



Legislation Text

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City of Alexandria, Virginia

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MEMORANDUM

**DATE:** JUNE 7, 2015

**TO:** THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

**FROM:** MARK B. JINKS, CITY MANAGER /s/

**DOCKET TITLE:**

Public Hearing, Second Reading, and Final Passage of an Ordinance to Amend and Reordain 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. [ROLL-CALL VOTE]

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**ISSUE:** Consideration of adoption of revisions to Chapter 4 of Title 5 of the Code of the City of Alexandria, the Erosion and Sediment Control Ordinance, for consistency with the adopted Environmental Management Ordinance, Article XIII of the Zoning Ordinance, and changes to the Virginia Stormwater Management Act and attendant regulations.

**RECOMMENDATION:** That City Council hold the public hearing and pass the proposed ordinance (Attachment 2) effective upon the date and at the time of its final passage.

**BACKGROUND:** Effective July 2, 2013, the promulgation and administration of the Virginia Erosion and Sediment Control Act and attendant regulations (9VAC25-840), and the Virginia Stormwater Management Act and attendant regulations (9VAC25-870), were transferred from the State Soil and Water Conservation Board and the Virginia Department of Conservation and Recreation (DCR) to the State Water Control Board and the Virginia Department of Environmental Quality (DEQ). These amendments to the Code of Virginia and the transfer of the programs required a renumbering of the laws and regulations. Additionally, stormwater provisions in the code of Virginia were amended. The City's Environmental Management Ordinance, Article XIII of the Zoning Ordinance was amended and adopted in March 2014 to incorporate amendments to Virginia Stormwater Management Program (VSMP). The City's Environmental Management Ordinance incorporates references using the renumbering. The City's Erosion and Sediment Control (E&SC) Ordinance, as amended, is now consistent with the renumbering, as well as the Environmental Management Ordinance.

**DISCUSSION:** Per the requirements of the Virginia Stormwater Management Act and attendant regulations,

the City, in March 2014, incorporated new state stormwater requirements into the Environmental Management Ordinance to comply with the new requirements for the City to administer components of the VSMP at the local level. The Environmental Management Ordinance, as adopted, is consistent with the renumbering precipitated by the transfer from DCR to DEQ. However, the City's Erosion and Sediment Control Ordinance was last adopted June 16, 2007 and contains references to the old numbering system. Additionally, changes to the Environmental Management Ordinance created inconsistency with cross-references between the two local ordinances. New definitions also needed to be added. The current amendments to the Erosion and Sediment Control Ordinance are administrative in nature to fix these inconsistencies and do not constitute any substantive change to the ordinance.

**FISCAL IMPACT:** There is no anticipated fiscal impact associated with adopting the administrative changes into the existing ordinance.

**ATTACHMENTS:**

Attachment 1: Ordinance Cover  
Attachment 2: Ordinance

**STAFF:**

Emily A. Baker, P.E. Acting Deputy City Manager  
Christopher P. Spera, Deputy City Attorney  
Yon Lambert, AICP, Director, T&ES  
William J. Skrabak, Deputy Director, Infrastructure/Environmental Quality, T&ES  
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