

**City of Alexandria
Meeting Minutes
City Council Legislative Meeting
Tuesday, June 28, 2016
6:00 P.M.
Council Chambers**

Present: Mayor Allison Silberberg, Vice Mayor Justin M. Wilson and Members of Council Willie Bailey, John Taylor Chapman, Timothy B. Lovain, Redella S. Pepper and Paul C. Smedberg.

Absent: None.

Also Present: Mr. Jinks, City Manager; Mr. Banks, City Attorney; Ms. Anderson, Deputy City Attorney; Police Captain Andreas; Ms. Collins, Deputy City Manager; Mr. Lambert, Director, Transportation and Environmental Services; Mr. Fye, Transportation and Environmental Services; Ms. North, Transportation and Environmental Services; Ms. Farmer, Transportation and Environmental Services; Ms. McIlvaine, Director, Office of Housing; Mr. Keeler, Office of Housing; Mr. Moritz, Director, Planning and Zoning; Mr. Imm, Planning and Zoning; Mr. Bernstein, Director, Office of Project Implementation; Ms. Garvey, Director, Office of Community and Human Services; Ms. Chis, Deputy Director, Office of Community and Human Services; Ms. Layer, Office of Community and Human Services; Mr. Useem, Chief Performance Officer; and Mr. Lloyd.

Recorded by: Jacqueline M. Henderson, City Clerk and Clerk of Council

1. Calling the Roll.

Mayor Silberberg called the meeting to order and the City Clerk called the roll. All members of City Council were present, except for Councilman Chapman, who arrived at 7:15 p.m.

Closed Meeting.

2. 6:00 P.M. - Consideration of a Closed Meeting for Discussion of the Performance of Specific Public Officers and for Consultation with Legal Counsel to Discuss Pending Litigation.

WHEREUPON, upon motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried 6-0, City Council convened into closed executive session to discuss the performance of specific public officers, and to consult with legal counsel regarding actual and pending litigation, specifically the annual performance evaluation of City Council appointees, and the proposed settlement of current and pending employment litigation, pursuant to Sections 2.2-3711(a)(1) and (7) of the *Code of Virginia*. The voting was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilmember Lovain, Councilwoman Pepper and Councilman Smedberg; Opposed, none. (Councilman Chapman was absent for the vote but joined Council in closed meeting.)

WHEREUPON, upon motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried unanimously, City Council reconvened into open session at 7:12 p.m. The voting was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper and Councilman Smedberg; Opposed, none.

This closed meeting was continued to the end of the City Council meeting.

3. Moment of Silence and Pledge of Allegiance.

Mayor Silberberg noted the passing of Dr. Carroll and the passing of Bill MacNamara.

City Council observed a moment of silence and recited the Pledge of Allegiance.

4. Reading and Acting Upon the Minutes of the Following Meetings of City Council:

The Regular Meeting Minutes of June 14, 2016;
The Public Hearing Meeting Minutes of June 16, 2016; and
The Public Hearing Meeting Minutes of June 18, 2016.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Vice Mayor Wilson and carried unanimously, City Council approved the regular meeting minutes of June 14, the public hearing meeting minutes of June 16, and the public hearing meeting minutes of June 18. The voting was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper and Councilman Smedberg; Opposed, none.

PROCLAMATIONS

5. Presentation of a Proclamation Declaring June as Lesbian, Gay, Bisexual, Transgender and Queer Pride Month.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously, City Council endorsed the proclamation. The voting was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper and Councilman Smedberg; Opposed, none.

ORAL REPORTS FROM CITY COUNCIL ON BOARDS, COMMISSIONS AND COMMITTEES

*** Transportation Planning Board (Councilmember Lovain)**

Councilmember Lovain said the TPB met June 15 and had a briefing on the Safe Track Plan. He said people are learning to adapt and change their travel patterns. He said they had a briefing on the efforts to try to improve pedestrian bicycle access to Metro stations. He said they continue their efforts to try to develop a true long-range plan for the region. Councilmember Lovain said he participated in the employer recognition awards from Commuter Connections on Monday, and Commuter Connections has played a large role in disseminating information about travel alternatives and they honored some of the employees

who have done an exemplary job.

Mayor Silberberg said she attended a press conference today at the Braddock Metro Station, and Mr. Wiedefeld and Arlington Board member Christian Dorsey were present. She said surges three and four are coming down the pike shortly, and they are all bracing themselves for each surge. What is coming shortly is the complete shutdown of the track between National Airport and Braddock Road, and they encourage all their citizens to think and plan ahead. She said many bus routes and buses have been put forward. Mayor Silberberg said the NVTa meetings continue with regard to what they will be allocating funds to and the next meeting is July 1.

*** Visit Alexandria (Vice Mayor Wilson)**

Vice Mayor Wilson said he represents the Council on the Visit Alexandria Board. He said that at the beginning of June, Fox5 did their zip trip from Del Ray and it was about 4-5 hours of continuous coverage from Del Ray and a lot of businesses and City agencies were featured. Vice Mayor Wilson said Visit Alexandria has been working with many of the tourism related businesses on communicating about Safe Track and they had great communications documents that hotels and businesses are using. Vice Mayor Wilson said they had a presentation from the supporters and organizers of the Old Town BID and the Board was very excited about those concepts. Vice Mayor Wilson noted the work they can do to attract more weddings to the City. It is a big economic engine for a lot of communities and Visit Alexandria will organize a wedding showcase on February 19 from 11:00 a.m. to 3:00 p.m. at the Westin Alexandria.

*** City School Subcommittee (Vice Mayor Wilson and Mayor Silberberg)**

Vice Mayor Wilson said the City/Schools Subcommittee met last night and they had follow-up on the joint meeting they had, the after school issues discussed at the work session and discussion on the budget guidance. He said they talked about the extensive summer projects list in the CIP, noting that they cannot do a lot of work on their facilities until the students are gone. Vice Mayor Wilson said they had an update on the Mayors Campaign to End Bullying and had staff and members of the committee, along with students. Vice Mayor Wilson said they had a great presentation on shared services around IT and the two IT departments working together and leveraging e-rate dollars. One of the big areas of focus is the broadband issues and the CRM joint purchasing discussion for combined City Schools. Vice Mayor Wilson said they built on the discussion Council had on polling places and how to accommodate elections in the school buildings. One of the issues they provided in response to the issue was the Labor Day opening issue, known as the Kings Dominion rule, and Fairfax County got an exemption to that, so they may need to have another discussion as part of the legislative package in the Fall about whether to make a push to try to get an exemption to that law. He said they have long wanted to look at flexibility in the school calendar.

Councilman Chapman said he also spoke to the folks at VML about the school exemption to see if they can add that to the package.

Mayor Silberberg said she is not in agreement about pursuing the change to starting school before Labor Day.

Mayor Silberberg said they heard an update from the Superintendent on summer

school, where children will be able to take advantage of a wide variety of courses through the summer and she was excited about the program. Mayor Silberberg said she asked questions about the summer school program and if there were more children who would like to take advantage of the opportunity that weren't able to.

There was discussion among City Council about the school start date.

*** Library Board (Councilman Bailey)**

Councilman Bailey noted that he has been asked by the Library Board to thank the Council for its support. He said the library has hired necessary staff to expand Sunday hours to Barrett, Burke and Duncan, which will begin July 10 and will be open from 1:00 to 5:00. He said bookmarks, press releases, social media and signs are all being used to get the word out. Councilman Bailey said passport processing service will begin at Barrett and they will hire a part-time employee to oversee the operation Mondays and Fridays. He said they have begun cataloguing the Law Library collection and integrating its holdings into the on-line catalogue and the project is progressing well and is expected to be finished in a year. Councilman Bailey said the summer reading and learning program has begun and is in partnership with ACPs and Parks and Recreation Department. He said children who do not have access to computers at home are encouraged to use the library computers. Councilman Bailey said he is happy to see that they have helped the libraries have Sunday hours, as those kids need to have someone to go on Sundays.

*** Patrick Henry Advisory Group (Councilwoman Pepper)**

Councilwoman Pepper said the Patrick Henry School and Recreation Center Advisory Group met June 15, and now that the School Board has chosen concept A-1 as the basic site plan, the role of the advisory group will be to serve in a liaison role. She said they will keep the community informed of the project as it moves along and its processes and keep the project team informed of some of the community views. The advisory group will end its term in December 2016, and the next meeting will be July 7. Some members of the group have expressed an interest in discussing the uses of the interior space, and it was their responsibilities on how to site the recreation center, how to put the school and the parking lot, but there has always been an interest on the inside space as well. Councilwoman Pepper said the project team is working with the Planning staff and they have submitted a very initial DSUP to the Planning staff. She said that during the summer, the project team will work on the design development, and the next meeting will be in September.

*** Northern Virginia Regional Commission (Councilwoman Pepper and Councilman Bailey)**

Councilwoman Pepper said the NVRC met June 23 and it was a busy meeting. She said Executive Director Mark Gibb had a car accident earlier and he is still recuperating. She said that because he will be out for eight weeks, they appointed Robert Lazaro as the acting director, and he is presently the director of regional energy planning at NVRC. Councilwoman Pepper said they elected new officers, and Penny Gross is term limited as chair, and Councilwoman Pepper said she is also term limited, having served as the treasurer. She said John Cook from Fairfax will take her place. Councilwoman Pepper said the next meeting is July 28 but they do not meet in August. She said they will discuss a management performance study and they will discuss more about that in July.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

CONSENT CALENDAR (6-8)

(Reports and Recommendations of the City Manager)

6. Consideration of Approval of a Petition to Expand the Boundaries of Residential Permit Parking District 11.

(A copy of the City Manager's memorandum dated June 22, 2016, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 6/28/16, and is incorporated as part of this record by reference.)

7. Consideration of a Grant Renewal to the United States Department of Agriculture (USDA) Child and Adult Food Program for At-Risk After School Snack Program for the FY 2017 School Year Snack Program Sponsored by the Department of Recreation, Parks and Cultural Activities.

(A copy of the City Manager's memorandum dated June 22, 2016, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 6/28/16, and is incorporated as part of this record by reference.)

8. Consideration of Approval to Accept State Funds to Develop a Program of Assertive Community Treatment (PACT) within the Department of Community and Human Services.

(A copy of the City Manager's memorandum dated June 22, 2016, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 6/28/16, and is incorporated as part of this record by reference.)

END OF CONSENT CALENDAR

City Council removed items 6, 7 and 8 from the consent calendar and discussed them all individually.

6. Consideration of Approval of a Petition to Expand the Boundaries of Residential Permit Parking District 11.

(A copy of the City Manager's memorandum dated June 22, 2016, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 6/28/16, and is incorporated as part of this record by reference.)

Ms. North, Transportation and Environmental Services, responded to questions of City Council about the permit parking district.

WHEREUPON, upon motion by Vice Mayor Wilson, seconded by Councilwoman Pepper and carried unanimously, City Council approved the petition and amended the residential permit parking district map to include the north side of the 300 block of East Glebe Road in District 11. The voting was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper

and Councilman Smedberg; Opposed, none.

7. Consideration of a Grant Renewal to the United States Department of Agriculture (USDA) Child and Adult Food Program for At-Risk After School Snack Program for the FY 2017 School Year Snack Program Sponsored by the Department of Recreation, Parks and Cultural Activities.

(A copy of the City Manager's memorandum dated June 22, 2016, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 6/28/16, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried unanimously, City Council authorized the City Manager to: 1. submit the at-risk after school grant renewal application to the United States Department of Agriculture for Fiscal Year 2017 (due date is September 1, 2016); 2. affirmed that there are no funds available in the City budget to continue these activities once the grant funds are expended; and 3. execute all documents that may be required. The voting was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper and Councilman Smedberg; Opposed, none.

8. Consideration of Approval to Accept State Funds to Develop a Program of Assertive Community Treatment (PACT) within the Department of Community and Human Services.

(A copy of the City Manager's memorandum dated June 22, 2016, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 6/28/16, and is incorporated as part of this record by reference.)

Ms. Garvey, Director, Community and Human Services, along with Ms. Chis, Deputy Director, Community and Human Services, and Ms. Layer, Director for the Center for Adult Services, Community and Human Services, responded to questions of City Council about how the State is approaching this and how the City does service delivery.

WHEREUPON, upon motion by Councilman Chapman, seconded by Councilman Bailey and carried unanimously, City Council: 1. approved DCHS's receipt of approximately \$850,000 starting in FY 2017 in annual ongoing funding from VDBHDS to develop a PACT team, beginning July 2016. The funding would become part of DCHS's ongoing performance contract with VDBHDS; 2. authorized the creation of up to eight FTE positions to staff the PACT team as required by VDBHDS and state licensing; and 3. authorized the City Manager to execute the necessary documents that may be required. The voting was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper and Councilman Smedberg; Opposed, none.

ROLL-CALL CONSENT CALENDAR (9-12.1)

9. Consideration of a Resolution to Adopt for the Federal Transit Administration the Updated Title VI Program for the City of Alexandria. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated June 22, 2016, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 6/28/16, and is incorporated as part of this record by reference.)

10. Consideration of a Resolution to Continue Three-hour Metered Parking at the City Parking Lot on the 900 Block of King Street From 8 a.m. to 9 p.m., at \$1.75 Per Hour. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated June 22, 2016, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 6/28/16, and is incorporated as part of this record by reference.)

11. Consideration of a Resolution Authorizing the Issuance of Refunding Bonds by the Fairfax County Economic Development Authority for Goodwin House Incorporated. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated June 22, 2016, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 6/28/16, and is incorporated as part of this record by reference.)

12. Consideration of a Resolution to Establish the 2016 Personal Property Tax Relief Rates. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated June 22, 2016, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 6/28/16, and is incorporated as part of this record by reference.)

12.1 Consideration of a Resolution in Support of the City of Orlando, Florida. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated June 23, 2016, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12.1; 6/28/16, and is incorporated as part of this record by reference.)

END OF ROLL-CALL CONSENT CALENDAR

WHEREUPON, upon motion by Vice Mayor Wilson, seconded by Councilwoman Pepper and carried unanimously by roll-call vote, City Council adopted the roll-call consent calendar, as follows:

9. City Council adopted a resolution which adopts for the Federal Transit Administration an updated program implementing the provisions of Title VI of the Civil Rights Act of 1964. (RES. NO. 2732)

10. City Council adopted a resolution to continue to allow three-hour meters at the City parking lot on the south side of the 900 block of King Street from 8:00 a.m. to 9:00 p.m., at \$1.75 an hour. (RES. NO. 2733)

11. City Council adopted a resolution as recommended by the Alexandria Industrial Development Authority. (RES. NO. 2734)

12. City Council adopted a resolution to establish the personal property tax relief rates for calendar year 2016. (RES. NO. 2735)

12.1 City Council adopted a resolution adopted by the Alexandria Human Rights Commission to stand in solidarity with the City of Orlando, Florida. (RES. NO. 2736)

The voting was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper and Councilman Smedberg; Opposed, none.

The resolutions read as follows:

RESOLUTION NO. 2732

Resolution Adopting a Title VI Plan for the City of Alexandria

WHEREAS, the City of Alexandria is a subrecipient of Federal Transit Administration (FTA) funds from both the Northern Virginia Transportation Commission and the Metropolitan Washington Council of Governments;

WHEREAS, any recipient or subrecipient of FTA funds must provide information which quantifies how the recipient and its subrecipients are complying with Title VI of the Civil Rights Act of 1964;

WHEREAS, the FTA has promulgated a new set of regulations that clarifies the requirements which must be met to demonstrate compliance with Title VI of the Civil Rights Act of 1964;

WHEREAS, City staff have reviewed these requirements, and have prepared a plan that indicates the City's compliance with Title VI of the Civil Rights Act.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ALEXANDRIA,
VIRGINIA

That the City Council of Alexandria, Virginia:

Adopt the attached plan for Title VI compliance and transmit it to the Northern Virginia Transportation Commission and Metropolitan Washington Council of Governments for submission to the Federal Transit Administration.

