

ORDINANCE NO. 4566

AN EMERGENCY ORDINANCE to establish a pilot program to authorize portable signs in the public right-of-way for businesses in the Central Business District, with administrative approval.

WHEREAS, the City Council finds and determines that:

1. There is an economic downturn that is affecting all businesses in the City of Alexandria and in the Central Business District, and there is a particular hardship being experienced by restaurants, retail merchants, and small businesses;

2. Many such businesses within the Central Business District, on blockfaces close to but not on King Street, are small businesses which contribute to the unique character of Old Town, and are particularly vulnerable to the current economic downturn, and the loss of such businesses would cause irreparable harm to the character and economic viability of Old Town and the City;

3. Adoption of this emergency ordinance is necessary and desirable to aid such businesses by increasing their visibility to visitors and customers during the upcoming holiday season, upon which such business substantially rely for their annual revenue; to secure the appropriate balance between competing uses in and along the public right-of-way, and to preserve the health, safety and general welfare of the residents of the City, and

4. All requirements of law precedent to the adoption of this emergency ordinance have been complied with; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That temporary portable signs shall be permitted to encroach into the public sidewalk right-of-way along King Street, within the Central Business District as defined in Section 8-300 of the Zoning Ordinance, until March 15, 2009; provided that such permission shall be subject to the provisions set forth below.

Section 2. That no such encroachment shall be permitted unless and until an application therefore, which shall include a plan reasonably depicting the location, size, text, appearance and method of installation of the proposed sign to be located on the public right-of-way, and such additional information as the Director of Planning and Zoning may reasonably require, has been approved by the Director of Planning and Zoning, after determining that the proposed encroachment will be reasonable, attractive and promote pedestrian and retail vitality in the Central Business District, and that there is adequate space remaining within the public right-of-way to facilitate safe circulation of pedestrian traffic. No material change to the approved plan shall be made without prior written approval by the Director.

Section 3. That any such encroachment shall be subject to the following terms and conditions:

- (A) A maximum of four signs may be located on any one intersection of King Street and each intersecting street, one on each corner.
- (B) For each sign, eligible businesses include restaurants, retail uses and retail oriented businesses, which include restaurants and retail and personal services uses, as those terms are defined by the zoning ordinance, located on an adjacent blockface on a street within the Central Business District, which street intersects with or is parallel to King Street. Eligible business shall not include banks, savings and loans, credit unions, and contractor or other offices.
- (C) A maximum of one coordinated temporary portable sign is permitted for all eligible businesses on any eligible blockface.
- (D) Signs may not exceed 42 inches in height and a width of 30 inches. Illuminated signs are prohibited.
- (E) Pedestrian safety shall be preserved through the placement and securing of signs so as to permit safe and adequate pedestrian throughway along the sidewalk, crossing of streets, entry and alighting from cars and buses, and access to curb ramps.
- (F) All signs, including installation materials, placed in the right-of-way shall be temporary and shall be readily removable without any damage to the surface of the right-of-way.
- (G) Signs shall comply with all applicable city, state and federal laws and regulations.
- (H) Signs shall comply with such additional, reasonable terms and conditions as the Director of Planning and Zoning may include in the permit.

Section 4. That this ordinance shall preempt any contrary provision of law, general or special.

Section 5. That this ordinance shall become effective on the date and at the time of its final passage, and shall apply to all such applications which may be filed after such date; provided, however, that this emergency ordinance shall expire on March 15, 2009.

WILLIAM D. EUILLE  
Mayor

Final Passage: November 25, 2008