

ORDINANCE NO. 1803

AN EMERGENCY ORDINANCE to amend and reordain the first paragraph of subsection (b) and to amend said subsection (b) by adding thereto a new subsection (5), to amend and reordain the first paragraph of subsection (c) and to amend said subsection (c) by adding thereto a new subsection numbered (4), to amend and reordain the first paragraph of subsection (d), and to amend said subsection (d) by adding thereto a new subsection numbered (4), to amend Section 42-24 by adding thereto a new subsection lettered (e); all of Section 42-24, Article IV, Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended; which Chapter 42 relates to ZONING, which Article IV relates to ADDITIONAL SERVICE USE, ETC., REGULATIONS, which Section 42-24 relates to SUPPLEMENTARY PROVISIONS AND EXCEPTIONS AS TO HEIGHT, HEIGHT DISTRICTS, which subsection (b) relates to HEIGHT LIMITS IN HEIGHT DISTRICT NO. 1, which subsection (5) thereof relates to HEIGHT LIMITATIONS IN RA AND RB RESIDENCE ZONES, which subsection (c) relates to HEIGHT LIMITS IN HEIGHT DISTRICT NO. 2, which subsection (4) thereof relates to HEIGHT LIMITATIONS IN RA AND RB RESIDENCE ZONES, which subsection (d) relates to HEIGHT LIMITS IN HEIGHT DISTRICT NO. 2A (GEORGE WASHINGTON MASONIC MEMORIAL VICINITY), and which subsection (4) thereof relates to HEIGHT LIMITATIONS IN RA AND RB RESIDENCE ZONES, which new subsection lettered (e) relates to BUILDING IN RA AND RB RESIDENCE ZONES PRIOR TO AUGUST 15, 1972.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the first paragraph of subsection (b), Section 42-24, Article IV, Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

(b) Height limits in Height District No. 1. Except as set forth in (1) through (5) below, in Height District No. 1, no building shall be erected to a height in excess of fifty feet above the average ground elevation at the building, but in the RA and RB residence zones therein (sections 42-11 and 42-12 of this Code) no building shall be erected to a height in excess of four stories or forty-five feet above the average ground elevation at the building.

Section 2. That subsection (b), Section 42-24, Article IV, Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding thereto a new subsection numbered (5) to read as follows:

(5) A building may be erected to a height of fifty feet above the average ground elevation at the building in the RA and RB residence zones provided a special use permit as specified in sections 42-68 to 42-71 of this Code is obtained.

Section 3. That the first paragraph of subsection (c), Section 42-24, Article IV, Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

(c) Height limits in Height District No. 2. Except as set forth in (1) through (4) below, in Height District No. 2 no building shall be erected to a height in excess of one hundred fifty feet above the average ground elevation at the building, but in the RA and RB residence zones therein (sections 42-11 and 42-12 of this Code) no building shall be erected to a height in excess of four stories or forty-five feet above the average ground elevation at the building.

Section 4. That subsection (c), Section 42-14, Article IV, Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding thereto a new subsection numbered (4) to read as follows:

(4) A building may be erected to a height of one hundred fifty feet above the average ground elevation at the building in the RA and RB residence zones provided a special use permit as specified in sections 42-68 to 42-71 of this Code is obtained.

Section 5. That subsection (d), Section 42-24, Article IV, Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

(d) Height limits in Height District No. 2A (George Washington Masonic Memorial Vicinity). Except as set forth in (1) through (4) below, in Height District No. 2A (George Washington Masonic Memorial Vicinity) the maximum height of any building shall not exceed ten stories and in any case said ten stories shall not be in excess of one hundred feet above the average finished grade at the building, but in the RA and RB residence zones therein (sections 42-11 and 42-12 of this Code) no building shall be erected to a height in excess of four stories or forty-five feet above the average ground elevation at the building.

Section 6. That subsection (d), Section 42-24, Article IV, Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding thereto a new subsection numbered (4) to read as follows:

(4) A building may be erected to a height not to exceed ten stories provided the ten stories are not in excess of one hundred feet above the average finished grade at the building in the RA and RB residence zones and further provided a special use permit as specified in sections 42-68 to 42-71 of this Code is obtained.

Section 7. That Section 42-24, Article IV, Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding thereto a new subsection lettered (e) to read as follows:

(e) Building in RA and RB Residence Zones prior to August 15, 1972. The specific provisions with respect to the RA and RB residence zones contained in subsections (b), (c) and (d) above shall not be construed to prevent the erection, alteration, repair or reconstruction of any buildings which either are in existence on or before August 15, 1972, or for which a final site plan shall have been duly and regularly approved by the Planning Commission on or before August 15, 1972. It is the intention of this subsection to restrict or more closely examine in the future the height of additional buildings in said zones but to allow such buildings as are described in the next preceding sentence of this subsection to be erected, altered, repaired and reconstructed without the difficulty of being deemed nonconforming.

Section 8. That in the opinion of the City Council an emergency exists and this ordinance is hereby declared an EMERGENCY ORDINANCE. The present height limitations in the RA and RB residence zones are inadequate in some instances and deserve closer scrutiny in others. If the imposition of more restrictive height limits and the special use permit review procedure are delayed, the public safety, health and welfare of persons in the RA, RB and nearby zones may be in jeopardy.

Section 9. That this EMERGENCY ORDINANCE shall be published in a newspaper of general circulation published in the city not later than five days following its introduction together with a notice containing the time and place for a public hearing. The clerk of the council shall note the date of introduction and first reading, the date of publication, the date of the public hearing, and the date of the second reading and final passage in the minutes of this meeting. This ordinance shall become effective the date of its final passage.

Charles E. Beatley, Jr.
Mayor

FINAL PASSAGE: AUGUST 15, 1972