

City of Alexandria

*301 King St., Room 2300
Alexandria, VA 22314*



Docket - Final

Tuesday, March 11, 2014

7:00 PM

Council Chambers

City Council Legislative Meeting

There will be a reception for the 30th anniversary of DASH at 5:30 p.m. in the Vola Lawson Lobby of City Hall

- 1 Calling the Roll.**
- 2 Moment of Silence and Pledge of Allegiance.**
- 3 Reading and Acting Upon the Minutes of the Following Meetings of City Council:**

[14-2512](#) The Public Hearing Meeting Minutes of February 22, 2014; and
The Regular Meeting Minutes of February 25, 2014

Attachments: [14-2512 February 22 2014 minutes.rtf](#)

[14-2512 February 25 2014 minutes.rtf](#)

RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL

None.

PROCLAMATIONS

- 4 [14-2478](#) Presentation of a Proclamation Recognizing the 30th Anniversary of DASH.**

Attachments: [14-2478 proclamation](#)

- 5 [14-2525](#) Presentation of a Proclamation for the Land Launch of the Alexandria Seaport Foundation's Whaleboat.**

Attachments: [14-2525 proclamation](#)

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER (five min.)

CONSENT CALENDAR (6-18)

(Resignations and Uncontested Appointments)

- 6 [14-2517](#) Receipt of the Following Resignations from Members of Boards, Commissions and Committees:**

(a) Budget and Fiscal Affairs Advisory Committee
Tom Karol

(b) Commission for the Arts
Greg Johnson

(c) Park and Recreation Commission
Nick Wagner

(d) Social Services Advisory Board
Theron Fuller

(e) Torpedo Factory Art Center Board
Greg Johnson

Attachments: [14-2517 resignations](#)

7 [14-2518](#) Uncontested Appointments to Members of Boards, Commissions and Committees:

(a) Alexandria Gang Prevention Community Task Force
1 Member From and Representing a Community Organization with
Specific Outreach to the Latino Community

(b) Building Code Board of Appeals
1 Citizen Member

(c) Children, Youth and Families Collaborative Commission
1 City Staff Representative

(d) Commission on Aging
1 Citizen Member Who is 60 Years of Age or Older

(e) Community Criminal Justice Board
1 Administrator of the Community Services Board

(f) Sister Cities Committee
1 Citizen Member

(g) Social Services Advisory Board
1 Citizen Member

(h) Waterfront Commission
1 Representative from the Commission for the Arts

Attachments: [14-2518 uncontested appoints march 11 2014.docx](#)

(Reports and Recommendations of the City Manager)

8 [14-2237](#) Consideration of the Monthly Financial Report for the Period Ending
January 31, 2014.

Attachments: [14-2237 Attachment 1 Revenues](#)
[14-2237 Attachment 2 Expenditures](#)
[14-2237 Attachment 3 Contingent Reserves](#)

- 9 [14-2368](#) Consideration of Authorization for the City Manager to Execute the Docking Agreement with the Virginia Maritime Heritage Foundation to Dock the Schooner Virginia at the City Marina and Waive Associated Docking Fees.

Attachments: [14-2368 Visiting Ship Docking Agreement Schooner Virginia FINAL](#)
[14-2368 Alexandria 2014 proposal Schooner Virginia](#)

- 10 [14-2441](#) Appointment of Management Representative and Alternate the City of Alexandria Supplemental Retirement Board and Firefighters and Police Officers Pension Plan.

- 11 [14-2494](#) Consideration of the Annual Committee Attendance Report for Fiscal Year 2013.

Attachments: [14-2494 attendreport 2014.docx](#)

- 12 [14-2513](#) Consideration of a Grant Application to the Virginia Commission for the Arts for a Local Government Challenge Grant for the Department of Recreation, Parks and Cultural Activities

(Ordinances for Introduction)

- 13 [14-2367](#) Introduction and First Reading. Consideration. Passage on First Reading of a Proposed Amendment to Title 9 (Licensing and Regulation), Chapter 12 (Taxicabs and Other Vehicles For Hire), Division 2 (Certificates Of Public Convenience And Necessity) of The Code of the City of Alexandria, Virginia, 1981, as Amended.

Attachments: [14-2367 Attachment 1 Taxicab Ordinance](#)
[14-2367 Attachment 2 Taxicab Ordinance](#)
[14-2367 Attachment 3 Taxicab Resolution](#)
[14-2367 Attachment 4 2013 Taxicab Taskforce Report](#)

- 14 [14-2433](#) Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain Sheet No. 064.02 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (Official Zoning Map and District Boundaries), of the City of Alexandria Zoning Ordinance, by rezoning the property at 509 North St. Asaph Street from, RM/Townhouse to CRMU/X Commercial, Residential, Mixed Use (Old Town North) with proffer in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2014-0001. (Implementing ordinance for the rezoning of the property for the Health Department project approved by City Council on February 22,

2014)

Attachments: [14-2433 Information Sheet](#)
[14_2433_Ordinance](#)

- 15** [14-2434](#) Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Old Town North chapter of such master plan as Master Plan Amendment No. 2014-0001 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment. (Implementing Ordinance for the Master Plan Amendment related to the Health Department Project approved by City Council on February 22, 2014)

Attachments: [14-2434 Information Sheet](#)
[14-2434 Ordinance](#)
[14-2434 Attachment](#)

- 16** [14-2435](#) Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Eisenhower East Small Area Plan Chapter of such master plan as Master Plan Amendment No. 2013-0006 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment. (Implementing Ordinance for the Eisenhower East Small Area Plan Amendment related to the Carlyle Plaza II project approved by City Council on February 22, 2014)

Attachments: [14-2435 Information Sheet](#)
[14-2435 Ordinance](#)

- 17** [14-2436](#) Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain Section 11-700 (Transportation Management special use permits) 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. 2013-0009. (Implementing Ordinance for the text amendment related to new TMP regulations approved by City Council on February 22, 2014)

Attachments: [14-2436 Information Sheet](#)
[14-2436 ordinance](#)

- 18** [14-2437](#) Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain Article XIII (Environmental

Management) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2013-0014. (Implementing ordinance for the text amendment approved by City Council on February 22, 2014 regarding stormwater regulations)

Attachments: [14-2437 Information Sheet](#)
[14-2437 ordinance](#)

END OF CONSENT CALENDAR

CONTESTED APPOINTMENTS

- 19 [14-2520](#) Commission for the Arts
1 Member Who Has Expertise in the Arts, Either as a Practitioner of Various Art Disciplines or as a Professional Administrator Working in the Field
Attachments: [14-2520 Comm for the Arts.docx](#)
- 20 [14-2521](#) Commission on Employment
1 Member From Such Organizations as Educational Agencies, Organized Labor, Rehabilitation Agencies, Community-based Organizations, Economic Development Agencies or the Public Employment Services
Attachments: [14-2521 Comm on Employment.docx](#)
- 21 [14-2522](#) Landlord-Tenant Relations Board
1 Homeowner Representative
Attachments: [14-2522 Landlord Tenant Relations Board.docx](#)
- 22 [14-2523](#) Potomac Yard Design Advisory Committee
1 Member Representing the Potomac West Area
Attachments: [14-2523 Potomac Yard Design Advisory.docx](#)
- 23 [14-2524](#) Traffic and Parking Board
2 Citizen Members
Attachments: [14-2524 Traffic and Parking Board.docx](#)

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION (60 min.)

- 24 [14-1960](#) Update on 2014 General Assembly Session.
- 25 [14-2502](#) Consideration of the Receipt of Potomac Yard Metrorail Station Implementation Schedule.

Attachments: [14-2502 ATTACHMENT 1 Schedule to Complete EIS](#)
[14-2502 ATTACHMENT 2 Design-Build Schedule](#)

REPORTS AND RECOMMENDATIONS FROM BOARDS, COMMISSIONS AND COMMITTEES

ORAL REPORTS BY MEMBERS OF CITY COUNCIL

ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

ORAL REPORT FROM THE CITY MANAGER

ORDINANCES AND RESOLUTIONS

- 26 [14-2304](#) Consideration. Passage on First Reading of an Ordinance on the Proposed Real and Personal Property Tax Rates and Proposed Effective Tax Rate Increase for Calendar Year 2014 (Fiscal Year 2015).

Attachments: [14-2304 OrdCover](#)
[14-2304 Ordinance](#)

- 27 [14-2430](#) Consideration of a Resolution to Establish a Policy Advisory Group for the Van Dorn/Beauregard Transitway Alternatives Analysis/Environmental Assessment. [ROLL-CALL VOTE]

Attachments: [14-2430 Attachment 1 PAG Resolution](#)
[14-2430 Attachment 2 Recommended Alignment](#)
[14-2430 Attachment 3 Van Dorn Beauregard AA EA](#)

- 28 [14-2485](#) Update On the Oakville Triangle and Route 1 Planning Process and Consideration of a Resolution to Establish an Oakville Triangle and Route 1 Corridor Advisory Group. [ROLL-CALL VOTE]

Attachments: [14-2485 Attachment 1 Advisory Group Resolution](#)
[14-2485 Attachment 2 DRAFT Interdept WP FY2015](#)

OTHER

- 29 [14-2495](#) Consideration of City Council Schedule.

Attachments: [14-2495 Council Calendar March 2014 to June2014.docx](#)

- 30 [14-2519](#) Consideration of Convening a Closed Meeting for the Purpose of Consulting with Legal Counsel Regarding a Pending Legal Matter.

Attachments: [14-2519 exec session motion.doc](#)

*The Cablecast schedule of Government meetings on Channel 70 can be found here:
<http://apps.alexandriava.gov/Calendar/AltDisplay/VideoList.aspx>
This docket is subject to change.*

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Full-text copies of ordinances, resolutions, and agenda items are available in the Office of the City Clerk and Clerk of the Council. Meeting materials are also available on-line at alexandriava.gov/council.

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Individuals with disabilities who require assistance or special arrangements to participate in the City Council meeting may call the City Clerk and Clerk of Council's Office at 703-746-4550 (TTY/TDD 838-5056). We request that you provide a 48-hour notice so that the proper arrangements may be made.

City Council meetings are closed-captioned for the hearing impaired.

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PUBLIC NOTICE:

Budget Meetings:

*Budget Work Session, March 8, 11:00 a.m., Sister Cities Conference Room
Budget Public Hearing, March 10, 4:00 p.m., Council Chambers
Budget Work Session, March 12, 2014, 6:30 p.m., Sister Cities Conference Room
Budget Work Session, March 18, 2014, 6:30 p.m., Sister Cities Conference Room
Budget Work Session, March 19, 2014 at 7:00 p.m., George Washington Middle School, All Center Room 348
Budget Work Session, March 26, 2014, 6:30 p.m., 2900 Business Center Drive
Budget Work Session, April 2, 2014, 6:30 p.m., Sister Cities Conference Room
Budget Work Session, April 10, 2014, 6:30 p.m., Sister Cities Conference Room
Preliminary Add/Delete, April 21, 2014, 6:30 p.m., Sister Cities Conference Room
Budget Work Session, April 24, 2014, 6:30 p.m., Sister Cities Conference Room
Final Add/Delete, April 28, 6:30 p.m., Sister Cities Conference Room
Budget Adoption, May 1, 7:00 p.m., Council Chambers*



Legislation Details (With Text)

File #: 14-2512 **Name:** Meeting Minutes
Type: Minutes **Status:** Agenda Ready
File created: 2/28/2014 **In control:** City Council Legislative Meeting
On agenda: 3/11/2014 **Final action:**
Title: The Public Hearing Meeting Minutes of February 22, 2014; and
The Regular Meeting Minutes of February 25, 2014
Sponsors:
Indexes:
Code sections:
Attachments: [14-2512 February 22 2014 minutes.pdf](#)
[14-2512 February 25 2014 minutes.pdf](#)

Date	Ver.	Action By	Action	Result
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The Public Hearing Meeting Minutes of February 22, 2014; and
The Regular Meeting Minutes of February 25, 2014

**City of Alexandria
Meeting Minutes
Saturday, February 22, 2014
9:30 A.M.
Council Chambers**

Present: Mayor William D. Euille, Vice Mayor Allison Silberberg, Members of Council John Taylor Chapman, Timothy B. Lovain, Redella S. Pepper, Paul C. Smedberg and Justin M. Wilson.

Absent: None.

Also Present: Mr. Young, City Manager; Mr. Banks, City Attorney; Mr. Fletcher, Special Assistant to the City Manager; Ms. Anderson, Assistant City Attorney; Mr. Jinks, Deputy City Manager; Ms. Evans, Deputy City Manager; Police Captain Wemple; Mr. Baier, Director, Transportation and Environmental Services; Ms. Marks, Transportation and Environmental Services; Ms. Dastgheib Transportation and Environmental Services; Mr. Skrabak, Office of Environmental Quality; Mr. Sharma, Office of Environmental Quality; Mr. Imig, Office of Environmental Quality; Mr. Spengler, Director, Recreation, Parks and Cultural Activities; Mr. Browand, Recreation, Parks and Cultural Activities; Ms. Hamer, Director, Planning and Zoning; Ms. North, Planning and Zoning; Ms. Contreras, Planning and Zoning; Mr. Geratz, Planning and Zoning; Mr. Kerns, Planning and Zoning; Mr. Wagner, Planning and Zoning; Mr. Moritz, Planning and Zoning; Mr. Randall, Planning and Zoning; Ms. Bryan, Information Technology Services; and Mr. Lloyd.

Recorded by: Jacqueline M. Henderson, City Clerk and Clerk of Council

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OPENING

1. Calling the Roll.

The meeting was called to order by Mayor Euille, and the City Clerk called the roll. All members of Council were present.

Vice Mayor Silberberg thanked everyone for their support, understanding and kind notes during the period of her mother's illness and recent passing.

2. Public Discussion Period.

1. Eileen Bradley, 4705 West Braddock Road, with the Friends of Beatley Library, thanked the City staff and many City departments and extended appreciation for the significant progress that has been made with regard to remediation of the physical problems at Beatley Central Library.

2. David Martin, 1400 King Street, presented a check in the amount of \$6,750 to fulfill his agreement to raise half of the contingency of \$13,500 for the King Street tree lighting.

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The following item was taken out of turn:

5. Consideration of the Allocation of \$6,750 in City Matching Funds to Extend the King Street Tree Lighting Program to June 30, 2014.

(A copy of the City Manager's memorandum dated February 19, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 2/22/14, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Vice Mayor Silberberg and carried unanimously, City Council allocated \$6,750 from Council's FY2014 contingent reserve account as a one-to-one match to \$6,750 in privately raised funds in order to keep the King Street tree lights on until June 30, 2014. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper and Councilman Wilson; Opposed, none. (Councilman Smedberg abstained.)

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3. Jim Durham, 622 Fort Williams Parkway, chair, Alexandria Bicycle and Pedestrian Advisory Committee, spoke of the three changes the committee has made associated with increasing emphasis on pedestrian issues. They are building a team that is focused on pedestrian issues as a primary responsibility; they have started organizing walks in the City that are interesting and fun; and they will be hosting a complete streets and pedestrian safety discussion on Monday, April 21 from 6:15 to 7:30 p.m. at the Lee Recreation Center, and he invited Council and the public to the event.

4. Dino Drudi, 315 N. West Street, asked if the time limit of 30 minutes on the public discussion period was new. He spoke to the alternatives introduced for the proposed new Metro station, called BCSX, where the railroad tracks would be shifted to eliminate the curve, which would give extra space to build the Metro station where the City and the developers want it built. If that is going to be done, Council should plan and line up the funding to put up a VRE stop there. Mr. Drudi said Burke Brownfeld in the Alexandria Times has done a great service by raising the concern about reemploying returning citizens - prisoners coming home. He said Council should do something more fundamental than banning the box.

Mayor Euille noted that there isn't a policy on the banning the box/returning citizens, so staff will be responding, since it is an administrative procedure. The City is committed to making sure that those who were incarcerated are living positive and quality lives and have an opportunity to work for the government. The City is committed to working on the matter.

Councilman Smedberg noted that the VRE Board has discussed the possibility of having a station at one point or another and is on a list and is part of its strategic session it had this past August, 2013.

5. Marie Randall, 2904 Cameron Mills Road, president, George Mason PTA, spoke to the Alexandria City Public School's request for the budget for next year. She said that in 2007, there were 370 students at George Mason, and this year there are 520 students in the school, which is a 40 percent increase, which is a similar story to the majority of the schools in ACPS. They have run out of classrooms, the children begin lunch at 10:00 a.m., the gym space is inadequate for assemblies and band concerts, and they have carved spaces out of the library for offices and special rooms so it is now a fraction of the size it was. She said they cannot expect the staff and teachers to perform miracles in an environment that is not adequately funded. She encouraged Council to fully support the budget proposed by the School Superintendent.

6. Al Starnes, 1249 Madison Street, representing the Braddock Place Townhome Association, spoke of the need for the City to more closely monitor the construction at 1250 Madison Street, as the crane adjacent to their property, which has, on more than one occasion, trespassed into their property with loads of concrete. The Association has asked the developer to cease those kinds of activities, but the developer is not acknowledging that it is occurring. He asked that the construction activities be more closely monitored and get the developer to acknowledge that the crew is doing something that is illegal.

Mayor Euille noted that the matter was brought to the attention of Council yesterday, and City staff - both Code Administration and Planning and Zoning - are on top of it.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES

ACTION CONSENT CALENDAR (3)

Planning Commission

3. Special Use Permit #2013-0087

313 North Patrick Street

Public Hearing and Consideration of a request for the operation of an existing single family dwelling occupied by more than four and not more than nine unrelated individuals; zoned RB/Townhouse. Applicant: Dorothea Campbell

Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report, dated February 22, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of item No. 3, 2/22/2014, and is incorporated as part of this record by reference.)

END OF ACTION CONSENT CALENDAR

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilman Chapman and carried unanimously, City Council adopted the consent calendar, as follows:

3. City Council approved the Planning Commission recommendation.

Mayor Euille noted that he would recuse himself, due to the fact that a family member of the applicant is engaged in volunteer services to his political campaign. He said there is no economic or financial interest on his part.

The voting was as follows: In favor, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none. (Mayor Euille abstained.)

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

4. Public Hearing on the Recommendation From the City Council Naming Committee on the Proposal to Name the City Playground at Buchanan Park the Leatrice Byrd Playground at Buchanan Park.

(A copy of the City Manager's memorandum dated February 5, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 2/22/14, and is incorporated as part of this record by reference.)

Mr. Browand, Recreation, Parks and Cultural Activities, responded to questions of City Council.

The following persons participated in the public hearing on this item:

1. Bea Porter, 1727 Cameron Street, spoke in support of the Naming Committee recommendation.

2. Bernard Byrd, 243 Buchanan Street, spoke in support of the Naming Committee recommendation.

3. Bernadette Whitied, 243 Buchanan Street, spoke in support of the Naming Committee recommendation.

4. Regina Byrd, 3103 North 9th Road, Arlington, spoke in support of the Naming Committee recommendation.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council closed the public hearing and concurred with the recommendation of the City Council Naming Committee and approved the naming of the City playground at Buchanan Park the Leatrice Byrd Playground at Buchanan Park. The voting on the motion was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

Planning Commission (continued)

6. Text Amendment #2013-0009

Transportation Management Plans

A) Initiation of text amendment; B) Public Hearing and Consideration of a text amendment to Section 11-700 of the Zoning Ordinance to establish new regulations regarding Transportation Management Plan Special Use Permits. Staff: Department of Transportation and Environmental Services

Planning Commission Action: Initiated and Recommended Approval 6-0

(A copy of the Planning Commission report, dated February 22, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of item No. 6, 2/22/2014, and is incorporated as part of this record by reference.)

Ms. Marks, Transportation and Environmental Services, made a presentation of the staff report and she, along with Mr. Baier, Director, Transportation and Environmental Services, and Ms. Anderson, Assistant City Attorney, responded to questions of City Council.

The following person participated in the public hearing on this item:

1. Poul Hertel, 1217 Michigan Court, spoke to the pooling of resources for TMP's, and said he is in support of it. However, he urged that there become some transparency in order to give the community at large confidence in how the pooled resources are to be used. He requested that the approval of the Transportation and Planning Commission and City Council be required prior to dispensing of the pooled resources, in order to ensure that public input and transparency are employed in the disposition of the funds. He said there needs to be a place where there is an opportunity for citizens to see where the money is proposed to be spent and to have input in it.

Mr. Baier noted that Section 11-703 (d), page 8, speaks to Mr. Hertel's point and the fact that the Director of T&ES shall report on the status of the funding, including how funds will be spent in the prior year, and a proposed program of expenses for the following year, after public hearing and considered by the Transportation Commission and the Planning Commission, which will make recommendations to City Council.

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

7. Text Amendment #2013-0014

Environmental Management

A) Initiation of a text amendment; B) Public Hearing and Consideration of a text amendment to Article XIII of the Zoning Ordinance to establish new regulations regarding management of stormwater quantity and quality. Staff: Department of Transportation and Environmental Services Office of Environmental Quality

Planning Commission Action: Initiated and Recommended Approval 7-0

(A copy of the Planning Commission report, dated February 22, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of item No. 7, 2/22/2014, and is incorporated as part of this record by reference.)

Mr. Skrabak, Deputy Director, Transportation and Environmental Services, introduced Mr. Sharma and Mr. Imig, with T&ES, and Mr. Skrabak made a presentation of the report and responded to questions of City Council. Mr. Skrabak spoke to the memo he delivered on adding language on the City's infrastructure, noting that there is a typo next to "150" and to insert the word "feet" after 150.

The following person participated in the public hearing on this item:

1. Lianne Childress, 1750 Tysons Blvd., Tysons Corner, attorney with McGuire Woods, and a member of NAIOP of Northern Virginia, spoke in support of the request and of the revision identified in the memo distributed today.

Councilmember Lovain asked the City Manager to have staff look at the green streets policy and draft appropriate language that may be brought forward as part of some other legislation that comes before City Council.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilman Wilson and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation, with an amendment of the insertion of the word "feet" after "150" in section (d)(ii). The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

8. Master Plan Amendment #2013-0006

Development Special Use Permit #2013-0025

Special Use Permit TMP #2014-0009

760 John Carlyle Street, 1700 & 1800 Eisenhower Avenue, 340 Hoofs Run Drive

Carlyle Plaza Two

Public Hearing and Consideration of requests for: A) an amendment to the Eisenhower East Small Area Plan chapter of the City's Master Plan to allow a portion of office floor area allocated to Block 32 to be used for residential and/or hotel floor area, B) an amendment to an approved development special use permit with site plan, conditions of approval, and the Carlyle Plaza Design Guidelines to allow a portion of office floor area allocated to Block 32 to be used for residential and/or hotel floor area, and C) an amendment to the Transportation Management Plan Special Use Permit. Applicant: Carlyle Plaza, LLC by Kenneth Wire, attorney

Planning Commission Action: Master Plan Amendment #2013-0025 Adopted the Resolution and Recommended Approval 7-0; Development Special Use Permit #2013-0025 Recommended Approval 7-0; Special Use Permit TMP #2014-0009 Recommended Approval 7-0

(A copy of the Planning Commission report, dated February 22, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of item No. 8, 2/22/2014, and is incorporated as part of this record by reference.)

Ms. North, Planning and Zoning, made a presentation of the staff report and she, along with Mr. Moritz, responded to questions of City Council.

The following person participated in the public hearing on this item:

1. Kenneth Wire, 1750 Tysons Blvd, Suite 1800, Tysons Corner, attorney representing the applicant, spoke in support of the request.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation. The voting was as follows: In favor, Mayor Euille, Vice

Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

9. Rezoning #2014-0001

Master Plan Amendment #2014-0001

Development Special Use Permit #2013-0016

Encroachment #2014-0001

509 N. St. Asaph Street and 511, 513 and 515 Oronoco Street - Health Department Redevelopment

Public Hearing and Consideration of requests for: (A) an amendment to the official zoning map to change the zone of the property at 509 N. St Asaph Street from RM/Townhouse to CRMU-X/Commercial Residential Mixed Use (Old Town North) with proffer; (B) an amendment to the Old Town North Small Area Plan chapter of the Master Plan to change the land use maps and zoning maps of the property at 509 N. St Asaph Street from RM/Townhouse to CRMU X/Commercial Residential Mixed Use (Old Town North) with proffer; (C) a development special use permit and site plan, with modifications and subdivision to construct townhouse dwellings and, special use permit approvals for an increase in floor area ratio (FAR) for two dwelling units and for more than eight (8) townhouses in a single structure and; (D) encroachments into the public right-of-way on Oronoco and N. Pitt Streets; zoned RM/Townhouse. Applicant: Mount Vernon Commons, LLC, represented by Kenneth Wire and City of Alexandria Department of General Services, Jeremy McPike, Director, Department of General Services

Planning Commission Action: Rezoning #2014-0001 Recommended Approval 7-0; Master Plan Amendment #2014-0001 Adopted the Resolution and Recommended Approval 7-0; Development Special Use Permit #2013-0016 Recommended Approval 7-0; Encroachment #2014-0001 Recommended Approval 7-0

(A copy of the Planning Commission report, dated February 22, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of item No. 9, 2/22/2014, and is incorporated as part of this record by reference.)

Ms. Contreras, Planning and Zoning, made a presentation of the staff report and responded to questions of City Council.

The following persons participated in the public hearing on this item:

1. Kenneth Wire, 1750 Tysons Blvd, Suite 1800, Tysons Corner, attorney representing the applicant, spoke in support of the request.

2. Robert Holzbach, 510 Pendleton Street, spoke in support of the project, noting that he had two issues. The first issue is the power poles, and the transformer serves part of the development and one of the solutions would be to upsize the transformer, which he objected to, since it is outside of his home. There is a solution for making a pad-mounted transformer instead of a pole-mounted transformer. The second issue is the City's request for relocating the bus stop to their property, to make it accessible at either 120 feet or 70 feet, and either resulted in a loss of parking. By creating a bulb-out, it doesn't have to lose parking.

3. Rick Mayfield, 517 Oronoco Street, spoke in support of the request, noting that they are still working out minor details.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

Board of Architectural Review

10. Public Hearing to Consider an Appeal to a Decision of the Board of Architectural Review - Old and Historic District, for Property at 207 Prince Street. Appellant: Robert Montague on behalf of petitioners. **THIS ITEM IS DEFERRED TO MARCH 15, 2014.**

This item was deferred.

ORDINANCES AND RESOLUTIONS

11. Public Hearing, Second Reading, and Final Passage of an Ordinance to amend and reordain Section 7-700 (Allowance for increases in floor area ratio, density and height and reductions in required off-street parking as incentive for provision of low- and moderate-income housing) of Article VII (Supplemental Zone Regulations) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2013-0013(A). (Implementation ordinance for the Text Amendment approved by the City Council on January 25, 2014) [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 2/22/14, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 11; 2/22/14, and is incorporated as part of this record by reference.)

Ms. Anderson, Assistant City Attorney, noted that there was a typo in Section 7-701(a), and they will correct the word "sates" to "states."

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council adopted the ordinance for allowance for increases in floor area ratio, density and height and reductions in required off-street parking as incentive for provision of low and moderate income house. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

The ordinance reads as follows:

ORDINANCE NO. 4858

AN ORDINANCE to amend and reordain Section 7-700 (Allowance for increases in floor area ratio, density and height and reductions in required off-street parking as incentive for provision

of low- and moderate-income housing) of Article VII (Supplemental Zone Regulations) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2013-0013(A).

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2013-0013(A), 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 January 7, 2014 of a text amendment to the Zoning Ordinance to amend the affordable housing bonus density program, which recommendation was approved by the City Council at public hearing on January 25, 2014

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 7-700 of the Zoning Ordinance be, and the same hereby is, amended by inserting new language shown in underline below:

Sec. 7-700 Allowance for increases in floor area ratio, density and height and reductions in required off-street parking as incentive for provision of low- and moderate-income housing.

7-701 Definitions.

For the purposes of this section 7-700, low- and moderate-income housing units shall be determined in accordance with regulations which are issued by the city manager and approved by the city council and which reflect the following guidelines.

(A)Low- and moderate-income rental units are rental units for which the combined cost of rent and utilities does not exceed 30 percent of the maximum income limits used by the United States Department of Housing and Urban Development for its section 8 and Housing Voucher programs, as adjusted for family size and corresponding number of bedrooms, and which are occupied by persons or households whose gross income does not exceed the limits applicable to the section 8 program.

(B)Low- and moderate-income sales units are units with sales prices for which a person or household whose gross annual income is at or below the median income for the Washington, D.C., Metropolitan Statistical Area, adjusted for family size, could qualify using the lending criteria applied by the Virginia Housing Development Authority in its single-family mortgage assistance program and which are occupied by persons or households whose gross annual income is at or below such median income level.

7-702 When increases and reductions may be allowed.

Increases in allowable floor area ratio, density and height and reductions in required off-street parking may be allowed for a building which contains one or more dwelling units or a project which includes one or more such buildings through a special use permit when:

(A)The applicant for the special use permit commits to providing low and moderate income sales or rental housing units in conjunction with the building or project which is the subject of the permit application in compliance with the following:

1.Number of units required: The number of units required shall be equivalent to at least one third (1/3) of the increase achieved by the bonus approved under this section 7-700. Equivalency can be established with a different number of units if the size (square footage or number of bedrooms) of the units provided achieves an equivalent contribution as determined by the Director of Housing and approved with this SUP.

2.Location of Units: The units may be provided within the building or project which is the subject of the permit application, or with the consent of the applicant and the Director of Housing and the Director of Planning and Zoning and approval of this Special Use Permit, the units may be provided:

i.at an off-site location provided that:

1. a specific plan for the off-site location is approved with this SUP;

2.the off-site location meets all zoning requirements to include the units;
and

3.the total contribution value of the off-site units is equivalent to the total contribution value of what would have been provided on site; or

ii.by a cash contribution to the City of Alexandria Housing Trust Fund in an amount equivalent to the value of the units that would have been provided on-site, or

iii.A combination of i and ii above if the total contribution is equal to the value of the units that would have been provided on site.

(B)The applicant for the special use permit agrees and provides sufficient assurance, by way of contract, deed or other recorded instrument acceptable to the city attorney, that the low-and/or moderate-income housing units to be provided will remain in these categories for the period of time specified in the special use permit.

(C)City council determines that the building or project which is subject to the special use permit, with the increase in allowable floor area ratio, density and height and the reduction in required off-street parking, meets the standards for the issuance of a special use permit set forth in section 11-500.

7-703Limits on increases which may be allowed.

(A)Floor area ratio and density may not be increased pursuant to this section 7-700 by more than 20 percent of the floor area ratio and density otherwise permitted by this ordinance, unless a greater percentage increase is specifically designated in a Small Area Plan chapter of the Master Plan. The increase permitted under this section 7-700 is exclusive of any other floor area ratio and density increases allowable under any other section of this ordinance.

(B)Height may not be increased pursuant to this section by more than 25 feet beyond the height otherwise permitted by this ordinance; provided, however, that no building located in any zone or height district where the maximum allowable height is 50 feet or less may be allowed to exceed such height limits.

Section 2. That the director of planning and zoning be, and hereby is, directed to record the foregoing text amendment.

Section 3. That Section 7-700, as amended pursuant to Section 1 of this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria Zoning Ordinance.

Section 4. 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 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.

12. Public Hearing, Second Reading and Final Passage of an Ordinance of a Proposed Amendment to Title 5 (Transportation and Environmental Services), Chapter 8 (Parking and Traffic Regulation), and Title 10 (Motor Vehicles and Traffic), Chapter 4 (Stopping, Standing and Parking) of The Code of the City of Alexandria, Virginia, 1981, as amended. [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 2/22/14, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 12; 2/22/14, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously by roll-call vote, City Council adopted the ordinance for parking and traffic regulations, motor vehicles and traffic, stopping, standing and parking of the Code of the City of Alexandria, Virginia. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

The ordinance reads as follows:

ORDINANCE NO. 4859

AN ORDINANCE to amend and reordain Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES), Chapter 8 (PARKING AND TRAFFIC REGULATION), and Title 10 (MOTOR VEHICLES AND TRAFFIC), Chapter 4 (STOPPING, STANDING AND PARKING) of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Title 5, Chapter 8, Article F of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained by the amendment of Section 5-8-74 to read as follows:

(New language is underscored; deleted material is ~~stricken~~)

Sec. 5-8-74 - Parking permits; issuance.

Except as provided in subsection (6), the city manager shall, upon payment of the fee provided for by this article, issue permits to natural, but not corporate, persons who reside in a dwelling located within the boundaries of a permit parking district authorizing the parking of motor vehicles in such district for more than the consecutive hour limitation in effect in the district, as follows:

- (1) to persons who reside in a permit parking district or to persons who both reside in a dwelling located on a block adjacent to an existing permit parking district where parking on said block is controlled by time limits set by official signs or metered parking and lack adequate alternative nearby parking facilities available to them, as determined by the city manager or the manager's designee:
 - (a) one permit for each vehicle belonging to such persons for which the persons have paid all personal property taxes imposed thereon by the city and which displays a valid license windshield tag issued pursuant to the provisions of [section 3-2-321](#), et seq. of this code. Such permits shall be valid from July 1 or, if later, the date of issuance through November 15 of the following year. Applicants for permits issued pursuant to this subsection shall provide proof of residence and, for each vehicle for which a permit is sought, a motor vehicle registration card issued by the division of motor vehicles and proof of payment of all personal property taxes and license taxes imposed thereon by the city; and
 - (b) one permit per residence for a health care provider providing health care services at the residence. Permits issued under this paragraph (b) are not vehicle specific and may be transferred to different vehicles, but the use of such permits other than by persons providing health care services at the residence or other than during such times as they are providing health care services at the residence (or are in the immediate process of coming or going from the residence in connection with providing health care services at the residence) is prohibited. Such permits shall be valid for up to one year and will expire on October 5, annually. Applicants for permits issued pursuant to this paragraph (b) shall provide proof of residence, a notarized certification that a permanent resident is receiving health care services at the residence, and a written statement from a licensed medical professional that a permanent resident is receiving health care services at the residence. ~~The provisions of this paragraph (b) shall expire on June 30, 2006, and no permit issued hereunder shall be valid after such date.~~

For permits issued to a person or renewed pursuant to paragraph (a) of this subsection, there shall be imposed a fee of \$30 for the first vehicle, \$40 for the second vehicle, and \$100 for each additional vehicle. Any person who has been

issued a permit for a vehicle pursuant to paragraph (a) of this subsection may obtain a replacement permit for use on another vehicle registered in such person's name, upon application on forms furnished by the city manager and presentation of the registration card for the vehicle for which the replacement permit is sought and pieces of the previously issued permit as proof that it was removed from the vehicle for which the fee was previously paid, accompanied by a fee of \$1. For permits issued to a person or renewed pursuant to paragraph (b) of this subsection, there shall be imposed a fee of \$50 per permit.

[Intervening portions of Section 5-8-74 are unchanged.]

- (4)to persons doing business with a resident or a nonresident property owner of a property located within a permit parking district on the application of the resident or nonresident property owner, one permit for the vehicle used while doing business in the permit parking district; provided, that such permits may be issued to no more than three persons doing business at the same residence at the same time. No permit shall be issued pursuant to this subsection for a period longer than the time estimated by the resident or nonresident property owner to be required for completing the business transaction for which the permit is sought, and in no event shall any permit be valid for more than 30 days.

[Remaining portions of Section 5-8-74 are unchanged.]

[Remainder of page intentionally left blank.]

Section 2. That Title 5, Chapter 8, Article G, Division 1 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained by the amendment of Section 5-8-92(c) to read as follows:

Sec. 5-8-92 Parking meter zones established.

[Intervening portions of Section 5-8-92 are unchanged.]

- (c)The following described parts of the streets of the city are hereby established as parking meter zone 3:

[Intervening portions of Section 5-8-92 are unchanged.]

(5)both sides of the ~~4700~~, 1800, ~~and~~ 1900 and 2000 blocks of Ballenger Avenue.

(6)both sides of the ~~4700~~ 1800 block of Emerson Avenue.

[The remaining portions of Section 5-8-92 remain unchanged.]

Section 3. That Title 5, Chapter 8, Article G, Division 1 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained by the amendment of Sections 5-8-93, -96 and -97 to read as follows:

Sec. 5-8-93 Parking meters; hours and days of operation; maximum time limits; rates.

[The intervening portions of Section 5-8-93 are unchanged.]

(c) In all parking meter zones, the rate shall be \$1.25 per hour at those meters that are coin only operated until such time as multi-space meters or single space meters that accept credit or debit cards are installed. In all parking meter zones, the rate shall be \$1.75 per hour at those spaces served by multi-space meters installed before November 13, 2010. Thereafter, when multi-space meters or single space meters that accept credit or debit cards are installed elsewhere in all parking meters zones, the rate will increase to \$1.75 per hour at those spaces. In all parking meter zones, the applicable rate shall be payable in such increments as provided at the applicable meter or pay station. The rates set forth above do not include any convenience fee that may be charged by the service provider in the event the City implements a "pay by phone" or other technology-based parking payment option.

[The remaining portions of Section 5-8-93 are unchanged.]

Sec. 5-8-96 How meters to be installed; operation generally.

[Intervening portions of Section 5-8-96 remain unchanged.]

(e) In the event the City implements a "pay by phone" or other technology-based parking payment option, each parking meter shall also display instructions setting forth the means through which a customer may pay the meter charge through such system.

Sec. 5-8-97 How parking pay stations to be installed; operation generally.

[Intervening portions of Section 5-8-97 remain unchanged.]

(e) In the event the City implements a "pay by phone" or other technology-based parking payment option, each parking station shall also display instructions setting forth the means through which a customer may pay the meter charge through such system.

Section 4. That Title 10, Chapter 4 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained by the amendment of Section 10-4-25 to read as follows:

Sec. 10-4-25 Permitting vehicle to remain parked at meter after expiration of time limit; permitting vehicle to remain parked in block with pay station after expiration of time limit.

[Intervening portions of Section 10-4-25 remain unchanged.]

(c) It shall be unlawful for any person to permit a vehicle to remain or be placed in any parking space with a meter or in the same block as any pay station where the payment has been made through a "pay by phone" or other technology-based parking payment system beyond the time for which authorized payment has been made.

Section 5. That Title 10, Chapter 4 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained by the deletion of Section 10-4-32 in its entirety, as follows:

Sec. 10-4-32 ~~Tourist parking permits.~~ Reserved.

- ~~(a) Notwithstanding the provisions of this chapter, the owner or operator of a vehicle upon which a valid tourist permit is displayed shall be exempt from the requirements of sections 10-4-22 through 10-4-25 for the period of time stated on the permit.~~
- ~~(b) No tourist permit shall be issued or be deemed valid unless it complies with and conforms to the following:~~
- ~~(1) the permit shall bear the facsimile signature of the mayor and the manual signature of a person duly authorized by the city manager to issue the permit.~~
 - ~~(2) the time during which the owner or operators are entitled to the exemption shall be stated on the permit.~~
 - ~~(3) the exemption time stated shall not exceed 24 hours.~~
 - ~~(4) the vehicle and the owner or operator which are exempt shall be named on the permit.~~
 - ~~(5) the license tag number of the vehicle and the state issuing the tag shall be stated on the permit.~~
 - ~~(6) no permit shall cover more than one vehicle.~~
 - ~~(7) no permit shall be transferable.~~
 - ~~(8) no permit shall cover any owner, operator or vehicle other than those named on the permit.~~
 - ~~(9) no permit shall cover an owner or operator who resides within the city.~~
- ~~(c) No charge shall be made for the issuance of a permit.~~
- ~~(d) The city manager is authorized and directed to properly promulgate and establish regulations necessary to issue tourists permits and carry into effect the provisions of this section.~~

Section 6. That this ordinance shall become effective upon the date and at the time of its final passage.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

DEFERRAL/WITHDRAWAL CONSENT CALENDAR

Planning Commission (continued)

None.

* * * * *

THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried unanimously, City Council adjourned the public hearing meeting of February 22, 2014, at 12:07 p.m. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg, and Councilman Wilson; Opposed, None.

APPROVED BY:

WILLIAM D. EUILLE MAYOR

ATTEST:

Jacqueline M. Henderson
City Clerk and Clerk of Council

**City of Alexandria
Meeting Minutes
Tuesday, February 25, 2014
7:00 P.M.
Council Chambers**

Present: Mayor William D. Euille, Vice Mayor Allison Silberberg, Members of Council John Taylor Chapman, Timothy B. Lovain, Redella S. Pepper, Paul C. Smedberg and Justin M. Wilson.

Absent: None.

Also Present: Mr. Young, City Manager; Mr. Banks, City Manager, Mr. Fletcher, Special Assistant to the City Manager; Mr. Jinks, Deputy City Manager; Ms. Evans, Deputy City Manager; Police Captain Wemple; Mr. Caton, Legislative Director; Mr. Castrilli, Director, Office of Communications; Ms. Triggs, Director, Office of Finance; Ms. Smith, Director, Office of Management and Budget; Mr. Routt, Office of Management and Budget; Mr. Bever, Office of Management and Budget; Mr. Eisinger, Office of Management and Budget; Ms. Arbour, Office of Management and Budget; Mr. Boyd, Office of Management and Budget; Mr. Young, Office of Management and Budget; Mr. Braden, Office of Management and Budget; Mr. Aiken, Office of Management and Budget; Mr. Baier, Director, Transportation and Environmental Services; Mr. Martinez, Information Technology Services; and Mr. Lloyd.

Recorded by: Jacqueline M. Henderson, City Clerk and Clerk of Council

* * * * *

1. Calling the Roll.

The meeting was called to order by Mayor Euille, and the City Clerk called the roll. All members of Council were present.

2. Moment of Silence and Pledge of Allegiance.

City Council observed a moment of silence and recited the Pledge of Allegiance.

3. Reading and Acting Upon the Minutes of the Following Meeting of City Council:

The Regular Meeting Minutes of February 11, 2014.

WHEREUPON, upon motion by Wilson, seconded by Councilman Chapman and carried 6-0, City Council approved the regular meeting minutes of February 11, 2014. The voting on the motion was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper and Councilman Wilson; Opposed, none. (Councilman Smedberg was absent.)

RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL

None.

* * * * *

New Business Item No. 1: City Council recognized Mr. Castrilli, Director, Office of Communications, who will be leaving the City to go to work for a neighboring jurisdiction.

* * * * *

PROCLAMATIONS

4. Presentation of a Check for the Community Impact Funds for the United Way of the National Capital Area.

The check for the Community Impact Funds for the United Way of the National Capital Area was presented.

4.1. Presentation of a Proclamation Declaring Saturday, March 1 as St. Patrick's Day Parade Day and the Month of March as Irish-American Heritage Month in the City of Alexandria, Virginia.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Vice Mayor Silberberg and carried unanimously, City Council endorsed the proclamation. The voting on the motion was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

CONSENT CALENDAR (5-7)

(Resignations and Uncontested Appointments)

5. Receipt of the Following Resignations From Members of Boards, Commissions and Committees:

(a) Affordable Housing Advisory Committee
Alma Allen

(b) Commission on Persons with Disabilities
Ana Torres-Davis

(c) Environmental Policy Commission
Stephen A. Walz

(d) George Washington Birthday Celebration Committee
Danny Smith

- (e) Historic Alexandria Resources Commission
Dawn Rogala

(A copy of the above resignations is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 2/25/14, and is incorporated as part of this record by reference.)

6. Uncontested Appointments to Boards, Commissions and Committees:

- (a) Alexandria Gang Prevention Community Task Force
1 Citizen-at-Large Member
- (b) Commission for the Arts
1 Member Who Has Expertise in the Arts, Either as a Practitioner of Various Art Disciplines or as Professional Administrators Working in the Field
- (c) Commission on Aging
1 Citizen Member
- (d) Environmental Policy Commission
1 Citizen Member
- (e) Public Health Advisory Commission
1 Representative From the Inova Alexandria Hospital

(A copy of the above uncontested appointments is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 2/25/14, and is incorporated as part of this record by reference.)

(Reports and Recommendations of the City Manager)

7. Consideration of a Renewal Grant Application to the Virginia Department of Motor Vehicles for an Aggressive Driving/DUI Interdiction Program in FY 2015.

(A copy of the City Manager's memorandum dated February 19, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 2/25/14, and is incorporated as part of this record by reference.)

END OF CONSENT CALENDAR

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously, City Council adopted the consent calendar, as follows:

5. City Council received the following resignations with regret: (a) Alma Allen, Affordable Housing Advisory Committee; (b) Ana Torres-Davis, Commission on Persons with Disabilities; (c) Stephen A. Walz, Environmental Policy Commission; (d) Danny Smith, George Washington Birthday Celebration Committee; and (e) Dawn Rogala, Historic Alexandria Resources Commission.

6. City Council made the following appointments to boards, commissions and

committees: (a) waived the residency requirement and reappointed Steven Jansen as the one citizen-at-large member to the Alexandria Gang Prevention Community Task Force; (b) appointed Pamela Corsini as the one member who has expertise in the arts, either as a practitioner of various art disciplines or as a professional administrator working in the field, to the Commission for the Arts; (c) appointed Connie Haworth as the one citizen member to the Commission on Aging; (d) appointed Tyler Orton as the one citizen member to the Environmental Policy Commission; and (e) waived the residency requirement and reappointed Mary Dixon as the one representative from the Inova Alexandria Hospital to the Public Health Advisory Commission.

7. City Council: 1. approved the grant application (due February 28, 2014) to the Virginia DMC in the amount of \$30,325 which will provide funds to the Police Department to operate a DUI/aggressive driving interdiction program in the City; and 2. authorized the City Manager to execute all necessary documents that may be required.

The voting on the motion was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

CONTESTED APPOINTMENTS

8. Alexandria-Caen Sister City Committee 4 Citizen Members

(The following persons volunteered for appointment to the above Commission)

NAME:	ENDORSED BY:
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Holly Beardow	
Colin Eilts	
Elizabeth Guttmann	
Anthony Smith	
Matthew Troiani	

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 2/25/14, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and ballots tallied with following results: City Council reappointed Colin Eilts and appointed Holly Beardow, Anthony Smith and Matthew Troiani as the four citizen members to the Alexandria-Caen Sister City Committee. The voting was as follows:

Euille	-	Beardow, Eilts, Smith, Troiani
Silberberg	-	Beardow, Eilts, Smith, Guttmann
Chapman	-	Beardow, Eilts, Smith, Guttmann
Lovain	-	Beardow, Eilts, Smith, Troiani
Pepper	-	Beardow, Eilts, Smith, Troiani
Smedberg	-	Beardow, Eilts, Smith, Troiani
Wilson	-	Beardow, Eilts, Smith, Troiani

9. Building Code Board of Appeals
1 Citizen Member

(The following persons volunteered for appointment to the above Commission)

NAME: ENDORSED BY:

William Kruse
Patricia Sanders

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 2/25/14, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and ballots tallied with following results: City Council appointed Patricia Sanders as the one citizen member to the Building Code Board of Appeals. The voting was as follows:

Euille	-	Sanders
Silberberg	-	Sanders
Chapman	-	Sanders
Lovain	-	Sanders
Pepper	-	Sanders
Smedberg	-	Sanders
Wilson	-	Sanders

10. Commission on HIV/AIDS
1 Citizen Member

(The following persons volunteered for appointment to the above Commission)

NAME: ENDORSED BY:

Ambrose Sayles

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 2/25/14, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and ballots tallied with following results: City Council waived the residency requirement and appointed Ambrose Sayles as the one citizen member to the Commission on HIV/AIDS. The voting was as follows:

Euille	-	Sayles
Silberberg	-	Sayles
Chapman	-	Sayles
Lovain	-	Sayles
Pepper	-	Sayles

Smedberg - Sayles
Wilson - Sayles

11. George Washington Birthday Celebration Committee
1 Member Nominated by the Alexandria Jaycees

(The following persons volunteered for appointment to the above Commission)

NAME: ENDORSED BY:

Herbert Warner

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 2/25/14, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and ballots tallied with following results: City Council waived the residency requirement and appointed Herbert Warner as the one member nominated by the Alexandria Jaycees to the George Washington Birthday Celebration Committee. The voting was as follows:

Euille - Warner
Silberberg - Warner
Chapman - Warner
Lovain - Warner
Pepper - Warner
Smedberg - Warner
Wilson - Warner

12. Public Health Advisory Commission
1 Citizen Member

(The following persons volunteered for appointment to the above Commission)

NAME: ENDORSED BY:

Rebecca Ash
Alice Patty

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 2/25/14, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and ballots tallied with following results: City Council appointed Rebecca Ash as the one citizen member to the Public Health Advisory Commission. The voting was as follows:

Euille - Ash
Silberberg - Patty
Chapman - Ash

Lovain	-	Ash
Pepper	-	Ash
Smedberg	-	Patty
Wilson	-	Ash

13. Sister Cities Committee
1 Citizen Member

(The following persons volunteered for appointment to the above Commission)

NAME:	ENDORSED BY:
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Stacie Andersen
Scott Stephens

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 2/25/14, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and ballots tallied with following results: City Council reappointed Scott Stephens as the one citizen member to the Sister Cities Committee. The voting was as follows:

Euille	-	Stephens
Silberberg	-	Stephens
Chapman	-	Stephens
Lovain	-	Stephens
Pepper	-	Stephens
Smedberg	-	Stephens
Wilson	-	Stephens

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION

14. Update on the 2014 General Assembly Session (No. 4).

(A copy of the City Manager's memorandum dated February 19, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 2/25/14, and is incorporated as part of this record by reference.)