RESOLUTION NO. 2733

WHEREAS, the City is empowered by Charter Section 2.03(k) to charge for parking in City owned parking lots and

WHEREAS, the City is empowered by City Code Section 5-8-112 to establish parking meter lots; and

WHEREAS, the City is empowered by City Code Section 5-8-112 to designate the location of the lots, the hours and rates to be used for the meters in the lots, and any other necessary regulations for such meters; and

WHEREAS, the City Council finds and determines that meters in the City parking lot on the south side of the 900 block of King Street is necessary and proper at this time; and

WHEREAS, the City Council wishes to authorize the City Manager to proceed with all steps necessary to implement and continue operation of meters in the City parking lot on the south side of the 900 block of King Street;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL ALEXANDRIA

1. That the following described parcels of the city that are used for off-street parking are hereby approved for parking meters: 912, 916, and 920 King Street; and
2. That the parking meter hours for this parking lot every day of the week except Sundays and legal State holidays be set to commence at 8:00 a.m. and end at 9:00 p.m.; and
3. That the maximum time limit for parking in any space in this parking lot shall be three hours; and
4. That the rate shall be \$1.75 per hour at all spaces within the parking lot, which does not include any convenience fee that may be charged by the service provider for the pay by phone parking payment option; and
5. That the City Manager be, and hereby is, authorized and directed to take such additional actions as may be necessary or convenient to establish the metered parking lot, set parking meter hours, the maximum time limit, and rates for parking as set forth by this Resolution; and
5. That the City Clerk be, and hereby is, authorized and directed to affix the seal of the City to such documents as may be necessary or convenient implement this Resolution; and
6. That this Resolution shall be effective immediately.

RESOLUTION NO. 2734

WHEREAS, Goodwin House Incorporated ("Goodwin House"), a Virginia non-stock, not-for-profit corporation, has requested that the Industrial Development Authority of the City of Alexandria, a political subdivision of the Commonwealth of Virginia (the "Alexandria Authority") assist with the issuance of tax-exempt revenue refunding bonds (the "2016 Refunding Bonds") in an amount not to exceed \$150,000,000 by the Fairfax County Economic Development Authority (the "Fairfax Authority") in order to refinance the Fairfax Authority's \$143,155,000 Residential Care Facilities Mortgage Revenue Bonds (Goodwin House), Series 2007 (the "2007 Bonds");

WHEREAS, the Fairfax Authority issued the 2007 Bonds in order to (a) finance improvements and additions to Goodwin House's continuing care retirement facility at Bailey's Crossroads, Fairfax County, including a new health and wellness center, a 15 story independent living tower, parking and various renovations to the assisted living and nursing care areas, (b) refund on a current basis a portion of the Alexandria Authority's Variable Rate Demand Revenue Refunding Bonds (Goodwin House), Series 2005, which bonds financed the costs of improvements at Goodwin House's continuing care retirement facility in the City of Alexandria (the "City") and refinanced certain indebtedness, and (c) fund various reserve funds and pay costs of interest;

WHEREAS, as a portion of the facilities refinanced with the proceeds of the 2007 Bonds (the "Project") is located in the City, and the issuance of the 2016 Refunding Bonds is expected to constitute an advance refunding under federal tax law, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "IRS Code") provides that the governmental unit having jurisdiction over the area in which any facility financed or refinanced (in the case of an advance refunding) with the proceeds of private activity bonds is located must approve the issuance of the bonds;

WHEREAS, the Alexandria Authority issues its bonds on behalf of the City, a portion of the Project is located in the City and the City Council of the City of Alexandria, Virginia (the "City Council"), constitutes the highest elected governmental unit of the City;

WHEREAS, the Alexandria Authority held a public hearing as required by Section 147(f) of the IRS Code on June 27, 2016, and on such date adopted an approving resolution with respect to the issuance of the 2016 Refunding Bonds and recommended that the City Council approve the issuance of the 2016 Refunding Bonds; and

WHEREAS, a copy of the Alexandria Authority's resolution approving the issuance of the 2016 Refunding Bonds and a certificate of the public hearing have been filed with the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALEXANDRIA, VIRGINIA:

1. The City Council approves the issuance of the 2016 Refunding Bonds by the Fairfax Authority in a principal amount not to exceed \$150,000,000 for the benefit of Goodwin House, as required by Section 147(f) of the IRS Code.
2. The approval of the issuance of the 2016 Refunding Bonds does not constitute an endorsement to a prospective purchaser of the 2016 Refunding Bonds of the creditworthiness of Goodwin House, and the 2016 Refunding Bonds shall provide that neither the City nor the Alexandria Authority shall be obligated to pay the 2016 Refunding Bonds or the interest thereon or other costs incident thereto except from the revenues and moneys pledged therefor, and neither the faith and credit nor the taxing power of the Commonwealth of Virginia nor any political subdivision thereof, including the City and the Alexandria Authority, shall be pledged thereto.
3. This resolution shall take effect immediately upon its adoption.

RESOLUTION NO. 2735

RESOLUTION TO SET THE RELIEF RATES UNDER THE PERSONAL PROPERTY TAX RELIEF ACT

WHEREAS, pursuant to Section 58.1-3524 of the Code of Virginia and Section 3-2-224 of the City Code, City Council has the authority to establish the relief rates assessed for vehicles; and

WHEREAS, pursuant to Section 3-2-224(e)(v) of the City Code, the City is required to set the relief rates annually by resolution; and

WHEREAS, City Council has now determined that it is necessary and desirable to set the relief rates as follows.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL
OF THE CITY OF ALEXANDRIA, VIRGINIA:

1. That the relief rate for vehicles under City Code Section 3-2-224(e)(v)(A) is 58%; and
2. That the relief rate for vehicles under City Code Section 3-2-224(e)(v)(B) is 48%; and
3. That the relief rate for vehicles under City Code Section 3-2-224(e)(v)(C) is 39%; and
4. That the rates set forth above may vary due to changes related to the vehicles subject to the tax that occur before the tax bills are issued; and
5. That this Resolution shall be effective for Calendar Year 2016.

RESOLUTION NO. 2737

WHEREAS, the City of Alexandria, Virginia shares many of the attributes of Orlando, Florida; and

WHEREAS, among these attributes is a thriving community of engaged residents with strong ideals of peace, community service, entrepreneurship, and both shared and diverse cultures; and

WHEREAS, the diversity of each of the cities of Alexandria, Virginia and Orlando, Florida includes members of the Latino, Muslim, and LGBTQ communities; and

WHEREAS, members of the Latino, Muslim, and LGBTQ communities are integral to our cities' vibrancy and success; and

WHEREAS, the cities of Alexandria, Virginia and Orlando, Florida also share committed public servants and first responders; and

WHEREAS, the devastating attack on the City of Orlando on June 12, 2016, threatened the core values of diversity and peace by the loss of those whose lives were taken, and the violence and hatred that spawned such brutality; and

WHEREAS, the City of Alexandria, Virginia shares the loss suffered by the City of Orlando and its residents, as well as the core belief that hatred and violence perpetrated against any Americans, wherever committed, threaten our own peace, safety and community;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Alexandria, Virginia, that we stand firmly in solidarity with the City of Orlando, its Latino, Muslim, and LGBTQ communities, the victims' families and friends, and Americans throughout the nation in mourning this tragedy, and declare that we remain united, and that fear and hatred will not divide us. We stand with Orlando.

BE IT FURTHER RESOLVED that the City of Alexandria, Virginia also recognizes and salutes the courage, sacrifice, and service provided by first responders and other public servants.

PUBLIC HEARING:

Items 13, 14, 15 and 16 were considered as one motion.

13. Public Hearing, Second Reading and Final Passage of an Ordinance to Amend and Reordain the Master Plan of the City of Alexandria, Virginia, By Adopting and Incorporating Therein the Amendment Approved by City Council on June 16, 2016 to the Potomac Yard/Potomac Greens Small Area Plan Chapter of Such Master Plan as Master Plan Amendment No. 2016-0001 and No Other Amendments, and to Repeal All Provisions of the Said Master Plan as May Be Inconsistent With Such Amendment. [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 6/28/16, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 13; 6/28/16, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council closed the public hearing and adopted the ordinance for Potomac Yard/Potomac Greens Small Area Plan Master Plan Amendment. The voting was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper and Councilman Smedberg; Opposed, none.

The ordinance reads as follows:

ORDINANCE NO. 5031

AN ORDINANCE to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment approved by city council on June 16, 2016 to the Potomac Yard/Potomac Greens Small Area Plan chapter of such master plan as Master Plan Amendment No. 2016-0001 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment.

WHEREAS, the City Council of the City of Alexandria finds and determines that:

1. In Master Plan Amendment No. 2016-0001 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 June 7, 2016 of an amendment to the Potomac Yard/Potomac Greens Chapter of the Master Plan of the City of Alexandria to amend the Land Use Map (Map 18) to amend the land use designation for the Metrorail Station from CDD #10 to Utility, which recommendation was approved by the City Council at public hearing on June 16, 2016;

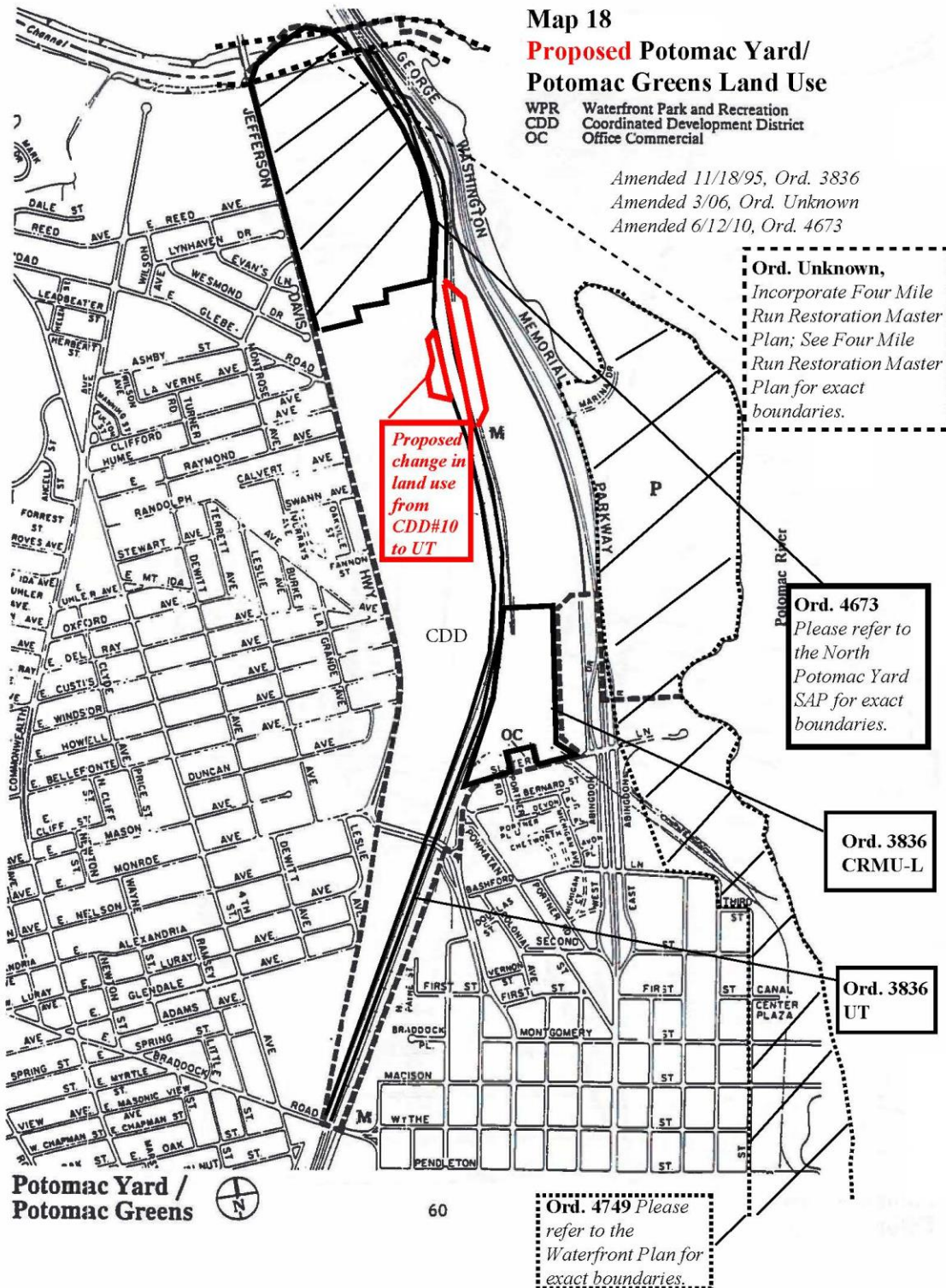
2. The said amendment has heretofore been approved by the planning commission and city council after full opportunity for comment and public hearing.

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 the Potomac Yard/Potomac Greens Small Area Plan Chapter of the Master Plan of the City of Alexandria, be, and the same hereby is, amended by amending the Land Use Map (Map 18) to amend the Land Use Designation for the Metrorail Station from CDD #10 to Utility as shown below:

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



foregoing master plan amendment as part of the Master Plan of the City of Alexandria, Virginia.

Section 3. That all provisions of the Master Plan of the City of Alexandria, Virginia, as may be inconsistent with the provisions of this ordinance be, and same hereby are, repealed.

Section 4. That the Master Plan of the City of Alexandria, as amended by this ordinance, be, and the same hereby is, reordained as the Master Plan of the City of Alexandria, Virginia.

Section 5. That the city clerk shall transmit a duly certified copy of this ordinance to the Clerk of the Circuit Court of the City of Alexandria, Virginia, and that the said Clerk of the Circuit Court shall file same among the court records.

Section 6. That this ordinance shall become effective upon the date and at the time of its final passage.

14. Public Hearing, Second Reading and Final Passage of an Ordinance to Amend and Reordain Sheet No. 025.02 and 025.04 of the "Official Zoning Map, Alexandria, Virginia," Adopted By Section 1-300 (Official Zoning Map and District Boundaries), of the City of Alexandria Zoning Ordinance, By Rezoning Portions of the Property at 2501, 2504, and 2901 Potomac Avenue; 1702 and 1880 Potomac Greens Drive; and 700 Carpenter Road From CDD#10/Coordinated Development District 10 to UT/Utilities and Transportation Zone With Proffer in Accordance With the Said Zoning Map Amendment Heretofore Approved By City Council on June 16, 2016 as Rezoning No. 2016-0001. [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 6/28/16, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 14; 6/28/16, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council closed the public hearing and adopted the ordinance for rezoning property on Potomac Avenue, Potomac Greens Drive and Carpenter Road. The voting was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper and Councilman Smedberg; Opposed, none.

The ordinance reads as follows:

ORDINANCE NO. 5032

AN ORDINANCE to amend and reordain Sheet No. 025.02 and 025.04 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES), of the City of Alexandria Zoning Ordinance, by rezoning portions of the property at 2501, 2504, and 2901 Potomac Avenue; 1702 and 1880 Potomac Greens Drive; and 700 Carpenter Road from CDD#10/Coordinated Development District 10 to UT/Utilities and Transportation Zone with Proffer in accordance with the said zoning map amendment heretofore approved by city council on June 16, 2016 as Rezoning No. 2016-0001.

WHEREAS, the City Council finds and determines that:

1. In Rezoning No. 2016-0001 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 June 7, 2016 of a rezoning portions of the property at 2501, 2504, and 2901 Potomac Avenue; 1702 and 1880 Potomac Greens Drive; and 700 Carpenter Road from CDD#10/Coordinated Development District #10 to UT/Utilities and Transportation Zone with Proffer, which recommendation was approved by the City Council at public hearing on June 16, 2016;

2. The said rezoning is in conformity with the Master Plan of the City of Alexandria, Virginia, as amended;

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 Sheet No. 025.02 and 025.04 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 of the City of Alexandria Zoning Ordinance, be, and the same hereby is, amended by changing the zoning classification of the property described on the Legal Description labeled Exhibit 1 and the Plat labeled Exhibit 2A both attached hereto and incorporated herein by this reference from CDD#10/Coordinated Development District #10 to UT/Utilities and Transportation Zone with the proffers as stated in the proffer statement titled Proffer Statement City of Alexandria, Virginia and Washington Metropolitan Area Transit Authority dated May 26, 2016 labeled as Exhibit 3 and attached hereto and incorporated herein by this reference.

