

ORDINANCE NO. 3800

AN ORDINANCE to amend and reordain Section 2-154 (HEIGHT OF BUILDING) of Article II (DEFINITIONS) (TA NO. 95-001), Section 4-503 (SPECIAL USES) under Section 4-500 (CD/COMMERCIAL DOWNTOWN ZONE) of Article IV (COMMERCIAL, OFFICE AND INDUSTRIAL ZONES) (TA NO. 95-004), and Sections 11-509 (CHANGES IN NATURE OR EXTENT OF PERMITTED USE) and 11-511 (ADMINISTRATIVE APPROVAL OF MINOR CHANGES) under Section 11-500 (SPECIAL USE PERMITS) (TA NO. 95-003), of Article XI (DEVELOPMENT APPROVALS AND PROCEDURES) of the City of Alexandria Zoning Ordinance.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 2-154 of the City of Alexandria Zoning Ordinance be, and the same hereby is, amended to read as follows:

Section 2-154 Height of building.

The vertical distance measured from average finished grade to the highest point of the building, except that:

(A) In the case of a gable or hip roof, height shall be measured to the midpoint between the eaves and the ridge;

(B) For purposes of establishing the setback ratio on the gable end of a building with a gable roof, height shall be measured to the midpoint between the eaves and the ridge;

(C) In the case of a flat roof with a parapet wall which is three feet in height or less, the highest point shall be the roof line;

(D) In the case of a building with ten feet or less horizontal distance between the building setback line and the right-of-way line, height shall be measured from the average finished grade or the curb grade, whichever is less; and

(E) For treatment of chimneys, flagpoles, steeples, antennas and mechanical penthouses, see section 6-403.

Section 2. That Section 4-503 of the City of Alexandria Zoning Ordinance be, and the same hereby is, amended by adding a new subsection (H.1) to read as follows:

(H.1) Drive through facility, limited to banks, savings and loan institutions and credit unions on Washington Street; provided, that access to the drive through facility is solely provided on the exclusive property of the bank, savings and loan institution or credit union offering the drive through facility.

Section 3. That Section 11-509 of the City of Alexandria Zoning Ordinance be, and the same hereby is, amended to read as follows:

Changes in nature or extent of permitted use. For any use that now requires a special use permit, whether or not a special use permit has been granted previously, any change in the nature of the use or any enlargement, extension or increase in the intensity of that use shall require a separate special use permit issued by the city council, unless the change qualifies for administrative approval as a minor change to an approved special use permit under section 11-511.

Section 4. That Section 11-511 of the City of Alexandria Zoning Ordinance be, and the same hereby is, amended to read as follows:

Administrative approval of minor changes. The director is authorized to approve those changes to an approved special use permit which constitute no more than a minimal enlargement or extension of the special use, where the director determines that following requirements are met:

(A) There have been no written or oral complaints that the use is in violation of the zoning ordinance.

(B) At the time the special use permit was approved, no opposition was presented to the planning commission or the city council by persons speaking at a public hearing or submitting written comments.

(C) The proposed changes do not involve an increase in the intensity of the use. An increase in the following, without limitation, would typically constitute an increase in intensity of use:

- (1) Hours of operation;
- (2) Number of seats;
- (3) Number of employees, visitors or customers; or
- (4) Number of vehicle trips generated.

(D) In addition to publishing newspaper notice of the proposed changes, the director has notified the planning commission and each docket subscriber under section 11-304, and no person, including a planning commission member, has requested that the proposal be docketed for consideration by the planning commission.

(E) The changes are so insignificant that they will have little or no zoning impact on the adjacent properties or the neighborhood.

(F) No new conditions and no amendments to existing conditions are necessary.

Section 5. That Sections 2-154, 4-503, 11-509 and 11-511 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 6. 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 all 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: May 13, 1995