

Ordinance No. 776

AN EMERGENCY ORDINANCE to amend and reordain sec. 1, Article I, secs. 6, 7, 8, 10, 11, and 12, Article III, Part 1, Article IV, and sections 1 and 2, Article IX, all of Chapter XXVIII of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940, and made effective August 5, 1940, as amended by Ordinance No. 708, Ordinance No. 710 and Ordinance No. 739, which said section 1 relates to certain definitions, which said Article I relates to Definitions Generally, which said section 6 relates to RA RESIDENCE ZONE, which said section 7 relates to RB RESIDENCE ZONE, which said section 8 relates to RC RESIDENCE ZONE, which said section 10 relates to C-1 COMMERCIAL ZONE, which said section 11 relates to C-2 COMMERCIAL ZONE, which said section 12 relates to C-3 COMMERCIAL ZONE, which said Article III relates to USE AND AREA REGULATIONS, which said Part 1 relates to GENERAL PROVISIONS, which said Article IV relates to SUPPLEMENTARY PROVISIONS AND EXCEPTIONS, which said section 1 relates to SIGNS IN RESIDENTIAL ZONES, which said section 2 relates to SIGNS IN COMMERCIAL ZONES, which said Article IX relates to SIGNS, and which said Chapter XXVIII and Ordinance No. 708 relate to the use of land premises, the zoning of land and all phases thereof, and which said Chapter and Ordinance No. 708 contain the comprehensive zoning map of said City; which said Ordinance No. 710 relates, among other things, to zoning of Annexed Areas, and which Ordinance No. 739, relates, among other things, to building setback lines.

WHEREAS pursuant to due and timely notice of the time and place of hearing published in a daily paper of general circulation published in the City of Alexandria, Virginia, and by mailing, a public hearing was held in relation to the matters hereinafter set forth, at which public hearing parties in interest and citizens had an opportunity to be heard, and

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Sec. 1. That Sec. 1, Article 1, Chapter XXVIII of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940, and made effective August 5, 1940, as amended by Ordinance No. 708, be and the same hereby is amended and reordained to read as follows:

ARTICLE I DEFINITIONS

Sec. 1. For the purpose of this chapter certain terms and words are herein defined as follows:

(1) The words "used for" include "designed for," and vice versa; words used in the present tense include the future; words in singular number include the plural number and vice versa; the word "building" includes the word "structure," the word "dwelling" includes the word "residence"; the word "lot" includes the word "plot"; and the word "shall" is mandatory and not directory.

(2) ACCESSORY BUILDING—A subordinate building, the use of which is incidental to that of the main building or to the use of the premises.

(3) ADDITION—Any construction which increases the area or

cubic content of a building or structure. The construction of walls which serve to enclose completely any portion of an existing structure, such as a porch, shall be deemed an addition within the meaning of this article.

(4) AIRPORT OR AIRCRAFT LANDING FIELD—Any landing area, runway or other facility designed, used or intended to be used either publicly or by any person or persons for the landing and taking off of aircraft, including all necessary taxiways, aircraft storage and tiedown areas, hangars and other necessary buildings and open spaces.

(5) ADVERTISING STRUCTURE—Any sign, billboard or other object or structure serving primarily for advertising purposes, independent of any other structure.

(6) ALLEY—A public or private right-of-way primarily designed to afford access to the side or rear of properties whose principal frontage is on a street as hereafter defined.

(7) ALTERATION, STRUCTURAL—Any change in the supporting members of a building, such as bearing walls, columns, beams or girders, excepting such alterations as may be required for the safety of the building.

(8) ALTERATION, NON-STRUCTURAL—Any change in a structure or building other than a structural alteration.

(9) APARTMENT HOTEL—A building or portion thereof designed for or containing both individual guest rooms or suites of rooms and dwelling units.

(10) AUTOMOBILE SERVICE STATION—Any premises used for supplying motor fuels and lubrication to vehicles including but not limited to gasoline and oil, including minor accessories and services for automobiles.

(11) AUTOMOBILES AND TRAILER SALES AREA—An open area, other than a street or required automobile parking space, used for the display or sale of new or used automobiles or trailers, and where no repair work is done except minor incidental repair of automobiles and trailers to be displayed and sold on the premises.

(12) BASEMENT—A story partly or wholly underground. For purpose of floor area measurement a basement shall be counted as a story, where the average surrounding finished grade is 4 feet or more below the bottom of first floor construction.

* (13) BILLBOARDS—Billboards or Poster Panel—Any sign or advertisement used as an outdoor display by painting, pasting, or affixing on any surface of a picture, emblem, words, figures, numerals, or lettering, for the purpose of making anything known the matter advertised or displayed being remote from its origin or point of sale.

(14) BOARD—Shall mean the Board of Zoning Appeals.

(15) BOARDING HOUSE—A dwelling, other than a hotel, where for compensation meals, or lodging and meals, are provided for three or more persons.

(16) BUILDING—A structure having a roof for the shelter, support or enclosure of persons, animals, chattels or property of any kind.