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

Section 3. That Sheet No. 025.02 and 025.04 of the "Official Zoning Map, Alexandria, Virginia," as so amended, 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.

15. Public Hearing, Second Reading and Final Passage of an Ordinance to Amend and Reordain Section 5-602 (Coordinated Development Districts Created, Consistency With Master Plan, Required Approvals) of Section 5-600 (CDD/Coordinated Development District) of Article V (Mixed Use Zones) of the City of Alexandria Zoning Ordinance, in Accordance With the Text Amendment Heretofore Approved By City Council as Text Amendment No. 2016-0006 if Approved by City Council on June 18, 2016. [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 6/28/16, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 15; 6/28/16, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council closed the public hearing and adopted the ordinance for coordinated development districts, mixed use zones, to add public schools to the list of uses in CDD #4 with a CDD special use permit. The voting was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper and Councilman Smedberg; Opposed, none.

The ordinance reads as follows:

ORDINANCE NO. 5033

AN ORDINANCE to amend and reordain Section 5-602 (Coordinated development districts created, consistency with master plan, required approvals) of Section 5-600 (CDD/Coordinated Development District) of Article V (Mixed Use Zones) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2016-0006.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2016-0006, 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 June 9, 2016 of a text amendment to the Zoning Ordinance to add the public school use to CDD #4, which recommendation was approved by the City Council at public hearing on June 18, 2016;

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 5-602(A) of the Zoning Ordinance be, and the same hereby is, amended by adding the language shown in underline below to CDD #4, Winkler Tract under With a CDD Special Use Permit, Uses:

Existing uses, office or mixed use including office, retail service, public schools, and residential

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

Section 3. That Section 5-602, 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.

16. Public Hearing, Second Reading and Final Passage of an Ordinance to Amend and Reordain Section 7-1101 (Restriction on Parking Trailers in any zone) of Section 7-1100 (Parking Trailers and Recreational Vehicles) of Article VII (Supplemental Zone Regulations) and Section 11-513 (Administrative Special Use Permits) of Section 11-500 (Special Use Permits) of Article XI (Development Approvals and Procedures) of the City of Alexandria Zoning Ordinance, in Accordance With the Text Amendment Heretofore Approved By City Council as Text Amendment No. 2016-0005 If Approved By City Council on June 18, 2016. [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 6/28/16, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 16; 6/28/16, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council closed the public hearing and adopted the ordinance on restriction on parking trailers and recreational vehicles to allow classroom trailers at public schools with an administrative special use permit. The voting was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper and Councilman Smedberg; Opposed, none.

The ordinance reads as follows:

ORDINANCE NO. 5034

AN ORDINANCE to amend and reordain Section 7-1101 (Restriction on Parking Trailers in any zone) of Section 7-1100 (Parking trailers and recreational vehicles) of Article VII (Supplemental Zone Regulations) and Section 11-513 (Administrative Special Use Permits) of Section 11-500 (Special Use Permits) of Article XI (Development Approvals and Procedures) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2016-0005.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2016-0005, 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 June 9, 2016 of a text amendment to the Zoning Ordinance to allow classroom trailers at public schools with an administrative Special Use

Permit, which recommendation was approved by the City Council at public hearing on June 18, 2016;

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 7-1101 of the Zoning Ordinance be, and the same hereby is, amended by adding the new language shown in underline below:

7-1101 - Restrictions on parking trailers in any zone.

The parking of a trailer in any zone is hereby prohibited with the following exceptions:

- (A) One trailer may be parked or stored in a lawful, enclosed garage, provided that no living quarters or business premises shall be maintained in such trailer.
- (B) Trailers used as contractors' offices or equipment sheds may be parked on the site of an active construction project for the duration of construction authorized by an approved building permit.
- (C) Trailers used for temporary nonresidential purposes such as classrooms, banks, offices, or similar activities may be parked on a lot provided approval of a special use permit has first been obtained, except that a special use permit for trailers used for school related activities in any zone where public schools are a permitted use and in conjunction with an ACPS school may be approved administratively subject to section 11-513 of this ordinance.

Section 2. That Section 11-513 of the Zoning Ordinance be, and the same hereby is, amended by adding the new language shown in underline below:

(U) Specific standards for trailers at public schools

- (1) The administrative special use permit approval shall expire five years from the date of approval;
- (2) All classroom trailers shall be located so as to reduce visibility from public rights-of-way and from nearby residentially zoned properties, and the design for trailers shall be compatible with applicable historic district and/or Master Plan design guidelines to the satisfaction of the Director of Planning and Zoning;
- (3) Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line;
- (4) Parking and circulation must be to the satisfaction of the Director of Transportation and Environmental Services;
- (5) Impacts to parking that meets recreational needs during non-school hours should be minimized; and
- (6) Trailers shall not be used for storage purposes.

Section 3. That the director of planning and zoning be, and hereby is, directed to record the foregoing text amendment.

Section 4. That Sections 7-1101 and 11-513, as amended pursuant to Section 1 and Section 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.

17. Public Hearing, Second Reading and Final Passage of an Ordinance to Amend and Reordain Article II (Definitions), Article III (residential Zone Regulations), Article IV (Commercial Zone Regulations), Article V(Mixed Use Zones), Article VI (Special and Overlay Zones), Article VII (Supplemental Zone Regulations), Article XI (Development Approvals and Procedures) of the City of Alexandria Zoning Ordinance, in Accordance With the Text Amendment Heretofore Approved By City Council as Text Amendment No. 2016-0004 if Approved by City Council on June 18, 2016. [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 6/28/16, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 17; 6/28/16, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried 6-1 by roll-call vote, City Council closed the public hearing and adopted the ordinance to allow administrative review of special use permit for certain uses. The voting was as follows: In favor, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper and Councilman Smedberg; Opposed, Mayor Silberberg.

The ordinance reads as follows:

ORDINANCE NO. 5035

AN ORDINANCE to amend and reordain Article II (Definitions), Article III (residential Zone Regulations), Article IV (Commercial Zone Regulations), Article V(Mixed Use Zones), Article VI (Special and Overlay Zones), Article VII (Supplemental Zone Regulations), Article XI (Development Approvals and Procedures) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2016-0004.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2016-0004, 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 June 9, 2016 of a text amendment to the Zoning Ordinance to allow administrative review of Special Use Permits for certain uses requiring a hearing; allow certain uses requiring a Special Use Permit to be permitted by-right; update various use categories and definitions to clarify and identify certain uses; amend the criteria for Minor Amendment and Outdoor Dining administrative review of Special Use Permits; and various technical corrections., which recommendation was approved by the City Council at public hearing on June 18, 2016;

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 Articles II, III, IV, V, VI, VII, and XI of the Zoning Ordinance be, and the same hereby are, amended by deleting language shown below in strikethrough and adding language shown in underline:

Article II. DEFINITIONS

Section 2-100 Definitions

2-112.1 - Animal Care Facility

A place where common household pets are cared for, such as a grooming, training, and temporary boarding facilities, veterinary/ animal hospitals, but not including businesses that meet the definition of animal shelter.

2-112.2 - Animal Shelter.

Any place designated to provide for the temporary accommodation of four or more common household pets which are stray or abandoned by their owners.

2-115 - Automobile repair, general.

Service and repair of motor vehicles including painting, ~~upholstering, rebuilding, reconditioning,~~ body and fender work, frame straightening, undercoating, ~~engine or transmission rebuilding or replacement,~~ tire retreading or recapping, and the like.

2-116 - Automobile repair, light.

~~Minor~~ Service and repair work ~~to~~ of automobiles or light trucks including tune up, lubrication, alignment, fuel system, brakes, mufflers, upholstering, engine or transmission including rebuilding or replacement, and replacement of small items but not to include general automobile repair services.

2-127 - Child care home.

A private family home which offers care, protection and supervision to no more than a total of nine children at a time under 44 12 years of age during any 24 hour period and then only for part of the 24 hour day.

2-163 – ~~Reserved. Kennel.~~

~~Any lot or premises on which four or more dogs, more than four months of age, are kept or maintained for any purpose.~~

2-173 – Manufacturing.

Assembly, processing, fabrication or manufacture of the following products:

~~Bakery goods, candy, ice cream and other~~ Food and beverage products, but not including the processing of sauerkraut, vinegar and yeast (other than in baked goods or brewing), the growing of mushrooms or the rendering of fats and oils;

Furniture, metal and wood;

Ice;

Metal and rubber stamps, stencils, badges, jewelry, toys and novelties;

Musical instruments;

Office equipment;

Photographic equipment, excluding film;

Pottery, figurines and other ceramic products using previously ground or treated minerals and earths;

Professional and scientific instruments;

Small appliances; and

Wood products, excluding products obtained by distillation.

2-183 - Personal service establishment.

A store or shop providing personal, financial, technical or repair services, assistance or advice to individual consumers, including but not limited to:

Arts and crafts studios or stores;

Appliance repair and rental;

Banks, savings and loans, and credit unions;

Bicycle repair;

Barbershops and beauty shops;

Contractors' offices, without accessory storage;

Dressmakers and tailors;

Dry-cleaning and laundry pickup stations;

Laundromat;

Locksmiths;

Musical instrument repair;

Optical center;

Pawnshops;

Private school, academic ~~or commercial~~, with a maximum of 20 students on the premises at any one time;

Professional photographer's studios;

Shoe repair;

Furniture upholstering shops;

Watch repair;

Printing and photocopy service;

Personal service establishments do not include, as either a primary or accessory use, automobile oriented uses; the sale, rental, storage, service or repair of any motor vehicles, including automobiles, trucks, buses, trailers, recreational vehicles and motorcycles; or any use separately listed in a zone.

2-191 - Retail shopping establishment.

A store or shop engaged in the sale of commodities or goods to individual consumers for personal use rather than for resale, including but not limited to:

Antique and secondhand articles;
Appliances;
Art galleries, commercial;
Art supplies;
Auto parts without service or installation on premises;
~~Bakeries (limited to a maximum of 3,500 square feet);~~
Books;
Candy;
Clothing, clothing accessories and dry goods;
Department stores;
Drugstores;
Floor coverings;
Florists;
Food and beverage production (limited to a maximum of 3,500 square feet);
Furniture;
Groceries;
Hardware, paint and wallpaper;
Household goods;
Jewelry, leather goods and luggage;
Lawn and garden supplies;
Musical instruments;
Photographic equipment and supplies;
Sporting goods;
Tobacco;
Toys;
Variety goods;
Video rental and sales;

Retail shopping establishments do not include, as either a primary or accessory use, automobile oriented uses; the sale, rental, storage, service or repair of any motor vehicles, including automobiles, trucks, buses, trailers, recreational vehicles and motorcycles; catering operations; or any use separately listed in a zone.

2-201.1 - Veterinary/ Animal Hospital.

A type of animal care facility where common household pets are provided with preventative care and/or are treated for illness, injury, or disease, but does not include animal shelters.

2-201.42 - 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.

Article III. RESIDENTIAL ZONE REGULATIONS

Division A. Single Family and Two-Family Zones

Section 3-100 R-20/Single-family zone.

3-102.1 - Administrative special uses.

The following uses may be allowed in the R-20 zone with administrative approval pursuant to section 11-513 of this ordinance:

(A) Day care center within a church or school building;

(B) Child or elder care home, other than pursuant to section 3-102.

Section 3-200 R-12/Single-family zone.

3-202.1 - Administrative special uses.

The following uses may be allowed in the R-12 zone with administrative approval pursuant to section 11-513 of this ordinance:

(A) Day care center within a church or school building;

(B) Child or elder care home, other than pursuant to section 3-202.

Section 3-300 R-8/Single-family zone.

3-302.1 - Administrative special uses.

The following uses may be allowed in the R-8 zone with administrative approval pursuant to section 11-513 of this ordinance:

(A) Day care center within a church or school building;

(B) Child or elder care home, other than pursuant to section 3-302.

Section 3-400 R-5/Single-family zone.

3-402.1 - Administrative special uses.

The following uses may be allowed in the R-5 zone with administrative approval pursuant to section 11-513 of this ordinance:

(A) Day care center within a church or school building;

(B) Child or elder care home, other than pursuant to section 3-402.

Section 3-500 R-2-5/Single-family and two-family zone.

3-502.1 - Administrative special uses.

The following uses may be allowed in the R-2-5 zone with administrative approval pursuant to section 11-513 of this ordinance:

(A) Day care center within a church or school building;

(B) Child or elder care home, other than pursuant to section 3-502.

Division B. Townhouse and Multifamily Zones

Section 3-600 RA/Multifamily zone.

3-602.1 - Administrative special uses.

The following uses may be allowed in the RA zone with administrative approval pursuant to section 11-513 of this ordinance:

- (A) Day care center within a church or school building;
- (B) Child or elder care home, other than pursuant to section 3-602.

Section 3-700 RB/Townhouse zone.

3-702.1 - Administrative special uses.

The following uses may be allowed in the RB zone with administrative approval pursuant to section 11-513 of this ordinance:

- (A) Day care center within a church or school building;
- (B) Child or elder care home, other than pursuant to section 3-702.

Section 3-800 RCX/Medium density apartment zone.

3-802.1 - Administrative special uses.

The following uses may be allowed in the RCX zone with administrative approval pursuant to section 11-513 of this ordinance:

- (A) Day care center within a church or school building;
- (B) Child or elder care home, other than pursuant to section 3-802.

Section 3-900 RC/High density apartment zone.

3-902.1 - Administrative special uses.

The following uses may be allowed in the RC zone with administrative approval pursuant to section 11-513 of this ordinance:

- (A) Day care center within a church or school building;
- (B) Child or elder care home, other than pursuant to section 3-902.

Section 3-1100 RM/Townhouse zone.

3-1102.1 - Administrative special uses.

The following uses may be allowed in the RM zone with administrative approval pursuant to section 11-513 of this ordinance:

- (A) Day care center within a church or school building;
- (B) Child or elder care home, other than pursuant to section 3-1102.

Section 3-1200 RS/ Townhouse zone.

3-1202.1 - Administrative special uses.

The following uses may be allowed in the RS zone with administrative approval pursuant to section 11-513 of this ordinance:

- (A) Child or elder care home, other than pursuant to section 3-1202.

Section 3-1300 RT/ Townhouse zone.

3-1302.1 - Administrative special uses.

The following uses may be allowed in the RT zone with administrative approval pursuant to section 11-513 of this ordinance:

(A) Child or elder care home, other than pursuant to section 3-1302.

Article IV. COMMERCIAL ZONE REGULATIONS

Section 4-100 CL/Commercial low zone.

4-102 - Permitted uses.

The following uses are permitted in the CL zone:

(A) Single-family dwelling;

(A.1) Two-family dwelling;

(A.2) Townhouse dwelling;

(B) Multifamily dwelling;

(C) Animal care facility with no overnight accommodation;

(C.1) Business and professional office;

(D) Cemetery;

(E) Church;

(E.1) Day care center;

(F) Medical laboratory;

(G) Medical office;

(G.1) Motor vehicle parking or storage for 20 vehicles or fewer;

(H) Personal service establishment;

(I) Private school, commercial; ~~Pet supplies, grooming and training, with no overnight accommodation;~~

(J) Public school;

(J.1) Restaurant located within a shopping center;

(K) Retail shopping establishment, up to 20,000 gross square feet;

(L) Seminary, convent or monastery;

(M) Utilities, as permitted by section 7-1200;

(N) Accessory uses, as permitted by section 7-100.

4-102.1 - Administrative special uses.