Mr. Caton, Legislative Director, made a presentation of the General Assembly session and responded to questions of City Council.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously, City Council received the report. The voting on the motion was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

15. Presentation of the Proposed Annual Operating Budget for FY 2015 (Including Schools), Calendar Year 2014 Real Property Assessments, and the Proposed Capital

Improvements Program for FY 2015-2024 (Including the Schools CIP.)

Mr. Young, City Manager, presented the proposed annual operating budget for FY 2015 (including Schools), calendar year 2014 real property assessments, and the proposed Capital Improvement Program for FY 2015-2024 (including the Schools CIP) and responded to questions of City Council.

ORAL REPORTS BY MEMBERS OF CITY COUNCIL

None.

ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

None.

ORAL REPORT FROM THE CITY MANAGER

None.

ORDINANCES AND RESOLUTIONS

16. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance on the Proposed Real and Personal Property Tax Rates and Proposed Effective Tax Rate Increase for Calendar Year 2014 (Fiscal Year 2015).

(A copy of the City Manager's memorandum dated February 19, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 2/25/14, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 16; 2/25/14, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 16; 2/25/14, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilman Wilson and carried unanimously, City Council introduced the ordinance to establish the tax rates to be advertised for the residential and commercial real property and personal property on first reading and set it for public hearing on Saturday, April 12, 2014, with second reading and final passage on Thursday, May 1, 2014. The voting on the motion was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

OTHER

17. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated February 19, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 2/25/14, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Vice Mayor Silberberg and carried unanimously, City Council: 1. received the revised Council Calendar which includes: the work session with the Torpedo Factory Art Center Board will now occur on Tuesday, May 13 at 6:00 p.m., in the Council Workroom; a work session on the Waterfront Landscape and Flood Mitigation Design Project is scheduled for Tuesday, April 8 at 5:30 p.m., in the Council Workroom; a work session on the discussion of the feasibility of work trucks is scheduled for Tuesday, April 22 at 5:30 p.m., in the Council Workroom; a budget work session with the Alexandria City Public Schools is scheduled for March 19, 2014; all budget work sessions are to begin at 6:30 instead of 6:00 p.m.; and 2. approved the calendar. The voting on the motion was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

18. Consideration of Convening a Closed Meeting for the Purpose of Consulting with Legal Counsel Regarding a Pending Legal Matter.

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously, at 8:56 p.m., City Council convened in closed executive session to consult with staff and legal counsel regarding threatened or pending litigation, specifically the litigation and/or settlement of certain land use matters pursuant to Section 2.2-3711(a)(7) of the Code of Virginia. The voting on the motion was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously, at 9:47 p.m., City Council reconvened the meeting. The voting on the motion was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council adopted a resolution pertaining the Executive Session. The voting on the motion was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

The resolution reads as follows:

RESOLUTION NO. 2604

WHEREAS, the Alexandria City Council has this 25th day of February 2014, recessed into executive session pursuant to a motion made and adopted in accordance with the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the city council that such executive session was conducted in accordance with Virginia law;

NOW, THEREFORE, BE IT RESOLVED, that the city council does hereby certify that, to the best of each member's knowledge, only public business matters that were identified in the motion by which the executive session was convened, and that are lawfully exempted by the Freedom of Information Act from the Act's open meeting requirements, were heard, discussed or considered by council during the executive session.

* * * * *

THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously, City Council adjourned the regular meeting of February 25, 2014, at 9:48 p.m. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg, and Councilman Wilson; Opposed, None.

APPROVED BY:

WILLIAM D. EUILLE MAYOR

ATTEST:

Jacqueline M. Henderson
City Clerk and Clerk of Council



Legislation Details (With Text)

File #: 14-2478 **Name:** DASH proclamation
Type: Proclamation **Status:** Agenda Ready
File created: 2/21/2014 **In control:** City Council Legislative Meeting
On agenda: 3/11/2014 **Final action:**
Title: Presentation of a Proclamation Recognizing the 30th Anniversary of DASH.
Sponsors:
Indexes:
Code sections:
Attachments: [14-2478 proclamation](#)

Date	Ver.	Action By	Action	Result
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Presentation of a Proclamation Recognizing the 30th Anniversary of DASH.

PROCLAMATION

WHEREAS, March 11, 2014 marks the 30th anniversary of the Alexandria Transit Company's (ATC) and the initiation of the City's DASH bus system; and

WHEREAS, Mayor Charles "Chuck" Beatley was the champion and father of DASH and had a vision over 30 years ago of a bus system that would serve the local transit needs of the community and provide high quality transit service to the residents, workers, and visitors of the City of Alexandria; and

WHEREAS, ATC Chairman of 22 years Mr. William "Bill" B. Hurd shared the Mayor's vision and helped to create the organization that became so successful under his leadership and who fostered a back-to-basics approach of operating safe and reliable service with clean buses and friendly, courteous drivers; and

WHEREAS, total ridership over the past 30 years has increased by over 360%, with a total annual ridership of over four million, an average of 14,500 passengers riding DASH every weekday and 12,000 passengers riding on the weekends, and expanded service from 582,000 miles in the first full year of service to over 1.6 million miles today; and

WHEREAS, DASH contributes to the quality of life and preserving the livability of Alexandria by mitigating traffic impacts, improving circulation and mobility throughout the City, and providing easier access to local businesses, retail and employment centers, residential developments, and to the regional Metrorail and the Virginia Railway Express commuter rail systems; and

WHEREAS, over the past four years, DASH has purchased environmentally friendly and low-floor hybrid electric buses and trolleys, which have provided great benefits including reduced air pollutant emissions, reduced fuel consumption, increased transmission and brake life, and reduced engine noise, while improving accessibility and providing a smoother ride overall; and

WHEREAS, DASH has significantly improved the quality and reliability of the King Street Trolley since taking it over in 2012 with new environmentally friendly hybrid-electric low floor trolleys, resulting in a ridership increase of over 50%; and

WHEREAS, transit, notably DASH, plays a key role within the implementation of the City Council's adopted City Transportation Master Plan and contributes to the City's Eco-City efforts by providing an environmentally friendly alternative to the single occupant vehicle, and DASH has built a LEED Certified Gold operating and maintenance facility that provides opportunities for significant service expansion and improvements to meet the growing transportation needs of the Alexandria community, which will make transit even more accessible, convenient, and attractive in the years to come; and

WHEREAS, ATC is recognized nationally and throughout the Commonwealth of Virginia for the high quality service it provides and has won many outstanding achievement awards over the years, including the American Public Transportation Association System Safety Awards, Outstanding Achievement and Marketing Awards for innovative and creative marketing, the Governor's Transportation Safety Award, the Virginia Transit Association Outstanding Public Transportation System Awards, Innovative Program and Marketing Awards, has been recognized four years in a row by the Alexandria community as one of the top five City services, and Metro Magazine named DASH one of the "10 Great Transit Systems to Work For."

NOW, THEREFORE, I, WILLIAM D. EUILLE, Mayor of the City of Alexandria, Virginia, and on behalf of the Alexandria City Council, do hereby recognize the:

"ALEXANDRIA TRANSIT COMPANY 30th ANNIVERSARY"

And the entire DASH bus system, employees, and Board of Directors for their efforts and contributions to the Alexandria community to improve mobility and accessibility throughout the City in providing the highest quality of transit service to Alexandria residents, workers, and visitors, and in helping to make Alexandria a truly Livable, Green, and Prospering City.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Alexandria to be affixed this 11th day of March, 2014.

WILLIAM D. EUILLE MAYOR
On behalf of the City Council
of Alexandria, Virginia

ATTEST:

Jacqueline M. Henderson, MMC City Clerk



Legislation Details (With Text)

File #:	14-2525	Name:	Proclamation for the Alexandria Seaport Foundations Whaleboat
Type:	Proclamation	Status:	Agenda Ready
File created:	3/4/2014	In control:	City Council Legislative Meeting
On agenda:	3/11/2014	Final action:	
Title:	Presentation of a Proclamation for the Land Launch of the Alexandria Seaport Foundation's Whaleboat.		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	14-2525 proclamation		

Date	Ver.	Action By	Action	Result
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Presentation of a Proclamation for the Land Launch of the Alexandria Seaport Foundation's Whaleboat.

PROCLAMATION

WHEREAS, *the Alexandria Seaport Foundation's whaleboat, begun in 2012 by volunteers and at-risk youth as part of Mystic Seaport's restoration and celebration of the Charles W. Morgan, is the last remaining wooden whaleship in the world; and*

WHEREAS, *the Charles W. Morgan is the nation's sole surviving whaleship and the oldest commercial vessel afloat; and*

WHEREAS, *the Alexandria Seaport Foundation's whaleboat and the Charles W. Morgan are symbols of the American Spirit, shipbuilding industry, and serve to honor our seafaring ancestors and the many courageous whaling voyages of the 1800's; and*

WHEREAS, *the Land Launch and Celebration will begin on Wednesday, March 12, 2014, at 10:00 a.m., for the Alexandria Seaport Foundation's whaleboat on Maryland Avenue north of the Botanical Garden and the whaleboat will be on exhibit until 2:00 p.m. for the public to view; and*

WHEREAS, *this will be a viewing of one of the seven whaleboats on Capitol Hill before heading to Mystic, Connecticut, where she will be placed aboard the Charles W. Morgan for the 38th and final voyage to New England ports.*

NOW, THEREFORE, I, WILLIAM D. EUILLE, Mayor of the City of Alexandria, Virginia, and on behalf of the Alexandria City Council, do hereby invite the public to join in the land launch of the Alexandria Seaport Foundation's whaleboat on March 12 on Capitol Hill.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Alexandria to be affixed this 11th day of March, 2014.

WILLIAM D. EUILLE MAYOR

*On behalf of the City Council
of Alexandria, Virginia*

ATTEST:

Jacqueline M. Henderson, MMC City Clerk



Legislation Details (With Text)

File #:	14-2517	Name:	resignations
Type:	Appointment	Status:	Agenda Ready
File created:	3/4/2014	In control:	City Council Legislative Meeting
On agenda:	3/11/2014	Final action:	
Title:	Receipt of the Following Resignations from Members of Boards, Commissions and Committees:		

(a) Budget and Fiscal Affairs Advisory Committee
Tom Karol

(b) Commission for the Arts
Greg Johnson

(c) Park and Recreation Commission
Nick Wagner

(d) Social Services Advisory Board
Theron Fuller

(e) Torpedo Factory Art Center Board
Greg Johnson

Sponsors:

Indexes:

Code sections:

Attachments: [14-2517 resignations](#)

Date	Ver.	Action By	Action	Result
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Receipt of the Following Resignations from Members of Boards, Commissions and Committees:

(a) Budget and Fiscal Affairs Advisory Committee
Tom Karol

(b) Commission for the Arts
Greg Johnson

(c) Park and Recreation Commission
Nick Wagner

(d) Social Services Advisory Board
Theron Fuller

(e) Torpedo Factory Art Center Board
Greg Johnson

March 4, 2014

Receipt of the following resignations from Members of Boards, Commissions and Committees:

- (a) Budget and Fiscal Affairs Advisory Committee
Tom Karol (*effective February 20, 2014*)
- (b) Commission for the Arts
Greg Johnson (*effective February 28, 2014*)
- (c) Park and Recreation Commission
Nick Wagner (*effective March 4, 2014*)
- (d) Social Services Advisory Board
Theron Fuller (*effective February 25, 2014*)
- (e) Torpedo Factory Art Center Board
Greg Johnson (*effective February 27, 2014*)

These resignations are for information only.



Legislation Details (With Text)

File #:	14-2518	Name:	uncontested appointments to boards and commissions
Type:	Appointment	Status:	Agenda Ready
File created:	3/4/2014	In control:	City Council Legislative Meeting
On agenda:	3/11/2014	Final action:	
Title:	Uncontested Appointments to Members of Boards, Commissions and Committees:		
	(a) Alexandria Gang Prevention Community Task Force 1 Member From and Representing a Community Organization with Specific Outreach to the Latino Community		
	(b) Building Code Board of Appeals 1 Citizen Member		
	(c) Children, Youth and Families Collaborative Commission 1 City Staff Representative		
	(d) Commission on Aging 1 Citizen Member Who is 60 Years of Age or Older		
	(e) Community Criminal Justice Board 1 Administrator of the Community Services Board		
	(f) Sister Cities Committee 1 Citizen Member		
	(g) Social Services Advisory Board 1 Citizen Member		
	(h) Waterfront Commission 1 Representative from the Commission for the Arts		

Sponsors:

Indexes:

Code sections:

Attachments: [14-2518 uncontested appoints march 11 2014.pdf](#)

Date	Ver.	Action By	Action	Result
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Uncontested Appointments to Members of Boards, Commissions and Committees:

- (a) Alexandria Gang Prevention Community Task Force
1 Member From and Representing a Community Organization with Specific Outreach to the Latino Community
- (b) Building Code Board of Appeals
1 Citizen Member
- (c) Children, Youth and Families Collaborative Commission

1 City Staff Representative

(d) Commission on Aging

1 Citizen Member Who is 60 Years of Age or Older

(e) Community Criminal Justice Board

1 Administrator of the Community Services Board

(f) Sister Cities Committee

1 Citizen Member

(g) Social Services Advisory Board

1 Citizen Member

(h) Waterfront Commission

1 Representative from the Commission for the Arts

Name of Council Member

Endorsement

UNCONTESTED APPOINTMENTS

Alexandria Gang Prevention Community Task Force

(3-year term)

1 member from and representing a community organization with specific outreach to the Latino community

_____ James Williams *

Jon Liss, Executive Director,
Tenants and Works United

Building Code Board of Appeals

(5-year term)

1 citizen member

_____ Magnus Monson *

Children, Youth and Families Collaborative Commission

(3-year term)

1 City staff representative

_____ Kate Garvey

Rashad Young, City Manager

Commission on Aging

(3-year term)

1 citizen member who is 60 years of age or older

_____ Alan Dinsmore

Community Criminal Justice Board

(2-year term)

1 administrator of the Community Services Board

_____ Suzanne Chis
(residency waiver required)

Sister Cities Committee

(2-year term)

1 citizen member

_____ Stacie Andersen

* incumbent

Name of Council Member

Endorsement

UNCONTESTED APPOINTMENTS

Social Services Advisory Board

(3-year term)

1 citizen member

_____ Mary Taylor

Waterfront Commission

(2-year term)

1 representative from the Commission for the Arts

_____ Shirley Downs

Diane Ruggiero, Deputy Director,
Recreation, Parks & Cultural
Activities

Carol James

Samuel Ulm

Matthew Stensrud, vice chair,
Commission for the Arts

Kathryn Duresk



Legislation Details (With Text)

File #: 14-2237
Name:
Type:
Status: Agenda Ready
File created: 12/13/2013
In control: City Council Legislative Meeting
On agenda: 3/11/2014
Final action:
Title: Consideration of the Monthly Financial Report for the Period Ending January 31, 2014.
Sponsors:
Indexes:
Code sections:
Attachments: [14-2237 Attachment 1 Revenues](#)
[14-2237 Attachment 2 Expenditures](#)
[14-2237 Attachment 3 Contingent Reserves](#)

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

DATE: MARCH 5, 2014
TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: RASHAD M. YOUNG, CITY MANAGER/s/

DOCKET TITLE:

Consideration of the Monthly Financial Report for the Period Ending January 31, 2014.

ISSUE: Receipt of the City's Monthly Financial Report for the period ending January 31, 2014.

DISCUSSION: That City Council receives the Monthly Financial Report for the period ending January 31, 2014.

ECONOMIC HIGHLIGHTS:

On February 15, President Obama signed a bill increasing the debt limit. The bill will allow the Treasury Department to borrow normally for another 13 months. This removes a source of uncertainty for the City's economy until the end of the 3rd quarter of the City's FY 2015.

Updated economic tables are now posted online at the City's web site:

<http://www.alexandriava.gov/FinancialReports>.

REVENUE HIGHLIGHTS:

Year-to-Date Revenues: The revenue picture is largely unchanged from last month's report. As of January 31, 2014, actual General Fund revenues totaled \$316.9 million, which is approximately \$5.9 million or 1.8 percent less than the report for the same period last year. The decrease was due to a refinance of \$19.3 million in City bonds to a lower interest rate in FY 2013. The bond proceeds are recognized as revenue at the time of the refinance and thus added to the FY 2013 revenue number. After adjusting for the bond refinance, through January, total revenues in FY 2014 increased by 4.4 percent or \$13.4 million compared to FY 2013. The increase is due to higher real property tax collections from real estate tax rate increases (\$10.6 million) and personal property tax rate increases (\$3.4 million) and a \$0.6 million decrease in all other revenue categories.

The City has set aside \$1 million in fund balance to compensate for potential short-term revenue reductions related to sequestration. If revenues continue to fall short of estimates, it may be necessary to make up any additional shortfalls with expenditure reductions. Current revenue estimates have been taken into consideration when building the revenue estimates for the FY 2015 Proposed Budget.

Below is additional detail for revenues that are showing variance compared to last year's collections:

- **Transient Lodging Taxes:** Year-to-date Transient Lodging Tax collections decreased by approximately 17 percent compared to the previous fiscal year. This is due to decreased rates of occupancy and lower room rates across the City. According to Smith Travel Research, via ACVA, in the fiscal year through January, Alexandria's occupancy rate decreased from 65.0 percent in FY 2013 to 63.3 percent in FY 2014, while the average daily room rate decreased from approximately \$138 in FY 2013 to around \$128 in FY 2014 or about 7 percent. The decreases have affected all Northern Virginia jurisdictions and are most likely related to sequestration, the government shutdown in October, and a very cold winter that has made people less likely to travel. In addition, the Hawthorne Suites Hotel, which contained 185 rooms, or around 4% of the City's total hotel rooms, closed in October.
- **Cigarette (Tobacco) Tax:** The 13.9 percent increase in Cigarette Tax collections is related to the increase in the tobacco tax from 80 cents to \$1 per pack. Historically, this has had the impact of increasing revenues but reducing sales, and this trend was accounted for in the FY 2014 revenue assumptions. The FY 2014 budget anticipated an increase of approximately \$600,000 or 23 percent above budgeted FY 2013 revenues, so it appears as if the impact on sales of the increase in the Cigarette Tax was greater than assumed.
- **Recordation Tax:** Recordation Tax collections have fallen by approximately 21 percent compared to last year's collections. Since the number and average value of residential property sales have increased, the decrease is primarily attributable to the commercial portion of Alexandria's real estate market. The FY 2014 budget anticipated an increase of \$500,000, or 10.2 percent, above budgeted FY 2013 revenues.
- **Admissions Tax:** Year-to-date Admissions Taxes have decreased by 15 percent. This is partly due to a strong movie season that resulted in high box office receipts during Fall of 2012 and is probably also related to the extremely cold weather in January which kept potential moviegoers at home.

EXPENDITURE HIGHLIGHTS:

Year-to-Date Expenditures: As of January 31, 2014, actual General Fund expenditures totaled \$336.4 million, an increase of \$16.7 million, or approximately 5.2 percent, compared to expenditures for the same period last year. General Fund expenditures are budgeted to grow by 6.3 percent, from FY 2013 to the FY 2014 Approved Budget. Citywide, expenditures appear to be tracking with the budget.

A few of the largest variances are explained below:

- **Position vacancies filled:** The increase in year-to-date expenditures in Management and Budget, Human Resources, and the Department of Code Administration reflect the filling of budgeted positions that were vacant for some period of time in FY 2013.
- **Health Department:** The Health Department expended 67 percent of its budget in the first seven months of FY 2014. This is due to the City having paid three quarterly commitment payments to the State for the City's match of State Health Department programs and City salary supplements and retirement benefits. Only one quarterly payment is left to be processed in the second half of the fiscal year. Each quarterly payment is approximately \$1.0 million.
- **Transit Subsidies:** The increase in expenditures is mostly due to the timing of the payments to WMATA. A mix of funding sources is used to pay for the WMATA contribution. This year, the General Fund contribution was used prior to the other funding sources, most notably the Northern Virginia Transportation Commission.
- **Non-Departmental:** The decrease in Non-Departmental expenditures is mostly due to a planned reduction in the use of fund balance for payments for other post-employee retirement benefits (OPEB). The remaining funding for OPEB is included in departmental budgets. This is the sixth year in a multi-year plan to gradually increase the funding for OPEB to the actuarially required contribution. In FY 2013, there was also approximately \$500,000 in FY 2013 expenditures to deal with Hurricane Sandy. There were no comparable incidents in the City through the end of January, though the City did spend approximately \$200,000 on storm emergencies in January.
- **Cash Capital:** The increase is due to the budgeted amount of cash capital which increased from \$7.0 million in FY 2013 to \$17.8 million in FY 2014. At this point in the both fiscal years, the full amount of budgeted cash capital had been transferred to capital projects.
- **Cash Match (Transportation/DCHS/and Transfers to the Special Revenue/Capital Projects Funds):** FY 2013 and FY 2014 contain a reservation of 2.2 cents of the real estate tax rate for transportation improvements. In FY 2013, the transfer was made in the first half of the fiscal year. For FY 2014, the transfer will be made as part of the set aside for the new Northern Virginia Transportation Authority (NVTA) legislation. This legislation requires local jurisdictions to deposit funding from a 12.5 cent real estate tax on commercial and industrial properties, or equivalent revenues, into a special fund designated for transportation in order to receive that jurisdiction's share of regional sales, transient occupancy, and grantor's tax revenue provided to the Authority by the State.

Contingent Reserves

- City Council approved the release of \$10,000 from FY 2014 contingent reserves to fund operations of the Sheriff's Office child Safety Seat installation program. Detailed information regarding the status of Contingent Reserves for FY 2014 is available in Attachment 3.

The report is also available online at: <http://www.alexandriava.gov/FinancialReports>.

ATTACHMENTS:

Attachment 1 Revenue

Attachment 2 Expenditures

Attachment 3 Contingent Reserves

STAFF:

Laura Triggs, Chief Financial Officer

Nelsie L. Smith, Director, Office of Management & Budget

Morgan Routt, Assistant Director, Office of Management & Budget

Eric Eisinger, Budget Analyst

Berenice Harris, Finance Department

CITY OF ALEXANDRIA, VIRGINIA

COMPARATIVE STATEMENT OF REVENUES

GENERAL FUND

FOR THE PERIODS ENDING JANUARY 31, 2014 AND JANUARY 31, 2013

	B	B2	C	D=C/B	E	F=(C-E)/E
	FY2014	FY 2014	FY2014		FY2013	
	REVISED	PROJECTED	REVENUES	%	REVENUES	%
	BUDGET	REVENUE	THRU 01/31/14	OF BUDGET	THRU 01/31/13	CHANGE
General Property Taxes						
Real Property Taxes.....	\$ 357,840,032	\$ 358,400,000	\$ 174,007,331	48.6%	\$ 163,426,842	6.5%
Personal Property Taxes.....	41,340,000	41,700,000	40,918,048	99.0%	37,474,071	9.2%
Penalties and Interest.....	2,375,000	2,375,000	425,229	17.9%	1,016,690	-58.2%
Total General Property Taxes	\$ 401,555,032	\$ 402,475,000	\$ 215,350,608	53.6%	\$ 201,917,603	6.7%
Other Local Taxes						
Local Sales and Use Taxes.....	\$ 27,340,000	\$ 25,900,000	\$ 10,532,555	38.5%	\$ 10,525,250	0.1%
Consumer Utility Taxes.....	11,400,000	11,600,000	5,472,238	48.0%	5,376,082	1.8%
Communication Sales and Use Taxes.....	11,300,000	11,100,000	4,552,126	40.3%	4,676,325	-2.7%
Business License Taxes.....	33,000,000	33,000,000	2,352,444	7.1%	2,430,064	-3.2%
Transient Lodging Taxes.....	12,510,000	11,500,000	4,777,316	38.2%	5,764,091	-17.1%
Restaurant Meals Tax.....	17,550,000	17,300,000	8,143,081	46.4%	8,260,189	-1.4%
Tobacco Taxes.....	3,234,000	3,234,000	1,530,034	47.3%	1,342,794	13.9%
Motor Vehicle License Tax.....	3,400,000	3,400,000	3,065,723	90.2%	2,973,622	3.1%
Real Estate Recordation.....	5,400,000	5,200,000	2,277,412	42.2%	2,875,304	-20.8%
Admissions Tax.....	1,000,000	1,000,000	474,976	47.5%	557,178	-14.8%
Other Local Taxes.....	3,380,000	3,490,000	447,642	13.2%	362,709	23.4%
Total Other Local Taxes	\$ 129,514,000	\$ 126,724,000	\$ 43,625,546	33.7%	\$ 45,143,608	-3.4%
Intergovernmental Revenues						
Revenue from the Fed. Government.....	\$ 10,047,576	\$ 9,512,197	\$ 3,373,839	33.6%	\$ 3,875,614	-12.9%
Personal Property Tax Relief from the Commonwealth.....	23,578,531	23,578,531	22,399,604	95.0%	22,399,604	0.0%
Revenue from the Commonwealth.....	21,617,691	22,606,733	11,428,179	52.9%	11,471,193	-0.4%
Total Intergovernmental Revenues	\$ 55,243,798	\$ 55,697,461	\$ 37,201,622	67.3%	\$ 37,746,411	-1.4%
Other Governmental Revenues And Transfers In						
Fines and Forfeitures.....	\$ 5,322,000	\$ 5,322,000	\$ 3,075,962	57.8%	\$ 2,861,476	7.5%
Licenses and Permits.....	2,519,975	2,519,975	1,468,595	58.3%	1,386,275	5.9%
Charges for City Services.....	16,694,959	16,609,959	9,008,848	54.0%	8,997,469	0.1%
Revenue from Use of Money & Prop.....	3,995,000	4,643,000	3,108,924	77.8%	2,524,963	23.1%
Other Revenue.....	782,000	782,000	986,068	126.1%	836,803	17.8%
Transfer from Other Funds.....	3,044,329	3,136,329	3,044,329	100.0%	2,104,502	44.7%
Total Other Governmental Revenues	\$ 32,358,263	\$ 33,013,263	\$ 20,692,726	63.9%	\$ 18,711,488	10.6%
TOTAL REVENUE	\$ 618,671,093	\$ 617,909,724	\$ 316,870,502	51.2%	\$ 303,519,110	4.4%
Appropriated Fund Balance						
General Fund.....	6,429,631	6,429,631			19,256,545	-100.0%
Reappropriation of FY 2013						
Encumbrances And Other						
Supplemental Appropriations and Projections.....	7,021,971	7,783,340				
TOTAL	\$ 632,122,695	\$ 632,122,695	\$ 316,870,502	50.1%	\$ 322,775,655	-1.8%

58.3% of Fiscal Year Completed
59.39% of Payrolls Processed

Attachment 2

COMPARATIVE STATEMENT OF EXPENDITURES & TRANSFERS BY FUNCTION
GENERAL FUND
FOR THE PERIODS ENDING JANUARY 31, 2014 AND JANUARY 31, 2013

FUNCTION	B		C		D=C/B	E	F=(C-E)/E
	FY2014		FY2014		%	FY2013	
	REVISED		EXPENDITURES		OF BUDGET	EXPENDITURES	%
	BUDGET		THRU 01/31/14		EXPENDED	THRU 01/31/13	CHANGE
Legislative & Executive.....	\$ 7,602,174		\$ 3,955,667		52.0%	\$ 3,647,120	8.5%
Judicial Administration.....	\$ 42,159,312		\$ 24,986,235		59.3%	\$ 24,635,638	1.4%
Staff Agencies							
Information Technology Services.....	\$ 8,573,292		\$ 4,742,066		55.3%	\$ 4,714,752	0.6%
Management & Budget.....	1,277,825		701,980		54.9%	529,559	32.6%
Finance.....	12,006,815		5,964,089		49.7%	5,968,130	-0.1%
Real Estate Assessment.....	1,856,591		812,416		43.8%	860,328	-5.6%
Human Resources.....	3,398,860		2,010,676		59.2%	1,767,873	13.7%
Planning & Zoning.....	6,023,816		3,476,410		57.7%	3,529,272	-1.5%
Economic Development Activities.....	5,195,724		3,860,499		74.3%	3,564,119	8.3%
City Attorney.....	2,734,638		1,521,849		55.7%	1,505,449	1.1%
Registrar.....	1,215,161		731,593		60.2%	963,338	-24.1%
General Services.....	12,805,748		6,896,443		53.9%	6,853,388	0.6%
Total Staff Agencies	\$ 55,088,470		\$ 30,718,020		55.8%	\$ 30,256,208	1.5%
Operating Agencies							
Transportation & Environmental Services.....	\$ 29,162,517		\$ 17,107,052		58.7%	\$ 16,804,282	1.8%
Fire.....	42,556,115		25,609,833		60.2%	24,182,260	5.9%
Police.....	55,116,636		32,500,955		59.0%	32,053,779	1.4%
Emergency Communications.....	7,231,733		3,886,875		53.7%	3,585,132	8.4%
Code.....	841,632		520,124		61.8%	447,931	16.1%
Transit Subsidies.....	9,584,748		8,058,188		84.1%	5,271,412	52.9%
Community and Human Services.....	14,646,363		8,363,182		57.1%	8,806,670	-5.0%
Health.....	8,651,731		5,812,237		67.2%	4,525,314	28.4%
Historic Resources.....	2,708,556		1,580,430		58.3%	1,679,913	-5.9%
Recreation.....	21,848,062		12,241,949		56.0%	12,186,782	0.5%
Total Operating Agencies	\$ 192,348,093		\$ 115,680,824		60.1%	\$ 109,543,475	5.6%
Education							
Schools.....	\$ 185,611,472		\$ 85,884,174		46.3%	\$ 85,455,923	0.5%
Other Educational Activities.....	11,785		8,839		75.0%	8,791	0.5%
Total Education	\$ 185,623,257		\$ 85,893,013		46.3%	\$ 85,464,714	0.5%
Capital, Debt Service and Miscellaneous							
Debt Service.....	\$ 55,779,933		\$ 34,218,307		61.3%	\$ 31,851,134	7.4%
Non-Departmental.....	10,689,385		5,772,297		54.0%	6,915,748	-16.5%
General Cash Capital.....	17,757,911		17,697,911		99.7%	6,955,483	154.4%
Contingent Reserves.....	871,410						
Total Capital, Debt Service and Miscellaneous	\$ 85,098,639		\$ 57,688,515		67.8%	\$ 45,722,365	26.2%
TOTAL EXPENDITURES	\$ 567,919,945		\$ 318,922,275		56%	\$ 299,269,520	6.6%
Cash Match (Transportation/DCHS/							
and Transfers to the Special Revenue /Capital Projects Funds)..	\$ 43,453,976		\$ 5,710,856		13.1%	\$ 8,645,897	-33.9%
Transfer to Housing.....	2,313,228		988,749		42.7%	935,202	5.7%
Transfer to Library.....	6,849,914		3,993,500		58.3%	4,009,970	-0.4%
Transfer to DASH.....	11,585,632		6,754,423		58.3%	6,761,634	-0.1%
TOTAL EXPENDITURES & TRANSFERS	\$ 632,122,695		\$ 336,369,803		53.2%	\$ 319,622,223	5.2%
Total Expenditures by Category							
Salaries and Benefits.....	\$ 207,296,690		\$ 119,787,678		57.8%	\$ 117,308,762	2.1%
Non Personnel (includes all school funds)	424,826,005		216,582,125		51.0%	202,313,461	7.1%
Total Expenditures	\$ 632,122,695		\$ 336,369,803		53.2%	\$ 319,622,223	5.2%

Attachment 3

In January, City Council approved the release of \$10,000 from FY 2014 contingent reserves to the Sheriff's Office to fund operations of the Child Safety Seat Installation Program.

Information regarding the status of FY 2014 Contingent Reserves is included in the table below.

FY 2014 Contingent Reserves

CITY OF ALEXANDRIA, VIRGINIA FY 2014 CONTINGENT RESERVES

Item	Budget	Balance	Action	Action Date
Urban Forestry initiatives (from FY 13)	80,000	-	Released to Recreation for Urban Forestry Initiatives	November
Fire Safety Improvements (from FY 13)	222,696	222,696		
Sister Cities improvements (from FY 13)	4,160	4,160		
Childcare Fee Subsidy Waiting List	950,000	400,669	Released to DCHS to fund the Childcare Fee Subsidy Waiting List, a social worker position, and replace Sequestration cuts to Head Start. The remaining balance will be carried forward to FY 2015 to help offset early childhood needs.	June
Affordable Housing Initiatives	174,235	174,235		
Recycling Initiatives	210,000	-	Released to T&ES for recycling initiatives, including "Recycling on the Go" and the Pilot Food Composting Program, among others.	September
King Street Lights	6,750	6,750		
Car Seat Installation	10,000	-	Released to the Sheriff's office to fund operations of the Child Safety Seat Installation Program.	January
Smoking Cessation Program	35,000	-	Released for smoking cessation and secondhand smoke reduction project at ARHA.	October
Community Engagement	20,000	20,000		
Senior Mental Health Therapist	42,900	42,900	Released in June for a Senior Mental Health Therapist position in DCHS for the Detention Center. Due to the City's current revenue climate, the position will not be filled and the funds were returned to the Non-D budget as part of the December 2013 Supplemental Appropriation Ordinance.	June

updated for the January Monthly Financial Report



Legislation Details (With Text)

File #: 14-2368
Name:
Type:
Status: Agenda Ready
File created: 1/25/2014
In control: City Council Legislative Meeting
On agenda: 3/11/2014
Final action:
Title: Consideration of Authorization for the City Manager to Execute the Docking Agreement with the Virginia Maritime Heritage Foundation to Dock the Schooner Virginia at the City Marina and Waive Associated Docking Fees.
Sponsors:
Indexes:
Code sections:
Attachments: [14-2368 Visiting Ship Docking Agreement Schooner Virginia FINAL](#)
[14-2368 Alexandria 2014 proposal Schooner Virginia](#)

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

DATE: MARCH 5, 2014
TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: RASHAD M. YOUNG, CITY MANAGER/s/

DOCKET TITLE:

Consideration of Authorization for the City Manager to Execute the Docking Agreement with the Virginia Maritime Heritage Foundation to Dock the Schooner Virginia at the City Marina and Waive Associated Docking Fees.

ISSUE: City Council Consideration to authorize the City Manager to Execute the Docking Agreement with the Virginia Maritime Heritage Foundation to dock the Schooner *Virginia* at the City Marina and waive associated docking fees.

RECOMMENDATION: That City Council authorizes the City Manager to execute the Docking Agreement with the Virginia Maritime Heritage Foundation to dock the Schooner *Virginia* at the City of Alexandria Marina from April 11, 2014 through April 14, 2014 and waive the associated docking fee (Attachment 1).

BACKGROUND: The Department of Recreation, Parks and Cultural Activities received a docking request from the Virginia Maritime Heritage Foundation (VMHF) on December 10, 2013 to dock the Schooner

Virginia at the City Marina in April 2014 (Attachment 2). Created in 1997, the VMHF's goal is to represent Virginia's rich maritime history with the building and operation of the Schooner *Virginia*. VMHF is a 501 c(3), not-for profit organization. The Schooner *Virginia* is a reproduction of the last all sail vessel built for the Virginia Pilot Association. The original ship sailed for the Pilots from 1917-1926, training apprentice pilots in seamanship and navigation.

The VMHF proposes providing free public tours on Saturday, April 12, 2014 and Sunday, April 13, 2014. In addition, the Schooner *Virginia* will be available to the Alexandria Seaport Foundation in support of its educational programs.

DISCUSSION: At its February 18, 2014 meeting, the Waterfront Commission voted unanimously to endorse the visit of the Schooner *Virginia* and urges City Council to authorize the City Manager to execute the docking agreement with the Virginia Maritime Heritage Foundation (Attachment 1). In addition, representatives of the Old Town Civic Association and Founders Park Citizens Association participated in the Waterfront Commission's February 18, 2014 endorsement of Virginia Maritime Heritage Foundation's docking request. Consistent with approved visiting vessel dockings, the City will coordinate the use of portable toilets for use by visitors and the disposal of additional park refuse.

FISCAL IMPACT: Waiver of \$1,098 in docking fees.

ATTACHMENTS:

1. Virginia Maritime Heritage Foundation Docking Agreement
2. Virginia Maritime Heritage Foundation Docking Request

STAFF:

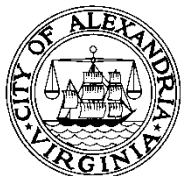
Debra Collins, Deputy City Manager

James Spengler, Director, Recreation, Parks and Cultural Activities

Jack Browand, Division Chief, Recreation, Parks and Cultural Activities

James Hixon, Dockmaster, Recreation, Parks and Cultural Activities

CITY OF ALEXANDRIA, VIRGINIA
Department of Recreation, Parks and Cultural Activities



VISITING SHIP DOCKING AGREEMENT
SCHOONER VIRGINIA
VIRGINIA MARITIME HERITAGE FOUNDATION



DOCKING AGREEMENT

The DOCKING AGREEMENT (the “**AGREEMENT**”) is executed in duplicate this ____ day of _____, 2014 by the CITY OF ALEXANDRIA, a municipal corporation of Virginia (the “**CITY**”) and the VIRGINIA MARITIME HERITAGE FOUNDATION, a not for profit 501 c (3) educational organization (“**VMHF**”).

1. Title

Agreement for the docking of the Schooner VIRGINIA at the City of Alexandria Marina, 0 Cameron Street, from Friday, April 11, 2014 through Monday, April 14, 2014.

2. Purpose

The Virginia Maritime Heritage Foundation hereby agree as follows as it pertains to the docking of the Schooner VIRGINIA at the City of Alexandria Marina, 0 Cameron Street, from Friday, April 11, 2014 through Monday, April 14, 2014.

3. Parties

Pending City Council approval, this Agreement is by and between the City, through its Department of Recreation, Parks and Cultural Activities and the VMHF. By executing this Agreement, the City and the VMHF acknowledge that the City and the VMHF abide by the docking arrangements as identified in section 4. below.

4. Responsibilities

a. VMHF

- i. Schooner VIRGINIA will arrive on Friday, April 11, 2014 and depart during the evening of Monday, April 14, 2014.
- ii. Provide free deck tours to the general public on Saturday, April 12, 2014 and Sunday, April 13, 2014.
- iii. Provide a tour schedule to RPCA by or before Tuesday, April 1, 2014, for the promotion of free tours to the public.

- iv. Provide the Alexandria Seaport Foundation with the opportunity to use the Schooner for dockside educational programs or under way day sails. This agreement does not provide authorization for the Alexandria Seaport Foundation to schedule donor appreciation parties.
- v. Provide the City of Alexandria the option of programming a dockside reception for economic development or tourism opportunities.
- vi. Provide 100% reimbursement for direct costs incurred by the City.
- vii. Will not seek to offer vessel tours, donor appreciation parties, dockside events or day sails for a fee or in an attempt to raise funds.
- viii. May sell merchandise on April 12, 2014 and April 13, 2014 provided that VMHF shall be responsible for setting up and removing the vending site, providing manpower, tables and anything else necessary for selling merchandise. VMHF shall obtain permission from the Dockmaster regarding the location where the merchandise will be sold if not on the vessel. VMHF may keep the proceeds of sales of its merchandise, however VMHF shall be responsible for obtaining any and all local and state permits applicable for selling merchandise and provide copies of permits to the Dockmaster.

b. CITY

- i. Provide docking space, including utilities, on the G/H T-Head Pier from Friday, April 11, 2014 through Monday, April 14, 2014.
- ii. Provide a waiver of all docking fees, including utilities, while docked on the G/H T-Head Pier.
- iii. Provide dock security consistent with current security protocol.

5. Indemnification and Assumption of Risk

- a. The VMHF agrees to indemnify, defend and hold harmless City and its agents, officials and employees from all suits, actions, causes of actions, omissions, damages, claims, losses, liability, costs and expenses (including court costs and attorney's fees), resulting from or arising out of any bodily injury, death or property damage (including injury, death or property damage or other losses sustained by City or any of its officials, employees or agents) caused in whole or in part by any negligent act or omission of the VMHF or its agents relating to or involving performance of responsibilities described in section 4. above.
- b. The VMHF accepts all risks associated with all labor, work, materials, accidents, liabilities, claims or resulting actions associated with performance of the responsibilities described in section 4. above, except and to the extent resulting from negligent acts or omissions of City.

6. Changes to the Agreement

Changes to this Agreement are not binding unless in writing and signed by all parties as provided in section 8.

7. Term of Agreement

- a. This Agreement shall be effective April 11, 2014 through April 14, 2014.
- b. Termination of this Agreement or a violation of the conditions as described in Section 4. above shall disqualify the VMHF for a fee waiver.
- c. This Agreement represents the entire and final Agreement by and between the City and the VMHF.

8. Notice and Payment

Unless otherwise designated in writing, all notices, waivers and payments required or permitted under this Agreement shall be sent to the City in writing and delivered as follows:

If to the City:

Department of Recreation, Parks and Cultural
Attn: Jack Browand, Division Chief
1108 Jefferson Street
Alexandria VA 22314
jack.browand@alexandriava.gov

Unless otherwise designated in writing all notices required or permitted under this Agreement shall be sent to Rivergate in writing and delivered as follows:

Virginia Maritime Heritage Foundation
Attn: Henry E. Moseley, Captain
500 East Main Street, Suite 600
Norfolk, Virginia 23510
hank@schoonervirginia.org

We, the undersigned, agree to the terms and conditions set forth above in the Agreement:

Rashad M. Young, City Manager
City of Alexandria

Date

Henry E. Mosley, Captain, Schooner Virginia
Virginia Maritime Heritage Foundation

Date



December 10, 2013

Mr. James Spengler
Director, Department of Recreation,
Parks, and Cultural Activities
1108 Jefferson St.
Alexandria, VA 22314

Dear Mr. Spengler:

The Virginia Maritime Heritage Foundation is a not for profit, 501 c (3) educational organization that owns and operates the schooner VIRGINIA, a 126 foot reproduction of the last all-sail vessel built for the Virginia Pilot Association in 1917. The ship conducts educational programs for youth and adults while sailing the eastern seaboard. Students participating in our programs study maritime history, marine science, maritime literature, economics, and physics.

It has been six years since the VIRGINIA last visited Alexandria and we would like to plan a visit for April, 2014. The purpose of the visit would be to expand awareness of our ship and its programs by offering free dockside tours and to develop a partnership with the Alexandria Seaport Foundation. We would like to request the use of the City's public piers for the period VIRGINIA would be visiting Alexandria and ask for a waiver to the city's dockage fee for the visit.

Under this proposal, VIRGINIA would arrive in Alexandria on Friday, April 11, 2014, and depart during the night of Monday, April 14, 2014. Over the weekend, we would offer free deck tours to the public. With the Alexandria Seaport Foundation, we would offer their students/members the use of the ship for dockside educational programs or underway day sails. Our organizations would work together to obtain grants or private corporate sponsorships to support these educational programs/events. The Virginia Maritime Heritage Foundation does not seek to offer public tours or day sails for a fee or to compete with local tour boats or maritime interests.

We would also be happy to discuss the City's use of VIRGINIA for a dockside reception or day sail at no cost. The ship makes an excellent platform for economic development and we have conducted similar events in other ports. This type of event may be of interest for Alexandria's Waterfront Council, City Council, or Tourism Department.

Thank you very much for considering this request.

Sincerely,

Henry E. Moseley
Captain, VIRGINIA
Virginia Maritime Foundation



Legislation Details (With Text)

File #: 14-2441 **Name:** Appointment of Management Representative and Alternate to Certain City of Alexandria's Retirement and Investment Boards

Type: **Status:** Agenda Ready

File created: 2/11/2014 **In control:** City Council Legislative Meeting

On agenda: 3/11/2014 **Final action:**

Title: Appointment of Management Representative and Alternate the City of Alexandria Supplemental Retirement Board and Firefighters and Police Officers Pension Plan.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

DATE: MARCH 5, 2014

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: RASHAD M. YOUNG, CITY MANAGER/s/

DOCKET TITLE:

Appointment of Management Representative and Alternate the City of Alexandria Supplemental Retirement Board and Firefighters and Police Officers Pension Plan.

ISSUE: There are two similar issues: 1) Appointment of a Management Representative and Alternate to the City of Alexandria Firefighters and Police Officer Pension Board ("Fire & Police Board") and 2) Appointment of Management Representative and Alternate to the Retirement Board of the City of Alexandria Supplemental Retirement Board ("Supplemental Board").

RECOMMENDATION:

1. That City Council replace the following Management Representative from the City of Alexandria Firefighters and Police Officers Pension Board and the Supplemental Retirement Board:

- Morgan Routt, Assistant Director of the Office of Management & Budget (“OMB”), with Jean Kelleher, Director of Human Rights.

Ms. Kelleher currently serves on the Supplemental Board and the Fire & Police Board as the Management Alternate Representative. Mr. Routt has taken on additional responsibilities in OMB that will take away from the time needed for this investment board.

After appointment, Ms. Kelleher will remain on both boards until removed by City Council or ending her employment.

2. That City Council appoint the following individual to the newly vacant Management Alternate Representative on the City of Alexandria Firefighters and Police Officers Pension Board and the Supplemental Retirement Board:

- Elizabeth Davies, Performance Analyst.

After appointment, Ms. Davies will remain on both boards until removed by City Council or ending her employment.

BACKGROUND : The Fire & Police Board consists of eight members and three alternates. The Supplemental Board consists of eight members and five alternates. Both Boards serve as the trustees and fiduciaries of their respective plans and assets. Both Boards act for the City on matters concerning the Plan’s assets, including selecting and monitoring investment funds and appointing investment managers, custodians, and advisors. Both Boards are also charged with consulting with City management to recommend modifications to the Plan. Both Plans require board meetings to be held each quarter of the calendar year, but meetings are generally held more often.

DISCUSSION : City Council has the authority to appoint Fire & Police Board members. The board members are either nominated by the City Manager or elected by the Voting Participants, which include both active sworn Firefighters and Police Officers as well as retired and deferred vested Plan Participants who were sworn Firefighters or Police Officers. The City Manager nominates four Management Representatives and one Management Alternate Representative to act on the behalf of City management. Firefighters nominate and elect through secret ballot two Participant Representatives and one Alternate. Police Officers also nominate and elect through secret ballot two Participant Representatives and one Alternate. In the event that City Council does not appoint a representative nominated by the City Manager or the Voting Participants, the nomination and election process must be repeated until all board member positions are filled.

City Council has the authority to appoint Supplemental Board members. The members are either nominated by the City Manager or elected by the Supplemental Board trustees. The City Manager nominates four Management Representatives and one Management Alternate Representative to act on the behalf of City management. The Supplemental Board Employee Representatives include: two General Schedule Employees, one Deputy Sheriff, and one Medic/Fire Marshal. Each Employee Representative has an Alternate. In the event that City Council does not appoint a representative nominated by the City Manager or the Board Trustees, the nomination process must be repeated until all Board member positions are filled.

Current Management Representatives of the Fire and Police Board and the Supplemental Retirement Board are:

Name

Tom Gates, Deputy City Manager/Chief of Staff
Jean Kelleher*, Director, Office of Human Rights
Nelsie Smith, Director, Office of Management and Budget
Laura Triggs, CFO & Finance Director
Proposed - Elizabeth Davies, Performance Analyst - Alternate

* Ms. Kelleher has been serving as the Management Alternate Representative to Fire and Police Board since 9/11/2012. Ms. Kelleher has been serving as the Management Alternate Representative to Supplemental Board since 12/11/2012. These appointments will move her from Management Alternate Representative to Management Representative for both Boards.