(17) BUILDING, COMMUNITY—A building for social, educational and recreational activities of a neighborhood or community, provided any such use is not operated primarily for commercial gain.

(18) BUILDING, UNIT GROUP—Two or more buildings (other

than dwellings) grouped upon a lot and held under single ownership, such as Universities, Hospitals and Institutions.

* (19) **BUILDING OR SETBACK LINE**—A line beyond which no part of any building or structure except footings shall project.

(20) **BUILDING, PUBLIC**—A building owned by a governmental agency.

(21) **COMMISSION**—Shall mean the City Planning Commission of Alexandria, Virginia.

(22) **COURT**—An open, unoccupied space, other than a yard, on the same lot with a building or group of buildings and which is bounded on two or more sides by such building or buildings, or building line in a zone where side yards are not required.

(23) **COURT, INNER**—A court other than an outer court. The length of an inner court is the minimum horizontal dimension measured parallel to its longest side. The width of an inner court is the minimum horizontal dimension measured at right angles to its length.

(24) **COURT, OUTER**—A court the full width of which opens onto a required yard, or street or alley. The width of an outer court is the minimum horizontal dimension measured in the same general direction as the yard, street or alley upon which the court opens. The depth of an outer court is the minimum horizontal dimension measured at right angles to its width.

(25) **CURB GRADE**—The elevation of the established curb in front of the building measured at the midpoint of such frontage. Where no curb exists, the Director of Public Works shall establish such curb grade for the existing or proposed street in accordance with the existing Master Street Grading Plans of the City.

(26) **DIRECTIONAL SIGN**—A sign used to show the direction of occupations, businesses or land uses remote from the site of property on which the sign is erected, painted, placed or maintained.

(27) **DWELLING**—A building or portion thereof, which is designed or used exclusively for residential purposes.

(28) **DWELLING UNIT**—A group of one or more rooms designed for or intended for occupancy of a single family. In doubtful cases consideration will be given to the separate use of or provision made for cooking, heating, and sanitary facilities whether installed or not. In determining whether a dwelling is a single dwelling, a two family dwelling or a row dwelling, the test shall be both the actual use to which the dwelling is being put and the potential use to which the dwelling might be put, regardless of the intentions of the parties involved. The location of more than one cooking stove, refrigerator, sink or other kitchen unit in any one house, or the location of a wash basin in a bedroom in a house or the installation or existence of a photographic darkroom or similar room in a house may constitute prima facie evidence that the house is at least a two family dwelling. It is the intent of this provision to prohibit the installation of facilities which would extend the use of the premises for occupancy of more than one family.

(29) **DWELLING, MULTI-FAMILY**—A building, or portion thereof containing three or more dwelling units, located on a single lot or parcel of ground.

(30) **DWELLING, SINGLE FAMILY**—A detached building, designed for or intended to be occupied by one (1) family.

(31) DWELLING, TWO FAMILY—A building designed for or intended to be occupied by not over two (2) families, living independently of each other. This shall include both duplex (one dwelling unit above another) and semi-detached (two dwelling units having a common vertical party wall).

(32) DWELLING, ROW—One of a series of three or more attached dwelling units under a common roof with a common exterior wall, and separated from one another by continuous vertical party walls without openings from basement to roof.

(33) FAMILY—One or more individuals living together on the premises as a single housekeeping unit.

(34) FLOOR AREA RATIO (FAR)—The floor area ratio of the building or buildings on any lot is the total aggregate area of all floors of such building or buildings on that lot divided by the area of that lot.

(35) FLOOR AREA—The floor area of the building or buildings on a lot (whether "Main" or "Accessory") is the sum of all gross horizontal areas under a roof or roofs. These areas shall be measured from the exterior faces of walls and from the eaves of all roofs where they extend beyond the wall line or from the centerline of party walls and shall include all space with a headroom of seven (7) feet six (6) inches or more, whether or not provided with a finished floor or ceiling. Excluded shall be only basements and sub-basements, elevator and stair bulkheads, accessory water tanks, cooling towers and similar construction not susceptible to storage or occupancy.

(36) GARAGE, PRIVATE—A building designed for the storage of not more than three steam or motor-driven vehicles, only one of which may be a commercial vehicle not to exceed one ton capacity or equivalent.

(37) GARAGE, PUBLIC—Any building or premises designed, used or intended to be used for housing or care of more than three steam or motor-driven vehicles, or more than one commercial vehicle, or where any such vehicles are equipped for operation, repaired or kept for remuneration, hire or sale.

(38) GUEST HOUSE—Living quarters within a detached accessory building located on the same premises with the main building, for use by temporary guests of the occupants of the premises; such quarters shall not have kitchen facilities and shall not be rented or otherwise used as a separate dwelling.

(39) GUEST ROOM—A room which is designed or intended for occupancy by one or more guests, but in which no provision is made for cooking, and not including dormitories for sleeping purposes.

* (40) HEIGHTS OF BUILDING—The vertical distance measured from the average ground level at the building to the highest point of the building, except that, in the case of gable roofs the height on the gable end shall be measured to the mid-point between the eaves and the ridge.

