



PLANNING & DEVELOPMENT



Overview of the Plan Amendment: Coastal Resource Management/Tidal Shoreline Erosion Control (2013-CW-9CP)

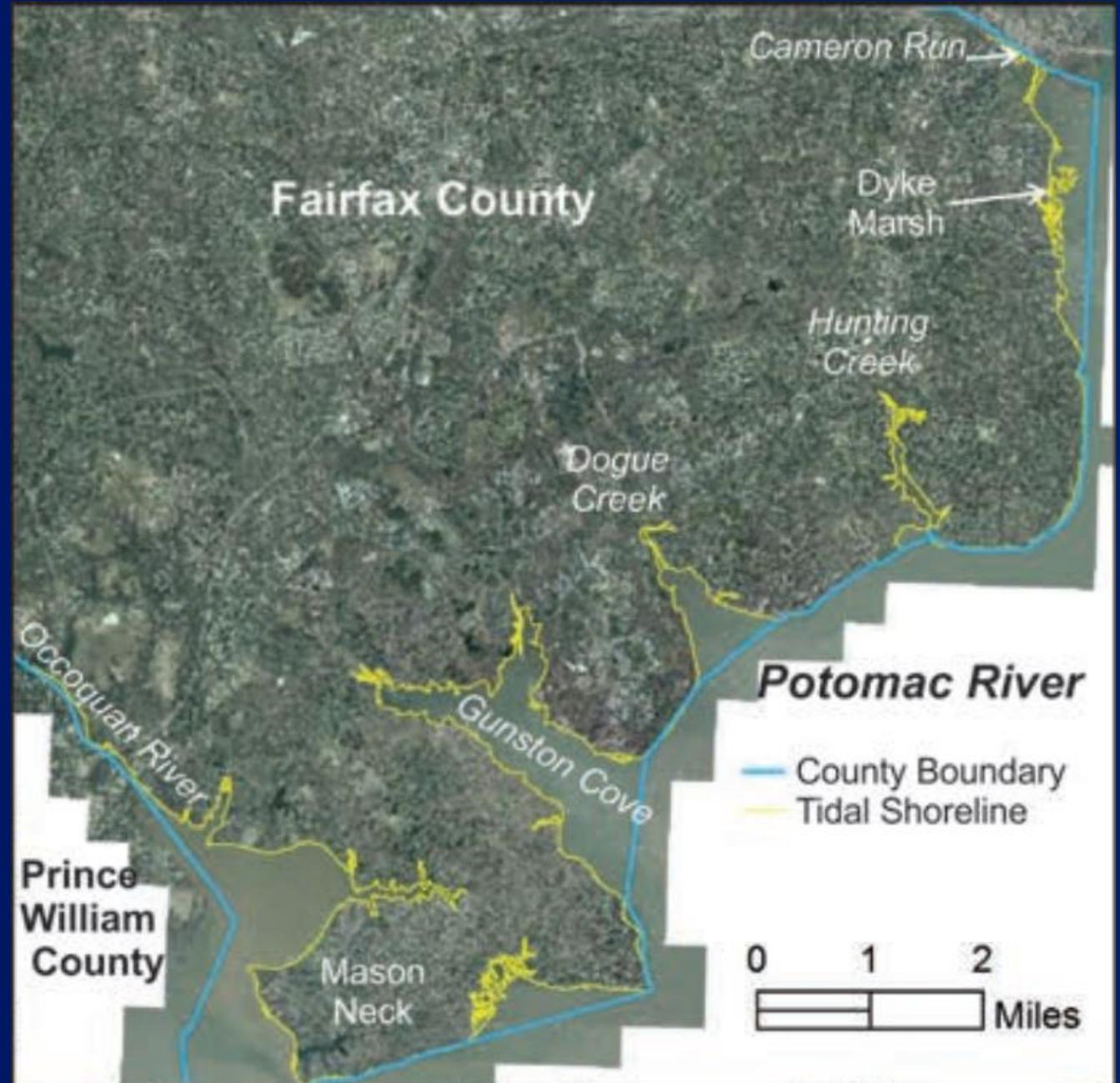
Planning Commission, Environment Committee– July 29, 2021

