

Ordinance No. 1167

AN ORDINANCE to repeal subsections (22), (23) and (24), Section 35-1, Article I, Chapter 35 of The Code of the City of Alexandria, Virginia, 1953, as amended; to amend and reordain subsection (57), Section 35-1, Article I, Chapter 35 of said Code; to amend and reordain subsection (66), Section 35-1, Article I, Chapter 35 of said Code; to amend and reordain subsections (1) and (3), subsection (d), Section 35-11, Article III, Chapter 35 of said Code; to amend and reordain subsections (2) and (3), subsection (d), Section 35-13, Article III, Chapter 35 of said Code; to amend and reordain subsections (2) and (3), subsection (d), Section 35-13.1 Article III, Chapter 35 of said Code; to amend and reordain subsections (1) and (3), subsection (d), Section 35-15, Article III, Chapter 35 of said Code; to amend and reordain subsection (d), Section 35-16, Article III, Chapter 35 of said Code; to amend and reordain subsection (d), Section 35-17, Article III, Chapter 35 of said Code; to amend and reordain subsection (d), Section 35-22, Article IV, Chapter 35 of said Code; and to repeal subsections (e) and (j), Section 35-22, Article IV, Chapter 35 of said Code; which subsection (22) relates to COURT, which subsection (23) relates to COURT, INNER, which subsection (24) relates to COURT, OUTER which Section 35-1 relates to ENUMERATION OF DEFINITIONS, which Article I relates to DEFINITIONS, which Chapter 35 relates to ZONING, which subsection (57) relates to SET-BACK RATIO, which subsection (66) relates to YARD, which subsection (1) of subsection (d) of Section 35-11 relates to SIDE YARDS, which subsection (3) of subsection (d) of Section 35-11 relates to REAR YARDS, which subsection (d) of Section 35-11 relates to YARD REGULATIONS, which Section 35-11 relates to RA RESIDENCE ZONE, which Article III relates to USE, AREA, etc., REGULATIONS GENERALLY, which subsection (2) of subsection (d) of Section 35-13 relates to SIDE YARDS, which subsection (3) of subsection (d) of Section 35-13 relates to REAR YARDS, which subsection (d) of Section 35-13 relates to YARD REGULATIONS, which Section 35-13 relates to RC RESIDENCE ZONE, which subsection (2) of subsection (d) of Section 35-13.1 relates to SIDE YARDS, which subsection (3) of subsection (d) of Section 35-13.1 relates to REAR YARDS, which subsection (d) of Section 35-13.1 relates to YARD REGULATIONS, which Section 35-13.1 relates to RD RESIDENCE ZONE, which subsection (1) of subsection (d) of Section 35-15 relates to SIDE YARDS, which subsection (3) of subsection (d) of Section 35-15 relates to REAR YARDS, which subsection (d) of Section 35-15 relates to YARD REGULATIONS, which Section 35-15 relates to C1 COMMERCIAL ZONE, which subsection (d) of Section 35-16 relates to YARD REGULATIONS, which Section 35-16 relates to C2 COMMERCIAL ZONE, which subsection (d) of Section 35-17 relates to YARD REGULATIONS, which Section 35-17 relates to C3 COMMERCIAL ZONE, which subsection (d) Section 35-22 relates to OUTER COURTS AND YARD REGULATIONS, which Section 35-22 relates to MINIMUM YARDS, COURTS, SET-BACKS, etc., which Article IV relates to ADDITIONAL USE, AREA, etc., REGULATIONS, and which subsections (e) and (j) of Section 35-22 relates to COURTS AND YARDS.

WHEREAS, pursuant to due and timely notice of the time and place of hearing published in a daily paper of general circulation published in the City of Alexandria, Virginia, a public hearing was held in relation to the matters hereinafter set forth, at which public hearing parties in interest and citizens had an opportunity to be heard.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That subsection (22), Section 35-1, Article I, Chapter 35 of The Code of the City of Alexandria, Virginia, 1953, as amended, be and the same hereby is repealed.

Section 2. That subsection (23), Section 35-1, Article I, Chapter 35 of The Code of the City of Alexandria, Virginia, 1953, as amended, be and the same hereby is repealed.

Section 3. That subsection (24), Section 35-1, Article I, Chapter 35 of The Code of the City of the City of Alexandria, Virginia, 1953, as amended, be and the same hereby is repealed.

Section 4. That subsection (57), Section 35-1, Article I, Chapter 35 of The Code of the City of Alexandria, Virginia, 1953, as amended, be and the same hereby is amended and reordained to read:

(57) SET-BACK RATIO. The set-back ratio is the ratio between the horizontal distance of any part of a building or structure from the nearest side or rear property line or from the nearest building or from the center line of a street or alley to the height of that part of the building above average finished grade of such line.

Section 5. That subsection (66), Section 35-1, Article I, Chapter 35 of The Code of the City of Alexandria, Virginia, 1953, as amended, be and the same hereby is amended and reordained to read:

(66) YARD. An open space on the same lot with a building or group of buildings, which open space lies between the building or group of buildings and the nearest lot line or another building and is unoccupied and unobstructed from the ground upward, except that in Multi-Family Zones not more than fifty percent (50%) thereof may be used to meet off street parking requirements.

Section 6. That subsection (1), subsection (d), Section 35-11, Article III, Chapter 35 of The Code of the City of Alexandria, Virginia, 1953, as amended, be and the same hereby is amended and reordained to read:

(1) SIDE YARDS. Same as R-5 Residence Zone except that minimum side yard for each residential building or group of building containing one or more dwelling units shall be eight feet, but for buildings walls of three stories or more in height the yards provisions of Section 35-22 shall apply opposite any such wall.

