

ORDINANCE NO. 3401

AN ORDINANCE to amend Article B (USE, AREA, ETC., REGULATIONS GENERALLY) of Chapter 6 (ZONING), Title 7 (PLANNING AND DEVELOPMENT) of The Code of the City of Alexandria, Virginia, 1981, as amended, by adding thereto a new Section 7-6-37 (PUBLIC OPEN SPACE AND COMMUNITY RECREATION ZONE).

WHEREAS, on March 16, 1989, the Alexandria Task Force on Revising the Zoning Code transmitted to city council a draft of the public open space and community recreation zone for possible consideration as a study or a zoning code text amendment; and

WHEREAS, on June 6, 1989, the planning commission of the City of Alexandria recommended to city council approval of a proposed public open space and community recreation zone text amendment; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Article B, 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 section 7-6-37 to read as follows:

Sec. 7-6-37 Public open space and community recreation zone.

(a) **Purpose and short title.** The public open space and community recreation zone is intended to preserve and enhance Alexandria's publicly owned open space and recreational areas and to protect the natural and developed amenities they possess by allowing only that development which respects and is consistent with those amenities. This zone is intended to apply to all publicly owned open spaces, parks, recreation facilities and similar areas. This zone may be referred to as the P-O-S Zone.

(b) **Permitted uses.** The following are permitted uses in the P-O-S Zone:

(1) recreational areas consisting of natural and unimproved geographic features such as woodland, meadowland or wetland areas, wildlife sanctuaries or preserves, water courses, streams, lakes and ponds, and similar geographic features;

(2) improved outdoor recreational facilities intended for passive and/or non-congregate recreational activities only, such as hiking and bicycle trails, squares, greens and commons, sitting areas, picnic areas and fishing sites, and like facilities, subject to approval of a site plan in accordance with the provisions of title 5, chapter 5 of this code.

(c) **Accessory uses and structures.** Accessory uses and structures, including outdoor storage and park guard facilities, are permitted in the P-O-S Zone, subject to approval of a site plan in accordance with the provisions of title 5, chapter 5 of this code.

(d) **Temporary uses and structures.** Temporary uses and structures compatible with the purposes of the P-O-S Zone, such as fairs, festivals and competitions, and structures associated therewith, such as tents and band shells, may be permitted by resolution of city council, subject to such limitations, terms and conditions as therein specified; provided, that city council may by resolution delegate such approval authority, in whole or in part, to the city manager, under appropriate standards and guidelines, and subject to appeal to city council.

(e) **Special uses.** The following special uses may be permitted in the P-O-S Zone subject to the issuance of a special use permit as provided in article J of this chapter and subject to the additional standards hereinafter set forth:

(1) public park and community recreation buildings, including enclosed and semi-enclosed shelters and pavilions, providing functions and facilities such as gymnasiums, meeting rooms, game rooms, arts and crafts centers, and dining and dancing facilities;

(2) active and/or congregate recreational facilities such as:

a. athletic fields, children's play apparatus areas, archery ranges and court game facilities,

b. indoor and outdoor swimming pools,

c. indoor and outdoor roller skating and ice skating rinks,

d. amphitheaters, band shells and outdoor theaters, not including drive-in theaters,

e. miniature golf courses and similar amusement and recreational facilities;

(3) commercial facilities customarily incidental and subordinate to the operation of public recreational uses, such as refreshment stands and small shops providing sporting goods and related services;

(4) cultural facilities such as botanical gardens, arboretums, nature centers, conservatories, historic sites, archeological sites, monuments and memorials;

(5) plant, tree and flower nurseries;

(6) public utility rights-of-way, man-made lakes, ponds and water courses, and similar public works compatible with the purposes of the P-O-S Zone;

(7) facilities for the lighting of any area in the P-O-S Zone for nighttime use.

(f) **Bulk, space and yard requirements.** The following bulk, space and yard requirements shall apply in the P-O-S Zone:

(1) Maximum height: 15 feet; provided, that a total height of 30 feet may be permitted by approval of a special use permit as provided in article J of this chapter.

(2) Required yards:

a. Front yards. None is required.

b. Side and rear yards. A setback of 20 feet is required when adjacent to any residential lot or district; otherwise none is required.

c. Special setback. Any area intended for active and/or congregate outdoor recreational activities shall be located at least 30 feet from any property zoned for residential purposes or shall be so screened as to provide visual and auditory privacy to such property.

d. Required landscaping. All yards shall be landscaped in a manner consistent with the natural setting to be maintained in the P-O-S Zone.

(g) **Parking requirements.** Off-street parking requirements applicable to the permitted uses and special uses in the P-O-S Zone are set forth in article E of this chapter. Parking for temporary uses shall be as specified in the approval therefor. In addition, all parking areas located within the P-O-S Zone shall comply with the following standards:

(1) No parking areas shall be located within any required yard, and a maximum of 50 percent of any front yard may be devoted to parking, if compatible with adjacent front yards.

(2) All parking areas shall be landscaped in a manner consistent with the natural setting to be maintained in the P-O-S Zone.

(h) **Use limitations.** The following limitations and conditions shall govern all permitted, special and temporary uses in the P-O-S Zone:

(1) Outdoor storage shall be entirely screened from view.

(2) All lighting shall be located and shielded so as to prevent the direct glare of beams onto residential properties and streets.

(3) All public address systems, loudspeakers or other sound-producing activities shall be designed, located and operated so as to avoid any undue disturbance or any nuisance to surrounding areas.

(i) **Nonconforming use exemption.** No use, otherwise subject to the provisions of this section, which is in existence on September 16, 1989, or for which a preliminary or combination site plan approved on or before September 16, 1989, continues in force and effect, shall be deemed a nonconforming use by virtue of any provisions of this section, nor shall any such use be subject to the provisions of this section; provided, however, that no such use shall be extended or enlarged to a size or density in excess of that which existed on, or which was described in a site plan approved as of September 16, 1989, unless compliance with the provisions of this section shall have been had.

Section 2. That this ordinance shall become effective upon the date and at the time of its final passage.

JAMES P. MORAN, JR.  
Mayor

Final Passage: September 16, 1989