

ORDINANCE NO. 3156

AN ORDINANCE to amend and reordain subsections (b), (c), (d), (f), (g), (j) and (k) of Section 7-6-42, Article C, Chapter 6, Title 7 of The Code of the City of Alexandria, Virginia, 1981, as amended; which Title 7 relates to PLANNING AND DEVELOPMENT, which Chapter 6 relates to ZONING, which Article C relates to ADDITIONAL USE, AREA, ETC., REGULATIONS, which Section 7-6-42 relates to SUPPLEMENTARY PROVISIONS AND EXCEPTIONS AS TO HEIGHT; HEIGHT DISTRICTS, which subsection (k) relates to HEIGHT LIMITS IN HEIGHT DISTRICT NO. 6 (NORTHWEST OLD TOWN), which subsection (j) relates to HEIGHT LIMITS IN HEIGHT DISTRICT NO. 5 (NORTH WATERFRONT VICINITY), which subsection (g) relates to HEIGHT LIMITS IN HEIGHT DISTRICT NO. 4 (HUNTING CREEK VICINITY), which subsection (f) relates to HEIGHT LIMITS IN HEIGHT DISTRICT NO. 3 (KING STREET METRO VICINITY), which subsection (d) relates to HEIGHT LIMITS IN HEIGHT DISTRICT NO. 2A (GEORGE WASHINGTON MASONIC MEMORIAL VICINITY), which subsection (c) relates to HEIGHT LIMITS IN HEIGHT DISTRICT NO. 2 and which subsection (b) relates TO HEIGHT LIMITS IN HEIGHT DISTRICT NO. 1.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That subsection (b), Section 7-6-42, Article C, Chapter 6, Title 7 of The Code of the City of Alexandria, Virginia, 1981, 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 buildings 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 50 feet; except further, that in any zone for which the heights of building limitation is less than said 50 feet such lower height limitation shall prevail unless a special use permit as specified in sections 7-6-191 to 7-6-195 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 50 feet. Provided, however, that any existing structure of for a project which had a site plan approved on or before June 26, 1984, included in the areas added to Height District No. 1, by the amendments of city council of June 26, 1984, shall not be deemed nonconforming as to height by virtue of its inclusion in Height District No. 1.

(1) Within the boundaries of any approved urban renewal (redevelopment) project, for which the city has executed a co-operation agreement, no building shall be erected to a height in excess of 62 feet above the average ground elevation at the building.

(2) a. Within the boundary described in the following paragraph, any building may be erected in excess of the above-mentioned 50-foot height an additional height of two (2) feet for

each one (1) foot of setback of the entire building from either Washington Street or King Street, provided that in no event shall any such building be erected to a height in excess of 77 feet above the average ground elevation at the building. In constructing this subsection, buildings in approved urban renewal (redevelopment) projects mentioned in (1) above shall not have the advantage of the extra height for setback provided for by this subsection but shall be restricted as in subsection (1) above.

b. Beginning at a point on the centerline of Cameron Street 173.42 feet east of the centerline of North Washington Street; thence north paralleling North Washington Street to the centerline of First Street; thence east with the centerline of First Street to a point 500 feet east of the centerline of North Washington Street; thence north along a line 500 feet east of the centerline of George Washington Memorial Highway to the north city limits; thence west with the north city line to a point 500 feet west of the centerline of George Washington Memorial Highway; thence south along a line 500 feet west of the centerline of George Washington Memorial Highway to the centerline of First Street; thence east with the centerline of First Street to a point 173.42 feet west of the centerline of North Washington Street; thence southward and parallel to the centerline of Washington Street to the centerline of Cameron Street; thence eastward along the centerline of Cameron Street to the centerline of Washington Street; thence southward with the centerline of Washington Street to a point 200 feet from the south line extended of Cameron Street west of Washington Street; thence westward paralleling the north line of King Street to a point on the centerline of Patrick Street; thence southward along the centerline of Patrick Street to a point 176.58 feet north of the north line of Prince Street; thence eastward and parallel to the north line of Prince Street to a point 173.42 feet west of the centerline of Washington Street; thence southward paralleling Washington Street to the south city line; thence east with the south city line to a point 173.42 feet east of the centerline of Washington Street; thence northward and parallel with Washington Street to the centerline of Prince Street; thence westward along the centerline of Prince Street to the centerline of Washington Street; thence northward along the centerline of Washington Street to the centerline of Cameron Street east of Washington Street; thence eastward along the centerline of Cameron Street to the point of beginning.

