

ORDINANCE NO. _____

AN ORDINANCE to amend and reordain Section 2-145 (FLOOR AREA) of Article II (DEFINITIONS); Sections 3-505 (LOT REQUIREMENTS), 3-907 (CERTAIN STRUCTURES, LOTS AND USES INCONSISTENT WITH THESE PROVISIONS), and 3-1201 (PURPOSE) of Article III (RESIDENTIAL ZONE REGULATIONS); Sections 4-506 (BULK REGULATIONS) and 4-1002 (PERMITTED USES) of Article IV (COMMERCIAL, OFFICE AND INDUSTRIAL ZONES); Section 5-402 (PERMITTED USES) of Article V (MIXED USE ZONES); Section 6-705 (BUILDING AND DEVELOPMENT REQUIREMENTS) of Article VI (SPECIAL AND OVERLAY ZONES); Sections 7-103 (BUILDING, USE, AND STRUCTURE LIMITATIONS) and 7-202 (PERMITTED OBSTRUCTIONS) of Article VII (SUPPLEMENTAL ZONE REGULATIONS); and Sections 11-404 (DEVELOPMENT EXEMPT FROM SITE PLAN REQUIREMENT), 11-409 (ACTION ON SITE PLANS), 11-410 (SITE PLAN REQUIREMENTS), 11-414 (AS BUILT SITE PLAN REQUIRED), 11-415 (AMENDMENT TO APPROVED SITE PLAN), 11-1302 (SPECIAL EXCEPTION ESTABLISHED), 11-1402 (PROCEDURES FOR ZONE EXTENSION), 11-1712 (AMENDMENTS TO APPROVED PLAT) of Article XI (DEVELOPMENT APPROVALS AND PROCEDURES); and 12-302 (NONCOMPLYING USES) of Article XII (NONCOMPLIANCE AND NONCONFORMITY) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2025-00001.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2025-00001, 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 March 4, 2025 of a text amendment to the Zoning Ordinance to adopt amendments to make various updates, which recommendation was approved by the City Council at public hearing on March 15, 2025;

2. The City Council in adopting this ordinance expressly adopts, ratifies, affirms and concurs in the finding and action of the Planning Commission above stated;

3. All requirements of law precedent to the adoption of this ordinance have been complied with; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 2-145 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:

2-145 – Floor area.

(A) For residential dwellings in the R-20, R-12, R-8, R-5, R-2-5, and 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), 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:

(17) Pergolas in accordance with section 7-202(A)(5).

Section 2. That Sections 3-505, 3-907, and 3-1201 of the Zoning Ordinance be, and the same hereby are, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

Sec. 3-500 – R-2-5 Residential ~~family~~ zone

3-505 – Lot requirements.

- (A) 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 25 feet.

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

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- 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.

Sec. 3-1200 – RS/Townhouse zone.

3-1201 - Purpose.

The RS zone is established to provide land areas for low to medium density townhouse development of approximately 15 units per acre which may be appropriate for infill sites in proximity to neighborhoods of single-unit ~~family~~ detached homes.

Section 3. That Sections 4-506 and 4-1002 of the Zoning Ordinance be, and the same hereby are, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

1
2 Sec. 4-500 – CD/Commercial downtown zone.

3 ***

4 4-506 – Bulk regulations.

5 ***

6 (B) *Floor area ratio.*

7 ***

8 (4) Public buildings. The maximum permitted floor area ratio for a public building
9 constructed prior to January 24, 1998 is 2.5.

10 ***

11 (C) *Height.* The maximum permitted height of a building is 50 feet except that the maximum
12 permitted height of a single-unit family, two-unit, family or townhouse dwelling is 35
13 feet, provided however that such maximum height may be increased to an amount not to
14 exceed 45 feet if the ridge line of the roof is parallel to the street and the slope of the roof
15 is compatible with neighboring buildings. For a public building constructed prior to
16 January 24, 1998, the maximum permitted height is 75 feet.

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

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21 4-1002 – Permitted uses.

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

23 ***

24 (A.1) Townhouse dwelling, except as limited by section 4-1003(BB.1A.4);

25 ***

26
27 Section 4. That Section 5-402 of the Zoning Ordinance be, and the same hereby is,
28 amended by deleting the language shown in strikethrough and inserting new language shown in
29 underline, as follows:

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31 5-400 – CRMU-X/Commercial residential mixed use (Old Town North)

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33 5-402 – Permitted uses.

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35 (A.9.1) Restaurant within a commercial complex or hotel;

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38 Section 5. That Section 6-705 of the Zoning Ordinance be, and the same hereby is,
39 amended by deleting the language shown in strikethrough and inserting new language shown in
40 underline, as follows:

41
42 Sec. 6-700 – KR/King Street urban retail zone.

43 ***

44 6-705 – Building and development requirements.

45 ***

46 (C) *Floor area ratio.*

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

(d) Public buildings. The maximum permitted floor area ratio for a public building constructed prior to January 24, 1998, is 2.5.

(D) Height.

(1) For properties east of South Peyton Street on the south side and east of Harvard Street on the north side of King Street, the maximum permitted height of a building is 50 feet. For a public building constructed prior to January 24, 1998, the maximum permitted height is 75 feet.

