

ORDINANCE NO. _____

AN ORDINANCE to amend and reordain Section 2-126 (BUSINESS AND PROFESSIONAL OFFICE), Section 2-174 (MEDICAL CARE FACILITY), Section 2-176 (MEDICAL OFFICE), of Article II (DEFINITIONS); Section 3-902 (PERMITTED USES), of Division B (TOWNHOUSE AND MULTIFAMILY ZONES) of Article III (RESIDENTIAL ZONE REGULATIONS); Section 4-102 (PERMITTED USES), Section 4-102.1 (ADMINISTRATIVE SPECIAL USES), Section 4-107 (USE LIMITATIONS), 4-202 (PERMITTED USES), 4-202.1 (ADMINISTRATIVE SPECIAL USES), 4-207 (USE LIMITATIONS), Section 4-302 (PERMITTED USES), Section 4-302.1 (ADMINISTRATIVE SPECIAL USES), Section 4-307 (USE LIMITATIONS), Section 4-402 (PERMITTED USES), Section 4-402.1 (ADMINISTRATIVE SPECIAL USES), Section 4-407 (USE LIMITATIONS), Section 4-502 (PERMITTED USES), Section 4-502.1 (ADMINISTRATIVE SPECIAL USES), Section 4-507 (USE LIMITATIONS), Section 4-602 (PERMITTED USES), Section 4-602.1 (ADMINISTRATIVE SPECIAL USES), Section 4-607 (USE LIMITATIONS), Section 4-702.1 (ADMINISTRATIVE SPECIAL USES), Section 4-802 (PERMITTED USES), Section 4-802.1 (ADMINISTRATIVE SPECIAL USES), Section 4-807 (USE LIMITATIONS), Section 4-902 (PERMITTED USES), Section 4-902.1 (ADMINISTRATIVE SPECIAL USES), Section 4-906 (USE LIMITATIONS), Section 4-1002 (PERMITTED USES), Section 4-1002.1 (ADMINISTRATIVE SPECIAL USES), Section 4-1006 (USE LIMITATIONS), Section 4-1102 (PERMITTED USES), Section 4-1102.1 (ADMINISTRATIVE SPECIAL USES), Section 4-1106 (USE LIMITATIONS), Section 4-1202 (PERMITTED USES), Section 4-1202.1 (ADMINISTRATIVE SPECIAL USES), Section 4-1403 (PERMITTED USES), Section 4-1403.1 (ADMINISTRATIVE SPECIAL USES), Section 4-1404 (SPECIAL USES), Section 4-1413 (USE LIMITATIONS), of Article IV (COMMERCIAL, OFFICE AND INDUSTRIAL ZONES); Section 5-102 (PERMITTED USES), Section 5-102.1 (ADMINISTRATIVE SPECIAL USES), Section 5-110 (USE LIMITATIONS), Section 5-202 (PERMITTED USES), Section 5-202.1 (ADMINISTRATIVE SPECIAL USES), Section 5-210 (USE LIMITATIONS), Section 5-302 (PERMITTED USES), Section 5-302.1 (ADMINISTRATIVE SPECIAL USES), Section 5-310 (USE LIMITATIONS), Section 5-402 (PERMITTED USES), Section 5-402.1 (ADMINISTRATIVE SPECIAL USES), Section 5-403 (SPECIAL USES), Section 5-511 (USE LIMITATIONS), of Article V (MIXED USE ZONES); Section 6-603 (USES), Section 6-702 (USES), Section 6-707 (USE LIMITATIONS), of Article VI (SPECIAL AND OVERLAY ZONES); Section 7-302 (PROHIBITED OCCUPATIONS), Section 7-303 (USE LIMITATIONS), of Article VII (SUPPLEMENTAL ZONE REGULATIONS); Section 8-200 (GENERAL PARKING REGULATIONS), of Article VIII (OFF-STREET PARKING AND LOADING); Section 11-513 (ADMINISTRATIVE SPECIAL USE PERMIT), of Division B (DEVELOPMENT APPROVALS) of Article XI (DEVELOPMENT APPROVALS AND PROCEDURES); and add new Section 2-153.2 (HEALTH PROFESSION OFFICE) of Article II (DEFINITIONS) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2018-0005.

WHEREAS, the City Council finds and determines that:

1 1. In Text Amendment No. 2018-0005, the Planning Commission, having found that
2 the public necessity, convenience, general welfare and good zoning practice so require,
3 recommended approval to the City Council on June 5, 2018 of a text amendment to the Zoning
4 Ordinance to add massage as a health profession office, which recommendation was approved by
5 the City Council at public hearing on June 23, 2018

6
7 2. The City Council in adopting this ordinance expressly adopts, ratifies, affirms and
8 concurs in the finding and action of the Planning Commission above stated;

9
10 3. All requirements of law precedent to the adoption of this ordinance have been
11 complied with; now, therefore,

12
13 THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:
14

15 Section 1. That Section 2-126 of the Zoning Ordinance be, and the same hereby is,
16 amended by deleting the language shown in strikethrough and inserting new language shown in
17 underline, as follows:

18
19 2-126 - Business and professional office.

20 Any room, studio, clinic, ~~suite, clinic,~~ suite or building in which the primary use is the conduct of
21 a business such as accounting, correspondence, research, editing, administration or analysis; or
22 the conduct of a business by a salesman, sales representative or manufacturer's representatives;
23 or the conduct of a business by professionals such as engineers, architects, land surveyors, artists,
24 musicians, lawyers, accountants, real estate brokers, insurance agents and landscape architects
25 but not including ~~offices for dentists, physicians or other medical practitioners, or~~ health
26 professional offices or offices for day labor agencies.

27
28 Section 2. That Section 2-174 of the Zoning Ordinance be, and the same hereby is,
29 amended by deleting the language shown in strikethrough and inserting new language shown in
30 underline, as follows:

31
32 2-174 - Medical care facility.

33 Any installation, place, building, or agency, whether or not licensed or required to be licensed by
34 the State Board of Health or the State Hospital Board, by or in which facilities are maintained,
35 furnished, conducted, operated, or offered for the prevention, diagnosis or treatment of human
36 disease, pain, injury, deformity or physical condition, whether medical or surgical, of two or
37 more non-related mentally or physically sick or injured persons, or for the care of two or more
38 non-related persons requiring or receiving medical, surgical or nursing attention or service as
39 acute, chronic, convalescent, aged, or physically disabled; including but not limited to
40 intermediate care facility, extended care facility, mental hospital, mental retardation facility,
41 medical school, outpatient surgery centers, birthing, diagnostic imaging, radiation therapy,
42 dialysis, medical/physical rehabilitation and trauma units, substance abuse outpatient or day
43 programs, and other related institutions and facilities, whether operated for profit or nonprofit,
44 and whether privately owned or operated by a local government unit. This term shall not include
45 a health profession office, ~~physician's or medical office,~~ first aid station for emergency medical
46 treatment, housing for the elderly, medical laboratory, hospital, nursing home or a facility which

1 has as its primary purpose residential accommodation. Nothing in this definition is intended to
2 interfere with or restrict the use of a dwelling unit by a family as that term is defined in this
3 article, wherever such use is allowed in the zones.
4

5 Section 3. That Section 2-153.2 of the Zoning Ordinance be, and the same hereby is,
6 added and ordained, as follows:
7

8 2-153.2 Health profession office~~Medical office.~~

9 The use of space by individuals licensed in the Commonwealth of Virginia to practice medicine,
10 ~~osteopathy, dentistry, chiropractic, podiatry, psychiatry, clinical psychology, nursing, massage~~
11 therapy, physical therapy or other health-related professions on an outpatient basis. ~~The~~
12 ~~professional services provided in the medical office space is for the occupant's own patients and~~
13 ~~not for patients of unrelated outside practitioners.~~
14

15 Section 4. That Section 2-176 of the Zoning Ordinance be, and the same hereby is,
16 amended by deleting the language shown in strikethrough and inserting new language shown in
17 underline, as follows:
18

19 2-176 Medical office.

20 ~~The use of space by individuals licensed in the Commonwealth of Virginia to practice medicine,~~
21 ~~osteopathy, dentistry, chiropractic, podiatry, psychiatry, clinical psychology or other health-~~
22 ~~related professions on an outpatient basis. The professional services provided in the medical~~
23 ~~office space is for the occupant's own patients and not for patients of unrelated outside~~
24 ~~practitioners.~~ Reserved.
25

26 Section 5. That Section 3-902 of the Zoning Ordinance be, and the same hereby is,
27 amended by deleting the language shown in strikethrough and inserting new language shown in
28 underline, as follows:
29

30 3-902 - Permitted uses.