Department of Planning and Development

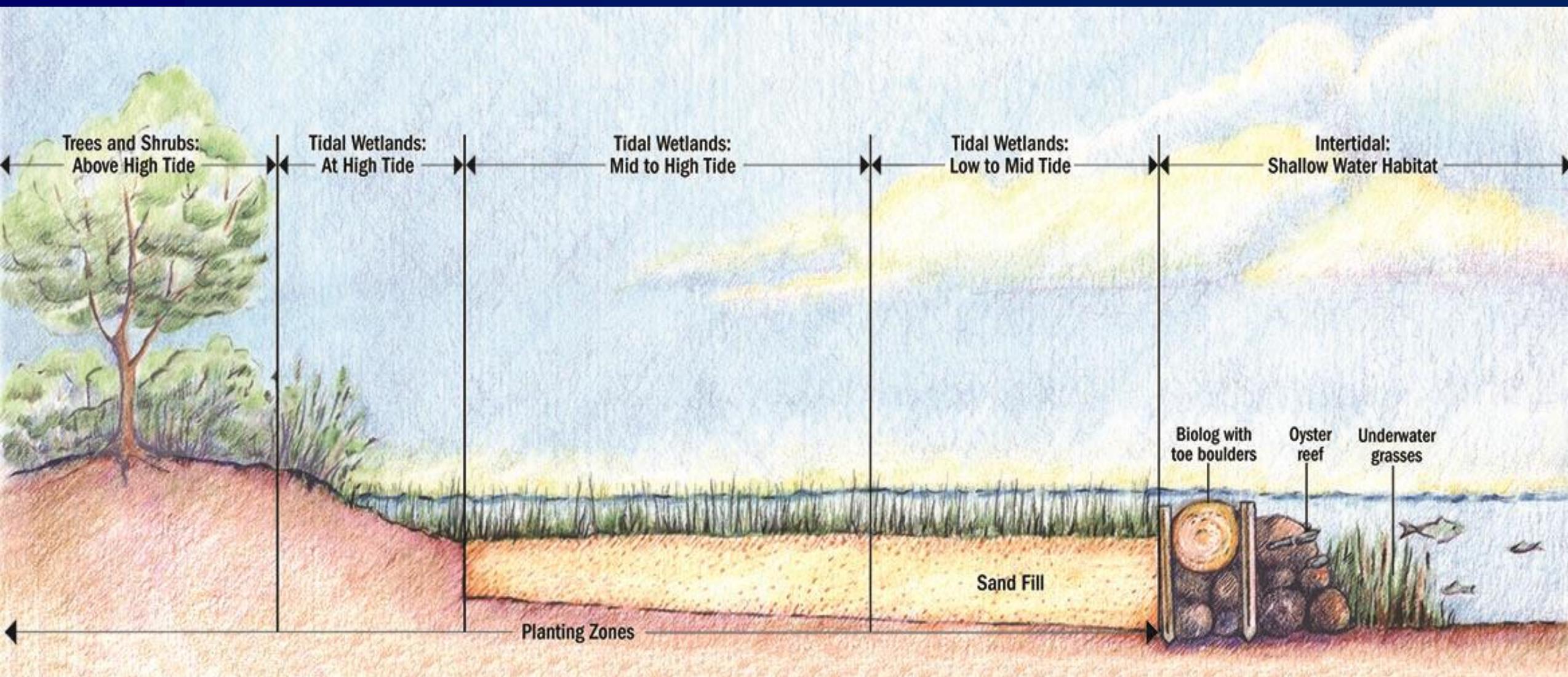
2011 Senate Bill 964 and Board Authorization

Countywide Plan Amendment for **Coastal Resource Management/Tidal Shoreline Erosion Control 2013-CW-9CP** was authorized on July 9, 2013:

- “Investigate the extent to which (if any) the Environment section of the Policy Plan will need to be amended to comply with §15.2-2223.2 of the Code of Virginia, which requires, for Tidewater localities (including Fairfax County), incorporation into comprehensive plans of comprehensive resources management guidance develop by the Virginia Institute of Marine Science (VIMS).”

