

**ACTION ITEM
BOARD OF SUPERVISORS**

DATE August 19, 2008

TO: Board of Supervisors

FROM: Anthony J Romanello, ICMA-CM
County Administrator



ISSUE: Discuss Proposed Rappahannock River Overlay District

STAFF RECOMMENDATION N/A

BUDGET IMPACT N/A

ATTACHMENTS (2)

[1] Letter dated 06/10/08 [] **Reso/Ord/Proc #**

[2] BOS Minutes dtd 04/15/08 [] **Reso/Ord/Proc #**

[] [] **Reso/Ord/Proc #**

REVIEW. [] County Administrator's Office _____

[] Legal _____

[] Budget Division _____

[] **Consent Agenda**

[] **Other Business**

[] **Public Hearing**

[] **Discussion Item**

[] **Presentation**

[] **Unfinished Business**

[X] **New Business**

PRESENTATION BY: Paul Milde

ELECTION DISTRICT N/A

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COUNTY ADMINISTRATOR
ANTHONY J. ROMANELLO, ICMA-CM

June 10, 2008

Honorable George H. Schwartz, Chairman
Stafford County Board of Supervisors
P O Box 339
Stafford, VA 22555

SUBJECT *Proposed Rappahannock River Overlay District*

Dear Mr. Schwartz

At a meeting on April 15, 2008, the Board requested the Planning Commission to consider an overlay district for the Rappahannock River. This ordinance may be similar to the ordinance being considered for the Potomac River Resource Protection Overlay District. The Planning Commission discussed this issue at its meeting on June 4, 2008. The Planning Commission voted to defer any action on an ordinance for the Rappahannock River Overlay District until the Board takes action on the Potomac River Overlay District.

The Planning Commission believes that the Potomac River overlay is critical due to the impairments of the tributaries within the proposed district. The large tidal estuaries are subject to further impacts, and the strict requirements of the ordinance are designed to help mitigate those impacts. The characteristics of the Rappahannock River watershed vary from the Potomac River watershed. The Rappahannock River contains smaller drainage areas than the Potomac River. In addition, the Rappahannock River watershed already has some level of protection with the City of Fredericksburg's conservation easement. Therefore, the Planning Commission feels that the efforts should be immediately focused on the Potomac River overlay. Once action is taken on the Potomac River overlay, the Planning Commission will have a better understanding on how to proceed with a similar ordinance for the Rappahannock River.

Thank you for your consideration of the Planning Commission's recommendation. Please contact me if you have any questions on this matter.

Sincerely,

Peter J. Fields, Chairman
Planning Commission

PJF/jh

Cc Anthony J. Romanello, County Administrator
Jeffrey A. Harvey, Director of Planning and Zoning

The Voting Board tally on the amended motion was

Yea (3) Dudenhefer, Milde, Sterling
Nay (4) Woodson, Brito, Crisp, Schwartz

Mr Milde motioned, seconded by Mr Crisp, to direct the Planning Commission to include the Rappahannock River in a comprehensive Protection Overlay Ordinance and bring back to the Board no later than September 2008 because the Board finds that public necessity, convenience, general welfare, and good zoning practice requires the adoption of such an ordinance

Mr Sterling made a friendly amendment to request that the Planning Commission report back to the Board no later than September 2, 2008

The Voting Board tally on the amended motion was

Yea (4) Crisp, Dudenhefer, Milde, Sterling
Nay (3) Brito, Schwartz, Woodson

Mr Milde motioned, seconded by Mr Sterling, to direct staff provide additional information to the Board regarding the economic impact analysis and a map for the proposed overlay on the Potomac River prior to the scheduled public hearing

Mr Harvey commented

Discussion ensued

The County Administrator commented further

The Voting Board tally was

Yea (4) Dudenhefer, Milde, Sterling, Brito
Nay (3) Crisp, Schwartz, Woodson