



CITY OF FAIRFAX
STORMWATER
MANAGEMENT

STORMWATER UTILITY CREDIT

PROGRAM MANUAL

Photo credit to James Patteson

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INTRODUCTION

MANAGING STORMWATER PROACTIVELY

Stormwater is the rain or snow that falls to the ground, and managing it proactively is an important way the City protects its environment. A healthy environment enhances the quality of life for the City's residents and businesses, and ensures the City complies with all stormwater requirements. The City's stormwater management program must accomplish all this amidst increasing volumes of stormwater from more intense and frequent rain events.

Stormwater can easily soak into the ground in areas with abundant grass and trees and fewer structures. However, developed areas with extensive impervious surfaces such as parking lots, sidewalks, roads, and buildings, prevent stormwater from soaking into the ground and instead flows rapidly over the land. As a result, more developed (urban) land areas have more stormwater to deal with, which can lead to flooding. Urban stormwater also picks up pollutants, such as sediment, oils/grease, fertilizers, pet waste, and litter as it runs over the land surface. These pollutants are carried to storm drains and channels, which eventually drain to local streams and the Chesapeake Bay.



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CITY OF FAIRFAX

STORMWATER UTILITY FEE

The City's stormwater management program requires an ongoing, dedicated, and adequate funding stream that allows the City to implement a robust and proactive program. In 2020, the City's Department of Public Works explored the feasibility of implementing a Stormwater Utility (SWU) to meet the City's stormwater program needs. At the conclusion of the study in 2021, Department staff received further direction from City Council to develop the basic framework of a SWU to consider for implementation.

The City developed the SWU program to provide a stable, adequate, flexible, and equitable source of stormwater management funding, which replaces the City's previous Storm Fund, which was allocated from the City's real estate tax rate. The city's stormwater utility ordinance was adopted in December 2021 and became effective in July 2022. Chapter 102, Article V establishes local ordinance authority for the SWU fee. The SWU creates a dedicated source of funding to meet long-term stormwater management needs.

WHAT IS A SWU FEE?

A SWU fee equitably distributes the cost of the City's stormwater management services across properties based on the amount of impervious cover they contain. Hard surfaces that do not easily absorb water, such as rooftops, driveways, and parking lots, are considered impervious cover. The City's SWU development process included a comprehensive review of the City's stormwater service needs, and the SWU fee rates were developed around the costs necessary to support the City's ongoing stormwater management programming.

How Is the SWU Fee Calculated?

The City developed a simple fee structure that applies to each eligible property, both residential and non-residential. Every 500 square feet of impervious cover a property contains equals one SWU Billing Unit (BU). Each property's impervious cover has been evaluated using the City's most recent geographic information system (GIS) data for impervious cover on each parcel to establish how many BUs to assign to each property. The total number of BUs for each property assessed has been rounded down to the nearest whole BU to accommodate potential data resolution issues. The fee per BU is set each year by the City Council as part of the annual budget development process. All properties assessed a SWU fee in the City are assessed using the same methodology at the same rate, and the SWU fee is added as a separate line item to the City's real estate tax bill.

Who Has To Pay the SWU Fee?

The SWU fee is assessed on every eligible property in the City. All properties, both residential and non-residential, with at least 500 square feet of impervious cover, are assessed a SWU fee. The City's SWU fee is assessed to both taxed and untaxed properties, unless the property is specifically exempted by Virginia law.

What If I Have Additional Questions About the SWU Fee?

Please contact the City of Fairfax Stormwater Utility with any questions by phone at 703-385-2578 or by e-mail at stormwaterutility@fairfaxva.gov.

A list of Frequently Asked Questions (FAQs) is also available at <https://www.fairfaxva.gov/government/public-works/stormwater-and-floodplain-management/stormwater-information/stormwater-utility-program>.