(41) HOME OCCUPATION—An occupation limited to persons residing on the premises and domestic servants, in connection with which there is used no evidence (excepting signs as otherwise hereinafter provided) that will indicate from the exterior that the building is being utilized in whole or part for any purposes other than that of a dwelling; in connection with which there is kept no stock in trade nor commodity sold upon the premises, and no mechanical equipment used which exceeds $\frac{1}{4}$ horsepower other than such as are permissible for purely domestic or household purposes.

(42) **HOSPITAL**—A building or group of buildings designed, used or intended to be used for the care of the sick, aged or infirm, but not including the care of mental, drug-addiction or alcoholic cases. This terminology shall include, but not be limited to sanitariums, nursing homes and convalescent homes.

(43) **HOTEL**—Any building or portion thereof which contains guest rooms which are designed or intended to be used, let or hired out for occupancy by, or which are occupied by ten (10) or more individuals for compensation, whether the compensation be paid directly or indirectly.

(44) **KENNEL**—Any lot or premises on which four (4) or more dogs, more than four (4) months of age, are kept.

(45) **LOADING SPACE**—An off street space on the same lot with a building or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which abuts on a street or other appropriate means of access.

(46) **LOT**—A unit of land usable as a building site, having frontage on a public street in compliance with the requirements of the zone in which it is situated.

(47) **LOT, CORNER**—A lot fronting on two or more streets at their intersection. Any portion of a corner lot, the frontage of which is more than one hundred twenty (120) feet from the street intersection shall be considered to be an interior lot.

(48) **LOT, INTERIOR**—A lot with frontage on but one street.

(49) **LOT, THROUGH**—A parcel extending through a block from one street to another.

(50) **LOT, DEPTH**—The mean horizontal distance between front and rear lot lines measured perpendicular to the street or radially to the street when the street lies on a curve.

(51) **LOT LINES**—Lines bounding a lot.

(52) **NON-CONFORMING USE**—Any building, structure or land or the use of any building, structure or the use of any building, structure or land which does not conform to the general regulation or restriction governing the zone in which such building or land is located and which lawfully existed at the time the regulation went into effect.

(53) **PARKING AREA**—An open area, other than a street or alley, used for the parking of automotive vehicles.

(54) **PARKING LOT**—A parking area, either publicly or privately operated, for whose use a fee is charged.

(55) **ROOMING HOUSE**—A dwelling or portion thereof which contains guest rooms designed or intended to be used, let out or hired for occupancy by, or which are occupied by, three or more, but not exceeding nine (9) individuals for compensation.

(56) **SERVANTS' QUARTERS**—An accessory building or a portion of the main building designed exclusively for the shelter of domestic servants who are exclusively employed on the premises.

(57) **SET BACK RATIO**—The set back ratio is the ratio between the horizontal distance of any part of a building or structure from the nearest side or rear property line or from the centerline of a street or alley to the height of that part of the building above average finished grade on such line.

(58) SIGN—Any words, letters, parts of letters, figures, numerals, phrases, sentences, emblems, devices, designs, trade names or trademarks, by which anything is made known; such as are used to designate an individual, a firm, association, a corporation, a profession, a business, or a commodity, or products, which is visible and is used to attract attention.

(59) STORY—That portion of a building included between the surface of any floor and the surface of the floor next above it, or any space which has or may have a floor with a minimum clear headroom of 7' 6".

(60) STREET—A public right-of-way dedicated or otherwise acquired for general public access to private properties and other streets, including but not limited to use for utilities, walks, and vehicular traffic.

* (61) STRUCTURE—That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

(62) TOURIST CAMP—Land used or intended to be used, let or rented for occupancy by campers traveling by automobile or otherwise, or for occupancy by or of trailers, tents or movable temporary dwellings, rooms or sleeping quarters of any kind; the parking of two or more trailers will be termed a tourist camp.

(63) TOURIST COURT—A group of attached or detached dwellings which are provided for transient guests including auto courts, motels and motor lodges.

(64) TOURIST HOME—A building in which board or rooms or both, are offered to the traveling public for compensation and which is open to transient guests, as against a boarding or rooming house.

(65) TRAILER—A residence, house car, camp car or any portable or mobile vehicle on wheels, which is used or may be used for residential, commercial, hauling or storage purposes.

(66) YARD—An open space other than a court on the same lot with a building or group of buildings, which open space lies between the building or group of buildings and the nearest lot line and is unoccupied and unobstructed from the ground upward.

(67) YARD, FRONT—A yard extending across the street side of a lot measured between the side lot lines and being the minimum horizontal distance between the street line and the main building or any projection thereof.

(68) YARD, REAR—The area between the rear line of the main building and the rear lot line and being the minimum horizontal distance between the rear lot line and the main building or any projection thereof.

(69) YARD, SIDE—An open, unoccupied space on the same lot with the building, between the building and the side lot line and extending from the front yard to the rear yard and being the minimum horizontal distance between the side lot line and the main building or any projection thereof.

(70) ZONE—An area within the City for which the regulations governing the use of buildings and land are identical.

