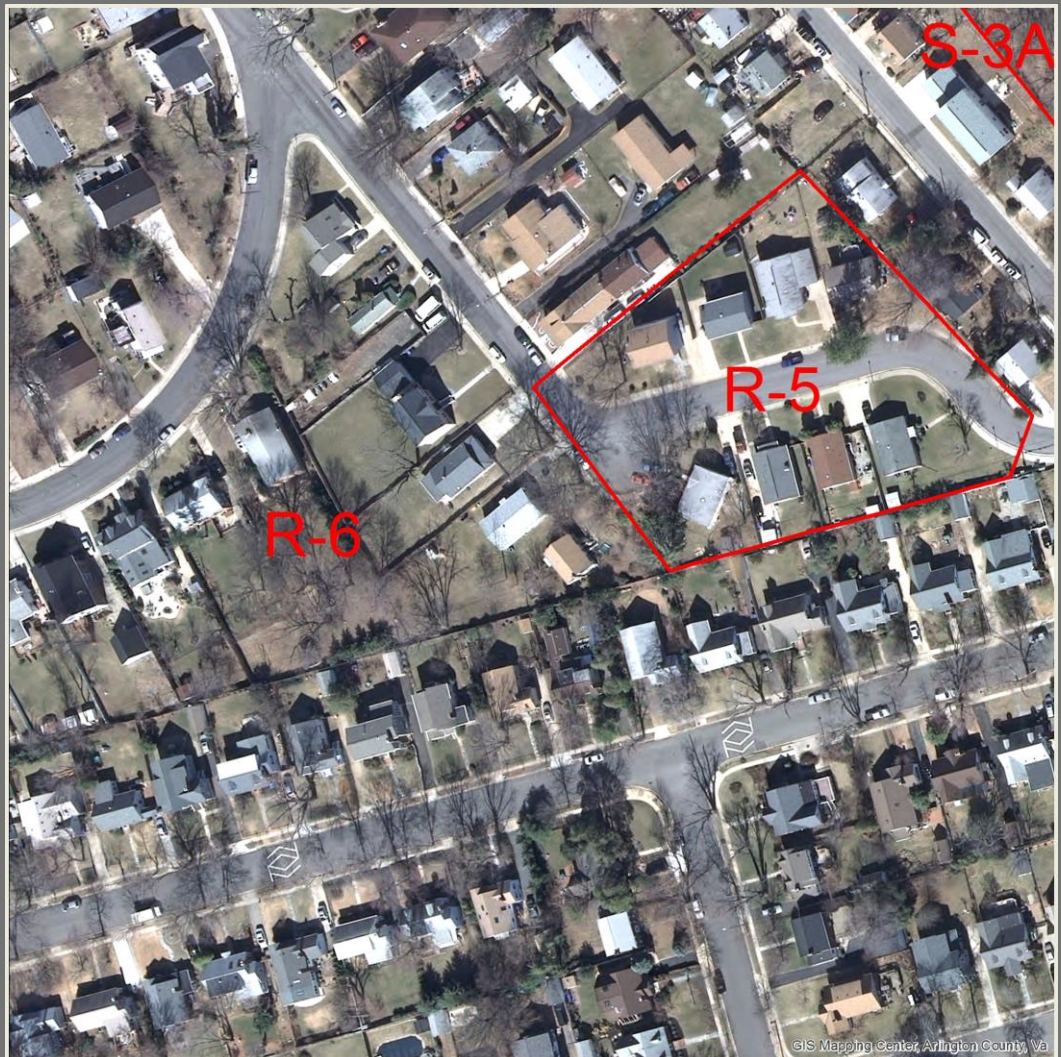


2014

# Zoning Ordinance

~~County of~~ Arlington County, Virginia



## **REVISED** PRELIMINARY DRAFT

Proposed changes are shown with ~~strikethrough~~ to denote text to be deleted and underline to denote text to be added. There is no meaning to different colors of text.

## HOW TO NAVIGATE IN THIS ORDINANCE

### THIS DOCUMENT CONTAINS HYPERLINKS

1. The Table of Contents is hyperlinked. Clicking on any entry in the table will bring you directly to that Article or section.
2. The “RETURN TO THE TABLE OF CONTENTS” link is included at the bottom of every page, and clicking on it will return you directly to the table of contents.
3. All internal references are hyperlinked. Click on the link to navigate directly to the referenced section. All links are prefaced with the § symbol, as shown below.