SWU CREDIT PROGRAM

The City recognizes that certain stormwater management practices reduce the impact that a property's stormwater has on the City's stormwater infrastructure and waterways. Property owners that install and maintain stormwater facilities (Best Management Practices, BMPs) that reduce the amount of stormwater, reduce the amount of pollution carried in stormwater, or otherwise limit the impact of stormwater from their property, can qualify to receive a reduction in their SWU fee. This is known as a SWU Credit.

A complete copy of the *Code of Virginia* sections governing these concepts is included in the Appendix to this manual.

APPLYING FOR A SWU CREDIT

Any property owner in the City that is assessed a SWU fee is eligible to apply for a SWU Credit. Property owners must complete the SWU Credit Application and provide the necessary documentation for the practice or activity associated with the credit(s) being claimed. Any documentation that is required is listed on the SWU Credit Application by activity or practice. The SWU Credit Application Form, and any additional documentation needed are included in this manual in the Appendix, along with example calculations for all available SWU Credit types.

When Are SWU Credit Applications Due?

All SWU Credit Application materials must be completed and submitted to the Department of Public Works no later than October 1 each year to be included with the coming year's SWU Fee assessment. The City bills the SWU Fee on its Real Estate Tax bill that is distributed to City property owners twice a

year, in May and November, with payments due in June and December each year, respectively. Properties that do not receive a real estate tax bill will be sent a separate bill for the stormwater utility fee.



All SWU Credit Applications, along with any questions, may be directed to:

City of Fairfax Stormwater Utility
Department of Public Works
10455 Armstrong Street
Fairfax, Virginia 22030
Phone: (703) 385-2578
E-mail: stormwaterutility@fairfaxva.gov

How Long Are the SWU Credits Applicable?

The SWU Credits for **Structural Practices** apply for **three years**. The SWU Credits based on **Non-Structural Practices** apply for **between one and three years depending on the practice**. The credit duration and renewal schedule for each Non-Structural Practice is listed at the conclusion of each creditable practice description and in the example section of this manual.



Photo credit to James Patteson

SWU CREDITS – STRUCTURAL PRACTICES

PRACTICES EVOLVING WITH THE COMMUNITY

Stormwater regulations have evolved over time, and many development projects were required to install stormwater management facilities, commonly referred to as Best Management Practices (BMPs), to meet water quality or quantity requirements that existed at the time of development. Early BMPs (pre-2014) are referred to as “Legacy BMPs”. They include a variety of stormwater ponds and underground detention vaults designed to capture and control the release stormwater from developments and subdivisions. Some Legacy BMPs treat stormwater runoff from more than just the property on which the BMP is located (offsite drainage).

Virginia amended its stormwater management law and regulations in 2014 to better align with the Commonwealth’s goals for Chesapeake Bay restoration and water quality protection. Along with the new regulations, the menu of stormwater BMPs constructed in the City expanded. All BMPs constructed in 2014 and later are referred to as “New BMPs” and include bio-retention cells/rain gardens, manufactured devices, and infiltration systems. The various structural stormwater BMPs that can be used to meet development requirements are defined in the Virginia Stormwater BMP Clearinghouse, which is available online at www.swbmp.vwrrc.vt.edu.

All BMPs require routine maintenance to ensure they continue to function as designed. Property owners that maintain their own stormwater BMPs and provide documentation of that maintenance are eligible for a SWU Credit, as outlined below.

Legacy Stormwater Management Facilities

The City offers a SWU Credit up to 20% or one (1) Billing Unit, whichever is greater, for Legacy stormwater facilities, based on the percentage of the property that drains to the facility.

New Stormwater Management Facilities

The City offers a SWU Credit up to 30% or one (1) Billing Unit, whichever is greater, for New stormwater facilities, based on the percentage of the property that drains to the facility.

New Facilities – Voluntary Installation

Facilities that meet Virginia Stormwater BMP Clearinghouse Specifications, and consistent with the Virginia Runoff Reduction Method calculations for stormwater quality and quantity management, but not to meet development/redevelopment requirements are considered Voluntary.

