

CODE AND ORDINANCE WORKSHEET - Addendum A  
Erosion Control, Stormwater, and Other Resource  
Issues

<b>A1. Erosion &amp; Sediment Control</b>	
Has the erosion & sediment control ordinance been updated to incorporate changes to the State Law & Regulations, effective July 2003?	<b>YES/ NO</b>
<i>If the local code has been <b>amended subsequent to July 2003</b>, assign 1 point</i>	
Does the local code regulate land disturbing activities that are smaller than the State standard?	<b>YES/ NO</b>
<i>If the threshold to obtain an erosion &amp; sediment control plan is <b>less than 10,000 square feet</b>, assign 1 point (see note below)</i>	
Do local codes or procedures provide verification that construction sites of 1 acre or more have obtained a Virginia Storm Water Management Permit through DCR?	<b>YES/ NO</b>
<i>If the answer is <b>YES</b>, assign 1 point</i>	
<p>Notes on Stormwater Treatment (include source documentation such as name of document, section and page #):  <b>For land disturbing threshold, there will be a discrepancy in Virginia between localities subject to the Chesapeake Bay Preservation Act and those that are not. For CBPA localities, the erosion control threshold should 2,500 square feet within a Resource Management Area. Outside CBPA localities, the threshold would nominally be 10,000 square feet based on the Erosion &amp; Sediment Control Act; however, localities can elect to have a smaller threshold. Assign the point if the threshold is less than 10,000 square feet outside the CBPA area, OR, within the CBPA area, if the 2,500 square foot limit applies to the entire county.</b></p> <p><b>The final question in this section relates to a program currently administered by the Department of Conservation &amp; Recreation. Construction sites of 1 acre or more must obtain a construction discharge permit <u>in addition to</u> local erosion and sediment control plan approval. If the locality does not require verification, then grading permits would conceivably be issued for sites that do not have the State authorization. Legally, it is not the local responsibility to ensure this coordination, but localities that do it are demonstrating a greater degree of motivation.</b></p>	
<b>A2. Stormwater Management</b>	
Is your locality subject to the VPDES permit program for municipal separate storm sewer systems (MS4s)?	<b>YES/NO</b>
<i>If the answer is <b>YES</b>, do not assign a point, but make note in the documentation.</i>	
Does the local code contain a stormwater management ordinance, or stormwater criteria in zoning or other ordinances	<b>YES/NO</b>
<i>If the answer is <b>YES</b>, assign 1 point</i>	
Does the local stormwater ordinance include reference to the State Stormwater Management Handbook or a local design manual?	<b>YES/NO</b>
<i>If the answer is <b>YES</b>, assign 1 point</i>	
Does the local ordinance or design standards require extended detention of the 1-year, 24-hour storm	<b>YES/NO</b>
<i>If the answer is <b>YES</b>, assign 1 point</i>	
Does the local ordinance, design standards, or procedures manual provide for long-term maintenance of stormwater practices, such as a recorded maintenance agreement, inspection, and right-of-access easements or agreements?	<b>YES/NO</b>
<i>If the answer is <b>YES</b>, assign 1 point</i>	

Do the allowable stormwater treatment practices include low-impact design, better site design, conservation of open space, and other non-structural practices?	<b>YES/NO</b>
<i>If the answer is <b>YES</b>, assign 2 points</i>	
Notes on Stormwater Practices Allowed (include source documentation such as name of document, section and page #) <b>In Virginia, CBPA localities and MS4 localities must adopt stormwater standards. Other localities may elect to adopt these standards to include quantity control, quality control, and/or channel protection (Virginia Stormwater Management Act &amp; Regulations). The 1-year, 24-hour storm standard is not commonly applied, as it is above and beyond the nominal standards of the 2 and 10-year storms. For the low-impact development question, the local ordinance or standards should specifically address these approaches and allow their use in order for the point to be assigned.</b>	
<b>A3. Illicit Discharges</b>	
Is there a local ordinance that prohibits non-stormwater flows to the stormdrain system?	<b>YES/NO</b>
<i>If the answer is <b>YES</b>, assign 1 point</i>	
Does your community have authority to investigate suspected illicit discharges and carry out enforcement actions?	<b>YES/NO</b>
<i>If the answer is <b>YES</b>, assign 1 point</i>	
Notes on Illicit Discharges (include source documentation such as name of document, section and page #) <b>Illicit discharge detection &amp; elimination is a required program element for MS4s. However, not all MS4s will have adopted this element into their ordinances at this point in time.</b>	

<b>A4. Stream &amp; Wetland Permits</b>	
Do the local codes or procedures require verification that all relevant State and Federal permits for impacts to streams and wetlands are obtained prior to issuance of a local grading permit?	<b>YES/ NO</b>
<i>If the answer is <b>YES</b>, assign 1 point</i>	
Notes on Stream & Wetland Permits (include source documentation such as name of document, section and page #): <b>Both the Army Corps of Engineers and VA Department of Environmental Quality require permits for fill and discharge to streams and wetlands in some circumstances (above certain thresholds). In some cases, poor coordination between these agencies and the locality can result in conflicting plans or disturbances to streams and wetlands that have not been authorized.</b>	
<b>A5. Septic Systems</b>	
Does the local code or standards require setbacks between septic systems and streams that are greater than the minimum State standard?	<b>YES/NO</b>
<i>If the local septic setback to streams is greater than <b>50 feet</b>, assign 1 point.</i>	
Does the local code or standards require reserve drainfield size in excess of the minimum State standard?	<b>YES/NO</b>
<i>If the local reserve drainfield requirement is <b>100%</b>, assign 1 point.</i>	

Notes on Septic Systems (include source documentation such as name of document, section and page #)  
**The Virginia Department of Health administers the standards and permits for septic systems and wells. However, Virginia localities are authorized to have more stringent standards.**

**A6. Open Space & Rural Land Protection**

Is there a local program that authorizes Agricultural & Forestal Districts in accordance with State Code?	<b>YES/NO</b>
<i>If the answer is YES, assign 1 point</i>	
Is there a local program that authorizes Use Value Taxation for open space in accordance with State Code?	<b>YES/NO</b>
<i>If the answer is YES, assign 1 point</i>	
If the answer is YES to one or both of the above, does the locality require a soil & water conservation plan as a condition for enrollment in the District or taxation classification?	<b>YES/NO</b>
<i>If the answer is YES, assign 2 points</i>	
Does the locality have a Purchase of Development Rights program?	<b>YES/NO</b>
<i>If the answer is YES, assign 2 points</i>	

Notes on Open Space & Rural Land Protection (include source documentation such as name of document, section and page #)  
**Virginia Code authorizes localities to have Agriculture & Forestal Districts and Land Value Taxation for open space, and provides certain conditions and standards. Enrolled properties then enjoy breaks on the local property tax. However, the State does not require any conservation standards for property enrolled in one of these programs. Localities can supplement the program by requiring the conservation standards.**

--	--

**Time to Assess:** Principles A1 – A6 of the Addendum focused on the codes, ordinances, and standards that address erosion control, stormwater management, and natural resource and open space management. There were a total of **20** points available for Principles A1 – A6. What was your total score?

SUBTOTAL FOR QUESTIONS A1 THROUGH A6 =

--

Where were your codes and ordinances most in line with the principles? What codes and ordinances are potential impediments to better development?

---



---



---



---