The following uses may be allowed in the CL zone with administrative approval, subject to section 11-513 of this ordinance:

(A) Animal care facility with overnight accommodation if located in a shopping center;

(A.1) Health and athletic club;

(A.2) Restaurant;

(B) Massage establishment;

(C) Outdoor garden center;

(D) Outdoor food and crafts market;

(E) Outdoor dining;

(F) Reserved; ~~Overnight pet boarding if located in a shopping center;~~

(G) Valet parking.

4-103 - Special uses.

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

- (A) Animal care facility with overnight accommodation, other than pursuant to section 4-102.1;
- (A.1) Bus shelter on private property;
- (B) Congregate housing facility;
- (C.1) Day labor agency;
- (D) Reserved;
- (E) Fraternal or private club;
- (F) Funeral home;
- (F.1) Health and athletic club, other than pursuant to section 4-102.1(A.1);
- (G) Home for the elderly;
- (H) Motor vehicle parking or storage for more than 20 vehicles;
- (I) Reserved;
- (J) Nursing or convalescent home or hospice;
- (J.1) Outdoor food and crafts market, other than pursuant to section 4-102.1;
- (J.2) Outdoor garden center, other than pursuant to section 4-102.1;
- ~~(J.3) Overnight pet boarding, other than pursuant to section 4-102.1;~~
- (K) Private school, academic or commercial, with more than 20 students on the premises at any one time;
- (L) Public building;
- (M) Restaurant, other than pursuant to section 4-102(J.1) or 4-102.1;
- (M.1) Retail shopping establishment, larger than 20,000 gross square feet;
- (N) Rooming house;
- (O) Social service use.

4-107 - Use limitations.

(D) Manufacturing, processing and assembly uses are prohibited except for the fabrication of art and craft objects, baked goods food and beverage production, printing, woodworking, eyeglass lenses and other similar uses when conducted solely to produce items for retail sale on the premises.

Section 4-200 CC/Commercial community zone.

4-202 - Permitted uses.

The following uses are permitted in the CC zone:

- (A) Single-family dwelling;
- (A.1) Two-family dwelling;
- (A.2) Townhouse dwelling;
- (B) Multifamily dwelling;
- (C) Animal care facility with no overnight accommodation;
- (C.1) Business and professional office;
- (D) Cemetery;
- (E) Church;
- (E.1) Day care center;
- (F) Medical laboratory;
- (G) Medical office;
- (G.1) Motor vehicle parking or storage for 20 vehicles or fewer;
- (H) Personal service establishment;
- (H.1) Private school, commercial; ~~Pet supplies, grooming and training business with no overnight accommodation;~~

- (I) Public school;
- (I.1) Restaurant located within a shopping center or hotel;
- (J) Retail shopping establishment, up to 20,000 gross square feet;
- (K) Seminary, convent or monastery;
- (L) Utilities, as permitted by section 7-1200;
- (M) Accessory uses, as permitted by section 7-100.

4-202.1 - Administrative special uses.

The following uses may be allowed in the CC zone with administrative approval, subject to section 11-513 of this ordinance:

(A) Animal care facility with overnight accommodation, if located in a shopping center;

(A.1) Health and athletic club;

(A.2) Restaurant;

- (B) Massage establishment;
- (C) Outdoor garden center;
- (D) Outdoor food and crafts market;
- (E) Outdoor dining;
- (F) Reserved; ~~Overnight pet boarding if located in a shopping center;~~
- (G) Valet parking.

4-203 - Special uses.

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

(A) Animal care facility with overnight accommodation, other than pursuant to section 4-202.1;

(A.1) Automobile service station;

- (B) Bus shelter on private property;
- (C) Congregate housing facility;
- (D) Convenience store;
- (E) Reserved;
- (F) Reserved;
- (G) Drive through facility;
- (H) Fraternal or private club;
- (I) Funeral home;
- (I.1) Health and athletic club, other than pursuant to section 4-202.1(A.1);

(J) Home for the elderly;

(K) Light automobile repair;

(L) Motor vehicle parking or storage for more than 20 vehicles;

(M) Reserved;

(N) Nursing or convalescent home or hospice;

(N.1) Outdoor food and crafts market, other than pursuant to section 4-202.1;

(N.2) Outdoor garden center, other than pursuant to section 4-202.1;

(O) Reserved; ~~Overnight pet boarding, other than pursuant to section 4-202.1;~~

(P) Private school, academic or commercial, with more than 20 students at any one time;

(Q) Public building;

(R) Restaurant, other than pursuant to section 4-202(I.1) or 4-202.1;

(R.1) Retail shopping establishment, larger than 20,000 gross square feet;

(S) Rooming house;

(T) Social service use.

4-207 - Use limitations.

(D) Manufacturing, processing and assembly uses are prohibited except for the fabrication of art and craft objects, ~~baked goods~~ food and beverage production, printing, woodworking, eyeglass lenses and other similar uses when conducted solely to produce items for retail sale on the premises.

Section 4-300 CSL/Commercial service low zone.

4-302 - Permitted uses.

The following uses are permitted in the CSL zone:

- (A) Single-family dwelling;
- (A.1) Two-family dwelling;
- (A.2) Townhouse dwelling;
- (B) Multifamily dwelling;
- (C) Animal care facility with no overnight accommodation;
- (C.1) Business and professional office;
- (D) Cemetery;
- (E) Church;
- (E.1) Day care center;
- (F) Medical laboratory;
- (G) Medical office;
- (G.1) Motor vehicle parking or storage for 20 vehicles or fewer;
- (H) Personal service establishment;
- (H.1) Private school, commercial; ~~Pet supplies, grooming and training business with no overnight accommodation;~~
- (I) Public school;
- (J) Retail shopping establishment, up to 20,000 gross square feet;
- (J.1) Restaurant located within a shopping center or hotel;
- (K) Seminary, convent or monastery;
- (L) Utilities, as permitted by section 7-1200;
- (M) Accessory uses, as permitted by section 7-100.

4-302.1 - Administrative special uses.

The following uses may be allowed in the CSL zone with administrative approval, subject to section 11-513 of this ordinance:

- (A) Animal care facility with overnight accommodation, if located in a shopping center;
- (A.1) Health and athletic club;
- (A.2) Restaurant;
- (B) Massage establishment;
- (C) Outdoor garden center;
- (D) Outdoor food and crafts market;
- (E) Outdoor dining;
- (F) Reserved; ~~Overnight pet boarding if located in a shopping center;~~
- (G) Valet parking.

4-303 - Special uses.

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

- (A) Animal care facility with overnight accommodation, other than pursuant to 4-302.1;
- (A.1) Automobile service station;
- (B) Automobile and trailer rental or sales area;

- (B.1) ~~Bakery~~ Food and beverage production exceeding 3,500 square feet, which includes a retail component;
- (C) Building materials storage and sales;
- (D) Bus shelter on private property;
- (E) Catering operation;
- (F) Congregate housing facility;
- (G) Convenience store;
- (H) Reserved;
- (H.1) Day labor agency;
- (I) Reserved;
- (J) Drive through facility;
- (K) Fraternal or private club;
- (L) Funeral home;
- (M) Glass shop;
- (M.1) Health and athletic club, other than pursuant to section 4-302.1(A.1);
- (N) Home for the elderly;
- (O) Laundry, dry cleaning operation;
- (O.1) Light assembly, service and crafts;
- (P) Light automobile repair;
- (Q) Motor vehicle parking or storage for more than 20 vehicles;
- (R) Reserved;
- (S) Nursing or convalescent home or hospice;
- (S.1) Outdoor food and crafts market, other than pursuant to section 4-302.1;
- (S.2) Outdoor garden center, other than pursuant to section 4-302.1;
- ~~(S.3) Overnight pet boarding, other than pursuant to section 4-302.1;~~
- (T) Parcel delivery;
- (U) Reserved;
- (V) Private school, academic or commercial, with more than 20 students on the premises at any one time;
- (W) Public building;
- (X) Research and testing laboratory;
- (Y) Restaurant, other than pursuant to section 4-302(J.1) or 4-302.1;
- (Y.1) Retail shopping establishment, larger than 20,000 gross square feet;
- (Z) Rooming house;
- (AA) Social service use;
- (BB) Storage buildings and warehouses, not to include freight distribution centers;
- (CC) Wholesale business.

Section 4-400 CG/Commercial general zone.

4-402 - Permitted uses.

The following uses are permitted in the CG zone:

- (A) Single-family dwelling;
- (A.1) Two-family dwelling;
- (A.2) Townhouse dwelling;
- (B) Multifamily dwelling;
- (C) Animal care facility with no overnight accommodation;
- (C.1) Business and professional office;
- (D) Cemetery;

- (E) Church;
- (E.1) Convenience store within an office complex;
- (E.2) Day care center;
- (E.3) Health and athletic club located within a shopping center, hotel or office complex;
- (F) Medical laboratory;
- (G) Medical office;
- (H) Motor vehicle parking or storage for 20 vehicles or fewer;
- (H.1) Private school, commercial; ~~Pet supplies, grooming, training and medical treatment with no overnight accommodation;~~
- (I) Personal service establishment;
- (J) Public school;
- (J.1) Restaurant located within a shopping center or hotel;
- (K) Retail shopping establishment, up to 20,000 gross square feet;
- (L) Seminary, convent or monastery;
- (M) Utilities, as permitted by section 7-1200;
- (N) Accessory uses, as permitted by section 7-100.

4-402.1 - Administrative special uses. The following uses may be allowed in the CG zone with administrative approval, subject to section 11-513 of this ordinance:

(A) Animal care facility with overnight accommodation if located in a shopping center;

(A.1) Restaurant;

(A.2) Health and athletic club, other than pursuant to section 4-402(E.3);

- (B) Massage establishment;
- (C) Outdoor garden center;
- (D) Outdoor food and crafts market;
- (E) Outdoor dining;
- (F) ~~Reserved; Overnight pet boarding if located in a shopping center;~~
- (G) Valet parking.

4-403 - Special uses.

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

(A) Amusement enterprise;

(B) Animal care facility with overnight accommodation, other than pursuant to section 4-402.1;

(B.1) Apartment hotel;

- (C) Automobile service station;
- (D) Automobile and trailer rental or sales area;
- (D.1) ~~Bakery~~ Food and beverage production exceeding 3,500 square feet, which includes a retail component;
- (E) Bus shelter on private property;
- (F) Congregate housing facility;
- (G) Convenience store, other than pursuant to section 4-402(E.1);
- (H) Reserved;
- (H.1) Day labor agency;
- (I) Reserved;
- (J) Drive through facility;
- (K) Fraternal or private club;
- (L) Funeral home;
- (M) Health and athletic club, other than pursuant to section 4-402(E.3) or 4-402.1(A.2);
- (N) Home for the elderly;
- (O) Hospital;

- (P) Hotel;
- (Q) Laundry, dry cleaning operation;
- (R) Light automobile repair;
- (S) Medical care facility;
- (T) Motor vehicle parking or storage for more than 20 vehicles;
- (U) Reserved;
- (V) Nursing or convalescent home or hospice;
- (V.1) Outdoor food and crafts market, other than pursuant to section 4-402.1;
- (V.2) Outdoor garden center, other than pursuant to section 4-402.1;
- ~~(V.3) Overnight pet boarding, other than pursuant to section 4-402.1;~~
- (W) Private school, academic or commercial, with more than 20 students on the premises at any one time;
- (X) Public building;
- (Y) Restaurant, other than pursuant to section 4-402(J.1) or 4-402.1;
- (Y.1) Retail shopping establishment, larger than 20,000 gross square feet;
- (Z) Rooming house;
- (AA) Social service use.

Section 4-500 CD/Commercial downtown zone.

4-502 - Permitted uses.

The following uses are permitted in the CD zone:

- (A) Single-family dwelling;
- (A.1) Two-family dwelling;
- (A.2) Townhouse dwelling;
- (B) Multifamily dwelling;
- (C) Animal care facility with no overnight accommodation
- (C.1) Business and professional office;
- (D) Cemetery;
- (E) Church;
- (F) City sponsored farmers' market;
- (F.1) Day care center;
- (G) Medical laboratory;
- (H) Medical office;
- (H.1) Motor vehicle parking or storage for 20 vehicles or fewer;
- (I) Personal service establishment;
- (J) Private school, commercial; ~~Pet supplies, grooming and training business, with no overnight accommodation;~~
- (K) Public school;
- (L) Radio or TV broadcasting office and studio;
- (L.1) Reserved;
- (M) Retail shopping establishment, up to 20,000 gross square feet;
- (N) Seminary, convent or monastery;
- (O) Utilities, as permitted by section 7-1200;
- (P) Accessory uses, as permitted by section 7-100.

4-502.1 - Administrative special uses.

The following uses may be allowed in the CD zone with administrative approval, subject to section 11-513 of this ordinance:

- (A) Animal care facility with overnight accommodation if located in a shopping center;

(A.1)Health and athletic club;

(A.2)Massage establishment;

(B) Outdoor garden center;

(C) Outdoor food and crafts market;

(D) Outdoor dining (beyond the boundaries of the King Street Outdoor Dining Zone);

(E) Restaurant; Overnight pet boarding if located in a shopping center;

(F) Valet parking.

4-503 - Special uses.

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

(A) Amusement enterprise;

(A.1)Animal care facility with overnight accommodation, other than pursuant to section 4-502.1;

(B) Apartment hotel;

(B.1) ~~Bakery~~ Food and beverage production exceeding 3,500 square feet, which includes a retail component;

(C) Bed and breakfast accommodation, as permitted by section 7-400;

(D) Bus shelter on private property;

(E) Catering operation;

(F) Congregate housing facility;

(G) Reserved;

(G.1)Day labor agency;

(H) Reserved;

(H.1)Drive through facility, limited to banks, savings and loan institutions and credit unions on Washington Street; provided, that access to the drive through facility is solely provided on the exclusive property of the bank, savings and loan institution or credit union offering the drive through facility;

(I) Fraternal or private club;

(J) Funeral home;

(K) Health and athletic club, other than pursuant to section 4-502.1(A.1);

(L) Home for the elderly;

(M) Homeless shelter;

(N) Hospital;

(O) Hotel;

(P) Medical care facility;

(Q) Motor vehicle parking or storage for more than 20 vehicles;

(R) Newspaper office, including printing and publishing facilities;

(S) Reserved;

(T) Nursing or convalescent home or hospice;

(T.1)Outdoor food and crafts market, other than pursuant to section 4-502.1;

(T.2)Outdoor garden center, other than pursuant to section 4-502.1;

~~(T.3)Overnight pet boarding, other than pursuant to section 4-502.1;~~

(U) Private school, ~~commercial or academic~~, with more than 20 students on the premises at any one time;

(V) Public building;

(W) Restaurant, other than pursuant to section 4-502.1;

(W.1)Retail shopping establishment, larger than 20,000 gross square feet;

(X) Rooming house;

(Y) Social service use;

(Z) Tourist home;

(AA) Wholesale business.

Section 4-600 CD-X/Commercial downtown zone (Old Town North).

4-602 - Permitted uses.

- (A) Single-family dwelling;
- (A.1) Two-family dwelling;
- (A.2) Townhouse dwelling;
- (B) Multifamily dwelling;
- (C) Animal care facility with no overnight accommodation;
- (C.1) Business and professional office;
- (D) Church;
- (D.1) Day care center;
- (E) Medical laboratory;
- (F) Medical office;
- (F.1) Motor vehicle parking or storage for 20 vehicles or fewer;
- (G) Personal service establishment;
- (H) Private school, commercial; ~~Pet supplies, grooming and training business, with no overnight accommodation;~~
- (I) Public school;
- (J) Radio or TV broadcasting facility;
- (K) Retail shopping establishment, up to 20,000 gross square feet;
- (K.1) Restaurant located within a shopping center or hotel;
- (L) Seminary, convent or monastery;
- (M) Utilities, as permitted by section 7-1200;
- (N) Accessory uses, as permitted by section 7-100.

4-602.1 - Administrative special uses.

The following uses may be allowed in the CD-X zone with administrative approval, subject to section 11-513 of this ordinance:

- (A) Animal care facility with overnight accommodation if located in a shopping center;
- (A.1) Health and athletic club;
- (A.2) Restaurant;
- (B) Massage establishment;
- (C) Outdoor garden center;
- (D) Outdoor food and crafts market;
- (E) Outdoor dining;
- ~~(F) Overnight pet boarding if located in a shopping center;~~
- (G) Valet parking.

