

ORDINANCE NO. 1939

AN ORDINANCE to amend and reordain subparagraph (32) of subsection (a), Section 42-17, and to amend and reordain sub-subparagraph t.1 of subparagraph (1), subsection (a), Section 42-22, all of 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 42-17 relates to C-2 COMMERCIAL ZONE, which subsection (a) thereof relates to USES PERMITTED and which subparagraph (32) relates to RESTAURANTS, which Section 42-22 relates to I-2 INDUSTRIAL ZONE, which subsection (a) thereof relates to USES PERMITTED, which subparagraph (1) relates to SPECIFIC USES, and which sub-subparagraph t.1 thereunder relates to RESTAURANTS.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That subparagraph (32) of subsection (a), Section 42-17, 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:

(32) Restaurants (permitted only with a special use permit as specified in sections 42-68 to 42-71 of this Code if located on land abutting land used for residential purposes [other than high-rise] or zoned R-20, R-12, R-8, R-5, R-2-5, RA, RB, RM or RT, or if located on land fronting on a street designated as an expressway or arterial street on the adopted Major Thoroughfare Plan Map, except that restaurants in existence on or before December 31, 1973, or for which application for a building permit was duly and regularly filed on or before December 31, 1973, shall not be subject to this special use permit requirement, nor shall they be deemed non-conforming as a result of this special use permit requirement). As used herein, "high-rise" refers to buildings seven or more stories in height.

Section 2. That sub-subparagraph t.1 of subparagraph (1), subsection (a), 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:

t.1 Restaurants, if located on land abutting land used for residential purposes (other than high-rise) or zoned R-20, R-12, R-8, R-5, R-2-5, RA, RB, RM or RT, or if located on land fronting on a street designated either as an expressway or arterial street on the adopted Major Thoroughfare Plan Map; provided, however that restaurants in existence on or before December 31, 1973, or for which application for a building permit was duly and regularly filed on or before December 31, 1973, shall not be subject to this special use permit requirement, nor shall they be deemed non-conforming as a result of this special use permit requirement. As used herein, "high-risc" refers to buildings seven or more stories in height.

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: MAY 14, 1974