

ORDINANCE NO. _____

AN ORDINANCE to amend and reordain Sections 2-129.1 and 2-181.5 of Article II (DEFINITIONS) and Section 6-100 of Article VI (SPECIAL AND OVERLAY ZONES) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2023-00001.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2023-00001, 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 June 6, 2023 of a text amendment to the Zoning Ordinance to adopt amendments to Section 2-129.1 to change the definition of congregate recreational facilities; amend Section 2-181.5 to change the definition of park; and amend Section 6-100 to change the allowed uses, special uses and development requirements in the Public Open Space and Community Recreation (POS) Zone, which recommendation was approved by the City Council at public hearing on June 17, 2023;

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

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

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Sections 2-129.1 and 2-181.5 of the Zoning Ordinance be, and the same hereby are, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

2-129.1 - Congregate recreational facilities.

A public use devoted to recreational activities typically or often pursued as a group or team, such as athletic fields, ~~children's play apparatus areas, archery ranges, court game facilities,~~ indoor and outdoor swimming pools, amphitheaters, band shells, and outdoor theaters, skating rinks, miniature golf courses, and community recreation buildings, not including drive-in theaters.

2-181.5 - Park.

A lot, parcel, or tract of land reserved for public use. A park may include A public area reserved for natural or artificial horticultural landscaping; natural or unimproved geographical features such as woodlands, meadowlands, or wetlands; wildlife sanctuaries and preserves; water courses, streams, lakes and ponds and other similar features. A park which may include

1 contain memorials and recreational facilities and structures, including but not limited to: court
2 game facilities; hiking, walking, and bicycle trails; fitness areas; commons, greens, squares,
3 and picnic and sitting areas; playgrounds; fishing sites, and other similar facilities.

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7 Section 2. That Section 6-100 of the Zoning Ordinance be, and the same hereby is,
8 amended by deleting the language shown in strikethrough and inserting new language shown in
9 underline, as follows:

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11 6-101 - Purpose and short title.

12 The POS zone is ~~intended~~ established to provide, preserve, and enhance Alexandria's publicly
13 owned open spaces, parks, recreational areas, and similar areas ~~and~~ to protect the natural and
14 developed amenities they possess by allowing only that development which respects and is
15 consistent with those amenities. This zone is intended to apply to all publicly owned open
16 spaces, parks, recreation facilities, and similar areas.

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18 6-102 - Permitted uses.

19 The following are permitted uses in the POS zone:

20 ~~(A) Recreational areas consisting of natural and unimproved geographic features such~~
21 ~~as woodland, meadowland or wetland areas, wildlife sanctuaries or preserves, water~~
22 ~~courses, streams, lakes and ponds, and similar geographic features;~~

23
24 ~~(B) Improved outdoor recreational facilities intended for passive and/or non-~~
25 ~~congregate recreational activities only, such as hiking and bicycle trails, squares,~~
26 ~~greens and commons, sitting areas, picnic areas and fishing sites, and like facilities,~~
27 ~~subject to approval of a site plan.~~

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29 (A) Parks;

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31 (B) Accessory uses, as defined by sections 6-103 and 7-100.
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33 6-103 - Accessory uses and structures.

34 Accessory uses and structures, including outdoor storage, restroom structures, maintenance
35 sheds, score boards, netting, semi-enclosed shelters and pavilions, shade structures,
36 concessions structures, and off-street parking. ~~park guard facilities~~ Other uses or structures as
37 may be approved by the director if the accessory use or structure complies with the definitions
38 in the zoning ordinance., are permitted in the POS zone, subject to approval of a site plan.
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40 6-104 - Temporary uses and structures.

41 Temporary uses and structures compatible with the purposes of the POS zone, such as markets,
42 vendor carts, fairs, festivals and competitions, temporary recreation facilities, and structures
43 associated therewith, such as tents and band shells, may be permitted by resolution of city
44 council, subject to such limitations, terms and conditions as therein specified; provided, that
45 city council may by resolution delegate such approval authority, in whole or in part, to the city
46 manager, under appropriate standards and guidelines, and subject to appeal to city council.

6-105 – Special uses.