4-603 - Special uses.

- (A) Amusement enterprise;
- (A.1) Animal care facility with overnight accommodation, other than pursuant to section 4-602.1;
- (B) Apartment hotel;
- (B.1) Bakery Food and beverage production exceeding 3,500 square feet, which includes a retail component;
- (C) Bus shelter on private property;
- (D) Catering operation;

- (E) Congregate housing facility;
- (F) Reserved;
- (F.1) Day labor agency;
- (G) Reserved;
- (H) Fraternal or private club;
- (I) Funeral home;
- (J) Health and athletic club, other than pursuant to section 4-602.1(A.1);
- (K) Home for the elderly;
- (L) Homeless shelter;
- (M) Hospital;
- (N) Hotel;
- (O) Medical care facility;
- (O.1) Motor vehicle parking or storage for more than 20 vehicles;
- (P) Newspaper office, including printing and publishing facilities;
- (Q) Reserved;
- (R) Nursing or convalescent home or hospice;
- (R.1) Outdoor food and crafts market, other than pursuant to section 4-602.1;
- (R.2) Outdoor garden center, other than pursuant to section 4-602.1;
- ~~(R.3) Overnight pet boarding, other than pursuant to section 4-602.1;~~
- (S) Private school, ~~commercial or~~ academic, with more than 20 students on the premises at any one time;
- (T) Public building;
- (U) Restaurant, other than pursuant to section 4-602(K-1) or 4-602.1;
- (U.1) Retail shopping establishment, larger than 20,000 gross square feet;
- (V) Rooming house;
- (W) Social service use;
- (X) Tourist home;
- (Y) Wholesale business.

Section 4-700 CR/Commercial regional zone.

4-702 - Permitted uses.

The following uses are permitted in the CR zone:

- (A) Amusement enterprise;
- (A.1) Animal care facility with no overnight accommodation;
- (A.2) Day care center;
- (B) Health and athletic club;
- (C) Light auto repair or drive through facility located in a freestanding building not part of an integrated and connected complex of structures;
- (D) Motor vehicle parking or storage;
- (E) Personal service establishment;
- ~~(E.1) Reserved; Pets supplies, grooming and training business with no overnight accommodation;~~
- (E.2) Private school, commercial;
- (E.3) Public school;
- (F) Restaurant;
- (G) Retail shopping establishment;
- (H) Utilities, as permitted by section 7-1200;
- (I) Accessory uses, as permitted by section 7-100.

4-702.1 - Administrative special uses.

The following uses may be allowed in the CR zone with administrative approval, subject to section 11-513 of this ordinance:

- (A) ~~Reserved;~~ Animal care facility with overnight accommodation if located in a shopping center;
- (B) Massage establishment;
- (C) Outdoor garden center;
- (D) Outdoor food and crafts market;
- (E) Outdoor dining;
- (F) ~~Reserved; Overnight pet boarding if located in a shopping center;~~
- (G) Valet parking.

4-703 - Special uses.

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

- (A) Automobile service station;
- (A.1) Animal care facility with overnight accommodation, other than pursuant to section 4-702.1;
- (A.2) ~~Bakery~~ Food and beverage production exceeding 3,500 square feet, which includes a retail component;
- (B) Bus shelter on private property;
- (C) Reserved;
- (D) Reserved;
- (E) Drive through facility;
- (F) Hotel;
- (G) Interstate bus station;
- (H) Light automobile repair;
- (I) Reserved;
- (J) ~~Reserved; Overnight pet boarding, other than pursuant to section 4-702.1.~~

4-707 - Use limitations. ~~[Reserved.]~~

All operations shall take place within a completely enclosed building except that a permit for the sale and/or display of plants, flowers or produce in conjunction with and on the same lot as an existing permitted use may be granted by the director and the permit shall indicate the location, size, duration and purpose of the accessory outdoor use.

Section 4-800 OC/Office commercial zone.

4-802 - Permitted uses.

The following uses are permitted in the OC zone:

- (A) Single-family dwelling;
- (A.1) Two-family dwelling;
- (A.2) Townhouse dwelling;
- (B) Multifamily dwelling;
- (C) Animal care facility with no overnight accommodation;
- (C.1) Business and professional office;
- (D) Cemetery;
- (E) Church;
- (E.1) Convenience store within an office complex;
- (E.2) Day care center;

- (E.3) Health and athletic club located within a shopping center, hotel or office complex;
- (F) Medical laboratory;
- (G) Medical office;
- (G.1) Motor vehicle parking or storage for 20 vehicles or fewer;
- (H) Personal service establishment;
- (I) ~~Private school, commercial; Pet supplies, grooming and training business with no overnight accommodation;~~
- (I.1) Public school;
- (J) Radio or TV broadcasting office and studio;
- (K) Retail shopping establishment, up to 20,000 gross square feet;
- (K.1) Restaurant located within a shopping center or hotel;
- (L) Seminary, convent or monastery;
- (M) Utilities, as permitted by section 7-1200;
- (N) Accessory uses, as permitted by section 7-100.

4-802.1 - Administrative special uses.

The following uses may be allowed in the OC zone with administrative approval, subject to section 11-513 of this ordinance:

(A) Animal care facility with overnight accommodation if located in a shopping center;

(A.1) Health and athletic club;

(A.2) Restaurant;

- (B) Massage establishment;
- (C) Outdoor garden center;
- (D) Outdoor food and crafts market;
- (E) Outdoor dining;
- (F) ~~Reserved; Overnight pet boarding if located in a shopping center;~~
- (G) Valet parking.

4-803 - Special uses.

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

(A) Amusement enterprise;

(A.1) Animal care facility with overnight accommodation, other than pursuant to section 4-802.1;

- (B) Apartment hotel;
- (C) Automobile service station;
- (C.1) ~~Bakery~~ Food and beverage production exceeding 3,500 square feet, which includes a retail component;
- (D) Bus shelter on private property;
- (E) Catering operation;
- (F) Congregate housing facility;
- (G) Convenience store other than pursuant to section 4-802(E.1);
- (H) Reserved;
- (H.1) Day labor agency;
- (I) Reserved;
- (J) Drive through facility;
- (K) Fraternal or private club;
- (L) Funeral home;
- (M) Health and athletic club, other than pursuant to section 4-802(E.3) or 4-802.1 (A.1);
- (N) Home for the elderly;
- (O) Homeless shelter;

- (P) Hospital;
- (Q) Hotel;
- (R) Interstate bus station;
- (S) Light automobile repair;
- (T) Medical care facility;
- (U) Motor vehicle parking or storage for more than 20 vehicles;
- (V) Reserved;
- (W) Nursing or convalescent home or hospice;
- (W.1) Outdoor food and crafts market other than pursuant to section 4-802.1;
- (W.2) Outdoor garden center other than pursuant to section 4-802.1;
- ~~(W.3) Overnight pet boarding, other than pursuant to section 4-802.1;~~
- (X) Private school, academic or commercial, with more than 20 students on the premises at one time;
- (Y) Public building;
- (Z) Research and testing laboratory;
- (AA) Restaurant, other than pursuant to sections 4-802(K.1) and 4-802.1;
- (AA.1) Retail shopping establishment, larger than 20,000 gross square feet;
- (BB) Rooming house;
- (CC) Social service use;
- (DD) Wholesale business.

Section 4-900 OCM(50)/Office commercial medium (50) zone.

4-902 - Permitted uses.

The following uses are permitted in the OCM(50) zone:

- (A) Single-family dwelling;
- (A.1) Two-family dwelling;
- (A.2) Townhouse dwelling;
- (B) Multifamily dwelling;
- (C) Animal care facility with no overnight accommodation;
- (C.1) Business and professional office;
- (D) Cemetery;
- (E) Church;
- (E.1) Convenience store within an office complex;
- (E.2) Day care center;
- (E.3) Health and athletic club located within a shopping center, hotel or office complex;
- (F) Medical laboratory;
- (G) Medical office;
- (G.1) Motor vehicle parking or storage for 20 vehicles or fewer;
- (H) Personal service establishment;
- (I) Private school, commercial; Pet supplies, grooming and training, with no overnight accommodation;
- (I.1) Public school;
- (J) Radio or TV broadcasting office and studio;
- (K) Retail shopping establishment, up to 20,000 gross square feet;
- (K.1) Restaurant located within a shopping center or hotel;
- (L) Seminary, convent or monastery;
- (M) Utilities, as permitted by section 7-1200;
- (N) Accessory uses, as permitted by section 7-100.

4-902.1 - Administrative special uses.

The following uses may be allowed in the OCM (50) zone with administrative approval, subject to section 11-513 of this ordinance:

(A) Animal care facility with overnight accommodation if located in a shopping center;

(A.1) Health and athletic club;

(A.2) Restaurant;

(B) Massage establishment;

(C) Outdoor garden center;

(D) Outdoor food and crafts market;

(E) Outdoor dining;

(F) Reserved; Overnight pet boarding if located in a shopping center;

(G) Valet parking.

4-903 - Special uses.

The following uses may be allowed in the OCM(50) zone pursuant to a special use permit:

(A) Amusement enterprise;

(A.1) Animal care facility with overnight accommodation, other than pursuant to section 4-902.1;

(B) Apartment hotel;

(C) Automobile service station;

(C.1) Bakery Food and beverage production exceeding 3,500 square feet, which includes a retail component;

(D) Bus shelter on private property;

(E) Catering operation;

(F) Congregate housing facility;

(G) Convenience store, other than pursuant to section 4-902(E.1);

(H) Reserved;

(H.1) Day labor agency;

(I) Reserved;

(J) Drive through facility;

(K) Fraternal or private club;

(L) Funeral home;

(M) Health and athletic club, other than pursuant to section 4-902(E.3) or 4-902.1(A.1);-

(N) Home for the elderly;

(O) Homeless shelter;

(P) Hospital;

(Q) Hotel;

(R) Interstate bus station;

(S) Light automobile repair;

(T) Medical care facility;

(U) Motor vehicle parking or storage for more than 20 vehicles;

(V) Reserved;

(W) Nursing or convalescent home or hospice;

(W.1) Outdoor food and crafts market, other than pursuant to section 4-902.1;

(W.2) Outdoor garden center, other than pursuant to section 4-902.1;

~~(W.3) Overnight pet boarding, other than pursuant to section 4-902.1;~~

(X) Private school, academic, ~~or commercial~~ with more than 20 students on the premises at any one time;

(Y) Public building;

(Z) Research and testing laboratory;

- (AA) Restaurant, other than pursuant to sections 4-902(K.1) and 4-902.1;
- (AA.1) Retail shopping establishment, larger than 20,000 gross square feet;
- (BB) Rooming house;
- (CC) Social service use;
- (DD) Wholesale business.

Section 4-1000 OCM(100)/Office commercial medium (100) zone.

4-1002 - Permitted uses.

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

- (A) Single-family dwelling, except as limited by section 4-1003(A.1);
- (A.1) Two-family dwelling, except as limited by section 4-1003(A.1);
- (A.2) Townhouse dwelling, except as limited by section 4-1003(A.1);
- (B) Multi-family dwelling, except as limited by section 4-1003 (A.1);
- (C) Animal care facility with no overnight accommodation;
- (C.1) Business and professional office;
- (D) Cemetery;
- (E) Church;
- (E.1) Convenience store within an office complex;
- (E.2) Day care center;
- (E.3) Health and athletic club located within a shopping center, hotel, industrial or flex space center or office complex;
- (F) Medical laboratory;
- (G) Medical office;
- (G.1) Motor vehicle parking or storage for 20 vehicles or fewer;
- (H) Personal service establishment;
- (I) Private school, commercial; ~~Pet supplies, grooming and training business with no overnight accommodation;~~
- (I.1) Public school;
- (J) Radio or TV broadcasting office and studio;
- (K) Retail shopping establishment, up to 20,000 gross square feet;
- (K.1) Restaurant, located within a shopping center, hotel or industrial or flex space center;
- (L) Seminary, convent or monastery;
- (M) Utilities, as permitted by section 7-1200;
- (N) Accessory uses, as permitted by section 7-100.

4-1002.1 - Administrative special uses.

The following uses may be allowed in the OCM (100) zone with administrative approval, subject to section 11-513 of this ordinance:

- (A) Animal care facility with overnight accommodation if located in a shopping center;
- (A.1) Health and athletic club;
- (A.2) Restaurant;
- (B) Massage establishment;
- (C) Outdoor garden center;
- (D) Outdoor food and crafts market;
- (E) Outdoor dining;
- (F) Reserved; Overnight pet boarding if located in a shopping center;
- (G) Valet parking;
- (H) Catering operation in an industrial or flex space center; and
- (I) Light auto repair in an industrial or flex space center.

4-1003 - Special uses.

The following uses may be allowed in the OCM (100) zone pursuant to a special use permit:

- (A) Amusement enterprise;
- (A.1) Single-family, two-family, townhouse and multi-family dwellings on lots located within 1,000 feet of the centerline of Eisenhower Avenue;
- (A.2) Animal care facility with overnight accommodation, other than pursuant to section 4-1002.1;
- (B) Apartment hotel;
- (C) Automobile service station;
- ~~(C.1) Bakery~~ Food and beverage production exceeding 3,500 square feet, which includes a retail component;
- (D) Bus shelter on private property;
- (E) Catering operation, other than pursuant to section 4-1002.1;
- (F) Congregate housing facility;
- (G) Convenience store, other than pursuant to section 4-1002(E.1);
- (H) Reserved;
- (H.1) Day labor agency;
- (I) Reserved;
- (J) Drive through facility;
- (K) Fraternal or private club;
- (L) Funeral home;
- (M) Health and athletic club, other than pursuant to section 4-1002(E.3) or 4-1002.1(A.1);-
- (N) Home for the elderly;
- (O) Homeless shelter;
- (P) Hospital;
- (Q) Hotel;
- (R) Interstate bus station;
- (S) Light automobile repair, other than pursuant to section 4-1002.1;
- (T) Medical care facility;
- (U) Motor vehicle parking or storage for more than 20 vehicles;
- (V) Reserved;
- (W) Nursing or convalescent home or hospice;
- (W.1) Outdoor food and crafts market, other than pursuant to section 4-1002.1;
- (W.2) Outdoor garden center, other than pursuant to section 4-1002.1;
- ~~(W.3) Overnight pet boarding, other than pursuant to section 4-1002.1;~~
- ~~(X) Private school, academic, or commercial with more than 20 students on the premises at any one time;~~
- (Y) Public building;
- (Z) Research and testing;
- (AA) Restaurant, other than pursuant to sections 4-1002(K.1) and 4-1002.1;
- (AA.1) Retail shopping establishment, larger than 20,000 gross square feet;
- (BB) Rooming house;
- (CC) Social service use;
- (DD) Wholesale business.

Section 4-1100 OCH/Office commercial high zone.

4-1102 - Permitted uses.

The following uses are permitted in the OCH zone:

- (A) Single-family dwelling, except as limited by section 4-1103(A.1);
- (A.1) Two-family dwelling, except as limited by section 4-1103(A.1);
- (A.2) Townhouse dwelling, except as limited by section 4-1103(A.1);
- (B) Multi-family dwelling, except as limited by section 4-1103(A.1);
- (C) Animal care facility with no overnight accommodation;
- (C.1) Business and professional office;
- (D) Cemetery;
- (E) Church;
- (E.1) Convenience store within an office complex;
- (E.2) Day care center;
- (E.3) Health and athletic club located within a shopping center, hotel, industrial or flex space building or office complex;
- (F) Hospital;
- (G) Medical care facility;
- (H) Medical laboratory;
- (I) Medical office;
- (I.1) Motor vehicle parking or storage for 20 vehicles or fewer;
- (J) Personal service establishment, on the same lot as office use;
- (K) Private school, commercial; ~~Pet supplies, grooming and training business with no overnight accommodation;~~
- (K.1) Public school;
- (L) Radio or television broadcasting office and studio;
- (L.1) Restaurant located within a shopping center or hotel;
- (M) Retail shopping establishment, on the same lot as office use, up to 20,000 gross square feet;
- (N) Seminary, convent or monastery;
- (O) Utilities, as permitted by section 7-1200;
- (P) Accessory uses, as permitted by section 7-100.