(3) Chimneys, towers, tanks, machinery, equipment, penthouses or other necessary mechanical appurtenances to a main structure may be erected as a part of the main building to their required heights, regardless of any other height provisions or restrictions of this chapter, provided that no penthouse shall exceed 15 feet in height.

(3.1) All necessary rooftop mechanical appurtenances and penthouses shall be concealed by or constructed of exterior

architectural materials or features of the same type or quality used on the exterior walls of the main building in question.

(4) All radio and television reception or transmission structures extending in excess of 75 feet above the ground or 30 feet above the roof of the building to which it is attached, whichever may be the greater, shall be permitted only with a special use permit, as specified in sections 7-6-191 to 7-6-195.

(5) A building may be erected to a height of 50 feet above the average grade elevation at the building in the RA and RB residence zones, provided a special use permit as specified in sections 7-6-191 to 7-6-195 of this code is obtained.

Section 2. that subsection (c), Section 7-6-42, Article C, Chapter 6, Title 7 of The Code of the City of Alexandria, Virginia, 1981, 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 buildings shall be as specified for each zone in this chapter except as set forth in (1) through (3) below.

(1) Chimneys, towers, tanks, machinery, equipment, penthouses or other necessary mechanical appurtenances to a main structure may be erected as a part of the main building to their required heights, regardless of any other height provisions or restrictions of this chapter, provided that no penthouse shall exceed 15 feet in height.

(1.1) all necessary rooftop mechanical appurtenances and penthouses shall be concealed by or constructed of exterior architectural materials or features of the same type or quality used on the exterior walls of the main building in question.

(2) No building shall exceed the maximum height set forth in subsection (c) of this section, and in addition, the allowable height of a building at any point shall not exceed twice the distance from the face of the building at that point to the centerline of the street facing such building.

(3) All radio and television reception or transmission structures extending in excess of 75 feet above the ground or 30 feet above the roof of the building to which it is attached, whichever may be the greater, shall be permitted only with a special use permit, as specified in sections 7-6-191 to 7-6-195.

Section 3. That subsection (d), Section 7-6-42, Article C, Chapter 6, Title 7 of The Code of the City of Alexandria, Virginia, 1981, 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 buildings

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 10 stories and in any case said 10 stories shall not be in excess of 100 feet; except, that in any zone for which the building height limitation is less than said 100 feet such lower height limitation shall prevail unless a special use permit as specified in sections 7-6-191 to 7-6-195 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 100 feet.

(1) Chimneys, towers, tanks, machinery, equipment, penthouses or other necessary mechanical appurtenances to a main structure may be erected as a part of the main building to their required heights, regardless of any other height provisions or restrictions of this chapter, provided that no penthouse shall exceed 15 feet in height.

(1.1) All necessary rooftop mechanical appurtenances and penthouses shall be concealed by or constructed of exterior architectural materials or features of the same type or quality used on the exterior walls of the main building in question.

(2) No building shall exceed the maximum height set forth in subsection (d) of this section, and in addition, the allowable height of a building at any point shall not exceed twice the distance from the face of the building at that point to the centerline of the street facing such building.

(3) All radio and television reception or transmission structures extending in excess of 75 feet above the ground or 30 feet above the roof of the building to which it is attached, whichever may be the greater, shall be permitted only with a special use permit, as specified in sections 7-6-191 to 7-6-195.