A new stormwater management facility or BMP that was designed and installed voluntarily for which the property

owner provides maintenance service, are eligible for SWU Credit up to 35%, based on the percentage of the property that drains to the facility. Voluntarily installed facilities require the owner to conduct an inspection and submit condition assessment reports to the City annually to maintain the credit.

Treatment Of Stormwater That Drains from Off Site

If a stormwater facility (BMP) is put in place as a *Condition of Development* and treats or captures stormwater that runs on to the property from off site, the City will provide up to a 10% additional credit. Applicants seeking this credit must document the improved water quality calculations.

If a stormwater facility (BMP) is created voluntarily, and it treats or captures stormwater that runs on to the property from off site, the City will provide up to a 15% additional credit.

In either case, the additional credit will be evaluated against the one (1) BU threshold to ensure maximum credit will be provided to the applicant.

Community Associations and Homeowner’s Associations

For stormwater facilities that are owned and/or maintained by a community association or homeowner’s association (HOA), the association may apply for SWU credit with any resulting SWU Credits applied to the association’s/HOA’s properties that generate the SWU fee.

BMPs installed as a condition of development must have a stormwater management facility maintenance agreement. If the facility does not have a maintenance agreement the property owner may complete and record an agreement for their facilities.

All structural stormwater utility Credits are granted for a three-year period once applications have been approved by the Department of Public Works.

REMINDER: Contact Virginia 811 to identify and mark any underground utility lines before digging. More information on this service is available online at www.va811.com.

CITY OF FAIRFAX SWU CREDIT PROGRAM QUICK REFERENCE TABLE

STRUCTURAL STORMWATER BEST MANAGEMENT PRACTICES (BMPs)		
BMP STATUS	MAX CREDIT AVAILABLE	CREDIT PERIOD
Legacy - Condition of Dev (COD)	Up to 20%	3 years
Legacy - Voluntary	Up to 30%	3 years
Legacy - Offsite Drainage	Up to 10% in addition	3 years
New - Condition of Dev (COD)	Up to 30%	3 years
New - Voluntary	Up to 35%	3 years
New - Offsite Drainage	Up to 15% in addition	3 years

All property owners that are approved for a structural BMP credit will receive a minimum of 1 BU credit, even if the calculation shows less.

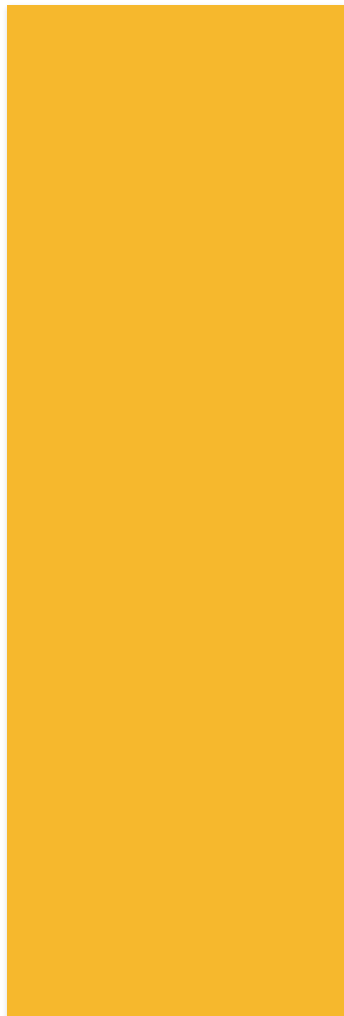


Photo credit to James Patteson

SWU CREDITS – NON-STRUCTURAL PRACTICES

City property owners may apply for SWU Credits for Non-Structural Practices. These include activities such as limiting the use of fertilizers, planting/preserving trees, removing invasive vegetation, participating in stream cleanups, or help with marking storm drains.

NUTRIENT (FERTILIZER) MANAGEMENT PLAN DEVELOPMENT

A nutrient management plan refers to applying the precise amount of fertilizer at the right time and in the right place to assure optimal plant growth while minimizing the amount of fertilizer that runs off into streams. Any property owner that has a nutrient management plan developed by a Virginia-certified nutrient management planner, and implements that plan on their property, is eligible for a SWU Credit of up to 10%, based on the percentage of the parcel covered by the nutrient management plan.