Sec. 2. That Sec. 6, Article III, Chapter XXVIII of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940, and made effective August 5, 1940, as amended by Ordinance No. 708,

be and the same hereby is amended and reordained to read as follows:

Sec. 6. RA Residence Zone.

(a) Uses permitted. The following uses only shall be permitted in the RA Zone.

- (1) Any use permitted in the R-2-5 Residence Zone.
- (2) Multi-family dwellings.
- (3) Rooming, boarding houses, or tourist homes.
- (4) Day nurseries (permitted only with special use permit as specified in Article X).
- (5) Nursery schools, private (permitted only with special use permit as specified in Article X).
- (6) Public garages, for storage only.
- (7) Offices for architects, attorneys-at-law, dentists, physicians, osteopaths, professional engineers, public accountants, ministers, teachers and such other professional occupations as are licensed by the Commonwealth of Virginia, provided that special permission for such use shall have been granted by the City Council under the provisions of Article X.
- (8) Tourist courts, excluding dining facilities and motor vehicle service facilities (permitted only with special use permit as specified in Article X).

(b) Area Regulations. No structure for dwelling purposes shall be erected or placed on a lot containing less than 1,600 square feet of land for each dwelling unit contemplated to be placed thereon; provided that any lot of record at the effective date of this ordinance, whose area or width are less than required by this section, may be occupied only by a single family dwelling and its accessory buildings, and provided further that off-street parking space, provided on land other than the building lot which it serves, may be counted as lot area in an amount not to exceed 160 square feet per dwelling unit for each car space so provided.

* (c) Frontage Regulations. No building shall be erected or placed on a lot having less than fifty (50) feet of width at the front building line or at the front lot line.

(d) Yard Regulations.

- (1) Side yards. Same as R-5 residence zone except that minimum side yard for each residential building or group of buildings containing one or more dwelling units shall be eight (8) feet.
- (2) Front yards. The front building line shall be set back not less than twenty (20) feet from the front lot line.
- (3) Rear yards. Same as R-8 Residence Zone.

(e) Floor Area Ratio. The maximum floor area shall be 0.75.

(f) Coverage. There shall be provided on each lot occupied by a dwelling, open and usable space, exclusive of space required for off-street parking, of not less than 800 square feet per dwelling unit, plus an additional 400 square feet for each two (2) guest rooms in rooming houses and boarding houses.

Sec. 3. That Sec. 7, Article III, Chapter XXVIII of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940 and made effective August 5, 1940, as amended by Ordinance No. 708, be and the same hereby is amended and reordained to read as follows:

Sec. 7. RB Residence Zone.

(a) Uses permitted. The following uses only shall be permitted in the RB Zone.

- (1) Any use permitted in the RA zone.
- (2) Row dwellings.

(b) Area regulations. Same as RA Zone.

* (c) Frontage regulations. Same as RA zone except, for Row Dwellings, the width at the front lot line and the front building line shall not be less than eighteen (18) feet. However, on a curved street, the width at the front lot line shall be not less than fifteen (15) feet, if approved by the Commission.

(d) Yard Regulations. Same as RA Zone, provided further that, in the case of row dwellings eight (8) foot side yards shall be provided for each end lot in a group.

(e) Floor Area Ratio. Same as in RA Zone.

(f) Coverage. Same as in RA Zone.

(g) Subdivisions of record prior to effective date of this ordinance. Where a bona fide subdivision has been approved by the City Planning Commission and recorded prior to the effective date of this ordinance, for the purpose of erecting row houses, such provisions of this section as are not applicable to such subdivision shall not apply.

Sec. 4. That Sec. 8, Article III, Chapter XXVIII of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940 and made effective August 5, 1940, as amended by Ordinance No. 708, be and the same hereby is amended and reordained to read as follows:

Sec. 8. RC Residence Zone.

(a) Uses permitted. The following uses only shall be permitted in the RC Zone:

- (1) Any use permitted in the RA zone.
- (2) Apartment hotels.
- (3) Any C-1 use or restaurant provided such use is confined to the first floor of a multi-storied multiple family development of 4 stories or more in height, such use to be permitted only with special use permit as specified in Article X.

(b) Area Regulations. For single family, and two-family dwellings the provisions of the RA zone shall apply. For all other uses the density of use shall be governed only by the provision of (e) and (f) below.

(c) Frontage regulations. Same as RA zone.

(d) Yard regulations:

- (1) Front yards. None required except that all buildings shall conform to the setbacks established by the Highway Plan of the City.
- (2) Side yards. None required.
- (3) Rear yards. The setback ratio shall be 1:2.

(e) Floor Area Ratio. The maximum floor area ratio shall be 1.25.

* (f) Coverage. There shall be provided on each lot used for dwelling purposes, open and usable space, exclusive of space required for off-street parking as provided in Article V, of not less than 150 square feet per dwelling unit for the first ten (10) dwelling units, plus 100 square feet per dwelling unit for the next ten (10) dwelling units, plus 75 square feet per dwelling unit for all dwelling units in excess of twenty (20). Rooming, Boarding Houses and Tourist Homes shall

provide seventy-five (75) square feet of open and usable space per guest room.

