ORDINANCE NO. _____

AN ORDINANCE to amend and reordain Section 2-100 (Definitions) of Article II (Definitions); Section 4-1400 (NR/Neighborhood retail zone (Arlandria)) of Article IV (Commercial, Office and Industrial Zones); Section 6-700 (KR/King Street Urban Retail Zone) of Article VI (Special and Overlay Zones); Section 8-100 (Off Street Parking Required), Section 8-200 (General Parking Regulations), 8-400 (King Street Parking District) all of Article VIII (Off Street Parking and Loading); all of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council on April 18, 2015 as Text Amendment No. 2015--0002 to revise the multifamily building parking regulations and associated changes.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2015-0002, 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, 2015 of a text amendment to the Zoning Ordinance to adopt revised parking regulations for multifamily residential buildings and associated changes, which recommendation was approved by the City Council at public hearing on April 18, 2015;

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; and

WHEREAS, in the motion to approve Text Amendment No. 2015-0002, the City Council gave direction to staff that new residential multifamily developments in parking districts located in Residential Permit Parking Districts 1 through 5 should be prohibited from obtaining Residential Permit Parking permits until such time that the old Town Area Parking Study (OTAPS) group makes its recommendation to the City Council regarding a comprehensive approach to the Residential Permit Parking concerns, which direction will be implemented by including the prohibition as a proposed condition on any applicable Development Special Use Permit;

Now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 2-100 of the Zoning Ordinance be, and the same hereby is, amended by inserting new language in underline, as shown:

ARTICLE II. - DEFINITIONS

Sec. 2-100 - Definitions.

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2-121.05 Bedroom

A room designated for sleeping that meets the standards for a sleeping room in the Virginia Uniform Statewide Building Code incorporated in the City of Alexandria Code by section 8-1-2 of the City Code.

2-182.05 Parking Ratio

A measurement that indicates the relationship between the number of parking spaces and the specified indicator in a particular land use such as square footage, number of seats, units, bedrooms.

2-201.1 Walkability Index

A City of Alexandria scoring system used to measure the degree to which a person can travel on foot between places to work, live, and play. The index considers the presence of neighborhood services, civic and community facilities, retail, and community anchors. It also considers the presence of sidewalks and other physical infrastructure which contribute to a safe and pleasant pedestrian experience.

Section 2. That Section 4-1400 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language in strikethrough and inserting new language in underline, as shown:

ARTICLE IV. - COMMERCIAL, OFFICE AND INDUSTRIAL ZONES

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

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4-1407 - Parking.

The parking requirements of article 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:

(A) In order to maintain the existing supply of private off-street parking spaces, these spaces shall be retained and may be shared until such time as centralized parking facilities are constructed. Such shared arrangements shall be reviewed and approved by the director of planning and zoning;

(B) Existing restaurants may add up to 20 outdoor dining seats with no additional off-street parking requirement;

(C) When there is a change in use to a use which has the same or lesser parking requirement than the previous use, no additional parking shall be required. When there is a change in use which has a greater parking requirement than the previous use and is located within 500 feet of a public parking lot or facility and when the development proposal complies with the design and retail guidelines, no additional off-street parking is required subject to review and approval by the director of planning and zoning;

(D) The on-site parking requirement for newly constructed buildings or additions to existing buildings of up to 5,000 square feet shall be 40 percent of the requirement in article VIII, provided the subject property is located within 500 feet walking distance of a public parking facility;

(E) Newly constructed buildings, except for buildings to be occupied by live theater, with greater than 5,000 square feet or more than 500 feet from a public parking facility shall provide the off-street parking required by article VIII of the zoning ordinance;

(F) Newly constructed residential apartment units shall ~~**provide at least one on-site, off-street parking space per unit**~~ **shall comply with off-street parking required by article VIII of the zoning ordinance for multifamily buildings**.

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Section 3. That Section 6-700 of the Zoning Ordinance be, and the same hereby is, amended by inserting new language in underline, as shown:

ARTICLE VI. - SPECIAL AND OVERLAY ZONES

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Sec. 6-700 - KR/King Street Urban Retail Zone

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6-703 - Parking requirements for residential uses.

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

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Section 4. That Sections 8-100, 8-200, and 8-400 of the Zoning Ordinance be, and the same hereby are, amended by deleting the language in strikethrough and inserting new language in underline, as shown:

ARTICLE VIII. - OFF-STREET PARKING AND LOADING

Sec. 8-100 - Off-street parking required.