31 The following uses are permitted in the RC zone:

- 32 (A) Townhouse dwelling;
- 33 (B) Multifamily dwelling;
- 34 (C) Accessory uses, as permitted by section 7-100;
- 35 (D) Child or elder care home, as permitted by section 7-500;
- 36 (E) Church;
- 37 (F) Home occupation, as permitted by section 7-300;
- 38 (G) Public park;
- 39 (H) Public school;
- 40 (I) The following commercial uses in a residential development of at least 2,000
41 dwelling units if limited to an area the size of the first floor or any floor below
42 it, whichever is less, and located on the first floor or any floor below the first
43 floor of the building:
 - 44 (1) Bank, saving and loan bank or association, and similar financial
45 institution;
 - 46 (2) Barbershop or beauty parlor;

- 1 (3) Cleaning, laundry or pressing agency with no actual operations on
2 premises;
3 (4) Drugstore;
4 (5) Grocery store, where products are not prepared or consumed on the
5 premises;
6 (6) Gift or florist shop;
7 (6.1) Health and athletic club;
8 (7) Professional, business and ~~medical~~ health profession-office provided
9 that no inventory, stock-in-trade, materials or supplies other than
10 general office supplies are stored on site and that no trucks, vans or
11 similar vehicles are parked on site outside of business hours; and
12 (J) Utilities, as permitted by section 7-1200.
13

14 Section 6. That Section 4-102 of the Zoning Ordinance be, and the same hereby is,
15 amended by deleting the language shown in strikethrough and inserting new language shown in
16 underline, as follows:
17

18 4-102 - Permitted uses.

19 The following uses are permitted in the CL zone:

- 20 (A) Single-family dwelling;
21 (A.1) Two-family dwelling;
22 (A.2) Townhouse dwelling;
23 (B) Multifamily dwelling;
24 (C) Animal care facility with no overnight accommodation;
25 (C.1) Business and professional office;
26 (D) Cemetery;
27 (E) Church;
28 (E.1) Day care center;
29 (F) Medical laboratory;
30 (G) ~~Medical office~~ Health profession office;
31 (G.1) Motor vehicle parking or storage for 20 vehicles or fewer;
32 (H) Personal service establishment;
33 (I) Private school, commercial;
34 (J) Public school;
35 (J.1) Restaurant located within a shopping center;
36 (K) Retail shopping establishment, up to 20,000 gross square feet;
37 (L) Seminary, convent or monastery;
38 (M) Utilities, as permitted by section 7-1200;
39 (N) Accessory uses, as permitted by section 7-100.
40

41 Section 7. That Section 4-102.1 of the Zoning Ordinance be, and the same hereby is,
42 amended by deleting the language shown in strikethrough and inserting new language shown in
43 underline, as follows:
44

45 4-102.1 - Administrative special uses.

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

- 3 (A) Animal care facility with overnight accommodation if located in a shopping
4 center;
- 5 (A.1) Health and athletic club;
- 6 (A.2) Restaurant;
- 7 (B) ~~Reserved; Massage establishment;~~
- 8 (C) Outdoor garden center;
- 9 (D) Outdoor food and crafts market;
- 10 (E) Outdoor dining;
- 11 (F) Reserved;
- 12 (G) Valet parking.

14 Section 8. That Section 4-107 of the Zoning Ordinance be, and the same hereby is,
15 amended by deleting the language shown in strikethrough and inserting new language shown in
16 underline, as follows:

18 4-107 - Use limitations.

- 19 (A) All operations shall be conducted within a completely enclosed building except
20 that a temporary use permit for occasional outdoor sales or seasonal sales or
21 display in conjunction with and on the same lot as an existing permitted use may
22 be granted by the director, which permit shall indicate the location, size,
23 duration and purpose of the accessory outdoor use and, if the use is seasonal,
24 whether the permit shall continue on an annual basis.
- 25 (B) No more than one vehicle limited to one car or light truck shall be used on the
26 premises as part of the operation of any business except that additional vehicles
27 may be permitted with a special use permit.
- 28 (C) Appliance sales, repair and rental shall be limited to small appliances only,
29 such as televisions, radios, lawnmowers, kitchen counter and small electronic
30 appliances and like items which do not exceed one horsepower in size.
- 31 (D) Manufacturing, processing and assembly uses are prohibited except for the
32 fabrication of art and craft objects, food and beverage production, printing,
33 woodworking, eyeglass lenses and other similar uses when conducted solely to
34 produce items for retail sale on the premises.
- 35 (E) No use shall be conducted in any manner which would render it noxious or
36 offensive by reason of dust, refuse matter, odor, smoke, gas, fumes, noise,
37 vibration or glare.
- 38 (F) Parking for commercial uses may be located on a lot other than the one on
39 which the commercial use is located if the other lot is zoned for commercial
40 uses and is located within 500 feet of the use served.
- 41 (G) A day care center, or commercial school ~~or massage establishment~~ shall obtain
42 all required state, federal and local licenses and certificates prior to opening its
43 place of business.
- 44 (H) A day care center shall provide adequate drop off and pick up facilities so as to
45 create minimal impact on pedestrian and vehicular traffic.

1 Section 9. That Section 4-202 of the Zoning Ordinance be, and the same hereby is,
2 amended by deleting the language shown in strikethrough and inserting new language shown in
3 underline, as follows:
4

5 4-202 - Permitted uses.

6 The following uses are permitted in the CC zone:

- 7 (A) Single-family dwelling;
- 8 (A.1) Two-family dwelling;
- 9 (A.2) Townhouse dwelling;
- 10 (B) Multifamily dwelling;
- 11 (C) Animal care facility with no overnight accommodation;
- 12 (C.1) Business and professional office;
- 13 (D) Cemetery;
- 14 (E) Church;
- 15 (E.1) Day care center;
- 16 (F) Medical laboratory;
- 17 (G) ~~Medical office~~ Health profession office;
- 18 (G.1) Motor vehicle parking or storage for 20 vehicles or fewer;
- 19 (H) Personal service establishment;
- 20 (H.1) Private school, commercial;
- 21 (I) Public school;
- 22 (I.1) Restaurant located within a shopping center or hotel;
- 23 (J) Retail shopping establishment, up to 20,000 gross square feet;
- 24 (K) Seminary, convent or monastery;
- 25 (L) Utilities, as permitted by section 7-100;
- 26 (M) Accessory uses, as permitted by section 7-100.

27
28 Section 10. That Section 4-202.1 of the Zoning Ordinance be, and the same hereby
29 is, amended by deleting the language shown in strikethrough and inserting new language shown
30 in underline, as follows:
31

32 4-202.1 - Administrative special uses.

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

- 35 (A) Animal care facility with overnight accommodation, if located in a shopping
36 center;
- 37 (A.1) Health and athletic club;
- 38 (A.2) Restaurant;
- 39 (B) ~~Reserved; massage establishment;~~
- 40 (C) Outdoor garden center;
- 41 (D) Outdoor food and crafts market;
- 42 (E) Outdoor dining;
- 43 (F) Reserved;
- 44 (G) Valet parking.

1 Section 11. That Section 4-207 of the Zoning Ordinance be, and the same hereby is,
2 amended by deleting the language shown in strikethrough and inserting new language shown in
3 underline, as follows:
4

5 4-207 - Use limitations.

