

AN EMERGENCY ORDINANCE to amend Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended, by adding thereto a new article designated IV-A entitled FLOOD PLAIN DISTRICTS, SPECIAL REGULATIONS; which Chapter 42 relates to ZONING and which new Article IV-A relates to and adopts A FLOOD PLAIN DISTRICT IN THE CITY IN THE VICINITY OF FOUR MILE RUN AND SPECIAL REGULATIONS APPLICABLE IN THE DISTRICT.

WHEREAS, pursuant to due and timely notice of the time and place of hearing published in a daily paper of general circulation published in the City of Alexandria, Virginia, a public hearing was held in relation to the matters hereinafter set forth, at which public hearing parties in interest and citizens had an opportunity to be heard; and

WHEREAS, in recent years the area of the City adjacent to Four Mile Run has been subject to be repeated and extensive flooding; and

WHEREAS, the flooding has caused substantial loss to property owners and occupants in the area, additional costs to the City, and otherwise damaged and threatened the public safety; health and welfare; and

WHEREAS, the City, the Federal Government and others have had extensive engineering and other technical studies of the area made in order to have a sound basis for an ultimate solution to the flooding problem and for flood plain management pending that solution; and

WHEREAS, although the City and others are proceeding as rapidly as reasonably possible to solve the flooding problem, it is recognized that it may take some time to design, finance, and construct a flood control project; and

WHEREAS, pending a solution, it is recognized that flood plain management activities for the area should be maintained; and

WHEREAS, flood plain management will, among other things, restrict obstruction to the natural flow of water, limit danger from the flow of water, preserve flood water storage, reduce flood losses to owners, occupants, the community and the City, protect the City from additional costs in connection with floods, protect persons and property, preserve the availability of flood insurance under the National Flood Insurance Program and promote the public health, safety and general welfare; therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding thereto a new article designated IV-A to read as follows:

Article IV-A. Flood Plain Districts, Special Regulations.

Sec. 42-25.1. Four Mile Run District.

There is hereby established a flood plain district in the City of Alexandria, Virginia to be known as the Four Mile Run Flood Plain District, the boundaries of which are shown on a map entitled "FOUR MILE RUN FLOOD PLAIN DISTRICT" dated June 10, 1970, signed by the Director of the Department of Public Works, the Mayor and the Chairman of the Planning Commission of the City, which map is on file in the office of the Director of Planning and Regional Affairs in City Hall and which is hereby made a part of this article of the City Code, and

such map and all notations, references and other data shown thereon are by this reference made a part hereof as if fully described herein. A copy of said map shall also be kept on file in the office of the Director of Public Works.

Any uncertainty on said map with respect to the boundary of the "FOUR MILE RUN FLOOD PLAIN DISTRICT", the "FLOOD FLOW AREA", the "FLOOD WATER STORAGE AREA", the "RESTRICTED NONRESIDENTIAL BUILDING AREA", or the "RESTRICTED GENERAL BUILDING AREA" shall be determined by the Director of Public Works by scaling and computations from the map.

Sec. 45-25.2. Special Regulations, Four Mile Run District.

(a) Flood flow area. Notwithstanding the provisions of this chapter or any other provisions of the City Code:

(1) No building or structure of any kind, either temporary or permanent, shall be built, set up or constructed within the boundaries of the FLOOD FLOW AREA shown on the map entitled "FOUR MILE RUN FLOOD PLAIN DISTRICT", which was adopted in section 42-25.1.

(2) No filling of any kind shall be allowed within the boundaries of said FLOOD FLOW AREA.

The provisions of this subsection shall not be construed to prevent the remodeling, maintenance or flood proofing of buildings and structures now existing, provided any such remodeling, maintenance or flood proofing shall not constitute an extension or enlargement. The provisions shall also not be construed to prevent the surfacing or resurfacing of existing streets or parking lots within two (2) inches of the existing grade. The provisions shall be construed to prohibit the construction of walls, fences or other outdoor obstructions above the existing ground grade, unless such construction is primarily for flood proofing purposes and is approved by the Director of Public Works.

(b) Flood water storage area. Notwithstanding the provisions of this chapter or any other provisions of the City Code:

(1) No building or structure of any kind, either temporary or permanent, shall be built, set up or constructed within the boundaries of the FLOOD WATER STORAGE AREA shown on the map entitled "FOUR MILE RUN FLOOD PLAIN DISTRICT", which was adopted in section 42-25.1.

(2) No filling of any kind shall be allowed within the boundaries of said FLOOD WATER STORAGE AREA.

The provisions of this subsection shall not be construed to prevent the remodeling, maintenance or flood proofing of buildings and structures now existing, provided any such remodeling, maintenance or flood proofing shall not constitute an extension or enlargement. The provisions shall also not be construed to prevent the surfacing or resurfacing of existing streets or parking lots within two (2) inches of the existing grade. The provisions shall be construed to prohibit the construction of walls, fences or other outdoor obstructions above the existing ground grade, unless such construction is primarily for flood proofing purposes and is approved by the Director of Public Works.