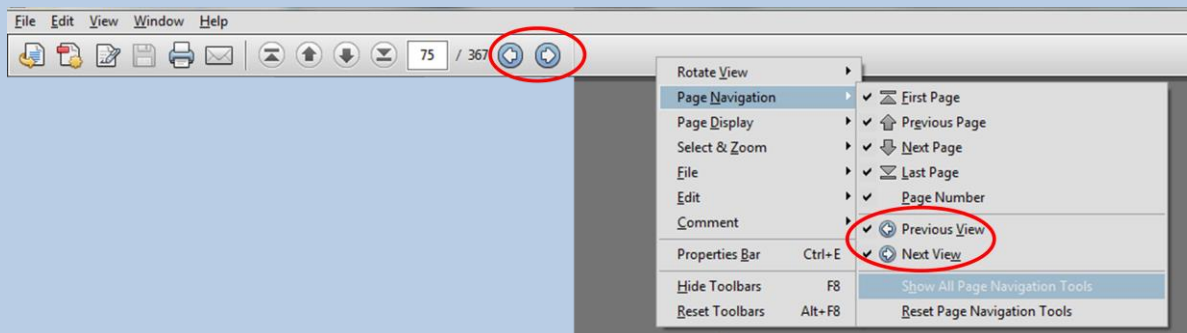
In addition to the requirement for shrubs of [§5.8.5.B.1](#), above, major deciduous trees shall be planted at the minimum rate of one for every 35 feet along any property line abutting public right-of-way.

4. All use tables include hyperlinks to each zoning district listed in the table.

Specific Use Types	R-20	R-10	R-10T	R-8	R-6	R-5	R15-30T	R2-7	Use Standards
--------------------	------	------	-------	-----	-----	-----	---------	------	---------------

### HOW TO CONFIGURE ADOBE READER® TO NAVIGATE TO “PREVIOUS” AND “NEXT” VIEW

1. Open Adobe Reader®
2. Right-click on the tool bar and choose Page Navigation
3. Click on “Previous View” and “Next View” to add the buttons to the tool bar as shown below.
4. After clicking on a hyperlink, click the “Previous View” button to return back to the original location. The button can be used multiple times to view multiple previous locations, and the “Next View” button may be used to navigate in the other direction.



## HOW TO USE THIS ORDINANCE

### IF YOU OWN PROPERTY AND WANT TO KNOW WHAT RULES APPLY:

STEP 1: Find your zoning district and any overlay districts by looking at the Zoning Map or by calling the Zoning Office.

STEP 2: Go to Article 4 for Public Districts; Article 5 for Residential Districts; Article 6 for Residential Apartment Districts; Article 7 for Commercial/Mixed Use Districts; or Article 8 for Industrial Districts, to review the intent of the district applied to your property. Purpose statements are found in the first subsection within each respective district.

STEP 3: Go to §4.1 for Public Districts; §5.1 for Residential Districts; §6.1 for Residential Apartment Districts; §7.1 for Commercial/Mixed Use Districts; or §8.1 for Industrial Districts use tables, for details on uses permitted on your property. Find the row that lists the specific use you've identified. Match this row to your district (across the top of the table) to determine if the use you want to establish is allowed. If the use you've identified is not listed, go to §12.2.1, Similar use interpretation.

STEP 4: If your use is permitted, before building the structure or establishing the use, you must get the appropriate permits approved (see Article 15). For details on maximum density, minimum lot size, setbacks, lot coverage, and similar standards see "density and dimensional standards" in each of the respective districts for details on uses permitted on your property

For specific use standards ~~that apply in more than one district,~~ see Article 12. ~~Please note that use standards that apply only in one district are found in the respective districts under "district standards".~~

~~For additional use standards and requirements, The use may also be subject to these~~ site development standards in 0 and Article 14, and all regulations for the subject zoning district.

STEP 5: Don't forget the special planning area regulations in Article 9 and the overlay and special purpose districts established in Article 11, ~~which~~ may apply to your property. These requirements are intended to help you and the County ensure that your project is legally established and that it matches the development vision that Arlington County, as a community, desires.

