

ORDINANCE NO. 4904

AN ORDINANCE to amend and reordain Section 3-600 (RA/Multifamily Zone), Section 3-800 (RCX/Medium density apartment zone), Section 3-900 (RC/High density apartment zone), and Section 3-1000 (RD/High density apartment zone) all of Division B (Townhouse and Multifamily Zones) of Article III (Residential Zone Regulations) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2014-0004.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2014-0004, 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 September 4, 2014 of a text amendment to the Zoning Ordinance to adopt revised floodplain regulations, which recommendation was approved by the City Council at public hearing on September 13, 2014;
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; and
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 3-600 of the Zoning Ordinance be, and the same hereby is, amended by inserting new language shown in underline, as follows:

Sec. 3-600 RA/Multifamily zone.

3-602.1 Administrative special uses.

The following uses may be allowed in the RA zone with administrative approval pursuant to section 11-513 of this ordinance:

- (A) Day care center within a church or school building.

3-603 Special uses.

The following uses may be allowed in the RA zone pursuant to a special use permit:

- (A) Cemetery;
 - (A.1) Day care center.

- (B) Reserved;
- (C) Home for the elderly;
- (D) Noncommercial, not-for-profit facilities, including indoor and outdoor recreational facilities and community centers, designed to serve the neighborhood;
- (E) Nursery school;
- (F) Nursing or convalescent home or hospice;
- (F.1) **Outdoor food and crafts market;**
- (G) Private school;
- (H) Rooming house;
- (I) Seminary, convent and monastery;
- (J) Any church or school parking added after October 1, 1996 which exceeds the number of spaces required by this ordinance; provided, however, that no special use permit for such excess parking shall regulate or substantially burden any religious practice or belief.

Section 2. That Section 3-800 of the Zoning Ordinance be, and the same hereby is, amended by inserting new language shown in underline, as follows:

Sec. 3-800 RCX/Medium density apartment zone.

3-802.1 Administrative special uses.

The following uses may be allowed in the RCX zone with administrative approval pursuant to section 11-513 of this ordinance:

- (A) Day care center within a church or school building;

3-803 Special uses.

The following uses may be allowed in the RCX zone pursuant to a special use permit:

- (A) Apartment hotel;
- (B) Cemetery;
- (C) Day care center;
- (D) Home for the elderly;
- (E) Nursery school;
- (F) Nursing or convalescent home or hospice;
- (F.1) **Outdoor food and crafts market;**
- (G) Private school;
- (H) Rooming house;
- (I) Seminary, convent and monastery;
- (J) The following commercial uses in a multifamily building of four or more stories in height if limited to an area the size of the first floor or a floor below it, whichever is less, and located on the first floor or any floor below the first floor of the building:
 - (1) Bank, saving and loan bank or association, and similar financial institution;
 - (2) Barber shop or beauty shop;
 - (3) Cleaning, laundry or pressing agency with no actual operations on premises;
 - (4) Convenience store;
 - (4.1) Day care center;
 - (5) Drugstore;
 - (6) Gift shop;
 - (7) Grocery store, where products are not prepared or consumed on premises;
 - (8) Health and athletic club;
 - (9) Professional and business office, provided that no inventory, stock-in-trade, materials or supplies other than general office supplies are stored on site and that no trucks, vans or similar vehicles are parked on site outside of business hours;

(10) Restaurant.

(K) Any church or school parking added after October 1, 1996 which exceeds the number of spaces required by this ordinance; provided, however, that no special use permit for such excess parking shall regulate or substantially burden any religious practice or belief.

Section 3. That Section 3-900 of the Zoning Ordinance be, and the same hereby is, amended by inserting new language shown in underline, as follows:

Sec. 3-900 RC/High density apartment zone.

3-902.1 Administrative special uses.

The following uses may be allowed in the RC zone with administrative approval pursuant to section 11-513 of this ordinance:

(A) Day care center within a church or school building;

3-903 Special uses.

The following uses may be allowed in the RC zone pursuant to a special use permit:

(A) Apartment hotel;

(B) Cemetery;

(C) Day care center;

(D) Freestanding commercial buildings for office or retail use where clearly designed as part of and to serve a residential development of at least 2,000 dwelling units and where no such building exceeds 10,000 square feet;

(E) Home for the elderly;

(F) Reserved;

(G) Nursing or convalescent home or hospice;

(G.1) Outdoor food and crafts market;

(H) Private school;

(I) Rooming house;

(J) Seminary, convent and monastery;

(K) The following commercial uses in a multifamily building of four or more stories in height if limited to an area the size of the first floor or a floor below it, whichever is less, and located on the first floor or any floor below the first floor of the building:

(1) Bank, saving and loan bank or association, and similar financial institution;

(2) Barber shop or beauty shop;

(3) Cleaning, laundry or pressing agency with no actual operations on premises;

(4) Convenience store;

(4.1) Day care center;

(5) Drugstore;

(6) Gift shop;

(7) Grocery store, where products are not prepared or consumed on premises;

(8) Health and athletic club;

(9) Professional and business office, provided that no inventory, stock-in-trade, materials or supplies other than general office supplies are stored on site and that no trucks, vans or similar vehicles are parked on site outside of business hours; and

(10) Restaurants and, in the case of a building which is seven or more stories, the restaurant may be located on the top floor or the roof of the building.

(L) Any church or school parking added after October 1, 1996 which exceeds the number of spaces required by this ordinance; provided, however, that no special use permit for such excess parking shall regulate or substantially burden any religious practice or belief.

Section 4. That Section 3-1000 of the Zoning Ordinance be, and the same hereby is, amended by inserting new language shown in underline, as follows:

Sec. 3-1000 RD/High density apartment zone.

3-1002 Special uses.

The following uses may be allowed in the RD zone pursuant to a special use permit:

- (A) Apartment hotel;
- (B) Cemetery;
- (C) Nursing or convalescent home or hospice;
- (C.1) **Outdoor food and crafts market;**
- (D) Rooming house;
- (E) Seminary, convent and monastery;
- (F) The following uses in a multifamily building or apartment hotel provided they occupy no more than an aggregate measure of five percent of the gross floor area of the building:
 - (1) Private or fraternal club;
 - (2) Restaurant.

Section 5. That the director of planning and zoning be, and hereby is, directed to record the foregoing text amendment.

Section 6. That Sections 3600, 3-800, 3-900 and 3-1000, as amended pursuant to Sections 1, 2, 3, and 4 of this ordinance, be, and the same hereby are, reordained as part of the City of Alexandria Zoning Ordinance.

Section 7. 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

Introduction: October 14, 2014
First Reading: October 14, 2014
Publication:
Public Hearing: October 18, 2014
Second Reading: October 18, 2014
Final Passage: October 18, 2014