Sec. 5. That Sec. 10, Article III, Chapter XXVIII of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940 and made effective August 5, 1940, as amended by Ordinance No. 708, be and the same hereby is amended and reordained to read as follows:

Sec. 10. C-1 Commercial Zone.

(a) Uses permitted. The following uses only shall be permitted in the C-1 Commercial Zone:

- (1) Any use permitted in the RC Residence Zone.
- (2) Automatic public laundry (using one or more automatic washing machines and/or automatic clothes-driers, coin operated or otherwise, operated by the customer or the proprietor or his employees for the customer. Examples: "Laundramat," ("Laundrett").
- (3) Bank.
- (4) Barber or beauty shop.
- (5) Cleaning, laundry or pressing agency (no actual operations on the premises).
- (6) Drug store.
- (7) Food products store, where products are not prepared or consumed on premises.
- (8) Photographic studio.
- (9) Stationery store, including lending library.
- (10) Parking lots.
- (11) Static transformer station.
- (12) Undertaking establishment.

(b) Area regulations. For residential uses in this zone, the area regulations of the RC Residence Zone shall apply. For commercial uses there shall be no area restrictions.

(c) Frontage regulations. For residential uses in this zone, the frontage regulations of the RA Residence Zone shall apply, for Commercial use there shall be no frontage restrictions.

(d) Yard regulations:

- * (1) Side yards. For buildings less than twenty-five (25) feet in height at the building line, no side yard shall be required. For buildings over twenty-five (25) feet in height the setback ratio shall be 1:1 for every foot above twenty-five (25) feet.
- (2) Front yards. There shall be no front yard requirement except as may be required under the provisions of Article IV, Sec. 1 (c), 12, and Article VII.
- (3) Rear yards. Same as RC Residence Zone.

(e) Floor area ratio. The maximum floor area ratio shall be 0.75 for residential use and 1.0 for all other uses.

(f) Coverage. For any building used wholly or in part for residential purposes the provisions of Sec. 8 (f) above shall apply.

Sec. 6 That Sec. 11, Article III, Chapter XXVIII of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940 and made effective August 5, 1940, as amended by Ordinance No. 708, be and the same hereby is amended and reordained to read as follows:

Sec. 11 C-2 Commercial Zone.

(a) Uses permitted. The following uses only shall be permitted in the C-2 Commercial Zone:

- (1) Any use permitted in the C-1 zone.
- (2) Ambulance service.
- (3) Antique shop, retail only.
- (4) Amusement enterprise, including but not limited to, theatres, bowling alleys, skating rinks, pool and billiard halls, miniature golf courses, dance halls, amusement arcades and similar uses provided that where such enterprise is not wholly operated within an enclosed building a special use permit as specified in Article X shall be required.
- (5) Art shop.
- (6) Automatic vending machine.
- (7) Automobile and/or trailer sales area (permitted only with special use permit as specified in Article X).
- (8) Automobile laundries (permitted with special use permit as specified in Article X).
- (9) Automobile rental agencies.
- * (10) Automobile service stations (permitted only with special use permit as specified in Article X) provided 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. Light poles, carrying no signs, may be placed on any property line provided all illumination therefrom shall be focused upon the service station area and shall not offer a hazard to the traveling public.
- (11) Building and Loan Associations and similar institutions.
- (12) Baths, Turkish or similar.
- (13) Business offices.
- (14) Caterer.
- (15) Detective agencies.
- (16) Garages, public (special use permit required as specified in Article X except where used for storage only).
- (17) Glass shops.
- (18) Hardware stores, excepting property yards.
- (19) Health and Athletic clubs.
- (20) Hotels.
- (21) Laundry, cleaning and dyeing works in which no combustible solvent is used (permitted only with special use permit as specified in Article X).
- (22) Loan brokers.
- (23) Masseur.
- (24) Medical or dental laboratory.
- (25) Painting, plastering, paperhanging, plumbing or electrical contractors where business is conducted entirely within a completely enclosed building and where there is no storage of supplies or equipment outside the building.
- (26) Pawnshops.
- (27) Pet shops.
- (28) Physicians or nurses registry.

- (29) Radio or television broadcasting station.
- (30) Real estate broker.
- (31) Rental agency.
- (32) Repair services or businesses, including repair of bicycles, guns, radios, television sets, electrical appliances, locksmiths, refrigerators, and other home appliances, shoes, toys, typewriters, watches and clocks; provided that no equipment of over 5 H. P. shall be used.
- * (33) Restaurant.
- (34) Retail stores and businesses.
- (35) Storage of materials or supplies incidental to the conduct of any use listed above, provided such storage is entirely enclosed and is conducted in the same building as the business to which it is incidental or in a building immediately adjacent thereto.
- (b) Area regulations. Same as C-1 Commercial Zone.
- (c) Frontage regulations. Same as for C-1 Commercial Zone.
- (d) Yard regulations. No front or side yards shall be required except as by Article IV, Part 1 (c) 10, but rear yard requirements shall be same as for C-1 Commercial Zone.
- * (e) Floor area ratio. Maximum floor area ratio shall be 1.25 for residential use and 3.0 for all other uses.
- (f) Coverage. Same as for C-1 Commercial Zone.

