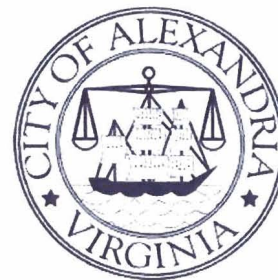


Docket Item #14

EXHIBIT NO. 1

11
6-14-08

Infill Task Force Recommendations

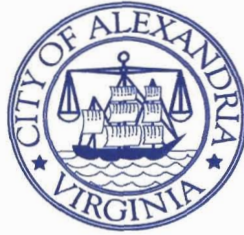


Text Amendment #2008-0005



**Planning Commission
June 3, 2008**

INFILL TASK FORCE MEMBERS



Stewart Dunn, Chair
Planning Commission

Ken Billingsley
Resident, Strawberry Hill

Lisa Viersé May
Northern Virginia Association of
Realtors

David Brown
Resident, North Ridge

Gaver Nichols
Architect

Stephen Koenig
Architect

Maria Wasowski
Resident, Mt. Jefferson/Del Ray

Mary M. Konsoulis
Resident, Rosemont

Lee Weber
Builder/Developer

Staff

Faroll Hamer, Director, Planning and Zoning
Richard Josephson, Deputy Director
Stephen Milone, Division Chief, Zoning and Land Use Services
Peter Leiberg, Zoning Section Manager
Valerie Peterson, Urban Planner
Mary Christesen, Urban Planner

Consultant

Hal Phipps, Phipps Group

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MEMORANDUM

To: Honorable Wm. D. Euille, Mayor and Members of Council, and
Eric R. Wagner, Chairman, Planning Commission and Members of the
Planning Commission

From: H. Stewart Dunn, Jr., Chair and Member of the Infill Task Force

Date: May 27, 2008

Re: *Report of the Infill Task Force*

We are pleased to submit for your consideration, and we hope for your approval with whatever amends and modifications you deem necessary and appropriate, the attached report of your Infill Task Force.

We have carefully addressed, and we believe accomplished, the missions established for this task force as set forth in the memorandum of James K. Harmann, City Manager of April 4, 2007. The record of our meetings, processes and procedures is set forth in the attached report and need not be repeated in this covering letter.

We do, however, wish to emphasize that our goal has been to develop proposals that will effectively and practically address and resolve the significant "infill" problems that led you to establish this task force. While we have considered a broad range of possible approaches and solutions, some involving land use restrictions that are not presently found in the Alexandria zoning ordinance, we have concluded that the desired goals of preserving neighborhoods can best and most effectively be achieved by targeted and limited adjustments within the existing governing principles that are known and generally accepted by the concerned Alexandria community of single and two family dwelling units, including its residents, landowners, architects and builders. We specifically address height, density, set back and design.

We recommend these proposals and the proposed implementing statutory language to the Planning Commission and to the Council. Although the membership of our task force was intentionally selected to represent the divergent interests that will be impacted by these proposals, our decisions and recommendations are unanimous. Also they reflect the valuable input we received from the public, as well as from the Council and the Planning Commission at our work session with you on April 8th.

We are greatly indebted to the extraordinary high quality and dedicated support and advice we received from the staff of the Planning and Zoning Department. This effort was led by Valerie Peterson and most ably supported by Peter Leiberg, Richard Josephson and consultant, Hal Phipps, as well as Stephen Milone and Mary Christesen. We also express our thanks and appreciation to the City Attorney, Ignacio Pessoa.

Docket Item #14
Text Amendment 2008-0005
INFILL REGULATIONS

Planning Commission Meeting
June 3, 2008

ISSUE: Consideration of a text amendment to implement the Infill Task Force recommended Infill Program

STAFF: Department of Planning and Zoning

PLANNING COMMISSION ACTION, JUNE 3, 2008: On a motion by Mr. Jennings, seconded by Mr. Robinson, the Planning Commission voted to recommend approval of the text amendment, with amendments as per the staff memo dated June 3, 2008. The motion carried on a vote of 6 to 0. Mr. Komoroske was absent.

Reason: The Planning Commission commended the work of the Infill Task Force and supported its recommendations, with members encouraging expeditious approval of the long anticipated infill regulations.

Speakers:

Marc Allen, Alexandria resident with an infill project currently in the planning phase, discussed his concern about how the regulations may apply to his project, and the potential cost of having to redesign the project to conform to the regulations.

Katy Cannady spoke in support of the Infill Task Force recommendations, stating that they will provide great relief to the Rosemont neighborhood, and hopefully prevent future projects that are too tall for the neighborhood.

Kim Beasley, architect, discussed some concerns with the proposed regulations, including how the regulations may in some cases be too prohibitive and prevent good designs, and how there needs to be more time before enacting the regulations in order to provide adequate notice to those in the industry who will be effected.

Andres Domeyko, city resident, spoke in support of the majority of the recommendations, but was concerned that the average height requirement would be too restrictive and prevent second story additions on blocks where there are mostly single family homes. *Planning Commissioner Stewart Dunn, Chair of the Infill Task Force, clarified that the average height requirement includes the ability to always build up to 25 feet, which allows second story additions. He added that for projects proposed above 25 feet who are subject to the average requirement, there is an*

additional 20% allowed for flexibility, and that applicants who want to build even taller may seek Special Use Permit (SUP) approval for up to the maximum height limit for the zone.

Lillian York, city resident, spoke in support of many of the recommendations, but found that many went too far. She stated that the “McMansion” phenomenon is not as much of an issue in Alexandria as it is in other areas. She noted many people want larger homes, and suggested that the recommendations need to be looked at more carefully.

Poul Hertel, city resident, spoke in support of the recommendations, stating that the community has been waiting for these regulations, and that the Infill Task Force was one of the best working task forces he has seen in the city.

Amy Slack, speaking on behalf of the Del Ray Citizens Association, spoke in support of the recommendations, stating that the Del Ray Civic Association voted to approve them. She attended the Task Force meetings, and found they provided the opportunity for citizens to be engaged, hear Task Force discussions and learn. Ms. Slack noted that two of the Task Force members were architects, who brought client concerns to the discussion of the recommendations, and resulted in building in flexibility in the regulations, such as the SUP mechanism. She noted that there has been sufficient time to follow the work of the Task Force and development of the regulations.

Mike Ernst, resident of Warwick Village, expressed concern about how the regulations may apply to the one- and two-family dwellings located in Warwick Village. He was also concerned that he was not aware of the recommendations until the staff report was released, and thought another 30 days to review the recommendations would be appropriate, and suggested a longer grace period for those cases already in progress. He was also concerned about how a pattern book, while not a regulatory tool, may become a standard that prevents modern architecture. *Mr. Dunn noted that the regulations apply to single and two family homes even in RA and RB and that the pattern book is strictly voluntary, and responded to the comment on the amount of notice, stating that the substance of the recommendations have been discussed with the public for at least two months, going back to before the Worksession with the Planning Commission and City Council on April 8.*

James Snyder, Del Ray resident, discussed how he found the recommendations to be generally good, but had concerns about how the regulations may be detrimental to older homes, stating the current FAR deductions may contribute toward retention of older homes because of the ability to deduct perceived substandard spaces, and that the height limitation may be too restrictive.

Andy Duncan, Warwick Village resident and former association president, requested additional time to learn how the proposed regulations may impact their neighborhood, stating that because of the emphasis of the study on single-family homes, they were not aware until recently of the applicability of the regulations to some of the dwellings in their neighborhood. *Mr. Dunn noted a comment from Peter Leiberg, Zoning Manager, that Warwick Village is approved under a Community Unit Plan, which requires a Planning Commission and City Council process for major amendments, and would be more restrictive than the recommendations of the Infill Task Force.*

STAFF RECOMMENDATION: Staff recommends approval of the proposed text amendment to implement the Infill Task Force recommended Infill Program.

EXECUTIVE SUMMARY

The proposed regulatory changes are rules to protect neighborhoods from overly large and incompatible new houses and additions. The proposed changes are practical and effective changes recommended by the Infill Task Force to reduce the size and minimize the incompatibility of new residential infill construction.

Background

When houses are built that are out of scale and character with an established neighborhood, the impact on the neighborhood can be severe and especially traumatic for immediate neighbors. In addition, the qualities that make the neighborhood attractive are threatened. The trend nationwide and in the City of Alexandria is toward larger houses, either through additions to existing residential dwellings or the teardown of a dwelling, followed by reconstruction of a larger house.

Community concerns about these out of scale homes led to a staff review of the infill problem in the City. In June 2006, the staff recommended two interim amendments to the zoning ordinance to begin to deal with infill problems – one to regulate the height of an infill property by controlling the threshold or first floor height of a new dwelling and the second one to more clearly define “character” in the subdivision regulations. The Planning Commission and the City Council approved the interim legislation.

In December 2006 the staff recommended the formation of an Infill Task Force to study short and long-term initiatives that the City could undertake to address the infill problem. The Council agreed and in an April 2007 staff report to the City Council, the staff recommended the mission, composition and scope of the Infill Task Force and agreed to provide staff support for the effort. The Council approved the recommendation and the Mayor appointed the nine Task Force members: four residents from different neighborhoods, four representing the development community, and chaired by a member of the Planning Commission.

Infill Task Force

The mission of the Infill Task Force is to study the impact of large new housing construction and major residential additions in existing, established single-family neighborhoods; analyze existing City regulations that pertain to limiting infill impacts and make recommendations for any regulatory changes, and keep the public informed about the study.

The Infill Task Force held their first meeting in August 2007 and approved a schedule and agendas for their meetings. The Task Force agreed to focus their recommendations on single-family residential properties in the R-20, R-12, R-8, R-5, R-2-5, RA, and RB zones. Later in the study they felt that their recommendations should also apply to two-family dwellings in the R-2-5, RA and RB zones. The Task Force also decided not to apply their recommendations to any dwellings in the Old and Historic Alexandria or Parker Gray historic districts because they were not the focus of the study, and because there are existing regulations in these historic districts that achieve the objectives that the Task Force has for other areas of the City.

Task Force members recognized the importance of the neighborhood blockface as seen from the street and realized the need to develop recommendations that minimize the impact of infill construction as seen from the neighborhood perspective. The members of the Task Force also concluded that it was important that they develop a program to address infill that was practical and could be implemented without major changes to the zoning regulations.

Community Outreach

The Infill Task Force sponsored two community meetings, one in November 2007 at the start of the study to obtain community input and one in May 2008 to review the preliminary Task Force recommendations. Each was attended by 25-30 community members. A public worksession with the Planning Commission and City Council was held in April 2008 to obtain input from appointed and elected officials.

All of the Task Force monthly meetings were advertised on the City website and through the City's eNews system. Staff sent letters to community leaders and other stakeholders at the beginning of the study informing them of the Infill Task Force schedule and encouraging their input to the study. The public was invited and attended the tour of infill properties that was organized for the Task Force members. Task Force meeting notes, presentations, and reports were posted by staff to the City website after each meeting. Many comments from residents were received at the meetings, which contributed to formulating the recommendations.

Infill Task Force Recommended Program

The Infill Task Force believes that it has a consensus on a balanced Infill Program of recommended regulations and incentives to minimize the construction of the most egregious examples of infill problems. They also believe that this is a practical program and an effective solution to the infill problems without having to resort to radical changes.

In the course of the study, the Infill Task Force identified the following general infill problems that they wanted to address:

- Height and Bulk of Infill Projects
- Protection of Historic or Precious Resources & the Need to Address Demolition Issues
- Neighborhood Compatibility
- Visual Impact of Front Garages, Vehicle Parking, Paving and Driveways
- Teardowns and New Construction on Substandard Lots
- Zoning Provisions in Need of Clarification

The Task Force found that infill construction can be consistent with current zoning regulations, yet still not be harmonious with the neighborhood context. To rectify this, the Task Force is recommending modest adjustments to the zoning ordinance. The Task Force also has some additional recommendations, in order to provide incentives for good design compatible with the neighborhood.

Following is an overview of the Infill Task Force Program recommendations categorized by general control type:

Height

- Establish average building height limits based on the average building height on the street
- Measure height from existing grade rather than finished grade
- Identify height requirements for all roof types
- Permanently adopt interim threshold height regulation

Setbacks

- Require front setback to be in line with established or average building setback

Bulk

- Clarify FAR floor area definition to reduce excess deductions

Design – Bulk

- Encourage open front porches
- Encourage detached garages in the rear of the lot
- Allow permeable driveways in required side yard
- Allow tandem parking without Special Use Permit (SUP)
- Require attached garages to be set back from the front building wall
- Require attached garages to be side loaded for wide lots
- Require permeable driveways for attached garages with parking not in a tandem configuration

Design

- Permanently adopt interim subdivision regulations
- Explore the establishment of overlay districts for certain areas
- Explore the creation of a Citywide Pattern Book
- Establish a tree cover requirement
- Require SUP for teardown and new construction on substandard lots

BACKGROUND

When houses are built that are out of scale and character with an established neighborhood, the impact on the neighborhood can be severe and especially traumatic for immediate neighbors. In addition, the qualities that make the neighborhood attractive are threatened.

In March 2006, the Planning and Zoning staff presented a series of preliminary findings and recommendations on residential infill development at a worksession with the Planning Commission. This included a presentation as well as a written report entitled *Residential Infill Development in Alexandria*. The staff recommended that two interim zoning regulation changes be prepared for adoption in the short-term and that other possible regulations be analyzed closely by the staff as part of an intermediate-term work program. The Planning Commission expressed concern about the infill issue and urged the staff to address the matter as expediently as possible.

Interim Regulations

Staff recommended two interim amendments to the zoning ordinance in June 2006 to the Planning Commission and City Council.

One recommended regulation addressed front door threshold height. Many new houses had increased the height of the front door threshold, disrupting the pattern of front elevations on a block, and contributing to the perceived issue of larger, out of scale, buildings developing in the neighborhood. In some instances, it is a new and taller exposed basement that increases the height of the first floor of the house. In many cases, there are extensive and tall front steps, out of character with other front entrances on the street.

The proposal required that the front door threshold be less than 20% higher than the average height of other front door thresholds on the blockface, otherwise an SUP would be required. In other words, without SUP approval, the height of the bottom of the front door may not be more than 20% taller than the average height of the bottom of front doors on the remaining houses on the same side of the block. Due to issues with falsely dropped thresholds that were not addressing the intent of the regulation of lowering the first floor height, the regulation was later amended to require the entire first floor construction be in line with the average on the blockface, and not just the threshold.

The second recommended regulation addressed the need to further define "character" in the subdivision regulations. Text was added to help clarify what is meant by character and that it applies not only to the original subdivision character, but the character of the subdivision pattern as it currently exists. The new language also provides for a more general neighborhood consideration, where the boundaries of the original subdivision cut off pertinent but similar character-defining land areas.

The Planning Commission and the City Council approved the interim legislation in June 2006, approved a one-year extension in December 2006 with staff-recommended revisions to improve administration of the regulations, and another one-year extension in December 2007.

Creation of the Infill Task Force

In the December 2006 staff report recommending a continuation of the interim regulations, the staff also recommended the formation of an Infill Task Force to study short and long-term initiatives that the City could undertake to address the infill problem. The Council agreed with the recommendations for the creation of the Infill Task Force and directed the staff to report back clearly defining the mission, composition, and scope of the Task Force.

In an April 2007 staff report to the City Council, the staff recommended the mission, composition and scope of the Infill Task Force and agreed to provide staff support for the effort. The Council approved the recommendation and the Mayor appointed the Task Force members.

The mission of the Infill Task Force as defined in the Council resolution is to:

- Study the impact of large new housing construction and major residential additions in existing, established single-family neighborhoods,
- Analyze existing City regulations that pertain to limiting infill impacts and make recommendations to the Planning Commission and City Council for any regulatory changes, and
- Keep the public informed about the study, briefing the community at large on the progress of the infill study, and briefing the Planning Commission and City Council on their analysis and recommendations.

The Infill Task Force consists of nine members, chaired by Stewart Dunn, a member of the Planning Commission. Four members are residents and four members are from the development community.

INFILL TASK FORCE

The Infill Task Force met initially on August 28, 2007 to discuss their mission and approve a schedule and agendas for their meetings to last through May 2008 when the Task Force would have recommendations ready to present to the Planning Commission and City Council. The Task Force has worked diligently to evaluate the issue of infill in Alexandria, learn the existing regulations applicable to infill projects, and identify new tools to appropriately address infill concerns.

The initial meetings of the Task Force looked at the issue of infill in the City in order to identify specific concerns that could be addressed through new regulations. The members of the Infill Task Force took a field trip in September 2007 with the public invited to review infill projects in the City and to assess the impact on the neighborhood, and to evaluate the character and extent of the infill problem in the City. They identified what factors contributed to the community's perception of a problem in the neighborhood and why it was critical to begin to address the most egregious problems. Task Force members recognized the importance of the neighborhood blockface as seen from the street and the need to develop recommendations that minimize the impact of infill construction as seen from the neighborhood perspective. The members of the Task Force also expressed the view that they wanted to develop a program to address infill that was practical and could be implemented without radical change.

The Task Force then examined the existing City regulations to identify those regulations that were working well and those that needed to be improved. They wanted to know what other jurisdictions were doing to address infill problems and what other tools were available to the City to address the issue. Based on their mission to address Infill issues in single-family neighborhoods, the Task Force agreed to focus their recommendations on single-family residential properties in the R-20, R-12, R-8, R-5, R-2-5, RA, and RB zones. Later in the study they felt that their recommendations should also apply to two-family dwellings in the R-2-5, RA and RB zones, as many of the established single family neighborhoods include two-family dwellings located in these zones. The Task Force also decided not to apply their recommendations to any dwellings in the Old and Historic Alexandria or Parker-Gray historic districts because they were not the focus of the study, and are already regulated by Boards of Architectural Review.

The Infill Task Force schedule and agenda then led them through a review of the interim regulations (threshold height and subdivision) that were due to expire in December 2007. The Task Force recommended to the Council that the interim regulations were useful and that they should be extended a year and considered as part of the Infill Program that the Task Force was developing. The issue of how to treat substandard lots when there is a teardown and reconstruction was also reviewed early in the process, and the Task Force agreed to make their recommendations as part of a total package later in the study.

The Task Force was briefed by the City Attorney in October 2007 on the legal authority the City had to regulate infill. The staff then briefed the Task Force in a series of meetings in December 2007, January and February 2008 that addressed height and setback controls, the floor area ratio as a regulatory tool, and design solutions and incentives.

Out of these meetings and discussions, a consensus emerged on a program of tools and incentives. At the March 2008 meeting the Task Force reviewed all of the possible tools and recommendations from the staff and decided what type of Infill Program made sense for them to recommend to the City. Based on this consensus, at the April 2008 meeting the Task Force reviewed and discussed detailed draft legislation and recommendations that would implement their program. The Task Force finalized their recommendations at their May 2008 meeting.

COMMUNITY OUTREACH

The Infill Task Force was serious about the aspect of their mission that called for keeping the public informed about the study and for getting public input. All of their meetings were advertised on the City website and through the City's eNews system. Staff sent letters to community leaders and other stakeholders at the beginning of the study informing them of the Infill Task Force schedule and encouraging their input to the study. As part of every Infill Task Force meeting a public comment period was identified on the Agenda and comments were solicited by the Chair. Many constructive comments were received during these public comment periods, that contributed significantly to the development of the Task Force recommendations. Task Force meeting notes, presentations, and reports were posted by staff to the City website.

The Task Force sponsored a Community Forum on Infill on November 15, 2007, at the beginning of the study, to obtain input from the community on their perceptions of infill problems. After a presentation by the staff, a group exercise was held by dividing those who attended into four small groups and asking the groups to review 10 picture examples of new and renovated homes in the City. As a group they reviewed each example and discussed what they liked and disliked and why. A series of questions were provided to help focus the discussion. An Infill Task Force member facilitated each group discussion and another member or staff recorded the group findings on a flip chart. At the conclusion of the group exercise, a community member from each group summarized the group's comments. These community comments supplemented the infill issues and problems observed by the Task Force members and served to define the perceived problems in the City, which guided the direction of the recommendations.

A Community Meeting on Infill was held on May 1, 2008 to discuss the preliminary recommendations of the Task Force. At this meeting, each recommendation was discussed and the community was given a chance to ask questions or comment. There was general support for the recommendations from those who attended the meeting. The Task Force felt the meeting was valuable because it provided community insight and reaction to their detailed recommendations. Community comments and suggestions were considered at the May 2008 Task Force meeting.

A public Planning Commission/City Council worksession on the preliminary Task Force recommendations was held on April 8, 2008. This provided a valuable opportunity for initial comments and questions from members of the Planning Commission and City Council and provided another outreach opportunity to those in the community who may not have attended any of the other meetings.

