

## ORDINANCE NO. 5121

AN ORDINANCE to amend and reordain Sections 4-1403 (PERMITTED USES), 4-1403.1 (ADMINISTRATIVE SPECIAL USES), and 4-1404 (SPECIAL USES) of Article IV (COMMERCIAL, OFFICE AND INDUSTRIAL ZONES) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2018-0001.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2018-0001, 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 February 6, 2018 of a text amendment to the Zoning Ordinance to adopt Text Amendment No. 2018-0001, which recommendation was approved by the City Council at public hearing on February 24, 2018;

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 Sections 4-1403, 4-1403.1, and 4-1404 of the Zoning Ordinance be, and the same hereby are, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

#### 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;
- (5) Day care center;
- (6) Private school, commercial, with a maximum of 20 students on the premises at any one time and with a frontage of less than 30 feet along Mount Vernon Avenue;

- (7) Animal care facility with no overnight accommodation;
- (8) Health and athletic club if located within a shopping center, hotel or office complex;
- (9) Utilities, as permitted by section 7-1200.

(B) Permitted uses above the ground floor:

- (1) Uses listed under section 4-1403;
- (2) Dwelling unit;
- ~~(3) Office;~~
- (43) Church;
- (54) 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;
- (E) Massage establishment;
- (F) Valet parking;
- (G) Outdoor dining;
- (H) Live theater;
- (I) Health and athletic club, other than pursuant to section 4-1403(A)(8);
- (J) Outdoor display of retail goods.

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(A);
- (B) Banks, business and professional offices, medical laboratories/offices and laundromats, other than pursuant section 4-1403(A)(3);
- (C) Convenience store;
- ~~(D) Reserved;~~ Public parking lot;
- ~~(E) Reserved;~~ Private school, commercial, with more than 20 students on the premises at any one time or with a frontage of more than 30 feet along Mount Vernon Avenue;
- (F) Fraternal or private club;
- (G) Live theater, other than pursuant to section 4-1403.1(H);
- ~~(H) Reserved;~~ Bus shelter on private property;
- (I) Nursing or convalescent home or hospice;
- (J) Outdoor food and crafts market, other than pursuant to section 4-1403.1(C);

- (K) Private school, academic, with more than 20 students on the premises at one time;
- (L) Public building;
- (M) Restaurant, other than pursuant to sections 4-1403(A)(4) and 4-1403.1(A.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.
- (O) Congregate housing facility;
- (P) Health and athletic club, other than pursuant to sections 4-1403(A)(8) or 4-1403.1(I)
- (Q) Home for the elderly;
- (R) Outdoor garden center, other than pursuant to section 4-1403.1(B);
- (S) Public building;
- (U) Social service use.

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

Section 3. That Sections 4-1403, 4-1403.1, and 4-1404, 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.

ALLISON SILBERBERG  
Mayor

Final Passage: March 17, 2018