

Ordinance No. 817

AN ORDINANCE to amend and reordain Subsections 43 and 64, Section 35-1, Article I; Section 35-3, as amended, Article II; Paragraph (2), Subsection (a), Section 35-6, to add two new paragraphs numbered (12) and (13) to Subsection (a), Section 35-6, to amend and reordain Subsection (c), Section 35-6, Subsection (c), Section 35-7, to repeal Paragraph (2), Subsection (a), Section 35-9, to repeal Paragraphs (4) and (8), Subsection (a), Section 35-11, to amend and reordain Subsection (a), Section 35-11, to add two new paragraphs numbered (13) and (14), Subsection (a), Section 35-15, to amend and reordain Paragraph (4), Subsection (a), Section 35-16, to repeal Paragraph (13), Subsection (a), Section 35-16, to amend and reordain Paragraph (20), Subsection (a), Section 35-16, and Subsection (d), Section 35-16, Article III; to amend and reordain Subsection (a), Section 35-20, Subsections (c) and (n), Section 35-22, Article IV; Subsection (b), and Paragraph (14), Subsection (d), Section 35-24, Section 35-26, Article V; to amend and reordain Article VIII, Chapter 35, by adding a new section thereto numbered Section 35-55.1; to amend and reordain Subsection (c), Section 35-58, Article IX; to amend and reordain Article XI, Chapter 35, by adding a new section thereto numbered Section 35-69.1, all being part of Chapter 35 of The Code of the City of Alexandria, Virginia, 1953; which said Subsection 43 relates to HOTEL, which said Subsection 64 relates to TOURIST HOME, which said Section 35-1 relates to ENUMERATION, which said Article I relates to DEFINITIONS; which said Section 35-3, as amended, relates to ZONE BOUNDARIES: ADOPTION OF ZONING MAPS, which said Article II relates to ZONES AND GENERAL PROVISIONS; which said Paragraph (2) relates to AMATEUR RADIO AND TELEVISION TRANSMISSION FACILITIES, which said Subsection (a) relates to USES PERMITTED, which said new Paragraph (12) relates to HOSPITAL OR SANITARIUM, which said new Paragraph (13) relates to DAY NURSERIES, which said Subsection (a) relates to USES PERMITTED, which said Subsection (c) relates to FRONTAGE REGULATIONS, which said Section 35-6 relates to R-20 RESIDENCE ZONE, which said Subsection (c) relates to FRONTAGE REGULATIONS, which said Section 35-7 relates to R-12 RESIDENCE ZONE, which said Paragraph (2) relates to HOSPITAL OR SANITARIUM, which said Subsection (a) relates to USES PERMITTED, which said Section 35-9 relates to R-5 RESIDENCE ZONE, which said Paragraph (4) relates to DAY NURSERIES, which said Paragraph (8) relates to TOURIST COURTS, which said Subsection (a) relates to USES PERMITTED, which said Section 35-11 relates to RA RESIDENCE ZONE, which said new Paragraph (13) relates to FLOWER SHOPS, which said new Paragraph (14) relates to BUSINESS OFFICES, which said Subsection (a) relates to USES PERMITTED, which said Section 35-15 relates to C-1 COMMERCIAL ZONE, which said Paragraph (4) relates to AMUSEMENT ENTERPRISE, which said Paragraph (13) relates to BUSINESS OFFICES, which said Paragraph (20) relates to HOTELS, which said Subsection (a) relates to USES PERMITTED, which said Subsection (d) relates to YARD REGULATIONS, which said Section 35-16 relates to C-2 COMMERCIAL ZONE, which said Article III relates to USE, AREA, ETC., REGULATIONS GENERALLY; which said Subsection (a) relates to PARKING OF A TRAILER, which said Section 35-20 relates to PARKING TRAILERS IN RESIDENTIAL DISTRICTS; ZONING OF ANNEXED AREAS; SANITARY LANDFILLS, which said Subsection (c) relates to ERECTION OF PRIVATE GARAGE, which

