



Legislation Details (With Text)

File #: 22-0288 **Name:**

Type: Ordinance **Status:** Agenda Ready

File created: 9/16/2021 **In control:** City Council Legislative Meeting

On agenda: 10/12/2021 **Final action:**

Title: Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain Section 1-400 (INTERPRETATION OF ORDINANCE) of Article I (GENERAL REGULATIONS); Section 2-104 (ACCESSORY USE), Section 2-119.1 (AVERAGE PRE-CONSTRUCTION GRADE), Section 2-128.1 (COMMERCIAL COMPLEX), Section 2-145 (FLOOR AREA), Section 2-169.1 (LOT, THROUGH), Section 2-180 (OPEN AND USABLE SPACE), Section 2-193.1 (COMMERCIAL COMPLEX), Section 2-197.1 (STRUCTURE, ACCESSORY), Section 2-197.3 (STRUCTURE, SUBORDINATE), and Section 2-200.1 (TRELLIS) of Article II (DEFINITIONS); Section 6-403 (GENERAL REGULATIONS AND EXCEPTIONS) of Article VI (SPECIAL AND OVERLAY ZONES); Section 7-100 (ACCESSORY BUILDINGS, USES AND STRUCTURES), Section 7-101 (PERMITTED ACCESSORY BUILDINGS, USES AND STRUCTURES), Section 7-102 (PROHIBITED ACCESSORY BUILDINGS, USES AND STRUCTURES), Section 7-103 (BUILDING, USE AND STRUCTURE LIMITATIONS), Section 7-202 (PERMITTED OBSTRUCTIONS), Section 7-203 (ACCESSORY DWELLINGS), Section 7-301 (USE LIMITATIONS), Section 7-302 (PROHIBITED OCCUPATIONS), Section 7-303 (USE LIMITATIONS), Section 7-1212 (AESTHETIC STANDARDS GOVERNING WIRELESS FACILITY INSTALLATIONS), and Section 7-2501 (FREESTANDING PRIVATE GARAGES TO THE REAR OF THE MAIN BUILDING) of Article VII (SUPPLEMENTAL ZONE REGULATIONS); Section 8-200 (GENERAL PARKING REGULATIONS) of Article VIII (OFF-STREET PARKING AND LOADING); Section 11-605 (PROCEDURES FOR CLUSTER DEVELOPMENT APPROVAL), Section 11-1005 (POWERS AND DUTIES), Section 11-1302 (SPECIAL EXCEPTION ESTABLISHED), and Section 11-1706 (CONTENTS OF PRELIMINARY PLAT APPLICATION) of Article XI (DEVELOPMENT APPROVALS AND PROCEDURES); and Section 13-114 (STORMWATER MANAGEMENT PLAN) of Article XIII (ENVIRONMENTAL MANAGEMENT) and to add and ordain Section 2-123.1 (BUILDING, ACCESSORY), Section 2-128.2 (COMMITTED AFFORDABLE HOUSING) of Article II (DEFINITIONS) and Section 11-1400 (ZONE EXTENSION) 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. 2021-00003 (Implementation Ordinance for Text Amendment No. 2021-00003 associated with Zoning Ordinance Practical Updates approved by City Council on September 18, 2021).

Sponsors:

Indexes:

Code sections:

Attachments: 1. 22-0288_cover, 2. 22-0288_ordinance

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

MEMORANDUM

DATE: OCTOBER 5, 2021

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: MARK B. JINKS, CITY MANAGER /s/

DOCKET TITLE:

Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain Section 1-400 (INTERPRETATION OF ORDINANCE) of Article I (GENERAL REGULATIONS); Section 2-104 (ACCESSORY USE), Section 2-119.1 (AVERAGE PRE-CONSTRUCTION GRADE), Section 2-128.1 (COMMERCIAL COMPLEX), Section 2-145 (FLOOR AREA), Section 2-169.1 (LOT, THROUGH), Section 2-180 (OPEN AND USABLE SPACE), Section 2-193.1 (COMMERCIAL COMPLEX), Section 2-197.1 (STRUCTURE, ACCESSORY), Section 2-197.3 (STRUCTURE, SUBORDINATE), and Section 2-200.1 (TRELLIS) of Article II (DEFINITIONS); Section 6-403 (GENERAL REGULATIONS AND EXCEPTIONS) of Article VI (SPECIAL AND OVERLAY ZONES); Section 7-100 (ACCESSORY BUILDINGS, USES AND STRUCTURES), Section 7-101 (PERMITTED ACCESSORY BUILDINGS, USES AND STRUCTURES), Section 7-102 (PROHIBITED ACCESSORY BUILDINGS, USES AND STRUCTURES), Section 7-103 (BUILDING, USE AND STRUCTURE LIMITATIONS), Section 7-202 (PERMITTED OBSTRUCTIONS), Section 7-203 (ACCESSORY DWELLINGS), Section 7-301 (USE LIMITATIONS), Section 7-302 (PROHIBITED OCCUPATIONS), Section 7-303 (USE LIMITATIONS), Section 7-1212 (AESTHETIC STANDARDS GOVERNING WIRELESS FACILITY INSTALLATIONS), and Section 7-2501 (FREESTANDING PRIVATE GARAGES TO THE REAR OF THE MAIN BUILDING) of Article VII (SUPPLEMENTAL ZONE REGULATIONS); Section 8-200 (GENERAL PARKING REGULATIONS) of Article VIII (OFF-STREET PARKING AND LOADING); Section 11-605 (PROCEDURES FOR CLUSTER DEVELOPMENT APPROVAL), Section 11-1005 (POWERS AND DUTIES), Section 11-1302 (SPECIAL EXCEPTION ESTABLISHED), and Section 11-1706 (CONTENTS OF PRELIMINARY PLAT APPLICATION) of Article XI (DEVELOPMENT APPROVALS AND PROCEDURES); and Section 13-114 (STORMWATER MANAGEMENT PLAN) of Article XIII (ENVIRONMENTAL MANAGEMENT) and to add and ordain Section 2-123.1 (BUILDING, ACCESSORY), Section 2-128.2 (COMMITTED AFFORDABLE HOUSING) of Article II (DEFINITIONS) and Section 11-1400 (ZONE EXTENSION) 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. 2021-00003 (Implementation Ordinance for Text Amendment No. 2021-00003 associated with Zoning Ordinance Practical Updates approved by City Council on September 18, 2021).

ISSUE: Consideration of an ordinance to adopt the implementation ordinance for Text Amendment No. 2021-00003 associated with Zoning Ordinance Practical Updates approved by City Council on September 18, 2021.

RECOMMENDATION: That City Council:

1. Approve on first reading an ordinance to adopt the implementation ordinance for Text Amendment No. 2021-00003 associated with Zoning Ordinance Practical Updates approved by City Council on September 18, 2021; and
2. Schedule for second reading, public hearing and final passage on Saturday, October 16, 2021.

BACKGROUND: In reviewing the implementation ordinance language related to Text Amendment No. #2021-0003, approved by Council on September 18, staff discovered an unintentional deletion of a subsection

within Zoning Ordinance section 7-2501. No other sections are affected.

DISCUSSION: The language, approved by Council, read:

7-2501 - Freestanding private garages to the rear to the rear of the main building.

The supplemental regulations in this section 7-2501 apply to residential lots developed or proposed to be developed with a single-family or two-family dwelling in the R-20, R-12, R-8, R-5, R-2-5, RA and RB zones, not including property located within the Old and Historic Alexandria and Parker-Gray Districts. Freestanding private garages located within required yards or excluded from floor area shall be ~~are~~ only permitted subject to in compliance with the following standards:

(B) Standards.

(2) *Setback.* The freestanding garage may be located in the required side or rear yard if it complies with the following:

(c) The freestanding garage must be located completely behind the rear wall of the dwelling unless, the director determines that locating the garage completely behind the rear building wall is not possible due to topography, shape of the lot, placement of the existing dwelling on the lot or other environmental concerns, in these cases the garage must be located completely behind the front building wall, and approved by the director as to location. ~~If a wall of a dwelling on an adjacent lot has any windows or doors that have a sill lower than 13.50 feet, measured from grade, facing the shared property line and located within three feet of that shared property line, the new garage's setback shall be five feet, including any architectural features, from that shared property line. This setback from that shared lot line is required at the location of the affected window(s) or doorway(s) and is required to extend along the width of those window(s) or doorway(s) and for a minimum of five feet in each direction from that window or doorway.~~

(d) ~~The freestanding garage must be located completely behind the rear wall of the dwelling unless, the director determines that locating the garage completely behind the rear building wall is not possible due to topography, shape of the lot, placement of the existing dwelling on the lot or other environmental concerns, in these cases the garage must be located completely behind the front building wall, and approved by the director as to location.~~

Through the practical updates proposed, there was no intention to delete subsection 7-2501(B)(2)(d), rather the reflection of the language as struck through was inadvertent. Therefore, the proposed ordinance no longer includes this deletion and staff recommends that the ordinance be adopted reflecting that this subsection is not to be deleted. Otherwise the Zoning Ordinance amendments proposed are the same as those set out in the prior staff reports.

FISCAL IMPACT: None.

ATTACHMENTS:

1. Cover Sheet
2. Zoning Ordinance amendments

STAFF:

Joanna Anderson, City Attorney

Emily A. Baker, Deputy City Manager
Karl Moritz, Director of Planning and Zoning
Christina Zechman Brown, Deputy City Attorney
Sam Shelby, Urban Planner III, Planning and Zoning