

ORDINANCE NO. 3697

AN ORDINANCE to amend and reordain Section 4-606 (BULK REGULATIONS) under Section 4-600 (CD-X/COMMERCIAL DOWNTOWN ZONE)(OLD TOWN NORTH), and Sections 4-1202 (PERMITTED USES) and 4-1203 (SPECIAL USES) under Section 4-1200 (I/INDUSTRIAL ZONE), of Article IV (COMMERCIAL, OFFICE AND INDUSTRIAL ZONES); Section 7-202 (PERMITTED OBSTRUCTIONS) under Section 7-200 (PERMITTED STRUCTURES IN REQUIRED YARDS) of Article VII (SUPPLEMENTAL ZONE REGULATIONS); Section 9-105 (STANDARDS FOR PERMITTED SIGNS, MARQUEES AND AWNINGS) under Section 9-100 (GENERAL PROVISIONS) and Section 9-202 (COMMERCIAL ZONES) under Section 9-200 (SIGNS, MARQUEES AND AWNINGS PERMITTED IN VARIOUS ZONES), of Article IX (SIGNS, MARQUEES AND AWNINGS); and Section 12-302 (NONCOMPLYING USES) under Section 12-300 (NONCOMPLYING USES) of Article XII (NONCOMPLIANCE AND NONCONFORMITY); all of the City of Alexandria Zoning Ordinance.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That paragraph (1) of subsection (B) of Section 4-606 of the City of Alexandria Zoning Ordinance be, and the same hereby is, amended to read as follows:

- (1) Nonresidential. The maximum permitted floor area ratio for nonresidential uses is 1.5, except that (1) the floor area ratio may be increased to an amount not to exceed 2.5 with a special use permit and (2) in the case of a lot or parcel developed under common ownership or control, which is 12,000 square feet or less in area and located in a retail focus area, the floor area ratio may be increased to 2.5 without a special use permit if underground parking is provided consistent with Section 6-504.

Section 2. That Section 4-1202 of the City of Alexandria Zoning Ordinance be, and the same hereby is, amended by adding thereto a new subsection (V.1) to read as follows:

(V.1) Retail;

Section 3. That subsection (C) of Section 4-1203 of the City of Alexandria Zoning Ordinance be, and the same hereby is, amended, and that the said Section 4-1203 be, and the same hereby is, further amended by adding thereto a new subsection (R.1), all to read as follows:

(C) Business offices other than those listed in section 4-1202(F);

\* \* \*

(R.1) Restaurant;

Section 4. That subsection (A) of Section 7-202 of the City of Alexandria Zoning Ordinance be, and the same hereby is, amended by adding thereto new paragraphs (7) and (8), to read as follows, and that subsection (B) of the said Section 7-202 be, and the same hereby is, amended by repealing paragraph (7) thereof:

- (7) Open stairs, provided that the stairs do not reduce a side or rear yard to less than five feet.
- (8) Ramps and similar structures necessary to provide access for the handicapped.

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Section 5. That subsection (E) of Section 9-105 of the City of Alexandria Zoning Ordinance be, and the same hereby is, amended to read as follows:

(E) Removal. Whenever the use of a building or structure or real property is discontinued, all signs pertaining to that use which were previously erected or displayed shall be removed within 30 days of the discontinuance of the use. Irrespective of any continued use or any discontinuance in use of a building or structure, a supporting standard or structure for a sign shall be removed if the standard or structure is not occupied by a sign permitted by this ordinance for a continuous period of one year. It shall be the responsibility of the owner of the building, structure, or real property to accomplish the removal. If, after written notice to the owner from the director, such signs or supporting standards or structures are not removed within ten days of the notice, the city manager shall cause the removal and charge the cost to the owner.

Section 6. That Section 9-202 of the City of Alexandria Zoning Ordinance be, and the same hereby is, amended by adding thereto a new subsection (E) to read as follows:

(E) Temporary signs. One "opening," "going out of business," or similar sign advertising the opening of a new place of business or the change in management or ownership, or the closing, of an established place of business may be displayed, provided:

- (1) the sign is displayed against a wall of the building in which the business is located;
- (2) the sign does not exceed one half square foot of area for each linear foot of the building wall to which the sign is attached, such area not to exceed 100 square feet in any case and at least 20 square feet to be allowed in all cases; and

- (3) the sign is not displayed for a period longer than 30 days.

Section 7. That subsection (F) of Section 12-302 of the City of Alexandria Zoning Ordinance be, and the same hereby is, amended by adding thereto a new paragraph (3) to read as follows:

- (3) The holder of a special use permit may apply for an extension of that permit even though the use allowed by the permit is no longer permitted in the zone in which the use is located and the permit was originally granted with a specially set expiration date. An application under this paragraph must be filed prior to the expiration of the permit for which an extension is sought.

Section 8. That Sections 4-606, 4-1202, 4-1203, 7-202, 9-105, 9-202 and 12-303 of the City of Alexandria Zoning Ordinance, as amended by this ordinance, be, and the same hereby are, reordained as part of the City of Alexandria Zoning Ordinance.

Section 9. That this ordinance shall become effective upon the date and at the time of its final passage and shall apply to all applications for land use or land development approval provided for under the City of Alexandria Zoning Ordinance which on such date are pending before any city department, agency, or board, or before city council, or on judicial review, shall apply to such applications which may be filed after such date, and shall apply to all other facts and circumstances subject to the provisions of the City of Alexandria Zoning Ordinance, except as may be provided in Article XII of said Ordinance.

PATRICIA S. TICER  
Mayor

Final Passage: January 22, 1994