

**City of Alexandria
Meeting Minutes
Saturday, December 16, 2023, 9:30 AM
City Council Public Hearing Meeting**

Present: Mayor Justin M. Wilson, Vice Mayor Amy B. Jackson, Members of Council Canek Aguirre, Sarah R. Bagley, John Taylor Chapman, and R. Kirk McPike.

Absent: Alyia Gaskins.

Also Present: Mr. Parajon, City Manager; Ms. Anderson, City Attorney; Ms. Kelleher, Acting Deputy City Manager; Mr. Lambert, Deputy City Manager; Ms. Taylor, Legislative Director/Assistant City Manager; Mr. Moritz, Director, Planning and Zoning (P&Z); Mr. Shelby, Urban Planner, P&Z; Ms. Horowitz, Principal Planner, P&Z; Ms. Fleming, Director, Office of Communications and Community Engagement (OCCE), Mr. McPike, Director, General Services; Mr. Routt, Director, Office of Management and Budget (OMB); Ms. Taylor, Director, Finance/Interim Deputy City Manager; Ms. Suehr, Director, Department of Project Implementation (DPI); Mr. Medina, Program Manager, DPI; Ms. Zechman Brown, Deputy City Attorney; Mr. Smith, Information Technology Services (ITS); Ms. Demeke, ITS; Mr. Adelashin, ITS; and Police Lt. North.

Recorded by: Gloria Sitton, City Clerk and Clerk of Council.

I. OPENING

1. Calling the Roll.

Mayor Wilson called the meeting to order and City Clerk called the roll. All the members of Council were present except Councilwoman Gaskins who was absent. Councilman McPike attended the meeting virtually via Zoom.

2. Approval of the Electronic Participation Resolution by City Council

WHEREUPON, upon motion by Councilman Chapman, seconded by Councilmember Bagley and carried unanimously, City Council adopted the electronic participation resolution. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, and Councilman McPike; Opposed, none; Absent, Councilwoman Gaskins.

The resolution reads as follows:

Resolution No. 3205

Resolution Regarding Electronic Participation by a Member of City Council

WHEREAS, Virginia Code Section 2.2-3708.2 provides that an individual member of a public body may fully participate in meetings electronically if any such member meets the criterial of the code and the public body has adopted an Electronic Meeting Policy; and

WHEREAS, City Council adopted an Electronic Participation Policy on June 22, 2021 as Resolution No. 3011; and

WHEREAS, City Council Member R. Kirk McPike notified the Mayor and the Clerk that he is unavailable to be physically present for the December 16, 2023 City Council Meeting due to a personal matter, specifically for work travel, and

WHEREAS the Council Member has not participated in more than two or 25% of City Council Meetings by electronic means during this calendar year; and

WHEREAS the City Council Member will participate in the City Council Meeting by Zoom Video Conference Call from Riverside, California, and arrangements have been made to ensure the member shall be heard by all participants at the City Council Meeting; and

WHEREAS a quorum of the City Council is physically assembled in person.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALEXANDRIA, VIRGINIA:

That pursuant to Virginia Code 2.2-3708 and the City Council's Electronic Meeting Policy Resolution 3011, City Council Member R. Kirk McPike will participate remotely in this meeting by video conference call.

City Manager Parajon and President and CEO of the Alexandria Economic Development Partnership (AEDP) Stephanie Landrum gave presentation on the proposed arena and entertainment district in Potomac Yard and respond to questions from City Council about next steps for community engagement for the proposed project.

3. Public Discussion Period

The following persons participated in the public discussion period:

1. Nathaly Zelaya, Alexandria, representing Tenants and Workers United, spoke about the need for more affordable housing in the community.

2. Jessy Gonzales, Alexandria, spoke about the need for more affordable housing in the community and extending the ARISE program to include more participants.
3. Romelia Suazo, Alexandria, spoke about the need for more affordable housing and expansion of the ARISE program.
4. Zoraida Cruz, Alexandria, spoke about the need for more affordable housing in the community and expansion of the ARISE program for more participants.
5. Janice Grenadier, Alexandria, spoke about corruption in the courts and with law enforcement.
6. Jonathan Huskey, Alexandria, spoke about his opposition to the proposed arena and entertainment district at Potomac Yard.
7. Dino Drudi, Alexandria, spoke about relationships between boards and commissions in the City and process should be reviewed so that Planning Commission and BAR processes are compatible.
8. Holland Stasi, Alexandria, spoke about his opposition to the proposed arena and entertainment district at Potomac Yard.
9. Dan Heng, Alexandria, spoke in opposition to the proposed arena and entertainment district at Potomac Yard.
10. Adrien Lopez, Alexandria, spoke in opposition to the proposed arena and entertainment district at Potomac Yard.

WHEREUPON, upon motion by Councilman Chapman, seconded by Councilmember Bagley and carried unanimously, City Council closed the public discussion period. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, and Councilman McPike; Opposed, none; Councilwoman Gaskins.

II. ACTION ITEMS

Planning Commission

Consent Calendar (4-7)

4. Special Use Permit #2023-00083
3205 Colvin Street and 3206 Duke Street
Public Hearing and consideration of a Special Use Permit for an automobile sales area; zoned I/Industrial and CG/Commercial General zones. Applicant: Raymond Baskerville
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 4; 12/16/23, and is incorporated as part of this record by reference.)

5. Special Use Permit #2023-00084
2307A Mt. Vernon Avenue (parcel address 2307 Mount Vernon Avenue)
Public Hearing and consideration for a Special Use Permit for a temporary trailer; zoned CL/Commercial low zone. Applicant: Jaafar Ouardi
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 5; 12/16/23, and is incorporated as part of this record by reference.)

6. Special Use Permit #2023-00082
4800 Fillmore Avenue
Public Hearing and consideration of a request for a Special Use Permit to waive the sign requirements of Article IX of the Zoning Ordinance for the installation of a freestanding sign. Applicant: Goodwin House Incorporated, represented by M. Catharine Puskar, attorney
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 6; 12/16/23, and is incorporated as part of this record by reference.)

7. Special Use Permit #2023-00080
720 N. St. Asaph Street
Public Hearing and consideration of a Special Use Permit for a parking reduction and for an increase in commercial Floor Area Ratio up to 2.5 with yard modifications; zoned CDX/Commercial Downtown Zone (Old Town North) Applicant: 720 St. Asaph Partners, LLC, represented by M. Catharine Puskar, attorney
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 7; 12/16/23, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Jackson, seconded by Councilman Chapman and carried unanimously, City Council approved consent calendar with except of docket item #7, which was approved under a separate motion. The approvals was as follows:

4. City Council approved the Planning Commission recommendation.

5. City Council approved the Planning Commission recommendation.
6. City Council approved the Planning Commission recommendation.

The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, and Councilman McPike; Opposed, none; Absent; Councilwoman Gaskins.

7. Special Use Permit #2023-00080
720 N. St. Asaph Street
Public Hearing and consideration of a Special Use Permit for a parking reduction and for an increase in commercial Floor Area Ratio up to 2.5 with yard modifications; zoned CDX/Commercial Downtown Zone (Old Town North) Applicant: 720 St. Asaph Partners, LLC, represented by M. Catharine Puskar, attorney
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 7; 12/16/23, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Jackson, seconded by Councilmember Bagley and carried unanimously, City Council approved the Planning Commission recommendation. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, and Councilman McPike; Opposed, none; Absent, Councilwoman Gaskins.

III. Roll-Call Consent Calendar (8-15)

8. Public Hearing, Second Reading and Final Passage of an Ordinance to Establish the Stormwater Utility and Flood Mitigation Advisory Committee. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 8; 12/16/23, and is incorporated as part of this record by reference.)

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 8; 12/16/23, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 8; 12/16/23, and is incorporated as part of this record by reference.)

9. Public Hearing, Second Reading and Final Passage of an Ordinance to Make Supplemental Appropriations for the Support of the City Government for Fiscal Year 2024. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 9; 12/16/23, and is incorporated as part of this record by reference.)

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 9; 12/16/23, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 9; 12/16/23, and is incorporated as part of this record by reference.)

10. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Section 5-8-77 (Parking Permits; issuance) of Chapter 8 (Parking and Traffic Regulations) of Title 5 (Transportation and Environmental Services) of the Code of the City of Alexandria, Virginia, 1981, as amended. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 10; 12/16/23, and is incorporated as part of this record by reference.)

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 10; 12/16/23, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 10; 12/16/23, and is incorporated as part of this record by reference.)

11. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain section 10-3-924 (FAILURE TO YIELD RIGHT-OF-WAY TO PEDESTRIANS) of Article B (RECKLESS DRIVING, SPEEDING, ETC.) of Chapter 3 (OPERATION OF VEHICLES) of Title 10 (MOTOR VEHICLES AND TRAFFIC) of the Code of the City of Alexandria, Virginia, 1981, as amended. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 11; 12/16/23, and is incorporated as part of

this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 11; 12/16/23, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 11; 12/16/23, and is incorporated as part of this record by reference.)

12. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Section 2-2-10 (ESTABLISHMENT OF ELECTION DISTRICTS AND VOTING PLACES) by amending Subsections (p), (t), and (x), all of Chapter 2 (ELECTIONS), Title 2 (GENERAL GOVERNMENT) of The Code of the City of Alexandria, Virginia, 1981, as amended, to amend and reordain Section 12-1-4 (ELECTION OF SCHOOL BOARD MEMBERS; DATE AND MANNER OF ELECTION), all of Chapter 1 (SCHOOL DISTRICT AND SCHOOL BOARD), Title 12 (EDUCATION, SOCIAL SERVICES AND WELFARE) of The Code of the City of Alexandria, Virginia, 1981, as amended, and to amend and reordain "The Official Map of the City of Alexandria, Virginia, Designating Election Districts and Voting Places," adopted by Section 2-2-13 (MAP OF ELECTION DISTRICTS AND VOTING PLACES), all of Chapter 2 (ELECTIONS), Title 2 (GENERAL GOVERNMENT) of The Code of the City of Alexandria, Virginia, 1981, as amended. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 12; 12/16/23, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 12; 12/16/23, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 12; 12/16/23, and is incorporated as part of this record by reference.)

13. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to All Chapters of such master plan as Master Plan Amendment No. 2023-00005 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment (Implementation Ordinance for Master Plan Amendment No. 2023-00005 associated with Zoning

for Housing/Housing for All approved by City Council on November 28, 2023).
[ROLL-CALL VOTE]

(A copy of the City Manager's memorandum is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 13; 12/16/23, and is incorporated as part of this record by reference.)

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 13; 12/16/23, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 13; 12/16/23, and is incorporated as part of this record by reference.)

14. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Articles I (GENERAL REGULATIONS), II (DEFINITIONS), III (RESIDENTIAL ZONE REGULATIONS), IV (COMMERCIAL, OFFICE AND INDUSTRIAL ZONES), V (MIXED USE ZONES), VI (SPECIAL AND OVERLAY ZONES), VII (SUPPLEMENTAL ZONE REGULATIONS), VIII (OFF-STREET PARKING AND LOADING), IX (SIGNS), XI (DEVELOPMENT APPROVALS AND PROCEDURES), XII (NONCOMPLIANCE AND NONCONFORMITY), and XIII (ENVIRONMENTAL MANAGEMENT) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2023-00007 (Implementation Ordinance for Text Amendment No. 2023-00007 associated with Zoning for Housing/Housing for All approved by City Council on November 28, 2023).
[ROLL-CALL VOTE]

(A copy of the City Manager's memorandum is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 14; 12/16/23, and is incorporated as part of this record by reference.)

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 14; 12/16/23, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 14; 12/16/23, and is incorporated as part of this record by reference.)

15. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Section 6-300 (FLOODPLAIN DISTRICT) of Article VI (SPECIAL AND OVERLAY ZONES) of the City of Alexandria Zoning Ordinance, in

accordance with the text amendment heretofore approved by city council as Text Amendment No. 2023-00005 (Implementation Ordinance for Text Amendment No. 2023-00005 associated with the floodplain provisions approved by City Council on November 18, 2023, 2023). [ROLL-CALL VOTE]

(A copy of the City Manager’s memorandum is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 15; 12/16/23, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 15; 12/16/23, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 15; 12/16/23, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Jackson, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council approved the roll call consent calendar, with the exception of docket item #15, which was approved under a separate motion. The approvals were as follows:

8. City Council adopted an ordinance to establish the Stormwater Utility and Flood Mitigation Advisory Committee.

The ordinance reads as follows:

ORDINANCE NO. 5509

AN ORDINANCE to amend Chapter 4 (COMMITTEES, BOARDS AND COMMISSIONS) of Title 2 (GENERAL GOVERNMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended, by adding a new Article BB (STORMWATER UTILITY AND FLOOD MITIGATION ADVISORY COMMITTEE).

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Chapter 4 of Title 2 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended by adding new Article BB “Stormwater Utility and Flood Mitigation Advisory Committee,” as follows:

ARTICLE BB – STORMWATER UTILITY AND FLOOD MITIGATION ADVISORY COMMITTEE

Sec. 2-4-240 Creation, composition and organization.

- (a) There is hereby established a committee to be known as the Stormwater Utility and Flood Mitigation Advisory Committee (“Committee”).
- (b) The Committee shall consist of 10 members, as follows:
 - (1) Three members nominated by civic associations in flood affected areas;
 - (2) One member of the Alexandria Federation of Civic Associations;
 - (3) One member that is a representative of a business association;
 - (4) Two members that are residents with engineering, environmental, financial or related experience that are not a member of any firm involved with or in pursuit of work proposed or being conducted by the City;
 - (5) One member of the City's Budget and Fiscal Affairs Advisory Committee;
 - (6) One member with interest or expertise in diversity, race and social equity and inclusivity issues; and
 - (7) One member of City Council.
- (c) City Council shall appoint all members of the Committee, with the exception of the Committee member that serves on City Council. The Mayor shall appoint the member of City Council to serve on the Committee. The Committee members that are members of the Alexandria Federation of Civic Associations and the City's Budget and Fiscal Affairs Advisory Committee shall be nominated by their respective organizations prior to City Council appointment.

Sec. 2-4-241 Functions

- (a) The functions of the Committee shall be as follows:
 - (1) Serve as liaison between City staff and the community regarding the Flood Action Alexandria program (“Program”);
 - (2) Review and provide input on relevant Program documents and products developed by staff;
 - (3) Review recommendations for Program funding and, as appropriate, support funding requests;
 - (4) Monitor and disseminate relevant laws and regulations that may affect the Program; and

(5) Inform Council of Committee activities.

(b) The Committee shall meet on an ad hoc basis as needed, with a target of one meeting every two months.

Sec. 2-4-242 Sunset date

The Stormwater Utility and Flood Mitigation Advisory Committee shall cease to exist on December 31, 2033, unless extended by City Council.

Section 2. The Ad Hoc Stormwater Utility and Flood Mitigation Advisory Group, which was previously set to expire on June 10, 2024, shall cease to exist.

Section 3. That Chapter 4, Title 2 pursuant to Section 1 of this ordinance, be, and the same hereby, is reordained as part of the Code of the City of Alexandria.

Section 4. That this ordinance shall become effective upon the date and at the time of its final passage.

9. City Council adopted an ordinance to make supplemental appropriations for the support of the City Government for the Fiscal Year 2024.

The ordinance reads as follows:

ORDINANCE NO. 5510

AN ORDINANCE making provision for the support of the government of the City of Alexandria, Virginia for Fiscal Year 2024.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the funds hereafter named the amounts required to defray the expenditures and liabilities of the city for which commitments were established in the form of encumbrances or otherwise on or before June 30, 2023, but which are payable in Fiscal Year 2024, and for which amounts were appropriated but not expended in Fiscal Year 2023 and further that the council does hereby allot the amounts so appropriated to the several city departments for Fiscal Year 2024, as follows:

EQUIPMENT REPLACEMENT RESERVE FUND

Office of the Sheriff	\$	131,006
General Services		57,465
Transportation and Environmental Services		1,985,299

Fire	3,993
Police	1,553,871
Community and Human Services	30,787
Recreation	<u>181,390</u>
Total Equipment Replacement Reserve Fund	<u>\$ 3,943,811</u>

Section 2. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year 2024 the source of such amount being external grant funds for which the proceeds were received or accepted prior to June 30, 2023, but which were not expended by such date, and further that the council does hereby allot the amount so appropriated to the several city departments for Fiscal Year 2024, as follows:

SPECIAL REVENUE FUND

ESTIMATED REVENUE:

Housing	\$ 4,188,098
Total Estimated Revenue	<u>\$ 4,188,098</u>

APPROPRIATION:

Housing	\$ 4,188,098
Total Appropriation	<u>\$ 4,188,098</u>

Section 3. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year 2024 the source of such amount being external grant awards for which the proceeds were authorized and adjusted after July 1, 2023 but not appropriated, and further that the council does hereby allot the amount so appropriated to the several city departments for Fiscal Year 2024, as follows:

SPECIAL REVENUE FUND

ESTIMATED REVENUE:

Emergency and Customer Communications	\$ 113,750
Clerk of the Courts	40,349
Alexandria Health Department	60,000
Police Department	1,006,124
Community and Human Services	882,345
Historic Alexandria	20,000

Housing	<u>3,903,216</u>
Total Estimated Revenue	<u>\$ 6,025,784</u>

APPROPRIATION:

Emergency and Customer Communications	\$113,750
Clerk of the Courts	40,349
Alexandria Health Department	60,000
Police Department	1,006,124
Community and Human Services	882,345
Historic Alexandria	20,000
Housing	<u>3,903,216</u>
Total Appropriation	<u>\$ 6,025,784</u>

Section 4. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the Alexandria Transit Company for Fiscal Year 2024 the source of such amount being external grant awards for which the proceeds were authorized and adjusted after July 1, 2023 but not appropriated, and a transfer from the General Fund, and further that the council does hereby allot the amount so appropriated to the Alexandria Transit Company for Fiscal Year 2024, as follows:

SPECIAL REVENUE FUND – ALEXANDRIA TRANSIT COMPANY (DASH)

ESTIMATED REVENUE:

Alexandria Transit Company	<u>\$ 14,886,000</u>
Total Estimated Revenue	<u>\$ 14,886,000</u>

APPROPRIATION:

Alexandria Transit Company	<u>\$ 14,886,000</u>
Total Appropriation	<u>\$ 14,886,000</u>

Section 5. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city in Fiscal Year 2024 the source of such amount being the residual balances accumulated as of June 30, 2023, in accounts for donations, fees and other special revenues, and further that the council does hereby allot the amount so appropriated to the several city departments for Fiscal Year 2024, as follows:

DONATIONS AND OTHER SPECIAL REVENUE FUNDS

ESTIMATED REVENUE:

Transportation and Environmental Services	\$ 300,000
Office of the Sheriff	250,000
Community and Human Services	190,479
Police Department	24,327
Historic Alexandria	18,000
Recreation	<u>\$ 236,214</u>
Total Estimated Revenue	<u>\$ 1,019,020</u>

APPROPRIATION:

Transportation and Environmental Services	\$ 300,000
Office of the Sheriff	250,000
Community and Human Services	190,479
Police Department	24,327
Historic Alexandria	18,000
Recreation	<u>\$ 236,214</u>
Total Appropriation	<u>\$ 1,019,020</u>

Section 6. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city in Fiscal Year 2024 the source of such amount being the residual balances accumulated as of June 30, 2023, in accounts for donations, fees and other special revenues, and further that the council does hereby allot the amount so appropriated to the several city departments for Fiscal Year 2024, as follows:

OTHER SPECIAL REVENUE FUND – SEIZED ASSETS

ESTIMATED REVENUE:

Commonwealth’s Attorney	<u>\$ 125,928</u>
Total Estimated Revenue	<u>\$ 125,928</u>

SPECIAL REVENUE FUND

APPROPRIATION:

Commonwealth’s Attorney	<u>\$ 125,928</u>
Total Appropriation	<u>\$ 125,928</u>

= Section 7. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures of the city for Fiscal Year 2024 the source of such amount being Component Unit – Alexandria Libraries Fund, and further that the Council does hereby allot the amount so appropriated, as follows:

COMPONENT UNIT

APPROPRIATION:

Component Unit – Libraries	\$ 66,346
Total Appropriation	<u>\$ 66,346</u>

Section 8. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year 2024, the source of such amount being Assigned General Fund Balance, and further, that the council does hereby allot the amount so appropriated, as follows:

GENERAL FUND

ESTIMATED REVENUE:

Assigned General Fund Balance	\$ 6,255,233
Total Estimated Revenue	<u>\$ 6,255,233</u>

APPROPRIATION:

City Manager's Office	\$ 550,000
Human Resources	70,500
Planning and Zoning	300,000
Economic Development Activities	340,535
Registrar of Voters	47,300
Transit Services	639,223
Fire Department	25,000
Community and Human Services	889,000
Historic Alexandria	568,100
Management and Budget	300,000
Recreation	40,000
Non-Departmental	<u>2,485,575</u>
Total Appropriation	<u>\$ 6,255,233</u>

Section 9. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year 2024, the source of such amount being Capital Project Fund revenue, and further that the Council does hereby allot the amount so appropriated for Fiscal Year 2024, as follows:

CAPITAL PROJECTS

ESTIMATED REVENUE:

Capital Projects – Cash Capital	\$ 95,000
Capital Projects – Developer Contributions	3,100,253
Capital Projects – Private Contributions	28,900
Capital Projects – Intergovernmental Revenue	420,000
Capital Projects – Intergovernmental Revenue	(99,762)
Capital Projects – Rental Fees	<u>\$ 33,802</u>
Total Estimated Revenue	<u>\$3,578,193</u>

APPROPRIATION:

Open Space Acquisitions	\$ 33,802
Lower King Street Closure – King Street Place	95,000
Public Art Acquisition	28,900
Environmental Restoration	2,907,260
MS4 Permit Compliance	187,938
Street Cans/Street Trees	5,055
Beauregard Trail	(99,762)
HUD Clifford Grant	420,000
Total Appropriation	<u>\$ 3,578,193</u>

Section 10. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year 2024, the source of such amount being Equipment Replacement Fund Revenue, and further that the Council does hereby allot the amount so appropriated for Fiscal Year 2024, as follows:

EQUIPMENT REPLACEMENT RESERVE FUND

Fire Department	\$ 1,300,000
Transportation and Environmental Services	<u>1,400,000</u>
Total Equipment Replacement Reserve Fund	<u>\$ 2,700,000</u>

Section 11. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the Alexandria Transit Company for Fiscal Year 2024 the source of such amount being City General Funds for which the proceeds were authorized and adjusted after July 1, 2023 and will be transferred, and further that the council does hereby allot the amount so appropriated to the Alexandria Transit Company for Fiscal Year 2024, as follows:

SPECIAL REVENUE FUND – ALEXANDRIA TRANSIT COMPANY (DASH)

ESTIMATED REVENUE:

Alexandria Transit Company	\$ 639,223
Total Estimated Revenue	<u>\$ 639,223</u>

APPROPRIATION:

Alexandria Transit Company	\$ 639,223
Total Appropriation	<u>\$ 639,223</u>

Section 12. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year 2024 the source of such amount being City General Funds for which the proceeds were authorized and adjusted after July 1, 2023 and will be transferred, and further that the council does hereby allot the amount so appropriated to the following department for Fiscal Year 2024, as follows:

SPECIAL REVENUE FUND

ESTIMATED REVENUE:

Department of Community and Human Services	\$ 400,000
Total Estimated Revenue	<u>\$ 400,000</u>

APPROPRIATION:

Department of Community and Human Services	\$ 400,000
Total Appropriation	<u>\$ 400,000</u>

Section 13. That this ordinance shall be effective upon the date and at the time of its final passage.

10. City Council adopted an ordinance to amend and reordain Section 5-8-77 (PARKING PERMITS: ISSUANCE) of Chapter 8 (PARKING AND TRAFFIC REGULATIONS) of Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) of the Code of the City of Alexandria, Virginia 1981, as amended.

The ordinance reads as follows:

ORDINANCE NO. 5511

AN ORDINANCE to amend and reordain Article F (PERMIT PARKING DISTRICTS) of Chapter 8 (PARKING AND TRAFFIC REGULATIONS) of Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) of the Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Article F, Chapter 8, Title 5 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended by Section 5-8-77 to read as follows:

Sec. 5-8-77 – Parking permits; issuance

- (a) The city manager shall, upon payment of the fee provided for by this article, issue permits:
 - (1) to persons who reside in a permit parking district or to persons who both reside in a residential property located on a block adjacent to an existing permit parking district where parking on said block is controlled by time limits set by official signs or metered parking and lack adequate alternative nearby parking facilities available to them, as determined by the city manager or the manager's designee. The following shall apply:
 - (i) one permit for each vehicle belonging to such persons for which the persons have paid all personal property taxes imposed thereon by the city. Applicants for permits issued pursuant to this subsection shall provide proof of residence and, for each vehicle for which a permit is sought, a motor vehicle registration card issued by the division of motor vehicles and proof of payment of all personal property taxes and license taxes imposed thereon by the city.

For permits issued to a person or renewed pursuant to paragraph (i) of this subsection, there shall be imposed a fee of \$40 for the first vehicle, \$50 for the second vehicle, and \$150 for each additional vehicle. A replacement permit for use on another vehicle registered in such person's name may be obtained upon application on forms furnished by the city manager and presentation of the registration card for the vehicle for which the replacement permit is sought and pieces of the previously issued permit as proof that it was removed from the vehicle for which the fee was previously paid, accompanied by a fee of \$1; and

- (ii) one permit per residential property for a health care provider providing health care services and/or childcare provider providing childcare services at the residential property. Permits issued under this paragraph ~~(a)(1)(ii)(b)~~ are not vehicle specific and may be transferred to different vehicles, but the use of such permits other than by persons providing health care services and/or childcare services at the residential property or other than during such times as they are providing health care services and/or childcare services at the residential property (or are in the immediate process of coming or going from the residential property in connection

with providing health care services and/or childcare services at the residential property) is prohibited. Such permits shall be valid for up to one year and will expire on October 5, annually. Applicants for permits issued pursuant to this paragraph (a)(1)(ii)(b) shall provide proof of residence, a notarized certification that a permanent occupant of the residential property is receiving health care services and/or childcare services at the residential property, and vehicle registration for the initial user of the permit. ~~and a written statement from a licensed medical professional that a permanent occupant of the residential property is receiving health care services at the residential property.~~ For permits issued to a person or renewed pursuant to paragraph (ii) of this subsection, there shall be imposed a fee of ~~\$150~~50 per permit.

- (2) to persons who are visitors at a residential property within a permit parking district on the application of the resident, one permit for any vehicle used by such person during the visit, which permit shall be valid for a maximum of 30 days but shall not be renewed; provided, that permits may be issued to no more than two visitors to the same residential property at the same time. A \$5 fee shall be charged for any permit issued pursuant to this subsection for a period of more than seven days.
 - (3) to persons who are guests at a residential property in a permit parking district on the application of the resident, one permit for any vehicle used by such person while a guest at the residential property, which permit shall be valid for a date certain or portion thereof. Self-validating guest permits or online, date-specific guest permits shall be issued for the guests of any residential property located in a permit parking district upon the application of a person residing in the residential property.
 - (4) to persons doing business with an occupant of the residential property or a nonresident property owner of a property located within a permit parking district on the application of the occupant of the residential property or nonresident property owner, one permit for the vehicle used while doing business in the permit parking district; provided, that such permits may be issued to no more than three persons doing business at the same residential property at the same time. No permit shall be issued pursuant to this subsection for a period longer than the time estimated by the occupant of the residential property or nonresident property owner to be required for completing the business transaction for which the permit is sought, and in no event shall any permit be valid for more than 30 days.
- (b) Whenever a holder of a permit issued under this section is no longer qualified to possess the permit, the permit shall be invalid and shall be returned to the director of finance.
 - (c) ~~Permits shall not be issued to persons who reside in a residential development which is subject to a special use permit, to the extent the residents, visitors, guests or business-invitees within such development are excluded by the special use permit from eligibility for one or more of the permits described above in subsections (1), (2), (3) or (4).~~

(d) No citation for a violation of section 5-8-72 of this article shall be issued in any permit parking district until the signs required by subsection (d) of this section shall have been posted in the district. No citation for a violation of section 5-8-72 shall be valid if the owner of the vehicle receiving the citation within 15 days of the date of adoption of the resolution designating the permit parking district in which the motor vehicle was parked when cited, obtains a permit authorizing the parking of the vehicle in the district. No citation for a violation of section 5-8-72 shall be valid if, less than 31 days before the date of the citation, the owner of the cited vehicle first become a resident of the permit parking district in which the vehicle was parked when cited and, within 30 days of becoming a resident of the district, the owner obtained a permit authorizing the parking of the cited vehicle within the district.

Section 2. That Section 5-8-77 as amended pursuant to Section 1 of this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria City Code.

Section 3. That this ordinance shall become effective upon the date and at the time of its final passage.

11. City Council adopted an ordinance to amend and reordain section 10-3-924 (FAILURE TO YIELD RIGHT-OF-WAY TO PEDESTRIANS) of Article B (RECKLESS DRIVING, SPEEDING, ETC.) of Chapter 3 (OPERATION OF VEHICLES) of Title 10 (MOTOR VEHICLES AND TRAFFIC) of the Code of the City of Alexandria, Virginia, 1981, as amended.

The ordinance reads as follows:

ORDINANCE NO. 5512

AN ORDINANCE to amend and reordain section 10-3-924 (FAILURE TO YIELD RIGHT-OF-WAY TO PEDESTRIANS) of Article B (RECKLESS DRIVING, SPEEDING, ETC.) of Chapter 3 (OPERATION OF VEHICLES) of Title 10 (MOTOR VEHICLES AND TRAFFIC) of the Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Chapter 3, Title 10 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended by Section 10-3-924 to read as follows:

Sec. 10-3-924 - Failure to yield right-of-way to or stop for pedestrians.

(a) In specifically marked crosswalk. The director of transportation and environmental services is authorized to install and maintain signs at marked crosswalks specifically requiring operators of motor vehicles, at the locations

where such signs are installed, to yield the right-of-way to or stop for pedestrians crossing or attempting to cross the street.

(1) Any operator of a motor vehicle who fails at such locations to yield the right-of-way to or stop for pedestrians as required by such signs shall be guilty of a traffic infraction punishable by a fine of no less than \$100 or more than \$500.

(2) The design, location and installation of such signs shall comply with criteria developed by the commonwealth transportation board.

(b) Pursuant to the authority granted by section 46.2-1313 of the Code of Virginia (1950), as amended, sections 46.2-924(A) and 46.2-924(B) of the Code of Virginia, are hereby adopted and incorporated in their entirety into this chapter as if they were fully set forth herein. (Ord. No. 4153, 9/16/00, Sec. 1; Ord. No. 5045, 12/17/16, Sec. 1)

Section 2. That Section 10-3-924 as amended pursuant to Section 1 of this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria City Code.

Section 3. That this ordinance shall become effective upon the date and at the time of its final passage.

