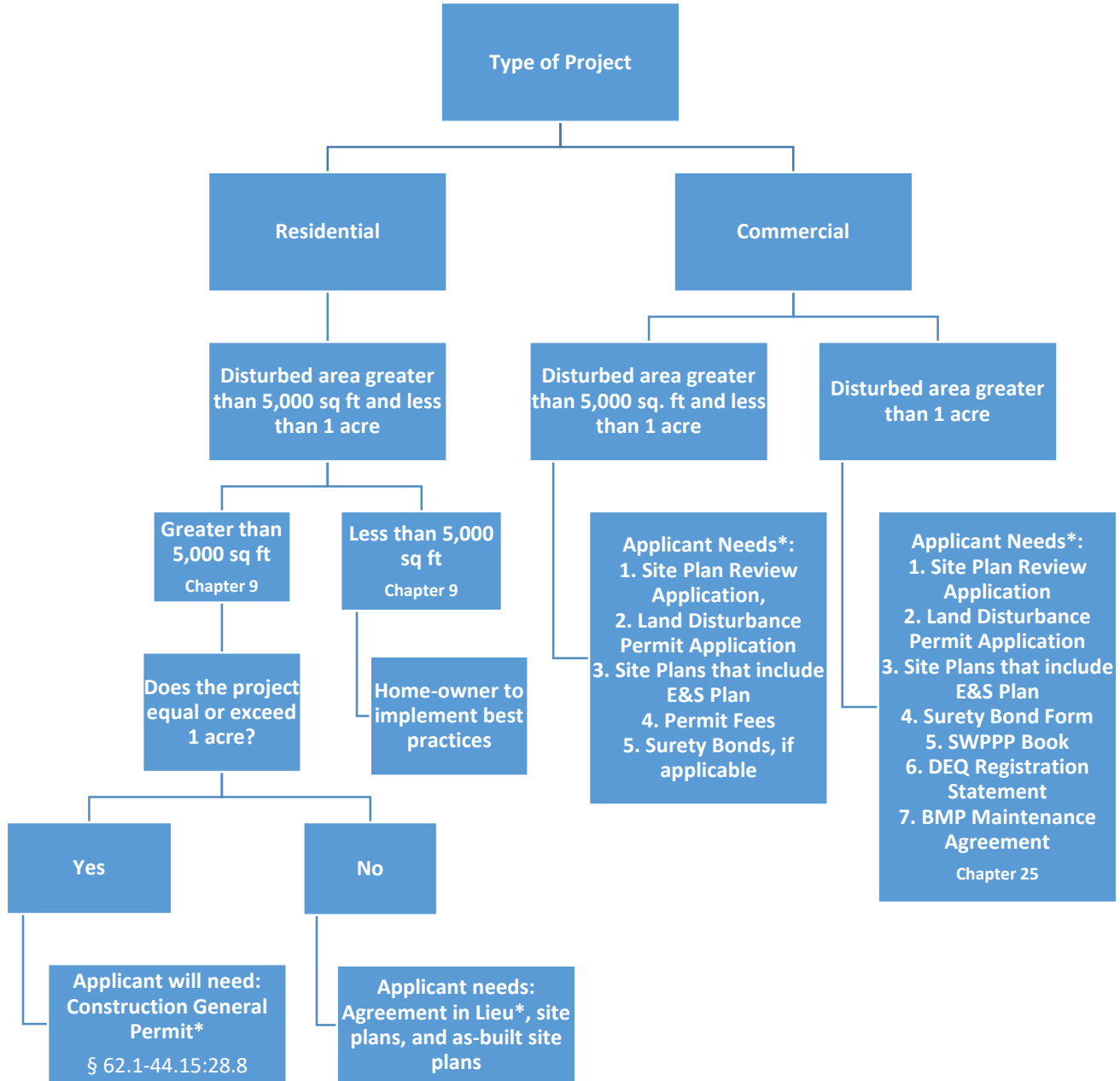




City of Franklin

Community Development – Environmental Services

Land Disturbance Permit Process



All applications may be found on City of Franklin’s Environmental Services website page.