4-1102.1 - Administrative special uses.

The following uses may be allowed in the OCH zone with administrative approval, subject to section 11-513 of this ordinance:

(A) Animal care facility with overnight accommodation if located in a shopping center;

(A.1) Health and athletic club;

(A.2) Restaurant;

- (B) Massage establishment;
- (C) Outdoor garden center;
- (D) Outdoor food and crafts market;
- (E) Outdoor dining;
- (F) Reserved; ~~Overnight pet boarding if located in a shopping center;~~
- (G) Valet parking;
- (H) Catering operation in an industrial or flex space center; and
- (I) Light auto repair in an industrial or flex space center.

4-1103 - Special uses.

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

(A) Amusement enterprise;

(A.1) Single-family, two-family, townhouse and multi-family dwellings on lots located within 1,000 feet of the centerline of Eisenhower Avenue;

(A.2)Animal care facility with overnight accommodation, other than pursuant to section 4-1102.1;

- (B) Apartment hotel;
- (C) Automobile service station;
- (C.1)~~Bakery~~ Food and beverage production exceeding 3,500 square feet, which includes a retail component;
- (D) Bus shelter on private property;
- (E) Congregate housing facility;
- (F) Convenience store, other than pursuant to section 4-1102(E.1);
- (G) Reserved;
- (H) Reserved;
- (H.1)Day labor agency;
- (I) Drive through facility;
- (J) Fraternal or private club;
- (K) Funeral home;
- (L) Health and athletic club other than ~~as a permitted or administrative SUP use pursuant to section 4-1102(E.3) or 4-1102.1(A.1);~~
- (M) Home for the elderly;
- (N) Homeless shelter;
- (O) Hotel;
- (P) Interstate bus station;
- (Q) Light automobile repair;
- (R) Motor vehicle parking or storage for more than 20 vehicles;
- (S) Reserved;
- (T) Nursing or convalescent home or hospice;
- (T.1)Outdoor food and crafts market, other than pursuant to section 4-1102.1;
- (T.2)Outdoor garden center, other than pursuant to section 4-1102.1;
- ~~(T.3)Overnight pet boarding, other than pursuant to section 4-1102.1;~~
- (U) Private school, academic ~~or commercial~~, with more than 20 students on the premises at one time;
- (V) Public building;
- (W) Restaurant, other than pursuant to sections 4-1102(L.1) and 4-1102.1;
- (X) Retail shopping or personal service establishments on a lot which does not include office buildings, provided such use supports and serves office uses in the immediate zoned area;
- (X.1)Retail shopping establishment, on the same lot as office use, larger than 20,000 gross square feet;
- (Y) Rooming house;
- (Z) Social service use;
- (AA)Wholesale business.

Section 4-1200 I/Industrial zone.

4-1202 - Permitted uses.

The following uses are permitted in the I zone:

- (A)Ambulance service;
- (A.1)Animal care facility with overnight accommodation
- (B) Animal shelter ~~or kennel~~;
- (C) Automobile service station;
- (D) Bottling plant;

- (E) Building materials storage and sales;
- (F) Business or professional office;
- (G) Catering operations;
- (H) Drive through facility;
- (I) [Reserved];
- (J) Funeral home;
- (K) Glass shop;
- (L) Health and athletic club;
- (L.1) Ice and cold storage facility;
- (M) Laundry, dry cleaning operations;
- (N) Light assembly and crafts;
- (N.1) Light automobile repair;
- (O) Machine shop;
- (P) Manufacturing;
- (Q) Medical laboratory;
- (Q.1) Motor vehicle parking or storage for 20 vehicles or fewer;
- (R) Parcel delivery;
- (S) Personal service establishment;
- ~~(S.1) Pet supplies, grooming and training, with no overnight accommodation;~~
- (T) Printing and publishing facilities;
- (T.1) Private school, commercial;
- (U) Radio or television broadcasting office and studio;
- (V) Research and testing laboratory;
- (V.1) Restaurant located within a shopping center or hotel;
- (V.2) Retail shopping establishment, up to 20,000 gross square feet;
- (W) Sheet metal shop;
- (X) Stone monument works;
- (Y) Storage buildings and warehouses;
- (Z) Utilities, as permitted by section 7-1200;
- (AA) Wholesale businesses;
- (BB) Accessory uses, as permitted by section 7-100;
- (CC) Public recycling center.

4-1202.1 - Administrative special uses.

The following uses may be allowed in the I zone with administrative approval, subject to section 11-513 of this ordinance:

(A) Automobile and trailer rental or sales area;

(A.1) Restaurant;

(A.2) Day care center;

(B) Massage establishment;

(B.1) Motor vehicle parking or storage for more than 20 vehicles;

(C) Outdoor garden center;

(D) Outdoor food and crafts market;

(E) Outdoor dining;

(F) Reserved; ~~Overnight pet boarding if located in a shopping center;~~

(F.1) Private school, academic or commercial, with more than 20 students on the premises at any one time;

(G) Valet parking.

4-1203 - Special uses.

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

- (A) Asphalt plant;
- (A.1) Amusement enterprise;
- (B) Automobile and trailer rental or sales area, other than pursuant to section 4-1202.1;
- (C) Business offices other than those listed in section 4-1202(F);
- (D) Bus shelter on private property;
- (E) Concrete mixing and batching plant;
- (F) Convenience store;
- (F.1) Day labor agency;
- (G) Freight distribution center;
- (G.1) Fuel yard;
- (H) General automobile repair;
- (I) Helistop;
- (J) Homeless shelter;
- (K) Hospital;
- (L) Interstate bus station;
- (M) Junkyard;
- (N) Medical care facility;
- (O) Motor vehicle parking or storage for more than 20 vehicles, other than pursuant to section 4-1202.1;
- (P) Motor vehicle storage yard;
- (P.1) Outdoor food and crafts market, other than pursuant to section 4-1202.2;
- (P.2) Outdoor garden center, other than pursuant to section 4-1202.1;
- ~~(P.3) Overnight pet boarding, other than pursuant to section 4-1202.1;~~
- (Q) Public building;
- (R) Recycling and materials recovery facility;
- (R.1) Restaurant, other than pursuant to section 4-1202(V.1) or 4-1202.1;
- (R.2) Retail shopping establishment, larger than 20,000 gross square feet;
- (S) Stone crushing operation;
- (T) Vehicle towing service and associated impound lot;
- (U) Waste to energy plant;
- (V) Any other use not listed elsewhere in this ordinance.

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

4-1403 - Permitted uses.

In order to provide an active pedestrian-oriented retail environment along Mount Vernon Avenue, especially along the sidewalk and pedestrian way, permitted uses in the NR zone are limited as follows.

(A) Permitted ground floor uses. The following uses are permitted on the ground floor of buildings facing the sidewalk:

- (1) Retail establishment;
- (2) Personal service establishment, except banks, pawnshops, check cashing, payday loan and title loan businesses;
- (3) Banks, business and professional offices, medical laboratory or offices and laundromats, provided:
 - (a) The business facade shall be no wider than 30 feet along the street;
 - (b) No more than two such uses or entrances shall adjoin each other.
- (4) Restaurants, when located within a shopping center or hotel, or with administrative approval pursuant to section 4-1403.1;

(5) Day care center;

(6) Private school, commercial, with a maximum of 20 students on the premises at any one time.

(B) Permitted uses above the ground floor:

(1) Uses listed under section 4-1403;

(2) Dwelling unit;

(3) Office;

(4) Church.

(5) Private school, commercial with more than 20 students on the premises at any one time;

4-1403.1 - Administrative special uses.

The following uses may be allowed in the NR zone with administrative approval, subject to section 11-513 of this ordinance:

(A) Animal care facility with overnight accommodation located in a shopping center;

(A.1) Restaurant;

(B) Outdoor garden center;

(C) Outdoor food and crafts market;

(D) Reserved; Overnight pet boarding located in a shopping center;

(E) Massage establishment;

(F) Valet parking;

(G) Outdoor dining;

(H) Live theater.

4-1404 - Special uses.

The following uses may be allowed with a special use permit:

(A) Amusement enterprise;

(A.1) Animal care facility with overnight accommodation, other than pursuant to section 4-1403.1;

(B) Banks, business and professional offices, medical laboratories/offices and laundromats on the ground floor, other than pursuant section 4-1403(A);

(C) Convenience store;

(D) Reserved;

(E) Day nursery; Reserved;

(F) Fraternal or private club;

(G) Live theater, other than pursuant to section 4-1403.1;

(H) Reserved;

(I) Nursing or convalescent home or hospice;

(J) Outdoor food and crafts market, other than pursuant to section 4-1403.1;

(K) Private school, academic, with more than 20 students on the premises at one time; or commercial;

(L) Public building;

(M) Restaurant, other than pursuant to sections 4-1403(A)(4) and 4-1403.1;

(N) Townhouse dwellings, subject to the RB regulations for density, lot requirements, bulk and open space, and height and; allowed only in locations where the development of residential units will not interfere with the existing or the creation of the desired streetscape pattern of contiguous and active retail uses.

4-1407 - Parking.

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

Article V. MIXED USE ZONES

Section 5-100 CRMU-L/Commercial residential mixed use (low).

5-102 - Permitted uses.

The following uses are permitted in the CRMU-L zone:

- (A) Single-family dwelling;
- (A.1) Two-family dwelling;
- (A.2) Townhouse dwelling;
- (B) Multifamily dwelling;
- (C) Business and professional office;
- (C.1) Convenience store within an office complex;
- (C.2) Day care center;
- (C.3) Health and athletic club located within a shopping center, hotel or office complex;
- (D) Medical laboratory;
- (E) Medical office;
- (E.1) Motor vehicle parking or storage for 20 vehicles or fewer;
- (F) Personal service establishment;
- (F.1) Private school, commercial;
- (F.2) Public school;
- (G) Radio or television broadcasting office and studio;
- (G.1) Restaurant located within a shopping center or hotel;
- (H) Retail shopping establishment, up to 20,000 gross square feet;
- (I) Utilities, as permitted by section 7-1200;
- (J) Accessory uses, as permitted by section 7-100.

5-102.1 - Administrative special uses.

The following uses may be allowed in the CRMU-L zone with administrative approval, subject to section 11-513 of this ordinance:

- (A) Health and athletic club;
- (A.1) Restaurant;
- (B) Massage establishment;
- (C) Outdoor garden center;
- (D) Outdoor food and crafts market;
- (E) Outdoor dining;
- (F) Valet parking.

5-103 - Special uses.

The following uses may be approved, pursuant to the procedures and regulations for special use permits and subject to the criteria of section 5-109 below:

- (A) Amusement enterprise;
- (B) Apartment hotel;
- (B.1) Bakery Food or beverage production exceeding 3,500 square feet, which includes a retail component;
- (C) Bus shelter on private property;
- (D) Congregate housing facility;
- (E) Convenience store, other than pursuant to section 5-102(C.1);
- (F) Reserved;
- (G) Drive through facility;

- (H) Health and athletic club, other than pursuant to section 5-102(C.3) or 5-102.1(A);
- (I) Home for the elderly;
- (J) Hotel;
- (K) Motor vehicle parking or storage for more than 20 vehicles;
- (K.1) Outdoor food and crafts market, other than pursuant to section 5-102.1;
- (K.2) Outdoor garden center, other than pursuant to section 5-102.1;
- (L) Nursing or convalescent home or hospice;
- (M) Private school, academic ~~or commercial~~, with more than 20 students on the premises at one time;
- (N) Restaurant, other than pursuant to section 5-102 (G.1) or 5-102.1;
- (O) Retail shopping establishment, larger than 20,000 gross square feet;
- (P) Social service use.

Section 5-200 CRMU-M/Commercial residential mixed use (medium).

5-202 - Permitted uses.

The following uses are permitted in the CRMU-M zone:

- (A) Single-family dwelling;
- (A.1) Two-family dwelling;
- (A.2) Townhouse dwelling;
- (B) Multifamily dwelling;
- (C) Business and professional office;
- (C.1) Convenience store within an office complex;
- (C.2) Day care center;
- (C.3) Health and athletic club located within a shopping center, hotel or office complex;
- (D) Medical laboratory;
- (E) Medical office;
- (E.1) Motor vehicle parking or storage for 20 vehicles or fewer;
- (F) Personal service establishment;
- (F.1) Private school, commercial;
- (F.2) Public school;
- (G) Radio or television broadcasting office and studio;
- (G.1) Restaurant located within a shopping center or hotel;
- (H) Retail shopping establishment, up to 20,000 gross square feet;
- (I) Utilities, as permitted by section 7-1200;
- (J) Accessory uses, as permitted by section 7-100.

5-202.1 - Administrative special uses.

The following uses may be allowed in the CRMU-M zone with administrative approval, subject to section 11-513 of this ordinance:

- (A) Health and athletic club;
- (A.1) Restaurant;
- (B) Massage establishment;
- (C) Outdoor garden center;
- (D) Outdoor food and crafts market;
- (E) Outdoor dining;
- (F) Valet parking.

5-203 - Special uses.

The following uses may be approved, pursuant to the procedures and regulations for special use permits and subject to the criteria of section 5-209 below:

- (A) Amusement enterprise;
- (B) Apartment hotel;
- (B.1) ~~Bakery~~ Food or beverage production exceeding 3,500 square feet, which includes a retail component;
- (C) Bus shelter on private property;
- (D) Congregate housing facility;
- (E) Convenience store, other than pursuant to section 5-202(C.1);
- (F) Reserved;
- (G) Drive through facility;
- (H) Health and athletic club, other than pursuant to section 5-202(C.3) or 5-202.1(A);
- (I) Home for the elderly;
- (J) Hotel;
- (K) Motor vehicle parking or storage for more than 20 vehicles;
- (L) Nursing or convalescent home or hospice;
- (L.1) Outdoor food and crafts market, other than pursuant to section 5-202.1;
- (L.2) Outdoor garden center, other than pursuant to section 5-202.1;
- (M) Private school, academic ~~or commercial~~, with more than 20 students on the premises at one time;
- (N) Restaurant, ~~not covered in~~ other than pursuant to section 5-202(G.1) or 5-202.1(A.1);
- (O) Retail shopping establishment, larger than 20,000 gross square feet;
- (P) Social service use.

Section 5-300 CRMU-H/Commercial residential mixed use (high).

5-302 - Permitted uses.

The following uses are permitted in the CRMU-H zone:

- (A) Single-family dwelling;
- (A.1) Two-family dwelling;
- (A.2) Townhouse dwelling;
- (B) Multifamily dwelling;
- (C) Business and professional office;
- (C.1) Convenience store within an office complex;
- (C.2) Day care center;
- (C.3) Health and athletic club located within a shopping center, hotel or office complex;
- (D) Medical laboratory;
- (E) Medical office;
- (E.1) Motor vehicle parking or storage for 20 vehicles or fewer;
- (F) Personal service establishment;
- (F.1) Private school, commercial;
- (F.2) Public school;
- (G) Radio or television broadcasting office and studio;
- (G.1) Restaurant located within a shopping center or hotel;
- (H) Retail shopping establishment, up to 20,000 gross square feet;
- (I) Utilities, as permitted by section 7-1200;
- (J) Accessory uses, as permitted by section 7-100.

5-302.1 - Administrative special uses.

The following uses may be allowed in the CRMU-H zone with administrative approval, subject to section 11-513 of this ordinance:

- (A) Health and athletic club;
- (A.1) Restaurant;

- (B) Massage establishment;
- (C) Outdoor garden center;
- (D) Outdoor food and crafts market;
- (E) Outdoor dining;
- (F) Valet parking.

5-303 - Special uses.

