

**FAIRFAX COUNTY PLANNING COMMISSION
ENVIRONMENT COMMITTEE
THURSDAY, JULY 10, 2008**

COMMITTEE MEMBERS PRESENT:

Walter L. Alcorn, At-Large
Frank A. de la Fe, Hunter Mill District
Jay P. Donahue, Dranesville District
Earl L. Flanagan, Mount Vernon District
James R. Hart, Commissioner At-Large
Kenneth A. Lawrence, Providence District
Timothy J. Sargeant, At-Large

COMMITTEE MEMBER ABSENT:

Rodney L. Lusk, Lee District

PLANNING COMMISSION STAFF PRESENT:

Sara Robin Hardy, Assistant Director, Planning Commission Office
Linda B. Rodeffer, Clerk to the Planning Commission

COUNTY STAFF PRESENT:

Kambiz Agazi, Environmental Coordinator, Office of the County Executive
Michelle Brickner, Director, Site Development Services, Department of Public Works
and Environmental Services (DPWES)
Judith Cronauer, Engineer IV, Code Analysis, Land Development Services, DPWES
Michael Knapp, Director, Urban Forest Management Division, DPWES
Noel Kaplan, Senior Environmental Planner, Planning Division, Department of Planning
and Zoning

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Chairman James R. Hart called the meeting to order at 7:33 p.m., in the Board Conference Room, 12000 Government Center Parkway, Fairfax, Virginia 22035.

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Commissioner Flanagan MOVED THAT THE ENVIRONMENT COMMITTEE MINUTES OF May 28, 2008, BE APPROVED.

Commissioner de la Fe seconded the motion which carried unanimously.

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Chairman Hart announced that the committee would discuss the upcoming riparian buffer stakeholder meetings and the proposed Tree Conservation Ordinance.

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Riparian Buffer Stakeholder Meetings

Judith Cronauer, Land Development Services, Department of Public Works and Environmental Services, said the meetings, originally scheduled to take place in September 2008, had been moved up to July at the request of Board of Supervisors' Chairman Gerald Connolly. She said the meetings would be held from 7:00 – 9:00 p.m., on July 23, in Rooms 106/107, Herrity Building, and on July 30, in Rooms 9/10, Government Center. She said approximately 100 invitations had been mailed and to date she had received 35 responses. (A copy of the invitation and the contact list is in the date file.) She requested that members of the Planning Commission and the Environment Quality Advisory Council (EQAC) let her know if they planned to attend.

Ms. Cronauer said headwater limits and buffer widths would be discussed on July 23 and preservation/restoration and allowed uses would be discussed on July 30. (Draft issue papers on these topics are in the date file.) She noted that finalized issue papers would be sent to all participants about one week before the first meeting. She explained that the meetings would begin with an introduction to discuss the purpose of the meetings and an overview of the issues to be discussed; small discussion groups would be formed with representatives from environmental groups, citizens, and industry; the results shared with the group at large; followed by concluding remarks. She said feedback from the meetings would be presented to the Environment Committee and a workgroup established to develop recommendations.

Responding to a question from Commissioner Lawrence, Ms. Cronauer said the small groups would be asked to identify the top five concerns and considerations that should be considered by the Environment Committee and EQAC for headwater limits, buffer widths, and preservation/restoration. For allowable uses, she said participants would be asked to identify the top ten issues the working group should consider.

In response to a question from Commissioner Flanagan, Ms. Cronauer said that currently riparian buffers of perennial streams and tidal wetlands were protected through the Chesapeake Bay Ordinance. She said this effort would address intermittent and ephemeral streams.

Responding to a question from Chairman Hart, Ms. Cronauer said it was anticipated that the workgroup would complete its review in the September/October timeframe and the recommendations provided to the stakeholders. She said after final recommendations were presented to the BOS in November, a proposed amendment would be drafted for advertisement and public hearing. Responding to another question from Chairman Hart, she said that the public hearing process would not take place in 2008.

Answering a question from Commissioner Alcorn, Ms. Cronauer said Chairman Connolly had only requested that the stakeholder meetings be expedited.

Chairman Hart and Commissioner Alcorn commended Ms. Cronauer for doing a thorough and concise job on developing and scheduling the process and on drafting the issue papers.

Commissioner Lawrence suggested sending out topical areas and questions with the background papers.

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Tree Conservation Ordinance

Michael Knapp, Director, Urban Forest Management Division, DPWES, said that his division had been directed by the Board of Supervisors to prepare a draft Tree Conservation Ordinance based on State legislation passed earlier this year. He said an in-depth presentation would be made to the Committee on July 31, 2008 and the proposed amendments would be circulated prior to that time. He explained that the amendments were being reviewed by the Engineering Standards Review Committee and their endorsement was expected. He pointed out that the *State Code* amendment had a limited application to Planning District 8 and the Fairfax County amendments would be used by other entities of the Planning District, including Prince William and Loudoun Counties.

Mr. Knapp said amendments were being proposed to the Public Facilities Manual, Articles 6 and 12; the Zoning Ordinance, Articles 13 and 17; the Erosion Sedimentation Control Ordinance, Chapter 104; the Subdivision Ordinance, Chapter 101; a title change to the Tree Preservation Ordinance for Heritage and Specimen Memorial Trees; and a new chapter added to the County Code, "Tree Conservation During Land Development."

Commissioner de la Fe said he would like to have the input of the Tree Commission. Mr. Knapp said that the Tree Commission had copies of the proposed amendments but had not yet endorsed them.

In response to a question from Commissioner Flanagan, Mr. Knapp said the amendments would be authorized by the BOS in September, the Planning Commission public hearing would be held on September 24, and the BOS public hearing would be held on October 20, 2008.

Responding to a question from Commissioner Donahue, Mr. Knapp said the draft ordinance had been shared with several non-profit environmental groups, including Fairfax ReLeaf and Earth Sangha.

Answering a question from Chairman Hart, Mr. Knapp said the purpose of the July 31, 2008 meeting was to provide the Committee with highlights of the amendments, but that the Committee was not required to make a recommendation on them.

Commissioner Alcorn said he would like the committee to have an opportunity to provide informal feedback on the amendments. Chairman Hart concurred.

In response to a question from Commissioner Flanagan, Mr. Knapp said a review of the amendments could be done in one meeting; however, if the committee desired, another meeting could be scheduled. He pointed out that the proposed Ordinance was based on existing

regulations and well-established vocabulary with the exception of a few new components, which he would review with the committee.

Commissioner Flanagan commented that there were differing opinions about the strength of the new legislation. Mr. Knapp said he had been one of the primary authors of the legislation and he could provide the Committee with insight into its purpose and intent.

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The committee meeting on July 31, 2008 to further discuss the Tree Ordinance was scheduled to begin at 7:00 p.m.

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The meeting was adjourned at 8:01 p.m.
James R. Hart, Chairman

An audio recording of this meeting is available in the Planning Commission Office, 12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Minutes by: Linda B. Rodeffer

Approved: July 31, 2008

Linda B. Rodeffer, Clerk
Fairfax County Planning Commission