INFILL TASK FORCE RECOMMENDED PROGRAM

The Infill Task Force believes that it has developed a consensus on a balanced Infill Program of recommended regulations and incentives to minimize the construction of the most egregious examples of infill problems. They also believe that this is a practical program and an effective solution to the infill problems without having to resort to major changes to the zoning regulations.

Identified Infill Problems

In the course of the study, the Infill Task Force identified the following general infill problems that they wanted to address:

- Height and Bulk of Infill Projects
- Protection of Historic or Precious Resources & the Need to Address Demolition Issues
- Neighborhood Compatibility
- Visual Impact of Front Garages, Vehicle Parking, Paving and Driveways
- Teardowns and New Construction on Substandard Lots
- Clarify Some Zoning Provisions

Recommendations to Address Infill Problems

The Task Force found that infill construction can be consistent with current zoning regulations but not consistent with the neighborhood context. They believe that adjustments need to be made to the zoning ordinance to provide additional regulation, but also to provide incentives for good design compatible with the neighborhood. The Task Force also has some additional recommendations which are not regulatory that can address some of the infill problems.

Below is a summary of each Task Force recommendation. A more thorough description including a sense of the impact on the neighborhood as well as the home owner is included as an attachment to this staff report. Each recommendation falls under a general control type category (i.e., height, setbacks, bulk, design-bulk, design) which is convenient for identifying the type of recommendation.

A. Height

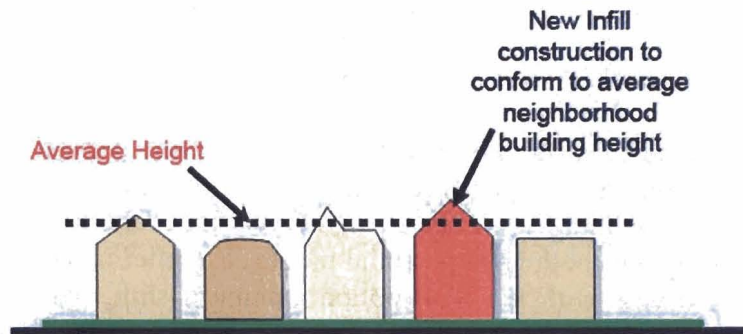
A1. Establish Average Height Limits

The Task Force members and community expressed great concern about the overall height of infill dwellings, especially when the height is significantly taller than the rest of the houses in a given block. Although the height limit in the zoning ordinance for single family zones is 35 feet, houses rarely approach that limit. On a gable-roofed dwelling, height is currently measured to the midpoint between the ridge and the eaves.

The Task Force reviewed alternatives that could address the building height issue in terms of overall building height. One alternative which the staff and the Task Force did not support was to reduce the height limit in the zones from 35 feet to 30 feet. Although a limited study of typical blocks in the City showed that few exceed 30 feet in height, it was felt that this was too broad-based an alternative, and would not address height concerns that may be unique to particular blocks. Another alternative which the staff and the Task Force did not support was to change the way height is measured – instead of measuring height to the midpoint on a gable roof, measuring height to the ridge line. The staff and Task Force felt this alternative was not appropriate because it could encourage flat roofs rather than pitched roofs as homeowners and developers would attempt to maximize use of the allowable height area.

The alternative that the Task Force is recommending and that the staff also supports is to establish a maximum height on the neighborhood block based on the average building height on the blockface (same side of street) plus 20%. This alternative is appealing because it is tailored to the specific neighborhood block and the pattern of dwelling heights that already exist on the street. The Task Force expressed concerns about those blocks where the average are only a single story, and would limit the potential for reasonable second-story expansions. To address this concern, the Task Force recommends allowing a property owner to build a two-story house up to 25 feet, if the calculated average height plus 20% is less than 25 feet. The Task Force acknowledged that with this alternative, over time, houses may increase in height, however, found that it addressed the greatest concern of infill projects with abrupt changes in height. The community expressed concern about a skewed calculation due to single properties built well above or well below the average, and to address this concern suggested exploring excluding the

highest and lowest value from the average calculation. Staff tested the idea on a few cases, and found that the average did not change significantly with these exclusions.



Relief from Application of Average Height Requirement

The Infill Task Force recommendation includes that applicants may seek a Special Use Permit (SUP) to exceed the 25 feet building height or average building height plus 20%, and is the same relief mechanism for the threshold height requirement discussed later in this report. The SUP is a common tool used to consider certain land use proposals that exceed the level of intensity or impacts of those anticipated under permitted uses, but may be accommodated if a use or structure will be designed so as to avoid, minimize or mitigate any potentially adverse effects on a neighborhood. While the Task Force members initially agreed that the SUP process was the appropriate relief tool, the idea of a special exception process heard by the Board of Zoning Appeals was later raised by some members as a viable alternative, and a discussion of the proper relief procedure ensued. Three relief mechanisms were discussed:

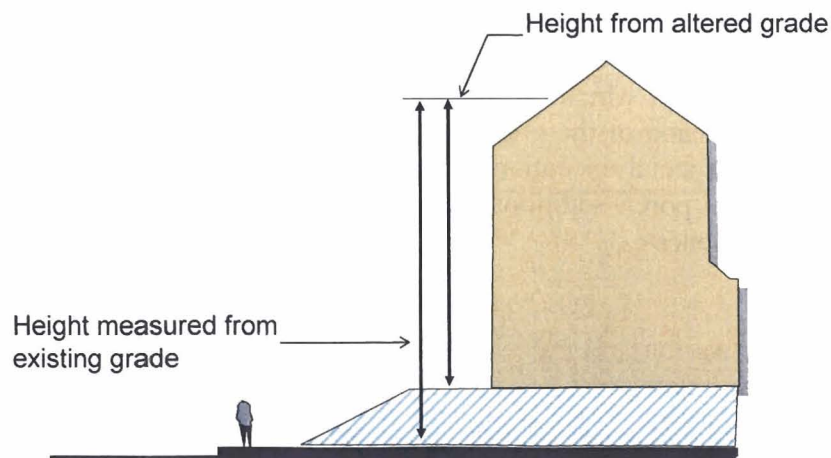
- *Variance:* A variance is heard by Board of Zoning Appeals (BZA), and includes legal notice to neighbors. A legal hardship must be presented by the applicant, a high legal standard to be met. A common variance request is relief from a setback due to extreme topography, steep slopes, irregular shape of the lot or soil or water problems of a particular lot that without such variance would prohibit or unreasonably restrict use of a property.
- *Special Exception:* A special exception is heard by the BZA, and includes legal notice to neighbors. An applicant must show that strict application of the zoning regulations create an unreasonable burden on the use and enjoyment of the property, which outweighs the material zoning purpose for which the specific provision of the ordinance at issue was designed. Cases commonly considered for special exception are expansion of one non-complying wall, open, covered front porch additions that encroach in to the required front setback, and corner lot fences.

- *Special Use Permit (SUP):* An SUP is heard by the Planning Commission and City Council to determine whether the proposed construction with increased height would be of substantially the same residential character and design as adjacent and nearby properties, and is subject to other discretionary considerations reviewed in all SUPs.

The Task Force found leaving property owners to use the variance approach as the only mechanism for relief from the proposed regulations was *not* appropriate because of the high legal standard required for granting a variance. However, the Task Force found that the special exception and SUP options both have potential merits as a relief mechanism. Further discussion led to a Task Force vote with the SUP option gaining a slim majority. The members who support the SUP option found that an SUP process would encourage property owners to meet the strict standards of the regulations and choose not to go through an uncertain public process. (In the two years that the threshold height regulations have been in effect, nobody has applied for an SUP to construct a threshold above the height permitted by the regulation.) The SUP option also provides two public hearings, significant opportunity for public input, and a high level of discretion in review and variety of conditions that can be imposed to provide flexibility to an applicant, when warranted, or to mitigate impacts on the neighbors. The members who support a special exception found the BZA was the more appropriate body to consider a variation in height, either of the average building height or threshold height, as the same body is already charged with hearing similar kinds of zoning exception cases for single family properties. The draft regulations attached to this staff report reflect the SUP option.

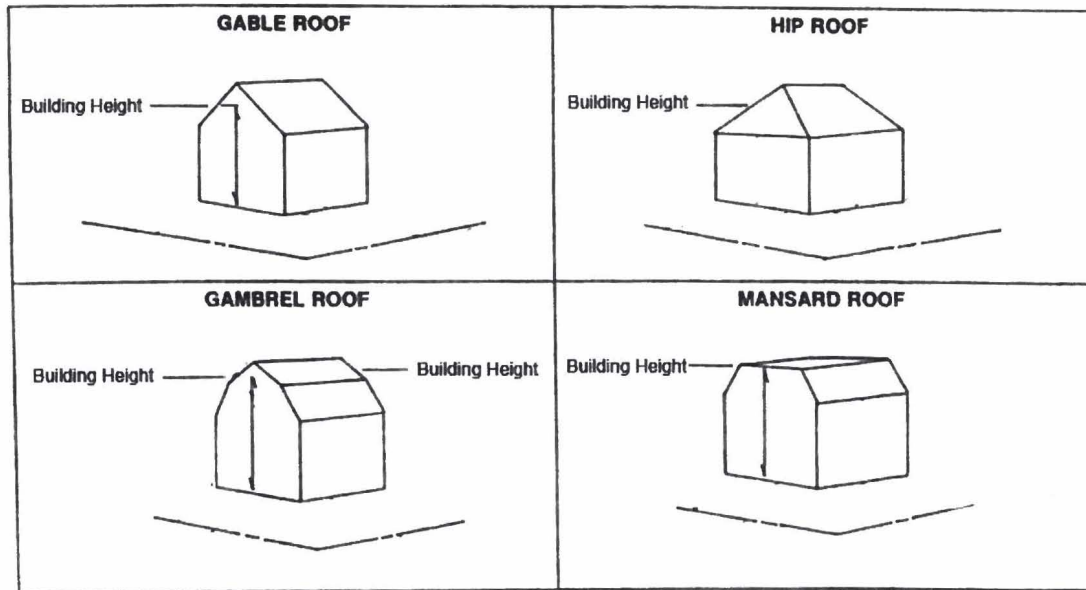
A2. Measure Height from Existing Grade

Another recommendation that addresses the height issue is where to start the measurement of overall height. Some owners of new dwellings or proposed additions artificially mound up soil around the base of the house to increase the height of the house or to meet setback requirements. Currently height is measured from average finished grade. The recommendation is to add a provision that states that for the purposes of determining building height and establishing the setback ratio, at no point may the finished grade be higher than the pre-construction grade measured at 20 feet intervals at the perimeter of the base of the building.



A3. Identify Height Requirements for All Roof Types

This is a zoning ordinance clarification recommendation. The zoning ordinance currently describes how to measure height in the case of a gable or hip roof. The Task Force recommendation is to revise the zoning ordinance section to establish how to measure height for a gambrel and mansard roof.

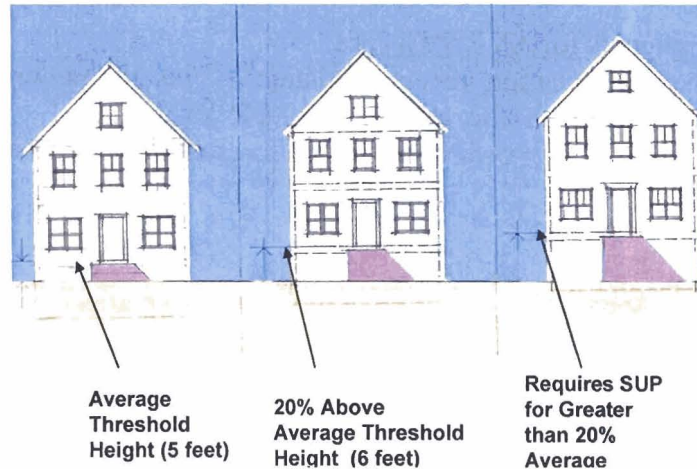


A4. Permanently Adopt Interim Threshold Height Regulation

This recommendation is to permanently adopt the interim regulation that has been part of the zoning ordinance since July 2006. It was adopted as an interim measure to address the height issue and assist in insuring that new construction be compatible with the neighborhood character. It requires that the front door threshold, which includes the first floor construction, be less than 20% higher than the average height of other front door thresholds on a blockface; otherwise an SUP would be required. Height is measured from the existing grade on the lot.

Staff has found that the threshold height regulation has been effective in keeping first floor construction in line with the neighborhood and the Infill Task Force agreed. Since the interim regulations were adopted in 2006, there have been 32 projects with significant additions or new construction where the interim regulations applied:

- 17 projects complied with the requirement upon submission
- 9 projects did not affect the existing threshold and front door height
- 4 projects were revised to meet the threshold requirement
- 2 projects were withdrawn for unrelated reasons

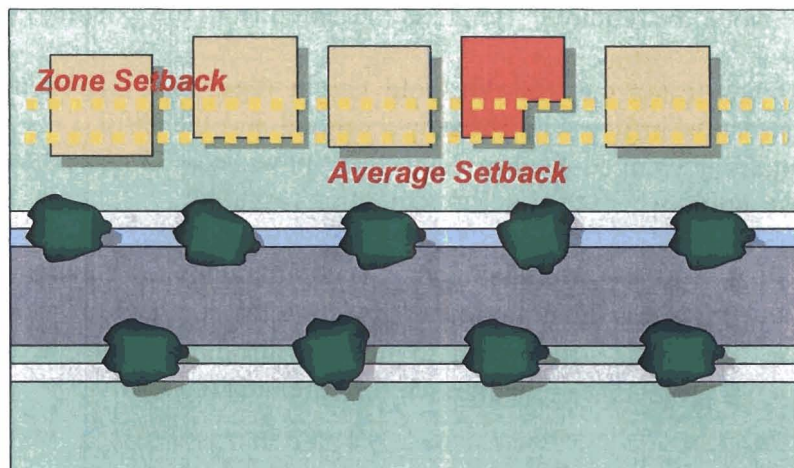


B. Setbacks

B1 Require Front Setback to Meet the Established Setback or the Average

In many neighborhoods, the existing houses are likely to be closer to the front lot line and street than the front setback required in the zoning ordinance. If a new house is built in a neighborhood at the required zone front setback, it is possible that the house will be constructed behind the average of the existing houses on the street. This could leave a “gap” in the blockface and negatively impact the harmonious pattern established for the blockface.

Current law allows houses to be built up to an established front setback on the neighborhood block. The Task Force recommends that new houses being built in an existing neighborhood be required to meet the established front setback regardless of the minimum front setback prescribed for the zone. If there is no established pattern for the front setback on the block, the Task Force recommends that new construction be required to meet the average front setback of existing houses. The Task Force found that issues of design, topography or other circumstances may arise that would make it difficult to comply with an absolute setback line, and found that it would be reasonable to have a mechanism for applicants to seek relief from the requirement, that also provides opportunity for citizen input. The Task Force recommended that applicants may seek relief from the requirement through a Special Exception process at the Board of Zoning Appeals (BZA). An applicant must show that strict application of the zoning regulations creates an unreasonable burden on use and enjoyment of the property.



C. Bulk

The City's current limit on the bulk of a building is the Floor Area Ratio (FAR). This is the ratio of the floor area in a building to its lot area. There is an FAR limit by zone – in the case of residential zones, the larger the minimum lot area of the zone, the lower the FAR allowed. FAR limits the square feet that can be built on a property, beyond restrictions established for height and setbacks. Other jurisdictions look with envy at Alexandria's FAR regulatory tool, because it is one of the few jurisdictions that have an FAR limit on the bulk of single family dwellings. However, the current definition of floor area, which is the significant component of FAR is unclear and has been interpreted differently over time, resulting in significant staff and applicant time to resolve interpretation issues, and in recent years significant deductions allowed in floor area that are not consistent with neighborhood expectations of the requirement.

After reviewing FAR and other alternatives, including lot coverage ratio, an open space requirement, and building volume ratio, the Task Force is recommending changes to the definition of floor area as the best limit on bulk.

The Task Force reviewed Arlington County's experience with lot coverage where it is defined as the ratio of occupied areas (buildings and driveways) to total lot area. Three years ago Arlington revised the lot coverage ratio to limit the ratio allowed – with a sliding scale allowing a larger lot coverage ratio for smaller lot zones and a smaller lot coverage ratio for large lot zones. Arlington does not have a FAR requirement for single family. Although the lot coverage ratio limits the bulk of buildings on a lot in the horizontal dimension, it does not limit the vertical bulk of buildings

An open space requirement is the reverse of the lot coverage ratio limits. Alexandria does not have an open space requirement for single family residential zones, although it does have an 800 square foot open space requirement for the RA and RB zones. Here the Task Force found the same problems as with the lot coverage ratio – there are limits to what can be placed on a lot in the horizontal dimension, but does not limit the vertical bulk of buildings.

The Task Force spent some time reviewing a Building Volume Ratio (BVR) as an alternative to modifying the City's FAR regulations. A BVR is defined as the ratio of the total building volume (in cubic feet) to the lot area. While a BVR initially seemed promising, the Task Force ultimately found several flaws with BVR as a strategy to control bulk in lieu of FAR. Staff manually calculated the building volume from a set of plans for a new single-family residential building, and while calculating the volume for standard first and second floors was straightforward, the calculation for an attic with dormers proved more challenging, and could result in significant staff and applicant time to calculate. Although computer aided design software could compute the volume quickly for new buildings, volume may be a difficult concept for a homeowner who would be required to do the calculation for an addition to an existing home. In addition, staff was not able to find any other jurisdiction using building volume to measure bulk for single family dwellings, making it an untested tool and one that would require a significant undertaking to determine what appropriate maximum BVRs would be. Ultimately the Task Force found that it was not wise to change the regulatory bulk tool to a volume measure,

particularly because a BVR is less familiar and tested than the FAR, and that the existing FAR tool could be clarified to better reflect a true volume measure.

C1. Clarify Floor Area Definition to Reduce Excessive Deductions

The Task Force recommends revising the Floor Area definition component of the FAR so that it more closely resembles a measure of the external volume or bulk of a dwelling as seen from the neighborhood perspective. At the same time, the Task Force recognized that the definition could be used to encourage good design, which would balance the fact that the definition was being tightened.

While the current floor area definition states that areas above 7'6" in ceiling height are to be counted as floor area, it is not clear whether floor area that measures less than 7'6" in ceiling height can be deducted. The language is confusing to property owners, architects, city staff, and neighbors and has resulted in varying interpretations over time.

One interpretation can lead to the construction of exceedingly large dwellings, if areas that measure 7 feet in height in an attic, bathroom, or closet are deducted from the allowable floor area. Older dwellings built before modern building codes may have ceiling heights of 7 feet – meaning that a whole dwelling could have no countable floor area. In analyzing the year 2007 building permits for additions and new construction of single family dwellings, staff found that more than 70% of the projects reviewed did not need deductions to meet the allowable FAR.

A major issue noted by the Task Force is that those projects that maximize the FAR and take advantage of 7'6" deductions tend to be the large homes that are the focus of this infill study.

The Infill Task Force recommends that the floor area definition be revised to incorporate the following elements:

- Be the sum of all gross horizontal areas
- Be measured from exterior faces of walls or any extended area under roof, but not include the eaves
- Floor area with a ceiling height of 15 feet or greater will be counted twice; floor area with a ceiling height 25 feet or greater will be counted three times (to more carefully count the space of cathedral ceilings)
- Delete the confusing 7'6" language
- Continue to exclude basements if no more than 4 feet above grade
- Continue to exclude stairs, elevators, water tanks, and heating & cooling equipment areas
- Exclude attic floor area with less than 5 feet of ceiling height
- Exclude unenclosed front porches (design incentive – maximum 240 square feet)
- Exclude (250-500 square feet) detached garages in the rear of the lot (design incentive)

D. Design - Bulk

The following are a series of incentives and restrictions that promote good design for infill properties through regulation.

D1. Encourage Qualifying Open Front Porches and Porticos

Open front porches (covered, but unenclosed) can be a neighborhood-friendly design asset that enhances the value of a homeowner's property and the neighborhood as a whole. However, the floor area of covered porches is currently counted for purposes of FAR.

The Task Force recommends that open front porches and porticos limited to no more than 240 square feet, and without living space above, be excluded from the floor area calculation.



D2. Encourage Detached Garages in the Rear of the Lot

In contrast to traditional design, modern housing design often has the garage dominating the view of the front of the house. The result is the loss of focus on the design of an attractive house and the feeling that the garage is the most important design element. A positive incentive to deemphasize the garage is to encourage its location in the rear yard. However, under current regulations and setback requirements, a detached garage could end up in the middle of a small rear yard or require a property owner to seek a variance from the Board of Zoning Appeals.

The Task Force recommends that detached garages toward the rear of the lot be encouraged by excluding garages of 250 – 500 square feet (depending on the size of the lot) from Floor Area calculation for FAR purposes and by allowing detached garages to be set back a minimum of three (3) feet from the side or rear property line if windows face the property line, or a minimum of one (1) foot if there are no windows.