12. City Council adopted an ordinance to amend and reordain. Section 2-2-10 (Establishment of Election Districts and Voting Places) by amending Subsections (p), (t) and (x), all of Chapter 22 (Elections), Title 2 (General Government) of The Code of the City of Alexandria, Virginia, 1981, as amended, to amend and reordain Section 12-1-4 (Election of School Board Members: Date and Manner of Election), all of Chapter 1 (School District and School Board) , Title 12 (Education, Social Services and Welfare) of the Code of the City Alexandria, Virginia , 1981, as amended, and to amend and reordain "The Official Map of the City of Alexandria , Virginia, Designations Election Districts and Voting Places), all of Chapter 2 (Elections) ,Title 2 (General Government) of the Code of the City of Alexandria, Virginia, 1981, as amended.

The ordinance reads as follows:

ORDINANCE NO. 5513

AN ORDINANCE to amend and reordain Section 2-2-10 (ESTABLISHMENT OF ELECTION DISTRICTS AND VOTING PLACES) by amending Subsections (p), (t), and (x), all of Chapter 2 (ELECTIONS), Title 2 (GENERAL GOVERNMENT) of The Code of the City of Alexandria, Virginia, 1981, as amended; to amend and reordain Section 12-

1-4 (ELECTION OF SCHOOL BOARD MEMBERS; DATE AND MANNER OF ELECTION), all of Chapter 1 (SCHOOL DISTRICT AND SCHOOL BOARD), Title 12 (EDUCATION, SOCIAL SERVICES AND WELFARE) of The Code of the City of Alexandria, Virginia, 1981, as amended; and to amend and reordain "The Official Map of the City of Alexandria, Virginia, Designating Election Districts and Voting Places," adopted by Section 2-2-13 (MAP OF ELECTION DISTRICTS AND VOTING PLACES), all of Chapter 2 (ELECTIONS), Title 2 (GENERAL GOVERNMENT) of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 2-2-10 Subsections (p), (t), and (x) of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained to delete the text shown in strikethrough and add the text shown in underline as follows:

(p) The ~~Temple-Beth El~~ Hebrew Congregation Election District shall be bounded and described by the census blocks shown on the map adopted by section 2-2-13 of this code as comprising the said district.

The voting place within the ~~Temple-Beth El~~ Hebrew Congregation Election District shall be at the ~~Temple-Beth El~~ Hebrew Congregation, located at 3830 Seminary Road.

(t) The Samuel Tucker School Election District shall be bounded and described by the census blocks shown on the map adopted by section 2-2-13 of this code as comprising the said district.

The voting place within the Samuel Tucker School Election District shall be the Samuel Tucker School, located at 435 Ferdinand Day Drive ~~Way~~.

(x) The ~~South Port~~ Tucker West Election District shall be bounded and described by the census blocks shown on the map adopted by section 2-2-13 of this code as comprising the said district.

The voting place for the ~~South Port~~ Tucker West Election District shall be the ~~South Port Apartment Complex~~ Samuel Tucker School, located at 435 Ferdinand Day Drive.

Section 2. That Section 12-1-4(c) of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained to delete the text shown in strikethrough and add the text shown in underline as follows:

(c) The city shall be divided into three school board election districts, District A, District B and District C. Three school board members shall be elected from and shall represent each such district. The three districts shall be composed of the following

precincts (or, as identified in title 2 of this code, "election districts") located within the city, the boundaries of which are described in section 2-2-10.

(i) District A shall be composed of the Lyles Crouch School, City Hall, Old Town - North, Fire Department Headquarters, Lee Center, George Washington Middle School, Cora Kelly – “Chick” Armstrong Center, Mt. Vernon Recreation Center, Durant Center, Charles Houston, and Potomac Yard precincts;

(ii) District B shall be composed of the Naomi L. Brooks School, George Mason School, Blessed Sacrament Church, ~~Temple~~ Beth El Hebrew Congregation, Northern Virginia Community College Arts Center, Charles Barrett Center, Douglas MacArthur School, Chinquapin Park Recreation Center, Ferdinand T. Day School, AlexRenew, The View Alexandria, and James K. Polk School precincts; and

(iii) District C shall be composed of the Patrick Henry Recreation Center, Samuel Tucker School, Charles E. Beatley, Jr., Central Library, John Adams School, William Ramsay Recreation Center, Cameron Station Community Center, Olympus Condo, Redella S. “Del” Pepper Community Resource Center, and ~~South Port~~ Tucker West precincts.

Section 3. That “The Official Map of the City of Alexandria, Virginia, Designating Election Districts and Voting Places,” adopted by Section 2-2-13 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained as shown on Exhibit 1, attached hereto and incorporated fully by reference.

Section 4. That this ordinance shall become effective upon the earlier of i) receipt by the City Attorney’s Office of a Certification of No Objection by the Office of the Attorney General of Virginia or ii) February 19, 2024, and the adjustments contained herein will be utilized for the elections in 2024 and thereafter until or unless further modified and amended.

13. City Council adopted an ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to all Chapters of such master plan as Master Plan Amendment No. 2023-00005 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment.

The ordinance reads as follows:

ORDINANCE NO. 5514

AN ORDINANCE to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to All Chapters of such master plan as Master Plan Amendment No. 2023-00005 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment.

WHEREAS, the City Council of the City of Alexandria finds and determines that:

1. In Master Plan Amendment No. 2023-00005, 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 November 1, 2023 of an amendment to All Chapters of the Master Plan of the City of Alexandria to (1) amend the following sentence wherever it occurs, from "Areas of the City currently zoned residential should remain zoned for residential use at no higher than their current density" to "Areas of the City currently zoned residential should remain zoned for residential use;" (2) incorporate the following notes in all Master Plan chapters: "References to low density will continue to refer to development configuration that limits overall building height and lot coverage compatible with the existing neighborhood" and "Ensure race and social equity is 'incorporated and centered in all planning' per City Council's Resolution 2974 including, but not limited to, all references to preserving and protecting neighborhoods and character"; and (3) amend the Housing Master Plan, Zoning Tools Section, Page 107, to add a statement supporting use of the Residential multifamily/RMF zone in areas planned and/or zoned for medium or higher density development and other potentially suitable locations, which recommendation was approved by the City Council upon the public hearing and consideration on November 14, 2023, November 18, 2023, and November 28, 2023;

2. The said amendment has heretofore been approved by the planning commission and city council after full opportunity for comment and public hearing.

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 All Chapters of the Master Plan of the City of Alexandria, be, and the same hereby are, amended by:

- a. Amending the following sentence in the City's Master Plan wherever it occurs, as follows:
 - i. "Areas of the city currently zoned residential should remain zoned for residential use ~~at no higher than their current density.~~";
- b. Incorporating the following note in all Master Plan chapters:
 - i. References to low density will continue to refer to development configuration that limits overall building height and lot coverage compatible with the existing neighborhood;
- c. Incorporating the following note in all Master Plan chapters:
 - i. Ensure race and social equity is "incorporated and centered in all planning" per City Council's Resolution 2974 including, but not limited to, all references to preserving and protecting neighborhoods and character;

d. Amending the Housing Master Plan, Zoning Tools Section, Page 107, to include:
i. "The Residential Multifamily (RMF) zone was adopted in 2019 to incentivize the preservation and creation of deeply affordable housing in the city. The zone allows for additional Floor Area Ratio with a Special Use Permit in exchange for one-third of the additional density being provided as housing affordable to households with income averaging 40% of the area median income. Projects with a requested zoning to RMF should generally be in areas planned and/or zoned for medium or higher density development. This does not preclude other sites that may be appropriate for the RMF Zone and are consistent with city housing goals and land use and urban design best practices."

Section 2. That the director of planning and zoning be, and hereby is, directed to record the foregoing master plan amendment as part of the Master Plan of the City of Alexandria, Virginia.

Section 3. That all provisions of the Master Plan of the City of Alexandria, Virginia, as may be inconsistent with the provisions of this ordinance be, and same hereby are, repealed.

Section 4. That the Master Plan of the City of Alexandria, as amended by this ordinance, be, and the same hereby is, reordained as the Master Plan of the City of Alexandria, Virginia.

Section 5. That the city clerk shall transmit a duly certified copy of this ordinance to the Clerk of the Circuit Court of the City of Alexandria, Virginia, and that the said Clerk of the Circuit Court shall file same among the court records.

Section 6. That this ordinance shall become effective upon the date and at the time of its final passage.

14. City Council adopted an ordinance to amend and reordain Articles I (General Regulations), II (Definitions), III (Residential Zone Regulations), IV (Commercial, Office and Industrial Zones), V (Mixed Use Zones), VI (Special And Overlay Zones), VII (Supplemental Zone Regulations), VIII (Off-Street Parking and Loading), IX (Signs), XI (Development Approvals and Procedures), XII (Noncompliance and Nonconformity), and XIII (Environmental Management) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2023-00007.

The ordinance reads as follows:

ORDINANCE NO. 5515

AN ORDINANCE to amend and reordain Articles I (GENERAL REGULATIONS), II (DEFINITIONS), III (RESIDENTIAL ZONE REGULATIONS), IV (COMMERCIAL, OFFICE AND INDUSTRIAL ZONES), V (MIXED USE ZONES), VI (SPECIAL AND OVERLAY ZONES), VII (SUPPLEMENTAL ZONE REGULATIONS), VIII (OFF-STREET PARKING AND LOADING), IX (SIGNS), XI (DEVELOPMENT APPROVALS AND PROCEDURES), XII (NONCOMPLIANCE AND NONCONFORMITY), and XIII (ENVIRONMENTAL MANAGEMENT) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2023-00007.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2023-00007, 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 November 1, 2023 of a text amendment to the Zoning Ordinance to adopt the following zoning for housing/housing for all amendments: (1) Expanding Housing Opportunities in Single-family Zones: amend the R-20, R-12, R-8, R-5, and R-2-5 zones to increase the number of housing units permitted; amend lot and yard requirements in the R-2-5 zone for two-unit dwellings; amend Article VIII to reduce minimum parking requirements, and amend Article XII to exempt lots developed with small scale multi-unit dwellings from site plan requirements; amend the limitation on occupancy limits per unit to allow the same number of occupants allowed by the building code; and delete "roominghouse" definition and regulations. (2) Industrial Zone: add standards for ground floor uses and limitations on locations of vehicular entrances and parking and loading spaces. (3) Residential Multifamily Zone: allow neighborhood-serving commercial uses as permitted and special uses. (4) Historic Development Patterns: in all zones that allow multi-unit dwellings, amend yard and open space requirements for multi-unit uses, delete maximum dwelling units per acre and minimum lot size requirements for multi-unit uses, and delete zone transition setback requirement and require compliance only with other supplemental yard and setback regulations. (5) Townhouses: amend yard, bulk, and open space requirements for single-unit,

two-unit, and townhouse dwellings in all zones that allow townhouses; amend lot requirements in the CL, CC, CSL, CG, CD-X, OC, OCM-50, OCM-100, OCH, CRMU-L, CRMU-M, CRMU-H, CRMU-X, and W-1 zones for two-unit dwellings; delete noncomplying provisions in the RA, RB, and RM zones; and create new provisions that allow RM development rights to single-unit, two-unit, and townhouse dwellings on certain lots outside of the RM zone, which recommendation was approved by the City Council upon the public hearing and consideration on November 14, 2023, November 18, 2023, and November 28, 2023;

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 Article I 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. 1-400 Interpretation of ordinance.

(B) Interpretation of zone regulations.

(3) Maximum floor area ratio and maximum density shall be calculated as follows:

- (d) Lots created for ~~single-unit family~~ and ~~two-unit family~~ dwellings shall not include areas used, in whole or in part, for public or private streets, including alleys or driveways providing access to three or more dwelling units. Lots created for townhouse dwellings shall not include areas used, in whole or in part, for public or private streets, including alleys or driveways providing access to more than one dwelling unit, except as allowed pursuant to section 7-1600(F).
- (e) Single-unit family and two-unit family dwellings on lots which contain public or private streets, including alleys or driveways providing access to three or more dwelling units, and townhouse dwellings on lots which contain public or private streets, including alleys or driveways providing access to more than one dwelling unit, existing on March 1, 2000 or for which a building permit application or preliminary site plan application was filed, and was pending or had been approved on March 1, 2000, shall not be subject to the provisions of clause (d) of this paragraph, shall not be characterized as noncomplying structures or substandard lots, and shall be characterized as structures and lots grandfathered under prior law, pursuant to section 12-500 of this title.
- (f) When calculating the floor area of an office, ~~multi-unit family~~ or mixed use building constructed after June 22, 2010, space devoted to day care facilities and programs offering early childhood

education, elder care and other related services shall not be calculated as floor area, provided:

- (1) A maximum of 10,000 square feet of floor area may be excluded under this provision;
- (2) Space for which this floor area exclusion has been allowed shall remain devoted to day care facilities and programs offering early childhood education, elder care and other related services unless a special use permit is approved for alternative community facilities or civic functions, including public schools; community arts exhibition or performance space; private education center; neighborhood reading room or library; space for community meetings and functions; or a youth center.

- (5) Where residential density is prescribed in a zone for single-unit family, multi-unit family or townhouse dwellings, the same density limitation shall apply to alternative housing types allowed in such zone unless more than one residential density regulation is provided, in which case the density most appropriate to the specific form of alternative housing being provided shall apply.

Sec. 1-700 Establishment of zones.

- (A) This ordinance establishes the following zones, listed below in the order of their restrictiveness, with the most restrictive zone listed first:

POS/Public Open Space and Community Recreation Zone

WPR/Waterfront Park and Recreation Zone

R-20 Residential /~~Single-Family~~ Zone

R-12 Residential /~~Single-Family~~ Zone

R-8 Residential /~~Single-Family~~ Zone

R-5 Residential /~~Single-Family~~ Zone

R-2-5 Residential /~~Single and Two-Family~~ Zone

RS/Townhouse Zone

RT/Townhouse Zone

RMF/Residential Multi-unit family Zone

RM/Townhouse Zone

RA/ Multi-unit family Zone

RB/Townhouse Zone

RCX/Medium Density Apartment Zone

RC/High Density Apartment Zone

RD/High Density Apartment Zone

CL/Commercial Low Zone

CC/Commercial Community Zone

CSL/Commercial Service Low Zone

CG/Commercial General Zone

CR/Commercial Regional Zone

OC/Office Commercial Zone

OCM(50)/Office Commercial Medium Zone

OCM(100)/Office Commercial Medium Zone
CRMU-L/Commercial Residential Mixed Use (Low) Zone
CRMU-M/Commercial Residential Mixed Use (Medium) Zone
W-1/Waterfront Mixed Use Zone
CRMU-H/Commercial Residential Mixed Use (High) Zone
CD/Commercial Downtown Zone
CDX/Commercial Downtown Zone (Old Town North)
CRMU-X/Commercial Residential Mixed Use (Old Town North)
OCH/Office Commercial High Zone
CDD/Coordinated Development District
I/Industrial Zone
UT/Utilities and Transportation

Section 2. That Article II 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. 2-100 Definitions.

For the purposes of this ordinance, the following words and phrases shall have the meaning assigned below, except in those instances where the context clearly indicates a different meaning.

2-121 Bed and breakfast accommodation.

A single unit family, two unit family or townhouse dwelling in which, as an accessory use, no more than two bedrooms are made available for transient occupancy, generally for not more than a total of five guests at one time or for more than seven days per visit.

2-122.1 Block face, contextual.

Abutting property developed with buildings ~~single or two-family dwellings~~ that share a common street frontage or frontages with the property in question.

2-125 Building, public.

A building owned by a governmental agency. Nothing in this definition is intended to interfere with or restrict the use of a dwelling unit ~~by a family~~ as that term is defined in this title wherever such use is allowed in the zones.

2-127 Child care home.

A dwelling unit ~~private family home~~ which offers care, protection and supervision to no more than a total of nine children at a time under 12 years of age during any 24 hour period and then only for part of the 24 hour day.

2-129 Congregate housing facility.

A structure other than a ~~single-unit, two-unit, townhouse, or multi-unit family~~ dwelling where unrelated persons reside under supervision or 24 hour on-site management and may receive special care, treatment or training, on a temporary or permanent basis.

2-129.2 Continuum of care facility.

A facility specifically designed for domiciliary use and/or care of four or more aged, infirm, or disabled adults, which may provide for housing progressing from independent living, with or without kitchen facilities, and culminating in assisted living with or without provisions for memory care services, where all related uses are located on the same lot. Such facility shall include services integral to the maintenance or care of residents and be regulated as an assisted living facility under Code of Virginia, title 63.2, as amended. The facility shall be administered in such a manner as to restrict occupancy of independent living units only to persons 55 years of age or older. ~~When an independent living unit is occupied by a family, only~~ One of such person in the unit must satisfy the 55 years of age or older requirement. This term excludes nursing or convalescent homes or hospice, and medical facilities.

2-133 Day care center.

A facility other than a ~~private family dwelling unit~~ which receives children or adults for care, protection and supervision during part of a 24-hour day unattended by a parent or guardian. The term includes a child care center, preschool, nursery school and day nursery, and includes half day and full day programs.

2-136 Dwelling.

A building or portion thereof, containing one or more dwelling units, ~~which is designed or used exclusively for residential purposes.~~

2-136.1 Dwelling, accessory.

A building or portion thereof containing one dwelling unit ~~with separate cooking, heating and sanitary facilities~~ that is subordinate to a principal residential use. An accessory dwelling shall be considered an accessory use.

2-136.2 Dwelling, auxiliary.

A portion of a commercial building containing up to four dwelling units located on a ground floor or floors above or below retail or commercial uses.

2-136.3 Dwelling, co-living.

A portion of a building containing five or six private living spaces, a shared kitchen, as defined by the Uniform Statewide Building Code, and other communal areas. Each private living space must include a bedroom but may or may not include a private bathroom. ~~Each co-living dwelling cannot exceed a total occupancy of eight people.~~ Cooking facilities, specifically a stove or oven, shall not be provided within a private living space. Typically, private living spaces within a co-living dwelling are leased on an individual basis.

2-137 Dwelling, multi-unit family.

A building or portion thereof containing three or more dwelling units, located on a single lot or parcel of ground.

2-138 Dwelling, townhouse.

One of a series of three or more attached dwelling units separated from one another by continuous vertical walls without openings from basement to roof or roofs.

2-139 Dwelling, single-unit family.

A detached building ~~containing one dwelling unit, constituting one dwelling unit, designed for or intended to be occupied by one family. Only one single-family dwelling is permitted on any recorded lot.~~

2-140 Dwelling, two-unit family.

A ~~detached building containing two dwelling units designed for or intended to be occupied by not more than two families living independently of each other.~~ This use shall include both duplex (one dwelling unit above another in a single detached building) and semi-detached (two dwelling units having common vertical walls) dwellings. In the case of a semi-detached dwelling, no less than 50 percent of the common wall of one of the two dwelling units shall be opposite the common wall of the other.

2-141 Dwelling unit.

~~A group of One or more rooms used for living and sleeping purposes containing no more than one kitchen and at least one bathroom as these terms are defined by the Uniform Statewide Building Code. or intended for occupancy by a single family. In determining whether a dwelling is a single-family dwelling, a two-family dwelling, a townhouse dwelling or a multifamily dwelling, consideration will be given to the separate use of or the provision made for cooking, heating and sanitary facilities whether installed or not; both the actual use to which the dwelling is being put and the potential use to which the dwelling might be put; and whether kitchen and bathroom facilities and bedrooms are so located as to provide privacy if occupied by an additional family. It is the intent of this provision to prohibit the installation of facilities in a dwelling unit which would extend the use of the premises for occupancy by more than one family. An accessory dwelling shall not be considered in determining whether the principal dwelling is a single-family, two-family or townhouse dwelling, or whether a single-family, two-family or townhouse dwelling complies with the maximum density and minimum open space or lot requirements for the zone for which it is located.~~

2-142 Elder care home.

A dwelling unit ~~private family home~~ which offers care, protection and supervision to no more than a total of nine adults over 55 years of age at any time during a 24 hour period and then only for part of the 24 hour day.

2-142.1 Enhanced transit area.

An area with access to high capacity transit service, as depicted on the enhanced transit area map dated December 18, 2017 and as amended [INSERT DATE OF ADOPTION], which is kept on file in the office of the city clerk.

2-143 Reserved Family.

~~A group of people living together as a single housekeeping unit and consisting of:~~

- ~~(A) One or more persons related by blood or marriage together with any number of natural, foster, step or adopted children, domestic servants, nurses and therapists and no more than two roomers or boarders; or~~

- ~~(B) Not more than four unrelated persons or two unrelated adults plus their children; or~~
- ~~(C) These groups identified in Code of Virginia, § 15.2-2291(A), or like groups licensed by the Virginia Department of Social Services which otherwise meet the criteria of Code of Virginia, § 15.2-2291(A), and which have been determined by the director, following review and recommendation by the Alexandria Community Services Board (CSB), to be in compliance with CSB Policy No. 13 in effect at the time of such determination; or~~
- ~~(D) Any other housekeeping unit not specified above which may be approved through the issuance of a special use permit as being compatible with the character of the neighborhood in which it is to be located; provided, however, that such housekeeping unit shall not exceed nine persons.~~
- ~~(E) In calculating the number of persons permitted to constitute a family pursuant to subsections (C) and (D) of this section, a maximum of eight children under the age of seven who live with their parent in a housekeeping unit may be counted according to the formula: two such children equal one person.~~
- ~~(F) The operation of the home permitted under section 2-143(C) may be directed and administered from the home. No other business of any type, including without limitation the direction and administration of other homes, shall be conducted in the home, except as may be authorized as a home occupation pursuant to section 7-300 of this title. The operation of the home permitted under section 2-143(C) shall at all times comply with CSB Policy No. 13 in effect at the time of approval of the home.~~

2-145 Floor area.

(A) For residential dwellings in the R-20, R-12, R-8, R-5, R-2-5, and single-family and two-unit family dwellings in the RA and RB zones (not including property located within the Old and Historic Alexandria and Parker-Gray Districts), the floor area of the building or buildings on a lot or tract of land (whether "main" or "accessory") is the sum of all gross horizontal areas under roof on a lot. These areas shall be measured from exterior faces of walls or any extended area under roof and are to be measured from the shared lot line in the case of party walls. Floor area with a ceiling height 15 feet or greater shall be counted twice. Floor area with a ceiling height 25 feet or greater shall be counted three times. This space shall be based on permanent construction whether or not provided with a finished floor or ceiling. Excluded from floor area shall be:

2-150.2 Grade, average finished.

The elevation obtained by averaging the finished ground surface elevation at intervals of ten feet at the perimeter of a single-unit, two-unit, family or townhouse dwelling and intervals of 20 feet at the perimeter of any other building.

2-150.3 Grade, average pre-construction.

The elevation obtained by averaging the ground surface elevation at intervals of ten feet at the perimeter of an existing or proposed single-unit, two-unit, family or townhouse dwelling and intervals of 20 feet at the perimeter of any other building prior to construction. For accessory buildings less than 250 square feet, there shall be at least four ground surface elevations spaced at fixed intervals around the perimeter of an existing or proposed accessory building.

2-154 Height of building.

The vertical distance measured from average finished grade to the highest point of the building, except that:

- (D) Dormers. In the case of dormers, height shall be measured to the midpoint between the dormers eaves and the ridge. For buildings in the R-20, R-12, R-8, R-5, R-2-5, and single-family and two-unit-family dwellings in the RA and RB zones, not including property located within the Old and Historic Alexandria and Parker-Gray Districts, height shall be measured to the midpoint of the dormers if the total width of all dormers is more than 30 percent of the horizontal width of the roof.

- (G) For buildings in the R-20, R-12, R-8, R-5, R-2-5, and single-family and two-unit-family dwellings in the RA and RB zones not including property located within the Old and Historic Alexandria and Parker-Gray Districts, height shall be measured from the average pre-construction grade.

2-179 Nursing or convalescent home or hospice.

An establishment which provides 24 hour convalescent or chronic care, or both, for three or more individuals who are not related by blood or marriage to the operator and who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves. No intensive medical care or surgical or obstetrical services shall be provided in such an establishment. This definition shall include an establishment or dwelling, also known as a "hospice," which provides full-time palliative and supportive care for terminally ill individuals and their families but shall not include a hospital. ~~Nothing in this definition is intended to interfere with or restrict the use of a dwelling unit by a family as that term is defined in this ordinance wherever such use is allowed in the zones.~~

2-180 Open and usable space. That portion of a lot at ground level which is:

That single-unit-family, two-unit-family, townhouse, and multi-unit-family dwellings on lots for which emergency vehicle easement areas were counted as open space in the site plan or special use permit approval therefor, existing on March 1, 2000, or for which a building permit application or preliminary site plan application was filed, and was pending or had been approved on March 1, 2000, shall not be subject to the provisions of section 2-180(D) as amended by this subsection, shall not be characterized as noncomplying structures, and shall be characterized as structures grandfathered under prior law, pursuant to section 12-500 of this Code.

2-192 Roominghouse-Reserved.

~~A dwelling or portion thereof which contains guest rooms designed or intended to be used, let out of or hired for occupancy by, or which are occupied by three or more, but not exceeding nine individuals for compensation and in which meals may be provided. Existence of one or more of the following characteristics constitutes prima facie evidence that a dwelling is being used as a roominghouse: separate rental agreements for different roomers; separate entrances from the exterior for individual roomers; and typical common areas of a dwelling, such as the living room and dining room, being utilized as sleeping areas or not being available~~

~~on an equal or common basis to all roomers. For regulations applicable to roominghouses, see sections 7-1900 and 12-221.~~

2-193 Setback ratio.

The ratio of the horizontal distance between any part of a building or structure and the nearest side or rear property line or the nearest building or the center line of a street or alley to the height of that part of the building above average finished grade of such line, except that for buildings in the R-20, R-12, R-8, R-5, R-2-5 and single-unit family and two-unit family dwellings in the RA and RB zones not including property located within the Old and Historic Alexandria and Parker-Gray Districts, height shall be measured from the average pre-construction grade of such line.

Section 3. That Article III 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:

~~DIVISION A. SINGLE-FAMILY AND TWO-FAMILY ZONES~~

Sec. 3-100 R-20 Residential ~~/Single-family~~ zone.

3-101 Purpose.

The R-20 zone is established to provide and maintain land areas for low density residential neighborhoods of single-unit, family homes two-unit, and multi-unit up to four units dwellings on 20,000 square foot lots. Nonresidential uses of a noncommercial nature which are related to, supportive of and customarily found in a residential neighborhood are also permitted.

3-102 Permitted uses.

The following uses are permitted in the R-20 zone:

- (A) Single-unit family dwelling;
- (A.1) Two-unit dwelling;
- (A.2) Multi-unit dwelling up to four units;

Sec. 3-200 R-12 Residential ~~/Single-family~~ zone.

3-201 Purpose.

The R-12 zone is established to provide and maintain land areas for low density residential neighborhoods of single-unit, family homes two-unit, and multi-unit up to four units dwellings on 12,000 square foot lots. Nonresidential uses of a noncommercial nature which are related to, supportive of and customarily found in a residential neighborhood are also permitted.

3-202 Permitted uses.

The following uses are permitted in the R-12 zone:

- (A) Single-unit family dwelling;
- (A.1) Two-unit dwelling;
- (A.2) Multi-unit dwelling up to four units;

Sec. 3-300 R-8 Residential ~~/Single-family~~ zone.

3-301 Purpose.

The R-8 zone is established to provide and maintain land areas for low density residential neighborhoods of single-unit, family homes two-unit, and multi-unit up to four units dwellings on 8,000 square foot lots. Nonresidential uses of a noncommercial nature which are related to, supportive of and customarily found in a residential neighborhood are also permitted.

3-302 Permitted uses.

The following uses are permitted in the R-8 zone:

- (A) Single-unit ~~family~~ dwelling;
- (A.1) Two-unit dwelling;
- (A.2) Multi-unit dwelling up to four units;

Sec. 3-400 R-5 Residential ~~/Single-family~~ zone.

3-401 Purpose.

The R-5 zone is established to provide and maintain land areas for low density residential neighborhoods of single-unit, family homes two-unit, and multi-unit up to four units dwellings on 5,000 square foot lots. Nonresidential uses of a noncommercial nature which are related to, supportive of and customarily found in a residential neighborhood are also permitted.

3-402 Permitted uses.

The following uses are permitted in the R-5 zone:

- (A) Single-unit ~~family~~ dwelling;
- (A.1) Two-unit dwelling;
- (A.2) Multi-unit dwelling up to four units;

Sec. 3-500 R-2-5 Residential ~~/Single- and two-family~~ zone.

3-501 Purpose.

The R-2-5 zone is established to provide and maintain land areas for low density residential neighborhoods of single-unit, family and two-family homes, two-unit, and multi-unit up to four units dwellings on 5,000 square foot lots. Nonresidential uses of a noncommercial nature which are related to, supportive of and customarily found in a residential neighborhood are also permitted.

3-502 Permitted uses.

The following uses are permitted in the R-2-5 zone:

- (A) Single-unit ~~family~~ dwelling;
- (B) Two-unit ~~family~~ dwelling;
- (B.1) Multi-unit dwelling up to four units;

3-505 Lot requirements.

- (A) *Lot size.*

- (2) Each dwelling unit in a two-unit semi-detached building may shall be located on its own lot, each of which shall contain 2,500 square feet of land area, except

in the case of a corner lot in which case the dwelling requires a minimum of ~~3,250~~ 4,000 square feet.

~~(3) Each duplex building shall be located on a lot with a minimum land area of 5,000 square feet, except in the case of a corner lot in which case the minimum land area shall be 6,500 square feet.~~

(B) *Lot width.* The minimum lot width at the building line shall be 50 feet except in the case of a corner lot, in which case the minimum lot width shall be 65 feet, and in the case of a two-unit family semi-detached dwelling, in which case the width of each lot shall be ~~37.5~~ 25 feet.

(C) *Lot frontage.* The minimum lot frontage at the front lot line shall be 40 feet, except in the case of a two-unit family semi-detached dwelling, in which case the minimum lot frontage shall be ~~37.5~~ 25 feet for each dwelling unit.

3-506 Bulk and open space requirements.

(A) *Yard requirements.*

(2) *Side yards.* Each residential use ~~single-family or duplex dwelling~~ shall provide two side yards, each based on a setback ratio of 1:3 and a minimum size of seven feet. ~~Each two-family semi-detached dwelling shall provide two side yards, each based on a setback ratio of 1:3 and a minimum size of ten feet.~~ Each other use shall provide two side yards, each based on a setback ratio of 1:1 and a minimum size of 25 feet.

~~DIVISION B. TOWNHOUSE AND MULTI-FAMILY ZONES~~

Sec. 3-600 RA/Multi-unit family zone.

3-601 Purpose.

The RA zone is established to provide and maintain land areas for medium density residential neighborhoods in which apartments predominate and in which single-unit family, two-unit family and townhouse development is permitted. Nonresidential uses of a noncommercial nature which are related to, supportive of and customarily found in such residential neighborhoods are also permitted.

3-602 Permitted uses.

The following uses are permitted in the RA zone:

(A) Single-unit family dwelling;

(B) Two-unit family dwelling;

(D) Multi-unit family dwelling;

3-603 Special uses.

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

(H) Reserved Rooming house;

3-605 Density and lot requirements.

