

Amendments to the Environmental Management Ordinance

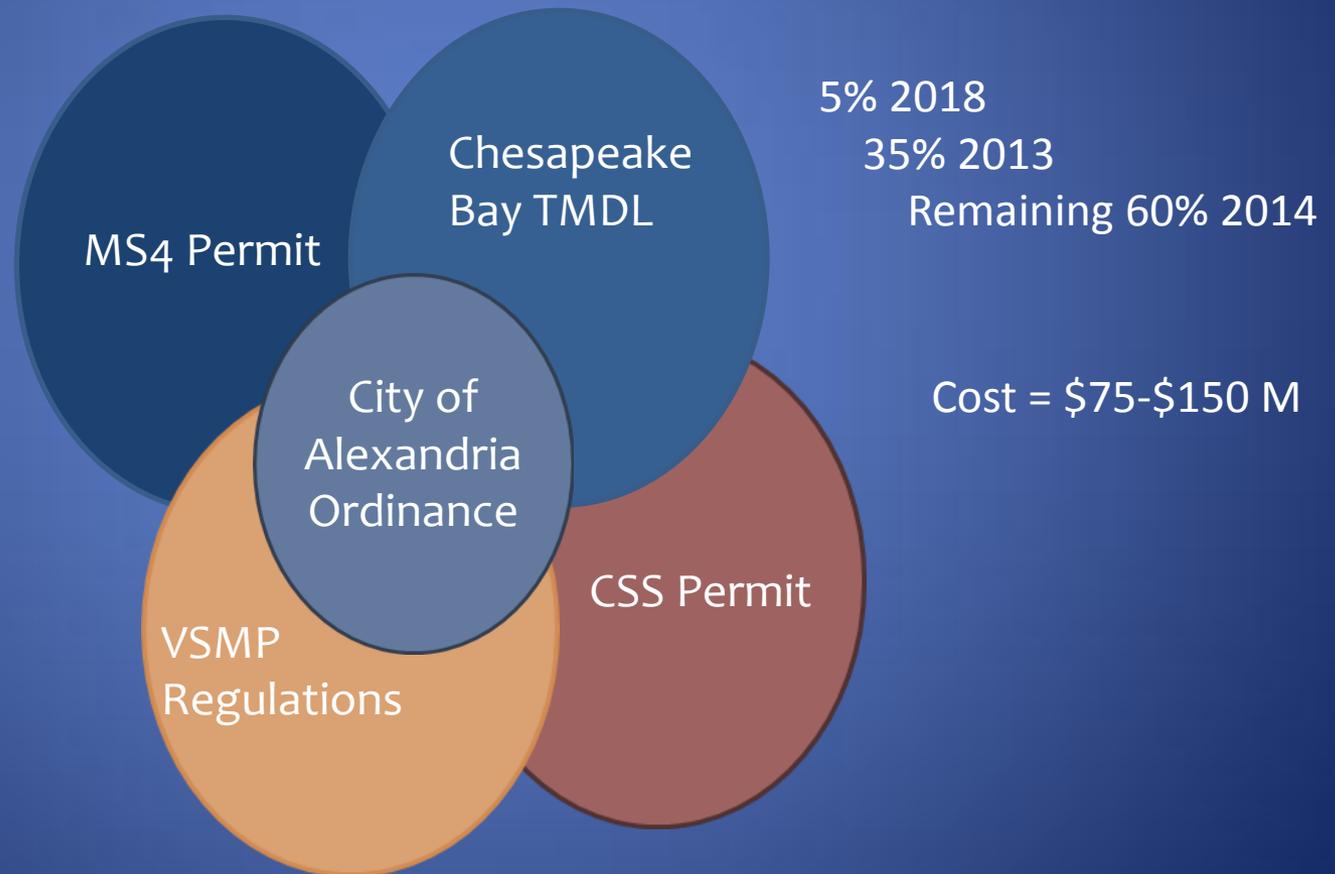
Chamber of Commerce

November 13, 2013

Purpose

- Why change the Ordinance?
- The Ordinance as it exists today.
- What do we want to keep?
- What do we want to change?
- Next steps

New Requirements facing the City of Alexandria



Ordinance Goal

- Comply with the VSMP regulations
- Aide in reaching Chesapeake Bay TMDL objectives
- Aide in complying with MS4 Permit
- Aide in complying with CSS Permit

What is Presently Required?

Environmental Management Ordinance

- City has Resource Protection Areas(RPA) and Resource Management Areas (RMA).
- Development is constrained in RPA to water dependent uses.
- Water quality and quantity improvements are generally required in RMAs.

Why Change the Ordinance?