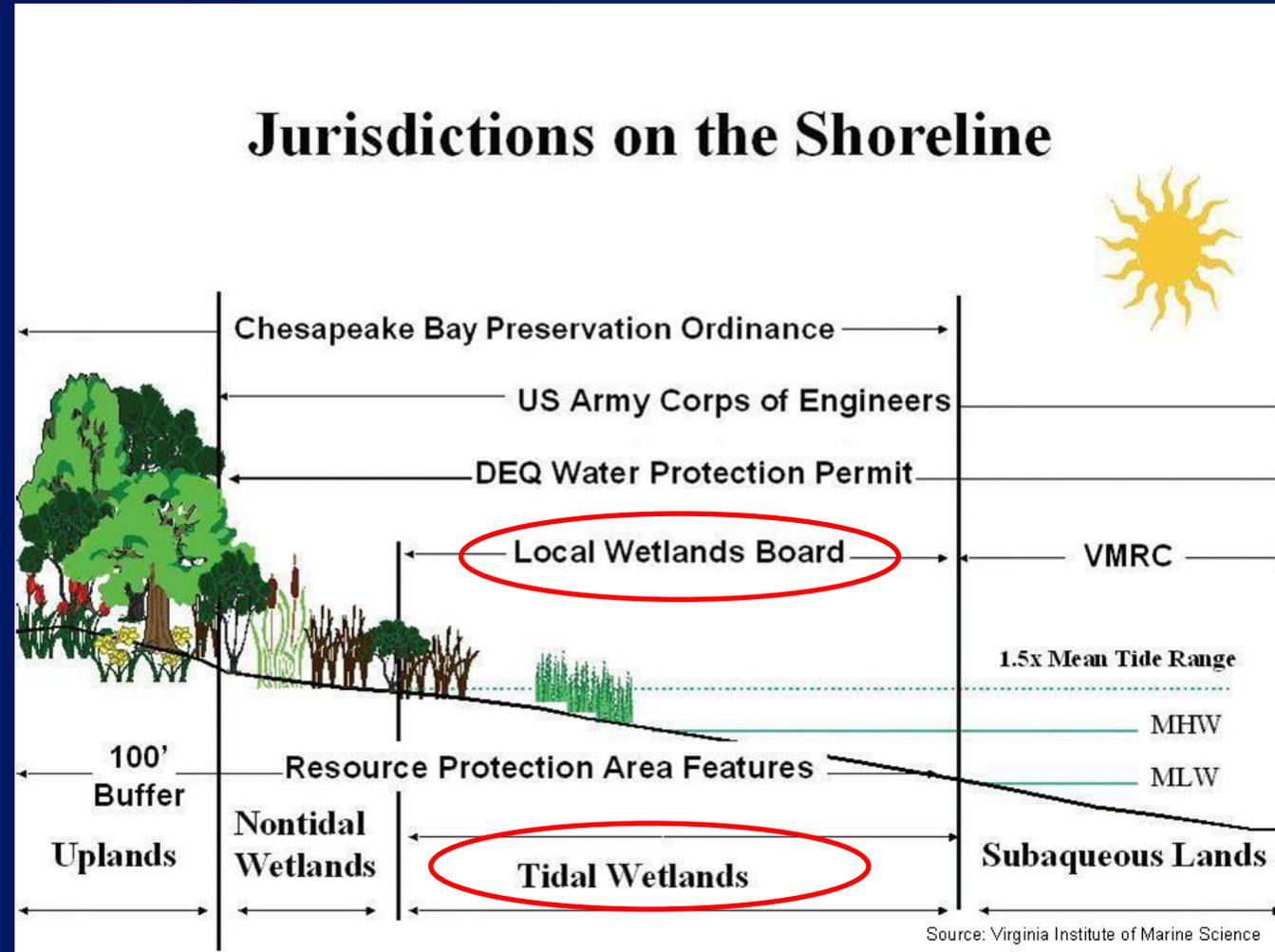


What is a 'Living Shoreline'