The following uses may be approved, pursuant to the procedures and regulations for special use permits and subject to the criteria of section 5-309 below:

- (A) Amusement enterprise;
- (B) Apartment hotel;
- (B.1) ~~Bakery~~ Food or beverage production exceeding 3,500 square feet, which includes a retail component;
- (C) Bus shelter on private property;
- (D) Congregate housing facility;
- (E) Convenience store, other than pursuant to section 5-302(C.1);
- (F) Reserved;
- (G) Drive through facility;
- (H) Health and athletic club, other than pursuant to section 5-302(C.3) or 5-302.1(A);
- (I) Home for the elderly;
- (I.1) Homeless shelter;
- (J) Hotel;
- (K) Motor vehicle parking or storage for more than 20 vehicles;
- (L) Nursing or convalescent home or hospice;
- (L.1) Outdoor food and crafts market, other than pursuant to section 5-302.1;
- (L.2) Outdoor garden center, other than pursuant to section 5-302.1;
- (M) Private school, academic ~~or commercial~~, with more than 20 students on the premises at one time;
- (N) Restaurant, ~~not covered in~~ other than pursuant to section 5-302(G.1) or 5-302.1(A.1);
- (O) Retail shopping establishment, larger than 20,000 gross square feet;
- (P) Social service use.

Section 5-400 CRMU-X/Commercial residential mixed use (Old Town North) zone.

5-402 - Permitted uses.

The following uses are permitted in the CRMU-X zone:

- (A) Single-family dwelling;
- (A.1) Two-family dwelling;
- (A.2) Townhouse dwelling;
- (A.3) Motor vehicle parking or storage for 20 vehicles or fewer;
- (A.4) Day care center;
- (A.5) Personal service establishment;
- (A.6) Private school, commercial;
- (A.7) Public school;
- (A.8) Retail shipping establishment, up to 20,000 gross square feet;
- (B) Utilities, subject to section 7-1200;
- (C) Accessory uses, as permitted by section 7-100.

5-402.1 - Administrative special uses.

The following uses may be allowed in the CRMU-X zone with administrative approval, subject to section 11-513 of this ordinance:

- (A) Health and athletic club;
- (A.1) Restaurant;
- (B) Massage establishment;
- (C) Outdoor garden center;
- (D) Outdoor food and crafts market;
- (E) Outdoor dining;
- (F) Valet parking.

5-403 - Special uses.

The following uses may be approved, subject to the procedures and regulations for special use permits and subject to the limitations of section 5-609 below:

- (A) Multifamily dwelling;
- (B) Amusement enterprise;
- (C) Animal care facility with no overnight accommodation;
- (C.1) Apartment hotel;
- (C.2) Bakery Food or beverage production exceeding 3,500 square feet, which includes a retail component;
- (D) Business and professional office;
- (E) Bus shelter on private property;
- (F) Congregate housing facility;
- (G) Convenience store;
- (H) Reserved;
- (I) Fraternal or private club;
- (J) Health and athletic club, other than pursuant to section 5-402.1(A);
- (K) Home for the elderly;
- (L) Hotel;
- (M) Medical care facility;
- (N) Medical laboratory;
- (O) Medical office;
- (O.1) Motor vehicle parking or storage for more than 20 vehicles;
- (P) Nursing or convalescent home or hospice;
- (P.1) Outdoor food and crafts market, other than pursuant to section 5-402.1;
- (P.2) Outdoor garden center, other than pursuant to section 5-402.1;
- (Q) Reserved; Personal service establishment;
- (R) Reserved; Pet supplies, grooming and training, with no overnight accommodations;
- (S) Private school, academic or commercial, with more than 20 students on the premises at one time;
- (T) Public building;
- (U) Radio or television broadcasting office and studio;
- (V) Restaurant, other than pursuant to section 5-402.1;
- (W) Retail shopping establishment, larger than 20,000 gross square feet;
- (X) Social service use.

Section 5-500 W-1/Waterfront mixed use zone.

5-502 - Permitted uses.

The following uses are permitted in the W-1 zone:

- (A) Single-family dwelling;
- (A.1) Two-family dwelling;
- (A.2) Townhouse dwelling;
- (B) Multifamily dwelling;

- (C) Business and professional office;
- (C.1) Personal service establishment, pursuant to section 5-509;
- (C.2) Private school, commercial, with a maximum of 20 students on the premises at any one time and pursuant to section 5-509;
- (D) Public building;
- (E) Public park, athletic field or other outdoor recreation facility;
- (F) Public utility service yard and/or electrical receiving or transforming station, provided the use and/or structure was in existence prior to 1982 and the use has been continued thereafter;
- (F.1) Retail shopping establishment, 10,000 square feet or less in size;
- (G) Accessory uses, as permitted by section 7-100;
- (H) Uses smaller than 5,000 square feet that foster art, history and cultural awareness through increased understanding and training, such as museums, schools and cultural institutions.

5-503 - Special uses.

The following uses may be allowed in the W-1 zone pursuant to a special use permit:

- (A) Commercial outdoor recreation facility;
- (B) Commercial shipping and freight terminal;
- (C) Facilities used for docking or berthing of boats or ships, including public or private marinas and/or boat docks with related facilities limited to water and electricity connections;
- (D) Health and athletic club;
- (E) Home for the elderly;
- (F) Nursery school;
- (G) Outdoor food and crafts market;
- (H) Reserved; ~~Personal service establishment~~
- (I) Privately owned public use building such as civic auditorium or performing arts center;
- (J) Restaurant;
- (K) Retail shopping establishment, other than pursuant to section 5-502(F.1);
- (L) Reserved;
- (M) Reserved;
- (N) Utilities, as permitted by section 7-1200;
- (O) Hotel, consistent with the Development Goals and Guidelines for Development Sites in the Waterfront small area plan;
- (P) Uses 5,000 square feet or larger that foster art, history and cultural awareness through increased understanding and training, such as museums, schools and cultural institutions.

Article VI. SPECIAL AND OVERLAY ZONES

Section 6-500 Urban overlay district. (Old Town North)

6-503 - Retail focus areas.

A retail focus area (RFA) is a location at which retail and personal service uses are viewed as vital to the neighborhood. The locations designated as retail focus areas on the zoning maps are subject to the following requirements and regulations.

- (A) Retail uses required. One-twelfth of the area of each lot in a retail focus area, multiplied by the allowable floor area ratio for the site, shall be devoted to retail focus uses. The following uses, subject to the permitted and special use regulations of the underlying zone, qualify as retail focus uses:

Retail shopping establishment;
Personal service establishment (excluding contractor's office);
Private school, commercial with a maximum of 20 students on the premises at one time;
Convenience store;
Health and athletic club;
Animal care facility with no overnight accommodation; ~~Pet supplies, grooming and training (no overnight accommodations);~~
Social service use;
Amusement enterprise;
Restaurant;
Hotel or multifamily lobby where use otherwise allowed (requires a special use permit).

Section 6-600 Mount Vernon Avenue urban overlay zone.

6-603 - Uses.

(C) Retail focus uses. Within the retail focus area, uses occupying first floor space of a building shall be limited to the following:

- (1) Retail shopping establishment
- (2) Restaurant
- (3) Amusement enterprise, as limited in section (B)(1) above.
- (4) Personal service establishment, provided that the use shall occupy no more than 30 feet frontage on Mount Vernon Avenue, and provided further that additional frontage space may be permitted with a special use permit.
- (5) Arts and crafts studios, which are facilities where arts and crafts products are created on site. If at least 50 percent of the frontage of the space on Mount Vernon Avenue is devoted to retail display and sales, then the use is not considered a personal service establishment.
- (6) Office or residential uses, in an existing building with a first floor located at least 40 inches above the grade of the sidewalk.
- (7) Private school, commercial, with a maximum of 20 students on the premises at one time and provided that the use shall occupy no more than 30 feet frontage on Mount Vernon Avenue, and provided further that more than 20 students on the premises at one time and additional frontage space may be permitted with a special use permit.

6-604 - Parking requirements.

(B) Reserved. ~~Outdoor dining requires no parking for the first 20 seats.~~

Section 6-700 KR/King Street urban retail zone.

6-702 - Uses.

(A) Ground floor uses

(1) Permitted uses.

(a) Animal care facility with no overnight accommodations;

(a.1) Building lobby, with a frontage of less than 30 feet along King Street;

(b) City sponsored farmers' market;

(c) Personal service establishment, with a frontage of less than 30 feet along King Street;

(d) ~~Pet supplies, grooming/training~~ Private school, commercial, with a maximum of 20 students on the premises at one time and with a frontage of less than 30 feet along King Street;

(e) Retail shopping establishment, 10,000 square feet or less in size;

(f) Utilities, as permitted by section 7-1200;

(g) Accessory uses.

(2) Special uses:

- (a) Amusement enterprise;
- (b) Bakery–Food and beverage production, exceeding 3,500 square feet, which includes a retail component;
- (c) Church;
- (d) Convenience store;
- (e) Health and athletic club;
- (f) Hotel;
- (g) Outdoor food and craft market;
- (h) Motor vehicle parking and storage, including as an accessory use to accommodate required parking, in a structure that is visually screened with active uses for at least 25 feet, measured from the property line on King Street.
- (i) Personal service establishment or building or hotel lobby, extending for more than 30 feet along King Street;
- (i.1) Private school, commercial , with a maximum of 20 students on the premises at one time and extending for more than 30 feet along King Street;
- (j) Public building;
- (k) Restaurant, other than pursuant to section 6-702(C);
- (l) Retail shopping establishment, over 10,000 square feet in size.

(B) Upper floor uses.

(1) Permitted uses:

- (a) Any use permitted as a ground floor use under section 6-702(A)(1);
- (b) Multifamily dwelling units or accessory apartments;
- (c) Business and professional office;
- (c.1) Day care center;
- (d) Medical office;
- (e) Medical laboratory;
- (f) Personal service establishment;
- (f.1) Private school, commercial, with a maximum of 20 students on the premises at one time;
- (g) Radio or television broadcasting office and studio.

(2) Special uses:

- (a) Any use allowed as a ground floor special use under section 6-702(A)(2);
- (b) Apartment hotel;
- (c) Catering operation;
- (d) Congregate housing;
- (e) Reserved;
- (f) Home for the elderly;
- (g) Fraternal or private club;
- (h) Medical care facility;
- (i) Motor vehicle parking or storage;
- (j) Newspaper office, including printing and publishing facilities;
- (k) Private school, commercial or academic, with more than 20 students on the premises at one time;
- (l) Rooming house;
- (m) Social service use;
- (n) Wholesale business.

(C) Administrative special uses. Notwithstanding any contrary provisions of this ordinance, the following uses may be allowed by the director by administrative review and approval pursuant to the standards and procedures of 11-513 of this ordinance:

- (1) Valet parking;
- (2) Massage establishment;-
- (3) Restaurant (ground floor only).

Article VII. SUPPLEMENTAL ZONE REGULATIONS

Section 7-500 Child and elder care homes.

Child and elder care homes are permitted subject to the following limitations:

(A) Requirements for child and elder care homes for one to five persons. A child or elder care home for one to five persons is allowed as a permitted use in the zones in which it is listed and must comply with the following:

- (1) All homes shall be registered with the city pursuant to title 12 of the city code;
- (2) When calculating the total number of children cared for, resident children under the age of 12 ~~14~~ shall be included. When calculating the total number of adults, all resident adults shall be included.
- (3) The home shall be the principal residence of the operator of the home;
- (4) The home shall comply with all requirements of the city and state codes.

~~(B) Requirements for child and elder care homes for six to nine persons. A child or elder care home for six to nine persons requires a special use permit and shall at a minimum comply with the following requirements as well as those in section 7-500(A) above:~~

- ~~(1) The home operator shall obtain a license from the Virginia Department of Social Services;~~
- ~~(2) Unless exempted by section 7-500(B)(3) below, a minimum of 75 square feet of outdoor play area shall be provided for each child above the age of two and shall be shown on the recorded plat of the lot in question. Such play area shall be fenced unless the applicant can show that the play area provides proper protection from traffic and other hazards and to neighboring yards.~~
- ~~(3) No play area shall be required when the child care home is located within 500 feet of a park or playground that has sufficient capacity to accommodate the children and for which the park owner's permission has been obtained.~~

Article XI. DEVELOPMENT APPROVALS AND PROCEDURES

Section 11-500 Special use permits.

11-511 - Administrative amendment to SUP.

The director is authorized to approve the following amendments to special use permits under the following circumstances and procedures:

(A) Amendments authorized.

- (1) Change in ownership. Where an application is necessitated solely by a change in ownership of the use, the director may administratively approve such application and transfer the special use permit to the new applicant after determining that there have been no substantiated violations of the special use permit conditions which were not corrected

immediately, constitute material or repeat violations or which created a material and direct adverse impact on the surrounding community.

(2) Minor amendment. Where an application proposes a change to a city council approved special use permit which constitutes no more than a minimal enlargement or extension, the director may administratively approve the change after determining that:

(a) The changes are so insignificant, when the overall use is considered, that they will have little or no zoning impact on the adjacent properties or the neighborhood;

(b) The proposal will not change the character of the use or increase its overall intensity, including, without limitation,

(i) No more than the following increases which may be permitted only once over the life of the permit:

(a) Two additional hours of operation, but not to exceed hours consistent with an established neighborhood standard;

(b) ~~Twenty percent additional restaurant seats, up to~~ A maximum of 12 additional restaurant seats and not to exceed 100 seats maximum;

(c) Twenty percent additional classroom seats;

(d) Twenty percent additional equipment;

(e) ~~Twenty~~ Up to thirty-three percent additional floor area;

(e.1) Two delivery vehicles for restaurants with a minimum of 20 seats;

(f) Similar increases for other aspects of the use; or alternatively,

(ii) The proposed change is no greater than what is allowed under the standards for administrative approval for the same use under section 11-513;

(c) There have been no substantiated violations of the special use permit conditions within the last five years;

(d) The proposed change when considered in conjunction with all amendments since city council approval, does not exceed in the aggregate the limitations prescribed under this section 11-511.

(e) The proposed change does not amend or delete conditions that were included to address community concerns.

11-513 - Administrative special use permit.

(C) General standards for all administrative uses:

(16) The Director of Planning and Zoning shall review the Special Use Permit after it has been operational for one year, and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; or (b) the Director has received a request from any person to docket the permit for review as the result of a complaint that rises to the level of a violation of the permit conditions; or (c) the Director has determined that there are problems with the operation of the use and that new or revised conditions are needed.

(K) Specific standards for ~~overnight pet boarding~~ animal care facility with overnight accommodations.

(1) The applicant shall comply with the Virginia Department of Agriculture and Consumer Services Division of Animal Industry Services laws and Animal Care, Control, Property and Protection Laws of Virginia regarding Boarding Establishments.

(L) Specific standards for restaurants.

(1) The number of seats at the restaurant may not exceed 100.

(2) ~~Reserved: The restaurant shall offer full service, including printed menus and wait service provided at tables and preset tables with nondisposable tableware, except that this full service requirement does not apply to a coffee or ice cream shop.~~

(3) The hours of operation shall be no greater than the prevailing hours of similar uses in the area, but in no event shall the restaurant stay open later than 12:00 midnight or open earlier than 5:00 a.m. Within the Mount Vernon Avenue Overlay zone and the NR zone areas, hours are limited to from 6:00 a.m. to 11:00 p.m., Sunday through Thursday, and from 6:00 a.m. to midnight, Friday and Saturday, although the closing hour for indoor seating may be extended until midnight four times a year for special events.

(4) The applicant shall post the hours of operation as well as the location of off street parking at the entrance to the restaurant.

(5) Meals ordered before the closing hour may be served, but no new patrons may be admitted, no new meals may be ordered and no alcohol served after the closing hour, and all patrons must leave by one hour after the closing hour.

(6) Limited, live entertainment may be offered ~~at the full service restaurant, and must comply with the city's noise ordinance. No outdoor speakers shall be permitted. No amplified sound shall be audible at the property line.~~ No admission or cover fee shall be charged. All entertainment shall be subordinate to the principal function of the restaurant as an eating establishment. Any advertising of the entertainment shall reflect the subordinate nature of the entertainment by featuring food service as well as the entertainment.

