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Chesapeake Bay Preservation Ordinance

Chesterfield County Amends Ordinance for Zoning Application

Amendments are now in effect concerning Chesterfield County's response to the Chesapeake Bay Preservation Ordinance. On November 23, 2004, the Chesterfield County Board of Supervisors adopted amendments to the Chesapeake Bay Preservation Ordinance. These amendments were developed to comply with changes to the State Chesapeake Bay Preservation Designation and Management Regulations that were adopted in 2001.

One of the requirements of both the State Regulations and the Ordinance is to ensure that "a reliable, site-specific evaluation is conducted to determine whether water bodies on or adjacent to the development site have perennial flow..." The Ordinance further states that such evaluations are to be approved by the Office of Water Quality (OWQ) as part of, or prior to, a zoning application, plan review process or in conjunction with the review of a water quality impact assessment for a development project.

If a stream is determined to be perennial, a 100-foot Resource Protection Area on either side will apply, radically impacting developable acreage. The determination method that is suggested by staff is the Fairfax method, although the North Carolina method is acceptable.

If you would like to know more about this change please contact Matt Overton, (moverton@daa.com) at (804) 264-2228. You can also go to the Virginia Department of Conservation and Recreation's Division of Chesapeake Bay Local Assistance web site at www.cblad.state.va.us for more information.

If you would like to have your name removed from our fax list, please send your request to chanks@daa.com.



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