Section 4. That subsection (f), Section 7-6-42, Article C, Chapter 6, Title 7 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended and reordained to read as follows:

(f) Height limits in Height District No. 3. (King Street metro vicinity). In Height District No. 3 (King Street metro station vicinity) the maximum height of any building shall not exceed 77 feet above the average finished grade at the building except as follows:

(1) Chimneys, towers, tanks, machinery, equipment, penthouses or other necessary mechanical appurtenances to a main structure may be erected as a part of the main building to their required heights, regardless of any other height provisions or restrictions of this chapter, provided that no penthouse shall exceed 15 feet in height.

(1.1) All necessary rooftop mechanical appurtenances and penthouses shall be concealed by or constructed of exterior architectural materials or features of the same type or quality used on the exterior walls of the main building in question.

(2) No building shall exceed the maximum height set forth in subsection (f) of this section, and in addition, for any building not located on land zoned M-1, the allowable height of a building at any point shall not exceed twice the distance from the face of the building at that point to the centerline of the street facing such building.

(3) All radio and television reception or transmission structures extending in excess of 75 feet above the ground or 30 feet above the roof of the building to which it is attached, whichever may be the greater, shall be permitted only with a special use permit, as specified in sections 7-6-191 to 7-6-195.

(4) The building height set forth in subsection (f) of this section shall not be construed to prevent the alteration, repair or reconstruction of any buildings which are in existence on October 23, 1979; provided, however, that no building in existence on October 23, 1979, shall be altered or reconstructed to a height in excess of the height of the building as it existed on that date or 77 feet, whichever is greater. In addition, any such building shall not be deemed a nonconforming use.

(5) Notwithstanding any other height provision in this chapter, when at least 60 percent of the area of the first floor of a building is to be used for retail uses, the maximum height may be increased by not more than five (5) feet.

Section 5. That subsection (g), Section 7-6-42, Article C, Chapter 6, Title 7 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended and reordained to read as follows:

(g) **Height limits in Height District No. 4 (Hunting Creek vicinity).** In Height District No. 4 (Hunting Creek vicinity) the maximum height of any building shall not exceed 50 feet above the average finished grade at the building, except as specified below:

(1) Within Height District No. 4 any building may be erected to a maximum height of 77 feet above the average finished grade at the building, provided that any portion of the building above 50 feet in height is setback 100 feet from the right-of-way of Washington Street.

(2) Chimneys, towers, tanks, machinery, equipment, penthouses or other necessary mechanical appurtenances to a main structure may be erected as a part of the main building to their required heights, regardless of any other height provisions or restrictions of this chapter, provided that no penthouse shall exceed 15 feet in height.

(2.1) All necessary rooftop mechanical appurtenances and penthouses shall be concealed by or constructed of exterior architectural materials or features of the same type or quality used on the exterior walls of the main building in question.

(3) No building shall exceed the maximum height set forth in this subsection, and in addition, the allowable height of a building at any point shall not exceed twice the distance from the face of the building at that point to the centerline of the street facing such building.

(4) All radio and television reception or transmission structures extending in excess of 75 feet above the ground or 30 feet above the roof of the building to which it is attached, whichever may be the greater, shall be permitted only with a special use permit, as specified in sections 7-6-191 to 7-6-195.

(5) The building height set forth in this subsection shall not be construed to prevent the alteration, repair or reconstruction of any buildings which are in existence on June 24, 1980; provided, however, that no building in existence on June 24, 1980, shall be altered or reconstructed to a height in excess of the height of the building as it existed on that date, or 77 feet, whichever is greater. In addition, any such building shall not be deemed a nonconforming use.

Section 6. That subsection (j), Section 7-6-42, Article C, Chapter 6, Title 7 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended and reordained to read as follows:

(j) Height limits in Height District No. 5 (north waterfront vicinity). In Height District No. 5 (north waterfront vicinity), the maximum height of any building shall be as follows:

(1) In the area bounded by the southwesterly boundary of the Southern Railway System on the north and east, the centerline of Pendleton Street on the south and the centerline of North Fairfax Street on the west, no building shall exceed 77 feet above the average finished grade at the building, except as specified below.