(A) *Density*. Gross density shall not exceed ~~27 dwelling units per acre for multifamily and 22 dwelling units an acre for single-unit family, two-unit family and townhouse development.~~

(B) *Lot size*.

~~(1) Reserved Each structure containing multifamily dwellings shall be located on a lot with a minimum of 1,600 square feet of land area for each dwelling unit.~~

(2) Each single-unit family, two-unit family and townhouse dwelling unit shall be located on a lot with a minimum land area of 1,980 square feet; provided however that in the case of unusual circumstances or exceptional design, a minimum land area of 1,600 square feet for such each dwelling unit may be provided if approved pursuant to a special use permit.

(C) *Lot width and frontage*.

(1) For all buildings other than townhouse dwellings, the minimum lot width at the building line and the minimum lot frontage at the front lot line shall be 50 feet. In the case of two-unit family semi-detached dwellings, the minimum lot frontage shall be 25 feet for each dwelling unit.

3-606 Bulk and open space regulations.

(A) *Yard requirements*.

(1) *Front yard*. For ~~residential uses each single and two-family dwelling~~, the required front yard shall be between the range of front yards within the contextual block face. If the minimum front yard, including the front yard of the property in question, within this range exceeds 20 feet, each ~~residential use single and two-family dwelling~~ shall provide a front yard of at least 20 feet. All other uses shall provide a front yard of at least 20 feet.

(2) *Side yards*.

(a) Each single-family and two-unit family dwelling shall provide two side yards based on a setback ratio of 1:3 and a minimum size of seven feet.

(c) Each structure containing multi-unit family dwellings shall provide two side yards each based on a setback ratio of 1:2 and a minimum size of 16 feet.

(e) No side yards shall be required on a lot less than 25 feet wide.

(B) *Open and usable space*. Each residential use shall provide 35 percent of the area of the lot as open and usable space, the location and shape of which shall be subject to the director's determination that it is functional and usable space for residents, visitors and other persons. Such open space may be located on landscaped roofs or other areas fully open to the sky which are not at ground level if the director determines that such space functions as open space for residents to the same extent that ground level open space would. Each lot occupied by a dwelling unit shall provide a minimum of 800 square feet of open and usable space for each dwelling unit; provided however:

~~(1) In the case of multifamily dwellings, improved rooftops and decks are encouraged and the following amount of such space may be offset against the~~

~~amount of open and usable space which would otherwise be required at ground level: up to 80 square feet of the open space requirement for each dwelling unit may be provided in the form of improved rooftops or decks if an amount of land equal to the amount provided in rooftops or decks is located between the front lot line and any building or parking area and is appropriately landscaped;~~
~~(2) In the case of a rooming or boarding house, an additional 200 square feet for each guest room shall be provided.~~

(D) *Height.* The maximum permitted height for single and two-unit-family dwellings is 30 feet. For all other structures, the maximum permitted height is 45 feet.

(E) *Threshold height.* The maximum permitted threshold height for single and two-unit-family dwellings is two and one-half feet, the highest threshold height within the contextual block face or the minimum necessary to comply with the floodplain requirements of section 6-306(B), whichever is greatest.

3-607 Certain structures, lots and uses inconsistent with these provisions.

All land within the RA zone must be used and developed in compliance with the RA zone regulations unless otherwise provided in this ordinance or by the following exceptions:

~~(A) Single-family and two-family dwellings developed prior to November 24, 1986 on lots of 1,600 square feet per dwelling unit shall be deemed to be in compliance with this ordinance and such lots may be redeveloped for such uses as were existing thereon on that date.~~

~~(B) Lots zoned RA which were recorded prior to December 28, 1951 may be developed with a single-family dwelling and accessory structures at the lot size shown on the recorded plat.~~

~~(C) prior to June 24, 1992, professional office uses were permitted in the RA zone subject to a special use permit and such uses may continue subject to the requirements of the special use permit previously granted for such use.~~

3-609 Co-living dwellings.

Up to two co-living dwellings shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone. For proposals with greater than two co-living dwellings, each will be counted as a dwelling unit subject to the same area and bulk regulations as multi-unit-family dwellings in this zone. Each such co-living dwelling shall provide the parking required under section 8-200(A)(22).

Sec. 3-700 RB/Townhouse zone.

3-701 Purpose.

The RB zone is established to provide and maintain land areas for medium density residential neighborhoods in which single-unit-family, two-unit-family and townhouse dwellings are permitted. Nonresidential uses of a noncommercial nature which are related to, supportive of and customarily found in such residential neighborhoods are also permitted.

3-702 Permitted uses.

The following uses are permitted in the RB zone:

(A) Single-unit-family dwelling;

(B) ~~Two-unit family~~ dwelling;

3-703 Special uses.

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

(G) Reserved Rooming house;

3-705 Density and lot requirements.

(A) *Density.* For single-unit, two-unit, and townhouse dwellings, gross density shall not exceed 22 dwelling units an acre. For single-unit, two-unit, or townhouse dwellings within the Old and Historic Alexandria and Parker-Gray Districts, gross density shall not exceed 30 dwelling units an acre.

(C) *Lot width and frontage.*

(1) For all buildings other than townhouse dwellings, the minimum lot width at the building line and the minimum lot frontage at the front lot line shall be 50 feet. In the case of ~~two-unit family~~ semi-detached dwellings, the minimum lot frontage shall be 25 feet for each dwelling unit.

3-706 Bulk and open space regulations.

(A) *Yard requirements.*

(1) *Front yards outside historic districts.* For residential uses ~~each single and two-family dwelling~~, the required front yard shall be between the range of front yards within the contextual block face. If the minimum front yard, including the front yard of the property in question, within this range exceeds 20 feet, each residential use ~~single and two-family dwelling~~ shall provide a front yard of at least 20 feet. All other uses shall provide a front yard of at least 20 feet.

(3) *Side yards-outside historic districts.*

(a) Each ~~single-family~~ and ~~two-unit family~~ dwelling shall provide two side yards each based on a setback ratio of 1:3 and a minimum size of eight feet.

(c) Each structure containing ~~multi-unit family~~ dwellings shall provide two side yards each based on a setback ratio of 1:2 and a minimum size of 16 feet.

(e) No side yards shall be required on a lot less than 25 feet wide.

(B) *Open and usable space.* Each residential use shall provide 35 percent of the area of the lot as open and usable space, the location and shape of which shall be subject to the director's determination that it is functional and usable space for residents, visitors and other persons. Such open space may be located on landscaped roofs or other areas fully open to the sky which are not at ground level if the director determines that such space functions as open space for residents to the same extent that ground level

~~open space would. Each lot occupied by a dwelling unit shall provide a minimum of 800 square feet of open and usable space for each dwelling unit; provided however:~~

~~(1) In the case of multifamily dwellings, improved rooftops and decks are encouraged and the following amount of such space may be offset against the amount of open and usable space which would otherwise be required at ground level: up to 80 square feet of the open space requirement for each dwelling unit may be provided in the form of improved rooftops or decks if an amount of land equal to the amount provided in rooftops or decks is located between the front lot line and any building or parking area and is appropriately landscaped;~~

~~(C) FAR. The maximum permitted floor area ratio is 0.75 except that for single-unit, two-unit, and townhouse dwellings within the Old and Historic Alexandria and Parker-Gray Districts only, the maximum permitted floor area ratio is 1.50.~~

~~(D) Height.~~

~~(1) Outside historic districts.~~

~~(a) The maximum height for single and two-unit family dwellings is 30 feet.~~

~~***~~

~~(E) Threshold height outside historic districts. The maximum permitted threshold height for single and two-unit family dwellings outside the Old and Historic Alexandria and Parker-Gray districts is two and one-half feet, the highest threshold height within the contextual block face or the minimum necessary to comply with the floodplain requirements of section 6-306(B), whichever is greatest.~~

3-707 Certain structures, lots and uses inconsistent with these provisions.

All land within the RB zone must be used and developed in compliance with the RB zone regulations unless otherwise provided in this ordinance or by the following exceptions:

(A) Any land which was zoned to RB on or prior to February 27, 1973 may be used for multi-unit family dwellings provided:

(1) The land contained multi-unit family buildings prior to March 28, 1978; or

~~***~~

~~(B) Reserved. Any land zoned to RB prior to February 27, 1973 may be developed at a minimum lot size of 1,600 square feet per dwelling; provided however that if the lot was recorded prior to December 28, 1951, the lot may be developed with a dwelling unit and accessory structures at the lot size shown on the recorded plat.~~

~~***~~

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

~~***~~

3-802 Permitted uses.

The following uses are permitted in the RCX zone:

~~***~~

~~(B) Multi-unit family dwelling;~~

~~***~~

3-803 Special uses.

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

~~***~~

~~(H) Reserved. Rooming house;~~

~~**~~

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

3-805 Density and lot requirements.

(A) *Density.* ~~For townhouse dwellings only,~~ gross density shall not exceed 35 units per acre unless a special use permit is approved, in which case the density may be increased to an amount not to exceed 54.45 units per acre.

(B) Lot size.

(1) ~~Reserved. Each structure containing multifamily dwellings shall be located on a lot with a minimum of 1,245 square feet of land area for each dwelling unit.~~

3-806 Bulk and open space regulations.

(A) *Yard requirements.*

(2) *Side yards.*

(a) Each structure containing multi-unit family dwellings shall provide two side yards each based on a setback ratio of 1:3 and a minimum size of 16 feet.

(d) No side yards shall be required on a lot less than 25 feet wide.

(B) *Open and usable space.* Each residential use shall provide 35 percent of the area of the lot as open and usable space, the location and shape of which shall be subject to the director's determination that it is functional and usable space for residents, visitors and other persons. Such open space may be located on landscaped roofs or other areas fully open to the sky which are not at ground level if the director determines that such space functions as open space for residents to the same extent that ground level open space would. Each lot used for residential dwellings shall provide open and usable space calculated as follows:

~~(1) For multifamily dwellings, a minimum of 320 square feet for each dwelling unit or 40 percent of the total lot or tract area, whichever amount is greater.~~

~~(2) For all other residential uses, a minimum of 800 square feet for each dwelling unit.~~

~~(3) For rooming and boarding houses, an additional 200 square feet for each guest room.~~

~~(4) In the case of multifamily dwellings, improved rooftops and decks are encouraged and the following amount of such space may be offset against the amount of open and usable space which would otherwise be required at ground level: up to ten percent of the open space requirement for each dwelling unit may be provided in the form of improved rooftops or decks if an amount of land equal to the amount provided in rooftops or decks is located between the front lot line and any building or parking area and is appropriately landscaped.~~

3-807 - Certain structures, lots and uses inconsistent with these provisions.

All land within the RCX zone must be used and developed in compliance with the RCX zone regulations unless otherwise provided in this ordinance or by the following exceptions:

(A) ~~Single-unit family~~ and two-unit family dwellings developed prior to June 24, 1992 shall be deemed to be in compliance with this ordinance and such uses may be redeveloped consistent with the use, lot and bulk limitations pursuant to which they were developed prior to said date.

3-809 Co-living dwellings.

Up to two co-living dwellings, shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling shall provide the parking required under section 8-200(A)(22). For proposals with greater than two co-living dwellings, each will be counted as a dwelling unit subject to the same area and bulk regulations as multi-unit family dwellings in this zone.

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

3-902 Permitted uses.

The following uses are permitted in the RC zone:

(B) Multi-unit family dwelling;

3-903 Special uses.

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

(I) Reserved ~~Rooming house~~;

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

3-905 Density and lot requirements.

(A) *Density*. For townhouse dwellings only, gross density shall not exceed 54.45 dwelling units per acre.

(B) *Lot size*.

(1) Reserved. ~~Each structure containing multifamily dwellings shall be located on a lot with a minimum of 800 square feet of land area for each dwelling unit.~~

3-906 Bulk and open space regulations.

(A) *Yard requirements*.

(2) *Side yards*.

(a) Each structure containing multi-unit family dwellings shall provide two side yards each based on a setback ratio of 1:3 and a minimum size of 16 feet.

(d) No side yards shall be required on a lot less than 25 feet wide.

(B) Open and usable space. Each residential use shall provide 35 percent of the area of the lot as open and usable space, the location and shape of which shall be subject to the director's determination that it is functional and usable space for residents, visitors and other persons. Such open space may be located on landscaped roofs or other areas fully open to the sky which are not at ground level if the director determines that such space functions as open space for residents to the same extent that ground level open space would. Each lot used for residential dwellings shall provide open and usable space calculated as follows:

~~(1) For multifamily dwellings, a minimum of 320 square feet for each dwelling unit or 40 percent of the total lot or tract area, whichever amount is greater.~~

~~(2) For all other residential uses, a minimum of 800 square feet for each dwelling unit.~~

~~(3) In the case of multifamily dwellings, improved rooftops and decks are encouraged and the following amount of such space may be offset against the amount of open and usable space which would otherwise be required at ground level: up to ten percent of the open space requirement for each dwelling unit may be provided in the form of improved rooftops or decks if an amount of land equal to the amount provided in rooftops or decks is located between the front lot line and any building or parking area and is appropriately landscaped.~~

3-907 Certain structures, lots and uses inconsistent with these provisions.

All land within the RC zone must be used and developed in compliance with the RC zone regulations unless otherwise provided in this ordinance or by the following exceptions:

(A) Single-unit family and two-unit family dwellings developed prior to June 24, 1992 shall be deemed to be in compliance with this ordinance and such uses may be redeveloped consistent with the use, lot and bulk limitations pursuant to which they were developed prior to said date.

3-910 Co-living dwellings.

Up to two co-living dwellings, shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling shall provide the parking required under section 8-200(A)(22). For proposals with greater than two co-living dwellings, each will be counted as a dwelling unit subject to the same area and bulk regulations as multi-unit family dwellings in this zone.

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

Purpose. The RD zone, originally established to provide land areas for high rise, high density multi-unit family structures, was amended to prohibit any additional land being so zoned after March 24, 1965. It remains a viable zone only insofar as its regulations govern the use and development of that land which was zoned RD prior to March 24, 1965.

3-1001 Permitted uses.

The following uses are permitted in the RD zone:

(A) ~~Multi-unit-family~~ dwelling;

(C) The following uses within a ~~multi-unit-family~~ building provided they occupy no more than an aggregate measure of ten percent of the gross floor area of said building:

3-1002 Special uses.

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

(D) ~~Reserved Rooming house~~;

(F) The following uses in a ~~multi-unit-family~~ building or apartment hotel provided they occupy no more than an aggregate measure of five percent of the gross floor area of the building:

3-1006 Co-living dwellings.

Up to two co-living dwellings, shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling shall provide the parking required under section 8-200(A)(22). For proposals with greater than two co-living dwellings, each will be counted as a dwelling unit subject to the same area and bulk regulations as ~~multi-unit-family~~ dwellings in this zone.

Sec. 3-1100 RM/Townhouse zone.

3-1101 Purpose.

The RM zone is established to provide and maintain land areas for medium density residential neighborhoods of ~~single-unit-family~~, ~~two-unit-family~~ and townhouse dwellings. Nonresidential uses of a noncommercial nature which are related to, supportive of and customarily found in such residential neighborhoods are also permitted.

3-1102 Permitted uses.

The following uses are permitted in the RM zone:

(A) ~~Single-unit-family~~ dwelling;

(B) ~~Two-unit-family~~ dwelling;

3-1103 Special uses.

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

(H) ~~Reserved Rooming house~~;

3-1105 Density and lot requirements.

(B) *Lot size.*

(1) Each ~~single-unit family~~, ~~two-unit family~~ and townhouse dwelling unit shall be located on a lot with a minimum land area of 1,452 square feet.

(C) *Lot width and frontage.*

(1) For ~~single-unit family~~ and ~~two-unit family~~ duplex dwellings, the minimum lot width at the front building line and the minimum lot frontage at the front lot line shall be 25 feet. For ~~two-unit family~~ semi-detached dwellings, the minimum lot frontage shall be 25 feet for each dwelling unit.

3-1106 Bulk and open space regulations.

(A) *Yard requirements.*

(2) *Side yards.*

(a) Each residential lot which is 35 feet wide or more shall provide two side yards of at least five feet each. Each single and two-family dwelling shall provide two side yards of a minimum size of five feet. Each interior-end lot in a group of townhouses shall provide one side yard of a minimum size of five feet.

(b) Each residential lot which is at least 25 feet but less than 35 feet wide shall provide one side yard of at least five feet. Each other use shall provide two side yards of a minimum of 25 feet each.

(c) No side yard is required on a residential lot which is less than 25 feet wide.

(d) Two side yards of at least five feet each shall be required for each nonresidential lot regardless of the width of the lot.

3-1108 Certain structures, lots and uses inconsistent with these provisions. All land within the RM zone shall be used and developed in compliance with the RM zone regulations unless otherwise provided by this ordinance or by the following exceptions, which exceptions shall nevertheless be subject to sections 3-1106(A)(1) and 3-1107.

~~(A) Land zoned to RM after February 10, 1953 but prior to November 17, 1979 may be developed at a minimum lot size of 1,000 square feet per dwelling unit.~~

~~(B) Any lot of record on February 10, 1953 which does not comply with the lot area or width regulations of the RM zone may be developed with a dwelling unit with accessory structures.~~

~~(C) Development on lots of record as of February 10, 1953 are subject to the following side yard regulations:~~

~~(1) Each residential lot which is 35 feet wide or more shall provide two side yards of at least five feet each.~~

~~(2) Each residential lot which is at least 25 feet but less than 35 feet wide shall provide one side yard of at least five feet.~~

~~(3) No side yard is required on a residential lot which is less than 25 feet wide.~~

~~(4) Two side yards of at least five feet each shall be required for each nonresidential lot regardless of the width of the lot.~~

~~(D) Those apartments in masonry buildings existing on February 10, 1953, which apartments were created prior to June 26, 1992, or were created after June 26, 1992~~

and prior to March 7, 2000, with approval of a special use permit, shall be characterized as noncomplying uses.

Sec. 3-1200 RS/Townhouse zone.

3-1203 Special use.

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

(C) Reserved Rooming house;

Sec. 3-1300 RT/Townhouse zone.

3-1301 Purpose.

The RT zone is established to provide land areas for low density residential townhouse development at approximately nine units per acre which may be appropriate for infill sites in proximity to neighborhoods of low density single-unit, two-unit, and multi-unit up to four units dwelling. ~~family detached homes.~~

3-1303 Special uses.

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

(C) Reserved Rooming house;

Sec. 3-1400 RMF/Residential multi-unit family zone.

3-1401 Purpose.

The RMF zone is established to provide land areas for multi-unit family residential development and to enhance or preserve longterm affordability of housing. The zone would also permit limited neighborhood-serving commercial uses.

3-1402 Permitted uses.

The following uses are permitted in the RMF zone:

(A) Multi-unit family dwelling;

(B) Accessory uses, permitted by section 7-100;

(C) The following uses shall be permitted within a multi-unit family building ~~on the ground floor~~:

(1) Personal service establishment ~~Arts and crafts studios or stores~~;

(2) Business and professional office ~~Appliance repair and rental~~;

(3) Day care center ~~Bicycle repair~~;

(4) Retail shopping establishment ~~Barbershops and beauty shops~~;

(5) Private school, commercial ~~Dressmakers and tailors~~;

(6) Health profession office ~~Dry-cleaning and laundry pickup stations~~;

(7) Restaurant ~~Laundromat~~;

(8) Health and athletic club or fitness studio ~~Locksmiths~~;

(9) Medical care facility ~~Musical instrument repair~~;

- ~~(10) Outdoor dining located on private property-Optical center;~~
- ~~(11) Professional photographer's studios;-~~
- ~~(12) Shoe repair;-~~
- ~~(13) Furniture upholstery shops;-~~
- ~~(14) Watch repair;-~~
- ~~(15) Printing and photocopy service;-~~
- ~~(16) Business office;-~~
- ~~(17) Day care center;-~~
- ~~(18) Retail shopping establishment;-~~
- ~~(19) Private school, commercial;-~~
- ~~(20) Private school, academic (less than 20 students);-~~
- ~~(21) Health profession office;-~~

3-1403 Special uses.

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

~~(C) Private academic school with more than 20 students within a multi-unit building; The following uses shall be permitted with a special use permit within a multi-unit family building on the ground floor:-~~

- ~~(1) Restaurant;-~~
- ~~(2) Private school, academic with more than 20 students;-~~
- ~~(3) Health and athletic club or fitness studio;-~~
- ~~(4) Medical care facility;-~~
- ~~(5) Outdoor dining;-~~

3-1405 Bulk and open space regulations.

(B) *Open space.* The multi-unit family residential portion of each development shall provide a minimum of 25 percent of land area as open and usable space. Provided however that a portion of the space which would otherwise be required as green area may be met by comparable amenities and/or facilities provided in lieu thereof if such amenities or facilities meet or exceed the beneficial purposes which such green areas would accomplish. A determination by the director or by city council in the case of a special use permit shall be made in each case as to whether the open space provided, in addition to meeting the technical definition of open space, is functional and usable or includes comparable amenities.

(C) *Continuum of care facility.* For a continuum of care facility, the following yard and open space requirements apply:

- (1) Yards. There are no yard requirements except as may be applicable pursuant to supplemental yard and setback regulations of section 7-1000 ~~the zone-transition requirements of section 7-900.~~

3-1410 Co-living dwellings.

Up to two co-living dwellings, shall be categorized as a nonresidential use for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling shall provide the parking required under section 8-200(A)(22). For proposals with greater than two

co-living dwellings, each will be counted as a dwelling unit subject to the same area and bulk regulations as multi-unit family dwellings in this zone.

Section 4. That Article IV 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. 4-100 CL/Commercial low zone.

4-102 Permitted uses.

The following uses are permitted in the CL zone:

(A) Single-unit family dwelling;

(A.1) Two-unit family dwelling;

(B) Multi-unit family dwelling;

4-103 Special uses.

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

(N) Reserved Rooming house.

4-105 Area regulations.

(B) *Residential*.

(1) Lot size. Each single-unit family dwelling shall be located on a lot with a minimum land area of 5,000 square feet. In the case of a two-unit family dwelling, the lot shall contain 2,500 square feet of land area for each dwelling unit. ~~For each multifamily dwelling unit 1,600 square feet of land area shall be provided and for~~ Each townhouse dwelling unit shall be located on a lot with a minimum land area of 1,980 square feet.

(2) Frontage. When measured at both the front lot line and the front building line, each single-unit family dwelling, two-unit family duplex dwelling and multi-unit family dwelling requires a minimum of 50 feet of frontage, a semi-detached dwelling requires a minimum frontage of 25-37.5 feet for each dwelling unit, and each townhouse dwelling requires a minimum of 18 feet of frontage for interior lots, 26 feet of frontage for end lots and 38 feet of frontage for interior corner lots.

4-106 Bulk regulations.

(A) *Yards and open space*.

(1) *Nonresidential*. For nonresidential uses, there are no yard or open space requirements except as may be applicable pursuant to the supplemental yard and setback regulations of section 7-1000 ~~and the zone transition requirements of section 7-900.~~

(2) *Residential*. For residential uses the following yard and open space requirements apply:

(a) *Front Yards*. For residential uses, the required front yard shall be between the range established by the front yards within the contextual block face. If the minimum front yard, including the front yard of the property in question, within this range exceeds 20 feet, each residential use shall provide a front yard of at least 20 feet. ~~Each single-family, two-family and townhouse dwelling shall provide a front yard of 20 feet; a rear yard based on a 1:1 setback ratio and a minimum of eight feet; and side yards based on a 1:3 setback ratio and a minimum of eight feet. In the case of townhouses the side yard requirement shall apply only to interior end lots. Each multifamily dwelling shall comply with these yard requirements except that side yards shall be based on a setback ratio of 1:2 and a minimum of 16 feet.~~

(b) *Side yards*. Each single, two-unit, and townhouse dwelling shall provide two side yards, each based on a setback ratio of 1:3 and a minimum of eight feet. For townhouse dwellings, the side yard requirement shall only apply to interior end lots wider than 25 feet. Each multi-unit dwelling shall provide two side yards, each based on a setback ratio of 1:2 and a minimum of 16 feet. No side yards shall be required on lots less than 25 feet wide. *Open space*. Residential development shall provide 40 percent of the area of the lot as open and usable space, the location and shape of which shall be subject to the director's determination that it is functional and usable space for residents, visitors and other persons. Such open space may be located on landscaped roofs or other areas fully open to the sky which are not at ground level if the director determines that such space functions as open space for residents to the same extent that ground level open space would.

(c) *Rear yards*. Each residential use shall provide a rear yard based on a 1:1 setback ratio and a minimum of eight feet.

(d) *Open space*. Each residential use shall provide 35 percent of the area of the lot as open and usable space, the location and shape of which shall be subject to the director's determination that it is functional and usable space for residents, visitors and other persons. Such open space may be located on landscaped roofs or other areas fully open to the sky which are not at ground level if the director determines that such space functions as open space for residents to the same extent that ground level open space would.

(4) *Continuum of care facility*. For a continuum of care facility, the following yard and open space requirements apply:

(a) *Yards*. There are no yard requirements except as may be applicable pursuant to the supplemental yard and setback regulations of section 7-1000 zone transition requirements of section 7-900.

(B) *Floor area ratio*.

(2) *Residential*. The maximum permitted floor area ratio for residential uses is .75, not to exceed a maximum of ~~27 units for each acre for multifamily or 22 units~~

for each acre for townhouse development, except that for single-unit, two-unit, and townhouse dwellings within the Old and Historic Alexandria and Parker-Gray Districts only, the maximum permitted floor area ratio is 1.50 not to exceed a maximum of 30 dwelling units for each acre.

4-109 - Co-living dwellings.

Up to two co-living dwellings, shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling shall provide the parking required under section 8-200(A)(22). For proposals with greater than two co-living dwellings, each will be counted as a dwelling unit subject to the same area and bulk regulations as multi-unit-family dwellings in this zone.

Sec. 4-200 CC/Commercial community zone.

4-202 Permitted uses.

The following uses are permitted in the CC zone:

(A) Single-unit-family dwelling;

(A.1) Two-unit-family dwelling;

(B) Multi-unit-family dwelling;

4-203 Special uses.

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

(S) Reserved Rooming house.

4-205 Area regulations.

(B) *Residential.*

(1) Lot size. Each single-unit family dwelling shall be located on a lot with a minimum land area of 5,000 square feet. In the case of a two-unit family dwelling, the lot shall contain 2,500 square feet of land area for each dwelling unit. ~~For each multifamily dwelling unit 1,600 square feet of land area shall be provided~~ and for Each townhouse dwelling unit shall be located on a lot with a minimum land area of 1,980 square feet.

(2) Frontage. When measured at both the front lot line and the front building line, each single-unit family dwelling, two-unit family duplex dwelling and multi-unit family dwelling requires a minimum of 50 feet of frontage, a semi-detached dwelling requires a minimum frontage of 25-37.5 feet for each dwelling unit, and each townhouse dwelling requires a minimum of 18 feet of frontage for interior lots, 26 feet of frontage for end lots and 38 feet of frontage for interior corner lots.

4-206 Bulk regulations.

(A) *Yards and open space.*

(1) *Nonresidential.* For nonresidential uses, there are no yard or open space requirements except as may be applicable pursuant to the supplemental yard and setback regulations of section 7-1000 ~~and the zone transition requirements of section 7-900.~~

(2) *Residential.* For residential uses the following yard and open space requirements apply:

(a) *Front Yards.* ~~Each single family, two family and townhouse dwelling. For residential uses, the required front yard shall be between the range established by the front yards within the contextual block face. If the minimum front yard, including the front yard of the property in question, within this range exceeds 20 feet, a residential use shall provide a front yard of at least 20 feet.~~ shall provide a front yard of 20 feet; a rear yard based on a 1:1 setback ratio and a minimum of eight feet; and side yards based on a 1:3 setback ratio and a minimum of eight feet. In the case of townhouses the side yard requirement shall apply only to interior end lots. Each multifamily dwelling shall comply with these yard requirements except that side yards shall be based on a setback ratio of 1:2 and a minimum of 16 feet.

(b) *Side yards.* Each single, two-unit, and townhouse dwelling shall provide two side yards, each based on a setback ratio of 1:3 and a minimum of eight feet. For townhouse dwellings, the side yard requirement shall only apply interior end lots wider than 25 feet. Each multi-unit dwelling shall provide two side yards, each based on a setback ratio of 1:2 and a minimum of 16 feet. No side yards shall be required on lots less than 25 feet wide. ~~*Open space.*~~ Residential development shall provide 40 percent of the area of the lot as open and usable space, the location and shape of which shall be subject to the director's determination that it is functional and usable space for residents, visitors and other persons. Such open space may be located on landscaped roofs or other areas fully open to the sky which are not at ground level if the director determines that such space functions as open space for residents to the same extent that ground level open space would.

(c) *Rear yards.* Each residential use shall provide a rear yard based on a 1:1 setback ratio and a minimum of eight feet.

(d) *Open space.* Each residential use shall provide 35 percent of the area of the lot as open and usable space, the location and shape of which shall be subject to the director's determination that it is functional and usable space for residents, visitors and other persons. Such open space may be located on landscaped roofs or other areas fully open to the sky which are not at ground level if the director determines that such space functions as open space for residents to the same extent that ground level open space would.

(4) *Continuum of care facility.* For a continuum of care facility, the following yard and open space requirements apply:

(a) *Yards.* There are no yard requirements except as may be applicable pursuant to the supplemental yard and setback regulations of section 7-1000 ~~zone transition requirements of section 7-900.~~

(B) *Floor area ratio.*

(2) *Residential.* The maximum permitted floor area ratio for residential uses is .75, not to exceed a maximum of ~~27 units for each acre for multifamily or 22 units for each acre for townhouse development.~~

4-209 - Co-living dwellings.

Up to two co-living dwellings, shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling shall provide the parking required under section 8-200(A)(22). For proposals with greater than two co-living dwellings, each will be counted as a dwelling unit subject to the same area and bulk regulations as ~~multi-unit family~~ dwellings in this zone.

Sec. 4-300 CSL/Commercial service low zone.

4-302 Permitted uses.

The following uses are permitted in the CSL zone:

(A) Single-unit family dwelling;

(A.1) Two-unit family dwelling;

(B) Multi-unit family dwelling;

4-303 Special uses.

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

(Z) ~~Reserved Rooming house;~~

4-305 Area regulations.

(B) *Residential.*

(1) Lot size. Each single-unit family dwelling shall be located on a lot with a minimum land area of 5,000 square feet. In the case of a two-unit family dwelling, the lot shall contain 2,500 square feet of land area for each dwelling unit. ~~For each multifamily dwelling unit 1,600 square feet of land area shall be provided and for~~ Each townhouse dwelling unit shall be located on a lot with a minimum land area of 1,980 square feet.

(2) Frontage. When measured at both the front lot line and the front building line, each single-unit family dwelling, two-unit family duplex dwelling, and multi-unit family dwelling requires a minimum of 50 feet of frontage, a two-unit, semi-detached dwelling requires a minimum frontage of 25 ~~37.5~~ feet for each dwelling unit, and each townhouse dwelling requires a minimum of 18 feet of frontage for interior lots, 26 feet of frontage for end lots and 38 feet of frontage for interior corner lots.

