

Sec. 2-100 Definitions.

For the purposes of this ordinance, the following words and phrases shall have the meaning assigned below, except in those instances where the context clearly indicates a different meaning.

2-121 Bed and breakfast accommodation.

A ~~single-unit-family~~, ~~two-unit-family~~ or townhouse dwelling in which, as an accessory use, no more than two bedrooms are made available for transient occupancy, generally for not more than a total of five guests at one time or for more than seven days per visit.

2-122.1 Block face, contextual.

Abutting property developed with buildings ~~single or two-family dwellings~~ that share a common street frontage or frontages with the property in question.

2-125 Building, public.

A building owned by a governmental agency. Nothing in this definition is intended to interfere with or restrict the use of a dwelling unit ~~by a family~~ as that term is defined in this title wherever such use is allowed in the zones.

2-127 Child care home.

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

2-129 Congregate housing facility.

A structure other than a ~~single-unit, two-unit, townhouse, or multi-unit-family~~ dwelling where unrelated persons reside under supervision or 24 hour on-site management and may receive special care, treatment or training, on a temporary or permanent basis.

2-129.2 Continuum of care facility.

A facility specifically designed for domiciliary use and/or care of four or more aged, infirm, or disabled adults, which may provide for housing progressing from independent living, with or without kitchen facilities, and culminating in assisted living with or without provisions for memory care services, where all related uses are located on the same lot. Such facility shall include services integral to the maintenance or care of residents and be regulated as an assisted living facility under Code of Virginia, title 63.2, as amended. The facility shall be administered in such a manner as to restrict occupancy of independent living units only to persons 55 years of age or older. ~~When an independent living unit is occupied by a family, only one of such person~~

in the unit must satisfy the 55 years of age or older requirement. This term excludes nursing or convalescent homes or hospice, and medical facilities.

2-133 Day care center.

A facility other than a ~~private family dwelling unit~~ which receives children or adults for care, protection and supervision during part of a 24-hour day unattended by a parent or guardian. The term includes a child care center, preschool, nursery school and day nursery, and includes half day and full day programs.

2-136 Dwelling.

A building or portion thereof, containing one or more dwelling units, ~~which is designed or used exclusively for residential purposes.~~

2-136.1 Dwelling, accessory.

A building or portion thereof containing one dwelling unit ~~with separate cooking, heating and sanitary facilities~~ that is subordinate to a principal residential use. An accessory dwelling shall be considered an accessory use.

2-136.2 Dwelling, auxiliary.

A portion of a commercial building containing up to four dwelling units located on a ground floor or floors above or below retail or commercial uses.

2-136.3 Dwelling, co-living.

A portion of a building containing five or six private living spaces, a shared kitchen, as defined by the Uniform Statewide Building Code, and other communal areas. Each private living space must include a bedroom but may or may not include a private bathroom. ~~Each co-living dwelling cannot exceed a total occupancy of eight people.~~ Cooking facilities, specifically a stove or oven, shall not be provided within a private living space. Typically, private living spaces within a co-living dwelling are leased on an individual basis.

2-137 Dwelling, multi-unit family.

A building or portion thereof containing three or more dwelling units, located on a single lot or parcel of ground.

2-138 Dwelling, townhouse.

One of a series of three or more attached dwelling units separated from one another by continuous vertical walls without openings from basement to roof or roofs.

2-139 Dwelling, single-unit family.

A detached building containing one dwelling unit, ~~constituting one dwelling unit, designed for or intended to be occupied by one family. Only one single-family dwelling is permitted on any recorded lot.~~

2-140 Dwelling, two-unit family.

~~A detached building containing two dwelling units designed for or intended to be occupied by not more than two families living independently of each other.~~ This use shall include both duplex (one dwelling unit above another in a single detached building) and semi-detached (two dwelling units having common vertical walls) dwellings. In the case of a semi-detached dwelling, no less than 50 percent of the common wall of one of the two dwelling units shall be opposite the common wall of the other.

2-141 Dwelling unit.

~~A group of One or more rooms used for living and sleeping purposes containing no more than one kitchen and at least one bathroom as these terms are defined by the Uniform Statewide Building Code, or intended for occupancy by a single family. In determining whether a dwelling is a single family dwelling, a two family dwelling, a townhouse dwelling or a multifamily dwelling, consideration will be given to the separate use of or the provision made for cooking, heating and sanitary facilities whether installed or not; both the actual use to which the dwelling is being put and the potential use to which the dwelling might be put; and whether kitchen and bathroom facilities and bedrooms are so located as to provide privacy if occupied by an additional family. It is the intent of this provision to prohibit the installation of facilities in a dwelling unit which would extend the use of the premises for occupancy by more than one family. An accessory dwelling shall not be considered in determining whether the principal dwelling is a single family, two family or townhouse dwelling, or whether a single family, two family or townhouse dwelling complies with the maximum density and minimum open space or lot requirements for the zone for which it is located.~~

2-142 Elder care home.

~~A dwelling unit private family home~~ which offers care, protection and supervision to no more than a total of nine adults over 55 years of age at any time during a 24 hour period and then only for part of the 24 hour day.

2-145 Floor area.

(A) For residential dwellings in the R-20, R-12, R-8, R-5, R-2-5, and single-family and two-unit-family dwellings in the RA and RB zones (not including property located within the Old and Historic Alexandria and Parker-Gray Districts), the floor area of the building or buildings on a lot or tract of land (whether "main" or "accessory") is the sum of all gross horizontal areas under roof on a lot. These areas shall be measured from exterior faces of walls or any extended area under roof and are to be measured from the shared lot line in the case of party walls. Floor area with a ceiling height 15 feet or greater shall be counted twice. Floor area with a ceiling height 25 feet or greater shall be counted three times. This space shall be based on permanent construction whether or not provided with a finished floor or ceiling. Excluded from floor area shall be:

2-143 Reserved Family.