D3. Allow Permeable Driveways in Required Yards

Under current regulations, no more than 50% of required yards can be used for car parking – including driveways, whether paved or unpaved. In order to allow access to detached garages in the rear of the lot, the Task Force recommends that special regulations allow an exemption from this 50% driveway requirement to access detached garages in the rear, but only if the driveway is permeable.

D4. Allow Tandem Parking without SUP

Under current regulations, cars parked on private property must have unobstructed access to the street or a drive aisle. In other words, one car parking behind another on a residential driveway is not permitted without an SUP, since it would not satisfy the requirement for two unobstructed spaces per dwelling unit. This has resulted in the construction of two-car garages in the front of houses with broad expanses of pavement to accommodate two cars parking side-by-side which has diminished the attractiveness of neighborhoods and fostered a car-oriented mind-set.

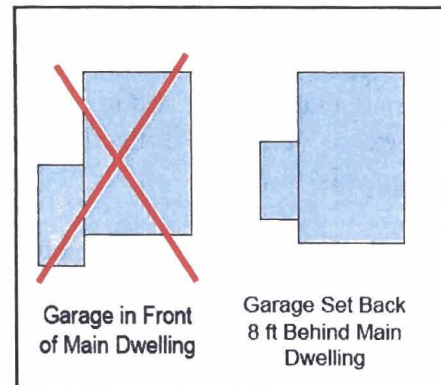


The Task Force recommends that tandem parking be permitted, not only on a driveway to access a detached garage in the rear of the lot, but also on any single-family or two-family property.

D5. Require Attached Garages to be Set Back from the Front Building Wall

The Task Force was quite concerned about garages dominating the view of the front of the dwelling. Current regulations allow attached garages to be located as prominently as the front building line, even though the main dwelling might be set back from this building line by 5-20 feet.

To reduce the design prominence of garages, the Task Force recommends that, if the lot width is less than 65 feet, an attached garage must be set back from the front building wall at least 8 feet. No roof or covering is permitted in front of the attached garage and any construction above the garage cannot extend forward of the front plane of the garage. The Task Force also recommends that the garage door be compatible with the design of the dwelling.



D6. Require Attached Garages to be Side-Loaded

In a companion recommendation to the previous one, the Task Force recommends that, if the lot width is 65 feet or more, an attached garage must be side-loaded, i.e., have its entrance facing the side yard. Since the entrance will not be in the front in this situation, the attached garage does not have to be set back 8 feet, but can be in line with the front building wall of the dwelling. For new attached garages, the Task Force recommends that where parking is not provided in tandem, that the driveway be required to have a permeable surface.



E. Design

E1. Permanently Adopt Interim Subdivision Regulation

The subdivision regulation recognizes the importance of maintaining neighborhood character. Re-subdivided new lots must be of substantially the same character as other land within the original subdivision. The subdivision regulation seeks to maintain neighborhood integrity by restricting lots that would be so large, oddly shaped, or positioned to detract from a neighborhood's character. The way a neighborhood develops over time is often quite different from the original subdivision, which is frequently from several decades ago.

The interim regulation adopted in June 2006 allows the "original subdivision", with which the new lots are to be compared, to be shown not only by the original plat documents, but also by amendments to them, as well as by historical development within the subdivision, in order to bring the original land division up to date with current platted and development conditions.

The interim language also allows consideration of land beyond the original subdivision boundaries, provided it is "land in the same general location and zone as the original subdivision with the same features so as to be essentially similar to the original subdivision area." This language thus provides for a more general neighborhood consideration, where the boundaries of the original subdivision cut off pertinent but similar character-defining land areas.

The case that best demonstrates the usefulness of the interim language involved the subdivision of a lot in Del Ray, where the owner intended to tear down a single-family four-square home built in 1912 to build a semi-detached structure. Although Del Ray was originally subdivided with 25 foot wide lots, which would allow semi-detached dwellings, the area around the subject property had developed over time with single family homes, combining the lots of the original subdivision. The prior subdivision regulations would have allowed the subdivision of the lot as the criteria required that a new subdivision be in character with the original subdivision. However, the new interim regulations require that new subdivisions be in character with how the subdivision has *developed over time*, which allowed for consideration that land for semi-detached dwellings would not be appropriate. The Infill Task Force recommends that this interim subdivision regulation be made permanent.



Original Subdivision



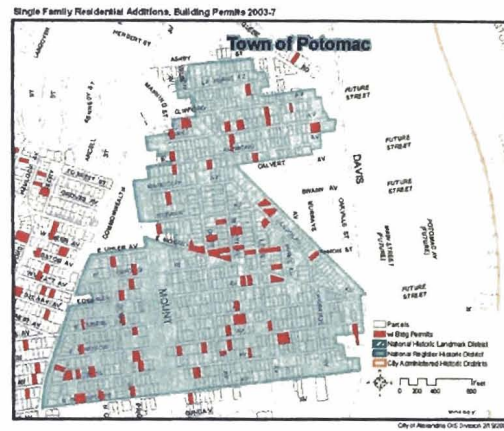
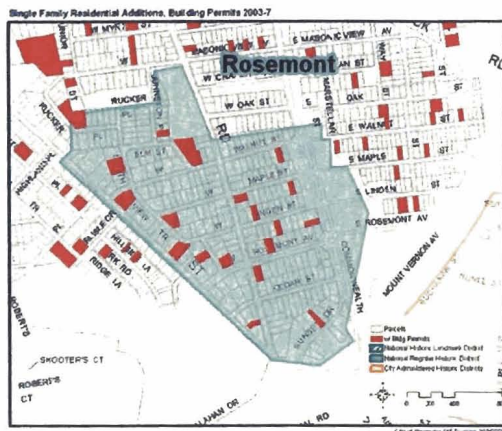
Developed Neighborhood

E2. Encourage the Establishment of Overlay Districts

Homes are being demolished or renovated beyond recognition in certain areas of the City. The only way to slow down or limit such demolitions or renovations is through an Overlay District. An Overlay District approach can be defined as a Historic District, Conservation District, or Design District. Other regulatory approaches can limit what is built and how it could look, but cannot address demolition. In addition, design standards can be established to control renovations so that the changes are in keeping with neighborhood character.

The Task Force noted that Rosemont and the Town of Potomac are nationally recognized historic districts but are not locally regulated. There were concerns raised by the community about some of the changes that were occurring in these historic areas. The Task Force would not recommend that certain areas be protected by an Overlay District without the full participation of the affected neighborhood communities. Rather, the Task Force is recommending a process to determine whether these or other neighborhoods desire and support this extra level of protection. The process would include:

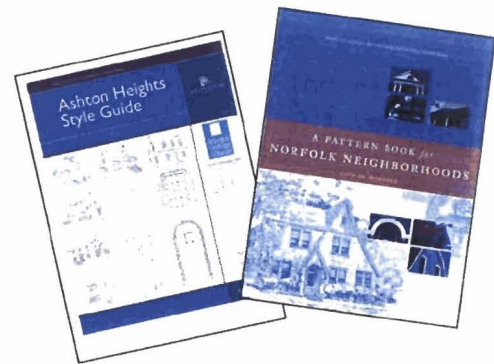
- Request a City Charter change to permit the City to designate a Design District without the necessity for a Board of Architectural Review
- The City should provide staff resources to support the outreach and education efforts necessary to establish a Design District
- Once resources are in place, begin an outreach effort to the communities of Rosemont and the Town of Potomac to determine the sufficient level of support for such a district
- Determine process for applying the standards (i.e. city staff or elected or appointed neighborhood group)
- If there is community support, identify boundaries, create standards, and work toward a consensus
- Establish a budget for staff resources to support a District



Locations of year 2007 building permits for additions in Rosemont and Town of Potomac National Register Districts

E3. Explore the Creation of a Citywide Pattern Book

Not everyone is familiar with the architectural styles that exist in the City. New property owners and even existing property owners may not be aware of how to design a new house or to add to their existing houses in a way that preserves the design of the original house, gives them the space they need, and is compatible with styles of homes in the neighborhood. Sometimes, because of this lack of knowledge, homes are built or additions are constructed that clash with the style of the house and upset the neighborhood balance and harmony.



The Infill Task Force believes a Citywide Pattern Book would provide useful information on the styles of houses in the neighborhood and would provide guidance and context to homeowners, new residents, architects, and builders in constructing new houses and additions to existing homes. They recognize that a pattern book is not a regulatory tool, but it can provide design guidance, a vision for the city’s neighborhoods and can help to unify the larger community.

The Task Force recommends the following process:

- Investigate the resources available to create a Citywide Pattern Book (e.g., college programs, citizen volunteers, consultants)
- Establish a budget and determine funding
- Create a program, scope and timeline to develop the Pattern Book

E4. Establish a Tree Cover Requirement

Single-family infill projects often result in the removal of mature trees, resulting in the loss of a major neighborhood asset. Other than specimen trees, there is no current regulation that covers the preservation of mature trees after construction on single-family and two-family residential properties.

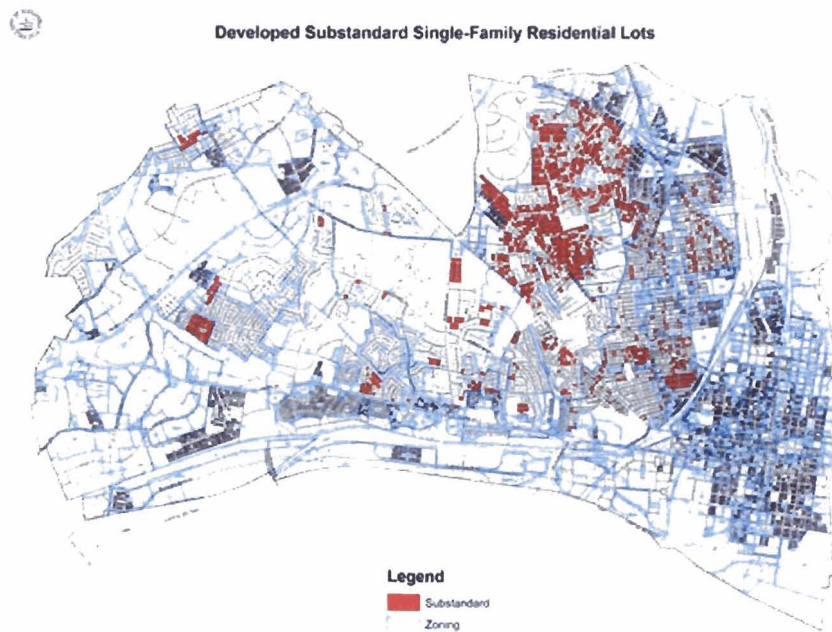


The Infill Task Force recommends that for all construction that requires a grading plan (i.e., new construction and major additions) existing trees must be retained or new trees planted that will result in a minimum of 25 percent canopy cover over the site.

E5. Require a Special Review Process for Developed Substandard Lots

About one-fourth of existing single-family detached houses in the City are built on substandard lots. A substandard lot is a lot which has less lot area, lot width, or lot frontage than the minimum required for the zone. Existing houses built on substandard lots are considered to be legally non-complying structures and property owners can continue to live in them and modify them in accordance with standard bulk, height and setback regulations.

Owners of vacant substandard lots who want to pursue development on the lot are subject to a process outlined in the ordinance. For those lots that qualify, an SUP can be pursued to build on the property. However, owners of substandard lots with houses on them can demolish the existing house and build a new one without going through an SUP process, but with the administrative issuance of a grading plan. Task Force members were concerned about teardowns and reconstruction cases on substandard lots and felt that there needed to be more control and neighborhood input.



The staff presented two alternatives to the Infill Task Force for consideration in addressing this issue. One alternative was to require an administrative permit with standards for teardowns and new construction on developed substandard lots. The other alternative was to require an SUP for teardown and new construction on developed substandard lots. In presenting these alternatives, staff stated that they did not recommend either alternative because they felt that the package of other recommendations, especially the height and FAR recommendations, would provide the control on both standard and substandard properties without further regulation. Staff noted that there have been 3 teardowns and new construction on substandard lots in the last 3 years. Staff did not recommend changes to the existing process for developing vacant substandard lots.

The Task Force, however, expressed strong support for requiring an SUP for teardown and new construction on substandard lots. They felt that since there was an SUP requirement for vacant substandard lots, there ought to be an SUP for a teardown situation. The Task Force also felt that an administrative permit would not accomplish the same benefits as an SUP, which provides the opportunity for public review and discussion. However, the Task Force believed that if someone rebuilds essentially the same size house, then no SUP should be required.

Thus, the Task Force recommends:

- An SUP be required for teardowns and new construction on developed substandard lots, except that:
 - A teardown and new construction of a house of the same gross square feet, plus 10%, on a substandard lot be permitted without an SUP, and
 - An expansion or addition be permitted on substandard lots as long as at least 50% of the first floor adjoining exterior walls remain.

Summary of Recommendations & Identification of Infill Problems They Address

Infill Problem	Recommended Solution
Height & Bulk of Infill Projects	A1. Establish Average Height Limits C1. Clarify Floor Area Definition to Reduce Excessive Deductions
Protection of Historic or Precious Resources & the Need to Address Demolition Issues	E2. Encourage the Establishment of Overlay Districts E3. Explore the Creation of a Citywide Pattern Book
Neighborhood Compatibility	A2. Measure Height from Existing Grade A4. Permanently adopt Interim Threshold Height Regulation D1. Encourage Qualifying Open Front Porches E1. Permanently Adopt Interim Subdivision Regulations E4. Establish a Tree Cover Requirement
Visual Impact of Front Garages, Vehicle Parking, Paving and Driveways	D2. Encourage Detached Garages in the Rear of the Lot D3. Allow Permeable Driveways in Required Yards D4. Allow Tandem Parking without SUP D5. Require Attached Garages to be Set Back from the Front Building Wall D6. Require Attached Garages to be Side-Loaded
Teardowns & New Construction on Substandard Lots	E5. Require SUP for teardown and new construction on substandard lots
Zoning Provisions in Need of Clarification	A3. Identify height measurement for all roof types B1. Require Front Setback to Meet the Established Setback or the Average

CONCLUSION

Staff recommends **approval** of the proposed text amendment to implement the Infill Task Force recommended Infill Program.

- Attachments: 1) Memo from Infill Task Force Chair
2) Proposed Zoning Text Amendments
3) Detailed Summary of Infill Task Force Recommendations

STAFF: Faroll Hamer, Director
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Mary Christesen, Urban Planner
Hal Phipps, Consultant

**INFILL TASK FORCE
PROPOSED ZONING TEXT AMENDMENTS**

1. The following changes are proposed to clarify the Floor Area definition to reduce excess deductions.

2-119 *Average finished grade.* The elevation obtained by averaging the finished ground surface elevation at intervals of 20 feet at the perimeter of a building.

2-119.1 Average pre-construction grade. The elevation obtained by averaging the ground surface elevation at intervals of 20 feet at the perimeter of a proposed building prior to construction.

2-120 *Basement.* A story partly or wholly underground. For the purpose of floor area measurement, a basement shall be counted as ~~a story~~ floor area where the average surrounding finished grade is four feet or more below the bottom of first floor construction.

2-145 *Floor area.*

A. For residential dwellings in the R-20, R-12, R-8, R-5, R-2-5, and single-family and two-family dwellings in the RA and RB zones (not including property located within the Old and Historic Alexandria and Parker-Gray Districts), floor area is the sum of all gross horizontal areas under roof on a lot. These areas shall be measured from exterior faces of walls or any extended area under roof, but does not include areas under the eaves of the roof. Floor area with a ceiling height 15 feet or greater shall be counted twice. Floor area with a ceiling height 25 feet or greater shall be counted three times. Excluded from floor area shall be:

(1) Stairs and elevators.

(2) Floor space used for water tanks and heating and cooling equipment (but not including ductwork, pipes, radiators or vents).

(3) Basements.

(4) Attic floor area with less than 5 feet of ceiling height as measured from the attic floor, or floor joists if there is no floor, to the bottom of the roof rafter or truss member supporting the outer roof structure.

(5) Open front porches and porticos in accordance with Section 7-2304.

(6) Free-standing garages to the rear of the main building in accordance with Section 7-2305.

B. For properties except for those specified in A above, the floor area of the building or buildings on a lot or tract or tract of land (whether "main" or "accessory") is the sum of all gross horizontal areas under a roof or roofs. These areas shall be measured from the exterior faces of walls and from the eaves of all roofs where they extend beyond the wall line or from the center line of party walls and shall include all space with a headroom of seven feet six inches or more, whether or not provided with a finished

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**INFILL TASK FORCE
PROPOSED ZONING TEXT AMENDMENTS**

floor or ceiling. Excluded shall be elevator and stair bulkheads, accessory water tanks, cooling towers and similar construction not susceptible to storage or occupancy. Basements and subbasements shall be excluded from the floor area ratio computations, but for the purpose of computing off street parking requirements that portion of such areas as are occupied by permitted uses shall be subject to the provisions of Article VIII.

2-150.2 *Grade, Average Finished.* See Average Finished Grade.

2-150.3 *Grade, Average Pre-construction.* See Average Pre-construction Grade.

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**INFILL TASK FORCE
PROPOSED ZONING TEXT AMENDMENTS**

2. The following changes are proposed to identify height measurement for all roof types and to ensure that height is measured from existing grade.

2-154 *Height of building.* The vertical distance measured from average finished grade to the highest point of the building, except that:

(A) *Gable or hip roof.*

- (1) In the case of a gable or hip roof, height shall be measured to the midpoint between the eaves and the ridge.
- (2) For purposes of establishing the setback ratio on the gable end of a building with a gable roof, height shall be measured to the midpoint between the eaves and the ridge.

(B) *Gambrel roof.*

- (1) In the case of a gambrel roof, height shall be measured to the midpoint of the upper slope of the roof.
- (2) For purposes of establishing the setback ratio on the vertical end of a building with a gambrel roof, height shall be measured to the point where the upper slope and the lower slope of the ridged roof meet.

(C) *Mansard roof.* In the case of a mansard roof, height shall be measured to the roof line.

~~(D)~~ (D) In the case of a flat roof with a parapet wall which is three feet in height or less, the highest point shall be the roof line;

~~(E)~~ (E) In the case of a building with ten feet or less horizontal distance between the building setback line and the right-of-way line, height shall be measured from the average finished grade or the curb grade, whichever is less;

(F) For a building in the R-20, R-12, R-8, R-5, R-2-5, and single-family and two-family dwellings in the RA and RB zones (not including property located within the Old and Historic Alexandria and Parker-Gray Districts), height shall be measured from the average pre-construction grade or average finished grade, whichever grade is lower; and

(G) For treatment of chimneys, flagpoles, steeples, antennas and mechanical penthouses, see section 6-403.

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**INFILL TASK FORCE
PROPOSED ZONING TEXT AMENDMENTS**

3. *The following are changes to the established front setback requirements with special exception option and the current interim threshold regulations with a minor change.*

7-1002 *Residential front setback and front door threshold in line with existing development.*

- (A) Unless a different rule is specified for a particular zone average setbacks, 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 with a different forward or behind the minimum front setback ~~than~~ prescribed for the zone in which such buildings are located, ~~no residential buildings~~ hereafter erected or altered shall ~~project beyond the~~ conform to the minimum setback line so established, ~~provided, that no dwelling shall be required to set back a distance more than ten feet greater than the setback required by the regulations of the zone in which it is located. 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. 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.~~
- (B) Whenever the major portion of a block is developed, no front door threshold of a single family, two-family or townhouse residential building erected or altered after [January 20, 2007] shall exceed the average height of the front door threshold of the residential buildings built on that block (one side of a street between two intersecting streets or one intersecting street and a street dead end) by more than 20 percent, provided, that additional front door threshold height may be permitted if a special use permit is approved pursuant to section 11-500 of this ordinance, and city council determines that the proposed construction will not detract from the value of and will be of substantially the same residential character as adjacent and nearby properties. For the purpose of this paragraph, the height of the front door threshold is defined as the vertical distance between the average pre-construction existing grade along the front of the building to the top of the threshold. The front door threshold shall accurately reflect the actual location of the first floor of the building, and in all cases the front door threshold shall be measured to the top of the threshold or the top of the highest elevation of the finished first floor, whichever is greater.
- (C) For the purposes of this section 7-1002, where the number of buildings on one side of a street between two intersecting streets or between one intersecting street and a street dead end is either fewer than five or where the distance between streets as specified above is less than 200 feet or where the number of buildings is greater than 15 or where the distance between streets as specified above is greater

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**INFILL TASK FORCE
PROPOSED ZONING TEXT AMENDMENTS**

than 600 feet, the director may designate an appropriate block for purposes of calculating front door threshold height without regard to intersecting streets subject to an administrative protocol similar to that applied in substandard lot cases, and subject to city council approval as part of the special use permit, if there is one, granted pursuant to this section 7-1002.

11-1300 Special exception.