said Subsection (n) relates to SPECIAL USE PERMITS, which said Section 35-22 relates to MINIMUM YARDS; VISION CLEARANCE AT CORNERS; LOCATION OF GARAGES; OUTER COURTS; INNER COURTS; YARDS AND COURTS OPEN TO SKY; SET-BACK LINES GENERALLY; LIMITATION ON GROUPS OF ROW HOUSES; SPECIAL USES IN SUBSEQUENT ZONES; ADDRESSES FOR LICENSE PURPOSES; PARTICULAR SET-BACK RESTRICTIONS; BAY WINDOWS, CORNICES, ETC.; MARQUEES, which said Article IV relates to ADDITIONAL USE AREA, ETC., REGULATIONS; which said Subsection (b) relates to PARKING FACILITIES IN RELATION TO ZONES, which said Paragraph (14) relates to INDUSTRIAL BUILDINGS, which said Subsection (d) relates to SCHEDULE OF REQUIREMENTS, which said Section 35-24 relates to OFF-STREET PARKING GENERALLY, which said Section 35-26 relates to CENTRAL BUSINESS DISTRICT, which said Article V relates to OFF-STREET PARKING AND LOADING; which said Article VIII relates to COMMUNITY UNIT PLAN, which new Section 35-55.1 relates to PROHIBITION OF COMMUNITY UNIT PLANS ON APRIL 27, 1954; AMENDMENTS TO EXISTING PLANS; which said Subsection (c) relates to SIGNS ON BUILDINGS AND LOTS, which said Section 35-58 relates to COMMERCIAL ZONES, which said Article IX relates to SIGNS; which said Article XI relates to BOARD OF ZONING APPEALS, which new Section 35-69.1 relates to ONE YEAR PERIOD WITHIN WHICH TO USE BOARD'S DECISION, and which said Chapter 35 relates to ZONING.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Subsections 43 and 64, Section 35-1, Article I, Chapter 35, of The Code of the City of Alexandria, Virginia, 1953, be, and the same hereby are, amended and reordained to read as follows:

(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 or more individuals for compensation, whether the compensation be paid directly or indirectly and including but not limited to, motels, tourist courts, auto courts 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, not exceeding nine (9) individuals, as against a boarding or rooming house.

Section 2. That Section 35-3, as amended, Article II, Chapter 35, of The Code of the City of Alexandria, Virginia, 1953, be, and the same hereby is, amended and reordained to read as follows:

Sec. 35-3. Zone boundaries; adoption of zoning maps.

The boundaries of the zones shall be shown on the revised map designated "Fourth Revised Zoning Map," dated April 13, 1954, signed by the mayor, the clerk of the council, the chairman of the city planning commission, and the secretary of such commission, which map is on file in the office of the planning commission, and which is hereby made a part of this chapter and such map and all notations, references and other data shown

thereon are by this reference made a part hereof to the same extent as if the information set forth on such map were fully described and incorporated herein.

Section 3. That Paragraph (2), Subsection (a), Section 35-6, Article III, Chapter 35, of The Code of the City of Alexandria, Virginia, 1953, be, and the same hereby is amended and reordained to read as follows:

(2) Amateur radio and television transmission facilities permitted with special use permit (as specified in Sections 35-61 to 35-64 of this Chapter only) and amateur radio and television receiving facilities when not attached to the main building (permitted with a special use permit only as specified in Sections 35-61 to 35-64 only of this Chapter).

Section 4. That Paragraph (2), Subsection (a), Section 35-6, Article III, Chapter 35, of The Code of the City of Alexandria, Virginia, 1953, be, and the same hereby is amended by adding two new paragraphs numbered (12) and (13) to read as follows:

(12) Hospital or Sanitarium, for human use only, (permitted with special use permit as specified in Sections 35-61 to 35-64 of this Chapter only).

(13) Day Nurseries in Church Buildings and then permitted only with a special use permit as specified in Sections 35-61 to 35-64 of this Chapter.

Section 5. That Subsection (c), Section 35-6, Article III, Chapter 35, of The Code of the City of Alexandria, Virginia, 1953, be, and the same hereby is amended and reordained to read as follows:

(c) Frontage regulations — All interior lots in this zone shall have a minimum width at the front building line of one hundred feet. All corner lots shall have a minimum width at the front building line of one hundred and twenty feet. The minimum width of any lot at the front lot line shall not be less than 75 feet except on curvilinear streets with radial lot lines in which case the front lot line shall not be less than a chord distance of 55 feet. All measurements shall be calculated on a straight line or chord distance.

Section 6. That Subsection (c), Section 35-7, Article III, Chapter 35, of The Code of the City of Alexandria, Virginia, 1953, be, and the same hereby is, amended and reordained to read as follows:

(c) Frontage regulations. All interior lots in this zone shall have a minimum width at the front building line of eighty feet. All corner lots shall have a minimum width at the front building line of ninety-five feet. The minimum width of the front lot line shall not be less than 60 feet except on curvilinear streets with radial lot lines, in which case minimum width at the front lot line shall not be less than a chord distance of 45 feet. All measurements shall be calculated on a straight line or chord distance.

