

ORDINANCE NO. 3236

AN ORDINANCE to amend and reordain subsection (a), Section 7-6-42, to further amend subsection (a) by amending and reordaining subsections (1), (2) and (6) and adding a new subsection (11), to further amend Section 7-6-42 by amending subsection (j) by repealing subsections (3) and (4) thereof, and to further amend Section 7-6-42 by adding a new subsection (o), all of 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 (a) relates to HEIGHT DISTRICTS, which subsection (1) relates to BOUNDARIES OF HEIGHT DISTRICT NO. 1, which subsection (2) relates to BOUNDARIES OF HEIGHT DISTRICT NO. 2, which subsection (6) relates to BOUNDARIES OF HEIGHT DISTRICT NO. 5, which new subsection (11) relates to BOUNDARIES OF HEIGHT DISTRICT NO. 10, which subsection (j) relates to HEIGHT LIMITS IN HEIGHT DISTRICT NO. 5, which subsections (3) and (4) relate to AREAS NOW INCLUDED IN HEIGHT DISTRICT NO. 10, which new subsection (o) relates to HEIGHT LIMITS IN HEIGHT DISTRICT NO. 10.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That subsection (a), 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:

(a) **Height districts.** The city is hereby divided into 11 height districts which shall be known as Height District No. 1, Height District No. 2, Height District No. 2A, Height District No. 3, Height District No. 4, Height District No. 5, Height District No. 6, Height District No. 7, Height District No. 8, Height District No. 9, and Height District No. 10.

Section 2. That subsection (1), subsection (a), 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:

(1) The boundaries of Height District No. 1 shall be as follows: Beginning at a point, such point being the intersection of the centerlines of North Union Street and Oronoco Street; thence westward along the centerline of Oronoco Street to the centerline of North Fairfax Street; thence southward along the centerline of North Fairfax Street to the centerline of Princess Street; thence westward with the centerline of Princess Street to

a point 123.42 feet west of the west line of Pitt Street; thence northward and parallel to the west line of Pitt Street to a point 176.58 feet north of the north line of Oronoco Street; thence westward from such point and paralleling the north line of Oronoco Street to a point 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 south paralleling North Washington Street to a point 176.58 feet north of the north line of Oronoco Street; thence west to a point 123.42 feet west of the west line of Columbus Street; thence southward and parallel to the west line of Columbus Street to a point 176.58 feet north of the north line of Queen Street; thence westward paralleling Queen Street to a point 123.42 feet west of the west line of Alfred Street; thence southward and parallel to the west line of Alfred Street to a point 176.58 feet south of the south line of Queen Street; thence westward paralleling the south line of Queen Street to a point on the centerline of Patrick Street; thence southward along the centerline of Patrick Street to the centerline of a 10-foot wide alley, 100 feet north of the north line of King Street; thence westward along the centerline of the 10-foot wide alley to a point 43.9 feet west of the west line of the west line of North Fayette Street; thence northward seven feet to a point; thence westward 25 feet to a point; thence southward 12 feet to a point; thence westward 25 feet to a point; thence northward five feet to the centerline of a 10-foot wide alley; thence westward along the centerline of the 10-foot wide alley to a point 122 feet west of the west line of North Payne Street; thence northward 19 feet to the centerline of a 10-foot wide alley; thence westward along the 10-foot wide alley to the centerline of North West Street; thence southward to the centerline of a 10-foot wide alley; thence westward along the centerline of the 10-foot wide alley to the centerline of North Peyton Street; thence to the south line of Baggett Place; thence westward along the south line of Baggett Place 287 feet to a point; thence northward 15 feet to the centerline of a 10-foot wide alley; thence westward along the centerline of the 10-foot wide alley to the centerline of Harvard Street; thence southward along the centerline of Harvard Street to the centerline of King Street; thence eastward along the centerline of King Street to the centerline of South Peyton Street; thence southward along the centerline of South Peyton Street to the centerline of Duke Street; thence eastward along the centerline of Duke Street to a