Section 6. That Sections 7-103 and 7-202 of the Zoning Ordinance be, and the same hereby are, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

Sec. 7-100 – Accessory buildings, uses, and structures.

7-103 – Accessory building, use, and structure limitations.

The following limitations apply to accessory buildings, uses and structures:

(E) Outside of the Old and Historic Alexandria and the Parker-Gray Districts, if a principal dwelling on an abutting lot has any openings with sill or threshold heights lower than the height of the following proposed accessory buildings and structures, as measured from grade, facing the shared lot line and within three feet of the shared lot line, the following accessory structures and buildings shall be located at least five feet from the shared lot line along the width of the openings and for a minimum of five feet in each direction, along the shared lot line, beyond the width of the openings:

(5) Fences exceeding four ~~three and one half~~ feet in height.

Sec. 7-200 – Permitted structures in required yards.

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:

(b) For lots developed with townhouse ~~dwelling~~s 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.

(3) Freestanding or wall mounted residential mechanical equipment, provided it can be demonstrated to the director that it will not exceed a noise level of 55 decibels (55 dB(A)) when measured at any property line of the lot, and provided it is placed in a location which has the least adverse impacts to adjoining lots of those locations available. Demonstration may be provided through the following methods:

(F) Open and closed fences which do not exceed ten feet in height shall be permitted in any required side or rear yard on any between residential lot properties when such yard that abuts a lot property developed with a nonresidential use ~~public or private academic school.~~

Section 7. That Sections 11-404, 11-409, 11-410, 11-414, 11-415, 11-1302, 11-1402, and 11-1712 of the Zoning Ordinance be, and the same hereby are, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

Sec. 11-400 – Site plan.

11-404 – Development exempt from site plan requirement.

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

(A) The contemporaneous development of fewer than three dwelling units. It is the intent of this section 11-404(A) that these site plan regulations not apply to individual single-unit ~~family~~, two-unit ~~family~~ or townhouse units developed or improved independently notwithstanding the terms of the other exemptions or the fact that such units were originally subject to a site plan. It is the further intent of this section 11-404(A) that this exemption not be undermined by purposeful piecemeal development; the term "contemporaneous development" includes development under common ownership or control or the subject of a common, concerted or coordinated plan or schedule of development irrespective of ownership or control.

(B) Additions to buildings where the total gross floor area of the proposed addition does not exceed ~~one third of the total gross floor area of the existing building~~ or 3,000 square feet, ~~whichever is smaller~~, or, where additions are proposed to two or more buildings located on the same lot, the aggregate proposed additions do not exceed ~~one third of the total gross floor areas of the existing buildings~~ or 3,000 square feet, ~~whichever is smaller~~. In calculating the size of any addition, replacement floor area shall be included.

11-409 – Action on site plans.

(D) *Action on final site plan.*

(2) The final site plan shall show all of the information required by sections 11-406(C) through (E) for preliminary site plans, but the information shown shall be specific, precise and accurate to usual and recognized professional standards and

not general in nature. Calculations of storm water runoff shall be submitted. The final site plan submission shall include test borings and soil tests, when the subject property contains marine clay or fill or when otherwise found necessary by the director ~~of transportation and environmental services~~, including proposals for sheeting, shoring, dewatering, excavating, foundation design and backfilling. Final site plans shall be checked for compliance with preliminary site plans previously approved and the requirements of this section 11-409(D). If the director ~~and the director of transportation and environmental services~~ finds that a final site plan complies in all respects, they shall indicate their approval thereon and submit it to the chairman or vice-chairman of the commission for approval. The date of the final approval signature shall be noted on the plan.

- (3) If the director ~~or the director of transportation and environmental services~~ finds that a final plan does not comply with a previously approved preliminary site plan or the provisions of this section 11-409(D), the applicant shall be so advised, and shall be allowed to either bring the final plan into compliance in all respects, submit a new preliminary site plan for processing as if no plan had been previously considered, or withdraw his application without refund of fees.

11-410 – Site plan requirements.

In reviewing an application, the planning commission shall consider those factors listed below which it determines to be applicable in a given case.

- (CC) Adequate minimum landscaping shall be provided as follows:

- (6) (a) ~~Where~~ Where nonstructured surface parking areas are provided, they shall be designed with planting areas in the surface area at intervals to be determined by ~~the director of recreation, parks and cultural activities and the director of transportation and environmental services~~. The planting areas shall be in the form of curbed space of sufficient size to permit the planting of trees and shrubs which may overhang the curbed space without damage from cars.

11-414 – As built site plan required.

- (A) It shall be unlawful for any person to occupy, or cause to allow to be occupied, any building, structure or portion thereof or use, or cause or allow to be used any land for which a site plan is required by this ordinance until an as built site plan has been approved by the director ~~of transportation and environmental services~~.