11-1301 *Authority.* The board of zoning appeals is authorized to review applications for those special exceptions established by this section 11-1300.

11-1302 *Special exception established.* A lot in a single family, two family or townhouse zone may be the subject of a special exception from the following zoning requirements pursuant to this section 11-1300.

- (A) Fences on corner lots.
- (B) Yard and setback requirements for enlargement of a dwelling...
- (C) Yard and setback requirements for a ground level, single story, covered front porch...
- (D) Average front yard setback requirements for a main dwelling required by section 7-1002, subject to the following requirements:
 - (1) Limitation on front setback increase or decrease.
 - (a) No main dwelling shall be closer to the front property line than the average front setback line calculated for the proposed dwelling.
 - (b) An adjustment is allowed of as much as 10% from the average front setback line calculated for the project or 5 feet, whichever is less.
 - (c) The front setback increase or decrease shall be the minimum necessary to achieve the desired result.
 - (2) The applicant shall demonstrate by clear and convincing evidence that the proposed change in front setback for the dwelling is necessary for environmental and/or critical construction reasons and that the dwelling in the proposed location will be compatible with the character of the rest of the neighborhood block and will not be detrimental to the maintenance of an established setback along the street.

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**INFILL TASK FORCE
PROPOSED ZONING TEXT AMENDMENTS**

4. *The following changes are proposed to establish average height limits, **require the front setback to meet the established setback line**, establish standards for open front porches and detached garages in the rear of the lot, allow tandem parking and permeable driveways to support the detached garages, establish standards for attached garages, and establish a tree cover requirement.*

- 2-124 *Building or setback line.* A line beyond which no part of any building or structure except footings shall project.
- 2-148.1 *Front porch.* A covered landing attached to the exterior of a residential building and generally extending along a portion of or the entire length of the front building wall.
- 2-149 *Garage, private.* A building designed for the storage of not more than three motor-driven vehicles.
- 2-183.2 *Portico.* A small roof projection with or without columns or brackets above an open landing, attached to the exterior of the primary front entrance of a residential building.

7-2300 Supplemental Regulations for Certain Residential Zones.

7-2301 Applicability. The supplemental regulations in this section 7-2300 apply to residential dwellings in the R-20, R-12, R-8, R-5, R-2-5, and single-family and two-family dwellings in the RA and RB zones (not including property located within the Old and Historic Alexandria and Parker-Gray Districts). These regulations supplement the residential zone regulations in Article III of this zoning ordinance.

7-2302 Height in line with existing development.

(A) The height of a residential building erected or altered after [effective date] shall not exceed the greater of:

(1) 25 feet, or

(2) The average height along the front of the building of the residential buildings existing on that block (one side of a street between two intersecting streets or one intersecting street and a street dead end) by more than 20 percent.

(B) A height greater than that calculated in Section 7-2302(A) may be permitted if a special use permit is approved pursuant to section 11-500 of this ordinance, and

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city council determines that the proposed construction will be of substantially the same residential character and design as adjacent and nearby properties.

- (C) For the purposes of this section 7-2302, where the number of buildings on one side of a street between two intersecting streets or between one intersecting street and a street dead end is either fewer than five or where the distance between streets as specified above is less than 200 feet or where the number of buildings is greater than 15 or where the distance between streets as specified above is greater than 600 feet, the director may designate an appropriate block for purposes of calculating height without regard to intersecting streets subject to an administrative protocol similar to that applied in substandard lot cases, and subject to city council approval as part of the special use permit, if there is one, granted pursuant to this section 7-2302.

7-2303 Front door threshold height in line with existing development. See threshold height regulations in Section 7-1002 (B) and (C).

7-2304 Open front porches and porticos.

- (A) Ground level covered front porches and porticos constructed under the standards of this section 7-2304 shall be excluded from floor area calculated under the provisions of Section 2-145(A)(5).

(B) Standards for porches.

- (1) Extent of front porch exclusion. No portion of the floor area of the porch to be excluded under this section shall extend beyond the side walls of the front building façade.
- (2) Size of porch. To be excluded under this section, a porch shall be a minimum of 5 feet deep and a maximum of 8 feet deep. The maximum floor area to be excluded shall be 240 square feet.
- (3) Construction above not permitted. To be excluded under this section, no second floor balcony, deck, or enclosed construction shall be permitted above the front porch or portico.
- (4) Must remain open. A ground level front porch or portico shall remain open and shall at no time be enclosed with building walls, glass, screens, or otherwise. Railings shall be permitted no higher than the minimum height

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required by the building code, and with balusters evenly spaced so as to leave at least 50 percent of the perimeter length of the railings open.

- (C) For 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 provisions of Section 11-1300.

7-2305 Free-standing garages to the rear of the main building.

- (A) Regardless of other regulations in this zoning ordinance, a free-standing private garage is permitted to the rear of the main building in accordance with the regulations in this section 7-2305 so long as it is the only garage on the lot or adjacent vacant lot under common ownership. The floor area of such a garage constructed in accordance with the standards of this section will be excluded from floor area calculated under the provisions of Section 2-145(A)(6).

(B) Standards.

- (1) 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 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 12 feet.
- (2) Setback. The garage shall be set back a minimum of 3 feet from the side or rear property line if windows face the property line; otherwise the minimum setback is 1 foot.
- (3) Access. If there is no direct access to the garage from an alley, a permeable-surfaced driveway is permitted in the side yard for access to the garage. Permeable-surfaced driveways can be composed of grass with ring and grid structure, gravel with a grid structure beneath, paving strips, a grid based surface, or other treatments without significant compaction of the base, but must be approved by the department of planning and zoning and the department of transportation and environmental services. Either the department of planning and zoning or the department of transportation and environmental services can grant an exemption to the permeable-surfaced driveway requirement in cases of steep slopes, adverse soil conditions, constructability, or other conditions that for safety or environmental reasons would require use of a non-permeable surfacing material. Tandem parking in the driveway is permitted. Curb cuts must be approved in accordance

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with Section 5-2-2 of the City Code and section 8-200(C)(5) of this zoning ordinance. The number of vehicles permitted on the lot is limited by Section 8-200(C)(6).

- (4) *Compatibility.* The accessory garage shall be compatible with the main dwelling in regard to materials and design.
- (5) *Use.* The accessory garage shall be dedicated to the use and storage of motor vehicles.

7-2306 *Attached garages.* Private garages that are an integral part of the main residential dwelling are only permitted under the following standards.

- (A) If the lot width is 65 feet or more, an attached garage shall have the vehicle opening facing the side yard. Such a garage may be no closer to the front property line than the plane of the front building wall.
- (B) If the lot width is less than 65 feet, an attached garage with a vehicle entrance facing the front yard is permitted, but must be set back a minimum of 8 feet from the plane of the front building wall. No roof or covering is permitted in front of such a garage and any construction above shall not extend forward of the front plane of the garage. The garage door shall be compatible with the design of the residence.
- (C) A non-tandem parking or garage access arrangement is permitted only if the parking area is a permeable surface, unless the department of planning and zoning or the department of transportation and environmental services determines that a permeable-surfaced driveway is not appropriate due to steep slopes, adverse soil conditions, constructability, or other conditions that for safety or environmental reasons would require use of a non-permeable surfacing material.

7-2307 *Tree coverage requirement.*

- (A) For all construction that requires a grading plan, trees must be planted or existing trees preserved to provide a minimum of 25 percent canopy cover over the site. Refer to the City of Alexandria Landscape Guidelines to determine tree crown coverage allowances.
- (B) The director shall approve this requirement as part of the grading plan.

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**INFILL TASK FORCE
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7-100 *Accessory uses and structures.*

Accessory uses and structures are permitted, but only in connection with and incidental to a permitted principal use or structure and in compliance with the restrictions of this section 7-100.

7-101 *Permitted accessory uses.* Permitted accessory uses and structures shall be limited to the following and any additional use or structure which the director finds is similar to those listed in scope, size and impact, is customarily associated with residential dwellings, and is otherwise in compliance with this ordinance:

- (A) Private garage;
- (B) ~~Private greenhouse;~~
- (C) Private tennis or outdoor recreational court;
- (D) Above ground deck;
- (E) Private swimming pool;
- (F) Storage structure;
- (G) Freestanding air conditioning machinery;
- (H) Fence or wall;
- (I) Guest house, accessory to a single-family dwelling, provided it is used by temporary guests or occupants of the main residence, contains no kitchen facilities and is not rented or otherwise used as a separate dwelling;
- (J) Gazebo or treehouse;
- (K) Home occupation, subject to section 7-300;
- (L) Child or elder care home, subject to section 7-500.

7-102 *Prohibited accessory uses.* Prohibited uses accessory to residential dwellings include, but are not limited to:

Outdoor storage; provided that a reasonable amount of cut fire wood for personal use and building materials on a temporary basis for use on site may be stored on a residential lot.

7-103 *Use limitations.* The following limitations apply to accessory uses and structures:

- (A) No accessory use or structure shall be located forward of the front building line, except as provided in section 7-202(A).
- (B) No accessory use or structure shall be located in a required rear or side yard, except as provided in sections 7-202 and 7-2305.

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**INFILL TASK FORCE
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- (C) Accessory structures shall be included in the calculations required by this ordinance for the purpose of complying with height and bulk regulations, except as provided in sections 7-2304 and 7-2305.
- (D) An accessory use or structure shall be located on the same lot as the principal structure or use served, except where it is located on an adjoining lot which contains no principal building and which is adjacent to and in common ownership with the lot on which the principal building which it does serve is located or as otherwise expressly authorized by the provisions of this ordinance.

7-200 *Permitted structures in required yards.*

7-201 *General prohibition.* Every part of a required yard shall be open and unobstructed from the lowest point to the sky except as may be permitted in section 7-202.

7-202 *Permitted obstructions.* The following obstructions shall be permitted when located in a required yard and placed so as not to obstruct light and ventilation and when otherwise permitted by law:

(A) In all yards:

- (1) Open fences which do not exceed three and one-half feet in height.
- (2) Awnings or canopies provided they do not project more than five feet in depth from the existing building face.
- (3) Bay or display windows, projecting 20 inches or less into the yard and gutters, eaves, cornices or window sills projecting 12 inches or less into the yard.
- (4) Chimneys projecting 30 inches or less into the yard, provided that such projection does not reduce the width of the remaining side or rear yard to less than five feet.
- (5) Arbors and trellises.
- (6) Flag poles which do not exceed 15 feet in height.
- (7) Open stairs, provided that the stairs do not reduce a side or rear yard to less than five feet.

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**INFILL TASK FORCE
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- (8) Ramps and similar structures necessary to provide access for the handicapped.
 - (9) Porticos, provided that they do not extend more than six feet from the main building wall, do not extend more than and nine feet in length, which dimensions include any roof overhang, and provided further that they remain open.
- (B) In any yard except a front yard:
- (1) Sandboxes, swings and other small items of childrens' play equipment.
 - (2) Clotheslines.
 - (3) Open and closed fences which do not exceed six feet in height.
 - (4) Small sheds, doghouses, dollhouses and structures used for storage, provided:
 - (a) On land zoned R-20, R-12, R-8, R-5 or R-2-5 and used for single-family dwellings, such structures may not exceed 80 square feet in floor area in the aggregate and eight feet in height when measured at the structure's highest point.
 - (b) On land zoned and used for semi-detached or townhouse dwellings, such structures may only be placed in the rear yard at the rear property line, may not exceed 50 square feet of floor area in the aggregate and seven feet in height when measured at the structure's highest point.
 - (5) Freestanding air conditioning machinery, provided it can be demonstrated to the director that it will not exceed a noise level of 55 decibels (55 dB(A)) when measured at any property line of the lot, and provided it is placed in a location which has the least adverse impacts to adjoining lots of those locations available.
 - (6) Open terraces and decks not over two feet above the average level of the adjoining ground and two feet above ground at any property line of the lot but not including a roofed-over terrace or porch.
 - (7) Free-standing private garages to the rear of the main building in accordance with section 7-2305.

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- (C) In the Old and Historic Alexandria and the Parker-Gray Districts, the requirement of sections 7-202(A)(1) and 7-202(B)(3) may be waived or modified by the board of architectural review where the board finds that a proposed fence would be architecturally appropriate and consistent with the character of the district.

- (D) In any residential zone a ground level covered open front porch is permitted to project a maximum of eight feet from the front building wall into the required front yard, or primary front yard if a corner lot, of a single-family, semi-detached, duplex or townhouse dwelling; provided that a special exception under section 11-1302 of this ordinance is approved.

8-200 General parking regulations.

- (C) *Location of parking facilities.*
 - (1) For all single-family detached and two-family residential dwellings, required off-street parking facilities shall be located on the same lot as the main building. Tandem parking is permitted to meet this requirement.

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5. *The following shows no changes to the previously adopted language of the subdivision regulations.*

Sec. 11-1710(B)

No lot shall be resubdivided in such a manner as to detract from the value of adjacent property. Lots covered by a resubdivision shall be of substantially the same character as to suitability for residential use and structures, lot areas, orientation, street frontage, alignment to streets and restrictions as other land within the subdivision, particularly with respect to similarly situated lots within the adjoining portions of the original subdivision. In determining whether a proposed lot is of substantially the same character for purposes of complying with this provision, the Commission shall consider the established neighborhood created by the original subdivision, evidence of which may be shown by

- (1) Subdivision plat documents, including amendments to the subdivision over time, as well as the development that has occurred within the subdivision, and
- (2) Land in the same general location and zone as the original subdivision with the same features so as to be essentially similar to the original subdivision area.

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**INFILL TASK FORCE
PROPOSED ZONING TEXT AMENDMENTS**

6. *The following changes are proposed to require an SUP for teardown and new construction on developed substandard lots.*

12-900 Developed Substandard Residential Lots

12-901 A residential dwelling on a lot in the R-20, R-12, R-8, R-5, R-2-5, and single-family and two-family dwellings in the RA and RB zones (not including property located within the Old and Historic Alexandria and Parker-Gray Districts) which lot has less lot area, lot width, or lot frontage than the minimum required for use in the zone where it is situated (referred to hereafter in this section as a substandard lot), is subject to the following requirements.

(A) ~~Addition~~ **Expansion**. An expansion of a residential dwelling on a substandard lot is permitted subject to the following standards.

(1) Construction complies with the requirements of Section 12-102(A);

(2) At least 50% of the existing first floor exterior walls in their entirety (measured in linear feet) must remain as adjoining exterior walls. The determination of first floor exterior walls is that the walls must have its finished floor surface entirely above grade.

(B) ~~Replacement~~ **Reconstruction**. Demolition and replacement **reconstruction** of a same-size residential dwelling on a substandard lot is permitted subject to the following standards, regardless of the provisions of Section 12-102(B):

(1) Construction shall not exceed the pre-existing gross floor area by more than 10%, with gross floor area defined as the floor area of Section 2-145(A) without any exclusions; and

(2) Construction shall not exceed the height of the pre-existing dwelling.

(C) ~~Redevelopment~~. A residential dwelling not meeting the standards of section 12-901(A) or ~~and~~ (B) above is subject to the following provisions:

(1) A special use permit is granted under the provisions of section 11-500; and

(2) City council, upon consideration of the special use permit, finds that the proposed development will be compatible with the existing neighborhood character in terms of bulk, height and design.

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**INFILL TASK FORCE
PROPOSED ZONING TEXT AMENDMENTS**

12-102 *Noncomplying structures.* Noncomplying structures shall be permitted to continue indefinitely and shall be considered legal structures, but subject to the following restrictions:

- (A) *Expansion.* No noncomplying structure may be physically enlarged or expanded unless such enlargement or expansion complies with the regulations for the zone in which it is located.
- (B) *Reconstruction.* If a noncomplying structure is destroyed, demolished or otherwise removed, it may be reconstructed provided that there is no increase in the floor area ratio, density, height or degree of noncompliance which existed prior to such destruction.
- (C) *Repairs and maintenance.* A noncomplying building may be remodeled, renovated, maintained, repaired and altered so long as such work complies with section 12-102.
- (D) *Residential reuse.* A building which faces the unit through 1500 block of King Street, and which is a noncomplying structure because it exceeds the floor area ratio of the CD zone, may be converted from nonresidential to residential use, notwithstanding any requirement of the CD zone applicable to residential uses, provided that a special use permit is approved to allow such conversion.

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**Detailed Summary of
Infill Task Force Recommendations**


Control Type	Existing Regulations	Infill Task Force Recommendations (Discussion on following pages)
A. Height	Maximum height measured to midpoint of gable.	1. a. Establish average height limits (page 3)
	Height measured from average finished grade.	2. Measure height from existing grade (page 7)
	Average front threshold requirements (<i>interim</i>)	3. Identify height measurement requirements for all roof types (page 9)
		4. Permanently adopt interim threshold height regulation (page 11)
B. Setbacks	Minimum front, side and rear setbacks. Ratio to height for side and rear setbacks.	1. Require front setback to meet the established setback or the average (page 13)
	Allow front setback for infill projects to be average of established blockface (staff interpretation).	
C. Bulk	Floor area ratio (FAR)	1. Clarify floor area definition to reduce excessive deductions (page 15)
D. Design-Bulk	No more than 50% of required yards can be used for car parking (including driveways, whether paved or unpaved)	1. Encourage qualifying open front porches (page 19)
		2. Encourage detached garages in the rear of the lot (page 21)
		3. Allow permeable driveways in required yards (page 25)
		4. Allow tandem parking without SUP (page 27)
		5. Require attached garages to be set back from the front building wall (page 29)
		6. Require attached garages on wide lots to be side-loaded (page 31)

**Detailed Summary of
Infill Task Force Recommendations**

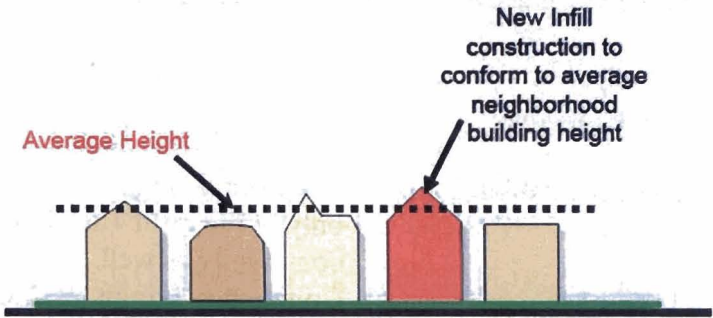
Control Type	Existing Regulations	Infill Task Force Recommendations (Discussion on following pages)
E. Design	Subdivisions must conform to character of lots as developed over time, considering lot sizes, structures, and orientation (<i>interim</i>).	1. Permanently adopt interim subdivision regulation (page 33)
	Old and Historic and Parker-Gray Historic Districts and Board of Architectural Review.	2. Encourage the establishment of overlay districts (page 35)
	Special Exception (BZA review for open front porches.	3. Explore the creation of a City-wide pattern book (page 37)
	SUP for development of vacant substandard lot	4. Establish a tree cover requirement (page 39)
		5. Require SUP for teardown and new construction on developed substandard lots (page 41)

**Detailed Summary of
Infill Task Force Recommendations**

A.1a) Establish Average Height Limits

General Category	Height
<p>What is the Problem?</p>	<p>The overall height of infill dwellings are a concern, not only of the Infill Task Force, but of the larger Alexandria community as well, as evidenced by the comments at the Community Forum last November.</p> <p>The greatest problem seems to be tall houses built in established neighborhoods that are well above heights of the houses on the rest of the block.</p> 
<p>What is the Current Regulation?</p>	<p>The height limit is 35 feet measured to the midpoint between the ridge and the eaves for properties in the R-20, R-12, R-8, R-5, and R-2-5 zones. For the RA and RB properties, the height limit is 45 feet.</p>
<p>What is the Proposed Regulation?</p>	<p><u>Averaging Height.</u> Require that the height of a single-family and two-family residential dwelling in the R-20, R-12, R-8, R-5, R-2-5, RA and RB zones be no more than 20% higher than the average height of other dwellings on the blockface. In order that a property owner may be able to build a two-story house on blocks where the average is single-story, if the calculated height is less than 25 feet, the property owner will have the option to build up to 25 feet. An applicant may seek a Special Use Permit (SUP) to exceed the 25 feet or average height requirement.</p>

**Detailed Summary of
Infill Task Force Recommendations**

	 <p>The diagram illustrates a row of five houses on a green ground line. From left to right, the houses are: a medium-height tan house, a shorter tan house, a medium-height yellow house, a taller red house, and a medium-height tan house. A horizontal dashed line is drawn across the tops of the four existing houses, labeled 'Average Height' with an arrow. The new red house is taller than this line. An arrow points to the top of the red house with the text 'New Infill construction to conform to average neighborhood building height'.</p>
<p>Neighborhood Impact</p>	<p>Assurance that new construction and additions in the neighborhood will be more in keeping with the established height. However, because the average height will likely rise over time, houses will become taller, but it will be a gradual change.</p>
<p>Property Owner Impact</p>	<p>Property owners will need to take into account the neighborhood character and the heights of the existing dwellings in the community. Additional time and cost will impact application processing. Height growth is still permitted, but it is a more gradual increase in allowance.</p>

Detailed Summary of
Infill Task Force Recommendations

Existing Residential Single-Family Dwelling Height
For Selected Blocks in the City
(Average Height in Feet)

Street & Block	Number of Dwellings	<u>Average Height To the Midpoint</u>	<u>Average Height To Ridge Line</u>
E. Custis Ave (300 block)	12	21.7	25.3
W. Del Ray (unit block)	12	20.2	24.7
Hillside Terrace (1200 block)	7	15.8	19.2
King St (2500 block)	11	23.1	28.2
Leslie Ave (2500 block)	11	18.2	23.1
E. Masonic Ave (unit block)	11	20.0	25.8
Russell Rd (3000 block)	10	21.8	26.8
Seminary Rd (5200 block)	5	16.7	20.6
E. Windsor (500 block)	8	21.7	23.0
Total	87		

Range of Heights
Of the 87 Properties

Height Range (in feet)	Height to the Midpoint (Number of Houses)	Height to the Ridge Line (Number of Houses)
<15	11	0
15 – 19.9	33	14
20 – 24.9	34	33
25 – 29.9	8	32
30 – 34.9	1	5
35 +	0	3
Total Units	87	87

Notes:

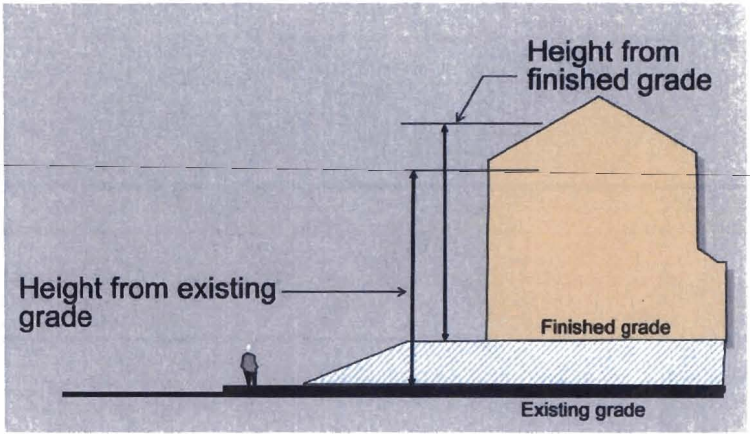
- The existing definition of height is to measure to the midpoint between the eaves and the ridge.
- Under the existing height definition, only one dwelling was above 30 feet tall and a total of 8 dwellings were above 25 feet tall.
- Using the ridge line height definition, only 8 properties were above 30 feet tall.
- Surveyor data was for the front of the dwelling facing the street. Average finished grade calculations may produce a slightly different result.

