

ORDINANCE NO. 5321

AN ORDINANCE to amend and reordain Section 3-1409 (USE LIMITATIONS) of Article No. III (RESIDENTIAL ZONE REGULATIONS); Sections 4-107 (USE LIMITATIONS), 4-207 (USE LIMITATIONS), 4-307 (USE LIMITATIONS), 4-407 (USE LIMITATIONS), 4-507 (USE LIMITATIONS), 4-607 (USE LIMITATIONS), 4-707 (USE LIMITATIONS), 4-807 (USE LIMITATIONS), 4-906 (USE LIMITATIONS), 4-1006 (USE LIMITATIONS), 4-1106 (USE LIMITATIONS), 4-1206 (USE LIMITATIONS), and 4-1413 (USE LIMITATIONS), all of Article No. IV (COMMERCIAL, OFFICE AND INDUSTRIAL ZONES); Sections 5-110 (USE LIMITATIONS), 5-210 (USE LIMITATIONS), 5-310 (USE LIMITATIONS), 5-410 (USE LIMITATIONS), 5-511 (USE LIMITATIONS), and 5-602 (COORDINATED DEVELOPMENT DISTRICTS CREATED, CONSISTENCY WITH MASTER PLAN, REQUIRED APPROVALS) all of Article No. V (MIXED USE ZONES); and Section 6-707 (USE LIMITATIONS) of Article No. VI (SPECIAL AND OVERLAY ZONES) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-00009.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2020-00009, 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 December 1, 2020 of a text amendment to the Zoning Ordinance to adopt clarifications to the pick up and drop off requirements for day care establishments, which recommendation was approved by the City Council at public hearing on December 12, 2020;

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 3-1409 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

3-1409 - Use limitations.

(D) A day care center shall ~~provide adequate drop-off and pick-up facilities so as to submit for the director's review a pick-up and drop off plan that adequately ensures the safe transfer of children and creates~~ minimal impact on pedestrian and vehicular traffic. The day care center must obtain approval of the plan prior to opening its place of business.

Section 2. That Section 4-107 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

4-107 - Use limitations.

(H) A day care center shall ~~provide adequate drop-off and pick-up facilities so as to~~ submit for the director's review a pick-up and drop off plan that adequately ensures the safe transfer of children and creates minimal impact on pedestrian and vehicular traffic. The day care center must obtain approval of the plan prior to opening its place of business.

Section 3. That Section 4-207 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

4-207 - Use limitations.

(G) A day care center shall ~~provide adequate drop-off and pick-up facilities so as to~~ submit for the director's review a pick-up and drop off plan that adequately ensures the safe transfer of children and creates minimal impact on pedestrian and vehicular traffic. The day care center must obtain approval of the plan prior to opening its place of business.

Section 4. That Section 4-307 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

4-307 - Use limitations.

(G) A day care center shall ~~provide adequate drop-off and pick-up facilities so as to~~ submit for the director's review a pick-up and drop off plan that adequately ensures the safe transfer of children and creates minimal impact on pedestrian and vehicular traffic. The day care center must obtain approval of the plan prior to opening its place of business.

Section 5. That Section 4-407 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

4-407 - Use limitations.

(E) A day care center shall ~~provide adequate drop off and pick up facilities so as to~~ submit for the director's review a pick-up and drop off plan that adequately ensures the safe transfer of children and creates minimal impact on pedestrian and vehicular traffic. The day care center must obtain approval of the plan prior to opening its place of business.

Section 6. That Section 4-507 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

4-507 - Use limitations.

(E) A day care center shall ~~provide adequate drop off and pick up facilities so as to~~ submit for the director's review a pick-up and drop off plan that adequately ensures the safe transfer of children and creates minimal impact on pedestrian and vehicular traffic. The day care center must obtain approval of the plan prior to opening its place of business.

Section 7. That Section 4-607 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

4-607 - Use limitations.

(E) A day care center shall ~~provide adequate drop off and pick up facilities so as to~~ submit for the director's review a pick-up and drop off plan that adequately ensures the safe transfer of children and creates minimal impact on pedestrian and vehicular traffic. The day care center must obtain approval of the plan prior to opening its place of business.

Section 8. That Section 4-707 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

4-707 - Use limitations.

(C) A day care center shall submit for the director's review a pick-up and drop off plan that adequately ensures the safe transfer of children and creates minimal impact on pedestrian and vehicular traffic. The day care center must obtain approval of the plan prior to opening its place of business.

Section 9. That Section 4-807 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

4-807 - Use limitations.

(F) A day care center shall ~~provide adequate drop off and pick up facilities so as to~~ submit for the director's review a pick-up and drop off plan that adequately ensures the safe transfer of children and creates minimal impact on pedestrian and vehicular traffic. The day care center must obtain approval of the plan prior to opening its place of business.

