

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE to amend and reordain Section 7-700 (Allowance for increases in floor area ratio, density and height and reductions in required off-street parking as incentive for provision of low- and moderate-income housing) of Article VII (Supplemental Zone Regulations) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2013-0013(A).

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2013-0013(A), 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 January 7, 2014 of a text amendment to the Zoning Ordinance to amend the affordable housing bonus density program, which recommendation was approved by the City Council at public hearing on January 25, 2014

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 7-700 of the Zoning Ordinance be, and the same hereby is, amended by inserting new language shown in underline below:

Sec. 7-700 Allowance for increases in floor area ratio, density and height and reductions in required off-street parking as incentive for provision of low- and moderate-income housing.

*7-701 Definitions.*

For the purposes of this section 7-700, low- and moderate-income housing units shall be determined in accordance with regulations which are issued by the city manager and approved by the city council and which reflect the following guidelines.

(A) Low- and moderate-income rental units are rental units for which the combined cost of rent and utilities does not exceed 30 percent of the maximum income limits used by the United States Department of Housing and Urban Development for its section 8 and Housing Voucher programs, as adjusted for family size and corresponding number of bedrooms, and which are occupied by persons or households whose gross income does not exceed the limits applicable to the section 8 program.

(B) Low- and moderate-income sales units are units with sales prices for which a person or household whose gross annual income is at or below the median income for the Washington, D.C., Metropolitan Statistical Area, adjusted for family size, could qualify using the lending criteria applied by the Virginia Housing Development Authority in its single-family

1 mortgage assistance program and which are occupied by persons or households whose gross  
2 annual income is at or below such median income level.

3  
4 *7-702 When increases and reductions may be allowed.*

5 Increases in allowable floor area ratio, density and height and reductions in required off-street  
6 parking may be allowed for a building which contains one or more dwelling units or a project which  
7 includes one or more such buildings through a special use permit when:

8  
9 (A) The applicant for the special use permit commits to providing low and moderate income sales  
10 or rental housing units in conjunction with the building or project which is the subject of the  
11 permit application in compliance with the following:

- 12  
13 1. Number of units required: The number of units required shall be  
14 equivalent to at least one third (1/3) of the increase achieved by the bonus  
15 approved under this section 7-700. Equivalency can be established with a  
16 different number of units if the size (square footage or number of bedrooms) of  
17 the units provided achieves an equivalent contribution as determined by the  
18 Director of Housing and approved with this SUP.
- 19 2. Location of Units: The units may be provided within the building or project  
20 which is the subject of the permit application, or with the consent of the applicant  
21 and the Director of Housing and the Director of Planning and Zoning and  
22 approval of this Special Use Permit, the units may be provided:
- 23 i. at an off-site location provided that:
- 24 1. a specific plan for the off-site location is approved with this SUP;  
25 2. the off-site location meets all zoning requirements to include the  
26 units; and  
27 3. the total contribution value of the off-site units is equivalent to the  
28 total contribution value of what would have been provided on site;  
29 or
- 30 ii. by a cash contribution to the City of Alexandria Housing Trust Fund in an  
31 amount equivalent to the value of the units that would have been provided  
32 on-site, or
- 33 iii. A combination of i and ii above if the total contribution is equal to the  
34 value of the units that would have been provided on site.

35 (B) The applicant for the special use permit agrees and provides sufficient assurance, by way  
36 of contract, deed or other recorded instrument acceptable to the city attorney, that the  
37 low-and/or moderate-income housing units to be provided will remain in these categories  
38 for the period of time specified in the special use permit.

39  
40 (C) City council determines that the building or project which is subject to the special use  
41 permit, with the increase in allowable floor area ratio, density and height and the

1 reduction in required off-street parking, meets the standards for the issuance of a special  
2 use permit set forth in section 11-500.

3  
4 *7-703 Limits on increases which may be allowed.*

5 (A) Floor area ratio and density may not be increased pursuant to this section 7-700 by  
6 more than 20 percent of the floor area ratio and density otherwise permitted by this  
7 ordinance, unless a greater percentage increase is specifically designated in a Small  
8 Area Plan chapter of the Master Plan. The increase permitted under this section 7-700 is  
9 exclusive of any other floor area ratio and density increases allowable under any other  
10 section of this ordinance.

11  
12 (B) Height may not be increased pursuant to this section by more than 25 feet beyond the  
13 height otherwise permitted by this ordinance; provided, however, that no building  
14 located in any zone or height district where the maximum allowable height is 50 feet or  
15 less may be allowed to exceed such height limits.

16  
17 Section 2. That the director of planning and zoning be, and hereby is, directed to  
18 record the foregoing text amendment.

19  
20 Section 3. That Section 7-700, as amended pursuant to Section 1 of this ordinance,  
21 be, and the same hereby is, reordained as part of the City of Alexandria Zoning Ordinance.

22  
23 Section 4. That this ordinance shall become effective on the date and at the time of  
24 its final passage, and shall apply to all applications for land use, land development or subdivision  
25 approval provided for under the City of Alexandria Zoning Ordinance which may be filed after  
26 such date, and shall apply to all other facts and circumstances subject to the provisions of the  
27 City of Alexandria Zoning Ordinance, except as may be provided in Article XII of the Zoning  
28 Ordinance.

29  
30 WILLIAM D. EUILLE  
31 Mayor

32  
33 Introduction: February 11, 2014

34 First Reading: February 11, 2014

35 Publication:

36 Public Hearing: February 22, 2014

37 Second Reading: February 22, 2014

38 Final Passage: February 22, 2014