- Mandate to comply with the VSMP regulations
- Mandate to comply with MS4 Permit
- The Ordinance provides leverage in achieving the Chesapeake Bay TMDL reduction targets – getting additional reductions through the development process.

Environmental Management Ordinance

- Waterwise, how is the City organized?

RPA, RMA, Intermittent Stream



What is Presently Required?

Environmental Management Ordinance

- City has Resource Protection Areas (RPA) and Resource Management Areas (RMA)
- Development is constrained in RPA to water dependent uses
- Redevelopment is permitted only in the existing impervious footprint
- Water quality and quantity improvements are generally required in RMAs
- Intermittent stream protection (RPA of 50 feet)

What is the Present Performance Criteria?

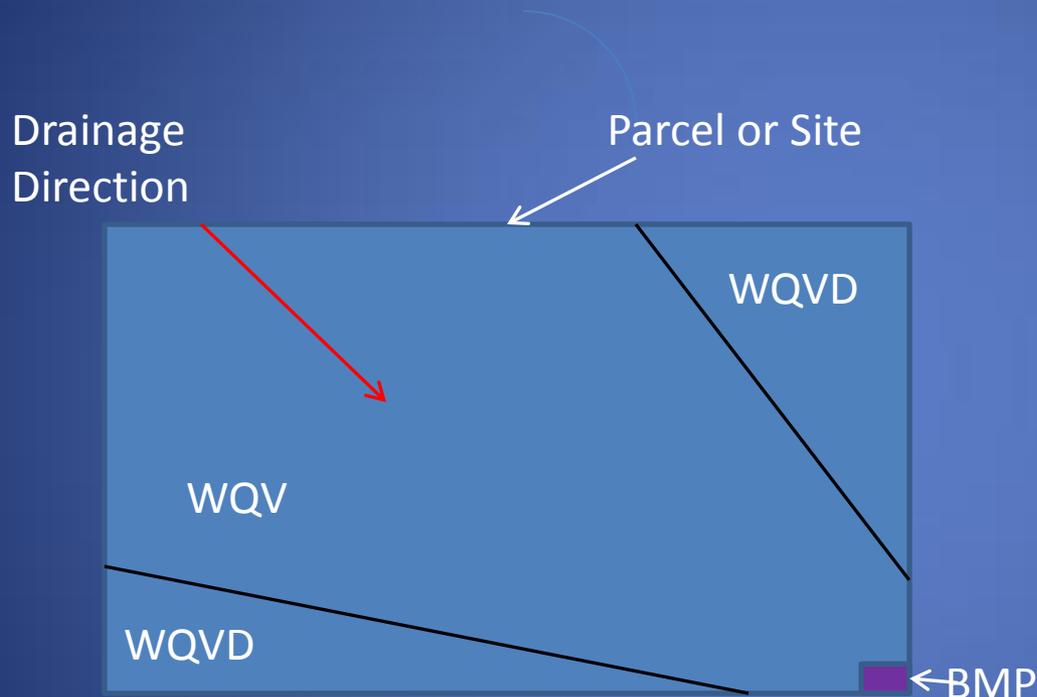
Environmental Management Ordinance

- 10% P removal from existing condition
- WQVD treated with BMP of choice
- Peak flows shall be the same or less than the existing conditions

What is the WQVD?

- Water that flows over the Impervious Area is the WQV
- Hopefully most of the WQV flows into the BMP
- That WQV that doesn't reach a BMP is the WQVD – Water Quality Volume Default

What is the WQVD?



Requirements Unique to Alexandria

Environmental Management Ordinance

- Water Quality Volume Default (treat the first ½ inch of runoff from all impervious surfaces through a BMP – over and above meeting the P removal requirement)
- Options for compliance including a Fee In Lieu
- Protection of Natural Intermittent Streams with a 50 foot buffer

New Performance Criteria that the State Mandates

- Redevelopment changes from 10 to 20% reduction for land disturbance larger than 1 acre (10% for land disturbance less than 1 acre)
- New development that maintains no net loss (0.41 lb P/ac).
- Compliance methodologies encourage Runoff Reduction, Environmental Site Design, LID techniques, and treatment of 1 inch of rainfall (presently ½ inch)

Areas where the City would like to continue to be more stringent

- Maintain Water Quality Volume Default requirement
- Continue protection of Natural Intermittent Streams

Recommendation: Keep the WQVD requirement and treat the first ½ inch of volume

- In a built-out community most development will be through redevelopment. Without this additional incremental load reduction we will lose the opportunity to treat existing impervious area when it is being redeveloped
- Additional burden is borne by the developer during redevelopment rather than the city attempting to retrofit the area. The engineering of this is more efficient and cost effective
- Provides additional revenue for water quality improvements elsewhere when Fee In Lieu is employed