Data Source: City of Alexandria, City Surveyor

Detailed Summary of
Infill Task Force Recommendations

**Detailed Summary of
Infill Task Force Recommendations**

A.2.) Measure Height from Existing Grade

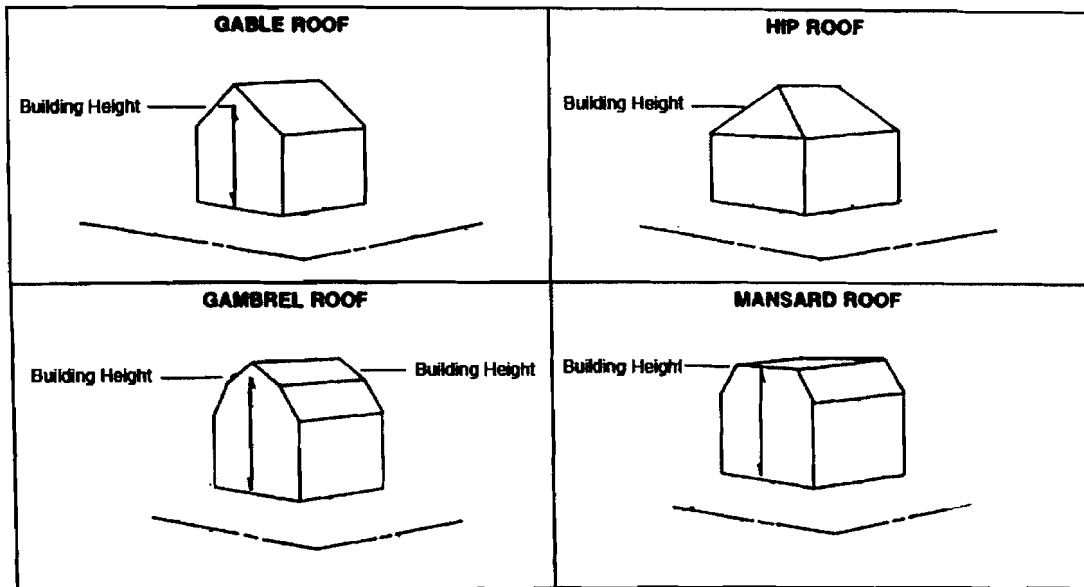
General Category	Height
<p>What is the Problem?</p>	<p>Some new homes or additions artificially mound up land around the base of the house to increase the height of the home or to meet setback requirements.</p> 
<p>What is the Current Regulation?</p>	<p>Height is currently measured from average finished grade. Finished grade is the grade of the land after the project has been completed. Average finished grade is the elevation obtained by averaging the ground surface elevation at intervals of 20 feet at the perimeter of a building.</p>
<p>What is the Proposed Regulation?</p>	<p>Measure height from the existing, pre-construction grade or average finished grade, whichever is lower. The proposed regulation would apply only to single-family and two-family dwellings in the R-20, R-12, R-8, R-5, R-2-5, RA & RB zones.</p>
<p>Neighborhood Impact</p>	<p>Houses could not be artificially mounded to result in a taller house or to meet setback requirements. Analysis of sample building plans over the past year shows that there usually is not much difference between using pre-development or finished grade, except for some notable examples where the difference could be almost 2 feet. Even a difference of this amount at ground level can amplify the appearance of the height of a dwelling.</p>
<p>Property Owner Impact</p>	<p>Minimal impact when adjustments can be made at the planning phase.</p>

Detailed Summary of
Infill Task Force Recommendations

**Detailed Summary of
Infill Task Force Recommendations**

A.3.) Identify Height Measurement Requirements for all Roof Types

General Category	Height
What is the Problem?	The zoning ordinance describes how to measure height in the case of a gable or hip roof. Neither a gambrel roof nor mansard roof is addressed.
What is the Current Regulation?	The current height definition in the zoning ordinance says that the height of a building is measured vertically from the average finished grade to the highest point of a building, except that “in the case of a gable or hip roof, height shall be measured to the midpoint between the eaves and the ridge.”
What is the Proposed Regulation?	The height definition would be revised to establish how to measure height for a gambrel and mansard roof
Neighborhood Impact	Assurance that height is measured in a consistent manner for all roof types.
Property Owner Impact	Assurance that height is measured in a consistent manner for all roof types.



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Detailed Summary of
Infill Task Force Recommendations

**Detailed Summary of
Infill Task Force Recommendations**

A.4) Permanently Adopt Interim Threshold Height Regulation

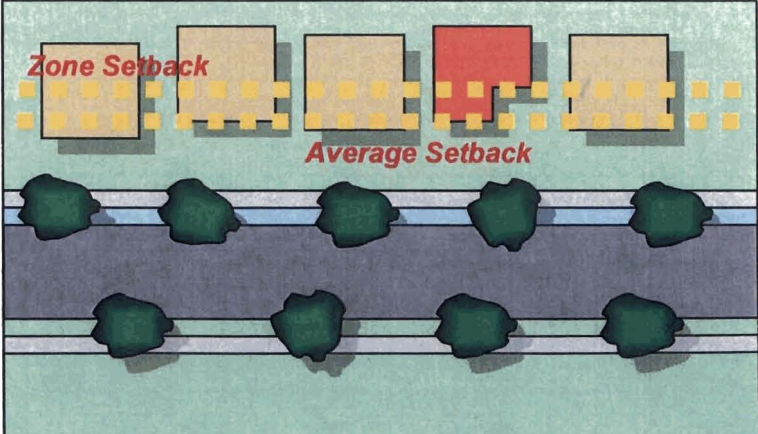
General Category	Height
What is the Problem?	New houses often have elevated first floors to provide light in a basement area and make it a more livable space. This however, can throw off the pattern of front elevations on a neighborhood block, and add to the perception of a larger, out of scale, dwelling.
What is the Current Regulation?	<p>The current interim threshold regulation was approved first for six months in July 2006 and then on a year-to-year basis since then. The regulation requires that the front door threshold, which includes the first floor construction, be less than 20% higher than the average height of other front door thresholds on a blockface; otherwise an SUP would be required. Height is measured from the existing grade on the lot.</p> <div data-bbox="646 940 1393 1495" style="text-align: center;"> <p>Average Threshold Height (5 ft) 20 % Above Average Threshold Height (6 ft) Requires SUP for Greater than 20% Above Average Threshold Height (8 ft)</p> </div>
What is the Proposed Regulation?	The interim regulation should be made permanent legislation.
Neighborhood Impact	Consistent expectation that the level of first floor construction is in line with existing houses on the neighborhood block.
Property Owner Impact	Minimal impact when adjustments can be made at the planning stage. Since the interim regulations were adopted, there have

Detailed Summary of
Infill Task Force Recommendations

	<p>been 32 cases of significant additions or new construction where the interim regulations applied:</p> <ul style="list-style-type: none">• 17 cases complied with the requirement upon submission• 9 cases did not affect the existing threshold and front door height• 4 cases had to be revised to meet the threshold requirement• 2 were withdrawn for unrelated reasons
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**Detailed Summary of
Infill Task Force Recommendations**

B.1) Require Front Setback to Meet the Established Setback or the Average

General Category	Setbacks
<p>What is the Problem?</p>	<p>In many existing neighborhoods, the current houses are likely to be closer to the front lot line & street than the front setback requirement for that zone in the zoning ordinance. If a new house is built in this neighborhood at the required numerical front setback, it is possible that the house will be constructed 5-15 feet behind the average of the existing houses on the street. This could leave a “gap” in the blockface and disturb the harmonious uninterrupted frontage existing on the neighborhood block.</p>
<p>What is the Current Regulation?</p>	<p>The current regulation requires that a new house cannot extend <u>beyond</u> the established minimum setback line of existing houses on the block, but does not <u>require</u> the new house to meet this established setback line. Thus new houses could be built behind this line, meeting the minimum numerical setback for the zone and not have the option of being in line with the existing houses.</p>
<p>What is the Proposed Regulation?</p>	<p>The proposed regulation would <u>require</u> all residential dwellings to be built with a front setback that meets the <i>established</i> front setback, or the <i>average</i>, if there is no established, front setback of the existing blockface. For relief from the requirement, an applicant may seek a Special Exception from the BZA. As with the threshold requirements, the front setback requirement is applicable to all residential dwellings.</p> 

Detailed Summary of
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Neighborhood Impact	New houses would not disturb an established pattern of uniform front setbacks on the street. A potential negative impact could be that tall houses would be closer to the street.
Property Owner Impact	Most property owners would welcome the ability to build up to the average established front setback line, giving them more options with more usable lot area to build.

**Detailed Summary of
Infill Task Force Recommendations**

C.1.) Clarify Floor Area Definition to Reduce Excess Deductions

General Category	Bulk - FAR
What is the Problem?	<p>The current definition of Floor Area, which is the significant component of the Floor Area Ratio (FAR), is problematic. While the definition states that areas above 7’6” in ceiling height are to be counted as Floor Area, it is not clear on whether to count areas that measure less than 7’6” in ceiling height. The language is confusing to property owners, architects, city staff, and neighbors and has resulted in varying interpretations over time.</p> <p>One interpretation can lead to the construction of exceedingly large dwellings, if areas that measure 7’ in height in an attic, bathroom, or closet are deducted from the allowable floor area. Even older dwellings built before modern building codes may have ceiling heights of 7’ – meaning that a whole dwelling could have no countable Floor Area.</p> <p>One problem is that those projects that maximize the FAR and take advantage of 7’6” deductions tend to be the large homes that are the focus of this Infill study.</p> <p>Another problem is that there are two ways to view FAR and these different perceptions can conflict:</p> <ul style="list-style-type: none"> • As an external measure of the volume or bulk (from the neighborhood perspective) allowed on the property, or • As an interior measure of habitable or usable space in a dwelling (from the owner’s perspective). <p>The neighborhood will view the FAR requirements as a limit on the volume or bulk that is permitted on a lot, while the homeowner thinks that areas in the house that are not usable or habitable should be excluded from any FAR limit.</p>
What is the Current Regulation?	<p>The current definition, used for FAR purposes has four parts:</p> <ul style="list-style-type: none"> • It is the sum of all gross horizontal areas • It is measured from exterior faces of walls and includes to the eaves when they extend beyond the wall line

**Detailed Summary of
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	<ul style="list-style-type: none"> • Includes space with a headroom of 7'6" or more • Exclusions: <ul style="list-style-type: none"> - Elevators, stairs, HVAC equipment areas - Basements if no more than 4 feet above grade <p>The FAR is defined as the floor area of a building divided by the area of the lot.</p> <p>There are FAR numerical standards for each zone. For example, the R-8 zone FAR standard is 0.35.</p>
<p>What is the Proposed Regulation?</p>	<p>The proposed floor area definition to apply to single- and two-family dwellings in the R-20, R-12, R-8, R-5, R-2-5, RA and RB zones would:</p> <ul style="list-style-type: none"> • Be the sum of all gross horizontal areas • Be measured from exterior faces of walls, but not include the eaves • Floor area with a ceiling height of 15 feet or greater will be counted twice • Delete the confusing 7'6" language • Continue to exclude basements if no more than 4 feet above grade • Continue to exclude stairs, elevators & HVAC equipment areas • Exclude attic floor area with less than 5 feet of ceiling height • Exclude unenclosed front porches and porticos • Exclude modest detached garages in the rear yard <div data-bbox="646 1251 1390 1730" data-label="Image"> </div> <p>The maximum FAR permitted in each zone will remain unchanged.</p>

**Detailed Summary of
Infill Task Force Recommendations**

	<p>The Infill Task Force and staff reviewed a volume measure as a possible replacement for floor area & FAR, but there was no national experience in using such a measure and the calculation of volume, especially for existing structures, appeared to be cumbersome and complicated to calculate.</p>
<p>Neighborhood Impact</p>	<ul style="list-style-type: none"> • Infill dwellings, whether new constructions or additions, would be more in scale with the existing neighborhood dwellings. • There would be an expectation of predictability, because the rules are clear. • The proposed regulations are more reflective of the expected volume of the new dwelling or addition.
<p>Property Owner Impact</p>	<p>With the proposed regulations, property owners would have:</p> <ul style="list-style-type: none"> • Clear expectations • More predictable plan review and processing time <p>Projects that maximize FAR and deduct high percentages of floor area rely on the ambiguous 7'6" language. In 2007, 8% of projects had deductions exceeding 20% (excluding the basement deduction) and 17% had deductions of 10% or more.</p> <p>In contrast to those projects that maximize FAR, most of the projects (76%) in 2007 did not need to take floor area deductions (other than the basement exclusion) to meet the FAR requirement.</p> <p>The proposed floor area exclusions of the front porch and the detached garage in the rear yard are design incentives to encourage open front porches and vehicle parking in the rear. The exclusions may compensate for some of the area perceived to be lost by eliminating the 7'6" deductions. The floor area involved is minor compared to the floor area inside the main dwelling.</p> <p>Study of year 2007 building permits for single-family additions and new construction revealed that most property owners would not be affected by this proposed regulation – only those who want to build excessively large dwellings in established neighborhoods.</p>

Detailed Summary of
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**Detailed Summary of
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D.1.) Encourage Qualifying Open Front Porches


General Category	Design - Bulk
What is the Problem?	<p>Open front porches and porticos (covered, but unenclosed) can be a neighborhood-friendly design asset that enhances the value of the homeowner's property and the neighborhood as a whole. However, the floor area of covered porches is counted as floor area for purposes of FAR. If a homeowner's plans for space are tight, they may forgo including a porch.</p> 
What is the Current Regulation?	All floor area on a property covered by a roof is counted as floor area for FAR purposes. This includes covered porches, but does not include uncovered stoops.
What is the Proposed Regulation?	That open front porches and porticos limited to no more than 240 square feet, and without living space above, be excluded from the floor area calculation.
Neighborhood Impact	Enhances neighborhood appearance.
Property Owner Impact	Provides an incentive for open front porches and provides a balance for the elimination of excessive deductions in

Detailed Summary of
Infill Task Force Recommendations


	calculating FAR.
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**Detailed Summary of
Infill Task Force Recommendations**

D.2.) Encourage Detached Garages in the Rear of the Lot

General Category	Design - Bulk
<p>What is the Problem?</p>	<p>In contrast to traditional design, modern housing design often has the garage dominating the view of the front of the house. The result is the loss of focus on the design of an attractive house and the feeling that the garage is the most important design element.</p> <p>Current regulations do not allow for traditional building design that deemphasizes the garage.</p>  <p>A positive incentive to deemphasize the garage is to encourage its location in the rear yard. However, under current regulations and the setback requirements, the detached garage could end up being in the middle of a small rear yard.</p>
<p>What is the Current Regulation?</p>	<p>Current regulations permit accessory buildings (e.g., garages) in the rear yard, but the buildings must be set back from the rear and side lot lines using the same setbacks as for the main dwelling.</p> <p>For example in a 50-foot wide, 5,000 sq ft R-5 lot, the side and rear setback is a required 7 ft minimum. The garage</p>

Detailed Summary of
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	could end up being the central feature of a small rear yard.
<p>What is the Proposed Regulation?</p>	<p>Special regulations for single-family and two-family dwellings in the R-20, R-12, R-8, R-5, R-2-5, RA & RB zones to encourage the placement of one- or two-car detached garages in the rear yard with modest setbacks from the side and rear yard.</p> <p>The proposed changes include that detached garages toward the rear of the lot be encouraged by excluding garages of 250 – 500 square feet (depending on the size of the lot) from floor area calculation for FAR purposes and by allowing detached garages to be set back a minimum of three (3) feet from the side or rear property line if windows face the property line, or a minimum of one (1) foot if there are no windows.</p>
<p>Neighborhood Impact</p>	<p>Enhances the neighborhood streetscape by encouraging garages to be placed in the rear yard.</p>
<p>Property Owner Impact</p>	<p>Provides an incentive to place detached garages in the rear yard.</p>
	 <p style="text-align: center;">House with a Rear Yard One-Car Garage</p>

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House with a Rear Yard Two-Car Garage

Detailed Summary of
Infill Task Force Recommendations

**Detailed Summary of
Infill Task Force Recommendations**

D.3.) Allow Permeable Driveways in Required Yards


General Category	Design - Bulk
What is the Problem?	<p>In contrast to traditional design, modern housing design often has the garage dominating the view of the front of the house. The result is the loss of focus on the design of an attractive house and the feeling that the garage is the most important design element.</p> <p>Current regulations are not consistent with traditional building design that deemphasizes the garage.</p>
What is the Current Regulation?	<p>Current regulations permit accessory buildings (e.g., garages) in the rear yard. However, no more than 50% of required yards can be used for car parking – including driveways, whether paved or unpaved.</p>
What is the Proposed Regulation?	<p>The proposed changes include that detached garages toward the rear of the lot be encouraged by excluding garages of 250 – 500 square feet (depending on the size of the lot) from floor area calculation for FAR purposes and by allowing detached garages to be set back a minimum of three (3) feet from the side or rear property line if windows face the property line, or a minimum of one (1) foot if there are no windows.</p>  <p>The special regulations would include an exemption from the 50% driveway access/parking requirement to access detached garages in the rear yard as long as the driveway is permeable. Permeable-surfaced driveways can be</p>

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	composed of grass with ring and grid structure, gravel with a grid structure beneath, paving strips, a grid based surface, or other treatments without significant compaction of the base. In some cases, a permeable driveway is not suitable due to steep slopes, adverse soil conditions, constructability, or other conditions that for safety or environmental reasons would require use of a non-permeable surfacing material. For this reason, the new regulation includes that the permeability requirement can be waived, and the driveway still provided, with approval from the departments of planning and zoning and transportation and environmental services.
Neighborhood Impact	Enhances the neighborhood streetscape by encouraging garages to be placed in the rear yard.
Property Owner Impact	Provides an incentive to place detached garages in the rear yard.