4-306 Bulk regulations.

(A) *Yards and open space.*

(1) *Nonresidential.* For nonresidential uses, there are no yard or open space requirements except as may be applicable pursuant to the supplemental yard and setback regulations of section 7-1000 ~~and the zone transition requirements of section 7-900.~~

(2) *Residential.* For residential uses the following yard and open space requirements apply:

(a) *Front Yards.* ~~Each single-family, two-family and townhouse dwelling. For each residential use, the required front yard shall be between the range established by the front yards within the contextual block face. If the minimum front yard, including the front yard of the property in question, within this range exceeds 20 feet, a residential use shall provide a front yard of at least 20 feet. shall provide a front yard of 20 feet; a rear yard based on a 1:1 setback ratio and a minimum of eight feet; and side yards based on a 1:3 setback ratio and a minimum of eight feet. In the case of townhouses the side yard requirement shall apply only to interior end lots. Each multifamily dwelling shall comply with these yard requirements except that side yards shall be based on a setback ratio of 1:2 and a minimum of 16 feet.~~

(b) *Side yards.* ~~Each single-unit, two-unit, and townhouse dwelling shall provide two side yards, each based on a setback ratio of 1:3 and a minimum of eight feet. For townhouse dwellings, the side yard requirement shall only apply to interior end lots wider than 25 feet. Each multi-unit dwelling shall provide two side yards, each based on a setback ratio of 1:2 and a minimum of 16 feet. No side yards shall be required on lots less than 25 feet wide. *Open space.* Residential development shall provide 40 percent of the area of the lot as open and usable space, the location and shape of which shall be subject to the director's determination that it is functional and usable space for residents, visitors and other persons. Such open space may be located on landscaped roofs or other areas fully open to the sky which are not at ground level if the director determines that such space functions as open space for residents to the same extent that ground level open space would.~~

(c) *Rear yards.* ~~Each residential use shall provide a rear yard based on a 1:1 setback ratio and a minimum of eight feet.~~

(d) *Open space.* ~~Each residential use shall provide 35 percent of the area of the lot as open and usable space, the location and shape of which shall be subject to the director's determination that it is functional and usable space for residents, visitors and other persons. Such open space may be located on landscaped roofs or other areas fully open to the sky which are not at ground level if the director determines that such space functions as open space for residents to the same extent that ground level open space would.~~

(4) *Continuum of care facility.* For a continuum of care facility, the following yard and open space requirements apply:

(a) *Yards.* There are no yard requirements except as may be applicable pursuant to the supplemental yard and setback regulations of section 7-1000 zone transition requirements of section 7-900.

(B) *Floor area ratio.*

(2) *Residential.* The maximum permitted floor area ratio for residential uses is .75, not to exceed a maximum of ~~27 units for each acre for multifamily or 22 units for each acre for townhouse development,~~ except that for single-unit, two-unit, and townhouse dwellings within the Old and Historic Alexandria and Parker-Gray Districts only, the maximum permitted floor area ratio is 1.50 not to exceed a maximum of 30 dwelling units for each acre.

4-309 - Co-living dwellings.

Up to two co-living dwellings, shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling shall provide the parking required under section 8-200(A)(22). For proposals with greater than two co-living dwellings, each will be counted as a dwelling unit subject to the same area and bulk regulations as multi-unit-family dwellings in this zone.

Sec. 4-400 CG/Commercial general zone.

4-402 Permitted uses.

The following uses are permitted in the CG zone:

(A) Single-unit-family dwelling;

(A.1) Two-unit-family dwelling;

(B) Multi-unit-family dwelling;

4-403 Special uses.

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

(Z) Reserved Rooming house.

4-405 Area regulations.

(B) *Residential.*

(1) Lot size. Each single-unit family-dwelling shall be located on a lot with a minimum land area of 5,000 square feet. In the case of a two-unit family-dwelling, the lot shall contain 2,500 square feet of land area for each dwelling unit. ~~For each multifamily dwelling unit 1,600 square feet of land area shall be provided and for~~ Each townhouse dwelling unit shall be located on a lot with a minimum land area of 1,980 square feet.

(2) Frontage. When measured at both the front lot line and the front building line, each single-unit family-dwelling, two-unit family-duplex dwelling and multi-unit

~~family dwelling requires a minimum of 50 feet of frontage, a semi-detached dwelling requires a minimum frontage of 25-37.5 feet for each dwelling unit, and each townhouse dwelling requires a minimum of 18 feet of frontage for interior lots, 26 feet of frontage for end lots and 38 feet of frontage for interior corner lots.~~

4-406 Bulk regulations.

(A) *Yards and open space.*

(1) *Nonresidential.* For nonresidential uses, there are no yard or open space requirements except as may be applicable pursuant to the supplemental yard and setback regulations of section 7-1000 ~~and the zone transition requirements of section 7-900.~~

(2) *Residential.* For residential uses the following yard and open space requirements apply:

(a) *Front Yards.* ~~Each single family, two family and townhouse dwelling. For each residential use, the required front yard shall be between the range established by the front yards within the contextual block face. If the minimum front yard, including the front yard of the property in question, within this range exceeds 20 feet, a residential use shall provide a front yard of at least 20 feet. shall provide a front yard of 20 feet; a rear yard based on a 1:1 setback ratio and a minimum of eight feet; and side yards based on a 1:3 setback ratio and a minimum of eight feet. In the case of townhouses the side yard requirement shall apply only to interior end lots. Each multifamily dwelling shall comply with these yard requirements except that side yards shall be based on a setback ratio of 1:2 and a minimum of 16 feet.~~

(b) *Side yards.* ~~Each single, two-unit, and townhouse dwelling shall provide two side yards, each based on a setback ratio of 1:3 and a minimum of eight feet. For townhouse dwellings, the side yard requirement shall only apply to interior end lots wider than 25 feet. Each multi-unit dwelling shall provide two side yards, each based on a setback ratio of 1:2 and a minimum of 16 feet. No side yards shall be required on lots less than 25 feet wide. *Open space.* Residential development shall provide 40 percent of the area of the lot as open and usable space, the location and shape of which shall be subject to the director's determination that it is functional and usable space for residents, visitors and other persons. Such open space may be located on landscaped roofs or other areas fully open to the sky which are not at ground level if the director determines that such space functions as open space for residents to the same extent that ground level open space would.~~

(c) *Rear yards.* ~~Each residential use shall provide a rear yard based on a 1:1 setback ratio and a minimum of eight feet.~~

(d) *Open space.* ~~Each residential use shall provide 35 percent of the area of the lot as open and usable space, the location and shape of which shall be subject to the director's determination that it is functional and usable space for residents, visitors and other persons. Such open space may be located on landscaped roofs or other areas fully open to the sky which are not at ground level if the director determines that such space functions as~~

open space for residents to the same extent that ground level open space would.

(4) *Continuum of care facility.* For a continuum of care facility, the following yard and open space requirements apply:

(a) *Yards.* There are no yard requirements except as may be applicable pursuant to the supplemental yard and setback regulations of section 7-1000 zone transition requirements of section 7-900.

(B) Floor area ratio.

(2) *Residential.* The maximum permitted floor area ratio for residential uses is .75, not to exceed a maximum of ~~27 units for each acre for multifamily or 22 units for each acre for townhouse development.~~

4-409 - Co-living dwellings.

Up to two co-living dwellings, shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling shall provide the parking required under section 8-200(A)(22). For proposals with greater than two co-living dwellings, each will be counted as a dwelling unit subject to the same area and bulk regulations as multi-unit-family dwellings in this zone.

Sec. 4-500 CD/Commercial downtown zone.

4-502 Permitted uses.

The following uses are permitted in the CD zone:

(A) Single-unit-family dwelling;

(A.1) Two-unit-family dwelling;

(B) Multi-unit-family dwelling;

4-503 Special uses.

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

(X) ~~Reserved Rooming house;~~

4-505 Area regulations.

(B) *Residential.*

(1) *Lot size.* ~~Each multifamily structure shall provide a minimum land area of 1,245 square feet per dwelling unit except that the minimum land area for each dwelling unit may be reduced to an amount no lower than 800 square feet with a special use permit.~~ Each single-unit-family, two-unit-family and townhouse dwelling shall provide a minimum land area of 1,452 square feet.

(2) *Frontage.*

- (a) When measured at both the front lot line and the front building line, each ~~multi-unit family~~ dwelling requires a minimum of 50 feet of frontage.
- (b) For ~~single-family~~ and ~~two-unit family~~ duplex dwellings, the minimum lot width at the front building line and the minimum lot frontage at the front lot line shall be 25 feet. For ~~two-unit family~~ semi-detached dwellings, the minimum lot frontage shall be 25 feet for each dwelling unit.

4-506 Bulk regulations.

(A) *Yards and open space.*

(1) *Nonresidential.* For nonresidential uses, there are no yard or open space requirements except as may be applicable pursuant to the supplemental yard and setback regulations of section 7-1000 ~~and the zone transition requirements of section 7-900.~~

(2) *Residential.* For residential uses, the following yard and open space requirements apply:

(b) *Side yards.*

(1) Each single and ~~two-unit family~~ dwelling shall provide two side yards of a minimum size of five feet. Each interior end ~~lot unit~~ in a group of townhouses shall provide one side yard of a minimum size of five feet. No side yards shall be required on lots less than 25 feet wide.

(2) Each ~~multi-unit family~~ dwelling shall provide two side yards based on a 1:3 setback ratio and of a minimum of 25 feet each.

(c) *Rear yard.*

(1) Each ~~single-unit family, two-unit family~~ and townhouse dwelling shall provide a rear yard based on a setback ratio of 1:2 and a minimum size of 16 feet.

(2) Each ~~multi-unit family~~ dwelling shall provide a rear yard based on a setback ratio of 1:1 and a minimum size of 25 feet.

(d) ~~Multi-unit family~~ *open space.* Each multi family residential use development shall provide 35-40 percent of the area of the lot as open and usable space, the location and shape of which shall be subject to the director's determination that it is functional and usable space for residents, visitors and other persons. Such open space may be located on landscaped roofs or other areas fully open to the sky which are not at ground level if the director determines that such space functions as open space for residents to the same extent that ground level open space would.

(e) ~~Single-unit family, two-unit family~~ *and townhouse open and usable space.* -

(1) Each ~~single-unit family, two-unit family~~ and townhouse dwelling shall provide open and usable space in an amount equal to the lesser of the following:

(4) *Continuum of care facility.* For a continuum of care facility, the following yard and open space requirements apply:

(a) *Yards*. There are no yard requirements except as may be applicable pursuant to the supplemental yard and setback regulations of section 7-1000 zone transition requirements of section 7-900.

(B) *Floor area ratio.*

(2) *Residential*. The maximum permitted floor area ratio for multi-unit-family residential uses is 1.25, ~~not to exceed 35 units per acre except that the number of dwelling units per acre may be increased to a number not to exceed 54.45 with a special use permit.~~ The maximum permitted floor area ratio for single-unit-family, two-unit-family, and townhouses dwellings is 1.50.

4-509 Co-living dwellings.

Up to two co-living dwellings, shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling shall provide the parking required under section 8-200(A)(22). For proposals with greater than two co-living dwellings, each will be counted as a dwelling unit subject to the same area and bulk regulations as multi-unit-family dwellings in this zone.

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

4-602 Permitted uses.

(A) Single-unit-family dwelling;

(A.1) Two-unit-family dwelling;

(B) Multi-unit-family dwelling;

4-603 Special uses.

(V) Reserved-Rooming house;

4-605 Area regulations.

(B) *Residential*.

(1) *Lot size*. Each single-unit-family dwelling shall be located on a lot with a minimum land area of 5,000 square feet. In the case of a two-unit-family dwelling, the lot shall contain 2,500 square feet of land area for each dwelling unit. Each ~~multifamily~~ and townhouse dwelling shall provide a minimum land area of 1,245 square feet per dwelling unit except that the minimum land area per dwelling unit may be reduced to 436 square feet with a special use permit.

(2) *Frontage*. When measured at both the front lot line and the front building line, each single-unit-family dwelling, two-unit-family duplex dwelling and multi-unit-family dwelling requires a minimum of 50 feet of frontage, and a semi-detached dwelling requires a minimum frontage of 25-~~37.5~~ feet for each dwelling unit. When measured at both the front lot line and the front building line, each

townhouse dwelling requires a minimum of 18 feet of frontage; provided, however that the planning commission may approve a lot width reduction on an interior lot to a minimum of 15 feet where the commission finds the reduction necessary and appropriate and:

4-606 Bulk regulations.

(A) *Yards and open space.*

(1) *Nonresidential.* For nonresidential uses, there are no yard or open space requirements except as may be applicable pursuant to the supplemental yard and setback regulations of section 7-1000 ~~and the zone transition requirements of section 7-900.~~

(2) *Residential.* For residential uses the following yard and open space requirements apply:

(a) *Front yards.* For each residential use, the required front yard shall be between the range established by the front yards within the contextual block face. If the minimum front yard, including the front yard of the property in question, within this range exceeds 20 feet, a residential use shall provide a front yard of at least 20 feet. ~~Each single-family and two-family dwelling shall provide a front yard of 20 feet; a rear yard based on a 1:1 setback ratio and a minimum of eight feet; and side yards based on a 1:3 setback ratio and a minimum of eight feet. Each townhouse dwelling shall provide a rear yard based on a 1:2 setback ratio and a minimum of 16 feet, and each interior end unit townhouse shall provide a side yard based on a 1:3 setback ratio and a minimum of eight feet. Each multifamily dwelling shall comply with these townhouse yard requirements except that side yards shall be based on a setback ratio of 1:2 and a minimum of 16 feet.~~

(b) *Side yards.* Each single-unit, two-unit, and townhouse dwelling shall provide two side yards, each based on a setback ratio of 1:3 and a minimum of eight feet. For townhouse dwellings, the side yard requirement shall only apply to interior end lots wider than 25 feet. Each multi-unit dwelling shall provide two side yards, each based on a setback ratio of 1:2 and a minimum of 16 feet. No side yards shall be required on lots less than 25 feet wide. ~~Open space. Multifamily residential development shall provide 25 percent and single-family and two-family residential development shall provide 40 percent of the area of the lot as open and usable space, the location and shape of which shall be subject to the director's determination that it is functional and usable space for residents, visitors and other persons. Such open space may be located on landscaped roofs or other areas fully open to the sky which are not at ground level if the director determines that such space functions as open space for residents to the same extent that ground level open space would.~~

(c) *Rear yards.* Each residential use shall provide a rear yard based on a 1:1 setback ratio and a minimum of eight feet.

(d) *Open space.* Each residential use shall provide 35 percent of the area of the lot as open and usable space. The location and shape of open and usable space shall be subject to the director's determination that it is

functional and usable space for residents, visitors and other persons. Such open space may be located on landscaped roofs or other areas fully open to the sky which are not at ground level if the director determines that such space functions as open space for residents to the same extent that ground level open space would.

(4) *Continuum of care facility.* For a continuum of care facility, the following yard and open space requirements apply:

(a) *Yards.* There are no yard requirements except as may be applicable pursuant to the supplemental yard and setback regulations of section 7-1000 zone transition requirements of section 7-900.

(B) *Floor area ratio.*

(2) *Residential.* The maximum permitted floor area ratio for residential uses is 1.25. Maximum density shall not to exceed 35 dwelling units for per each acre for single-unit, two-unit, and townhouse dwellings only. For single-unit, two-unit, and townhouse dwellings within the Old and Historic Alexandria and Parker-Gray Districts only, the maximum permitted floor area ratio is 1.50. For properties within the area bounded by First, Third, North Royal and North Fairfax Streets, only, the floor area ratio may be increased to 2.0, not to exceed 100 units per acre with a special use permit subject to the following standards:

4-609 Co-living dwellings.

Up to two co-living dwellings, shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling shall provide the parking required under section 8-200(A)(22). For proposals with greater than two co-living dwellings, each will be counted as a dwelling unit subject to the same area and bulk regulations as multi-unit-family dwellings in this zone.

Sec. 4-800 OC/Office commercial zone.

4-802 Permitted uses.

The following uses are permitted in the OC zone:

(A) ~~Single-unit-family~~ dwelling;

(A.1) ~~Two-unit-family~~ dwelling;

(B) ~~Multi-unit-family~~ dwelling;

4-803 Special uses.

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

(BB) ~~Reserved Rooming house;~~

4-805 Area regulations.

(B) *Residential.*

(1) *Lot size.* Each single-unit family dwelling shall be located on a lot with a minimum land area of 5,000 square feet. In the case of a two-unit family dwelling, the lot shall contain 2,500 square feet of land area for each dwelling unit. Each multifamily or townhouse use shall provide a minimum land area of 800 square feet for each multifamily dwelling unit or 1,600 square feet for each townhouse unit.

(2) *Frontage.* When measured at both the front lot line and the front building line, each single-unit family dwelling, two-unit family duplex dwelling, and multi-unit family dwelling requires a minimum of 50 feet of frontage, a semi-detached dwelling requires a minimum frontage of 25-37.5 feet for each dwelling unit, and each townhouse dwelling requires a minimum of 18 feet of frontage for interior lots, 26 feet of frontage for end lots and 38 feet of frontage for interior corner lots.

4-806 Bulk regulations.

(A) *Yards and open space.*

(1) *Nonresidential.* For nonresidential uses, there are no yard or open space requirements except as may be applicable pursuant to the supplemental yard and setback regulations of section 7-1000 and the zone transition requirements of section 7-900.

(2) *Residential.* For residential uses the following yard and open space requirements apply:

(a) *Front yards.* ~~Each single-family, two-family and townhouse dwelling. For each residential use, the required front yard shall be between the range established by the front yards within the contextual block face. If the minimum front yard, including the front yard of the property in question, within this range exceeds 20 feet, a residential use shall provide a front yard of at least 20 feet. shall provide a front yard of 20 feet; a rear yard based on a 1:1 setback ratio and a minimum of eight feet; and side yards based on a 1:3 setback ratio and a minimum of eight feet. In the case of townhouses the side yard requirement shall apply only to interior end lots. Each multifamily dwelling shall comply with these yard requirements except that side yards shall be based on a setback ratio of 1:2 and a minimum of 16 feet.~~

(b) *Side yards.* Each single-unit, two-unit, and townhouse dwelling shall provide two side yards, each based on a setback ratio of 1:3 and a minimum of eight feet. For townhouse dwellings, the side yard requirement shall only apply to interior end lots wider than 25 feet. Each multi-unit dwelling shall provide two side yards, each based on a setback ratio of 1:2 and a minimum of 16 feet. No side yards shall be required on lots less than 25 feet wide. ~~*Open space.* Residential development shall provide 40 percent of the area of the lot as open and usable space, the location and shape of which shall be subject to the director's determination that it is functional and usable space for residents, visitors and other persons. Such open space may be located on landscaped roofs or other areas fully open to the sky which are not at ground level if the director~~

~~determines that such space functions as open space for residents to the same extent that ground level open space would.~~

(c) Rear yards. Each residential use shall provide a rear yard based on a 1:1 setback ratio and a minimum of eight feet.

(d) Open space. Each residential use shall provide 35 percent of the area of the lot as open and usable space, the location and shape of which shall be subject to the director's determination that it is functional and usable space for residents, visitors and other persons. Such open space may be located on landscaped roofs or other areas fully open to the sky which are not at ground level if the director determines that such space functions as open space for residents to the same extent that ground level open space would.

(4) *Continuum of care facility.* For a continuum of care facility, the following yard and open space requirements apply:

(a) *Yards.* There are no yard requirements except as may be applicable pursuant to the supplemental yard and setback regulations of section 7-1000 zone transition requirements of section 7-900.

(B) Floor area ratio.

(2) *Residential.* The maximum permitted floor area ratio for residential uses is 1.25, not to exceed ~~54.45 units per acre for multifamily or 22 units per acre for townhouse development,~~ except that for single-unit, two-unit, and townhouse dwellings within the Old and Historic Alexandria and Parker-Gray Districts only, the maximum permitted floor area ratio is 1.50 not to exceed a maximum of 30 dwelling units for each acre.

4-809 Co-living dwellings.

Up to two co-living dwellings, shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling shall provide the parking required under section 8-200(A)(22). For proposals with greater than two co-living dwellings, each will be counted as a dwelling unit subject to the same area and bulk regulations as ~~multi-unit family~~ dwellings in this zone.

Sec. 4-900 OCM(50)/Office commercial medium (50) zone.

4-902 Permitted uses.

The following uses are permitted in the OCM(50) zone:

(A) ~~Single-unit family~~ dwelling;

(A.1) ~~Two-unit family~~ dwelling;

(B) ~~Multi-unit family~~ dwelling;

4-903 Special uses.

The following uses may be allowed in the OCM(50) zone pursuant to a special use permit:

(BB) ~~Reserved Rooming house;~~

4-905 Area and bulk regulations.

(A) *Yards.*

(1) For nonresidential uses, there are no yard or open space requirements except as may be applicable pursuant to the supplemental yard or setback regulations of section 7-1000 ~~and the zone transition requirements of section 7-900.~~

(2) For residential uses the following yard requirements apply:

(a) Front yards. For each residential use, the required front yard shall be between the range established by the front yards within the contextual block face. If the minimum front yard, including the front yard of the property in question, within this range exceeds 20 feet, a residential use shall provide a front yard of at least 20 feet.

(b) Side yards. Each single-unit, two-unit, and townhouse dwelling shall provide two side yards, each based on a setback ratio of 1:3 and a minimum of eight feet. For townhouse dwellings, the side yard requirement shall only apply to interior end lots wider than 25 feet. Each multi-unit dwelling shall provide two side yards, each based on a setback ratio of 1:2 and a minimum of 16 feet. No side yards shall be required on lots less than 25 feet wide.

(c) Rear yards. Each residential use shall provide a rear yard based on a 1:1 setback ratio and a minimum of eight feet.

~~Each single-family, and two-family dwelling shall provide a front yard of 20 feet; a rear yard based on a 1:1 setback ratio and a minimum of eight feet; and side yards based on a 1:3 setback ratio and a minimum of eight feet. Each interior-end unit townhouse shall provide a side yard based on a 1:3 setback ratio and a minimum of eight feet.~~

(4) Continuum of care facility. There are no yard requirements except as may be applicable pursuant to the supplemental yard and setback regulations of section 7-1000 ~~zone transition requirements of section 7-900.~~

(B) *Open space.*

(1) ~~Each residential use development shall provide 35-40 percent of the area of the lot as open and usable space, the location and shape of which shall be subject to the director's determination that it is functional and usable space for residents, visitors and other persons. Such open space may be located on landscaped roofs or other areas fully open to the sky which are not at ground level if the director determines that such space functions as open space for residents to the same extent that ground level open space would.~~

(C) *Floor area ratio.*

(2) *Residential.* The maximum permitted floor area ratio for residential uses is 1.50. For single-unit, two-unit, and townhouse dwellings only, the maximum density shall not to exceed one dwelling unit for each 800 square feet of lot area or 54.45 units for each acre.

(E) *Lot size.* Each single-unit family dwelling shall be located on a lot with a minimum land area of 5,000 square feet. In the case of a two-unit family dwelling, the lot shall contain 2,500 square feet of land area for each dwelling unit.

(F) *Frontage.* When measured at both the front lot line and the front building line, each single-family dwelling and two-unit family duplex dwelling requires a minimum of 50 feet of frontage, and a semi-detached dwelling requires a minimum frontage of 25-37.5 feet for each dwelling unit.

4-908 Co-living dwellings.

Up to two co-living dwellings, shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling shall provide the parking required under section 8-200(A)(22). For proposals with greater than two co-living dwellings, each will be counted as a dwelling unit subject to the same area and bulk regulations as multi-unit family dwellings in this zone.

Sec. 4-1000 OCM(100)/Office commercial medium (100) zone.

4-1002 Permitted uses.

The following uses are permitted in the OCM(100) zone:

(A) Single-unit family dwelling, except as limited by section 4-1003(BB.1);

(A.1) Two-unit family dwelling, except as limited by section 4-1003(BB.1);

(B) Multi-unit family dwelling, except as limited by section 4-1003(BB.1);

4-1003 Special uses.

The following uses may be allowed in the OCM (100) zone pursuant to a special use permit:

(BB) Reserved Rooming house;

(BB.1) Single-unit family, two-unit family, townhouse, and multi-unit family dwellings on lots located within 1,000 feet of the centerline of Eisenhower Avenue;

4-1005 Area and bulk regulations.

(A) *Yards.*

(1) For nonresidential uses, there are no yard or open space requirements except as may be applicable pursuant to the supplemental yard or setback regulations of section 7-1000 and the zone transition requirements of section 7-900.

(2) For residential uses the following yard requirements apply:

(a) Front yards. For each residential use, the required front yard shall be between the range established by the front yards within the contextual block face. If the minimum front yard, including the front yard of the property in question, within this range exceeds 20 feet, a residential use shall provide a front yard of at least 20 feet.

(b) Side yards. Each single-unit, two-unit, and townhouse dwelling shall provide two side yards, each based on a setback ratio of 1:3 and a

minimum of eight feet. For townhouse dwellings, the side yard requirement shall only apply to interior end lots wider than 25 feet. Each multi-unit dwelling shall provide two side yards, each based on a setback ratio of 1:2 and a minimum of 16 feet. No side yards shall be required on lots less than 25 feet wide.

(c) Rear yards. Each residential use shall provide a rear yard based on a 1:1 setback ratio and a minimum of eight feet.

~~Each single-family, and two-family dwelling shall provide a front yard of 20 feet; a rear yard based on a 1:1 setback ratio and a minimum of eight feet; and side yards based on a 1:3 setback ratio and a minimum of eight feet. Each interior-end unit townhouse shall provide a side yard based on a 1:3 setback ratio and a minimum of eight feet.~~

(4) Continuum of care facility. There are no yard requirements except as may be applicable pursuant to the supplemental yard and setback regulations of section 7-1000 zone transition requirements of section 7-900.

(B) *Open space.*

(1) ~~Each residential use development shall provide 35-40 percent of the area of the lot as open and usable space, the location and shape of which shall be subject to the director's determination that it is functional and usable space for residents, visitors and other persons. Such open space may be located on landscaped roofs or other areas fully open to the sky which are not at ground level if the director determines that such space functions as open space for residents to the same extent that ground level open space would.~~

(C) *Floor area ratio.*

(2) *Residential.* The maximum permitted floor area ratio for residential uses is 1.50₂₇. For single-unit, two-unit and townhouse dwellings only, maximum density shall not to exceed one dwelling unit for each 800 square feet of lot area or 54.45 units for each acre.

(E) *Lot size.* Each single-unit family dwelling shall be located on a lot with a minimum land area of 5,000 square feet. In the case of a two-unit family dwelling, the lot shall contain 2,500 square feet of land area for each dwelling unit.

(F) *Frontage.* When measured at both the front lot line and the front building line, each single-unit family dwelling and two-unit family duplex dwelling requires a minimum of 50 feet of frontage, and a semi-detached dwelling requires a minimum frontage of 25-37.5 feet for each dwelling unit.

4-1008 Co-living dwellings.

Up to two co-living dwellings, shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling shall provide the parking required under section 8-200(A)(22). For proposals with greater than two co-living dwellings, each will be counted as a dwelling unit subject to the same area and bulk regulations as multi-unit family dwellings in this zone.

Sec. 4-1100 OCH/Office commercial high zone.

4-1102 Permitted uses.

The following uses are permitted in the OCH zone:

(A) ~~Single-unit family~~ dwelling, except as limited by section 4-1103(YA.1);

(A.1) ~~Two-unit family~~ dwelling, except as limited by section 4-1103(YA.1);

(B) ~~Multi-unit family~~ dwelling, except as limited by section 4-1103(YA.1);

4-1103 Special uses.

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

(Y) ~~Reserved Rooming house~~;

(Y.1) ~~Single-unit family, two-unit family, townhouse and multi-unit family~~ dwellings on lots located within 1,000 feet of the centerline of Eisenhower Avenue;

4-1105 Area and bulk regulations.

(A) *Yards.*

(1) For nonresidential uses, there are no yard or open space requirements except as may be applicable pursuant to the supplemental yard or setback regulations of section 7-1000 and the zone transition requirements of section 7-900.

(2) For residential uses the following yard requirements apply:

(a) Front yards. For each residential use, the required front yard shall be between the range established by the front yards within the contextual block face. If the minimum front yard, including the front yard of the property in question, within this range exceeds 20 feet, a residential use shall provide a front yard of at least 20 feet.

(b) Side yards. Each single-unit, two-unit, and townhouse dwelling shall provide two side yards, each based on a setback ratio of 1:3 and a minimum of eight feet. For townhouse dwellings, the side yard requirement shall only apply to interior end lots wider than 25 feet. Each multi-unit dwelling shall provide two side yards, each based on a setback ratio of 1:2 and a minimum of 16 feet. No side yards shall be required on lots less than 25 feet wide.

(c) Rear yards. Each residential use shall provide a rear yard based on a 1:1 setback ratio and a minimum of eight feet.

~~Each single-family, and two-family dwelling shall provide a front yard of 20 feet; a rear yard based on a 1:1 setback ratio and a minimum of eight feet; and side yards based on a 1:3 setback ratio and a minimum of eight feet. Each interior end unit townhouse shall provide a side yard based on a 1:3 setback ratio and a minimum of eight feet.~~

(4) Continuum of care facility. There are no yard requirements except as may be applicable pursuant to the supplemental yard and setback regulations of section 7-1000 zone transition requirements of section 7-900.

(B) *Open space.*

(1) ~~Each residential use development~~ shall provide ~~35-40~~ percent of the area of the lot as open and usable space, the location and shape of which shall be subject to the director's determination that it is functional and usable space for residents, visitors and other persons. Such open space may be located on landscaped roofs or other areas fully open to the sky which are not at ground level if the director determines that such space functions as open space for residents to the same extent that ground level open space would.

(C) *Floor area ratio.*

(2) *Residential.* ~~(a)~~ For residential uses other than those specified by the subsections 4-1105(C)(2)(b) below, the maximum permitted floor area ratio is 1.25. For single-unit, two-unit, and townhouse dwellings only, maximum density shall not to exceed one dwelling unit for each 800 square feet of lot area or 54.45 units an acre.

~~(a)~~ For residential uses located within 1,000 feet of a metrorail station the maximum permitted floor area ratio is 2.0, except that the maximum floor area ratio may be increased to an amount not to exceed 3.0 with a special use permit.

(b) For single-unit, two-unit, and townhouse dwellings within the Old and Historic Alexandria and Parker-Gray Districts only, the maximum permitted floor area ratio is 1.50 not to exceed a maximum of 30 dwelling units for each acre.

(E) *Lot size.* Each single-unit family dwelling shall be located on a lot with a minimum land area of 5,000 square feet. In the case of a two-unit family dwelling, the lot shall contain 2,500 square feet of land area for each dwelling unit.

(F) *Frontage.* When measured at both the front lot line and the front building line, each single-unit family dwelling and two-unit family duplex dwelling requires a minimum of 50 feet of frontage, and a semi-detached dwelling requires a minimum frontage of ~~25-37.5~~ feet for each dwelling unit.

