

ORDINANCE No. 162

AN ORDINANCE to repeal and re-enact Section VI of Ordinance No. 109 of the City of Alexandria, Virginia, approved July 25th, 1931, as amended, same being an Ordinance entitled, "An Ordinance to regulate and restrict the location of buildings and structures and of premises to be used for trade, industry, residence or other specified uses within the City of Alexandria; to divide the City into zones, and to impose in each of said zones regulations designating the kinds or classes of trades, industries, residences or other purposes for which buildings or other structures or premises may be erected, altered or used; and to regulate the height, bulk and location of buildings and other structures and the areas of yards and open spaces."

Whereas, under the provisions of Ordinance No. 109 of the City of Alexandria, certain areas having frontage on Washington Street are classified as Commercial Zones, and

Whereas under the terms of the Agreement dated June 20, 1929, between the City of Alexandria and the United States of America, the City agreed as a part of the consideration to induce the Federal Government to locate the Mt. Vernon Memorial Boulevard through the City of Alexandria over Washington Street, among other things that "The City hereby agrees . . . to restrict the said street to residential and business development of such character and of such types of building as will be in keeping with the dignity, purpose and memorial character of said highway," and

Whereas, in order to more effectively carry out the purpose and intent of said agreement, and promote the health, safety, morals, comfort, prosperity and general welfare of the Citizens of the City of Alexandria, the Council after public hearing had after due notice is of opinion that said Ordinance No. 109 should be amended as hereinafter provided,

Therefore be it ordained by the Council of the City of Alexandria, Virginia:

Section 1. That Section VI. of Ordinance No. 109 of the City of Alexandria, Virginia, approved July 25th, 1931, as amended by Ordinance No. 114 approved January 7th, 1932, be repealed and re-enacted to read as follows:

SECTION VI.—"D" COMMERCIAL ZONE

A. Use Regulations: Unless herein provided, no building or premises shall be used or any building or structure be hereafter erected, altered or repaired in the "D" Commercial Zone except for one or more of the following uses:

1. Any use permitted in the "C" residence Zone, Section V, A, and subject to the same provision in each case as set forth in Section III, A, of this ordinance.

2. "Barbecue", establishments for outdoor roasting or cooking of food; or "Dining Cars", being either converted railway or railroad cars, or structures resembling in appearance railroad dining cars.

3. Gasoline filling station, provided that no portion of said structure, pump, air standard or other accessory of same shall be located within ten (10) feet of a street property line or within five (5) feet of an adjacent property line.

4. Laundry or dry cleaning establishment.

5. Public garage other than for storage.

6. Bottle works.

7. Sign advertising only the general business conducted on the premises, and not projecting more than three (3) feet beyond the wall of the building upon which it is placed.

8. Or for any other use except the following:

- a. Blacksmith or horseshoeing establishment.
- b. Carting or hauling yard.
- c. Contractor's plant for storage yard.
- d. Cooperage.
- e. Fuel yard or storage.
- f. Ice plant or storage house for more than 10 tons capacity.
- g. Lumber yard.
- h. Machine shop or wood working plant having over five employees.
- i. Stone yard or monument works.
- j. Storage or baling of scrap paper, rags or junk.
- k. Uses listed under the "E" Industrial Zone, Section VII.
- l. Any kind of manufacture other than manufacture clearly incidental to a retail business conducted on the premises, or any manufacturing or treatment, which would constitute a nuisance.

PROVIDED HOWEVER, That before any building or premises within the said "D" Commercial Zone shall be used or any building or structure shall be erected, altered or repaired for any of the uses numbered 2, 3, 4, 5 and 6 in the foregoing portion of this Section VI, A, the application for the permit shall be presented to the City Council and assent of the City Council to such proposed use shall first be obtained. Such assent shall be given by the adoption of a resolution by the City Council after it has determined whether or not the desired use in each instance would be for the best interests of the health, safety and general welfare of the public.

PROVIDED, FURTHER, HOWEVER, that before any building or premises within said "D" Commercial Zone having a frontage on Washington Street (also known as Mt. Vernon Boulevard) shall be used or any building or structure shall be erected, altered or repaired for any use other than that numbered 1 in this Section, or for banking or office building use, the application for the permit shall be presented to the City Council and the assent of the City Council to such proposed use shall first be obtained. Such assent shall be given by the adoption of a resolution by the Council after a public hearing has been held to consider the same and the Council has determined whether or not the desired use would be for the best interests of the health, safety and general welfare of the public.

B. Height Regulations: No building shall exceed a height of seventy-two (72) feet or six (6) stories except as provided in Section VIII, 1 and 2.

C. Area Regulations: For property occupied for residential use the Area Regulations, Section V. C, shall apply. For uses other than residential that are permitted in this zone, the entire lot between the front building line and rear lot line may be used.

Section 2. This ordinance shall be effective immediately on its passage.

Approved this 7th day of November, 1934.

E. C. DAVISON, Mayor.