

ORDINANCE NO. 5488

AN ORDINANCE to amend and reordain Sections 2-153.2 (HEALTH PROFESSION OFFICE) and 2-174 (MEDICAL CARE FACILITY) of Article II (DEFINITIONS) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2023-00002.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2023-00002, 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 30, 2023 of a text amendment to the Zoning Ordinance to adopt amendments to the definitions of health profession office and medical care facility, which recommendation was approved by the City Council at public hearing on April 15, 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 2-153.2 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:

2-153.2 – Health profession office.

A building or portion thereof with a gross floor area of 20,000 square feet or less used for medical, psychiatric, surgical, The use of space by individuals licensed in the Commonwealth of Virginia to practice medicine, dentistry, psychiatry, psychology, nursing, massage therapy, or physical therapy, abortion services or other health-related services ~~professions primarily~~ on an outpatient basis.

Section 1. That Section 2-174 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:

2-174 – Medical care facility.

Buildings or portions thereof with a gross floor area greater than 20,000 square feet used for medical, psychiatric, surgical, massage or physical therapy, abortion services or other health-related services, under common ownership or control, primarily on an outpatient basis. This term shall not include a nursing or convalescent home or hospice or a continuum of care facility. Any installation, place, building, or agency, whether or not licensed or required to be licensed by the State Board of Health or the State Hospital Board, by or in which facilities are maintained,

~~furnished, conducted, operated, or offered for the prevention, diagnosis or treatment of human disease, pain, injury, deformity or physical condition, whether medical or surgical, of mentally or physically sick or injured persons, or for persons requiring or receiving medical, surgical or nursing attention or service as acute, chronic, convalescent, aged, or physically disabled; including but not limited to emergency medical treatment, health professional office, medical laboratory, intermediate care facility, extended care facility, mental hospital, mental retardation facility, medical school, outpatient surgery centers, birthing, diagnostic imaging, radiation therapy, dialysis, medical/physical rehabilitation, trauma units, substance abuse outpatient or day programs and other related institutions and facilities, whether operated for profit or nonprofit, and whether privately owned or operated by a local government unit. This term shall not include housing for the elderly, nursing home or a facility which has as its primary purpose residential accommodation. 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 article, wherever such use is allowed in the zones.~~

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

Section 3. That Sections 2-153.2 and 2-174, as amended pursuant to Sections 1 and 2 of this ordinance, be, and the same hereby are, reordained as part of the City of Alexandria Zoning Ordinance.

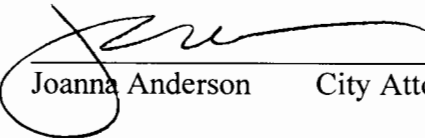
Section 4. That this ordinance shall become effective on the date and at the time of its final passage, and shall apply to all applications for land use, land development or subdivision approval provided for under the City of Alexandria Zoning Ordinance which may be filed after such date, and shall apply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

  
JUSTIN M. WILSON  
Mayor

ATTEST:

  
Gloria A. Sitton, CMC City Clerk

Approved as to Form:

  
Joanna Anderson City Attorney

Final Passage: May 13, 2023