Current Employee Representatives of the Fire and Police Board are:

Name

Term Expires

Fire Fighters

Michael Cross, Battalion Chief	12/31/2016
Patrick Evans, Firefighter II	12/31/2014
Ricky Muse, Jr., Firefighter II - Alternate	12/31/2014

Name

Term Expires

Police Officers

Edward Milner, Lieutenant	12/31/2014
Albert Tierney, Retired	12/31/2016
Shirl Mammarella, Lieutenant - Alternate	12/31/2014

Current Employee Representatives of the Supplemental Board are:

Name

Term Expires

General Schedule

Shane Cochran, Division Chief, Housing	12/31/2014
Marietta Robinson, Public Safety Operations Manager, DEC	12/31/2016
Bill Eger, Energy Manager, General Services - Alternate	12/31/2014
Brenda D'Sylva, Fiscal Officer I, Police Department - Alternate	12/31/2016

Name

Term Expires

Medic /Fire Marshal

Nancy McFadden, Medic II, Fire Department	12/31/2016
Young-Ju Kim, Medic II, Fire Department	12/31/2016

Name

Term Expires

Deputy Sheriff

Robert Gilmore, Deputy Sheriff III, Sheriff Department	12/31/2014
Valarie Wright, Deputy Sheriff IV, Sheriff Department - Alternate	12/31/2014

We are recommending the appointments of Ms. Kelleher and Ms. Davies to both the Fire & Police Board and to the Supplemental Board. Staff requests that City Council re-appoint Ms. Kelleher and appoint Ms. Davies to the Boards effective March 12, 2014.

FISCAL IMPACT: None.

ATTACHMENTS:
None.

STAFF:
Laura Triggs, Chief Financial Officer & Finance Director
Tom Gates, Deputy City Manager/Chief of Staff
Steven Bland, Retirement Administrator
.



Legislation Details (With Text)

File #: 14-2494 **Name:**
Type: **Status:** Agenda Ready
File created: 2/26/2014 **In control:** City Council Legislative Meeting
On agenda: 3/11/2014 **Final action:**
Title: Consideration of the Annual Committee Attendance Report for Fiscal Year 2013.
Sponsors:
Indexes:
Code sections:
Attachments: [14-2494_attendreport 2014.pdf](#)

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

DATE: MARCH 5, 2014
TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: RASHAD M. YOUNG, CITY MANAGER/s/

DOCKET TITLE:

Consideration of the Annual Committee Attendance Report for Fiscal Year 2013.

ISSUE: Receipt of the Annual Report on Committee Attendance for Fiscal Year 2013.

RECOMMENDATION: That City Council: (1) receive the report (Attachment 1); (2) vacate the three positions listed on page one of the report; and (3) authorize the City Clerk and Clerk of Council to advertise the vacancies.

DISCUSSION: Section 2-4-7(i) of the City Code requires appointees to committees to attend at least 75 percent of the meetings of the committee on which they serve. There are 56 City boards, committees, commissions and task forces that are required to file annual attendance reports with the Executive Secretary for Boards and Commissions by July 15 of each year.

This report summarizes attendance reports from 47(five more than the last year) of the 56 City boards,

committees and commissions. The nine committees that have not submitted the attendance reports are listed on pages three and four of the attachment. One of the groups, the USS Alexandria Liaison Committee did not meet during the reporting period, and there were no activities with the submarine's crew. Another group, the Economic Development Partnership Board of Directors staff believes that they are not covered by this requirement and did not submit a report. When all seven of the remaining committee reports are received, staff will docket a supplemental attendance report for Council's consideration.

The 47 City boards, committees, and commissions included in this report held 418 meetings. Two of the 47 groups listed members (a total of three persons) who did not attend 75 percent of the group's meetings (14 less than last year). The names of the persons removed for failure to comply with the attendance requirements are listed on page one of the attached report. Each of the persons has been notified by letter of their attendance record. These persons may reapply for reappointment with other new applicants when the positions are advertised by the City Clerk.

FISCAL IMPACT: None.

ATTACHMENT:

Attachment 1 - Attendance Report for Fiscal Year 2013.

STAFF:

Rose Williams Boyd, Executive Secretary for Boards and Commissions

February 25, 2014

ATTENDANCE REPORT FOR COUNCIL-APPOINTED
BOARDS, COMMITTEES, AND COMMISSIONS
July 1, 2012 – June 30, 2013

The boards, committees and commissions listed in the Annual Report submitted Attendance Reports for the period July 1, 2012 – June 30, 2013. The report includes the number of meetings held by each group during the period, the number of persons who did not meet the attendance requirement, and a listing of the members who attended less than 75 percent of the meetings. If the member was appointed after July 1, 2012 the member's attendance report reflects only those meetings which took place after his/her appointment. The individual attendance reports are on file in the City Manager's Office.

**INDIVIDUAL LISTING OF MEMBERS WHO DID NOT FULFILL THE 75%
ATTENDANCE REQUIREMENT:**

Alexandria Gang Prevention Community Task Force

Merlin Alvarado (Attended 50% of the meetings)

Michael Johnson (Attended 25% of the meetings)

Social Services Advisory Board

Keith (Tsaike) Brundige (Attended 50% of the meetings)

STATISTICAL PROFILE:

<u>Committee</u>	<u>Number of Meetings Held</u>	<u>Number of Members Not in Compliance</u>
Affordable Housing Advisory Committee	10	0
Alexandria Gang Prevention Task Force	4	2
Alexandria-Caen Sister City Committee	11	0
Archaeological Commission	12	0
Beautification Commission	11	0
BAR – Old & Historic District	20	0
BAR – Parker-Gray District	10	0
Board of Zoning Appeals	11	0

Building Board of Appeals	1	0
Carlyle Design Review Board	9	0
Children, Youth and Families Collaborative Commission	10	0
Citizen Corps Council	9	0
Commission for the Arts	10	0
Commission on Aging	10	0
Commission on Employment	10	0
Commission on HIV/AIDS	11	0
Commission on Information Technology	4	0
Commission on Persons with Disabilities	10	0
Community Criminal Justice Board	4	0
Community Policy & Management Team	9	0
Convention and Visitors Association Board of Governors	12	0
Economic Opportunities Commission	11	0
Emergency Medical Services Council	4	0
Environmental Policy Commission	10	0
Historic Alexandria Resources Commission	9	0
Historical Restoration and Preservation Commission	12	0
Human Rights Commission	11	0
Industrial Development Authority Board of Directors	4	0
Landlord-Tenant Relations Board	6	0

Law Library Board	5	0
Library Board	6	0
Local Emergency Planning Committee	3	0
Marketing Committee	4	0
Park and Recreation Commission	10	0
Potomac Yard Design Advisory Committee	3	0
Planning Commission	10	0
Public Health Advisory Commission	9	0
Public Records Advisory Commission	9	0
Real Estate Assessments Board	26	0
Redevelopment and Housing Authority Board of Commissioners	11	0
Sanitation Authority Board of Directors	12	0
Social Services Advisory Board	10	1
Torpedo Factory Art Center Board	11	0
Traffic & Parking Board	10	0
Transportation Commission	11	0
Urban Design Advisory Committee	2	0
Waterfront Committee	11	0

The following boards have not submitted attendance reports:

Alcohol Safety Action Program Policy Board
 Alexandria-Gyumri Sister City Committee
 Budget and Fiscal Affairs Advisory Committee
 Commission for Women
 Community Services Board
 Economic Development Partnership Board of Directors

George Washington Birthday Celebration Committee
Sister Cities Committee
USS Alexandria Liaison Committee



Legislation Details (With Text)

File #: 14-2513 **Name:** Consideration of a Grant Application to the Virginia Commission for the Arts for a Local Government Challenge Grant for the Department of Recreation, Parks and Cultural Activities

Type: **Status:** Agenda Ready

File created: 2/28/2014 **In control:** City Council Legislative Meeting

On agenda: 3/11/2014 **Final action:**

Title: Consideration of a Grant Application to the Virginia Commission for the Arts for a Local Government Challenge Grant for the Department of Recreation, Parks and Cultural Activities

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

DATE: MARCH 5, 2014

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: RASHAD M. YOUNG, CITY MANAGER/s/

DOCKET TITLE:

Consideration of a Grant Application to the Virginia Commission for the Arts for a Local Government Challenge Grant for the Department of Recreation, Parks and Cultural Activities

ISSUE: Consideration of a grant application to the Virginia Commission for the Arts (VCA) for funding, in the amount of \$5,000, for the Local Government Challenge Grant Program. The grant application deadline is April 1, 2014.

RECOMMENDATION: That City Council authorizes the City Manager to:

- (1) Submit a grant application, in the amount of \$5,000, to the Virginia Commission for the Arts' Local Government Challenge Grant Program; and

- (2) Execute all necessary documents that may be required.

The Alexandria Commission for the Arts (ACA) fully endorses the application submission.

BACKGROUND: The City has received the maximum amount of funds awarded through the Virginia Commission for the Arts' Local Government Challenge Grant Program for 34 out of the past 35 years that this program has been in operation. Through the Local Government Challenge Grant Program, the VCA will match funds, up to \$5,000. Independent town, city, and county governments are eligible to apply for funding in this category.

For Fiscal Year 2015, the City is seeking \$5,000, the current maximum permitted in the VCA's Local Government Challenge Grant category. The grant application is due April 1, 2014. These funds, if awarded to the City, are to be allocated to the arts organizations and artists who have submitted requests for funding to the Office of the Arts for Fiscal Year 2015. Included in the application is a description of each artist and organization proposed to receive VCA funding.

The Alexandria Commission for the Arts (ACA) advises the Office of the Arts staff on funding appropriations to grant applicants. The Office of the Arts' grant program is modeled after the Virginia Commission for the Arts grant program.

The Office of the Arts made some adjustments to the Fiscal Year 2015 grant program. The adjustments made were to provide grantees easier access to the online program, to outreach to individual artists and organizations by offering in-person workshops and webinars, and to condense the grant program's cycle for grantees, panel and Arts Commission members, and staff. On January 6, the Office of the Arts' provided online written guidelines to all potential applicants. Grant workshops and webinars were held in January and February. Online submissions are due the last Friday in February. In March and April, the Resource Panels for Music, Theatre, Dance, Visual Arts, Literature and Interdisciplinary, subordinate bodies of the ACA, conduct interviews with each grant applicant.

The Arts Commission holds a public hearing of the applications under consideration for funding. At this meeting, they also conduct formal action by awarding conditional grants. After the adoption of the City budget in May, confirmation letters with funding levels are sent to successful applicants. All applicants receiving funding from the Office of the Arts are required to submit a Final Report within thirty days after the project is completed. The Arts Commission's Conflict of Interest Policy is enforced to ensure the highest standards of personal integrity and honesty and to uphold the principles of fairness in the decision-making process regarding potential allocation of public funds.

The distribution of the grant award is determined by the history of funding and the size of the operating budget for each organization. Should the full award of \$5,000 be granted by the VCA and should the Office of the Arts be recommend funding, distribution to the arts organizations will be as follows:

Alexandria Choral Society	\$200	
Alexandria Harmonizers	\$300	
Alexandria Singers		\$200
Alexandria Symphony Orchestra	\$300	
American Youth Philharmonic	\$200	
Ambassador Theater		\$200
Arts on the Horizon		\$200
The Art League		\$300

Arts Resource Foundation/Del Ray Artisans	\$200		
Choreographers Collaboration Project	\$200		
Eclipse Chamber Orchestra		\$300	
First Night Alexandria		\$300	
Jane Franklin Dance Company	\$200		
Karen Reedy Dance Company	\$200		
Living Legends of Alexandria	\$200		
MetroStage			\$200
Northern Virginia Fine Arts Association	\$200		
Port City Playhouse		\$200	
Quintango			\$200
Virginia Bronze Handbells		\$200	
Washington Balalaika Society	\$200		
Washington Philharmonic Orchestra	<u>\$300</u>		
	Total		\$5,000

Although the distribution results in small awards to the arts groups, the impact can be much greater. With these awards, arts groups can promote the fact that they are a recipient of funds from the Virginia Commission for the Arts and its funder, the National Endowment for the Arts.

This “seal of approval” can often help arts groups leverage additional dollars.

The grant award is provided in two payments. The first payment is 85% of the award and includes a partial amount from the City appropriation and all of the Virginia Commission for the Arts funds. The final payment of 15% of the grant award is released after the Office of the Arts receives a successful Final Report.

DISCUSSION: The Virginia Commission for the Arts’ Local Government Challenge Grant if received is a pass-through grant. The funds represent less than 3% of the total funds available for the Office of the Arts’ grant program.

FISCAL IMPACT: The Virginia Commission for the Arts provides up to \$5,000. The City has identified 100% matching funds as the cash match in the Department of Recreation, Parks and Cultural Activities Fiscal Year 2015 proposed operating budget.

In addition, the City is also responsible for normal administrative costs associated with this grant. These costs include financial and reporting oversight provided by the administering agency (the Department of Recreation, Parks and Cultural Activities) as well as the Office of Management and Budget and the Finance Department. It should be noted that no monies are available in the City’s Budget to continue these activities once the grant funds are expended.

ATTACHMENTS:

None.

STAFF:

James Spengler, Director, Recreation, Parks and Cultural Activities (RPCA)

Diane Ruggiero, Deputy Director, RPCA/Office of the Arts

Cheryl Anne Colton, Regional Program Director, RPCA/Office of the Arts



Legislation Details (With Text)

File #: 14-2367 **Name:**

Type: Ordinance **Status:** Agenda Ready

File created: 1/25/2014 **In control:** City Council Legislative Meeting

On agenda: 3/11/2014 **Final action:**

Title: Introduction and First Reading. Consideration. Passage on First Reading of a Proposed Amendment to Title 9 (Licensing and Regulation), Chapter 12 (Taxicabs and Other Vehicles For Hire), Division 2 (Certificates Of Public Convenience And Necessity) of The Code of the City of Alexandria, Virginia, 1981, as Amended.

Sponsors:

Indexes:

Code sections:

Attachments: [14-2367 Attachment 1 Taxicab Ordinance](#)
[14-2367 Attachment 2 Taxicab Ordinance](#)
[14-2367 Attachment 3 Taxicab Resolution](#)
[14-2367 Attachment 4 2013 Taxicab Taskforce Report](#)

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

DATE: MARCH 5, 2014

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: RASHAD M. YOUNG, CITY MANAGER /s/

DOCKET TITLE:

Introduction and First Reading. Consideration. Passage on First Reading of a Proposed Amendment to Title 9 (Licensing and Regulation), Chapter 12 (Taxicabs and Other Vehicles For Hire), Division 2 (Certificates Of Public Convenience And Necessity) of The Code of the City of Alexandria, Virginia, 1981, as Amended.

ISSUE: How to handle Grandfathered taxicab certificates upon the retirement of the holder to that certificate, and how to manage the issue of driver transfers among taxicab companies.

RECOMMENDATION: That City Council approve only Section 9-12-35 of the proposed ordinance (attachment 2) on first reading and set this section only of the ordinance for public hearing, second reading and final passage on Saturday, March 15, 2014. Sections 9-12-30 and 31, although recommended by the Taxicab

Taskforce, will be further analyzed by staff and brought back to the Council for consideration in late Spring/early Summer. Further, the Council should reject the Tenants and Workers United proposal to liberalize the taxicab driver transfer process, as recommended by the Taxicab Taskforce.

BACKGROUND: On May 14, 2013, the City Council passed Resolution 2558 (Attachment 3) creating a Taxicab Taskforce to review and make recommendations to City Council on the following three issues:

1. “The March 8, 2013 Tenants and Workers United (TWU) proposal to liberalize the taxicab driver transfer process;
2. The Traffic and Parking Board’s proposal to allow grandfathered certificates to become permanently affiliated with the company with whom the driver is affiliated when the grandfathered certificate holder retires; and,
3. The issue of the operation of cab companies which operate below the Code required thresholds.”

The Taxicab Taskforce forwarded the following recommendations to City Council on November 12, 2013:

Issue #1 - Tenants and Workers United’s proposal to liberalize driver transfers:

The Taskforce recommended against liberalization of the taxicab driver transfer process.

Issue #2 - The Traffic and Parking Board’s proposal to allow grandfathered certificates to become permanently affiliated with the company with whom the driver is affiliated when the grandfathered certificate holder retires:

The Taskforce recommended adopting the Traffic and Parking Board’s proposal to allow grandfathered certificates to become permanently affiliated with the company with whom the driver is affiliated when the grandfathered certificate holder retires.

Issue #3 - The operation of cab companies which operate below the Code required thresholds:

The Taskforce recommended adopting a pre-2005 type of code where the City establishes the number of cabs each company can operate and drivers cannot transfer their authorization from one company to another as they have been authorized since 2005.

City Council received the Taxicab Taskforce’s recommendations and directed staff to draft the necessary changes to the City Code and Ordinances to: (1) implement the recommendations related to (Grandfathered Certificate Holder requirements), and (2) Maintain a dispatch requirement, but not allow driver transfers.

DISCUSSION: As the next step in processing the above discussed Council direction in regard to the Taxicab Taskforce recommendations, on January 27, 2014 the Traffic and Parking Board held a public hearing to consider the proposed ordinance to amend and reordain Title 9, Chapter 12, Division 2 of The Code of the City of Alexandria, Virginia, 1981, as amended. A total of five people spoke at the hearing. All five speakers spoke in favor of the recommendation proposed under Issue #2, allowing grandfathered certificates the option to become permanent when the certificate holder retires. Two speakers spoke in support and three spoke in opposition to Issue #3, reverting back to a pre-2005 Code which will restrict driver transfers. The Traffic and Parking Board voted unanimously to approve the proposed changes related to the Grandfathered Certificates, as well as to restricting driver transfers.

The following explains the rationale behind each of the two recommendations outlined in this report that supported Recommendation #2: Grandfathered taxicab certificates were created in 1982 when the City changed

the City Code transferring the Certificate of Public Convenience and Necessity from the individual drivers and issuing them to the taxicab companies. The City made this change to place the responsibility of managing the drivers and seeking to ensure compliance with City requirements and improving customer service on the taxicab companies - not largely on the City (which had been the case prior to 1982). All 17 of the current Grandfathered Certificate holders have held the certificate since 1982. When these Grandfathered Certificate holders retire, the authorization for their taxicab will also retire. Under the proposed change, not all certificates would be re-designated. Currently, there are too many cabs operating in Alexandria today when compared to the rest of the country. In Alexandria there are 767 taxicabs to serve a population of 146,294. This is 5.2 taxicabs per 1,000 residents. The national average is less than 1 taxicab per 1,000 residents. Allowing Grandfathered Certificates to expire is an appropriate way to reduce the total number of cabs. But, it would not be fair to let these Grandfathered Certificates expire unless they were fairly distributed across Alexandria's cab companies. The Traffic and Parking Board's original recommendation was designed to assure that if a company was disproportionately affected, it would have recourse to assure its fleet was sufficient to serve its customer base. The proposed ordinance change will create a process by which a taxicab company can request that the Traffic and Parking Board allow that company to convert that Grandfathered Certificate to a regular certificate upon the retirement of the current individual taxicab driver Grandfathered Certificate holder. Such a case by case review is aimed at making sure a taxicab company is not disproportionately impacted.

Issue #3: Since the City Code was changed in 2005 to allow limited taxicab driver transfers, many drivers have transferred to companies with lower stand dues. These companies primarily serve Reagan National Airport and tend not to invest in the assets and infrastructure necessary to timely serve high levels of dispatch service. The Taxicab Taskforce believed that as long as driver transfers are allowed the City will have issues with taxicab companies operating below the Code required dispatch thresholds. Allowing driver transfers limits a taxicab company's ability to stay within the City Code requirements. For example, if a company attempts to require unwilling drivers to service dispatch calls or be courteous to passengers, that driver can choose to transfer into a more accommodating company. Another concern with allowing drivers to transfer is the provisions of State Code adopted in 2012. The new State Code provisions mandate that vacancies created by drivers transferring out of a compliant company and into another must be allowed to be backfilled by the Company. The City would have no right to deny any backfilling triggered by transfers to other taxicab companies. The "backfilling" provision is expected over time to increase the number of cabs significantly. This growth in cabs will eventually have the likely result of severely hurting driver income due to the resulting oversaturated market (i.e. there would be a fixed demand of passengers and an increasing supply of taxicab drivers. More drivers will be competing for the same customer base. As driver income decreases due to the oversaturated market, drivers will be reluctant to accept lower fare trips after waiting so long to get a trip. In effect the State Code change made the City's unique driver transfer process no longer workable in regard to the long term health of the taxicab industry, taxi cab drivers and the riding public. Reverting to the type of taxicab allocation structure, which was in place prior to 2005, will help ensure that these significant negative consequences of the State Code change do not occur. Adopting a pre-2005 type of code will allow the City to address company size at each review cycle based upon compliance or non-compliance with dispatch requirements. Companies which are in a non-compliance status at each review cycle will be at risk for having their taxicab certificates reduced.

FISCAL IMPACT: There is no fiscal impact on the City government. As described above, in regard to the new State Code provisions, there should be a protective fiscal impact on drivers and the taxicab companies. Such a protective impact will benefit taxicab riders.

ATTACHMENTS:

Attachment 1: Ordinance Cover

Attachment 2: Ordinance

Attachment 3: Resolution 2558

Attachment 4: 2013 Taxicab Taskforce Report

STAFF

Mark Jinks, Deputy City Manager

Jerome Fletcher, Special Assistant to the City Manager

James Banks, City Attorney

Richard J. Baier, P.E., LEED AP, Director, T&ES

Sandra Marks, Acting Deputy Director, T&ES

Antonio J. Baxter, Division Chief, Strategic Management Services, T&ES

Bob Garbacz, Division Chief, Transportation, T&ES

Attachment 1

Introduction and first reading:
Public hearing:
Second reading and enactment:

INFORMATION ON PROPOSED ORDINANCE

Title

AN ORDINANCE to amend and reordain Title 9 (LICENSING AND REGULATION), Chapter 12 (TAXICABS AND OTHER VEHICLES FOR HIRE), Division 2 (CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY) of The Code of the City of Alexandria, Virginia, 1981, as amended.

Summary

The proposed ordinance follows the direction given staff by Council at the November 12, 2012 legislative session and:

- a) amends Sections 9-12-30 and -31 to remove driver transfer provisions; and
- b) amends Section 9-12-35 to makes changes to how grandfathered certificates are treated upon the certificate holder's departure from the Alexandria taxicab industry.

Sponsor

N/A

Staff

Mark Jinks, Deputy City Manager
Richard J. Baier, PE, LEED AP, Director, T&ES
Joel Marcuson, Deputy Director, T&ES
Bob Garbacz, T&ES
Christopher P. Spera, Deputy City Attorney

Authority

§2.04(d), Alexandria City Charter

Estimated Costs of Implementation

None

Attachments in Addition to Proposed Ordinance and its Attachments (if any)

None

ORDINANCE NO. _____

AN ORDINANCE to amend and reordain Title 9 (LICENSING AND REGULATION), Chapter 12 (TAXICABS AND OTHER VEHICLES FOR HIRE), Division 2 (CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY) of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Title 9, Chapter 12, Division 2 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained by the amendment of Section 9-12-30 to read as follows:

(New language is underscored; deleted material is ~~stricken~~)

Sec. 9-12-30 Amending certificates of public convenience and necessity.

- (a) The number of taxicabs authorized by a certificate may be amended once every two years during the biennial review of the industry and the following procedures shall apply:

(1) A certificate holder may apply for an amendment to the number of vehicles authorized by the certificate, no later than August 1 of each year in which a review is conducted, on the form provided by the city manager.

(2) ~~Reserved. An owner whose vehicle is has been affiliated with one certificate holder for not less than two years may apply not more frequently than once during a year in which a review is conducted, on the form provided by the city manager, to have that affiliation transferred to a different certificate holder. Any such application shall be submitted to the city manager no later than November 15 of that year. All applications from eligible owners will be approved in order of seniority, subject to the net authorization loss limitations set forth in section 9-12-31(e) herein. Notwithstanding the foregoing, no owner shall be denied his or her application for a transfer pursuant to this section more than two consecutive review cycles, regardless of whether or not granting such an application results in the limit set forth in section 9-12-31(e) being exceeded by application of this policy. In the event the application of this policy results in the net reduction of more than the limit set forth in section 9-12-31(e) of any taxicab company's authorized vehicles, the city manager shall have the authority to grant the impacted taxicab company such additional authorized vehicles as to allow the company to only suffer a net reduction in authorized vehicles equal to the limit set forth in section 9-12-31(e), upon a finding that such a grant will be in the public convenience and necessity including, without limitation, promoting high quality dispatch and customer service. Each such application shall be signed by the prospective certificate holder, certifying acceptance of the owner if the transfer of affiliation is approved.~~

(3) A public hearing on all such applications shall be held by the board as part of the

1 biennial review of the taxi industry pursuant to section 9-12-31, and the board
2 shall make a recommendation thereon to the city manager.

- 3 (4) The board in making its recommendation, and the city manager in making the
4 determination on such applications and proposed amendments, shall consider the
5 factors prescribed in section 9-12-31.

6
7 [The remaining portions of Section 9-12-30 remain unchanged.]
8

9 Section 2. That Title 9, Chapter 12, Division 2 of the Code of the City of
10 Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained by
11 the amendment of Section 9-12-31 to read as follows:
12

13 (New language is underscored; deleted material is ~~stricken~~)
14

15 Sec. 9-12-31 Biennial review of taxi industry.
16

17 [The intervening portions of section 9-12-31 remain unchanged.]
18

- 19 (i) Reserved. ~~The city manager may approve taxicab owner applications to transfer~~
20 ~~affiliation from one certificate holder to another certificate holder during the biennial~~
21 ~~review process. In reviewing transfer applications, preference shall be given based on~~
22 ~~driver seniority to the extent feasible, and the board and city manager shall give~~
23 ~~consideration to such factors as bear on public convenience and necessity including~~
24 ~~but not limited to:-~~

- 25 (1) ~~the individual and cumulative effect of the transfer on the transferee and transferor~~
26 ~~certificate holders, including, without limitation, the following factors:-~~

27 (A) ~~no transfers will be allowed to a transferee certificate holder that would put~~
28 ~~that company out of compliance with the dispatch requirements set forth in~~
29 ~~section 9 12 32(c) herein, based upon its demonstrated dispatch service levels~~
30 ~~for the two year period immediately preceding the review;-~~

31 (B) ~~in order to be eligible to transfer pursuant to this section, drivers seeking to~~
32 ~~transfer from certificate holders that were in compliance with the dispatch~~
33 ~~requirements set forth in section 9 12 32(c) for the two year period~~
34 ~~immediately preceding the review must have been in compliance with the~~
35 ~~driver dispatch service requirement set forth in section 9 12 57(n) for the same~~
36 ~~period. This restriction shall not apply to drivers seeking to transfer from~~
37 ~~certificate holders that were not in compliance with the dispatch requirements~~
38 ~~set forth in section 9 12 32(c) for the two year period immediately preceding~~
39 ~~the review.-~~

40 (C) ~~no transfers will be allowed to certificate holders that were not in compliance~~
41 ~~with the dispatch requirements set forth in section 9 12 32(c) for the two year~~
42 ~~period immediately preceding the review.-~~

43 (D) ~~The net impact on any certificate of all transfers allowed during any single~~
44 ~~biennial review process shall not reduce the size of any certificate holder in~~
45 ~~compliance with section 9 12 32(c) by more than 10 percent of the number of~~
46 ~~authorizations held at the time of the biennial review, nor may it increase the~~

1 size of any new certificate holder by more than 20 percent of the number of
2 authorizations held at the time of the biennial review.
3

4 [The remaining portions of Section 9-12-31 remain unchanged.]
5

6 Section 3. That Title 9, Chapter 12, Division 2 of the Code of the City of
7 Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained by
8 the amendment of Section 9-12-35 to read as follows:
9

10 Sec. 9-12-35 Grandfathered certificates.

11 A certificate which was issued to an individual owner or driver prior to February 15, 1983, and
12 remains in force and effect, including by renewal, on and after July 1, 2005, shall be subject to
13 the following provisions:

14 (a) the original holder of such an individual certificate may change affiliation at any time
15 and for any reason, subject to compliance with the provisions of this section.

16 (b) the provisions of section 9-12-32 shall not be applicable to renewals of grandfathered
17 certificates held by an individual owner or driver.

18 (c) grandfathered certificates ~~are non-transferable~~ may only be transferred in the manner
19 set forth in the following section (d).

20 (d) ~~and u~~ Upon the holder's departure from the industry, ~~shall not be reissued~~ the company
21 with whom the grandfathered certificate is at that time affiliated may request that the
22 grandfathered certificate be converted to a standard authorization, which, if granted,
23 shall be in addition to the number of authorizations then affiliated with the company.
24 The Traffic and Parking Board shall consider any such request at a public hearing and
25 will make the final determination regarding such request. The City Manager shall
26 promulgate regulations for processing such requests and scheduling them for hearing.
27 In the event such a request is granted, then the grandfathered certificate holder may
28 transfer the vehicle permit in the same manner and subject to the same regulatory
29 requirements as those vehicle permits for vehicles with standard authorizations.
30

31
32 Section 4. That this ordinance shall become effective upon the date and at the time of its
33 final passage.
34

35 WILLIAM D. EUILLE
36 Mayor
37

38 Introduction:

39 First Reading:

40 Publication:

41 Public Hearing:

42 Second Reading:

43 Final Passage:

RESOLUTION NO. 2558

WHEREAS, Virginia Code Sections 46.2-2062 through -2067 grants the governing body of any county, city or town the authority to regulate taxicab service; and

WHEREAS, the City of Alexandria, to better serve the public and implement and promote the City's ongoing commitment to provide outstanding taxicab service, has adopted comprehensive rules regulating such service within the City, as is set forth more fully in Alexandria City Code Sections 9-12-1 through -144 and certain administrative regulations as authorized therein; and

WHEREAS, Tenants and Workers United has provided a proposal to liberalize the taxicab driver transfer process.

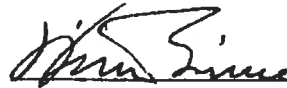
NOW, THEREFORE, BE IT RESOLVED that the Alexandria City Council establishes a nine-member Taxicab Task Force, and hereby authorizes the Mayor to appoint members as follows:

- 1) Commission on Aging, 1 representative
- 2) Alexandria Police Department/Hack Office, 1 representative
- 3) Traffic and Parking Board, 1 representative
- 4) Taxicab Company Owner, 1 representative
- 5) Taxicab Driver, 1 representative
- 6) City Council, 1 representative
- 7) Community Services Board, 1 representative
- 8) Alexandria Commission on Persons with Disabilities, 1 representative
- 9) Department of Transportation and Environmental Services (T&ES), 1 staff representative

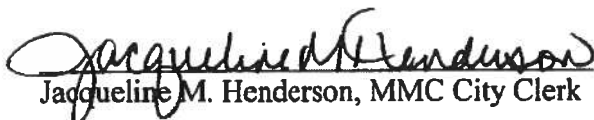
to review and make recommendations to City Council on: 1) the Tenants and Workers United proposal to liberalize the taxicab driver transfer process; and, 2) the Traffic and Parking Board's proposal to allow grandfathered certificates to become permanently affiliated with the company with whom the driver is affiliated when the grandfathered certificate holder retires; and 3) the issue of the operation of cab companies which operate below the Code required thresholds.

BE IT FURTHER RESOLVED that the Taxicab Task Force will be disbanded upon the receipt of its report to City Council, due by October 30, 2013.

Adopted: May 14, 2013


WILLIAM D. EULLE MAYOR

ATTEST:


Jacqueline M. Henderson, MMC City Clerk

City of Alexandria, Virginia

MEMORANDUM

DATE: OCTOBER 31, 2013

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

THROUGH: RASHAD M. YOUNG, CITY MANAGER

FROM: WILLIAM SCHUYLER, CHAIR,
TAXICAB TASKFORCE

SUBJECT: RECOMMENDATIONS

Background

On behalf of the Taxicab Taskforce I would like to thank City Council for providing the opportunity to review certain designated aspects of the taxi industry. This review comes at a good time with the rollout of several internet-based unregulated single car transportation service providers and the recent changes to the State code. Unfortunately these new internet based services appear to service only certain portions of the market. Left to their own devices these new internet-based service providers have the potential to put many of the regulated taxicab providers out of business, leaving much of the consumer market neglected and unregulated.

Purpose of the Taxicab Task Force

City Council Resolution 2558 created the Taxicab Taskforce to review and make recommendations to City Council on the following three issues:

1. The March 8, 2013 Tenants and Workers United (TWU) proposal to liberalize the taxicab driver transfer process;
2. The Traffic and Parking Board's proposal to allow grandfathered certificates to become permanently affiliated with the company with whom the driver is affiliated when the grandfathered certificate holder retires; and,
3. The issue of the operation of cab companies which operate below the Code required dispatch thresholds.

Taxicab Taskforce Members and Representative Groups

1. Jane King, Commission on Aging
2. David Robinson, City of Alexandria Hack Office
3. William Schuyler (Chair), Traffic and Parking Board
4. Spencer Kimball, Company Owner
5. Daniel Berhane, Driver Representative (chose not to participate after 3rd meeting)
6. Paul Smedburg, City Council
7. Roy Shannon, Community Services Board
8. Charles Benagh, Commission on Persons with Disabilities
9. Bob Garbacz, Transportation and Environmental Services

Taskforce Recommendations

The Taxicab Taskforce makes the following recommendations on the above three issues:

Issue #1 - Tenants and Workers United's proposal to liberalize driver transfers:

The Taskforce recommends rejecting the March 8, 2013 Tenants and Workers United (TWU) proposal to liberalize the taxicab driver transfer process.

Issue #2 - The Traffic and Parking Board's proposal to allow grandfathered certificates to become permanently affiliated with the company with whom the driver is affiliated when the grandfathered certificate holder retires:

The Taskforce recommends adopting the Traffic and Parking Board's proposal to allow grandfathered certificates to become permanently affiliated with the company with whom the driver is affiliated when the grandfathered certificate holder retires.

Issue #3 - The operation of cab companies which operate below the Code required dispatch thresholds:

The Taskforce recommends adopting a pre-2005 type of code which maintains a dispatch requirement but does not allow driver transfers.

Key Findings of the Task Force

After our review, the Task Force agreed on the following key findings:

1. Per the City Attorney Office's analysis, the new State Code amendment mandates that vacancies created by driver's transferring out of a compliant company must be backfilled. Allowing driver transfers to continue will significantly increase the number of taxicabs in the City and negatively affect driver income and increase enforcement difficulty for staff.

2. Based on the premise of the City Attorney Office's analysis, the TWU's proposal will result in significant and uncontrollable increases in the number of taxicabs operating in Alexandria, thus decreasing driver income and increasing the cost to enforce the influx of taxicabs.
3. Alexandria's experience with driver transfers to-date is drivers who wish to transfer will move to companies that primarily serve one portion of the market - the airport.
4. Taxicab companies have been reluctant to invest in consumer service improvements because of the uncertainty created by the driver transfer system.
5. With endless unregulated driver transfers under the new State Code provisions, companies will find it increasingly difficult to ensure reliable dispatch service for the entire consumer taxicab market.
6. TWU's proposal leaves the City vulnerable to new startup companies or unregulated internet-based companies entering the market. From past experience, these companies have focused on the airport or on the higher-end customers and not on the entire Alexandria consumer market.
7. Under the TWU proposal, drivers not meeting the proposal's newly created dispatch requirement **could lose their licenses** for actions that are the responsibility of the taxicab companies.
8. Since the City's Code was changed in 2005 to allow transfers, all of the driver transfers have been into companies that do not meet the City's minimum dispatch requirement. Approximately one-third of all driver transfers have been to a company that has a dispatch rate of 0.02 dispatch trips per day per driver.
9. Allowing significant numbers of driver transfers would make oversight by staff increasingly difficult and could require additional resources to monitor taxicab service to City residents without a corresponding source of revenue to pay for additional enforcement resources.
10. Allowing grandfathered certificates to become permanent is one tool that could be used to assure taxicab company's fleets are sufficient to serve their demand if a large number of grandfathered certificate holders retire simultaneously from the same company.
11. Although this issue was not part of the Taskforce's mandate, the issue of ADA compliance was discussed. Taxicab companies are required to have a minimum number of ADA wheelchair accessible taxis, but the disabled community has expressed concern that getting ADA taxicabs is difficult and the Taskforce felt this should be immediately reviewed by the staff.
12. Because of past events spanning decades, the City of Alexandria has too many taxicabs currently serving the City's consumers.

Task Force Meetings

The Taskforce met a total of six times with the driver representative abandoning the process after the fourth meeting and opting not to participate. TWU became difficult to work with during the third meeting and eventually withdrew their proposal shortly before the fifth meeting. At the third meeting Mr. Liss from TWU became so disruptive that the meeting had to be prematurely adjourned. At the fourth meeting, TWU announced that they had a new proposal

that they wanted the Taskforce to consider rather than their original proposal that was one of the main premises of City Council establishing this Taskforce. At the fifth meeting, TWU staged a walk out with the Taxicab driver representative and, presumably, had Channel 4 News present and then announced that they were no longer going to participate on the Taskforce. Since opting out, TWU has been distributing flyers urging people to contact the Mayor.

The first Taskforce meeting was primarily an introductory meeting to review the Taskforce's charge, elect a chair and have staff provide background on the taxicab industry, including having the Deputy City Attorney explain the City Attorney Office's opinion and analysis of the new State Code provisions and the correlation with City Code. The second meeting was dedicated primarily to TWU's presentation of their proposal and allow for a questions and answers session between the Taskforce members and a representative of TWU. Taskforce members agreed that this session with TWU was very productive. During the third meeting, the Taskforce heard public testimony and on the fourth the Taskforce discussed the public testimony and the TWU proposal. All subsequent meetings were held to deliberate and formulate this proposal to the City Council.

Task Force's Considerations

The Taskforce considered several options shown below:

1. Retain the current taxicab code.
2. Adopt the TWU proposal, which moves the dispatch requirement burden from the taxicab company to the individual driver. Drivers would be able to switch companies' once/year even though some of the companies do not meet the 2 calls/a day/driver dispatch requirement. Also, the number of taxicabs would increase through backfilling, per recent change to State Code and its impact on City Code.
3. Revert to the pre-2005 ordinance which maintains a dispatch requirement but does not allow drivers to transfer between companies and the City determines the size of each company.
4. Adopt a hybrid approach of the above options.

Issue #1 - Tenants and Workers United's proposal to liberalize driver transfers:

The Taskforce recommends rejecting the March 8, 2013 Tenants and Workers United (TWU) proposal to liberalize the taxicab driver transfer process. The Taskforce makes this recommendation based on Findings 1 through 9 and 11 listed above.

Summary of Conclusions

The Taxicab Taskforce concluded that liberalizing the driver transfers would exacerbate two problems the City has struggled with for many years. First, adopting TWU's proposal will result in an increased number of taxicabs operating in Alexandria. Since driver transfers were allowed the number of taxicabs increased nearly 19 percent due to backfilling – this is without the new

provisions in the State Code. The new State Code combined with liberalizing the transfer regulations will significantly increase the number of taxicabs operating in the City. The Taskforce recognized that there are too many cabs operating based on the City's current market needs. With the analysis of the City Attorney that compliant companies must be allowed to backfill taxicabs if drivers transfer to other companies, it would be impossible to implement the TWU's proposal without increasing the number of taxicabs in Alexandria. Second, the experience with the taxicab fleet since driver transfers were allowed in 2005 has been an increase the number of taxicabs working for companies that do not meet the City's minimal dispatch requirement. At the last biennial review, at least 30 drivers requested to move from compliant companies to non-compliant companies. The dispatch requirement is the measure the City uses to determine if a taxicab company is adequately serving the citizens of Alexandria, consequently it cannot be ignored. The Taskforce did not identify anything in the TWU proposal to prevent the problem of oversaturating the market from becoming worse if driver transfers were further liberalized. Another issue of concern is that the TWU's proposal leaves the City vulnerable to new startup companies enticing drivers with low stand dues to transfer out of compliant companies into the new company, and requiring further backfilling. The City has a history of this when Union Cab started operations and quickly became the second largest company in the City. If the City Code was not revised in 2010 to prohibit drivers from transferring into non-compliant companies, Union Cab would have grown to the largest company. Union Cab primarily serves the airport.

The TWU proposal recommended moving the dispatch requirement away from the taxicab companies and putting the requirement on each individual taxicab driver. The Taskforce considered this proposal, but felt that because the infrastructure to dispatch calls must be created and implemented by the taxicab companies it would be unfair to hold drivers responsible for the infrastructure or advertisement that they could not create individually. In addition, the Taskforce recognized that the two dispatch calls a day requirement would have to be enforced on each individual driver with punitive consequences for not meeting the requirement. The TWU proposal suggests that taxicab drivers not meeting the daily requirement would lose their licenses. The Taskforce concluded that most drivers would not agree with this requirement of TWU's proposal. The monitoring of each driver's dispatch rate by staff would be difficult and costly because staff would have to review over 767 manifests. Many drivers only drive part time and holding them to the same standard as the full time drivers would place them at a competitive disadvantage in this regulated industry. The loss of a taxicab driver's license for failing to meet the dispatch requirement is an excessive punishment; the Taskforce did not believe it was appropriate to adopt this recommendation.

The TWU proposal identified an important issue that the Taskforce believes needs further consideration. The taxicab companies' service to the City is measured by using the dispatch requirement. It is critical that this metric accurately reflects whether a company is servicing the entire Alexandria community. The TWU proposal recommended that newer measuring methods, such as web-based dispatches, cell phone calls, Twitter and Facebook, and other technologies be used to determine when Alexandrians are reaching out to taxicab companies to request service. The Taskforce suggests that the affected communities--taxicab companies and

drivers, passengers, representatives from the groups making up this Taskforce, and City staff or elected/appointed officials could submit ideas to the City's transportation staff to improve this measure. The Taskforce is not suggesting the City develop new ideas independently as the best ideas are likely to come from those in, or using, taxicabs and a review could be on an as needed basis whenever the market demands. Improvements to the measure could be suggested to the Traffic and Parking Board or to the City Council if they needed review.

The remaining issues that were part of the TWU proposal, the Taskforce does not recommend the adoption of the proposal in lieu of current systems used by the City.

Issue #2 - The Traffic and Parking Board's proposal to allow grandfathered certificates to become permanently affiliated with the company with whom the driver is affiliated when the grandfathered certificate holder retires.

The Taskforce recommends adopting the Traffic and Parking Board's proposal to review a request by companies to allow grandfathered certificates to become permanently affiliated with the company with whom the driver is affiliated. This recommendation was based on Finding 10.

Summary of Conclusions

The Traffic and Parking Board recommended that taxicab companies who lost certificates due to grandfathered certificates expiring could request that the Traffic and Parking Board allow the company to turn the grandfathered certificate into a standard certificate if there was reason to do so. Taxicab companies expressed concern that it was possible for many drivers with grandfathered certificates to all work for the same company and all retire at, or close, to the same time. Taxicab companies viewed this as a risk to their business as it could conceivably be a significant number of their company's taxicabs, as 17 grandfathered certificates currently exist. The Traffic and Parking Board did not suggest that all certificates be re-designated. The Traffic and Parking Board believes that there are too many taxicabs operating in Alexandria today, so allowing grandfathered certificates to expire would be an appropriate way to reduce the total number of taxicabs. But, the Board also agreed that it would not be fair to let them expire unless they were fairly distributed across Alexandria's taxicab companies. The Traffic and Parking Board's recommendation was designed to assure that if a company was disproportionately affected, it would have recourse to assure its fleet size was sufficient to serve its customer base.

The Taskforce recommends that all companies be permitted to request that the Traffic and Parking Board consider allowing their grandfathered certificates become standard certificates when the driver retires. The consideration by the Traffic and Parking Board would be on a case by case basis.

Issue #3 - The operation of taxicab companies which operate below the City Code required thresholds:

The Taskforce recommends adopting a pre-2005 type of code which maintains a dispatch requirement but does not allow driver transfers. The recommendation is based on Finding 1 through 9.

The Taskforce believes that as long as driver transfers are allowed, taxicab companies are going to operate below the City Code required service thresholds and taxicab service to the entire community will suffer. Since the City Code was changed to allow transfers in 2005 all driver transfers have been to noncompliant companies. Allowing drivers to transfer hurts the industry's ability to serve the public in several ways. First, allowing driver transfers limits the control a company has over its drivers to ensure adequate service the public from their drivers and the company. For example, if a driver refuses to service a dispatch call and the company disciplines the driver for failing to pick up the fare, the driver under the transfer system will just transfer into another company that could be less concern with servicing the entire Alexandria taxicab market. Second, allowing drivers to transfer impedes a company's ability to invest in new technology (infrastructure). It's hard to justify investing in technology or infrastructure if next year large portion of the drivers can transfer out of the company. The current trend of alternative transportation methods is making not only the taxicab industry more competitive, but the whole transportation industry more competitive (Bike Share, limos, new rapid bus routes, car sharing, etc.). Moreover, there are new unregulated single car internet transportation service providers that are currently redefining the taxicab industry and present other regulatory concerns for City Council including taxing, safety, and other issues that need to be addressed. Lastly, allowing driver transfers increases the number of taxicabs in an already oversaturated market. The more taxicabs in the City, the less income drivers will be able to earn. In addition, the City is already seeing the results of an over saturated market as the queue of taxicabs waiting at taxicab stands are increasing into travel lanes and creating unnecessary congestion on the City main streets. The Taskforce believes that the City can do a more effective job of regulating the taxi industry if a pre-2005 type code were adopted which maintains a dispatch requirement but does not allow transfers. In this scenario the City would be able to grant additional taxicabs to companies that are growing and servicing the City while reducing the size of noncompliant companies at each review cycle based upon non-compliance with dispatch requirements. The Taskforce realizes that technology is changing and the dispatch methodology will evolve with the times; however, until that technology has been vetted, perhaps by other markets similar to Alexandria, the status two call requirement is more than fair.

The Taskforce also considered, but is not recommending, a hybrid approach. Under this hybrid approach the City would evaluate two or three technologies that can be used to track taxicabs throughout the City and monitor compliance with City requirements. This would, most likely, require drivers and companies to purchase some type of tracking equipment for their taxicabs similar to tracking technologies on City buses, police cars, mobile phones, etc.). Excluding, the two call per day requirement, there is not a good way to monitor compliance with the City's regulations other than to accept a company at its word that the data provided by the company to the City staff is 100% accurate. If a hybrid approach is implemented by City Council, then it would need to direct staff to actively enforce the current City Code for dispatch violations. The City has always had the ability to issue civil fines for noncompliance; however, the City has opted to use the restriction on transfers as the main enforcement mechanism for taxicab

companies failing to meet City requirements. If a hybrid approach was taken, the City Manager should promulgate regulations using the existing code to issue class II civil violations to companies not meeting the dispatch requirements. The Taskforce is not recommending this hybrid approach, because it would not be as effective at regulating the industry and at this time the City has insufficient staff to adequately enforce dispatch violations. There is obviously a regulatory system that would allow for additional staff to be financially sustained through the fine issued; however, the Taskforce does not recommend the approach.



Legislation Details (With Text)

File #:	14-2433	Name:	
Type:	Ordinance	Status:	Agenda Ready
File created:	2/11/2014	In control:	City Council Legislative Meeting
On agenda:	3/11/2014	Final action:	
Title:	Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain Sheet No. 064.02 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (Official Zoning Map and District Boundaries), of the City of Alexandria Zoning Ordinance, by rezoning the property at 509 North St. Asaph Street from, RM/Townhouse to CRMU/X Commercial, Residential, Mixed Use (Old Town North) with proffer in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2014-0001. (Implementing ordinance for the rezoning of the property for the Health Department project approved by City Council on February 22, 2014)		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	14-2433 Information Sheet 14_2433 Ordinance		

Date	Ver.	Action By	Action	Result
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Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain Sheet No. 064.02 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (Official Zoning Map and District Boundaries), of the City of Alexandria Zoning Ordinance, by rezoning the property at 509 North St. Asaph Street from, RM/Townhouse to CRMU/X Commercial, Residential, Mixed Use (Old Town North) with proffer in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2014-0001. (Implementing ordinance for the rezoning of the property for the Health Department project approved by City Council on February 22, 2014)

Introduction and first reading: March 11, 2014
Public hearing: March 15, 2014
Second reading and enactment: March 15, 2014

INFORMATION ON PROPOSED ORDINANCE

Title

AN ORDINANCE to amend and reordain Sheet No. 064.02 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES), of the City of Alexandria Zoning Ordinance, by rezoning the property at 509 North St. Asaph Street from, RM/Townhouse to CRMU/X Commercial, Residential, Mixed Use (Old Town North) with proffer in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2014-0001.

