

ORDINANCE NO. 4306

AN ORDINANCE to amend and reordain Section 3-2-187 (ASSESSMENT OF NEW BUILDINGS SUBSTANTIALLY COMPLETED) of Division 1 (REAL ESTATE), ARTICLE M (LEVY AND COLLECTION OF PROPERTY TAXES), Chapter 2 (TAXATION), Title 3 (FINANCE, TAXATION AND PROCUREMENT) of The Code of the City of Alexandria, Virginia 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 3-2-187 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. 3-2-187 Assessment of new buildings substantially completed.

All new buildings shall be assessed when substantially completed or fit for use and occupancy, regardless of the date of completion or fitness, and the director or real estate assessments shall enter in the books the fair market value of such building. No partial assessment as provided herein shall become effective until information as to the date and amount of such assessment is recorded in the department of real estate assessments and made available for public inspection. The total tax on any such new building for that year shall be the sum of (i) the tax upon the assessment of the completed building, computed according to the ratio which the portion of the year such building is substantially completed or fit for use and occupancy bears to the entire year, and (ii) the tax upon the assessment of such new building as it existed on January 1 of that assessment year, computed according to the ratio which the portion of the year such building was not substantially complete or fit for use and occupancy bears to the entire year. With respect to any assessment made under this section after November 1 of any year, no penalty for nonpayment shall be imposed until the last to occur of (i) December 5 of such year or (ii) 30 days following the date of the official billing.

Section 2. That this ordinance shall become effective upon the date and at the time of its final passage.

KERRY J. DONLEY
Mayor

Introduction: June 10, 2003
First Reading: June 10, 2003
Publication: June 12, 2003
Public Hearing: June 14, 2003
Second Reading: June 14, 2003
Final Passage: June 14, 2003

ORDINANCE NO. 4307

AN ORDINANCE to amend and reordain subsection (n) (SECOND PRESBYTERIAN CHURCH ELECTION DISTRICT) of Section 2-2-10 (ESTABLISHMENT OF ELECTION DISTRICTS AND VOTING PLACES), and to amend and reordain AThe Official Map of the City of Alexandria, Virginia, Designating Election Districts and Voting Places,@ adopted by Section 2-2-13 (MAP OF ELECTION DISTRICTS AND VOTING PLACES), all of Chapter 2 (ELECTIONS), Title 2 (GENERAL GOVERNMENT) of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Subsection (n) of Section 2-2-10 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:

(n) The Douglas MacArthur School Election District shall be bounded and described by the census blocks shown on the map adopted by section 2-2-13 of this code as comprising the said district.

The voting place within the Douglas MacArthur School Election District shall be at the Douglas MacArthur School, located at 1101 Janney=s Lane.

Section 2. That AThe Official Map of the City of Alexandria, Virginia, Designating Election Districts and Voting Places,@ adopted by Section 2-2-13 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained as shown on Exhibit 1, attached hereto and incorporated fully by reference, to reflect the designation and description of the Douglas MacArthur School Election District, in replacement of the of the Second Presbyterian Church Election District.

Section 3. That the general registrar of voters be, and he hereby is, directed to record the foregoing amendments on the said map.

Section 4. That this ordinance shall become effective upon the date and at the time of its final passage; provided, however, that the changes in the Election District names and voting places herein made shall not be implemented until the changes are first submitted to the Attorney General of the United States and no objection is interposed within 60 days of the submission, as required pursuant to Section 5 of the Voting Rights Act of 1965, as amended.

KERRY J. DONLEY
Mayor

Attachment

Introduction: June 10, 2003
First Reading: June 10, 2003
Publication: June 12, 2003
Public Hearing: June 14, 2003
Second Reading: June 14, 2003
Final Passage: June 14, 2003

****Attachment****

ORDINANCE NO. 4308

AN ORDINANCE to amend and reordain Ordinance No. 2165, as amended, to grant a one-year extension of franchise rights to Verizon Virginia, Inc., formerly known as Bell Atlantic-Virginia, Incorporated, formerly known as the Chesapeake and Potomac Telephone Company of Virginia.

WHEREAS, on March 22, 1977, the city council enacted Ordinance No. 2165 which granted a franchise to the Chesapeake and Potomac Telephone Company of Virginia and its successors and assigns for the purpose of providing a telephone and telegraph service and system within the city; and

WHEREAS, Section 17 of Ordinance No. 2165 provided that the franchise rights and privileges provided by the ordinance were to continue for a term of 20 years, from May 1, 1977 until May 1, 1997; and