Natural Intermittent Stream

Already protected in the present ordinance

- Any natural or engineered channel that has water flowing during certain times of the year (key is groundwater flow vs. Rainfall runoff)
- Protect with a 50 foot resource protection area (buffer).
- Development within that 50 foot RPA is limited similar to the 100 foot RPA

Areas where the City would like to adjust to our community needs

- Site (disturbed area) vs. Parcel
- Single Family Residential

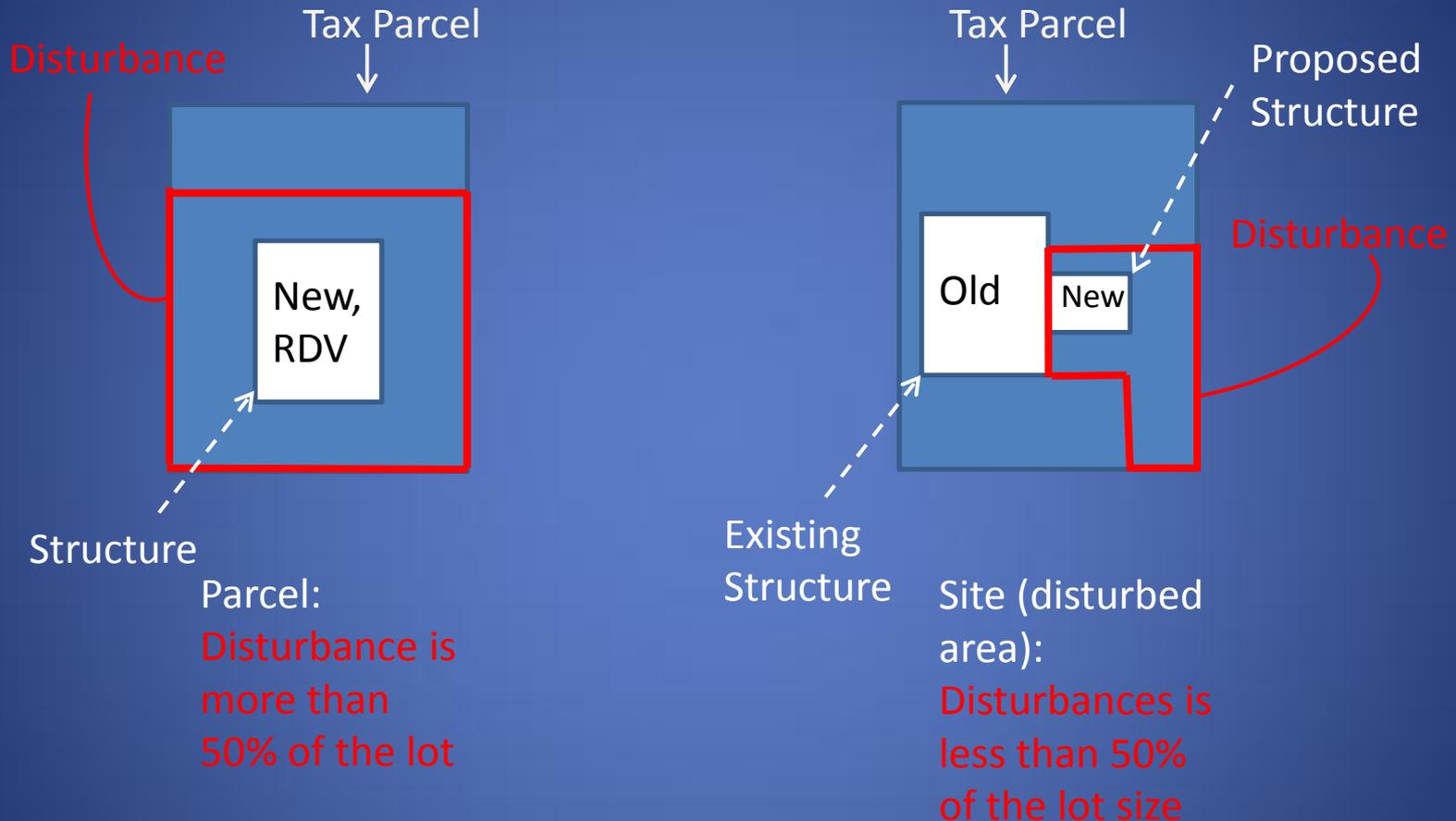
The City should use the impervious area within the site (disturbed area) or legal tax parcel in computing the pollution reduction requirements

Current City ordinance uses tax parcel, new state regulations use site (disturbed area).

