

# ***LAND DISTURBANCE PERMIT APPLICATION PACKAGE***

## ***SINGLE FAMILY DWELLINGS***



***Department of Public Services  
301 E Cork Street  
Winchester, VA 22601  
(540) 773-1340 Telephone  
(540) 662-5227 Fax***

***January 2024***

## EROSION AND SEDIMENT CONTROL PLAN

### SUBMISSION CHECKLIST

This application package is designed to ensure that regulated land disturbing activities occur only after approval of an erosion and sediment control plan. The erosion and sediment control application is not considered complete unless all of the required information listed below is present. If any part of the required information is missing, the application will not be accepted by the City of Winchester, Engineering Division of the Department of Public Services.

- 1. Completed Agreement In Lieu of An Erosion and Sediment Control Plan form provided in the land disturbance permit application package (pages 6-7).
- 2. Check for land disturbance permit fee (make check payable to City of Winchester, Virginia).

Each application shall be accompanied by a fee, according to the following schedule:

Single Family Residences (Agreement in Lieu of a Plan)  
\$50 per building unit

***Note: There is an applicable fee required for all land disturbance permit applications.  
The fee is payable at the time the land disturbance permit application is submitted.***

- 3. Proposed lot grading plan, including location of house, garage, easements, and floodplain boundaries (if applicable).

## ACTIVITIES REQUIRING AN EROSION AND SEDIMENTATION CONTROL PLAN

An Erosion and Sedimentation Control Plan must be submitted, reviewed, and approved before a land disturbance permit will be issued by the City of Winchester. A permit is required for any land disturbing activity. A land disturbing activity is defined as: Any land change which may result in soil erosion from water or wind and the movement of sediments into State waters or onto lands in the Commonwealth, including, but not limited to, clearing, grading, excavating, transporting and filling of land.

Only those land disturbing activities specifically exempted by Chapter 9 of the City of Winchester Water Protection Ordinance may be conducted without first obtaining a permit. These exempted activities are:

- A. Minor land-disturbing activities such as home gardens and individual home landscaping, repairs and maintenance work;
- B. Individual service connections;
- C. Installation, maintenance, or repair of any underground public utility lines when such activity occurs on an existing hard-surfaced road, street or sidewalk provided such land-disturbing activity is confined to the area of the road, street or sidewalk which is hard-surfaced;
- D. Septic tank lines or drainage fields unless included in an overall plan for land-disturbing activity relating to construction of the building to be served by the septic tank system;
- E. Surface or deep mining;
- F. Exploration or drilling for oil and gas including the well site, roads, feeder lines, and off-site disposal area;
- G. Tilling, plant, or harvesting of agricultural, horticultural, or forest crops, or livestock feedlot operations; including engineering operations and agricultural engineering operations as follows: construction of terraces, terrace outlets, check dams, desilting basins, dikes, ponds not required to comply with the Dam Safety Act, Article 2, (sec. 10.1-604 et seq.), Chapter 6 of the Code of Virginia, ditches, strip cropping, lister furrowing, contour cultivating, contour furrowing, land drainage, and land irrigation. However, this exception shall not apply to harvesting of forest crops unless the area on which harvesting occurs is reforested artificially or naturally in accordance with the provisions of Chapter 11 (Sec. 10.1-1100 et seq.) of this title or is converted to bona fide agricultural or improved pasture use as described in Subsection B of Section 10.1-1163 of the Code of Virginia;

- H. Repair or rebuilding of the tracks, right-of-ways, bridges, communication facilities and other related structures and facilities of a railroad company;
- I. Disturbed land areas of less than 5,000 square feet in size;
- J. Installation of fence and signposts or telephone and electric poles and other kinds of posts or poles;
- K. Shore erosion control projects on tidal waters when the projects are approved by local wetlands boards, the Marine Resources Commission, or the United States Army Corps of Engineers; and
- L. Emergency work to protect life, limb or property, and emergency repairs; provided that if the land disturbing activity would have required an approved erosion and sediment control plan. If the activity were not an emergency, then the land area disturbed shall be shaped and stabilized in accordance with the requirements of the plan-approving authority.

