



Office of the Town Manager  
Frank Cassidy

## **STAFF REPORT**

### **Warrenton Town Council**

Carter Nevill, Mayor  
Heather Sutphin, Ward 1  
William Semple, Ward 2  
Brett Hamby, Ward 3  
James Hartman, Ward 4 Vice Mayor  
Eric Gagnon, Ward 5  
Paul Mooney, At Large  
David McGuire, At Large

Item f.

<b>Council Meeting Date:</b>	June 11 <sup>th</sup> , 2024
<b>Agenda Title:</b>	Erosion and Stormwater Management Ordinance
<b>Requested Action:</b>	Adoption of the Erosion and Stormwater Management Ordinance
<b>Department / Agency Lead:</b>	Public Utilities
<b>Staff Lead:</b>	Steven Friend, Director of Public Utilities / Kerry Wharton, Stormwater Administrator

### **EXECUTIVE SUMMARY**

The Virginia Erosion and Stormwater Management Regulation (9VAC25-875) updates included consolidation requirements of the Erosion and Sediment Control Regulation (9VAC25-840); Erosion and Sediment Control and Stormwater Certification Regulation (9VAC25-850); and Virginia Stormwater Management Program Regulation (9VAC25-870) into one chapter of the Virginia Administrative Code. To align with these requirements, the Town has combined existing erosion and sediment control and stormwater regulations into a new chapter of the Town Code named the "Erosion and Stormwater Management Ordinance". This ordinance will be effective July 1, 2024.

### **BACKGROUND**

Stormwater management is the collection and use of stormwater to protect the environment by preventing unregulated and potentially harmful pollutants from entering the Town's waterways. Pollutants include silt, dirt, trash, and other contaminants. Stormwater Management also reduces the nutrient loading in the streams which can disrupt the natural ecology of the waterways and could harm aquatic plant life and animal life.

The Town's current Erosion and Sediment Control and Stormwater regulations are included in the Town's Zoning Ordinance as Articles 4 & 5. The "Consolidation Bill" requires the combination of existing regulations to clarify program requirements, eliminate redundancies, and correct inconsistencies between the stormwater management and erosion control regulations.

Our current ordinance administers the Virginia Erosion and Sediment Control Program and the Virginia Stormwater Management Program separately within the Town's Zoning Ordinance. A new erosion and stormwater management ordinance has been created to address the new combined Erosion and Stormwater Management Regulations as required per state code.

The newly created Erosion and Stormwater Management Ordinance will be effective July 1, 2024.

**STAFF RECOMMENDATION**

Staff recommends the adoption of the standalone chapter to address Erosion and Stormwater Management. A separate initiation will strike the language from the Town of Warrenton’s Zoning Ordinance.

**Service Level/Collaborative Impact**

Adoption of the ordinance will bolster the vision of Plan Warrenton 2040 by helping to preserve the visual aesthetics and protect environmentally sensitive areas from unregulated / unmonitored runoff related to new and existing construction, and to maintain state code requirements. This will have a collaborative impact on the Public Utilities Department, Community Development Department, and Public Works departments.

**Policy Direction/Warrenton Plan 2040**

Plan Warrenton 2040 seeks to preserve, enhance, and protect the environmental, scenic, and natural quality of the Town. The proposed Erosion and Stormwater Management Ordinance ensures all construction activities are properly regulated and maintained and limit pollution and enhance water quality through proper Stormwater Management practices. It directly relates to Community Facilities Goal of:

**CF-4:** Ensure healthy, safe, adequate water and wastewater services.

**Fiscal Impact**

None identified at this time.

**Legal Impact**

None identified at this time.

**ATTACHMENTS**

1. Ordinance 2024-13: An Ordinance Creating Chapter 21 “Erosion and Stormwater Management”, of the Code of the Town of Warrenton, Effective July 1, 2024