WHEREAS, in order to await the resolution of issues arising from the enactment of certain state and federal legislation affecting the rights of municipalities and telecommunications providers, the city council, on October 25, 1997, enacted Ordinance No. 3961, which extended the franchise an additional two-year period until April 30, 1999, and on April 17, 1999, enacted Ordinance No. 4039, which extended the franchise until April 30, 2000 and again, on April 15, 2000, enacted Ordinance No. 4126, which extended the franchise until April 30, 2001; and on May 12, 2001, enacted Ordinance No. 4202, which extended the franchise until April 30, 2002; and on May 18, 2002, enacted Ordinance No. 4249, which extended the franchise until April 30, 2003: and

WHEREAS, the negotiation of a new franchise has been delayed due to Verizon's involvement with other ongoing business; and

WHEREAS, the city council has determined that it is in the public interest to extend for an additional one-year period the franchise granted by Ordinance No. 2165 to Verizon Virginia, Inc., as the successor to Bell Atlantic-Virginia, Incorporated, which was the successor to the Chesapeake and Potomac Telephone Company of Virginia; now, therefore

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That, pursuant to Article VII, Section 9 of the Virginia Constitution and Article 1 of Chapter 21 of Title 15.2 of the Code of Virginia, Section 17 of Ordinance No. 2165, which defines the term of the franchise granted to the Chesapeake and Potomac Telephone Company of Virginia and its successors and assigns, be, and the same hereby is, amended to set the term at 27 years, such that the franchise shall expire on April 30, 2004, unless sooner voluntarily surrendered by the franchisee with the consent of the city council, or unless sooner forfeited as provided by law.

Section 2. That Ordinance No. 2165, as amended by Section 1 of this ordinance, be, and the same hereby is, reordained.

Section 3. That this ordinance shall be effective upon the date and at the time of its final passage, and shall operate

retroactively to extend the term of the franchise heretofore granted until April 30, 2004.

KERRY J. DONLEY
Mayor

Introduction: June 10, 2003
First Reading: June 10, 2003
Publication: June 12, 2003
Public Hearing: June 14, 2003
Second Reading: June 14, 2003
Final Passage: June 14, 2003

ORDINANCE NO. 4309

AN ORDINANCE to amend and reordain the 1992 Master Plan (1998 ed.) of the City of Alexandria, Virginia, by adopting and incorporating therein the amendments heretofore approved by city council to such master plan as Master Plan Amendment Nos. 2003-0005, 2003-0006 and 2003-0007 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendments.

WHEREAS, the City Council of the City of Alexandria finds and determines that:

1. In Master Plan Amendment No. 2003-0005, the planning commission, on its own motion, initiated a comprehensive amendment to the 1992 Master Plan (1998 ed.) of the City of Alexandria, by adopting amendments to the Potomac West Small Area Plan Chapter, including the Upper Potomac West Task Force Report, the Long-Term Vision for the Arlandria Neighborhood and new and revised CDD guidelines.

2. In Master Plan Amendment No. 2003-0006, the planning commission, on its own motion, initiated a comprehensive amendment to the 1992 Master Plan (1998 ed.) of the City of Alexandria, by adopting\ the Alexandria Open Space Plan as a chapter of the said Master Plan.

3. In Master Plan Amendment No. 2003-0007, the planning commission, on its own motion, initiated a comprehensive amendment to the 1992 Master Plan (1998 ed.) of the City of Alexandria, by adopting Strategic Master Plan for Recreation, Parks and Cultural Activities as a chapter of the said Master Plan.

4. The said amendments have heretofore been approved by the planning commission and city council after full opportunity for comment and public hearing.

5. All requirements of law precedent to the adoption of this ordinance have been complied with; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the amended Potomac West Small Area Plan Chapter, including the Upper Potomac West Task Force Report, the Long-Term Vision for the Arlandria Neighborhood and new and revised

CDD guidelines, attached hereto and incorporated fully herein by reference, be, and the same hereby are, adopted as an amendment to the 1992 Master Plan (1998 ed.) of the City of Alexandria, Virginia.

Section 2. That the Alexandria Open Space Plan, attached hereto and incorporated fully herein by reference, be, and the same hereby is, adopted as a chapter of the 1992 Master Plan (1998 ed.) of the City of Alexandria, Virginia..

Section 3. That the Strategic Master Plan for Recreation, Parks and Cultural Activities, attached hereto and incorporated fully herein by reference, be, and the same hereby is, adopted as a chapter of the 1992 Master Plan (1998 ed.) of the City of Alexandria, Virginia.

Section 4. That all provisions of the Potomac West Small Area Plan Chapter of the 1992 Master Plan (1998 ed.) of the City of Alexandria, Virginia, as may be inconsistent with the provisions of Section 1 of this ordinance be, and same hereby are, repealed.

Section 5. That all provisions of the 1992 Master Plan (1998 ed.) of the City of Alexandria, Virginia, as may be inconsistent with the provisions of Sections 2 and 3 this ordinance be, and same hereby are, repealed.