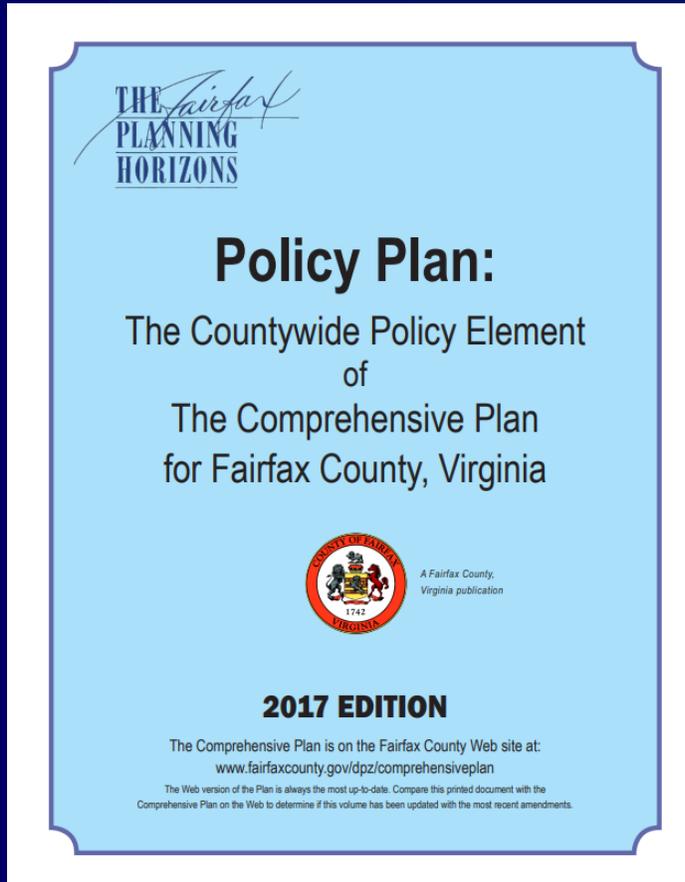
2020 Senate Bill 776

- Resulting legislation:
 - Directs “VMRC and local wetlands boards “If the best available science shows that a living shoreline approach is not suitable, the Commission shall require the applicant to incorporate, to the maximum extent possible, elements of living shoreline approaches into permitted projects.”
 - Directs VMRC to “ensure protection of shorelines and sensitive coastal habitats from sea level rise and coastal hazards...”

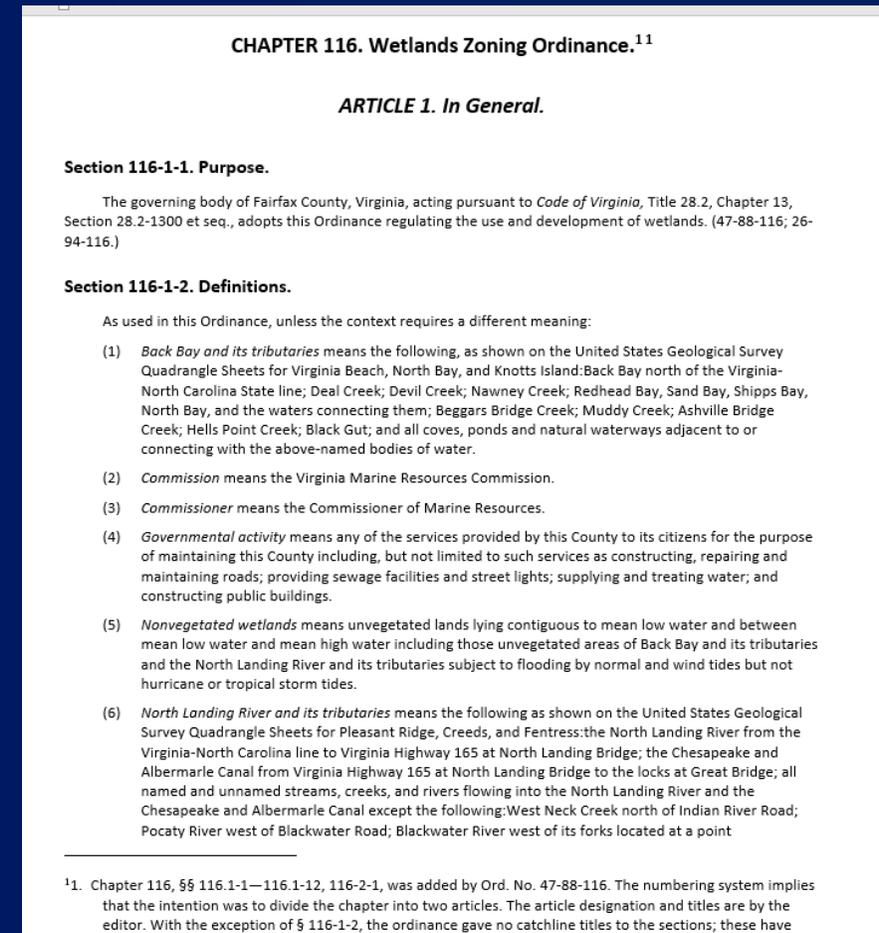


Future Actions

- Comprehensive Plan, Policy Plan, Environment



- County Wetlands “Zoning Ordinance”/County Code



Proposed Changes - Comprehensive Plan, Policy Plan, Environment

- **MODIFY:** Fairfax County Comprehensive Plan, 2017 Edition, Policy Plan, Environment, as amended through December 3, 2019, pages 10-11:

development, redevelopment, shoreline erosion control, and shoreline access.

Objective 3: Protect the Potomac Estuary and the Chesapeake Bay from the avoidable impacts of land use activities in Fairfax County.