- 6 (A) All operations, including storage, shall take place within a completely enclosed
7 building, except:
8 (1) A temporary use permit for occasional outdoor sales or seasonal sales
9 or display in conjunction with and on the same lot as an existing
10 permitted use may be granted by the director, which permit shall
11 indicate the location, size, duration and purpose of the accessory
12 outdoor use and, if the use is seasonal, whether the permit shall
13 continue on an annual basis; or
14 (2) For uses which require a special use permit, the permit may authorize
15 outdoor display for sales.
16 (B) Automobile service stations, car washes and drive through facilities shall only
17 be located along an arterial (100 feet) or primary collector (80 feet) road, to
18 include any associated service road.
19 (C) Appliance sales, repair and rental shall be limited to small appliances only,
20 such as televisions, radios, lawnmowers, kitchen counter and small electronic
21 appliances and like items which do not exceed one horsepower in size.
22 (D) Manufacturing, processing and assembly uses are prohibited except for the
23 fabrication of art and craft objects, food and beverage production, printing,
24 woodworking, eyeglass lenses and other similar uses when conducted solely to
25 produce items for retail sale on the premises.
26 (E) No use shall be conducted in any manner which would render it noxious or
27 offensive by reason of dust, refuse matter, odor, smoke, gas, fumes, noise,
28 vibration or glare.
29 (F) A day care center, or commercial school ~~or massage establishment~~ shall obtain
30 all required state, federal and local licenses and certificates prior to opening its
31 place of business.
32 (G) A day care center shall provide adequate drop off and pick up facilities so as to
33 create minimal impact on pedestrian and vehicular traffic.
34

35 Section 12. That Section 4-302 of the Zoning Ordinance be, and the same hereby is,
36 amended by deleting the language shown in strikethrough and inserting new language shown in
37 underline, as follows:
38

39 4-302 - Permitted uses.

40 The following uses are permitted in the CSL zone:

- 41 (A) Single-family dwelling;
42 (A.1) Two-family dwelling;
43 (A.2) Townhouse dwelling;
44 (B) Multifamily dwelling;
45 (C) Animal care facility with no overnight accommodation;
46 (C.1) Business and professional office;

- (D) Cemetery;
- (E) Church;
- (E.1) Day care center;
- (F) medical laboratory;
- (G) ~~Medical office~~ Health profession office;
- (G.1) Motor vehicle parking or storage for 20 vehicles or fewer;
- (H) Personal service establishment;
- (H.1) Private school, commercial;
- (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.

Section 13. That Section 4-302.1 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

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) ~~Reserved; massage establishment~~;
- (C) Outdoor garden center;
- (D) Outdoor food and crafts market;
- (E) Outdoor dining;
- (F) Reserved;
- (G) Valet parking.

Section 14. That Section 4-307 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

4-307 - Use limitations.

- (A) All operations, including storage, shall take place within a completely enclosed building, except:
 - (1) A temporary use permit for occasional outdoor sales or seasonal sales or display in conjunction with and on the same lot as an existing permitted use may be granted by the director, which permit shall indicate the location, size, duration and purpose of the accessory outdoor use and, if the use is seasonal, whether the permit shall continue on an annual basis; or

- (2) For uses which require a special use permit, the permit may authorize outdoor display for sales.
- (B) Loading and unloading operations shall take place entirely within the site and shall be so located so as not to interfere with pedestrian routes and local traffic.
 - (C) Appliance sales, repair and rental shall be limited to small appliances only, such as televisions, radios, lawnmowers, kitchen counter and small electronic appliances and like items which do not exceed one horsepower in size.
 - (D) Automobile service stations, car washes and drive through facilities shall only be located along an arterial (100 feet) or primary collector (80 feet) road, including any associated service road.
 - (E) No use shall be conducted in any manner which would render it noxious or offensive by reason of dust, refuse matter, odor, smoke, gas, fumes, noise, vibration or glare.
 - (F) A day care center, or commercial school ~~or massage establishment~~ shall obtain all state, federal and local licenses and certificates required prior to opening its place of business.
 - (G) A day care center shall provide adequate drop off and pick up facilities so as to create minimal impact on pedestrian and vehicular traffic.

Section 15. That Section 4-402 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

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~~ Health profession office;
- (H) Motor vehicle parking or storage for 20 vehicles or fewer;
- (H.1) Private school, commercial;
- (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.

Section 16. That Section 4-402.1 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

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

Section 17. That Section 4-407 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

4-407 - Use limitations.

- (A) All operations, including storage, shall take place within a completely enclosed building, except:
 - (1) A temporary use permit for occasional outdoor sales or seasonal sales or display in conjunction with and on the same lot as an existing permitted use may be granted by the director, which permit shall indicate the location, size, duration and purpose of the accessory outdoor use and, if the use is seasonal, whether the permit shall continue on an annual basis; or
 - (2) For uses which require a special use permit, the permit may authorize outdoor display for sales.
- (B) Automobile service stations, car washes and drive through facilities shall only be located along an arterial (100 feet) or primary collector (80 feet) road, to include any associated service road.
- (C) No use shall be conducted in any manner which would render it noxious or offensive by reason of dust, refuse matter, odor, smoke, gas, fumes, noise, vibration or glare.
- (D) A day care center, or commercial school ~~or massage establishment~~ shall obtain all state, federal and local licenses and certificates required prior to opening its place of business.

- 1 (E) A day care center shall provide adequate drop off and pick up facilities so as to
2 create minimal impact on pedestrian and vehicular traffic.
3 (F) A convenience store within an office complex shall limit alcohol sales as
4 follows: Beer or wine coolers may be sold only in four packs, six packs or
5 bottles of more than 40 fluid ounces. Wine may be sold only in bottles of at
6 least 750 ml or 25.4 ounces. Fortified wine (wine with an alcohol content of 14
7 percent or more by volume) may not be sold.
8

9 Section 18. That Section 4-502 of the Zoning Ordinance be, and the same hereby is,
10 amended by deleting the language shown in strikethrough and inserting new language shown in
11 underline, as follows:
12

13 4-502 - Permitted uses.

14 The following uses are permitted in the CD zone:

- 15 (A) Single-family dwelling;
16 (A.1) Two-family dwelling;
17 (A.2) Townhouse dwelling;
18 (B) Multifamily dwelling;
19 (C) Animal care facility with no overnight accommodation;
20 (C.1) Business and professional office;
21 (D) Cemetery;
22 (E) Church;
23 (F) City sponsored farmers' market;
24 (F.1) Day care center;
25 (G) Medical laboratory;
26 (H) ~~Medical office~~ Health profession office;
27 (H.1) Motor vehicle parking or storage for 20 vehicles or fewer;
28 (I) Personal service establishment;
29 (J) Private school, commercial;
30 (K) Public school;
31 (L) Radio or TV broadcasting office and studio;
32 (L.1) Reserved;
33 (M) Retail shopping establishment, up to 20,000 gross square feet;
34 (N) Seminary, convent or monastery;
35 (O) Utilities, as permitted by section 7-1200;
36 (P) Accessory uses, as permitted by section 7-100.
37

38 Section 19. That Section 4-502.1 of the Zoning Ordinance be, and the same hereby
39 is, amended by deleting the language shown in strikethrough and inserting new language shown
40 in underline, as follows:
41

42 4-502.1 - Administrative special uses.

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

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

- (A.1) Health and athletic club;
- (A.2) ~~Reserved; 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;
- (F) Valet parking.

Section 20. That Section 4-507 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

4-507 - Use limitations.

- (A) 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.
- (B) Appliance sales, repair and rental shall be limited to small appliances only, such as televisions, radios, lawnmowers, kitchen counter and small electronic appliances and like items which do not exceed one horsepower in size.
- (C) No use shall be conducted in any manner which would render it noxious or offensive by reason of dust, refuse matter, odor, smoke, gas, fumes, noise, vibration or glare.
- (D) A day care center, or commercial school ~~or message establishment~~ shall obtain all state, federal and local licenses and certificates required prior to opening its place of business.
- (E) A day care center shall provide adequate drop off and pick up facilities so as to create minimal impact on pedestrian and vehicular traffic.

Section 21. That Section 4-602 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

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~~ Health profession office;

- (F.1) Motor vehicle parking or storage for 20 vehicles or fewer;
- (G) Personal service establishment;
- (H) Private school, commercial;
- (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.

Section 22. That Section 4-602.1 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

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

Section 23. That Section 4-607 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

4-607 - Use limitations.

- (A) 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 which permit shall indicate the location, size, duration and purpose of the accessory outdoor use.
- (B) Appliance sales, repair and rental shall be limited to small appliances only, such as televisions, radios, lawnmowers, kitchen counter and small electronic appliances and like items which do not exceed one horsepower in size.
- (C) No use shall be conducted in any manner which would render it noxious or offensive by reason of dust, refuse matter, odor, smoke, gas, fumes, noise, vibration or glare.

1 (D) A day care center, or commercial school ~~or message establishment~~ shall obtain
2 all state, federal and local licenses and certificates required prior to opening its
3 place of business.

