	EXHIBIT NO.		13-10
1 2 3	Pu	troduction and first reading: ablic hearing: econd reading and enactment:	4/13/10 4/17/10 4/27/10
4 5 6 7	INFORMATION ON PRO	POSED ORDINANCE	
8	<u>Title</u>		
9 10 11 12 13 14 15 16 17	AN ORDINANCE to amend Section 7-1002 (RESIDE THRESHOLD HEIGHT IN LINE WITH EXIS (SUPPLEMENTAL REGULATIONS FOR CE (SUPPLEMENTAL ZONE REGULATIONS), to Division C (BOARD OF ZONING APPEAL AND PROCEDURES) all of the City of Alexa text amendment heretofore approved by city co	STING DEVELOPMENT) and S ERTAIN RESIDENTIAL ZONES , and Section 11-1300 (SPECIAL LS), Article XI (DEVELOPMEN andria Zoning Ordinance, in acco	ection 7-2500 S), to Article VII EXCEPTION), T APPROVALS rdance with the
18	Summary		
19 20 21 22 23	The proposed ordinance amends the Zoning Or as recommended to the City Council by the Pla recommendation was approved by the City Cou	nning Commission on February	2, 2010, which
24	Sponsor		
25 26 27	<u>Staff</u>		
28 29 30 31 32	Faroll Hamer, Director, Planning and Zoning Barbara Ross, Deputy Director, Planning and Z Christopher P. Spera, Deputy City Attorney Joanna C. Frizzell, Assistant City Attorney	Zoning	
32 33 34	Authority		
35 36 37	§§ 2.04(w), 9.12, Alexandria City Charter § 11-800, City of Alexandria Zoning Ordinance	e	
38	Estimated Costs of Implementation		
39 40 41	None		
42 43	Attachments in Addition to Proposed Ordinance and it	ts Attachments (if any)	
44 45 46	None		
47 48	G:\document\data\ord\infill ordcover 4-13.doc		

EXHIBIT NO.

2       AN ORDINANCE to amend Section 7-1002 (RESIDENTIAL SETBACK AND FRONT DOOR THRESHOLD HEIGHT IN LINE WITH EXISTING DEVELOPMENT) and Section 7- 2500 (SUPPLEMENTAL REGULATIONS FOR CERTAIN RESIDENTIAL ZONES), to Article VII (SUPPLEMENTAL ZONE REGULATIONS), and Section 11-1300 (SPECIAL EXCEPTION), to Division C (BOARD OF ZONING APPEALS), Article XI         3       (DEVELOPMENT APPROVALS AND PROCEDURES) all of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2009-0009.         11       WHEREAS, the City Council finds and determines that:         12       WHEREAS, the City Council finds and determines that:         13       1. In Text Amendment No. 2009-0009, 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 2, 2010 of a text amendment to the Zoning Ordinance to adopt residential infill regulations, which recommendation was approved by the City Council at public hearing on February 20, 2010;         10       2. The City Council I nadopting this ordinance expressly adopts, ratifies, affirms and concurs in the finding and action of the Planning Commission above stated;         12       3. All requirements of law precedent to the adoption of this ordinance have been complied with; now, therefore,         13       7-1002- Residential front setback and front door threshold in line with existing development.         14       1. That Section 7-1002 of the Zoning Ordinance be, and the same hereby is, amended by deleting and inserting new language, as shown:	1	ORDINANCE NO
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<ul> <li>43 Section 11–1300 to modify the strict application of this requirement.</li> <li>44</li> </ul>		Socion 11-1300 to mouny the strict approaction of this requirement.
44 45 (B) — Whenever the major portion of a block is developed, no front door threshold of a		(B) Whenever the major portion of a block is developed no front door threshold of a
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46 purposes of this subsection, the recommendation of the planning commission on					
	46	purposes of this subsection, the recommendation of the planning commission on			

1 2 3 4 5 6 7 8		the special use permit shall be deemed a final decision of the city council, unless any person files with the city clerk a request for hearing by council within 5 working days after the action of the commission. In the event such request is filled, the application shall be docketed for consideration at the next available council public hearing meeting. All notice for applications under this subsection shall include a description of the procedure herein provided, in such form as the director shall require.
o 9	(C)	For the purposes of this section 7-2502, where the number of buildings on one
10		side of a street between two intersecting streets or between one intersecting street
10		and a street dead end is either fewer than five or where the distance between
12		streets as specified above is less than 200 feet or where the number of buildings is
13		greater than 15 or where the distance between streets as specified above is greater
14		than 600 feet, the director may designate an appropriate block for purposes of
15		calculating height without regard to intersecting streets subject to an
16		administrative protocol similar to that applied in substandard lot cases, and
17		subject to city council approval as part of the special use permit, if there is one,
18		granted pursuant to this section 7-2502.
