

ORDINANCE NO. 5497

AN ORDINANCE to amend and reordain Section 11-704 (APPLICATION OF TMP PROGRAM TO DEVELOPMENT; REQUIRED PARTICIPATION) and add and ordain Section 11-715 (ADMINISTRATIVE AMENDMENT OF TMP SUP) of Article XI (DEVELOPMENT APPROVALS AND PROCEDURES) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2022-00012.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2022-00012, the Planning Commission, having found that the public necessity, convenience, general welfare and good zoning practice so require, recommended approval to the City Council on March 30, 2023 of a text amendment to the Zoning Ordinance to adopt amendments to the Transportation Management Plan special use permit provisions, which recommendation was approved by the City Council at public hearing on April 15, 2023;
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. 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 Section 11-704 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

Section 11-704 - Application of TMP program to development; required participation.

Until July 1, 2023, e~~Each~~ development for which a site plan is required pursuant to section 11-400 of this ordinance may be required to obtain approval of a TMP SUP, depending on its development tier and the requirements for participation outlined in this section 11-704.

Section 2. That Section 11-715 of the Zoning Ordinance be, and the same hereby is, added and ordained, as shown:

Section 11-715 - Administrative amendment of TMP SUP.

(A) For all special use permits approved prior to July 1, 2023, the Director of Transportation and Environmental Services is authorized to establish policies and procedures for applications to amend TMP SUPs, to allow TMP SUPs to be governed by the TMP policy adopted by council.

(B) Approval of an administrative amendment is subject to the following:

(1) Balance of funds prior to application for amendment.

(a) For TMPs making payments to the city, any unpaid balance must be paid to the city.

(b) For TMPs that are managed by the payor, all funds under pay or management must be paid to the city.

(2) Determination of payment period.

(a) Single Phase Development – For developments that are approved under a single final site plan, the 30-year period commences on the date of the issuance of the first certificate of occupancy or the approval of the TMP SUP, whichever is later.

(b) Multi-Phase Development – For phased developments that are approved through multiple final site plans, the 30-year period is assessed for each phase and commences on the date of the issuance of the first certificate of occupancy for that phase.

(3) Credits.

(a) Credits will be assessed as of the date of the application for the amendment.

(b) TMP SUPs approved prior to July 1, 2023 are not eligible for credits for capital improvements that were constructed prior to July 1, 2023.

(4) Shuttles.

(a) Shuttle service required under TMP SUPs may cease after review and approval of information required in the application, pursuant to the TMP policy.

Section 3. That the director of planning and zoning be, and hereby is, directed to record the foregoing text amendment.

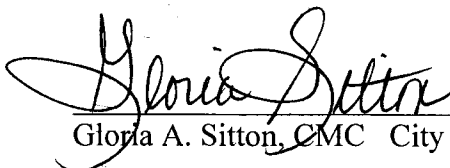
Section 4. That Sections 11-704 and 11-715, as amended or added pursuant to Sections 1 and 2 of this ordinance, be, and the same hereby is, reordained and ordained as part of the City of Alexandria Zoning Ordinance.

Section 4. That this ordinance shall become effective on July 1, 2023, and shall apply to all applications for land use, land development or subdivision approval provided for under the City of Alexandria Zoning Ordinance 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.



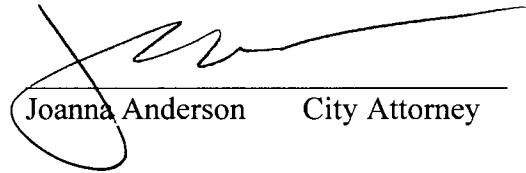
JUSTIN M. WILSON
Mayor

ATTEST:



Gloria A. Sitton, CMC City Clerk

Approved as to Form:



Joanna Anderson City Attorney

Final Passage: June 17, 2023