4 (E) A day care center shall provide adequate drop off and pick up facilities so as to
5 create minimal impact on pedestrian and vehicular traffic.
6

7 Section 24. That Section 4-702.1 of the Zoning Ordinance be, and the same hereby
8 is, amended by deleting the language shown in strikethrough and inserting new language shown
9 in underline, as follows:
10

11 4-702.1 - Administrative special uses.

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

- 14 (A) Animal care facility with overnight accommodation if located in a shopping
15 center;
- 16 (B) Reserved; ~~Massage establishment~~;
- 17 (C) Outdoor garden center;
- 18 (D) Outdoor food and crafts market;
- 19 (E) Outdoor dining;
- 20 (F) Reserved;
- 21 (G) Valet parking.
22

23 Section 25. That Section 4-802 of the Zoning Ordinance be, and the same hereby is,
24 amended by deleting the language shown in strikethrough and inserting new language shown in
25 underline, as follows:
26

27 4-802 - Permitted uses.

28 The following uses are permitted in the OC zone:

- 29 (A) Single-family dwelling;
- 30 (A.1) Two-family dwelling;
- 31 (A.2) Townhouse dwelling;
- 32 (B) Multifamily dwelling;
- 33 (C) Animal care facility with no overnight accommodation;
- 34 (C.1) Business and professional office;
- 35 (D) Cemetery;
- 36 (E) Church;
- 37 (E.1) Convenience store within an office complex;
- 38 (E.2) Day care center;
- 39 (E.3) Health and athletic club located within a shopping center, hotel or office
40 complex;
- 41 (F) Medical laboratory;
- 42 (G) ~~Medical office~~ Health profession office;
- 43 (G.1) Motor vehicle parking or storage for 20 vehicles or fewer;
- 44 (H) Personal service establishment;
- 45 (I) Private school, commercial;
- 46 (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.

Section 26. That Section 4-802.1 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

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

Section 27. That Section 4-807 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

4-807 - Use limitations.

- (A) All operations, including storage, shall be conducted within a completely enclosed building except that a temporary use permit for occasional outdoor sales or seasonal sales or display 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 and, if the use is seasonal, whether the permit shall continue on an annual basis.
- (B) Appliance sales, repair and rental shall be limited to small appliances only, such as televisions, radios, lawnmowers, kitchen counter and small electronic appliances and like items which do not exceed one horsepower in size.
- (C) Automobile service stations, car washes and drive through facilities shall only be located along an arterial (100 feet) or primary collector (80 feet) road, to include any associated service road.
- (D) No use shall be conducted in any manner which would render it noxious or offensive by reason of dust, refuse matter, odor, smoke, gas, fumes, noise, vibration or glare.

- 1 (E) A day care center, or commercial school or massage establishment shall obtain
2 all state, federal and local licenses and certificates prior to opening its place of
3 business.
- 4 (F) A day care center shall provide adequate drop off and pick up facilities so as to
5 create minimal impact on pedestrian and vehicular traffic.
- 6 (G) A convenience store within an office complex shall limit alcohol sales as
7 follows: Beer or wine coolers may be sold only in four packs, six packs or
8 bottles of more than 40 fluid ounces. Wine may be sold only in bottles of at
9 least 750 ml or 25.4 ounces. Fortified wine (wine with an alcohol content of 14
10 percent or more by volume) may not be sold.
11

12 Section 28. That Section 4-902 of the Zoning Ordinance be, and the same hereby is,
13 amended by deleting the language shown in strikethrough and inserting new language shown in
14 underline, as follows:
15

16 4-902 - Permitted uses.

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

- 18 (A) Single-family dwelling;
19 (A.1) Two-family dwelling;
20 (A.2) Townhouse dwelling;
21 (B) Multifamily dwelling;
22 (C) Animal care facility with no overnight accommodation;
23 (C.1) Business and professional office;
24 (C.2) Business offices with or without accessory indoor storage other than those
25 listed in section 4-902(C.1);
26 (D) Cemetery;
27 (E) Church;
28 (E.1) Convenience store within an office complex;
29 (E.2) Day care center;
30 (E.3) Health and athletic club located within a shopping center, hotel or office
31 complex;
32 (F) Medical laboratory;
33 (G) ~~Medical office~~ Health profession office;
34 (G.1) Motor vehicle parking or storage for 20 vehicles or fewer;
35 (H) Personal service establishment;
36 (I) Private school, commercial;
37 (I.1) Public school;
38 (J) Radio or TV broadcasting office and studio;
39 (K) Retail shopping establishment, up to 20,000 gross square feet;
40 (K.1) Restaurant located within a shopping center or hotel;
41 (L) Seminary, convent or monastery;
42 (M) Utilities, as permitted by section 7-1200;
43 (N) Accessory uses, as permitted by section 7-100.
44

1 Section 29. That Section 4-902.1 of the Zoning Ordinance be, and the same hereby
2 is, amended by deleting the language shown in strikethrough and inserting new language shown
3 in underline, as follows:
4

5 4-902.1 - Administrative special uses.

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

- 8 (A) Animal care facility with overnight accommodation if located in a shopping
9 center;
- 10 (A.1) Health and athletic club;
- 11 (A.2) Restaurant;
- 12 (B) Reserved; ~~message establishment~~;
- 13 (C) Outdoor garden center;
- 14 (D) Outdoor food and crafts market;
- 15 (E) Outdoor dining;
- 16 (F) Reserved;
- 17 (G) Valet parking;
- 18 (H) Catering operation in an industrial or flex space center;
- 19 (I) Light assembly, service, and crafts in an industrial or flex space center.

21 Section 30. That Section 4-906 of the Zoning Ordinance be, and the same hereby is,
22 amended by deleting the language shown in strikethrough and inserting new language shown in
23 underline, as follows:
24

25 4-906 - Use limitations.

- 26 (A) All operations, including storage, shall be conducted within a completely
27 enclosed building except that a temporary use permit for occasional outdoor
28 sales or seasonal sales or display in conjunction with and on the same lot as an
29 existing permitted use may be granted by the director, and the permit shall
30 indicate the location, size, duration and purpose of the accessory outdoor use
31 and, if the use is seasonal, whether the permit shall continue on an annual
32 basis.
- 33 (B) Appliance sales, repair and rental shall be limited to small appliances only,
34 such as televisions, radios, lawnmowers, kitchen counter and small electronic
35 appliances and like items which do not exceed one horsepower in size.
- 36 (C) Automobile service stations, car washes and drive through facilities shall only
37 be located along an arterial (100 feet) or primary collector (80 feet) road,
38 including any associated service road.
- 39 (D) No use shall be conducted in any manner which would render it noxious or
40 offensive by reason of dust, refuse matter, odor, smoke, gas, fumes, noise,
41 vibration or glare.
- 42 (E) A day care center; or commercial school ~~or message establishment~~ shall obtain
43 all state, federal and local licenses and certificates prior to opening its place of
44 business.
- 45 (F) A day care center shall provide adequate drop off and pick up facilities so as to
46 create minimal impact on pedestrian and vehicular traffic.

- 1 (G) A convenience store within an office complex shall limit alcohol sales as
2 follows: Beer or wine coolers may be sold only in four packs, six packs or
3 bottles of more than 40 fluid ounces. Wine may be sold only in bottles of at
4 least 750 ml or 25.4 ounces. Fortified wine (wine with an alcohol content of 14
5 percent or
6

7 Section 31. That Section 4-1002 of the Zoning Ordinance be, and the same hereby
8 is, amended by deleting the language shown in strikethrough and inserting new language shown
9 in underline, as follows:
10

11 4-1002 - Permitted uses.

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

- 13 (A) Single-family dwelling, except as limited by section 4-1003(A.1);
14 (A.1) Two-family dwelling, except as limited by section 4-1003(A.1);
15 (A.2) Townhouse dwelling, except as limited by section 4-1003(A.1);
16 (B) Multi-family dwelling, except as limited by section 4-1003 (A.1);
17 (C) Animal care facility with no overnight accommodation;
18 (C.1) Business and professional office;
19 (C.2) Business offices with or without accessory indoor storage other than those
20 listed in section 4-1002(C.1);
21 (D) Cemetery;
22 (E) Church;
23 (E.1) Convenience store within an office complex;
24 (E.2) Day care center;
25 (E.3) Health and athletic club located within a shopping center, hotel, industrial or
26 flex space center or office complex;
27 (F) Medical laboratory;
28 (G) ~~Medical office~~ Health profession office;
29 (G.1) Motor vehicle parking or storage for 20 vehicles or fewer;
30 (H) Personal service establishment;
31 (I) Private school, commercial;
32 (I.1) Public school;
33 (J) Radio or TV broadcasting office and studio;
34 (K) Retail shopping establishment, up to 20,000 gross square feet;
35 (K.1) Restaurant, located within a shopping center, hotel or industrial or flex space
36 center;
37 (L) Seminary, convent or monastery;
38 (M) Utilities, as permitted by section 7-1200;
39 (N) Accessory uses, as permitted by section 7-100.
40

41 Section 32. That Section 4-1002.1 of the Zoning Ordinance be, and the same hereby
42 is, amended by deleting the language shown in strikethrough and inserting new language shown
43 in underline, as follows:
44

45 4-1002.1 - Administrative special uses.