19		
20	(D)	Where an application proposes redevelopment of one or more entire blocks, as
21		defined in Section 7-2502(A)(2), or where there is no appropriate blocks for
22		purposes of calculating height, this section 7-2502 shall not apply and the height
23		restrictions of the zone in which the property is located shall apply.
24		
	7 7602 Emont	door threshold height in line with existing development. See threshold beight
25 26		door threshold height in line with existing development. See threshold height
26	regu	lations in Section 7-1002 (B) and (C). Residential front setback and front door
26 27	regu	
26 27 28	<del>rogu</del> <u>thre.</u>	lations in Section 7-1002 (B) and (C). <u>Residential front setback and front door</u> shold in line with existing development.
26 27 28 29	regu	lations in Section 7-1002 (B) and (C). <u>Residential front setback and front door</u> shold in line with existing development. Unless a different rule is specified for a particular zone, wherever the major
26 27 28 29 30	<del>rogu</del> <u>thre.</u>	<ul> <li>Alations in Section 7-1002 (B) and (C). <u>Residential front setback and front door</u> <u>shold in line with existing development.</u></li> <li><u>Unless a different rule is specified for a particular zone, wherever the major</u> <u>portion of a block is developed, and the majority of the buildings built on one side</u></li> </ul>
26 27 28 29 30 31	<del>rogu</del> <u>thre.</u>	<ul> <li>Additions in Section 7-1002 (B) and (C). <u>Residential front setback and front door</u> <u>shold in line with existing development.</u></li> <li><u>Unless a different rule is specified for a particular zone, wherever the major</u> <u>portion of a block is developed, and the majority of the buildings built on one side</u> <u>of a street between two intersecting streets or between one intersecting street and</u></li> </ul>
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26 27 28 29 30 31 32 33 34 35 36 37 38 39	<del>rogu</del> <u>thre.</u>	<ul> <li><u>Intersection 7-1002 (B) and (C)</u>. <u>Residential front setback and front door</u> <u>shold in line with existing development</u>.</li> <li><u>Unless a different rule is specified for a particular zone, wherever the major</u> <u>portion of a block is developed, and the majority of the buildings built on one side</u> <u>of a street between two intersecting streets or between one intersecting street and</u> <u>a street dead end have been built at a uniform front setback forward or behind the</u> <u>minimum front setback prescribed for the zone in which such buildings are</u> <u>located, new residential buildings hereafter erected shall conform to the setback</u> <u>line so established. Absent a majority of buildings at a uniform front setbacks of the buildings</u> <u>on one side of the street of a block as described above. For all other residential</u> <u>construction, including without limitation, porches and additions, the director may</u> <u>designate an appropriate front setback no closer to the front property line than the</u></li> </ul>
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26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43	regu <u>thre.</u> (A)	Hations in Section 7 1002 (B) and (C). <u>Residential front setback and front door shold in line with existing development.</u> Unless a different rule is specified for a particular zone, wherever the major portion of a block is developed, and the majority of the buildings built on one side of a street between two intersecting streets or between one intersecting street and a street dead end have been built at a uniform front setback forward or behind the minimum front setback prescribed for the zone in which such buildings are located, new residential buildings hereafter erected shall conform to the setback the setback shall be established by the average of the front setbacks of the buildings on one side of the street of a block as described above. For all other residential construction, including without limitation, porches and additions, the director may designate an appropriate front setback no closer to the front property line than the established or average setback line. The board of zoning appeals is authorized to grant a special exception under the provisions of Section 11-1300 to modify the strict application of this requirement.
26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44	<del>rogu</del> <u>thre.</u>	Hations in Section 7-1002 (B) and (C). <u>Residential front setback and front door</u> <u>shold in line with existing development.</u> Unless a different rule is specified for a particular zone, wherever the major portion of a block is developed, and the majority of the buildings built on one side of a street between two intersecting streets or between one intersecting street and a street dead end have been built at a uniform front setback forward or behind the minimum front setback prescribed for the zone in which such buildings are located, new residential buildings hereafter erected shall conform to the setback line so established. Absent a majority of buildings at a uniform front setback, the setback shall be established by the average of the front setbacks of the buildings on one side of the street of a block as described above. For all other residential construction, including without limitation, porches and additions, the director may designate an appropriate front setback no closer to the front property line than the established or average setback line. The board of zoning appeals is authorized to grant a special exception under the provisions of Section 11-1300 to modify the strict application of this requirement.
