

ORDINANCE NO. 3261

AN ORDINANCE to amend and reordain subsection (3) of subsection (a) of Section 7-6-17, Article B, subsection (4) of subsection (a) of Section 7-6-21, Article B, and subsection c of subsection (11) of Section 7-6-72, Division 1, Article E, all of 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 E relates to OFF-STREET PARKING AND LOADING, which Division 1 relates to GENERAL PROVISIONS, which Section 7-6-72 relates to OFF-STREET PARKING GENERALLY, which subsection (11) relates to SCHEDULE OF REQUIREMENTS, which subsection c relates to BOARDINGHOUSES AND ROOMING HOUSES, which Article B relates to USE, AREA, ETC., REGULATIONS GENERALLY, which Section 7-6-21 relates to RM RESIDENCE ZONE, which subsection (a) relates to USES PERMITTED, which subsection (4) relates to ROOMING HOUSES AND BOARDINGHOUSES, which Section 7-6-17 relates to RA RESIDENCE ZONE, which subsection (a) relates to USES PERMITTED and which subsection (3) relates to ROOMING HOUSES AND BOARDINGHOUSES.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That subsection (3) of subsection (a) of Section 7-6-17 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:

(3) Rooming houses and boardinghouses, permitted only with a special use permit as specified in sections 7-6-191 to 7-6-195 of this code; provided, however, that no special use permit authorizing a rooming house or boardinghouse which is granted after December 12, 1987, shall continue in effect for more than five years; provided, further, that any rooming house or boardinghouse in existence on December 12, 1987, for which a special use permit has not been granted shall be deemed a nonconforming use and shall be discontinued on or before December 12, 1992, unless it conforms to the requirements of this subsection by obtaining a special use permit which authorizes its continuation; provided, further, (i) that no later than December 12, 1988, the owner or operator of any such nonconforming rooming house or boardinghouse may seek from city council an extension of the date by which it must come into conformity with this subsection by filing with the director of the department of planning and community development a petition which sets forth in detail the reasons why a fair and reasonable return on the investment in such rooming house or boardinghouse made by the petitioner prior to December 12, 1987, cannot be obtained prior to December 12, 1992; (ii) that council shall conduct a public hearing on any such petition, prior to which the director of the department of planning and community development shall provide notice in accordance with the provisions of article P of this chapter; and (iii) that, following the hearing, council may

extend the December 12, 1992, date only if it finds that a strict application of the date will deny the petitioner the opportunity to realize a fair and reasonable return on the investment in the nonconforming rooming house or boardinghouse made by the petitioner prior to December 12, 1987, in which case council shall extend the date to a time which it determines will provide such opportunity to the petitioner.

Section 2. That subsection (4) of subsection (a) of Section 7-6-21 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:

(4) Rooming houses and boardinghouses, subject to special use permit as specified in sections 7-6-191 to 7-6-195 of this code; provided, that no special use permit authorizing a rooming house or boardinghouse which is granted after December 12, 1987, shall extend for more than five years.

Section 3. That subsection c of subsection (11) of Section 7-6-72 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. Boardinghouses and rooming houses: one space for each four guest rooms; provided, that the number of off-street parking spaces for any rooming house or boardinghouse authorized by a special use permit granted by city council after December 12, 1987, shall be determined by council when granting, and shall be as set forth in, the special use permit.

Section 4. 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: December 12, 1987