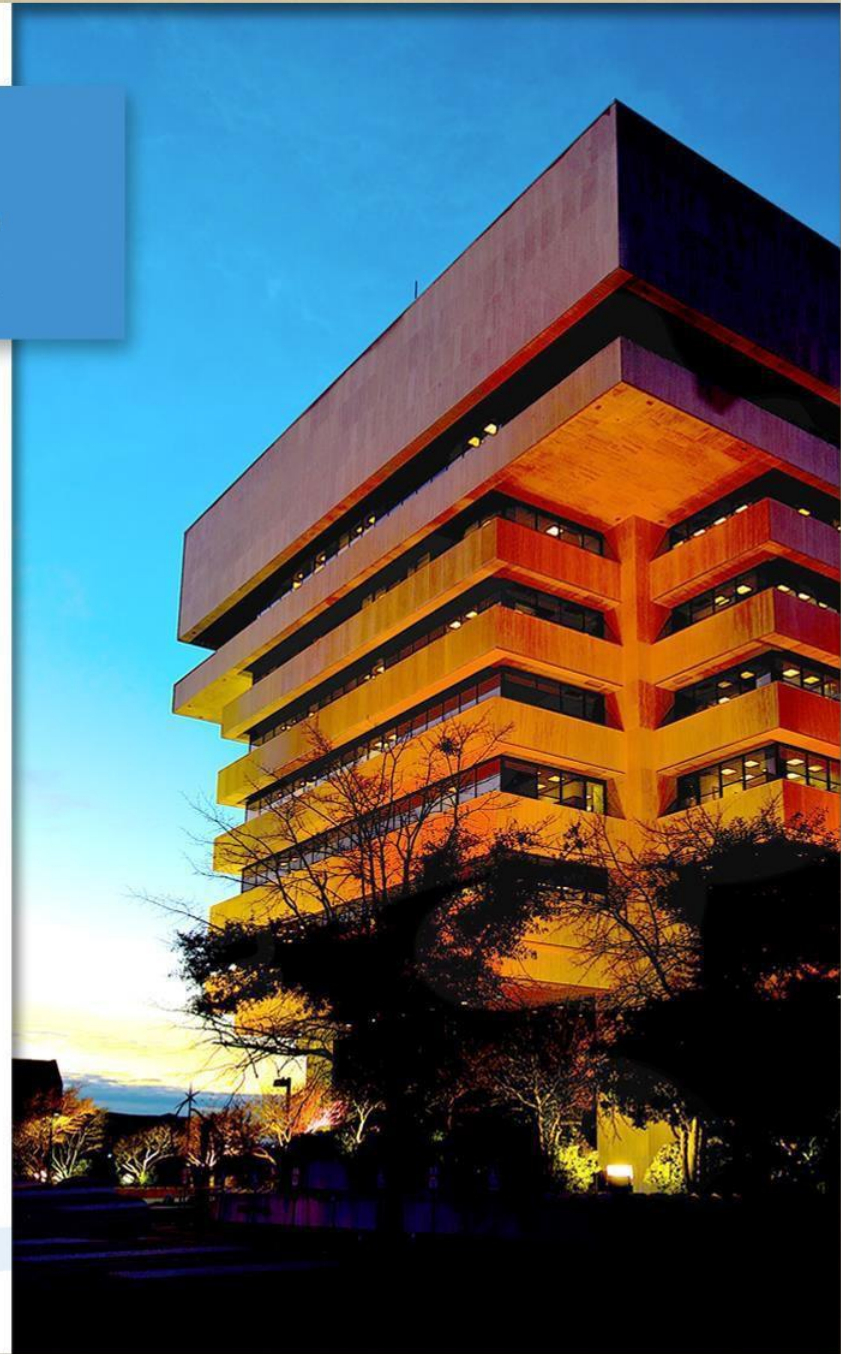


HAMPTON VA

**Consolidated  
Stormwater  
Management and  
Erosion Control  
Ordinance**

**September 11, 2024**



# Background

- The State Water Control Board (SWCB) approved and adopted the Virginia Erosion and Stormwater Management Regulation (VESM) at their June 22, 2023 meeting.
- The new VESM regulation requires the update of local ordinances.
- The Virginia Department of Environmental Quality (DEQ) developed a model ordinance for use by localities to address these issues.
- These updates impact Hampton's Stormwater Management, Land Disturbing Operations, Site Plans, Subdivisions and Chesapeake Bay Preservation Act ordinances.
- City staff has met for several months to update and consolidate the Land Disturbing Operations (Chapter 13.1) and Stormwater Management (33.2) ordinances.

# Changes to the Ordinances

- Combined land disturbing operations (Chapter 13.1) and stormwater management (Chapter 33.2) chapters into single chapter (Chapter 33.3), with separate articles for each.
- Combined definitions sections for ease of reference.
- Adopted new phosphorous discharge limit of 0.26 pounds per acre in accordance with new DEQ regulation.
- Adopted new Virginia Runoff Reduction Spreadsheet for calculating required pollutant removal in accordance with DEQ regulation (<https://www.deq.virginia.gov/our-programs/water/stormwater/stormwater-construction/guidance-vrrm>).
- Adopted the new Virginia Stormwater Management Handbook as program and technical guidance ([Stormwater Handbooks | Virginia DEQ](#)).



# Changes to the Ordinances

- Aligned ordinance with state regulation, with respect to City oversight of franchise utility and railroad work
- Removed outdated language
- Aligned Virginia Pollutant Discharge Elimination System (VPDES) Construction General Permit fee table with state regulations
- Added additional clarity on when smaller areas of land disturbance are regulated in accordance with state regulation
- Updated reinspection fee from \$35.00 to 10% of permit fee for any third or subsequent initial and/or final inspections.



# Impact to Development

- Expanded land covers that now include “mixed open” in addition to managed turf.
- Examples of managed turf include yard areas, or areas to be routinely mowed, sports fields, parks, medians/right of ways, and around community centers.
- Examples of mixed open areas are power line easements, and other areas that have been disturbed and are mowed less than 4 times per year.
- Current phosphorous discharge limit of 0.41 pounds per acre updated to 0.26 pounds per acre.
- When using the new phosphorous discharge limit, there is generally an overall reduction in the pollutants to be removed from commercial development projects.
- There is an increase in the pollutants to be removed from projects that include large areas of managed turf.



# Next Steps

The following actions are necessary to accomplish this consolidation.

- Repeal Chapter 13.1 – Land Disturbing Operations.
- Repeal Chapter 33.2 – Stormwater Management.
- Enact Chapter 33.3 – Stormwater Management and Erosion Control.
- Once the ordinance is adopted, the City has until July 1, 2025 to implement the changes.



HAMPTON VA

**Questions ??**