4-1107 Certain structures, lots and uses inconsistent with these provisions.

Single-unit family, two-unit family, townhouse and multi-unit family dwellings on lots located within 1,000 feet of the centerline of Eisenhower Avenue, existing on November 9, 1999, or for which a building permit application or preliminary site plan application was filed and was pending or had been approved on or before November 9, 1999, shall not be subject to the requirement for a special use permit, shall not be characterized as nonconforming or noncomplying uses or structures, and shall be characterized as uses or structures grandfathered under prior law, pursuant to section 12-500 of this ordinance.

4-1108 Co-living dwellings.

Up to two co-living dwellings, shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling shall provide the parking required under section 8-200(A)(22). For proposals with greater than two co-living dwellings, each will be counted as a dwelling unit subject to the same area and bulk regulations as multi-unit family dwellings in this zone.

Sec. 4-1200 I/Industrial zone.

4-1202 Permitted uses.

The following uses are permitted in the I zone:

(DD) In buildings constructed after [DATE OF ADOPTION], uses occupying the first floor shall be limited to the following:

- (1) Building lobby with 30 feet of frontage or less;
- (2) Health and athletic club or fitness studio;
- (3) Personal service establishment;
- (4) Recreation and entertainment uses, indoor;
- (6) Restaurants pursuant to 4-1202(V.1) or 4-1292.1(A.1)
- (5) Retail shopping establishment

For purposes of this subsection, first floor shall include the space located within the first 50 feet of depth of a building as measured from the front building wall.

4-1205 Area and bulk regulations.

(A) *Yards.* For nonresidential uses, there are no yard or open space requirements except as may be applicable pursuant to the supplemental yard or setback regulations of section 7-1000 ~~and the zone transition requirements of section 7-900.~~

4-1206 Use limitations.

(E) For buildings constructed after [DATE OF ADOPTION], the following limitations apply:

- (1) No vehicular entrances to public garages, private garages, off-street parking spaces, or loading spaces shall face a street.
- (2) No off-street parking or loading spaces shall be located forward of a front building wall.

Sec. 4-1300 UT/Utilities and transportation.

4-1305 Area and bulk regulations.

(A) *Yards.* For nonresidential uses, there are no yard or open space requirements except as may be applicable pursuant to the supplemental yard or setback regulations of section 7-1000 ~~and the zone transition requirements of section 7-900.~~

Sec. 4-1400 NR/Neighborhood retail zone (Arlandria).

4-1407 Parking.

The parking requirements of Article VIII XIII of the zoning ordinance and with an administrative permit granted by the director of planning and zoning, the following provisions shall apply as to off-street parking:

(F) Newly constructed residential apartment units shall comply with off-street parking required by article VIII of the zoning ordinance for multi-unit-family buildings.

Section 5. That Article V 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. 5-100 CRMU-L/Commercial residential mixed use (low).

5-102 Permitted uses.

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

(A) Single-unit-family dwelling;

(A.1) Two-unit-family dwelling;

(B) Multi-unit-family dwelling;

5-105 Floor area ratio.

The permitted floor area ratio of a development in the CRMU-L zone depends on whether a single use or mixture of uses is proposed and whether a special use permit is sought.

(A) *Single use.* If a parcel is developed for only commercial use or for only residential use, the maximum permitted floor area ratio is:

(2) *Residential:* 1.0, except that for single-unit, two-unit, and townhouse dwellings within the Old and Historic Alexandria and Parker-Gray Districts, the maximum permitted floor area ratio is 1.50.

5-107 Open space requirements.

(A) Each residential ~~use development~~ or residential portion of a mixed use development shall provide a minimum of ~~35-40~~ percent of land area as open and usable space; provided however that a portion of the space which would otherwise be required as green area may be met by comparable amenities and/or facilities provided in lieu thereof if such amenities or facilities meet or exceed the beneficial purposes which such green areas would accomplish. A determination by the director or by council in the case of a special use permit shall be made in each case as to whether the open space provided, in addition to meeting the technical definition of open space, is functional and usable.

5-111 Additional regulations for single-unit, two-unit-family and townhouse dwellings.

(A) *Lot size.* Each single-unit-family dwelling shall be located on a lot with a minimum land area of 5,000 square feet. In the case of a two-unit-family dwelling, the lot shall contain 2,500 square feet of land area for each dwelling unit.

(B) *Frontage.* When measured at both the front lot line and the front building line, each single-unit-family dwelling and two-unit-family duplex dwelling requires a minimum of 50

feet of frontage, and a two-unit semi-detached dwelling requires a minimum frontage of 25-37.5 feet for each dwelling unit.

(C) Yards. For residential uses the following yard requirements apply:

(1) Front yards. For each residential use, the required front yard shall be between the range established by the front yards within the contextual block face. If the minimum front yard, including the front yard of the property in question, within this range exceeds 20 feet, a residential use shall provide a front yard of at least 20 feet. Each single-family, and two-family dwelling shall provide a front yard of 20 feet; a rear yard based on a 1:1 setback ratio and a minimum of eight feet; and side yards based on a 1:3 setback ratio and a minimum of eight feet. Each interior end unit townhouse shall provide a side yard based on a 1:3 setback ratio and a minimum of eight feet.

(2) Side yards. Each residential use shall provide two side yards, each based on a setback ratio of 1:3 and a minimum of eight feet. For townhouse dwellings, the side yard requirement shall only apply to interior end lots wider than 25 feet. No side yards shall be required on lots less than 25 feet wide.

(3) Rear yards. Each residential use shall provide a rear yard based on a 1:1 setback ratio and a minimum of eight feet.

5-113 Co-living dwellings.

Up to two co-living dwellings, shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling shall provide the parking required under section 8-200(A)(22). For proposals with greater than two co-living dwellings, each will be counted as a dwelling unit subject to the same area and bulk regulations as multi-unit-family dwellings in this zone.

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

5-202 Permitted uses.

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

(A) Single-unit-family dwelling;

(A.1) Two-unit-family dwelling;

(B) Multi-unit-family dwelling;

5-205 Floor area ratio.

The permitted floor area ratio of a development in the CRMU-M-L zone depends on whether a single use or mixture of uses is proposed and whether a special use permit is sought.

(A) *Single use*. If a parcel is developed for only commercial use or for only residential use, the maximum permitted floor area ratio is:

(2) Residential: 1.0, except that for single-unit, two-unit, and townhouse dwellings within the Old and Historic Alexandria and Parker-Gray Districts, the maximum permitted floor area ratio is 1.50.

5-207 Open space requirements.

(A) Each residential ~~use development~~ or residential portion of a mixed use development shall provide a minimum of ~~35-40~~ percent of land area as open and usable space; provided however that a portion of the space which would otherwise be required as green area may be met by comparable amenities and/or facilities provided in lieu thereof if such amenities or facilities meet or exceed the beneficial purposes which such green areas would accomplish. A determination by the director or by council in the case of a special use permit shall be made in each case as to whether the open space provided, in addition to meeting the technical definition of open space, is functional and usable.

5-211 Additional regulations for single-unit, two-unit-family and townhouse dwellings.

(A) *Lot size.* Each single-unit-family dwelling shall be located on a lot with a minimum land area of 5,000 square feet. In the case of a two-unit-family dwelling, the lot shall contain 2,500 square feet of land area for each dwelling unit.

(B) *Frontage.* When measured at both the front lot line and the front building line, each single-family dwelling and two-unit-family duplex dwelling requires a minimum of 50 feet of frontage, and a two-unit semi-detached dwelling requires a minimum frontage of ~~25-37.5~~ feet for each dwelling unit.

(C) *Yards.* ~~For residential uses the following yard requirements apply.~~

(1) Front yards. For each residential use, the required front yard shall be between the range established by the front yards within the contextual block face. If the minimum front yard, including the front yard of the property in question, within this range exceeds 20 feet, a residential use shall provide a front yard of at least 20 feet. ~~Each single-family, and two-family dwelling shall provide a front yard of 20 feet; a rear yard based on a 1:1 setback ratio and a minimum of eight feet; and side yards based on a 1:3 setback ratio and a minimum of eight feet. Each interior end unit townhouse shall provide a side yard based on a 1:3 setback ratio and a minimum of eight feet.~~

(2) Side yards. Each residential use shall provide two side yards, each based on a setback ratio of 1:3 and a minimum of eight feet. For townhouse dwellings, the side yard requirement shall only apply to interior end lots wider than 25 feet. No side yards shall be required on lots less than 25 feet wide.

(3) Rear yards. Each residential use shall provide a rear yard based on a 1:1 setback ratio and a minimum of eight feet.

5-213 Co-living dwellings.

Up to two co-living dwellings, shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling shall provide the parking required under section 8-200(A)(22). For proposals with greater than two co-living dwellings, each will be counted as a dwelling unit subject to the same area and bulk regulations as multi-unit-family dwellings in this zone.

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

5-302 Permitted uses.

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

(A) Single-unit-family dwelling;

(A.1) Two-unit-family dwelling;

(B) Multi-unit-family dwelling;

5-305 Floor area ratio.

The permitted floor area ratio of a development in the CRMU-H zone depends on whether a single use or mixture of uses is proposed and whether a special use permit is sought.

(A) *Single use*. If a parcel is developed for only commercial use or for only residential use, the maximum permitted floor area ratio is:

(2) *Residential*: 1.0, except that for single-unit, two-unit, and townhouse dwellings within the Old and Historic Alexandria and Parker-Gray Districts, the maximum permitted floor area ratio is 1.50.

5-307 Open space requirements.

(A) Each residential use-development or residential portion of a mixed use development shall provide a minimum of 35-40 percent of land area as open and usable space; provided however that a portion of the space which would otherwise be required as green area may be met by comparable amenities and/or facilities provided in lieu thereof if such amenities or facilities meet or exceed the beneficial purposes which such green areas would accomplish. A determination by the director or by council in the case of a special use permit shall be made in each case as to whether the open space provided, in addition to meeting the technical definition of open space, is functional and usable.

5-311 Additional regulations for single-unit, two-unit-family and townhouse dwellings.

(A) *Lot size*. Each single-unit-family dwelling shall be located on a lot with a minimum land area of 5,000 square feet. In the case of a two-unit-family dwelling, the lot shall contain 2,500 square feet of land area for each dwelling unit.

(B) *Frontage*. When measured at both the front lot line and the front building line, each single-unit family dwelling and two-unit-family duplex dwelling requires a minimum of 50 feet of frontage, and a two-unit semi-detached dwelling requires a minimum frontage of 25-37.5 feet for each dwelling unit.

(C) *Yards*. ~~For residential uses the following yard requirements apply.~~

(1) Front yards. For each residential use, the required front yard shall be between the range established by the front yards within the contextual block face. If the minimum front yard, including the front yard of the property in question, within this range exceeds 20 feet, a residential use shall provide a front yard of at least 20 feet. Each single-family, and two-family dwelling shall provide a front yard of 20 feet; a rear yard based on a 1:1 setback ratio and a minimum of eight feet; and side yards based on a 1:3 setback ratio and a minimum of eight feet. Each interior end unit townhouse shall provide a side yard based on a 1:3 setback ratio and a minimum of eight feet.

(2) Side yards. Each residential use shall provide two side yards, each based on a setback ratio of 1:3 and a minimum of eight feet. For townhouse dwellings, the side yard requirement shall only apply to interior end lots wider than 25 feet. No side yards shall be required on lots less than 25 feet wide.

(3) Rear yards. Each residential use shall provide a rear yard based on a 1:1 setback ratio and a minimum of eight feet.

5-313 Co-living dwellings.

Up to two co-living dwellings, shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling shall provide the parking required under section 8-200(A)(22). For proposals with greater than two co-living dwellings, each will be counted as a dwelling unit subject to the same area and bulk regulations as multi-unit-family dwellings in this zone.

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

5-402 Permitted uses.

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

(A) Single-unit-family dwelling;

(A.1) Two-unit-family dwelling;

(B) Multi-unit-family dwelling;

5-404 Regulations for single-unit, two-unit-family and townhouse dwellings

(A) Townhouse development.

(3) *Yards.* Each townhouse dwelling shall provide a rear yard based on a 1:2 setback ratio and a minimum of 16 feet; and side yards for interior end lots units wider than 25 feet based on a 1:3 setback ratio and a minimum of eight feet. No side yards shall be required on lots less than 25 feet wide.

(B) Single-family and two-unit-family development.

(1) *Lot size.* Each single-unit-family dwelling shall be located on a lot with a minimum land area of 5,000 square feet. In the case of a two-unit-family dwelling, the lot shall contain 2,500 square feet of land area for each dwelling unit.

(2) *Frontage.* When measured at both the front lot line and the front building line, each single-unit-family dwelling and two-unit-family duplex dwelling requires a minimum of 50 feet of frontage, and a semi-detached dwelling requires a minimum frontage of 25-37.5 feet for each dwelling unit.

(3) *Yards.* For residential uses the following yard requirements apply: Each single-family and two-family dwelling shall provide a front yard of 20 feet; a rear yard based on a 1:1 setback ratio and a minimum of eight feet; and side yards based on a 1:3 setback ratio and a minimum of eight feet.

(a) Front yards. For each residential use, the required front yard shall be between the range established by the front yards within the contextual block face. If the minimum front yard, including the front yard of the

property in question, within this range exceeds 20 feet, a residential use shall provide a front yard of at least 20 feet.

(b) Side yards. Each residential use shall provide two side yards, each based on a setback ratio of 1:3 and a minimum of eight feet. No side yards shall be required on lots less than 25 feet wide.

(c) Rear yards. Each residential use shall provide a rear yard based on a 1:1 setback ratio and a minimum of eight feet.

5-406 Floor area ratio.

The permitted floor area ratio of a development in the CRMU-X zone depends on whether a townhouse development, an all residential development or a mixture of uses is proposed and whether a special use permit is sought.

(A) Single use/townhouses. If no special use permit is sought, only single-unit, two-unit, and townhouses at a maximum floor area ratio of 1.5 are permitted.

5-408 Open space requirements.

(A) The ~~multi-unit-family~~ residential portion of each development shall provide a minimum of 25 percent of land area as open and usable space; provided however that a portion of the space which would otherwise be required as green area may be met by comparable amenities and/or facilities provided in lieu thereof if such amenities or facilities meet or exceed the beneficial purposes which such green areas would accomplish. A determination by the director or by council in the case of a special use permit shall be made in each case as to whether the open space provided, in addition to meeting the technical definition of open space, is functional and usable or includes comparable amenities.

5-412 Co-living dwellings.

Up to two co-living dwellings, shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling shall provide the parking required under section 8-200(A)(22). For proposals with greater than two co-living dwellings, each will be counted as a dwelling unit subject to the same area and bulk regulations as ~~multi-unit-family~~ dwellings in this zone.

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

5-502 Permitted uses.

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

(A) ~~Single-unit-family~~ dwelling;

(A.1) ~~Two-unit-family~~ dwelling;

(B) ~~Multi-unit-family~~ dwelling;

5-504 Floor area ratio.

The permitted floor area ratio of a development in the W-1 zone depends on whether a single use or mixture of uses is proposed and whether a special use permit is sought.

(A) *Single use.* If a parcel is developed for only commercial use or for only residential use, the maximum permitted floor area ratio is:

(2) *Residential:* 1.0, except that for single-unit, two-unit, and townhouse dwellings within the Old and Historic Alexandria and Parker-Gray Districts, the maximum permitted floor area ratio is 1.50.

5-505 Density and lot requirements.

(A) *Density.* For single-unit, two-unit, and townhouse dwellings only, gross density shall not exceed 30 dwelling units per acre.

(B) *Lot size.*

(1) ~~Reserved~~ Each structure containing multifamily dwellings shall be located on a lot with a minimum of 1,452 square feet of land area for each dwelling unit.

(C) *Lot width and frontage.*

(1) For multi-unit family dwellings, the minimum lot width at the front lot and building line shall be 50 feet.

5-506 Yard requirements.

(A) *Front yard.* No front yard is required except as may be applicable pursuant to the supplemental yard and setback regulations of section 7-1000 ~~and the zone transition requirements of section 7-900.~~

(B) *Side yards.* No side yards are required except in the following cases:

(1) Each interior end ~~lot unit~~ wider than 25 feet in a group of townhouses shall provide a side yard of at least 8 feet.

(2) Multi-unit family residential buildings shall provide two side yards based on a setback ratio of 1:2 and a minimum of 16 feet.

(C) *Rear yard.* Each lot shall provide a rear yard of at least 8 feet, except that each multi-unit family residential building shall provide a rear yard based on a setback ratio of 1:2 and a minimum distance of 16 feet.

5-508 Open and usable space.

(A) Each residential use shall provide 35 percent of the area of the lot as open and usable space, the location and shape of which shall be subject to the director's determination that it is functional and usable space for residents, visitors and other persons. Such open space may be located on landscaped roofs or other areas fully open to the sky which are not at ground level if the director determines that such space functions as open space for residents to the same extent that ground level open space would. ~~Residential uses shall provide a minimum of 300 square feet of open and usable space per dwelling unit, exclusive of any area required for off-street parking. The location and shape of such space shall be subject to the director's determination that it is functional and usable space for residents, visitors and other persons. Such open space may be located on landscaped roofs or other areas fully open to the sky which are not at ground level and which are accessible to all residents of the development if~~

~~the director determines that such space functions as open space for residents to the same extent that ground level open space would. In addition, each use, development or project adjacent to the Potomac River shall provide an open space walkway and bike way adjacent to the high watermark of the Potomac River.~~

5-512 Additional regulations for single-unit, two-unit-family and townhouse dwellings.

(A) *Lot size.* Each single-unit-family dwelling shall be located on a lot with a minimum land area of 5,000 square feet. In the case of a two-unit-family dwelling, the lot shall contain 2,500 square feet of land area for each dwelling unit.

(B) *Frontage.* When measured at both the front lot line and the front building line, each single-unit-family dwelling and two-unit-family duplex dwelling requires a minimum of 50 feet of frontage, and a two-unit semi-detached dwelling requires a minimum frontage of ~~25-37.5~~ feet for each dwelling unit.

(C) *Yards.* ~~For residential uses the following yard requirements apply.~~

~~(1) *Front yards.* For each residential use, the required front yard shall be between the range established by the front yards within the contextual block face. If the minimum front yard, including the front yard of the property in question, within this range exceeds 20 feet, a residential use shall provide a front yard of at least 20 feet. Each single-family, and two-family dwelling shall provide a front yard of 20 feet; a rear yard based on a 1:1 setback ratio and a minimum of eight feet; and side yards based on a 1:3 setback ratio and a minimum of eight feet. Each interior end unit townhouse shall provide a side yard based on a 1:3 setback ratio and a minimum of eight feet.~~

~~(2) *Side yards.* Single and two-unit dwellings shall provide two side yards, each based on a setback ratio of 1:3 and a minimum of eight feet. For lots less than 25 feet wide, no side yards shall be required.~~

~~(3) *Rear yards.* Each residential use shall provide a rear yard based on a 1:1 setback ratio and a minimum of eight feet.~~

5-514 Co-living dwellings.

Up to two co-living dwellings, shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling shall provide the parking required under section 8-200(A)(22). For proposals with greater than two co-living dwellings, each will be counted as a dwelling unit subject to the same area and bulk regulations as multi-unit-family dwellings in this zone.

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

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

(A) The CDD districts, as shown on Table 1, are as follows:

Table 1. Coordinated Development Districts

CDD	CDD Name	Without a CDD Special Use	With a CDD Special Use Permit		Uses
			***	***	

No.		Permit			
***	***	***	***	***	***
2	Eisenhower Avenue Metro	***	***	***	Active recreational uses; animal care facility; animal care facility with overnight accommodation; any use with live entertainment; apartment hotel; business and professional office; child care home; church; congregate housing facility; congregate recreational facility; continuum of care facility; day care center; dwelling, multi-unit-family; elder care home; food or beverage production exceeding 5,000 sq. ft., which includes a retail component; fraternal or private club; health and athletic club or fitness studio; health profession office; helistop; homeless shelter; hospice; hospital; hotel; light assembly, service, and crafts; medical care facility; medical laboratory; nursing or convalescent home or hospice; outdoor dining; outdoor dining

					located on private property; outdoor dining and outdoor retail display and sales pursuant to 5-602(E)(14) and (15); outdoor market; passive recreational use; personal service establishment; public park; private school, academic; private school, commercial; public building; public school; radio or television broadcasting office and studio; recreation and entertainment use, indoor and outdoor; restaurant; retail shopping establishment; theater, live; social service use; solar energy system not serving a building, valet parking; and veterinary/animal hospital
***	***	***	***	***	***
13	Triangle sites	CL zone regulations shall apply, except that single, two-unit-family, and townhouse dwellings are prohibited.	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
16	James Bland	***	***	***	Mix of residential

					uses (townhouse & multi-unit family) & open space Multi-unit family residential and retail
17	Landmark Gateway	***	***	***	Multi-unit family residential and retail
17a	***	***	***	***	Mix of residential (multi-unit family and/or townhouse), continuum of care facility for 120 units and retail uses
19	North Potomac Yard	***	***	***	Mixed-use development to include amusement enterprises; child care home; day care center; health and athletic club; health professional office; home professional office; restaurant; business and professional office; multi-unit family dwelling; retail shopping establishment; public park and community recreation buildings; outdoor dining; valet parking; light assembly; service and crafts; private school (commercial); private school (academic); personal service; hotel; parks and open spaces;

					public schools; special use utility; and community facilities.
20	Harris Teeter of Old Town North	***	***	***	Mix of residential (multi-unit-family and/or townhouse) and retail uses.
***	***	***	***	***	***
22	Seminary Overlook	***	***	***	Residential, Multi-unit-family Residential.
23	Fillmore/Beauregard	RC/High density and apartment zone. RA/Multi-unit-family zone regulations shall apply to the Goodwin House Property (T.M. 011.03-01-06). RA/Multi-unit-family zone regulations shall apply to the Church of the Resurrection Property (T.M. 011.03-01-05) and as may be subdivided in the future.	***	***	Senior housing, senior affordable housing, continuum of care facility, nursing care facility, multi-unit-family housing, and churches.
24	Oakville Triangle and Route 1 Corridor	***	***	***	1) Mixed-use development to include amusement enterprises; child care home; day care center; health and athletic club, health professional office; home professional

					<p>office; park and community recreation buildings; outdoor dining; valet parking; hotel, restaurant, business and professional office, multi-unit-family dwelling; townhouse dwelling; continuum of care facility, nursing home, parks and open spaces; private school (commercial); private school (academic); personal service public schools; special utility.</p> <p>***</p>
25	ABC-Giant/Old Town North	***	***	***	<p>Multi-unit-family dwelling; day care center; health and athletic club or fitness studio; light assembly, service and crafts; personal service establishment; massage establishment; outdoor dining; pet supplies, grooming, training with no overnight accommodation; private school, academic or commercial, with more than 20 students on the premises at any one time;</p>

					restaurant; retail shopping establishment; and valet parking.
26	Public Storage/ Boat US	***	***	***	Multi-unit-family dwelling; self-storage/warehouse; animal care facility with no overnight accommodation; catering; glass shop; health and athletic club or fitness studio; improved outdoor recreational facilities intended for passive and/or non-congregate recreational activities; light assembly, service and crafts; machine shop; manufacturing; massage establishment; motor vehicle parking or storage; outdoor dining; personal service establishment; printing and publishing services; private school, academic or commercial, with more than 20 students on the premises at any one time; recreational areas consisting of natural and unimproved geographic features; restaurant; retail shopping

					establishment; valet parking; and wholesale.
27	Greenhill/West Alexandria Properties	***	***	***	Multi-unit family dwelling; recreation and entertainment use; active and/or congregate recreational facilities; animal care facility with no overnight accommodation; automobile and trailer rental or sales area; business and professional office; day care center; health and athletic club or fitness studio; hotel; home for the elderly; improved outdoor recreational facilities intended for passive and/or non-congregate recreational activities; light assembly, service and crafts; massage establishment; medical office; outdoor dining; personal service establishment; private school, academic or commercial, with more than 20 students on the premises at any one time; public building; public park and

					community recreation buildings, including enclosed and semi-enclosed shelters and pavilions; public school; restaurant; retail shopping establishment; and valet parking.
28	Greenhill South	***	***	***	Multi-unit family dwelling; amusement enterprise; active and/or congregate recreational facilities; business and professional office; convenience store; day care center; health and athletic club; home for the elderly; improved outdoor recreational facilities intended for passive and/or non-congregate recreational activities; light assembly, service and crafts; massage establishment; outdoor dining; personal service establishment; private school, academic or commercial, with more than 20 students on the premises at any one time; public building; public park and community

					recreation buildings, including enclosed and semi-enclosed shelters and pavilions; public school; recreational areas consisting of natural and unimproved geographic features; restaurant; retail shopping establishment; and valet parking.
29	Landmark Neighborhood	***	***	***	Active recreational uses; animal care facility; any use with live entertainment; apartment hotel; business and professional office; child care home; church; congregate housing facility; congregate recreational facility; continuum of care facility; day care center; dwelling, multi-unit family; dwelling, townhouse; elder care home; food or beverage production exceeding 5,000 sq. ft., which includes a retail component; fraternal or private club; health and athletic club or fitness studio;

					<p>health profession office; helistop; hospice; hospital; hotel; light assembly, service, and crafts; medical care facility; medical laboratory; nursing or convalescent home or hospice; outdoor dining; outdoor market; passive recreational use; personal service establishment; public park; private school, academic; private school, commercial; public building; public school; radio or television broadcasting office and studio; recreation and entertainment use; restaurant; retail shopping establishment; social service use; valet parking; and veterinary/animal hospital</p>
30	Potomac River Generating Station	***	***	***	<p>Active recreational uses; animal care facility; any use with live entertainment; apartment hotel; arts and cultural anchors and tenants; business and professional office; child care home; church; congregate</p>

					recreational facility; continuum of care facility; day care center; dwelling; multi-unit family; dwelling, townhouse; dwelling, co-living; elder care home; food or beverage production exceeding 5,000 sq. ft., which includes a retail component; fraternal or private club; health and athletic club or fitness studio; health profession office; helistop; hospice; hospital; hotel; interim surface parking lots for non-construction uses on undeveloped blocks; light assembly, service, and crafts; medical care facility; medical laboratory; nursing or convalescent home or hospice; outdoor dining; outdoor market; passive recreational use; personal service establishment; public park; private school, academic; private school, commercial; public building;
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					public school; radio or television broadcasting office and studio; recreation and entertainment use; restaurant; retail shopping establishment; social service use; valet parking; and veterinary/animal hospital
--	--	--	--	--	---

Section 6. That Article VI 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. 6-300 Floodplain district.

6-303 Definitions.

For the purposes of this section 6-300 the following terms and phrases shall have the meaning ascribed as follows below. Should any uncertainty occur with respect to the definition of any word, term or phrase used in this section, the applicable definitions set out in 44 CFR 59.1, as amended, shall apply.

(T) Manufactured home. A structure, transportable in one or more sections, which is built on a permanent chassis and is designed to be used as a ~~single-unit family~~ dwelling, with or without permanent foundation, when connected to the required facilities, and which includes the plumbing, heating, air conditioning and electrical systems contained in the structure. A manufactured home shall include park trailers and other similar vehicles when placed on a site for greater than 180 days.

(Y) Residential building. Any ~~single-unit family~~ dwelling, two-~~unit family~~ dwelling, ~~row or~~ townhouse dwelling, or multi-~~unit family~~ dwelling, and any accessory building or structure.

Sec. 6-500 Urban overlay district (Old Town North).

6-504 Underground parking.

Where the underlying zone allows an increased floor area ratio with approval of a special use permit, an additional criteria for the special use permit will be the provision of underground or embedded parking in compliance with the following rules.

(E) Exemption. Underground or embedded parking shall not be required for residential townhouse development, for single or two-unit-family dwellings, or on any lot of record on June 24, 1992 which is less than 10,000 square feet in size.

Sec. 6-600 Mount Vernon Avenue urban overlay zone.

6-603 Uses.

(A) Permitted and special use restrictions. The following uses, otherwise allowed either as permitted or special uses in the CL zone, are not permitted in the overlay zone area:

(5) Reserved-Rooming house;

Sec. 6-700 KR/King Street urban retail zone.

6-702 Uses.

Uses in the King Street urban retail zone are divided into two categories, depending on their location, in order to protect and enhance opportunities for existing and future retail uses. The two use categories, which are each further divided into permitted and special uses, are defined as followed:

Ground floor uses: Retail and other active uses are emphasized in the ground floor uses category. The ground floor uses category applies to uses to be located in the space within the first 50 feet of a building, measured from the front building wall, and in a building that is set back no further than 30 feet from a front property and with a first floor of the building within four feet above the sidewalk grade.

Upper floor uses: The second category of uses is all space that is not located within the ground floor of a building, as that is defined above. Upper floor uses may be located on floors above the ground floor, in the space on the ground floor beyond the 50 feet threshold for ground floor uses, and in buildings not considered retail appropriate because they are elevated above grade or set back an excessive distance from the street as expressed above.

(B) Upper floor uses.

(1) Permitted uses:

(b) Multi-unit-family dwelling units or up to eight auxiliary dwelling units;

(l) Reserved-Rooming house;

6-703 Parking requirements for residential uses.

Notwithstanding any contrary provisions of this ordinance, for residential uses, other than multi-unit-family dwellings, a minimum of one parking space is required for each dwelling unit.

6-705 Building and development requirements.

(A) *Frontage, lot and yard requirements.* There shall be no frontage, lot or yard requirements, except for the supplemental yard and setback provisions of section 7-1000 and the zone transition requirements of section 7-900.

(C) *Floor area ratio.*

(2) For properties west of South Peyton Street on the south side and west of Harvard Street on the north side of King Street, the following FAR limits apply:

(b) Residential.

(1) For residential uses other than those specified by section 6-705(C)(2)(b)(2) below, the maximum permitted FAR is 1.25, ~~not to exceed one dwelling unit for each 800 square feet of lot area or 54.45 units an acre.~~

6-708 Co-living dwellings.

Notwithstanding any contrary provisions of this ordinance, the following uses may be allowed by the director by administrative review and approval pursuant to the standards and procedures of section 11-513 of this ordinance: Up to two co-living dwellings, shall be categorized as nonresidential for the purpose of applying the area and bulk regulations of this zone, and each such co-living dwelling shall provide the parking required under section 8-200(A)(22). For proposals with greater than two co-living dwellings, each will be counted as a dwelling unit subject to the same area and bulk regulations as multi-unit-family dwellings in this zone.

Section 7. That Article VII 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:

7-101 Permitted accessory buildings, uses and structures.

Permitted accessory buildings, uses and structures shall be limited to the following and any additional building, use or structure which the director finds is similar to those listed in scope, size and impact, is associated with a permitted building, use or structure, and is otherwise in compliance with this ordinance:

(l) Guest house, accessory to a single-unit-family dwelling, provided it is used by temporary guests or occupants of the main residence, contains no kitchen facilities and is not rented or otherwise used as a separate dwelling;

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:

(C) In any yard except a front yard.

