EXHIBIT NO.

12-8-09 12-8-09

# City of Alexandria, Virginia

# **MEMORANDUM**

DATE:

**DECEMBER 2, 2009** 

TO:

THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

JAMES K. HARTMANN, CITY MANAGER

SUBJECT:

ORDINANCE TO ADOPT A TEXT AMENDMENT TO THE ZONING

ORDINANCE TO TO ALLOW ADMINISTRATIVE APPROVAL OF

CERTAIN SIGNS IN THE HISTORIC DISTRICTS

<u>ISSUE</u>: Consideration of a text amendment to allow administrative approval of certain signs in the Historic Districts.

**RECOMMENDATION:** That City Council pass the proposed ordinance (Attachment I) on first reading on December 8, 2009 and schedule it for public hearing, second reading and final passage on December 12, 2009.

**<u>DISCUSSION</u>**: This text amendment was recommended to the City Council for approval by the Planning Commission on November 5, 2009, which recommendation was approved by City Council at the public hearing on November 21, 2009. The proposed ordinance implements the City Council's approval.

## **ATTACHMENTS:**

Attachment I – Proposed Ordinance and Cover
Attachment II – November 5, 2009 Docket Memo to the Planning Commission

### STAFF:

Faroll Hamer, Director, Planning and Zoning Barbara Ross, Deputy Director, Planning and Zoning Stephanie Sample, Urban Planner, Planning and Zoning Christopher P. Spera, Deputy City Attorney EXHIBIT NO. \_\_\_\_2

1	Introduction and first reading: 12/8/09			
2	Public hearing: 12/12/09			
3	Second reading and enactment: 12/12/09			
4				
5	DIEODMATION ON DRODOGED ODDBIANCE			
6 7	INFORMATION ON PROPOSED ORDINANCE			
8	<u>Title</u>			
9				
10	AN ORDINANCE to amend and reordain Section 9-301 (REVIEW REQUIRED), Article IX (SIGNS			
11	MARQUEES AND AWNINGS), and add a new Section 10-113 (ADMINISTRATIVE			
12	APPROVAL OF CERTAIN PERMITS) and a new Section 10-213 (ADMINISTRATIVE			
13 14	APPROVAL OF CERTAIN PERMITS), both of Article X (HISTORIC DISTRICTS AND BUILDINGS), all of the City of Alexandria Zoning Ordinance, in accordance with the text			
15	amendment heretofore approved by city council as Text Amendment No. 2009-0005.			
16	anonament necessite approved by each countries are remained in the 2005 course.			
17	Summary			
18				
19	The proposed ordinance amends the Zoning Ordinance to allow administrative approval of			
20 21	certain signs within the Historic Districts, as recommended to the City Council by the Plannin Commission on November 5, 2009, which recommendation was approved by the City Council			
22	at public hearing on November 21, 2009.			
23				
24	Sponsor			
25				
26	<u>Staff</u>			
27 28	Faroll Hamer, Director, Planning and Zoning			
29	Barbara Ross, Deputy Director, Planning and Zoning			
30	Stephanie Sample, Urban Planner, Planning and Zoning			
31	Christopher P. Spera, Deputy City Attorney			
32				
33 34	Authority			
35	§2.04(w), §9.09(i)(j), Alexandria City Charter			
36	g=10 ·(11), g>10>(1)(), 1 · 101/41/41/41 · 110/			
37	Estimated Costs of Implementation			
38				
39 40	None			
41	Attachments in Addition to Proposed Ordinance and its Attachments (if any)			
42	· · · · · · · · · · · · · · · · · · ·			
43	11/5/2009 Docket Memo to Planning Commission			
44 45				
45 46				
40 47				
48	G:\DOCUMENT\DATA\ORD\ZONING TEXT AMENDMENT ADMINISTRATIVE APPROVAL OF CERTAIN HIST DIST SIGNS COVER.DOC			

