

ORDINANCE NO. 2611

AN ORDINANCE to amend and reordain Sections 42-21 and 42-22, Article III, Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended; which Chapter 42 relates to ZONING, which Article III relates to USE, AREA, ETC., REGULATIONS GENERALLY, which Section 42-21 formerly related to I-1 INDUSTRIAL ZONE and now relates to I-1 INDUSTRIAL/PLANNED UNIT DEVELOPMENT ZONE and which Section 42-22 formerly related to I-2 INDUSTRIAL ZONE and now relates to I-2 INDUSTRIAL/PLANNED UNIT DEVELOPMENT ZONE.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 42-21, Article III, 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:

Sec. 42-21. I-1 industrial/planned unit development zone.

In the I-1 industrial/planned unit development zone, the following regulations shall apply:

(a) Purpose. The I-1 industrial/planned unit development zone permits, by right, enclosed industrial (characterized as non-noxious) activities including warehousing, storage, distribution, light manufacturing and other related uses in concert with various office, retail and service commercial activities. In addition, under a bonus system for building heights, floor area ratios and off-street parking reductions beyond the base level, residential uses are introduced to lands zoned I-1 industrial. Projects incorporating residential and nonresidential uses become "planned unit developments." The planned unit development standards and procedures require legislative approval of the project and are applicable only where the site in question is either in a development potential area designated in the consolidated master plan or contains two (2) contiguous acres of land so located as to provide a desirable environment for mixed land use at heights and densities beyond those permitted by right in the I-1 zone. Full use of this zone will result in a mixed land use area containing, at a minimum, retail facilities, office buildings and residences with or without compatible industrial uses. The procedure for granting an application for development of mixed use activity is designed to ensure a high quality of land use design to achieve a project which will be an asset to the City of Alexandria as well as to the employees, residents, shoppers and owners in this zone.

(b) Uses permitted. The following uses only shall be permitted in the I-1 industrial/planned unit development zone:

(1) Any use permitted in the C-3 commercial zone except dwellings, but living quarters for persons employed as caretakers or watchmen of the property involved are permitted.

(2) Hotels and motels permitted only with a special use permit as specified in sections 42-68 to 42-71 of this Code.

(3) Heliports permitted only with a special use permit as specified in sections 42-68 to 42-71 of this Code.

(4) The following uses to be conducted wholly within a completely enclosed building, except for the on-site parking of delivery vehicles which are incidental thereto:

a. Distribution plants, parcel delivery, ice and cold storage plants, bottling plants and food commissary establishments.

b. Printing and publishing plants.

c. Wholesale businesses, storage buildings and warehouses, except for storage of such materials as are specifically enumerated under section 42-22 of this Code.

d. Assembly of electrical appliances, electronic instruments and devices, radios, phonographs and television sets, including the electroplating of small parts only, such as coils, condensers, transformers, crystal holders and the like.

e. Research laboratories permitted only with a special use permit as specified in sections 42-68 to 42-71 of this Code.

f. Automobile painting, upholstery, rebuilding, reconditioning, body and fender work, truck repairing or overhauling, tire retreading or recapping, and the like, only with a special use permit as specified in sections 42-68 through 42-71 of this Code.

(5) The following uses to be conducted wholly within a completely enclosed building or within an area enclosed on all sides with a solid masonry wall not less than eight (8) feet high; except, that where such enclosure is physically impossible or would cause extreme hardship as determined by the director of planning and community development; provided that in such cases where the said uses are adjacent to residentially used land or commercially zoned land or a park or parkway, they shall be suitably screened in a manner approved by the director of planning and community development.

a. Building material sales yard, not including concrete mixing and batching.

b. Retail lumber yard, including only incidental mill work and contractor's equipment storage yard and plant.

c. Public utility service yard or electrical receiving or transforming station.

d. Carpenter or cabinet shop.

e. Veterinary, dog or cat hospital or kennel.

f. Uses customarily incidental to the above uses and accessory buildings when located on the same lot.