Policy a. Ensure that new development and redevelopment complies with the county's Chesapeake Bay Preservation Ordinance, as applied to Chesapeake Bay Preservation Areas adopted by the Board of Supervisors as generally depicted in Figure 5 of the *Chesapeake Bay Supplement* to the Comprehensive Plan, as may be amended by the Board of Supervisors.

Policy b. Support the analysis and recommendations contained in the *Chesapeake Bay Supplement* to the Comprehensive Plan.

Policy c. Where tidal shoreline erosion control measures are needed, apply techniques that are consistent with the "Guidelines for Tidal Shoreline Erosion Control Measures" in the Environment Appendix.

Policy d. Boating and other tidal shoreline access structures should be sited, designed, and constructed in a manner that minimizes adverse environmental impacts. Where county approval of tidal shoreline access structures is needed, the following guidelines should be consulted and considered in the decision-making process: the Chesapeake Bay Program's document entitled "Chesapeake Bay Area Public Access Technical Assistance Report;" and the following guidelines issued by the Virginia Marine Resources Commission; "Shoreline Development BMPs," "Wetlands Guidelines," and "Subaqueous Guidelines."

Proposed Changes - Comprehensive Plan, Policy Plan, Environment

- **MODIFY:** Fairfax County Comprehensive Plan, 2017 Edition, Policy Plan, Environment, as amended through December 3, 2019, pages 23-24:

APPENDIX 1

GUIDELINES FOR TIDAL SHORELINE EROSION CONTROL MEASURES

Measures to control erosion along the county's tidal shoreline are often pursued in order to protect adjacent property. Where county approval of tidal shoreline erosion control measures is needed, the following guidelines issued by the Virginia Marine Resources Commission should be consulted and considered in the decision-making process: "Shoreline Development BMPs," "Wetlands Guidelines," and "Subaqueous Guidelines." Consistent with these documents, shoreline protection structures should only be pursued where there is active, detrimental shoreline erosion which cannot be otherwise controlled, and such structures should be constructed in a manner that minimizes adverse wetlands impacts.

Shoreline stabilization approaches that apply biological techniques, using native plant species, are preferred where such approaches are consistent with the best available technical guidance, which may include guidance provided by the Virginia Marine Resources Commission, the Virginia Institute of Marine Science, and the Shoreline Erosion Advisory Service. Unless otherwise advised through such guidance, the following preferences, as refined from guidance developed by the Hampton Roads Planning District Commission and subsequently recommended for broader application in tidal areas by the Division of Chesapeake Bay Local Assistance of the Virginia Department of Conservation and Recreation (formerly the Chesapeake Bay Local Assistance Department), should be applied, where feasible, in determining the appropriate approaches to shoreline stabilization (with practices listed in decreasing order of preference):

**Areas with Low Erosion Rates (< 1 ft/yr.)
(low energy shorelines with an average fetch exposure of <1
nautical mile)**

1. Vegetative stabilization with or without bank re-grading
2. Revetments
3. Bulkheads

**Areas with Moderate Erosion Rates (1- 3 ft/yr.)
(medium energy shorelines with an average fetch exposure of 1-5
nautical miles)**

1. Vegetative stabilization with/or without bank grading
2. Revetments
3. Breakwaters
4. Groins*
5. Bulkheads

Proposed Changes - Comprehensive Plan, Policy Plan, Environment

- **ADD:** Fairfax County Comprehensive Plan, 2017 Edition, Policy Plan, Glossary, as amended through March 20, 2018, page 10

LIVING SHORELINE: "Living shoreline" means a shoreline management practice that provides erosion control and water quality benefits; protects, restores, or enhances natural shoreline habitat; and maintains coastal processes through the strategic placement of plants, stone, sand fill, and other structural and organic materials. When practicable, a living shoreline may enhance coastal resilience and attenuation of wave energy and storm surge.

LDR: See Low Density Residential Areas.

LEVEL OF SERVICE: A qualitative measure of the effect of a number of traffic factors, including speed and travel time, traffic interruptions, freedom to maneuver, safety, driving comfort and convenience, and traffic volume. These factors are used to measure the functioning of a road or intersection with traffic, and the resulting level of service is expressed by a rating of "A" (best) through "F" (worst).

LIVE/WORK UNITS: A unit consisting of both a commercial/office and a residential component, or, alternatively, units within the same building that are convertible to either a commercial/office use, residential use, or both.

