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ORDINANCE NO. _____

AN ORDINANCE to amend and reordain Article II (DEFINITIONS) to amend and add definitions related to accessory live entertainment, limited live entertainment, and recreation and entertainment uses and Articles IV (COMMERCIAL, OFFICE AND INDUSTRIAL ZONES), V (MIXED USE ZONES), VI (SPECIAL AND OVERLAY ZONES), and VII (SUPPLEMENTAL ZONE REGULATIONS) to allow outdoor health and athletic clubs or fitness studios and live entertainments as permitted uses subject to use limitations, amend restaurant use limitations, allow temporary trailers for compulsory public and private academic schools as a permitted use, and amend section 4-702 to add day care as a permitted use of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2026-00001.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2026-00001, 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 April 7, 2026 of a text amendment to the Zoning Ordinance to adopt various changes to commercial use regulations, which recommendation was approved by the City Council at public hearing on April 18, 2026;

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 II of the Zoning Ordinance be, and the same hereby is, amended by deleting the current section in its entirety and inserting new language, as shown:

2.164.1 - Live entertainment, accessory.

Live Entertainment as the primary attraction at a commercial use including DJs; musical performances; theatrical or dance productions; comedy; spoken word; karaoke; trivia nights; and similar activities that are subordinate to a principal use, where such entertainment does not occur for more than thirty (30) percent of the total hours of operation in any calendar week and is not the primary attraction. Event advertising and admission fees or a cover fee charge may be frequently associated with accessory live entertainment.

1 2.164.2- ~~Limited~~ live entertainment, limited.

2 Accessory live Entertainment as clearly subordinate to the principal commercial use; and limited
3 to Bbackground entertainment or ambient music only, such that the entertainment does not
4 become the focus of patron activity and that does not require an admission fee or cover fee are
5 associated with limited live entertainment charge.

6
7 ***

8 2-188.1 - Recreation and entertainment use.

9 ~~Commercial uses for indoor or outdoor participation in or observation of games, arts,~~
10 ~~culture, recreation or similar activities. Recreation uses in this definition are other than those~~
11 ~~listed in section 2-129.1 for congregate recreational facilities. Recreation and entertainment uses~~
12 ~~include but are not limited to: A nonresidential principal use primarily intended to provide~~
13 ~~facilities, programming, or services for public participation in or observation of leisure, cultural,~~
14 ~~artistic, athletic, sporting, gaming, or performance-related activities by a live audience,~~
15 ~~conducted indoors or outdoors and amplified or unamplified. Event advertising and admission~~
16 ~~fees or a cover charge may be associated with recreation and entertainment uses. These uses~~
17 ~~include facilities operated for public assembly including spectator events, live entertainment, and~~
18 ~~organized recreational activities. For purposes of this definition:~~

19
20 a. Recreation uses are primarily devoted to active or participatory leisure or athletic
21 activities and include, but are not limited to, athletic sports, games of skill, hobbies, and
22 leisure activities, and include technology enhanced, family and youth, and outdoor or
23 nature-based recreation and similar recreation activities and facilities. Recreation uses in
24 this definition are other than those listed in section 2-129.1 for congregate recreational
25 facilities. Recreation-and-entertainment uses include, but are not limited to:

- 26
27
- 28 • Amusement parks,
 - 29 • Athletic fields,
 - 30 • Billiards hall,
 - 31 • Bowling alleys,
 - 32 • Children's play areas,
 - 33 • Court game facilities,
 - 34 • Craft and maker spaces (non-industrial),
 - 35 • Dog play areas,
 - 36 • Game rooms,
 - 37 • Golf courses, miniature or otherwise, and driving ranges,
 - 38 • Gymnastics and cheer training facilities,
 - 39 • Indoor climbing and bouldering,
 - 40 • Indoor playgrounds/trampoline parks,
 - 41 • Kayaking and paddleboarding,
 - 42 • Skating rinks,
 - 43 • Swimming pools and aquatic facilities, and
 - 44 • Video arcades and virtual reality gaming.