Recommendation: Site (disturbed area) with a trigger of greater than 50% disturbance requiring tax parcel to be treated.

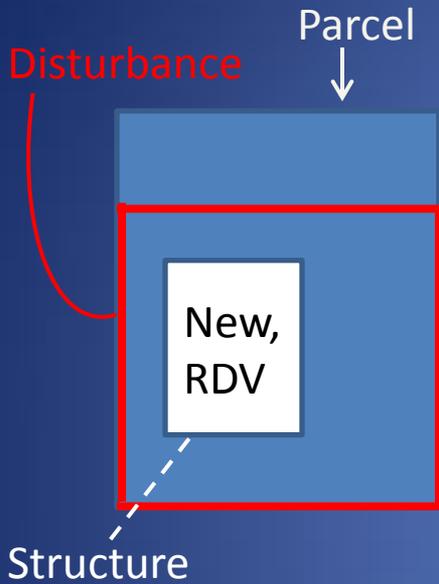
- Addresses larger parcels with small areas of disturbance
- Addresses SFR parcels
- Slight relaxation of our existing rules
- Easier to apply and more objective and fair

Tax Parcel vs. Site (disturbed area)

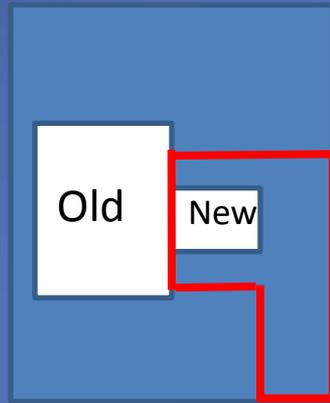


If several parcels make up a single development (zoning parcel) all the parcels together are considered the parcel.

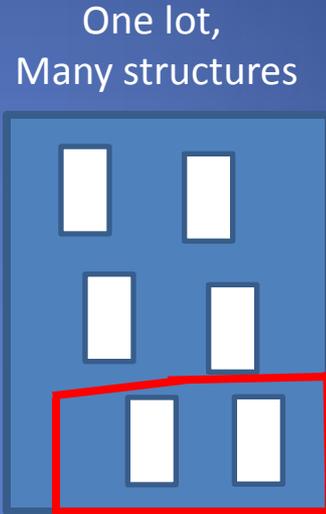
Parcel vs. Site



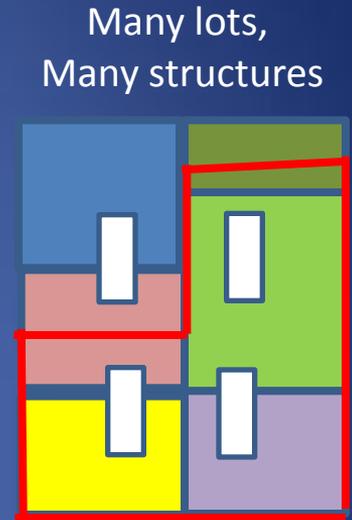
Parcel:
Disturbance is more than 50% of the lot



Site:
Disturbances is less than 50% of the lot size



Site:
Disturbances is less than 50% of the lot size



Parcel:
Disturbance is more than 50% of the lot

If several parcels make up a single development all the parcels together are considered the parcel.

Single Family Residential (SFR) shall be exempt from BMP requirements yet keep the WQVD requirement. If the applicant wishes to pay the full fee that is acceptable.

This recommendation benefits the Homeowners:

- Not quite as stringent for SF homeowners
- Difficult for homeowners to maintain BMPs with rapid home turnovers
- Greater flexibility in compliance options

This recommendation benefits the City:

- Inspection and enforcement becomes less burdensome to City
- Additional revenue for the City to generate a more efficient and effective BMP elsewhere

Quantity

- Quantity is as per the state requirements. No change.

Flooding

- Allow the City to opt out of detention in areas where it is advisable to remove stormwater before upstream flows reach the area.
- Capacity analysis whether the area is presently flooding or not.

Next Steps

- More Community Outreach
 - Nov. 18 EPC, Public Information Meeting
 - Nov. 20 Development Coordinating Committee
 - Dec. 2 Federation of Civic Associations
- Comments submitted to OEQ by Dec. 2
- Submit Ordinance to DEQ by Dec. 13
- Planning Commission January or February
- City Council February or March

Thank You

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Grandfathering

Preliminary Plan Submitted	VSMP Obtained	Grandfathered Until
Before July 1, 2012	Before July 1, 2014	2024
July 1, 2012 – June 30, 2014	Before July 1, 2014	2024
Before July 1, 2012	On or After July 1, 2014	2019
July 1, 2012 – June 30, 2014	On or After July 1, 2014	?