

The following information is condensed from a 26-page document Article XIII, but also called the Environmental Management Ordinance/Resource Protection Areas (RPAs). The document can be found on the City's website at http://alexandriava.gov/tes/DEQ/pdfs/Article_XIII_2006.pdf.

The **Chesapeake Bay Preservation Area Overlay District** is all land within the corporate limits of Alexandria. Regulations under Article XIII supersede any zoning, land use, or land development regulation in City Code that are inconsistent with this Article.

The City requires that land uses and development reduce and prevent any increase in pollution of state waters

The land use at the time the first item for development/redevelopment is submitted to the City is established as the pre-development conditions.

Substantial alteration is the expansion or modification of a building or development that would result in land disturbance exceeding an area of 2,500 feet in the Resource Management Area only.

The Chesapeake Bay Preservation Area is divided into Resource Protection Areas and Resource Management Areas.

- A **Resource Protection area** are tidal wetlands, tidal shores, nontidal wetlands connected by surface water flow and connected to tidal wetlands or water bodies with perennial flow, a buffer area of 100 feet for the aforementioned and along both sides of any waterbody with perennial flow.
- A **Resource Management area** includes all land in Alexandria not in a Resource Protection area because all land in Alexandria drains through conveyances to the Potomac River and Chesapeake Bay.

Development, redevelopment, and uses permitted in Resource Protection Areas: conservation and preservation of natural life and natural resources; passive recreational activities; and education and scientific research.

- With permission of the T&ES Director:
 - repairs and maintenance of existing structures with no increase of structure footprint and no disturbance exceeding an area of 2,500 feet; boardwalks, trails, pathways, historic and archeological preservation and activities;
 - new or expanded water dependent facilities (such as ports, marinas) provided in agreement with City Master Plan, any non-water dependent components are outside the RPA, and access to the facility is minimal disturbance

- redevelopment may not increase impervious surface, may not encroach further on the resource protection area and is in compliance with erosion, sediment, and stormwater controls
- With permission of the City Arborist: stream and shoreline line restoration, erosion control and stabilization

Encroachments must include a water quality impact assessment and be approved by the T&ES Director. If the buffer area would result in loss of buildable area recorded before 1 Oct 1989 it must meet the following:

- Must be minimum necessary to achieve a reasonable buildable area
- Vegetation to maximize water quality and mitigate the buffer encroachment must be established somewhere on the parcel
- Must not extend into the seaward 50 feet of the buffer area

If the buildable area was recorded prior to 1 March 2002 and after 1 October 1989 it must meet also the following:

- Parcel/lot result of a legal process in accordance with the City's regs
- Previously approved exceptions must be met
- Stormwater BMP must be reestablished, repaired and maintained

Performance requirements in Chesapeake Bay Preservation Areas

- No more land than necessary may be disturbed
- Indigenous vegetation shall be preserved to the extent practicable to the proposal
- Development/redevelopment to minimize impervious cover consistent to proposed use/development
- Must be within Code for erosion and sediment control
- Impervious cover is established as 41%

Any noncomplying land use or structure may continue and be maintained, including renovation and remodeling provided that the activity does not result in land disturbance and no net increase in nonpoint source pollution

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There are grandfathered exceptions that could apply to some specific properties. This information would be found with information of a specific property.