Please note: Properties that have developed a Nutrient Management Plan required by a state stormwater permit condition are not eligible for this credit.

An approved nutrient management plan qualifies the property owner for SWU Credit for a period of three years. At the conclusion of the three-year period, the property owner may apply to renew their credit by demonstrating either development of an updated plan or documenting the continued implementation of an existing plan.

For more information on nutrient management plans, please visit the Virginia Department of Conservation and Recreation's Urban Nutrient Management Planning website at www.dcr.virginia.gov/soil-and-water/urban-nutmgt.

URBAN TREE CANOPY PRESERVATION

How To Earn Credits for Tree Preservation

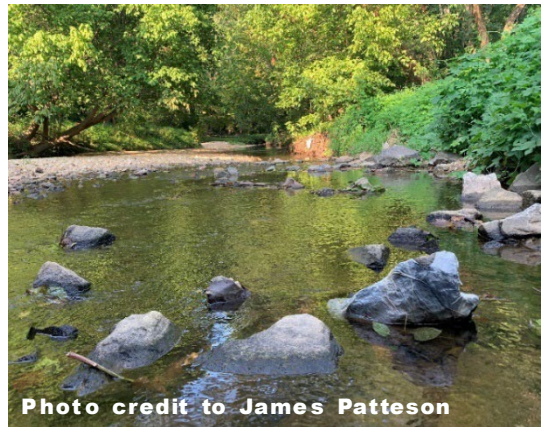
Preserving the City's tree canopy reduces stormwater runoff and its impacts, further protecting the Chesapeake Bay. Stormwater benefits increase with a tree's size and age, making tree preservation an increasingly important component of the City's stormwater management strategy.

SWU Credits are available for the preservation of any existing trees that are healthy, unaffected by invasive species and at least 12" in diameter.

Applicants can measure the diameter of each tree to be included for credit at the "Diameter at Standard Height" (DSH), which is 4.5 feet up from the ground. Property owners are eligible for a SWU Credit of one (1) Billing Unit (BU) if the applicant can demonstrate a total of 50 inches or more of preserved trees, as measured by the DSH of the recognized trees on the property.

Preserving Trees in A Resource Protection Area (RPA)

Virginia DEQ recognizes the value of maintaining and/or restoring trees in a Resource Protection Area (RPA) to



meet the City's Chesapeake Bay pollutant reduction goals. An RPA is a buffer area that extends 100 feet from each bank of a stream that is intended to remain in an undisturbed natural condition.

The tree preservation calculations for preserving trees in an RPA are the same as defined above, along with a "no mow" zone established from the outermost tree dripline or canopy edge. However, the credit value for tree preservation in the RPA is higher. Property owners may apply for a SWU Credit of three (3) Billing Units with documentation of 50" of tree DSH for preserved trees in the RPA.

Tree Preservation Submission Requirements for SWU Credit

To receive SWU Credit for tree preservation, applicants must document the preserved trees meet the size and condition requirements noted above.

Photos of the qualifying trees showing the DSH measurement for each applicable tree, the condition of each applicable tree and a sketch of tree location on the parcel will be accepted as adequate documentation.

Once a credit for tree preservation is approved, it is valid for two years. The property owner will need to reapply at the conclusion of the two-year period.

URBAN TREE CANOPY EXPANSION (PLANTING)

How To Earn Credits for Tree Planting

Adding to the City's tree canopy provides stormwater management benefits. Increasing the canopy interrupts precipitation on its way to becoming runoff. The City provides SWU credit for property owners who add trees to their property.

SWU Credits are available for planting sets of trees based on the owner's parcel size. **A tree set is defined as two (2) trees, each at least one (1) inch caliper (measured at 6 inches above the root flare), that are planted at least 12 feet apart.** A new tree's caliper size is used by nurseries to size their stock. Tree tags at a nursery should include this information. Property owners may apply for a SWU Credit of one (1) Billing Unit per tree set, up to a maximum of three (3) tree sets per parcel per acre. For example, a parcel that is 1.4 acres would be eligible for a maximum of six tree sets (five trees per set, each planted 12 feet apart), and six Billing Units of credit.