Summary

The proposed ordinance accomplishes the final adoption of Rezoning No. 2014-0001 to rezone the property at 509 North St. Asaph Street from, RM/Townhouse to CRMU/X Commercial, Residential, Mixed Use (Old Town North) with proffer.

Sponsor

Department of Planning and Zoning

Staff

Faroll Hamer, Director of Planning and Zoning
James L. Banks, Jr., City Attorney
Joanna C. Anderson, Assistant City Attorney

Authority

§§ 2.04(w), 9.12, Alexandria City Charter
§ 11-800, City of Alexandria Zoning Ordinance

Estimated Costs of Implementation

None

Attachments in Addition to Proposed Ordinance and its Attachments (if any)

None

ORDINANCE NO. _____

AN ORDINANCE to amend and reordain Sheet No. 064.02 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES), of the City of Alexandria Zoning Ordinance, by rezoning the property at 509 North St. Asaph Street from, RM/Townhouse to CRMU/X Commercial, Residential, Mixed Use (Old Town North) with proffer in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2014-0001.

WHEREAS, the City Council finds and determines that:

1. In Rezoning No. 2014-0001, 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 February 4, 2014 of a rezoning of the property at 509 North St. Asaph Street from, RM/Townhouse to CRMU/X Commercial, Residential, Mixed Use (Old Town North) with proffer, which recommendation was approved by the City Council at public hearing on February 22, 2014;

2. The said rezoning is in conformity with the 1992 Master Plan of the City of Alexandria, Virginia, as amended;

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 Sheet No. 064.02 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 of the City of Alexandria Zoning Ordinance, be, and the same hereby is, amended by changing, in the manner set forth below, the zoning classification of the property hereinafter described:

LAND DESCRIPTION: 509 North St. Asaph Street,
Tax Map #: 064.02-05-01

From: RM/Townhouse
To: CRMU/X Commercial, Residential, Mixed Use (Old Town North) with the following proffer:

The Old Health Department building at 509 N. Saint Asaph Street shall not be torn down and will be restored and adapted, leaving the west, north and south facing exterior facades substantially intact, as necessary, to convert the building from an office use to residential townhouses.

Section 2. That the director of planning and zoning be, and hereby is, directed to record the foregoing amendment on the said map.

1
2 Section 3. That Sheet No. 064.02 of the "Official Zoning Map, Alexandria,
3 Virginia," as so amended, be, and the same hereby is, reordained as part of the City of
4 Alexandria Zoning Ordinance.
5

6 Section 4. That this ordinance shall become effective on the date and at the time of
7 its final passage.
8

9 WILLIAM D. EUILLE
10 Mayor
11

12
13 Introduction: March 11, 2014
14 First Reading: March 11, 2014
15 Publication:
16 Public Hearing: March 15, 2014
17 Second Reading: March 15, 2014
18 Final Passage: March 15, 2014
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Legislation Details (With Text)

File #:	14-2434	Name:	
Type:	Ordinance	Status:	Agenda Ready
File created:	2/11/2014	In control:	City Council Legislative Meeting
On agenda:	3/11/2014	Final action:	
Title:	Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Old Town North chapter of such master plan as Master Plan Amendment No. 2014-0001 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment. (Implementing Ordinance for the Master Plan Amendment related to the Health Department Project approved by City Council on February 22, 2014)		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	14-2434 Information Sheet 14-2434 Ordinance 14-2434 Attachment		

Date	Ver.	Action By	Action	Result
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Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Old Town North chapter of such master plan as Master Plan Amendment No. 2014-0001 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment. (Implementing Ordinance for the Master Plan Amendment related to the Health Department Project approved by City Council on February 22, 2014)

1 Introduction and first reading: March 11, 2014
2 Public hearing: March 15, 2014
3 Second reading and enactment: March 15, 2014
4

5 INFORMATION ON PROPOSED ORDINANCE
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7 Title
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9 AN ORDINANCE to amend and reordain the Master Plan of the City of Alexandria,
10 Virginia, by adopting and incorporating therein the amendment heretofore approved by city
11 council to the Old Town North chapter of such master plan as Master Plan Amendment No.
12 2014-0001 and no other amendments, and to repeal all provisions of the said master plan as
13 may be inconsistent with such amendment.
14

15 Summary
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17 The proposed ordinance accomplishes the final adoption of Master Plan Amendment No.
18 2014-0001 to amend the land use and zoning maps for the property at 509 North St. Asaph
19 from RM/Townhouse to CRMU/X Commercial, Residential, Mixed Use (Old Town North)
20 approved by the City Council on February 22, 2014.
21

22 Sponsor
23

24 Department of Planning and Zoning
25

26 Staff
27

28 Faroll Hamer, Director of Planning and Zoning
29 James L. Banks, Jr., City Attorney
30 Joanna C. Anderson, Assistant City Attorney
31

32 Authority
33

34 § 9.01, Alexandria City Charter
35 § 11-900, City of Alexandria Zoning Ordinance
36

37 Estimated Costs of Implementation
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39 None
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41 Attachments in Addition to Proposed Ordinance and its Attachment (if any)
42

43 None
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ORDINANCE NO. _____

AN ORDINANCE to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Old Town North chapter of such master plan as Master Plan Amendment No. 2014-0001 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment.

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

1. In Master Plan Amendment No. 2014-0001, 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 February 4, 2014 of an amendment to the Old Town North Chapter of the Master Plan of the City of Alexandria to amend the land use and zoning maps for the property at 509 North St. Asaph from RM/Townhouse to CRMU/X Commercial, Residential, Mixed Use (Old Town North) which recommendation was approved by the City Council at public hearing on February 22, 2014;

2. The said amendment has heretofore been approved by the planning commission and city council after full opportunity for comment and public hearing.

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 the Old Town North Chapter of the Master Plan of the City of Alexandria, be, and the same hereby is, amended by amending maps 10, 11, 17 and 18 as shown in the attached graphic of the maps titled Master Plan Amendment Updated Maps attached hereto and incorporated fully herein by reference

Section 2. That the director of planning and zoning be, and hereby is, directed to record the foregoing master plan amendment as part of the Master Plan of the City of Alexandria, Virginia.

Section 3. That all provisions of the Master Plan of the City of Alexandria, Virginia, as may be inconsistent with the provisions of this ordinance be, and same hereby are, repealed.

Section 4. That the Master Plan of the City of Alexandria, as amended by this ordinance, be, and the same hereby is, reordained as the Master Plan of the City of Alexandria, Virginia.

Section 5. 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.

1
2 Section 6. That this ordinance shall become effective upon the date and at the time
3 of its final passage.
4

5 WILLIAM D. EUILLE
6 Mayor
7
8

9 Introduction:

10 First Reading:

11 Publication:

12 Public Hearing:

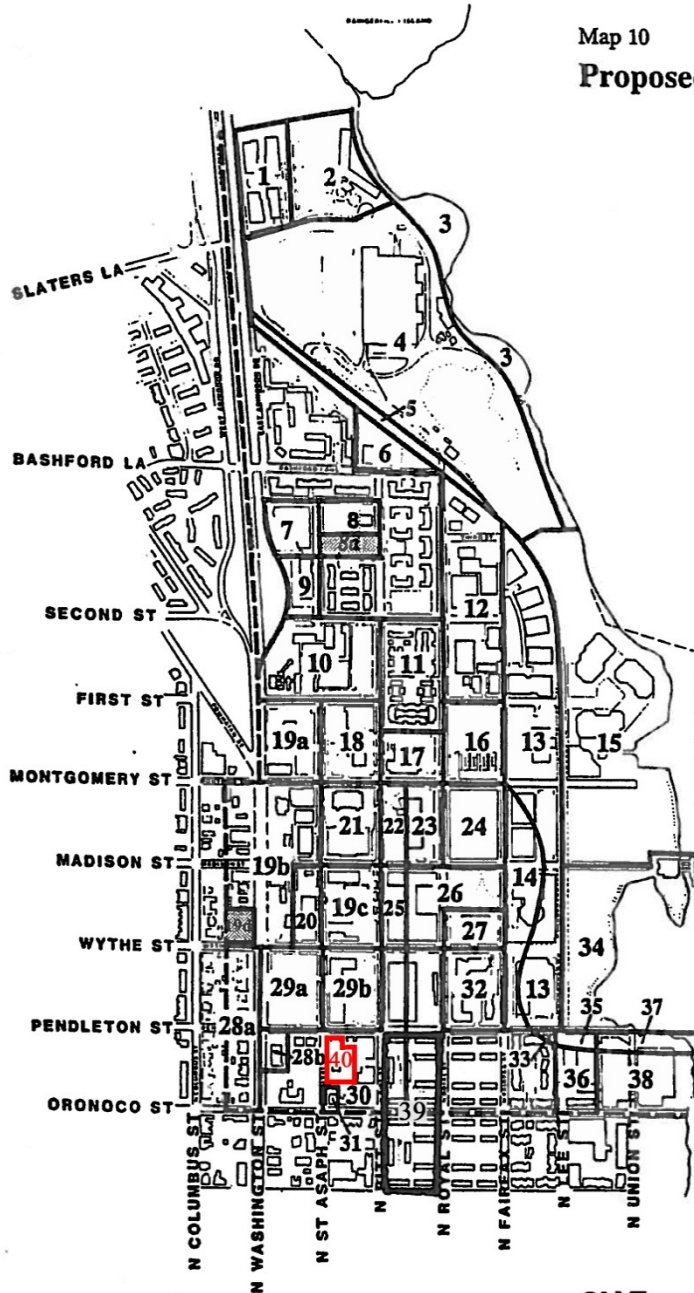
13 Second Reading:

14 Final Passage:
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MASTER PLAN AMENDMENT UPDATED MAPS

Map 10

Proposed Land Use Changes



- 1 - From MU to OCM
- 2 - From MU to RH
- 3 - From MU to P
- 4&5 - From MU & RM to U/T
- 6 - From RM to OCM
- 7 - From RM to OCM
- 8 - From RM to OC
- 8a - From OC to CDX
(amended by Ord. #3805)
- 9&10 - From RM & COMM to CD
- 11 - From INST to RM
- 12 - From RM to CDX
- 13&14 - From MU & RM to OCM
- 15 - From MU to W-1
- 16 - From INST to P
- 17 - From INST to OC
- 18 - From COMM to CG
- 19a - From COMM to CD
- 19b - From COMM to CDX
- 19c - From CD to CDD20
- 19d - From CDX to CRMU-X
- 20 - From COMM to CDX
- 21 - From COMM to CRMU
- 22&23 - From COMM & RM to
- 24 - From RM to CRMU-X
- 25&26 - From COMM & RM to CRMU-H
- 27 - From RM to OC
- 28a - From COMM to OC
- 28b - From COMM to OC
- 29a - From COMM to CRMU
- 29b - From COMM to CRMU
- 30 - From COMM to RM
- 31 - From COMM to CL
- 32 - From RM to RH
- 33 - From MU to RM
- 34 - From MU to WPR
- 35&36 - From MU & RM to OC
- 37&38 - From MU & RM to W-1
- ***39 - From RM to CRMU-X
- 40 - From RM to CRMU-X

Amended 2/25/2012 Ord. 4749

*Amended 6/28/2011 Ord. 4733

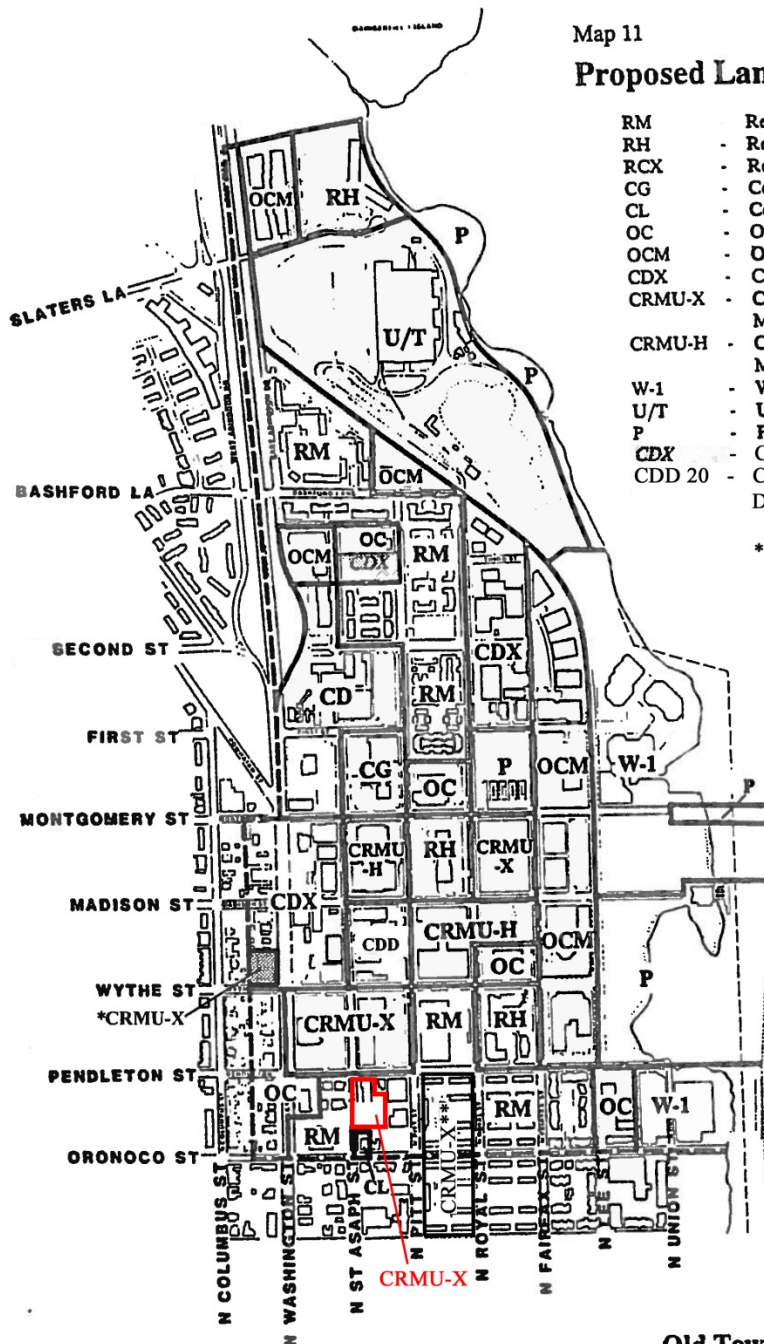
**Amended 11/13/2013 Ord. 4842

***Amended 1/25/2003 Ord. 4287



Amended 6/17/1999
Ordinance #3805

Old Town North Area



Map 11

Proposed Land Use

RM	- Residential Medium
RH	- Residential High
RCX	- Residential High Modified
CG	- Commercial General
CL	- Commercial Low
OC	- Office Commercial
OCM	- Office Commercial Medium
CDX	- Commercial Downtown Modified
CRMU-X	- Commercial Residential Mixed Use - Modified
CRMU-H	- Commercial Residential Mixed Use - High
W-1	- Waterfront Commercial
U/T	- Utility or Transportation
P	- Parks and Open Space
CDX	- Commercial Downtown
CDD 20	- Coordinated Development District

**Amended 1/25/2003 Ord. 4287

Amended 6/28/2011 Ord. 4733

Amended 2/25/2012 Ord. 4749

*Amended 11/16/2013 Ord. 4842

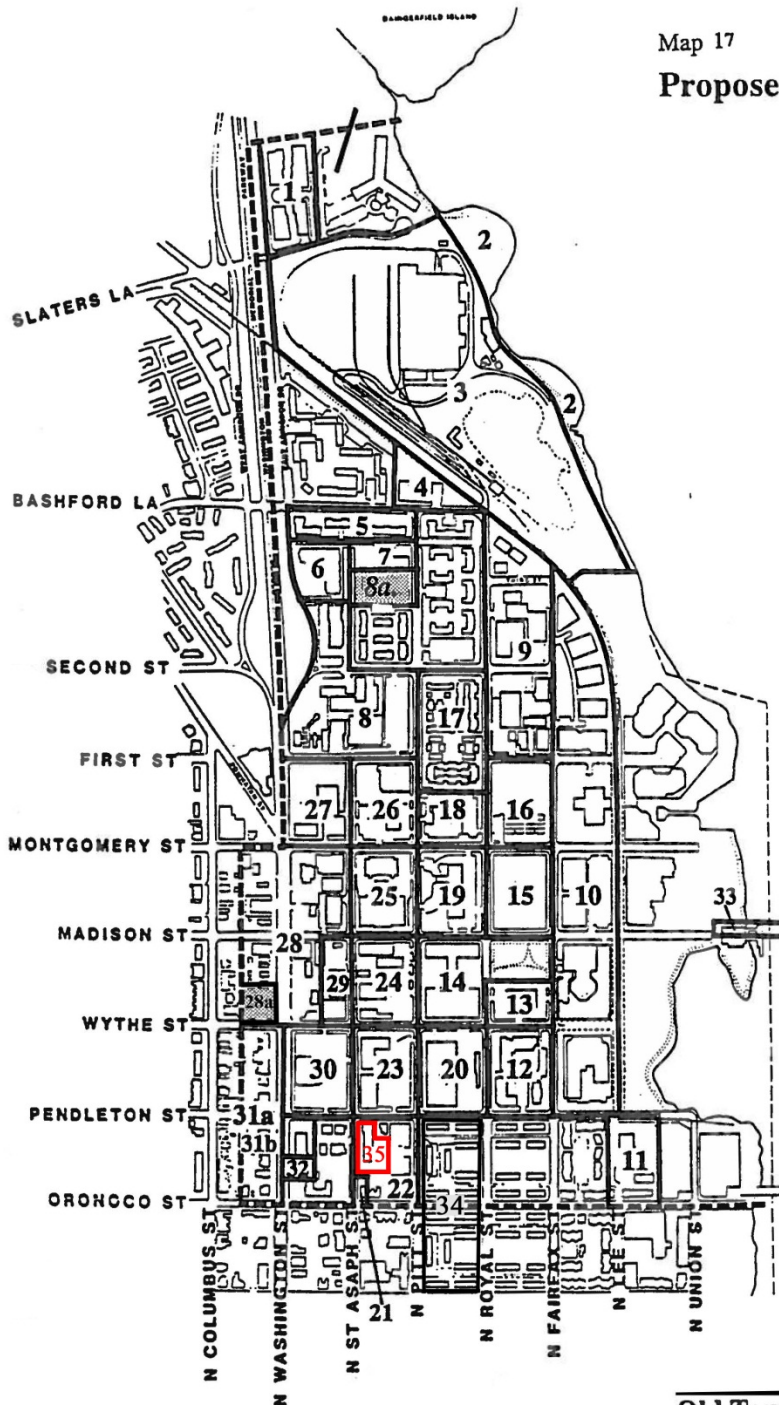


Amended 6/17/1999
Ordinance #3805

Old Town North Area

Map 17

Proposed Zoning Changes



- 1 - From I-1 to OCM
- 2 - From I-2 to P
- 3 - From I-1 and I-2 to U/T
- 4 - From I-1 to OCM
- 5 - From RC to RCX
- 6 - From C-2 and CO to OCM
- 7 - From CO to OC
- 8 - From C-2 to CD
- 8a - From CO to **OC CD-X** (amended per Ord. #3805)
- 9 - From I-1 to CDX
- 10 - From I-1 and I-2 to OCM
- 11 - From I-1 and I-2 to OC
- 12 - From CO to RC
- 13 - From I-1 to OC
- 14 - From CO to CRMU-H
- 15 - From I-1 to CRMU-X
- 16 - From CO to P
- 17 - From CO to RM
- 18 - From CO to OC
- 19 - From RD to RC
- 20 - From I-1 to RM
- 21 - From C-2 to CL
- 22 - From C-2 to RM
- 23 - From C-2 to CRMU-X
- 24 - From C-2 to **CD CDD #20**
- 25 - From C-2 to CRMU-H
- 26 - From C-2 to CG
- 27 - From C-2 to CD
- 28 - From C-2 to CDX
- 28a - From **CDX** to **CRMU-X**
- 29 - From C-2 to CDX
- 30 - From C-2 to CRMU-X
- 31a - From C-1 & C-2 to OC
- 31b - From C-3 to OC
- 32 - From C-1 to RM
- 33 - From W-1 to WPR
- 34 - From RM to CRMU-X
- 35 - **From RM to CRMU-X**

*Amended 6/28/2011 Ord. 4287
 **Amended 11/13/2013 Ord. 4842
 ***Amended 1/25/2003 Ord. 4287

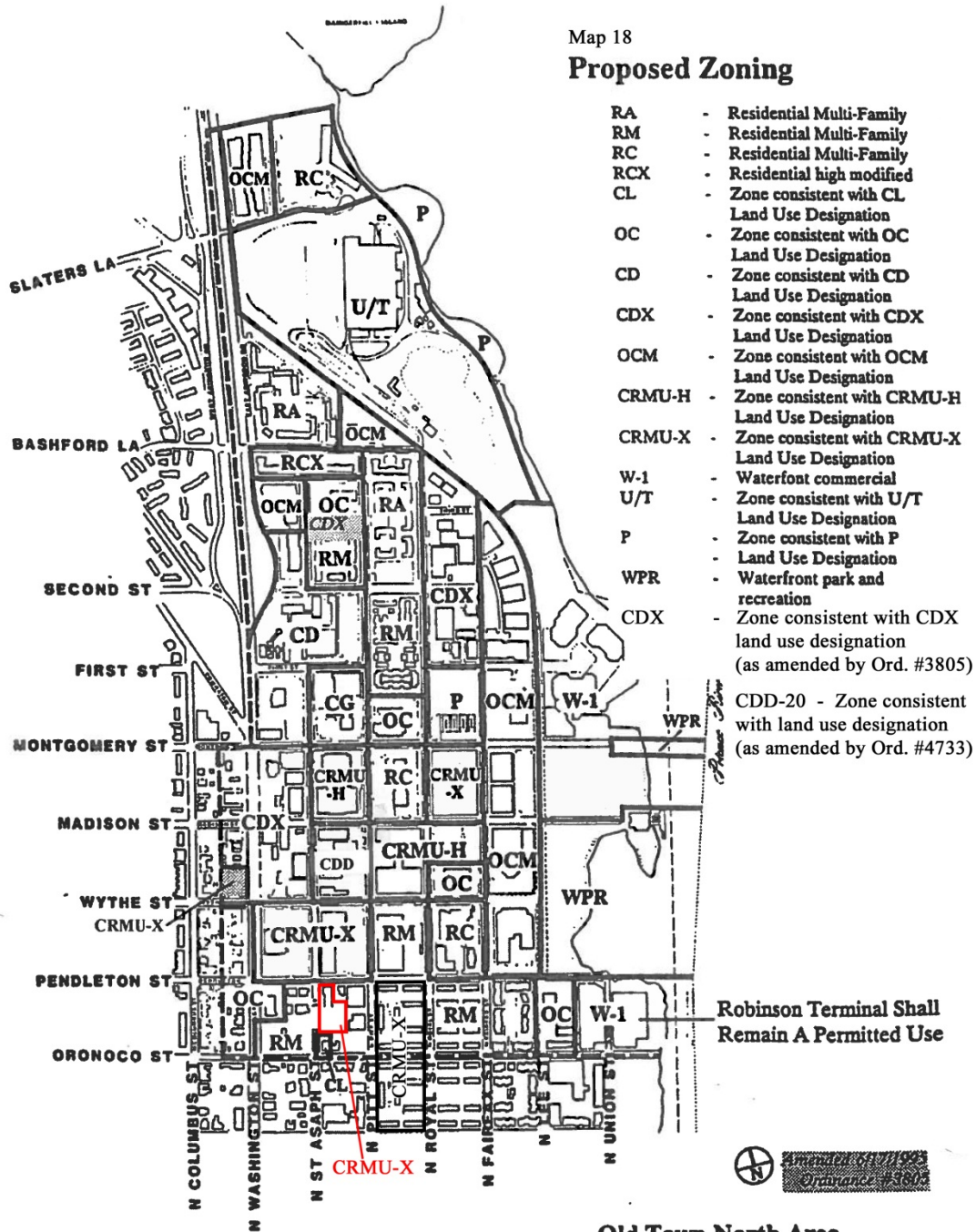


Amended 6/17/1995
 Ordinance #3805

Old Town North Area

Map 18

Proposed Zoning



Old Town North Area



Legislation Details (With Text)

File #:	14-2435	Name:	
Type:	Ordinance	Status:	Agenda Ready
File created:	2/11/2014	In control:	City Council Legislative Meeting
On agenda:	3/11/2014	Final action:	
Title:	Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Eisenhower East Small Area Plan Chapter of such master plan as Master Plan Amendment No. 2013-0006 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment. (Implementing Ordinance for the Eisenhower East Small Area Plan Amendment related to the Carlyle Plaza II project approved by City Council on February 22, 2014)		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	14-2435 Information Sheet 14-2435 Ordinance		

Date	Ver.	Action By	Action	Result
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Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Eisenhower East Small Area Plan Chapter of such master plan as Master Plan Amendment No. 2013-0006 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment. (Implementing Ordinance for the Eisenhower East Small Area Plan Amendment related to the Carlyle Plaza II project approved by City Council on February 22, 2014)

1 Introduction and first reading: March 11, 2014
2 Public hearing: March 15, 2014
3 Second reading and enactment: March 15, 2014
4

5 INFORMATION ON PROPOSED ORDINANCE
6

7 Title
8

9 AN ORDINANCE to amend and reordain the Master Plan of the City of Alexandria,
10 Virginia, by adopting and incorporating therein the amendment heretofore approved by city
11 council to the Eisenhower East Small Area Plan Chapter of such master plan as Master Plan
12 Amendment No. 2013-0006 and no other amendments, and to repeal all provisions of the
13 said master plan as may be inconsistent with such amendment.
14

15 Summary
16

17 The proposed ordinance accomplishes the final adoption of Master Plan Amendment No.
18 2013-0006 to amend Figure 4-10 on page 4-14 of the Eisenhower East Small Area Plan to
19 allow office space to be converted to hotel or residential approved by the City Council on
20 February 22, 2014.
21

22 Sponsor
23

24 Department of Planning and Zoning
25

26 Staff
27

28 Faroll Hamer, Director of Planning and Zoning
29 James L. Banks, Jr., City Attorney
30 Joanna C. Anderson, Assistant City Attorney
31

32 Authority
33

34 § 9.01, Alexandria City Charter
35 § 11-900, City of Alexandria Zoning Ordinance
36

37 Estimated Costs of Implementation
38

39 None
40

41 Attachments in Addition to Proposed Ordinance and its Attachment (if any)
42

43 None
44
45
46

ORDINANCE NO. _____

AN ORDINANCE to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Eisenhower East Small Area Plan Chapter of such master plan as Master Plan Amendment No. 2013-0006 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment.

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

1. In Master Plan Amendment No. 2013-0006, 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 February 4, 2014 of an amendment to the Eisenhower East Small Area Plan Chapter of the Master Plan of the City of Alexandria to amend Figure 4-10 on page 4-14 to allow office space to be converted to hotel or residential, which recommendation was approved by the City Council at public hearing on February 22, 2014;

2. The said amendment has heretofore been approved by the planning commission and city council after full opportunity for comment and public hearing.

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 the Master Plan of the City of Alexandria, be, and the same hereby is, amended by adding the words "and/or additional residential" after the word hotel in footnote 5 of Figure 4-10 on page 4-14 of the Eisenhower East Small Area Plan Chapter of the Master Plan.

Section 2. That the director of planning and zoning be, and hereby is, directed to record the foregoing master plan amendment as part of the Master Plan of the City of Alexandria, Virginia.

Section 3. That all provisions of the Master Plan of the City of Alexandria, Virginia, as may be inconsistent with the provisions of this ordinance be, and same hereby are, repealed.

Section 4. That the Master Plan of the City of Alexandria, as amended by this ordinance, be, and the same hereby is, reordained as the Master Plan of the City of Alexandria, Virginia.

Section 5. 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.

1
2 Section 6. That this ordinance shall become effective upon the date and at the time
3 of its final passage.
4

5 WILLIAM D. EUILLE
6 Mayor
7
8

9 Introduction: March 11, 2014
10 First Reading: March 11, 2014
11 Publication:
12 Public Hearing: March 15, 2014
13 Second Reading: March 15, 2014
14 Final Passage: March 15, 2014
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Legislation Details (With Text)

File #: 14-2436 **Name:**

Type: Ordinance **Status:** Agenda Ready

File created: 2/11/2014 **In control:** City Council Legislative Meeting

On agenda: 3/11/2014 **Final action:**

Title: Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain Section 11-700 (Transportation Management special use permits) 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. 2013-0009. (Implementing Ordinance for the text amendment related to new TMP regulations approved by City Council on February 22, 2014)

Sponsors:

Indexes:

Code sections:

Attachments: [14-2436 Information Sheet](#)
[14-2436 ordinance](#)

Date	Ver.	Action By	Action	Result
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Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain Section 11-700 (Transportation Management special use permits) 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. 2013-0009. (Implementing Ordinance for the text amendment related to new TMP regulations approved by City Council on February 22, 2014)

1 Introduction and first reading: March 11, 2014

2 Public hearing: March 15, 2014

3 Second reading and enactment: March 15, 2014

4
5 INFORMATION ON PROPOSED ORDINANCE

6
7 Title

8
9 AN ORDINANCE to amend and reordain Section 11-700 (Transportation Management special use
10 permits) of Article XI (Development Approvals and Procedures) of the City of Alexandria Zoning
11 Ordinance, in accordance with the text amendment heretofore approved by city council as Text
12 Amendment No. 2013-0009.

13
14 Summary

15
16 The proposed ordinance accomplishes the final adoption of Text Amendment No. 2013-0009 to
17 adopted revised transportation management plan special use permit regulations.

18
19 Sponsor

20
21 Department of Planning and Zoning

22
23 Staff

24
25 Faroll Hamer, Director of Planning and Zoning

26 Sandra Marks, Acting Deputy Director, Transportation and Environmental Services

27 James L. Banks, Jr., City Attorney

28 Joanna C. Anderson, Assistant City Attorney

29
30 Authority

31
32 §§ 2.04(w), 9.12, Alexandria City Charter

33 § 11-800, City of Alexandria Zoning Ordinance

34
35 Estimated Costs of Implementation

36
37 None

38
39 Attachments in Addition to Proposed Ordinance and its Attachments (if any)

40
41 None

ORDINANCE NO. _____

AN ORDINANCE to amend and reordain Section 11-700 (Transportation Management special use permits) 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. 2013-0009.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2013-0009, 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 February 4, 2014 of a text amendment to the Zoning Ordinance to adopt revised Transportation Management Plan Special Use Permit regulations, which recommendation was approved by the City Council at public hearing on February 22, 2014

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 11-700 of the Zoning Ordinance be, and the same hereby is, amended by deleting the current section in its entirety and inserting new language, as shown:

Sec. 11-700 Transportation management special use permits.

11-701 Purpose and intent.

(A) There are certain land uses which, by their location, nature, size and/or density, or by the accessory uses permitted or required in connection therewith, or by certain operational or design and engineering characteristics, tend to cause traffic and related impacts which are contrary to the public health, safety and general welfare in that they lead to, generate or exacerbate: danger and congestion in travel and transportation upon the public streets, parking problems, harmful air pollution, wasteful energy consumption, excess noise, and other adverse impacts upon public and private transportation facilities, environmental quality, historic areas and other qualities of the city which make it a desirable, prosperous and attractive residential and commercial community. These uses present a disproportionate danger of such impacts relative to similar uses of a different size and density and to other uses permitted under this ordinance.

(B) These uses may be allowed to locate within designated zones only under a special use permit, as provided in this section 11-700, which, through the imposition of pertinent

1 conditions and requirements, shall ensure that the adverse and disproportionate
2 traffic, transportation and related impacts of such uses are reduced to levels consonant
3 with the public health, safety and general welfare, that surrounding land, structures,
4 persons and property are adequately protected and that public and private
5 transportation is facilitated.

6 (C) The purpose of this section 11-700 is to mitigate the traffic, transportation and related
7 impacts of such certain land uses through the requirement that a transportation
8 management plan for such uses be prepared and that a special use permit be issued for
9 such uses containing terms and conditions which require the implementation of an
10 appropriate transportation management plan. The intent of the transportation
11 management plan is to reduce single occupancy vehicle trips by:

- 12 • encouraging other forms of travel, including transit use,
13 ridesharing, walking and bicycling to accomplish that reduction
14 through site-specific controls and conditions;
- 15 • leveraging and sharing planned or existing TMPs and conditions in
16 neighboring uses,
- 17 • fees paid to a citywide transportation demand management
18 program,
- 19 • additional measures or a combination thereof, all in coordination
20 with the city's overall transportation demand management program,
21 Transportation Master Plan, and the Transportation chapter of the City
22 of Alexandria Master Plan.

23
24 *11-702 Transportation Management Plan Program.*

25
26 (A) There is hereby created a Transportation Management Plan (TMP) Program
27 designed to accomplish the purpose and intent of this section 11-700 by maximizing
28 the mobility of all users by encouraging transit use, ridesharing, pedestrian and
29 bicycle transportation to minimize single vehicle occupancy trips by motor vehicles
30 and ensuring adequate transportation infrastructure and services to support future
31 levels of development.

32
33 (B) The TMP Program shall consist of a citywide TMP (Citywide TMP) as well as
34 stand-alone TMP programs operated by individual developments.

35
36 (C) The Director of Transportation and Environmental Services shall report on an
37 annual basis to the Transportation Commission, the Planning Commission and City
38 Council on the status of the TMP Program. The annual report shall be distributed to
39 all developments that contribute to the City-wide and City-managed TDM Fund.

40
41 *11-703 Transportation Demand Management Fund.*

42
43 (A) There is hereby created a citywide, city-managed dedicated Transportation
44 Demand Management (TDM) Fund (TDM Fund) which will promote and create

1 transportation alternatives to single occupancy vehicles that meet the goals of this
2 section 11-700 and the Transportation chapter of the City of Alexandria Master Plan.
3

- 4 (B) Any payments made to the City as a result of the conditions or requirements of an
5 approved TMP SUP shall be deposited into the city TDM Fund.
6
7 (C) Funds deposited into the city TDM Fund shall be separately maintained and
8 segregated and not subject to use other than for its approved program expenditures.
9
10 (D) As part of its annual report on the status of the TMP Program under section 11-
11 702(B), the Director of Transportation and Environmental Services shall report on
12 the status of the TDM Fund, including how funds have been spent in the prior year
13 and a proposed program of expenditures for the following year. After a public
14 hearing and consideration by the Transportation Commission and the Planning
15 Commission, each Commission shall make a recommendation to City Council,
16 which shall adopt an annual program of TDM expenditures for the city.
17

18 *11-704 Application of TMP program to development; required participation.* Each
19 development for which a site plan is required pursuant to section 11-400 of this ordinance may
20 be required to obtain approval of a TMP SUP, depending on its development tier and the
21 requirements for participation outlined in this section 11-704.
22

- 23 (A) *Development tiers.* The following development tiers represent a graduated level of
24 development to which TMP requirements apply.
25

- 26 (1) *Tier one uses.* The following levels of development typically have a
27 relatively low level of traffic and related impacts and are regulated as a tier
28 one use.
29 a) *Residential:* more than 20 but no more than 99 residential units;
30 b) *Commercial or professional office space:* more than 9,999 but no more
31 than 99,999 square feet of Floor Area.
32 c) *Retail:* either more than 9,999 but no more than 74,000 square feet of
33 Floor Area or more than 3,000 square feet but no more than 10,000 square
34 feet of Floor Area with more than 50 peak hour trips during either peak
35 hour as defined in the administrative regulations authorized by Section 11-
36 709.
37 d) *Hotels:* 30 rooms or more; and
38 e) *Industrial or warehouse:* 30,000 or more square feet of Floor Area.
39

- 40 (2) *Tier two uses.* The following levels of development typically have a moderately
41 high level of traffic and related impacts and are regulated as a tier two use.
42 a) *Residential:* more than 99 but no more than 349 residential dwelling units;
43 b) *Commercial and/or professional office space:* more than 99,999 square
44 feet but no more than 249,000 square feet of Floor Area; and
45 c) *Retail space:* More than 74,999 square feet but no more than 149,000
46 square feet of Floor Area.

- 1
2 (3) *Tier three Uses.* The following levels of development typically have a very
3 high level of traffic and related impacts and are regulated as a tier three use.
4 a) *Residential:* more than 349 dwelling units;
5 b) *Commercial and/or professional office space:* more than 249,999 square
6 feet of Floor Area; and
7 c) *Retail space:* more than 149,999 square feet of Floor Area.
8
9 (4) *Mixed Uses.* For a development or building that includes more than one use,
10 each use shall be separately assessed and the highest applicable tier shall apply to
11 the whole development. If a development has more than one use in the same
12 tier, then the next highest tier will be used to define the TMP development tier.
13
14 (5) All other uses shall be exempt from the requirements of this section 11-700.

15 (B) *Program participation based on tier status.*

- 16 (1) *Participation.* Each TMP project, depending on its development tier, has the
17 following requirements and options with regard to the type of TMP program in
18 which it participates:
19 a) A tier one use shall be required to participate in the Citywide TMP
20 program.
21 b) A tier two use shall have the option, with the consent of the Director of
22 Transportation and Environmental Services and approval of this Special
23 Use Permit, of participating in the Citywide TMP program or operating its
24 own stand-alone TMP and may be encouraged to partner with a
25 neighboring use.
26 c) A tier three use shall create and operate its own stand-alone TMP and may
27 be encouraged to partner with a neighboring TMP.
28 (2) *Requirements with Respect to participation in the City-wide TMP Program.*
29 Each development that is required to participate in the city-wide TMP program
30 must comply with all conditions of the TMP SUP which at a minimum will
31 include:
32 a) Designation of a TMP Coordinator whose contact information shall be
33 provided to the City;
34 b) Regular payments will be made into the TDM Fund in accordance with the
35 TMP Assessment as described in Section 11-708 herein; and
36 c) Access to the property by the City in order to implement TDM measures
37 such as surveys, mailings and hosting events to encourage participation.
38 (3) *Requirements with Respect to Partnering*
39 a) A tier two or tier three use TMP partnership proposal shall be submitted
40 jointly by both parties.
41 b) The proposal shall be reviewed and approved by the Director of
Transportation and Environmental Services.

- 1 c) If a partnership is approved, each use involved in such a TMP partnership
2 must still independently meet the requirements of its TMP, including
3 independently submitting all required reports.

4 *11-705 Application for TMP special use permit*
5

- 6 (A) *Application.* A TMP SUP application shall be filed pursuant to section 11-500 of
7 this ordinance and consistent with the administrative guidelines authorized
8 pursuant to section 11-709. The application shall be filed concurrently with the
9 application for approval of a preliminary site plan for the same use as required by
10 section 11-400 of this ordinance.
11
- 12 (B) *Multi-modal transportation scoping requirement.* The application shall include a
13 scoping form which shall conform to the guidelines established with the
14 administrative regulations authorized by Section 11-709 to determine whether a
15 multi-modal transportation study will be required.
16
- 17 (C) *Multi-modal transportation study requirement* If a multi-modal transportation
18 study is required it shall meet the requirements set forth in the administrative
19 guidelines authorized by Section 11-709 herein and at a minimum shall address
20 the following:
21 (1) Vehicular transportation
22 (2) Transit service
23 (3) Bicycle and pedestrian facilities
24 (4) Parking study and management plan required if parking reduction
25 requested, unless otherwise exempted in the Small Area Plan or other City
26 Council approved plan
27 (5) Proposed Transportation Management Plan.
- 28 (D) *Proposed TMP.* The applicant shall propose a TMP as part of the application
29 which shall conform to the guidelines established by administrative guidelines
30 authorized by section 11-709, and shall at a minimum include the following:
31 (1) Strategies that influence travel behavior by mode, frequency, time, route
32 or trip length in order to reduce single vehicle occupancy trips.
33 (2) Specific program components which may include, but are not limited to, a
34 combination of the following: subsidies for transit, carpool, vanpool and
35 shuttles; parking for carpool and vanpool vehicles; carshare or rideshare
36 programs; marketing; teleworking facilities; bicycle facilities.
37

38 *11-706 Action by city council.*
39

- 40 (A) In reviewing an application for a special use permit under this section 11-700, the
41 city council shall consider the traffic, transportation and related impacts of the
42 proposed use, the applicable factors listed in section 11-504, and the following

characteristics of the proposed use that will determine or affect the extent of those impacts:

- (1) Whether the SUP will encourage the use of travel modes other than single occupancy vehicles and reduce the peak hour traffic impacts associated with new development;
- (2) Whether the SUP will maximize the mobility of pedestrians, transit users, bicyclists and motor vehicles and create an integrated, multimodal transportation system that is accessible and safe for all users;
- (3) Whether the SUP will maintain the viability of its commercial centers, neighborhoods and growth areas by providing adequate transportation infrastructure and services to support future levels of development; and
- (4) Whether the SUP will minimize vehicular impacts associated with new development.

- (B) The city council may approve an application for a special use permit under this section 11-700 if it determines (i) that the applicant's transportation management plan is in accord with the requirements of this section 11-700, (ii) that the transportation management plan, together with any amendments deemed appropriate by council, demonstrates that reasonable and practicable actions will be taken in conjunction with and over the life of the proposed use which will produce a measureable reduction in the traffic and transportation impacts consistent with the mode share target as set forth in the TMP SUP, (iii) and that those actions, strategies and programs will be taken in conjunction and coordination with the city's transportation demand management program.

11-707 Conditions and Requirements. In approving a TMP SUP under this section 11-700, city council may impose such reasonable conditions and restrictions that it determines are necessary and desirable to ensure that the use will further the intent of this section 11-700, the applicable factors of section 11-504, and the factors listed in sections 11-706(A). Such conditions shall include such operational activities and fee payments designed to achieve successful transportation demand management, including at a minimum the following:

- (A) Coordinator. Each TMP project shall appoint a coordinator responsible for the implementation of the TMP and for coordination with the city.
- (B) Surveys. Each TMP project that is not part of the Citywide TMP Program shall be responsible for surveying its residents, tenants, and employees on an annual basis to determine the success of the TMP. The TMP project must demonstrate a good faith effort to achieve response rate targets as set forth in the TMP SUP for the project.

(C) Reviews. Each TMP shall be required to report annually on its activities under the TMP and shall be reviewed by the city to determine its TMP compliance.

(D) TMP assessment. Each TMP will be required to pay a TMP annual assessment pursuant to section 11-708.

11-708 TMP assessment schedule and adjustments. Each TMP shall be required to make a monetary payment at a given rate based on the development type and size. The payment shall be made either into the TMP Fund for the individual project or into the city TDM Fund, depending on the program participation of the development as defined by Section 11-704 herein. The amount of the payment shall be based on a standardized rate as that rate may be modified as provided herein.

(A) The base rate applicable to all TMPs subject to the assessment as of EFFECTIVE DATE is as follows:

Land Use	Base Rate in FY14
Residential	\$81.12 per dwelling unit
Commercial	\$0.254 per square foot of Floor Area
Retail	\$0.203 per square foot of Floor Area
Hotel	\$40.56 per room
Industrial	\$0.101 per square foot of Floor Area

(B) The base assessment rate will be adjusted on an annual basis on July 1 of each year in accordance with the Consumers Price Index (CPI-U) as reported by the United States Department of Labor, Bureau of Labor Statistics. The base assessment rate in effect at the time of the project's first certificate of occupancy permit (CO) is the applicable rate for the project.

(C) If any part of the TMP project is within 1,000 feet walking distance of a Metrorail station entrance or a BRT/fixed transit station entrance (Station Entrance), on a fully operational corridor, a 20% reduction from the base assessment rate will be applied. If the TMP project is within 1,500 feet of a Station Entrance, a 15% a reduction from the base assessment rate will be applied.

11-709 Administrative Guidelines. The Director of Transportation and Environmental Services is hereby authorized to promulgate administrative guidelines to supplement this section 11-700 and to facilitate the TMP Program. The guidelines shall be consistent with the provisions of this section 11-700. They shall include the city's technical assumptions, specifications, submission requirements, and expectations for applicants and participants in the TMP program and shall be designed to provide guidance to applicants and their professional consultants and to facilitate participation by applicants and coordination between development applicants and staff. The guidelines shall be approved initially by city council and any subsequent changes to the guidelines shall be made part of the annual reporting required under section 11-702(B).

11-710 Reserved

11- 711 Enforcement and civil penalties.

- (A) Compliance Required. Each TMP project is required to comply with all conditions of its TMP SUP and with the provisions of this section 11-700 and compliance will be assessed on a regular basis as part of required review of the TMP by the city.
- (B) Failure of a TMP project to comply with its approved TMP shall result in the assessment of civil penalties or revocation of the approved TMP SUP as follows:
- (1) A violation of a TMP SUP condition may result in the following cumulative penalties, which may be accrued in any given 12 month period as follows:
- (a) If the Director of Transportation and Environmental Services determines that a violation of the TMP SUP has occurred, he or she may cause a notice of violation to be served on any such person committing or permitting such violation. Such notice shall give 30 days for the violation to be corrected.
- (b) If the 30 day compliance period elapses and the violation of the TMP SUP arising from the same set of operative facts continues, a notice of violation with civil penalty in the amount of 5% of the use's annual financial obligation as provided in the SUP conditions, up to a maximum of \$5,000, may be assessed. Such notice shall include an additional 30 day compliance period to correct the violation.
- (c) If, after the compliance period in 11-711(B)(1)(b) elapses, the violation of the TMP SUP arising from the same set of operative facts continues, a notice of violation with a civil penalty in the amount of 10% of the use's annual financial obligation as provided in the SUP conditions, up to a maximum of \$5,000 may be assessed. Such notice shall include an additional 30 day compliance period to correct the violation.
- (d) If, after the compliance periods provided in section 11-711(B)(1)(b) and (c) elapses, the violation of the TMP SUP arising from the same set of operative facts continues, a notice of violation with a civil penalty in the amount of 15% of the use's annual financial obligation as provided in the SUP conditions, up to a maximum of \$5,000 may be assessed.
- (2) If after assessment of three civil penalties, any use continues to fail to comply with a condition of its approved TMP, the use may be required to participate in the Citywide TMP Program, may be subject to increased review and reporting requirements and may be subject to a staff recommendation for action by the city council revoke the TMP SUP pursuant to section 11-205 of this ordinance.

