

ORDINANCE NO. 1895

AN ORDINANCE to amend and reordain Article VII, Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended; which Chapter 42 relates to ZONING, and which Article VII formerly related to PROVISIONS APPLYING AT LINES OF ZONE CHANGE, and now relates to PROVISIONS APPLYING AT LINES OF ZONE CHANGE; SUPPLEMENTAL YARD AND SETBACK REGULATIONS.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Article VII, Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and it hereby is amended and reordained to read as follows:

Article VII. Provisions Applying at Lines of Zone Change; Supplemental Yard and Setback Regulations.

DIVISION 1. PROVISIONS APPLYING AT LINES OF ZONE CHANGE.

Sec. 42-44. Intent of division.

It is the intent of this division to provide for the gradual change of restrictions applying to a zone where two zones of different classification abut one another, in order that property in the more restricted zone shall not be adversely affected.

Sec. 42-45. Parking areas.

Where the side or rear of a lot in any residential zone abuts (immediately adjoining and not separated by streets or alleys) on a lot in the commercial or industrial zones, parking areas for buildings in such commercial or industrial zones may extend into residential zone; provided, that such extension shall not exceed one hundred feet from the boundary of the less restricted zone and provided that such use shall not extend into the front yard setbacks of property in the residential zone; provided further, that the provisions of section 42-27, paragraph (b) of this Code shall be complied with.

Sec. 42-46. Setback ratios for abutting properties at certain lines of zone change.

Except as hereinafter provided, the side or rear yard setbacks for buildings in commercial or industrial zones which abut residential zones shall be the height of such buildings in the commercial or industrial zone; provided, however, that in no case shall the side or rear yard setbacks be less than twenty-five feet. Provided, further, that in all commercial zones abutting RA, RB, RC, and/or RD zones where commercial and office uses in any residential building erected on such commercially zoned property occupy an area not to exceed the area of the first floor and are confined to the first floor or any floor below the first floor, the side and/or rear yard regulations of such abutting zones shall apply to said buildings in the commercial zone, if a special use permit, as provided for in section 42-68 to 42-71 of this Code relating to side and/or rear yard setbacks, is approved by city council. The front yard setback where property in a commercial or industrial zone is directly across a street from property in a residential zone shall be the front yard setback provisions of the residential zone.

Sec. 42-47. (Repealed by Ordinance No. 1877)

Sec. 42-48. Industrial uses.

Wherever an I-2 heavy industrial zone abuts a residential zone (except in any case involving a WF or WCR zone), no heavy industrial use shall be permitted within one hundred feet of such residential zone, but the use provisions of the I-1 light industrial zone shall apply in such a transitional area.

DIVISION 2. SUPPLEMENTAL YARD AND SETBACK
REQUIREMENTS.

Sec. 42-48.1. Minimum yards.

The minimum yard dimensions specified in sections 42-5 to 42-22.2 of this Code shall be considered to be the minimum distance from the adjacent lot line to the nearest point of the building.

Sec. 42-48.2. Setbacks for garages.

One private garage may be erected within one foot of the front lot line when the floor of such garage is not lower than the established curb grade and the roof of such garage is entirely below the surface of the finished yard. Private detached garages erected above the finished grade after June 28, 1973, shall comply with the yard requirements of their respective zones.

Sec. 42-48.3. Residential setbacks.

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 setbacks, shall be provided with at least the following distances:

(a) Between any building wall and the nearest lot line the distance shall be based on a setback ratio of 1.2 with a minimum distance of sixteen feet (this provision shall not apply to yards fronting on streets).

(b) 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 sixteen feet.

Sec. 42-48.4 Yards and courts open to sky.

Every part of a required yard or court shall be open and unobstructed from the lowest point to the sky, except that fire escapes, open stairways, and chimneys may be permitted where same are so placed as not to obstruct light and ventilation, and provided that the projection of such structure shall not reduce the width of an interior side yard to less than five feet.

Sec. 42-48.5. Setback in line with existing development.

Wherever the major portion of a block is developed, and the majority of the buildings built on one side of a street between two intersecting streets have been built with a different minimum setback than that prescribed for the zone in which such buildings are located, no building hereafter erected or altered shall project beyond the minimum setback line so established; provided, that no dwelling shall be required to set back a distance more than ten feet greater than the setback as required by the regulation of the zone in which it is located.

Sec. 42-48.6. Setbacks on substandard lots.

In the R-20, R-12, R-8, R-5 and R-2-5 residence zones, where a lot is of less width than is required by the regulations of the zone in which it is located and a single-family dwelling is to be erected thereon, the minimum side yard shall not be less than five feet; provided, that in the R-20, R-12 and R-8 residence zones where a lot is at least fifty feet wide at the front building line, the minimum side yard shall not be less than seven feet.

