

ORDINANCE NO. 4852

AN ORDINANCE to amend and reordain Subsection F (Prior Existing Buildings and Structures) of Section 8-200 (General Parking Regulations) of Article VIII (Off-Street Parking Regulations) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2013-0013. (Implementing Ordinance for the parking related Text Amendment approved by City Council with the Housing Master Plan on December 14, 2013)

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2013-0013, 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 December 3, 2013 of a text amendment to the Zoning Ordinance to revise the parking triggers for prior and existing buildings to exempt projects rehabilitating affordable housing, which recommendation was approved by the City Council at public hearing on December 14, 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 Section 8-200(F) of the Zoning Ordinance be, and the same hereby is, amended by inserting new language shown as underlined as follows:

Sec. 8-200 General parking regulations.

(F)Prior existing buildings and structures.

(1) Notwithstanding the provisions of section 8-100 and except as provided in section 8-200(F)(3) below, no off-street parking need be provided for land actually in use on June 25, 1963, for structures or buildings partially or fully constructed as of that date, or for structures or buildings for which a final site plan had been approved or a building permit had been applied for on that date, except as follows:

(a) If any such land has been changed in use or any such structure or building has been changed in use, enlarged, significantly enlarged or significantly altered between June 23, 1963, and January 27, 1987, the parking requirements of this Article XIII shall apply only to such change in use, enlargement or alteration; and

- (b) If any such land has been changed in use or any such structure or building has been changed in use, enlarged, significantly enlarged or significantly altered after January 27, 1987, the parking requirements of this Article XIII shall apply to all the land and to the entire structure or building upon completion of the change in use, significant enlargement or significant alteration, and such requirements shall apply only to the enlargement of the structure or building upon its completion, unless, as of January 27, 1987, a construction or alteration permit has been applied for and reasonably soon thereafter construction activity has commenced and continues to be diligently pursued, or unless a special use permit is obtained under section 7-700 or section 11-500 which authorizes the change in use, enlargement, significant enlargement or significant alteration with the provision of less off-street parking than is required.
- (2) Notwithstanding the provisions of section 8-100 above and except as provided in section 8-200(F)(3) below, any change in use in land which had been placed in use between June 23, 1963, and January 27, 1987, and any change in use, enlargement, significant enlargement or significant alteration of a structure or building which had been constructed between those dates shall be governed by the provisions of sections 8-200(F)(1)(a) and (b).
- (3) The provisions of this section 8-200(F) shall not apply to the enlargement, significant enlargement or significant alteration of single-family, two-family or row or townhouse dwellings.
- (4) For purposes of this section 8-200(F), the following definitions shall apply:
- (a) "Significantly altered" and "significant alteration" shall mean the reconstruction, remodeling or rehabilitation of, or other physical changes to, a structure or building, or a portion thereof, over any two-year period, whether or not involving any supporting members of the structure or building and whether altering interior or exterior components of the structure or building, which involves expenditures amounting to 33 1/3 percent or more of the market value of the structure or building, or portion thereof, at the time of the application for an alteration permit. **The cost of the remodeling or rehabilitation of units that serve households at or below sixty percent (60%) Area Median Income (AMI) for thirty (30) years or more shall be exempt from the calculation of expenditures pursuant to this section.**

Section 2. That the director of planning and zoning be, and hereby is, directed to record the foregoing text amendment.

Section 3. That Section 8-200(F) as amended pursuant to Section 1 of 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 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: January 25, 2014