1 *11-712 Permit validity and modification.*

- 2
- 3 (A) Each special use permit issued pursuant to the provisions of this section 11-700
- 4 shall expire and become null and void concurrently with the expiration of the site
- 5 plan approved in connection therewith as provided in section 11-400.
- 6
- 7 (B) The enlargement, extension or increase of more than five percent in the Floor
- 8 Area expressed in square feet of any use for which a special use permit has been
- 9 issued under the provisions of this section 11-700 shall require an application for
- 10 and approval of a new or amended special use permit governing the entire use as
- 11 enlarged, extended or increase.
- 12
- 13 (C) In the case of a mixed-use building or structure for which a special use permit has
- 14 been issued under this section 11-700, any modification of the mixture of uses
- 15 which increases or decreases the amount of square feet utilized by the dominant
- 16 use by more than 20 percent shall require an application for and approval of a new
- 17 or amended special use permit governing the entire building or structure as
- 18 modified.
- 19
- 20

21 *11-713 Nonconforming use status and related matters.*

- 22
- 23 (A) No individual building or structure, otherwise subject to the provisions of this
- 24 section 11-700, which is in existence on May 16, 1987, or for which a preliminary
- 25 site plan approved on or before May 16, 1987, continues in force and effect, shall be
- 26 deemed a nonconforming or noncomplying use by virtue of any provision of this
- 27 section 11-700, nor shall any such building or structure be subject to the provisions
- 28 of this section 11-700.
- 29
- 30 (B) Any TMP SUP granted after May 16, 1987 and before March 15, 2014 remains in
- 31 full force and effect. No individual building or structure, otherwise subject to the
- 32 provisions of this section 11-700, which is in existence on March 15, 2014, or for
- 33 which a preliminary site plan approved on or before March 15, 2014, continues in
- 34 force and effect, shall be deemed a nonconforming or noncomplying use by virtue of
- 35 any provision of this section 11-700, nor shall any such building or structure be
- 36 subject to the provisions of this section 11-700.
- 37
- 38 (C) Any other provision of law to the contrary notwithstanding, the owner, contract
- 39 purchaser or lessee, or any authorized agent of such party in interest, of any
- 40 individual building or structure or project, complex or development which is or
- 41 becomes a lawful nonconforming or noncomplying use under the provisions of this
- 42 section 11-700, may file an application for the issuance of a special use permit under
- 43 the provisions of this section 11-700.
- 44
- 45

1 *11-714 Administration.*

2
3 (A) The director shall administer the provisions of this section 11-700 and shall consult
4 and coordinate with the directors of transportation and environmental services and of the
5 transportation planning division and such other divisions of the city government as may
6 be appropriate.
7

8 (B) The fee for filing and processing a special use permit application shall be according
9 to that prescribed by section 11-104 and such fee shall be in addition to any other fees
10 required under this ordinance.
11

12
13
14 Section 2. That the director of planning and zoning be, and hereby is, directed to
15 record the foregoing text amendment.
16

17 Section 3. That Section 11-700, as amended pursuant to Section 1 of this ordinance,
18 be, and the same hereby is, reordained as part of the City of Alexandria Zoning Ordinance.
19

20 Section 4. That this ordinance shall become effective on the date and at the time of
21 its final passage, and shall apply to all applications for land use, land development or subdivision
22 approval provided for under the City of Alexandria Zoning Ordinance which may be filed after
23 such date, and shall apply to all other facts and circumstances subject to the provisions of the
24 City of Alexandria Zoning Ordinance, except as may be provided in Article XII of the Zoning
25 Ordinance.
26

27 WILLIAM D. EUILLE
28 Mayor
29

30 Introduction: March 11, 2014
31 First Reading: March 11, 2014
32 Publication:
33 Public Hearing: March 15, 2014
34 Second Reading: March 15, 2014
35 Final Passage: March 15, 2014
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Legislation Details (With Text)

File #:	14-2437	Name:	
Type:	Ordinance	Status:	Agenda Ready
File created:	2/11/2014	In control:	City Council Legislative Meeting
On agenda:	3/11/2014	Final action:	
Title:	Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain Article XIII (Environmental Management) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2013-0014. (Implementing ordinance for the text amendment approved by City Council on February 22, 2014 regarding stormwater regulations)		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	14-2437 Information Sheet 14-2437 ordinance		

Date	Ver.	Action By	Action	Result
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Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain Article XIII (Environmental Management) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2013-0014. (Implementing ordinance for the text amendment approved by City Council on February 22, 2014 regarding stormwater regulations)

1 Introduction and first reading: March 11, 2014
2 Public hearing: March 15, 2014
3 Second reading and enactment: March 15, 2014
4 Effective Date: July 1, 2014
5
6

7 INFORMATION ON PROPOSED ORDINANCE
8

9 Title
10

11 AN ORDINANCE to amend and reordain Article XIII (Environmental Management) of the City of
12 Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city
13 council as Text Amendment No. 2013-0014.
14

15 Summary
16

17 The proposed ordinance accomplishes the final adoption of Text Amendment No. 2013-0014 to
18 adopted revised stormwater management regulations.
19

20 Sponsor
21

22 Department of Planning and Zoning
23

24 Staff
25

26 Faroll Hamer, Director of Planning and Zoning
27 William Skrabak, Deputy Director, Transportation and Environmental Services
28 James L. Banks, Jr., City Attorney
29 Joanna C. Anderson, Assistant City Attorney
30

31 Authority
32

33 §§ 2.04(w), 9.12, Alexandria City Charter
34 § 11-800, City of Alexandria Zoning Ordinance
35

36 Estimated Costs of Implementation
37

38 None
39

40 Attachments in Addition to Proposed Ordinance and its Attachments (if any)
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42 None
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ORDINANCE NO. _____

AN ORDINANCE to amend and reordain Article XIII (Environmental Management) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2013-0014.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2013-0014, 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 February 4, 2014 of a text amendment to the Zoning Ordinance to adopt revised stormwater management regulations, which recommendation was approved by the City Council at public hearing on February 22, 2014

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 Article XIII of the Zoning Ordinance be, and the same hereby is, amended by deleting the current section in its entirety and inserting new language, as shown:

ARTICLE XIII. - ENVIRONMENTAL MANAGEMENT

Sec. 13-100. - General findings.

13-101 - Purpose.

13-102 - Authority.

13-103 - Definitions.

13-104 - Administration.

13-105 - Designation of Chesapeake Bay Preservation Area Overlay District.

13-106 - Establishment of CBPA boundaries.

13-107 - Development, redevelopment, and uses permitted in RPAs.

13-108 - Development and uses permitted in RMAs.

13-109 - General performance requirements for CBPAs.

13-110 - Alternative stormwater management equivalency options and establishment of the Alexandria Water Quality Improvement Fund.

13-111 - Development review process.

13-112 - Environmental site assessment.

13-113 - Stormwater pollution prevention plan.

13-114 - Stormwater management plan.

13-115 - Stormwater management plan review.

13-116 - Pollution prevention plan.

13-117 - Water quality impact assessment.

13-118 - Final plans.

13-119 - Exceptions.

13-120 - Appeals.

1 13-121 - Hearings
2 13-122 - Noncomplying land uses and structures.
3 13-123 - Exemptions.
4 13-124 – Time limits on applicability and grandfathering.
5 13-125 – Monitoring and inspections.
6 13-126 - Penalties.
7

8 **Sec. 13-100. - General findings.**

9 The Chesapeake Bay is one of the most productive estuaries in the world, providing
10 substantial economic and social benefits to the people of the Commonwealth of Virginia.
11 Healthy state and local economies are integrally related to and dependent upon the
12 health of the Chesapeake Bay. The general welfare of the people of the Commonwealth
13 depends upon the health of the Bay.

14 The waters of the Chesapeake Bay and its tributaries, including the Potomac River and
15 Alexandria's local streams, have been degraded significantly by point source and
16 nonpoint source pollution, which threatens public health and safety and the general
17 welfare.

18 **13-101 - Purpose.**

19 (A) It is the policy of the City of Alexandria, Virginia to protect the quality of water
20 in the Chesapeake Bay and its tributaries and, to that end, to require all land uses
21 and land development in the city to:

- 22 (1) Safeguard the waters of the commonwealth from pollution;
- 23 (2) Prevent any increase in pollution of state waters;
- 24 (3) Reduce existing pollution of state waters; and
- 25 (4) Promote water resource conservation.

26 (B) To fulfill this policy, this Article XIII is adopted to minimize potential pollution
27 from stormwater runoff, minimize potential erosion and sedimentation, reduce the
28 introduction of harmful nutrients and toxins into state waters, maximize rainwater
29 infiltration while protecting groundwater, and ensure the long-term performance of
30 the measures employed to accomplish the statutory purpose.

31 (C) The provisions of this Chapter shall be deemed severable, and the invalidity or
32 unenforceability of any individual provision or section hereof shall not affect the
33 validity and enforceability of the remaining provisions of the Chapter.

34 **13-102 - Authority.**

35 This Article XIII is issued under the authority of section 62.1-44.15:73 of the Code of
36 Virginia (the Chesapeake Bay Preservation Act), 62.1-44.15:24 et seq of the Code of
37 Virginia (the Virginia Stormwater Management Act) and attendant regulations as
38 adopted by the Virginia State Water Control Board. Code of Virginia section 62.1-

1 44.15:27 specifically requires the City to adopt a Virginia Stormwater Management
2 Program.. Authority to protect water quality is also provided by section 15.2-2283 of the
3 Code of Virginia.

4 **13-103 - Definitions.**

5 The following words and terms used in this Article XIII have the following meanings,
6 unless the context clearly indicates otherwise.

7 (A) *Administrator*. The person responsible for the administration of this Article XIII,
8 which in the city shall be the director of T&ES or his/her designee.

9 (B) *Alexandria Water Quality Volume Default*. The volume equal to the first 0.5
10 inch of runoff multiplied by the total impervious area of the site as defined herein.

11 (B) *Applicant*. A person who has submitted, or plans to submit, a plan of
12 development or an exception request to the city or a person seeking approval from
13 the city for any activity that is regulated under this article.

14 (C) *Best management practice (BMP)*. Schedules of activities, prohibitions of
15 practices, maintenance procedures, and other management practices, including
16 both structural and nonstructural practices, to prevent or reduce the pollution of
17 surface water and groundwater systems from the impacts of land-disturbing
18 activities.

19 (D) *Buffer area*. An area of natural or established vegetation managed to protect
20 other components of a resource protection area and state waters from significant
21 degradation due to land disturbances. To effectively perform this function, the
22 buffer area will achieve a 75 percent reduction of sediments and a 40 percent
23 reduction of nutrients. A 100-foot wide buffer area shall be considered to meet this
24 standard.

25
26 (E) *Clean Water Act or CWA* means the federal Clean Water Act (33 U.S.C §1251
27 et seq.), formerly referred to as the Federal Water Pollution Control Act or Federal
28 Water Pollution Control Act Amendments of 1972, Public Law 92-500, as amended
29 by Public Law 95-217, Public Law 95-576, Public Law 96-483, and Public Law 97-
30 117, or any subsequent revisions thereto.

31 (F) *Common plan of development or sale*. A contiguous area where separate and
32 distinct construction activities may be taking place at different times on different
33 schedules.

34 (G) *Control measure*. Any best management practice or stormwater management
35 facility, or other method used to minimize the discharge of pollutants to state
36 waters.

37 (H) *Department (DEQ)*. The Virginia Department of Environmental Quality.

38 (I) *Development*. Land disturbance and the resulting landform associated with

1 the construction or substantial alteration of residential, commercial, industrial,
2 institutional, recreational, transportation, or utility facilities or structures or the
3 clearing of land for non-agricultural or non-silvicultural purposes.

4 (J) *Director of T&ES/Director of P&Z.* Director of T&ES means the director of
5 transportation and environmental services of the City of Alexandria. Director of
6 P&Z means the director of planning and zoning of the City of Alexandria.

7 (KF) *Floodway.* All lands as defined in subsection 6-303(K) of this ordinance.

8 (L) *General permit.* The state permit titled General Virginia Pollutant Discharge
9 Elimination System (VPDES) Permit for Discharges of Stormwater from
10 Construction Activities found in 9VAC25-880 et seq) of the Virginia Stormwater
11 Management Regulations authorizing a category of discharges under the federal
12 Clean Water Act and the Virginia Stormwater Management Act within a
13 geographical area of the Commonwealth of Virginia.

14 (M) *Highly erodible soils.* Soils (excluding vegetation) with an erodibility index (EI)
15 from sheet and rill erosion equal to or greater than eight. The erodibility index for
16 any soil is defined as the product of the formula $RKLS/T$, where K is the soil
17 susceptibility to water erosion in the surface layer; R is the rainfall and runoff; LS is
18 the combined effects of slope length and steepness; and T is the soil loss
19 tolerance.

20 (N) *Highly permeable soils.* Soils with a given potential to transmit water through
21 the soil profile. Highly permeable soils are identified as any soil having a
22 permeability equal to or greater than six inches of water movement per hour in any
23 part of the soil profile to a depth of 72 inches (permeability groups "rapid" and "very
24 rapid"), as found in the "National Soil Survey Handbook" of November 1996 in the
25 "Field Office Technical Guide" of the U.S. Dept. of Agriculture Natural Resources
26 Conversation Service.

27 (O) *Impervious cover.* A surface composed of any material that significantly
28 impedes or prevents natural infiltration of water into the soil. Impervious surfaces
29 include, but are not limited to: roofs, buildings, streets, parking areas, and any
30 concrete, asphalt, or compacted gravel surface.

31 (P) *Intermittent stream.* Any natural or engineered channel (measured from top of
32 bank) with flowing water during certain times of the year, when groundwater
33 provides for stream flow. During dry periods, intermittent streams may not have
34 flowing water. Runoff from rainfall is a supplemental source of water for stream
35 flow. Acceptable methodologies for establishing the presence of an intermittent
36 stream will be provided by the director of T&ES pursuant to subsection 13-104(C).

37 (Q) *Isolated wetlands of minimal ecological value.* Those wetlands, as defined in
38 9VAC25-210-10, that:

- 39 (i) Do not have a surface water connection to other state waters;

- (ii) Are less than one-tenth of an acre in size;
- (iii) Are not located in a Federal Emergency Management Agency designated 100-year floodplain;
- (iv) Are not identified by the Virginia Natural Heritage Program as a rare or state significant natural community;
- (v) Are not forested; and
- (vi) Do not contain listed federal or state threatened or endangered species.

(R) *Land disturbance or land disturbing activity.* A man-made change to the land surface that potentially changes its runoff characteristics, including clearing, grading, filling, or excavation. (S) *Layout.* A conceptual drawing sufficient to provide for the specified stormwater management facilities required at the time of approval.

(T) *Minor modification.* An amendment to an existing general permit before its expiration not requiring extensive review and evaluation including, but not limited to, changes in EPA promulgated test protocols, increasing monitoring frequency requirements, changes in sampling locations, and changes to compliance dates within the overall compliance schedules. A minor general permit modification or amendment does not substantially alter general permit conditions, substantially increase or decrease the amount of surface water impacts, increase the size of the operation, or reduce the capacity of the facility to protect human health or the environment.

(U) *Natural channel.* A nontidal waterway that is part of the natural topography and is generally characterized as being irregular in cross section with a meandering course.

(V) *Nonpoint source pollution.* Contamination from diffuse sources that is not regulated as point source pollution under section 402 of the Clean Water Act.

(W) *Nontidal wetlands.* Those wetlands, other than tidal wetlands, that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, as defined by the U.S. Environmental Protection Agency pursuant to section 404 of the Federal Clean Water Act, in 33 CFR 328.3b.

(X) *Operator.* The owner or operator of any facility or activity subject to regulation under this Article XIII. (Y) *Permittee.* The person to whom a state permit is issued, including any owner or operator whose construction site is covered under a state construction general permit.

(Z) *Person.* Any individual, corporation, partnership, association, municipality, commission, or political subdivision, of a state, governmental body, including

1 federal, state, or local entity as applicable, any interstate body or any other legal
2 entity.

3 (AA) *Pre-development*. The land use that exists at the time that plans for the
4 development are submitted to the city. Where phased development or plan
5 approval occurs (preliminary grading, roads and utilities, etc.), the land use at the
6 time the first item is submitted shall establish pre-development conditions.

7 (BB) *Post-development*. Conditions that reasonably may be expected or anticipated
8 to exist after completion of the development activity on a specific site or tract of
9 land.

10 (CC) *Public road*. For the purpose of this Article XIII, public road means a publicly
11 owned road designed and constructed in accordance with water quality protection
12 criteria at least as stringent as requirements applicable to the Virginia Department
13 of Transportation, including regulations promulgated pursuant to (i) the Erosion and
14 Sediment Control Law (section 64.1-44.15:51 et seq. of the Code of Virginia) and
15 (ii) the Virginia Stormwater Management Act (section 64.1-44.15:24 et seq. of the
16 Code of Virginia). This definition includes those roads where the Virginia
17 Department of Transportation exercises direct supervision over the design or
18 construction activities, or both, and cases where roads are constructed or
19 maintained, or both, by the City of Alexandria.

20 (DD) *Redevelopment*. The process of developing land that is or has been
21 previously developed.

22 (EE) *Regulations*. The Virginia Stormwater Management Program (VSMP) Permit
23 Regulations, 9VAC-25-870, as amended.

24 (FF) *Restored stormwater conveyance system*. A stormwater conveyance system
25 that has been designed and constructed using natural channel design concepts.
26 Restored stormwater conveyance systems include the main channel and the flood-
27 prone area adjacent to the main channel (GG) *Resource Management Area (RMA)*.
28 A Chesapeake Bay Preservation Area overlay designation as further defined in
29 section 13-105(C).

30 (HH) *Resource Protection Area (RPA)*. A Chesapeake Bay Preservation Area
31 overlay designation as further defined in section 13-105(B).

32 (II) *Shoreline*. Land contiguous to a body of water.

33 (JJ) *Site*. The land or water area where any facility or land-disturbing activity is
34 physically located or conducted, including adjacent land used or preserved in
35 connection with the facility or land-disturbing activity. Areas channelward of mean
36 low water in tidal Virginia shall not be considered part of a site. The following shall
37 be used for determining water quality and water quantity requirements in sections
38 13-109(E) & (F): For projects disturbing <50% of the tax parcel, (or if multiple
39 parcels are involved, the land subject to the application), the disturbed area shall

1 constitute the site; for projects disturbing $\geq 50\%$ of the tax parcel (or if multiple
2 parcels are involved, the land subject to the application), the entire tax parcel shall
3 constitute the site.

4 (KK) *State*. The Commonwealth of Virginia.

5 (LL) *State permit*. An approval to conduct a land-disturbing activity issued by the
6 Virginia State Water Control Board in the form of a state stormwater individual
7 permit or coverage issued under a state general permit or an approval issued by
8 the Virginia State Water Control Board for stormwater discharges from an MS4.
9 Under these state permits, the state imposes and enforces requirements pursuant
10 to the federal Clean Water Act, the Virginia Stormwater Management Act, and their
11 attendant regulations.

12 (MM) *State Water Control Law*. Chapter 3.1 (62.1-44.2 et seq) of Title 62.1 of
13 the Code of Virginia.

14 (NNII) *State waters*. All waters on the surface or in the ground, wholly or partially
15 within or bordering the commonwealth or within its jurisdiction, including wetlands.

16 (OO) *Stormwater*. Precipitation that is discharged across the land surface or
17 through conveyances to one or more waterways and that may include stormwater
18 runoff, snow melt runoff, and surface runoff and drainage.

19 (PP) *Stormwater management facility*. A device that controls stormwater runoff and
20 changes the characteristics of that runoff including, but not limited to, the quantity
21 and quality, the period of release or the velocity of flow.

22 (QQ) *Stormwater management plan*. A document or documents containing
23 material describing methods for complying with the requirements of section 13-114
24 of this article.

25 (RR) *Stormwater pollution prevention plan (SWPPP)*. A document that is prepared
26 in accordance with section 13-113 of this article and good engineering practices
27 and that identifies potential sources of pollutants that may reasonably be expected
28 to affect the quality of stormwater discharges from the construction site, and
29 otherwise meet the requirements of this article. In addition the document shall
30 identify and require the implementation of control measures, and shall include, but
31 not be limited to the inclusion of, or the incorporation by reference of, an approved
32 erosion and sediment control plan, and a pollution prevention plan.

33 (SS) *Subdivision*. Means the same as defined in section 2-197.2 of the Alexandria
34 Zoning Ordinance.(TT) *Substantial alteration*. Expansion or modification of a
35 building or development that would result in land disturbance exceeding an area of
36 2,500 square feet in the resource management area only.

37 (UU) *Tidal shore*. Land contiguous to a tidal body of water between the mean low
38 water level and the mean high water level.

1 (VV) *Tidal wetlands*. Vegetated and nonvegetated wetlands as defined in section
2 28.2-1300 of the Code of Virginia.

3 (WW) *Top of Bank*. To the extent applicable, top of bank shall be determined on
4 prevailing professional standards and the best professional judgment of the
5 director.

6 (XX) *Total maximum daily load (TMDL)*. The sum of the individual wasteload
7 allocations for point sources, load allocations for nonpoint sources, natural
8 background loading, and a margin of safety. TMDLs can be expressed in terms of
9 either mass per time, toxicity, or other appropriate measure. The TMDL process
10 provides for point versus nonpoint source trade-offs. (YY) *Use*. Any activity on the
11 land other than development, including, but not limited to agriculture, horticulture,
12 and silviculture.

13 (ZZ) *Virginia Stormwater Management Act*. Article 2.3 (§ 62.1-44.15:24 et seq.) of
14 Chapter 3.1 of Title 62.1 of the Code of Virginia.

15 (AAA) *Virginia Stormwater BMP Clearinghouse website*. A website that contains
16 detailed design standards and specifications for control measures that may be
17 used in Virginia to comply with the requirements of the Virginia Stormwater
18 Management Act and regulations.

19 (BBB) *Virginia Stormwater Management Program (VSMP)*. A program approved
20 by the Virginia State Water Control Board that has been established by a locality to
21 manage the quality and quantity of runoff resulting from land-disturbing activities
22 and shall include such items as local ordinances, rules, permits, requirements,
23 annual standards and specifications, policies and guidelines, technical materials,
24 and requirements for plan review, inspection and enforcement, where authorized in
25 this article, and evaluation consistent with the requirements of this article and
26 associated regulations.

27 (CCC) *VSMP authority*. An authority approved by the Virginia State Water
28 Control Board to operate a VSMP. For the purposes of this article, the city is the
29 VSMP authority.

30 (DDD) *Water body with perennial flow*. A body of water that flows in a natural or
31 engineered channel year-round during a year of normal precipitation. This includes,
32 but is not limited to streams, estuaries, and tidal embayments and may include
33 drainage ditches or channels constructed in wetlands or from former natural
34 drainage ways that convey perennial flow. Lakes and ponds, through which a
35 perennial stream flows, are a part of the perennial stream. Generally, the water
36 table is located above the streambed for most of the year and groundwater is the
37 primary source for stream flow. The width of the perennial stream extends from top-
38 of-bank to top-of-bank of the channel or to the limits of the normal water level for a
39 pond or lake when there is no definable top-of-bank. Acceptable methodologies for
40 establishing the presence of a water body with perennial flow will be provided by
41 the director of T&ES pursuant to subsection 13-104(C).

(EEE) *Water-dependent facility.* A development of land that cannot exist outside of the resource protection area and must be located on the shoreline by reason of the intrinsic nature of its operation. These facilities include, but are not limited to:

- (i) Ports;
- (ii) The intake and outfall structures of power plants, water treatment plants, sewage treatment plants, and storm sewers;
- (iii) Marinas and other boat docking facilities;
- (iv) Beaches and other public water-oriented recreation areas; and
- (v) Fisheries or other marine resources facilities.

(FFF) *Watershed.* The total drainage area contributing runoff to a single point.

(GGG) *Wetlands.* Tidal and nontidal wetlands.

13-104 - Administration.

(A) *Responsibility for administration.* The director of T&ES, or his/her designee, is charged with responsibility for the administration of this Article XIII.

(B) *Duties and authority.* In the administration of this Article XIII the duties and authority of the director of T&ES shall include, without limitation:

- (1) Receiving applications for plan of development approval;
- (2) Reviewing applications to determine if they contain all information required and necessary for a determination of their merit;
- (3) Reviewing applications to determine their compliance with the provisions and intent of this Article XIII and their merit;
- (4) Docketing items for hearing before the planning commission and conferring with the city manager to schedule public hearings before the city council as necessary on applications;
- (5) Preparing a staff report for each application;
- (6) Interpreting the provisions of this Article XIII to ensure that its intent is carried out.

(C) *Rules, regulations, and procedures.* The director of T&ES shall promulgate rules, regulations, and procedures for the administration and enforcement of this Article XIII and shall promulgate rules, regulations, and procedures for the processing of applications that ensure full review, comment, and recommendations on each application by the department of transportation and environmental services. The city manager shall promulgate rules and procedures for review by

1 other departments of applications, where such review is determined to be
2 necessary or desirable and such procedures may include the establishment of a
3 development review committee composed of departments of the city whose
4 expertise is necessary or desirable in the review of applications. All such rules,
5 regulations, and procedures shall be transmitted to the city council at the time of
6 issuance.

7 (D) *Establishment of fees.* The director of T&ES shall by general rule approved by
8 city council establish a schedule of fees required for each application under this
9 Article XIII to be paid at the time an application is submitted. The schedule of fees
10 shall include those authorized by 9VAC25-870-700 et seq. The schedule of fees is
11 set per approved council docket.

12 (E) *Responsibility for enforcement.* The director of T&ES shall have the authority
13 and the responsibility of section 11-200 and section 13-126 to ensure that all
14 buildings and structures and the use of all land complies with the provisions of this
15 Article XIII.

16 (F) The director of T&ES shall review, approve, disapprove, or approve with
17 modifications or conditions or both the following elements of the plan of
18 development:

19 (1) The environmental site assessment, required pursuant to section 13-112

20 (2) The stormwater management plan, required pursuant to section 13-114
21 and approved in accordance with section 13-115

22 (3) The erosion and sediment control plan required pursuant to section 5-4-1

23 (4) The water quality impact assessment, if required, pursuant to section 13-
24 117

25 (5) Compliance of the plan of development with section 13-106 through
26 section 13-110

27 (G) The director of T&ES shall have the authority and the responsibility to enforce
28 the requirement that a permittee must develop, implement, and keep at the site for
29 inspection a stormwater pollution prevention plan that meets the requirements set
30 forth in section 13-113 and a pollution prevention plan that meets the requirements
31 set forth in section 13-116.

32 (G) Review and decision on applications for exceptions shall be as provided in
33 section 13-119.

34 (H) Review and decision on applications for modifications to noncomplying land
35 uses and structures shall be as provided in section 13-122.

36 (I) Review and decision on applications for exemptions shall be as provided in
37 section 13-123.

(J) Review and decision on the remaining elements of the plan of development shall be as provided in the regulations of this ordinance and the City Code applicable to each such element.

13-105 - Designation of Chesapeake Bay Preservation Area Overlay District.

(A) All land within the corporate limits of the city is designated as a Chesapeake Bay Preservation Area (CBPA). The CBPA is divided into resource protection areas and resource management areas. The regulations set forth in this Article XIII shall apply as an overlay district, and shall supersede any zoning, land use, or land development regulation of the City Code that is inconsistent with the provisions of this Article XIII.

(B) Resource protection areas (RPAs) consist of sensitive land that has either an intrinsic water quality value due to the ecological and biological processes such land performs or that is sensitive to uses or activities such that the use results in significant degradation to the quality of state waters. In their natural condition, these lands provide for the removal, reduction, or assimilation of nonpoint source pollution entering the bay and its tributaries. An area of land that includes any one of the following land types shall be considered to be within the RPA:

(1) Tidal wetlands;

(2) Tidal shores;

(3) Nontidal wetlands connected by surface flow and contiguous to tidal wetlands or water bodies with perennial flow;

(4) A buffer area of 100 feet (measured from top of bank) located adjacent to and landward of the components listed in paragraphs (1) through (3) above and along both sides of any water body with perennial flow. The full buffer area shall be designated as the landward component of the RPA notwithstanding the presence of permitted uses, encroachments, and vegetation clearing in compliance with this Article XIII.

(C) Resource management areas (RMAs) include land that, if improperly used or developed, has a potential for causing significant water quality degradation or for diminishing the functional value of the RPA. Therefore, all lands in the city, not included in the RPA, shall constitute the RMA since all such land drains through natural or manmade conveyances to the Potomac River and Chesapeake Bay.

13-106 - Establishment of CBPA boundaries.

(A) Chesapeake Bay Preservation Area boundaries are established by text, as provided in section 13-105. The city shall publish and update in a manner established by the director of T&ES pursuant to section 13-104(C) a general map depicting the location of identified CBPA features. However, in all cases it is the burden of the applicant to identify CBPA features and to delineate the appropriate

RPA boundaries in accordance with the development review process required pursuant to section 13-111, or if no development review process is required, then through the environmental site assessment pursuant to section 13-112

(B) Any property owner wishing to change the depiction of an RPA feature on the general map may conduct an environmental site assessment in section 13-112 and submit it to the director of T&ES. The director of T&ES may accept, modify, or reject the RPA delineation based on the evidence presented by the property owner and in consideration of all other available information.

(C) In the event that a site-specific RPA boundary delineation is contested by an applicant or property owner, the applicant or property owner may request a meeting with the director of T&ES to review the decision. Requests for the meeting shall be made no more than 30 calendar days after notification of a modification or rejection of a proposed RPA delineation. The director of T&ES will preside over the meeting of the involved parties and reconsider the decision. The meeting participants will be notified by the director of T&ES within 30 calendar days after the meeting of the result of the reconsideration.

13-107 - Development, redevelopment, and uses permitted in RPAs.

The following criteria shall apply in RPAs unless the development, redevelopment, use, or land disturbing activity is exempted under section 13-123 or granted an exception pursuant to section 13-119. All development, redevelopment, and uses within the RPA must comply with the performance criteria provided in section 13-109.

(A) The following are permitted within the RPA provided they do not require development, redevelopment, structures, grading, fill, draining, or dredging:

- (1) Conservation or preservation of soil, water, vegetation, fish, shellfish, and other wildlife;
- (2) Passive recreational activities, including but not limited to fishing, bird watching, hiking, boating, horseback riding, swimming, and canoeing; and
- (3) Educational activities and scientific research.

(B) The following are permitted within the RPA if approved by the director of T&ES. A water quality impact assessment may be required by the director of T&ES in accordance with section 13-117 if the project is located within an environmentally sensitive area, or is of sufficient scale to affect water quality.

- (1) Repair and maintenance of existing piers, walkways, observation decks, wildlife management shelters, boathouses, and other similar water-related structures provided that there is no increase in structure footprint and that any required excavating and filling results in a land disturbing activity of 2,500 square feet or less;
- (2) Boardwalks, trails, and pathways;

1 (3) Historic preservation and archeological activities; and

2 (4) Repair and maintenance of existing flood control and stormwater
3 management facilities.

4 (C) The following, if permitted in the underlying zone, are allowed within the RPA if
5 approved by the director of T&ES and provided that a water quality impact
6 assessment is performed and accepted by the director of T&ES as complete in
7 accordance with section 13-117.

8 (1) A new or expanded water-dependent facility may be allowed provided that
9 the following criteria are met:

10 (a) It does not conflict with the city master plan;

11 (b) Any non-water-dependent component is located outside of the RPA;
12 and

13 (c) Access to the water-dependent facility is provided with the minimum
14 disturbance necessary, and where practical, a single point of access is
15 provided.

16 (2) Redevelopment may be allowed provided that the following criteria are
17 met:

18 (a) There is no increase in impervious surface cover;

19 (b) There is no further encroachment within the RPA; and,

20 (c) The proposed redevelopment is consistent with the city master plan.

21 (3) Public flood control and stormwater management facilities that drain or
22 treat water from multiple development projects or from a significant portion of a
23 watershed, may be allowed provided that:

24 (a) The director of T&ES has conclusively established that the location
25 of the facility within the RPA is the optimum location;

26 (b) The size of the facility is the minimum necessary for flood control or
27 stormwater quality treatment, or both;

28 (c) All applicable permits for construction in state or federal waters must
29 be obtained from the appropriate state and federal agencies, such as the
30 Army Corps of Engineers, the Virginia Department of Environmental
31 Quality, and the Virginia Marine Resources Commission; and

32 (d) The facility is consistent with a city stormwater management program
33 approved by the Virginia State Water Control Board.

34 (4) Stream restoration projects and shoreline erosion control and stabilization

1 projects, including the removal of trees and woody vegetation, employment of
2 necessary restoration, control, and stabilization techniques, and establishment
3 of appropriate vegetation, may be allowed in accordance with the best
4 available technical advice and applicable permit conditions or requirements if
5 approved by the city arborist.

6 (D) In order to maintain the functional value of the RPA buffer area, existing
7 vegetation may be removed if approved by the director of T&ES and only to provide
8 for reasonable sight lines, access paths, general woodlot management, and best
9 management practices to prevent upland erosion and concentrated flows of
10 stormwater, as follows:

11 (1) Trees may be pruned or removed as necessary to provide for sight lines
12 and vistas, provided that where removed, they shall be replaced with other
13 vegetation that is equally effective in retarding runoff, preventing erosion, and
14 filtering nonpoint source pollution from runoff. Replacement vegetation shall
15 require the approval of the director of T&ES, in consultation with the
16 department of recreation, parks, and cultural activities and the department of
17 planning and zoning.

18 (2) Any path shall be constructed and surfaced so as to effectively control
19 erosion.

20 (3) Dead, diseased, or dying trees or shrubbery and noxious weeds (such as
21 Johnson grass, kudzu, and multiflora rose) may be removed and thinning of
22 trees may be conducted. The director of T&ES may approve a long term
23 management plan for a specific RPA that complies with professionally
24 recognized management practices.

25 (E) The following encroachments, if permitted in the underlying zone, are allowed
26 to the RPA buffer area if approved by the director of T&ES and provided that a
27 water quality impact assessment is performed and accepted by the director of
28 T&ES as complete in accordance with section 13-117.

29 (1) When the application of the buffer area would result in the loss of a
30 buildable area on a lot or parcel recorded prior to October 1, 1989,
31 encroachments into the buffer area may be approved by the director of T&ES
32 in accordance with the following criteria:

33 (a) Encroachments into the buffer area shall be the minimum necessary
34 to achieve a reasonable buildable area for a principal structure and
35 necessary utilities;

36 (b) Where practicable, a vegetated area that will maximize water quality
37 protection, mitigate the effects of the buffer encroachment, and is equal to
38 the area of encroachment into the buffer area shall be established
39 elsewhere on the lot; and

1 (c) The encroachment may not extend into the seaward 50 feet of the
2 buffer area.

3 (2) When the application of the buffer area would result in the loss of
4 buildable area on a lot or parcel recorded between October 1, 1989 and March
5 1, 2002, encroachments into the buffer area may be approved by the director
6 of T&ES in accordance with the following criteria:

7 (a) The lot or parcel was created as a result of a legal process
8 conducted in conformity with the city's subdivision regulations;

9 (b) Any conditions or mitigation measures imposed through previously
10 approved exceptions must be met;

11 (c) If a stormwater BMP was previously required, the BMP shall be
12 evaluated to determine if it continues to function effectively, and, if
13 necessary, the BMP shall be reestablished or repaired and maintained as
14 required; and

15 (d) The criteria in (1) above of this section shall be met.

16 **13-108 - Development and uses permitted in RMAs.**

17 Development, redevelopment, and uses authorized by the underlying zone are
18 permitted in the RMA provided such activity is carried out in accordance with all
19 applicable criteria in this Article XIII. The director of T&ES may, due to the unique
20 characteristics of a site or the intensity of the proposed development, redevelopment, or
21 use require a water quality impact assessment as provided in subsections 13-117(C)
22 and (D).

23 **13-109 - General performance requirements for CBPAs.**

24 The director of T&ES shall approve development, redevelopment, uses, or land
25 disturbing activities in the CBPA only if it is found that the activity is in compliance with
26 this Article XIII and that the applicant has demonstrated, by a preponderance of the
27 evidence, that the proposed development, redevelopment, use, or land disturbing
28 activity meets or exceeds the following standards.

29 (A) No more land shall be disturbed than is necessary to provide for the proposed
30 use, development, or redevelopment.

31 (B) Indigenous vegetation shall be preserved to the maximum extent practicable
32 consistent with the use, development, or redevelopment proposed.

33 (C) Development or redevelopment shall minimize impervious cover consistent
34 with the proposed use or development.

35 (D) The proposed development or redevelopment shall comply with section 5-4-1
36 et seq. of the City Code (erosion and sediment control).

1 (E) All development, redevelopment, and uses disturbing greater than 2,500
2 square feet shall meet the following storm water quality management performance
3 requirements. For purposes of this section, the following shall be used to define
4 the site area for determining water quality requirements: for projects disturbing less
5 than 50% of the tax parcel (or if multiple parcels are involved, the land subject to
6 the application), the disturbed area shall be used as the site area; for projects
7 disturbing greater than or equal to 50% of the tax parcel (or if multiple parcels are
8 involved, the land subject to the application), the entire tax parcel shall be used as
9 the site area.

10 (1) The entire water quality volume from the site shall be treated. When the
11 development, redevelopment, or use constitutes disturbing only a small portion
12 of a tax map parcel greater than 5 acres in size, the director of T&ES may
13 establish criteria for allowing the parcel to be divided into sub-basins.

14 (2) Single-family residences separately built and disturbing less than one acre
15 and not part of a larger common plan of development or sale, including
16 additions or modifications to existing single-family detached residential
17 structures are exempt from (3) and (4) below. The Alexandria water quality
18 volume default requirement in section (5) still applies.

19 (3) New development. The total phosphorus load of new development
20 projects shall not exceed 0.41 pounds per acre per year, as calculated
21 pursuant to this section.

22 (4) Development of prior developed lands:

23 (a) For land-disturbing activities disturbing greater than or equal to one
24 acre that results in no net increase in impervious cover from the pre-
25 development condition, the total phosphorus load shall be reduced at
26 least 20% below the pre-development total phosphorus load.

27 (b) For regulated land-disturbing activities disturbing less than one acre
28 that results in no net increase in impervious cover from the pre-
29 development condition, the total phosphorus load shall be reduced at
30 least 10% below the predevelopment total phosphorus load.

31 (c) For land-disturbing activities that result in a net increase in
32 impervious cover over the pre-development conditions, the design criteria
33 for new development shall be applied to the increased impervious area.
34 Depending on the area of disturbance, the criteria of subdivisions (a) or
35 (b) above shall be applied to the remainder of the site.

36 (d) In lieu of subdivision (c), the total phosphorus load of a linear
37 development project as defined in 9VAC25-870-10 occurring on prior
38 developed lands shall be reduced 20% below the predevelopment total
39 phosphorus load.

1 (e) The total phosphorus load shall not be required to be reduced below
2 the applicable standard for new development unless standards applied by
3 other parts of this article require a more stringent standard.

4 (5) For new development and development on prior developed lands in (3)
5 and (4) above, the entire Alexandria water quality volume default from the site
6 shall be treated, or the requirements must be met consistent with section 13-
7 110.

8 (6) Compliance with sections (3) and (4) above shall be determined using the
9 Runoff Reduction Method and through the use of stormwater BMPs
10 established in 9VAC25-870-65 or found at the Virginia BMP Clearinghouse
11 website, except as may be limited in accordance with policies established by
12 the director of T&ES in accordance with 13-104(C).

13 (7) Compliance with sections (3) and (4) may be achieved by the applicant in
14 accordance with off-site compliance options in 9VAC25-870-69 under the
15 following circumstances:

16 (a) Less than five acres of land will be disturbed;

17 (b) The post-construction phosphorus control requirement is less than
18 10 pounds per year; or,

19 (c) At least 75% of the required phosphorus nutrient reductions are
20 achieved on-site. If at least 75% of the require phosphorus nutrient
21 reductions cannot be met on-site, and the operator can demonstrate to
22 the satisfaction of the director of T&ES that (i) alternative site designs
23 have been considered that may accommodate on-site best management
24 practices, (ii) on-site best management practices have been considered
25 in alternative site designs to the maximum extent practicable, (iii)
26 appropriate on-site best management practices will be implemented, and
27 (iv) full compliance with post-development nonpoint nutrient runoff
28 compliance requirements cannot practicably be met on-site, then the
29 required phosphorus nutrient reductions may be achieved, in whole or in
30 part, through the use of off-site compliance options.

31 (8) When the requirements of sections (3) and (4) have otherwise been met,
32 the requirement to treat the entire Alexandria water quality volume default in
33 section (5) may be achieved in accordance with alternative stormwater
34 management equivalency options presented in section 13-110.

35 (9) Notwithstanding those exemptions granted under section 13-123, all such
36 land-disturbing activities shall be subject to the design storm and hydrologic
37 methods set out in 9VAC25-870-72, linear development controls in 9VAC25-
38 870-76, and criteria associated with stormwater impoundment structures in
39 9VAC25-870-85.

(10) Notwithstanding the above requirements, any site with (a) an intermittent stream contained within an existing natural channel, or (b) a non-tidal wetland that does not meet the criteria for designation as a Resource Protection Area in section 13-105(B), must meet the following additional water quality performance criteria:

(a) Measures must be taken to protect these features from direct stormwater runoff from impervious surfaces and to preserve their water quality functions.

(b) A 50-foot wide vegetated area preserved where present, or established where not present, on the outward edge of these features shall be considered a sufficient BMP to meet this standard if the vegetated area is designed to prevent erosion and scouring.

(c) The BMP requirement in (b) above may alternatively be met through the use of a smaller vegetated area in combination with equivalent on-site stormwater treatment and/or equivalent off-site options presented in section 13-110 if approved by the director of T&ES.

(d) Development, redevelopment, uses, and land disturbing activities allowed in the vegetated area shall be the same as those allowed in RPAs as described in section 13-107. Delineation of the vegetated area shall be accomplished in the manner prescribed in section 13-106

(e) The director of T&ES may waive the requirements of (b) above if the non-tidal wetland is demonstrated to the director of T&ES's satisfaction that it qualifies as an isolated wetland of minimal ecological value defined in section 13-103(K).

(F) All development and redevelopment shall meet the following channel protection and flood protection requirements. Compliance with this section satisfies the stormwater management requirements of 5-4-7(c)(4) of the City Code (erosion and sediment control):

(1) Channel protection. Concentrated stormwater flow shall be released into a stormwater conveyance system and shall meet the criteria of this section, where applicable, from the point of discharge to a point within the limits of analysis in subsection (d).

(a) Manmade stormwater conveyance systems. When stormwater from a development is discharged to a manmade stormwater conveyance system, following the land disturbing activity, either:

(i) The manmade stormwater conveyance shall convey the post-development peak flow rate from the two-year 24-hour storm event without causing erosion of the system. Detention of stormwater or downstream improvements may be incorporated into the land-

disturbing activity to meet this criterion, at the discretion of the director; or

(ii) The peak discharge requirements for concentrated stormwater flow to natural stormwater conveyance systems in subsection (c) shall be met.

(b) Restored stormwater conveyance systems. When stormwater from a development is discharged to a restored stormwater conveyance system that has been restored using natural design concepts, following the land disturbing activity, either:

(i) The development shall be consistent, in combination with other stormwater runoff, with the design parameters of the restored stormwater conveyance system that is functioning in accordance with the design objectives; or,

(ii) The peak discharge requirements for concentrated stormwater flow to natural stormwater conveyance systems in subsection (c) shall be met.

(c) Natural stormwater conveyance systems. When stormwater from a development is discharged to a natural stormwater conveyance system the maximum peak flow rate from the one-year 24-hour storm following the land-disturbing activity shall be calculated either:

(i) In accordance with the following methodology:

$$Q_{\text{Developed}} \leq \text{I.F.} * (Q_{\text{Pre-developed}} * RV_{\text{Pre-developed}}) / RV_{\text{Developed}}$$

Under no condition shall $Q_{\text{Developed}}$ be greater than $Q_{\text{Pre-developed}}$ nor shall $Q_{\text{Developed}}$ be required to be less than that calculated in the equation $(Q_{\text{Forest}} * RV_{\text{Forest}}) / RV_{\text{Developed}}$; where

I.F (Improvement Factor) equals 0.8 for sites > 1 acre or 0.9 for sites ≤ 1 acre.

$Q_{\text{Developed}}$ = The allowable peak flow rate of runoff from the developed site.

$RV_{\text{Developed}}$ = The volume of runoff from the site in the developed condition.

$Q_{\text{Pre-developed}}$ = The peak flow rate of runoff from the site in the pre-developed condition.

$RV_{\text{Pre-developed}}$ = The volume of runoff from the site in pre-developed condition.

1 Q_{Forest} = The peak flow rate of runoff from the site in a forested
2 condition.

3 RV_{Forest} = The volume of runoff from the site in a forested condition.

4 (d) Limits of analysis. Unless subsection (c) is utilized to show
5 compliance with the channel protection criteria, stormwater conveyance
6 systems shall be analyzed for compliance with channel protection criteria
7 to a point where either:

8 (i) Based on land area, the site's contributing drainage area is less
9 than or equal to 1.0% of the total watershed area; or,

10 (ii) Based on peak flow rate, the site's peak flow rate from the one-
11 year 24-hour storm is less than or equal to 1.0% of the existing peak
12 flow rate for the one-year 24-hour storm event prior to
13 implementation of any stormwater quantity control measures.
14

15 (2) Flood protection. Concentrated stormwater flow shall be released into a
16 stormwater conveyance system and shall meet one of the following criteria as
17 demonstrated by the use of acceptable hydrologic and hydraulic
18 methodologies:

19 (a) Concentrated stormwater flow to stormwater conveyance systems
20 that currently do not experience localized flooding during the 10-year 24-
21 hour storm event:

22 (i) The point of discharge releases stormwater into a stormwater
23 conveyance system that, following the land disturbing activity,
24 confines the post-development peak flow rate from the 10-year 24-
25 hour storm event within the stormwater conveyance system, and. .

26 (ii) Unless waived under (iv), the post-development peak flow rate
27 for the 10-year 24-hour storm event shall be less than the
28 predevelopment peak flow rate from the 10-year 24-hour storm event.

29 (iii) Detention of stormwater or downstream improvements may be
30 incorporated into the approved land-disturbing activity to meet (i) and
31 (ii), at the discretion of the director of T&ES.

32 (iv) A waiver of the detention requirements and/or the downstream
33 stormwater limits of analysis in section 2 (c) may be granted by the
34 director based on factors including but not limited to the project's
35 location in the watershed.

36 (b) Concentrated stormwater flow to stormwater conveyance systems
37 that currently experience localized flooding during the 10-year 24-hour
38 storm event: The point of discharge either:

(i) Confines the post-development peak flow rate from the 10-year 24-hour storm event within the stormwater conveyance system to avoid the localized flooding. Additional detention of stormwater or downstream improvements may be incorporated into the approved land-disturbing activity to meet this criterion, at the discretion of the director; or,

(ii) Releases a post-development peak flow rate for the 10-year 24-hour storm event that is less than the pre-development peak flow rate from the 10-year 24-hour storm event.

(iii) A waiver of the detention requirement may be granted by the director of T&ES based on factors including but not limited to the amount of stormwater runoff generated, the severity of flooding issues in the watershed and/or the lack of adequacy of the existing conveyance system.

(c) Limits of analysis. Stormwater conveyance systems shall be analyzed for compliance with flood protection criteria to a point where:

(i) The site's contributing drainage area is less than or equal to 1.0% of the total watershed area draining to a point of analysis in the downstream stormwater conveyance system;

(ii) Based on peak flow rate, the site's peak flow rate from the 10-year 24-hour storm even is less than or equal to 1.0% to the existing peak flow rate from the 10-year 24-hour storm event prior to the implementation of any stormwater quantity control measures; or,

(iii) The stormwater conveyance system enters a mapped floodplain or other flood-prone area adopted in accordance with section 6-300 et seq of the City Code.

(d) Alternative Limits of Analysis. If 109(F)(2)(a)(i and ii) or 109(F)(2)(b)(ii) are utilized to comply with the flood protection criteria the downstream limit of analysis shall extend to:

(i) A point that is at least 150 feet downstream of a point where the receiving pipe or channel is joined by another that has a drainage area that is at least 90 percent of the size of the first drainage area at the point of confluence; or

(ii) A point that is at least 150 feet downstream of a point where the drainage area is 360 acres or greater.

(3) Increased volumes of sheet flow resulting from pervious or disconnected impervious areas, or from physical spreading of concentrated flow through level spreaders, must be identified and evaluated for potential impacts on

1 down-gradient properties or resources. Increased volumes of sheet flow that
2 will cause or contribute to erosion, sedimentation, or flooding of down gradient
3 properties or resources shall be diverted to a stormwater management facility
4 or a stormwater conveyance system that conveys the runoff without causing
5 down-gradient erosion, sedimentation, or flooding. If all runoff from the site is
6 sheet flow and the conditions of this subsection are met, no further water
7 quantity controls are required.

8 (4) For the purposes of computing pre-development runoff, all pervious lands
9 on the site shall be assumed to be in good hydrologic condition in accordance
10 with the U.S. Department of Agriculture's Natural Resources Conservation
11 Service (NRCS) standards, regardless of conditions existing at the time of
12 computation. Pre-development runoff calculations utilizing other hydrologic
13 conditions may be utilized provided that it is demonstrated to and approved by
14 the director of T&ES that actual site conditions warrant such considerations.