Sec. 42-48.7. Rear yards abutting alleys.

Whenever any alley occurs in any zone, one half of the width of such alley shall be considered in the determination of the rear yard setback ratio requirements of any lot abutting on such alley.

Sec. 42-48.8. Highway setback precedence over other setback requirements.

In the application of the front yard requirements of sections 42-5 to 42-22.2 of this Code, wherever the right of way widths or building setback lines provided in sections 42-48.9 and 42-48.10 of this Code require a greater setback than the provisions of sections 42-5 to 42-22.2 of this Code, the requirements of sections 42-48.9 and 42-48.10 shall take precedence.

Sec. 42-48.9. Setback line on Mt. Vernon Avenue.

The setback line on each side of Mt. Vernon Avenue from Braddock Road north to the corporate limits shall be at least ten feet from the front lot line in every case.

Sec. 42-48.10. Setback lines on other streets or highways.

The building setback line of Duke Street (Little River Turnpike) from Washington Street to Quaker Lane shall be at least sixty feet from the existing center line of Duke Street (Little River Turnpike), and from Quaker Lane west to the corporate limits, such setback line shall be at least seventy-five feet from the existing center line of Duke Street (Little River Turnpike).

The building setback line on King Street (Leesburg Pike) from Braddock Road northwest to the corporate limits shall be at least seventy-five feet from the existing center line of King Street (Leesburg Pike).

The building setback line on Seminary Road from Quaker Lane west to the corporate limits shall be at least sixty feet from the existing center line of Seminary Road.

The building setback line on Braddock Road from Quaker Lane west to Shirley Memorial Highway shall be at least sixty feet from the existing center line of Braddock Road.

The building setback line on the Shirley Memorial Highway shall be at least two hundred fifty feet from the existing center line of Shirley Memorial Highway.

The building setback line of Quaker Lane from King Street to Duke Street shall be at least sixty feet from the center line of Quaker Lane.

The building setback line on Henry Street from Jefferson Street to Monroe Avenue shall be at least sixty feet from the existing center line of Henry Street.

The building setback line on Patrick Street from Jefferson Street to Monroe Avenue shall be at least sixty feet from the existing center line of Henry Street.

The building setback line on Patrick Street from Jefferson Street to Monroe Avenue shall be at least sixty feet from the existing center line on Patrick Street.

The building setback line on Franklin Street from Patrick Street to Union Street shall be at least sixty feet from the existing center line of Franklin Street.

The building setback line on Telegraph Road from Duke Street to the south corporate limits shall be at least seventy-five feet from the existing center line of Telegraph Road.

The building setback line on Slaters Lane from Powhatan Street to Mt. Vernon Memorial Highway shall be at least fifty-five feet from the existing center line of Slaters Lane, on the north side only.

The building setback line on Powhatan Street from Monroe Street to Slaters Lane shall be at least seventy-five feet from the existing center line of Powhatan Street.

The building setback line on Beauregard Street from the west corporate limits to the north corporate limits shall be at least eighty feet from the center line of Beauregard Street.

The building setback line on South Pickett Street shall be at least fifty feet from the center line of the street.

The term "existing center line", as used in this section, shall mean the center line of the public right-of-way as established by maps, plats and plans on file in the office of the director of public works on March 1, 1960, and more particularly in the case of Duke Street from Roberts Lane west to the corporate limits, the term refers to the center line as shown on road plans denominated Virginia State Highway Department Plan number 236, Project number 368-AR-1; Virginia State Highway Department Plan number 236, Project number 113-AW-4, 113-AW-3, 113-AW-2; Virginia State Highway Department Plan number 236, Project number 113-AW-6.

Sec. 42-48.11. Projections beyond building line.

No part of a bay or display window shall extend more than twenty inches beyond the building line. Gutters, awning boxes, cornices or window sills may project twelve inches beyond the front building line.

Sec. 42-48.12. Projection of marquees.

Marquees may be erected over the front entrance of a store, hotel, theatre or any public building and may project over the sidewalk to within one foot of the curb line at its widest projecting point beyond the building line.

Such marquees shall not front the street more than one-half the width of any building that has a frontage of thirty feet or less, and if such frontage is more than thirty feet, the marquees may have a frontage width of not over one-third of the frontage width of the building; provided, that the remainder of such frontage space may have a continuing projection of not over five feet beyond the wall line and placed on same line of, and be a continuance of, the marquee proper.

No marquee shall be less than nine feet above the sidewalk at the lowest point.

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: OCTOBER 23, 1973