Section 7. That Subsection (a), Section 35-9, Article III, Chapter 35, of The Code of the City of Alexandria, Virginia, 1953, be, and the same hereby is, amended by repealing Paragraph (2) thereof.

Section 8. That Subsection (a), Section 35-11, Article III, Chapter 35, of The Code of the City of Alexandria, Virginia, 1953, be, and the same hereby is, amended by repealing Paragraphs (4) and (8) thereof, and Subsection (a) hereby is, amended and reordained to read as follows:

(a) Uses permitted. The following uses only shall be permitted in the RA residence zone:

- (1) Any use permitted in the R-2-5 residence zone.
- (2) Multi-family dwellings.
- (3) Rooming, boarding houses or tourist homes.
- (4) Nursery schools, private (permitted only with special use permit as specified in sections 35-61 to 35-64 of this Chapter).
- (5) Public garages, for storage only.
- (6) 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 state; provided that special permission for such use shall have been granted by the council under the provisions of sections 35-61 to 35-64 of this chapter.

Section 9. That Subsection (a), Section 35-15, Article III, Chapter 35, of The Code of the City of Alexandria, Virginia, 1953, be, and the same hereby is amended by adding thereto two new paragraphs numbered (13) and (14), to read as follows:

- (13) Flower Shops
- (14) Business Offices

Section 10. That Paragraph (4), Subsection (a), Section 35-16, Article III, Chapter 35, of The Code of the City of Alexandria, Virginia, 1953, be, and the same hereby is, amended and reordained to read as follows:

(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 only with special use permit as specified in Sections 35-61 to 35-64 of this Chapter.

Section 11. That Subsection (a), Section 35-16, Article III, Chapter 35, of The Code of the City of Alexandria, Virginia, 1953, be, and the same hereby is, amended by repealing Paragraph (13) thereof.

Section 12. That Paragraph (20), Subsection (a), Section 35-16, Article III, Chapter 35, and Subsection (d), of said Section and Article and Chapter, of The Code of the City of Alexandria, Virginia, 1953, be, and the same hereby are, amended and reordained to read as follows:

- (a) (20) Hotels. Permitted only with special use permit as specified in Section 35-61 to 35-64 of this Chapter.
- (d) No front, side or rear yards shall be required except as by Section 35-22 (j) of this Chapter but rear yard requirements

shall be the same as for C-1 Commercial Zone for residential uses.

Section 13. That Subsection (a), Section 35-20, Article IV, Chapter 35, of The Code of the City of Alexandria, Virginia, 1953, be, and the same hereby is amended and reordained to read as follows:

(a) 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. Where living quarters are maintained in trailers, such trailers must be parked or stored only in authorized trailer camps.

Section 14. That Subsections (c) and (n), Section 35-22, Article IV, Chapter 35, of The Code of the City of Alexandria, Virginia, 1953, be, and the same hereby are, amended and reordained to read as follows:

(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 finished grade in the R-20 and R-12 residence zones shall comply with the yard requirements of their respective zones. Private detached garages erected above finished grade in any other zone may be erected with no setbacks from any side or rear lot line, however they shall not encroach upon any required side yard or rear yard restrictions.

(n) Wherever in sections 35-5 to 35-19 of this Chapter a use is first allowed with a special use permit from council, such permit shall be required also in any subsequent zone in which such use is allowed except where such use is specifically mentioned.

Section 15. That Subsection (b), and Paragraph (14), Subsection (d), Section 35-24, Article V, Chapter 35, of The Code of the City of Alexandria, Virginia, 1953, be, and the same hereby are, amended and reordained to read as follows:

(b) In the R-20, R-12, R-8, R-5, and R-2-5 residence zones, such facility shall be located on the same lot as the main building; in RA, RB, RC, and RM residence zones, such facilities shall be located either on the same lot as the main building or a lot immediately contiguous to the main building lot or on a lot separated from the main building only by an alley or such other location as may be approved under the community unit plan; in the C and I zones, the distance from the parking facility to the building which it serves shall not exceed seven hundred feet, provided that, if such facility serves a commercial or industrial zone, it shall be permitted in a residential zone only with a special use permit as specified in sections 35-61 to 35-64 of this chapter.