 $G: \label{thm:constraint} G: \label{thm:constraint} G: \label{thm:constraint} \mbox{ Certain hist dist signs cover.} \mbox{ Document distraint} \mbox{ Certain hist dist signs cover.} \mbox{ Cover.} \mbox{ Document distraint} \mbox{ Certain hist distraint} \mbox{ Cover.} \mbox{ Document distraint} \mbox{ Certain hist distraint} \mbox{ Cover.} \mbox{ Document distraint} \mbox{ Certain hist distraint} \mbox{ Cover.} \mbox{ Document distraint} \mbox{ Cover.} \mbox{ Document distraint} \mbox{ Certain hist distraint} \mbox{ Cover.} \mbox{ Document distraint} \mbox{ Certain hist distraint} \mbox{ Cover.} \mbox{ Document distraint} \mbox{ Certain hist distraint} \mbox{ Cover.} \mbox{ Document distraint} \mbox{ Certain hist distraint} \mbox{ Cover.} \mbox{ Document distraint} \mbox{ Certain hist distraint} \mbox{ Certain historic distraint} \mbox{ Certain histo$ 

	2
EXHIBIT NO.	<u> </u>

1 ORDINANCE NO. \_\_\_\_\_ 2 3 4 AN ORDINANCE to amend and reordain Section 9-301 (REVIEW REQUIRED), Article IX 5 (SIGNS, MAROUEES AND AWNINGS), and add a new Section 10-113 (ADMINISTRATIVE APPROVAL OF CERTAIN PERMITS) and a new Section 10-213 6 7 (ADMINISTRATIVE APPROVAL OF CERTAIN PERMITS), both of Article X 8 (HISTORIC DISTRICTS AND BUILDINGS), all of the City of Alexandria Zoning 9 Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2009-0005. 10 11 12 WHEREAS, the City Council finds and determines that: 13 14 1. In Text Amendment No. 2009-0005, the planning commission, having found that 15 the public necessity, convenience, general welfare and good zoning practice so require, recommended approval to the City Council on November 5, 2009 of a text amendment to the 16 Zoning Ordinance to allow administrative approval of certain signs in the Historic Districts, 17 which recommendation was approved by the City Council at public hearing on November 21, 18 19 2009; 20 21 2. The City Council in adopting this ordinance expressly adopts, ratifies, affirms and concurs in the finding and action of the Planning Commission above stated; 22 23 24 3. All requirements of law precedent to the adoption of this ordinance have been complied with; now, therefore, 25 26 27 THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS: 28 29 Section 1. That Section 9-301 of the Zoning Ordinance be, and the same hereby is, amended, by adding new language as shown: 30 31 32 (New language is underscored) 33 34 Sec. 9-301 **Review Required** 35 36 (B) Exemptions. The following signs shall not be subject to the requirement of section 9-301(A): 3.7 38 39 Signs for which administrative approval is available (6) 40 pursuant to sections 10-113 and 10-213. 41 Section 2. That Section 10-113 of the Zoning Ordinance be, and the same hereby is, 42 amended by inserting new language, as shown: 43 44 45