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D.4) Allow Tandem Parking without SUP

<p>General Category</p>	<p>Design - Bulk</p>
<p>What is the Problem?</p>	<p>Under current regulations cars parked on private property must have unobstructed access to the street. In other words, one car parking behind another on a residential driveway is not permitted without an SUP.</p> <p>This has resulted in the construction of two-car garages in the front of houses with broad expanses of pavement to accommodate two cars parking side-by-side.</p> <p>This has diminished the attractiveness of neighborhoods and fostered a car-oriented mind-set.</p> 
<p>What is the Current Regulation?</p>	<p>Current regulations say that means of ingress and egress for all required off-street parking shall remain unobstructed at all times. This is interpreted to be that tandem parking, one car behind another, is not allowed without Special Use Permit (SUP) approval.</p>

Detailed Summary of
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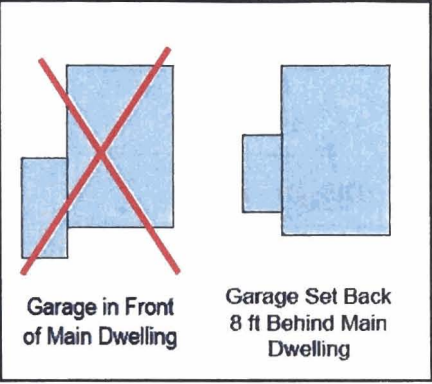
What is the Proposed Regulation?	<p>Clarify current regulations to allow tandem parking for single-family and two-family dwellings.</p> 
Neighborhood Impact	<p>Improve the appearance of the neighborhood by reducing the dominance of car parking in the front of dwellings.</p>
Property Owner Impact	<p>No SUP required for tandem parking. Provides an option to reduce the amount of paving in the front yard.</p>

**Detailed Summary of
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D.5) Require Attached Garages to be Set Back from the Front Building Wall


<p>General Category</p>	<p>Design - Bulk</p>
<p>What is the Problem?</p>	<p>In contrast to traditional design, modern housing design often has the garage dominating the view of the front of the house. The result is the loss of focus on the design of an attractive house and the feeling that the garage is the most important design element.</p> <p>Current regulations do not allow for traditional building design that deemphasizes the garage.</p> <p>Attached garages can be located as prominently as the front building line, even though the main dwelling might be set back from this building line by 5 – 20 feet.</p> 
<p>What is the Current Regulation?</p>	<p>Current regulations allow attached garages to be on the same plane as the front building line or forward of the front plane of the main dwelling entrance.</p>
<p>What is the Proposed Regulation?</p>	<p>Reduce the prevalence and dominance of an attached garage, by requiring attached garages to be set back at least 8 feet from the front building wall. This would apply only to single-family and two-family dwellings in the R-20, R-12, R-8, R-5, R-2-5, RA and RB zones.</p>

**Detailed Summary of
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	 <p align="center">Garage in Front of Main Dwelling Garage Set Back 8 ft Behind Main Dwelling</p>
Neighborhood Impact	Enhances the neighborhood streetscape by reducing the dominance of attached garages.
Property Owner Impact	Requires the property owner to design an attached garage as a secondary element to the main residential use.

**Detailed Summary of
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D.6.) Require Attached Garages on Wide Lots to be Side-Loaded

General Category	Design - Bulk
What is the Problem?	<p>In contrast to traditional design, modern housing design often has the garage dominating the view of the front of the house. The result is the loss of focus on the design of an attractive house and the feeling that the garage is the most important design element.</p> <p>Current regulations do not allow for traditional building design that deemphasizes the garage.</p> <p>Attached garages can be located as prominently as the same front building line as the main dwelling.</p>
What is the Current Regulation?	Current regulations allow attached garages to be built on the front building line with the garage doors/openings facing toward the street.
What is the Proposed Regulation?	<p>Reduce the prevalence and dominance of an attached garage, by requiring attached garages <i>with a minimum lot width of 65 feet</i> to be side-loaded (i.e., have their garage doors/openings facing the side yard rather than the front yard). This would apply only to single-family and two-family dwellings in the R-20, R-12, R-8, R-5, R-2-5, RA and RB zones.</p> 
Neighborhood Impact	Enhances the neighborhood streetscape by reducing the dominance of attached garages.
Property Owner Impact	Requires the property owner to design an attached garage as a secondary element to the main residential use.



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E.1.) Permanently Adopt Interim Subdivision Regulation


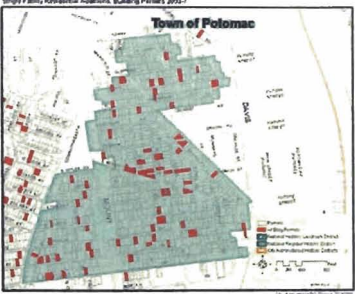
General Category	Design
What is the Problem?	<p>The subdivision regulation recognizes the importance of maintaining neighborhood character. Re-subdivided new lots must be of substantially the same character as other land within the original subdivision.</p> <p>The subdivision regulation seeks to maintain neighborhood integrity by restricting lots that would be so large, oddly shaped, or positioned to detract from a neighborhood's character.</p> <p>However, before the interim subdivision regulation was adopted in June 2006, it was not clear that neighborhood character should be looked at not only for the original subdivision pattern, but also for how the larger neighborhood has developed since then.</p> <p>The problem is that these 2006 changes are still an <u>interim</u> subdivision regulation change.</p>
What is the Current Regulation?	<p>Specifically, the interim regulation allows the "original subdivision", with which the new lots are to be compared, to be shown not only by the original plat documents, but also by amendments to them, as well as by historical development within the subdivision, in order to bring the original land division up to date with current platted and development conditions.</p> <p>The interim language also allows consideration of land beyond the original subdivision boundaries, provided it is "land in the same general location and zone as the original subdivision with the same features so as to be essentially similar to the original subdivision area." This language thus provides for a more general neighborhood consideration, where the boundaries of the original subdivision cut off pertinent but similar character-defining land areas.</p>
What is the Proposed Regulation?	<p>The interim regulation should be made permanent legislation.</p>
Neighborhood Impact	<p>Assurance that neighborhood character as to lot configuration, lot area, and lot orientation is maintained</p>

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	<p>when there is a proposed subdivision.</p> <p>The case that best demonstrates the usefulness of the new language involved the subdivision of a lot in Del Ray, where the owner intended to tear down a single-family four-square home built in 1912 to build a semi-detached structure. Although Del Ray was originally subdivided with 25 foot wide lots, which would allow semi-detached dwellings, the area around the subject property had developed over time with single family homes, combining the lots of the original subdivision. The prior subdivision regulations would have allowed the subdivision of the lot as the criteria required that a new subdivision be in character with the original subdivision. However, the new interim regulations require that new subdivisions be in character with how the subdivision has <i>developed over time</i>, which allowed for consideration that land for semi-detached dwellings would not be appropriate.</p> <div style="display: flex; justify-content: space-around; align-items: center;">   </div> <p style="text-align: center;">Original Subdivision Developed Subdivision</p>
<p>Property Owner Impact</p>	<p>Limits proposed subdivisions that are too large, oddly shaped, or out of character with the existing neighborhood.</p>

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E.2.) Encourage the Establishment of Overlay Districts


General Category	Design
<p>What is the Problem?</p>	<p>Homes are being demolished or renovated beyond recognition in certain areas of the City. The only way to slow down or limit such demolitions or renovations is through an overlay district. An Overlay District approach can be defined as a Historic District, Conservation District, or Design District. Other regulatory approaches can limit what is built and how it could look, but cannot address demolition.</p>
<p>What is the Current Regulation?</p>	<p>The City has a number of overlay districts that are used for different purposes. There are two Historic Districts (Old & Historic Alexandria, Parker Gray), two urban overlay districts (Old Town North, Mount Vernon Avenue), an urban retail zone (King Street), and an outdoor dining zone (King Street).</p> <p>The two existing historic districts are the closest to what would help solve the problem because they have incorporated a demolition process and procedure, but a new district would have to be created for a different geographical area.</p>
<p>What is the Proposed Regulation?</p>	<p>What is being proposed is a process to work with the relevant neighborhoods to determine whether the Rosemont and Town of Potomac, nationally-recognized historic districts, should become locally-regulated historic or conservation districts.</p> <div style="display: flex; justify-content: space-around;">   </div> <p>The purpose of an historic or conservation district is to:</p> <ul style="list-style-type: none"> ● Provide protection for historic or precious resources ● Conserve valuable neighborhood residences ● Control design or additions or new construction

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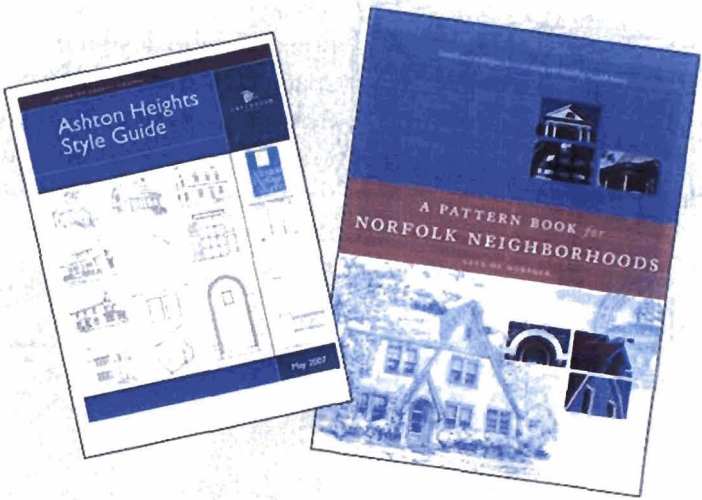
	<p>In broad outline the process would involve:</p> <ul style="list-style-type: none"> • Education & outreach to the community • Achieve neighborhood consensus to move ahead • Identify the specific area that warrants protection • Determine design standards to apply • Determine process for applying standards • Identify review body for appeals • Determine staff resource requirements • Prepare for and request approval of the district from the Planning Commission and City Council
<p>Neighborhood Impact</p>	<ul style="list-style-type: none"> • This is a good way to protect threatened neighborhoods • Demolition/teardowns can be denied or delayed • There would be clear design standards to support preservation of historic or precious resources • More certainty about maintaining neighborhood character
<p>Property Owner Impact</p>	<ul style="list-style-type: none"> • New construction, demolitions or additions may be limited by the standards of the district. • The process for obtaining approval for changes could be costly and time consuming. • Any proposed changes would receive scrutiny and review. • Property owner would receive guidance and advice about good and compatible design.

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E.3.) Explore the Creation of a City-wide Pattern Book

General Category	Design
What is the Problem?	<p>Not everyone is familiar with the architectural styles that exist in the City. New property owners and even existing property owners may not be aware of how to design a new house or to add on to their existing houses in a way that preserves the design of the original house, gives them the space they need, and is compatible with styles of homes in the neighborhood. Sometimes because of this lack of knowledge, homes are built or additions are constructed that clash with the style of the house and upset the neighborhood balance and harmony.</p>  <p style="text-align: center;">Would a Pattern Book have helped?</p>
What is the Current Regulation?	<p>There is no current pattern book for the City. However, there are Design Guidelines for the historic properties located in the Old and Historic Alexandria District and the Parker Gray District.</p>
What is the Proposed Regulation?	<p>The City identify resources to hire a consultant to work with the community and staff to prepare a Citywide Pattern Book that would address:</p> <ul style="list-style-type: none"> • Neighborhood character • Architectural styles & details • Guidelines for additions • Guidelines for new construction • Site & landscaping guidelines <p>A Citywide Pattern Book would provide useful</p>

**Detailed Summary of
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	<p>information on the styles of houses in the neighborhood and provide guidance and context to homeowners, new residents, architects, and builders in constructing new houses in additions to existing homes.</p> <p>A pattern book is not a regulatory tool – it provides design guidance, a vision for the city’s neighborhoods and can help to unify the larger community.</p> 
<p>Neighborhood Impact</p>	<ul style="list-style-type: none"> • Can lead to a stronger sense of community & pride in the City’s residential resources • Can help to preserve existing neighborhood design even if there are proposed additions
<p>Property Owner Impact</p>	<p>Provides guidance on residential design for new construction & additions. Property owners can choose to use the guidance or not.</p>

**Detailed Summary of
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E.4.) Establish a Tree Cover Requirement

General Category	Design
What is the Problem?	<p>Single-family infill projects often result in the removal of mature trees and landscaping, resulting in the loss of a major neighborhood asset.</p> <p>During the Infill Task Force tour in August 2007, members noted that the presence of new landscaping after construction was completed was able to hide many sins. Conversely, the lack of landscaping emphasized the design or size problems with some infill properties.</p>
What is the Current Regulation?	<p>There is no current regulation that covers the preservation of mature trees or requires landscaping after construction on single-family residential properties. For properties in the Resource Protection Areas of the Chesapeake Bay shoreline, some planting is required.</p>
What is the Proposed Regulation?	<p>For all construction that requires a grading plan (i.e. new construction and major additions) existing trees must be retained or new trees planted that will result in a minimum of 25 percent canopy cover over the site. A tree preservation and landscaping plan will be required for all construction on single-family detached dwelling properties that require a grading plan. A grading plan usually applies to teardowns/new construction or major additions.</p>
Neighborhood Impact	<p>More mature trees will be retained in the neighborhood, enhancing and supporting neighborhood character. If trees must be removed, higher quality replacements will be required.</p>

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Property Owner Impact	To show compliance with the tree coverage compliance, a tree preservation and landscaping plan as part of a grading plan is required. This may mean additional cost and time to receive approvals.

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**E.5.) Require a SUP for Teardowns and New Construction on
Substandard Lots**

General Category	Design
<p>What is the Problem?</p>	<p>About one-fourth of existing single-family detached houses in the City are built on substandard lots. The houses are considered to be legally non-complying structures and property owners can continue to live in them and modify them in accordance with standard bulk, height and setback regulations.</p> <div data-bbox="657 719 1395 1287" data-label="Figure"> <p align="center">Developed Substandard Single-Family Residential Lots</p> <p align="center">Legend ■ Substandard Zoning</p> </div> <p>Owners of vacant substandard lots cannot build on their lots unless they receive approval of an SUP. However, owners of substandard lots with houses on them can demolish the existing house and build a new one without going through an SUP process.</p> <p>Should owners who want to replace their existing houses on single-family substandard lots go through a special review process in the same way that owners of vacant substandard lots must?</p>
<p>What is the Current Regulation?</p>	<p>Owners of vacant substandard lots must apply for an SUP to build a single-family dwelling on the lot.</p> <p>Owners with an existing dwelling may demolish the dwelling and build a new dwelling on the substandard lot with only a building permit and would not need to apply</p>

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	for an SUP.
What is the Proposed Regulation?	Require an owner of an existing dwelling on a substandard lot to obtain Special Use Permit (SUP) approval to be able to demolish the existing dwelling and build a new dwelling.
Neighborhood Impact	There would be additional process to control bulk, height, and setbacks to better conform to the neighborhood character.
Property Owner Impact	Additional time and costs will be incurred to go through a special review process. There would also be the uncertainty about whether the proposed project would be modified significantly.

The North Ridge Citizens' Association

A Non-Profit Organization

PO BOX 3242

ALEXANDRIA, VA 22302-0242

May 28, 2008

Mr. Eric Wagner, Chair
Alexandria Planning Commission
301 King Street, Suite 2100
Alexandria, VA 22314

Re: Infill Task Force Recommendations

Dear Mr. Wagner:

At the May 13 meeting of the North Ridge Citizens' Association Executive Board, the Board heard a detailed report by Board Member David Brown on the recommendations being made by the Infill Task Force to the Planning Commission for its consideration on June 3.

The general consensus of the Board appeared to be that its concerns about residential infill were addressed by the Task Force, of which Mr. Brown has been an active member. The Board will meet again on June 9, at which time it will vote on a letter of support for the Task Force recommendations as they may emerge from the Planning Commission. Based on the response to the presentation by Mr. Brown, I fully expect the Board's letter to voice full support for the recommendations if the Planning Commission adopts them. In the meantime, I wanted to let the Commission know of our anticipated position as it considers the Task Force recommendations.

Sincerely,



Russell Bailey, President
North Ridge Citizens' Association

cc: David W. Brown

PC Docket Item # 14
Case # TA 2008-0005



Faroll Hamer/Alex
06/03/2008 02:37 PM

To Kendra Jacobs/Alex@Alex, Valerie Peterson/Alex@Alex,
Richard Josephson/Alex@ALEX
cc
bcc

Subject Fw: Docket Item #14: Text Amendment #2008-0005

----- Forwarded by Faroll Hamer/Alex on 06/03/2008 02:36 PM -----



lalett@aol.com
06/03/2008 02:30 PM

To erwagner@comcast.net, komorosj@nasd.com,
hsdunn@ipbtax.com, JssJennings@aol.com,
mslyman@verizon.net, donna_fossum@rand.org,
jlr@cpma.com
cc faroll.hamer@alexandriava.gov,
jeffrey.farner@alexandriava.gov
Subject Docket Item #14: Text Amendment #2008-0005

June 3, 2008

Mr. Eric Wagner, Chairman
And Members of Planning Commission
C/o Ms. Faroll Hamer, Director
Department of Planning and Zoning
City Hall, Room 2100
301 King Street
Alexandria, VA 22314

Re: Docket Item 14, Planning Commission Public Hearing of June 3, 2008

Dear Mr. Wagner and Members of Planning Commission,

My name is Lisa Lettieri and I am a practicing architect in the City of Alexandria. I respectfully request that you defer Docket Item #14 to the next meeting.

I have not had the opportunity to review this document in depth and have spoken with a number of my colleagues that are not familiar with what is being put before you for approval. I feel with the extra time this should be opened up for review and discussion with the architecture community, developers and builders/contractors. My request is to postpone by a month in order to give everyone an opportunity to review and comment.

Thank you for your time.

Lisa A. Lettieri
Architect

PC Docket Item # 14
Case # TA 2008-0005



Steve Johnson
<virginiano1@comcast.net>

06/02/2008 09:19 PM

Please respond to
Steve Johnson
<virginiano1@comcast.net>

To pnzfeedback@alexandriava.gov

cc

bcc

Subject COA Contact Us: 06/03/08 Planning Commission Docket



Time: [Mon Jun 02, 2008 21:19:49] IP Address: [76.100.20.75]

Issue Type: Planning and Zoning General Feedback
First Name: Steve
Last Name: Johnson
Street Address: 327 N. Latham St.
City: Alexandria
State: VA
Zip: 22304
Phone: 703-370-3590
Email Address: virginiano1@comcast.net
Subject: 06/03/08 Planning Commission Docket
Re: Docket Item #14, Zoning Ordinance amendments on Infill

Development:

My name is Steve Johnson; I'm a Seminary Valley resident who lives next door to one of the properties that triggered the review of infill development zoning controls. I regret that I will be unable to address the Planning Commission meeting in person.

I wish to thank and congratulate Chairman Dunn, P&Z staff and the Task Force members on their work in coming up with these recommended revisions. I believe these recommended revisions provide an appropriate balance between property owners' rights and the rights of surrounding neighbors. I urge the Planning Commission to adopt these recommended revisions.

In particular

Comments:

I wish to state my strong support for recommendations D5 (setback requirements for attached garages); E1 (making the interim subdivision regulation permanent); E3 (development of a pattern book); E4 (minimum tree coverage requirement); and I wish in particular to single out my support for the subdivision requirement, since subdivision of the property next to mine was the subject of litigation and an eventually-unfavorable State Supreme Court decision.

The only recommendation I disagree with is D2, regarding detached rear garages. I would encourage the Planning Commission to require a minimum 3 foot setback for all garages, regardless of whether they have windows or not. (And I say this as a property owner who added a garage several years ago under the existing setback requirements.) Where fencing or landscaping exists along property lines, a one-foot setback requirement could provide inadequate access to exterior walls of garages by property owners, which could unintentionally lead to deferred maintenance (e.g. failing to keep siding painted because one can't get to the rear wall to paint it).

Attachment for
TA 2008-0005

11
6-14-08

City of Alexandria, Virginia

MEMORANDUM

DATE: JUNE 3, 2008

TO: CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION

FROM: FAROLL HAMER, DIRECTOR *FH*
DEPARTMENT OF PLANNING AND ZONING

SUBJECT: INFILL TASK FORCE RECOMMENDATIONS
TA #2008-0005

EFFECTIVE DATE OF NEW REGULATIONS—JUNE 14, 2008

At its last meeting, the Infill Task Force discussed when it would be appropriate for the regulations to take effect. Members expressed the need to implement the recommendations as soon as possible so as not to encourage a rush of applications prior to the activation of the regulations, while being fair to those who have already submitted complete applications for consideration under existing regulations. The Task Force did not vote on a particular date, and instead deferred the policy decision to staff and the City Attorney for recommendation to the Planning Commission and City Council.