1 **b.** Entertainment uses that are primarily designed and operated for the presentation of
2 spectator-oriented or live entertainment activities including professional or amateur
3 sporting events and live artistic, cultural, or expressive content including DJs; musical
4 performances; theatrical or dance productions; comedy; spoken word; karaoke; and
5 similar activities. Entertainment uses include, but are not limited to:

- 6
- 7 • Civic centers,
- 8 • Comedy clubs,
- 9 • Concert halls,
- 10 • Convention centers or halls,
- 11 • Movie theaters,
- 12 • Music venues,
- 13 • Nightclubs or dance halls,
- 14 • Performing arts centers,
- 15 • Playhouses,
- 16 • Recital halls,
- 17 • Sports arenas and stadiums, and
- 18 • Theaters.

19 ***

20 Section 2. That Article III of the Zoning Ordinance be, and the same hereby is,
21 amended by deleting the language shown in strikethrough and inserting new language shown in
22 underline, as follows:

23

24 ***

25 Sec. 3-1401 – RMF/Residential multi-unit zone

26 ***

27 3-1402 - Permitted uses.

28 The following uses are permitted in the RMF zone:

29 ***

30 (C) The following uses shall be permitted within a multi-unit building:

31 (8) Health and athletic club or fitness studio, indoor and outdoor pursuant to section 7-
32 1902;

33 (9) Live entertainment, as a principal or accessory use, pursuant to section 7-1903;

34 (9~~10~~) Medical care facility;

35 (4~~0~~11) Outdoor dining located on private property;

36 ***

37 3-1403 – Special uses.

38 ***

39 (C) Any use permitted in this zone and subject to section 7-1900 and which deviates from
40 any applicable use limitations.

41 ***

42

43 Section 3. That Article IV of the Zoning Ordinance be, and the same hereby is,
44 amended by deleting the language shown in strikethrough and inserting new language shown in
45 underline, as follows:

1 ***
2 Sec. 4-100 - CL/Commercial low zone.
3 ***
4
5 4-102 - Permitted uses.
6 The following uses are permitted in the CL zone:
7 ***
8 (F.1) Health and athletic club or fitness studio, indoor and outdoor pursuant to section 7-
9 1902;
10 ***
11 (G.1) Live entertainment, as a principal or accessory use, pursuant to section 7-1903;
12 (G.1~~2~~) Motor vehicle parking or storage for 20 vehicles or fewer;
13 (G.2~~3~~) Outdoor dining located on private property at a commercial complex;
14 ***
15 (J.1) Recreation and entertainment use, indoor, pursuant to section 7-1903;
16 (J.2) Restaurant pursuant to section 7-1900~~4~~;
17 ***
18
19 4-103 - Special uses.
20 The following uses may be allowed in the CL zone pursuant to a special use permit:
21 ***
22 (A.1) Any use with live entertainment permitted in this zone and subject to section 7-1900
23 and which deviates from any applicable use limitations.
24
25 Sec. 4-200 - CC/Commercial community zone.
26 ***
27
28 4-202 - Permitted uses.
29 The following uses are permitted in the CC zone:
30 ***
31 (F.1) Health and athletic club or fitness studio, indoor and outdoor pursuant to section 7-
32 1902;
33 ***
34 (G.1) Live entertainment, as a principal or accessory use, pursuant to section 7-1903;
35 (G.1~~2~~) Motor vehicle parking or storage for 20 vehicles or fewer;
36 (G.2~~3~~) Outdoor dining located on private property at a commercial complex;
37 ***
38 (I.1) Recreation and entertainment use, indoor, pursuant to section 7-1903;
39 (I.2) Restaurant, pursuant to section 7-1900~~4~~;
40 ***
41
42 4-203 - Special uses.
43 The following uses may be allowed in the CC zone pursuant to a special use permit:
44 ***
45 (A) Reserved Any use permitted in this zone and subject to use limitations under
46 section 7-1900 which deviates from one or more use limitations;

1 ***
2 (I) ~~Live entertainment, with any use~~ Reserved.

3 ***

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

6 ***

7
8 4-302 - Permitted uses.

9 The following uses are permitted in the CSL zone:

10 ***

11 (F.1) Health and athletic club or fitness studio, indoor and outdoor pursuant to section 7-
12 1902;

13 ***

14 (G.1) Live entertainment, as a principal or accessory use, pursuant to section 7-1903;

15 (G.12) Motor vehicle parking or storage for 20 vehicles or fewer;

16 (G.23) Outdoor dining located on private property at a commercial complex;

17 ***

18 (I.1) Recreation and entertainment use, indoor, pursuant to section 7-1903;

19 ***

20 (J.1) Restaurant, pursuant to section 7-19004;

21
22 4-303 - Special uses.