15 (5) Pre-development and post-development runoff characteristics and site
16 hydrology shall be verified by site inspections, topographic surveys, available
17 soil mapping or studies, and calculations consistent with good engineering
18 practices. Guidance provided in the Virginia Stormwater Management
19 Handbook and by the Virginia Stormwater BMP Clearinghouse shall be
20 considered appropriate practices. (6) The director of T&ES may waive
21 thee requirements provided in section (2) in cases where stormwater detention
22 would conflict with the city's flood management programs. The waiver may be
23 granted based on factors including, but not limited to, the project's location in
24 the watershed and/or off-site improvement to upgrade the downstream
25 conveyance systems.

26 (7) Post-development concentrated surface waters shall not be discharged
27 on adjoining property, unless an easement expressly authorizing such
28 discharge has been granted by the owner of the affected land.

29 (G) It shall be the responsibility of the owner of any stormwater quality or quantity
30 management facility established to meet the requirements of (E) and (F) above to
31 provide adequate maintenance for proper functioning of the system. The following
32 requirements apply to all existing and future facilities constructed in the city:

33 (1) The owner shall enter into a stormwater BMP Maintenance Agreement
34 (agreement) with the city that provides all necessary provisions to ensure
35 compliance with this article, to include access for inspections. The agreement
36 shall require the provision of long-term maintenance of stormwater BMPs and
37 provide for inspections. Facility-specific inspection frequency and
38 maintenance requirements shall be set by city policy and procedures. The
39 BMP Maintenance Agreement shall be set forth in an instrument recorded in
40 the city land records. The stormwater BMP maintenance agreement form will
41 be provided by the director of T&ES in accordance with section 13-104(C).

1 (2) The owner shall prepare and submit inspection and maintenance reports
2 to the city in accordance with city policies and procedures for the specific
3 facility. Inspection and maintenance reports shall be signed by the owner of
4 the facility or an individual acting on the owner's behalf, a registered
5 professional, or a person who holds an appropriate certificate of competence
6 from the board. Such certification shall state that the facility is being
7 adequately maintained as designed.

8 (3) The owner shall provide the city with access to the facility to perform
9 quality assurance inspections and follow up inspections to ensure adequate
10 maintenance has been conducted a minimum of once every five years, or on a
11 more frequent basis at the discretion of the director. If inadequate
12 maintenance is observed by the city, the owner will be notified and an
13 adequate period specified for corrective action. If the corrective action is not
14 performed within the specified time, the city may perform the necessary
15 corrections and bill the property owner. In cases of repeated instances of
16 failure to perform required maintenance, sanctions may be imposed as
17 provided in section 13-126.

18 **13-110 - Alexandria Water Quality Improvement Fund and alternative stormwater**
19 **management equivalency options.**

20 (A) The director of T&ES, in consultation with the director of planning and zoning
21 and the director of recreation, parks, and cultural activities, as appropriate, shall
22 establish equivalent stormwater management options that may be used to meet the
23 requirements of section 13-109(E)(6) and section 13-109(E)(7)(c). Options shall
24 include the following:

25 (1) Specific onsite and offsite improvements that have been determined by
26 the director of T&ES to achieve a pollutant removal equal to or greater than
27 what would have been achieved had a traditional BMP been required; and

28 (2) Monetary contributions to the Alexandria Water Quality Improvement
29 Fund provided for in (C) below.

30 (B) Improvements may include, but not necessarily be limited to, stream
31 restoration, stream daylighting, removal of existing RPA encroachments, RPA
32 enhancement, street cleaning, combined sewer system separation, and permanent
33 preservation of open space areas beyond the city's baseline open space
34 preservation requirements.

35 (C) Monetary contributions to the Alexandria Water Quality Improvement Fund
36 shall be calculated by the director of T&ES based on estimates of the cost of
37 actually installing and maintaining onsite BMPs through their life cycle. These costs
38 will be updated on a periodic basis by the director of T&ES as required.

39 (D) In determining whether to allow equivalent stormwater options, as well as the
40 appropriate combination of onsite and offsite controls, the director of T&ES shall

1 take into consideration the following:

2 (1) Whether there is an opportunity to control impervious surface cover that
3 comes into routine contact with vehicles, including but not limited to parking
4 areas, streets and roadways except for public roads exempt under section 13-
5 109; loading docks; equipment, material, and waste storage areas; and vehicle
6 fueling, washing, storage, maintenance, and repair areas.

7 (2) Whether other environmental and public benefits such as site design,
8 open space, tree preservation, and landscaping can be achieved.

9 (3) Whether onsite stormwater detention would conflict with the city's flood
10 management programs.

11 (4) Whether site-specific constraints would make onsite treatment difficult or
12 impractical, especially when the site consists of a single-family residence
13 separately built and not part of a subdivision.

14 (5) Whether there are opportunities readily available for offsite improvements
15 within the general vicinity of the site that will provide greater water quality
16 benefits than onsite improvements;

17 (6) Whether there are opportunities to control specific pollutants of concern
18 identified within the watershed or subwatershed, including but not limited to
19 those identified by the department of environmental quality in its most recent
20 303(d) Total Maximum Daily Load (TMDL) Priority List;

21 (7) Whether there are opportunities to implement the Water Quality
22 Management Supplement to the city master plan and the city's Virginia
23 Stormwater Management Permit (VSMP) for its municipally owned separate
24 storm sewer system discharges as issued by the Department of Environmental
25 Quality; and

26 (8) Whether the cost of implementing available offsite improvements is
27 reasonably equivalent to that of a monetary contribution.

28 (9) Single family residential development projects that are exempt from the
29 water quality requirements of section 13-123(A) are considered eligible to
30 contribute to the Alexandria Water Quality Improvement Fund in section 13-
31 110(A)(2) to meet the Alexandria water quality volume default requirement in
32 section 13-107(E)(3) with no further consideration of items (1) through (8)
33 above.

34 (E) Final approval of equivalency options used for a particular site shall be made
35 at the sole discretion of the director of T&ES.

36 (F) The city hereby establishes a dedicated fund known as the Alexandria Water
37 Quality Improvement Fund to be used in conjunction with this Article XIII, the Water
38 Quality Management Supplement to the city Master Plan, and the city's Municipal

1 Separate Storm Sewer System (MS4) General Permit issued by the Virginia
2 Department of Environmental Quality. The purpose of the fund is to reduce
3 nonpoint source pollution and improve stream quality and habitat through
4 appropriate activities including, but not limited to: new BMPs, retrofit of existing
5 BMPs, riparian enhancements, stream bank stabilization and/or restoration, public
6 education and outreach, demonstration projects, water quality monitoring and
7 analysis, and other activities to meet TMDL requirements.

8 **13-111 - Development review process.**

9 (A) Any development, redevelopment, or use exceeding 2,500 square feet of land
10 disturbance within the CBPA shall be subject to the development review process
11 outlined in (C) below prior to any clearing of the site, or the issuance of any
12 building, land use, or land development permit. However, any land-disturbing
13 activity less than one acre within the CBPA shall not be required to complete a
14 registration statement for coverage under the General VPDES Permit for
15 Discharges of Stormwater from Construction Activities, but shall be subject to all
16 aspects of the development review process, to include the water quality and
17 quantity criteria in 13-109 (E) & (F).

18 (B) Notwithstanding (A) above, all development, redevelopment, or use in the
19 RPA, or in the vegetated area established under section 13-109(E)(10), regardless
20 of the amount of land disturbance, shall be subject to the review criteria established
21 in section 13-107 prior to any clearing of the site or the issuance of any building,
22 land use, or land development permit.

23 (C) The development review process application shall consist of the plans and
24 studies identified below, such application forms as the director of T&ES shall
25 require and the appropriate fees, which together shall constitute the plan of
26 development. The plans and studies identified in this section may be coordinated or
27 combined with other required submission materials, as deemed appropriate by the
28 director of T&ES. The plan of development shall contain the following elements:

29 (1) A site plan in accordance with the provisions of section 11-400 of this
30 ordinance or other applicable law and, if applicable, a subdivision plat in
31 accordance with the provisions of chapter 5, title 7 of the City Code;

32 (2) An environmental site assessment as detailed in section 13-112;

33 (3) A landscape plan in accordance with the provisions of section 11-410(CC)
34 of this ordinance certified by qualified design professionals practicing within
35 their areas of competence;

36 (4) A stormwater management plan as detailed in section 13-114 and
37 approved in accordance with section 13-115; (5) An erosion and sediment
38 control plan in accordance with the provisions of chapter 4, title 5 of the City
39 Code;

(6) Completion of the stormwater pollution prevention plan checklist referring to standard plan language included in the final plan; and,

(7) For all land disturbance, development, or redevelopment within an RPA, or within an environmentally sensitive area as determined by the director of T&ES pursuant to section 13-117(C) or section 13-117(D), or for an exception under section 13-119, a water quality impact assessment as detailed in section 13-117.

(D) No development, redevelopment, uses, or land disturbing activities may commence until the director of T&ES has approved the final site plan and a state construction general permit has been issued.. The following shall be required for final site plan approval:

(1) A General VPDES Permit for Discharges of Stormwater from Construction Activities application that includes a registration statement;

(2) Approval by the director of T&ES of all requirements as outlined in section (C) above;

(3) Payment of all applicable fees in accordance with section 113-104(D);

(5) Demonstration to the satisfaction of the director of T&ES, through the review of the final site plan application and attendant materials and supporting documentation, that all land clearing, construction, disturbance, land development, and drainage will be done in accordance with this Article XIII.

(6) Review of a signed standard maintenance and monitoring agreement for the long term maintenance of stormwater BMPs, and proof of recordation per section 13-109 (G).

(E) As a condition of final plan approval, any development, redevelopment, or land-disturbing activity of one acre or greater must develop prior to the land-disturbing activity, implement, and keep at the site for inspection a stormwater pollution prevention plan that meets the requirements set forth in section 13-113, which includes a pollution prevention plan that meets the requirements set forth in section 13-116.

13-112 - Environmental site assessment.

(A) The environmental site assessment shall clearly delineate the individual components of the RPA as well as the total geographic extent of the RPA as defined in section 13-105(B) through a methodology approved by the director of T&ES under the authority of section 13-104(C).

(B) The environmental site assessment shall also clearly describe, map, or explain the following:

(1) Intermittent streams contained within a natural channel through a methodology approved by the director of T&ES under the authority of section 13-104(C).

(2) Highly erodible and highly permeable soils if available from existing public documents or documents available to the applicant;

(3) Steep slopes greater than 15 percent in grade;

(4) Known areas of contamination;

(5) Springs, seeps, and related features; and

(6) A listing of all wetlands permits required by law (evidence that such permits have been obtained shall be presented to the director of T&ES before permits will be issued to allow commencement of grading or other on-site activity).

(C) Wetlands delineations shall be performed consistent with current procedures promulgated by the U.S. Army Corps of Engineers and the Environmental Protection Agency.

(D) Site-specific evaluations or delineations of RPA boundaries shall be certified by a professional engineer, land surveyor, landscape architect, soil scientist, or wetland delineator certified or licensed to practice in the Commonwealth of Virginia.

(E) In the event that no part of the site plan area contains any elements described in (A) or (B) above, the applicant and the party responsible for the evaluation may, in lieu of providing an environmental site assessment plan, so certify the finding, in writing and under oath, to the director of T&ES. Any permit issued in reliance upon such a certification where said certification is factually inaccurate or incorrect shall be void ab initio. Such invalidity shall be in addition to any other penalties which may be imposed upon the makers of such certification.

(F) The environmental site assessment shall be drawn at the same scale as the preliminary site plan or subdivision plat, and shall be certified as complete and accurate by a professional engineer or a certified land surveyor. This requirement may be waived by the director of T&ES when the proposed use or development would result in less than 5,000 square feet of disturbed area.

13-113 - Stormwater pollution prevention plan.

(A) The stormwater pollution prevention plan (SWPPP) shall include the content specified in 9VAC25-870-54, which includes but is not limited to, an approved erosion and sediment control plan, an approved stormwater management plan, a pollution prevention plan for regulated land disturbing activities, and a description of any additional control measures necessary to address a TMDL. The SWPPP must also comply with the requirements and general information set forth in 9VAC25-880-70 Section II of the General VPDES Permit for Discharges of Stormwater From

1 Construction Activities (Construction General Permit).

2 (B) The SWPPP shall be amended by the operator whenever there is a change in
3 design, construction, operation, or maintenance that has a significant effect on the
4 discharge of pollutants to state waters that is not addressed in the existing SWPPP.

5 (C) The SWPPP must be maintained by the operator at a central location onsite.
6 If an onsite location is not available, notice of the SWPPP's location must be
7 posted near the main entrance at the construction site. Operators shall make the
8 SWPPP available for public review in accordance with Section II of the general
9 permit, either electronically or in hard copy.

10 **13-114 - Stormwater management plan.**

11 (A) The stormwater management plan must apply the stormwater technical
12 requirements of section 13-109 to the entire site. Individual lots in new residential,
13 commercial, or industrial developments shall not be considered separate land-
14 disturbing activities. The plan shall consider all sources of surface runoff and all
15 sources of subsurface and groundwater flows converted to surface runoff. The
16 plan shall contain maps, charts, graphs, tables, photographs, narrative
17 descriptions, explanations, calculations, and citations to supporting references as
18 appropriate to communicate the information required by this Article XIII. At a
19 minimum, the stormwater management plan must contain the following:

20 (1) Information on the type and location of stormwater discharges;
21 information on the features to which stormwater is being discharged including
22 surface waters, and the pre-development and post-development drainage
23 areas;

24 (2) Contact information including the name, address, and telephone number
25 of the owner and the tax reference and parcel number of the property or
26 properties affected;

27 (3) A narrative that includes a description of current site conditions and final
28 site conditions;

29 (4) A general description of the proposed stormwater management facilities
30 and a maintenance agreement and inspection schedule in accordance with
31 section 13-109(G) to ensure that the facilities will be operated and maintained
32 after construction is complete;

33 (5) Information on the proposed stormwater management facilities, including:

34 (a) The type of facilities;

35 (b) Location, including geographic coordinates;

36 (c) Acres treated; and,

- (d) The surface waters into which the facility will discharge.
- (6) Hydrologic and hydraulic computations, including runoff characteristics.
- (7) Documentation and calculations verifying compliance with the water quality and water quantity requirements of section 13-109.
- (8) A map or maps of the site that depicts the topography of the site and includes:
- (a) All contributing drainage areas;
 - (b) Existing streams, ponds, culverts, ditches, wetlands, other water bodies, and floodplains;
 - (c) Soil types, relevant geological formations, forest cover, and other vegetative areas;
 - (d) Current land use including existing structures, roads, and locations of known utilities and easements;
 - (e) Sufficient information on adjoining parcels to assess the impacts of stormwater from the site on these parcels;
 - (f) The limits of clearing and grading, and the proposed drainage patterns on the site;
 - (g) Proposed buildings, roads, parking areas, utilities, and stormwater management facilities; and,
 - (h) Proposed land use with tabulation of the percentage of surface area to be adapted to various uses, including but not limited to planned locations of utilities, roads, and easements.
- (B) If an operator intends to meet the water quality requirements set forth in section 13-109(E) through the use of off-site credits in accordance with section 13-109(E)(7), then a letter of availability from the off-site provider must be included. Approved off-site options must achieve the necessary reductions prior to the commencement of the applicant's land-disturbing activity except as otherwise allowed by section 62.1-44.15:35 of the Code of Virginia.
- (C) If the operator intends to utilize the alternative stormwater management equivalency options in section 13-110 to meet the Alexandria Water Quality Volume Default in section 13-109(E)(5) or the additional water quality performance criteria of section 13-109(E)(7), then the operator must submit a narrative and any required calculations.
- (D) Site specific facilities for phased projects shall be designed for the ultimate development of the contributing project watershed based on zoning,

comprehensive plans, local public facility master plans, or other similar planning documents.

(E) Elements of stormwater management plans that include activities regulated under Chapter 4 of Title 54.1 of the Code of Virginia be appropriately sealed and signed by professional registered in the Commonwealth of Virginia and performed in accordance with procedures, consistent with good engineering practice, established by the director of T&ES pursuant to section 13-104(C).

(F) All stormwater designs that require analysis of pressure hydraulic systems and/or inclusion and design of flow control structures must be sealed by a professional engineer registered in the Commonwealth of Virginia.

(G) An as-built drawing for permanent stormwater management facilities shall be submitted to the director of T&ES in accordance with section 13-114. The as-built drawing shall be appropriately sealed and signed by a professional registered in the Commonwealth of Virginia certifying that the stormwater facilities have been constructed in accordance with the approved plan.

(H) The plan shall establish a long-term schedule for inspection and maintenance of stormwater management facilities that includes all maintenance requirements and persons responsible for performing maintenance. If the designated maintenance responsibility is with a party other than the City of Alexandria, then a maintenance agreement shall be executed between the responsible party and the city in accordance with section 13-109(G).

13-115 - Stormwater management plan review.

(A) The director of T&ES shall review stormwater management plans and shall approve or disapprove a stormwater management plan in accordance with the following:

(1) The director of T&ES shall determine the completeness of the plan in accordance with section 13-114 and shall notify the applicant, in writing, of such determination within 15 calendar days of receipt. If the plan is deemed incomplete, the above written notification shall contain the reasons the plan is deemed incomplete.

(2) The director of T&ES shall have an additional 60 calendar days from the date of the communication of completeness to review the plan, except that if a determination of completeness is not made within the time prescribed above, then the plan shall be deemed complete and the director of T&ES shall have 60 calendar days from the date of submission to review the plan.

(3) The director of T&ES shall review any plan that has been previously disapproved within 45 calendar days of the date of re-submission.

(4) During the review period, the plan shall be approved or disapproved and

1 the decision communicated in writing to the person responsible for the land-
2 disturbing activity or the designated agent. If the plan is not approved, the
3 reasons for not approving the plan shall be provided in writing. Approval or
4 denial shall be based on the plan's compliance with the requirements of this
5 article.

6 (B) Approved stormwater management plans may be modified as follows:

7 (1) Modifications to an approved stormwater management plan shall be
8 allowed only after review and written approval by the director of T&ES. The
9 director of T&ES shall have 60 calendar days to respond in writing either
10 approving or disapproving such request.

11 (2) The director of T&ES may require that an approved stormwater
12 management plan be amended, within a time prescribed by the director of
13 T&ES, to address any deficiencies noted during inspection.

14 (C) The director of T&ES shall require the submission of an as-built drawing for
15 permanent stormwater facilities. The director of T&ES may elect not to require as-
16 built drawings for stormwater management facilities for which recorded
17 maintenance agreements are not required.

18 **13-116 – Pollution prevention plan.**

19 (A) The pollution prevention plan is required by 9VAC25-870-56 and shall be
20 developed, implemented, and updated as necessary, and must detail the design,
21 installation, implementation, and maintenance of effective pollution prevention
22 measures to minimize the discharge of pollutants. At a minimum, such measures
23 must be designed, installed, implemented, and maintained to:

24 (1) Minimize the discharge of pollutants from equipment and vehicle washing,
25 wheel wash water, and other wash waters. Wash waters must be treated in a
26 sediment basin or alternative control that provides equivalent or better
27 treatment prior to discharge;

28 (2) Minimize the exposure of building materials, building products,
29 construction wastes, trash, landscape materials, fertilizers, pesticides,
30 herbicides, detergents, sanitary waste, and other materials present on the site
31 to precipitation and to stormwater; and,

32 (3) Minimize the discharge of pollutants from spills and leaks and implement
33 chemical spill and leak prevention and response procedures.

34 (B) The pollution prevention plan shall include effective best management
35 practices to prohibit the following discharges:

36 (1) Wastewater from washout of concrete, unless managed by an appropriate
37 control;

(2) Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds, and other construction materials;

(3) Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance, and,

(4) Soaps or solvents used in vehicle and equipment washing.

(C) Discharges from dewatering activities, including discharges from dewatering of trenches or excavations, are prohibited unless managed by appropriate controls.

13-117 - Water quality impact assessment.

(A) The purpose of the water quality impact assessment is to:

(1) Identify the impacts of a proposed use, development, or redevelopment on water quality and lands within an RPA;

(2) Ensure that, where a use, development, or redevelopment does take place within an RPA, it will be located on those portions of the site and in a manner that will be least disruptive to the natural functions of the RPA;

(3) Identify the impacts of a proposed use, development, or redevelopment within an RMA where the director of T&ES has determined that the proximity to an RPA, the environmentally sensitive characteristics of the site, or the proposed scale and intensity has the potential to affect water quality;

(4) Specify mitigation that will address water quality protection under the foregoing circumstances or under an exception under section 13-116

(B) A water quality impact assessment is required for any proposed development or redevelopment in the RPA, except that at the discretion of the director of T&ES a water quality impact assessment may not be required if the activity is addressed under section 13-107(A), section 13-107(B), or section 13-107(D). There are two types of water quality impact assessments: water quality minor impact assessments and water quality major impact assessments.

(C) A water quality minor impact assessment is required for development or redevelopment within RPAs or under an exception which involves 5,000 or less square feet of land disturbance; or for any development or redevelopment within the RMA that involves 5,000 or less square feet of land disturbance adjacent to an RPA, if required by the director of T&ES due to the presence or proximity of wetlands, potential for harmful discharge of contaminants from the property, or slopes greater than 15 percent which are proposed to be disturbed. A minor assessment must demonstrate that the undisturbed buffer area, enhanced vegetative plantings, and any required BMPs will result in the removal of no less than 75 percent of sediments and 40 percent of nutrients from post-development stormwater runoff and that will retard runoff, prevent erosion, and filter nonpoint source pollution the equivalent of the full undisturbed buffer area. Such an

assessment shall include a site plan that shows the following:

(1) Location and description of the existing characteristics and conditions of the components of the RPA as identified in section 13-105(B) and delineated in the environmental site assessment required by section 13-112

(2) Location and nature of the proposed encroachment into the buffer area, including: type of paving material; areas of clearing or grading; location of any structures, drives, or other impervious cover; and sewage disposal systems or reserve drainfield sites;

(3) Type and location of enhanced vegetation and/or proposed BMPs to mitigate the proposed encroachment;

(4) Location of existing vegetation onsite, including the number and types of trees and other vegetation to be removed in the buffer to accommodate the encroachment or modification; and

(5) Revegetation plan that supplements the existing buffer vegetation in a manner that provides for pollutant removal, erosion, and runoff control. The revegetation plan will incorporate native vegetation to the extent practicable.

(D) A water quality major impact assessment is required for development or redevelopment within RPAs or under an exception that involves more than 5,000 square feet of land disturbance; or for any development or redevelopment within the RMA which involves more than 5,000 square feet of land disturbance adjacent to an RPA, if required by the director of T&ES due to the presence or proximity of wetlands, potential for harmful discharge of contaminants from the property, or slopes greater than 15 percent which are proposed to be disturbed. The following elements shall be included in a water quality major impact assessment:

(1) All of the information required in a water quality minor impact assessment as specified in (C) above;

(2) A hydrogeological element that:

(a) Describes the existing topography, soils, hydrology, and geology of the site;

(b) Describes the impacts of the proposed development or redevelopment on topography, soils, hydrology, and geology on the site;

(c) Indicates the following:

(i) Disturbance or reduction of wetlands and justification for such action;

(ii) Disruption or reductions in the supply of water to wetlands, streams, lakes, rivers, or other water bodies;

(iii) Disruptions to existing hydrology, including wetland and stream circulation patterns;

(iv) Source location and description of proposed fill material (may, at applicant's risk, be provided when the U.S. Army Corps of Engineers permit application is submitted);

(v) Location of dredge materials and location of dumping area for such materials (may, at applicant's risk, be provided when the U.S. Army Corps of Engineers permit application is submitted);

(vi) Locations of and impacts on adjacent shellfish beds, submerged aquatic vegetation, and fish spawning areas (may, at applicant's risk, be provided when the U.S. Army Corps of Engineers permit application is submitted);

(vii) The estimated pre- and post-development pollutant loads in runoff as delineated in the stormwater management plan required by section 13-113

(viii) Estimation of percent increase in impervious surface on the site and identification of the type(s) of surfacing materials to be used;

(ix) Percent of the site to be cleared for the project;

(x) Anticipated duration and phasing schedule of the construction period; and

(xi) Listing of all requisite permits from all applicable agencies necessary to develop the project.

(d) Describes the proposed mitigation measures for the potential hydrogeological impacts. Potential mitigation measures include:

(i) Proposed erosion and sediment control measures, which may include minimizing the extent of the cleared area, perimeter controls, reduction of runoff velocities, measures to stabilize disturbed areas, schedule and personnel for site inspection;

(ii) Proposed stormwater management system;

(iii) Creation of wetlands to replace those lost; and

(iv) Minimizing cut and fill.

(3) A supplement to the landscape plan that:

(a) Identifies and delineates the location of all significant plant material, including all trees on site six inches or greater diameter breast height. Where there are groups of trees, stands shall be outlined.

1 (b) Describes the impacts the development or use will have on the
2 existing vegetation. Information should include:

3 (i) General limits of clearing based on all anticipated
4 improvements, including buildings, drives, and utilities;

5 (ii) Clear delineation of all trees which will be removed; and

6 (iii) Description of plant species to be disturbed or removed.

7 (c) Describes the potential measures for mitigation. Possible mitigation
8 measures include:

9 (i) Replanting schedule for trees and other significant vegetation
10 removed for construction, including a list of possible plants and trees
11 to be used;

12 (ii) Demonstration that the proposed plan will preserve to the
13 greatest extent possible any significant trees and vegetation on the
14 site and will provide maximum erosion and overland flow benefits
15 from such vegetation;

16 (iii) Demonstration that indigenous plants are to be used to the
17 greatest extent possible; and

18 (iv) Identification of the natural processes and ecological
19 relationships inherent at the site, and an assessment of the impact of
20 the proposed use and development of the land, including mitigating
21 measures proposed in the water quality impact assessment, on
22 these processes and relationships.

23 (E) A water quality minor impact assessment shall be certified as complete and
24 accurate by a professional engineer or a certified land surveyor. The additional
25 elements required in a water quality major impact assessment shall be certified as
26 complete and accurate by a professional engineer and by a qualified environmental
27 scientist.

28 (F) For any water quality impact assessment to proceed, the director of T&ES
29 must first approve it for completeness and compliance with this Article XIII. Upon
30 receipt of any water quality major impact assessment application, the director of
31 T&ES may determine if review by the department is warranted and may request
32 the department to review the assessment and respond with written comments. Any
33 comments by the department will be incorporated into the final review by the
34 director of T&ES provided that such comments are provided by the department
35 within 90 days of the request.

36 (1) For a water quality minor impact assessment, the director of T&ES shall
37 base this finding on the following criteria:

1 (a) The necessity of the proposed encroachment and the ability to place
2 improvements elsewhere on the site to avoid disturbance of the buffer
3 area;

4 (b) Impervious surface is minimized;

5 (c) Proposed BMPs, where required achieve the requisite reductions in
6 pollutant loadings;

7 (d) The development, as proposed, meets the purpose and intent of
8 these regulations;

9 (e) The cumulative impact of the proposed development when
10 considered in relation to other development within the RPA in the vicinity,
11 both existing and proposed, will not result in a significant degradation of
12 water quality.

13 (2) For a water quality major impact assessment, the director of T&ES shall
14 base this finding on the following criteria:

15 (a) Within any RPA, the proposed development is water-dependent or
16 constitutes redevelopment;

17 (b) The disturbance of wetlands shall comply with state and federal
18 regulations;

19 (c) The development will not result in significant disruption of the
20 hydrology of the site;

21 (d) The development will not result in significant degradation of water
22 quality that could adversely affect aquatic vegetation or life;

23 (e) The development will not result in unnecessary destruction of plant
24 material on site;

25 (f) Proposed erosion and sediment control measures are adequate to
26 achieve the required reductions in runoff, and prevent off-site transport of
27 sediment during and after construction;

28 (g) Proposed stormwater management measures are adequate to
29 control the stormwater runoff to achieve the required standard for
30 pollutant control; and

31 (h) Proposed revegetation of disturbed areas will provide adequate
32 erosion and sediment control benefits, as determined by the director of
33 T&ES.

34 **13-118 - Final plans.**

35 (A) Final site plans and subdivision plats subject to this Article XIII for all lands

1 within the CBPA shall include the following additional information:

2 (1) A copy showing issuance of all wetlands permits required by law; and

3 (2) A BMP inspection schedule and maintenance agreement between the city
4 and applicant as deemed necessary and appropriate by the director of T&ES
5 to ensure proper maintenance of best management practices in order to
6 assure their continued performance.

7 (B) The following installation and bonding requirements shall be met.

8 (1) Where buffer areas, landscaping, stormwater management facilities or
9 other specifications of an approved plan are required, no certificate of
10 occupancy shall be issued until the installation of required plant materials or
11 facilities is completed, in accordance with the approved site plan.

12 (2) When the occupancy of a structure is desired prior to the completion of
13 the required landscaping, stormwater management facilities, or other
14 specifications of an approved plan, a certificate of occupancy may be issued
15 only if the applicant provides to the city a surety bond or equivalent
16 satisfactory to the director of T&ES in amount equal to the remaining plant
17 materials, related materials, and installation costs of the required landscaping
18 or facilities and/or maintenance costs for any required stormwater
19 management facilities during the construction period.

20 (3) Unless otherwise approved by the director of T&ES for a phased project,
21 all required landscaping shall be installed and approved by the first planting
22 season following issuance of a certificate of occupancy or the surety bond may
23 be forfeited to the city.

24 (4) Unless otherwise approved by the director of T&ES for a phased project,
25 all required stormwater management facilities or other specifications shall be
26 installed and approved within 18 months of project commencement. Should
27 the applicant fail, after proper notice, to initiate, complete or maintain
28 appropriate actions required by the approved plan, the surety bond may be
29 forfeited to the city. The city may collect from the applicant the amount by
30 which the reasonable cost of required actions exceeds the amount of surety
31 held.

32 (5) After all required actions of the approved site plan have been completed,
33 the applicant must submit a written request for a final inspection. If the
34 requirements of the approved plan have been completed to the satisfaction of
35 the director of T&ES, such unexpended or unobligated portion of the surety
36 bond held shall be refunded to the applicant or terminated within 60 days
37 following the receipt of the applicant's request for final inspection. The director
38 of T&ES may require a certificate of substantial completion from a professional
39 engineer or licensed surveyor before making a final inspection.

1 **13-119 - Exceptions.**

2 (A) Unless otherwise provided in this Article XIII, a request for an exception to the
3 requirements of this Article XIII shall be made pursuant to this section in writing to
4 the director of T&ES. The request shall identify the impacts of the proposed
5 exception on water quality and on lands within the RMA and RPA through the
6 performance of a water quality impact assessment that complies with the
7 provisions of section 13-117 to the extent applicable.

8 (B) For exceptions to the provisions of sections 13-109 and 13-124 other than
9 those detailed in section 13-107, the director of T&ES shall review the request for
10 an exception and the water quality impact assessment and may grant the exception
11 with such conditions and safeguards as deemed necessary to further the purpose
12 and intent of this Article XIII if the director of T&ES finds that the applicant has
13 demonstrated by a preponderance of the evidence that:

14 (1) Granting the exception will not confer upon the applicant any special
15 privileges that are denied to other property owners in the CBPA overlay
16 district;

17 (2) The exception is not based upon conditions or circumstances that are
18 self-created or self-imposed, nor does the exception arise from conditions or
19 circumstances either permitted or noncomplying that are related to adjacent
20 parcels;

21 (3) The exception is the minimum necessary to afford relief;

22 (4) The exception will be consistent with the purpose and intent of the overlay
23 district, and not injurious to water quality, the neighborhood or otherwise
24 detrimental to the public welfare;

25 (5) Reasonable and appropriate conditions are imposed, as warranted, to
26 prevent the allowed activity from causing degradation of water quality.

27 (C) Economic hardship alone is not sufficient reason to grant an exception from
28 the requirements of this Article XIII.

29 (D) Under no circumstances shall the city allow an exception to the requirement
30 that a qualified land-disturbing activity obtain the required construction general
31 permit or other state permits.

32 (E) Under no circumstances shall the city allow the use of a BMP not found on the
33 Virginia Stormwater BMP Clearinghouse website, or as applicable for projects
34 subject to 9VAC25-870 Part II. C. Notwithstanding, this shall not preclude the
35 director of T&ES from placing reasonable limitations on a BMP on the Virginia
36 Stormwater BMP Clearinghouse website.

37 (F) Exceptions to the requirements for phosphorus reductions required under
38 section 13-109(E)(3) and (4) will not be allowed unless offsite options available

1 through 9VAC25-870-69 have been considered and found not available.

2 (G) Exceptions to section 13-107 shall be heard and determined by the planning
3 commission after hearing and notice pursuant to section 11-300. The schedule for
4 reviewing the exception shall be made by the director of T&ES and the director of
5 planning and zoning. The schedule shall provide, in a manner approved by the city
6 manager, reasonable opportunity for review and action by the environmental policy
7 commission prior to any formal action by the planning commission so that any
8 recommendation of support, denial, or modification can be considered as part of
9 the planning commission's deliberations.

10 (H) A record of all exceptions granted shall be maintained by the director of T&ES.

11 (I) Any person aggrieved by a decision of the director of T&ES or planning
12 commission under this section may appeal as provided in section 13-120.

13 **13-120 - Appeals.**

14 (A) Any person aggrieved by a final case decision of the director of T&ES in the
15 administration, interpretation or enforcement of this Article XIII or on any application
16 hereunder may appeal such decision to the planning commission, by filing a notice
17 of appeal, in writing, stating the grounds of appeal, with the secretary of the
18 planning commission within 14 days of the issuance of such decision; provided,
19 that any person aggrieved, who had no actual knowledge of the issuance of such
20 decision, may file an appeal within 14 days of the last day on which notice provided
21 in section 11-300 or section 11-408 of this ordinance is given for any element of the
22 plan of development. A notice of appeal shall be accompanied by a filing fee of
23 \$100.00.

24 (B) The planning commission shall conduct a public hearing on any appeal filed
25 pursuant to section 13-120(A), notice for which shall be provided in accordance
26 with the applicable provisions of section 11-300 of this ordinance. Following the
27 conclusion of the hearing, the planning commission may affirm, reverse or modify
28 the decision of the director of T&ES, or vacate the decision and remand the matter
29 to the director of T&ES for further consideration.

30 (C) Any person aggrieved by a decision of the planning commission issued
31 pursuant to section 13-119(D) or section 13-120(B), or the city manager, may
32 appeal the decision to the city council, by filing a notice of appeal, in writing, stating
33 the grounds of appeal, with the city clerk within 14 days of the issuance of the
34 decision.

35 (D) The city council shall conduct a public hearing on any appeal filed pursuant to
36 subsection (C), notice for which shall be provided in accordance with the applicable
37 provisions of section 11-300 of this ordinance. Following the conclusion of the
38 hearing, the council may affirm, reverse or modify the decision of the commission,
39 or vacate the decision and remand the matter to the planning commission or the
40 director of T&ES for further consideration.

(E) Notwithstanding the provisions of subsections (A) through (D) above, an applicant or any aggrieved party who elects to appeal shall appeal the director of T&ES's decision of approval or disapproval of a stormwater management plan application by filing a notice of appeal with the director of T&ES within 30 days after service of such decision. The filing of such notice, and proceedings thereafter, shall be governed by part 2A of the Rules of the Supreme Court of Virginia, and judicial review shall be had in the Circuit Court of the City of Alexandria on the record previously established, and shall otherwise be in accordance with the Administrative Process Act, Virginia Code sections 9-6.14:1 et seq.

13-121 - Hearings.

(A) Any applicant, permittee, or person subject to this article aggrieved by any action of the city taken without a formal hearing, or by inaction of the city, may demand in writing a formal hearing by the planning commission, provided a petition requesting such hearing is filed with the director of T&ES within 30 days after notice of such action is given by the director of T&ES.

(B) The hearings held under this section shall be conducted by the planning commission at a regular or special meeting of the planning commission or by at least one member of the planning commission designated by the planning commission to conduct such hearings on behalf of the planning commission at any other time and place authorized by the planning commission.

(C) A verbatim record of the proceedings of such hearing shall be taken and filed with the planning commission. Depositions may be taken and read as in actions at law.

(D) The planning commission or its designated member, as the case may be, shall have power to issue subpoenas and subpoenas duces tecum, and at the request of any party shall issue such subpoenas. The failure of a witness without legal excuse to appear or testify or to produce documents shall be acted upon by the city whose action may include the procurement of an order of enforcement from the circuit court. Witnesses who are subpoenaed shall receive the same fees and reimbursements for mileage as in civil actions.

13-122 - Noncomplying land uses and structures.

(A) Any land use or structure lawfully existing on January 28, 1992, or any land use or structure that exists at the time of any amendment to this Article XIII that does not comply as a result of the amendment, shall be deemed noncomplying.

(B) Any proposed land use or structure for which an applicant has a an approved preliminary site plan, building permit, subdivision plan, plot plan, or special use permit on or before February 23, 2004 that would not comply under proposed amendments to Article XIII pursuant to the December 10, 2001 amendments to 9VAC10-20-10 et seq may be constructed in accordance with the provisions of this Article XIII in effect at the time of submittal, except that the proposed land use or

1 structure shall comply with any new requirements to the maximum extent
2 practicable. Upon completion, the land use or structure shall be deemed
3 noncomplying.

4 (C) Any application for a proposed land use or structure that is not exempt
5 pursuant to (A) or (B) above shall comply with amendments to Article XIII adopted
6 pursuant to the December 10, 2001 amendments to 9VAC10-20-10 et seq.

7 (D) Nothing in this Article XIII shall prevent the reconstruction of noncomplying
8 structures destroyed by any casualty unless the reconstruction is otherwise
9 restricted by this ordinance or other portions of the City Code. Such reconstruction
10 shall occur within two years after the destruction or damage and there shall be no
11 increase in the amount of impervious area and no further encroachment in the
12 RPA, to the extent possible by sound engineering practices.

13 (E) Any noncomplying land use or structure may continue and be maintained,
14 including renovation, remodeling, and other cosmetic alterations provided that the
15 activity does not result in land disturbance and that there is no net increase in
16 nonpoint source pollutant load.

17 (F) A request to enlarge or expand a principal noncomplying structure within an
18 RPA buffer area may be approved by the director of T&ES through an
19 administrative process provided that:

20 (a) The principal structure remains intact and the modification is compatible
21 in bulk and scale to those in the surrounding neighborhood area, as
22 determined by the director of planning and zoning. If these criteria are not met,
23 the modification shall be subject to the exception request process
24 requirements of section 13-119.

25 (b) There will be no increase in nonpoint source pollution load.

26 (c) Any development or land disturbance exceeding an area of 2,500
27 square feet complies with section 5-4-1 et seq. of the City Code (erosion and
28 sediment control).

29 (d) The director of T&ES finds that the request is consistent with the criteria
30 provided in section 13-116(B).

31 (G) A request to construct or modify a non-attached noncomplying accessory
32 structure, or a request to modify or expand a noncomplying land use (e.g., a
33 parking area, boat storage area, active recreation fields, etc.), shall only be
34 approved through the exceptions process outlined in section 13-119.

35 **13-123 - Exemptions.**

36 (A) The following uses, which may involve structures, fill, flooding, draining,
37 dredging, or excavating, shall be exempted from section 13-107, to the extent
38 specifically enumerated in these regulations and not prohibited by any other

1 provision of the City Code or applicable law and subject to the director of T&ES
2 review and approval of design and construction plans for compliance with this
3 Article XIII:

4 (1) Construction, installation, operation and maintenance of electric, natural
5 gas, fiber-optic, and telephone lines, railroads and public roads constructed by
6 VDOT or by or for the City of Alexandria in accordance with VDOT standards
7 (built separately from development projects regulated under section 13-106),
8 and their appurtenant structures. The exemption of public roads is further
9 conditioned on the alignments being designed to prevent or otherwise
10 minimize the encroachment in the RPA buffer and to minimize adverse effects
11 on water quality.

12 (2) Construction, installation, and maintenance of water, sewer, natural gas,
13 underground telecommunications and cable television lines owned or
14 permitted by the City of Alexandria or a service authority shall be exempt from
15 the requirements of section 13-107 provided that:

16 (a) To the degree possible, the location of such utilities and facilities
17 shall be outside RPAs;

18 (b) No more land shall be disturbed than is necessary to provide for the
19 proposed utility installation; and,

20 (c) All such construction, installation, and maintenance of such utilities
21 and facilities shall be in compliance with all applicable state and federal
22 requirements and permits, and designed and conducted in a manner that
23 protects water quality.

24
25 (B) Notwithstanding any other provisions of this article, the following uses, which
26 may involve structures, fill, flooding, draining, dredging, or excavating, shall be
27 exempt from this article:.

28 (1) Land disturbing activities less than 2,500 square feet not part of a larger
29 common plan of development or sale, except as may be required in 13-107 for
30 CPBA,

31 (2) Land disturbances associated with permitted surface or deep mining
32 operations and projects, or oil and gas operations and projects conducted
33 under the provisions of Title 45.1 of the Code of Virginia;

34 (3) Routine maintenance that is performed to maintain the original line and
35 grade, hydraulic capacity, or original construction of a project. The paving of
36 existing road with a compacted or impervious surface and re-establishment of
37 existing ditches and shoulders is deemed routine maintenance if performed in
38 accordance with this subsection;

1 (4) Conducting land-disturbing activities in response to a public emergency
2 where the related work requires immediate authorization to avoid imminent
3 endangerment to human health or the environment. In such situations, the
4 director of T&ES shall be advised of the disturbance within seven days of
5 commencing the land-disturbing activity and compliance with this Article XIII
6 shall be required within 30 days of commencing the land-disturbing activity;

7 (5) Land clearing for agricultural or silvicultural purposes, and related
8 activities, in accordance with section 62.1-44.15:34.C.2 of the Code of Virginia;
9 and,

10 (6) Activities under a state or federal reclamation program to return an
11 abandoned property to an agricultural or open land use.

12 (C) Discharges to a sanitary sewer or a combined sewer shall be exempt from
13 section 13-113 (stormwater pollution prevention plan), section 13-116 (pollution
14 prevention plan), and the requirement to obtain a VSMP construction general
15 permit unless otherwise required by City Code or state or federal law . All other
16 applicable portions of this article shall continue to apply.

17 (D) Single-family residences separately built and disturbing less than one acre
18 and not part of a larger common plan of development or sale, including additions
19 or modifications to existing single-family detached residential structures are
20 exempt from the water quality requirements of sections 109(E)(3) and (E)(4)
21 except the Alexandria water quality volume default requirement in section
22 109(E)(5) still applies.

23
24
25 **13-124 – Time limits on applicability of design criteria and Grandfathering.**

26 (A) The time limits on applicability of design criteria shall apply provided:

27 (1) Land-disturbing activities that obtain an initial state permit or commence
28 land disturbance prior to July 1, 2014 shall be conducted in accordance with
29 the technical criteria in 9VAC-25-870-93 through 9VAC25-870-99. Such
30 projects shall remain subject to these technical criteria for two additional state
31 construction general permit cycles. After such time, portions of the project not
32 under construction shall become subject to any new technical criteria adopted
33 by the board.

34 (2) Land-disturbing activities that obtain an initial state construction general
35 permit on or after July 1, 2014 shall be conducted in accordance with the
36 technical criteria in sections 109 (E) and (F), except for as provided in (B)
37 below, and shall remain subject to this technical criteria for two additional state
38 permit cycles. After such time, portions of the project not under construction

1 shall become subject to any new technical criteria adopted by the board.

2 (3) Nothing in this section shall preclude an operator from constructing to a
3 more stringent standard at his/her discretion.

4 (B) Grandfathering provisions established in 9VAC25-870-48 shall apply to this
5 article as applicable. Any land disturbing activity shall be considered grandfathered
6 by the VSMP authority and shall be subject to the technical criteria of 9VAC25-870-
7 93 through 9VAC25-870-99, provided:

8 (1) A proffered or conditional zoning plan, zoning with a plan of development,
9 preliminary or final subdivision plat, preliminary or final site plan, or any
10 document determined by the locality to be equivalent thereto (i) was approved
11 by the locality prior to July 1, 2012, (ii) provided a layout as defined in
12 9VAC25-870-10, (iii) will comply with the technical criteria of 9VAC25-870-93
13 through 99, (iv) has not been subsequently modified or amended in a manner
14 resulting in an increase in the amount of phosphorus leaving each point of
15 discharge, and such that there is no increase in the volume or rate of runoff;

16 (2) A state permit has not been issued prior to July 1, 2014; and

17 (3) Land disturbance did not commence prior to July 1, 2014.

18 (C) Locality, state and federal projects shall be considered grandfathered and
19 shall be subject to the technical criteria in 9VAC25-870-93 through 9VAC25-870-
20 99 provided:

21 (1) There has been an obligation of locality, state or federal funding, in whole
22 or in part, prior to July 1, 2012, or the department has approved a stormwater
23 management plan prior to July 1, 2012;

24 (2) A state permit has not been issued prior to July 1, 2014; and

25 (3) Land disturbance did not commence prior to July 1, 2014.

26 (D) Land disturbing activities grandfathered under subsections A and B of this
27 section shall remain subject to 9VAC25-870-93 through 99 technical criteria for
28 one additional state permit cycle. After such time, portions of the project not under
29 construction shall become subject to any new technical criteria adopted by the
30 board.

31 (E) In cases where governmental bonding or public debt financing has been
32 issued for a project prior to July 1, 2012, such project shall be subject to the
33 technical criteria of 9VAC25-870-93 through 99.

34 (F) Nothing in this section shall preclude an operator from constructing to a more
35 stringent standard at his discretion.

36 (G) However, these applicable land-disturbing activities are also subject to

1 more stringent City criteria effective prior to July 1, 2014. This includes the
2 definition of “site”, treating the entire Alexandria water quality volume in 13-109(E),
3 the pre/post-development peak flow rate requirement for the 10-year 24-hour storm
4 event in 13-109(F)(2), the requirements in 13-109(F)(3), and the requirements in
5 13-109(F)(7).

6 **13-125 – Monitoring and inspections.**

7 (A) The director of T&ES shall inspect the land disturbing activity during
8 construction for compliance with this Article XIII, including but not limited to
9 compliance with the approved erosion and sediment control plan, compliance with
10 the approved stormwater management plan, development, updating, and
11 implementation of the pollution prevention plan, and development and
12 implementation of any additional control measures necessary to address a TMDL.

13 (B) The director of T&ES may, at reasonable times and under reasonable
14 circumstances, enter any establishment or upon any property, public or private, for
15 the purpose of obtaining information or conducting surveys or investigations
16 necessary in the enforcement of the provisions of this Article XIII.

17 (C) In accordance with a performance bond with surety, cash escrow, letter of
18 credit, any combination thereof, or such other legal arrangement or instrument, the
19 director of T&ES may also enter any establishment or upon any property, public or
20 private, for the purpose of initiating or maintaining appropriate actions that are
21 required by the permit conditions associated with a land-disturbing activity when a
22 permittee, after proper notice, has failed to take acceptable action within a time
23 specified.

24 (D) Pursuant to section 62.1-44.15:40 of the Code of Virginia, the director of T&ES
25 may require every permit applicant or permittee, or any such person subject to the
26 requirements of this Article XIII to furnish when requested such application
27 materials, plans, specifications, and other pertinent information as may be
28 necessary to determine the effect of the discharge on the quality of state waters, or
29 such other information as may be necessary to accomplish the purpose of this
30 Article XIII.

31 (E) Post-construction inspections of stormwater management facilities required by
32 the provisions of this Article XIII shall be conducted by the director of T&ES
33 pursuant to section 13-109(G).

34 **13-126 - Penalties.**

35 (A) Under the authority of 9VAC25-870-116 the director of T&ES shall have the
36 following authority to enforce provisions of this Article XIII required or authorized
37 under section 62.1-44.15:24 et seq of the Code of Virginia (the Virginia Stormwater
38 Management Act) and its attendant regulations:

39 (1) If the director determines that there is a failure to comply with the VSMP

1 authority permit conditions or determines there is an unauthorized discharge,
2 notice shall be served upon the permittee or person responsible for carrying
3 out the permit conditions by any of the following: verbal warnings and
4 inspection reports, notices of corrective action, consent special orders, and
5 notices to comply. Written notices shall be served by registered or certified
6 mail to the address specified in the permit application or by delivery at the site
7 of the development activities to the agent or employee supervising such
8 activities.

9 (a) The notice shall specify the measures needed to comply with the
10 permit conditions and shall specify the time within which such measures
11 shall be completed. Upon failure to comply within the time specified, a
12 stop work order may be issued in accordance with Subsection (b) or the
13 permit may be revoked by the director of T&ES.