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

- 3 (A) Animal care facility with overnight accommodation if located in a shopping
4 center;
- 5 (A.1) Health and athletic club;
- 6 (A.2) Restaurant;
- 7 (B) Reserved; ~~message establishment~~;
- 8 (C) Outdoor garden center;
- 9 (D) Outdoor food and crafts market;
- 10 (E) Outdoor dining;
- 11 (F) Reserved;
- 12 (G) Valet parking;
- 13 (H) Catering operation in an industrial or flex space center;
- 14 (H.1) Light assembly, service, and crafts in an industrial or flex space center; and
- 15 (I) Light auto repair in an industrial or flex space center.

16
17 Section 33. That Section 4-1006 of the Zoning Ordinance be, and the same hereby
18 is, amended by deleting the language shown in strikethrough and inserting new language shown
19 in underline, as follows:

20
21 4-1006 - Use limitations.

- 22 (A) All operations, including storage, shall be conducted within a completely
23 enclosed building except that a temporary use permit for occasional outdoor
24 sales or seasonal sales or display in conjunction with and on the same lot as an
25 existing permitted use may be granted by the director, and the permit shall
26 indicate the location, size, duration and purpose of the accessory outdoor use
27 and, if the use is seasonal, whether the permit shall continue on an annual
28 basis.
- 29 (B) Appliance sales, repair and rental shall be limited to small appliances only,
30 such as televisions, radios, lawnmowers, kitchen counter and small electronic
31 appliances and like items which do not exceed one horsepower in size.
- 32 (C) Automobile service stations, car washes and drive through facilities shall only
33 be located along an arterial (100 feet) or primary collector (80 feet) road,
34 including any associated service road.
- 35 (D) No use shall be conducted in any manner which would render it noxious or
36 offensive by reason of dust, refuse matter, odor, smoke, gas fumes, noise,
37 vibration or glare.
- 38 (E) A day care center, or commercial school ~~or message establishment~~ shall obtain
39 all state, federal and local licenses and certificates prior to opening its place of
40 business.
- 41 (F) A day care center shall provide adequate drop off and pick up facilities so as to
42 create minimal impact on pedestrian and vehicular traffic.
- 43 (G) A convenience store within an office complex shall limit alcohol sales as
44 follows: Beer or wine coolers may be sold only in four packs, six packs or
45 bottles of more than 40 fluid ounces. Wine may be sold only in bottles of at

1 least 750 ml or 25.4 ounces. Fortified wine (wine with an alcohol content of 14
2 percent or more by volume) may not be sold.
3

4 Section 34. That Section 4-1102 of the Zoning Ordinance be, and the same hereby
5 is, amended by deleting the language shown in strikethrough and inserting new language shown
6 in underline, as follows:
7

8 4-1102 - Permitted uses.

9 The following uses are permitted in the OCH zone:

- 10 (A) Single-family dwelling, except as limited by section 4-1103(A.1);
- 11 (A.1) Two-family dwelling, except as limited by section 4-1103(A.1);
- 12 (A.2) Townhouse dwelling, except as limited by section 4-1103(A.1);
- 13 (B) Multi-family dwelling, except as limited by section 4-1103(A.1);
- 14 (C) Animal care facility with no overnight accommodation;
- 15 (C.1) Business and professional office;
- 16 (D) Cemetery;
- 17 (E) Church;
- 18 (E.1) Convenience store within an office complex;
- 19 (E.2) Day care center;
- 20 (E.3) Health and athletic club located within a shopping center, hotel, industrial or
- 21 flex space building or office complex;
- 22 (F) Hospital;
- 23 (G) Medical care facility;
- 24 (H) Medical laboratory;
- 25 (I) ~~Medical office~~ Health profession office;
- 26 (I.1) Motor vehicle parking or storage for 20 vehicles or fewer;
- 27 (J) Personal service establishment, on the same lot as office use;
- 28 (K) Private school, commercial;
- 29 (K.1) Public school;
- 30 (L) Radio or television broadcasting office and studio;
- 31 (L.1) Restaurant located within a shopping center or hotel;
- 32 (M) Retail shopping establishment, on the same lot as office use, up to 20,000 gross
- 33 square feet;
- 34 (N) Seminary, convent or monastery;
- 35 (O) Utilities, as permitted by section 7-1200;
- 36 (P) Accessory uses, as permitted by section 7-100.
37

38 Section 35. That Section 4-1102.1 of the Zoning Ordinance be, and the same hereby
39 is, amended by deleting the language shown in strikethrough and inserting new language shown
40 in underline, as follows:
41

42 4-1102.1 - Administrative special uses.

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

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

- (A.1) Health and athletic club;
- (A.2) Restaurant;
- (B) Reserved; ~~massage establishment;~~
- (C) Outdoor garden center;
- (D) Outdoor food and crafts market;
- (E) Outdoor dining;
- (F) Reserved;
- (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.

Section 36. That Section 4-1106 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

4-1106 - Use limitations.

- (A) All operations, including storage, shall be conducted within a completely enclosed building except that a temporary use permit for occasional outdoor sales or seasonal sales or display 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 and, if the use is seasonal, whether the permit shall continue on an annual basis.
- (B) Automobile service stations, car washes and drive through facilities shall only be located along an arterial (100 feet) or primary collector (80 feet) road, including any associated service road.
- (C) Appliance sales, repair and rental shall be limited to small appliances only, such as televisions, radios, lawnmowers, kitchen counter and small electronic appliances and like items which do not exceed one horsepower in size.
- (D) No use shall be conducted in any manner which would render it noxious or offensive by reason of dust, refuse matter, odor, smoke, gas fumes, noise, vibration or glare.
- (E) A day care center, or commercial school ~~or massage establishment~~ shall obtain all state, federal and local licenses and certificates prior to opening its place of business.
- (F) A day care center shall provide adequate drop off and pick up facilities so as to create minimal impact on pedestrian and vehicular traffic.
- (G) A convenience store within an office complex shall limit alcohol sales as follows: Beer or wine coolers may be sold only in four packs, six packs or bottles of more than 40 fluid ounces. Wine may be sold only in bottles of at least 750 ml or 25.4 ounces. Fortified wine (wine with an alcohol content of 14 percent or more by volume) may not be sold.

Section 37. That Section 4-1202 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

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;
- (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]~~ Health profession office;
- (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;
- (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.

Section 38. That Section 4-1202.1 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

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

Section 39. That Section 4-1403 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

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 pawnshops, check cashing, payday loan and title loan businesses;
 - (3) Banks, business and professional offices, medical laboratory~~or~~, health profession 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) Church;

- 1 (4) Private school, commercial with more than 20 students on the premises at
2 any one time.
3

4 Section 40. That Section 4-1403.1 of the Zoning Ordinance be, and the same hereby
5 is, amended by deleting the language shown in strikethrough and inserting new language shown
6 in underline, as follows:
7

8 4-1403.1 - Administrative special uses.

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

- 11 (A) Animal care facility with overnight accommodation located in a shopping center;
12 (A.1) Restaurant;
13 (B) Outdoor garden center;
14 (C) Outdoor food and crafts market;
15 (D) Reserved;
16 (E) Reserved; ~~Massage establishment~~;
17 (F) Valet parking;
18 (G) Outdoor dining;
19 (H) Live theater;
20 (I) Health and athletic club, other than pursuant to section 4-1403(A)(8);
21 (J) Outdoor display of retail goods.
22

23 Section 41. That Section 4-1404 of the Zoning Ordinance be, and the same hereby
24 is, amended by deleting the language shown in strikethrough and inserting new language shown
25 in underline, as follows:
26

27 4-1404 - Special uses.

