

Docket Item #4
INITIATION OF TEXT AMENDMENT
#2004-0005-I

Planning Commission Meeting
April 6, 2004

CASE: INITIATION OF TEXT AMENDMENT
BAR PROCEDURES

ISSUE: Consideration of initiation of a text amendment to change certain procedural restrictions for BAR cases.

STAFF: Department of Planning and Zoning

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STAFF RECOMMENDATION:

Staff recommends that the Planning Commission, pursuant to the attached motion, initiate a text amendment to the Zoning Ordinance, in order to change the procedures for development cases before the BAR, finding that the consideration of such a text amendment is consistent with the public necessity, convenience, general welfare and good zoning practice.

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DISCUSSION

Background

New development within the historic districts of the City is subject to procedural requirements for both site plan or special use permit approvals, as well as for Board of Architectural Review approvals. Staff proposes that some of the BAR rules for such cases be changed in order to make procedures for such multi-approval developments more effective and more fair.

For example, BAR cases are subject to a short limit on the time period that may elapse between the filing of a complete application and a hearing on that application. Specifically, the BAR is required to hear complete applications within 40 days of its filing. That rule essentially creates a one month turn around on cases that may require significant analysis, collaboration among staff, the applicant and the community on issues, and the preparation of a professional staff report.

Another problem is created by the BAR requirement that development approved by the BAR be substantially commenced within one year from the BAR approval and diligently pursued thereafter. Again, for most BAR cases, the rule is a good one and similar to restrictions on other city approvals. However, where approval is required by more than one body, such as occurs with a development case, then it may be difficult or impossible to meet the one year commencement rule, given later Planning Commission, City Council hearings, and final site plan and building permit requirements that may occur after the BAR approval.

Staff intends to propose changes to the BAR procedural requirements in the form of a text amendment to the zoning ordinance in order to correct such problems and make the overall process more efficient and coordinated.

Recommendation

Staff recommends that the Commission initiate a text amendment on its own motion to entertain changes to the BAR procedural regulations, because consideration of such changes would be consistent with the public necessity, convenience, general welfare and good zoning practice.

Staff: Eileen Fogarty, Director, Planning and Zoning;
Barbara Ross, Deputy Director, Planning and Zoning

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INITIATION MOTION

Whereas the Alexandria Planning Commission may initiate the amendment of the Alexandria Zoning Ordinance whenever it determines that the public necessity, convenience, general welfare or good zoning practice requires an amendment; and

Whereas the current provisions of the Alexandria Zoning produce procedural conflicts when development cases require both BAR approval as well as Planning Commission and/or City Council approval;

Whereas providing a coordinated approach to such cases will create a more effective procedure and assist applicants, planning staff and the community.

Now, therefore, I move that the Alexandria Planning Commission find that the public necessity, convenience, general welfare or good zoning practice requires consideration of a Text Amendment, to allow changes to the BAR procedures in development cases, and

I further move that the Alexandria Planning Commission initiate such text amendment.