

ORDINANCE NO. 2051

AN ORDINANCE to amend and reordain definition (35) of Section 42-1, Article I, to amend Sections 42-6, 42-7, 42-8, 42-9 and 42-10, all of Article III, by adding thereto new subsections each lettered (f); to amend Sections 42-11 and 42-12, Article III, by adding thereto new subsections each lettered (f.1); to amend Section 42-13, Article III, by adding thereto a new subsection lettered (g); to amend Section 42-14, Article III, by adding thereto a new subsection lettered (f.1); to amend Section 42-15, Article III, by adding thereto a new subsection lettered (h); to amend Section 42-16, Article III, by adding thereto a new subsection lettered (f.1); to amend Section 42-16.1, Article III, by adding thereto a new subsection lettered (g); to amend Section 42-17, Article III, by adding thereto a new subsection lettered (f.1); to amend Sections 42-17.1 and 42-18, Article III, by adding thereto new subsections each lettered (g); to amend Sections 42-19 and 42-20, Article III, by adding thereto new subsections each lettered (f.1); to amend Sections 42-21 and 42-22, Article III, by adding thereto new subsections each lettered (f); and to amend Section 42-24, Article IV, by amending and reordaining the first paragraph of subsection (b) thereof, by repealing subsubsection (5) of subsection (b) thereof, by amending and reordaining the first paragraph of subsection (c) thereof, by repealing subsubsection (4) of subsection (c) thereof, by amending and reordaining the first paragraph of subsection (d) thereof, by repealing subsubsection (4) of subsection (d) thereof and by adding thereto new subsections lettered (d.1) and (f), all of the above being in Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended; which Chapter 42 relates to ZONING, which Article I relates to DEFINITIONS, which Section 1 relates to ENUMERATION, which definition (35) thereof relates to HEIGHTS OF BUILDING, which Article III relates to USE, AREA, etc., REGULATIONS GENERALLY, which Section 42-6 relates to R-20 RESIDENCE ZONE, and which new subsection (f) thereof relates to HEIGHTS OF BUILDING, which Section 42-7 relates to R-12 RESIDENCE ZONE and which new subsection (f) thereof relates to HEIGHTS OF BUILDING, which Section 42-8 relates to R-8 RESIDENCE ZONE and which new subsection (f) thereof relates to HEIGHTS OF BUILDING, which Section 42-9 relates to R-5 RESIDENCE ZONE and which new subsection (f) thereof relates to HEIGHTS OF BUILDING, which Section 42-10 relates to R-2-5 RESIDENCE ZONE and which new subsection (f) thereof relates to HEIGHTS OF BUILDING, which Section 42-11 relates to RA RESIDENCE ZONE and which new subsection (f) thereof relates to HEIGHTS OF BUILDING, which Section 42-12 relates to RB RESIDENCE ZONE and which new subsection (f.1) thereof relates to HEIGHTS OF BUILDING, which Section 42-13 relates to RC RESIDENCE ZONE and which subsection (g) thereof relates to HEIGHTS OF BUILDING, which Section 42-14 relates to RD RESIDENCE ZONE, and which new subsection (f.1) relates to HEIGHTS OF BUILDING, which Section 42-15 relates to RM RESIDENCE ZONE, and which new subsection (h) thereof relates to HEIGHTS OF BUILDING, which Section 42-16 relates to C-1 COMMERCIAL ZONE, and which new subsection (f.1) relates to HEIGHTS OF BUILDING, which Section 42-16.1 relates to C-1-B COMMERCIAL BUSINESS ZONE and which new subsection (g) thereof relates to HEIGHTS OF BUILDING, which Section 42-17 relates to C-2 COMMERCIAL ZONE and which new subsection (f.1) thereof relates to HEIGHTS OF BUILDING, which Section 42-17.1 relates to C-2-B COMMERCIAL BUSINESS ZONE and which new subsection (g) thereof relates to HEIGHTS OF BUILDING, which Section 42-18 relates to C-3 COMMERCIAL CENTRAL BUSINESS DISTRICT ZONE and which new subsection (g) thereof relates to HEIGHTS OF BUILDING, which Section 42-19 relates to C-0 COMMERCIAL OFFICE ZONE, and which new subsection (f.1) relates to HEIGHTS OF BUILDING, which Section 42-20 relates to C-4 COMMERCIAL PARK ZONE and which new subsection (f.1) thereof relates to HEIGHTS OF BUILDING, which Section 42-21 relates to I-1 INDUSTRIAL ZONE and which new subsection (f) thereof relates to HEIGHTS OF BUILDING, which Section 42-22 relates to I-2 INDUSTRIAL ZONE and which new subsection (f) thereof relates to HEIGHTS OF BUILDING, which Article IV relates to ADDITIONAL USE, AREA, etc., REGULATIONS, which Section 42-24 relates to SUPPLEMENTARY PROVISIONS AND EXCEPTIONS AS TO HEIGHT; HEIGHT DISTRICTS, which subsection (b) relates to HEIGHT LIMITS IN HEIGHT DISTRICT NO. 1 and which first paragraph thereof relates to HEIGHTS OF BUILDING, and which subsubsection (5) thereof formerly related to HEIGHTS OF BUILDING IN RA AND RB ZONES, which subsection (c) relates to HEIGHT LIMITS IN HEIGHT DISTRICT NO. 2 and which first paragraph thereof relates to HEIGHTS OF BUILDING and which subsection (4) thereof relates to HEIGHTS OF BUILDING IN RA AND RB ZONES, which