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

- 29 (A) Amusement enterprise
30 (A.1) Animal care facility with overnight accommodation, other than pursuant to
31 section 4-1403.1(A);
32 (B) Banks, business and professional offices, medical laboratories/~~offices~~, health
33 profession offices and laundromats on the ground floor, other than
34 pursuant ~~section 4-1403(A)~~ Banks, business and professional offices, medical
35 laboratories , health profession office and laundromats, other than pursuant
36 section 4-1403(A)(3);
37 (C) Convenience store;
38 (D) Public parking lot;
39 (E) Private school, commercial, with more than 20 students on the premises at any
40 one time or with a frontage of more than 30 feet along Mount Vernon Avenue;
41 (F) Fraternal or private club;
42 (G) Live theater, other than pursuant to section 4-1403.1(H);
43 (H) Bus shelter on private property;
44 (I) Nursing or convalescent home or hospice;
45 (J) Outdoor food and crafts market, other than pursuant to section 4-1403.1(C);
46 (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- 11 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 42. That Section 4-1413 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

4-1413 - Use limitations.

- (A) All operations, except those administrative uses enumerated in sections 14-1103(B), (C) and (G) 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.
- (B) Appliance sales, repair and rental shall be limited to small appliances only, such as televisions, radios, lawnmowers, kitchen counter and small electronic appliances and like items which do not exceed one horsepower in size.
- (C) No use shall be conducted in any manner which would render it noxious or offensive by reason of dust, refuse matter, odor, smoke, gas fumes, noise, vibration or glare.
- (D) The property owner and occupant shall maintain all building and property appurtenances located within or over the public right-of-way in a safe, clean and attractive fashion, as reasonably determined by the director.
- (E) A day care center, or commercial school ~~or massage establishment~~ shall obtain all required state, federal and local licenses and certificates prior to the opening of its place of business.
- (F) A day care center shall provide adequate drop off and pick up facilities so as to create minimal impact on pedestrian and vehicular traffic.

Section 43. That Section 5-102 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

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~~ Health profession 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.

Section 44. That Section 5-102.1 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

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

Section 45. That Section 5-110 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

5-110 - Use limitations.

- (A) A day care center, or commercial school ~~or massage establishment~~ shall obtain all required state, federal and local licenses and certificates prior to opening its place of business.
- (B) A day care center shall provide adequate drop off and pick up facilities so as to create minimal impact on pedestrian and vehicular traffic.

- 1 (C) A convenience store within an office complex shall limit alcohol sales as
2 follows: Beer or wine coolers may be sold only in four packs, six packs or
3 bottles of more than 40 fluid ounces. Wine may be sold only in bottles of at
4 least 750 ml or 25.4 ounces. Fortified wine (wine with an alcohol content of 14
5 percent or more by volume) may not be sold.
6

7 Section 46. That Section 5-202 of the Zoning Ordinance be, and the same hereby is,
8 amended by deleting the language shown in strikethrough and inserting new language shown in
9 underline, as follows:
10

11 5-202 - Permitted uses.

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

- 13 (A) Single-family dwelling;
14 (A.1) Two-family dwelling;
15 (A.2) Townhouse dwelling;
16 (B) Multifamily dwelling;
17 (C) Business and professional office;
18 (C.1) Convenience store within an office complex;
19 (C.2) Day care center;
20 (C.3) Health and athletic club located within a shopping center, hotel or office
21 complex;
22 (D) Medical laboratory;
23 (E) ~~Medical office~~ Health profession office;
24 (E.1) Motor vehicle parking or storage for 20 vehicles or fewer;
25 (F) Personal service establishment;
26 (F.1) Private school, commercial;
27 (F.2) Public school;
28 (G) Radio or television broadcasting office and studio;
29 (G.1) Restaurant located within a shopping center or hotel;
30 (H) Retail shopping establishment, up to 20,000 gross square feet;
31 (I) Utilities, as permitted by section 7-1200;
32 (J) Accessory uses, as permitted by section 7-100.
33

34 Section 47. That Section 5-202.1 of the Zoning Ordinance be, and the same hereby
35 is, amended by deleting the language shown in strikethrough and inserting new language shown
36 in underline, as follows:
37

38 5-202.1 - Administrative special uses.

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

- 41 (A) Health and athletic club;
42 (A.1) Restaurant;
43 (B) Reserved; ~~massage establishment~~;
44 (C) Outdoor garden center;
45 (D) Outdoor food and crafts market;
46 (E) Outdoor dining;

1 (F) Valet parking.
2

3 Section 48. That Section 5-210 of the Zoning Ordinance be, and the same hereby is,
4 amended by deleting the language shown in strikethrough and inserting new language shown in
5 underline, as follows:
6

7 5-210 - Use limitations.

- 8 (A) A day care center, ~~or commercial school or massage establishment~~ shall obtain
9 all required state, federal and local licenses and certificates prior to opening its
10 place of business.
11 (B) A day care center shall provide adequate drop off and pick up facilities so as to
12 create minimal impact on pedestrian and vehicular traffic.
13 (C) A convenience store within an office complex shall limit alcohol sales as
14 follows: Beer or wine coolers may be sold only in four packs, six packs or
15 bottles of more than 40 fluid ounces. Wine may be sold only in bottles of at
16 least 750 ml or 25.4 ounces. Fortified wine (wine with an alcohol content of 14
17 percent or more by volume) may not be sold.
18

19 Section 49. That Section 5-302 of the Zoning Ordinance be, and the same hereby is,
20 amended by deleting the language shown in strikethrough and inserting new language shown in
21 underline, as follows:
22

23 5-302 - Permitted uses.

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

- 25 (A) Single-family dwelling;
26 (A.1) Two-family dwelling;
27 (A.2) Townhouse dwelling;
28 (B) Multifamily dwelling;
29 (C) Business and professional office;
30 (C.1) Convenience store within an office complex;
31 (C.2) Day care center;
32 (C.3) Health and athletic club located within a shopping center, hotel or office
33 complex;
34 (D) Medical laboratory;
35 (E) ~~Medical office~~ Health profession office;
36 (E.1) Motor vehicle parking or storage for 20 vehicles or fewer;
37 (F) Personal service establishment;
38 (F.1) Private school, commercial;
39 (F.2) Public school;
40 (G) Radio or television broadcasting office and studio;
41 (G.1) Restaurant located within a shopping center or hotel;
42 (H) Retail shopping establishment, up to 20,000 gross square feet;
43 (I) Utilities, as permitted by section 7-1200;
44 (J) Accessory uses, as permitted by section 7-100.
45

1 Section 50. That Section 5-302.1 of the Zoning Ordinance be, and the same hereby
2 is, amended by deleting the language shown in strikethrough and inserting new language shown
3 in underline, as follows:
4

5 5-302.1 - Administrative special uses.

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

- 8 (A) Health and athletic club;
- 9 (A.1) Restaurant;
- 10 (B) Reserved ~~message establishment~~;
- 11 (C) Outdoor garden center;
- 12 (D) Outdoor food and crafts market;
- 13 (E) Outdoor dining;
- 14 (F) Valet parking.
- 15

16 Section 51. That Section 5-310 of the Zoning Ordinance be, and the same hereby is,
17 amended by deleting the language shown in strikethrough and inserting new language shown in
18 underline, as follows:
19

20 5-310 - Use limitations.

- 21 (A) A day care center, ~~or commercial school or message establishment~~ shall obtain
22 all required state, federal and local licenses and certificates prior to opening its
23 place of business.
- 24 (B) A day care center shall provide adequate drop off and pick up facilities so as to
25 create minimal impact on pedestrian and vehicular traffic.
- 26 (C) A convenience store within an office complex shall limit alcohol sales as
27 follows: Beer or wine coolers may be sold only in four packs, six packs or
28 bottles of more than 40 fluid ounces. Wine may be sold only in bottles of at
29 least 750 ml or 25.4 ounces. Fortified wine (wine with an alcohol content of 14
30 percent or more by volume) may not be sold.
31

32 Section 52. That Section 5-402 of the Zoning Ordinance be, and the same hereby is,
33 amended by deleting the language shown in strikethrough and inserting new language shown in
34 underline, as follows:
35

36 5-402- Permitted uses.

