

ORDINANCE NO. 5593

AN ORDINANCE to amend and reordain Articles IV (COMMERCIAL, OFFICE AND INDUSTRIAL ZONES), V (MIXED USE ZONES), VII (SUPPLEMENTAL ZONE REGULATIONS), and X (HISTORIC DISTRICTS AND BUILDINGS) to correct technical errors and make clarifications; Articles III (RESIDENTIAL ZONE REGULATIONS), IV (COMMERCIAL, OFFICE AND INDUSTRIAL ZONES), V (MIXED USE ZONES), and VI (SPECIAL AND OVERLAY ZONES) to add churches as a permitted use in the RD/High density apartment, RS/Townhouse, RT/Townhouse, CD-X/Commercial downtown (Old Town North), CR/Commercial regional, I/Industrial, CRMU-L, M, H, and X (Commercial residential mixed use low, medium, high, and Old Town North), W-1/Waterfront mixed-use, and CDD/Coordinated development district zones; Section 6-403 (GENERAL REGULATIONS AND EXCEPTIONS) of Article VI (SPECIAL AND OVERLAY ZONES) to remove height limitations for lighting permitted with a Special Use Permit approval for congregate recreational facilities and dog parks; Section 7-202 (PERMITTED OBSTRUCTIONS) of Article VII (SUPPLEMENTAL ZONE REGULATIONS) to allow electric vehicle charging equipment in any required yard; Section 7-203 (ACCESSORY DWELLINGS) of Article VII (SUPPLEMENTAL ZONE REGULATIONS) related to accessory dwelling units to delete permit requirement and use limitations; and Section 8-200(F) (GENERAL PARKING REGULATIONS) of Article VIII (OFF-STREET PARKING AND LOADING) to exempt churches from certain parking requirements, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2025-00003.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2025-00003, 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 May 6, 2025 of a text amendment to the Zoning Ordinance adopt amendments to make various updates, which recommendation was approved by the City Council at public hearing on May 17, 2025;
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 Sections 3-1001, 3-1202, and 3-1302 of the Zoning Ordinance be, and the same hereby are, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

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

3-1001 – Permitted uses.

The following uses are permitted in the RD zone:

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(B.1) Church;

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Sec. 3-1200 – RS/Townhouse zone.

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3-1202 – Permitted uses.

The following uses are permitted in the RS zone:

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(C.1) Church;

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Sec. 3-1300 – RT/Townhouse zone.

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3-1302 – Permitted uses.

The following uses are permitted in the RT zone:

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(C.1) Church;

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Section 2. That Sections 4-602, 4-702, and 4-1202 of the Zoning Ordinance be, and the same hereby are, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

Sec. 4-600 – CD-X/Commercial downtown zone (Old Town North).

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4-602 – Permitted uses.

The following uses are permitted in the CD-X zone:

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Sec. 4-700 – CR/Commercial regional zone.

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4-702 – Permitted uses.

The following uses are permitted in the CR zone:

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(A) Church; ~~Recreation and entertainment use, indoor and outdoor;~~

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(E.4) Recreation and entertainment use, indoor and outdoor;

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Sec. 4-1200 – I/Industrial zone.

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4-1202 – Permitted uses.

The following uses are permitted in the I zone:

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(G.1) Church;

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Section 3. That Sections 5-102, 5-202, 5-302, 5-402, 5-502, and 5-602 of the Zoning Ordinance be, and the same hereby are, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

Sec. 5-100 – CRMU-L/Commercial residential mixed use (low) zone.

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5-102 – Permitted uses.

The following uses are permitted in the CRMU-L zone:

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(C.1) Church; ~~Day care center;~~

(C.2) Day care center; ~~Health and athletic club or fitness studio;~~

(C.3) Health and athletic club or fitness studio;

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Sec. 5-200 – CRMU-M/Commercial residential mixed use (medium).

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5-202 – Permitted uses.

The following uses are permitted in the CRMU-M zone:

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(C.1) Church; ~~Day care center;~~

(C.2) Day care center; ~~Health and athletic club or fitness studio;~~

(C.3) Health and athletic club or fitness studio;

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Sec. 5-300 – CRMU-H/Commercial residential mixed use (high).

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5-302 – Permitted uses.

The following uses are permitted in the CRMU-H zone:

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(C.1) Church; ~~Day care center;~~

(C.2) Day care center; ~~Health and athletic club or fitness studio;~~

(C.3) Health and athletic club or fitness studio;

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Sec. 5-400 – CRMU-X/Commercial residential mixed use (Old Town North) zone.

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5-402 – Permitted uses.

The following uses are permitted in the CRMU-X zone:

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(A.3) Auxiliary dwelling, not to exceed four ~~for~~ units;

(A.3.1) Church;

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Sec. 5-500 – W-1/Waterfront mixed-use zone.