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

24 ***

25 (A.1) Any use permitted in this zone and subject to use limitations under section 7-1900
26 which deviates from one or more use limitations;

27 ***

28 (N) ~~Live entertainment, with any use~~ Reserved.

29 ***

30
31 Sec. 4-400 - CG/Commercial general zone.

32 ***

33
34 4-402 - Permitted uses.

35 The following uses are permitted in the CG zone:

36 ***

37 (E.3) Health and athletic club or fitness studio, indoor and outdoor pursuant to section 7-
38 1902;

39 (E.4) Live entertainment, as a principal or accessory use, pursuant to section 7-1903;

40 ***

41 (J.1) Recreation and entertainment use, indoor, pursuant to section 7-1903;

42 (J.2) Restaurant, pursuant to section 7-19004;

43 ***

44
45 4-403 - Special uses.

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

1 ***
2 (A) ~~Reserved~~ Any use permitted in this zone and subject to use limitations under
3 section 7-1900 which deviates from one or more use limitations;
4 ***
5 ~~(R.1) Live entertainment, with any use.~~
6 ***
7
8 Sec. 4-500 CD/Commercial downtown zone.
9 ***
10
11 4-502 - Permitted uses.
12 The following uses are permitted in the CD zone:
13 ***
14 (G.1) Health and athletic club or fitness studio, indoor and outdoor pursuant to section 7-
15 1902;
16 ***
17 (H.1) Live entertainment, as a principal or accessory use, pursuant to section 7-1903;
18 (H.1~~2~~) Motor vehicle parking or storage for 20 vehicles or fewer;
19 (H.2~~3~~) Outdoor dining located on private property at a commercial complex;
20 ***
21 (L.1) Recreation and entertainment use, indoor, pursuant to section 7-1903;
22 (L.2) Restaurant, pursuant to section 7-190~~04~~4;
23 ***
24
25 4-503 - Special uses.
26 The following uses may be allowed in the CD zone pursuant to a special use permit:
27 ***
28 (A) ~~Reserved~~ Any use permitted in this zone and subject to use limitations under
29 section 7-1900 which deviates from one or more use limitations;
30 ***
31 ~~(M) Live entertainment, with any use~~ Reserved.
32 ***
33
34 Sec. 4-600 - CD-X/Commercial downtown zone (Old Town North).
35 ***
36
37 4-602 - Permitted uses.
38 The following uses are permitted in the CD-X zone:
39 ***
40 (E.1) Health and athletic club or fitness studio, indoor and outdoor pursuant to section 7-
41 1902;
42 ***
43 (F.1) Live entertainment, as a principal or accessory use, pursuant to section 7-1903;
44 (F.1~~2~~) Motor vehicle parking or storage for 20 vehicles or fewer;
45 (F.2~~3~~) Outdoor dining located on private property at a commercial complex;
46 ***

1 (J.1) Recreation and entertainment use, indoor, pursuant to section 7-1903;
2 ***

3 (K.1) Restaurant, pursuant to section 7-19004;
4 ***

5
6 4-603 - Special uses.
7 ***

8 (A) ~~Reserved~~ Any use permitted in this zone and subject to use limitations under
9 section 7-1900 which deviates from one or more use limitations;
10 ***

11 (K) ~~Live entertainment, with any use~~ Reserved;
12 ***

13
14 Sec. 4-700 - CR/Commercial regional zone.
15 ***

16
17 4-702 - Permitted uses.
18 The following uses are permitted in the CR zone:
19 (A.1) Recreation and entertainment use, indoor and outdoor Day care center;
20 ***

21 (B) Health and athletic club or fitness studio, indoor and outdoor pursuant to section 7-
22 1902;
23 (B.1) Live entertainment, as a principal or accessory use, pursuant to section 7-1903;
24 ***

25 (E.7) Recreation and entertainment use, indoor pursuant to section 7-1903 and outdoor;
26 (F) Restaurant, pursuant to section 7-19004;
27 ***

28
29 4-703 - Special uses.
30 The following uses may be allowed in the CR zone pursuant to a special use permit:
31 ***