~~A group of people living together as a single housekeeping unit and consisting of:~~

- (A) ~~One or more persons related by blood or marriage together with any number of natural, foster, step or adopted children, domestic servants, nurses and therapists and no more than two roomers or boarders; or~~
- (B) ~~Not more than four unrelated persons or two unrelated adults plus their children; or~~
- (C) ~~Those groups identified in Code of Virginia, § 15.2-2291(A), or like groups licensed by the Virginia Department of Social Services which otherwise meet the criteria of Code of Virginia, § 15.2-2291(A), and which have been determined by the director, following review and recommendation by the Alexandria Community Services Board (CSB), to be in compliance with CSB Policy No. 13 in effect at the time of such determination; or~~
- (D) ~~Any other housekeeping unit not specified above which may be approved through the issuance of a special use permit as being compatible with the character of the neighborhood in which it is to be located; provided, however, that such housekeeping unit shall not exceed nine persons.~~
- (E) ~~In calculating the number of persons permitted to constitute a family pursuant to subsections (C) and (D) of this section, a maximum of eight children under the age of seven who live with their parent in a housekeeping unit may be counted according to the formula: two such children equal one person.~~
- (F) ~~The operation of the home permitted under section 2-143(C) may be directed and administered from the home. No other business of any type, including without limitation the direction and administration of other homes, shall be conducted in the home, except as may be authorized as a home occupation pursuant to section 7-300 of this title. The operation of the home permitted under section 2-143(C) shall at all times comply with CSB Policy No. 13 in effect at the time of approval of the home.~~

2-150.2 Grade, average finished.

The elevation obtained by averaging the finished ground surface elevation at intervals of ten feet at the perimeter of a single-unit, two-unit, ~~family~~ or townhouse dwelling and intervals of 20 feet at the perimeter of any other building.

2-150.3 Grade, average pre-construction.

The elevation obtained by averaging the ground surface elevation at intervals of ten feet at the perimeter of an existing or proposed single-unit, two-unit, ~~family~~ or townhouse dwelling and intervals of 20 feet at the perimeter of any other building prior to construction. For accessory buildings less than 250 square feet, there shall be at least four ground surface elevations spaced at fixed intervals around the perimeter of an existing or proposed accessory building.

2-154 Height of building.

The vertical distance measured from average finished grade to the highest point of the building, except that:

- (D) Dormers. In the case of dormers, height shall be measured to the midpoint between the dormers eaves and the ridge. For buildings in the R-20, R-12, R-8, R-5, R-2-5, and single-family and two-unit-family dwellings in the RA and RB zones, not including property located within the Old and Historic Alexandria and Parker-Gray Districts, height shall be measured to the midpoint of the dormers if the total width of all dormers is more than 30 percent of the horizontal width of the roof.

- (G) For buildings in the R-20, R-12, R-8, R-5, R-2-5, and single-family and two-unit-family dwellings in the RA and RB zones not including property located within the Old and Historic Alexandria and Parker-Gray Districts, height shall be measured from the average pre-construction grade.

2-179 Nursing or convalescent home or hospice.

An establishment which provides 24 hour convalescent or chronic care, or both, for three or more individuals who are not related by blood or marriage to the operator and who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves. No intensive medical care or surgical or obstetrical services shall be provided in such an establishment. This definition shall include an establishment or dwelling, also known as a "hospice," which provides full-time palliative and supportive care for terminally ill individuals and their families but shall not include a hospital. ~~Nothing in this definition is intended to interfere with or restrict the use of a dwelling unit by a family as that term is defined in this ordinance wherever such use is allowed in the zones.~~

2-180 Open and usable space. That portion of a lot at ground level which is:

That single-unit-family, two-unit-family, townhouse, and multi-unit-family dwellings on lots for which emergency vehicle easement areas were counted as open space in the site plan or special use permit approval therefor, existing on March 1, 2000, or for which a building permit application or preliminary site plan application was filed, and was pending or had been approved on March 1, 2000, shall not be subject to the provisions of section 2-180(D) as amended by this subsection, shall not be characterized as noncomplying structures, and shall be characterized as structures grandfathered under prior law, pursuant to section 12-500 of this Code.

2-192 Roominghouse Reserved.

~~A dwelling or portion thereof which contains guest rooms designed or intended to be used, let out of or hired for occupancy by, or which are occupied by three or more, but not exceeding nine individuals for compensation and in which meals may be provided. Existence of one or more of the following characteristics constitutes prima facie evidence that a dwelling is being used as a roominghouse: separate rental agreements for different roomers; separate entrances from the exterior for individual roomers; and typical common areas of a dwelling, such as the living room and dining room, being utilized as sleeping areas or not being available on an equal or common~~

basis to all roomers. For regulations applicable to roominghouses, see sections 7-1900 and 12-221.

2-193 Setback ratio.

The ratio of the horizontal distance between any part of a building or structure and the nearest side or rear property line or the nearest building or the center line of a street or alley to the height of that part of the building above average finished grade of such line, except that for buildings in the R-20, R-12, R-8, R-5, R-2-5 and single-unit-family and two-unit-family dwellings in the RA and RB zones not including property located within the Old and Historic Alexandria and Parker-Gray Districts, height shall be measured from the average pre-construction grade of such line.