Planting Trees in A Resource Protection Area (RPA)

In addition to the tree planting opportunities mentioned above, Virginia DEQ recognizes the value of restoring trees in a Resource Protection Area (RPA) to meet the City's Chesapeake Bay pollutant reduction goals. An RPA is a buffer area that extends 100 feet from each bank of a stream that is intended to remain in an undisturbed, natural condition. RPA restoration is even more valuable than simple tree planting because of its streamside location.

The tree set calculations for planting trees in an RPA is defined below and include a "no mow" zone established from the outermost tree dripline or canopy edge. However, the credit value for tree planting in the RPA is higher.

Property owners may apply for a SWU Credit of three (3) Billing Units with documentation of a planted, native tree set, that are planted at least 12 feet apart, up to a maximum of three (3) tree sets per parcel per acre of RPA. All tree sets must be planted in the RPA for the enhanced credit.

As a reminder, each parcel billed a SWU Fee must pay a minimum of one (1) Billing Unit, regardless of any SWU Credit eligibility.

Tree Planting Submission Requirements for SWU Credit

To receive a SWU Credit for qualifying tree planting, applicants must plant tree species native to the northern Virginia region. A list of native tree species can be found on the Virginia Department of Conservation and Recreation's (DCR's) Native Plant Finder online (www.dcr.virginia.gov/natural-heritage/native-plants-finder).

Applicants must provide a receipt or other documentation that the new trees being planted are native and photos that confirm each tree has at least a one (1) inch caliper measurement and is planted at least twelve (12) feet apart from other trees. Once a credit for tree planting has been approved, and the property owner continues to maintain the trees planted, the property owner will have that SWU Credit for two years. At the



Example of Native Tree Planting



Example of Native Tree Planting in RPA

conclusion of the two-year period, the property owner may apply to renew this credit by providing proof of ongoing care and maintenance of the originally planted trees that first generated the credit, or through the replacement of any trees that were planted in the intervening period. For property owners who would like to plant trees to apply for this SWU Credit, please contact Virginia 811 before digging to avoid underground utility lines. For additional information, go to www.va811.com.

As a reminder, each parcel billed a SWU Fee must pay a minimum of one (1) Billing Unit, regardless of any SWU Credit eligibility.

NO FERTILIZER PLEDGE

Property owners that pledge to not use fertilizer can earn a 5% SWU Credit. Under this No Fertilizer pledge, the property owner pledges that 1) A dense cover of grass or conservation landscaping is maintained throughout the pledge period, and 2) No fertilizers are used throughout the No Fertilizer Pledge period. The No Fertilizer Pledge is effective for one year and renewable on an annual basis. At the conclusion of one year, the property owner may apply to renew this credit by submitting a new SWU Credit Application.

TREES, LITTER, & CREEKS (TLC) COMMUNITY STEWARDSHIP PROGRAM

The Trees, Litter, and Creeks (TLC) Program offers all SWU ratepayers in the City the opportunity to help the City's stormwater management program through a series of activities and events in exchange for a SWU Fee Credit, including:

- Litter and debris clean-up;
- Removal of invasive plants from riparian areas, on either public or private property (with permission of the property owner);
- Plant native trees on public property during a City-sponsored tree planting event;
- Place, or replace, storm drain markers and monitor inlets (Markers can be placed on drain inlets in public rights-of-way or on private property with permission).