(2) Sheds and other small accessory buildings:

(a) For lots developed with single and two-unit-family dwellings, not located in a historic district, such structures may not exceed 100 square

feet in floor area in the aggregate and may have a building height no greater than ten feet.

(b) For lots developed with townhouse dwellings or single or two-unit family dwellings located within a historic district, such structures may not exceed 65 square feet of floor area in the aggregate and may have a building height no greater than eight feet.

7-203 Accessory dwellings.

(B) Use limitations.

(1) An accessory dwelling shall be permitted as an accessory use to a single-unit family, two-unit family or townhouse dwelling only.

Sec. 7-900 Reserved. ~~Provisions applying at lines of zone change.~~

7-901 Purpose.

~~It is the intent of these regulations to provide for increased setback requirements where commercial or industrial buildings are proximate to residential zones in order that property in the residential zone shall not be adversely affected.~~

7-902 ~~Setback requirements.~~

~~(A) Side and rear yards. No commercial building shall be located within a distance from the nearest residential zone line equal to the height of such commercial building or 25 feet, whichever is greater.~~

~~(1) For the purpose of construing this section 7-902, a commercial building shall mean a building containing retail, office, business or industrial uses regardless of the zone in which the building is located.~~

~~(2) For the purpose of construing this section 7-902, the location of alleys, walkways and other separations of zone or lot lines shall not affect the distance requirements of section 7-902.~~

~~(3) Where a building would otherwise be affected by this section 7-902, and the commercial uses it contains are limited to the first or a lower floor, then a special use permit may be approved to allow the side and rear yard setback regulations of the adjacent residential zone which is to be protected to apply to such commercial building.~~

~~(4) An applicant who seeks to rezone land from a commercial to a residential zone, thereby imposing this section 7-902 on an existing or future commercial building not otherwise so affected, may proffer a partial or total waiver of this section 7-902 and city council may approve such a rezoning if it is conditioned on the application of such waiver as may be appropriate. If the affected commercial lot is less than 100 feet in width, the rezoning shall be denied if no such proffer is made.~~

~~(B) Front yards. A commercial or industrial building within a commercial or industrial zone, directly across a street from property in a residential zone, shall provide the minimum front yard required of the residential zone.~~

~~(C) Industrial. No building or structure in the industrial zone shall be permitted within 100 feet of a residential zone line with exception of the following:~~

~~(1) Fences and walls with a height not in excess of ten feet.~~

~~7-903 Relief from requirements.~~

~~The planning commission may vary the requirements of this section 7-900 as part of the site plan process, notwithstanding that a site plan is not otherwise required for the proposed development. In the event that application is made for site plan approval exclusively to secure relief from the provisions of this section 7-900, then notwithstanding any contrary provision of section 11-400, the required site plan application material shall be limited to that reasonably necessary to enable review under this section 7-900, and the fee shall be the minimum site plan fee as prescribed pursuant to section 11-104.~~

~~***~~

7-1102 Restrictions on parking recreational vehicles in residential zones.

Recreational vehicles may be parked in any residential zone only on a lot occupied and used for single-unit, two-unit, family or townhouse, or multi-unit (up to four units) dwelling purposes and only subject to the following:

(B) Not more than one recreational vehicle shall be permitted on for each lot ~~single-family dwelling~~, except that any number of such recreational vehicles may be permitted if parked within an approved, enclosed garage or storage building; and

Sec. 7-1400 Reserved. ~~Rooming houses.~~

~~No special use permit authorizing a rooming house shall continue in effect for more than five years.~~

Sec. 7-1900 Reserved. ~~Roominghouses.~~

~~(A) Special use permit required. No roominghouse may be operated in the city unless a special use permit for the roominghouse has been approved by city council. All applications for a special use permit to operate a roominghouse shall be submitted to the director.~~

~~(B) The director's recommendation. In formulating his recommendation on the special use permit application, the director, in addition to any other applicable factors, shall consider credible evidence derived from his investigation or from any other source as to the following factors:-~~

~~(1) Whether the applicant has been convicted of a felony under the laws of any state or the United States, or has been convicted of any crime or offense involving moral turpitude, within the ten years next preceding the application, as determined by the Alexandria Police Department after a review to which the applicant shall consent.~~

~~(2) Whether the premises has adequate parking to accommodate the number of roomers requested.~~

~~(3) Whether the premises is so situated with respect to any residence or residential area that the operation of a roominghouse will adversely affect real property values or substantially interfere with the usual quietude and tranquility of such residence or residential area.~~

~~(C) Code compliance. Prior to formulating a recommendation, the director, together with the director of code enforcement, shall cause the proposed roominghouse to be inspected, and the director shall not recommend approval unless the proposed roominghouse is in compliance~~

~~with all applicable provisions of law, including without limitation the Zoning Ordinance, the Uniform Statewide Building Code and the Fire Prevention Code.~~

~~(D) Minimum requirements for approved roominghouses. In addition to any other conditions which council may impose in granting a special use permit, every roominghouse shall comply with the following conditions:-~~

~~(1) The operator, who shall be the owner of the premises, shall at all times reside at the subject premises; however, this condition may be waived or amended by city council for good cause if the roominghouse is located in the CD, CDX, OC, OCM, OCH, OR CRMU zone.~~

~~(2) Every sleeping room shall have a smoke detector, which shall be part of a hard-wired smoke detector system.~~

~~(3) The operator of the roominghouse shall change bed linens and towels, if supplied by the operator, at least once each week and each time prior to the letting of any room to any occupant, and shall maintain all other supplied bedding in a clean and sanitary manner.~~

~~(4) The operator of the roominghouse shall be responsible for the sanitary maintenance of all walls, floors and ceilings, and shall keep the roominghouse and all parts thereof, including the premises on which it is located, free of any accumulation of dirt, filth, rubbish and garbage, and effectively protected against vermin infestation.~~

~~(5) The operator of the roominghouse shall be responsible for the peace and good order of the premises, and shall at all times see that the premises does not become a public or common nuisance by reason, among others, of the congregation of disorderly persons, inebriates, or persons using or selling controlled substances.~~

~~(E) Annual inspections. On an annual basis, the directors of code enforcement and planning and zoning shall inspect the roominghouse to determine if the facility is in compliance with the conditions of the special use permit and conforms to the Uniform Statewide Building Code and the Fire Prevention Code.~~

~~(F) Additional hearing on the special use permit. If the director finds that there are violations of the special use permit, or if he finds conditions of the operation which have a negative impact on the community, and in either event he believes that additional conditions, suspension or revocation is warranted in order to alleviate the problem, then he shall cause the special use permit to be docketed for hearing before the planning commission and the city council for consideration of such issues.~~

~~***~~

Sec. 7-2200 Tree coverage requirement.

The supplemental regulations in this section apply to residential lots in the R-20, R-12, R-8, R-5, R-2-5, and lots developed or proposed to be developed with single-unit family and two-unit family dwellings in the RA and RB zones, not including property located within the Old and Historic Alexandria and Parker-Gray Districts. The tree coverage requirements are as follows:

Sec. 7-2500 Private garages.

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

The supplemental regulations in this section 7-2501 apply to residential lots developed or proposed to be developed with a single-family or two-family dwellings in the R-20, R-12, R-8, R-5, R-2-5, and only single or two-unit dwellings in the RA and RB zones, not including property located within the Old and Historic Alexandria and Parker-Gray Districts. Freestanding

private garages located within required yards or excluded from floor area shall be permitted subject to the following standards:

7-2502 Attached private garages.

The supplemental regulations in this section 7-2502 apply to residential lots developed or proposed to be developed with ~~a single-family dwellings~~ in the R-20, R-12, R-8, R-5, R-2-5, and only single and two-unit dwellings in the RA and RB zones, not including property located within the Old and Historic Alexandria and Parker-Gray Districts. Private garages attached to the principal structure are only permitted when in compliance with the following standards:

Section 8. That Article VIII 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:

ARTICLE VIII. OFF-STREET PARKING AND LOADING

Sec. 8-200 General parking regulations.

(A) Schedule of requirements. The following number of parking spaces shall be provided for each use listed. In the case of any use not listed in section 8-200(A), the requirements of the most similar listed use shall apply. The requirements of section 8-200(A) may be reduced when special zoning allows parking reductions and the required approvals of the director and the director of transportation and environmental services have been obtained and the conditions of said approval are complied with.

(1) Single-unit family detached, two-unit family and row or townhouse, and multi-unit up to four units dwellings: two (2.0) spaces per dwelling unit for single-family detached, two-family, and townhouse dwellings.

(a) Within the enhanced transit area: no minimum requirement

(b) Outside the enhanced transit area: 0.5 spaces per dwelling unit

(2) Multi-unit family dwellings with more than four dwelling units.

(a) Parking ratio.

i. Metro Station Walkshed Area. ~~Multi-unit family~~ dwellings located on property within the Metro Half-Mile Walkshed as shown on the map approved herewith, titled "City of Alexandria Metro Station Walkshed Map," as the same may be amended from time to time to incorporate new Metro stations: ~~i. shall provide eight-tenths of a parking space per bedroom, unless the applicant shows, to the satisfaction of the director, that the multi-unit family dwelling complies with any of the following in which case the ratio shall be reduced by the percentage as shown:~~

(A) Five percent if the ~~multi-unit family~~ dwelling is within one-quarter of a mile of four or more active bus routes;

(B) Ten percent if the ~~multi-unit family~~ dwelling has a walkability index of 90—100 or five percent if the multifamily dwelling has a walkability index of 80—89; or

(C) Five percent if the ~~multi-unit family~~ dwelling includes 20 percent or more studio units.

ii. Outside the Metro Station Walkshed Area. Multi-unit family dwellings located on property not within the Metro Half-Mile Walkshed: i. shall provide one parking space per bedroom, unless the applicant shows, to the satisfaction of the director, that the multi-unit family dwelling complies with any of the following in which case the ratio shall be reduced by the percentage as shown:

- (A) Ten percent if the multi-unit family dwelling is outside of the Metro Half-Mile Walkshed but within the Bus Rapid Transit Half-Mile Walkshed as shown on the map approved herewith, titled "City of Alexandria Bus Rapid Transit Walkshed Map," as the same may be amended from time to time to incorporate new operational bus rapid transit stops;
- (B) Five percent if the multi-unit family dwelling is within one-quarter of a mile of four or more active bus routes;
- (C) Ten percent if the multi-unit family dwelling has a walkability index of 90—100 or five percent if the multifamily dwelling has a walkability index of 80—89; or
- (D) Five percent if the multi-unit family dwelling includes 20 percent or more studio units.

iii. Optional parking ratio for affordable housing. If a multi-unit family building includes income-restricted units, the parking ratio for such units may be as follows:

d. The above parking ratios may be reduced by the following percentages if the applicant can show, to the satisfaction of the director, that the multi-unit family dwelling in which the units are located complies with any of the following:

- (A) Ten percent if the multi-unit family dwelling is within the Metro Half-Mile Walkshed or Bus Rapid Transit Half-Mile Walkshed, as shown on the maps titled "City of Alexandria Metro Station Walkshed Map" and "City of Alexandria Bus Rapid Transit Walkshed Map";
- (B) Five percent if the multi-unit family dwelling is within one-quarter of a mile of four or more active bus routes;
- (C) Ten percent if the multi-unit family dwelling has a walkability index score of 90—100 or five percent if the multi-unit family dwelling has a walkability index score of 80—89; or
- (D) Five percent if the multi-unit family dwelling includes 20 percent or more studio units.

(b) Calculation of the number of bedrooms. For purposes of calculating the required number of parking spaces for a multi-unit family dwelling, the following shall apply:

v. If the multi-unit family dwelling includes affordable units that are exercising the optional parking ratio for affordable housing pursuant to section 8-200(A)(2)(a)(iii) herein, such units shall be removed from the count and calculated separately with the applicable ratios.

(c) Parking requirement. The parking requirement for the multi-unit family dwelling shall be the number of bedrooms calculated pursuant to section (b) above, multiplied by the parking ratio calculated pursuant to section (a) above, subject to the following:

~~(3) Reserved. Boardinghouses and rooming houses: one space for each four-guest rooms; provided, that the number of off-street parking spaces for any rooming house or boarding house authorized by a special use permit granted by city council after December 12, 1987, shall be determined by council when granting, and shall be as set forth in, the special use permit.~~

(C) Location of parking facilities.

(1) ~~For all single-unit, family detached and two-unit, family residential townhouse, and multi-unit up to four units dwellings, required off-street parking facilities shall be located on the same lot as the main building. Tandem parking is permitted to meet this requirement.~~

(2) ~~For all multi-unit family dwellings, required off-street parking facilities shall be located on the same lot as the main building lot, on a lot separated from the main building lot by an alley or directly across the street from the main building when separated by a minor local street only. Tandem parking is permitted to meet this requirement for up to four dwelling units that share a garage within a multiunit family building provided that no more than four off-street parking spaces shall be tandem.~~

(7) Parking, required or otherwise, limited on residential lots. For all lots containing single-unit family, two-unit, family or townhouse, or multi-unit up to four units dwelling uses, there shall be a limit of one vehicle per 1,000 square feet of lot area, not to exceed a maximum of four (4) vehicles per lot parked or stored outside on the lot in question.

(F) Prior existing buildings and structures.

(3) The provisions of this section 8-200(F) shall not apply to the enlargement, significant enlargement or significant alteration of single-unit family, two-unit, family or row or townhouse dwellings.

(5) No single-unit family, two-unit, family or townhouse dwelling shall be deemed a noncomplying use or structure because it failed to provide two required parking spaces on June 24, 1992, if the dwelling did provide one required parking space on that date.

(6) Notwithstanding the provisions of section 8-100 above and except as provided in section 8-200(F)(3), if any land has been changed in use to a multi-unit family residential use or any structure or building has been changed in use to a multi-unit family residential use, or a multi-unit family dwelling has been enlarged, significantly enlarged or significantly altered after May 16, 2015, the parking requirements of this Article VIII shall apply to all the land and to the entire structure or building upon completion of the change in use, significant enlargement or significant alteration, however, any existing parking above the requirement may remain. This section shall not apply if a construction or

alteration permit has been applied for and reasonably soon thereafter construction activity has commenced and continues to be diligently pursued as of May 16, 2015, or if a special use permit is obtained under section 7-700 or section 11-500 which authorizes the change in use, enlargement, significant enlargement or significant alteration with the provision of less off-street parking than is required.

Sec. 8-400 King Street Transit Parking District.

(B) Requirements. Within the King Street transit parking district, the following regulations shall apply to off-street parking; uses not listed shall provide parking pursuant to section 8-200(A):

(2) Reserved. ~~Single-family, two-family, and row or townhouse shall have one parking space per dwelling unit.~~

Section 9. That Article IX 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:

ARTICLE IX SIGNS

Sec. 9-200 Sign regulations by zoning district.

9-201 Residential district signs.

(A) Except as otherwise prohibited in this article, the following signs are permitted as accessory to residential or non-residential uses in the following residential districts.

(1) In the R-20, R-12, R-8, R-5, R-2-5, RB, RM, RS, RT, POS, and WPR zones the following regulations shall apply:

a. On property used for residential purposes only the following signs are permitted:

iii. Permanent signs:

4. Additional signs at a multi-unit-family property in the RB zone:

a. Number and size limits: One permanent sign is permitted per multi-unit-family property to be located at each of the property's street frontages with a maximum size of 40 square feet for each sign if wall mounted or 32 square feet if free standing.

(2) In the RA, RC, RCX, and RD zones the following regulations shall apply:

a. On property used for residential purposes only the following signs are permitted:

iii. Permanent signs:

5. Signs along a multi-unit family property's street frontage:

b. On property used for mixed use or non-residential purposes:

iii. Permanent signs:

5. Signs along a multi-unit family or non-residential property's street frontage:

Section 10. That Article XI 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:

ARTICLE XI. DEVELOPMENT APPROVALS AND PROCEDURES

DIVISION B. DEVELOPMENT APPROVALS

11-404 Development exempt from site plan requirement.

The prohibitions of section 11-403(A), (B) and (C) shall not apply to:

(G) Lots in the R-20, R-12, R-8, R-5, and R-2-5 zones developed with a multi-unit dwelling.

11-413 Cost of public improvements.

(A) The planning commission shall require payment in full or guarantee of payment in full of all costs or a proportionate share of costs for the construction and installation of landscaping, public streets, alley, sidewalks, curbs, gutters, sewers, drains and other public improvements, facilities or services within an approved site plan, subject however to the following minimum schedule:

(2) Collector or arterial street within site: All cost of sidewalk, curb, gutter, driveway and grading and 36 foot wide pavement in single, ~~and two-unit family,~~ and multi-unit (up to four units) zones or 44-foot-wide pavement in multi-unit-family, mixed-use, commercial and industrial zones. Pavement in excess of these requirements will be installed at city cost.

11-416 Modifications.

(A) Modification of zoning regulations.

(1) In approving a site plan under the provisions of this section 11-400, the planning commission may modify the minimum frontage, yard, open and usable space, ~~zone transition setback~~ or other minimum requirements imposed by this ordinance for the zone or zones applicable to the land depicted in the site plan, or the requirements of section 11-410(CC), if the planning commission

determines that such modification is necessary or desirable to good site development, that specific and identified features of the site design make up for those impacts otherwise protected by the regulations for which modification is sought and that such modification will not be detrimental to neighboring property or to the public health, safety and welfare. For modifications of the requirements of section 11-410(CC) the planning commission must also determine that the modification will not violate the intention of section 11-410(CC) to require a reasonable amount of landscaping.

11-512 Separate permit not required.

No special use permit shall be required for the following development features when the location, size and design is included as part of a site plan or special use permit approval:

(B) Tandem and reduced size parking spaces in conjunction with single-unit family, two-unit family, multi-unit (up to four units), and townhouse projects; and

11-603 Cluster development limitations.

(A) Where permitted. Cluster developments shall be permitted for single-unit family, two-unit family, and townhouse dwellings where such development is permitted.

Sec. 11-1300 Special exception.

11-1302 Special exception established.

A lot developed with a single-unit family, two-unit family, ~~or townhouse~~, or multi-unit (up to four units) dwelling may be the subject of a special exception from the following zoning requirements pursuant to this section 11-1300:

(B) Yard and setback requirements for enlargement of a dwelling, as follows:

(3) Nothing in this subsection shall be deemed to authorize the extension or enlargement of a dwelling ~~single-family, two-family or townhouse dwelling~~ beyond the maximum height or floor area ratio permitted by the zone in which such dwelling is located nor to authorize the approval of more than one special exception per dwelling under the provisions of this subsection.

(C) Yard and setback requirements for a front porch subject to the following requirements:

(2) Nothing in this subsection shall be deemed to authorize the extension or enlargement of a dwelling ~~single-family, two-family or townhouse dwelling~~ beyond the height or floor area ratio permitted by the zone in which such dwelling is located, nor to authorize the approval of more than one special exception per dwelling under the provisions of this subsection.

(D) Maximum height for single-unit, ~~and two-unit~~, and multi-unit family dwellings in the R-20, R-12, R-8, R-5, R-2-5, and ~~single-family~~ and two-unit family dwellings in the RA and RB zones not including property located within the Old and Historic Alexandria and Parker-Gray Districts, subject to the following requirements:

(E) Attached private garages with the vehicle opening facing the primary front yard that do not meet the requirements of section 7-2500 that are located on lots developed with a single-unit, two-unit, or multi-unit-family dwelling in the R-20, R-12, R-8, R-5, R-2-5, RA and RB zones, not including property located within the Old and Historic Alexandria and Parker-Gray Districts, subject to the following requirements:

Section 11. That Article XII 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:

ARTICLE XII. NONCOMPLIANCE AND NONCONFORMITY

12-210 Regulation of nonconforming uses in residential zones.

(E) Notwithstanding the provisions of sections 12-201 through 12-209, any multi-unit-family dwelling, which is classified as a nonconforming use as defined in section 12-201 may be reclassified as a noncomplying use, subject to the provisions of this section 12-210(E):

(2) The granting of such special use permit shall constitute the reclassification of such multi-unit-family dwelling from nonconforming use to noncomplying use status, subject to such terms and conditions as council may provide in granting the special use permit, and subject to section 12-300, to the extent adopted by city council in approving the special use permit; provided that no such permit may authorize any increase in the size or intensity of such multi-unit dwelling-family use greater than that which existed on June 24, 1992, or any change to a less restrictive use than that which existed on June 24, 1992.

(3) When an application for a special use permit under this section 12-210(E) is considered, the following criteria shall apply in addition to those set forth in section 11-500:

(a) The degree to which the multi-unit-family dwelling is compatible with existing uses in the nearby neighborhood; and

(b) The degree to which the multi-unit-family dwelling provides diversity in the housing stock available within the city; and

(c) The degree to which the reclassification of such multi-unit-family dwelling will serve to promote the retention of a use compatible with existing uses in the nearby neighborhood and the provision of diversity in the housing stock available within the city.

(4) City council may grant a special use permit under this section 12-210(E) if it determines that the multi-unit-family dwelling is compatible with the existing uses in the nearby neighborhood; provides diversity in the housing stock available in the city; promotes the retention of a use compatible with existing uses in the nearby neighborhood and the provision of diversity in the housing stock available within the city; and complies with the requirements of section 11-500.

~~12-211 Reserved. Regulation of nonconforming rooming houses and boardinghouses. Any rooming house or boardinghouse in existence on December 12, 1987, for which a special use permit has not been granted shall be deemed a nonconforming use and shall be discontinued on or before June 30, 1992, unless it obtains a special use permit which authorizes its continuation subject to the following:~~

~~(A) No later than May 1, 1992, the owner or operator of any such nonconforming rooming house or boardinghouse may seek from city council an extension of the date by which it must come into conformity with this section 12-211 by filing with the director a petition which sets forth in detail the reasons why a fair and reasonable return on the investment in such rooming house or boardinghouse made by the petitioner prior to December 12, 1987, cannot be obtained prior to June 30, 1992.~~

~~(B) Council shall conduct a public hearing on any such petition, prior to which the director shall provide notice in accordance with the provisions of section 11-300 of this ordinance.~~

~~(C) Following the hearing, council may extend the June 30, 1992, date only if it finds that a strict application of the date will deny the petitioner the opportunity to realize a fair and reasonable return on the investment in the nonconforming rooming house or boardinghouse made by the petitioner prior to December 12, 1987, in which case council shall extend the date to a time which it determines will provide such opportunity to the petitioner.~~

Sec. 12-400 Substandard residential lots.

The following regulations apply to substandard residential lots where the lack of conformity existed prior to June 24, 1992.

12-401

Any lot in the R-20, R-12, R-8, R-5, or R-2-5 ~~or RA~~ residence zones, which lot was of record on December 28, 1951, and continuously thereafter, but which lot has less area or less width at the front lot line or front building line than the minimum required for use in the zone where it is situated (referred to hereafter in this section as a substandard lot), may be developed only with a residential use in compliance with the zone where it is situated ~~single-family dwelling and its accessory buildings~~, subject to the following provisions:

12-402

Notwithstanding the provisions of section 12-401, a substandard lot which complied with the provisions of this ordinance or other prior law in effect on the date such lot was recorded, and which has continuously been of record since such date, may be developed only with a residential use in compliance with the zone where it is situated ~~single-family dwelling and its accessory buildings~~, subject to the following provisions:

Sec. 12-900 Developed substandard residential lots.

12-901 ~~[Requirements.]~~ A residential dwelling on a lot in the R-20, R-12, R-8, R-5, or R-2-5, and single-family and two-family dwellings in the RA and RB zones (not including property located within the Old and Historic Alexandria and Parker Gray Districts) which lot has less lot area, lot width, or lot frontage than the minimum required for use in the zone where it is

situated (referred to hereafter in this section as a substandard lot), is subject to the following requirements.

Sec. 12-1000 Lots in the RA, RB, RM, CL, CSL, CD, CD-X, OC, OCM(50), OCM(100), OCH, CRMU/L, CRMU/M, CRMU/H, and CRMU/X zones.

Any lot of record prior to [DATE OF ADOPTION] in the RA, RB, RM, CL, CSL, CD, CD-X, OC, OCM(50), OCM(100), OCH, CRMU/L, CRMU/H, or CRMU/X zone which exceeds the maximum density permitted or has less lot area, width, or frontage than the minimum required for the use in the zone where it is situated, may be developed with a single-unit, two-unit, or townhouse dwelling and its accessory structures subject to the following requirements:

(A) Bulk and open space requirements. The dwelling shall comply with the bulk and open space regulations of the zone in which it is situated except that, regardless of the maximum height and floor area ratio otherwise established, the maximum permitted height and floor area ratio shall be 35 feet and 1.50, respectively.

(B) Off-street parking. The provisions of Article VIII of this ordinance shall apply.

Section 12. That Article XIII 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:

ARTICLE XIII ENVIRONMENTAL MANAGEMENT

13-109 General performance requirements for CBPAs.

The director of T&ES shall approve development, redevelopment, uses, or land-disturbing activities in the CBPA only if it is found that the activity is in compliance with this Article XIII and that the applicant has demonstrated, by a preponderance of the evidence, that the proposed development, redevelopment, use, or land-disturbing activity meets or exceeds the following standards.

(E) All development, redevelopment, and uses disturbing greater than 2,500 square feet shall meet the following storm water quality management performance requirements. For purposes of this section, the following shall be used to define the site area for determining water quality requirements: for projects disturbing less than 50 percent of the tax parcel (or if multiple parcels are involved, the land subject to the application), the disturbed area shall be used as the site area; for projects disturbing greater than or equal to 50 percent of the tax parcel (or if multiple parcels are involved, the land subject to the application), the entire tax parcel shall be used as the site area.

(2) ~~Single-unit-family~~ residences separately built and disturbing less than one acre and not part of a larger common plan of development or sale, including additions or modifications to existing ~~single-unit-family~~ detached residential structures are exempt from subsections (4) and (5) below. The Alexandria water quality volume default requirement in subsection (6) still applies.

13-110 Alexandria water quality improvement fund and alternative stormwater management equivalency options.

(A) The director of T&ES, in consultation with the director of planning and zoning and the director of recreation, parks, and cultural activities, as appropriate, shall establish equivalent stormwater management options that may be used to meet the requirements of section 13-109(E)(6) and section 13-109(E)(11)(c). Options shall include the following:

(2) Monetary contributions to the Alexandria water quality improvement fund provided for in subsection (C) below.

(D) In determining whether to allow equivalent stormwater options, as well as the appropriate combination of on-site and off-site controls, the director of T&ES shall take into consideration the following:

(4) Whether site-specific constraints would make on-site treatment difficult or impractical, especially when the site consists of a single-unit ~~family~~-residence separately built and not part of a subdivision;

(9) Single-unit ~~family~~-residential development projects that are exempt from the water quality requirements of section 13-123(A) are considered eligible to contribute to the Alexandria water quality improvement fund in section 13-110(A)(2) to meet the Alexandria water quality volume default requirement in section 13-107(E)(3) with no further consideration of items (1) through (8) above.

13-111 Development review process.

(A) Any development, redevelopment, or use exceeding 2,500 square feet of land disturbance within the CBPA shall be subject to the development review process outlined in subsection (C) below prior to any clearing of the site, or the issuance of any building, land use, or land development permit. However, any land-disturbing activity less than one acre within the CBPA shall not be required to complete a registration statement for coverage under the general permit, but shall be subject to all aspects of the development review process, to include the water quality and quantity criteria in subsections 13-109(E) and (F). Further, any detached single-unit ~~family~~ home construction within or outside of a common plan of development or sale that is not otherwise exempt shall not be required to complete a registration statement, but shall adhere to all other requirements of the general permit and all applicable requirements of this article.

13-123 Exemptions.

(D) Single-unit ~~family~~ residences separately built and disturbing less than one acre and not part of a larger common plan of development or sale, including additions or modifications to existing single-unit ~~family~~ detached residential structures are exempt from the water quality requirements of sections 109(E)(3) and (E)(4) except the Alexandria water quality volume default requirement in section 13-109(E)(5) still applies.

Section 13. That the director of planning and zoning be, and hereby is, directed to record the foregoing text amendment.

Section 14. That Articles I (GENERAL REGULATIONS), II (DEFINITIONS), III (RESIDENTIAL ZONE REGULATIONS), IV (COMMERCIAL, OFFICE AND INDUSTRIAL ZONES), V (MIXED USE ZONES), VI (SPECIAL AND OVERLAY ZONES), VII (SUPPLEMENTAL ZONE REGULATIONS), VIII (OFF-STREET PARKING AND LOADING), IX (SIGNS), XI (DEVELOPMENT APPROVALS AND PROCEDURES), XII (NONCOMPLIANCE AND NONCONFORMITY), and XIII (ENVIRONMENTAL MANAGEMENT), as amended pursuant to Sections 1 through 12 of this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria Zoning Ordinance.

Section 15. 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.

The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, and Councilman McPike; Opposed, none; Absent, Councilwoman Gaskins

WHEREUPON, upon motion by Councilman Chapman, seconded by Councilmember Bagley and carried unanimously by roll-call vote, City Council adopted an ordinance with amendments to amend and reordain Section 6-300 (Floodplain District) of Article VI (Special and Overlay Zones) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No.2023-00005. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, and Councilman McPike; Opposed, none; Absent, Councilwoman Gaskins.

The ordinance reads as follows:

ORDINANCE NO. 5516

AN ORDINANCE to amend and reordain Section 6-300 (FLOODPLAIN DISTRICT) of Article VI (SPECIAL AND OVERLAY ZONES) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2023-00005.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2023-00005, 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 November 6, 2023 of a text amendment to the Zoning Ordinance to adopt revisions to the floodplain provisions to revise the effective date of the Federal Emergency Management Agency's (FEMA) updated Flood Insurance Rate Maps; revise existing and add new definitions related to floodplain management and development in

floodplain districts; revise existing and add new sections to update language related to floodplain management and regulations for development in floodplain districts in compliance with federal regulations related to the National Flood Insurance Program (NFIP); and to correct typographical errors, which recommendation was approved by the City Council at public hearing on November 18, 2023;

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 Section 6-300 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. 6-300 Floodplain district

6-301 Purpose and intent.

(A) This ordinance is adopted pursuant to the authority granted to all localities by Va. Code § 15.2-2280, as well as the authority specifically granted to the city in its Charter. The purpose of these provisions is to prevent: the loss of life and property, the creation of health and safety hazards, the disruption of commerce and governmental services, the extraordinary and unnecessary expenditure of public funds for flood protection and relief, and the impairment of the tax base by:

(1) Regulating uses, activities, and development which, alone or in combination with other existing or future uses, activities, and development, will cause unacceptable increases in flood heights, velocities, and ~~frequencies~~ frequency;

6-302 Applicability.

(A) These provisions shall apply to all privately and publicly owned lands within the jurisdiction of the City of Alexandria and identified as being in a ~~floodplain as designated in the~~ Special Flood Hazard Area (SFHA) identified by the community or included in the Federal Emergency Management Agency (FEMA) flood insurance study (FIS) or shown on the flood insurance rate map (FIRM) that are provided to the Federal Emergency Management Agency ~~(City of Alexandria by FEMA)~~ dated June 16, 2014 ~~January 11, 2024~~.

(C) This section shall be applicable to all applicants for ~~building~~ development permits in the floodplain area ~~SFHA~~.

