

ORDINANCE NO. 4041

AN ORDINANCE to amend and reordain Section 2-192 (ROOMINGHOUSE), under Section 2-100 (DEFINITIONS) of Article II (DEFINITIONS), and to amend and reordain Article VII (SUPPLEMENTAL ZONE REGULATIONS) by adding thereto a new Section 7-1900 (ROOMINGHOUSES), of the City of Alexandria Zoning Ordinance (TA NO. 98-0016).

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That section 2-192 of the City of Alexandria Zoning Ordinance be, and the same hereby is, amended to read as follows:

Sec. 2-192 Roominghouse. A dwelling or portion thereof which contains guest rooms designed or intended to be used, let out of or hired for occupancy by, or which are occupied by three or more, but not exceeding nine individuals for compensation and in which meals may be provided. Existence of one or more of the following characteristics constitutes prima facie evidence that a dwelling is being used as a roominghouse: separate rental agreements for different roomers; separate entrances from the exterior for individual roomers; and typical common areas of a dwelling, such as the living room and dining room, being utilized as sleeping areas or not being available on an equal or common basis to all roomers. For regulations applicable to roominghouses, see Sections 7-1900 and 12-221.

Section 2. That Article VII of the City of Alexandria Zoning Ordinance be, and the same hereby is, amended by adding thereto a new section 7-1900 to read as follows:

Sec. 7-1900 Roominghouses.

- (A) Special use permit required. No roominghouse may be operated in the city unless a special use permit for the roominghouse has been approved by city council. All applications for a special use permit to operate a roominghouse shall be submitted to the director.
- (B) The director=s recommendation. In formulating his recommendation on the special use permit application, the director, in addition to any other applicable factors, shall consider credible evidence derived from his investigation or from any other source as to the following factors:
 - (1) Whether the applicant has been convicted of a felony under the laws of any state or the United States, or has been convicted of any crime or offense involving moral turpitude, within the ten years next preceding the application, as determined

by the Alexandria Police Department after a review to which the applicant shall consent.

- (2) Whether the premises has adequate parking to accommodate the number of roomers requested.
- (3) Whether the premises is so situated with respect to any residence or residential area that the operation of a roominghouse will adversely affect real property values or substantially interfere with the usual quietude and tranquility of such residence or residential area.
- (C) Code compliance. Prior to formulating a recommendation, the director, together with the director of code enforcement, shall cause the proposed roominghouse to be inspected, and the director shall not recommend approval unless the proposed roominghouse is in compliance with all applicable provisions of law, including without limitation the Zoning Ordinance, the Uniform Statewide Building Code and the Fire Prevention Code.
- (D) Minimum requirements for approved roominghouses. In addition to any other conditions which council may impose in granting a special use permit, every roominghouse shall comply with the following conditions:
 - (1) The operator, who shall be the owner of the premises, shall at all times reside at the subject premises; however, this condition may be waived or amended by city council for good cause if the roominghouse is located in the CD, CDX, OC, OCM, OCH, OR CRMU zone:
 - (2) Every sleeping room shall have a smoke detector, which shall be part of a hard wired smoke detector system.
 - (3) The operator of the roominghouse shall change bed linens and towels, if supplied by the operator, at least once each week and each time prior to the letting of any room to any occupant, and shall maintain all other supplied bedding in a clean and sanitary manner.
 - (4) The operator of the roominghouse shall be responsible for the sanitary maintenance of all walls, floors and ceilings, and shall keep the roominghouse and all parts thereof, including the premises on which it is located, free of any accumulation of dirt, filth, rubbish and garbage, and effectively protected against vermin infestation.

- (5) The operator of the roominghouse shall be responsible for the peace and good order of the premises, and shall at all times see that the premises does not become a public or common nuisance by reason, among others, of the congregation of disorderly persons, inebriates, or persons using or selling controlled substances.

- (E) Annual inspections. On an annual basis, the directors of code enforcement and planning and zoning shall inspect the roominghouse to determine if the facility is in compliance with the conditions of the special use permit and conforms to the Uniform Statewide Building Code and the Fire Prevention Code.

- (F) Additional hearing on the special use permit. If the director finds that there are violations of the special use permit, or if he finds conditions of the operation which have a negative impact on the community, and in either event he believes that additional conditions, suspension or revocation is warranted in order to alleviate the problem, then he shall cause the special use permit to be docketed for hearing before the planning commission and the city council for consideration of such issues.

Section 3. That Section 2-192 and Article VII 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 4. That this ordinance shall become effective upon the date at the time of its final passage, and shall apply to all applications for land use, land development or subdivision approval provided for under the City of Alexandria Zoning Ordinance which are on such date 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 the Zoning Ordinance.

KERRY J. DONLEY
 Mayor

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