Litter and debris pick-up can keep those pollutants from reaching the City's waterways. Removal of invasive plant species helps native vegetation take root, helping the local riparian ecosystem function more effectively to filter and infiltrate runoff before it reaches streams. As noted in the Tree Canopy Expansion section of the Credit Manual, planting trees helps expand the City's tree canopy, which helps more rainwater evaporate and soak into the ground before it becomes runoff, helping with both water quantity and quality improvements. The storm drain markers, labeled "Only Rain/Chesapeake Bay," on City storm drain inlets help build awareness about the ultimate destination of stormwater that travels through the stormwater system and the impact that individuals can have on the quality of the stormwater managed by the system. In addition, for drains that already have a marker, volunteers can verify their condition, replace a damaged marker, and pick up any litter in proximity to the storm drain to prevent it from washing downstream in a rain event.

For all events and activities, volunteers are also asked to look for any signs of illegal dumping in the storm drains (e.g., unusual staining, odors, etc.), on the ground, or directly into waterways, and report any findings to the Department of Public Works (PW-Stormwater@fairfaxva.gov).

Applicants may claim SWU Credit for participation in up to three (3) TLC events per year. Property owners interested in applying for this credit may contact the Department of Public Works to identify an area or property to address or to find a City-sponsored event to participate in. The applicant(s) then coordinate participation, including providing volunteer participants with appropriate liability waivers, documenting the date of the event, and providing photo documentation of the activity for which credit is sought (litter and debris collected, invasive plant removal, trees planted, storm drains marked, etc.) in exchange for a SWU Credit.

The available credit for the TLC program activities includes either a flat credit equivalent to one (1) Billing Unit (BU) per 4 hours of participation in any event listed above, up to a maximum of 3 BU per year, or a calculated credit of 1% for every two volunteer hours spent on the chosen activity or event, up to a maximum of 15% credit per event, whichever is greater.

For applicants interested in volunteering for a stream clean-up, Public Works can fabricate and install a City Adopt-A-Stream sign recognizing the organization's contribution to the stormwater program. The sign will be installed in proximity to the assigned stream segment after three consecutive stream cleanup and/or invasive removal activities.

Organizers can contact the Department of Public Works prior to the scheduled event to arrange for the pickup and disposal of the litter/debris/invasive plants collected. Public Works can also provide high-visibility vests and gloves for volunteers. Public Works provides the storm drain decals and the supplies to affix them to the storm drains for applicants interested in marking storm drains.

Example 1: A non-profit group organizes and facilitates three litter pick-up events for an assigned stream segment throughout the year, in accordance with its SWU Credit Application, provides the necessary documentation, and volunteers a total of at least 30 hours of litter or invasive plant species removal for each of the three events (30 people for one hour, or 10 people for 3 hours, etc.). This earns them a 45% SWU Credit for its billed properties (maximum of 15% credit per event times three events).

Example 2: A homeowner whose property backs up to a stream collects trash and debris from the creek bank on the subject residential property, contributing a total of five hours of their time. The property owner completes the SWU Credit Application, provides the proper documentation, and earns a SWU Fee credit of one (1) BU per 4 hours of collection. The homeowner is eligible for up to a maximum of 3 BU per year or 12+ hours of volunteer efforts.

Up to three approved TLC activities or events can be used to qualify for SWU Credit for a period of one year. Interested property owners may apply for this credit annually.



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CITY OF FAIRFAX SWU CREDIT PROGRAM QUICK REFERENCE TABLE

NON-STRUCTURAL STORMWATER BEST MANAGEMENT PRACTICES (BMPS)		
BMP / ACTIVITY	MAX CREDIT AVAILABLE	CREDIT PERIOD
No Fertilizer Pledge	Flat 5%	1 year
Nutrient Management Planning	Up to 10%	3 years
Tree Canopy Preservation	1 BU/50" (or more) DSH	2 years
Tree Canopy Preservation in RPA	3 BU/50" (or more) DSH	2 years
Tree Canopy Expansion	1 BU/Tree Set (2 trees)	2 years
Tree Canopy Expansion in RPA	3 BU/Tree Set (2 trees)	2 years
Tree, Litter, & Creeks (TLC) Community Stewardship Program	Min 1 BU, Max 15% per event (3 max/yr)	1 year



Photo credit to James Patteson

WHY CHOOSE NATIVE PLANTS?