32 (A) ~~Reserved~~ Any use permitted in this zone and subject to use limitations under
33 section 7-1900 which deviates from one or more use limitations;
34 ***

35 (C) ~~Live entertainment, with any use~~ Reserved;
36 ***

37
38 Sec. 4-800 - OC/Office commercial zone.
39 ***

40
41 4-802 - Permitted uses.
42 The following uses are permitted in the OC zone:
43 ***

44 (E.4) Health and athletic club or fitness studio, indoor and outdoor pursuant to section 7-
45 1902;
46 ***

1 (G.1) Live entertainment, as a principal or accessory use, pursuant to section 7-1903;
2 (G.12) Motor vehicle parking or storage for 20 vehicles or fewer;
3 (G.23) Outdoor dining located on private property at a commercial complex;

4 ***

5 (J.1) Recreation and entertainment use, indoor, pursuant to section 7-1903;

6 ***

7 (K.1) Restaurant, pursuant to section 7-19004;

8 ***

9
10 4-803 - Special uses.

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

12 ***

13 (A) ~~Reserved~~ Any use permitted in this zone and subject to use limitations under
14 section 7-1900 which deviates from one or more use limitations;

15 ***

16 (O) ~~Live entertainment, with any use~~Reserved;

17 ***

18
19 Sec. 4-900 - OCM (50)/Office commercial medium (50) zone.

20 ***

21
22 4-902 - Permitted uses.

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

24 ***

25 (E.4) Health and athletic club or fitness studio, indoor and outdoor pursuant to section 7-
26 1902;

27 ***

28 (G.1) Live entertainment, as a principal or accessory use, pursuant to section 7-1903;
29 (G.12) Motor vehicle parking or storage for 20 vehicles or fewer;
30 (G.23) Outdoor dining located on private property at a commercial complex;

31 ***

32 (J.1) Recreation and entertainment use, indoor, pursuant to section 7-1903;

33 ***

34 (K.1) Restaurant, pursuant to section 7-19004;

35 ***

36
37 4-903 - Special uses.

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

39 ***

40 (A) ~~Reserved~~ Any use permitted in this zone and subject to use limitations under
41 section 7-1900 which deviates from one or more use limitations;

42 ***

43 (N) ~~Live entertainment, with any use~~Reserved;

44 ***

1 Sec. 4-1000 - OCM(100)/Office commercial medium (100) zone.
2 ***
3
4 4-1002 - Permitted uses.
5 The following uses are permitted in the OCM (100) zone:
6 ***
7 (E.4) Health and athletic club or fitness studio, indoor and outdoor pursuant to section 7-
8 1902;
9 ***
10 (G.1) Live entertainment, as a principal or accessory use, pursuant to section 7-1903;
11 (G.12) Motor vehicle parking or storage for 20 vehicles or fewer;
12 (G.23) Outdoor dining located on private property at a commercial complex;
13 ***
14 (J.1) Recreation and entertainment use, indoor, pursuant to section 7-1903;
15 ***
16 (K.1) Restaurant, pursuant to section 7-19004;
17 ***
18
19 4-1003 - Special uses.
20 The following uses may be allowed in the OCM (100) zone pursuant to a special use permit:
21 ***
22 (A) ~~Reserved~~ Any use permitted in this zone and subject to use limitations under
23 section 7-1900 which deviates from one or more use limitations;
24 ***
25 (Q) ~~Live entertainment, with any use~~ Reserved;
26 ***
27
28 Sec. 4-1100 - OCH/Office commercial high zone.
29 ***
30
31 4-1102 - Permitted uses.
32 The following uses are permitted in the OCH zone:
33 ***
34 (E.4) Health and athletic club or fitness studio, indoor and outdoor pursuant to section 7-
35 1902;
36 ***
37 (F.1) Live entertainment, as a principal or accessory use, pursuant to section 7-1903;
38 ***
39 (L.1) Recreation and entertainment use, indoor, pursuant to section 7-1903;
40 (L.2) Restaurant, pursuant to section 7-19004;
41 ***
42
43 4-1103 - Special uses.
44 The following uses may be allowed in the OCH zone pursuant to a special use permit:

1 ***
2 (A) ~~Reserved~~ Any use permitted in this zone and subject to use limitations under
3 section 7-1900 which deviates from one or more use limitations;

