-dependent facilities, to reduce costs for HOAs and landowners.

Goal for Completion on 11/30/10

21	Modify WQIA Requirement for Small Encroachments into the Seaward 50 Feet
23	Eliminate WQIA for Administrative Waiver for Loss of a Buildable Area
18	RPA Setbacks

Grandfathering:

Matrix #:	Issue:
9/10/36	Grandfathering

RPA Planting:

Matrix #:	Issue:
17	RPA Planting at the Time of Development

RMA/Performance Criteria:

Matrix #:	Issue:
3	RMA
8	E&S Threshold
20	Septic Pump-Out

Other Issues:

Matrix #:	Issue:
27	RPA Buffer Encroachments in Rt. 28/IDA
33	Buffer Width
35	RPA Exceptions Submitted to Planning Commission or FSM Committee
26	Appeals
13	Redevelopment Definition
11	BMP Definition
22	“Buffer Area” vs. “RPA”
31	Depicting the RPA on Development Plans

Resolved Issues:

Matrix #:	Issue:
4	RPA Screening Tool
19	Plastic Filter Alternative to Septic Pump-Out
24	Administrative Waiver of Performance Criteria
29	E&S Exemption for Septic Tanks/Drainfields
25	County Funding for Agricultural Practices (This issue is currently being addressed by the BOS Transportation/Land Use Committee)

Note: Issues #37-42 (added by Stakeholders on 11-9-10) included various questions that can be addressed during discussion of the relevant larger issues listed above, as well as some issues concerning additional research that can be considered later by the BOS.