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

- 38 (A) Single-family dwelling;
- 39 (A.1) Two-family dwelling;
- 40 (A.2) Townhouse dwelling;
- 41 (A.3) Motor vehicle parking or storage for 20 vehicles or fewer;
- 42 (A.4) Day care center;
- 43 (A.5) Personal service establishment;
- 44 (A.6) Private school, commercial;
- 45 (A.7) Public school;
- 46 (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.
- (D) Business and professional office, above the ground floor;
- (E) Health profession office, above the ground floor.

Section 53. That Section 5-402.1 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

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

Section 54. That Section 5-403 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

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) Food or beverage production exceeding 3,500 square feet, which includes a retail component;
- (D) Business and professional office, on the ground floor of buildings facing the sidewalk;
- (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;

- 1 (O) ~~Medical office~~ Health profession office, on the ground floor of buildings facing
2 the sidewalk;
- 3 (O.1) Motor vehicle parking or storage for more than 20 vehicles;
- 4 (P) Nursing or convalescent home or hospice;
- 5 (P.1) Outdoor food and crafts market, other than pursuant to section 5-402.1;
- 6 (P.2) Outdoor garden center, other than pursuant to section 5-402.1;
- 7 (Q) Reserved;
- 8 (R) Reserved;
- 9 (S) Private school, academic, with more than 20 students on the premises at one
10 time;
- 11 (T) Public building;
- 12 (U) Radio or television broadcasting office and studio;
- 13 (V) Restaurant, other than pursuant to section 5-402.1;
- 14 (W) Retail shopping establishment, larger than 20,000 gross square feet;
- 15 (X) Social service use.
- 16

17 Section 55. That Section 5-511 of the Zoning Ordinance be, and the same hereby is,
18 amended by deleting the language shown in strikethrough and inserting new language shown in
19 underline, as follows:

20

21 5-511 - Use limitations.

22 Health club use shall include health, athletic, and bath clubs or establishments, massage
23 establishment, including facilities incidental to such uses; ~~provided, however, that a special use~~
24 ~~permit granted for the operation of a massage establishment as defined in section 11-4-1 of the~~
25 ~~city code shall apply exclusively to the permittee named therein and shall not be transferable to~~
26 ~~any other firm or individual.~~

27

28 Section 56. That Section 6-603 of the Zoning Ordinance be, and the same hereby is,
29 amended by deleting the language shown in strikethrough and inserting new language shown in
30 underline, as follows:

31

32 6-603 - Uses.

- 33 (A) *Permitted and special use restrictions.* The following uses, otherwise allowed
34 either as permitted or special uses in the CL zone, are not permitted in the
35 overlay zone area:
- 36 (1) Seminary, convent or monastery;
- 37 (2) Medical laboratory;
- 38 (3) Public school;
- 39 (4) Funeral home;
- 40 (5) Rooming house;
- 41 (6) Check cashing business;
- 42 (7) Payday loan business;
- 43 (8) Pawnshop;
- 44 (9) Motor vehicle parking or storage, except that a public parking lot is
45 allowed with a special use permit;
- 46 (10) Title loan business.

- 1 (B) *Special use additions.* The following uses are allowed by special use permit, in
2 addition to those listed in the CL zone:
- 3 (1) Amusement enterprise, limited to live theater, music venues and similar
4 entertainment opportunities.
- 5 (C) *Retail focus uses.* Within the retail focus area, uses occupying first floor space
6 of a building shall be limited to the following:
- 7 (1) Retail shopping establishment.
8 (2) Restaurant.
9 (3) Amusement enterprise, as limited in section (B)(1) above.
10 (4) Personal service establishment, provided that the use shall occupy no
11 more than 30 feet frontage on Mount Vernon Avenue, and provided
12 further that additional frontage space may be permitted with a special
13 use permit.
14 (5) Arts and crafts studios, which are facilities where arts and crafts
15 products are created on site. If at least 50 percent of the frontage of the
16 space on Mount Vernon Avenue is devoted to retail display and sales,
17 then the use is not considered a personal service establishment.
18 (6) Office or residential uses, in an existing building with a first floor
19 located at least 40 inches above the grade of the sidewalk.
20 (7) Private school, commercial, with a maximum of 20 students on the
21 premises at one time and provided that the use shall occupy no more
22 than 30 feet frontage on Mount Vernon Avenue, and provided further
23 that more than 20 students on the premises at one time and additional
24 frontage space may be permitted with a special use permit.
- 25 (D) *Administrative special uses.* Notwithstanding any contrary provisions of the
26 zoning ordinance, the following uses may be allowed by the director by
27 administrative review and approval pursuant to the standards and procedures
28 of section 11-513.
- 29 (1) Restaurants;
30 (2) Outdoor dining;
31 (3) Amusement enterprise, limited to live theater;
32 (4) Outdoor food and crafts markets;
33 (5) Neighborhood outdoor garden center, limited to a maximum size of
34 10,000 square feet;
35 (6) Outdoor display of retail goods;
36 (7) Reserved; ~~massage establishment~~;
37 (8) Valet parking.
- 38 (E) *Accessory apartments.* The regulation for accessory apartments in section 4-
39 108 is modified to allow residential uses on the upper floors of a building to
40 apply to up to eight apartments.
- 41 (F) *Noncomplying uses.* Notwithstanding the language of section 12-301 regarding
42 the definition of noncomplying uses, any use within the urban overlay zone
43 that is legally existing on _____ (date of ordinance adoption) and
44 inconsistent with these provisions shall be deemed a noncomplying use and
45 allowed to continue subject to the rules for noncomplying uses in section 12-
46 302 of this ordinance.

Section 57. That Section 6-702 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

6-702 - Uses.

Uses in the King Street urban retail zone are divided into two categories, depending on their location, in order to protect and enhance opportunities for existing and future retail uses. The two use categories, which are each further divided into permitted and special uses, are defined as followed:

Ground floor uses: Retail and other active uses are emphasized in the ground floor uses category. The ground floor uses category applies to uses to be located in the space within the first 50 feet of a building, measured from the front building wall, and in a building that is set back no further than 30 feet from a front property and with a first floor of the building within four feet above the sidewalk grade.

Upper floor uses: The second category of uses is all space that is not located within the ground floor of a building, as that is defined above. Upper floor uses may be located on floors above the ground floor, in the space on the ground floor beyond the 50 feet threshold for ground floor uses, and in buildings not considered retail appropriate because they are elevated above grade or set back an excessive distance from the street as expressed above.

(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) 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) 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~~ Health profession 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 section 11-513 of this ordinance:

- (1) Valet parking;
- (2) Reserved; ~~massage establishment~~;
- (3) Restaurant (ground floor only).

Section 58. That Section 6-707 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

6-707 - Use limitations.

- (A) All operations, except those administrative uses enumerated in section 6-702(C)(1) 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.
- (B) Appliance sales, repair and rental shall be limited to small appliances only, such as televisions, radios, lawnmowers, kitchen counter and small electronic appliances and like items which do not exceed one horsepower in size.
- (C) No use shall be conducted in any manner which would render it noxious or offensive by reason of dust, refuse matter, odor, smoke, gas fumes, noise, vibration or glare.
- (D) The property owner and occupant shall maintain all building and property appurtenances located within or over the public right-of-way in a safe, clean and attractive fashion, as reasonably determined by the director.
- (E) A day care center, or commercial school ~~or massage establishment~~ shall obtain all required state, federal and local licenses and certificates prior to the opening of its place of business.

Section 59. That Section 7-302 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

7-302 - Prohibited occupations.

Prohibited home occupations include but are not limited to the following:

- (A) Antique shop;
- (B) Barber shop or beauty salon;
- (C) Funeral home with or without chapel;
- (D) Gift shop;
- (E) Kennel or other boarding of animals;
- (F) ~~Medical or dental clinic~~, Health profession office, hospital, or nursing home;
- (G) Motor vehicle repair or sales;
- (H) Nursery school;
- (I) Repair or testing of internal combustion engine;
- (J) Restaurant;
- (K) Veterinary clinic or animal hospital.

1 Section 60. That Section 7-303 of the Zoning Ordinance be, and the same hereby is,
2 amended by deleting the language shown in strikethrough and inserting new language shown in
3 underline, as follows:

4
5 7-303 - Use limitations.