4 ***
5 (N) ~~Live entertainment, with any use~~ Reserved;

6 ***
7
8 Sec. 4-1200 - I/Industrial zone.
9 ***

10
11 4-1202 - Permitted uses.
12 The following uses are permitted in the I zone:

13 ***
14 (L) Health and athletic club or fitness studio, indoor and outdoor pursuant to section 7-
15 1902;

16 ***
17 (N.1) Live entertainment, as a principal or accessory use, pursuant to section 7-1903;

18 ***
19 (U.1) Recreation and entertainment use, indoor, pursuant to section 7-1903;

20 ***
21 (V.1) Restaurant, pursuant to section 7-19004;

22 ***
23
24 4-1203 - Special uses.

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

26 ***
27 (A) Any use permitted in this zone and subject to use limitations under section 7-1900
28 which deviates from one or more use limitations;

29 (A.1) Asphalt plant;

30 ***
31 (K.1) ~~Live entertainment, with any use~~ Reserved;

32 ***
33
34 Sec. 4-1400 - NR/Neighborhood retail zone (Arlandria).

35 ***
36
37 4-1403 - Permitted uses.

38 ***
39 (A) *Permitted ground floor uses.* The following uses are permitted on the ground floor
40 of buildings facing the sidewalk:

41 ***
42 (7) Recreation and entertainment use, indoor, pursuant to section 7-1903;

43 (8) Health and athletic club or fitness studio, indoor and outdoor pursuant to section 7-1902;

44 ***
45 (4) Restaurants, pursuant to section 7-19004;

46 ***

1 (11) Live entertainment, as a principal or accessory use, pursuant to section 7-1903;
2 ~~(+12)~~ Public building.

3 ***

4
5 4-1404 - Special uses.

6 The following uses may be allowed with a special use permit:

7 ***

8 (A) ~~Reserved~~ Any use permitted in this zone and subject to use limitations under
9 section 7-1900 which deviates from one or more use limitations;

10 ***

11 (H) ~~Live entertainment, with any use~~ Reserved;

12 ***

13
14 Section 4. That Article V of the Zoning Ordinance be, and the same hereby is,
15 amended by deleting the language shown in strikethrough and inserting new language shown in
16 underline, as follows:

17
18 Sec. 5-100 - CRMU-L/Commercial residential mixed use (low).

19 ***

20
21 5-102 - Permitted uses.

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

23 ***

24 (C.3) Health and athletic club or fitness studio, indoor and outdoor pursuant to section 7-
25 1902;

26 (C.4) Live entertainment, as a principal or accessory use, pursuant to section 7-1903;

27 ***

28 (G.1) Recreation and entertainment use, indoor, pursuant to section 7-1903;

29 (G.2) Restaurant ~~located~~, pursuant to section ~~7-19004~~;

30 ***

31
32 5-103 - Special uses.

33 The following uses may be approved, pursuant to the procedures and regulations for special use
34 permits and subject to the criteria of section 5-109 below:

35 (A) ~~Any use with live entertainment permitted in this zone and subject to use~~
36 limitations under section 7-1900 which deviates from one or more use limitations;

37 ***

38
39 Sec. 5-200 - CRMU-M/Commercial residential mixed use (medium).

40 ***

41
42 5-202 - Permitted uses.

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

44 ***

45 (C.3) Health and athletic club or fitness studio, indoor and outdoor pursuant to section 7-
46 1902;

1 (C.4) Live entertainment, as a principal or accessory use, pursuant to section 7-1903;

2 ***

3 (G.1) Recreation and entertainment use, indoor, pursuant to section 7-1903;

4 (G.2) Restaurant, pursuant to section 7-19004;

5 ***

6
7 5-203 - Special uses.

8 The following uses may be approved, pursuant to the procedures and regulations for special use
9 permits and subject to the criteria of section 5-209 below:

10
11 (A) Any use ~~with live entertainment~~ permitted in this zone and subject to use
12 limitations under section 7-1900 which deviates from one or more applicable use
13 limitations;

14 ***

15
16 Sec. 5-300 - CRMU-H/Commercial residential mixed use (high).

17 ***

18
19 5-302 - Permitted uses.