Section 10. That Section 4-906 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

4-906 - Use limitations.

(F) A day care center shall ~~provide adequate drop off and pick up facilities so as to~~ submit for the director's review a pick-up and drop off plan that adequately ensures the safe transfer of children and creates minimal impact on pedestrian and vehicular traffic. The day care center must obtain approval of the plan prior to opening its place of business.

Section 11. That Section 4-1006 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

4-1006 - Use limitations.

(F) A day care center shall ~~provide adequate drop off and pick up facilities so as to~~ submit for the director's review a pick-up and drop off plan that adequately ensures the safe transfer of children and creates minimal impact on pedestrian and vehicular traffic. The day care center must obtain approval of the plan prior to opening its place of business.

Section 12. That Section 4-1106 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

4-1106 - Use limitations.

(F) A day care center shall ~~provide adequate drop off and pick up facilities so as to~~ submit for the director's review a pick-up and drop off plan that adequately ensures the safe transfer of

children and creates minimal impact on pedestrian and vehicular traffic. The day care center must obtain approval of the plan prior to opening its place of business.

Section 13. That Section 4-1206 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

4-1206 - Use limitations.

(C) A day care center shall submit for the director's review a pick-up and drop off plan that adequately ensures the safe transfer of children and creates minimal impact on pedestrian and vehicular traffic. The day care center must obtain approval of the plan prior to opening its place of business.

Section 14. That Section 4-1413 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

4-1413 - Use limitations.

(F) A day care center shall ~~provide adequate drop-off and pick-up facilities so as to~~ submit for the director's review a pick-up and drop off plan that adequately ensures the safe transfer of children and creates minimal impact on pedestrian and vehicular traffic. The day care center must obtain approval of the plan prior to opening its place of business.

Section 15. That Section 5-110 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

5-110 - Use limitations.

(B) A day care center shall ~~provide adequate drop-off and pick-up facilities so as to~~ submit for the director's review a pick-up and drop off plan that adequately ensures the safe transfer of children and creates minimal impact on pedestrian and vehicular traffic. The day care center must obtain approval of the plan prior to opening its place of business.

Section 16. That Section 5-210 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

5-210 - Use limitations.

(B) A day care center shall ~~provide adequate drop-off and pick-up facilities so as to~~ submit for the director's review a pick-up and drop off plan that adequately ensures the safe transfer of children and creates minimal impact on pedestrian and vehicular traffic. The day care center must obtain approval of the plan prior to opening its place of business.

Section 17. That Section 5-310 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

5-310 - Use limitations.

(B) A day care center shall ~~provide adequate drop-off and pick-up facilities so as to~~ submit for the director's review a pick-up and drop off plan that adequately ensures the safe transfer of children and creates minimal impact on pedestrian and vehicular traffic. The day care center must obtain approval of the plan prior to opening its place of business.

Section 18. That Section 5-410 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

5-410 - Use limitations.

(B) A day care center shall submit for the director's review a pick-up and drop off plan that adequately ensures the safe transfer of children and creates minimal impact on pedestrian and vehicular traffic. The day care center must obtain approval of the plan prior to opening its place of business.

Section 19. That Section 5-511 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

5-511 - Use limitations.

(B) A day care center shall submit for the director's review a pick-up and drop off plan that adequately ensures the safe transfer of children and creates minimal impact on pedestrian and vehicular traffic. After review, the director may approve, approve with conditions, or deny the plan.

Section 20. That Section 5-602 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

5-602 - Coordinated development districts created, consistency with master plan, required approvals.

(E) Within each CDD, the following uses are permitted unless in specific conflict with the approved CDD concept plan or DSUP:

(2) Day care center with submission for the director's review, a pick-up and drop off plan that adequately ensures the safe transfer of children and creates minimal impact on pedestrian and vehicular traffic. The day care center must obtain approval of the plan prior to opening its place of business.

Section 21. That Section 6-707 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

6-707 - Use limitations.

(E) A day care center shall ~~provide adequate drop-off and pick-up facilities so as to~~ submit for the director's review a pick-up and drop off plan that adequately ensures the safe transfer of children and creates minimal impact on pedestrian and vehicular traffic. The day care center must obtain approval of the plan prior to opening its place of business.

Section 22. That the director of planning and zoning be, and hereby is, directed to record the foregoing text amendment.

Section 23. That Sections 3-1409, 4-107, 4-207, 4-307, 4-407, 4-507, 4-607, 4-707, 4-807, 4-906, 4-1006, 4-1106, 4-1206, 4-1413, 5-110, 5-210, 5-310, 5-410, 5-511, 5-602, and 6-707, as amended pursuant to Sections 1 through 21 of this ordinance, be, and the same hereby are, reordained as part of the City of Alexandria Zoning Ordinance.

Section 4. 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 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.

JUSTIN M. WILSON
Mayor

Final Passage: January 23, 2021