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10-19-02 10-18-02

Introduction and first reading:	10/8/02
Public hearing:	10/19/02
Second reading and enactment:	10/19/02

INFORMATION ON PROPOSED ORDINANCE

Title

AN ORDINANCE to amend and reordain Section 11-302 (NOTICE REQUIREMENTS FOR PARTICULAR HEARINGS), under Section 11-300 (NOTICE OF PUBLIC HEARINGS), of Division A (ADMINISTRATION AND ENFORCEMENT OF ORDINANCE AND NOTICE OF PUBLIC HEARINGS), Article XI (DEVELOPMENT APPROVALS AND PROCEDURES) of the City of Alexandria Zoning Ordinance (TA NO. 2002-0001).

Summary

The proposed ordinance accomplishes the final adoption of Text Amendment No. 2002-0001, to provide that in the case of an appeal to city council, written notice to abutting owners, and placard notice, for the public hearing shall be provided by the city, in addition to notice published in a newspaper. The new written and placard notice requirements will apply to appeals heard on or after November 1, 2002.

Sponsor

Department of Planning and Zoning

Staff

Eileen Fogarty, Director of Planning and Zoning
Ignacio B. Pessoa, 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

None

25
10-19-02

~~23~~
~~10-8-02~~

ORDINANCE NO. _____

AN ORDINANCE to amend and reordain Section 11-302 (NOTICE REQUIREMENTS FOR PARTICULAR HEARINGS), under Section 11-300 (NOTICE OF PUBLIC HEARINGS), of Division A (ADMINISTRATION AND ENFORCEMENT OF ORDINANCE AND NOTICE OF PUBLIC HEARINGS), Article XI (DEVELOPMENT APPROVALS AND PROCEDURES) of the City of Alexandria Zoning Ordinance (TA NO. 2002-0001).

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 11-302 of the City of Alexandria Zoning Ordinance be, and the same hereby is, amended to read as follows:

11-302 *Notice requirements for particular hearings.* The following particular public hearings require only the following form of notice:

- (A) Appeals to city council. Public hearings held on appeals to city council require that the city provide placard notice and newspaper notice of the hearing, as well as written notice to the applicant, the appellant, and the recipients of written notice identified pursuant to paragraph (A)(1) of this section who were sent notice of the hearing before the board or commission from which the appeal was taken and to persons who are subscribers pursuant to section 11-304. In the case of an appeal brought by a petition of property owners, the petitioners shall designate, in writing to the city clerk, one representative who shall be the recipient of written notice to the appellant. In the absence of such designation, the first name listed on the petition, as determined by the city clerk, shall be the recipient of such notice.
- (B) Text amendments. Public hearings on zoning amendments to change, alter, modify or repeal the provisions of the text of this ordinance require that the city provide newspaper notice of the hearing.
- (C) New zoning ordinance or map. Public hearings on the adoption of a new zoning map, a substantially revised zoning map (one which revises the zoning of 500 or more parcels of land), or new or substantially revised regulations for the city as a whole or for the territory included within a small area plan adopted as part of the official master plan of the city require that the city provide newspaper notice of the hearing.
- (D) Master plan amendment. Public hearings on the adoption of a new or substantially revised official master plan for the city as a whole or for the territory included within a small area plan adopted as part of the official master plan of the city require that the city provide newspaper notice of the hearing.
- (E) Rezoning of 25--500 parcels. Public hearings on a rezoning that involves more than 25 but fewer than 500 parcels of land require that written notice be sent by first class mail.

- (F) City initiated applications. Public hearings on a matter initiated by the city, for which the city sends written notice, require that written notice be sent by first class mail, provides that the responsible city employee shall make an affidavit that such mailing has been made, and file same with the papers in the case.
- (G) City provided written notice. The director shall be responsible for providing the written notice, in addition to the placard and newspaper notice, in the case of an appeal to the board of zoning appeals, ~~or~~ the recommended revocation of a special use permit or an appeal to city council.

Section 2. That Section 11-302 of the City of Alexandria Zoning Ordinance, as amended by this ordinance, be, and the same hereby is, ordained as part of the City of Alexandria Zoning Ordinance.

Section 3. That this ordinance shall become effective upon the date at the time of its final passage, and shall apply to all appeals to city council heard on or after November 1, 2002, 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.

KERRY J. DONLEY
Mayor

Introduction:	10/8/02
First Reading:	10/8/02
Publication:	10/10/02
Public Hearing:	10/19/02
Second Reading:	10/19/02
Final Passage:	

ORDINANCE NO. 4271

AN ORDINANCE to amend and reordain Section 11-302 (NOTICE REQUIREMENTS FOR PARTICULAR HEARINGS), under Section 11-300 (NOTICE OF PUBLIC HEARINGS), of Division A (ADMINISTRATION AND ENFORCEMENT OF ORDINANCE AND NOTICE OF PUBLIC HEARINGS), Article XI (DEVELOPMENT APPROVALS AND PROCEDURES) of the City of Alexandria Zoning Ordinance (TA NO. 2002-0001).

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 11-302 of the City of Alexandria Zoning Ordinance be, and the same hereby is, amended to read as follows:

11-302 *Notice requirements for particular hearings.* The following particular public hearings require only the following form of notice:

- (A) Appeals to city council. Public hearings held on appeals to city council require that the city provide placard notice and newspaper notice of the hearing, as well as written notice to the applicant, the appellant, the recipients of written notice identified pursuant to paragraph (A)(1) of section 11-301 who were sent notice of the hearing before the board or commission from which the appeal was taken, and to persons who are subscribers pursuant to section 11-304. In the case of an appeal brought by a petition of property owners, the petitioners shall designate, in writing to the city clerk, one representative who shall be the recipient of written notice to the appellant. In the absence of such designation, the first name listed on the petition, as determined by the city clerk, shall be the recipient of such notice.
- (B) Text amendments. Public hearings on zoning amendments to change, alter, modify or repeal the provisions of the text of this ordinance require that the city provide newspaper notice of the hearing.
- (C) New zoning ordinance or map. Public hearings on the adoption of a new zoning map, a substantially revised zoning map (one which revises the zoning of 500 or more parcels of land), or new or substantially revised regulations for the city as a whole or for the territory included within a small area plan adopted as part of the official master plan of the city require that the city provide newspaper notice of the hearing.
- (D) Master plan amendment. Public hearings on the adoption of a new or substantially revised official master plan for the city as a whole or for the territory included within a small area plan adopted as part of the official master plan of the city require that the city provide newspaper notice of the hearing.
- (E) Rezoning of 25--500 parcels. Public hearings on a rezoning that involves more than 25 but fewer than 500 parcels of land require that written notice be sent by first class mail.

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- (G) City provided written notice. The director shall be responsible for providing the written notice, in addition to the placard and newspaper notice, in the case of an appeal to the board of zoning appeals, the recommended revocation of a special use permit or an appeal to city council.

Section 2. That Section 11-302 of the City of Alexandria Zoning Ordinance, as amended by this ordinance, be, and the same hereby is, ordained as part of the City of Alexandria Zoning Ordinance.

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KERRY J. DONLEY
Mayor

Final Passage: October 19, 2002