*Contact City of Franklin’s Environmental Specialist, Carlee Smith, at 757-562-4515 or crsmith@franklinva.com for Virginia Stormwater Management Program (VSMP) Authority Approval



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Some residential projects may disturb more than 5,000 sq. ft, but are still exempt from applications/regulations:

City of Franklin Erosion and Sediment Control Ordinance, Chapter 9, Section 6: Non-controlled Activities:

1. **Minor land disturbing activities** including home gardening, landscaping, repairs, and maintenance
2. **Individual service connections**
3. **Maintenance or installation of underground public utility lines** in paved or hard-surfaced areas;
4. **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;
5. **Surface or deep mining;**
6. **Exploration or drilling for oil and gas**, including the well site, roads, feeder lines and off-site disposal areas;
7. **Livestock feeder operations**, tilling, planting or **harvesting of agricultural, horticultural or forest crops**, except that this exception only applies to harvesting of forest crops in which the area harvested is reforested in accordance with Code of Virginia, § 10.1-1100 et seq., or is converted to bona fide agricultural or improved pasture use as set forth in Code of Virginia, § 10.1-1163B;
8. **Agricultural engineering operations**, including, but not limited to, the construction of terraces, terrace outlets, check dams, desilting basins, dikes, ponds not required to comply with the provisions of the Dam Safety Act (Code of Virginia § 10.1-604 et seq.), ditches, strip cropping, lister furrowing, contour furrowing, contour cultivating, land drainage and land irrigation;
9. **Repair or rebuilding of the tracks, rights-of-way, bridges, communication facilities and related structures and facilities of a railroad company;**
10. **Disturbed land areas less than 5,000 square feet in size;**
11. **Installation of fence and sign posts, utility poles and other posts and poles;**
12. **Shore erosion control projects on tidal waters**, when the projects are approved by local wetland boards, the Marine Resources Commission or the United States Army Corps of Engineers; and
13. **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 a nonemergency, then the land area disturbed shall be shaped and stabilized in accordance with the requirements of this chapter and the directives of the Department of Public Works.

City of Franklin Stormwater Management Ordinance, Chapter 25, Section 25.8-3, Item B: Exemptions:

1. **Permitted surface or deep mining operations and projects**, or oil and gas operations and projects conducted under the provisions of Title 45.1 of the Code of Virginia
2. **Clearing of land specifically for agricultural purposes and management**, tilling, planting, or harvesting of agricultural, horticultural, or forest crops, livestock feedlot operations or additionally set forth by the Board in regulations, including **engineering operations** as follows: construction of terraces, terrace outlets, check dams, desilting basins, dikes, ponds, 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 crops is reforested artificially or naturally in accordance with the provisions in Chapter 11 or is converted to bona fide agricultural or improved pasture use as described in subsection B of 10.1-1163.
3. **Single-family residences separately build and disturbing less than one acre and not part of a larger common plan of development or sale**, including additions or modifications to existing single-family residential structures



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4. **Land disturbing activities that disturb less than one acre of land area except for activities that are part of a larger common plan of development or sale that is one acre or greater of disturbance**
5. **Discharges to sanitary sewer or combined sewer system**
6. Activities under a State or Federal reclamation program **to return an abandoned property to an agricultural or open land use**
7. **Routine maintenance** that is performed to maintain the original line and grade, hydraulic capacity, or original construction of the project. The paving of an existing road with a compacted or impervious surface and reestablishment of existing associated ditches and shoulders shall be deemed routine maintenance if performed in accordance with this subsection
8. **Conducting land-disturbance activities in response to public emergency** where the related work requires immediate authorization to avoid imminent endangerment to human health or environment. In such situations, the Administrator shall be advised of the disturbance within seven days of commencing the land disturbing activity and compliance with the administrative requirements of subsection (a) is required within 30 days of commencing land-disturbance activity.

Fee Schedule: Environmental Services related fees:

1. City of Franklin Site Plan Review Application: **\$150 plus \$25 per acre or portion thereof**
2. City of Franklin Erosion and Sediment Control Screening (Land Disturbance application included in form): **\$300 application fee plus inspection fees**. Inspection fees total to \$50/inspection with a minimum of 2 inspections per month as required by DEQ. For projects that require an inspection schedule, it will be decided at a pre-construction meeting.
3. Agreement in Lieu: \$100 listed in fee schedule, however, **not enforceable by the ordinance**.
4. For projects that exceed 1 acre, Stormwater management fees also apply and will be calculated during plan review by the VSMP Authority, or can be found in the City of Franklin Fee Schedule.