LOCAL PARKS: Parks that serve local, or nearby residents, communities and workers; are easily accessible; and offer active and/or passive recreational facilities. The character, location, and access of local parks will vary depending upon the context; for example, whether the park is in a suburban neighborhood, a mixed use development, or an urban center.

LOCAL STREET: A street which is primarily intended to provide direct access to properties abutting the roadway and within the immediate vicinity. A Local Street offers the lowest level of mobility and usually does not serve a bus route. Overall operating speeds are low in order to permit frequent stops or turning movements to be made with maximum safety. Service to through traffic movement is deliberately discouraged.

LOS: See Level of Service.

LOW DENSITY RESIDENTIAL AREAS: The primary purpose of Low Density Residential Areas is to ensure the preservation of environmental resources by limiting development primarily to low density, large lot residential and open space uses. The rapidly decreasing supply of land in the county, coupled with the loss of natural habitat, plus the vital role that portions of these areas serve in protecting water quality dictates that development in these areas be minimized.

LOW IMPACT DEVELOPMENT (LID): The use of site and subdivision design techniques in coordination with stormwater management engineering to mimic the hydrologic conditions associated with an undeveloped site to the greatest extent practicable.

LOW-INCOME HOUSEHOLDS: Households with incomes that are less than 50 percent of the Metropolitan Statistical Area (MSA) median household income, adjusted for family size.

MAKERSPACE: Community workshop facilities that integrate multiple uses at a single site, and

Proposed Changes – Wetlands “Zoning Ordinance” /County Code

- **MODIFY:** Fairfax County Chapter 116. Wetlands Zoning Ordinance

CHAPTER 116. Wetlands Zoning Ordinance.¹¹

ARTICLE 1. In General.

Section 116-1-1. Purpose.

The governing body of Fairfax County, Virginia, acting pursuant to *Code of Virginia*, Title 28.2, Chapter 13, Section 28.2-1300 et seq., adopts this Ordinance regulating the use and development of wetlands. (47-88-116; 26-94-116.)

Section 116-1-2. Definitions.

As used in this Ordinance, unless the context requires a different meaning:

- (1) *Back Bay and its tributaries* means the following, as shown on the United States Geological Survey Quadrangle Sheets for Virginia Beach, North Bay, and Knotts Island: Back Bay north of the Virginia-North Carolina State line; Deal Creek; Devil Creek; Nawney Creek; Redhead Bay, Sand Bay, Shipps Bay, North Bay, and the waters connecting them; Beggars Bridge Creek; Muddy Creek; Ashville Bridge Creek; Hells Point Creek; Black Gut; and all coves, ponds and natural waterways adjacent to or connecting with the above-named bodies of water.
- (2) *Commission* means the Virginia Marine Resources Commission.
- (3) *Commissioner* means the Commissioner of Marine Resources.
- (4) *Governmental activity* means any of the services provided by this County to its citizens for the purpose of maintaining this County including, but not limited to such services as constructing, repairing and maintaining roads; providing sewage facilities and street lights; supplying and treating water; and constructing public buildings.
- (5) *Nonvegetated wetlands* means unvegetated lands lying contiguous to mean low water and between mean low water and mean high water including those unvegetated areas of Back Bay and its tributaries and the North Landing River and its tributaries subject to flooding by normal and wind tides but not hurricane or tropical storm tides.
- (6) *North Landing River and its tributaries* means the following as shown on the United States Geological Survey Quadrangle Sheets for Pleasant Ridge, Creeds, and Fentress: the North Landing River from the Virginia-North Carolina line to Virginia Highway 165 at North Landing Bridge; the Chesapeake and Albermarle Canal from Virginia Highway 165 at North Landing Bridge to the locks at Great Bridge; all named and unnamed streams, creeks, and rivers flowing into the North Landing River and the Chesapeake and Albermarle Canal except the following: West Neck Creek north of Indian River Road; Potaty River west of Blackwater Road; Blackwater River west of its forks located at a point

¹¹ Chapter 116, §§ 116.1-1—116.1-12, 116-2-1, was added by Ord. No. 47-88-116. The numbering system implies that the intention was to divide the chapter into two articles. The article designation and titles are by the editor. With the exception of § 116-1-2, the ordinance gave no catchline titles to the sections; these have

Project Schedule & Milestones





PLANNING & DEVELOPMENT



Overview of the Plan Amendment: Coastal Resource Management/Tidal Shoreline Erosion Control (2013-CW-9CP)

Department of Planning and Development