



Land Development News

Technical Bulletin

Subject: Conservation Plan for Land-Disturbing Activities **Date:** August 15, 2011 **No.:** 11-06
2,500 – 5,000 sq. ft.

Summary: A new type of plan, called a Conservation Plan, has been created to facilitate small residential projects that disturb greater than 2,500 sq. ft. up to a maximum of 5,000 sq. ft. A Conservation Plan may be used in lieu of a grading plan, which has been required for any land-disturbing activity greater than 2,500 sq. ft., if you are constructing or demolishing an addition or accessory structure to an existing single-family home and all of the following conditions are met:

- the maximum land disturbance is equal to or less than 5,000 square feet; and
- drainage improvements are not required; and
- water quality controls are not required.

The Conservation Plan combines all the elements of the plat required for a building permit application and an erosion and sediment control plan but without field-run topography. Other information necessary to demonstrate compliance with applicable county codes also must be included.

The current requirements and processes for obtaining building permit approval for projects that disturb 2,500 sq. ft. or less and projects that disturb over 5,000 sq. ft. are not affected.

The submission fee for a Conservation Plan is \$980.

Effective Date: July 27, 2011.

Background: On July 26, 2011, The Board of Supervisors adopted amendments to the Erosion and Sedimentation Control Ordinance, Zoning Ordinance, and Appendix Q of the County Code to provide for creation of a Conservation Plan. The amendments can be viewed here: <http://www.fairfaxcounty.gov/dpwes/publications/pfm/amendments.htm> The amendments apply to the demolition of a single family dwelling, demolition of an accessory structure to a single family dwelling, construction of an addition to a single family dwelling as currently defined in Chapter 61 of the County Code, or construction of an accessory structure to a single family dwelling, that results in a disturbed area of 5,000 sq. ft. or less and does not require the installation of water quality controls (controls are required if they were not installed with the original subdivision and the impervious area is equal to or greater than 18%) or other drainage improvements. If these conditions are met, such projects may be permitted in accordance with a plat certified by a land surveyor, engineer, landscape architect or architect, meeting the requirements of Part 6 of Article 18 of the Zoning Ordinance, and which plat includes erosion and sediment (E & S) control measures in conformance with the Erosion and Sedimentation Control ordinance. In order to demonstrate compliance with the requirements of the Erosion and Sedimentation Control ordinance, in addition to the display of the E & S controls, an adequate

outfall certification and responsible land disturber certification are required. In order to demonstrate compliance with the 5,000 sq. ft. and water quality control limitations, computations of disturbed area and total impervious area are required. Water quality controls are required if the impervious area is equal to or greater than 18% of the total lot area and adequate controls were not provided with the original subdivision construction or a prior grading plan. If controls are required under these criteria, there would still be the possibility of obtaining a waiver of water quality control requirements. Any waiver of water quality control requirement must be approved prior to submission of the Conservation Plan. There is a submission fee of \$980 for the plan. Applications for any associated waivers or exceptions would be subject to additional fees. The standard conservation deposit for maintenance of the E & S controls, final stabilization, and required plantings and payment of pro-rata share based on the increase in impervious area also are required. This new plan using a certified plat as its base is called a Conservation Plan. The current requirements and processes for obtaining building permit approval for projects that disturb 2,500 sq. ft. or less and projects that disturb over 5,000 sq. ft. are not affected.

Guidelines: A detailed guidance document for preparation of Conservation Plans [is attached](#).

If you have any questions, please contact the Site Development and Inspection Division, at **703-324-1720, TTY 711**.

Approved by: Michelle A. Brickner, P.E., Director
Land Development Services