

**DSC INFORMATION NOTICE #46**  
**August 16, 1995**

**TOPIC A: PUBLIC DEED OF EASEMENT (UPDATE OF DSC NOTICE #30)**

**ITEM #1:** *The efforts of City Council and the Tidewater Builders Association have resulted in a change to Section 15.1-478 of the State Code. This amendment, **EFFECTIVE July 1, 1995**, allows easements for the conveyance of stormwater, domestic water and sewage to be dedicated to the City by subdivision plat. Also allowed to be dedicated by plat are easements associated with the installation and maintenance of these facilities.*

**ITEM #2:** *This change should reduce some of the costs and time associated with subdivision plat and legal document preparation and review.*

**TOPIC B: STORMWATER MANAGEMENT FACILITIES MAINTENANCE AGREEMENTS (UPDATE OF DSC NOTICE #40) AUGUST 1, 1995 REVISION**

**ITEM #1:** *The Stormwater Management Facility Maintenance Agreement has been improved through the joint efforts of members of the development community and the City Attorney's Office. The previous agreement stated that the responsibilities for the operation and maintenance of the stormwater facility belonged to the covenantor. This stipulation was troublesome to many because the liability would remain with the original covenantor after the property was transferred to a new owner.*

**ITEM #2:** *Section 6 of the agreement has been modified to allow the transfer of the operation and maintenance responsibilities to the new owner. The release of these obligations and responsibilities are conditioned upon the acceptance of the responsibilities by the new owner. In addition, a certified copy of this release agreement must be provided to the City after the transfer takes place.*

**ITEM #3:** *On several occasions, revised or nonstandard Stormwater Management Facilities Maintenance Agreements have been submitted for review. These modified agreements require additional time for review. If you or your client feel the need to revise the standard agreement, please contact Ms. Vanessa Valldejuli in the City Attorney's Office (427-4531) for assistance. This telephone discussion and faxed revision may save your client hours or days in review delays.*

**ITEM #4:** *The Stormwater Management Facilities Maintenance Agreement is considered a part of the stormwater management plan. In accordance with the revised Stormwater Management Ordinance, the plan must be complete and approved prior to issuing any permits for land disturbing activity. In order for the plan to be complete for the issuance of a land disturbing permit, the Agreement must be submitted, reviewed, approved, executed by all parties and ready for recordation. Therefore, site plan release for permitting will be held until the agreement and all other "holds" are satisfied. Projects and agreements currently under review will be handled on a case by case basis by the Project Manager.*

**TOPIC C:** **DEVELOPMENT REVIEW HANDBOOK**

**ITEM #1:** *The long awaited first sections of the Development Review Handbook are in the process of being printed. This 100+ page handbook will provide information on survey/boundary plats, final subdivision plats, land management plans, legal documents, definitions of terms, fee schedules, standard notes, etc.*

**ITEM #2:** *The Handbook will provide the development community and staff with the beginnings of a complete package of tools to use when preparing, submitting and reviewing development related plans and documents (Table of Contents provided).*

**ITEM #3:** *The Handbook should be ready on or before September 1, 1995. The cost is \$10.00 per copy. The DSC will be maintaining a list of individuals and firms desiring future updates. Updates will include new sections on preliminary subdivisions and site plans, as well as, improvements and updates to existing sections.*

**TOPIC D:** **TREES AND RESIDENTIAL LOTS BROCHURE**

**ITEM #1:** *Included with this DSC notice is a copy of the Trees and Residential Lots brochure. This quick, easy reference to the residential lot tree requirements is available in the DSC Office. A great deal of information in a small package; suggested reading for builders and site plan preparers.*

*Contacts:*

*Public Easements on Final Plats:*

*James Pearce* ..... 427-8757

*Stormwater Management Facilities Maintenance Agreement:*

*Vanessa Valldejuli (legal wording)* ..... 427-4531

*Project Managers (need for agreement)*

*Mark Ricketts* ..... 427-8202

*Barbara Duke* ..... 427-4901

*Joseph Pulley* ..... 427-8617

*Ronald Frink* ..... 426-5661

*Development Review Handbook:*

*Brenda Gray* ..... 427-8621