



New Single Family Bulletin:

Contractors Building Single Family Homes in the City of Norfolk.

Due to the problem of off site erosion and sediment entering the storm drain system, the City will be strictly enforcing the Erosion and Sediment Control Ordinance on single family home construction.

Contractors are responsible for:

1. Establishing and maintaining silt fences along all street frontages and adjacent to waterways or wetlands.
2. Protecting stormwater inlets directly adjacent to site with approved inlet protection.
3. Establishing a mulch or stone construction entrance if no driveway exists and sweeping sediment eroded or tracked offsite.
4. **Lots must be completely stabilized prior to Certificate of Occupancy being released.**

Violation of Norfolk's Erosion and Sediment Control Ordinance is a first class misdemeanor punishable up to \$2500 dollars a day.

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Agreement in Lieu of Soil Erosion Control and Stormwater Management Plan – Single Family

This form is not intended to replace a Common Plan of Development.

The Applicant, identified in their signature below and who is the owner or permittee of the address identified herein, and the City of Norfolk enter into the following Agreement in Lieu of a Plan as permitted by Virginia Code § 62.1-44.15:24 *et seq.* For and in consideration of the promises set forth herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and Applicant hereby agree to the following terms and conditions, effective as of the date of execution:

Address of Single-Family Residential Structure:

_____ New Construction _____ Demolition

Is this lot located within a subdivision with a prior approved plan? Yes _____ No

Site Plan # _____

Subdivision Name: _____

Contact Person (owner/builder/permittee):

Name: _____

Address: _____

Phone Number: _____

Email Address: _____

In lieu of the submission of a Soil Erosion Control and Stormwater Management Plan, where a single-family stand-alone residence is constructed, the Applicant shall submit this documentation stating compliance with the Grading and Drainage Requirements for Single-Family Dwellings, the City of Norfolk City Code Section 42-20.2 and 42-20.3, and the Virginia Erosion and Stormwater Management Regulation (9VAC25-875-10 through 9VAC25-875-1420, effective July 1, 2024). This document shall be **required** for all single-family residences that are separately built and not part of a larger common plan of development.

As required by the Construction General Permit (VAR10), a copy of this signed and dated “Agreement in Lieu of a Plan” shall be maintained in Applicant’s Stormwater Pollution Prevention Plan (SWPPP) for the construction activity.

Storm Water Management: Applicant agrees post-construction runoff from the property shall be minimized to the maximum extent practicable and shall be controlled to prevent flooding or erosion damage from occurring on adjacent or downstream properties. In meeting this requirement, Applicant agrees to direct:

810 Union Street Suite 508 Norfolk VA 23510

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1. Runoff from rooftops as non-erosive sheet flow to well-vegetated areas on the property to the maximum extent practicable,
2. Runoff from on-lot impervious surfaces (e.g., driveways, parking areas, sidewalks) as non-erosive sheet flow to well-vegetated areas on the property to the maximum extent practicable, and
3. Runoff from lawns as non-erosive sheet flow to undisturbed naturally-vegetated areas on the property to the maximum extent practicable.

Pollution Prevention Plan: Applicant agrees compliance with this Pollution Prevention Plan is required to minimize the discharge of pollutants. By Applicant's initial next to each item in space provided, Applicant agrees that they and any of their agents, contractors, subcontractors, and employees will:

____ Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Wash waters must be treated in a sediment basin or alternative control that provide equivalent or better treatment prior to discharge.

____ Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste, and other materials present on the site to precipitation and to stormwater.

____ Minimize the discharge of pollutants from spills and leaks and implement chemical spill and leak prevention and response procedures.

____ Use effective best management practices to prohibit the following discharges:

1. Wastewater from washout of concrete.
2. Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds, retarders for exposed aggregate finishes, and other construction materials.
3. Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance.
4. Soaps or solvents used in vehicle and equipment washing.
5. Discharges from dewatering activities, including discharges from dewatering of trenches and excavation, unless managed by appropriate controls.

Applicant understands failure to comply with the requirements listed above within a reasonable time specified by City of Norfolk staff may result in enforcement actions. Violations that are not corrected within the allowed time may result in a violation of City Code 41.1-4, *Pollution of the storm water system*. A violation of this code is a class 1 misdemeanor, punishable by a maximum penalty of \$2500/day and/or up to 12 months in jail.

Erosion and Sediment Control Plan: This Agreement in Lieu is an acceptable alternative to the preparation of an individual erosion control plan.

Applicant agrees to comply with the limitations and conditions of this agreement to limit and control off-site sedimentation, including but not limited to use of effective best management practices as follows.