point 123.42 feet west of the west line of Alfred Street; thence southward and parallel to the west line of Alfred Street to the centerline of Wilkes Street; thence eastward along the centerline of Wilkes Street to the centerline of Columbus Street; thence southward with the centerline of Columbus Street to the centerline of Franklin Street; thence westward along the centerline of Franklin Street to a point 123.42 feet west of the west line of Alfred Street; thence southward and parallel with the west line of Alfred Street to the centerline of the Capital Beltway; thence eastward along the centerline of the Capital Beltway to a point on the extension of the centerline of South Alfred Street; thence southward along the centerline of South Alfred Street and the southwardly extension thereof to the south city line at the mid-channel of Hunting Creek; thence easterly along the said mid-channel of Hunting Creek to its intersection with the Virginia-Maryland state line as established by section centerline of South Union Street extended southwardly; thence northward along the centerline of Union Street to the point of beginning.

Section 3. That subsection (2), subsection (a), 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:

(2) The boundaries of Height District No. 2 shall be as follows: All of that portion of the city not included within the boundaries of Height District No. 1, Height District No. 2A, Height District No. 3, Height District No. 4, Height District No. 5, Height District No. 6, Height District No. 7, Height District No. 8, Height District No. 9, and Height District No. 10.

Section 4. That subsection (6), subsection (a), 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:

(6) The boundaries of Height District No. 5 (North Waterfront Vicinity) shall be as follows: Beginning at a point where the centerline of North Fairfax Street extended intersects with the southern boundary of the Southern Railway System right-of-way; thence southwardly along the Southern Railway System right-of-way to the centerline of Pendleton Street extended; thence eastwardly along the centerline of Pendleton Street extended to the centerline of North Union Street; thence southwardly along the centerline of North Union Street to the centerline of Oronoco Street; thence westwardly along the centerline of Oronoco Street to the centerline of North Fairfax Street; thence northwardly along the centerline of North Fairfax Street to the point of beginning.

Section 5. That subsection (a), 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 by adding thereto a new subsection (11) to read as follows:

(11) The boundaries of Height District No. 10 shall be as follows: Beginning at a point, such point being the intersection of the extended centerline of Pendleton Street with the pierhead line in the Potomac River as delineated on a map entitled "U.S. Coast and Geodetic Survey, Planimetric Map T-8608, Boundary Survey, District of Columbia -- Virginia, Potomac River, Alexandria, Southern Section"; thence westwardly along the centerline of Pendleton Street to the centerline of North Union Street; thence southwardly along the centerline of Union Street and the southward extension thereof to the south city line in the mid-channel of Hunting Creek; thence easterly along the said mid-channel of Hunting Creek to its intersection with the Virginia-Maryland state line as established by section 7.1-7 of the Code of Virginia (1950), as amended; thence northwardly and easterly along said state line to its intersection with the southwesterly line of the District of Columbia; thence northeasterly along said southwesterly line of the District of Columbia to the pierhead line as delineated on a map entitled "U.S. Coast and Geodetic Survey, Planimetric Map T-8606, Boundary Survey, District of Columbia -- Virginia, Potomac River, Alexandria, Southern Section"; thence northwardly with said pierhead line to the point of beginning.

Section 6. That subsections (3) and (4), 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 are repealed.

Section 7. That 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 by adding thereto a new subsection (o) to read as follows:

(o) **Height limits in Height District No. 10 (Potomac River Vicinity).**

(1) In Height District No. 10, the maximum height of any building or structure shall not exceed 30 feet above the average finished grade at the building or structure except buildings may be erected in excess of the above-mentioned height limit to a maximum of 50 feet above the average finished grade at the building, subject to the issuance of a special use permit as specified in sections 7-6-191 to 7-6-195 of this code, and in this subsection, and further subject to the issuance of a certificate of appropriateness as specified in sections 7-6-221 to 7-6-234 of this code, and in this subsection.

(2) In addition to submitting the information required pursuant to section 7-6-192 of this code, the applicant for a special use permit hereunder shall submit for approval as part of the special use permit application a conceptual development plan. Such conceptual development plan shall include:

a. The information required for preliminary site plans by subsections (d), (e) and (f) of section 5-5-9 of this code, excluding subsection (10) of subsection (d).

b. Preliminary architectural renderings sufficient fairly to depict each facade of any proposed building or buildings.

c. Such additional information as the director of planning and community development may require, or the applicant may desire to submit, in order to facilitate review of the application for a special use permit hereunder.