The effective date of the infill regulations will be identified in the adopting language of the Ordinance that will appear before the City Council for introduction and first reading on June 10, 2008. Considering the points expressed by the Task Force members, staff proposes that the effective date of the regulations be consistent with the second reading and enactment of the Ordinance, scheduled for June 14, 2008. This will mean that any applications for infill projects, grading plan or building permit, received and accepted prior to June 14, 2008 and considered complete, can finalize approvals under the existing regulations. Any application for infill projects received on or after June 14, 2008, or any incomplete applications will be required to comply with the proposed new regulations.

EDITORIAL CHANGES IN ZONING LANGUAGE

Please find attached minor changes to the proposed zoning language for your consideration as part of TA #2008-0005. None of the changes are substantive, but include changes to address typographical errors and a couple of unintentional omissions. The changes are indicated by **yellow highlighting**, and should be incorporated in to the recommended text amendment language.

**INFILL TASK FORCE
PROPOSED ZONING TEXT AMENDMENTS**

1. *The following changes are proposed to clarify the Floor Area definition to reduce excess deductions.*

2-119 *Average finished grade.* The elevation obtained by averaging the finished ground surface elevation at intervals of 20 feet at the perimeter of a building.

2-119.1 *Average pre-construction grade.* The elevation obtained by averaging the ground surface elevation at intervals of 20 feet at the perimeter of a proposed building prior to construction.

2-120 *Basement.* A story partly or wholly underground. For the purpose of floor area measurement, a basement shall be counted as ~~a story~~ floor area where the average ~~surrounding~~ finished grade is four feet or more below the bottom of first floor construction.

2-145 *Floor area.*

A. For residential dwellings in the R-20, R-12, R-8, R-5, R-2-5, and single-family and two-family dwellings in the RA and RB zones (not including property located within the Old and Historic Alexandria and Parker-Gray Districts), floor area is the sum of all gross horizontal areas under roof on a lot. These areas shall be measured from exterior faces of walls or any extended area under roof, but does not include areas under the eaves of the roof. Floor area with a ceiling height 15 feet or greater shall be counted twice. Floor area with a ceiling height 25 feet or greater shall be counted three times. Excluded from floor area shall be:

(1) Stairs and elevators.

(2) Floor space used for water tanks and heating and cooling equipment (but not including ductwork, pipes, radiators or vents).

(3) Basements.

(4) Attic floor area with less than 5 feet of ceiling height as measured from the attic floor, or floor joists if there is no floor, to the bottom of the roof rafter or truss member supporting the outer roof structure.

(5) Open front porches and porticos in accordance with Section 7-2304.

(6) Free-standing garages to the rear of the main building in accordance with Section 7-2305.

B. For properties except for those specified in A above, the floor area of the building or buildings on a lot or tract or tract of land (whether "main" or "accessory") is the sum of all gross horizontal areas under a roof or roofs. These areas shall be measured from the exterior faces of walls and from the eaves of all roofs where they extend beyond the wall line or from the center line of party walls and shall include all space with a headroom of seven feet six inches or more, whether or not provided with a finished floor or ceiling. Excluded shall be elevator and stair bulkheads, accessory water tanks, cooling towers and similar construction not susceptible to storage or occupancy. Basements and subbasements shall be excluded from the floor area ratio computations, but for the purpose of computing off street parking requirements that

Note: New text is underlined;

Deleted text is shown with a ~~strikethrough~~

**INFILL TASK FORCE
PROPOSED ZONING TEXT AMENDMENTS**

3. *The following are changes to the established front setback requirements with special exception option and the current interim threshold regulations with a minor change.*

7-1002 *Residential front setback and front door threshold in line with existing development.*

- (A) Unless a different rule is specified for a particular zone average setbacks, 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 ~~with a different~~ forward or behind the minimum front setback ~~than~~ prescribed for the zone in which such buildings are located, ~~no residential buildings hereafter erected or altered shall project beyond the~~ conform to the minimum setback line so established; ~~provided, that no dwelling shall be required to set back a distance more than ten feet greater than the setback required by the regulations of the zone in which it is located. 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. 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.~~
- (B) Whenever the major portion of a block is developed, no front door threshold of a single family, two-family or townhouse residential building erected or altered after [January 20, 2007] shall exceed the average height of the front door threshold of the residential buildings built on that block (one side of a street between two intersecting streets or one intersecting street and a street dead end) by more than 20 percent, provided, that additional front door threshold height may be permitted if a special use permit is approved pursuant to section 11-500 of this ordinance, and city council determines that the proposed construction will not detract from the value of and will be of substantially the same residential character as adjacent and nearby properties. For the purpose of this paragraph, the height of the front door threshold is defined as the vertical distance between the average ~~pre-construction existing~~ existing grade along the front of the building to the top of the threshold. The front door threshold shall accurately reflect the actual location of the first floor of the building, and in all cases the front door threshold shall be measured to the top of the threshold or the top of the highest elevation of the finished first floor, whichever is greater.
- (C) For the purposes of this section 7-1002, where the number of buildings on one side of a street between two intersecting streets or between one intersecting street and a street dead end is either fewer than five or where the distance between streets as specified above is less than 200 feet or where the number of buildings is greater than 15 or where the distance between streets as specified above is greater than 600 feet, the director may designate an appropriate block for purposes of calculating front door threshold height without regard to intersecting streets subject to an administrative protocol similar to that applied in substandard lot

**INFILL TASK FORCE
PROPOSED ZONING TEXT AMENDMENTS**

4. *The following changes are proposed to establish average height limits, ~~require the front setback to meet the established setback line~~, establish standards for open front porches and detached garages in the rear of the lot, allow tandem parking and permeable driveways to support the detached garages, establish standards for attached garages, and establish a tree cover requirement.*

- 2-124 *Building or setback line.* A line beyond which no part of any building or structure except footings shall project.
- 2-148.1 *Front porch.* A covered landing attached to the exterior of a residential building and generally extending along a portion of or the entire length of the front building wall.
- 2-149 *Garage, private.* A building designed for the storage of not more than three motor-driven vehicles.
- 2-183.2 *Portico.* A small roof projection with or without columns or brackets above an open landing, attached to the exterior of the primary front entrance of a residential building.

7-2300 Supplemental Regulations for Certain Residential Zones.

7-2301 Applicability. The supplemental regulations in this section 7-2300 apply to residential dwellings in the R-20, R-12, R-8, R-5, R-2-5, and single-family and two-family dwellings in the RA and RB zones (not including property located within the Old and Historic Alexandria and Parker-Gray Districts). These regulations supplement the residential zone regulations in Article III of this zoning ordinance.

7-2302 Height in line with existing development.

(A) The height of a residential building erected or altered after [effective date] shall not exceed the greater of:

(1) 25 feet, or

(2) The average height along the front of the building of the residential buildings existing on that block (one side of a street between two intersecting streets or one intersecting street and a street dead end) by more than 20 percent.

(B) A height greater than that calculated in Section 7-2302(A) may be permitted if a special use permit is approved pursuant to section 11-500 of this ordinance, and city council determines that the proposed construction will be of substantially the same residential character and design as adjacent and nearby properties.

**INFILL TASK FORCE
PROPOSED ZONING TEXT AMENDMENTS**

- (b) On land zoned and used for semi-detached or townhouse dwellings, such structures may only be placed in the rear yard at the rear property line, may not exceed 50 square feet of floor area in the aggregate and seven feet in height when measured at the structure's highest point.
- (5) Freestanding air conditioning machinery, provided it can be demonstrated to the director that it will not exceed a noise level of 55 decibels (55 dB(A)) when measured at any property line of the lot, and provided it is placed in a location which has the least adverse impacts to adjoining lots of those locations available.
- (6) Open terraces and decks not over two feet above the average level of the adjoining ground and two feet above ground at any property line of the lot but not including a roofed-over terrace or porch.
- (7) Free-standing private garages to the rear of the main building in accordance with section 7-2305.
- (C) In the Old and Historic Alexandria and the Parker-Gray Districts, the requirement of sections 7-202(A)(1) and 7-202(B)(3) may be waived or modified by the board of architectural review where the board finds that a proposed fence would be architecturally appropriate and consistent with the character of the district.
- (D) In any residential zone a ground level covered open front porch is permitted to project a maximum of eight feet from the front building wall into the required front yard, or primary front yard if a corner lot, of a single-family, semi-detached, duplex or townhouse dwelling; provided that a special exception under section 11-1302 of this ordinance is approved.

8-200 General parking regulations.

- (C) *Location of parking facilities.*
 - (1) For all single-family detached and two-family residential dwellings, required off-street parking facilities shall be located on the same lot as the main building. Tandem parking is permitted to meet this requirement.

**INFILL TASK FORCE
PROPOSED ZONING TEXT AMENDMENTS**

6. *The following changes are proposed to require an SUP for teardown and new construction on developed substandard lots.*

12-900 Developed Substandard Residential Lots

12-901 A residential dwelling on a lot in the R-20, R-12, R-8, R-5, R-2-5, and single-family and two-family dwellings in the RA and RB zones (not including property located within the Old and Historic Alexandria and Parker-Gray Districts) which lot has less lot area, lot width, or lot frontage than the minimum required for use in the zone where it is situated (referred to hereafter in this section as a substandard lot), is subject to the following requirements.

(A) ~~Addition~~ ~~Expansion~~. An expansion of a residential dwelling on a substandard lot is permitted subject to the following standards.

(1) Construction complies with the requirements of Section 12-102(A);

(2) At least 50% of the existing first floor exterior walls in their entirety (measured in linear feet) must remain as adjoining exterior walls. The determination of first floor exterior walls is that the walls must have its finished floor surface entirely above grade.

(B) ~~Replacement~~ ~~Reconstruction~~. Demolition and replacement ~~reconstruction~~ of a same-size residential dwelling on a substandard lot is permitted subject to the following standards, regardless of the provisions of Section 12-102(B):

(1) Construction shall not exceed the pre-existing gross floor area by more than 10%, with gross floor area defined as the floor area of Section 2-145(A) without any exclusions; and

(2) Construction shall not exceed the height of the pre-existing dwelling.

(C) ~~Redevelopment~~. A residential dwelling not meeting the standards of section 12-901(A) or ~~and~~ (B) above is subject to the following provisions:

(1) A special use permit is granted under the provisions of section 11-500; and

(2) City council, upon consideration of the special use permit, finds that the proposed development will be compatible with the existing neighborhood character in terms of bulk, height and design.

12-102 *Noncomplying structures.* Noncomplying structures shall be permitted to continue indefinitely and shall be considered legal structures, but subject to the following restrictions:

Note: New text is underlined;
Deleted text is shown with a ~~strikethrough~~

11
6-14-08



Jane Quill <lmay@nvar.com>

06/13/2008 09:36 AM

Please respond to
Jane Quill <lmay@nvar.com>

To jackie.henderson@alexandriava.gov

cc

bcc

Subject COA Contact Us: Infill Development Amendment #2008-0005

Time: [Fri Jun 13, 2008 09:36:48] IP Address: [74.8.133.66]

Issue Type: Jackie M. Henderson
First Name: Jane
Last Name: Quill
Street Address: 8411 Arlington Blvd
City: Fairfax
State: VA
Zip: 22031
Phone: 703-207-3201
Email Address: lmay@nvar.com
Subject: Infill Development Amendment #2008-0005
The Honorable Bill Euille
Mayor, City of Alexandria
301 King St., Room

2300
Alexandria, VA 22314

Dear Mayor Euille,

On behalf of the

Northern Virginia Association of Realtors®, an organization representing
12,000 area Realtors®, I am writing to you regarding the City's proposed
Infill Development Regulations contained in Text Amendment
#2008-0005.

NVAR has been pleased to work with the other members of the
Infill Task Force, city staff and residents on this proposal for the past
year. Overall, NVAR believes that the proposal represents a measured and
reasonable response to the issue of infill development and that the
regulations strike a proper balance between preserving private property
rights while protecting the character of existing
neighborhoods.

However, NVAR is concerned with the proposed height restrictions outlined in pages 9-11 of the staff report and in section 7-2302 of the draft zoning amendments. Area homebuilder representatives have expressed doubts that the 25 foot cap on building height would allow for the construction of a two-level dwelling, thus subjecting all homeowners wishing to add a second story to the Special Use Permit (SUP) process under 7-2302 (B).

Comments: As you will see in the staff report, it was the desire of the Task Force to allow reasonable second-story additions to homes in areas where the average height calculations would not otherwise allow them. In addition, both the City Council and the Planning Commission cautioned against a dramatic expansion of projects subject to SUPs.

NVAR's support for the height restrictions hinges on the ability of a homeowner to add a second story without having to endure an uncertain and lengthy SUP process. We urge the Council to revisit the 25 foot cap to ensure that it is the proper limit for two-story dwellings on a single-story blockface. If evidence shows that 25 feet is not sufficient, NVAR is willing to work with the Council, staff and industry representatives to find the appropriate solution.

Thank you for your consideration of this issue. Please contact us if we can be of further assistance.

Sincerely,

Jane Quill, CIPS, GRI, SRES
Chairman of the

Board

cc: Alexandria City Council
Jackie Henderson, City

Clerk
Valerie Peterson, Department of Planning and Zoning

11
6-14-08



gaver nichols
<gnarchitec@aol.com>

06/12/2008 03:16 PM

Please respond to
gaver nichols
<gnarchitec@aol.com>

To alexvamayor@aol.com, timothylovain@aol.com,
councilmangaines@aol.com, council@krupicka.com,
delpepper@aol.com, paulcsmedberg@aol.com,
cc
bcc
Subject COA Contact Us: task force recomendations



Time: [Thu Jun 12, 2008 15:16:13] IP Address: [68.34.25.103]

Issue Type: Mayor, Vice Mayor, and Council Members
First Name: gaver
Last Name: nichols
Street Address: 319 east monroe avenue
City: alexandria
State: virginia
Zip: 22301
Phone: 703-836-5209
Email Address: gnarchitec@aol.com
Subject: task force recomendations
dear mr. mayor and honorable members of the alexandria city
council..... first i

would like to
thank you for selecting me to assist the new infill task

force regarding the revisions to the zoning code.....i would also

like
to thank the alexandria zoning and planning staff for an outstanding

job in educating and refining the task force directives for
research and

answers to questions we put before themoutstanding

job..... as a local architect ,i

positioned myself on the committee to look for ways that our new code

could hurt the taxpayer, homeowner and reduce their
rights as

landowners..... i tried to see if our changes to the

Comments: code would achieve the goals of less bulk, etc yet still
allow for an

expansion to the average home..... i do feel
that we did a good job and would recommend approval
of the new
regulations and do feel it will promote better design, less bulk and make
our code a shining examplein
short i feel pretty
good in our efforts and would ask for your support in its
approval..... i do also ask for your
forgiveness as i am
finally moving my 84 year old mother in law into a unit i designed on the
eastern shore for accessible
living on saturday and will not be able to
attend . the meeting.....respectfully submitted
gaver nichols architect

Potential Impact of New FAR calculations on existing circa 1920 house in Town of Potomac Historic District on Commonwealth Avenue.

11
6-14-08

James Snyder



1. Existing second floor (7 foot high ceilings) now counts as FAR.
2. Existing Attic with pull down stair now counts as FAR.
3. Existing elevated basement (6 foot ceiling height) may count as FAR if determined to be four feet above average grade of existing site.

Under the existing regulations a new addition with appropriate scale is more likely to be added to the rear or to the side of the house because the substandard space in the old house does not count against FAR. Thus far this has been the predominant trend in Del Ray and Rosemont.

Under the proposed FAR regulations as applied to existing older dwellings – the odds are greatly increased that this house will be torn down some time in the future to be replaced with a new structure with taller ceilings and a functional third floor. The permitted 20 % increase in height could accommodate this increase.

How can this unintended consequence be remedied?

Do not apply the new FAR calculations to older existing structures (50 years or older?) – Particularly in recognized historic districts such as Town of Potomac and Rosemont.

Rather apply the new FAR calculations to new construction where it will help to achieve the results intended by the City Council and the Infill Committee.



11
6-14-08

June 12, 2008

Honorable William D. Euille, Mayor and
Members of City Council
City of Alexandria
City Hall, Room 2300
301 King Street
Alexandria, VA 22314

Re: Docket Item # 11: Infill Task Force Proposed Zoning Text Amendments

Dear Mayor Euille and Members of Council:

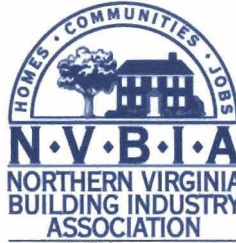
I am writing on behalf of the Urban Chapter (Alexandria and Arlington) of the Northern Virginia Building Industry Association (NVBIA) in regard to the proposed zoning text amendments for single-family and two-family dwellings.

The Northern Virginia Building Industry Association is a 501(c) 6 not-for-profit organization. NVBIA advocates and fosters an economic and political climate within which its members are able to provide a full range of development and housing opportunities. Our members rely on the land use process in local jurisdictions in order to provide quality development that makes the community vibrant and economically stable.

While we understand and appreciate the process that the Infill Task Force has gone through to reach these proposed amendments, the NVBIA membership is concerned that there may be unintended consequences to the legislation that we wanted to bring to your attention.

First, with regard to the height limits proposed in Section 7-2302, the association is concerned that limiting the height to 25 feet or the average height of the block plus 20% will eliminate the construction of new two-story homes or desired additions to existing homes from single-family zones and will essentially prevent a homeowner from upgrading their house. What might appear to be an average size, two-story house that fits perfectly into the neighborhood is likely taller than 25 feet and therefore not permitted under the new regulations without additional time, process, and costs. The attached exhibits more fully illustrate this height concern.

Second, we are concerned that the language in Section 7-2302(C) does not address the redevelopment of an entire block with single family houses and therefore, could result in a new development that is required to comply with the average heights on the Director's discretionary appropriate block rather than complying with the height of the zone in which the new development will be located. We believe that the intention of the revision



is to address infill houses on an existing block rather than new blocks, and would therefore ask that you consider adding the following language to section 7-2302(C):

Where an application proposes redevelopment of one or more entire blocks, as defined in Section 7-2302(A)(2), or where there is no appropriate block for purposes of calculating height, this section 7-2302 shall not apply and the height restrictions of the zone in which the property is located shall apply.

Lastly, because unintended consequences of new legislation occur frequently, we ask that you consider providing a sunset provision that will allow a test period for these changes in order to fully understand the affect of the legislation on the neighborhoods and development community in Alexandria.

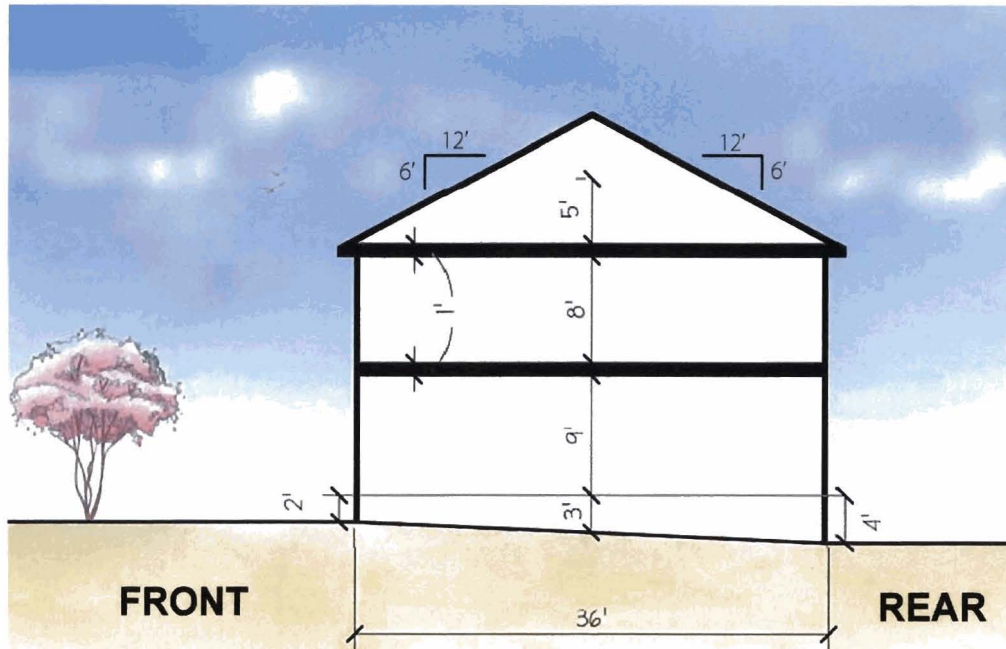
We understand and appreciate that the Infill Task Force has been working on these issues for many months, yet given the large impact these changes could have on redevelopment within Alexandria's existing neighborhoods, we would appreciate the opportunity to work with the Planning Commission and the task force see if there is a compromise that may minimize the unintended consequences of concern to NVBIA membership. To that end, we respectfully request that you defer this item until further conversations can take place with the building industry.

Thank you for your time and effort in considering NVBIA's suggestions. The association looks forward to continued dialog with the city on this and future development issues.