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5-502 – Permitted uses.

The following uses are permitted in the W-1 zone:

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(C.1) Church; Personal service establishment, pursuant to section 5-509;

(C.2) Personal service establishment, pursuant to section 5-509; Private school,  
commercial, pursuant to section 5-509;

(C.3) Private school, commercial, pursuant to section 5-509;

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Sec. 5-600 – CDD/Coordinated development district.

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5-602 – Coordinated development districts created, consistency with master plan, required approvals.

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(E) Notwithstanding the uses that may be allowed with a CDD special use permit in each CDD zone pursuant to sections 5-602(A) and 5-602(D) of this ordinance, the following uses are permitted in each CDD when located in or immediately adjacent to a building constructed pursuant to a CDD special use permit, unless specifically prohibited therein:

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(1.1) Church;

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Section 4. That Section 6-403 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

Sec. 6-400 – Height districts.

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6-403 – General regulations and exceptions.

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(F) *Lighting for congregate recreational facilities and dog parks.*

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(2) The following limitations apply:

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(b) Reserved; Poles may be up to 80 feet in height;

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Section 5. That Section 7-202, 7-203, and 7-2501 of the Zoning Ordinance be, and the same hereby are, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

Sec. 7-202 – Permitted obstructions.

The following obstructions shall be permitted when located in a required yard and placed so as not to obstruct light and ventilation and when otherwise permitted by law:

(A) In all yards:

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(12) Structures or mechanical equipment associated with electric vehicle charging, provided that they comply with the noise level established in subsection 7-202(C)(3).

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(B) In any yard except a primary front yard:

(4) ~~Structures or mechanical equipment associated with electric vehicle charging, provided that it complies with the noise level established in subsection 7-202(C)(3).~~

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Sec. 7-203 – Accessory dwellings.

(A) ~~Reserved. No accessory dwelling unit shall be permitted unless a permit for the same has been issued by the director. An application for the permit shall be submitted to the director on such forms as the director may prescribe and shall include information that demonstrates compliance with this section 7-203. The applicant shall submit the fee prescribed by section 11-104.~~

(B) *Use limitations.*

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(4) An accessory dwelling unit's kitchen shall contain a kitchen sink, a cooking appliance, a food preparation counter, storage cabinets, and a refrigerator. ~~No more than three persons shall reside in the accessory dwelling.~~

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(6) ~~Reserved. The owner of the property shall maintain the property as their primary residence at the time the permit required by section 7-203(A), above, is issued.~~

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Sec. 7-2500 – Private garages.

7-2501 – Freestanding private garages ~~to the rear~~ to the rear of the main building.

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Section 6. That Section 8-200 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

Sec. 8-200 – General parking regulations.

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(F) *Prior existing buildings and structures.*

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- (3) The provisions of this section 8-200(F) shall not apply to:
  - (a) The enlargement, significant enlargement, or significant alteration of single-unit, two-unit, or townhouse dwellings;
  - (b) The significant alteration of a church; and
  - (c) The significant alteration of any dwelling unit or units that serve households at or below 60 percent Area Median Income (AMI) for 30 years or more.
- (4) For the purposes of this section 8-200(F), the following definitions 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 one-third ~~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 60 percent Area Median Income (AMI) for 30 years or more shall be exempt from the calculation of expenditures pursuant to this section.~~

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Section 7. That Section 10-105, 10-107, 10-113, 10-205, 10-208, 10-301, 10-309, 10-310, and 10-316 of the Zoning Ordinance be, and the same hereby are, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

Sec. 10-100 – Old and Historic Alexandria District.

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10-105 – Matters to be considered in approving certificates and permits.

(A) *Certificate of appropriateness.*

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(3) *Additional standards—Washington Street.*

(a)——In addition to the standards set forth in section 10-105(A)(2), the following standards shall apply to the construction of new buildings and structures and to the construction of additions to buildings or structures on lots fronting on both sides of Washington Street from the southern city limit line north to the northern city limit line:

(a)(1) Construction shall be compatible with and similar to the traditional building character, particularly including mass, scale, design and style, found on Washington Street on commercial or residential buildings of historic architectural merit.

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(B) *Permit to move, remove, capsule or demolish in whole or in part buildings or structures.* The board of architectural review or the city council on appeal shall consider any or all of the following criteria in determining whether or not to grant a

permit to move, remove, capsule or demolish in whole or in part a building or structure within the Old and Historic Alexandria District.

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(8) Would retention of the building or structure help maintain the scale and character of the neighborhood?

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10-107 – Appeals ~~from board of architectural review.~~

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(C) Appeal of administrative decision to board of architectural review.