(c) Restricted nonresidential building area. Within the boundaries of the RESTRICTED NONRESIDENTIAL BUILDING AREA shown on the map entitled "FOUR MILE RUN FLOOD PLAIN DISTRICT", which was adopted in section 42-25.1, strictly nonresidential buildings or structures may be constructed provided:

(1) No floor, cellar or basement, or any part thereof, excluding columns, stairs and elevators, shall be erected below the applicable building flood elevations

shown within said area on such map. The total cross-sectional area of any columns, stairways and elevator shafts shall not exceed ten percent of the total building cross-sectional area.

(2) Any mechanical or electrical equipment or accessories that are required for the operation of any vertical type transportation facility shall be located at or above said building flood elevation unless it is not reasonably possible. If it is not reasonably possible, the equipment and accessories located below said elevation shall be flood proofed.

(3) Extensions or enlargements shall conform to the provisions of (c) Restricted nonresidential building area.

(4) All other applicable provisions of law are complied with.

(5) The Director of Public Works of the City has issued a certificate to the effect that the proposed building or structure will conform to the provisions of (c) Restricted nonresidential building area.

No filling of any kind shall be allowed within the boundaries of said RESTRICTED NONRESIDENTIAL BUILDING AREA.

Except for columns, stairways and elevator shafts for structures or buildings, these provisions shall be construed to prohibit the construction of walls, fences, or other outdoor obstructions above the existing ground grade, unless such construction is primarily for flood proofing purposes and is approved by the Director of Public Works. The provisions shall not be construed to prevent the surfacing or resurfacing of existing streets or parking lots within two (2) inches of the existing grade. The provisions shall not be construed to prohibit grading of the existing surface, provided no additional material is deposited and the change in grade does not exceed one (1) foot.

(d) Restricted general building area. Within the boundaries of the RESTRICTED GENERAL BUILDING AREA shown on the map entitled "FOUR MILE RUN FLOOD PLAIN DISTRICT", which was adopted in section 42-25.1, buildings or structures of any kind may be constructed provided:

(1) No floor, cellar or basement, excluding columns, stairs and elevators, shall be erected below the applicable building flood elevations shown within said area on such map. The total cross-sectional area of any columns, stairways and elevator shafts shall not exceed ten percent of the total building cross-sectional area.

(2) Any mechanical or electrical equipment or accessories that are required for the operation of any vertical type transportation facility shall be located at or above said building flood elevation unless it is not reasonably possible. If it is not reasonably possible, the equipment and accessories located below said elevations shall be flood proofed.

(3) Extensions or enlargements shall conform to the provisions of (d) Restricted general building area.

(4) All other applicable provisions of law are complied with.

(5) The Director of Public Works of the City has issued a certificate to the effect that the proposed building or structure will conform to the provisions of (d) Restricted general building area.

No filling of any kind shall be allowed within the boundaries of said RESTRICTED GENERAL BUILDING AREA.

Except for columns, stairways and elevator shafts for structures or buildings, these provisions shall be construed to prohibit the construction of walls, fences or other outdoor obstructions above the existing ground grade, unless such construction is primarily for flood proofing purposes and is approved by the Director of Public Works. The provisions shall not be construed to prevent the surfacing or resurfacing of existing streets or parking lots within two (2) inches of the existing grade. The provisions shall not be construed to prohibit the grading of the existing surface, provided no additional material is deposited and the change in grade does not exceed one (1) foot.

(e) Flood prevention projects. Nothing in Article IV-A shall be construed to prohibit the City or any other person from undertaking lawful filling, draining, construction or other improvements that are intended to eliminate or reduce the danger of flooding provided:

(1) The improvement is in accord with the City Flood Improvement Plan for the District and the Director of Public Works of the City has issued a certificate to that effect.

(2) The improvement is under the general supervision of the Director of Public Works.

(f) Exceptions. Notwithstanding the provisions of Article IV-A, any and all buildings and structures for which a preliminary site plan has been approved ~~or~~ a building permit has been issued prior to June 10 1970 may be completed in accordance with the building permit or preliminary site plan, but after completion any such building or structure and the land on which it is situated shall be subject to the provisions of Article IV-A.

Section 2. That in the opinion of Council an emergency exists and this is declared an EMERGENCY ORDINANCE in order that flood plain management may be imposed in the Four Mile Run area without delay.

Section 3. That this EMERGENCY ordinance shall be published in a newspaper of general circulation in the City not later than five days following its introduction together with a notice containing the time and place for a public hearing. The Clerk of the Council shall note the date of introduction, and first reading, the date of publication, the date of the public hearing, and the date of the second reading and final passage in the minutes of the meeting. This ordinance shall become effective the date of its final passage.

Charles E. Beatley, Jr.
Mayor

FINAL PASSAGE: JUNE 10, 1970