(c) Lawfully existing uses. Any use of land or structures which was lawfully in existence on or for which a site plan has been approved by the planning commission prior to July 17, 1981, shall continue to be a lawful use, shall not be subject to the permitted use subsection of this section and shall not be deemed a nonconforming use as a result of amendments made to this chapter on July 17, 1981, but this subsection shall not be construed to authorize a like use of any other land or structure within this zone subsequent to said date without complying with the applicable provisions of this chapter.

(d) Area regulations. None required.

(e) Frontage regulations. None required.

(f) Yard regulations. None required.

(g) Floor area ratio. The maximum floor area ratio shall be 2.5.

(h) Building Height. No building or structure shall exceed 77 feet in height.

(i) Parking restrictions. The portion of the building fronting directly on a public street shall be used for permitted uses other than off-street parking unless it is physically impossible to provide off-street parking elsewhere on the site; provided, however, that this subsection shall not apply to any building set back at least 20 feet from the front property line if the front 20 feet of the property is landscaped and used as open space.

(j) Underground utilities. All developments, except industrial uses, containing new or replacement utility facilities on the site within the development shall provide for underground installation of said utilities.

(k) Planned unit development. Notwithstanding any other provisions or requirements set forth in subsections 42-21(b) through 42-21(j) of this Code, inclusive, the owner of a tract of land within a development potential area designated in the consolidated master plan or of land containing not less than two (2) contiguous acres exclusive of streets, alleys or other public rights-of-way, or the duly authorized agent of such owner, may apply for a special use permit for a planned unit development on said tract in accordance with procedures, requirements and standards hereinafter set forth in this subsection. (The term "planned unit development" is not a word of art, and the definition of said term in section 42-49 of this Code does not apply to this section.)

No such application for a special use permit shall be considered unless a development plan shall have first been submitted as a part of the application. Such development plan shall state in narrative form a description of the project and any bonuses requested and shall include a preliminary site plan and two or more cross-section elevations. Additional information and data in support of the proposal may be requested by the director of planning and community development when in his opinion such is necessary to properly evaluate the application.

Any special use permit granted shall run with the land and be binding upon the applicant, the owner, the occupants and their heirs, successors and assigns.

(1) Uses permitted. A planned unit development shall contain the following uses only:

a. Any use permitted in the C-3 central business district commercial zone.

b. Row dwellings.

(2) Floor area ratio. The base floor area ratio shall be 3.0. Floor area ratio for residential uses up to an additional 2.0 shall be permitted. Total floor area ratio shall not exceed 5.0.

Within the maximum floor area ratio of 5.0, additional floor area ratio of .5 may be granted where neighborhood and project serving recreational facilities (indoor and outdoor) or open space, and/or special pedestrian or transient facilities and/or public facilities that benefit the general public are provided; and an additional floor area ratio bonus of .25 may be granted where a minimum of 10% of the dwelling units are provided for elderly or moderate-income persons.

(3) Yard and frontage regulations. None required.

(4) Building height. On sites of less than five (5) acres, the maximum building height shall be 77 feet except, where a proposed greater height is in accord with the criteria set forth in paragraph (7) of this subsection (k), the maximum building height may be increased to 150 feet. On sites of five (5) acres, or more, the maximum average height of all buildings shall be 150 feet, but no building shall exceed 200 feet.

(5) Open and usable space. A minimum of 10% of the lot area shall be open and usable space which need not be at ground level and which may be open area on decks or under principal or accessory buildings; provided, however, that no balcony, patio or other similar structure which is reserved for the exclusive use of those entitled to the use of one or more, but less than all, of the residential units or nonresidential uses within the building, shall be considered as open and usable space. When residential uses are included in a planned unit development, additional open and usable space shall be provided in an amount equal to the residential proportion of the development times 10% of the lot area.

(6) Off-street parking. within any planned unit development, the following amendments to the requirements of section 42-27 of this Code may be granted: a 50% reduction in the number of required spaces for retail uses of an aggregate of less than 10,000 square feet, and a 25% reduction for retail uses of an aggregate of 10,000 square feet and above; a 25% reduction in the number of required spaces for office uses where such office uses are within 2,000 feet of a Metro station or where private transport is provided between the planned unit development and a Metro station or where a parking assessment district has been established; provided, however, a further reduction of an additional 25% may be granted where such further reduction is substantiated by the applicant as consistent with appropriate planning for the area; and a reduction in the number of required spaces for residential uses to no less than one (1) space per dwelling unit.