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1		threshold of the residential buildings built on that block (one side of a street
2		between two intersecting streets or one intersecting street and a street dead end)
3		by more than 20 percent, provided, that additional front door threshold height may
4		be permitted if a special use permit is approved pursuant to section 11-500 of this
5		ordinance, and city council determines that the proposed construction will not
6		detract from the value of and will be of substantially the same residential
7		character as adjacent and nearby properties. For the purpose of this paragraph,
8		the height of the front door threshold is defined as the vertical distance between
9		the average pre-construction grade along the front of the building to the top of the
10		threshold. The front door threshold shall accurately reflect the actual location of
11		the first floor of the building, and in all cases the front door threshold shall be
12		measured to the top of the threshold or the top of the highest elevation of the
13		finished first floor, whichever is greater.
14		
15	<u>(C)</u>	For the purposes of this section 7-2503, where the number of buildings on one
16		side of a street between two intersecting streets or between one intersecting street
17		and a street dead end is either fewer than five or where the distance between
18		streets as specified above is less than 200 feet or where the number of buildings is
19		greater than 15 or where the distance between streets as specified above is greater
20		than 600 feet, the director may designate an appropriate block for purposes of
21		calculating front setback and front door threshold height without regard to
22		intersecting streets subject to an administrative protocol, and subject to city
23		council approval as part of the special use permit, if there is one, granted pursuant
24		to this section 7-2502.
25		
26 7-2504	Oper	a front porches and porticos.
27		
28	(A)	Ground level covered front porches and porticos constructed under the standards
29		of this section 7-2504 shall be excluded from floor area calculated under the
30		provisions of Section 2-145(A)(5).
31		
32	(B)	Standards for porches.
33		(1) Extent of front porch exclusion. No portion of the floor area of the porch to
34		be excluded under this section shall extend beyond the side walls of the
35		front building façade.
36		(2) Size of porch. To be excluded under this section, a porch shall be a
37		minimum of 5 feet deep and a maximum of 8 feet deep. The maximum
38		floor area to be excluded shall be 240 square feet.
39		(3) Construction above not permitted. To be excluded under this section, no
40		second floor balcony, deck, or enclosed construction shall be permitted
41		above the front porch or portico.
42		(4) Must remain open. A ground level front porch or portico shall remain open
43		and shall at no time be enclosed with building walls, glass, screens, or
44		otherwise. Railings shall be permitted no higher than the minimum height
45		required by the building code, and with balusters evenly spaced so as to
46		leave at least 50 percent of the perimeter length of the railings open.

1 2 3 4 5		th th	or front porches and porticos that cannot meet the front setback requirements, the board of zoning appeals is authorized to grant a special exception under the rovisions of Section 11–1300.
6 7	7-2505	Free-sta	anding garages to the rear of the main building.
8 9 10 11 12 13 14 15		ga re ac of bo	egardless of other regulations in this zoning ordinance, a free-standing private arage is permitted to the rear of the main building in accordance with the egulations in this section 7-2505 so long as it is the only garage on the lot or djacent vacant lot under common ownership. The floor area f such a garage constructed in accordance with the standards of this section will e excluded from floor area calculated under the provisions of Section 2- 45(A)(6).
16		(B) S	tandards.
17 18 19 20 21 22 23 24 25			<ol> <li>Size. For lots with a minimum of 5,000 square feet and with less than 8,000 square feet lot area, the garage shall have a floor area not greater than 250 square feet and a height not greater than 10 <u>11.50</u> feet. For lots 8,000 square feet or larger, the garage shall have a floor area not greater than 500 square feet and a height not greater than <u>12 13.50</u> feet. The director may modify the height permitted in this section 7-2505(B)(1) when the height and design of the garage are appropriate and compatible with the main dwelling and with the character of the immediate neighborhood.</li> <li>Setback. The garage shall be set back a minimum of 3 feet from the side or</li> </ol>
26			rear property line if windows face the property line; otherwise the minimum
27 28		(	<ul> <li>setback is 1 foot.</li> <li>3) Access. If there is no direct access to the garage from an alley, a permeable-</li> </ul>
29		(	surfaced driveway is permitted in the side yard for access to the garage.