Visit

www.chesapeakebay.net/action/howtotips/article/how_to_choose_and_use_native_plants for more information on why choosing and using native plants can increase wildlife habitat in your yard.

MAXIMUM SWU CREDIT CALCULATION

Property owners and organizations may apply for multiple credits for their properties from the menu of available SWU credit options, and SWU credits may be earned cumulatively, with no set maximum percentage, except that regardless of how much credit a property earns per year, each property will be charged at least one billing unit per year.

SWU CREDITS RESOURCES TO GET STARTED

FREQUENTLY ASKED QUESTIONS

How Do I Figure Out Drainage Areas for My BMP?

The City's Department of Public Works can assist applicants with obtaining plans and records for specific facilities, including design and construction dates, drainage area of the facility, and the status of any Maintenance Agreement for the facility.

What Kind of Trees Can I Plant and What Are Invasive Species?

Applicants can plant native tree species that meet the specified trunk diameter size and tree spacing criteria for the Tree Canopy Expansion credits. For additional guidance, please refer to the Tree Canopy Expansion Requirements for SWU Credit section of this manual on page 7.

Invasive species include non-native plants that tend to grow aggressively, damage existing ecosystems, and prove difficult to remove once they have rooted. A more complete definition can be found in the Glossary of this manual. Property owners may contact the City's Urban Forestry program through the Department of Public Works at (703) 385-7810 for additional information on invasive species management.

How Do I Find Out If My Property Is in the Resource Protection Area (RPA)?

Applicants can find the boundaries of the RPAs throughout the City through this interactive mapping application here:

www.fairfaxva.gov/government/information-technology/online-mapping

Alternatively, applicants can contact the City Department of Public Works to find out if a property contains any RPA designation.



How Long Does My SWU Credit Last?

All approved Structural Practice SWU Credits are good for three years. Approved Non-Structural Practice SWU Credits are good for one to three years depending on the practice. At the conclusion of each credit period, applicants may apply to renew their respective SWU Credits through the Department of Public Works.

Where Do I Take the Trash and Invasive Plants Removed During An Adopt-A-Stream Or Storm Drain Clean-Up?

Organizers may contact the Department of Public Works prior to an event to schedule a pickup location and date at 703-385-2578.

What If I See Something I Want to Report While Out in the Community?

Participants in the activities listed above can also help the City's stormwater management program by helping the City identify any potential stormwater management issues. If you see a problem with drainage infrastructure, erosion, or illegal dumping into a storm drain, please contact the Department of Public Works at 703-385-7810.



WHO CAN I CONTACT FOR HELP?

Applicants for any of the SWU Credits listed above may contact the City of Fairfax Department of Public Works (listed below) for assistance with the Credit Application process.

City of Fairfax Stormwater Utility
Department of Public Works
10455 Armstrong Street, Fairfax, Virginia 22030
Phone: (703) 385-2578
Email: stormwaterutility@fairfaxva.gov



APPENDIX

VIRGINIA CODE SECTIONS FOR SWU FEE WAIVERS & OPTIONS (CODE OF VIRGINIA §15.2-2114 C, D & E)

C. A locality adopting such a system shall provide for full waivers of charges to the following:

1. A federal, state, or local government, or public entity, that holds a permit to discharge stormwater from a municipal separate storm sewer system, except that the waiver of charges shall apply only to property covered by any such permit; and
2. Public roads and street rights-of-way that are owned and maintained by state or local agencies, including property rights-of-way acquired through the acquisition process.

D. A locality adopting such a system shall provide for full or partial waivers of charges to any person who installs, operates, and maintains a stormwater management facility that achieves a permanent reduction in stormwater flow or pollutant loadings or such other facility, system, or practice whereby stormwater runoff produced by the property is retained and treated on site in accordance with a stormwater management plan approved pursuant to Chapter 3.1 (§ 62.1-44.2 et seq.) of Title 62.1. The locality shall base the amount of the waiver in part on the percentage reduction in stormwater flow or pollutant loadings, or both, from pre-installation to post-installation of the facility. No locality shall provide a waiver to any person who does not obtain a stormwater permit from the Department of Environmental Quality when such permit is required by statute or regulation.

