

ORDINANCE NO. 4843

AN ORDINANCE to amend and reordain Section 4-802 (PERMITTED USES) of Section 4-800 (OC/OFFICE COMMERCIAL ZONE), Section 4-902 (PERMITTED USES) of Section 4-900 (OCM(50)/OFFICE COMMERCIAL MEDIUM (50) ZONE), Section 4-1002 (PERMITTED USES) of Section 4-1000 (OCM(100)/OFFICE COMMERCIAL MEDIUM (100) ZONE) and Section 4-1102 (PERMITTED USES) of Section 4-1100 (OCH/OFFICE COMMERCIAL HIGH) all of Article IV (COMMERCIAL, OFFICE, AND INDUSTRIAL ZONES) and Sections 5-102 (PERMITTED USES) and 5-103 (SPECIAL USES) of Section 5-100 (CRMU-L/COMMERCIAL RESIDENTIAL MIXED USE (LOW)), Sections 5-202 (PERMITTED USES) and 5-203 (SPECIAL USES) of Section 5-200 (CRMU-M/COMMERCIAL RESIDENTIAL MIXED USE (MEDIUM)), Sections 5-302 (PERMITTED USES) and 5-303 (SPECIAL USES) of Section 5-300 (CRMU-H/COMMERCIAL RESIDENTIAL MIXED USE (HIGH)), and Section 5-402 (PERMITTED USES) of Section 5-400 (CRMU-X/COMMERCIAL RESIDENTIAL MIXED USE (OLD TOWN NORTH) ZONE) all of Article V (MIXED USE ZONES) all of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2013-0010 (Implementing Ordinance for the Text Amendment to add public school and social service uses to the Commercial and mixed use zones approved by the City Council on October 19, 2013)

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2013-0010, the Planning Commission, having found that the public necessity, convenience, general welfare and good zoning practice so require, recommended approval to the City Council on October 1, 2013 of a text amendment to the Zoning Ordinance to add public schools and social services uses to the Commercial and Mixed Use Zones was approved by the City Council at public hearing on October 19, 2013
2. The City Council in adopting this ordinance expressly adopts, ratifies, affirms and concurs in the finding and action of the Planning Commission above stated;
3. All requirements of law precedent to the adoption of this ordinance have been complied with; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1: That Article IV (COMMERCIAL, OFFICE, AND INDUSTRIAL ZONES) of the Zoning Ordinance be, and the same hereby is, amended by deleting text shown in strikethrough and inserting new language shown in underline to the following sections:

Sec. 4-800 OC/Office commercial zone.

4-802 Permitted uses. The following uses are permitted in the OC zone:

- (A) Single-family dwelling;

- (A.1) Two-family dwelling;
- (A.2) Townhouse dwelling;
- (B) Multifamily dwelling;
- (C) Business and professional office;
- (D) Cemetery;
- (E) Church;
- (E.1) Convenience store within an office complex;
- (E.2) Day care center;
- (E.3) Health and athletic club located within a shopping center, hotel or office complex;
- (F) Medical laboratory;
- (G) Medical office;
- (G.1) Motor vehicle parking or storage for 20 vehicles or fewer;
- (H) Personal service establishment;
- (I) Pet supplies, grooming and training business with no overnight accommodation;
- (I.1) Public school**
- (J) Radio or TV broadcasting office and studio;
- (K) Retail shopping establishment, up to 20,000 gross square feet;
- (K.1) Restaurant located within a shopping center or hotel;
- (L) Seminary, convent or monastery;
- (M) Utilities, as permitted by section 7-1200
- (N) Accessory uses, as permitted by section 7-100

Sec. 4-900 OCM(50)/Office commercial medium (50) zone.

4-902 Permitted uses. The following uses are permitted in the OCM(50) zone:

- (A) Single-family dwelling;
- (A.1) Two-family dwelling;
- (A.2) Townhouse dwelling;
- (B) Multifamily dwelling;
- (C) Business and professional office;
- (D) Cemetery;
- (E) Church;
- (E.1) Convenience store within an office complex;
- (E.2) Day care center;
- (E.3) Health and athletic club located within a shopping center, hotel or office complex;
- (F) Medical laboratory;
- (G) Medical office;
- (G.1) Motor vehicle parking or storage for 20 vehicles or fewer;
- (H) Personal service establishment;
- (I) Pet supplies, grooming and training, with no overnight accommodation;
- (I.1) Public school**
- (J) Radio or TV broadcasting office and studio;

- (K) Retail shopping establishment, up to 20,000 gross square feet;
- (K.1) Restaurant located within a shopping center or hotel;
- (L) Seminary, convent or monastery;
- (M) Utilities, as permitted by section 7-1200
- (N) Accessory uses, as permitted by section 7-100

Sec. 4-1000 OCM(100)/Office commercial medium (100) zone.

