

ORDINANCE NO. 1849

AN ORDINANCE to amend Article IV, Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended, by the addition of a new section numbered 42-24.1; which Chapter 42 relates to ZONING, which Article IV relates to ADDITIONAL SERVICE USE, ETC., REGULATIONS; and which new Section 42-24.1 relates to ALLOWANCE FOR INCREASE IN FLOOR AREA RATIO, DENSITY AND HEIGHT AS INCENTIVE FOR CONSTRUCTING LOW AND MODERATE INCOME HOUSING.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Article IV, Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and it hereby is amended by the addition of a new section 42-24.1 to read as follows:

Sec. 42-24.1. Allowance for increase in floor area ratio, density and height as incentive for constructing low and moderate income housing.

(a) Definitions.

For the purposes of this ordinance, low and moderate income housing units shall be defined as follows:

1. A moderate income unit for sale shall be considered to be a unit selling at or below the maximum sales prices permitted in Alexandria, Virginia, for a unit of that size to be eligible under section 235 of the National Housing Act, as amended, (or in the corresponding provisions of future federal housing laws).

2. A moderate income rental unit shall be considered to be a housing unit renting at or below the maximum rent regularly approved in Alexandria, Virginia, for eligibility under section 236 of the National Housing Act, as amended (or in the corresponding provisions of future federal housing laws) where an efficiency apartment is equivalent to a one person household; a one bedroom apartment is equivalent to a two person household; a two bedroom apartment is equivalent to a four person household; a three bedroom apartment is equivalent to a six person household; etc.

3. A low-income rental unit shall be considered to be a housing unit renting at or below 75% of the rent, as established in paragraph (a)-2 above, of a moderate income unit of the same size.

(b) When increases may be allowed:

Increases in allowable floor area ratio, density and height, to the extent hereinafter set forth, may be permitted with a special use permit granted by City Council in accordance with sections 42-68 to 42-71 of this Code when:

1. The project for which such increase is requested consists of forty or more dwelling units, and

2. No less than 10% nor more than 20% of the dwelling units within the project site are committed by the applicant to be for low and/or moderate income occupancy, and

3. The City Manager reports to the City Council, not later than three days prior to the public hearing on the special use permit, (a) that the proposed low and/or moderate income housing units meet the criteria established pursuant to this ordinance for defining low and/or moderate income housing units; (b) the extent to which the proposed low and/or moderate income housing units will facilitate the provision of housing resources for low and moderate income citizens of the City of Alexandria who, within twenty-four months previous to or following the

submission of the application, have been or are expected to be displaced by public projects or as a direct result of the disposition of public property or the rezoning of land; and (c) the number of low and moderate income units which have been or are expected to be removed within the time period and as a result of the actions described above and the number of such units which have been or are expected to be constructed by public or private action during the aforementioned time period, and

4. City Council, upon consideration of the special use permit application finds: (a) that the proposed low and/or moderate income housing units will facilitate the provision of housing resources for low and moderate income citizens of Alexandria who, within twenty-four months previous to or following the submission of the application have been or are expected to be displaced by public projects or as a direct result of the disposition of public property or the rezoning of land, and (b) that the total number of low and moderate income units located in the City prior to such displacement will not be increased as a result of the granting of the special use permit, and

5. City Council finds that the applicant is providing sufficient assurance, by way of contract, deed, or other recorded instrument, that the low and moderate income dwelling units provided will remain in those categories for at least 10 years.

(c) Amount of increase which may be allowed.

1. Floor area ratio and density: 10% in addition to that allowed by any other provisions of this Code, and an additional 1% for each percent above 10% low and/or moderate income dwelling units provided, to a maximum of 20% total allowable increase.

2. Height: a maximum of 17 feet in addition to the height allowed by any other provisions of this Code, except that no building shall be erected in the Old and Historic District in excess of the height limits applicable to that district as set forth in Section 42-24 of this Code.

Section 2. That 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 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.

CHARLES E. BEATLEY, JR.  
Mayor

FINAL PASSAGE: MARCH 27, 1973