6 Each home occupation shall be subject to the following use limitations each of which
7 shall be applied equally and no one of which shall be interpreted as relaxing another:

- 8 (A) Only those persons who are bona fide residents of the premises may participate
9 in the home occupation. There shall be no on site employment or use of labor
10 from persons who are not bona fide residents of the dwelling.
11 (B) No mechanical or electrical equipment shall be employed on the premises other
12 than machinery or equipment customarily found in a home, associated with a
13 hobby or avocation not conducted for gain or profit, or customary for a small
14 business, professional or ~~medical~~ health profession office.

15
16 Section 61. That Section 8-200 of the Zoning Ordinance be, and the same hereby is,
17 amended by deleting the language shown in strikethrough and inserting new language shown in
18 underline, as follows:

19
20 Sec. 8-200 – General parking regulations

- 21 (A) Schedule of requirements. The following number of parking spaces shall be
22 provided for each use listed. In the case of any use not listed in this section 8-
23 200(A), the requirements of the most similar listed use shall apply. The
24 requirements of this section 8-200(A) may be reduced when special zoning
25 allows parking reductions and the required approvals of the director and the
26 director of transportation and environmental services have been obtained and the
27 conditions of said approval are complied with.

28 *****

29 (16) Specific Commercial uses:

- 30 (a) Within the Enhanced Transit Area
31 i. Minimum requirement – 0.25 spaces per 1,000 square feet of floor area
32 ii. Maximum requirement – 3.0 spaces per 1,000 square feet of floor area
33 (b) Outside the Enhanced Transit Area
34 i. Minimum requirement – 0.75 spaces per 1,000 square feet of floor area
35 ii. Maximum requirement – 4.0 spaces per 1,000 square feet of floor area
36 (c) The following uses are specific commercial for the purposes of determining
37 parking requirements:
38 i. Animal care facility
39 ii. Convenience store
40 iii. Day care center
41 iv. Light assembly, service and crafts
42 v. Reserved; ~~massage establishment~~;
43 vi. Personal Service Establishment
44 vii. Private school, commercial
45 viii. Retail shopping establishment

46 *****

(19) Office uses, including governmental, ~~medical~~, health profession and professional:

(a) Within the enhanced transit area:

i. Minimum requirement—0.25 spaces per 1,000 square feet of floor area.

ii. Maximum requirement—1.5 spaces per 1,000 square feet of floor area.

(b) Outside the enhanced transit area:

i. Minimum requirement—0.75 spaces per 1,000 square feet of floor area.

ii. Maximum requirement—2.25 spaces per 1,000 square feet of floor area.

Section 62. That Section 11-513 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

11-513 - Administrative special use permit.

(O) *Application to certain development special use permits.* The provisions of this section 11-513 have no application to any CO planned residential/commercial development and shall not preempt any conditions in any DSUP or CDD concept plan adopted prior to or after December 13, 2008, which conditions pertain to the establishment of restaurants and other uses which may be classified as permitted uses or as administrative SUP uses under this section 11-513 and under Ordinance #4573, adopted December 13, 2008, except as provided below:

(1) Cameron Station, DSUP #2004-0026. In the commercial space along Brenman Park Drive, the following uses shall be permitted uses and the provisions of this section 11-513(O)(1) shall preempt any conflicting provisions of DSUP 2004-0026:

- (a) Business professional offices;
- (b) Catering;
- (c) Church;
- (d) Convenience store;
- (e) Day care center;
- (f) Health and athletic club;
- (g) Reserved; ~~massage establishment~~;
- (h) Medical care facility;
- (i) Medical laboratory;
- (j) ~~Medical office~~ Health profession office;
- (k) Personal service establishments;
- (l) Pet supplies, grooming and training with no overnight accommodations;
- (m) Restaurant; and
- (n) Retail shopping establishments.

Section 63. That the director of planning and zoning be, and hereby is, directed to

1 record the foregoing text amendment.
2

3 Section 64. That Section 2-126 (BUSINESS AND PROFESSIONAL OFFICE),
4 Section 2-174 (MEDICAL CARE FACILITY), Section 2-176 (MEDICAL OFFICE), of Article
5 II (DEFINITIONS); Section 3-902 (PERMITTED USES), of Division B (TOWNHOUSE AND
6 MULTIFAMILY ZONES) of Article III (RESIDENTIAL ZONE REGULATIONS); Section 4-
7 102 (PERMITTED USES), Section 4-102.1 (ADMINISTRATIVE SPECIAL USES), Section 4-
8 107 (USE LIMITATIONS), 4-202 (PERMITTED USES), 4-202.1 (ADMINISTRATIVE
9 SPECIAL USES), 4-207 (USE LIMITATIONS), Section 4-302 (PERMITTED USES), Section
10 4-302.1 (ADMINISTRATIVE SPECIAL USES), Section 4-307 (USE LIMITATIONS), Section
11 4-402 (PERMITTED USES), Section 4-402.1 (ADMINISTRATIVE SPECIAL USES), Section
12 4-407 (USE LIMITATIONS), Section 4-502 (PERMITTED USES), Section 4-502.1
13 (ADMINISTRATIVE SPECIAL USES), Section 4-507 (USE LIMITATIONS), Section 4-602
14 (PERMITTED USES), Section 4-602.1 (ADMINISTRATIVE SPECIAL USES), Section 4-607
15 (USE LIMITATIONS), Section 4-702.1 (ADMINISTRATIVE SPECIAL USES), Section 4-802
16 (PERMITTED USES), Section 4-802.1 (ADMINISTRATIVE SPECIAL USES), Section 4-807
17 (USE LIMITATIONS), Section 4-902 (PERMITTED USES), Section 4-902.1
18 (ADMINISTRATIVE SPECIAL USES), Section 4-906 (USE LIMITATIONS), Section 4-1002
19 (PERMITTED USES), Section 4-1002.1 (ADMINISTRATIVE SPECIAL USES), Section 4-
20 1006 (USE LIMITATIONS), Section 4-1102 (PERMITTED USES), Section 4-1102.1
21 (ADMINISTRATIVE SPECIAL USES), Section 4-1106 (USE LIMITATIONS), Section 4-1202
22 (PERMITTED USES), Section 4-1202.1 (ADMINISTRATIVE SPECIAL USES), Section 4-
23 1403 (PERMITTED USES), Section 4-1403.1 (ADMINISTRATIVE SPECIAL USES), Section
24 4-1404 (SPECIAL USES), Section 4-1413 (USE LIMITATIONS), of Article IV
25 (COMMERCIAL, OFFICE AND INDUSTRIAL ZONES); Section 5-102 (PERMITTED
26 USES), Section 5-102.1 (ADMINISTRATIVE SPECIAL USES), Section 5-110 (USE
27 LIMITATIONS), Section 5-202 (PERMITTED USES), Section 5-202.1 (ADMINISTRATIVE
28 SPECIAL USES), Section 5-210 (USE LIMITATIONS), Section 5-302 (PERMITTED USES),
29 Section 5-302.1 (ADMINISTRATIVE SPECIAL USES), Section 5-310 (USE LIMITATIONS),
30 Section 5-402 (PERMITTED USES), Section 5-402.1 (ADMINISTRATIVE SPECIAL USES),
31 Section 5-403 (SPECIAL USES), Section 5-511 (USE LIMITATIONS), of Article V (MIXED
32 USE ZONES); Section 6-603 (USES), Section 6-702 (USES), Section 6-707 (USE
33 LIMITATIONS), of Article VI (SPECIAL AND OVERLAY ZONES); Section 7-302
34 (PROHIBITED OCCUPATIONS), Section 7-303 (USE LIMITATIONS), of Article VII
35 (SUPPLEMENTAL ZONE REGULATIONS); Section 8-200 (GENERAL PARKING
36 REGULATIONS), of Article VIII (OFF-STREET PARKING AND LOADING); Section 11-513
37 (ADMINISTRATIVE SPECIAL USE PERMIT), of Division B (DEVELOPMENT
38 APPROVALS) of Article XI (DEVELOPMENT APPROVALS AND PROCEDURES); and
39 new Section 2-153.2 (HEALTH PROFESSION OFFICE) of Article II (DEFINITIONS), as
40 amended or added pursuant to Sections 1 through 62 of this ordinance, be, and the same hereby
41 are, reordained as part of the City of Alexandria Zoning Ordinance.
42

Section 65. 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

Introduction: 6/23/18
First Reading: 6/23/18
Publication:
Public Hearing: 6/26/18
Second Reading: 6/26/18
Final Passage: 6/26/18