Sec. 7. That Sec. 12, Article III, Chapter XXVIII of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940 and made effective August 5, 1940, as amended by Ordinance No. 708, be and the same hereby is amended and reordained to read as follows:

Sec. 12. C-3 Commercial Zone:

- (a) Uses permitted. The following uses only shall be permitted in the C-3 Commercial Zone:
 - (1) Any use permitted in the C-2 Commercial Zone.
 - (b) Area regulations. Same as for the C-2 Commercial Zone.
 - (c) Frontage regulations. Same as for the C-2 Commercial Zone.
 - (d) Yard regulations. Same as for the C-2 Commercial Zone.
- * (e) Floor area ratio. The maximum floor area ratio shall be 1.25 for residential uses and 6.0 for all other uses.
- (f) Coverage. Same as for C-2 Commercial Zone.

Sec. 8. That Part 1, Article IV, Chapter XXVIII of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940 and made effective August 5, 1940, as amended by Ordinance No. 708, Ordinance No. 710 and Ordinance No. 739, be and the same hereby is amended and reordained to read as follows:

Sec. 1. USE.

(a) Trailer Parking—The parking of a trailer in any Residential district is hereby prohibited, except that one trailer may be parked or stored in an approved, enclosed garage, provided that no living quarters or business premises shall be maintained in such trailer.

(b) Zoning of Annexed Areas—Any area annexed to the City of Alexandria shall, effective on the date on which such annexed territory becomes a part of the City of Alexandria, be automatically classified as R-20 zone until the Zoning Plan for said area has been adopted by the City Council. After the effective date of annexation but prior to the adoption of a comprehensive Zoning Plan for such an area the City Council may place in force in such area a Community

Unit plan similar to that hereinafter described in ARTICLE VIII of this Chapter. The City Planning Commission shall recommend to City Council an appropriate zoning plan for the area within six (6) months of the effective date of such annexation.

Sec. 2. HEIGHT.

(a) No building shall be erected to a height in excess of 150 feet above the average ground elevation at the building.

(b) Chimneys, towers, tanks, machinery, penthouses or other necessary mechanical appurtenances to a main structure may be erected as a part of the main building to their required height, regardless of any other height provisions or restrictions of this ordinance.

(c) No building shall exceed the maximum height set forth in (a) above and in addition the allowable height of a building at any point shall not exceed twice the distance from the face of the building at that point to the centerline of the street facing such building.

(d) All radio and television reception or transmission structures extending in excess of 75 feet above the ground or 30 feet above the roof of the building to which it is attached, whichever may be the greater, shall be permitted only with a special use permit as specified in Article X.

Sec. 3. AREA AND YARDS.

(a) Minimum yards—The minimum yard dimensions specified in Art. III, Use and Area Regulations, shall be considered to be the minimum distance from the adjacent lot line to the nearest point of the building.

(b) Vision Clearance—For the purpose of safety of travel on streets and highways, buildings on corner lots shall observe the set-back provisions of the respective streets on which the building is located, provided that within the area enclosed by the centerline of the intersecting streets and a line joining points on such centerlines at distances from their intersection as prescribed below, there shall be no structure, fences, shrubbery or other obstruction to vision more than 3½ feet above the curb level.

(1) All R zones and C-1 zones—100 feet.

(2) C-2, C-3, and I zones—75 feet.

* (c) One private garage may be erected within one foot of the front lot line when the floor of such garage is not lower than the established curb grade and the roof of such garage is entirely below the surface of the finished yard. Private detached garages erected above the finished grade in the R-20 and R-12 zones shall comply with the yard requirements of their respective zones. Private detached garages erected above finished grade in any other zone shall not be less than two (2) feet from any side or rear lot line nor shall they be less than seventy (70) feet from the front lot line. All garages opening upon an alley shall be placed at least six (6) feet from such alley line.

(d) Outer Court.

(1) An "Outer Court" with window openings shall have a width equal to or greater than the height of the building above the floor level of the story containing such openings, but in no case shall said width be less than twenty (20) feet nor need it be more than twenty (20) feet when its depth is not more than eight (8) feet. The depth of the outer court shall not be more than one and one-half (1½) times its width, but shall in no case be less than eight (8) feet.

(2) Any other outer court without window openings shall have a width equal to or greater than one-third ($\frac{1}{3}$) the height of the building above the floor level of the lowest story served by such court, but in no case shall said width be less than ten (10) feet, nor need it be more than ten (10) feet when its depth is not more than six (6) feet. The depth of the court shall not be greater than twice its width.

(e) Inner Court—An "Inner Court" shall not have any horizontal dimensions, measured at right angles to any wall with window openings, which is less than the height of the building above the floor level of the story containing such openings; but in no case shall any dimension be less than 20 feet. (No other dimension of such court shall be less than one third ($\frac{1}{3}$) the height of the building above the floor level of the lowest story served by such court).