The lot or such off-street parking facility as required by this article for a particular structure or premises shall not be included as a part of the lot or off-street parking facility of any other structure or premises unless such lot or off-street parking facility shall be of sufficient area so as to satisfy the requirements for both or all such structures or premises served by such facility. It shall be unlawful to diminish the lot or off-street parking facility required for any structure or premises by this article

unless another such facility meeting all of the requirements be substituted.

In any zone, the required off-street parking facilities for churches may be located within 700 feet of such church but only with a special use permit as specified in sections 35-61 to 35-64 of this chapter.

The required driveways and parking spaces required by this section shall be smoothly graded, adequately drained, and constructed with suitable subgrade, base and surfacing to be durable under the use and maintenance contemplated and so that they can be reasonably used for off-street parking facilities. Any grade transition shall be designed and constructed to prevent undercarriage and bumper guards from dragging.

(d) (14) INDUSTRIAL BUILDINGS: Requirements of subsection (10) for the first floor shall be provided plus one space for each four hundred square feet gross floor area for all other floors.

Section 16. That Section 35-26, Article V, Chapter 35, of The Code of the City of Alexandria, Virginia, 1953, be, and the same hereby is, amended and reordained to read as follows:

Sec. 35-26. Central business district.

The central business district is hereby defined as being that area bounded on the east by the Potomac River, on the south by the center line of Duke Street; on the west by the center line of West Street; and on the north by the center line of Queen Street.

Within the central business district, the requirements of section 35-24, subsection (d), (10) to (14) of this chapter and those of section 35-25 of this chapter shall not apply except that whenever a parcel or contiguous parcels of land within this area containing over 21,000 square feet, or more are redeveloped, or whenever a parcel or contiguous parcels of undeveloped land within this area containing 21,000 square feet, or more, are developed, the requirements of section 35-24 will apply.

Section 17. That Article VIII, Chapter 35, of The Code of the City of Alexandria, Virginia, 1953, be, and the same hereby is, amended by adding a new section thereto numbered Section 35-55.1 to read as follows:

Sec. 35-55.1 Prohibition of Community Unit Plans on April 27, 1954: amendments to existing plans.

On and after the 27th day of April, 1954 no new community unit plan shall be allowed within the City of Alexandria by virtue of section 35-44 to section 35-55 inclusive, Article VIII, Chapter 35, of The Code of the City of Alexandria, Virginia, 1953. Major amendments to any community unit plan adopted prior to April 27, 1954 may however be made by proceeding pursuant to the provisions of sections 35-44 to 35-55 inclusive, Article VIII, Chapter 35, of said Code, provided such amendments do not include expan-

sion, beyond already adopted plan boundaries. Amendments, supplements, or changes of a very minor nature to any community unit plan adopted prior to April 27, 1954 may be made by proceeding pursuant to Article XV, Chapter 35, of The Code of the City of Alexandria, Virginia, 1953.

Section 18. That subsection (c), Section 35-58, Article IX, Chapter 35, of The Code of the City of Alexandria, Virginia, 1953, be, and the same hereby is, amended and reordained to read as follows:

(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 square feet for each foot of lot frontage nor a total of one hundred and fifty square feet; and provided that any free standing sign shall be set back not less than five feet from the front line; and provided further that where any commercial zone immediately adjoins a residential zone, any sign erected in such commercial zone within one hundred feet of the boundary of such residential zone shall be set back from the front line not less than twenty-five feet and shall be set back from any side lot line adjoining the residential zone not less than ten feet. No freestanding sign shall exceed an overall height of 25 feet.

Section 19. That Article XI, Chapter 35, of The Code of the City of Alexandria, Virginia, 1953, be, and the same hereby is, amended by adding a new section thereto numbered Section 35-69.1 to read as follows:

35-69.1 One year period within which to use Board's decision.

Any decision of the Board of Zoning appeals shall be null and void and of no effect if the applicant to said board or his successor has not commenced construction or operations allowable by virtue of such decision within one year from the date of the decision. In cases where there is an appeal from the Board of Zoning appeals to the courts, the one year period of time shall run from the date of a final decision by a court of competent jurisdiction.

Section 20. That this ordinance together with a copy of the Fourth Revised Zoning map referred to in section 2 of the 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 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.

MARSHALL J. BEVERLEY
Mayor

Final Passage: April 27, 1954