Use of effective best management practices to prohibit sedimentation from leaving the site include the follow:

1. Unless otherwise indicated, all vegetative and structural erosion and sediment control practices will be constructed and maintained according to minimum standards and

specifications of the Virginia Stormwater management Handbook and the City of Norfolk erosion and sediment control ordinance.

2. The contractor shall contact the City of Norfolk, Bureau of Environmental Services (664-4368) at least 48 hours prior to any land disturbing activity (including demolition) so that a preconstruction conference can be scheduled.
3. The contractor shall apply permanent or temporary soil stabilization to all denuded or disturbed areas within 7 days after final grade is reached on any portion of the site. Soil stabilization must also be applied to denuded or disturbed areas which may not be at final grade, but which will remain undisturbed for longer than 14 days. Soil stabilization measures include vegetative establishment, mulching and the early application of gravel base material on areas to be paved.
4. All erosion and sediment control measures are to be placed prior to or as the first step in construction.
5. The contractor shall inspect all erosion control measures periodically and after each runoff producing rainfall event. Any necessary repairs to maintain the effectiveness of the erosion control devices and cleanup of sedimentation are the responsibility of the contractor and should be made immediately.
6. The contractor shall limit site access by construction vehicles to entrances protected by a stone construction entrance (VSMH C-SCM-03) or an approved comparable control measure. Sediment shall be removed from paved areas daily.
7. Stockpiles of soil and other erodible materials shall be stabilized or protected with sediment trapping measures. The contractor is responsible for the temporary protection and permanent stabilization for stockpiles on site as well as for materials transported from the project site.
8. The contractor shall monitor and take precautions to control dust including (but not limited to) use of water, mulch, or chemical dust adhesives and control of construction site traffic.
9. Effluent from de-watering operations shall be filtered or passed through an approved sediment trapping device, or both, and discharged in a manner that does not adversely affect adjacent properties, wetlands, waterways or the storm drainage system.
10. The contractor is responsible for installation and maintenance of any additional control measures necessary to prevent erosion and sedimentation as determined necessary by the plan approving authority.
11. Temporary erosion and sediment control measures are not to be removed until all disturbed areas are stabilized. After stabilization is complete, all measures shall be removed within 30 days. Trapped sediment shall be spread and seeded.

In addition, Applicant agrees to comply with all requirements determined necessary by any City of Norfolk Inspector if, upon field inspection, the measures employed on-site are found to be ineffective at controlling off-site sedimentation. Such requirements shall be based on the standards contained in the City of Norfolk's Erosion and Sediment Control Ordinances (Norfolk City Code, Chapter 15) and the City of Norfolk's Virginia Erosion and Stormwater Management Program. These standards represent the minimum practices necessary to provide adequate control of erosion and sedimentation resulting from this project.

Applicant understands failure to comply with the conditions of this agreement could result in citations for violations of the Uniform Statewide Building Code, Erosion and Sediment Control Ordinances (Norfolk City Code, Chapter 15), and other applicable City codes.

Applicant fully understands that not complying may result in the revocation of this “Agreement in Lieu of a Plan” and that the submission of a project-specific Soil Erosion Control and Stormwater Management Plan in accordance with 9VAC25-875-110 of the Virginia Erosion and Stormwater Management Regulation may be required.

APPLICANT

By _____

Printed Name _____

Select one or both: ☐ Owner ☐ Permittee

CITY OF NORFOLK

By _____
City Manager

Date _____

ATTEST:

City Clerk

APPROVED AS TO CONTENT:

Director, Department of City Planning

APPROVED AS TO FORM AND CORRECTNESS:

Assistant City Attorney



City of Norfolk

Responsible Land Disturber Notification

Project name: _____ Date: _____

Project Address: _____

Site Plan Number: _____ Land Disturbance: _____

Responsible Land Disturber (R.L.D.) Notification

The following person _____ *print,*

X _____ *sign,*

Is identified as responsible for carrying out the land disturbing activity associated with the above- referenced project. This person meets the applicable requirements of Virginia Code Section 62.1-44.15:55 and 62.1-44.15:58 by virtue of the following:

Check the category that applies & Fill in Certificate Number:

_____ Responsible Land Disturber Certificate #: _____

OR

_____ DEQ Certification for Combined Administrator, Plan Reviewer, Inspector

OR

_____ VA Professional Engineer, Land Surveyor, Landscape Architect, or Architect.

R.L.D. contact information:

Company Name: _____

Address: _____

City / State / Zip: _____

Phone #: _____ Cell #: _____

Fax #: _____ Email: _____