(2) In the area bounded by the centerline of Pendleton Street on the north, the centerline of North Union Street on the east, the centerline of Oronoco Street on the south, and the centerline of North Fairfax Street on the west, no building shall exceed 66 feet above the average finished grade at the building, except as specified below.

(3) In the area bounded by the easterly extension of the centerline of Pendleton Street on the north, the pierhead line of the Potomac River on the east, the centerline of Oronoco Street on the south and the centerline of North Union Street on the

west, no building shall exceed 50 feet above the average finished grade at the building, except as specified below.

(4) In the area bounded by the centerline of Oronoco Street on the north, the centerline of North Union Street on the east, the centerline of Queen Street on the south, the centerline of Lee Street on the west, the centerline of Princess Street on the south and the centerline of North Fairfax Street on the west, no building shall exceed 50 feet above the average finished grade at the building, except as specified below:

a. Chimneys, towers, tanks, machinery, equipment, penthouses or other necessary mechanical appurtenances to a main structure may be erected as a part of the main building to their required heights, regardless of any other height provisions or restrictions of this chapter, provided that no penthouse shall exceed 15 feet in height.

a.1 All necessary rooftop mechanical appurtenances and penthouses shall be concealed by or constructed of exterior architectural materials or features of the same type or quality used on the exterior walls of the main building in question.

b. No building shall exceed the maximum height set forth in this subsection, and in addition, the allowable height of a building at any point shall not exceed twice the distance from the face of the building at that point to the centerline of the street facing such building.

c. All radio and television reception or transmission structures extending in excess of 75 feet above the ground or 30 feet above the roof of the building to which it is attached, whichever may be the greater, shall be permitted only with a special use permit, as specified in sections 7-6-191 to 7-6-195.

d. The building height set forth in this subsection shall not be construed to prevent the alteration, repair or reconstruction of any buildings which are in existence on January 1, 1982; provided, however, that no building in existence on January 1, 1982, shall be altered or reconstructed to a height in excess of the height of the building as it existed on that date, or the heights set forth in subsections (1) through (4) above, whichever is greater. In addition, any such building shall not be deemed to be nonconforming as to height of buildings.

Section 7. That subsection (k), Section 7-6-42, Article C, Chapter 6, Title 7 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended and reordained to read as follows:

(k) **Height limits in Height District No. 6 (northwest Old Town).** In Height District No. 6 (northwest Old Town), the

maximum height of a building shall not exceed 50 feet above the average finished grade at the building except as follows:

(1) Chimneys, towers, tanks, machinery, equipment, penthouses or other necessary mechanical appurtenances to a main structure may be erected as a part of the main building to their required heights, regardless of any other height provisions or restrictions of this chapter, provided that no penthouse shall exceed 15 feet in height.

(1.1) All necessary rooftop mechanical appurtenances and penthouses shall be concealed by or constructed of exterior architectural materials or features of the same type or quality used on the exterior walls of the main building in question.

(2) No building shall exceed the maximum height set forth in this subsection, and in addition, the allowable height of a building at any point shall not exceed twice the distance from the face of the building at that point to the centerline of the street facing such building.

(3) All radio and television reception or transmission structures extending in excess of 75 feet above the ground or 30 feet above the roof of the building to which it is attached, whichever may be the greater, shall be permitted only with a special use permit, as specified in sections 7-6-191 to 7-6-195 of this code.

(4) Any structure in existence or for a project which had a site plan approved on or before June 26, 1984, in this area as of June 26, 1984, shall not be deemed nonconforming as to height by virtue of its inclusion in this height district.

Section 8. 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.

JAMES P. MORAN, JR.
Mayor

Final Passage: October 18, 1986