## **PROCEDURES FOR OBTAINING A LAND DISTURBANCE PERMIT**

### **SINGLE FAMILY REQUIREMENTS**

1. Submit information indicated on Page 2 of this application package.
2. Provide the “Responsible Land Disturber” (R.L.D.) information for the project which shall include, name, certificate number and date of expiration. Information on obtaining a RLD certification can be found online at <https://www.deq.virginia.gov/permits-regulations/training-certification/responsible-land-disturber>
3. Once all the required information has been submitted, reviewed, and approved by the program administrator, a land disturbance permit will be issued.
4. Prior to initiating any land disturbing activity, it will be necessary to schedule an on-site pre-construction meeting with the Engineering Division of the Department of Public Services staff to discuss the approved erosion and sediment control plan.
5. Phase one of erosion and sediment control measures will consist of performing only the land disturbing activity necessary to implement the erosion and sediment control measures in accordance with the approved plans.
6. Contact the Engineering Division of the Department of Public Services to schedule the required erosion and sediment control measures inspections as indicated by the program administrator.
7. If the erosion and sediment control measures have been installed in accordance with the approved plan, the Engineering Division of the Department of Public Services will grant approval to initiate land disturbing activity.
8. Periodic inspections will be performed by the Engineering Division of the Department of Public Services to ensure that the erosion and sediment control measures are maintained in accordance with the approved plan throughout the life of the project.
9. Once the project approaches completion, the area shall be final graded and stabilized in accordance with the approved plan. In addition, all temporary erosion and sediment control measures shall be removed, and the affected areas graded and stabilized.

Public Services  
301 E Cork Street  
Winchester, VA 22601

Telephone: (540) 773-1340  
FAX: (540) 662-5227  
Website: www.winchesterva.gov

## Application for Agreement in Lieu of Plan For Erosion and Sediment Control

Land Disturbance Permit # \_\_\_\_\_  
(OFFICE USE ONLY)

Date: \_\_\_\_\_

### Section 1 General Information

<b>Location:</b> _____ <small>(Subdivision and Lot #)</small>	<b>Address:</b> _____
<b>Disturbed Area =</b> _____ sq. ft.	<b>Hydrologic Unit Number:</b> <b>PU16 or PU17</b> <small>(OFFICE USE ONLY)</small>
<b>Proposed Impervious Area =</b> _____ sq. ft.	

### Section 2 Certification

<b>RLD Name:</b> _____	<b>Certification #:</b> _____
<b>Verified By:</b> _____ <small>(OFFICE USE ONLY)</small>	<b>Date:</b> _____ <small>(OFFICE USE ONLY)</small>

### Section 3 Landowner/Project Contact Information

<b>Landowner Name:</b> _____	<b>Day Phone Number:</b> _____
<b>Address:</b> _____	<b>City/State/Zip:</b> _____
<b>Project Contact (if different from above):</b>	
<b>Contact Name:</b> _____	<b>Day Phone Number:</b> _____
<b>Address:</b> _____	<b>City/State/Zip:</b> _____
<b>Email Address:</b> _____	

In lieu of submission of an erosion and sediment control plan for the construction of this single family dwelling, I agree to comply with any reasonable requirements determined necessary by the City Engineer or his/her designee. Such requirements shall be based on the conservation standards contained in the City of Winchester Erosion and Sediment Control Ordinance and shall represent the minimum practices necessary to provide adequate control of erosion and sedimentation on or resulting from this project.

I further understand that failure to comply with such requirements following notice by the City, could result in a citation for violation of the Erosion and Sediment Control Ordinance of the City of Winchester.

*“To provide a safe, vibrant, sustainable city while striving to constantly improve the quality of life in our community and the business climate for economic partners.”*

**Typical erosion and sediment control measures for residential lot:**

1. Perimeter Control: The disturbed area must be completely enclosed by a silt trapping device such as silt fence.
2. All drainage inlets and structures on site or adjacent to the site must be protected during construction.
3. Drainage patterns should not be affected to the detriment of neighboring lots.
4. Prevent transport of mud and sediment by vehicular tracking onto the paved public roadway.
5. All denuded areas on the lot shall:
  - a. Be stabilized within seven (7) days of final grading with permanent vegetation or a protective ground cover suitable for the time of year;
  - b. Receive temporary soil stabilization if not at final grade but will remain dormant for longer than 30 days;
  - c. Receive permanent stabilization if they are to be left dormant for more than one year.
6. Control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste.
7. Other additional measures may be required depending on the site-specific conditions.

**NOTES:**

- All specified erosion and sediment control measures must be placed prior to or as the first step in construction.
- The City Engineer or his/her designee will periodically inspect the site to ensure compliance with the Erosion and Sediment Control regulations.
- The Contractor shall inspect all erosion control measures periodically and after each run-off producing rainfall event. Any necessary repairs or cleanup to maintain the effectiveness of the erosion control devices shall be made immediately.
- The permit may be revoked if the project is found to not be in compliance with the conditions of the "Agreement" and corrective measures as set forth by the inspector, for the City of Winchester are not implemented in a timely manner.

Applicant Signature: \_\_\_\_\_ Date \_\_\_\_\_

Agreement Approved: \_\_\_\_\_ Date \_\_\_\_\_  
(City Engineer)

All questions pertaining to the City of Winchester erosion and sediment control requirements, inspections, and Land Disturbance Permits should be directed to:

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Department of Public Services/Engineering Division  
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