(7) Planned unit development criteria. In conjunction with consideration of an application for a special use permit for additional building height, the planning commission and city council shall also consider the following, under an integrated plan:

a. Open and usable space. Location, amount at any given location and interrelationship (design and function) of areas of open and usable space.

b. Structured parking. Percentage of total number of required parking spaces provided in a parking structure, location with regard to building(s) served and integration within vehicular and pedestrian circulation system.

c. Landscaped parking structure rooftops.

d. Pedestrian and vehicular movement systems. Optimal pattern for functions served, provision for handicapped access, "flow" of walkways and driveways, landscaped walkways and driveways, sidewalk width and vehicular way design that minimizes or avoids traffic "back-ups" or awkward turn patterns.

e. The purposes of the consolidated master plan for the area.

f. The impact on neighboring property.

(8) General standards for special use permits. In addition to the provisions of sections 42-68 through 42-71 of this Code, the following standards, to the extent relevant in each individual case, shall be considered in connection with an application for a special use permit for a planned unit development:

a. The arrangement, location, mass and aesthetics of buildings, structures and spaces as they relate to the intent and purposes of this subsection and to their surroundings.

b. The safe and convenient arrangement of pedestrian circulation facilities, roadways, driveways and off-street parking and loading spaces.

c. The availability and adequacy of public utilities--the water supply, waste water and solid waste disposal facilities, storm drainage facilities and street lighting.

d. The provision of walls, fences, landscaping and increased setbacks when deemed necessary to minimize adverse effects upon nearby properties and within the proposed development.

e. The treatment of off-street parking spaces, including outdoor, in-structure and underground parking. If fees are to be charged for off-street parking, information shall be furnished with respect to the number of free parking spaces, the number of parking spaces to be provided for a fee and the estimated fees.

f. The effects of traffic, generated by planned unit development, on nearby streets, highways and other public rights-of-way.

g. The degree to which the applicant has provided for residential development.

Section 2. That Section 42-22, Article III, 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:

Sec. 42-22. I-2 industrial/planned unit development zone.

In the I-2 industrial/planned unit development zone, the following regulations shall apply:

(a) Purpose. The I-2 industrial/planned unit development zone permits, by right, certain heavy industrial activities and all I-1 industrial/planned unit development zone uses, such as warehousing, storage, distribution and light manufacturing in concert with various office, retail and service commercial activities. In addition, under a bonus system for building heights, floor area ratios and off-street parking reductions beyond the base level, residential uses are introduced to lands zoned I-2 industrial. Projects incorporating residential and nonresidential uses become "planned unit developments." The planned unit development standards and procedures require legislative approval of the project and are applicable only where the site in question is either in a development potential area designated in the consolidated master plan or contains two (2) contiguous acres of land so located as to provide a desirable environment for mixed land use at heights and densities beyond those permitted by right in the I-2 zone. Full use of this zone will result in a mixed land use area containing, at a minimum, retail facilities, office buildings and residences with or without compatible industrial uses. The procedure for granting an application for development of mixed use activity is designed to ensure a high quality of land use design to achieve a project which will be an asset to the City of Alexandria as well as to the employees, residents, shoppers and owners in this zone.

(b) Uses permitted. The following uses only shall be permitted in the I-2 industrial/planned unit development zone:

(1) Any use permitted by right in the I-1 zone; provided, that the following uses shall be permitted only with the issuance of a special use permit as specified in sections 42-68 to 42-71 of this Code:

- a. Any manufacturing use.
- b. Arsenal.
- c. Forge plant.
- d. Incineration or reduction of garbage.
- e. Railroad yard or roundhouse.

f. Steel or iron fabrication.

g. Any waterfront facilities used for docking or berthing of boats or ships with a passenger capacity in excess of 20 when said boats or ships are used for restaurants, recreation or amusement purposes. However, this requirement shall not apply to bulkheads not used for docking or berthing of boats or ships.