4-1002 Permitted uses. The following uses are permitted in the OCM(100) zone:

- (A) Single-family dwelling, except as limited by section 4-1003(A.1);
- (A.1) Two-family dwelling, except as limited by section 4-1003(A.1);
- (A.2) Townhouse dwelling, except as limited by section 4-1003(A.1);
- (B) Multi-family dwelling, except as limited by section 4-1003 (A.1);
- (C) Business and professional office;
- (D) Cemetery;
- (E) Church;
- (E.1) Convenience store within an office complex;
- (E.2) Day care center;
- (E.3) Health and athletic club located within a shopping center, hotel, industrial or flex space center or office complex;
- (F) Medical laboratory;
- (G) Medical office;
- (G.1) Motor vehicle parking or storage for 20 vehicles or fewer;
- (H) Personal service establishment;
- (I) Pet supplies, grooming and training business with no overnight accommodation;
- (I.1) Public school**
- (J) Radio or TV broadcasting office and studio;
- (K) Retail shopping establishment, up to 20,000 gross square feet;
- (K.1) Restaurant, located within a shopping center, hotel or industrial or flex space center;
- (L) Seminary, convent or monastery;
- (M) Utilities, as permitted by section 7-1200
- (N) Accessory uses, as permitted by section 7-100

Sec. 4-1100 OCH/Office commercial high zone.

4-1102 Permitted uses. The following uses are permitted in the OCH zone:

- (A) Single-family dwelling, except as limited by section 4-1103(A.1);
- (A.1) Two-family dwelling, except as limited by section 4-1103(A.1);
- (A.2) Townhouse dwelling, except as limited by section 4-1103(A.1);
- (B) Multi-family dwelling, except as limited by section 4-1103(A.1);
- (C) Business and professional office;
- (D) Cemetery;
- (E) Church;
- (E.1) Convenience store within an office complex;

- (E.2) Day care center;
- (E.3) Health and athletic club located within a shopping center, hotel or office complex;
- (F) Hospital;
- (G) Medical care facility;
- (H) Medical laboratory;
- (I) Medical office;
- (I.1) Motor vehicle parking or storage for 20 vehicles or fewer;
- (J) Personal service establishment, on the same lot as office use;
- (K) Pet supplies, grooming and training business with no overnight accommodation;
- (K.1) Public school**
- (L) Radio or television broadcasting office and studio;
- (L.1) Restaurant located within a shopping center or hotel;
- (M) Retail shopping establishment, on the same lot as office use, up to 20,000 gross square feet;
- (N) Seminary, convent or monastery;
- (O) Utilities, as permitted by section 7-1200
- (P) Accessory uses, as permitted by section 7-100

Section 2. That Article V (MIXED USE ZONES) of the Zoning Ordinance be, and the same hereby is, amended by deleting text shown in strikethrough and inserting new language shown in underline to the following sections:

Sec. 5-100 CRMU-L/Commercial residential mixed use (low).

5-102 Permitted uses. The following uses are permitted in the CRMU-L zone:

- (A) Single-family dwelling;
- (A.1) Two-family dwelling;
- (A.2) Townhouse dwelling;
- (B) Multifamily dwelling;
- (C) Business and professional office;
- (C.1) Convenience store within an office complex;
- (C.2) Day care center;
- (C.3) Health and athletic club located within a shopping center, hotel or office complex;
- (D) Medical laboratory;
- (E) Medical office;
- (E.1) Motor vehicle parking or storage for 20 vehicles or fewer;
- (F) Personal service establishment;
- (F.1) Public school**
- (G) Radio or television broadcasting office and studio;
- (G.1) Restaurant located within a shopping center or hotel;
- (H) Retail shopping establishment, up to 20,000 gross square feet;
- (I) Utilities, as permitted by section 7-1200

- (J) Accessory uses, as permitted by section 7-100

5-103 *Special uses.* The following uses may be approved, pursuant to the procedures and regulations for special use permits and subject to the criteria of section 5-109 below:

- (A) Amusement enterprise;
- (B) Apartment hotel;
- (B.1) Bakery exceeding 3,500 square feet which includes a retail component;
- (C) Bus shelter on private property;
- (D) Congregate housing facility;
- (E) Convenience store, other than pursuant to section 5-102(C.1);
- (F) Reserved;
- (G) Drive through facility;
- (H) Health and athletic club, other than pursuant to section 5-102(C.3);
- (I) Home for the elderly;
- (J) Hotel;
- (K) Motor vehicle parking or storage for more than 20 vehicles;
- (K.1) Outdoor food and crafts market, other than pursuant to section 5-102.1
- (K.2) Outdoor garden center, other than pursuant to section 5-102.1
- (L) Nursing or convalescent home or hospice;
- (M) Private school, academic or commercial, with more than 20 students on the premises at one time;
- (N) Restaurant, other than pursuant to section 5-102 (G.1) or 5-102.1
- (O) Retail shopping establishment, larger than 20,000 gross square feet.
- (P) Social service use**

Sec. 5-200 CRMU-M/Commercial residential mixed use (medium).

