



Waynesboro City Council Agenda Briefing

Meeting Date:	November 13, 2019	Staff/Council Member(s): D. James Shaw II, Deputy City Manager/Trafford McRae, Jennifer Allen-Key, Public Works
Agenda Item #	6	
Resolution#		
Department:	Public Works Department	
Subject:	Proposed Amendments to Chapter 30 of The Code of the City of Waynesboro	

Background:

Chapter 30 of the Code of the City of Waynesboro is titled “Environment” and includes the local ordinances for programs that regulate stormwater runoff and erosion and sediment control. Chapter 30, Article III, Division 2, Stormwater Utility Enterprise is the local code to establish the Stormwater Utility Fee and the framework for policies, such as adjustments and credits, to manage the enterprise. Chapter 30, Article II is specific to the regulation of erosion and sediment control. These sections of the City Code reference and must be consistent with applicable state codes.

City staff is recommending several amendments to Chapter 30 in order to improve the effectiveness of local programs to monitor and manage construction sites. Such programs are required by the Commonwealth of Virginia and subject to regular oversight from the Virginia Department of Environmental Quality. Other recommended changes are intended to remove definitions that are no longer applicable to current state regulations or will enhance clarity of the applicability of the stormwater utility fee. The proposed changes are summarized below:

- **Add to Chapter 30, Article II, Sec. 30-30. - Permits; fees; security for performance. (e)**

Where the land-disturbing activity results from the construction of a single-family residence with less than 10,000 square feet of total land disturbance, a performance bond of \$2,500 must be provided.

This process of providing a surety for single family construction will provide the City with a necessary tool to ensure that grading operations associated with single family construction are completed in a timely manner. This requirement is consistent with requirements of other localities in the area.

- **Amendments to Chapter 30, Article III, Sec. 30-41 – Definitions**

Deletion of the definitions ‘average land cover’, “existing conditions”, ‘VSMP authority permit’ and ‘redevelopment’. Amendment to the definition of ‘pre-development’.

These definitions are no longer relevant to current Code language.

- **Add to Chapter 30, Article III. – Stormwater Management, Sec. 30-54. - Fees.**

The 28% Department of Environmental Quality portion of the \$290 for commercial outparcel development in the amount of \$81.00.

This portion of the fee remitted to the Commonwealth was inadvertently omitted from the current ordinance.

- Amendments to **Chapter 30, Article III. Sec. 30-58. – Stormwater utility fee.**
 - (a) *A stormwater utility fee is hereby imposed on every improved parcel in the city that appears on the real property assessment rolls as of January 1st of each year. All stormwater utility fees and other income from the fees shall be deposited into the stormwater management enterprise fund.*

Adds the language “*A parcel shall be deemed an improved parcel when the improvements are substantially completed or fit for use and/or occupancy prior to December 31st of the year of completion*” in order to simplify the assessment of stormwater utility fees.

City Manager’s Recommendation: The proposed revisions to the City Code Chapter 30, Articles II and III serve primarily to improve clarity, comply with provisions of the State code or improve enforcement tools. The Staff recommends that the ordinance revisions be adopted as proposed.

Suggested Motion(s): A motion should be made to introduce proposed revisions to City Code Chapter 30, Articles II and III pertaining to Erosion and Sediment Control and Stormwater Management.

Attachments: Ordinance