subsection (d) relates to HEIGHT LIMITS IN HEIGHT DISTRICT NO. 2A (GEORGE WASHINGTON MASONIC MEMORIAL VICINITY) and which first paragraph thereof relates to HEIGHTS OF BUILDING and which subsection (4) thereof relates to HEIGHTS OF BUILDING IN RA AND RB ZONES, and which new subsection (d.1) relates to HEIGHT OF CHURCHES AND STEEPLES, and which new subsection (f) relates to BUILDING PRIOR TO DECEMBER 31, 1975.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That definition (35) in Section 42-1, Article I, 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:

(35) Heights of building. The vertical distance measured from the average finished grade to the highest point of the building; except that in the case of gable, hip or gambrel roofs, the height on the gable, hip or gambrel end shall be measured to the midpoint between the eaves and the ridge; and provided that in the case of a flat roof with parapet wall the highest point of the building shall be the roof line unless the parapet wall is more than three feet above the roof line in which case the highest point of the building shall be the top of the parapet wall. The illustrations below are hereby incorporated as part of this definition.

Section 2. That Section 42-6, Article III, Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding thereto a new subsection lettered (f) to read as follows:

(f) Heights of building. No single family residence shall exceed three stories or thirty-five feet in height. No church building or school building shall exceed 40 feet in height except that any such building may extend up to 150 feet in height with a special use permit as specified in sections 42-68 to 42-71 of this Code. Any other building or structure may extend in excess of 35 feet but not more than 150 feet in height, provided a special use permit with respect to height only as specified in sections 42-68 to 42-71 of this Code is obtained. The provisions of this subsection are subject to the limitations set forth in section 42-24 of this Code.

Section 3. That Section 42-7, Article III, Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding thereto a new subsection lettered (f) to read as follows:

(f) Heights of building. As permitted in the R-20 residence zone.

Section 4. That Section 42-8, Article III, Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding thereto a new subsection lettered (f) to read as follows:

(f) Heights of building. As permitted in the R-20 residence zone.

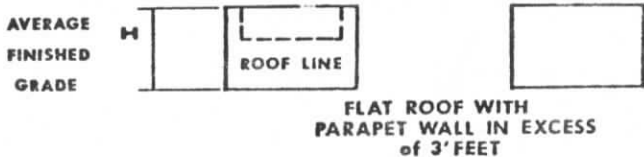
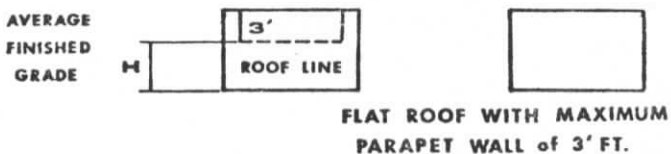
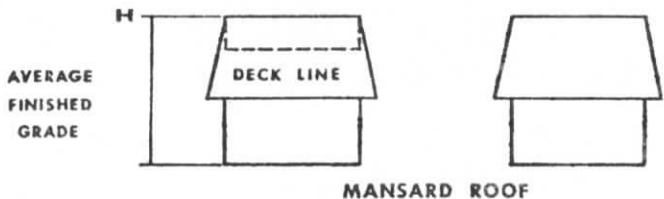
Section 5. That Section 42-9, Article III, Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding thereto a new subsection lettered (f) to read as follows:

(f) Heights of building. As permitted in the R-20 residence zone.