- (1) A person aggrieved by an administrative decision made pursuant to the authority of section 10-103 may file an appeal with the director within 14 days of the day of the administrative decision.
- (2) An appeal shall be docketed within a reasonable time for a public hearing before the board and the board shall review the matter de novo.
- (3) The appeal provided in this section 10-107(C), together with the appeals provided under this section 10-107(A) and (B), shall be the exclusive remedy and procedure for challenging an administrative decision made pursuant to section 10-103.

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10-113 – Administrative approval of certain permits.

The director may review and approve applications for the following exterior changes, provided they comply with the specific criteria and standards outlined and formally approved by the board.

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- (b) Minor architectural elements; including, but not limited to, such as residential accessibility structures; sheds; storm doors; gutters and downspouts; utility meters, vents and HVAC condensers; fences and gates; exterior lighting and shutters; siding and trim; railings; and, antennas.

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Sec. 10-200 – Parker-Gray District.

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10-205 – Matters to be considered in approving certificates and permits.

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(B) *Permit to move, remove, capsule or demolish in whole or in part buildings or structures.* The board of architectural review or the city council on appeal shall consider any or all of the following criteria in determining whether or not to grant a permit to move, remove, capsule or demolish in whole or in part a building or structure within the Parker-Gray District.

- (1) Is the building or structure of such architectural or historic interest that its moving, removing, capsulating, or demolition ~~removal~~ would be to the detriment of the public interest?

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10-208 – Additional or concurrent right to move, remove, capsule or demolish in whole or in part buildings or structures.

- (A) *Right to move, remove, capsule or demolish in whole or in part buildings or structures if conditions are met.* In addition to the right of appeal hereinabove set forth, the owner of a building or structure, the moving, removing, capsulating, or demolition in whole or in part of which is subject to the provisions of this Article X, shall, as matter of right, be entitled to move, remove, capsule, ~~raze~~ or demolish in whole or in part such building or structure provided, that:

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Sec. 10-300 – Preservation of certain buildings and structures over 100 years old outside the Old and Historic Alexandria District and the Parker-Gray District.

10-301 – Purpose.

The City of Alexandria seeks, through the creation of 100 year old building lists, to protect community health and safety and to promote the education, prosperity, and general welfare of the public through the identification, ~~iden-tification~~, preservation, protection and enhancement of buildings, structures, places, or features, together with their landscapes and settings, which are over 100 years old, which are situated outside of the protections afforded buildings or structures in the Old and Historic Alexandria District or the Parker-Gray District, and which have special historical, cultural, artistic, or architectural significance. To achieve these general purposes the City of Alexandria seeks to pursue the following specific purposes:

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10-309 – Appeals.

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(C) Appeal of administrative decision to board of architectural review.

- (1) A person aggrieved by an administrative decision made pursuant to the authority of section 10-316 may file an appeal with the director within 14 days of the day of the administrative decision.
- (2) An appeal shall be docketed within a reasonable time for a public hearing before the board and the board shall review the matter de novo.
- (3) The appeal provided in this section 10-309(C), together with the appeals provided under this section 10-309(A) and (B), shall be the exclusive remedy and procedure for challenging an administrative decision made pursuant to section 10-316.

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10-310 – Additional or concurrent right to move, remove, capsule or ~~raze~~ demolish in whole or in part buildings or structures over 100 years old.

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10-316 – Administrative approval of certain permits.

The director may review and approve applications for minor architectural elements; including, but not limited to, ~~such as~~ residential accessibility structures; sheds; storm doors; gutters and downspouts; utility meters, vents and HVAC condensers; fences and gates; exterior lighting and shutters; siding and trim; railings; and, antennas, provided they comply with the specific criteria and standards outlined and formally approved by the board.

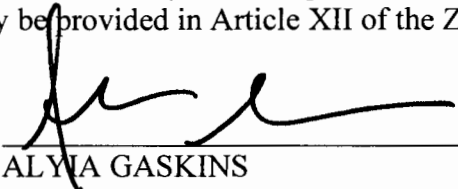


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Section 2. That the director of planning and zoning be, and hereby is, directed to record the foregoing text amendment.

Section 3. That Sections 3-1001, 3-1202, 3-1302, 4-602, 4-702, 4-1202, 5-102, 5-202, 5-302, 5-402, 5-502, 5-602, 6-403, 7-202, 7-203, 7-2501, 8-200, 10-105, 10-107, 10-113, 10-205, 10-208, 10-301, 10-309, 10-310, and 10-316, as amended pursuant to Sections 1 through 7 of this ordinance, be, and the same hereby are, 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.

  
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ALYIA GASKINS  
Mayor

ATTEST:

  
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Gloria A. Sitton, CMC City Clerk

Approved as to Form:

  
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Cheran Cordell Ivery City Attorney

Final Passage: June 14, 2025