Sincerely,

James S. Williams
Executive Vice President
Northern Virginia Building Industry Association
3901 Centerview Drive Suite E
Chantilly VA 20151

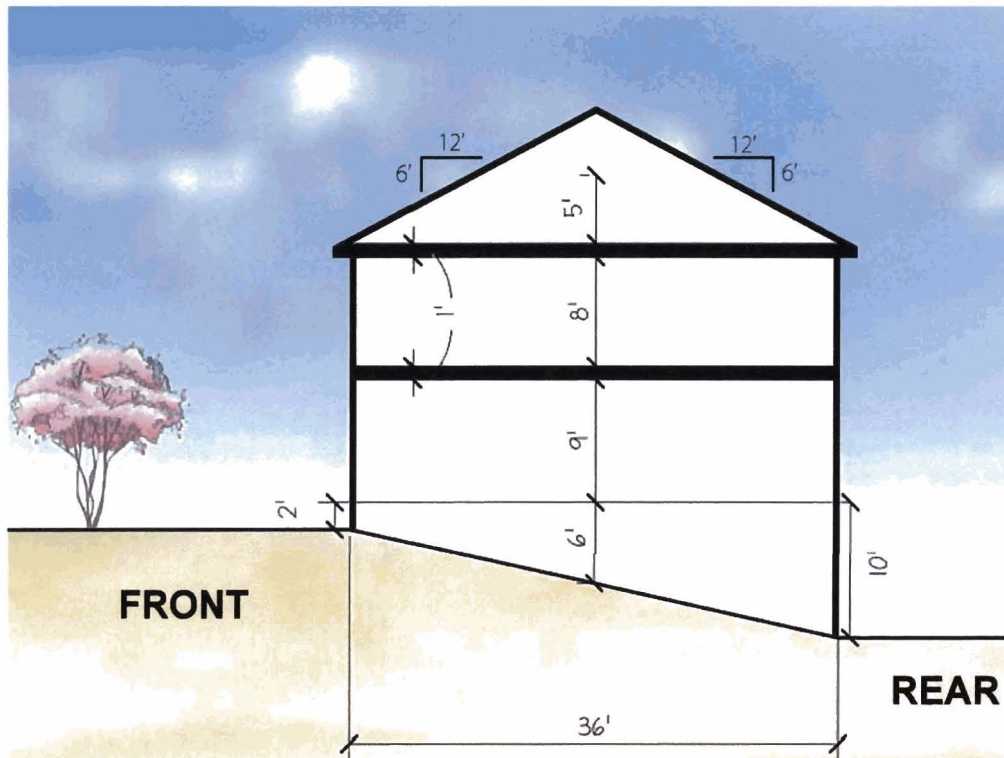
REGULAR LOT



Average finished grade to first floor:	3'
First floor ceiling height:	9'
Floor joist:	1'
Second floor ceiling height:	8'
Floor joist:	1'
Floor joist to mid-point of gable:	5'

Height: 27'

WALK-OUT LOT



Average finished grade to first floor: 6'

First floor ceiling height: 9'

Floor joist: 1'

Second floor ceiling height: 8'

Floor joist: 1'

Floor joist to mid-point of gable: 5'

Height: 30'

11
6-14-08



Gloria Sitton/Alex
06/13/2008 03:54 PM

To Jackie Henderson/Alex@Alex
cc
bcc
Subject Fw: Proposed Infill Regulations, Item 11 June 14th Agenda

Gloria Sitton
Deputy City Clerk
City of Alexandria
703-838-4550
gloria.sitton@alexandriava.gov

GO GREEN -- Tip: Use a ceramic mug for your coffee or tea. Americans use more than 14 billion paper cups a year, enough to circle the earth 55 times!

----- Forwarded by Gloria Sitton/Alex on 06/13/2008 03:54 PM -----



"Jim Williams"
<jwilliams@NVBIA.com>
06/13/2008 04:57 PM

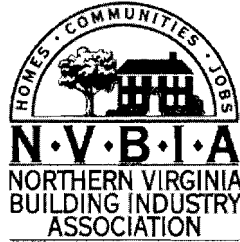
To <alexvamayor@aol.com>, <delpepper@aol.com>, <councilmangaines@aol.com>, <council@krupicka.com>, <timothylovain@aol.com>, <paulcsmedberg@aol.com>, <justin.wilson@alexandriava.gov>
cc <Gloria.Sitton@alexandriava.gov>
Subject Proposed Infill Regulations, Item 11 June 14th Agenda

Please accept the attached comments on the proposed infill regulations.

James S. Williams, CAE
Executive Vice President
Northern Virginia Building Industry Association
3901 Centerview Drive, Suite E
Chantilly, VA 20151
jwilliams@nvbia.com
703 817 0154 x100



Letter to Council, 6-12-08.doc Building_Height_Exhibit_6 10 081.pdf



June 12, 2008

Honorable William D. Euille, Mayor and
Members of City Council
City of Alexandria
City Hall, Room 2300
301 King Street
Alexandria, VA 22314

Re: Docket Item # 11: Infill Task Force Proposed Zoning Text Amendments

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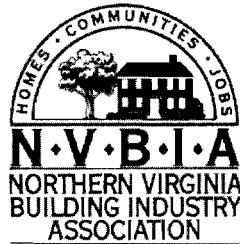
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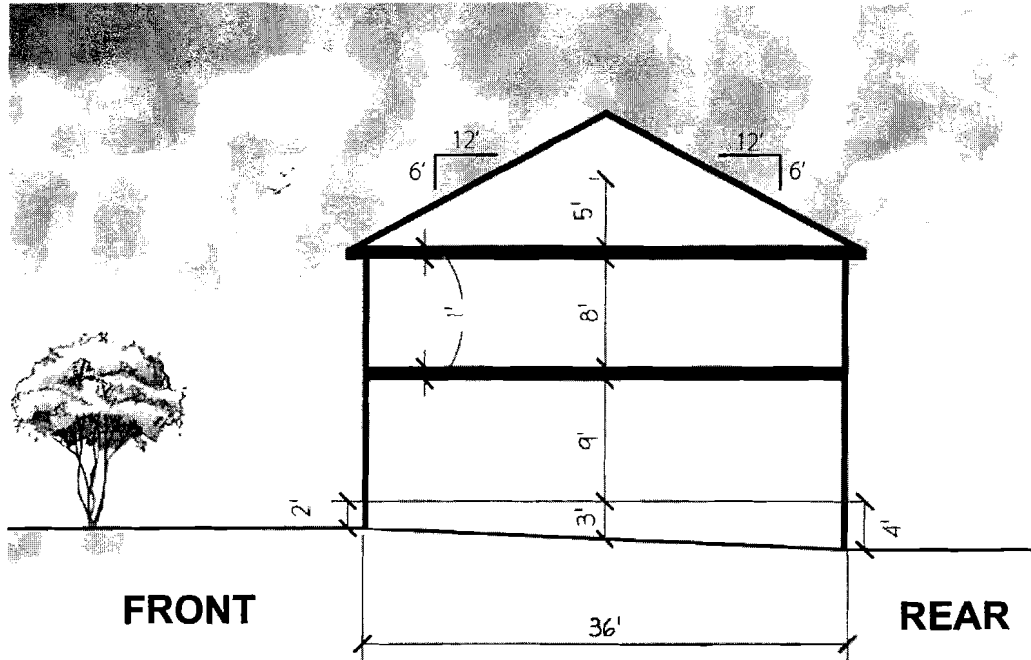
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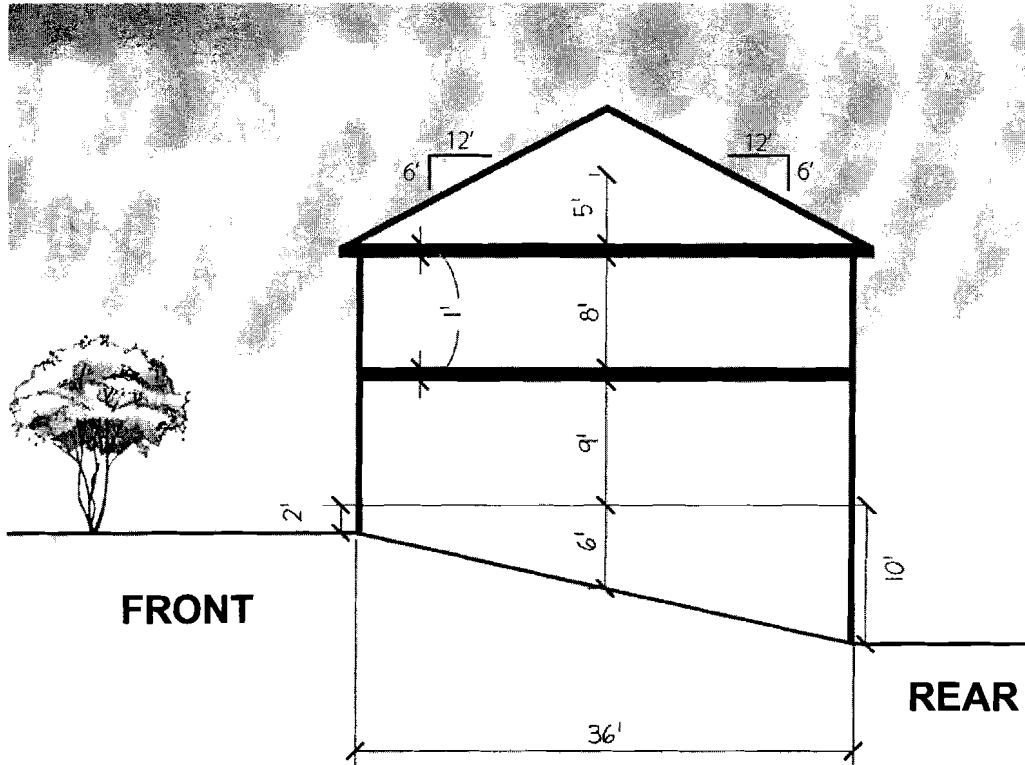
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Height: 30'

11
6-14-08

RESIDENTIAL INFILL DEVELOPMENT

Text Amendment #2008-0005

Presentation

- Overview
- Front Setbacks
- Height
- SUP for Substandard Lots



City Council
June 14, 2008

Alexandria

1

Infill Task Force - Mission

- 1) Study the impact of large new housing construction and major residential additions in existing, established single-family neighborhoods;
- 2) Analyze existing City regulations that pertain to limiting infill impacts and make recommendations to the Planning Commission and City Council for any regulatory changes;
- 3) Keep the public informed about the study, briefing the community at large on the progress of the infill study, and briefing the Planning Commission and City Council on their analysis and recommendations.

2

Infill Task Force - Process

- Since August 2007, monthly public meetings and two community meetings; April joint work session with Planning Commission and City Council
- New regulations to address height, setbacks, bulk, and design
- New regulations apply to single-family and two-family dwellings in residential zones only (R-20, R-12, R-8, R-5, R-2-5, RB and RA)
- Approach of recommending tools that are practical and effective without radical changes. Address the most egregious cases.

*Unanimous Support by Infill Task Force and Planning Commission,
Support from Civic Associations*

3

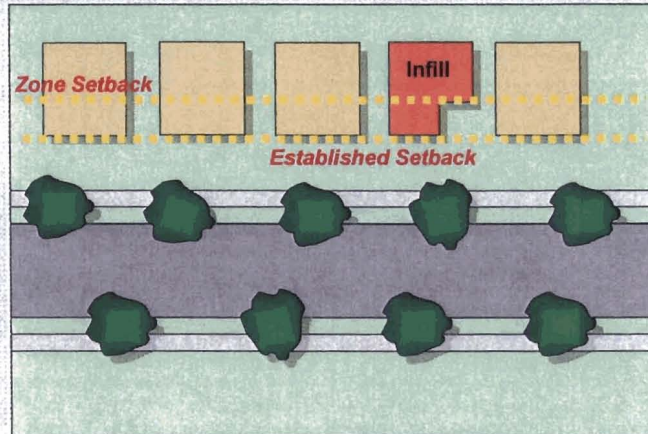
Infill Task Force

- Response to comments from joint work session
- Response to questions raised since Planning Commission

4

Control Type: *Setbacks*

- B1: Require front setback to meet the established or average—(*Special Exception* process to adjust)

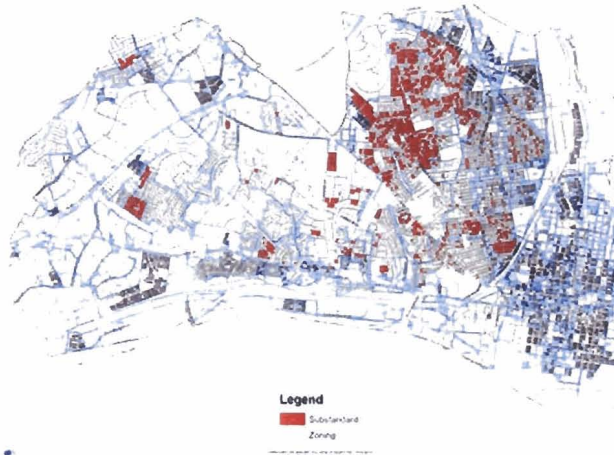


Recommendations of Infill Task Force

5

Control Type: *Design*

Developed Substandard Single-Family Residential Lots



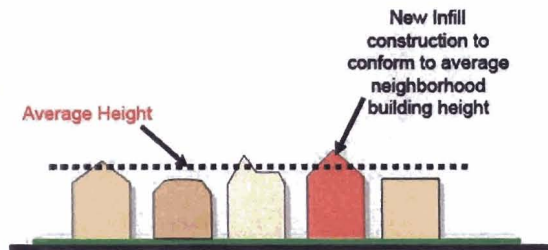
- E5: Require owners of existing dwellings on substandard lots to go through an SUP process before being able to tear down the existing dwelling and build a new house

6

Control Type: *Height*

- Establish maximum height on the neighborhood block based on the average existing height on the block plus 20%—(*SUP process to exceed*)

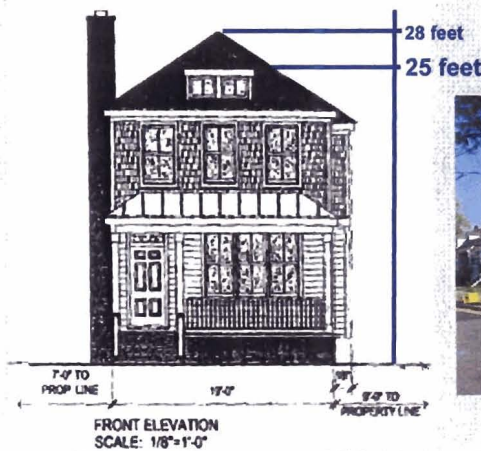
In blocks with mostly one-story houses, if the calculated height is less than 25 ft, the owner can build up to 25 ft.



Recommendation of Infill Task Force

7

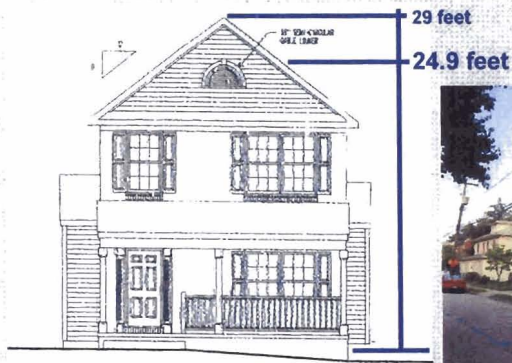
Recent Two-Story Infill Projects of 25 Feet Height



301 La Verne

8

Recent Two-Story Infill Projects with 25 Feet Height



307 E. Custis Ave

9

Recent Two-Story Infill Projects with 25 Feet Height

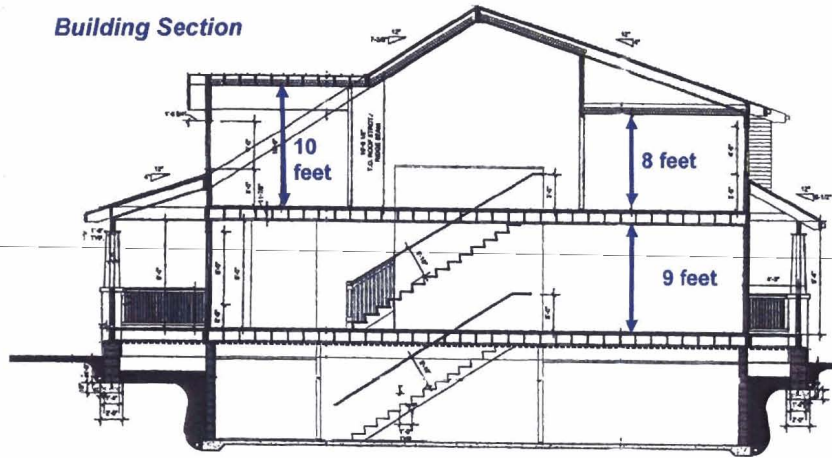


2500 Leslie Ave

10

Recent Two-Story Infill Projects with 25 Feet Height

Building Section



2500 Leslie Ave

11

RECOMMENDATIONS OF INFILL TASK FORCE

Text Amendment #2008-0005



City Council
June 14, 2008

Alexandria

12



"Goodale, Geoffrey M."
<GGoodale@foley.com>
06/13/2008 04:35 PM

To <alexvamayor@aol.com>, <delpepper@aol.com>, <councilmangaines@aol.com>, <council@krupicka.com>, <timlovain@timlovain.com>, <paulcsmedberg@aol.com>, cc <jackie.henderson@alexandriava.gov>, <geoff.goodale@bsvca.net>
bcc

Subject City Council Hearing of June 14, 2008 -- Comments Regarding Docket Item 11

11

6-14-08

<<BSVCA Comments on Docket Item 11.pdf>>

Dear Mayor Euille and Members of City Council:

Attached please find comments that the Board of Directors of Brookville-Seminary Valley Civic Association, Inc. ("BSVCA") respectfully submits for your consideration in deliberating on Text Amendment 2008-0005 (the "Text Amendment") relating to proposed changes to the City's Zoning Ordinance to address certain infill issues. As discussed in the attached letter, we urge the Council to approve the Text Amendment.

Thank you for your consideration of our comments. We respectfully request that this e-mail and the attached document be included in the record relating to this proceeding, and accordingly, we are including the City Clerk as a "cc" recipient on this e-mail. If you have any questions regarding our comments, please do not hesitate to contact me at (202) 672-5341 or at (703) 618-6640.

Respectfully submitted,

Geoffrey M. Goodale
President, Brookville-Seminary Valley Civic Association, Inc.

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herein. *BSVCA Comments on Docket Item 11.pdf*

BROOKVILLE-SEMINARY VALLEY CIVIC ASSOCIATION, INC.
P.O. Box 23348
Alexandria, VA 22304

June 13, 2008

Mayor William D. Euille and Members of City Council
301 King Street – City Hall
Alexandria, VA 22314

Re: Comments on Docket Item 11 of the Council's Public Hearing of June 14, 2008

Dear Mayor Euille and Members of City Council:

The Board of Directors of Brookville-Seminary Valley Civic Association, Inc. ("BSVCA") respectfully submits these comments to the City Council (the "Council") for its consideration in deliberating on Text Amendment 2008-0005 (the "Text Amendment") relating to proposed changes to the City's Zoning Ordinance to address certain infill issues. As discussed below, we urge the Council to approve the Text Amendment.

The BSVCA is a non-profit organization that seeks to promote the best interests of Alexandrians in general and those in the West End in particular. Individuals from several hundred households in the Brookville-Seminary Valley area are included among the BSVCA's members.

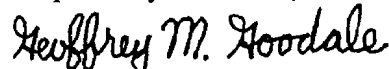
To begin with, we want to thank the Council for creating the Infill Task Force (the "Task Force"). As you will recall, in April 2007, the Virginia Supreme Court issued a ruling involving infill issues that was adverse to the City relating to the property at 227 North Latham Street, which is located within the BSVCA's boundaries. We are grateful that the Council recognized the importance of developing comprehensive infill regulations following the issuance of this ruling, and that well-qualified individuals were appointed to serve on the Task Force.

We also wish to express our profound gratitude to the members of the Task Force and the Planning and Zoning staff for all of the energy, effort, and consideration that they put into this project. The manner in which they conducted meetings was exemplary, and it allowed members from the community to observe, learn, and comment in an effective manner.

In our view, the Task Force did an outstanding job of seeking ways to minimize the impact of infill development without making major changes to the Zoning Ordinance or infringing too much on the rights of property owners. Accordingly, we urge the Council to approve the Text Amendment.

Your consideration of our comments is greatly appreciated. If you have any questions regarding these comments, please do not hesitate to contact me by telephone at (703) 618-6640 or by e-mail at geoff.goodale@bsvca.net.

Respectfully submitted,



Geoffrey M. Goodale
President, Brookville-Seminary Valley Civic Association, Inc.