(7) ~~Full service~~ Restaurants with a minimum of ~~40~~ 20 seats may offer delivery service which shall be limited to ~~one~~ two delivery vehicles, with a dedicated off-street parking space, and shall not be parked on the public right-of-way. No delivery of alcoholic beverages is permitted.

(8) Full alcohol service, consistent with a valid ABC license is permitted. ~~No off-premise alcohol sales~~ alcohol sales for off-premise consumption are permitted. Within the West Old Town neighborhood (bounded by Cameron, North West, Wythe and North Columbus Streets), no alcohol shall be served before 11:00 a.m. or after 10:00 p.m. daily. Within the Mount Vernon Avenue Overlay zone, the NR zone and the West Old town neighborhood areas, alcohol service is limited to table service.

(9) No food, beverages, or other material shall be stored outside.

(10) Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers.

(11) The applicant shall control odors, ~~and smoke~~ and any other air pollution from the operations at the site and property to prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the department of transportation and environmental services.

(12) Deliveries to the business are prohibited between 11:00 p.m. and 7:00 a.m.

(13) The applicant shall provide storage space for solid waste and recyclable materials containers as outlined in the city's "Solid Waste and Recyclable Materials Storage Space Guidelines", or to the satisfaction of the director of transportation and environmental services. The City's storage space guidelines and required. Recycling implementation plan forms are available at: www.alexandriava.gov or contact the city's solid waste division at 703-519-3486 ext. 132.

(14) Nightclub entertainment is not permitted, as defined in section 2-190.2;

(15) For restaurants within the Old Town Small Area Plan, all new restaurant uses and expansion or intensification of existing restaurant uses must satisfy the Old Town Restaurant Policies.

(16) For restaurants within the Waterfront Small Area Plan, all new restaurant uses and expansion or intensification of existing restaurant uses must satisfy the Waterfront Restaurant Policies.

(M) Specific standards for outdoor dining.

(1) Outdoor dining shall be accessory to an approved indoor restaurant.

(2) Outdoor dining, including all its components such as planters, wait stations and barriers, shall not encroach onto the public right of way unless authorized by an encroachment ordinance.

(3) A maximum of 20 seats may be located at outdoor tables in front of the restaurant. The outdoor seats permitted require no additional dedicated off-street parking spaces and are ~~in addition to~~ separate from the indoor seats.

(4) The hours of operation for the outdoor dining shall be the same as permitted for the indoor restaurant, unless a neighborhood standard has been established with a different time. Within the NR Zone, the Mount Vernon Avenue Urban Overlay Zone and the West Old Town neighborhood areas, outdoor dining shall be closed and cleared of all customers by 10:00 p.m. Sunday through Thursday and by 11:00 p.m. on Friday and Saturday. Within the Old Town Small Area Plan, outdoor dining shall be closed and cleared of all customers by 11:00 p.m. daily, consistent with the King Street outdoor dining overlay zone section 6-805(E).

(5) No live entertainment shall be permitted in the outdoor seating area.

(6) Outdoor seating areas shall not include advertising signage, including on umbrellas.

(7) On site alcohol service, to the extent allowed for indoor dining, is permitted; no off-premise alcohol sales are permitted.

(8) A plan shall be submitted with dimensions showing the layout for the outdoor dining area and depicting the design, location, size and space of the dining area, chairs, tables, barriers, umbrellas planters, wait stations, and other components to be located within the area, and such additional information as the director may reasonably require.

(9) The outdoor dining area shall be cleared and washed at the close of each business day that it is in use.

(10) Reserved.

(11) The provisions of the King Street outdoor dining overlay zone in section 6-800 apply to regulate outdoor dining within the Central Business District.

(P) Specific standards for private schools, academic ~~and commercial~~, and day care centers. Each such use shall:

(1) Obtain all required state, federal and local licenses and certificates prior to opening its place of business;

(2) Provide adequate drop off and pick up facilities so as to create minimal impact on pedestrian and vehicular traffic; and

(3) Be located so as not to create obvious conflicts between children and dangerous or otherwise inappropriate uses.

(Q) Specific standards for health and athletic clubs. Each use shall:

- (1) Maintain hours of operation no greater than the prevailing hours of similar uses in the area, but in no event shall the health and athletic club stay open later than 12:00 midnight or open earlier than 5:00 a.m. Within the Mount Vernon Avenue Overlay zone and the NR zone areas, hours are limited to from 6:00 a.m. to 11:00 p.m., Sunday through Thursday, and from 6:00 a.m. to midnight, Friday and Saturday.

(R) Specific standards for child and elder care homes for six to nine persons. Each home operator of the use shall:

- (1) Comply with the requirements in section 7-500(A);
- (2) Obtain all required state, federal and local licenses and certificates prior to operation;
- (3) Unless exempted by section 11-513(R)(4) below, provide a minimum of 75 square feet of outdoor play area for each child above the age of two, and the play area shall be:
- (a) Shown on the recorded plat of the lot in question; and
- (b) Fenced unless the applicant can show that the play area provides proper protection from traffic and other hazards and to neighboring yards;
- (4) No play area shall be required when the child care home is located within 500 feet of a park or playground that has sufficient capacity to accommodate the children and for which the park owner's permission has been obtained; and
- (5) Provide adequate drop off and pick up facilities so as to create minimal impact on pedestrian and vehicular traffic.

(S) Specific standards for automobile and trailer rental or sales area. Each use shall:

- (1) Limit the parking lot for parking of vehicles in conjunction with the business;
- (2) Not perform any repair work on the site;
- (3) Maintain adequate appearance of the site;
- (4) Park all stored vehicles off-street and not in any portion of public way;
- (5) Ensure no junked, abandoned, stripped, or visibly damaged vehicles are be displayed, parked, or stored outside; and
- (6) For car wash discharges resulting from a commercial operation, not discharge into a storm sewer. It is recommended that the car washes be done at a commercial car wash facility.

(T) Specific standards for motor vehicle parking or storage for more than 20 vehicles. Each use shall:

- (1) Limit the parking lot for parking of vehicles in conjunction with the business;
- (2) Not perform any repair work on the site;
- (3) Maintain adequate appearance of the site;
- (4) Park all stored vehicles off-street and not in any portion of public way;
- (5) Ensure no junked, abandoned, stripped, or visibly damaged vehicles are be displayed, parked, or stored outside; and
- (6) For car wash discharges resulting from a commercial operation, not discharge into a storm sewer. It is recommended that the car washes be done at a commercial car wash facility.

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

Section 3. That Articles II, III, IV, V, VI, VII, and XI as amended pursuant to Section 1 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.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION

18. Update Regarding Ramsey Homes Joint Work Plan to Facilitate Selection of Redevelopment Option.

(A copy of the City Manager's memorandum dated June 22, 2016, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18; 6/28/16, and is incorporated as part of this record by reference.)

Mr. Moritz, Director, Planning and Zoning, along with Ms. McIlvaine, Director, Office of Housing, made a presentation of the report and they, along with Mr. Jinks, City Manager, Mr. Keeler, Office of Housing, Ms. Sodinger, ARHA, and Mr. Priest, ARHA, responded to questions of City Council about the project, use of housing funds, undergrounding of utilities, costs for the project, tax credits, size of the units and open space.

WHEREUPON, upon motion by Vice Mayor Wilson, seconded by Councilman Chapman and carried unanimously, City Council recommended the alternate concept with modifications that would move the proposed building to north to be on Wythe Street and remove the preservation element from the equation, uniting the open space along Pendleton Street. The voting was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper and Councilman Smedberg; Opposed, none.

19. Consideration of the Update on Progress on the Proposed FY 2017 to FY 2022 City Strategic Plan.

(A copy of the City Manager's memorandum dated June 22, 2016, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19; 6/28/16, and is incorporated as part of this record by reference.)

Mr. Moritz, Director, Planning and Zoning, and Mr. Useem, Chief Performance Officer, made a presentation of the staff report and the proposed Strategic Plan and they responded to questions of City Council.

Members of City Council made suggestions on wording for the different sections in the Plan.

WHEREUPON, upon motion by Councilmember Lovain, seconded by Councilwoman Pepper and carried unanimously, City Council: 1. reviewed in general the draft vision statement, goals and indicators; and 2. indicated where changes to process and draft content should be considered. The voting was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper and Councilman Smedberg; Opposed, none.

20. Consideration of the Authorization for Execution of Documents for the Records of Decision for the Potomac Yard Metrorail Station Environmental Impact Statement and Other Associated Documents.

(A copy of the City Manager's memorandum dated June 22, 2016, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 20; 6/28/16, and is incorporated as part of this record by reference.)

Mr. Bernstein, Director, Office of Project Implementation, along with Ms. Farmer, Transportation and Environmental Services, made a presentation of the report and they, along with Mr. Jinks, City Manager, responded to questions of City Council.

WHEREUPON, upon motion by Vice Mayor Wilson, seconded by Councilwoman Pepper and carried unanimously, City Council: 1. authorized the City Manager to sign the

Memorandum of Agreement in substantially the form as submitted among the Federal Transit Administration, the City of Alexandria, the Washington Metropolitan Area Transit Authority, the National Park Service, and the Virginia State Historic Preservation Office Regarding the Potomac Yard Metrorail Station (Also known as the "Section 106 MOA"); 2. authorized the City Manager to sign the agreement regarding Wetlands Mitigation for the Potomac Yard Metrorail Station between the National Park Service and the City of Alexandria (also known as the "Wetlands Agreement") in substantially the form as attached; and 3. authorized the City Manager, subject to City Attorney approval, to sign other associated documents pertaining to the Potomac Yard Metrorail Station project to advance the project schedule, as needed, during City Council's recess. The voting was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper and Councilman Smedberg; Opposed, none.

21. Consideration of Programming the FY 2017 Transportation Improvement Program (TIP) Balance to Support a Pilot Metrobus Service from National Harbor to Alexandria (NH2).

(A copy of the City Manager's memorandum dated June 22, 2016, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 21; 6/28/16, and is incorporated as part of this record by reference.)

Mr. Lambert, Director, Transportation and Environmental Services, along with Mr. Fye, Transit Services Division, made a presentation of the staff report and they responded to questions of City Council.

WHEREUPON, upon motion by Vice Mayor Wilson, seconded by Councilman Chapman and carried unanimously, City Council approved reprogramming \$566,000 of the FY 2017 TIP balance for a WMATA pilot bus service from National Harbor to Alexandria. The voting was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper and Councilman Smedberg; Opposed, none.

ORAL REPORTS AND ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

1. Mayor Silberberg said ACPS did water testing over Memorial Day weekend and the testing showed that the school facilities are fine in terms of the water. She said that over the summer, the City will be testing the City's facilities as well.

2. Mayor Silberberg said that every June, the U.S. Conference of Mayors has a meeting and in addition to those she mentioned earlier who spoke, the Dalai Lama, Lady Gaga and Phillip Anschutz, Secretary Hillary Clinton gave a huge speech and the Mayor of Orlando, Buddy Dyer, spoke, as well as others. Mayor Silberberg said the main theme was discussing what was possible and what works.

3. Mayor Silberberg noted the awards ceremony held earlier for the Commission on Persons with Disabilities and congratulations go to those who won the awards: Disability Awareness Award, Great Harvest Bread Company, Megan Hurst; Disability Awareness Award, Rebuilding Together Alexandria; Gerry Bertier Scholarship Award, Ariel Coburn; and John Duty Collins III Outstanding Advocate for Persons with Disabilities Award, Sister Anne Tardiff.

4. Mayor Silberberg noted that tomorrow she, the City Manager and other members of

staff will go to New York City for an important bond rating meeting.

5. Councilman Chapman said Council received a memo on improving transparency, particularly in law enforcement data, and that is an ordinance/resolution that they will look at during the summer and talk about different types of data. He said that hopefully in September he'll come back with suggestions.

6. Councilman Chapman said a citizen spoke with him about over-meetings, too many meetings and too many long meetings. He said they had a very good discussion on some ways to improve the effectiveness of City meetings, so hopefully something will come out of it on how Council can become models for improving the effectiveness of meetings and it will boil down to the many public and commission meetings they have, so that they make the most of citizens time. He said they had a great speaker at the Transportation Commission retreat that spoke of that and folks are starting to look forward to those meetings, so hopefully it can happen in other places as well.

7. Mayor Silberberg noted that Police Chief Earl Cook will be retiring and he's been a remarkable Police Chief and while it is well deserved, she was sorry he was leaving. She noted heartfelt thanks to Chief Cook for doing such an outstanding job and said his leadership has been remarkable.

ORAL REPORT FROM THE CITY MANAGER

Mr. Jinks said they had a discussion at the last meeting on the status of the NRG site and how it was not moving along, and he said things have since changed. NRG has appointed a new senior staffer, Mark Rohrluck, who will be responsible for the development, and he is someone that understands the real estate development process. Mr. Jinks said that in addition, NRG has hired John Rust, a well-known and respected architect, and they are just about complete in negotiations with PEPCO on sorting out the subdivision of the property, so they can buy the property that is under the power plant. Mr. Jinks said it appears they have dusted things off, assigned new staff and will now proceed.

OTHER

22. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated June 22, 2016, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 22; 6/28/16, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Wilson and seconded by Councilwoman Pepper, City Council: 1. received the City Council schedule for FY 2017, which includes: the Engin Artemel Dedication of the gazebo at the City Marina on Saturday, July 9, 2016 at 2:00 p.m.; and 2. approved the Council schedule.

Mayor Silberberg asked that they talk over the summer about the meeting that is right before the Thanksgiving holiday, particularly for those who travel over Thanksgiving, about moving the meeting up and what the options are.

The motion carried unanimously and was as follows: In favor, Mayor Silberberg, Vice

Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper and Councilman Smedberg; Opposed, none.

Closed Meeting

23. Consideration of a Closed Meeting for Discussion of the Performance of Specific Public Officers and for Consultation with Legal Counsel to Discuss Pending Litigation.

WHEREUPON, upon motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried unanimously, City Council reconvened into closed meeting at 11:32 p.m. The voting was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper and Councilman Smedberg; Opposed, none.

WHEREUPON, upon motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried unanimously, City Council reconvened into open session at 12:45 a.m. The voting was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper and Councilman Smedberg; Opposed, none.

WHEREUPON, upon motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council adopted the resolution pertaining to the closed meeting. The voting was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper and Councilman Smedberg; Opposed, none.

The resolution reads as follows:

RESOLUTION NO. 2736

WHEREAS, the Alexandria City Council has this 28th day of June 2016, recessed into executive session pursuant to a motion made and adopted in accordance with the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the city council that such executive session was conducted in accordance with Virginia law;

NOW, THEREFORE, BE IT RESOLVED, that the city council does hereby certify that, to the best of each member's knowledge, only public business matters that were identified in the motion by which the executive session was convened, and that are lawfully exempted by the Freedom of Information Act from the Act's open meeting requirements, were heard, discussed or considered by council during the executive session.

* * * * *

NEW BUSINESS ITEM #1:

Councilman Smedberg said that during the budget discussion, Council asked the City Manager to come back to scenarios on Council Aide salaries, and the City Manager provided an array of options.

WHEREUPON, upon motion by Councilman Smedberg and seconded by Councilwoman Pepper, City Council made a one-time adjustment of \$10,000 to the City Council Aides salaries to raise their salary to \$31,411.00 annually, to bring the salaries under the mid-point of four comparator jurisdictions in the region, with the notation that they will not be merit increases in subsequent years.

Councilman Smedberg said one difference between Alexandria and the other jurisdictions is the City does not offer health or retirement benefits to their Aides.

The motion carried unanimously and was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper and Councilman Smedberg; Opposed, none.

* * * * *

THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Vice Mayor Wilson, seconded by Councilwoman Pepper and carried unanimously, the legislative meeting of June 28, 2016, was adjourned at 12:50 a.m. The voting was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain and Councilwoman Pepper; Opposed, none.

APPROVED BY:

ALLISON SILBERBERG MAYOR

ATTEST:

Jacqueline M. Henderson
City Clerk and Clerk of Council