

ORDINANCE NO. 3330

AN ORDINANCE to amend and reordain Sections 7-6-51 (FLOODPLAIN DISTRICTS CREATED), 7-6-52 (REGULATIONS REQUIRED), 7-6-53 (DEFINITIONS), 7-6-55 (DIRECTOR'S REVIEW), subsection (1) of Section 7-6-57 (SPECIAL REGULATIONS), Section 7-6-60 (SAME; NOTIFICATION OF OTHER JURISDICTIONS), subsection (6) of Section 7-6-61 (VARIANCE OR WAIVER) and Section 7-6-62 (ANNUAL REPORT), and to add a new Section 7-6-64 (APPEALS), all of Article D (FLOODPLAIN DISTRICTS), Chapter 6 (ZONING), Title 7 (PLANNING AND DEVELOPMENT) of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 7-6-51 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 7-6-51 Floodplain districts created.

(a) There are hereby established floodplain districts throughout the city as shown on a map entitled "Floodplain Map, The City of Alexandria, Alexandria, Virginia," dated October 18, 1988, signed by the mayor, the chairman of the planning commission and the director of transportation and environmental services, which map is on file in the offices of the director of transportation and environmental services and director of planning and community development. Said floodplain district map is hereby made a part of this article, 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. Any changes in said map are subject to approval by the Federal Insurance Administration of the Federal Emergency Management Agency (FEMA) prior to becoming effective and such approval shall be evidenced by notice in writing from the federal insurance administrator or his authorized representative.

(b) Any uncertainty on said map with respect to the boundary of any floodplain district, either A or B zone as hereinafter defined, shall be determined by the director of transportation and environmental services by scaling and computation from the map.

Section 2. That Section 7-6-52 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 7-6-52 Regulations required.

(a) The floodplain management regulations in this article are adopted in compliance with floodplain management criteria set

forth in regulations promulgated by the Federal Insurance Administration of FEMA.

(b) Should any uncertainty occur with respect to the definition of any word, term or phrase used in this article, the applicable definitions set out in the Federal Register, Vol. 41, No. 207, promulgated on October 26, 1976, or any amendment, addition or supplement thereto, shall apply.

Section 3. That Section 7-6-53 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 7-6-53 Definitions.

For the purposes of this article the following terms and words are defined as follows:

(a) A zone. An area of 100-year-flood as shown on the floodplain district map adopted by section 7-6-51 of this article.

(b) B zone. An area between the limits of 100-year-flood and 500-year-flood, or an area of 100-year-shallow flooding where depths are less than one foot, as shown on the floodplain district map adopted by section 7-6-51 of this article.

(c) Base flood/one-hundred year flood. A flood that, on the average, is likely to occur once every 100 years (i.e., that has a one percent chance of occurring each year, although the flood may occur in any year).

(d) Development. Any man-made change to improved or unimproved real estate, including, but not limited to, the construction of buildings or other structures, the placement of manufactured homes, the construction of streets, the installation of utilities and other activities or operations involving paving, filling, grading, excavating, mining, dredging or drilling.

(e) Flood. A general and temporary inundation by water of normally dry land areas.

(f) Floodplain. A relatively flat or low land area adjoining a river, stream, or other watercourse which is subject to partial or complete inundation by water from such watercourse, or a land area which is subject to the unusual and rapid accumulation or runoff of surface waters from any source.

(g) Flood-prone area. Any land area susceptible to being inundated by water from any source more often than once in a 100-year period.

(h) Manufactured homes. A structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without permanent foundation, when connected to the required utilities, including park trailers and other similar vehicles when placed on a site for greater than 180 days.

(i) Nonresidential building. Any building or structure which is not a residential building.

(j) Residential building. Any single-family dwelling, two-family dwelling, row dwelling or multifamily dwelling containing not more than four dwelling units, and their accessory building or structure.

Section 4. That Section 7-6-55 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 7-6-55 Director's review.

The director of transportation and environmental services shall review all site plans submitted pursuant to chapter 5 of title 5 of this code, plats of subdivision submitted pursuant to chapter 5 of this title and applications for building permits, which plans, plats or applications propose to construct or make substantial improvements within any floodplain district. No such site plan, subdivision plat or building permit application shall be approved by any agency of the city without certification by the director of transportation and environmental services that the site plan, subdivision plat or building permit application meets the requirements of this article and all other applicable codes and ordinances, including the Virginia Uniform Statewide Building Code. The director shall insure that all other required permits from state or federal governmental agencies have been obtained.

Section 5. That subsection (1) of Section 7-6-57 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 7-6-57 Special regulations.

(1) The lowest floor elevation, including basements, for any residential building or extension thereto shall be at or above the 100-year-flood level as noted on said map.

Section 6. That Section 7-6-60 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 7-6-60 Same; notification of other jurisdictions.

The director of transportation and environmental services shall, for any flood prevention project undertaken or approved after June 1, 1977, involving the alteration or relocation of a watercourse, notify the Federal Insurance Administration of FEMA and the counties of Arlington and Fairfax of such project at least 15 days prior to commencing work. A copy of such notification shall be provided to the Division of Soil and Water Conservation in the Virginia Department of Conservation and Historic Resources. Prior to any such alteration or relocation, any required approval shall be obtained from the Virginia Department of Conservation and Historic Resources, the U.S. Corps of Engineers, the Marine Resources Commission and the Virginia State Water Control Board. The director shall assure that the flood-carrying capacity within any such altered or relocated watercourse is maintained.

Section 7. That subsection (6), Section 7-6-61 of the Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended and reordained to read as follows:

(6) The director of transportation and environmental services shall maintain a record of all variance or waiver actions including justification for their issuance. Such information shall be reported to the Federal Insurance Administration of FEMA, the clearing house established by the United States Office of Management and Budget Circular No. A-95 and the Virginia State Water Control Board.

Section 8. That Section 7-6-62 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 7-6-62 Annual report.

It shall be the responsibility of the city manager to submit an annual report on a form provided by the federal government to the Federal Insurance Administration of FEMA, the clearing house established by the United States Office of Management and Budget Circular No. A-95 and the Virginia State Water Control Board.

Section 9. That Article D, Chapter 6, Title 7 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended by adding a new Section 7-6-64 to read as follows:

Sec. 7-6-64 Appeals.

Any person aggrieved by a decision of the director or designee of the director under this article may appeal that decision to the city council; provided, that the appeal shall be filed in

writing with the city clerk within 15 days of the decision being appealed and shall describe the decision being appealed and the reasons why the person believes the decision to be invalid.

Section 10. That this ordinance shall become effective upon the date and at the time of its final passage.

JAMES P. MORAN, JR.
Mayor

Final Passage: October 15, 1988