



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

DATE: March 18, 2021

TO: Fairfax County Board of Supervisors

FROM: Stella Koch, Chair
Environmental Quality Advisory Council

SUBJECT: zMOD: Questions about Water Supply Protection Overlay District

On March 15, 2021, the Environmental Quality Advisory Council (EQAC) forwarded several questions to the Planning Commission regarding Section 3103.5 of the Zoning Ordinance, regarding Water Supply Protection Overlay Districts. On March 16, 2021, EQAC was advised that the Planning Commission had already addressed the matter. This memorandum forwards EQAC's questions to the Board of Supervisors for consideration during the March 23, 2021 public hearing on the Zoning Ordinance.

EQAC respectfully requests that the Board of Supervisors consider these questions during their deliberations on March 23, 2021:

- The Use Standards as set forth in subsection 3103.5.D(2) require the submittal of information from certain establishments about toxic and hazardous materials including the wastes to be stored, a soils report, a description of surface and groundwater characteristics, a description of spill prevention measures and more. The subsection does not appear to give authority to the Director to reject a use based on the information provided. How will the Director utilize this information and will the Director be able to reject a use based on the information provided?
- The Water Supply Protection Overlay District provides for the protection of the waters in the county used as a water supply. It would appear that a similar or equal level of protection should be afforded all watersheds and streams of Fairfax County. Has the Planning Commission considered extending the Water Supply Protection Overlay District to the entire county?

EQAC appreciates the Board's consideration of these questions.