The following uses may be allowed in the POS zone pursuant to a special use permit:

~~(A) Public Park and Community recreation buildings, including enclosed and semi-enclosed shelters and pavilions, providing functions and facilities such as gymnasiums, meeting rooms, game rooms, arts and crafts centers, and dining and dancing facilities;~~

(A) ~~(B)~~ Congregate recreational facilities;

~~(C) Commercial facilities customarily incidental and subordinate to the operation of public recreational uses, such as refreshment stands and small shops providing sporting goods and related services.~~

~~(B)~~(D) Cultural facilities such as botanical gardens, arboretums, nature centers, conservatories, historic sites, archeological sites, and monuments ~~and memorials~~;

~~(C)~~ ~~(E)~~ Plant, tree and flower nurseries;

~~(D)~~ ~~(F)~~ Public utility rights-of-way, ~~man-made lakes, ponds and water courses,~~ and similar public works compatible with the purposes of the POS zone;

~~(E)~~ ~~(G)~~ Facilities for the Lighting of any area congregate recreational facilities in the POS zone for nighttime use, exclusive of necessary pathway and parking lot lights for pedestrian safety, signage, and flagpoles; and

~~(H) Outdoor food and crafts market;~~

~~(I) Temporary public school classroom trailers in conjunction with adjacent public schools. This subsection shall expire on June 30, 2006. Any trailers permitted under the authority of this subsection shall be removed by that date.~~

~~(F)~~~~(J)~~ Public recycling center, ~~provided that the director finds that the use does not interfere with an established active or passive recreation area; that no trees will be removed to accommodate the use, unless such removal is approved by the Director of Recreation Parks, recreation and Cultural Activities, and that uses adjacent to the recycling site are compatible with recycling activities.~~

~~(K) Indoor and outdoor roller skating and ice skating rinks, and miniature golf courses.~~

6-105.1 - Prohibited uses.

Any use which is not a permitted, special, temporary or accessory use pursuant to this section 6-100 is prohibited.

6-106 - Bulk, space and yard requirements.

The following bulk, space and yard requirements shall apply in the POS zone:

(A) *The maximum permitted height of a building or structure is: ~~30~~ 45 feet; provided, that with a special use permit the height may be increased to an amount not to exceed ~~50~~ 30 feet for a building or structure or, in the case of an ornamental structure as defined in section 2-197.1, to an amount not to exceed ~~50~~ 40 feet.*

~~(B) Required yards:~~

~~(1) Front yards.—None is required.~~

~~(2) Side and rear yards.—A setback of 20 feet is required when adjacent to any residential lot or zone; otherwise none is required.~~

~~(3) Special setback.—Any area intended for active and/or congregate outdoor recreational activities shall be located at least 30 feet from any property zoned for residential purposes or shall be so screened as to provide visual and auditory privacy to such property.~~

~~(4) Required landscaping.—All yards shall be landscaped in a manner consistent with the natural setting to be maintained in the POS zone.~~

~~6-107—Parking requirements.~~

~~Off-street parking requirements applicable to the permitted and special uses in the POS zone are set forth in Article VIII. Parking for temporary uses shall be as specified in the approval therefor. In addition, all parking areas located within the POS zone shall comply with the following standards:~~

~~(A) No parking areas shall be located within any required yard, and a maximum of 50 percent of any proposed front yard may be devoted to parking, if compatible with adjacent front yards.~~

~~(B) All parking areas shall be landscaped in a manner consistent with the natural setting to be maintained in the POS zone. Reserved.~~

6-108 - Use limitations.

The following limitations and conditions shall govern all ~~permitted, special and temporary uses and structures~~ in the POS zone:

(A) Outdoor storage shall be entirely screened from view with a vegetative and/or architectural screen.

(B) All lighting shall be located and shielded so as to prevent the direct glare of beams onto residential properties and streets.

(C) All public address systems, loudspeakers or other sound-producing activities shall be designed, located and operated so as to avoid any undue disturbance or any nuisance to surrounding areas.

6-109 - Nonconforming use exemption.

No use or structure, otherwise subject to the provisions of this section 6-100, which was in existence on September 16, 1989 or for which a preliminary or combination site plan approved on or before September 16, 1989, continues in force and effect, shall be deemed a nonconforming use by virtue of any provisions of this section 6-100, nor shall any such use be subject to the provisions of this section 6-100; provided, however, that no such use shall be extended or enlarged to a size or density in excess of that which existed on, or which was

1 described in, a site plan approved as of September 16, 1989, unless compliance with the
2 provisions of this section 6-100 shall have been had.

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

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7 Section 4. That Sections 2-129.1, 2-181.5, and 6-100, as amended pursuant to
8 Sections 1 and 2 of this ordinance, be, and the same hereby are, reordained as part of the City of
9 Alexandria Zoning Ordinance.

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11 Section 5. That this ordinance shall become effective on the date and at the time of
12 its final passage, and shall apply to all applications for land use, land development or subdivision
13 approval provided for under the City of Alexandria Zoning Ordinance which may be filed after
14 such date, and shall apply to all other facts and circumstances subject to the provisions of the
15 City of Alexandria Zoning Ordinance, except as may be provided in Article XII of the Zoning
16 Ordinance.

17
18 JUSTIN WILSON
19 Mayor
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21 Introduction: 06/27/23
22 First Reading: 06/27/23
23 Publication:
24 Public Hearing: 07/05/23
25 Second Reading: 07/05/23
26 Final Passage: 07/05/23