

ORDINANCE NO. 4941

AN ORDINANCE to amend and reordain Section 4-1300 (UT/Utilities and Transportation) of Article IV (Office, Commercial and Industrial Zones) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council on March 14, 2015 as Text Amendment No. 2015-0001 regarding substations in the UT Zone.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2015-0001, 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 3, 2015 of a text amendment to the Zoning Ordinance to require a special use permit for substations 10,000 square feet and larger and to address substations that become non complying because of the change, which recommendation was approved by the City Council at public hearing on March 14, 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; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 4-1300 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:

**Sec. 4-1300 - UT/Utilities and transportation.**

**4-1301 - Purpose.**

The UT zone is established to provide land areas in the city for utility and transportation uses.

**4-1302 - Permitted uses.**

The following uses are permitted in the UT zone:

- (A) Electrical substation and/or switching stations that covers a land area of less than 10,000 square feet including all land enclosed by fence, wall, or other structure;
- (B) Railroad, bus and rail transit passenger stations;
- (C) Railroad switching yard;
- (D) Railroad tracks;
- (E) Telephone company dial center;
- (F) Utilities, as permitted by section 7-1200

- (G) Utility company office;
- (H) Washington Metropolitan Area Transportation Authority stations and associated facilities and operations;
- (I) Water pumping station, tower and reservoir;
- (J) Accessory uses, as permitted by section 7-100

#### **4-1303 - Special uses.**

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

- (A) Bus shelter on private property;
- (B) Electrical power generating plant;
- (B-1) Electrical substation and/or switching station that covers a land area of 10,000 square feet or more including all land enclosed by fence, wall, or other structure;*
- (C) Helistop;
- (D) Public utility service yard;
- (E) Railroad, bus and rail transit maintenance, repair and operating facilities;
- (F) Railroad car assembly operations;
- (G) Railroad engine service operations;
- (H) Railroad repair yards;
- (I) Utility and transportation equipment and outdoor storage yards.

#### **4-1304 - Prohibited uses.**

Any use which is not a permitted, special or accessory use pursuant to this section 4-1300 is prohibited.

#### **4-1305 - Area and bulk regulations.**

- (A) *Yards.* For nonresidential uses, there are no yard or open space requirements except as may be applicable pursuant to the supplemental yard or setback regulations of section 7-1000 and the zone transition requirements of section 7-900
- (B) *Floor area ratio.* The maximum permitted floor area ratio is .25, except that the floor area ratio may be increased to an amount not to exceed .5 with a special use permit.
- (C) *Height.* The maximum permitted height of a building is 35 feet, except that the height may be increased to an amount not to exceed 50 feet with a special use permit.

#### **4-1306 - Use limitations.**

- (A) No use shall be conducted in any manner which would render it noxious or offensive by reason of dust, refuse matter, odor, smoke, gas, fumes, noise, vibration or glare.

(B) All uses and operations shall take place within a completely enclosed structure or an area enclosed on all sides with screening or buffering adequate and reasonable to protect adjacent nearby uses, as determined by the director.

#### **4-1307 – Noncomplying Use.**

Notwithstanding the language of section 12-301 regarding the definition of noncomplying uses, Electrical substation and switching stations that cover a land area of 10,000 square feet or more including all land enclosed by fence, wall, or other structure that legally existed immediately before April 18, 2015 shall be deemed a noncomplying use and allowed to continue subject to the rules for noncomplying uses in section 12-302 of this ordinance.

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

Section 3. That Section 4-1300 as amended pursuant to Section 1 of this ordinance, be, and the same hereby is, 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.

WILLIAM D. EUILLE  
Mayor

Final Passage: April 18, 2015