Section 6. That Section 42-10, Article III, Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding thereto a new subsection lettered (f) to read as follows:

(f) Heights of building. No single family residence or two family dwelling shall exceed three stories or thirty-five feet in height. No church building or school building shall exceed 40 feet in height except that any such building may extend up to 150 feet in height with a special use permit as specified in sections 42-68 to 42-71 of this Code. Any other building or structure may extend in excess of 35 feet but not more than 150 feet in height, provided a special use permit with respect to height only as specified in sections 42-68 to 42-71 of this Code is obtained. The provisions of this subsection are subject to the limitations set forth in section 42-24 of this Code.

# HEIGHTS of BUILDING



Section 7. That Section 42-11, Article III, Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding thereto a new subsection lettered (f.1) to read as follows:

(f.1) Heights of building. No building or structure shall exceed four stories or forty-five feet in height except that any such building or structure may extend in excess of 45 feet but no more than 150 feet in height, provided a special use permit with respect to height only as specified in sections 42-68 to 42-71 of this Code is obtained. The provisions of this subsection are subject to the limitations set forth in section 42-24 of this Code.

Section 8. That Section 42-12, Article III, Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding thereto a new subsection lettered (f.1) to read as follows:

(f.1) Heights of building. No building or structure shall exceed four stories or forty-five feet in height except that any such building or structure may extend in excess of 45 feet but not more than 150 feet in height, provided a special use permit with respect to height only as specified in sections 42-68 to 42-71 of this Code is obtained. The provisions of this subsection are subject to the limitations set forth in section 42-24 of this Code.

Section 9. That Section 42-13, Article III, Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding thereto a new subsection lettered (g) to read as follows:

(g) Heights of building. No building or structure shall exceed one hundred fifty feet in height. The provisions of this subsection are subject to the limitations set forth in section 42-24 of this Code.

Section 10. That Section 42-14, Article III, Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding thereto a new subsection lettered (f.1) to read as follows:

(f.1) Heights of building. No building or structure shall exceed one hundred fifty feet in height. The provisions of this subsection are subject to the limitations set forth in section 42-24 of this Code.

Section 11. That Section 42-15, Article III, Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding thereto a new subsection lettered (h) to read as follows:

(h) Heights of building. No building or structure shall exceed four stories or forty-five feet in height above average finished grade. The provisions of this subsection are subject to the limitations set forth in section 42-24 of this Code.

Section 12. That Section 42-16, Article III, Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding thereto a new subsection lettered (f.1) to read as follows:

(f.1) Heights of building. No building or structure shall exceed sixty feet in height, except that for any use specified in subsections (1), (15) and (16) of subsection (a) of this section no building or structure shall exceed one hundred fifty feet in height. The provisions of this subsection are subject to the limitations set forth in section 42-24 of this Code. For any mixed use building or structure, the predominant use shall govern the height limitation as specified above to be applied. Predominant use shall mean the use covering 60% or more of the gross floor area in any such building or structure.

Section 13. That Section 42-16.1, Article III, Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding thereto a new subsection lettered (g) to read as follows:

(g) Heights of building. Same as for the C-1 commercial zone.

Section 14. That 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 by adding thereto a new subsection lettered (f.1) to read as follows:

(f.1) Heights of building. No building or structure shall exceed sixty feet in height, except that for the use specified in subsection (19) of subsection (a) of this section no building or structure shall exceed one hundred fifty feet in height, and with the further exception that for the uses permitted in subsection (1) of subsection (a) of this section the permitted building heights shall be the same as for the C-1 commercial zone. The provisions of this subsection are subject to the limitations set forth in section 42-24 of this Code. For any mixed use building or structure, the predominant use shall govern the height limitation as specified above to be applied. Predominant use shall mean the use covering 60% or more of the gross floor area in any such building or structure.

Section 15. That Section 42-17.1, Article III, Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding thereto a new subsection lettered (g) to read as follows:

(g) Heights of building. Same as for the C-2 commercial zone.

Section 16. That Section 42-18, Article III, Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding thereto a new subsection lettered (g) to read as follows:

(g) Heights of building. Same as for the C-2 commercial zone.

