

ORDINANCE NO. 4129

AN ORDINANCE amend and reordain Section 12-600 (COMMUNITY UNIT PLAN, PLANNED UNIT DEVELOPMENT, CLUSTER SPECIAL USE PERMIT, TRANSITIONAL SPECIAL USE PERMIT AND CO PLANNED RESIDENTIAL/COMMERCIAL DEVELOPMENT) of Article XII (NONCOMPLIANCE AND NONCONFORMITY) of the City of Alexandria Zoning Ordinance (TA NO. 00-0006).

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That paragraph (5) of Section 12-600(B) of the City of Alexandria Zoning Ordinance be, and the same hereby is, amended to read as follows:

- (5) Permitted Amendments.
  - (a) A change to a CO planned residential/ commercial development or a portion thereof which, as of January 24, 1998, has been fully constructed, and for which an as-built site plan has been required, is permitted by an amendment to the special use permit authorizing the development; provided, that the change is consistent with the regulations applicable to the zone in which the development is situated.
  - (b) A change to a CO planned residential/ commercial development or a portion thereof which, as of January 24, 1998, has not been fully constructed, and for which an as-built site plan has not been required, is permitted by an amendment to the special use permit authorizing the development that is in effect on January 24, 1998; provided, that the change:
    - (i) does not cause the maximum floor area of the development to exceed the floor area authorized in the permit in effect on January 24, 1998;
    - (ii) does not cause the development to contain any uses that are (a) not approved by the permit in effect on January 24, 1998, or (b) not permitted uses or special uses under the regulations applicable to the zone in which the development is situated; and
    - (iii) otherwise does not cause the development to be noncompliant or inconsistent with the regulations applicable to the zone in which the development is situated, which regulations, in the case of a development located in a coordinated development district, shall be the CDD special use permit provisions in section 5-602(A) of this ordinance , except that the requirement for compliance with such zone regulations may be modified pursuant to clauses (i) and (ii) above.

Section 2. That Section 12-600 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 and 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: April 11, 2000  
First Reading: April 11, 2000  
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