

ORDINANCE NO. 4119

AN ORDINANCE to amend and reordain Section 2-180 (OPEN AND USABLE SPACE), of Article II (DEFINITIONS) of City of Alexandria Zoning Ordinance (TA NO. 00-0005).

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 2-180 of the City of Alexandria Zoning Ordinance be, and the same hereby is, amended to read as follows:

2-180 Open and usable space. That portion of a lot at ground level which is:

- (A) Eight feet or more in width;
- (B) Unoccupied by principal or accessory buildings;
- (C) Unobstructed by other than recreational facilities; and
- (D) Not used in whole or in part as roads, alleys, emergency vehicle easement areas, driveways, maneuvering aisles or off-street parking or loading berths.

The purpose of open and usable space is to provide areas of trees, shrubs, lawns, pathways and other natural and man-made amenities which function for the use and enjoyment of residents, visitors and other persons.

Section 2. That single-family, two-family, townhouse and multi-family dwellings on lots for which emergency vehicle easement areas were counted as open space in the site plan or special use permit approval therefor, existing on March 1, 2000, or for which a building permit application or preliminary site plan application was filed, and was pending or had been approved on March 1, 2000, shall not be subject to the provisions of Section 2-180(D) as amended by this ordinance, shall not be characterized as noncomplying structures, and shall be characterized as structures grandfathered under prior law, pursuant to Section 12-500 of this ordinance.

Section 3. That Section 1-400 of the City of Alexandria Zoning Ordinance, as amended by this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria Zoning Ordinance.

Section 4. 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, 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 Section 2 of this Ordinance and Article XII of the Zoning Ordinance.

KERRY J. DONLEY
Mayor

Introduction: April 11, 2000

First Reading: April 11, 2000
Publication: April 13, 2000
Public Hearing: April 15, 2000
Second Reading: April 15, 2000
Final Passage: April 15, 2000