(A)

(1) *General requirement.* No land shall be used or changed in use, no structure or building shall be constructed, and no existing structure or building shall be changed in use, significantly enlarged or significantly altered as those terms are defined in section 8-200(F)(4), unless the off-street parking required by this Article VIII is provided for the entire land, structure or building.

(2) *Special requirement.* No existing building or structure shall be enlarged as that term is defined in section 8-200(F)(4) unless the off-street parking required by this Article VIII is provided for such enlargement.

(3) *Statutory exception.* Land, buildings or structures actually in use or constructed as of January 27, 1987, and prior thereto are exempted from the requirements of this Article VIII to the extent provided in section 8-200(F).

(4) *Reduction of requirement by special use permit.* A special use permit may be obtained pursuant to section 11-500, which authorizes the provision of less off-street parking than is otherwise required by this Article VIII, subject to the following:

(a) The special use permit applicant shall demonstrate that providing the required parking would be infeasible.

(b) If the requested reduction exceeds five parking spaces, the special use permit applicant shall propose and have approved as a condition of the permit a parking management plan which shall include reasonable and effective measures, appropriate to the size, scale and location of the use, building or structure, which will mitigate the impacts of the proposed reduction in parking.

(c) City council, upon consideration of the special use permit application, finds that the proposed reduction in parking will not have an adverse impact on the nearby neighborhood, and that the application otherwise complies with the standards for approval set forth in section 11-504

(d) A special use permit may not reduce the number of off-street parking spaces otherwise required below the number of spaces which are provided at the time of the permit application, unless allowed by another provision of this ordinance or required by extraordinary circumstances.

(5) Alternative reduction of requirement. Required parking may be reduced in conjunction with the provision of low and moderate income housing as provided in section 7-700, and required parking may be reduced or waived where alley or interior court access is infeasible, in the RM zone pursuant to section 3-1107 and in the Old and Historic Alexandria District, Parker-Gray District, Town of Potomac Historic District, Rosemont Historic District and for designated buildings over 100 years old, pursuant to section 8-200(C)(5).

(6) Reduction of requirement by administrative special use permit. An administrative special use permit may be obtained pursuant to section 11-513, where sufficient parking to meet the requirement is available at all times the use is operational, despite the fact that the same parking spaces are used, dedicated or available for other uses at other times.

(7) <u>Multifamily Dwelling Requirement Modification. In addition to the reductions allowed by this section, for Multifamily Dwellings, a special use permit may be obtained pursuant this Section 11-500 and this section 8-100(A)(4) which authorizes the provision of more off-street parking than is otherwise required by this Article VIII.</u>

(B) It shall be unlawful to diminish the off-street parking facility required for any structure or premises by this Article VIII, unless another such facility, meeting all the requirements, is substituted.

(C) Notwithstanding the requirements of this Article VIII, those projects subject to approval under section 11-700 regarding Transportation Management Special Use Permits shall be required to provide for parking and loading in compliance with that section and the approved special use permit.

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 this section 8-200(A), the requirements of the most similar listed use shall apply. The requirements of this 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.

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(2) Multifamily dwellings.

~~**(a) One and three-tenths (1.30) spaces for each unit up to and including one bedroom unit.**~~

~~**(b) One and three quarters (1.75) spaces for each two bedroom unit;**~~

~~**(c) Two and two-tenths (2.20) spaces for each three bedroom unit or larger.**~~

(a) Parking Ratio.

i. Metro Station Walkshed Area: Multifamily 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 (.80) of parking space per bedroom, unless the applicant shows, to the satisfaction of the Director, that the Multifamily Dwelling complies with any of the following in which case the ratio shall be reduced by the percentage as shown:

(A) Five percent (5%) if the Multifamily Dwelling is within a quarter (¼) of a mile of four or more active bus routes;

(B) Ten percent (10%) if the Multifamily Dwelling has a Walkability Index of 90-100 or five percent (5%) if the multifamily dwelling has a Walkability Index of 80-89; or