(3) Any special use permit granted hereunder shall run with the land and shall be binding upon the applicant, the owner, the occupants and their heirs, successors and assigns and all development on the subject parcel or parcels shall be in conformity with the conceptual development plan approved in connection with such special use permit.

(4) In addition to the provisions of sections 7-6-191 to 7-6-195 of this code, the following standards and guidelines, to the extent relevant in each individual case, shall apply in considering an application for a special use permit for additional building height:

a. The degree to which imaginative and creative architectural solutions advance recreational access to and enjoyment of the historic waterfront from public streets and other public areas. Buildings should be in harmony with existing buildings of genuine architectural merit, to be found in the historic district.

b. The degree to which the basic 30 feet height is maintained at the street faces and the waterfront face of the proposed building or buildings. To provide a transition, building heights over this basic height level should be set back from the street faces and waterfront faces.

c. The degree to which the height, mass and bulk of the proposed construction are compatible with and reflect the traditional height, mass, and bulk of buildings and structures displayed within the streetscapes of the historic district.

d. The degree to which imaginative and creative architectural solutions enhance views and vistas from public

streets and other public-access areas along the historic waterfront. The waterfront faces of the buildings, in particular, should be designed and integrated so as to enhance pedestrian enjoyment of the waterfront, and the quality and character of the historic waterfront, as a totality, when viewed from passing vessels.

e. The degree to which the use or uses of the proposed building or buildings are compatible with historical waterfront-related uses in the City of Alexandria.

(5) In addition to the provisions of sections 7-6-221 to 7-6-234 of this code, the following standards and guidelines, to the extent relevant in each individual case, shall apply in considering an application for a certificate of appropriateness by the Board of Architectural Review, Old and Historic District Panel, or by the city council on appeal:

a. The degree to which facades of a proposed building or buildings are generally in alignment with the existing street edges and express the 20 to 30-foot bay width typically found within the historic district. Techniques to express such typical bay width should include changes in materials; articulation of the wall surfaces; changes in fenestration patterns; varying roof heights; and physical breaks within the massing. Large expanses of unbroken or repetitive facades are disfavored.

b. The degree to which building materials characteristic of buildings having architectural merit within the historic district are utilized. The texture, tone and color of such materials should display a level of variety, quality and richness at least equal to that found abundantly in the historic setting. The use of synthetic or imitative materials is disfavored.

c. The degree to which new construction reflects the traditional fenestration patterns found within the historic district. Traditional solid-void relationships (*i.e.*, masonry bearing wall by a veneer system) should be used in building facades which are directly related to historic streetscapes.

d. The degree to which new construction displays a level of ornamentation, detail and use of quality materials consistent with those found within the historic district. In replicative building construction (*i.e.*, masonry bearing wall by a veneer system) there should be an attempt to express the proper thicknesses of materials, particularly through the use of sufficient reveals around wall openings.

e. The degree to which new construction on the waterfront reflects the existing or traditional building

character suitable to the waterfront. "High style" or highly ornamented buildings are disfavored. Also disfavored are metal warehouses and nondescript warehouse-type structures.

f. To the extent that any provisions of section 7-6-221 to 7-6-234 are inconsistent with the provisions of this subsection, the provisions of this subsection shall be controlling.

(6) 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.

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

(8) All radio and television reception or transmission structures extending in excess of 30 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 through 7-6-195 of this code; provided, that in evaluating a special use permit application for such radio and television reception or transmission structures, special consideration shall be given to the proximity of a residential use or uses or a residential zone or zones to the property on which such structure is to be attached and to the impacts of such structure on such residential use or uses or residential zone or zones.

(9) Any building or structure in existence on or before October 13, 1987, shall not be deemed nonconforming as to height by virtue of its inclusion in this height district; provided, that no such building or structure shall be altered or reconstructed to a height in excess of the height which existed on October 13, 1987, or 30 feet, whichever is greater, and provided further that no such structure shall be increased in size to a height in excess of 30 feet, unless a special use permit is obtained as provided in this subsection.

Section 9. 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 requests. 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 on the date of its final passage.

JAMES P. MORAN, JR.
Mayor

Final Passage: October 13, 1987