E. A locality adopting such a system may provide for full or partial waivers of charges to cemeteries, property owned or operated by the locality administering the program, and public or private entities that implement or participate in strategies, techniques, or programs that reduce stormwater flow or pollutant loadings, or decrease the cost of maintaining or operating the public stormwater management system.

Stormwater Utility (SWU) Credit: Full or partial waiver of charges to any person who installs, operates, and maintains a stormwater management facility that achieves a permanent reduction in stormwater flow or pollutant loadings as defined by City Code Section 102-205.

GLOSSARY

Best Management Practice (BMP): A schedule of activities, prohibitions or practices, maintenance procedures, and other management practices, including both structural and non-structural practices, to prevent or reduce the pollution of surface water and groundwater systems.

Best Management Practice (BMP) Facilities Operation and Maintenance Agreement: A legally recorded document that acts as a property deed restriction, and which provides for the long-term maintenance of stormwater management practices.

Billing Unit: 500 square feet of impervious area. (see also Impervious Area definition)

Condition of Development: A stormwater management facility and/or BMP that was required to be designed and constructed/installed in order for a development/re-development project to comply with the City's land development regulations.

Detention Facility: A system which provides temporary storage of stormwater runoff with a designed release of the stored runoff over time to manage the discharge volume, rate, and/or velocity.

Director: The director of the City Department of Public Works or the director's authorized representative.

Impervious Area: As defined in City Code Section 102-202, an area covered by hard surfaces such as structures, paving, compacted gravel, concrete, or other manmade features that prevent, restrict, or impede the downward passage of stormwater into the underlying soil.

Inspection: An onsite review of compliance with a city permit, the city's stormwater management program, and any applicable design criteria, or an onsite review to obtain information or conduct surveys or investigations necessary in the enforcement of the Stormwater Utility ordinance.

Invasive Plant Species: Non-native plant species that pose a threat to native ecological and economic systems, including forests, native grasslands, wetlands, and waterways. A list provided by the Virginia Department of Conservation and Recreation is attached in this Appendix.

Non-Residential Property: Non-residential properties include all properties not considered residential properties (as defined below), such as commercial or industrial properties, apartment buildings, and non-profit or faith-based properties.

Owner or Property Owner: The owner or owners of the freehold of the premises or lesser estate therein, a mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee or other person, firm, or corporation in control of a property.

Residential Property: Residential properties include condominiums, townhomes, and detached single family homes.

Stormwater: precipitation that is discharged across the land surface or through conveyances to one or more waterways and that may include stormwater runoff, snow melt runoff, and surface runoff and drainage.

Stormwater Management Facility: A structural control measure that controls stormwater runoff and changes the characteristics of that runoff including, but not limited to, the quantity and quality, the period of release, or the velocity of flow. A stormwater management facility is a type of best management practice. A Legacy stormwater management facility includes the menu of facilities in place prior to July 1, 2014. A New stormwater management facility includes the menu of facilities put in place after July 1, 2014 that are included in the Virginia Stormwater BMP Clearinghouse and consistent with the Virginia Runoff Reduction Method calculations for stormwater quality and quantity management.

Stormwater Quality BMP: A BMP that treats stormwater runoff from an impervious surface by affecting the chemical, physical, and/or biological characteristics of stormwater runoff.

Stormwater Utility (SWU) Fee: A stable, equitable source of funding for the City of Fairfax's Stormwater Management Program. Funds will be used to meet State and Federal stormwater mandates, provide dedicated funding to meet pollution reduction mandates, operate and maintain the stormwater infrastructure, and maintain the City's flood infrastructure and flood management program. All property owners in the City contributing to stormwater runoff, including businesses, homeowners, state and federal government, and non-profit organizations (unless exempted by Virginia Code) are subject to the fee.



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