

ORDINANCE NO. 4040

AN ORDINANCE to amend and reordain Section 11-503 (PROCEDURE), under Section 11-500 (SPECIAL USE PERMITS) of Article XI (DEVELOPMENT APPROVALS AND PROCEDURES), of the City of Alexandria Zoning Ordinance (TA NO. 99-0002).

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That subsection (F) of Section 11-503 of the City of Alexandria Zoning be, and the same hereby is, amended to read as follows:

- (F) Change in ownership only. Where an application under this section 11-500 is necessitated solely by a change in ownership of the use that is subject to the special use permit, and the circumstances set forth in paragraph (1) below apply, the director may administratively approve such application and transfer the special use permit to the new applicant only.
- (1) The circumstances which are a condition to such administrative approval are as follows:
 - (a) The applicant is not requesting a change in the conditions of the special use permit.
 - (b) There have been no substantiated violations of the special use permit conditions.
 - (c) There are no changes proposed or anticipated in the operation of the use involved.
 - (d) The director has concluded that no new conditions, other than standard conditions promulgated by the director, approved by City Council and agreed to by the applicant, and no amendments to existing conditions are necessary, other than to conform to such standard conditions.
 - (e) Following notice of the application in a newspaper of general circulation in the city, no person has requested the director to forward the application to city council.
- (2) Where the director approves an application under this section 11-503(F), sections 11-503(A) through (E) shall not apply to the application. However, where such application is not approved by the director, it shall be subject to the same procedural requirements of any other application for a special use permit. The director is authorized to issue regulations governing administrative approvals issued under this section 11-503(F).

Section 2. That Section 11-503 of the City of Alexandria Zoning Ordinance, as amended by this ordinance, be, and the same hereby is reordained as part of the City of Alexandria Zoning Ordinance.

Section 3. That this ordinance shall become effective upon the date at the time of its final passage, and shall apply to all

applications for land use, land development or subdivision approval provided for under the City of Alexandria Zoning Ordinance which are on such date pending before any city department, agency or board, or before city council, or on judicial review; shall apply to all such applications which may be filed after such date, and shall apply to all other facts and circumstances subject to the provisions of the City of Alexandria Zoning Ordinance, except as may be provided in Article XII of the Zoning Ordinance.

KERRY J. DONLEY

Mayor

Introduction: 4/13/99
First Reading: 4/13/99
Publication: 4/14/99; 4/15/99
Public Hearing: 4/17/99
Second Reading: 4/17/99
Final Passage: 4/17/99