

ORDINANCE NO. _____

AN ORDINANCE to amend Section 5-4-1 (DEFINITIONS) and Section 5-4-7 (MINIMUM CRITERIA; CITY HANDBOOK) of Chapter 4 (EROSION AND SEDIMENT CONTROL) of Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) of the Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 5-4-1 and Section 5-4-7 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended by deleting the text shown in strikethrough and adding the text shown in underline as follows:

Chapter 4 – Erosion and Sediment Control

Sec. 5-4-1 - Definitions.

As used in this chapter, and pursuant to ~~9 VAC 25-840~~ 9VAC25-875, the following terms shall have the meanings set forth below, unless the context requires a different meaning:

(d) "Certified inspector" means an employee or agent of the city who (i) holds a certificate of competence from the ~~soil and water conservation board~~ Department of Environmental Quality in the area of project inspection or (ii) is enrolled in the ~~board's~~ department's training program for project inspection and successfully completes such program within one year after enrollment.

(e) "Certified plan reviewer" means an employee or agent of a ~~VESCP~~ Virginia Erosion and Stormwater Management Program (VESMP) authority who (i) holds a certificate of competence from the ~~board~~ Department of Environmental Quality in the area of plan review, (ii) is enrolled in the ~~board's~~ department's training program for plan review and successfully completes such program within one year after enrollment, or (iii) is licensed as a professional engineer, architect, landscape architect, land surveyor pursuant to Article 1 (§ 54.1-400 et seq.) of Chapter 4 of Title 54.1, or professional soil scientist as defined in § 54.1-2200.

(f) "Certified program administrator" means an employee or agent of a ~~VESCP-VESMP~~ authority who (i) holds a certificate of competence from the ~~board~~ Department of Environmental Quality in the area of program administration or (ii) is enrolled in the ~~board's~~ department's training program for program administration and successfully completes such program within one year after enrollment.

(s) "VESMP" means "Virginia Erosion and Stormwater Management Program" or a program established by a VESMP authority for the effective control of soil erosion and sediment

40 deposition and the management of the quality and quantity of runoff resulting from land-
 41 disturbing activities to prevent the unreasonable degradation of properties, stream
 42 channels, waters, and other natural resources. The program shall include such items as
 43 local ordinances, rules, requirements for permits and land-disturbance approvals, policies
 44 and guidelines, technical materials, and requirements for plan review, inspection, and
 45 enforcement consistent with the requirements of the Virginia Erosion and Stormwater
 46 Management Act (VESMA).

47 Sec. 5-4-7 - Minimum criteria; city handbook.

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49 (b) This chapter, the erosion and sediment control regulations of the Department of
 50 Environmental Quality (~~9 VAC 25-840 et seq.~~) (9VAC25-875 et seq.) and the "~~Virginia~~
 51 ~~Erosion and Sediment Control Handbook, Third Edition, 1992, Virginia Stormwater~~
 52 ~~Management Handbook, Third Edition, 2024,~~ which are incorporated herein by
 53 reference, shall be an integral part of the city's erosion and sediment control program
 54 and shall comprise the city's "~~Erosion and Sediment Control Handbook.~~" Virginia
 55 Stormwater Management Handbook. The text of these regulations is on file in the office
 56 of the director.

57 (c) In addition to the minimum requirements for controlling erosion and sedimentation for
 58 land-disturbing activities which are contained in ~~9 VAC 25-840~~ 9VAC25-875, the
 59 following additional minimum requirements shall apply:

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61 (4) The following additional stormwater management criteria shall apply: A stormwater
 62 management plan consistent with the requirements of Section 13-109(F) in Article XIII
 63 of the Alexandria Zoning Ordinance (the Environmental Management Ordinance and
 64 the ~~Virginia Stormwater Management Program (VSMP)~~ Virginia Erosion and
 65 Stormwater Management Program (VESMP) regulations shall apply. For plans
 66 approved on and after July 1, 2014, the flow rate capacity and velocity requirements of
 67 this section shall be satisfied by compliance with water quantity requirements in the
 68 ~~Stormwater Management Act (§ 62.1-44.15:24 et seq.)~~ Virginia Erosion and
 69 Stormwater Management Act (§ 62.1-44.15:28) and attendant regulations, unless such
 70 land-disturbing activities are in accordance with the grandfathering provisions of the
 71 ~~VSMP regulations~~ VESMP regulations.

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73 (11) Maintenance. All temporary and permanent erosion and sediment control practices
 74 must be maintained and repaired as specified in ~~9 VAC 25-840-60~~ 9VAC25-875-
 75 300(G).

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77 (d) The "~~Virginia Erosion and Sediment Control Handbook, Third Edition, 1992~~"
78 "Virginia Stormwater Management Handbook, Third Edition, 2024" and the tree
79 planting and preservation regulations authorized by § 11-410(CC)(1) of the Zoning
80 Ordinance of the City of Alexandria, and known as the city's Landscape Guidelines,
81 shall be used by any applicant making a submittal under this chapter and by the director
82 in his or her review and consideration of the adequacy of landscaping elements
83 included in any erosion and sediment control plan submitted.

84 Sec. 5-4-8 – Erosion and sediment control plans

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86 (11) Any other pertinent information the director may require.

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88 (d) Where land-disturbing activities involve lands under the jurisdiction of more than one
89 local control program an erosion and sediment control plan may, at the option of the
90 applicant, be submitted to the ~~Virginia Soil and Water Conservation Board~~ Department
91 of Environmental Quality for review and approval rather than to each jurisdiction
92 concerned.

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95 Section 2. Section 5-4-1 and Section 5-4-7, as amended pursuant to Section 1 of this ordinance,
96 be, and the same hereby are, reordained as part of the Code of the City of Alexandria.

97 Section 3. That this ordinance shall become effective on July 1, 2024.

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JUSTIN WILSON
Mayor

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104 Introduction: April 2, 2024

105 First Reading: April 2, 2024

106 Publication:

107 Public Hearing: April 13, 2024

108 Second Reading: April 13, 2024

109 Final Passage: April 13, 2024