30			Permeable-surfaced driveways can be composed of grass with ring and grid
31 32			structure, gravel with a grid structure beneath, paving strips, a grid based surface, or other treatments without significant compaction of the base, but
33			must be approved by the department of planning and zoning and the
34			department of transportation and environmental services. Either the
35			department of planning and zoning or the department of transportation and
36 37			environmental services can grant an exemption to the permeable-surfaced driveway requirement in cases of steep slopes, adverse soil conditions,
38			constructability, or other conditions that for safety or environmental reasons
39			would require use of a non-permeable surfacing material. Tandem parking
40 41			in the driveway is permitted. Curb cuts must be approved in accordance with Section 5-2-2 of the City Code and section $8-200(C)(5)$ of this zoning
41 42			ordinance. The number of vehicles permitted on the lot is limited by
43			Section 8-200(C)(6).
44 45		(	(4) <i>Compatibility</i> . The accessory garage shall be compatible with the main dwelling in regard to materials and design.

1 2	(5) Use. The accessory garage shall be dedicated to the use and storage of motor vehicles.
3	
4	7-2506 Attached garages. Private garages that are an integral part of the main residential
5	dwelling are only permitted under the following standards.
6	
7	(A) Access to garage.
8	(A)(1) Lot with width 65 feet or more. If the lot width is 65 feet or more,
9	an attached garage shall have the vehicle opening facing the side yard. Such a
10	garage may be no closer to the front property line than the plane of the front
11	building wall. In the case of a corner lot, an attached garage may face a secondary
12	front yard if the proposed location and design of the door is consistent with the
13	block and neighborhood character. Such a garage may be no closer to the front
14	property line than the plane of the secondary front building wall.
15	(B) (2)Lot with width less than 65 feet. If the lot width is less than 65 feet, an
16	attached garage with a vehicle entrance facing the front yard is permitted, but
17	must be set back a minimum of 8 feet from the plane of the front building wall.
18	No roof or covering is permitted in front of such a garage and any construction
19	above shall not extend forward of the front plane of the garage. The garage door
20	shall be compatible with the design of the residence.
21	
22	-(C)(B)Driveway Surface. A non-tandem parking or garage access arrangement is
23	permitted only if the parking area is a permeable surface, unless the department of
24	planning and zoning or the department of transportation and environmental
25	services determines that a permeable-surfaced driveway is not appropriate due to
26	steep slopes, adverse soil conditions, constructability, or other conditions that for
20	safety or environmental reasons would require use of a non-permeable surfacing
28	material.
28	material.
30	Section 3. That Section 11-1300 of the Zoning Ordinance be, and the same hereby
30	•
	is, amended by deleting and inserting new language, as shown:
32	11 1200 Special manuficer
33	11-1300 Special exception.
34	
35	11-1302 Special exception established. A lot in a single family, two family or townhouse zone
36	may be the subject of a special exception from the following zoning requirements
37	pursuant to this section 11-1300.
38	
39	(D) Average Established front yard setback requirements for a main dwelling
40	required by section 7-2503, subject to the following requirements:
41	(1) Limitation on front setback increase or decrease.
42	(a) No main dwelling shall be closer to the front property line than the
43	average front setback line calculated for the proposed dwelling.
44	(b) (a) An adjustment is allowed of as much as 10% from the average front
45	setback line calculated for the project or 5 feet, whichever is less.

1		(c) (b) The front setback increase or decrease shall be the minimum
2		necessary to achieve the desired result.
3	(2)	The applicant shall demonstrate by clear and convincing evidence that the
4	(-)	proposed change in front setback for the dwelling is necessary for
5		environmental and/or critical construction reasons and that the dwelling in
6		the proposed location will be compatible with the character of the rest of the
7		neighborhood block and will not be detrimental to the maintenance of a an
8		established setback along the street.
9		established setback along the street.
10	Section	4. That the director of planning and zoning be, and hereby is, directed to
11	record the foregoin	
	record the foregoin	g text amenument.
12	Section	5 That Section 7,1002, as amonded surguent to Section 1 of this ordinance
13		15. That Section 7-1002, as amended pursuant to Section 1 of this ordinance,
14		amended pursuant to Section 2 of this ordinance and 11-1300, as amended
15	-	3 of this ordinance, be, and the same hereby are, reordained as parts of the
16	City of Alexandria	Zoning Ordinance.
17		
18		6. That this ordinance shall become effective on the date and at the time of
19	<b>1</b>	id shall apply to all applications for land use, land development or subdivision
20		for under the City of Alexandria Zoning Ordinance which may be filed after
21		l apply to all other facts and circumstances subject to the provisions of the
22		Zoning Ordinance, except as may be provided in Article XII of the Zoning
23	Ordinance.	
24		
25		WILLIAM D. EUILLE
26		Mayor
27		
28		
29	Introduction:	04/13/2010
30	First Reading:	04/13/2010
31	Publication:	
32	Public Hearing:	
33	Second Reading:	
34	Final Passage:	
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