46

	(The following is all new language)			
	Administrative Approval Of Certain Permits. Th			
_	approve applications for those signs which comply w			
<u>S1</u>	tandards outlined and formally approved by the board	<u>l.</u>		
Sect	tion 3. That Section 10-213 of the Zoning Ordinance	be, and the same hereby is,		
amended by inse	erting new language, as shown:	•		
	(The following is all new language)			
Sec. 10-213 A	Administrative approval of certain permits. The	e director may review and		
	approve applications for those signs which comply watendards outlined and formally approved by the board			
Section 4. That the director of planning and zoning be, and hereby is, directed to record the foregoing text amendment.				
record the lenege	ong text anomanont.			
Sect	tion 5. That Section 9-301, as amended pursuant to S	ection 1 of this ordinance,		
Section 10-113, as amended pursuant to Section 2 of the ordinance and Section 10-213, as				
amended by Section 3 of this ordinance, be, and the same hereby are, reordained as parts of the				
City of Alexand	Iria Zoning Ordinance.			
Section 6. That this ordinance shall become effective on the date and at the time of				
its final passage, and shall apply to all applications for land use, land development or subdivision				
approval provided for under the City of Alexandria Zoning Ordinance which are on such date pending before any city department, agency or board, or before city council, shall apply to all				
such applications which may be filed after such date, and shall apply to all other facts and				
circumstances subject to the provisions of the City of Alexandria Zoning Ordinance, except as may be provided in Article XII of the Zoning Ordinance.				
may be provided	a millione and of the Bonning Ordinance.			
	WILLIAM D. E	UILLE		
	Mayor			
	•			
Introduction:	12/8/2009			
First Reading:	12/8/2009	· · · · · · · · · · · · · · · · · · ·		
Publication:				
Public Hearing:				
Second Reading	j:			
Final Passage:				
G:\DOCUMENT\DATA\OR	RD\ZONING TEXT AMENDMENT ADMINISTRATIVE APPROVAL OF CERTAIN HIST DIS	ST SIGNS.DOC		

#### ORDINANCE NO. 4641

AN ORDINANCE to amend and reordain Section 9-301 (REVIEW REQUIRED), Article IX (SIGNS, MARQUEES AND AWNINGS), and add a new Section 10-113 (ADMINISTRATIVE APPROVAL OF CERTAIN PERMITS) and a new Section 10-213 (ADMINISTRATIVE APPROVAL OF CERTAIN PERMITS), both of Article X (HISTORIC DISTRICTS AND BUILDINGS), all of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2009-0005.

## WHEREAS, the City Council finds and determines that:

- 1. In Text Amendment No. 2009-0005, the planning commission, having found that the public necessity, convenience, general welfare and good zoning practice so require, recommended approval to the City Council on November 5, 2009 of a text amendment to the Zoning Ordinance to allow administrative approval of certain signs in the Historic Districts, which recommendation was approved by the City Council at public hearing on November 21, 2009;
- 2. The City Council in adopting this ordinance expressly adopts, ratifies, affirms and concurs in the finding and action of the Planning Commission above stated;
- 3. All requirements of law precedent to the adoption of this ordinance have been complied with; now, therefore,

#### THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 9-301 of the Zoning Ordinance be, and the same hereby is, amended, by adding new language as shown:

## Sec. 9-301 Review Required

- (B) Exemptions. The following signs shall not be subject to the requirement of section 9-301(A):
  - (6) Signs for which administrative approval is available pursuant to sections 10-113 and 10-213.

Section 2. That Section 10-113 of the Zoning Ordinance be, and the same hereby is, amended by inserting new language, as shown:

**Sec. 10-113** Administrative Approval Of Certain Permits. The director may review and approve applications for those signs which comply with the specific criteria and standards outlined and formally approved by the board.

Section 3. That Section 10-213 of the Zoning Ordinance be, and the same hereby is, amended by inserting new language, as shown:

Sec. 10-213 Administrative approval of certain permits. The director may review and approve applications for those signs which comply with the specific criteria and standards outlined and formally approved by the board.

Section 4. That the director of planning and zoning be, and hereby is, directed to record the foregoing text amendment.

Section 5. That Section 9-301, as amended pursuant to Section 1 of this ordinance, Section 10-113, as amended pursuant to Section 2 of the ordinance and Section 10-213, as amended by Section 3 of this ordinance, be, and the same hereby are, reordained as parts of the City of Alexandria Zoning Ordinance.

Section 6. That this ordinance shall become effective on the date and at the time of its final passage, and shall apply to all applications for land use, land development or subdivision approval provided for under the City of Alexandria Zoning Ordinance which are on such date pending before any city department, agency or board, or before city council, shall apply to all such applications which may be filed after such date, and shall apply to all other facts and circumstances subject to the provisions of the City of Alexandria Zoning Ordinance, except as may be provided in Article XII of the Zoning Ordinance.

WILLIAM D. EUILLE Mayor

Final Passage: December 12, 2009