

# Ordinance No. 1067

**AN ORDINANCE to amend Article II, Chapter 29 of the Code of the City of Alexandria, Virginia, 1953, as amended, by adding thereto a new section numbered 29-20, which new section numbered 29-20 relates to PUBLIC IMPROVEMENTS FOR INDUSTRIAL SUBDIVISIONS, which Article II relates to REGULATIONS FOR SUBDIVISIONS, and which Chapter 29 relates to SUBDIVISIONS.**

WHEREAS, it is the opinion of the City Council of the City of Alexandria, Virginia, that the health, wealth, safety and general welfare of the City depends in large measure upon the orderly subdivision of land within the City by maintaining a proper balance of residential, commercial and industrial development within the City, and

WHEREAS, in recent years certain desirable industrial concerns have moved from the City and others have chosen not to locate here, and

WHEREAS, it is apparent that Alexandria needs to encourage desirable industrial development by establishing definite procedures and standards particularly applicable to the subdivision of industrial land, the apportionment of costs of public improvement for such subdivisions, and the varying of requirements in connection with such improvements, now, therefore,

**THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:**

Section 1. That Article II, Chapter 29 of the Code of the City of Alexandria, Virginia, 1953, as amended, be and the same hereby is amended by adding thereto a new section numbered 29-20 to read as follows:

**Sec. 29-20. Public Improvements for Industrial Subdivisions.**

Any owner, contract purchaser, proprietor or developer of any industrial tract of land located within the corporate limits of the City who wish to subdivide the same and who seek City participation in the cost or required public improvements or seek variations from the public improvements required, may make a request concerning such participation or variance to the Planning Commission and the City Manager at the time of his subdivision application, or from time to time as major developments therein shall occur. Upon receipt of such request, the City Manager shall, after consultation with the Director of Public Works promptly prepare a written report on the request, which shall include an appraisal of the adequacy of existing on- and off-site public improvements and a recommendation as to the extent of City participation in the cost of public improvements and the degree of variation from the required public improvements in connection with said request. This report shall be based upon a study including but not limited to the following factors, present and future: topography, population, land use, quantity and nature of storm and sanitary sewer flow, and vehicular and pedestrian traffic. Such reports shall be submitted to the Planning Commission and shall accompany its recommendations to the City Council.

The Planning Commission shall, after examining the report, consider the request of the applicant in connection with such participa-

tion or variation and make written recommendations to the City Council concerning the request. The submission of the City Manager's report, its examination and consideration and the submission of the recommendations of the Commission shall be scheduled so that the Subdivision application may be processed and acted upon without undue delay.

After the Planning Commission has made its written recommendations to the Council, the City Manager shall forthwith docket the request for a hearing before the Council.

After the hearing by the City Council it shall, subject to the provisions, requirements, and standards hereinafter contained and by a majority vote of all members, determine to what extent, if any, the City will participate in the cost of public improvements.

After the hearing by the City Council it shall, subject to the provisions, requirements and standards hereinafter contained determine what variations, if any, from the required public improvements will be allowed.

No such request for City participation in the cost of public improvements or for a variation from required public improvements shall be processed nor shall the City Council authorize any such participation or variation unless and until the following standards and requirements are complied with:

a. The land involved shall consist of at least five acres and at least 60 per cent of the land involved, but not less than five acres shall be zoned industrial.

b. The use proposed for at least 60 per cent of the industrially zoned land shall be one of the industrial uses listed in the I-1 or I-2 industrial zones.

c. The applicant shall have submitted plans, drawings, and renderings of the uses proposed, together with plans for public improvement.

d. The applicant proposes to start at least ten per cent of the project within six months.

In no event shall the Council authorize a variance in requirements or authorize City participation in costs until the Council shall have reached a finding that the proposed subdivision will benefit the public welfare to the extent that it will justify a variance in requirements or participation in costs of public improvements.

In no event shall the Council authorize a variance in requirements other than the requirements for the construction of sidewalk and street paving on subdivision streets, and then only by deferring said construction on one side thereof in portions of the land not fully developed until such time as further development thereon occurs; and provided further that dependent upon the use and width of streets propose, the requirements for sidewalks on more than one side of a street may be varied, or specially designed facilities other than standard facilities may be approved for sidewalks, curbs and gutters.

In no event shall the City participate in nor shall the City

Council authorize City participation in the cost of public improvements pursuant to this section in excess of:

a. The cost of bringing off-site trunk sanitary sewer lines to the extremity of the applicant's land.

b. The cost of construction of that portion of any street or highway which exceeds a width of 36 feet when such additional width is required for arterial highway purposes; such costs shall not include grading which shall be the responsibility of the applicant.

c. Twenty-five percent of the cost of on-site trunk storm sewers but only after the recommendations contained in the City Manager's report have been considered.

d. Fifty percent of the cost of off-site trunk storm sewers, but only after the recommendations contained in the City Manager's report have been considered.

e. Such amount of money as the Director of Finance shall determine and state is lawfully available unencumbered and unallocated or can lawfully be made available, unless the City Council provides for special financing, temporary or otherwise, for this purpose.

In no event shall the Council authorize a participation in the cost of sanitary sewers, storm sewers, streets, alleys, sidewalks, curbs or gutters when those in existence are adequate.

No fund shall be expended for any such public improvement, the cost of which is to be paid for in whole or part by the City unless and until such funds have been appropriated or allotted and building permits have been issued for the proposed industrial development. The granting of any variance or City participation in costs shall not be construed as relieving applicants from complying with all other laws applicable to subdivisions within the City.

Section 2. That this ordinance shall be published in a newspaper of general circulation in the City not later than five days following its introduction with a notice containing the time and place for a public hearing. The Clerk of 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, but shall be effective and retroactive to April 21, 1959.

LEROY S. BENDHEIM

Mayor

Final Passage: March 8, 1960