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

21 ***

22 (C.3) Health and athletic club or fitness studio, indoor and outdoor pursuant to section 7-
23 1902;

24 (C.4) Live entertainment, as a principal or accessory use, pursuant to section 7-1903;

25 ***

26 (G.1) Recreation and entertainment use, indoor, pursuant to section 7-1903;

27 (G.2) Restaurant, pursuant to section 7-19004;

28 ***

29
30 5-303 - Special uses.

31 The following uses may be approved, pursuant to the procedures and regulations for special use
32 permits and subject to the criteria of section 5-309 below:

33 (A) Any use ~~with live entertainment~~ permitted in this zone and subject to use
34 limitations under section 7-1900 which deviates from one or more applicable use
35 limitations;

36 ***

37
38 Sec. 5-400 - CRMU-X/Commercial residential mixed use (Old Town North) zone.

39 ***

40
41 5-402 - Permitted uses.

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

43 ***

44 (K) Health and athletic club or fitness studio, indoor and outdoor pursuant to section 7-
45 1902;

46 (L.1) Live entertainment, as a principal or accessory use, pursuant to section 7-1903;

1 ***

2 (U) Recreation and entertainment use, indoor, pursuant to section 7-1903;

3 (V) Restaurant, pursuant to section 7-19004;

4 ***

5
6 5-403 - Special uses.

7 The following uses may be approved, subject to the procedures and regulations for special use
8 permits and subject to the limitations of section 5-609 below:

9 ***

10 (B) ~~Any use with live entertainment permitted in this zone and subject to use~~
11 limitations under section 7-1900 which exceeds or deviates from one or more applicable
12 operating requirements or use limitations;

13 ***

14
15 Sec. 5-500 - W-1/Waterfront mixed use zone.

16 ***

17
18 5-502 - Permitted uses.

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

20 (C.1) Live entertainment, as a principal or accessory use, pursuant to section 7-1903;

21 ~~(C.12)~~ Place of worship;

22 ~~(C.23)~~ Personal service establishment, pursuant to section 5-509;

23 ~~(C.34)~~ Private school, commercial, pursuant to section 5-509;

24 ***

25 (J) Health and athletic club or fitness studio, indoor and outdoor pursuant to section 7-1902;

26 (K) Restaurant, pursuant to section 7-19004;

27 ***

28
29 5-503 - Special uses.

30 The following uses may be allowed in the W-1 zone pursuant to a special use permit:

31 ***

32 (A) ~~Reserved.~~ Any use permitted in this zone and subject to use limitations under
33 section 7-1900 which deviates from one or more use limitations;

34 ***

35 (E) ~~Live entertainment, with any use~~ Reserved;

36 ***

37
38 Sec. 5-600 - CDD/Coordinated development district.

39 ***

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

44 ***

45 (10) Recreation and entertainment use, indoor, pursuant to section 7-1903;

46 (11) Restaurant, subject to section 7-19004;

1 ***

2 (14) Live entertainment, as a principal or accessory use, pursuant to section 7-1903.

3 ***

4 (F) Notwithstanding the uses that may be allowed with a CDD special use permit in each
5 CDD zone pursuant to sections 5-602(A) and 5-602(D) of this ordinance, the following
6 uses may be allowed in each CDD by administrative approval, pursuant to section 11-513
7 of this ordinance, when located in or immediately abutting a building constructed
8 pursuant to a CDD special use permit, unless specifically prohibited therein:

9 (1) ~~Any use with live entertainment;~~ Any use permitted in this zone and subject to use
10 limitations under section 7-1900 which deviates from one or more use limitations;

11 ***

12
13 Section 5. That Article VI of the Zoning Ordinance be, and the same hereby is,
14 amended by deleting the language shown in strikethrough and inserting new language shown in
15 underline, as follows:

16
17 Sec. 6-600 - Mount Vernon Avenue urban overlay zone.

18 ***

19
20 6-603 - Uses.

21 ***

22 (C) Retail and neighborhood focus uses. Within the retail focus area, uses occupying first floor
23 space of a building shall be limited to the following:

24 ***

25 (3) Recreation and entertainment use, indoor, pursuant to section 7-1903.

26 ***

27 (9) Live entertainment, as a principal or accessory use, pursuant to section 7-1903.

28 ***

29
30 Sec. 6-700 - KR/King Street urban retail zone.

