



Zoning Text Amendment #2022-00010

Minor Update

<p>Issue: (A) Initiation of a text amendment; and (B) public hearing and consideration of a text amendment to the Zoning Ordinance to amend Section 6-702 restoring previous language to include administrative special uses under both ground floor and upper floor in the KR/King Street Urban Retail zone as was written prior to January 2022 in order to correct an administrative error that occurred during a previous text amendment and to clarify co-living use is permitted on upper floors only.</p>	<p>Planning Commission Hearing:</p>	<p>September 6, 2022</p>
	<p>City Council Hearing:</p>	<p>September 17, 2022</p>
<p>Staff: Tony LaColla, AICP, Division Chief – Land Use tony.lacolla@alexandriava.gov Christina Brown, Assistant City Attorney christina.brown@alexandriava.gov Mary Christesen, Zoning Manager mary.christesen@alexandriava.gov Alexa Powell, Urban Planner alexa.powell@alexandriava.gov</p>		

PLANNING COMMISSION ACTION, SEPTEMBER 6, 2022: On a motion by Vice Chair McMahon, seconded by Commissioner Lyle, the Planning Commission voted to imitate and recommend approval for ZTA #2022-00010. The motion carried on a vote of 7-0.

Reason: The Planning Commission agreed with the staff analysis.

I. Issue

The purpose of the proposed zoning text amendment is to amend and clarify section 6-702 of the City's Zoning Ordinance to correct an administrative error which occurred with the recent approval of ZTA 2021-00004 for Co-living.

II. Background and Discussion of Proposed Text Changes

Through use of the amended Zoning Ordinance, staff has identified an error during ZTA#2021-00004 that unintentionally eliminated several administrative special use permit uses in the KR/King Street Urban Retail zone on ground floors. The proposed amendment aims to restore the previous language and clarify this section to permit co-living only on upper floors as was the intent of the previous text amendment. Staff proposes the following action to correct this error:

Move Section 6-702(B) to 6-702(C) so the list of administrative special uses applies to both upper and ground floors and clarify that Co-living use is only permitted on upper floors with an administrative special use permit.

III. Recommendation

Staff recommends that the text amendments contained in Attachment 1, be initiated and recommend approval of each of the attached Zoning Ordinance text changes.

Staff: Tony LaColla, AICP, Division Chief – Land Use Services
Christina Brown, Assistant City Attorney
Mary Christesen, Zoning Manager
Alexa Powell, Urban Planner

Attachment #1

(A) Initiation of a text amendment; and (B) public hearing and consideration of a text amendment to the Zoning Ordinance to amend Section 6-702 to allow administrative special uses on both the ground and upper floors in the KR/King Street Urban Retail zone.

6-702 - Uses.

Uses in the King Street urban retail zone are divided into two categories, depending on their location, in order to protect and enhance opportunities for existing and future retail uses. The two use categories, which are each further divided into permitted and special uses, are defined as followed:

Ground floor uses: Retail and other active uses are emphasized in the ground floor uses category. The ground floor uses category applies to uses to be located in the space within the first 50 feet of a building, measured from the front building wall, and in a building that is set back no further than 30 feet from a front property and with a first floor of the building within four feet above the sidewalk grade.

Upper floor uses: The second category of uses is all space that is not located within the ground floor of a building, as that is defined above. Upper floor uses may be located on floors above the ground floor, in the space on the ground floor beyond the 50 feet threshold for ground floor uses, and in buildings not considered retail appropriate because they are elevated above grade or set back an excessive distance from the street as expressed above.

(B) Upper floor uses.

~~(2) Administrative special uses. Notwithstanding any contrary provisions of this ordinance, the following uses may be allowed by the director by administrative review and approval pursuant to the standards and procedures of [section 11-513](#) of this ordinance:~~

~~(a) Co-living dwelling, not to exceed two units;~~

~~(b) Outdoor market;~~

~~(c) Restaurant.~~

~~(d) Valet parking;~~

~~(C) Reserved. Administrative special uses. Notwithstanding any contrary provisions of this ordinance, the following uses may be allowed by the director by administrative review and approval pursuant to the standards and procedures of [section 11-513](#) of this ordinance:~~

~~(1) Co-living dwelling, not to exceed two units, on upper floors only~~

~~(2) Outdoor market;~~

~~(3) Restaurant;~~

~~(4) Valet parking.~~
