

ORDINANCE NO. 3318

AN ORDINANCE to amend and reordain subsection (c) of Section 7-6-33, Article B, 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 B relates to USE, AREA, ETC., REGULATIONS GENERALLY, which Section 7-6-33 relates to W-1 WATERFRONT (MIXED USE) ZONE and which subsection (c) relates to GROUND FLOOR OCCUPANCY REGULATIONS.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That subsection (c), Section 7-6-33 of The Code of the City of Alexandria, Virginia, 1981, as amended, be amended and reordained to read as follows:

(c) Ground floor occupancy regulations.

(1) No room or space used for residential purposes or commercial purposes, other than restaurant or retail room or space, shall be permitted on the ground floor of any building.

(2) The provisions of subsection (1) shall not apply if publicly accessible waterfront amenities are provided in conjunction with a proposed building, subject to approval of a site plan for such amenities and building pursuant to chapter 5, title 5 of this code.

(3) Publicly accessible waterfront amenities may include, but are not limited to, pedestrian walkways and landscaped open space areas connected to the walkway/bikeway required along the waterfront by section 7-6-33(h), boat docking facilities, or similar improvements that enhance pedestrian access to and enjoyment of the waterfront area. The planning commission, or city council on appeal, shall approve the site plan submitted pursuant to subsection (2) if the commission or council in its reasonable discretion determines that the amenities to be provided enhance the publicly oriented vitality of the waterfront area.

(4) As used in this subsection, "ground floor" means that floor of a building which is approximately or most nearly level with the ground surface in the general vicinity of the building and includes the headroom above such floor.

(5) The residential building exclusions of section 5-5-6(1) shall not apply to any site plan submitted under the provisions of this subsection. Nothing in this subsection shall excuse compliance with the use regulations, including any requirement for a special use permit, of subsection (a) of this section, or with the flood plain regulations of article D of this chapter.

Section 2. Any ground floor room or space used for residential purposes or commercial purposes other than restaurant or retail room or space, in a building for which a preliminary site plan was approved prior to June 28, 1988, shall be deemed to meet the requirements of section 7-6-33(c) of The Code of the City of Alexandria, Virginia, 1981, as herein amended.

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 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: June 28, 1988