(D) All buildings, not previously mapped into the SFHA by FEMA and are newly mapped partially or wholly into the SFHA by new effective FEMA maps, for which a building permit shall have been duly and regularly issued by the director of ~~building and mechanical inspections~~ the Department of Code Administration ~~on or before May 24, 1977~~ January 11, 2024, which permit has not expired, may be completed without the necessity of complying with the floodplain district regulations in section 6-300, but after completion, any such building or structure and the land on which it is situated shall be subject to all the provisions of said section.

(E) All preliminary site plans, not previously mapped into the SFHA by FEMA and are newly mapped partially or wholly into the SFHA by new effective FEMA maps, which have been duly and regularly approved ~~on or before May 24, 1977~~ January 11, 2024, and which have not expired, may be completed without the necessity of complying with the floodplain district regulations in section 6-300, but after completion, any building or structure on said site plan together with the land included in said site plan shall be subject to all the provisions of said section.

(F) All final site plans, not previously mapped into the SFHA by FEMA and are newly mapped partially or wholly into the SFHA by new effective FEMA maps, which have been duly and regularly approved and released ~~on or before May 24, 1977~~ January 11, 2024, and which have not expired may be completed without the necessity of complying with the floodplain district regulations in section 6-300, but after completion, any building or structure on said site plan together with the land included in said site plan shall be subject to all the provisions of said section.

(G) Any building or structure, not previously mapped into the SFHA by FEMA and are newly mapped partially or wholly into the SFHA by new effective FEMA maps, which is in existence ~~on or before June 15, 2011~~ January 11, 2024, or for which a preliminary or combination site plan, building permit or subdivision approved ~~on or before June 15, 2011~~ January 11, 2024, continues-in force and effect shall not be deemed a nonconforming use provided, that any such building or structure which, beginning following June 15, 2011 January 11, 2024, is the subject of substantial improvement shall comply with the floodplain regulations in effect at the time of such improvement.

6-303 Definitions.

For the purposes of this section 6-300 the following terms and phrases shall have the meaning ascribed as follows below. Should any uncertainty occur with respect to the definition of any word, term or phrase used in this section, the applicable definitions set out in 44 CFR 59.1, as amended, shall apply.

(A) *A Zone.* An area of the ~~one hundred~~ 1-percent annual chance flood as shown on the Flood Insurance Rate Map. This zone is also referred to as the Approximated Floodplain District.

(B) *AE Zone.* An area shown of the ~~100-year~~ 1-percent annual chance flood on the flood insurance rate map for which corresponding base flood elevations have been provided. This zone is also referred to as the Special Floodplain Flood Hazard Area District.

(C.1) Appurtenant or accessory structure. A non-residential structure which is on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Accessory structures located in the SFHA are not to exceed 600 square feet.

(D) *Base flood elevation (BFE).* The water surface elevations of the base flood, that is, the flood level that has a one percent or greater chance of occurrence in any given year. The water surface elevation ~~as shown on~~ of the base flood insurance rate map that corresponds in relation to the datum specified on the community's Flood Insurance Rate Map. For the purposes of this section, the base flood is the 1-percent annual chance flood.

(E.1) City Vertical Datum. For purposes of the National Flood Insurance Program, the North American Vertical Datum (NAVD) of 1988 to which base flood elevations shown on a community's FIRM are referenced.

(F) *Development.* Any man-made change to improved or unimproved real estate, including, but not limited to, ~~the construction of buildings or other structures, the placement of manufactured homes~~ temporary structures, the construction of streets, the installation of utilities and other activities or operations involving paving, filling, grading, excavating, mining, dredging or, drilling, or other land-disturbing activities or permanent or temporary storage of equipment or materials.

(G) ~~*Existing manufactured home park or subdivision.* A manufactured home park or subdivision for which the construction/structures of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the “Existing construction” may also be referred to as “existing structures” and “pre-FIRM.” For floodplain management purposes, the term “existing structure” refers to buildings that predate a community’s adoption of its first floodplain management regulations.~~ ~~adopted by a community.~~

(H) *Flood or flooding.*

(2) The collapse or ~~subsistence~~ subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (1)(a) of this definition.

(H.1) Flood Damage-Resistant Material. Any building product capable of withstanding direct and prolonged contact with floodwaters without sustaining significant damage.” The term “prolonged contact” means at least 72 hours, and the term “significant damage” means any damage requiring more than cosmetic repair. “Cosmetic repair” includes cleaning, sanitizing, and resurfacing of the material.

(I) ~~*Flood insurance rate map (FIRM).* An official map of a community, on which the FEMA Federal Insurance Administrator has delineated both the special flood hazard areas and the risk premium zones applicable to the community. A flood insurance rate map FIRM that has been made available digitally is called a digital flood insurance rate map (DFIRM). The official Flood Insurance Rate Map for the City of Alexandria shall be the in the digital format prepared by FEMA, Federal Insurance Administration, dated June 16, 2011~~ January 11, 2024, as amended.

(J) *Flood insurance study (FIS).* An examination, evaluation, and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation, and determination of mudflow and/or flood-related erosion hazards. The official Flood Insurance Study for the City of Alexandria shall be the flood insurance study prepared by FEMA, Federal Insurance Administration, dated ~~June 16, 2011~~ January 11, 2024, as amended.

(K) ~~*Floodplain.* A relatively flat or low land flood prone area, adjoining a river, stream or other watercourse which is subject. Any land area susceptible to partial or complete inundation being inundated by water from such watercourse, or a land area which is subject to the unusual and rapid accumulation or runoff of surface waters from any source.~~

(L) *Floodplain district.* The areas encompassed by the ~~100-year~~ 1-percent annual chance floodplain as shown on the flood insurance rate map.

(M) Reserved. ~~*Flood-prone area.* Any land area susceptible to being inundated by water from any source more often than once in a 100-year period.~~

(N) *Floodproofing.* Also called “dry floodproofing.” A Any combination of measures that results in a structure, including the attendant utilities and equipment, being watertight with all elements

substantially impermeable and with structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

(O) Floodway. The designated area channel of a floodplain required to carry river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood waters of a given magnitude. For purposes of this section 6-300, a floodway must be capable of accommodating a flood of without cumulatively increasing the 100-year magnitude water surface elevation more than 0.5-feet at any point within the community.

(P.1) Functionally dependent use. A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. This term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and shipbuilding and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

(R.1) Hydrologic and Hydraulic Engineering Analysis. Analyses performed by a licensed professional engineer, in accordance with standard engineering practices that are accepted by the Virginia Department of Conservation and Recreation and FEMA, used to determine the base flood, other frequency floods, flood elevations, floodway information and boundaries, and flood profiles.

(R.2) Letters of Map Change (LOMC). A Letter of Map Change is an official FEMA determination, by letter, that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:

Letter of Map Amendment (LOMA). An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a land as defined by meets and bounds or structure is not located in a special flood hazard area.

Letter of Map Revision (LOMR). A revision based on technical data that may show changes to flood zones, flood elevations, floodplain and floodway delineations, and planimetric features. A Letter of Map Revision Based on Fill (LOMR-F), is a determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer exposed to flooding associated with the base flood. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.

Conditional Letter of Map Revision (CLOMR). A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study.

(R.3) Lowest adjacent grade. The lowest natural elevation of the ground surface next to the walls of a structure.

(T) Manufactured home. A structure, transportable in one or more sections, which is built on a permanent chassis and is designed to be used as a single-family dwelling, for use with or without permanent foundation, when connected to the required facilities, and utilities which includes the plumbing, heating, air conditioning and electrical systems contained in the structure. For floodplain management purposes the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles when placed on a site for greater than 180 consecutive days.

~~(V) *New construction.* For the purposes of determining insurance rates, structures as to for which the “start of construction” commenced on or after May 24, 1977 and includes any subsequent improvements to such buildings or structures. For floodplain management purposes, new construction means s~~Structures for which the start of construction commenced on or after the effective date of a this floodplain management ordinance regulation adopted by a community and includes any subsequent improvements to such structures. Any construction started after effective date of community’s first floodplain management ordinance adopted by the community and before the effective start date of this floodplain management ordinance is subject to the ordinance in effect at the time the permit was issued, provided the start of construction was within 180 days of permit issuance.

(W.1) *Pre-FIRM structures.* A structure for which construction or substantial improvement occurred before May 8, 1970.

(W.2) *Post-FIRM structures.* A structure for which construction or substantial improvement occurred on or after May 8, 1970.

(X.1) *Repetitive Loss Structure.* A building covered by a contract for flood insurance that has incurred flood-related damages on two occasions in a 10-year period, in which the cost of the repair, on the average, equaled or exceeded 25 percent of the market value of the structure at the time of each such flood event; and at the time of the second incidence of flood-related damage, the contract for flood insurance contains increased cost of compliance coverage.

(Y) *Residential building.* Any single-family dwelling, two-family dwelling, row or townhouse dwelling, or multi-family dwelling, including any mixed-use building not meeting the criteria for nonresidential and any accessory building or structure.

(Y.1) *Severe Repetitive Loss Structure.* A structure that:

(1) Is covered under a contract for flood insurance made available under the NFIP; and
(2) Has incurred flood related damage –

i. For which 4 or more separate claims payments have been made under flood insurance coverage with the amount of each such claim exceeding \$5,000, and with the cumulative amount of such claims payments exceeding \$20,000; or

ii. For which at least 2 separate claims payments have been made under such coverage, with the cumulative amount of such claims exceeding the market value of the insured structure.

(AA) *Special flood hazard area (SFHA).* The land in the floodplain subject to a one percent or greater chance of being flooded-inundated in any given year as designated on the official Flood Insurance Rate Map for the City of Alexandria, determined in section 6-304(A).

(BB) *Start of construction.* For other than new construction and substantial improvement, under the Coastal Barriers Resource Act (P.L. – 97-348), means the date a building permit was issued, provided that the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, substantial improvement, or other improvement was within 180 days of the permit issuance date. For new construction, The actual start of construction means either the initial placement of permanent construction of a structure on the site, such as the pouring of footings or a slab, the installation of piles, the construction of columns or any work beyond the state of excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement or for, footings, piers or foundations, or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not

occupied as dwelling units and not part of the main structure. For a substantial ~~improvements-~~
improvement, the actual start of construction means the first alteration of any wall, ceiling,
floor, or other structural part of a building, whether or not the alteration affects the external
dimensions of the buildings.

(CC) *Structure*. For ~~flood plain~~ floodplain management purposes, a walled and roofed building,
including a gas or liquid storage tank, that is principally above ground, as well as a
manufactured home. "Structure" for insurance coverage purposes, means:-

(1) — A building with two or more outside rigid walls and a fully secured roof, that is affixed to
a permanent site;-

(2) — A manufactured home (also known as a mobile home), is a structure: built on a
permanent chassis, transported to its site in one or more sections, and affixed to a permanent
foundation; or-

(3) — A travel trailer without wheels, built on a chassis and affixed to a permanent foundation,
that is regulated under the community's floodplain management and building ordinances or
laws.-

For the latter purpose, "structure" does not mean a recreational vehicle or a park trailer or
other similar vehicle, except as described in paragraph (3) of this definition, or a gas or liquid
storage tank.-

(EE) *Substantial improvement*. Any repair, reconstruction, rehabilitation, addition or other
improvement of a building or structure, the cost of which equals or exceeds 50 percent of the
market value of the building or structure ~~immediately before the start of~~ construction of the
~~improvement is commenced, or any restoration of a building or structure which has incurred~~
~~substantial damage; provided, that.~~ The term does not, however, include either:

(1) Any project for improvement of a building or structure ~~that is necessary to correct~~
existing violations of state or local health, sanitary or safety code specifications which have
been identified by appropriate officials of the state or city and which are the minimum
necessary to assure safe living conditions; or

(2) Any ~~improvement alteration~~ of a "historic structure," ~~as defined in this section, so long~~
~~as provided that the improvement does alteration will~~ not preclude the structure's continued
designation as a "historic structure."

(3) Historic structures undergoing repair or rehabilitation that would constitute a substantial
improvement as defined above, must comply with all ordinance requirements that do not
preclude the structure's continued designation as a historic structure. Documentation that a
specific ordinance requirement will cause removal of the structure from the National Register
of Historic Places or the State Inventory of Historic places must be obtained from the Secretary
of the Interior or the State Historic Preservation Officer. Any exemption from ordinance
requirements will be the minimum necessary to preserve the historic character and design of
the structure.

(FF) *Violation*. The failure of a structure or other development to be fully compliant with the ~~City~~
~~of Alexandria's community's~~ floodplain management regulations. A structure or other
development without the elevation certificate, other certifications, or other evidence of
compliance required in 44 CFR 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) ~~this~~
ordinance is presumed to be in violation until such time as that documentation is provided.

(SS) *Watercourse*. A lake, river, creek, stream, wash, channel, or other topographic feature on
or over which waters flow at least periodically. Watercourse includes specifically designated
areas in which substantial flood damage may occur.

6-304 Description of floodplain-Special Flood Hazard districts.

(A) Description of Special Flood Hazard districts. The various floodplain-special flood hazard districts shall include the special flood hazard areas described below. The basis for the delineation of these districts shall be the flood insurance study and the flood insurance rate maps for the City of Alexandria prepared by FEMA, Federal Insurance Administration, dated ~~June 16, 2014~~ January 11, 2024, and any subsequent revisions and amendments thereto.

~~(1) The special floodplain district shall include those areas identified as an AE zone on the flood insurance rate map for which 100-year base flood elevations have been provided.~~

~~(2) The approximated floodplain district shall include those areas identified as an A zone on the flood insurance rate map. In these zones, no detailed flood profiles or elevations are provided, but the 100-year floodplain boundary has been approximated. For these areas, the 100-year flood elevations and floodway information from federal, state, and other acceptable sources shall be used, when available. Where the specific 100-year flood elevation cannot be determined for this area using other sources of data, such as the U.S. Army Corps of Engineers Flood Plain Information Reports, U.S. Geological Survey Flood-prone Quadrangles, etc., then the applicant for the proposed use, development and/or activity shall determine this elevation in accordance with FEMA-approved hydrologic and hydraulic engineering techniques.~~ The City of Alexandria may identify and regulate local flood hazard or ponding areas that are not delineated on the FIRM. These areas may be delineated on a "Local Flood Hazard Map" using best available topographic data and locally derived information such as flood of record, historic high-water marks, or approximate study methodologies.

The boundaries of the SFHA Districts are established as shown on the FIRM which is declared to be a part of this ordinance, and which shall be kept on file at the City of Alexandria offices.

(1) The Floodway District is in an AE Zone and is delineated, for purposes of this ordinance, using the criterion that certain areas within the floodplain must be capable of carrying the waters of the one percent annual chance flood without increasing the water surface elevation of that flood more than 0.5-feet at any point. The areas included in this District are specifically defined in Table 23 of the above-referenced FIS and shown on the accompanying FIRM. The following provisions shall apply within the Floodway District of an AE zone [44 CFR 60.3(d)]:

(a) Within any floodway area, no encroachments, including fill, new construction, substantial improvements, or other development shall be permitted unless it has been demonstrated through hydrologic and hydraulic analysis performed in accordance with standard engineering practice that the proposed encroachment will not result in any increase in flood levels within the community during the occurrence of the base flood discharge. Hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough review by the director of the department of transportation and environmental services or the Floodplain Administrator. Development activities which increase the water surface elevation of the base flood may be allowed, provided that the applicant first applies – with the City of Alexandria's endorsement – for a Conditional Letter of Map Revision (CLOMR) and receives the approval of the Federal Emergency Management Agency. If 6-304(A)(1)(a) is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of 6-307 through 6-310.

(b) The placement of manufactured homes (mobile homes) is prohibited.

(2) The AE or AH Zones on the FIRM accompanying the FIS shall be those areas for which one percent annual chance flood elevations have been provided and the floodway has not

been delineated. The following provisions shall apply within an AE or AH zone [44 CFR 60.3(c)] where FEMA has provided base flood elevations:

Until a regulatory floodway is designated, no new construction, substantial improvements, or other development (including fill) shall be permitted within the areas of special flood hazard, designated as Zones A, AE, or AH on the FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than 0.5-foot at any point within the City of Alexandria.

(3) The A Zone on the FIRM accompanying the FIS shall be those areas for which no detailed flood profiles or elevations are provided, but the one percent annual chance floodplain boundary has been approximated. For these areas, the following provisions shall apply [44 CFR 60.3(b)]:

The Approximated Floodplain District shall be that floodplain area for which no detailed flood profiles or elevations are provided, but where a one percent annual chance floodplain boundary has been approximated. Such areas are shown as Zone A on the maps accompanying the FIS. For these areas, the base flood elevations and floodway information from Federal, State, and other acceptable sources shall be used, when available. Where the specific one percent annual chance flood elevation cannot be determined for this area using other sources of data, then the applicant for the proposed use, development and/or activity shall determine this base flood elevation. For development proposed in the approximate floodplain the applicant must use technical methods that correctly reflect currently accepted practices, such as point on boundary, high water marks, or detailed methodologies hydrologic and hydraulic analyses. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough review by the ~~director of transportation and environmental services.~~ Floodplain Administrator. The director of the department of transportation and environmental services or the Floodplain Administrator reserves the right to require a hydrologic and hydraulic analysis for any development. When such base flood elevation data is utilized, the lowest floor shall be elevated to or above the base flood level plus 1-foot. During the permitting process, the Floodplain Administrator shall obtain:

(a) The elevation of the lowest floor (in relation to City Vertical Datum), including the basement, of all new and substantially improved structures; and,

(b) If the structure has been floodproofed in accordance with the requirements of this article, the elevation (in relation to City Vertical Datum) to which the structure has been floodproofed. Base flood elevation data shall be obtained from other sources or developed using detailed methodologies comparable to those contained in a FIS for subdivision proposals and other proposed development proposals that exceed fifty lots or five acres, whichever is the lesser.

(4) The mapped floodplain includes all of the above regions and also the regions designated as having a 0.2-percent annual chance of flooding on any flood map or flood insurance study. In this area no emergency service, medical service, or governmental records storage shall be allowed except by special exception using the variance process.

(B) The delineation of any of the floodplain districts may be revised by the City of Alexandria where natural or man-made changes have occurred and/or where more detailed studies have been conducted or undertaken by the U.S. Army Corps of Engineers or other qualified agency, or an individual documents the need for such change. Updates to the effective regulatory delineation of the floodplain districts require approval from both the City of Alexandria and the ~~FEMA Federal Insurance Administration.~~

(C) Any uncertainty on the floodplain district map, or flood insurance rate map, with respect to the boundary of any floodplain district, either A or AE zone, shall be determined by the director of transportation and environmental services or the Floodplain Administrator by scaling

and computation from the map or by land survey information- for the purposes of these development regulations. Individual property owners or developers must receive this determination from FEMA for the purposes of determining the federal requirement for flood insurance.

6-305 Administration.

(A) The director of the department of transportation and environmental Services shall be responsible for the administration of the floodplain management regulations set forth in this section 6-300. He or she shall be responsible for the review of all proposed uses and development to determine whether the land on which the proposed use or development is located in the Special Flood Hazard Area (SFHA) and that the site is reasonably safe from flooding, and shall hereby designate a Floodplain Administrator to administer and implement these regulations. The Floodplain Administrator may:

- (1) Do the work themselves. In the absence of a Floodplain Administrator, the duties are conducted by the City of Alexandria chief executive officer or authorized designee, or
- (2) Delegate duties and responsibilities set forth in these regulations to qualified technical personnel, plan examiners, inspectors, and other employees, or
- (3) Enter into a written agreement or written contract with another community or private sector entity to administer specific provisions of these regulations. Administration of any part of these regulations by another entity shall not relieve the community of its responsibilities pursuant to the participation requirements of the National Flood Insurance Program as set forth in the Code of Federal Regulations at 44 C.F.R. Section 59.22.

(B) An applicant must apply for a permit and issuance of the permit is required prior to the start of any development within the special flood hazard area. The duties and responsibilities of the Floodplain Administrator

- (1) Review applications for permits to determine whether proposed activities will be located in the Special Flood Hazard Area (SFHA) and that the site is reasonably safe from flooding.
- (2) Interpret floodplain boundaries and provide available base flood elevation and flood hazard information.
- (3) Review applications to determine whether proposed activities will be reasonably safe from flooding and require new construction and substantial improvements to meet the requirements of these regulations.
- (4) Review applications to determine whether all necessary permits have been obtained from the Federal, State, or local agencies from which prior or concurrent approval is required; in particular, permits from state agencies for any construction, reconstruction, repair, or alteration of a dam, reservoir, or waterway obstruction (including bridges, culverts, structures), any alteration of a watercourse, or any change of the course, current, or cross section of a stream or body of water, including any change to the 1-percent annual chance frequency floodplain of free-flowing non-tidal waters of the State.
- (5) Verify that applicants proposing an alteration of a watercourse have notified adjacent communities, the Virginia Department of Conservation and Recreation (Division of Dam Safety and Floodplain Management), and other appropriate agencies (VADEQ, USACE), and have submitted copies of such notifications to FEMA.
- (6) Advise applicants for new construction or substantial improvement of structures that are located within an area of the Coastal Barrier Resources System established by the Coastal Barrier Resources Act that Federal flood insurance is not available on such structures; areas subject to this limitation are shown on Flood Insurance Rate Maps as Coastal Barrier Resource System Areas (CBRS) or Otherwise Protected Areas (OPA).

- (7) Approve applications to develop in flood hazard areas if the provisions of these regulations have been met or disapprove applications if the provisions of these regulations have not been met.
- (8) Inspect or cause to be inspected, buildings, structures, and other development for which permits have been issued to determine compliance with these regulations or to determine if non-compliance has occurred or violations have been committed.
- (9) Review Elevation Certificates and require incomplete or deficient certificates to be corrected.
- (10) Submit to FEMA, or require applicants to submit to FEMA, data and information necessary to maintain FIRMs, including hydrologic and hydraulic engineering analyses prepared by or for the City of Alexandria, within six months after such data and information becomes available if the analyses indicate changes in base flood elevations. The community or applicant should submit data via a LOMR.
- (11) Maintain and permanently keep records that are necessary for the administration of these regulations, including:
- (a) Flood Insurance Studies, Flood Insurance Rate Maps (including historic studies and maps and current effective studies and maps), and Letters of Map Change; and
 - (b) Documentation supporting issuance and denial of permits, Elevation Certificates, documentation of the elevation (in relation to the datum on the FIRM) to which structures have been floodproofed, inspection records, other required design certifications, variances, and records of enforcement actions taken to correct violations of these regulations.
- (12) Promote enforcement of the provisions of these regulations including investigation of violations, issuance of notices of violations or stop work orders, and requiring permit holders to take corrective action.
- (13) Advise the City Council regarding the intent of these regulations and, for each application for a variance, prepare a staff report and recommendation.
- (14) Administer the requirements related to proposed work on existing buildings:
- (a) Make determinations as to whether buildings and structures that are in flood hazard areas and that are damaged by any cause have been substantially damaged.
 - (b) Make reasonable efforts to notify owners of substantially damaged structures of the need to obtain a permit to repair, rehabilitate, or reconstruct. Prohibit the non-compliant repair of substantially damaged buildings except for temporary emergency protective measures necessary to secure a property or stabilize a building or structure to prevent additional damage.
- (15) Undertake, as determined appropriate by the Floodplain Administrator due to the circumstances, other actions which may include but are not limited to: issuing press releases, public service announcements, and other public information materials related to permit requests and repair of damaged structures; coordinating with other Federal, State, and local agencies to assist with substantial damage determinations; providing owners of damaged structures information related to the proper repair of damaged structures in special flood hazard areas; and assisting property owners with documentation necessary to file claims for Increased Cost of Compliance coverage under NFIP flood insurance policies.
- (16) Notify the Federal Emergency Management Agency when the corporate boundaries of the City of Alexandria have been modified and:
- (a) Provide a map that clearly delineates the new corporate boundaries or the new area for which the authority to regulate pursuant to these regulations has either been assumed or relinquished through annexation; and

(b) If the FIRM for any annexed area includes special flood hazard areas that have flood zones that have regulatory requirements that are not set forth in these regulations, prepare amendments to these regulations to adopt the FIRM and appropriate requirements, and submit the amendments to the governing body for adoption; such adoption shall take place at the same time as or prior to the date of annexation and a copy of the amended regulations shall be provided to Department of Conservation and Recreation (Division of Dam Safety and Floodplain Management) and FEMA.

(17) Upon the request of FEMA, complete and submit a report concerning participation in the NFIP which may request information regarding the number of buildings in the SFHA, number of permits issued for development in the SFHA, and number of variances issued for development in the SFHA.

(18) It is the duty of the director of the department of transportation and environmental services or the Floodplain Administrator to take into account flood, mudslide and flood-related erosion hazards, to the extent that they are known, in all official actions relating to land management and use throughout the entire jurisdictional area of the Community, whether or not those hazards have been specifically delineated geographically (e.g. via mapping or surveying).

(19) Take into account flood, mudslide and flood-related erosion hazards, to the extent that they are known, in all official actions relating to land management and use throughout the entire jurisdictional area of the Community, whether or not those hazards have been specifically delineated geographically (e.g. via mapping or surveying).

(20) The director of the department of transportation and environmental services or the Floodplain Administrator may require information from the applicant, including, but not limited to, an engineering study of the floodplain. Upon a determination that the land on which the proposed use or development is located in a floodplain, the Floodplain Administrator shall determine whether such use or development may be permitted in accordance with the provisions of section 6-307 through 6-309 or requires the approval of a variance as set forth in section 6-312.

(21) The director of the department of transportation and environmental services or the Floodplain Administrator shall be responsible for the collection and maintenance of records necessary for the city's participation in the National Flood Insurance Program. Base flood elevations may increase or decrease resulting from physical changes affecting flooding conditions. As soon as practicable, but not later than six months after the date such information becomes available, the Floodplain Administrator shall notify or require the applicant to notify the FEMA Federal Insurance Administrator of any change in base flood elevation or the boundaries of any special flood hazard area depicted on the city's flood insurance rate map by submitting technical and scientific data to FEMA for a letter of map revision.

~~(C) No site plan, subdivision plat or building permit application which proposes to construct or make substantial improvements within any floodplain district shall be approved by any agency of the City of Alexandria without certification by the director of transportation and environmental services that the plan, plat or permit application meets the requirements of this section 6-300. The director of transportation and environmental services shall insure that all other required permits related to development in the floodplain from state or federal~~

~~governmental agencies have been obtained.~~ Permit Requirement. All uses activities and development occurring within any floodplain district, including placement of manufactured homes, shall be undertaken only upon the issuance of a permit. Such development shall be undertaken only in strict compliance with the provisions of this Ordinance and with all other applicable codes and ordinances, as amended, such as the Virginia Uniform Statewide Building Code (VA USBC) and the City of Alexandria Subdivision Regulations. Prior to the issuance of any such permit, the Floodplain Administrator shall require all applications to include compliance with all applicable State and Federal laws and shall review all sites to assure they are reasonably safe from flooding. Under no circumstances shall any use, activity, and/or development adversely affect the capacity of the channels or floodways of any watercourse, drainage ditch, or any other drainage facility or system.

(D) Site Plans and Permit Applications

An applicant must apply for a permit and issuance of the permit is required prior to the start of any development within the special flood hazard area.

No site plan, subdivision plat or building permit application which proposes to construct or make substantial improvements within any floodplain district shall be approved by any agency of the City of Alexandria without certification by the director of the department of transportation and environmental services or the Floodplain Administrator that the plan, plat or permit application meets the requirements of this section 6-300. The director of the department of transportation and environmental services or the Floodplain Administrator shall insure that all other required permits related to development in the floodplain from state or federal governmental agencies have been obtained.

~~(D)~~—All applications for new construction or substantial improvement within any floodplain district, and all building permits issued for the floodplain shall incorporate the following information:

- (1) The base flood elevation(s) at the site;
- (2) The elevation of the lowest floor (including basement);
- (3) For structures to be floodproofed (nonresidential only), the elevation to which the structure will be floodproofed; and,
- (4) Topographic information showing existing and proposed ground elevations.

(E) Use and Interpretation of FIRMS. The director of the department of transportation and environmental services or the Floodplain Administrator may require information from the applicant, including, but not limited to, an engineering study of the floodplain. Upon a determination that the land on which the proposed use or development is located in a floodplain, the director or the Floodplain Administrator shall determine whether such use or development may be permitted in accordance with the provisions make interpretations, where needed, as to the exact location of special flood hazard areas, floodplain boundaries, and floodway boundaries. The following shall apply to the use and interpretation of FIRMs and data:

- (1) Where field surveyed topography indicates that adjacent ground elevations:
 - (a) Are below the base flood elevation in riverine SFHAs, or below the 1% storm surge elevation in coastal SFHAs, even in areas not delineated as a special flood hazard area on a FIRM, the area shall be considered as special flood hazard area and subject to all applicable requirements of section 6-306 through 6-308300; or requires the approval of a variance as set forth in section 6-311.

Are above the base flood elevation and the area is labeled as a SFHA on the FIRM, the area shall be regulated as special flood hazard area unless the applicant obtains a Letter of Map Change that removes the area from the SFHA.

(2) In FEMA-identified special flood hazard areas where base flood elevation and floodway data have not been identified and in areas where FEMA has not identified SFHAs, any other flood hazard data available from a Federal, State, or other source shall be reviewed and reasonably used.

(3) Base flood elevations and designated floodway boundaries on FIRMs and in FISs shall take precedence over base flood elevations and floodway boundaries by any other sources if such sources show reduced floodway widths and/or lower base flood elevations.

(4) Other sources of data shall be reasonably used if such sources show increased base flood elevations and/or larger floodway areas than are shown on FIRMs and in FISs.

(5) If a Preliminary Flood Insurance Rate Map and/or a Preliminary Flood Insurance Study has been provided by FEMA.

(a) Upon the issuance of a Letter of Final Determination by FEMA, the preliminary flood hazard data shall be used and shall replace the flood hazard data previously provided from FEMA for the purposes of administering these regulations.

(b) Prior to the issuance of a Letter of Final Determination by FEMA, the use of preliminary flood hazard data shall be deemed the best available data pursuant to 6-304(A)(3) and used where no base flood elevations and/or floodway areas are provided on the effective FIRM.

(c) Prior to issuance of a Letter of Final Determination by FEMA, the use of preliminary flood hazard data is permitted where the preliminary base flood elevations or floodway areas exceed the base flood elevations and/or designated floodway widths in existing flood hazard data provided by FEMA. Such preliminary data may be subject to change and/or appeal to FEMA.

(F) Jurisdictional Boundary Changes

The director of transportation and environmental services shall be responsible for the collection and maintenance of records necessary for the city's participation in the National Flood Insurance Program city floodplain ordinance in effect on the date of annexation shall remain in effect and shall be enforced by the municipality for all annexed areas until the municipality adopts and enforces an ordinance which meets the requirements for participation in the National Flood Insurance Program. Municipalities with existing floodplain ordinances shall pass a resolution acknowledging and accepting responsibility for enforcing floodplain ordinance standards prior to annexation of any area containing identified flood hazards. If the FIRM for any annexed area includes special flood hazard areas that have flood zones that have regulatory requirements that are not set forth in these regulations, the governing body shall prepare amendments to these regulations to adopt the FIRM and appropriate requirements, and submit the amendments to the governing body for adoption; such adoption shall take place at the same time as or prior to the date of annexation and a copy of the amended regulations shall be provided to Department of Conservation and Recreation (Division of Dam Safety and Floodplain Management) and FEMA.