(f) Every part of a required yard or court shall be open and unobstructed from its lowest point to the sky, except that fire escapes, open stairways, and chimneys may be permitted where same are so placed as not to obstruct light and ventilation, and provided that the projection of such structure shall not reduce the width of an interior side yard to less than 5 feet.

(g) Wherever the major portion of a block is developed, and the majority of the buildings built on one side of the street between two intersecting streets have been built with a different minimum set-back than that prescribed for the zone in which said buildings are located, no building hereafter erected or altered shall project beyond the minimum set-back line so established; provided further that no dwelling shall be required to set-back a distance more than 10 feet greater than the set-back as required by the regulation of the zone in which it is located.

* (h) In the R-20, R-12, R-8, R-5 and R-2-5 zones, where a lot is of less width than is required by the regulations of the zone in which it is located and a single family dwelling is to be erected thereon the minimum side yard shall not be less than five (5) feet, provided further in the R-20, R-12 and R-8 zones where a lot is at least fifty (50) feet wide at the front building line the minimum side yard shall not be less than seven (7) feet.

(i) No group of row houses shall exceed eight dwelling units.

(j) In any case where a residential building is constructed in a zone where no side yards are required, the distance between side-walls, with windows and the lot lines shall be considered as courts and shall conform to the requirements of (d) and (e) above.

* (k) Whenever an alley occurs in any zone, one half of the width of such alley shall be considered in the determination of the rear yard set-back ratio requirements of any lot abutting on such alley.

(l) In the application of the front yard requirements of Article III, wherever the Right-of-Way widths or set backs shown on the Highway Plan of the City require a greater set-back than the provisions of Article III, the requirements of the Highway Plan shall take precedence.

(m) In the case where a complete block, or the major portion thereof, of an existing subdivision contains lots, none of which conform to the requirements of the zone in which the property is located, such block or major portion thereof may be resubdivided in such a manner that, while the resubdivided lots do not conform in width nor area with said zone requirements, every new lot shall be greater in width and area than the original lots.

(n) Wherever in Article III a use is first allowed with a special use permit from Council, such permit shall be required also in any subsequent zone in which said use is allowed.

(o) Although occupations of most kind are prohibited in residential zones, for purpose of license taxation only, it is permissible to give a residential address as the site of such an occupation. This is not to be construed in any manner which would permit such occupations to be conducted on residential premises or which would permit the placing of equipment used in such occupations on residential premises.

(p) The set-back line on each side of Mt. Vernon Avenue from Braddock Road north to the corporate limits shall be at least 10 feet from the front lot line in every case.

(q) The building set-back line on Duke Street (Little River Turnpike) from Roberts Lane West to Quaker Lane shall be at least sixty (60) feet from the existing centerline of said Duke Street (Little River Turnpike) and from Quaker Lane West to the corporate limits said set-back line shall be at least sixty-five (65) feet from the existing centerline of said Duke Street (Little River Turnpike).

The building set-back line on King Street (Leesburg Pike) from Braddock Road northwest to the corporate limits shall be at least seventy-five (75) feet from the existing centerline of said King Street (Leesburg Pike).

The building set-back line on Seminary Road from Quaker Lane west to the corporate limits shall be at least sixty (60) feet from the existing centerline of said Seminary Road.

The building set-back line on Braddock Road from Quaker Lane west to the Shirley Memorial Highway shall be at least sixty (60) feet from the existing centerline of Braddock Road.

The building set-back line on the Shirley Memorial Highway shall be at least two hundred fifty (250) feet from the existing centerline of said Shirley Memorial Highway.

* The building set-back line on Quaker Lane from King Street to Duke Street shall be at least sixty (60) feet from the centerline of said Quaker Lane.

* (r) (a) No part of a bay or display window shall extend more than twenty (20) inches beyond the building line.

(b) Gutters, Awning Boxes, Cornices or window sills may project twelve (12) inches beyond the front building line.

(s) MARQUEES may be erected over the front entrance of a store, hotel, theatre or any public building and may project over the side walk to within one foot of the curb line at its widest projecting point beyond the building line.

Said MARQUEES shall not front the street more than one-half the width of any building that has a frontage of thirty (30) feet or less, and if said frontage be more than thirty (30) feet, the MARQUEES may have a frontage width of not over one-third of the frontage width of the building, provided that the remainder of such frontage space may have a continuing projection of not over five (5) feet beyond the wall line and place on same line of, and be a continuance of, the MARQUEE proper.

No MARQUEE shall be less than nine (9) feet above the sidewalk at the lowest point.