h. Automobile assembling, painting, upholstering, rebuilding, reconditioning, body and fender work, truck repairing or overhauling, tire retreading or recapping, battery manufacturing and the like.

i. Stone monument works.

j. Blacksmith shop and machine shop (punch presses over 20 tons rated capacity, drop hammers, automatic screw machines and machines of similar vibration characteristics shall be excluded).

k. Cleaning and dyeing works using combustible solvents and carpet and rug cleaning.

l. Contractor's equipment.

m. Feed and fuel yard.

n. Freighting and trucking terminal.

o. Sheet metal shops.

p. The manufacture, compounding, processing, packaging or treatment of such products as bakery goods, candy, cosmetics, dairy products, perfumes, pharmaceuticals, perfumed toilet soap, toiletries and food products.

q. The manufacture, compounding, assembling or treatment of articles of merchandise from the following previously prepared materials: Bone, cellophane, canvas, cloth, cork, feathers, felt, fibre, fur, glass, hair, horn, leather, paper, plastics, precious or semiprecious metals or stones, shell, textiles, tobacco, wood (excluding planing mill), yarns and paint not employing a boiling process.

r. The manufacture and maintenance of electric and neon signs, billboards, commercial advertising structures, light sheet metal products, including heating and ventilating ducts and equipment, cornices, eaves and the like.

s. Manufacture of musical instruments, toys, novelties and rubber and metal stamps.

t. Any other use not enumerated elsewhere in this chapter.

(c) Lawfully existing uses. Any use of land or structures which was lawfully in existence on or for which a site plan has been approved by the planning commission prior to July 17, 1981, shall continue to be a lawful use, shall not be subject to the permitted use subsection of this section and shall not be deemed a nonconforming use as a result of amendments made to this chapter on July 17, 1981, but this subsection shall not be construed to authorize a like use of any other land or structure within this zone subsequent to said date without complying with the applicable provisions of this chapter.

(d) Area regulations. None required.

(e) Frontage regulations. None required.

(f) Yard regulations. None required.

(g) Floor area ratio. The maximum floor area ratio shall be 3.0.

(h) Building height. No building or structure shall exceed 77 feet in height.

(i) Parking restrictions. The portion of the building fronting directly on a public street shall be used for permitted uses other than off-street parking unless it is physically impossible to provide off-street parking elsewhere on the site; provided, however, that this subsection shall not apply to any building set back at least 20 feet from the front property line if the front 20 feet of the property is landscaped and used as open space.

(j) Underground utilities. All developments, except industrial uses, containing new or replacement utility facilities on the site within the development shall provide for underground installation of said utilities.

(k) Planned unit development. Notwithstanding any other provisions or requirements set forth in subsections 42-22(b) through 42-22(j) of this Code, inclusive, the owner of a tract of land within a development potential area designated in the consolidated master plan or of land containing not less than two (2) contiguous acres exclusive of streets, alleys or other public rights-of-way, or the duly authorized agent of such owner, may apply for a special use permit for a planned unit development on said tract in accordance with the procedures, requirements and standards hereinafter set forth in this subsection. (The term "planned unit development" is not a word of art, and the

definition of said term in section 42-49 of this Code does not apply to this section.)

No such application for a special use permit shall be considered unless a development plan shall have first been submitted as a part of the application. Such development plan shall state in narrative form a description of the project and any bonuses requested and shall include a preliminary site plan and two or more cross-section elevations. Additional information and data in support of the proposal may be requested by the director of planning and community development when in his opinion such is necessary to properly evaluate the application.

Any special use permit granted shall run with the land and be binding upon the applicant, the owner, the occupants and their heirs, successors and assigns.

(1) Uses permitted. A planned unit development shall contain the following uses only:

a. Any use permitted in the C-3 central business district commercial zone.

b. Row dwellings.

(2) Floor area ratio. The base floor area ratio shall be 3.0. Floor area ratio for residential uses up to an additional 2.0 shall be permitted. Total floor area ratio shall not exceed 5.0.