14 (b) If a permittee fails to comply with a notice issued in accordance with
15 this Section within the time specified, the director of T&ES may issue an
16 order requiring the owner, permittee, person responsible for carrying out
17 an approved plan, or the person conducting the land-disturbing activities
18 without an approved plan or required permit to cease all land-disturbing
19 activities until the violation of the permit has ceased, or an approved plan
20 and required permits are obtained, and specified corrective measures
21 have been completed.

22 Such orders shall be issued in accordance with local procedures. Such
23 orders shall become effective upon service on the person by certified
24 mail, return receipt requested, sent to his address specified in the land
25 records of the locality, or by personal delivery by an agent of the director
26 of T&ES. However, if the director of T&ES finds that any such violation is
27 grossly affecting or presents an imminent and substantial danger of
28 causing harmful erosion of lands or sediment deposition in waters within
29 the watersheds of the Commonwealth or otherwise substantially
30 impacting water quality, it may issue, without advance notice or hearing,
31 an emergency order directing such person to cease immediately all land-
32 disturbing activities on the site and shall provide an opportunity for a
33 hearing, after reasonable notice as to the time and place thereof, to such
34 person, to affirm, modify, amend, or cancel such emergency order. If a
35 person who has been issued an order is not complying with the terms
36 thereof, the director of T&ES may institute a proceeding for an injunction,
37 mandamus, or other appropriate remedy in accordance with (3) below.

38 (2) In addition to any other remedy provided by this article, if the director of
39 T&ES or his designee determines that there is a failure to comply with the
40 provisions of this article, they may initiate such informal and/or formal
41 administrative enforcement procedures in a manner that is consistent with
42 local public facilities/engineering manuals and/or specific policy.

1 (3) Any person violating or failing, neglecting, or refusing to obey any rule,
2 regulation, ordinance, order, approved standard or specification, or any permit
3 condition issued by the director of T&ES may be compelled in a proceeding
4 instituted in the appropriate local court by the Locality to obey same and to
5 comply therewith by injunction, mandamus or other appropriate remedy.

6 (4) Any person who violates any provision of this article or who fails,
7 neglects, or refuses to comply with any order of the director of T&ES, shall be
8 subject to a civil penalty not to exceed \$32,500 for each violation within the
9 discretion of the court. Each day of violation of each requirement shall
10 constitute a separate offense.

11 (a) Violations for which a penalty may be imposed under this subsection
12 shall include but not be limited to the following:

13 (i) No state permit registration;

14 (ii) No SWPPP;

15 (iii) Incomplete SWPPP;

16 (iv) SWPPP not available for review;

17 (v) No approved erosion and sediment control plan;

18 (vi) Failure to install stormwater BMPs or erosion and sediment
19 controls;

20 (vii) Stormwater BMPs or erosion and sediment controls improperly
21 installed or maintained;

22 (viii) Operational deficiencies;

23 (ix) Failure to conduct required inspections;

24 (x) Incomplete, improper, or missed inspections; and,

25 (xi) Discharges not in compliance with the requirements of 4FAC50-
26 60-1170 of the general permit.

27 (b) The director of T&ES may issue a summons for collection of the civil
28 penalty and the action may be prosecuted in the appropriate court.

29 (c) In imposing a civil penalty pursuant to this Subsection, the court may
30 consider the degree of harm caused by the violation and also the
31 economic benefit to the violator from noncompliance.

32 (d) Any civil penalties assessed by a court as a result of a summons
33 issued by the city shall be paid into the treasury of the city and
34 specifically placed into the Alexandria Water Quality Improvement Fund

1 established in section 13-110 and used for the purpose of minimizing,
2 preventing, managing, or mitigating pollution of the waters of the city and
3 abating environmental pollution therein in such manner as the court may,
4 by order, direct.

5 (5) Notwithstanding any other civil or equitable remedy provided by this
6 section or by law, any person who willfully or negligently violates any provision
7 of this article, any order of the director of T&ES, any condition of a permit, or
8 any order of a court shall, be guilty of a misdemeanor punishable by
9 confinement in jail for not more than 12 months or a fine of not less than
10 \$2,500 nor more than \$32,500, or both.

11 (B) Under the authority of 62.1-44.15:74 of the Code of Virginia the director of
12 T&ES shall have the following authority to enforce provisions of this Article XIII
13 required or authorized under section 62.1-44.15:73 of the Code of Virginia (the
14 Chesapeake Bay Preservation Act) and its attendant regulations:

15 (1) Any person who: (i) violates any provision of this ordinance or (ii) violates
16 or fails, neglects, or refuses to obey any final notice, order, rule, regulation, or
17 variance or permit condition authorized under this ordinance shall, upon such
18 finding by an appropriate circuit court, be assessed a civil penalty not to
19 exceed \$5,000.00 for each day of violation. Such civil penalties may, at the
20 discretion of the court assessing them, be directed to be paid into the
21 Alexandria Water Quality Improvement Fund for the purpose of abating
22 environmental damage to or restoring Chesapeake Bay Preservation Areas
23 therein, in such a manner as the court may direct by order, except that where
24 the violator is the city itself or its agent, the court shall direct the penalty to be
25 paid into the state treasury.

26 (2) With the consent of any person who: (i) violates any provision of this
27 ordinance related to the protection of water quality in Chesapeake Bay
28 Preservation Areas or (ii) violates or fails, neglects, or refuses to obey any
29 notice, order, rule, regulation, or variance or permit condition authorized under
30 this ordinance, the city may provide for the issuance of an order against such
31 person for the one-time payment of civil charges for each violation in specific
32 sums, not to exceed \$10,000.00 for each violation. Such civil charges shall be
33 paid into the city water quality improvement fund for the purpose of abating
34 environmental damage to or restoring Chesapeake Bay Preservation Areas
35 therein, except that where the violator is the city itself or its agent, the civil
36 charges shall be paid into the state treasury. Civil charges shall be in lieu of
37 any appropriate civil penalty that could be imposed under (A) above. Civil
38 charges may be in addition to the cost of any restoration required or ordered
39 by the city.

40 (C) In addition to (A) and (B) above, the director of T&ES shall have the
41 enforcement provisions available in section 11-200 of this ordinance.
42

1
2 Section 2. That the director of planning and zoning be, and hereby is, directed to
3 record the foregoing text amendment.
4

5 Section 3. That Article XIII, as amended pursuant to Section 1 of this ordinance, be,
6 and the same hereby is, reordained as part of the City of Alexandria Zoning Ordinance.
7

8 Section 4. That this ordinance shall become effective on July 1, 2014, and shall
9 apply to all applications for land use, land development or subdivision approval provided for
10 under the City of Alexandria Zoning Ordinance which may be filed after such date, and shall
11 apply to all other facts and circumstances subject to the provisions of the City of Alexandria
12 Zoning Ordinance, except as may be provided in Article XII of the Zoning Ordinance.
13

14 WILLIAM D. EUILLE
15 Mayor
16

17 Introduction: March 11, 2014
18 First Reading: March 11, 2014
19 Publication:
20 Public Hearing: March 15, 2014
21 Second Reading: March 15, 2014
22 Final Passage: March 15, 2014
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Legislation Details (With Text)

File #:	14-2520	Name:	Comm for the Arts
Type:	Appointment	Status:	Agenda Ready
File created:	3/4/2014	In control:	City Council Legislative Meeting
On agenda:	3/11/2014	Final action:	
Title:	Commission for the Arts 1 Member Who Has Expertise in the Arts, Either as a Practitioner of Various Art Disciplines or as a Professional Administrator Working in the Field		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	14-2520 Comm for the Arts.pdf		

Date	Ver.	Action By	Action	Result
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Commission for the Arts
1 Member Who Has Expertise in the Arts, Either as a Practitioner of Various Art Disciplines or as a Professional Administrator Working in the Field

Name of Council Member

CONTESTED APPOINTMENT

Endorsement

Commission for the Arts

(3-year term)

1 member who has expertise in the arts, either as a practitioner of various art disciplines or as a professional administrator working the field

_____ Kate Elkins

_____ Abida Ripley
(residency waiver required)



Legislation Details (With Text)

File #:	14-2521	Name:	Comm on Employment
Type:	Appointment	Status:	Agenda Ready
File created:	3/4/2014	In control:	City Council Legislative Meeting
On agenda:	3/11/2014	Final action:	
Title:	Commission on Employment 1 Member From Such Organizations as Educational Agencies, Organized Labor, Rehabilitation Agencies, Community-based Organizations, Economic Development Agencies or the Public Employment Services		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	14-2521 Comm on Employment.pdf		

Date	Ver.	Action By	Action	Result
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Commission on Employment
1 Member From Such Organizations as Educational Agencies, Organized Labor, Rehabilitation Agencies, Community-based Organizations, Economic Development Agencies or the Public Employment Services

Name of Council Member

CONTESTED APPOINTMENT

Endorsement

Commission on Employment

(2-year term)

1 member from such organizations as educational agencies, organized labor, rehabilitation agencies, community-based organizations, economic development agencies or the public employment services

Cathy Price
(residency waiver required)



Legislation Details (With Text)

File #:	14-2522	Name:	Landlord Tenant Relations Board
Type:	Appointment	Status:	Agenda Ready
File created:	3/4/2014	In control:	City Council Legislative Meeting
On agenda:	3/11/2014	Final action:	
Title:	Landlord-Tenant Relations Board 1 Homeowner Representative		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	14-2522 Landlord Tenant Relations Board.pdf		

Date	Ver.	Action By	Action	Result
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Landlord-Tenant Relations Board
1 Homeowner Representative

Name of Council Member

CONTESTED APPOINTMENT

Endorsement

Landlord-Tenant Relations Board

(2-year term)

1 homeowner representative

_____ Nancy Prasad

_____ Debra Zusman *

* incumbent



Legislation Details (With Text)

File #:	14-2523	Name:	Potomac Yard Design Advisory Comm
Type:	Appointment	Status:	Agenda Ready
File created:	3/4/2014	In control:	City Council Legislative Meeting
On agenda:	3/11/2014	Final action:	
Title:	Potomac Yard Design Advisory Committee 1 Member Representing the Potomac West Area		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	14-2523 Potomac Yard Design Advisory.pdf		

Date	Ver.	Action By	Action	Result
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Potomac Yard Design Advisory Committee
1 Member Representing the Potomac West Area

Name of Council Member

CONTESTED APPOINTMENT

Endorsement

Potomac Yard Design Advisory Committee
(2-year term)
1 member representing the Potomac West area

_____ Ryan Jones

_____ Samuel Salinas



Legislation Details (With Text)

File #: 14-2524 **Name:** Traffic and Parking Board
Type: Appointment **Status:** Agenda Ready
File created: 3/4/2014 **In control:** City Council Legislative Meeting
On agenda: 3/11/2014 **Final action:**
Title: Traffic and Parking Board
2 Citizen Members
Sponsors:
Indexes:
Code sections:
Attachments: [14-2524 Traffic and Parking Board.pdf](#)

Date	Ver.	Action By	Action	Result
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Traffic and Parking Board
2 Citizen Members

Name of Council Member

CONTESTED APPOINTMENT

Endorsement

Traffic and Parking Board

(2-year term)

2 citizen members

_____ Thomas "Jay" Johnson *

Amy Slack
Rodger Digilio

_____ Elizabeth Jones

_____ Jim Neurohr

_____ Wayne Patterson

_____ John Sergent

* incumbent



Legislation Details (With Text)

File #: 14-1960 **Name:** Update on 2014 General Assembly Session
Type: **Status:** Agenda Ready
File created: 10/1/2013 **In control:** City Council Legislative Meeting
On agenda: 3/11/2014 **Final action:**
Title: Update on 2014 General Assembly Session.
Sponsors:
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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Update on 2014 General Assembly Session.



Legislation Details (With Text)

File #: 14-2502 **Name:**
Type: **Status:** Agenda Ready
File created: 2/26/2014 **In control:** City Council Legislative Meeting
On agenda: 3/11/2014 **Final action:**
Title: Consideration of the Receipt of Potomac Yard Metrorail Station Implementation Schedule.
Sponsors:
Indexes:
Code sections:
Attachments: [14-2502 ATTACHMENT 1 Schedule to Complete EIS](#)
[14-2502 ATTACHMENT 2 Design-Build Schedule](#)

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

DATE: MARCH 5, 2014
TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: RASHAD M. YOUNG, CITY MANAGER/s/

DOCKET TITLE:
Consideration of the Receipt of Potomac Yard Metrorail Station Implementation Schedule.

ISSUE: Report to City Council on the Potomac Yard Metrorail Station Schedule.

RECOMMENDATION: That the City Council receive this revised Potomac Yard Metrorail Station implementation schedule (Attachment 1).

BACKGROUND: The City is evaluating potential locations for an infill Metrorail station along the Blue and Yellow lines between the National Airport and Braddock Road Metrorail stations to serve Potomac Yard and adjacent neighborhoods. The 1999 Coordinated Development District (CDD) approval for the southern portion of Potomac Yard included the reservation of a site for a potential future Metrorail station.

In 2008, the City began to evaluate land use density and zoning for North Potomac Yard, a process that resulted in the 2010 *North Potomac Yard Small Area Plan*. The plan envisions the replacement of the big box retail-

oriented Potomac Yard Center with a high-density, transit-oriented set of neighborhoods that are connected by a multi-modal transportation network including a new Metrorail station.

The City is currently completing an Environmental Impact Statement (EIS) as required under the federal National Environmental Policy Act (NEPA). The NEPA process is required for the Metrorail Station project to maintain eligibility for federal financing and because some of the alternatives may affect the George Washington Memorial Parkway, which is administered by the National Park Service (NPS).

The Draft EIS (DEIS), currently under development, analyzes the socioeconomic, environmental, and transportation impacts of a no build alternative and three build alternatives. The document will address key environmental considerations for each of the alternatives, including air quality and climate change, transportation and land use, visual resources, parklands, historic and cultural resources, noise, vibration, wetlands and habitats, and temporary construction impacts.

As discussed at the December 10, 2013 City Council Work Session, the project team is investigating several options to mitigate impacts identified during the DEIS analysis. One of these options, undertaken at the request of NPS, involves studying the feasibility of moving CSXT commercial railroad tracks westward onto the North Potomac Yard property. Moving the tracks would potentially allow Alternative B to be removed from NPS-owned land and the 1999 scenic easement. City staff met with representatives of CSXT on November 13, 2013. After NPS raised this issue last spring the City retained engineering experts who subsequently determined that moving the railroad tracks westward is technically feasible from an engineering perspective. The City is still waiting to hear from CSXT whether there is interest in proceeding with this concept. The viability of this mitigation option rests on financial feasibility and the willingness of CSXT to move its tracks. While the City awaits a reply from CSXT, the financial feasibility of all station location options (A, B, CSXT, and D) is being re-analyzed.

PROJECTED SCHEDULE: City Council held a work session on December 10, 2013 and the Potomac Yard Metrorail Implementation Work Group (PYMIG) met on January 6, 2014 to discuss the progress of the DEIS. Based on feedback received at these meetings, City staff has prepared a projected schedule to complete the EIS (Attachment 1). Staff anticipates release of the DEIS document for public review and comment in Fall 2014, with selection of a Locally Preferred Alternative (LPA) in early 2015 and completion of the NEPA process in Fall 2015. It should be noted that the schedule assumes two months for administrative review of the Final EIS, and another two months before Federal Transit Administration (FTA) and NPS each issue a Record of Decision (ROD). Staff has been coordinating closely with our federal partners and therefore believes this schedule is achievable. However, federal review could take less time or longer than assumed.

The Design-Build schedule (Attachment 2) projects that completion of the Metrorail station in late 2018. This timeframe is roughly one year later than previously projected in last year's City Capital Improvement Program (CIP) as the study of the CSXT Option coupled with the FTA revised requirement to include additional detail regarding mitigation options in the DEIS (instead of in the Final EIS) added roughly one year to the prior Potomac Yard Metrorail Station implementation schedule. The CSXT Option, however, would add another year to the construction schedule and additional time would likely be needed for CSXT coordination. In addition, because of existing leases, construction of the CSXT would likely not start until January 2019.

FISCAL IMPACT: The fiscal impact of the Potomac Yard Metrorail Station is in the process of being recalculated for all site options under consideration (Alternatives A, B, and D, as well as the CSXT Option). The fiscal impact of each option will be known following completion of the new financial analysis.

ATTACHMENTS:

Attachment 1 - Projected Schedule to Complete EIS

Attachment 2 - Projected Design-Build Schedule

STAFF:

Mark Jinks, Deputy City Manager

Richard J. Baier, Director, Department of Transportation and Environmental Services

Faroll Hamer, Director, Planning and Zoning

Jerome Fletcher, Special Assistant to the City Manager

Sandra Marks, Acting Deputy Director, T&ES

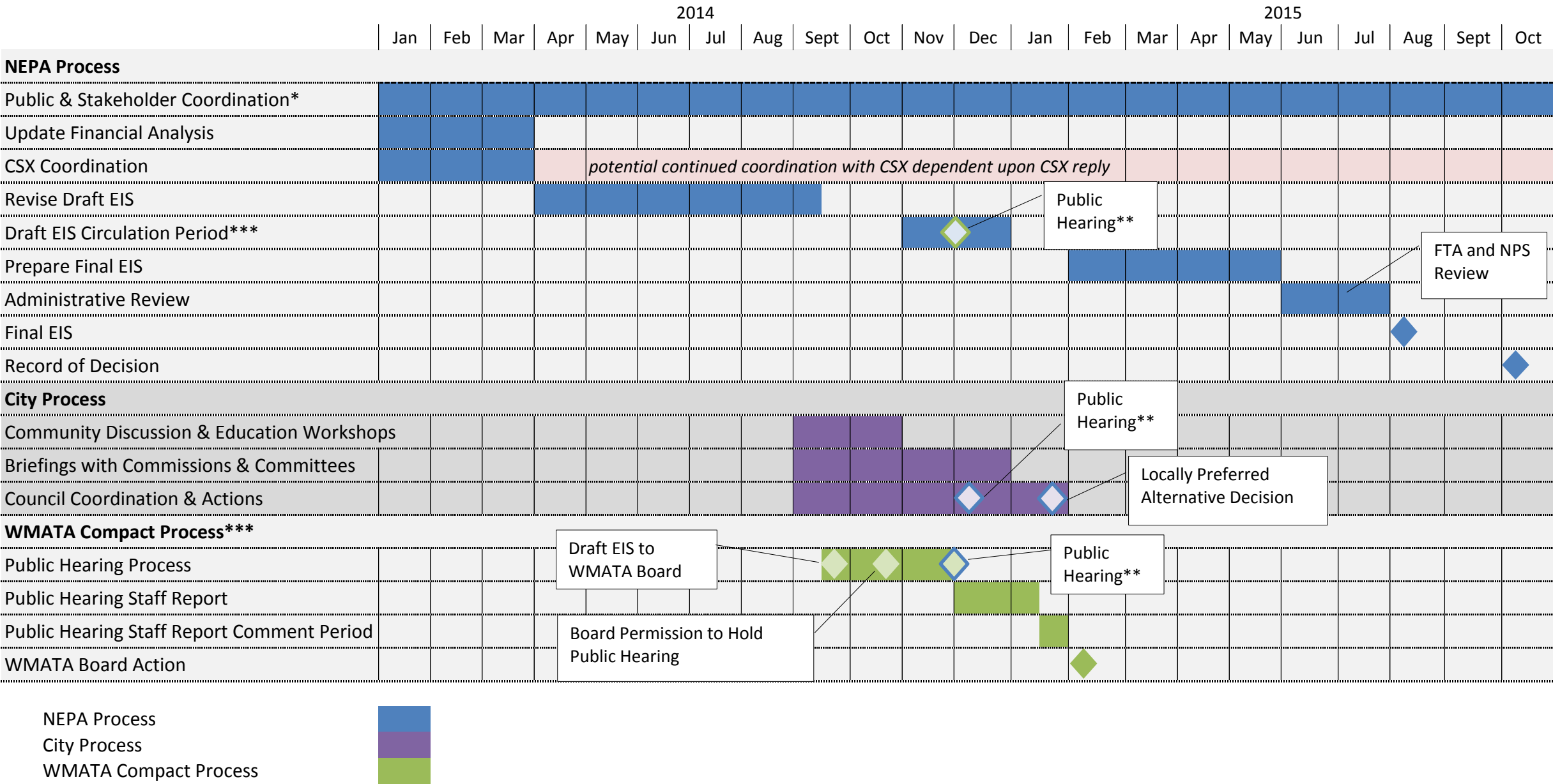
Jeffrey Farner, Deputy Director, Planning and Zoning

Antonio Baxter, Division Chief, Strategic Management Services, T&ES

Marti Reinfeld, Division Chief, Transit Services, T&ES

Lee Farmer, Principal Transportation Planner, T&ES

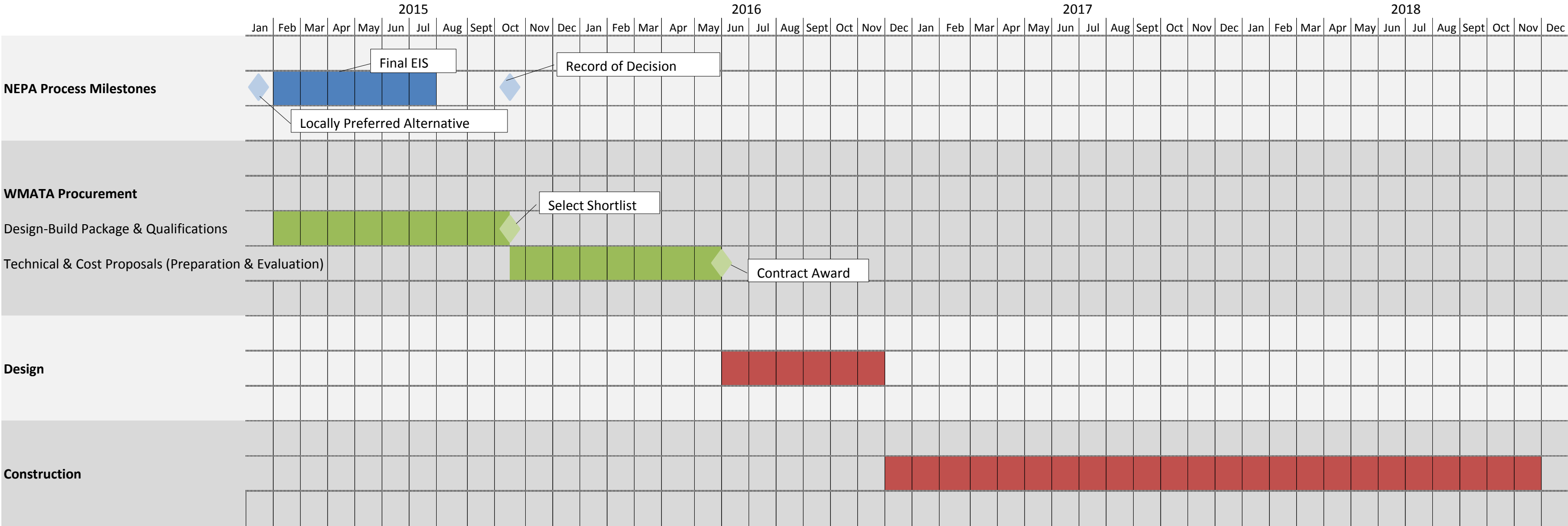
Potomac Yard Metrorail Station EIS
Projected Schedule to Complete



* If a Build alternative is selected, public and stakeholder coordination will continue throughout the design-build process. Public input will be solicited for decisions that affect the community, including design.

** Two public hearings will be held during the Draft EIS circulation period. One hearing will be held near the study area, and the other at City Hall. Comments from both public hearings will be part of the official EIS record.

*** As a cooperating agency, WMATA Board must provide permission to hold NEPA Public Hearing. Schedule assumes WMATA Board will vote in October, based on past experience. Board approval is required 30 days before public hearing. Draft EIS could be released one month earlier (and schedule accelerated) if WMATA Board takes action at the September meeting.





Legislation Details (With Text)

File #: 14-2304 **Name:** Public Hearing on the City Manager's Proposed Annual Operating Budget for FY 2015 (including Schools).

Type: Ordinance **Status:** Agenda Ready

File created: 1/7/2014 **In control:** City Council Legislative Meeting

On agenda: 3/11/2014 **Final action:**

Title: Consideration. Passage on First Reading of an Ordinance on the Proposed Real and Personal Property Tax Rates and Proposed Effective Tax Rate Increase for Calendar Year 2014 (Fiscal Year 2015).

Sponsors:

Indexes:

Code sections:

Attachments: [14-2304 OrdCover](#)
[14-2304 Ordinance](#)

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

DATE: MARCH 5, 2014

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: RASHAD M. YOUNG, CITY MANAGER/s/

DOCKET TITLE:

Consideration. Passage on First Reading of an Ordinance on the Proposed Real and Personal Property Tax Rates and Proposed Effective Tax Rate Increase for Calendar Year 2014 (Fiscal Year 2015).

ISSUE: Consideration of the Real and Personal Property Tax Rates for Calendar Year 2014 (Fiscal Year 2015).

RECOMMENDATION: That City Council will:

- (1) Pass the proposed ordinance on first reading after establishing the tax rates to be advertised for residential and commercial real property and personal property; and

- (2) Set the ordinance for public hearing on Saturday, April 12, and second reading and final passage on Thursday, May 1.

The maximum rates authorized by City Council in the attached ordinance reflect:

1. A base real estate tax rate on residential, commercial and industrial property for calendar year 2014 of \$ per one hundred dollars of assessed valuation;
2. Assumed in this proposed amount is the continued dedication of 0.6 cents for affordable housing and the continued dedication of 0.5 cents for a stormwater infrastructure trust fund account;
3. Assumed in the proposed amount is the continued reservation of 2.2 cents of the real property tax rate for transportation projects;
4. A special services district tax is proposed to continue to be levied on all real property located in the Tier I Potomac Yard Metrorail Station Special Services District at the current rate of \$0.20 per one hundred dollars of valuation.
5. Tax rates on vehicles and on other classes of personal property are not proposed to change for calendar year 2014, with the exception of mobile homes. The personal property tax rate for mobile homes is adjusted to match the real property tax rate. Section 3-2-223 has been edited to correct the rate of \$0.978 on each \$100 of assessed value to reflect the real estate tax rate set by City Council.

DISCUSSION: Under the requirements of The Code of Virginia (“The Code”), the City Council annually must establish real property and personal property tax rates for each calendar year. The Code also establishes certain advertising and public hearing requirements prior to the adoption of these property tax rates. One of these Code requirements is that the rates that Council chooses to advertise are the highest rates that Council can consider adopting when they vote on the budget and set tax rates on May 1.

It should be noted, as discussed below, that the State Code requires a separate public hearing (i.e., separate from the budget hearing on March 10th) on the real property tax rate if the rates levied for the year in which the proposed tax rate applies would increase by more than one percent (after the value of new construction has been deducted). An increase of more than one percent is termed by statute an “effective tax rate increase.” This would be the case in CY 2014 as taxes levied at the current \$1.038 rate reflect a 2.25 percent increase for all classes of real property (after the value of new construction has been deducted). It should be noted that the maximum tax rate that will be advertised may be different from the City Manager’s proposed tax rate. The tax rate that would generate the same revenue as FY 2014 is \$1.013. Also, State law requires, in the circumstance of an increase in taxes levied in excess of 1%, to maintain or increase the current real property tax rate, that a special “notice of proposed real property tax increase” in a specific format and language be placed in a local newspaper of general circulation. We plan that the separate hearing on the “effective real property tax increase” will be held on April 12th, with the special notice of the hearing date, as required specifically by State statute, printed in two newspapers prior to that hearing. The advertisements will be placed in the Washington Times and the Alexandria Gazette Packet on March 13th, 30 days prior to the public hearing.

I propose that City Council act on Tuesday, March 11th to establish the maximum real estate tax and personal property tax rates which will be advertised in advance of the April 12 public hearing on the tax ordinance to be considered.

The following is the planned schedule for calendar year 2014 (FY 2015):

<u>Date:</u>	<u>Topic:</u>
March 10	Budget Public Hearing
March 11	Council sets maximum real estate tax rates and personal property tax rate to be advertised
April 12	Public hearing on the real and personal property tax rates and property tax related ordinance
April 12	Public hearing on effective tax rate increase
May 1	Final adoption of the budget and related tax ordinances

The FY 2015 proposed operating budget reflects no increase in the real property tax rate of \$1.038 per \$100. The proposed budget and the proposed ordinance assume the continuation of the dedication of 0.6 cents of the base real estate tax rate for affordable housing and the continuation of the dedication of 0.5 cents for the Stormwater Management Infrastructure Trust Fund. The proposed budget and the proposed ordinance also assumes the continuation of the reservation of 2.2 cents for transportation projects. In addition, the proposed budget and the proposed ordinance assume the same Tier I Potomac Yard Metrorail Station Special Services District Tax Rate of 20 cents for all real property located in that District.

Below are the values attributed to dedicated taxes and Council reserved taxes.

Dedicated Taxes:		
Affordable housing:	0.6 cents	\$2.1 million
Storm Water Management:	0.5 cents	\$1.8 million
Potomac Yard Special Services:	20 cents	\$0.6 million

Council Reserved Taxes:		
Transportation Improvement:	2.2 cents	\$7.8 million

Value of one cent (on all taxable real property):	\$3.5 million
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The FY 2015 Proposed Operating budget reflects no change per \$100 of assessed value to the current various personal property tax rates:

\$5.00 for tangible vehicle personal property,

\$4.75 for business personal property,

\$3.55 for vehicles with specially designed equipment for use by the physically disabled,

\$4.50 for machinery and tools used in machinery and manufacturing business, and certain vehicles for hire, and

\$0.01 for privately-owned pleasure boats and watercraft that are used for recreational purposes only.

FISCAL IMPACT: The proposed tax of \$1.038 in the base real estate tax on each \$100 of assessed value for calendar year 2013 is expected to generate \$361.3 million in FY 2014 and \$383.4 million in FY 2015. It should be noted that the 2014 calendar year tax rate impacts the tax payment made in June 2014, which falls in

FY 2014. In the fiscal impact below, the impact of the change in tax rate will be described in terms of its effect on FY 2014 and FY 2015.

In the FY 2010 Approved Budget, the City reduced its dedication for affordable housing to 0.7 cents. The FY 2012 budget reduced the dedication to 0.6 cents of the real estate tax rate. In FY 2015, this is estimated to generate \$2.1 million, of which \$1.5 million is needed for debt service. The remaining \$0.6 million is available for affordable housing initiatives. If Council chooses to change the affordable housing dedication, a separate ordinance will be required and introduced at the time the budget is approved.

In FY 2011, City Council approved the dedication of 0.5 cents for stormwater management. The half cent is expected to generate an estimated \$1.8 million in both FY 2014 and FY 2015 and will be used primarily for capital projects related to maintenance and improvements of the City's stormwater infrastructure.

The Tier I Potomac Yard Special Services tax rate of 20 cents is projected to raise \$0.6 million in Calendar Year 2014.

ATTACHMENTS:

Attachment 1 - Ordinance Cover

Attachment 2 - Proposed Ordinance

STAFF:

Laura Triggs, Chief Financial Officer

Nelsie L. Smith, Budget Director

Morgan Routt, Assistant Budget Director

1 Introduction and first reading: 02/25/2014
2 Public hearing: 04/12/2014
3 Second reading and enactment: 05/01/2014
4

5 INFORMATION ON PROPOSED ORDINANCE
6

7 Title
8

9 AN ORDINANCE to amend and reordain Section 3-2-181 (LEVIED; AMOUNT),
10 Section 3-2-188 (CLASSIFICATION AND TAXATION OF CERTAIN
11 COMMERCIAL AND INDUSTRIAL REAL PROPERTY), and Section 3-2-189
12 (TIER I POTOMAC YARD METRORAIL STATION SPECIAL ASSESSMENT
13 DISTRICT TAX) of Division 1, (REAL ESTATE), and Section 3-2-221
14 (LEVIED ON TANGIBLE PERSONAL PROPERTY OTHER THAN MOBILE
15 HOMES, AUTOMOBILES, TRUCKS, ANTIQUE MOTOR VEHICLES,
16 TAXICABS, MOTOR VEHICLES WITH SPECIALLY DESIGNED
17 EQUIPMENT FOR USE BY THE HANDICAPPED, MOTORCYCLES,
18 CAMPERS AND OTHER RECREATIONAL VEHICLES, BOATS AND
19 TRAILERS; AMOUNT), Section 3-2-222 (LEVIED ON MACHINERY AND
20 TOOLS USED IN MINING OR MANUFACTURING BUSINESS; AMOUNT),
21 Section 3-2-223 (LEVIED ON MOBILE HOMES; AMOUNT), Section 3-2-224
22 (LEVIED ON AUTOMOBILES, TRUCKS, TRAILERS, SEMI-TRAILERS,
23 ANTIQUE MOTOR VEHICLES, TAXICABS, MOTORCYCLES, CAMPERS
24 AND OTHER RECREATIONAL VEHICLES, BOATS AND TRAILERS;
25 AMOUNT) of Division 3 (TANGIBLE PERSONAL PROPERTY AND
26 MACHINERY AND TOOLS), all of Article M (LEVY AND COLLECTION OF
27 PROPERTY TAXES), Chapter 2 (TAXATION), Title 3 (FINANCE,
28 TAXATION AND PROCUREMENT) of The Code of the City of Alexandria,
29 Virginia, 1981, as amended.
30

31 Summary
32

33 The proposed ordinance sets the city's calendar year 2014 general tax rates for (1)
34 real property; (2) personal property; (3) machinery and tools; (4) for the additional
35 real property taxes assessed on commercial and industrial real property; and (5)
36 real property located in the special services tax district located in the Tier I
37 Potomac Yard Metrorail Station Special Services District.
38

39 0.6 cents of the calendar year 2014 real estate tax rate continues to be set aside for
40 affordable housing. 0.5 cents of the calendar year 2014 real estate tax rate
41 continues to be set aside for the Storm Water Trust Fund. It is assumed in the
42 proposed amount is the continued reservation of 2.2 cents of the real property tax
43 rate for transportation projects.
44

45 The ordinance sets the calendar year 2014 real property tax rate at \$_____ on
46 each \$100 of assessed value.

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The special services district tax for real property located in the Tier I Potomac Yard Metrorail Station Special Services District remains unchanged from calendar year 2013.

The ordinance for calendar year 2014, will not levy an additional real property tax on all commercial and industrial property in the City (i.e. tax rate will be \$0 per \$100 of assessed value).

Tax rates on vehicles and on other classes of personal property are not proposed to change for calendar year 2014, with the exception of mobile homes. The personal property tax rate for mobile homes is adjusted to match the real property tax rate. Section 3-2-223 has been edited to correct the rate of \$0.978 on each \$100 of assessed value to reflect the real estate tax rate set by City Council.

Sponsor

Staff

Laura Triggs, Chief Financial Officer
Nelsie L. Smith, Budget Director
Christina Zechman Brown, Assistant City Attorney

Authority

Article X, § 4, Virginia Constitution
§§ 2.02(a)(1), 6.15 Alexandria City Charter
§ 15.2-2400 et seq., Code of Virginia
§ 58.1-3221.3, Code of Virginia

Estimated Costs of Implementation

None.

Attachments in Addition to Proposed Ordinance and its Attachments (if any)

None.

ORDINANCE NO. _____

AN ORDINANCE to amend and reordain Section 3-2-181 (LEVIED; AMOUNT), Section 3-2-188 (CLASSIFICATION AND TAXATION OF CERTAIN COMMERCIAL AND INDUSTRIAL REAL PROPERTY), and Section 3-2-189 (TIER I POTOMAC YARD METRORAIL STATION SPECIAL SERVICES DISTRICT TAX) of Division 1, (REAL ESTATE), and Section 3-2-221 (LEVIED ON TANGIBLE PERSONAL PROPERTY OTHER THAN MOBILE HOMES, AUTOMOBILES, TRUCKS, ANTIQUE MOTOR VEHICLES, TAXICABS, MOTOR VEHICLES WITH SPECIALLY DESIGNED EQUIPMENT FOR USE BY THE HANDICAPPED, MOTORCYCLES, CAMPERS AND OTHER RECREATIONAL VEHICLES, BOATS AND TRAILERS; AMOUNT), Section 3-2-222 (LEVIED ON MACHINERY AND TOOLS USED IN MINING OR MANUFACTURING BUSINESS; AMOUNT), Section 3-2-223 (LEVIED ON MOBILE HOMES; AMOUNT), Section 3-2-224 (LEVIED ON AUTOMOBILES, TRUCKS, TRAILERS, SEMI-TRAILERS, ANTIQUE MOTOR VEHICLES, TAXICABS, MOTORCYCLES, CAMPERS AND OTHER RECREATIONAL VEHICLES, BOATS AND TRAILERS; AMOUNT) of Division 3 (TANGIBLE PERSONAL PROPERTY AND MACHINERY AND TOOLS), all of 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 3-2-181 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. 3-2-181 Levied; amount.

There shall be levied and collected for the calendar year 20134 on all real estate located within the territorial boundaries of the city and subject to taxation for city purposes under the constitution and laws of this state and city, a tax of \$_____ on each \$100 of the assessed residential property value thereof and \$_____ on each \$100 of the assessed commercial residential property value thereof, for the support of the city government, for the payment of principal and interest of the city debt and for other municipal expenses and purposes.

Section 2. That Sec. 3-2-188 of The Code of the City of Alexandria, 1981 as amended, be, and the same hereby is, amended and reordained to read as follows:

Sec. 3-2-188 Classification and taxation of certain commercial and industrial real property.

(a) Pursuant to the authority granted by Section 58.1-3221.3 of the Code of Virginia (1950), as amended, all commercial and industrial real property in the City of Alexandria classified by the General Assembly as a separate class of real property for local taxation shall be designated, assessed and taxed as a separate class of real property. Such separate class of real

1 property shall not include any residential uses excluded by Section 58.1-3221.3 of the Code of
2 Virginia.

3
4 (b) In addition to all other taxes and fees permitted by law, the class of real property
5 designated in this section may, and if imposed by ordinance shall, be subject to a real property
6 tax, in addition to that imposed by City Code Section 3-2-181 and any other applicable law, at
7 the rate established by the City Council of the City of Alexandria not to exceed the rate
8 authorized by the Code of Virginia.

9
10 (c) All revenues generated from the real property tax imposed by this Section
11 3-2-188 shall be used exclusively for transportation-related projects and services that benefit
12 the City of Alexandria.

13
14 (d) The real property tax imposed by this Section 3-2-188 shall be levied, administered,
15 enforced and collected in the same manner as set forth in Subtitle III of Title 58.1 of the Code of
16 Virginia and Chapter 2 of this Title for the levy, administration, enforcement and collection of
17 local taxes.

18
19 (e) The director of the department of real estate assessments shall separately assess and
20 set forth upon the City of Alexandria's land book the fair market value of that property that is
21 designated as a separate class of real property in accordance with the provisions of this section.

22
23 (f) There shall be levied and collected for the calendar year 2013~~4~~ on all real estate
24 located within the territorial boundaries of the city and subject to taxation pursuant to this
25 section, a tax of \$___ on each \$100 of the assessed value thereof, for the purposes set forth in
26 subsection (c) above.

27
28 Section 3. That Section 3-2-189 of The Code of the City of Alexandria, Virginia, 1981,
29 as amended, be, and the same hereby is, amended and reordained to read as follows:

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31 Sec. 3-2-189 Tier I Potomac Yard Metrorail Station Special Services District Tax.

32
33 (a) Pursuant to the authority granted by Section 15.2-2400, et seq. of the Code of
34 Virginia (1950), as amended, all real property located in the Tier I Potomac Yard Metrorail
35 Station Special Services District, established pursuant to Ordinance Number 4693, classified by
36 the city council as a separate class of real property for local taxation shall be designated, assessed
37 and taxed as a separate class of real property.

38
39 (b) In addition to all other taxes and fees permitted by law, the class of real property
40 designated in this section may, and if imposed by ordinance shall, be subject to a real property
41 tax, in addition to that imposed by city code section 3-2-181 and any other applicable law, at the
42 rate established by the city council of the City of Alexandria.

43
44 (c) As detailed in Ordinance Number 4693, all revenues generated from the real property
45 tax imposed by this Section 3-2-189 shall be used exclusively for the purpose of providing
46 facilities and services related to the construction of the Potomac Yard Metro Station in the City

1 of Alexandria and the construction of a pedestrian bridge from Potomac Greens to Potomac
2 Yard.

3
4 (d) The real property tax imposed by this section 3-2-189 shall be levied, administered,
5 enforced and collected in the same manner as set forth in Subtitle III of Title 58.1 of the Code of
6 Virginia and chapter 2 of this title for the levy, administration, enforcement and collection of
7 local taxes.

8
9 (e) The director of the department of real estate assessments shall separately assess and
10 set forth upon the City of Alexandria's land book the fair market value of that property that is
11 designated as a separate class of real property in accordance with the provisions of this section.

12
13 (f) There shall be levied and collected for the calendar year 2013~~4~~ on all real estate
14 located within the territorial boundaries of the city and subject to taxation pursuant to this
15 section, a tax of \$0.20 on each \$100 of the assessed value thereof, for the purposes set forth in
16 subsection (c) above.

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18 Section 4. That Section 3-2-221 of The Code of the City of Alexandria, Virginia, 1981,
19 as amended, be, and the same hereby is, amended and reordained to read as follows:

20
21 Sec. 3-2-221 Levied on tangible personal property other than mobile homes, automobiles,
22 trucks, antique motor vehicles, taxicabs, motor vehicles with specially designed
23 equipment for use by the handicapped, motorcycles, campers and other
24 recreational vehicles, boats and boat trailers; amount.

25
26 There shall be levied and collected for the calendar year 2013~~4~~ on all tangible personal
27 property, other than mobile homes, automobiles, trucks, antique motor vehicles, taxicabs, motor
28 vehicles with specially designed equipment for use by the handicapped, motorcycles, campers
29 and other recreational vehicles, boats and trailers, owned or held by residents or citizens of the
30 city or located within the territorial boundaries of the city or otherwise having a situs within the
31 city and subject to taxation for city purposes under the constitution and laws of this state and
32 city, a tax of \$4.75 on every \$100 of assessed value thereof, for the support of the city
33 government, for the payment of principal and interest of the city debt and for other municipal
34 expenses and purposes.

35
36 Section 5. That Section 3-2-222 of The Code of the City of Alexandria, Virginia, 1981,
37 as amended, be, and the same hereby is, amended and reordained to read as follows:

38
39 Sec. 3-2-222 Levied on machinery and tools used in mining or manufacturing business;
40 amount.

41
42 There shall be levied and collected for the calendar year 2013~~4~~ on all machinery and
43 tools used in a mining or manufacturing business taxable on capital and subject to taxation for
44 city purposes under the constitution and laws of this state and city, a tax of \$4.50 on each \$100
45 of assessed value thereof, for the support of the city government, for the payment of principal
46 and interest of the city debt and for other municipal expenses and purposes.

Section 6. That Section 3-2-223 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. 3-2-223 Levied on mobile homes; amount.

There shall be levied and collected for the calendar year 2013~~4~~ on all vehicles without motor power, used or designed to be used as mobile homes as defined in section 46.2-100 of the Code of Virginia, owned or held by residents or citizens of the city or located within the territorial boundaries of the city or otherwise having a situs within the city and subject to taxation for city purposes under the constitution and laws of this state and city, a tax of \$_____ on each \$100 of assessed value thereof, for the support of the city government, for the payment of principal and interest of the city debt and for other municipal expenses and purposes.

Section 7. That Section 3-2-224 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. 3-2-224 Levied on automobiles, trucks, trailers, semi-trailers, antique motor vehicles, taxicabs, motorcycles, campers and other recreational vehicles, boats and trailers; amount.

(a) Except as provided in subsections (b), (c) and (d), there shall be levied and collected for the calendar year 2013~~4~~ on all automobiles, trucks, trailers, semi-trailers, antique motor vehicles (as defined in Section 46.2-100 of the Code of Virginia, 1950, as amended, which may be used for general transportation purposes as provided in subsection C of Section 46.2-730 of the Code of Virginia, 1950, as amended), taxicabs, motorcycles, campers and other recreational vehicles, boats and boat trailers owned or held by residents or citizens of the city or located within the territorial boundaries of the city or otherwise having a situs for taxation in the city, a tax of \$5.00 on every \$100 of assessed value thereof, for the support of the city government, for the payment of principal and interest of the city debt and for other municipal expenses and purposes.

(b) There shall be levied on and collected for the calendar year 2013~~4~~ on all automobiles, trucks, trailers and semi-trailers with a gross vehicle weight of 10,000 pounds or more which are used to transport property for hire by a motor carrier engaged in interstate commerce, and are owned or held by residents or citizens of the city, are located within the territorial boundaries of the city or otherwise have a situs for taxation in the city, a tax of \$4.50 on every \$100 of assessed value thereof, for the support of the city government, for the payment of principal and interest of the city debt and for other municipal expenses and purposes.

(c) There shall be levied on and collected for the calendar year 2013~~4~~ on all automobiles and trucks which are equipped with specially designed equipment for use by the handicapped and are owned or held by residents or citizens of the city, are located within the territorial boundaries of the city or otherwise have a situs for taxation in the city, a tax of \$3.55 on every \$100 of assessed value thereof, for the support of the city government, for the payment of principal and interest of the city debt and for other municipal expenses and purposes.

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2 (d) There shall be levied on and collected for the calendar year 20134 on all privately
3 owned pleasure boats and watercraft, which are used for recreational purposes only, and are
4 owned or held by residents or citizens of the city, or are located within the territorial boundaries
5 of the city or otherwise have a situs for taxation in the city, a tax of \$.01 on every \$100 of
6 assessed value thereof, for the support of the city government, for the payment of principal and
7 interest of the city debt and for other municipal expenses and purposes.
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9 (e) For tax years commencing in 2006, the city adopts the provisions of Item 503.E of
10 Chapter 951 of the 2005 Acts of Assembly (the 2005 revisions to the 2004-06 Appropriations
11 Act, the "2005 Appropriations Act"), providing for the computation of tax relief under the
12 Personal Property Tax Relief Act of 1998, Section 58.1-3523 et seq. of the Code of Virginia, as
13 amended, as a specific dollar amount to be offset against the total taxes that would otherwise be
14 due but for the Personal Property Tax Relief Act of 1998, Section 58.1-3523 et seq. of the Code
15 of Virginia, as amended, and the reporting of such specific dollar relief on the tax bill.
16

17 (i) The city shall, following adoption of the annual budget adopted pursuant to Chapter
18 25 of Title 15.2 of the Code of Virginia and Sections 6.01 through 6.15 of the City Charter, set
19 the rates of tax relief under this subsection at such a level that it is anticipated fully to exhaust
20 relief funds under the Personal Property Tax Relief Act of 1998, Section 58.1-3523 et seq. of the
21 Code of Virginia, as amended, provided to the city by the Commonwealth.
22

23 (ii) Personal property tax bills shall set forth on their face the specific dollar amount of
24 relief under this subsection credited with respect to each qualifying vehicle, together with an
25 explanation of the general manner in which such relief is allocated.
26

27 (iii) Allocation of relief under this subsection shall be provided in accordance with the
28 general provisions of this section, as implemented by resolution relating to relief under this
29 subsection.
30

31 (iv) Relief under this subsection shall be allocated in such a manner as to eliminate
32 personal property taxation of each qualifying vehicle with an assessed value of \$1,000 or less.
33

34 (v) Relief under this subsection with respect to qualifying vehicles with assessed values
35 of more than \$1,000 shall be provided at the following rates, annually fixed by resolution, that
36 achieve to the extent feasible the following general relationships between the rates applicable to
37 classes of vehicle value established herein and that is estimated fully to use all relief funds under
38 the Personal Property Tax Relief Act of 1998, Sections 58.1-3523 et seq. of the Code of Virginia,
39 as amended, provided to the city by the eCommonwealth:
40

41 (A) Relief with respect to vehicle value up to and including \$20,000 shall be provided at
42 a rate that is approximately 15 percent higher than that applied to vehicle value described in
43 subsection (B) of this section;
44

1 (B) Relief with respect to vehicle value in excess of \$20,000, but not more than \$25,000,
2 and applied to the first \$20,000 in value, shall be provided at a rate that is approximately 15
3 percent higher than that applied to vehicle value described in subsection (C) of this section; and
4

5 (C) Relief with respect to vehicles in excess of \$25,000, and applied to the first \$20,000
6 in value.
7

8 Section 8. That this ordinance shall become effective January 1, 2014, nunc pro tunc.
9

10
11 WILLIAM D. EUILLE
12 Mayor
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14

15 Introduction: 02/25/2014
16 First Reading: 02/25/2014
17 Publication:
18 Public Hearing: 04/12/2014
19 Second Reading: 05/01/2014
20 Final Passage: 05/01/2014
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Legislation Details (With Text)

File #: 14-2430 **Name:**
Type: Resolution **Status:** Agenda Ready
File created: 2/7/2014 **In control:** City Council Legislative Meeting
On agenda: 3/11/2014 **Final action:**
Title: Consideration of a Resolution to Establish a Policy Advisory Group for the Van Dorn/Beauregard Transitway Alternatives Analysis/Environmental Assessment. [ROLL-CALL VOTE]
Sponsors:
Indexes:
Code sections:
Attachments: [14-2430 Attachment 1 PAG Resolution](#)
[14-2430 Attachment 2 Recommended Alignment](#)
[14-2430 Attachment 3 Van Dorn Beauregard AA EA](#)

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

DATE: MARCH 5, 2014
TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: RASHAD M. YOUNG, CITY MANAGER/s/

DOCKET TITLE:

Consideration of a Resolution to Establish a Policy Advisory Group for the Van Dorn/Beauregard Transitway Alternatives Analysis/Environmental Assessment. [ROLL-CALL VOTE]

ISSUE: Establishment of a Policy Advisory Group (PAG) for the Van Dorn/Beauregard Transitway (Corridor C) Alternatives Analysis/Environmental Assessment (AA/EA).