(C) Five percent (5%) if the Multifamily Dwelling includes twenty percent (20%) or more studio units;

ii. Outside the Metro Station Walkshed Area: Multifamily dwellings located on property not within the Metro Half-Mile Walkshed:

i. Shall provide one (1.0) parking space per bedroom, unless the applicant shows, to the satisfaction of the Director, that the Multifamily Dwelling complies with any of the following in which case the ratio shall be reduced by the percentage as shown:

(A) Ten percent (10%) if the Multifamily Dwelling is outside of the Metro ½ Mile Walkshed but within the Bus Rapid Transit ½ 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 (5%) if the Multifamily Dwelling is within a quarter (¼) of a mile of four or more active bus routes;

(C) Ten percent (10%) if the Multifamily Dwelling has a Walkability Index of 90-100 or five percent (5%) if the multifamily dwelling has a Walkability Index of 80-89; or

(D) Five percent (5%) if the Multifamily Dwelling includes twenty percent (20%) or more studio units.

iii. Optional Parking Ratio for Affordable Housing: If a multifamily building includes income-restricted units, the parking ratio for such units may be as follows:

a. Three quarters (.75) of a parking space per unit if the affordable housing unit is income-restricted for households earning at or below sixty percent (60%) of Area Median Income for Washington-Arlington-Alexandria, DC-VA-MD-WV;

b. Sixty five hundredths (.65) of a parking space per unit if the affordable housing unit is income-restricted for households earning at or below fifty percent (50%) of Area Median Income for Washington-Arlington-Alexandria, DC-VA-MD-WV; and

c. Five tenths (.50) of a parking space per unit if the affordable housing unit is income-restricted for households earning at or below thirty percent (30%) of Area Median Income for Washington-Arlington-Alexandria, DC-VA-MD-WV;

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 Multifamily Dwelling in which the units are located complies with any of the following:

(A) Ten percent (10%) if the Multifamily Dwelling is within the Metro ½ Mile Walkshed or Bus Rapid Transit ½ 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 (5%) if the Multifamily Dwelling is within a quarter (¼) of a mile of four or more active bus routes;

(C) Ten percent (10%) if the Multifamily Dwelling has a Walkability Index score of 90 – 100 or five percent (5%) if the Multifamily Dwelling has a Walkability Index score of 80-89; or

(D) Five percent (5%) if the Multifamily Dwelling includes twenty percent (20%) or more studio units.

(b) Calculation of the Number of Bedrooms: For purposes of calculating the required number of parking spaces for a Multifamily Dwelling, the following shall apply:

iv. studio units shall be considered one bedroom;

v. one bedroom units shall be considered one bedroom;

vi. two bedroom units shall be considered two bedrooms;

vii. any bedroom above the second bedroom in a unit may be included, but is not required to be included, in the total count; and

viii. if the Multifamily Dwelling includes affordable units that are exercising the optional parking ratio for affordable housing pursuant to 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 Multifamily 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:

i. Parking Ratio Requirement adjustment: any parking requirement may be adjusted within five percent (5%) of the requirement if the Director determines that physical requirements of the building prevent compliance with the specific number of parking spaces required; and

ii. The final ratio represents a minimum and a maximum requirement. Modification of the parking requirement may be requested with a special use permit pursuant to Sections 8-100(A(4) and 8-100(A)(7).

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8-200(F) *Prior existing buildings and structures.*

(1) Notwithstanding the provisions of section 8-100 and except as provided in section 8-200(F)(3) below, no off-street parking need be provided for land actually in use on June 25, 1963, for structures or buildings partially or fully constructed as of that date, or for structures or buildings for which a final site plan had been approved or a building permit had been applied for on that date, except as follows:

(a) If any such land has been changed in use or any such structure or building has been changed in use, enlarged, significantly enlarged or significantly altered

between June 23, 1963, and January 27, 1987, the parking requirements of this Article XIII shall apply only to such change in use, enlargement or alteration; and

(b) If any such land has been changed in use or any such structure or building has been changed in use, enlarged, significantly enlarged or significantly altered after January 27, 1987, the parking requirements of this Article XIII 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, and such requirements shall apply only to the enlargement of the structure or building upon its completion, unless, as of January 27, 1987, a construction or alteration permit has been applied for and reasonably soon thereafter construction activity has commenced and continues to be diligently pursued, or unless 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.

(2) Notwithstanding the provisions of section 8-100 above and except as provided in section 8-200(F)(3) below, any change in use in land which had been placed in use between June 23, 1963, and January 27, 1987, and any change in use, enlargement, significant enlargement or significant alteration of a structure or building which had been constructed between those dates shall be governed by the provisions of sections 8-200(F)(1)(a) and (b).