Section 6. That the director of planning and zoning be, and hereby is, directed to record the foregoing master plan amendments, as part of 1992 Master Plan (1998 ed.) of the City of Alexandria, Virginia.

Section 7. That the 1992 Master Plan (1998 ed.) of the City of Alexandria, as amended by this ordinance, be, and the same hereby is, reordained as the 1992 Master Plan (1998 ed.) of the City of Alexandria, Virginia.

Section 8. That the city clerk shall transmit a duly certified copy of this ordinance to the Clerk of the Circuit Court of the City of Alexandria, Virginia, and that the said Clerk of the Circuit Court shall file same among the court records.

Section 9. That this ordinance shall become effective upon the date and at the time of its final passage.

KERRY J. DONLEY

Mayor

Attachments: Potomac West Small Area Plan, as amended
Alexandria Open Space Plan
Strategic Master Plan for Recreation, Parks and
Cultural Activities

Introduction: June 10, 2003
First Reading: June 10, 2003
Publication: June 12, 2003
Public Hearing: June 14, 2003
Second Reading: June 14, 2003
Final Passage: June 14, 2003

****Attachments****

ORDINANCE NO. 4310

AN ORDINANCE to amend and reordain the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES); to add a new Section 4-1400 (NEIGHBORHOOD RETAIL ZONE (ARLANDRIA)) to Article IV (COMMERCIAL, OFFICE AND INDUSTRIAL ZONES), and to amend and reordain and Paragraphs (6) (CDD No. 6 ARLANDRIA CENTER/BERKEY PHOTO) and (7) (CDD No. 7 ROUTE 1 PROPERTIES) of, and to add a new Paragraph (12) (CDD No. 12 SAFEWAY/DATATEL) to, Subsection (A) (CDD DISTRICTS), of Section 5-602 (COORDINATED DEVELOPMENT DISTRICTS CREATED, CONSISTENCY WITH MASTER PLAN, REQUIRED APPROVALS), all of the City of Alexandria Zoning Ordinance, in accordance with the said zoning map and text amendments heretofore approved by city council as Rezoning No. 2003-0003 and Text Amendment No. 2003-0003.

WHEREAS, the City Council finds and determines that:

1. In Rezoning No. 2003-0002 and Text Amendment No. 2003-0003, the planning commission, having found that the public necessity, convenience, general welfare and good zoning practice so require, on its own motion initiated the comprehensive rezoning of the area comprising the Arlandria portion of the Potomac West Small Area Plan;

2. The City Council in adopting this ordinance expressly adopts, ratifies, affirms and concurs in the finding and action of the Planning Commission above stated;

3. The said rezoning is in conformity with the 1992 Master Plan (1998 ed.) of the City of Alexandria, Virginia, as amended, and

4. All requirements of law precedent to the adoption of this ordinance have been complied with; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the Sheets of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 of the City of Alexandria Zoning Ordinance, shown on Exhibits 1-1, 1-2, 1-3 and 1-4, attached hereto and incorporated fully by reference, be, and the same hereby are, amended by changing, in the manner set forth

in the said Exhibits, the zoning classification of the property therein described.

Section 2. That Paragraph (6) of Subsection (A) of Section 5-602 of the City of Alexandria Zoning Ordinance be, and the same hereby is, amended to read as shown on Exhibit 2, attached hereto and incorporated fully by reference.

Section 3. That Paragraph (7) of Subsection (A) of Section 5-602 of the City of Alexandria Zoning Ordinance be, and the same hereby is, amended to read as shown on Exhibit 3, attached hereto and incorporated fully by reference.

Section 4. That Subsection (A) of Section 5-602 of the City of Alexandria Zoning Ordinance be, and the same hereby is, amended by adding there to a new Paragraph (12), as shown on Exhibit 4, attached hereto and incorporated fully by reference.

Section 5. That Article 4 of the City of Alexandria Zoning Ordinance be, and the same hereby is, amended by adding thereto a new Section 4-1400, as shown on Exhibits 5-1 through 5-16 inclusive, attached hereto and incorporated fully by reference.

Section 6. That the director of planning and zoning be, and hereby is, directed to record the foregoing map and text amendments.

Section 7. That the Sheets of the "Official Zoning Map, Alexandria, Virginia," as amended pursuant to Section 1 of this ordinance, Section 5-602, as amended pursuant to Section 2, Section 3 and Section 4 of this ordinance, and Article 4, as amended pursuant to Section 5 of this ordinance, be, and the same hereby are, reordained as part of the City of Alexandria Zoning Ordinance.

Section 8. That this ordinance shall become effective on 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, 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

Attachments: Exhibits 1-1 through 1-4, 2, 3, 4 and 5-1 through 5-16

Introduction: June 10, 2003
First Reading: June 10, 2003
Publication: June 12, 2003
Public Hearing: June 14, 2003
Second Reading: June 14, 2003
Final Passage: June 14, 2003