Section 9. That Sec. 1, Article IX, Chapter XXVIII of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940, and made effective August 5, 1940, as amended by Ordinance No. 708, be and the same hereby is amended and reordained to read as follows:

Sec. 1. No sign or signs shall be permitted in any residential zone other than a name plate not exceeding one (1) square foot in area, for the purpose of advertising a home occupation or professional office and which bears only the name and occupation of the occupant of the building; provided that church bulletin boards not to exceed twenty (20) square feet in area and apartment or apartment hotel signs not

to exceed forty (40) square feet in area may be erected or displayed when located entirely on private property and not less than ten (10) feet from any lot line; and provided further that one sign not to exceed twelve (12) square feet in area, advertising the sale or lease of real estate, may be erected on the property so advertised. Contractors' signs, not to exceed four (4) square feet, may be displayed upon buildings being erected in any zone provided they are removed upon completion of work. Directional signs not to exceed six (6) square feet, may be erected or displayed in any zone provided they conform to all setbacks of the zone in which they are placed. The illumination of any sign in a residential zone shall be by indirect means only.

Section 10. That Sec. 2, Article IX, Chapter XXVIII of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940, and made effective August 5, 1940, as amended by Ordinance No. 708, be and the same hereby is amended and reordained to read as follows:

Sec. 2. In any commercial zone, the following signs only may be erected or displayed:

(a) Any sign allowed in a residential zone.

(b) Sign advertising only the general business conducted within the premises; such signs to be erected or painted only upon such wall or walls of a building as may face a street, a parking lot, or an alley; and subject to the following provisions as to size:

- (1) One story buildings—two (2) square feet of sign area including roof signs for each foot of width of building wall facing the street, parking lot or alley on which the sign is to be erected.
- (2) First floor stores or businesses in multi-storied buildings same as (1) above except that such signs shall be kept within a height of 20 feet above the sidewalk.
- (3) Upper stories of multi-storied buildings containing one or more businesses—total area signs on any wall above 20-foot height specified in (2) above shall not exceed 40 square feet or 1/40th the wall area above the 20-foot height, whichever is the greater.
- (4) Multi-storied building entirely occupied by one business—where an entire building over one (1) story in height is occupied by one business, an area of signs of 100 square feet or 1/40th of the wall area facing any street, alley or parking lot, may be substituted for (2) and (3) above, placed above or below such 20-foot height on such frontage.
- (5) Signs advertising only the name of the occupant of the building, office, or store, the business conducted, or products sold therein, may be placed on show windows not to cover more than twenty (20) per cent of the area of such windows. Such signs shall not be included in the allowable sign areas.
- (6) Any signs hung, placed, or painted on a marquee, canopy or portico, shall be included in the allowable sign area.

(c) Where a business is conducted on a lot having a small building or no building, signs may be erected on the building or as free standing signs upon the lot; provided that the total area of all signs shall not exceed two (2) square feet for each foot of lot frontage nor a total of 150 square feet; and provided that any free standing sign shall be set back not less than five (5) feet from the front lot line; and provided further that where any commercial zone immediately ad-

joins a residential zone, any sign erected in such commercial zone within 100 feet of the boundary of said residential zone shall be set back from the front lot line not less than twenty-five (25) feet and shall be set back from any side lot line adjoining the residential zone not less than ten feet.

(d) Roof signs may be erected or placed upon the roof of any building in the C-2 and C-3 zones only and shall not exceed an area of 100 square feet facing any street frontage; provided further that the area of any roof sign erected shall be included in the total area of signs permitted under (b) above. No roof sign shall project beyond the line of the building wall.

(e) Special advertising may be permitted in conjunction with a sign as permitted above, but such special advertising shall not exceed 33 $\frac{1}{3}$ % of the total area of the sign of which it is a part unless the subject of the special advertisement constitutes more than 50 per cent of the gross business of the concern or proprietor.

(f) Signs may be erected flat against a wall or at right angles thereto but shall not project more than four feet from such wall nor within one foot of the established curb line; for signs erected flat against a wall, the bottom of such sign shall not be less than 8 feet 6 inches above the sidewalk or parking area; for signs projecting from a wall, the bottom of such signs shall be not less than 10 feet above the sidewalk or parking area, or not less than 14 feet above an alley.

(g) In case of a sign having a double face, the area of such sign shall be considered to be the area of one face only.

(h) Directional signs in excess of six (6) square feet subject to special use permit as specified in Article X.

(i) Signs for real estate purposes in excess of twelve (12) square feet subject to special use permit as specified in Article X.

Section 11. That in the opinion of Council an emergency exists and this ordinance is hereby declared "AN EMERGENCY ORDINANCE" for the reason that this ordinance relieves a number of injustices and hardships in the Zoning Laws of the City, allows the Zoning Laws of the City to be more adequately and satisfactorily administered and enforced, and for the further reason that these benefits to the City and its citizens would be delayed at least another three months if this ordinance were not passed pursuant to the "Emergency Ordinances" provision of the City Charter.

Section 12. That this ordinance shall be published in a newspaper of general circulation in the City not later than five days following its introduction, together with a notice containing the time and place for a public hearing. The Clerk of the Council shall note the date of introduction and first reading, the date of publication, the date of the public hearing, and the date of the second reading and final passage in the minutes of the meeting. This ordinance shall become effective the date of its final passage.

Final Passage: December 9, 1952

Marshall J. Beverley
Mayor