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

(4) For purposes of this section 8-200(F), the following definitions shall apply:

(a) "Significantly altered" and "significant alteration" shall mean the reconstruction, remodeling or rehabilitation of, or other physical changes to, a structure or building, or a portion thereof, over any two-year period, whether or not involving any supporting members of the structure or building and whether altering interior or exterior components of the structure or building, which involves expenditures amounting to 331/3 percent or more of the market value of the structure or building, or portion thereof, at the time of the application for an alteration permit. The cost of the remodeling or rehabilitation of units that serve households at or below 60 percent Area Median Income (AMI) for 30 years or more shall be exempt from the calculation of expenditures pursuant to this section.

(b) "Enlarged" and "enlargement" shall mean an addition to a structure or building which increases its floor area by less than 20 percent. In the case of uses whose parking requirements are determined by a factor other than floor area (e.g., dwelling units, seats, patient beds), these terms shall mean any

action which increases this factor by less than 20 percent, whether or not accompanied by an increase in floor area.

(c) "Significantly enlarged" and "significant enlargement" shall mean an addition, or additions over any two-year period, to a structure or building which increases its floor area by 20 percent or more. In the case of uses whose parking requirements are determined by a factor other than floor area, these terms shall mean any action, or actions over the two-year period, which increases this factor by 20 percent or more, whether or not accompanied by an increase in floor area.

(5) No single-family, two-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 multifamily residential use or any structure or building has been changed in use to a multifamily residential use, or a Multifamily Dwelling has been enlarged, significantly enlarged or significantly altered after May 16, 2015, the parking requirements of this Article XIII 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.

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Sec. 8-400 - King Street Transit Parking District.

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(3) Requirements. Within the King Street transit parking district, the following regulations shall apply to off-street parking:

(1) Office buildings, including commercial, government and professional, shall have one parking space for each 530 square feet of floor area; provided, however, that the required parking may be reduced to not less than one parking space for each 665 square feet of floor area when the applicant, at the time of site plan approval, demonstrates through a

parking study to the planning commission, or to the city council on appeal, which appeal may be filed within the time and in the manner prescribed by section 11-409(C), except that any aggrieved party may appeal, that the off-street parking provided is adequate for the site, and that there will be no unreasonable adverse effect on the surrounding residential neighborhoods.

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

(3) Freestanding retail and service operations shall have one parking space for each 500 square feet of floor area.

(4) Freestanding restaurants shall have one parking space for each ten seats; except that for carry-out restaurants there shall be no requirement.

(5) Automobile service stations shall have one parking space for each service bay; except that for self-service operations, there shall be provided one parking space for each employee.

(6) Hotels shall have 0.7 of a parking space for each guest room.

(7) Amusement enterprise shall have one parking space for each 200 square feet of floor area.

(8) Hotel or office building projects with retail, restaurant or amusement enterprises as ancillary uses. No parking shall be required for the first 10,000 square feet of floor area for restaurants, for the first 10,000 square feet of floor area for retail uses and for the first 1,000 square feet of floor area for amusement enterprises; provided, that such uses occupy not more than 25 percent of the total floor area of the mixed use building project. Parking for the excess floor area for such ancillary uses above 25 percent shall be provided at one space for each 1,000 square feet of floor area.

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Section 5. That the director of planning and zoning be, and hereby is, directed to record the foregoing text amendment.

Section 6. That Sections 2-100, 4-1400, 6-700, 8-100, 8-200, and 8-400, as amended pursuant to Sections 1 through 4 of this ordinance, be, and the same hereby are, reordained as part of the City of Alexandria Zoning Ordinance.

Section 7. That this ordinance shall become effective on the date and at the time of its final passage, and after such date, shall apply to all applications for land use, land development or subdivision approval provided for under the City of Alexandria Zoning Ordinance for which an application for a preliminary site plan has not yet been filed with the Department of Planning and Zoning, 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 Section 8-200(F) of Article VIII or in Article XII of the Zoning Ordinance.

WILLIAM D. EUILLE
Mayor

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First Reading: May 12, 2015
Publication:
Public Hearing: May 15, 2015
Second Reading: May 15, 2015
Final Passage: May 15, 2015