31 ***

32
33 6-702 - Uses.

34 ***

35 (A) *Ground floor uses.*

36 (1) *Permitted uses:*

37 ***

38 (b.2) Live entertainment, as a principal or accessory use, pursuant to section 7-
39 1903;

40 ***

41 (d.2) Recreation and entertainment use, indoor, with frontage of less than 30 feet along
42 King Street, pursuant to section 7-1903;

43 ***

44 (2) *Special uses:*

45 ***

1 (a) ~~Reserved.~~ Any use permitted in this zone and subject to use limitations under
2 section 7-1900 which deviates from one or more use limitations;

3 ***

4 ~~(e.3) Live entertainment, with any use;~~

5 ***

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

10
11 Sec. 7-1100 - Parking trailers and recreational vehicles.

12
13 7-1101 - Restrictions on parking trailers in any zone.

14 The parking of a trailer in any zone is hereby prohibited with the following exceptions:

15 ***

16 (D) Trailers are permitted on city-owned, Alexandria City Public School, or compulsory
17 private school, academic property. ~~Alexandria City Public School~~ Trailers shall be
18 used for school related activities where public and private schools are allowed in a
19 zone.

20 ***

21
22 Sec. 7-1900 – ~~Restaurant~~ Use limitations.

23
24 The operating requirements and use limitations set forth in this section shall apply to any use
25 regulated by this section, whether conducted as a principal or accessory use. Any operation that
26 deviates from any use limitation shall require approval of a special use permit pursuant to section
27 11-500.

28
29 Sec. 7-1901 – General use limitations.

30
31 The following general use limitations shall apply to all uses set forth in this section:

- 32 (1) The operator shall provide training to all employees and permanently post all
33 applicable use limitations in a prominent location visible to all employees.
34 (2) The operator shall designate a neighborhood liaison and provide the liaison's
35 contact information including name, telephone number, and email address to abutting
36 properties. Contact information shall be kept current at all times.
37 (3) Upon receipt of three or more civil violations of the same use limitation within a
38 twelve-month period and when provided with written notice by the director, the
39 operator shall submit a control plan within 30 days identifying corrective measures
40 and an implementation schedule. The director may require revisions, impose
41 deadlines, and require monitoring or inspections. Failure to submit a written control
42 plan or comply with an approved control plan shall constitute a violation of this
43 ordinance.

44
45 Sec. 7-1902 – Health and athletic club or fitness studio, outdoor use limitations.

1 (A) Outdoor health and athletic club or fitness studio activities shall be permitted in
2 conjunction with an abutting indoor health and athletic club or fitness studio and subject
3 to the use limitations in subsection (B). Any operation that deviates from these limitations
4 shall require approval of a special use permit pursuant to section 11-500.
5

6 (B) Outdoor health and athletic club or fitness studio, use limitations.

7 (1) Outdoor fitness activities are permitted between 7:00 a.m. and 11:00 p.m.

8 Monday through Friday and 9:00 a.m. and 11:00 p.m. Saturday and Sunday.

9 (2) Outdoor fitness areas shall be located in side yards, rear yards, on rooftops, or
10 within enclosed courtyards only.

11 (3) Where an outdoor fitness area abuts residential property, solid fencing or walls
12 and a vegetative buffer shall be installed where practicable.

13 (4) Lighting in outdoor fitness areas must be turned off by 11:00 p.m., daily.

14 (5) Only one outdoor fitness class shall be conducted at any one time.

15 (6) All amplified sound shall be played only through a permanently installed house
16 sound system controlled by the operator and equipped with a sound-limiting device
17 or governor.

18 (7) Use of voice amplification, whistles, horns, or similar devices is prohibited.
19

20 Sec. 7-1903 – Live entertainment use limitations.
21

22 (A) Live entertainment shall be permitted when conducted entirely indoors, including as a
23 principal, accessory, or limited use, and subject to the use limitations in subsection (B).
24 Any operation that deviates from these limitations shall require approval of a special use
25 permit pursuant to section 11-500.
26

27 (B) Live entertainment use limitations.

28 (1) Live entertainment is permitted between 9:00 a.m. and 11:00 p.m. Sunday
29 through Thursday and 9:00 a.m. and 2:00 a.m. Friday and Saturday.