5-202 *Permitted uses.* The following uses are permitted in the CRMU-M zone:

- (A) Single-family dwelling;
- (A.1) Two-family dwelling;
- (A.2) Townhouse dwelling;
- (B) Multifamily dwelling;
- (C) Business and professional office;
- (C.1) Convenience store within an office complex;
- (C.2) Day care center;
- (C.3) Health and athletic club located within a shopping center, hotel or office complex;
- (D) Medical laboratory;
- (E) Medical office;
- (E.1) Motor vehicle parking or storage for 20 vehicles or fewer;
- (F) Personal service establishment;
- (F.1) Public school**

- (G) Radio or television broadcasting office and studio;
- (G.1) Restaurant located within a shopping center or hotel;
- (H) Retail shopping establishment, up to 20,000 gross square feet;
- (I) Utilities, as permitted by section 7-1200
- (J) Accessory uses, as permitted by section 7-100

5-203 Special uses. The following uses may be approved, pursuant to the procedures and regulations for special use permits and subject to the criteria of section 5-209 below:

- (A) Amusement enterprise;
- (B) Apartment hotel;
- (B.1) Bakery exceeding 3,500 square feet which includes a retail component;
- (C) Bus shelter on private property;
- (D) Congregate housing facility;
- (E) Convenience store, other than pursuant to section 5-202(C.1);
- (F) Reserved;
- (G) Drive through facility;
- (H) Health and athletic club, other than pursuant to section 5-202(C.3);
- (I) Home for the elderly;
- (J) Hotel;
- (K) Motor vehicle parking or storage for more than 20 vehicles;
- (L) Nursing or convalescent home or hospice;
- (L.1) Outdoor food and crafts market, other than pursuant to section 5-202.1
- (L.2) Outdoor garden center, other than pursuant to section 5-202.1
- (M) Private school, academic or commercial, with more than 20 students on the premises at one time;
- (N) Restaurant, not covered in section 5-202(G.1);
- (O) Retail shopping establishment, larger than 20,000 gross square feet.
- (P) Social Service Use**

Sec. 5-300 CRMU-H/Commercial residential mixed use (high).

5-302 Permitted uses. The following uses are permitted in the CRMU-H zone:

- (A) Single-family dwelling;
- (A.1) Two-family dwelling;
- (A.2) Townhouse dwelling;
- (B) Multifamily dwelling;
- (C) Business and professional office;
- (C.1) Convenience store within an office complex;
- (C.2) Day care center;
- (C.3) Health and athletic club located within a shopping center, hotel or office complex;
- (D) Medical laboratory;
- (E) Medical office;

- (E.1) Motor vehicle parking or storage for 20 vehicles or fewer;
- (F) Personal service establishment;
- (F.1) Public school**
- (G) Radio or television broadcasting office and studio;
- (G.1) Restaurant located within a shopping center or hotel;
- (H) Retail shopping establishment, up to 20,000 gross square feet;
- (I) Utilities, as permitted by section 7-1200
- (J) Accessory uses, as permitted by section 7-100

5-303 Special uses. The following uses may be approved, pursuant to the procedures and regulations for special use permits and subject to the criteria of section 5-309 below:

- (A) Amusement enterprise;
- (B) Apartment hotel;
- (B.1) Bakery exceeding 3,500 square feet which includes a retail component;
- (C) Bus shelter on private property;
- (D) Congregate housing facility;
- (E) Convenience store, other than pursuant to section ~~5-3202(C.1)~~;
- (F) Reserved;
- (G) Drive through facility;
- (H) Health and athletic club, other than pursuant to section ~~5-3202(C.3)~~;
- (I) Home for the elderly;
- (J) Hotel;
- (K) Motor vehicle parking or storage for more than 20 vehicles;
- (L) Nursing or convalescent home or hospice;
- (L.1) Outdoor food and crafts market, other than pursuant to section ~~5-3202.1~~
- (L.2) Outdoor garden center, other than pursuant to section ~~5-3202.1~~
- (M) Private school, academic or commercial, with more than 20 students on the premises at one time;
- (N) Restaurant, not covered in section ~~5-3202(G.1)~~;
- (O) Retail shopping establishment, larger than 20,000 gross square feet.
- (P) Social service use**

Sec. 5-400 CRMU-X/Commercial residential mixed use (Old Town North) zone.

5-402 Permitted uses. The following uses are permitted in the CRMU-X zone:

- (A) Single-family dwelling;
- (A.1) Two-family dwelling;
- (A.2) Townhouse dwelling;
- (A.3) Motor vehicle parking or storage for 20 vehicles or fewer;
- (A.4) Day care center;
- (A.5) Public School**
- (B) Utilities, subject to section 7-1200
- (C) Accessory uses, as permitted by section 7-100

Section 3. That the director of planning and zoning be, and hereby is, directed to record the foregoing text amendment.

Section 4. That Article IV and Article V of the Zoning Ordinance as amended pursuant to Section 1 and Section 2 of this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria Zoning Ordinance.

Section 5. That this ordinance shall become effective on 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 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.

WILLIAM D. EUILLE
Mayor

Final Passage: November 16, 2013