- (B) Upon satisfactory completion of the installation of the improvements shown on the approved site plan or a section thereof, the owner, developer or his authorized agent shall submit to the director ~~of transportation and environmental services~~ ten copies of an as built site plan certified by a person duly ~~certified by the state and licensed to practice under the provisions of sections 54-17.1 to 54-41 of the Code by the Commonwealth of Virginia, as amended~~, for review and approval for conformity with the approved site plan by the appropriate city departments. The director of

1 ~~transportation and environmental services~~ shall approve an as built site plan within ten
2 days of the receipt of the plan or advise the applicant of deficiencies. No as built site
3 plan shall be approved until the building, structure and site involved shall comply in all
4 respects with the approved site plan or section thereof. Two inspections for compliance
5 may be made of an entire site plan or a section thereof without cost to the applicant.
6 ~~The applicant shall pay a fee of \$50.00 for any additional inspection.~~ No performance
7 bond, certified check or other guarantee shall be released until the as built site plan has
8 been approved by the director ~~of transportation and environmental services~~. Every
9 approved as built site plan shall be dated, state that the building, structure and the land
10 involved complies with all provisions of this ordinance and be signed by the director ~~of~~
11 ~~transportation and environmental services~~. A record of all as built site plans issued
12 shall be ~~kept on file~~ maintained in the office of the director ~~of transportation and~~
13 ~~environmental services~~. ~~One copy of the approved as built site plan shall be sent to the~~
14 ~~applicant.~~

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16 ***

17 11-415 – Amendment to approved site plan.

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19 Any change to the terms of an approved final site plan requires that an amended site plan
20 application be filed and that the amended site plan be reviewed and approved, pursuant to the
21 provisions of this section 11-400. Minor modifications may be approved by the city manager,
22 upon the recommendation of ~~the director of transportation and environmental services and the~~
23 ~~director of planning and zoning.~~

24 ***

25
26 Sec. 11-1300 – Special exception.

27 ***

28 11-1302 – Special exception established.

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

32 ***

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

34 (1) Yard and setback requirements applicable to the extension or enlargement of a
35 single unit family, two-unit, family or townhouse, or multi-unit (up to four units)
36 dwelling only, within any one noncomplying plane of such dwelling.

37 ***

38
39 Sec. 11-1400 – Zone extension.

40 ***

41 11-1402 – Procedures for zone extension.

42 (E) Withdrawal of application. An application for a zone extension ~~special exception~~ may not
43 be withdrawn by the applicant without the consent of the board after it has been docketed
44 for public hearing.

45 ***

1 Sec. 11-1700 – Subdivisions.

2 ***

3 11-1712 – Amendments to approved plat.

4 A major change to an approved subdivision plat, other than those requested by the commission,
5 requires that an amended subdivision plat be filed and approved. A minor, nonmaterial
6 modification may be approved by the city manager, on the recommendation of the director ~~and~~
7 ~~the director of transportation and environmental services.~~

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9
10 Section 8. That Section 12-302 of the Zoning Ordinance be, and the same hereby is,
11 amended by deleting the language shown in strikethrough and inserting new language shown in
12 underline, as follows:

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14 Sec. 12-300 – Noncomplying uses.

15 ***

16 12-302 – Noncomplying uses.

17 Noncomplying uses shall be permitted to continue indefinitely and shall be considered legal uses
18 but subject to the following restrictions:

19 ***

20 (F) Any public building existing on January 24, 1998, and categorized immediately prior to
21 such date as a nonconforming use, whether the use operates pursuant to a special use
22 permit or not, shall not be deemed a nonconforming use. From and after January 24,
23 1998, such use shall be categorized as a noncomplying legal use and, ~~irrespective of the~~
24 ~~applicable zoning regulations,~~ may continue indefinitely. Such use may be expanded
25 without special use permit approval regardless of subsection 12-302(A), above. ~~and may~~
26 be expanded or replaced; provided, that any such expansion or replacement is approved
27 by special use permit.

28 ***

29
30 Section 9. That the director of planning and zoning be, and hereby is, directed to
31 record the foregoing text amendment.

32
33 Section 10. That Sections 2-145, 3-505, 3-907, 3-1201, 4-506, 4-1002, 5-402, 6-705,
34 7-103, 7-202, 11-404, 11-409, 11-410, 11-414, 11-415, 11-1302, 11-1402, 11-1712, and 12-302
35 as amended pursuant to Sections 1 through 8 of this ordinance, be, and the same hereby are,
36 reordained as part of the City of Alexandria Zoning Ordinance.

37
38 Section 11. That this ordinance shall become effective on the date and at the time of
39 its final passage, and shall apply to all applications for land use, land development or subdivision
40 approval provided for under the City of Alexandria Zoning Ordinance which may be filed after
41 such date, and shall apply to all other facts and circumstances subject to the provisions of the
42 City of Alexandria Zoning Ordinance, except as may be provided in Article XII of the Zoning
43 Ordinance. Except that the deletion of the fee in Section 11-414 shall not become effective until
44 adoption of the Department of Planning and Zoning Fee Schedule.

ALYIA GASKINS
Mayor

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4 Introduction: 4/8/25
5 First Reading: 4/8/25
6 Publication:
7 Public Hearing: 4/26/25
8 Second Reading: 4/26/25
9 Final Passage: 4/26/25