In accordance with the Code of Federal Regulations, Title 44 Subpart (B) Section 59.22(a)(9)(v) all NFIP participating communities must notify the Federal Insurance Administration and optionally the State Coordinating Office in writing whenever the boundaries of the community have been modified by annexation or the community has otherwise assumed or no longer has authority to adopt and enforce floodplain management regulations for a particular area.

In order that all Flood Insurance Rate Maps accurately represent the community's boundaries, a copy of a map of the community suitable for reproduction, clearly delineating the new corporate limits or new area for which the community has assumed, or relinquished floodplain management regulatory authority must be included with the notification.

(G) District Boundary Changes

The delineation of any of the Floodplain Districts may be revised by the City of Alexandria where natural or man-made changes have occurred and/or where more detailed studies have been conducted or undertaken by the U. S. Army Corps of Engineers or other qualified agency, or an individual documents the need for such change. However, prior to any such change, approval must be obtained from the Federal Emergency Management Agency. A completed LOMR is a record of this approval.

(I) Submitting Model Backed Technical Data

A community's base flood elevations may increase or decrease resulting from physical changes affecting flooding conditions. As soon as practicable, but not later than six months after the date such information becomes available, the director of transportation and environmental services community shall notify or require the applicant to notify the FEMA-Federal Insurance Administrator of any change in base flood elevation or the boundaries of any special flood hazard area depicted on the city's flood insurance rate map Emergency Management Agency of the changes by submitting technical and/or scientific data to FEMA for. The community may submit data via a letter of map revision-LOMR. Such a submission is necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and floodplain management requirements will be based upon current data.

(J) Letters of Map Revisions

When development in the floodplain will cause or causes a change in the base flood elevation, the applicant, including state agencies, must notify FEMA by applying for a Conditional Letter of Map Revision and then a Letter of Map Revision.

Example Cases:

- (1) Any development that causes a rise in the base flood elevations within the floodway.
- (2) Any development occurring in Zones A and AE without a designated floodway, which will cause a rise of more than 0.5-feet in the base flood elevation.
- (3) Alteration or relocation of a stream (including but not limited to installing culverts and bridges) 44 Code of Federal Regulations §65.3 and §65.6(a)(12).

6-306 General Standards

The following provisions shall apply to all permits in all Special Flood Hazard Area districts:

- (A) New construction and substantial improvements shall be built according to this ordinance and the VA USBC, and anchored to prevent flotation, collapse, or lateral movement of the structure.
- (B) Manufactured homes including non-residential trailers shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state anchoring requirements for resisting wind forces.
- (C) New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- (D) New construction or substantial improvements shall be constructed by methods and practices that minimize flood damage.
- (E) Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities, including duct work, shall be elevated to or above the base flood elevation plus 1-foot

so as to prevent water from entering or accumulating within the components during conditions of flooding.

(F) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.

(G) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.

In addition to provisions A – G above, in all special flood hazard areas, the additional provisions shall apply:

- (1) Prior to any proposed alteration or relocation of any channels or of any watercourse, stream, etc., within this jurisdiction a permit shall be obtained from the U. S. Corps of Engineers, the Virginia Department of Environmental Quality, and the Virginia Marine Resources Commission (a joint permit application is available from any of these organizations). Furthermore, in riverine areas, notification of the proposal shall be given by the applicant to all affected adjacent jurisdictions, the Department of Conservation and Recreation (Division of Dam Safety and Floodplain Management), other required agencies, and the Federal Emergency Management Agency.
- (2) The flood carrying capacity within an altered or relocated portion of any watercourse shall be maintained.

6-307 Special regulations.

Within the boundaries of any A or AE zones in any floodplain district as shown on the flood insurance rate map, buildings or structures and their extensions and accessory buildings or structures may be constructed or substantially improved only in accordance with the following requirements of this section 6-300 and all other applicable provisions of law.

In all identified flood hazard areas where base flood elevations have been provided in the FIS or generated by a certified professional in accordance with 6-304(A)——

The elevation of (3)the following provisions shall apply:

(A) Residential Construction

(1) New Construction or substantial improvement or any residential building or structure and their extensions and accessory buildings or structures in Zones A, AE, and with detailed base flood elevations shall have the lowest floor, including the basement, for any new residential building or any extension to a residential building shall be issued unless the building has the lowest floor (including the basement) elevated to or above the base flood elevation plus 1-foot.

(2) No building permit for the substantial improvement of an existing residential building shall be at least one foot issued unless the building has the lowest floor (including the basement) elevated to or above the base flood elevation, plus 1-foot.

(B) The elevation-Non-residential Construction

(1) New construction or substantial improvement of the lowest floor, including the basement for any new nonresidential commercial, industrial, or non-residential building or structure and any extension or accessory to a nonresidential non-residential building shall have the lowest floor, including basement, elevated to or above the base flood elevation plus 1-foot.

(2) New construction or substantial improvement of any building designated as Flood Design Class 4 in the VA USBC shall have the lowest floor, including basement, elevated at least one 1-foot above the base flood elevation. Nonresidential, or the 0.2-percent annual chance flood elevation, whichever is higher.

(3) Non-residential buildings located in all A-er, AE, and AH zones may be dry-floodproofed in lieu of being elevated provided that all areas of the building components below the elevation corresponding to the base flood elevation plus one-foot are watertight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. In no event shall any floor below at least one foot above the elevation corresponding to the base flood elevation plus 1-foot be used for human or animal habitation, food storage or food preparation. A registered professional engineer or architect shall certify the design and construction using the required FEMA floodproofing certification forms that the standards of this subsection are satisfied. Such certifications, including the specific elevation in relation to City Vertical Datum to which such structures are floodproofed, shall be maintained by the Floodplain Administrator.

(4) No building permit for the substantial improvement of an existing nonresidential building shall be issued unless the building, together with attendant utility and sanitary facilities, has the lowest floor (including the basement) elevated to or above the base flood elevation plus 1-foot. Should this not be feasible, no such permit shall be issued unless the existing structure is dry-floodproofed as described in section 6-307 in all areas below the base flood elevation to the classification designated by the Floodplain Administrator.

(5) Any mixed-use building may be considered a nonresidential building for purposes of this section 6-307 if all of the following conditions are met; otherwise, the building shall be considered a residential building:

(a) No more than 20 percent of the development site is within the boundaries of any A or AE zones in any floodplain district as shown on the flood insurance rate map;

(b) At least 20,000 square feet of finished floor area of the proposed mixed-use building is devoted to nonresidential use;

(c) Basement areas (including below grade parking) must be located outside the boundaries of any A or AE zones in any floodplain district; and,

(d) All floodproofing requirements specified in this ordinance 6-300 and as specified in NFIP Technical Bulletin 3 (2021 or later) Requirements for the Design and Certification of Dry Floodproofed Non-Residential and Mixed-Use Buildings - Requirements and Certification must be met.

(C) Space Below the Lowest Floor

In zones A, AE, and AH, fully enclosed areas, of new construction or substantially improved structures, which are below the base flood elevation plus 1-foot shall:

(1) Not be designed or used for human habitation, but shall be used solely for parking of vehicles, building access, or limited storage of maintenance equipment used in connection with the premises. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment (standard exterior door), or entry to the living area (stairway or elevator).

(2) Be constructed entirely of flood damage-resistant materials below the base flood elevation plus 1-foot.

(3) Include measures to automatically equalize hydrostatic flood forces on walls by allowing for the entry and exit of floodwaters. To meet this requirement, the openings must either be certified by a professional engineer or architect or meet the following minimum design criteria:

(a) Provide a minimum of two openings on different sides of each enclosed area subject to flooding.

(b) The total net area of all openings must be at least one (1) square inch for each square foot of enclosed area subject to flooding.

(c) If a building has more than one enclosed area, each area must have openings to allow floodwaters to automatically enter and exit.

(d) The bottom of all required openings shall be no higher than one (1) foot above the adjacent grade.

(e) Openings may be equipped with screens, louvers, or other opening coverings or devices, provided they permit the automatic flow of floodwaters in both directions.

(f) Foundation enclosures made of flexible skirting are not considered enclosures for regulatory purposes, and, therefore, do not require openings. Masonry or wood underpinning, regardless of structural status, is considered an enclosure and requires openings as outlined above.

(D) All new and replacement public utilities, water mains and sanitary sewers shall be designed to minimize or eliminate infiltration and exfiltration and to insure ensure their structural integrity under flood conditions to the satisfaction of the director of the department of transportation and environmental services or the Floodplain Administrator.

(DE) Water heaters, furnaces, electrical distribution panels and other critical mechanical or electrical installations shall not be installed below the base flood elevation. Separate electrical circuits shall serve areas below the base flood elevation and shall be dropped from above.

(EF) Any proposed use of land, development and any new construction or substantial improvement of a building or structure within an A or AE zone, in conjunction with all other uses, existing or possessing a valid permit for construction, shall not increase the water-surface elevation of the 400-year1-percent annual chance flood by more than 0.5 foot. Any party proposing a land use or development or such construction or improvement within an A or AE zone shall furnish specific engineering data and information as to the effect of the proposed action on future flood heights and obtain approval from the director of the department of transportation and environmental services or the Floodplain Administrator prior to undertaking the action.

(FG) No building permit shall be issued for the construction or substantial improvement of a building or structure unless the applicant submits to the department of code administration a certification from a duly registered architect or engineer that the proposed construction (including prefabricated homes) or improvement meets the following requirements:

(1) The construction shall be protected against flood damage;

(2) The construction shall be designed (or modified) and anchored to prevent flotation, collapse or lateral movement of the building and structure;

(3) The construction shall be built using materials and utility equipment that are resistant to flood damage; and,

(4) The construction shall be built using methods and practices that will minimize flood damage. The certification required be in section 6-306(F307(H))(1) and (2) shall be based on the 400-year1-percent annual chance flood level as noted on the flood insurance rate map.-

~~(G) No building permit for the substantial improvement of an existing nonresidential building shall be issued unless the building, together with attendant utility and sanitary facilities, has the lowest floor (including the basement) elevated at least one foot above the base flood elevation. Should this not be feasible, no such permit shall be issued unless the existing structure is watertight floodproofed as described in section 6-306 in all areas below the base flood elevation to the classification designated by the director of transportation and environmental services.-~~

~~(H) No building permit for the substantial improvement of an existing residential building shall be issued unless the building has the lowest floor (including the basement) elevated at least one foot above the base flood elevation.-~~

(H) Wherever floodproofing is utilized within the scope of this section 6-300, such floodproofing shall be done by approved methods. A registered professional engineer or architect shall certify the adequacy of the floodproofing design to withstand the stresses of the

base flood and such plan shall cite the elevation to which the structure is floodproofed. All certified floodproofing shall be designed as passive and without the need for human intervention. Certifications must be in accordance with the NFIP Technical Bulletin 3, latest version. Such certification shall be provided on Federal Emergency Management Agency, National Flood Insurance Program, elevation certificate and/or floodproofing certificate as applicable. Designs meeting the requirements of the W-1 and W-2 without human intervention technique as outlined in floodproofing regulations of the Office of the Chief of Engineers, U.S. Army, December 15, 1995, shall be deemed to comply with this requirement. deemed applicable by the Floodplain Administrator. The building or code official shall maintain a file of such certifications, including the elevation of the lowest floor for structures that are elevated in lieu of watertight floodproofing.

(I) (J) For all Wherever pilings or columns are used for new construction or and substantial improvements the following provisions shall apply:

(1) The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated to or above the base flood level plus 1-foot. If the lowest horizontal structural member is parallel to the direction of wave approach or elevated at least two feet above the base flood level if the lowest horizontal structural member is perpendicular to the direction of wave approach; and

(2) The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse, and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Wind and water loading values shall each have a one percent chance of being equaled or exceeded in any given year (one percent annual chance).

(3) A registered professional engineer or architect shall develop or review the structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of 6-307(J).

(4) The Floodplain Administrator shall obtain the elevation (in relation to City Vertical Datum) of the bottom of the lowest horizontal structural member of the lowest floor (excluding pilings and columns) of all new and substantially improved structures, fully enclosed areas. The Floodplain Administrator shall maintain a record of all such information.

(5) All new construction and substantial improvements shall have the space below the lowest floor (other than a basement) which are either free of obstruction or constructed with non-supporting breakaway walls, open wood-lattice work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. For the purpose of this section, a breakaway wall shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of 20 pounds per square foot (either by design or when so required by local codes) may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet the following conditions:

(a) Breakaway wall collapse shall result from water load less than that which would occur during the base flood; and

(b) The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and nonstructural). Maximum wind and water loading values to be used in this determination shall each have a one percent chance of being equaled or exceeded in any given year.

(6) The enclosed space below the base flood elevation/lowest floor shall:

~~(1) Only be used solely for the parking of vehicles, building access, or limited storage of maintenance equipment used in connection with the premises and. Such space shall not be designed/partitioned into multiple rooms, temperature-controlled, or used for human habitation.-~~

~~Access to—The enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment (standard exterior door), or the entry to the living area (stairway or elevator);-~~

~~(2) Be constructed entirely of flood resistant materials below the base flood elevation; and,-~~

~~(3) Include, in A and AE zones, measures to automatically equalize hydrostatic flood forces on walls by allowing for the entry and exit of floodwaters. To meet this requirement, the openings must be certified by a professional engineer or architect or meet the minimum design criteria:-~~

~~(a) Provide a minimum of two openings on different sides of each enclosed area subject to flooding;-~~

~~(b) The total net area of all openings must be at least one square inch for each square foot of enclosed area subject to flooding;-~~

~~(c) If a building has more than one enclosed area, each area must have openings to allow floodwaters to automatically enter and exit;-~~

~~(d) The bottom of all required openings shall be no higher than one foot above the adjacent grade;-~~

~~(e) Openings may be equipped with screens, louvers, or other opening coverings or devices, provided they permit the automatic flow of floodwaters in both directions; and,-~~

~~(f) Foundation enclosures made of flexible skirting are not considered enclosures for regulatory purposes, and, therefore, do not require openings. Masonry or wood underpinning, regardless of structural status, is considered an enclosure and requires openings as outlined above.-~~

~~(K) Any mixed-use building may be considered a nonresidential building for purposes of this section 6-306 if all of the following conditions are met; otherwise, the building shall be considered a residential building:-~~

~~(1) No more than 20 percent of the development site is within the boundaries of any A or AE zones in any floodplain district as shown on the flood insurance rate map;-~~

~~(2) At least 20,000 space shall be less than 300 square feet of finished floor area of the proposed mixed-use building is devoted to nonresidential use;-~~

~~(3) Basement areas (including below grade parking) must be located outside the boundaries of any A or AE zones in any floodplain district; and,-~~

~~(4) All floodproofing requirements specified in this section 6-300 and as specified in FEMA Technical Bulletin 3-93 Non-Residential Floodproofing - Requirements and Certification must be met.-~~

(7) 6-307 The use of fill for structural support of buildings is prohibited. When non-structural fill is proposed in a coastal high hazard area, appropriate engineering analyses shall be conducted to evaluate the impacts of the fill prior to issuance of a permit.

6-308 Other conditions.

(A) No filling of any kind shall be allowed within the boundaries of any A or AE zone except where such filling, when considered in conjunction with all other uses, existing and proposed, will not increase the base flood elevation more than 0.5 foot. Persons proposing such filling shall furnish specific engineering data and information as to the effect of their proposed action on future flood heights and shall obtain approval from the director of the department of transportation and environmental services or the Floodplain Administrator prior to any filling.

- (B) All uses, activities and development occurring within any floodplain district shall only be undertaken in strict compliance with the Virginia Uniform Statewide Building Code (VA USBC).
- (C) No wall, fence or other outdoor obstruction shall be constructed in any floodplain district unless such structure is approved by the director of the department of transportation and environmental services or the Floodplain Administrator; provided that open mesh wire fences of not less than No. 9 wire, with mesh openings of not less than six inches times six inches, whose supports shall be securely anchored in concrete and whose wire shall be securely fastened to the supports, may be erected without any review by or approval of the director of the department of transportation and environmental services or the Floodplain Administrator under this section 6-300.
- (D) The provisions of this section 6-300 shall not be construed to prevent the remodeling (not amounting to substantial improvement), maintenance or floodproofing of buildings and structures now existing, or prevent the surfacing or resurfacing of existing streets or parking lots within two inches of the existing grade.

~~6-308~~309 Subdivision requirements.

~~(A) All subdivision proposals which are located in A or AE zones must comply with the provisions of section 6-300 and shall:~~

- (A) ~~(1) be consistent with the need to minimize flood damage;~~
- (B) ~~(2) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;~~
- (C) ~~(3) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards; and,~~
- ~~(4) Include base flood elevation data.~~
- (D) Include base flood elevation data. Where no base flood elevation data is determined, base flood elevation data shall be obtained from other sources or developed using detailed methodologies, hydraulic and hydrologic analysis, comparable to those contained in a Flood Insurance Study for subdivision proposals and other proposed development proposals that exceed fifty lots or five acres, whichever is lesser.

~~6-309~~310 Trailer camps, manufactured homes, mobile homes, recreational vehicles, and septic tank systems.

- (A) In zones A, AE, and AH, all trailer camps, manufactured homes, and mobile homes are not permitted in any floodplain district.
- (B) All recreational vehicles in the floodplain must be on the site for fewer than 180 consecutive days and, be fully licensed and ready for highway use. (a recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions)
- (C) Installation of septic tank systems in any floodplain district is prohibited.

~~6-310~~311 Projects in Floodplain Areas.

(A) Existing Structures

Any structure or use of a structure or premises must be brought into conformity with these provisions when it is changed, repaired, or improved unless one of the following exceptions is established before the change is made:

(1) The director of the department of transportation and environmental services or the Floodplain Administrator has determined that:

- (a) Change is not a substantial repair or substantial improvement AND

(b) No new square footage is being built in the floodplain that is not compliant AND

(c) No new square footage is being built in the floodway AND

(d) The change complies with this ordinance and the VA USBC

(2) The changes required to comply with a citation for a health or safety violation.

(3) The structure is a historic structure and the change required would impair the historic nature of the structure.

~~(A)~~(B) Flood Prevention Projects-

Nothing in ~~section~~sections 6-304 through section 6-~~308~~309 shall be construed to prohibit the City of Alexandria or any person from undertaking lawful filling, draining, construction, realignment or relocation of stream channels or any other improvement that is intended to eliminate or reduce the danger of flooding, provided:

(A~~1~~) The improvement is in accord with the City of Alexandria's flood improvement plan for the floodplain district involved and the director of the department of transportation and environmental services or the Floodplain Administrator has issued a certificate to that effect;

(B~~2~~) The improvement is under the general supervision of the director of the department of transportation and environmental services or the Floodplain Administrator;

(C~~3~~) The realignment or relocation of any stream channel is designed and constructed so that there will be no reduction in the natural valley storage capacity of the area with respect to the ~~400-year~~1-percent annual chance flood, unless such relocation or realignment is designed to contain the ~~400-year~~1-percent annual chance flood within the banks of the channel;

(D~~4~~) Notification, in riverine situations, is provided to adjacent communities, Virginia Department of Conservation and Recreation, FEMA, and other required agencies prior to any alteration or relocation of a watercourse; and,

(E~~5~~) The requirements of section 6-~~306~~(E307)(G) and section 6-~~307~~308(A) must be met.

6-~~311~~312 Variances.

~~(A)~~(A) Variances shall be issued only upon (i) a showing of good and sufficient cause, (ii) after City Council has determined that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) after the City Council has determined that the granting of such variance will not result in (a) unacceptable or prohibited increases in flood heights, (b) additional threats to public safety, (c) extraordinary public expense; and will not (d) create nuisances, (e) cause fraud or victimization of the public, or (f) conflict with local laws or ordinances.

(B) The city council may, for good and sufficient cause, permit less than full compliance with or waive the provisions of ~~section~~sections 6-304 through ~~section 6-310~~311, provided:

(1) Written application is made stating the hardship which will occur if the variance is not granted;

(2) A public hearing is held;

(3) The decision is made by a majority vote of the entire membership of city council upon finding that the variance is the minimum necessary, considering the flood hazard, to afford relief;

(4) The director of the department of transportation and environmental services or the Floodplain Administrator states in writing that the variance(s) will not result in unacceptable or prohibited increases in flood heights, additional threats to public safety, extraordinary public expense; and will not create nuisances, cause fraud or victimization of the public, or conflict with local laws and ordinances; and,

(5) The director of the department of transportation and environmental services or the Floodplain Administrator notifies the applicant in writing that the issuance of a variance to

construct a structure below the base flood elevation will result in increased insurance premium rates for flood insurance and that such construction will increase the risks to life and property.

(C) While the granting of variances generally is limited to a lot size less than one-half acre, deviations from that limitation may occur. However, as the lot size increases beyond one-half acre, the technical justification required for issuing a variance increases. Variances may be issued by City Council for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, in conformance with the provisions of this Section.

(D) Variances may be issued for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that the criteria of this Section are met, and the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

(E) In evaluating~~passing upon~~ applications for variances, the director of the department of transportation and environmental services or the Floodplain Administrator shall satisfy all relevant factors and procedures specified in other sections of the city's zoning ordinance and consider the following additional factors:

(1) The danger to life and property due to increased flood heights or velocities caused by encroachments; No variance shall be granted for any proposed use, development, or activity within any Floodway District that will cause any increase in the one percent (1%) chance flood elevation;

(2) The danger that materials may be swept onto other lands or downstream to the injury of others;

(3) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owners;

(4) The importance of the services provided by the proposed facility to the community;

(5) The requirements of the facility for a waterfront location;

(6) The availability of alternative locations not subject to flooding for the proposed use;

(7) The compatibility of the proposed use with existing development and development anticipated in the foreseeable future;

(8) The relationship of the proposed use to the comprehensive plan and floodplain management program for the area;

(9) The safety of access by ordinary and emergency vehicles to the property in time of flood;

(10) The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters expected at the site; ~~and;~~

~~(11)~~ Variances will not be issued for any accessory structure within the SFHA (Note: See section 6-307(D)(1)).

(12) Such other factors which are relevant to the purposes of this ordinance.

(F) The director of the department of transportation and environmental services or the Floodplain Administrator may refer any application and accompanying documentation pertaining to any request for a variance to any engineer or other qualified person or agency for technical assistance in evaluating the proposed project in relation to flood heights and velocities, and the adequacy of the plans for flood protection and other related matters.

~~(D)~~(G) Variances shall be issued only after City Council has determined that the granting of such will not result in (a) unacceptable or prohibited increases in flood heights, (b) additional threats to public safety, (c) extraordinary public expense; and will not (d) create nuisances, (e) cause fraud or victimization of the public, or (f) conflict with local laws or ordinances.

(H) Variances shall be issued only after City Council has determined that the variance will be the minimum required to provide relief.

(I) The director of the department of transportation and environmental services or the Floodplain Administrator shall notify the applicant for a variance, in writing that the issuance of a variance to construct a structure below the one percent (1%) chance flood elevation (a) increases the risks to life and property and (b) will result in increased premium rates for flood insurance.

(J) A record shall be maintained of the above notification as well as all variance actions, including justification for the issuance of the variances. Any variances that are issued shall be noted in the annual or biennial report required to be submitted to the FEMA-Federal Insurance Administrator.

~~(E) Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally-dependent use.~~

6-312313 Compliance, liability, severability, and penalties.

(A) No land shall hereafter be developed and no structure shall be located, relocated, constructed, reconstructed, enlarged or structurally altered except in full compliance with the terms and provisions of this section 6-300 and any other applicable ordinances and regulations which apply to uses within the jurisdiction of these floodplain district regulations.

~~(B) The degree of flood protection required sought by these floodplain district regulations and all other applicable local, state and federal regulations the provisions of this ordinance section 6-300 is considered reasonable for regulatory purposes, and is based on acceptable engineering methods of study but does not imply total flood protection. Larger floods may occur on rare occasions or. Flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. Therefore, the regulations set forth in this section 6-300 does not imply that areas outside the floodplain districts, or land uses permitted within such districts, will be free from flooding and flood damages under all conditions. Additionally, the granting of a permit or approval of a development in an identified floodplain district shall not constitute a representation, guarantee, or warranty of any kind by any official or employee of the City of Alexandria of the practicability or safety of the proposed use, and shall create no liability upon the City of Alexandria, its officials or employees.~~

~~(C) This ordinance shall not constitute a representation, guarantee, or warranty of any kind by any official or employee create liability on the part of the City of Alexandria of the practicability or safety of the proposed use, and shall create no liability upon the City of Alexandria, its officials or employees or any officer or employee thereof for any flood damages that result from reliance on this ordinance, or any administrative decision lawfully made thereunder.~~

~~(D) If any section, subsection, paragraph, sentence, clause, or phrase of this section 6-300 shall be declared invalid for any reason by a court of competent jurisdiction whatsoever, such decision shall not affect the remaining portions of this section 6-300. The remaining portions shall remain in full force and effect; and for this purpose, the provisions of this section 6-300 are hereby declared to be severable.~~

~~(E) Penalty for Violations~~

Any person who fails to comply with any of the requirements or provisions of this article or directions of the director of the planning and zoning department or any authorized employee of the City of Alexandria shall be guilty of the appropriate violation and subject to the penalties thereof. The VA USBC addresses building code violations and the associated penalties in Section 104 and Section 115. Any person who shall engage in new construction, substantial improvement or

development without a building permit as required by VA USBC and these floodplain management regulations shall be subject to the violations and associated penalties provided of the Zoning Ordinance of the City of Alexandria are addressed in Section 11-200 of the Zoning Ordinance.

6-313 Appeals.

In addition to the above penalties, all other actions are hereby reserved, including an action in equity for the proper enforcement of this article. The imposition of a fine or penalty for any violation of, or noncompliance with, this article shall not excuse the violation or noncompliance or permit it to continue; and all such persons shall be required to correct or remedy such violations within a reasonable time. Any structure constructed, reconstructed, enlarged, altered, or relocated in noncompliance with this article may be declared by the City of Alexandria to be a public nuisance and abatable as such. Flood insurance may be withheld from structures constructed in violation of this ordinance.

6-314 Abrogation and Greater Restrictions.

To the extent that the provisions are more restrictive, this ordinance supersedes any ordinance currently in effect in floodplain districts. To the extent that any other existing law or regulation is more restrictive or does not conflict it shall remain in full force and effect.

Any person aggrieved by a decision of the director of the department of transportation and environmental services or the Floodplain Administrator under this section 6-300 may appeal that decision to City Council; provided, that the appeal shall be filed in writing with the city clerk within 15 days of the decision being appealed and shall describe the decision being appealed and the reasons why the person believes the decision to be invalid.

These regulations are not intended to repeal or abrogate any existing ordinances including subdivision regulations, zoning ordinances, or building codes. In the event of a conflict between these regulations and any other ordinance, the more restrictive shall govern.

6-314315 Records and Annual report.

Records of actions associated with administering this ordinance shall be kept on file and maintained by or under the direction of the director of the department of transportation and environmental services or the Floodplain Administrator in perpetuity.

It shall be the city manager's duty to submit any reports to FEMA and the floodplain coordinator at the Virginia Department of Conservation and Recreation that may be required regarding the City of Alexandria's compliance with ~~flood~~ floodplain management regulations.

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

Section 3. That Section 6-300, as amended pursuant to Section 1 of this ordinance, be, and the same hereby is, 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.

IV. OTHER BUSINESS

Reports and Recommendations from the City Manager

16. Public Hearing and Adoption of Proposed City Legislative Package for the 2024 General Assembly.

(A copy of the City Manager's memorandum is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 16; 12/16/23, and is incorporated as part of this record by reference.)

The following persons participated in the public hearing for this item:

1. Michael Schuster, Alexandria, representing the Commission on Aging, spoke in support of the legislative package, specifically the items supported by the Commission including eviction prevention, electronic meetings, and assisted living affordability.
2. Clea Benson, Alexandria, requested inclusion of an adjustment to the Virginia Property Owners Association Act in the legislative package.
3. Allen Lomax, Alexandria, representing the Partnership for Healthier Alexandria, spoke in support of items that will improve health improvements in the legislative package

WHEREUPON, upon motion by Vice Mayor Jackson, seconded by Councilmember Bagley and carried unanimously, City Council closed the public hearing on the City 2024 Legislative Package. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, and Councilman McPike; Opposed, none; Absent, Councilwoman Gaskins.

WHEREUPON, upon motion by Vice Mayor Jackson, seconded by Councilman Chapman and carried unanimously, City Council approved the City's 2024 Legislative Package. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, and Councilman McPike; Opposed, none; Absent, Councilwoman Gaskins.

17. Public Hearing and Consideration of an Amendment to the Lease Between the City and WG Tavern Square Venture, LLC for office space at the Tavern Square Office Building Complex located at 421 King Street.

(A copy of the City Manager's memorandum is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 17; 12/16/23, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilmember Bagley, seconded by Vice Mayor Jackson and carried unanimously, City Council closed the public hearing and authorized the City Manager to execute the proposed fifth amendment to the lease with WG Tavern Square

Venture, LLC, for office space at the Tavern Square Office Building Complex located at 421 King Street. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, and Councilman McPike; Opposed, none; Absent, Councilwoman Gaskins.

V. Public Hearing Matters

18. Master Plan Amendment #2023-00002
Rezoning #2023-00003
Development Special Use Permit #2023-10009
301 N. Fairfax Street
Public Hearing and consideration of a request for (A) Amendment to the Old Town Small Area Plan Chapter of the Master Plan through updates to the Land Use map to designate the property as Residential High; (B) amendment to the official zoning map to change the zone for the site from CD/Commercial downtown zone to CRMU-H/Commercial residential mixed use (high); (C) a Development Special Use Permit and Site Plan to construct a 48-unit multifamily building, including a Special Use Permit to increase the floor area ratio to 2.5 in the CRMU-H zone and a modification to the crown coverage requirement; zoned CD/Commercial downtown zone. Applicant: 301N Fairfax Project Owner LLC, represented by M. Catharine Puskar, attorney
Planning Commission Action: Recommended Approval 4-3

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 18; 12/16/23, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Jackson, seconded by Councilmember Bagley and carried unanimously, City Council deferred the item until the January 2024 public hearing meeting. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, and Councilman McPike; Opposed, none; Absent, Councilwoman Gaskins.

VI. Ordinances and Resolutions

None.

- VII. Closed Session (if needed)

VIII. ADJOURN.

THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Councilmember Bagley , seconded by Councilman Aguirre and carried unanimously, City Council adjourned the public hearing meeting of December 16, 2023 at 12:03 p.m. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, and Councilman McPike; Opposed, none.

APPROVED BY:

JUSTIN M. WILSON MAYOR

ATTEST:

Gloria A. Sitton, CMC City Clerk

Adopted: January 9, 2024