Within the maximum floor area ratio of 5.0, additional floor area ratio of .5 may be granted where neighborhood and project serving recreational facilities (indoor or outdoor) or open space, and/or special pedestrian or transit facilities, and/or public facilities that benefit the general public are provided, an additional floor area ratio of .25 may be granted where a minimum of 10% the dwelling units are provided for elderly or moderate-income persons.

(3) Yard and frontage regulations. None required.

(4) Building height. On sites of less than five (5) acres, the maximum building height shall be 77 feet except, where a proposed greater height is in accord with the criteria set forth in paragraph (7) of this subsection (k), the maximum building height may be increased to 150 feet. On sites of five (5) acres, or more, the maximum average height of all buildings shall be 150 feet, but no building shall exceed 200 feet.

(5) Open and usable space. A minimum of 10% of the lot area shall be open and usable space which need not be at ground level and which may be open area on decks or under principal or

accessory buildings; provided, however, that no balcony, patio or other similar structure which is reserved for the exclusive use of those entitled to the use of one or more, but less than all, of the residential units or nonresidential uses within the building, shall be considered as open and usable space. When residential uses are included in a planned unit development, additional open and usable space shall be provided in an amount equal to the residential proportion of the development times 10% of the lot area.

(6) Off-street parking. Within any planned unit development, the following amendments to the requirements of section 42-27 of this Code may be granted: a 50% reduction in the number of required spaces for retail uses of an aggregate of less than 10,000 square feet and a 25% reduction for retail uses of an aggregate of 10,000 square feet and above; a 25% reduction in the number of required spaces for office uses where such office uses are within 2,000 feet of a Metro station or where private transport is provided between the planned unit development and a Metro station or where a parking assessment district has been established; provided, however, a further reduction of an additional 25% may be granted where such further reduction is substantiated by the applicant as consistent with appropriate planning for the area; and a reduction in the number of required spaces for residential uses to no less than one (1) space per dwelling unit.

(7) Planned unit development criteria. In conjunction with consideration of an application for a special use permit for additional building height, the planning commission and city council shall also consider the following, under an integrated plan:

a. Open and usable space. Location, amount at any given location and interrelationship (design and function) of areas of open and usable space.

b. Structured parking. Percentage of total number of required parking spaces provided in a parking structure, location with regard to building(s) served and integration within vehicular and pedestrian circulation system.

c. Landscaped parking structure rooftops.

d. Pedestrian and vehicular movement systems. Optimal pattern for functions served, provision for handicapped access, "flow" of walkways and driveways, landscaped walkways and driveways, sidewalk width and avoidance of vehicular traffic "back-ups" or awkward turn patterns.

e. Solar orientation. Extent to which solar access is provided and protected, direction of shadows cast by all structures and protection of major public open spaces/gathering places from shadows.

f. The purposes of the consolidated master plan for the area.

g. The impact on neighboring property.

(8) General standards for special use permits. In addition to the provisions of sections 42-68 through 42-71 of this Code, the following standards, to the extent relevant in each individual case, shall be considered in connection with an application for a special use permit for a planned unit development:

a. The arrangement, location, mass and aesthetics of buildings, structures and spaces as they relate to the intent and purposes of this subsection and to their surroundings.

b. The safe and convenient arrangement of pedestrian circulation facilities, roadways, driveways and off-street parking and loading spaces.

c. The availability and adequacy of public utilities--the water supply, waste water and solid waste disposal facilities, storm drainage facilities and street lighting.

d. The provision of walls, fences, landscaping and increased setbacks when deemed necessary to minimize adverse effects upon nearby properties and within the proposed development.

e. The treatment of off-street parking spaces, including outdoor, in-structure and underground parking. If fees are to be charged for off-street parking, information shall be furnished with respect to the number of free parking spaces, the number of parking spaces to be provided for a fee and the estimated fees.

f. The degree to which the applicant has provided for residential development.

Section 3. That the title of and an informal memorandum explaining this 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 city clerk shall have the full text of this ordinance printed in sufficient numbers to supply copies to meet request. The city clerk 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 the meeting.

This ordinance shall become effective the date of its final passage.

CHARLES E. BEATLEY, JR.
Mayor

Final Passage: July 17, 1981