Section 17. That Section 42-19, Article III, Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding thereto a new subsection lettered (f.1) to read as follows:

(f.1) Heights of building. No building or structure shall exceed one hundred fifty feet in height. Nothing in this subsection shall affect Planned Residential and/or Commercial Developments submitted under subsection (h) of this section.

Section 18. That Section 42-20, Article III, Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding thereto a new subsection lettered (f.1) to read as follows:

(f.1) Heights of building. No building or structure shall exceed seventy-five feet in height; except that for the uses permitted in subsection (1) of subsection (a) of this section the permitted building heights shall be the same as for the C-0 commercial office zone as specified in section 42-19 (f.1) of this Code. The provisions of this subsection are subject to the limitations set forth in section 42-24 of this Code.

Section 19. 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 by adding thereto a new subsection lettered (f) to read as follows:

(f) Heights of building. No building or structure shall exceed seventy-five feet in height; except that for the uses permitted in subsections (1) and (1.1) of subsection (a) of this section the permitted building heights shall be the same as for the C-3 commercial zone. The provisions of this subsection are subject to the limitations of section 42-24 of this Code.

Section 20. 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 by adding thereto a new subsection lettered (f) to read as follows:

(f) Heights of building. No building or structure shall exceed seventy-five feet in height; except that any building used for offices or any hotel may extend up to one hundred fifty feet in height. The provisions of this subsection are subject to the limitations of section 42-24 of this Code. For any mixed use building or structure, the predominant use shall govern the height limitation as specified above to be applied. Predominant use shall mean the use covering 60% or more of the gross floor area in any such building or structure.

Section 21. That the first paragraph of subsection (b), Section 42-24, Article IV, 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:

(b) Height limits in Height District No. 1. The heights of building shall be as specified for each zone in this Chapter except that as set forth in (1) through (4) below, no building shall be erected to a height in excess of fifty feet; except further that in any zone for which the heights of building limitation is less than said fifty feet such lower height limitation shall prevail unless a special use permit as specified in sections 42-68 through 42-71 of this Code is obtained, and said use permit is authorized in the particular zone, in which case the height of the building may extend up to fifty feet.

Section 22. That the first paragraph of subsection (c), Section 42-24, Article IV, 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:

(c) Height limits in Height District No. 2. The heights of building shall be as specified for each zone in this Chapter except as set forth in (1) through (3) below.

Section 23. That subsection (4) of Subsection (c), Section 42-24, Article IV, Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is repealed.

Section 24. That the first paragraph of subsection (d), Section 42-24, Article IV, 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:

(d) Height limits in Height District No. 2A (George Washington Masonic Memorial Vicinity). The heights of building shall be as specified for each zone in this Chapter except that as set forth in (1) through (3) below, the maximum height of any building shall not exceed ten stories and in any case said ten stories shall not be in excess of one hundred feet; except that in any zone for which the building height limitation is less than said one hundred feet such lower height limitation shall prevail unless a special use permit as specified in sections 42-68 through 42-71 of this Code is obtained, and said use permit is authorized in the particular zone, in which case the height of the building may extend up to one hundred feet.

Section 25. That Section 42-24, Article IV, Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding thereto a new subsection lettered (d.1) to read as follows:

(d.1) No church building shall exceed the height for each zone as specified in this Chapter as limited by subsection (b), (c) and (d) above except that the steeple may be erected to a height of ninety feet or to a height in excess of ninety feet but not in excess of one hundred fifty feet with a special use permit as specified in sections 42-68 to 42-71 of this Code. For purposes of this subsection steeple shall mean a decorative or symbolic architectural component including a tower, spire, belfry or similar component extending above the ridge line of the building roof, or the highest point of the roof of the building.

Section 26. That subsection (4) of subsection (d), Section 42-24, Article IV, Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is repealed.

Section 27. That Section 42-24, Article IV, Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding thereto a new subsection lettered (f) to read as follows:

(f) Building prior to December 31, 1975. The building heights for each zone as specified in this Chapter shall not be construed to prevent the erection, alteration, repair or reconstruction of any buildings which either are in existence on or before December 31, 1975 or for which a final site plan shall have been submitted to the director of planning on or before December 31, 1975 and, in addition, any such building shall not be deemed a nonconforming use.

Section 28. 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 July 1, 1975.

CHARLES E. BEATLEY, JR.  
Mayor

Final Passage: Recessed Meeting of June 24, 1975