30 (2) The operator shall manage all patron queuing and waiting areas on-site to the
31 maximum extent practicable and ensure patrons do not block sidewalks, entrances,
32 driveways, or other public accessways.

33 (3) Following the conclusion of a live entertainment event, the operator shall take
34 reasonable measures to ensure orderly patron dispersal and to minimize patron
35 noise, congestion, and loitering at entrances or on sidewalks, driveways, or other
36 public accessways.

37 (4) All exterior doors and windows shall remain closed during live entertainment
38 performances, except for normal ingress and egress, to ensure amplified sound is
39 contained within the building.

40 (5) Within a mixed-use building.

41 a. When residential dwelling units are located above or abutting the live
42 entertainment, the live entertainment shall only be permitted between 9 a.m.
43 and 11 p.m., daily.

44 b. All amplified sound shall be played exclusively through a permanently
45 installed house sound system controlled by the operator and equipped with a
46 sound-limiting device or governor.

1 c. The operator shall install and maintain acoustic attenuation measures
2 sufficient to prevent vibration or audible sound transmission into abutting
3 units.
4

5 Sec. 7-1904 - Restaurant use limitations.
6

7 (A) Restaurants shall be permitted subject to the use limitations in subsection (B). Any
8 operation that deviates from these limitations shall require approval of a special use
9 permit pursuant to section 11-500.
10

11 (B) Restaurant use limitations.

12 ~~(A) The restaurant operator shall conduct employee training sessions on an ongoing basis to~~
13 ~~advise employees of these use limitations.~~

14 ~~(B1)~~ No food, beverages, or other materials shall be stored outside, with the exception of
15 materials otherwise specified in ~~this~~ section 7-1900.

16 ~~(C2)~~ Delivery vehicles operated and managed by the restaurant operator are permitted.
17 Delivery vehicles must park off-street when not delivering.

18 ~~(D3)~~ Indoor limited live entertainment and accessory live entertainment, pursuant to the
19 use limitations of section 7-1903 ~~the zone~~, are allowed.

20 ~~(E4)~~ Chemicals, detergents, and cleaners stored outside the building shall be kept in an
21 enclosure with a roof.

22 ~~(F5)~~ If used cooking oil is stored outside, the drum shall be kept securely closed with a
23 bung (a secure stopper that seals the drum). When the drum is not receiving used
24 oil, it shall be placed on secondary containment, and it shall be kept under cover to
25 prevent rainwater from falling on it.

26 ~~(G6)~~ Trash and garbage shall be stored in sealed containers that do not allow odors to
27 escape, invasion by animals, or leaking. No trash or debris shall be allowed to
28 accumulate outside of those containers. Outdoor containers shall be maintained to
29 the satisfaction of the director and the director of transportation and environmental
30 services, including replacing damaged lids and repairing or replacing damaged
31 dumpsters.

32 ~~(H7)~~ Kitchen equipment, including floor mats, shall not be cleaned outside, nor shall any
33 cooking residue or wash water be washed into the public right-of-way or storm
34 sewers.

35 ~~(I8)~~ All waste products including but not limited to organic compounds (solvents and
36 cleaners) shall be disposed of in accordance with all local, state, and federal laws or
37 regulations.

38 ~~(J9)~~ Supply deliveries and loading and unloading activities shall not occur between the
39 hours of 11 p.m. and 7 a.m.

40 ***

41
42 Section 7. That the director of planning and zoning be, and hereby is, directed to
43 record the foregoing text amendment.
44

45 Section 8. That Articles II, III, IV, V, VI, and VII, as amended pursuant to Sections
46 1 through 6 of this ordinance, be, and the same hereby are, reordained as part of the City of

1 Alexandria Zoning Ordinance.
2

3 Section 9. That this ordinance shall become effective on the date and at the time of
4 its final passage, and shall apply to all applications for land use, land development or subdivision
5 approval provided for under the City of Alexandria Zoning Ordinance which may be filed after
6 such date, and shall apply to all other facts and circumstances subject to the provisions of the
7 City of Alexandria Zoning Ordinance, except as may be provided in Article XII of the Zoning
8 Ordinance.

9 ALYIA GASKINS
10 Mayor

11 Introduction:

12 First Reading:

13 Publication:

14 Public Hearing:

15 Second Reading:

16 Final Passage:
17