RECOMMENDATION: That City Council:

- (1) Approve the resolution establishing a Van Dorn/Beauregard Transitway Policy Advisory Group as discussed below
- (2) Request that the Chairs of the Transportation Commission, Planning Commission, Environmental Policy Commission, Budget and Fiscal Affairs Advisory Committee each nominate a member of their group to serve on the Advisory Group; and

- (3) Authorize the City Manager to appoint the remaining members and designate the Chair of the Advisory Committee

BACKGROUND: The City's Transportation Master Plan, adopted by Council in 2008, identified three priority corridors that would offer high-quality, high capacity, and reliable transit service within the City. These three corridors (Route 1, Duke Street/Eisenhower Avenue, and Van Dorn/Beauregard) connect existing and future development areas that have high densities of residential land use, major activity and employment centers, and connectivity to regional transit including the City's existing and future Metrorail stations.

In 2010, the City began the Transitway Corridor Feasibility Study. As part of the study, a High Capacity Transit Corridor Work Group (CWG) was formed to provide input on issues such as route alignment, cross-sections, methods of operation, vehicle type, land use, ridership, and financial implications for all three corridors.

The project team conducted an analysis of existing conditions, needs and alternatives, and presented these to the CWG. For the Van Dorn/Beauregard corridor, an initial set of seven alternatives was screened and four alternatives were carried forward for a more in-depth evaluation. Based on this analysis, the CWG made the following recommendation for the corridor on May 19, 2011:

"Alternative D (Bus Rapid Transit in dedicated lanes between Pentagon and Van Dorn Metro) is the preferred alternative for phased implementation of transit in dedicated lanes in Corridor C (Beauregard/Van Dorn) until such time as Alternative G (Streetcar in dedicated lanes between Pentagon and Van Dorn Metro, via Columbia Pike) becomes feasible and can be implemented."
(Attachment 2)

City Council held a public hearing on September 17, 2011. Following the public hearing, the City Council adopted the recommendation of the CWG, with the addition that staff optimize the alignment to better serve the Northern Virginia Community College.

In December 2013, the City kicked off an Alternatives Analysis (AA) and Environmental Assessment (EA) to analyze and refine the alignment as defined by the CWG and City Council, and to identify any impacts and potential mitigation associated with the recommended alternative. The study is partially funded by a grant from the Federal Transit Administration (FTA) and is the first step towards applying for a federal Small Starts grant for project design and construction.

The AA will evaluate three alternatives developed with input from FTA:

- (1) The No Build Alternative includes the existing and planned transportation network
- (2) The Transportation Systems Management Alternative includes system improvements such as transit-signal priority but stops short of a major capital investment such as dedicated lanes
- (3) The Build Alternative includes dedicated transit lanes between the Van Dorn Metrorail Station and the Pentagon as described above

At the outset of the AA, the project team will also focus on defining a Build Alternative. This requires additional analysis to resolve specific issues related to the project alignment and cross section, including:

- Optimizing service to the Northern Virginia Community College, particularly in light of the recent Campus Master Plan;
- Balancing stop spacing along the corridor to best serve existing and planned development while at the same time keeping the "rapid" in "bus rapid transit;"
- Refining access to Landmark Mall based on recent development plans; and

- Determining the initial curb-to-curb cross section required to achieve dedicated lanes along Van Dorn Street.

The results of the AA will provide information to local officials on the benefits, costs, and impacts of each alternative so that a Locally Preferred Alternative (LPA) can be identified. The AA process will also identify local funding sources for implementation and operation. The work completed during the AA will support the City's potential application for federal Small Starts competitive grant funding and will also provide baseline information for the completion of the environmental review process and preliminary engineering.

The EA (which follows the AA if the AA does not select a No Build Alternative) will evaluate potential transportation, socio-economic and environmental effects, focused directly on issues concerning the public, the FTA, and state and local agencies. The EA will analyze construction impacts as well as longer-term effects resulting from the project, and will identify mitigation measures as appropriate. If the project receives a Finding of No Significant Impact (FONSI) following completion of the EA, the project will be eligible for federal funding.

DISCUSSION: Staff is recommending appointment of a Policy Advisory Group (PAG) that will provide guidance on the project. Larger community meetings will complement the PAG, focusing on providing information and soliciting feedback from the public. The project team will supplement public meetings with non-traditional outreach activities, such as tours of the corridor and booths at community events. The project team will also make use of the internet and social media to engage the public in the process. Public input will be sought at specific points in the process, aligned with the PAG tasks as described below.

Mission: The mission of the PAG is to provide input on key deliverables and project recommendations related to the Van Dorn/Beauregard Transitway AA/EA.

Tasks: Members of the PAG will be responsible for reviewing and providing guidance on issues, including:

- Definition of the project Purpose and Need
- Refinement of alternatives
- Evaluation measures and priorities
- Evaluation results and determination of the LPA
- Results of the environmental analysis

Advisory Group Composition: The PAG is proposed to consist of nine members. The City Manager will designate one of the members to serve as the Chair of the Committee. The PAG is proposed to have the following representation:

Transportation Commission	(1)
Planning Commission	(1)
Environmental Policy Commission	(1)
Budget and Fiscal Affairs Advisory Committee	(1)
Professional in the transit industry	(1)
Community representatives	(3)
Developer representative	(1)
Total	(9 members)

The Chairs of the above-named groups will be asked to nominate a member of their group to serve on the PAG.

The remaining slots will be appointed by the City Manager based on a call for nominations publicized through the City's eNews service, notices to civic, community, and business associations, and the City website.

Process and Reporting: The PAG will rely on the following to guide decision-making:

- Formal voting will only be used to get a sense of the group preferences
- In cases where common ground cannot be identified, dissenting members may include a minority opinion report or letter to ensure an accurate reflection of the viewpoints of the PAG
- The PAG will support the public outreach process by reporting back to the boards, commissions, groups and civic groups that they represent and communicate to the PAG any positions, comments, or advice from the groups they represent

Expectations of Members:

- Attend all meetings. When absence is unavoidable, members are encouraged to review all information and complete any assignments provided for the missed meeting;
- Arrive at meetings prepared by completing any assigned reading or tasks; and
- Serve as a conduit to the community or commissions by keeping them informed of the activities of the planning effort and bringing their ideas and concerns back to the group.

Responsibilities of the Chair:

- Presiding over meetings;
- Serving as a spokesperson for the PAG; and
- Working with City staff to set agendas for PAG meetings.

Communication and Outreach: Consistent with the principles of *What's Next Alexandria*, City staff will keep the public informed of the schedule, issues, materials and progress of the PAG through the project webpage as well as other outreach methods including eNews, social media, and community volunteers. PAG meetings will be open to the public.

Staff Support: Department of Transportation and Environmental Services (T&ES) staff, supplemented by a consultant team and staff from other departments, will provide support to the PAG.

Next Steps: It is intended that the PAG will begin meeting in Spring 2014 and will meet regularly throughout the process to discuss the topics outlined above.

Sunset: The PAG will sunset upon submission of the Environmental Assessment document to the Federal Transit Administration.

FISCAL IMPACT: The support provided by staff will be conducted within the allocated operational budgets for each department, and the support provided by consultants has been assumed in their contract. No additional funding will be needed to help coordinate the PAG tasks.

ATTACHMENTS:

Attachment 1: Resolution

Attachment 2: Recommended Alignment

Attachment 3: Presentation

STAFF:

Mark Jinks, Deputy City Manager

Richard Baier, Director, Department of Transportation and Environmental Services
Jerome Fletcher, Special Assistant to the City Manager
Sandra Marks, Acting Deputy Director, T&ES
Antonio Baxter, Division Chief, Strategic Management Services, T&ES
Marti Reinfeld, Division Chief, Transit Services, T&ES
Lee Farmer, Principal Transportation Planner, T&ES

ATTACHMENT 1

RESOLUTION NO. _____

WHEREAS, City Council wishes to establish a Van Dorn/Beauregard Transitway Policy Advisory Group;
and

WHEREAS, the Van Dorn/Beauregard Transitway Policy Advisory Group will comment on the Van Dorn/Beauregard Transitway Alternatives Analysis/Environmental Assessment (AA/EA), and conduct specified tasks outlined in this resolution.

**NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL OF ALEXANDRIA, VIRGINIA:**

1. That there is hereby established the Van Dorn/Beauregard Transitway Policy Advisory Group (the "Advisory Group").
2. That the Advisory Group shall consist of 9 members, and the composition of the group shall be as follows:

Transportation Commission member	(1)
Planning Commission member	(1)
Environmental Policy Commission member	(1)
Budget and Fiscal Affairs Advisory Committee member	(1)
Professional in Transit field	(1)
Community representatives	(3)
Developer representative	(1)
Total	(9)

3. That the Chairs of the above named groups shall nominate a member of their group to serve on the Advisory Group.
4. That the remaining slots will be appointed by the City Manager based on a call for nominations publicized through the City's eNews service, notices to civic, community, and business associations, and the City website.
5. That the City Manager shall designate the Chair of the Advisory Group.
6. That the mission of the Advisory Group shall be to provide input on key deliverables and project recommendations related to the Van Dorn/Beauregard Transitway AA/EA.

7. That the Advisory Group shall review and provide guidance on:
 - a. Definition of the project Purpose and Need;
 - b. Refinement of alternatives;
 - c. Evaluation measures and priorities;
 - d. Evaluation results and determination of the LPA; and
 - e. Results of the environmental analysis.
8. That the Advisory Group need not necessarily develop a consensus position, broker a compromise or take formal votes. There may be differing opinions reported to City Council.
9. That staff assistance to the Advisory Group shall be managed by the Department of Transportation and Environmental Services with assistance from other City departments and offices as needed.
10. That the Advisory Group shall meet on a regular basis.
11. That the Advisory Group shall sunset no later than submission of an Environmental Assessment document to the Federal Transit Administration.

Adopted:

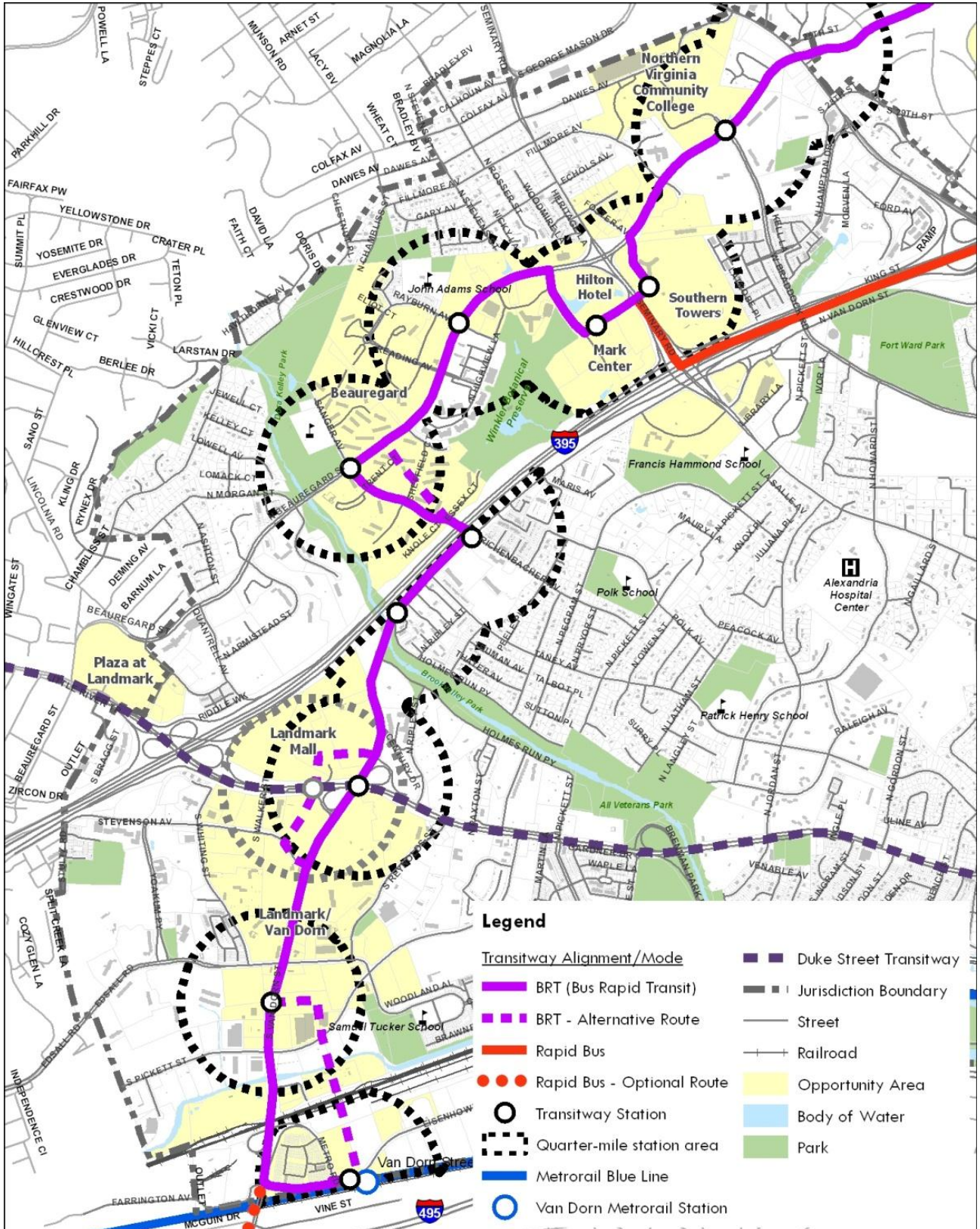
WILLIAM D. EUILLE MAYOR

ATTEST:

Jacqueline M. Henderson, MMC City Clerk

Corridor C – Van Dorn / Beauregard

Alternative D – BRT in Dedicated Lanes between Van Dorn Metro and Shirlington and Pentagon





Van Dorn/Beauregard Transitway Alternatives Analysis/ Environmental Assessment

City Council

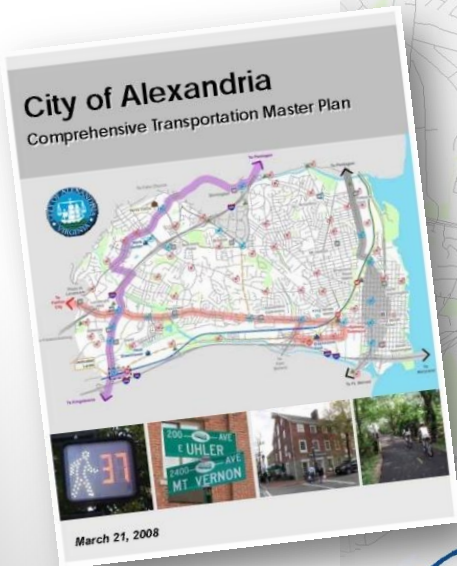
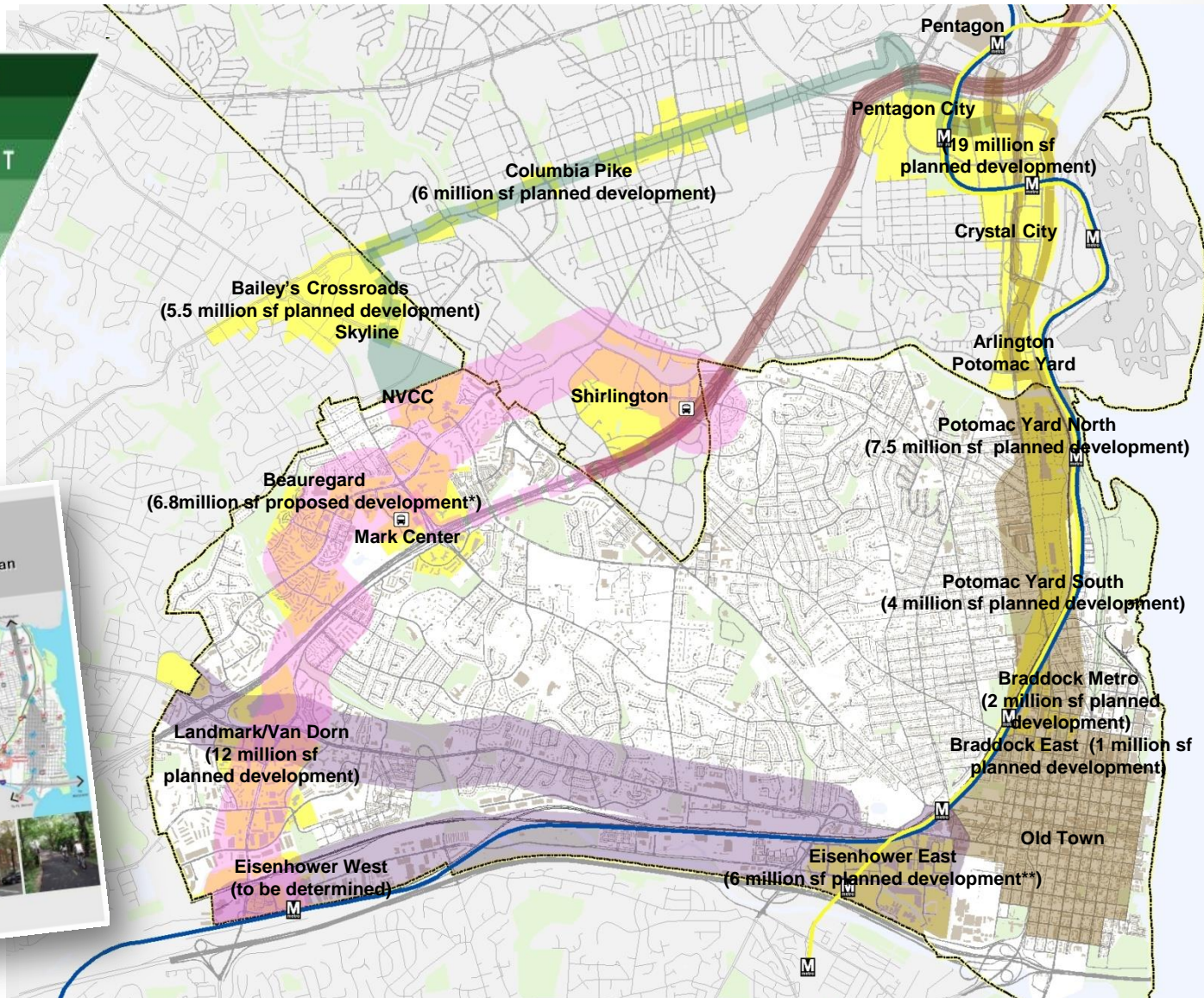
March 11, 2014

Overview

- Update on Van Dorn/Beauregard Transitway
- Establishment of a Van Dorn/Beauregard Transitway Policy Advisory Group

City Transitway Initiative

PEDESTRIANS
BICYCLES
PUBLIC TRANSIT
COMMERCIAL VEHICLES
TAXIS
HIGH OCCUPANCY VEHICLES
SINGLE OCCUPANCY VEHICLES



Van Dorn/Beauregard Transitway

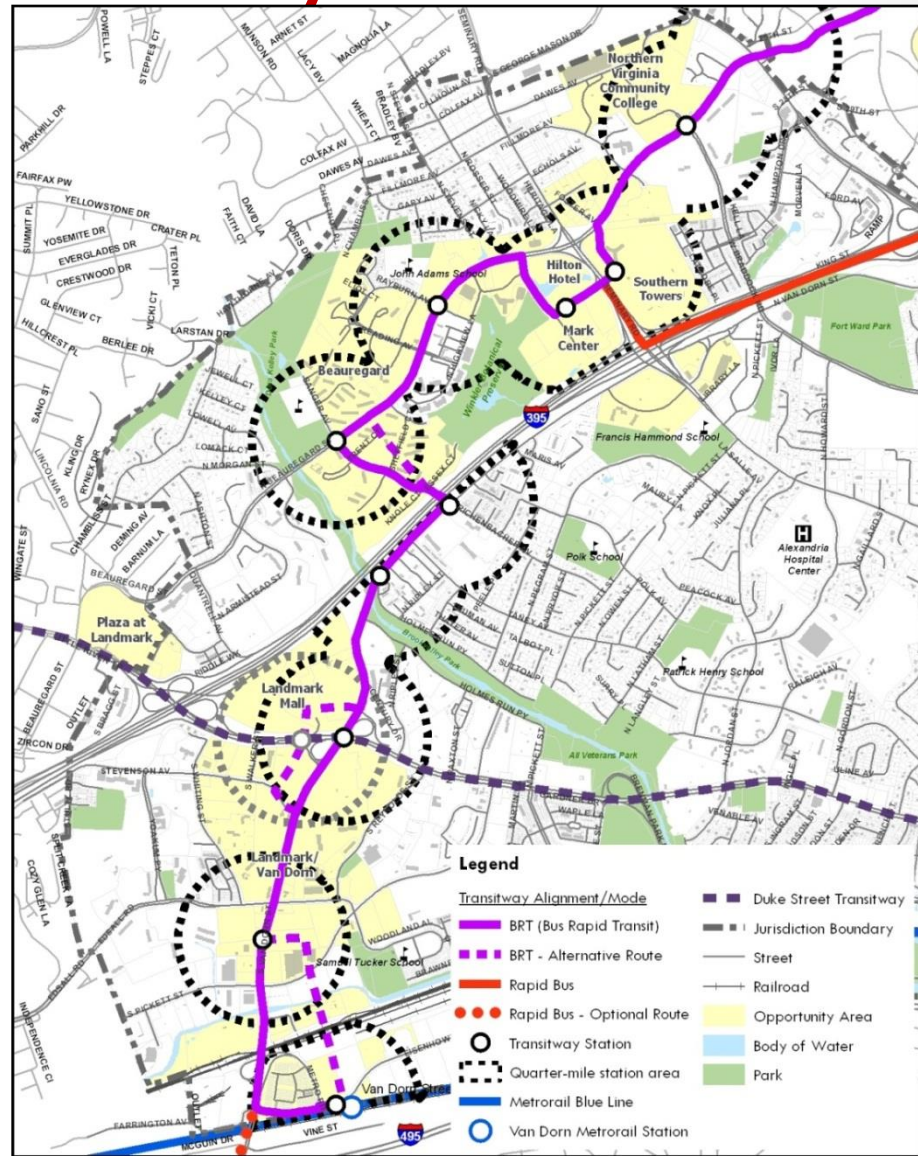
Bus Rapid Transit in Dedicated Lanes from Van Dorn Metro to Pentagon

Physical Characteristics

- Low-floor BRT vehicles
- Dedicated lanes (~80% to 90% of corridor)
- Off-board fare collection
- Service specific branding and identity
- Substantial transit stations
- Potential to convert to streetcar in future

Operational Characteristics

- Transit signal priority at intersections
- Real-time passenger information
- High frequency and long span of service
- Weekday ridership estimate of 12,500 to 17,500 daily in 2035



Alternatives Analysis/ Environmental Assessment

- Additional planning work necessary to apply for federal funding
- Alternatives Analysis (AA)
 - Evaluates several alternatives
 - Provides information on benefits, costs, and impacts, so that a locally preferred alternative can be identified
- Environmental Assessment (EA)
 - Analyzes potential transportation, social, economic, and environmental impacts of preferred alternative
 - Identifies mitigation measures, as necessary

Alternatives Analysis

- Three alternatives:
 - Build Alternative
 - Dedicated transit lanes between Van Dorn Metrorail Station and the Pentagon
 - Transportation Systems Management Alternative
 - System changes to improve speed and reliability
 - No major capital investment like dedicated lanes
 - No Build Alternative
 - Existing and planned transportation network

Policy Advisory Group

Mission

Provide input on key deliverables and project recommendations related to the Van Dorn/Beauregard Transitway AA/EA

Tasks

Review and provide guidance on:

- Definition of project Purpose and Need
- Refinement of alternatives
- Evaluation measures and priorities
- Evaluation results and determination of Locally Preferred Alternative
- Results of the environmental analysis

Advisory Group

Proposed Composition

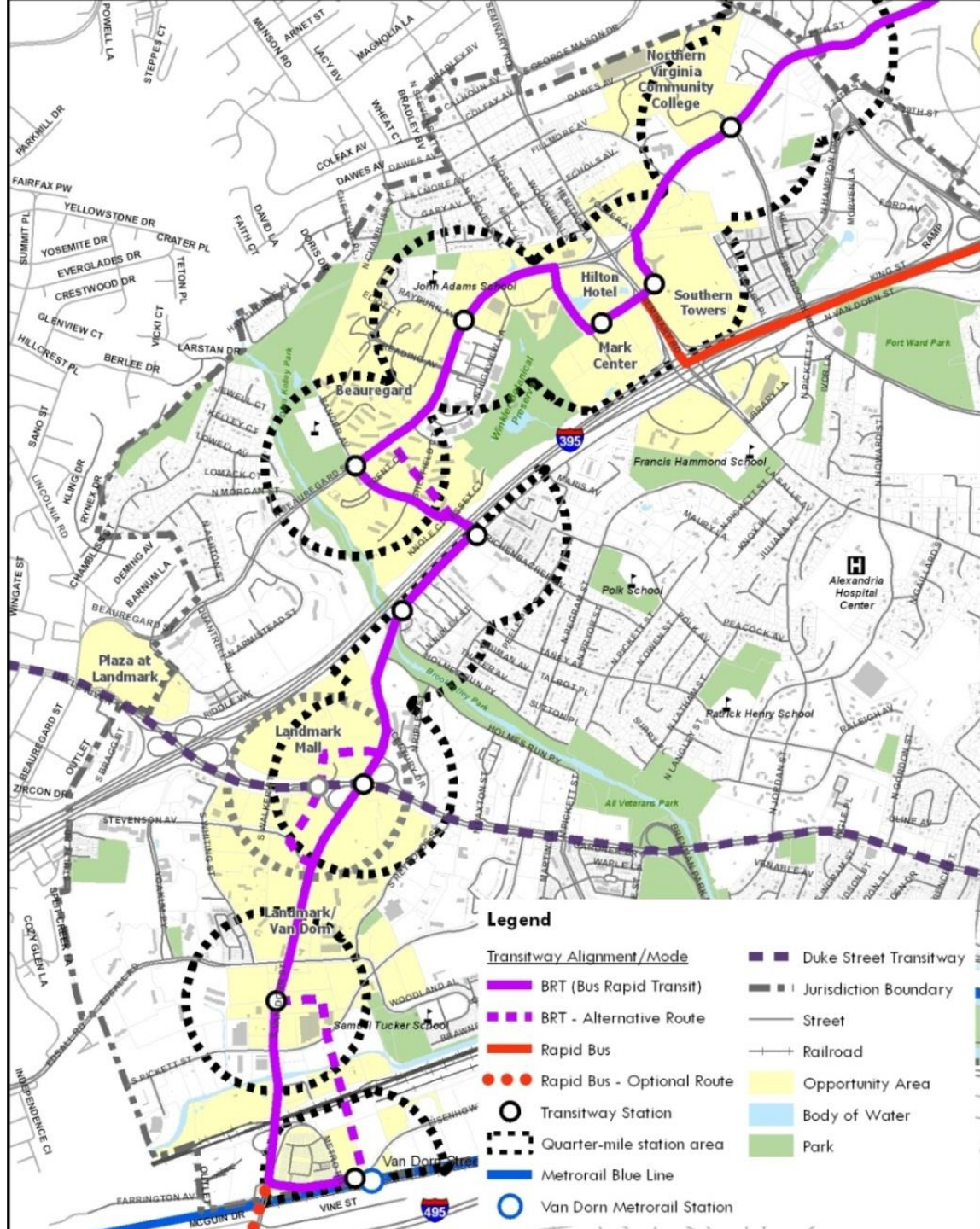
- Transportation Commission (1)
- Planning Commission (1)
- Environmental Policy Commission (1)
- Budget and Fiscal Affairs Advisory Committee (1)
- Transit professional (1)
- Community representatives (3)
- Developer representative (1)

- Total – 9 members

Next Steps

- Winter 2014 – Call for Advisory Group Nominations
- Spring 2014 – First Advisory Group meeting
- Spring 2014 – First Public Meeting

Questions?





Legislation Details (With Text)

File #: 14-2485 **Name:** Oakville Triangle
Type: Resolution **Status:** Agenda Ready
File created: 2/24/2014 **In control:** City Council Legislative Meeting
On agenda: 3/11/2014 **Final action:**
Title: Update On the Oakville Triangle and Route 1 Planning Process and Consideration of a Resolution to Establish an Oakville Triangle and Route 1 Corridor Advisory Group. [ROLL-CALL VOTE]
Sponsors:
Indexes:
Code sections:
Attachments: [14-2485 Attachment 1 Advisory Group Resolution](#)
[14-2485 Attachment 2 DRAFT Interdept WP FY2015](#)

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

DATE: MARCH 5, 2014
TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: RASHAD M. YOUNG, CITY MANAGER/s/

DOCKET TITLE:

Update On the Oakville Triangle and Route 1 Planning Process and Consideration of a Resolution to Establish an Oakville Triangle and Route 1 Corridor Advisory Group. [ROLL-CALL VOTE]

ISSUE: Civic Engagement and Land Use Planning for Oakville Triangle and Adjacent Route 1 Area.

RECOMMENDATION: That City Council:

- (1) Receive this update on the Oakville Triangle - Route 1 planning process;
- (2) Approve the attached resolution establishing an Oakville Triangle and Route 1 Corridor Advisory Group ("Advisory Group");
- (3) Request that the Chair of the Planning Commission nominate a member from the Planning

Commission to serve on the Advisory Group;

- (4) Request that each of the three civic associations listed in the attached resolution nominate a member from their group to serve on the Advisory Group; and
- (5) Authorize the City Manager to appoint the business and at-large representatives, as well as the Potomac Yard South representative, and to designate the Chair of the Advisory Group.

OAKVILLE TRIANGLE REDEVELOPMENT PROCESS UPDATE: At the January 14, 2014 City Council work session on the proposed interdepartmental work program for FY 2015, staff discussed the Oakville Triangle's owner's desire to begin the planning process for redevelopment of their 13 acre (approximate) property. The owner, an entity owned by The Blackstone Group, is looking to begin the planning process for the site in the near term because a significant portion of the property becomes available for redevelopment by 2016. The Blackstone Group, through their local representative, StonebridgeCarras, has agreed to pay for consultant services and staffing so that the City can begin the planning effort and process the associated applications within the constraints of the current departmental work program.

The scope of the planning process will include a small area plan for Oakville Triangle and adjacent properties as well as a corridor study for Route 1. The small area planning process will provide the community with a valuable opportunity to weigh in on various issues surrounding the redevelopment of Oakville Triangle and present ideas for what the redevelopment should look like, appropriate uses and types of public amenities for the site.

The corridor study is intended to review features such as streetscaping, undergrounding of utilities, and potential redevelopment sites along the western portion of Route 1. The corridor study will help to establish a unified streetscape for Route 1 and an integrated approach to potential redevelopment along Route 1.

The Oakville Triangle and Route 1 Corridor Advisory Group will provide the public forum for the community to discuss the small area plan and corridor studies and associated regulatory submissions.

OAKVILLE TRIANGLE AND ROUTE 1 CORRIDOR ADVISORY GROUP

Mission:

Provide advice to City staff on the planning and associated regulatory submissions for Oakville Triangle and the Route 1 Corridor.

Tasks:

1. Assist in the development of principles as part of the Small Area Plan process;
2. Discuss potential land uses, open space, sustainability, phasing of improvements as part of the Small Area Plan process;
3. Review transportation and connectivity issues as part of the Small Area Plan process;
4. Discuss potential community and public benefits as part of the Small Area Plan process;
5. Ensure that regulatory submissions are consistent with the intent of the Small Area Plan; and
6. Forward a letter(s) to the Director of the Department of Planning and Zoning on the Advisory Group's comments on the proposed planning and regulatory submissions. The Advisory Group comments will be transmitted to the Planning Commission and City Council as part of the planning and regulatory submissions and associated staff reports.

Advisory Group Composition:

The Advisory Group will consist of nine members, including a chair. The City Manager will designate the Chair of the Advisory Group. The Advisory Group will include the following representation:

Planning Commission	(1)
Del Ray Citizens Association	(1)
Hume Springs Citizens Association	(1)
Lynhaven Civic Association	(1)
Business Representative	(1)
Potomac Yard South (CDD #10)	(1)
At-Large Member	(3)
Total	(9)

The Chair of the above named commissions and organizations will be asked to nominate a member of each of their groups to serve on the Advisory Group. The remaining business representative, Potomac Yard South resident, and three at-large members will be appointed by the City Manager based on a call for nominations publicized through the City's eNews service, notices to civic and community associations, and the City's website. The City Manager will review applications for at-large member positions based on the applicant's stated areas of expertise. The process to create this Advisory Group is consistent with the Eisenhower West Steering Committee and the Parking for New Development Task Force.

Expectation of Members:

The Advisory Group is contemplated to be an advisory body that will hold monthly public meetings (or as needed) for the duration of the planning process and complete the tasks outlined herein, in addition to attending work sessions and public hearings of the Planning Commission and City Council. There may also be additional staff-led working meetings of the Advisory Group. Members are expected to:

- Provide advice to City staff on the tasks outlined above.
- Assist and support the City's community engagement outreach efforts and meeting activities by 1) providing updates on the status of the planning activities and tasks to their member commissions, boards, and organizations, in addition to community residents at-large; 2) Speaking on behalf of those groups and communicating their interests in this process.
- Attend all meetings prepared by reading assigned materials and information. If unable to attend, members are encouraged to read materials provided and provide any comments in a timely manner.

Responsibilities of the Chair:

- Serve as a spokesperson for the Advisory Group
- Serve as a meeting facilitator
- Work with City staff to set Advisory Group meeting agendas and final letter(s) to the Director of Planning and Zoning referenced above.

Civic Engagement: It is anticipated that the Advisory Group will hold regular public meetings and attend relevant work sessions and public hearings of the Planning Commission and City Council. The Advisory Group is expected to support City staff in communicating the efforts, outcomes, and directives of the Oakville Triangle and Route 1 Corridor planning process and regulatory submissions. Members should report back to their constituents, attend public meetings, and coordinate with the chair and other tasks as assigned.

Communication and Outreach: Consistent with the principles of *What's Next Alexandria*, City staff will keep the public informed of the schedule, issues, materials and progress of Advisory Group through the City's Oakville Triangle planning process webpage to be created, as well as eNews and social media. The Advisory

Group meetings will be open to the public.

Staff Support: The Advisory Group will be staffed by representatives of the Department of Planning and Zoning.

Sunset: The Advisory Group will sunset at the completion of their stated tasks outlined above.

FISCAL IMPACT: The Oakville Triangle planning and development review process is intended to be revenue neutral, as The Blackstone Group, through its local representative, has agreed to provide funding for technical consultants and staffing. At this time that amount is estimated at approximately \$270,000 for the estimated 18 month planning effort. This will enable the City to maintain the work program for the Department of Planning and Zoning as reviewed by City Council on January 14, 2014.

ATTACHMENT:

1. Draft Resolution
2. Proposed Interdepartmental Work Program, dated January 14, 2014

STAFF:

Mark Jinks, Deputy City Manager

Faroll Hamer, Director, Department of Planning and Zoning

Jeffrey Farner, Deputy Director, Department of Planning and Zoning

Carrie Beach, Division Chief, Department of Planning and Zoning

Sandra Marks, Deputy Director, Department of Transportation and Environmental Services

ATTACHMENT 1

DRAFT RESOLUTION NO. __

WHEREAS, City Council wishes to establish an Oakville Triangle and Route 1 Corridor Advisory Group;
and

WHEREAS, the Oakville Triangle and Route 1 Corridor Advisory Group will conduct specified tasks outlined in this resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ALEXANDRIA, VIRGINIA:

That there is hereby established the Oakville Triangle and Route 1 Corridor Advisory Group (the "Advisory Group") whose mission is to provide advice to City staff on the planning and associated regulatory submissions for Oakville Triangle and the Route 1 Corridor.

1. That the Advisory Group shall consist of nine members and the composition of the group shall be as follows:

Planning Commission	(1)
Del Ray Citizens Association	(1)
Hume Springs Citizens Association	(1)
Lynhaven Civic Association	(1)
Business Representative	(1)
Potomac Yard South (CDD #10) Resident	(1)
At-Large Member	(3)
Total	(9)

2. The Chair of the above named commissions and organizations will be asked to nominate a member of each of their groups to serve on the Advisory Group. The remaining Business Representative, Potomac Yard South resident, and three at-large members will be appointed by the City Manager, based on a call for nominations publicized through the City's eNews service, notices to civic and community associations, and the City's website.
3. That the City Manager shall designate the Chair of the Advisory Group whose role is to serve as a meeting facilitator, spokesperson and work with City staff to set Advisory Group meeting agendas and final letter(s) to the Director of Planning and Zoning referenced above.

4. That the mission of the Advisory Group shall be to provide input to City staff on the planning and associated regulatory submissions for Oakville Triangle and the Route 1 Corridor.
5. That the Advisory Group shall complete the following tasks:
 - a. Assist in the development of principles as part of the Small Area Plan process;
 - b. Discuss potential land uses, open space, sustainability, phasing of improvements as part of the Small Area Plan process;
 - c. Review transportation and connectivity issues as part of the Small Area Plan process;
 - d. Discuss potential community and public benefits as part of the Small Area Plan process; and
 - e. Ensure that regulatory submissions are consistent with the intent of the Small Area Plan.
6. That members of the Advisory Group are expected to:
 - a. Provide advice to City staff on the tasks outlined herein.
 - b. Assist and support the City's community engagement outreach efforts and meeting activities.
 - c. Attend all meetings prepared by reading assigned materials and information.
7. That the Advisory Group will be staffed by representatives of the Department of Planning and Zoning.
8. That the Advisory Group will generally hold monthly public meetings, or meet as needed.
9. That the Advisory Group will sunset at the completion of their stated tasks as defined herein.

Adopted:

WILLIAM D. EUILLE MAYOR

ATTEST:

Jacqueline M. Henderson, MMC City Clerk

Housing; Planning and Zoning; Recreation, Parks and Cultural Activities; Transportation and Environmental Services; Office of Historic Alexandria; Code Administration; General Services; Department of Project Implementation; AEDP; ACVA

DRAFT FY 2015 Interdepartmental Long Range Planning Work Program

		Calendar 2014												Calendar 2015												Calendar 2016												Calendar 2017											
		FY2014						FY2015						FY2016						FY2017						FY2018																							
		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
	Plans and Studies																																																
1	Eisenhower West Transportation Study (data collection) (TES, PZ)																																																
2	Eisenhower West Small Area Plan (PZ, TES, RPCA, Housing)																																																
3	Parking Standards for New Development (PZ, TES)																																																
4	Oakville Triangle/(Route 1 West?) (PZ, TES)																																																
5	North Potomac Yard replanning (PZ, TES, RPCA, Housing)																																																
6	Old Town North Small Area Plan (PZ, TES, RPCA)																																																
7	Del Ray Strategic Update to MV Ave Business Plan																																																
8	Public Art Master Plan (RPCA, PZ)																																																
9	Del Ray Historic Preservation Plan (P&Z)																																																
10	Long Range Education Facilities Planning (P&Z/ACPS)																																																
11	Pedestrian/Bicycle MP-Complete Streets Manual (TES, PZ)																																																
12	Stormwater/MS4 Compliance Plan (TES, PZ, RPCA)																																																
13	Sanitary Sewer/CSO Plan (TES, PZ, AlexRenew, RPCA)																																																
14	Transit Corridor C Alternatives Analysis (TES, PZ, DPI)																																																
15	Neighborhood Park Improvement Plan (RPCA)																																																

Ongoing Implementation Work/Special Projects

15	Potomac Yard Metro EIS (TES, PZ)
16	Civic Engagement Policy (All)
17	Housing Master Plan (Housing, PZ)
18	Transportation Demand Management (TES, PZ)
19	ARHA Strategic Plan (ARHA, Housing)
20	Beauregard Corridor SAP (PZ, DPI, TES, RPCA, Housing)
21	Waterfront SAP (DPI, PZ, RPCA, TES)
22	Arlandria Action Plan (PZ), Four Mile Run (RPCA, TES)
23	Braddock Plan (PZ, RPCA)
24	Wayfinding (PZ, TES)
25	Potomac Yard Plan (P&Z)
26	Large Park Planning Initiative (RPCA)
27	DASH Continuous Operational Analysis (TES, Dash, PZ)
28	Beauregard Ellipse Implementation (DPI, TES, PZ)
29	Corridor A Transit (T&ES)
30	AEDP Strategic Plan Implementation
31	Census, Forecasting and Demographics (P&Z)
32	Eco-City Alexandria/Green Building Phase II/Energy and Climate Change (P&Z/T&ES/General Services)

KEY	
	Preparatory staff work &/or technical analysis
	Planning with public engagement
	Plan approval process
	Plan Implementation



Legislation Details (With Text)

File #: 14-2495 **Name:**
Type: **Status:** Agenda Ready
File created: 2/26/2014 **In control:** City Council Legislative Meeting
On agenda: 3/11/2014 **Final action:**
Title: Consideration of City Council Schedule.
Sponsors:
Indexes:
Code sections:
Attachments: [14-2495 Council Calendar March 2014 to June2014.pdf](#)

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

DATE: MARCH 5, 2014
TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: RASHAD M. YOUNG, CITY MANAGER

DOCKET TITLE:

Consideration of City Council Schedule.

ISSUE: City Council Schedule

RECOMMENDATION: That City Council:

1. Receive the revised Council Calendar (Attachment 1) which includes:
 - The Joint Work Session with ACPS is scheduled for Wednesday, March 19 at 7 p.m. at G.W. Middle School - All Center Room 348;
 - Spring for Alexandria Community Service Day is scheduled for Friday, May 16; and
2. Approve the calendar.

DISCUSSION: **Please note:** The Contrabands and Freedmen's Cemetery Memorial Dedication has been scheduled for Saturday,

September 6 at 10 a.m. The event will be added to the City Council calendar for FY 2015.

ATTACHMENTS:

Attachment 1: Council Calendar March 2014 - June 2014

STAFF:

Jerome Fletcher, Special Assistant to the City Manager

City Council Schedule

as of 3/6/14

Attachment 1

March

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
						1
2	3	4	5	6	7	8 Budget Work Session: Revenue, Five Year Financial Planning Model, Compensation Issues
9	10 4 P.M. – Budget Public Hearing, City Council Chambers	11 5:30 P.M. – 30 th Anniversary Reception for DASH/ATC, Vola Lawson Lobby 7 P.M. – City Council First Legislative, Meeting, Council Chambers	12 Budget Work Session: Livable, Green, and Prospering Focus Area	13	14	15 9:30 A.M. – City Council Public Hearing, Council Chambers
16	17	18 Budget Work Session: Healthy and Thriving Focus Area	19 7 P.M. - Joint Worksession w/ ACPS, GWMS ALL Center Room 348	20	21	22
23	24	25 6:00 P.M. – Annual Stockholders meeting and a DASH work session with the Alexandria Transit, Council Workroom 7 P.M. – City Council Second Legislative, Meeting, Council Chambers	26 Budget Work Session: Safe, Secure and Just Focus Area, 2900 Business Center Drive	27	28	29
30	31 6 P.M. – 34 th Annual Salute to Women Awards, U.S. Patent and Trade Office					2014

City Council Schedule

as of 3/6/14

Attachment 1

April

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
		1	2 Budget Work Session: Accountable, Effective and Well- Managed Gov't Focus Area	3	4	5
6	7	8 5:30 P.M. – Work session on Waterfront Landscape and Flood Mitigation Design Project, Council Workroom 7 P.M. – City Council First Legislative, Meeting, Council Chambers	9	10 Budget Work Session: CIP (including ACPS Capital)	11	12 9:30 A.M. – City Council Public Hearing, Council Chambers
13	14	15	16	17	18 Good Friday	19
20 Easter	21 6:30 P.M. – Preliminary Add/Delete, Sister Cities 1101	22 5:30 P.M. – Work session on Discussion of Feasibility & Food Trucks, Council Workroom 7 P.M. – City Council Second Legislative, Meeting, Council Chambers	23	24 Budget Work Session: BFAAC and Business Tax Reform Task	25	26 10 A.M. – 2 P.M. – Earth Day, Ben Brenman Park
27	28 6:30 P.M. – Final Add/Delete, Sister Cities 1101	29	30			

2014

City Council Schedule

as of 3/6/14

Attachment 1

May

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
				1 7 P.M. – Budget Adoption, Council Chambers	2	3
4	5	6	7	8	9	10
11	12	13 5:30 P.M. – Work session with the Torpedo Factory Art Center Board, Council Workroom 7 P.M. – City Council First Legislative, Meeting, Council Chambers	14	15	16 Spring for Alexandria Community Service Day	17 9:30 A.M. – City Council Public Hearing, Council Chambers
18	19	20	21	22	23	24
25	26 HOLIDAY Memorial Day	27 7 P.M. – City Council Second Legislative, Meeting, Council Chambers	28	29	30	31

2014

City Council Schedule

as of 3/6/14

Attachment 1

June

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
1	2	3	4	5	6	7
8	9	10 7 P.M. – City Council First Legislative, Meeting, Council Chambers	11	12	13	14 9:30 A.M. – City Council Public Hearing, Council Chambers
15	16	17	18	19	20	21
22	23	24 5:30 P.M. – ACPD Annual Awards Ceremony, Vola Lawson 7 P.M. – City Council Second Legislative, Meeting, Council Chambers	25	26	27	28
29	30					

2014



Legislation Details (With Text)

File #: 14-2519 **Name:** closed mtg
Type: **Status:** Agenda Ready
File created: 3/4/2014 **In control:** City Council Legislative Meeting
On agenda: 3/11/2014 **Final action:**
Title: Consideration of Convening a Closed Meeting for the Purpose of Consulting with Legal Counsel Regarding a Pending Legal Matter.
Sponsors:
Indexes:
Code sections:
Attachments: [14-2519_exec session motion.pdf](#)

Date	Ver.	Action By	Action	Result
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Consideration of Convening a Closed Meeting for the Purpose of Consulting with Legal Counsel Regarding a Pending Legal Matter.

[RESOLUTION NO. ____]

WHEREAS, the Alexandria City Council has on the date of this resolution recessed into executive session pursuant to a motion made and adopted in accordance with the Virginia Freedom of Information Act; and

WHEREAS, § 2.2-3712 of the Code of Virginia requires a certification by the city council that such executive session was conducted in accordance with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the city council does hereby certify that, to the best of each member's knowledge, only public business matters that were identified in the motion by which the executive session was convened, and that are lawfully exempted by the Freedom of Information Act from the Act's open meeting requirements, were heard, discussed or considered by council during the executive session.