

Proposed Ordinance Amendment

Stormwater Construction Permit Fees

Background

- Virginia Erosion and Stormwater Management Regulation
 - Amended to increase fees for plan review and permits
 - Incorporates CPI adjustment for future fee increases
 - Effective no earlier than July 1, 2026
- City's plan review and permit fees for erosion and stormwater management match "old" state fees
- Staff propose to adopt "new" state fees and CPI adjustment

Options

1. Adopt ordinance amendment adjusting erosion and stormwater management construction permitting fees to match state fees and future CPI adjustments as proposed by staff.
2. Adopt ordinance amendment adjusting erosion and stormwater management construction permitting fees to match current state fee increase, but require future ordinance amendment be considered whenever state fees change.
3. Keep ordinance with current erosion and stormwater management construction permitting fees.

Details

- State Water Control Board adopted amended regulation on 11/18/2025
- State law requires fees to cover between 60% and 62% of costs for state stormwater program
- Guidance: locality stormwater program fees to match state fees
- 30% of locality stormwater program fees are remitted to state to cover their oversight costs

Details

- City's erosion and stormwater management construction permit fees are listed explicitly in the City's ordinance.
- Proposal: Revise City's permit fees to incorporate state's fees by reference.
- Future increases in state fees would increase City fees without need to amend City ordinance

Details

- No proposed fee increases for:
 - Erosion control only plans
 - Resubmission of plans not approved
 - Single family detached residential structures

Details

- 30% of locality fee contribution to state is based on the state's fee schedule, not the locality's
- If City reduces or waives fees under its program, the City must still remit to the state
- City would retain less revenue to support its program

Example: Small Construction Activity fee

	Total fee collected	Portion remitted to state	Portion kept by City
Current fee schedule	\$2,700	\$756	\$1,944
If City <u>matches</u> new state fee schedule	\$4,100	\$1,230	\$2,870
If City <u>does not match</u> new state fee schedule	\$2,700	\$1,230	\$1,470

Recommendation

- Adopt ordinance amendment adjusting erosion and stormwater management construction permitting fees to match state fees and future CPI adjustments as proposed by staff.

Questions and Discussion