Section 7. That subsection (3), subsection (d), Section 35-11, Article III, Chapter 35 of The Code of the City of Alexandria, Virginia, 1953, as amended, be and the same hereby is amended and reordained to read:

(3) REAR YARDS. Same as R-8 Residence Zone but for building walls of three stories or more in height, the yard provisions of Section 35-22 shall apply opposite any such wall.

Section 8. That subsection (2), subsection (d), Section 35-13, Article III, Chapter 35 of The Code of the City of Alexandria, Virginia, 1953, as amended, be and the same hereby is amended and reordained to read:

(2) SIDE YARDS. The yard provisions of Section 35-22 shall apply.

Section 9. That subsection (3), subsection (d), Section 35-13, Article III, Chapter 35 of The Code of the City of Alexandria, Virginia, 1953, as amended, be and the same hereby is amended and reordained to read:

(3) REAR YARDS. The yard provisions of Section 35-22 shall apply.

Section 10. That subsection (2), subsection (d), Section 35-13.1, Article III, Chapter 35 of The Code of the City of Alexandria, Virginia, 1953, as amended, be and the same hereby is amended and reordained to read:

(2) SIDE YARDS. The yard provisions of Section 35-22 shall apply.

Section 11. That subsection (3), subsection (d), Section 35-13.1, Article III, Chapter 35 of The Code of the City of Alexandria, Virginia, 1953, as amended, be and the same hereby is amended and reordained to read:

(3) REAR YARDS. The yard provisions of Section 35-22 shall apply.

Section 12. That subsection (1), subsection (d), Section 35-15, Article III, Chapter 35 of The Code of the City of Alexandria, Virginia, 1953, as amended, be and the same hereby is amended and reordained to read:

(1) SIDE YARDS. For buildings less than twenty-five feet in height at the building line, no side yard shall be required. For buildings over twenty-five feet in height the set-back ratio shall be 1:2 for every foot above twenty-five feet. For residential uses in this zone the yard provisions of section 35-22 shall apply.

Section 13. That subsection (3), subsection (d), Section 35-15, Article III, Chapter 35 of The Code of the City of Alexandria, Virginia, 1953, as amended, be and the same hereby is amended and reordained to read:

(3) REAR YARDS. Same as RC Residence Zone but for residential uses in this zone the yard provisions of Section 35-22 apply.

Section 14. That subsection (d), Section 35-16, Article III, Chapter 35 of the Code of the City of Alexandria, Virginia, 1953, as amended, be and the same hereby is amended and reordained to read:

(d) YARD REGULATIONS. For residential uses in this zone the yard provisions of Section 35-22 shall apply.

Section 15. That subsection (d), Section 35-17, Article III, Chapter 35 of the Code of the City of Alexandria, Virginia, 1953, as amended, be and the same hereby is amended and reordained to read:

(d) YARD REGULATIONS. For residential uses in this zone the yard provisions of Section 35-22 shall apply.

Section 16. That subsection (d), Section 35-22, Article IV, Chapter 35 of The Code of the City of Alexandria, Virginia, 1953, as amended, be and the same hereby is amended and reordained to read:

(d) YARD REGULATIONS. For any building used for residential purposes in any zone in which side and rear yard requirements are not specified, yards, in addition to highway set-backs, shall be provided with at least the following distances:

(1) Between any building wall and the nearest lot line the distance shall be based on a set-back ratio of 1:2 with a minimum distance

of 16 feet (this provision shall not apply to yards fronting on streets.)

(2) Between the walls of any two buildings or between opposite walls of the same building the distance shall be not less than one-half the sum of the heights of the two buildings, with a minimum distance of 16 feet.

(3) Between building walls of the same building where the interior angle is less than 90° the distance shall be based on a set-back ratio of 1:2 measured from the center point of each wall measured to the nearest point on the opposite wall, and window opening shall not be allowed in the walls where the chord distance of the angle is less than 16 feet.

(4) Between any building wall and the nearest lot line, where the wall varies from being parallel with the lot line by less than 45°, the distance shall be based on a set-back ratio of 1:2 measured at right angles from the center point of the wall to the nearest lot line, but in no case shall the distance be closer than 16 feet at any point.

(5) Between separate buildings on the same lot which overlap by a distance not to exceed 10 feet, the distance between building walls need not exceed one-half of the set-back ratio but in no case less than 16 feet.

(6) Between any curvilinear building wall and the nearest lot line or building wall, the distance shall be based on a set-back ratio of 1:2, measured from the mid-point of a line lying half the distance between the chord and tangent lines of such curvilinear wall to the nearest point on the opposite lot line or building wall, but in no case less than 16 feet.

(7) Where the height of building walls varies in any of the instances above the set-back ratio shall be determined from the average height of walls.

Section 17. That subsection (e), Section 35-22, Article IV, Chapter 35 of The Code of the City of Alexandria, Virginia, 1953, as amended, be and the same hereby is repealed.

Section 18. That subsection (j), Section 35-22, Article IV, Chapter 35 of The Code of the City of Alexandria, Virginia, 1953, as amended, be and the same hereby is repealed.

Section 19. That this ordinance shall be published in a newspaper of general circulation 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 the meeting. This ordinance shall become effective the date of its final passage.

FRANK E. MANN
Mayor

Final Passage: May 22, 1962