

Ordinance No. 986

AN EMERGENCY ORDINANCE to amend and reordain Paragraph (9), Subsection (a), Section 35-6, Article III, Chapter 35 of The Code of the City of Alexandria, Virginia, 1953, as amended, which Chapter 35 relates to ZONING, which Article III relates to USE AND AREA REGULATIONS GENERALLY, which Section 35-6 relates to R-20 RESIDENCE ZONE, which Subsection (a) relates to USES IN R-20 RESIDENCE ZONE, and which Paragraph (9) relates to USES BY PUBLIC AGENCIES AND PUBLIC UTILITIES.

WHEREAS, pursuant to due and timely notice of the time and place of hearing published in a daily paper of general circulation published in the City of Alexandria, Virginia, a public hearing was held in relation to the matters hereinafter set forth, at which public hearing parties in interest and citizens had an opportunity to be heard.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Paragraph (9), Subsection (a), Section 35-6, Article III, Chapter 35 of The Code of the City of Alexandria, Virginia, 1953, as amended, be and the same hereby is amended and reordained to read as follows:

- (9) a. The erection, construction, alteration or maintenance by public utilities, public service corporations, municipal departments, public commissions or public authorities of underground, or overhead gas, electrical, steam, water, or sewage transmission or distribution systems, collection, communication, supply or disposal systems, including poles, wires, lines, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith reasonable necessary for the furnishing of adequate service by such utilities, corporations, departments, commissions, or authorities, or for the public health, safety or general welfare. The following, however, are not included in the above named lists of uses: buildings, plants, offices, substations, motor vehicle, bus or car barns, coal trestles, garages, shops, railroad yards or sidings, freight terminals, warehouses, service or storage yards or facilities, telephone exchanges, static transformer stations and electrical receiving or transforming stations.
- b. The following are permitted by public utilities, public service corporations, municipal departments, public commissions or public authorities only with a special use permit as

specified in Article 10 of this chapter: tanks, towers, stand-pipes or other facilities for storing water, sewage or other liquids or gases, facilities for the transmission or distribution of nuclear energy, pumping stations, canals, railroad or streetcar rights of way, trolley bus lines, passenger stations or depots, airports, heliports, incinerators of a capacity in excess of four bushels, overhead transmission, distribution or communication wires, lines, or cables suspended or carried by poles, towers or other structures which: (1) exceed 65 feet in height, (2) have one or more arms, cross arms or similar apparatus which would extend out more than six feet from the side thereof, (3) have a diameter in excess of three feet if it be a polelike structure, or (4) exceed four square feet in area at any cross section, or have a side exceeding two feet in breath if it be a tower or other type structure.

Section 2. That in the opinion of Council an emergency exists and this ordinance is hereby declared "AN EMERGENCY ORDINANCE" for the reason that a delay in considering this change in the zoning law might result in the use of land in the City which, without the benefit of an appropriate review by the City, could adversely affect the health, safety, and welfare of citizens and be detrimental to property.

Section 3. That this ordinance shall be published in a newspaper of general circulation in the City not later than five days following its introduction together with a notice containing the time and place for a public hearing. The Clerk of the 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.

LEROY S. BENDHEIM

Mayor

Final Passage: March 25, 1958.