### IF YOU WANT TO BUILD OR ESTABLISH A PARTICULAR USE:

Follow Steps 1 through 5 above, to identify your zoning district and the permitted uses. You can find the specific details, use standards, for the permitted uses in your zoning district in Article 12; ~~provided, that use standards that apply only in one district are found and~~ in the respective zoning district regulations under "district standards". You can also find the various site development standards that apply to your property in Article 13 and Article 14.

---

*This page intentionally blank*

# CONTENTS

---

<b>ARTICLE 1. INTRODUCTORY PROVISIONS .....</b>	<b>1-1</b>
§ 1.1. Title .....	1-1
§ 1.2. Minimum Requirements .....	1-1
§ 1.3. Use of buildings and Land .....	1-1
§ 1.4. Conflicting Provisions.....	1-1
§ 1.5. Street Frontage Required .....	1-2
§ 1.6. Headings and Illustrations.....	1-2
§ 1.7. Zoning Districts Established .....	1-2
<b>ARTICLE 2. DISTRICT MAP.....</b>	<b>2-1</b>
§ 2.1. Incorporated as Part of this Zoning Ordinance .....	2-1
§ 2.2. Map Interpretation .....	2-1
§ 2.3. Future Boundaries to Street Centerline.....	2-1
<b>ARTICLE 3. DENSITY AND DIMENSIONAL STANDARDS .....</b>	<b>3-1</b>
§ 3.1. Measurements, Computations and Exceptions .....	3-1
§ 3.2. Bulk, Coverage and Placement Requirements .....	3-8
<b>ARTICLE 4. PUBLIC (P) DISTRICTS.....</b>	<b>4-1</b>
§ 4.1. Public (P) Districts Use Tables .....	4-1
§ 4.2. S-3A, Special District .....	4-8
§ 4.3. S-D, Special Development District.....	4-10
§ 4.4. P-S, Public Service District.....	4-13
<b>ARTICLE 5. RESIDENTIAL (R) DISTRICTS.....</b>	<b>5-1</b>
§ 5.1. Residential (R) Districts Use Tables .....	5-1
§ 5.2. R-20, One-Family Dwelling District .....	5-9
§ 5.3. R-10, One-Family Dwelling District .....	5-10
§ 5.4. R-10T, One-Family and, Townhouse Dwelling District .....	5-11
§ 5.5. R-8, One-Family Dwelling District .....	5-15
§ 5.6. R-6, One-Family Dwelling District .....	5-16
§ 5.7. R-5, One-Family and Restricted Two-Family Dwelling District .....	5-18
§ 5.8. R15-30T, Townhouse Dwelling District .....	5-20
§ 5.9. R2-7, Two-Family and Townhouse Dwelling District.....	5-24
<b>ARTICLE 6. MULTIPLE-FAMILY (RA) DISTRICTS.....</b>	<b>6-1</b>
§ 6.1. Multiple-family (RA) Districts Use Tables.....	6-1
§ 6.2. RA14-26, Multiple-family Dwelling District .....	6-10
§ 6.3. RA8-18, Multiple-family Dwelling District .....	6-13
§ 6.4. RA7-16, Multiple-family Dwelling District .....	6-16
§ 6.5. RA6-15, Multiple-family Dwelling District .....	6-18

**ARTICLE 7. COMMERCIAL/ MIXED USE (C) DISTRICTS..... 7-1**

- § 7.1. Commercial/Mixed Use (C) Districts Use Tables ..... 7-1
- § 7.2. RA4.8, Multiple-Family Dwelling District..... 7-26
- § 7.3. R-C, Multiple-family Dwelling and Commercial District ..... 7-29
- § 7.4. RA-H, Hotel District..... 7-33
- § 7.5. RA-H-3.2, Multiple-Family Dwelling and Hotel District ..... 7-35
- § 7.6. C-1-R, Restricted Local Commercial District..... 7-38
- § 7.7. C-1, Local Commercial District ..... 7-40
- § 7.8. MU-VS, Mixed Use Virginia Square District..... 7-43
- § 7.9. C-1-O, Limited Commercial Office Building District ..... 7-50
- § 7.10. C-O-1.0, Mixed Use District..... 7-52
- § 7.11. C-O-1.5, Mixed Use District..... 7-54
- § 7.12. C-O-2.5, Mixed Use District..... 7-57
- § 7.13. C-O, Mixed Use District..... 7-59
- § 7.14. C-O-A, Mixed Use District ..... 7-61
- § 7.15. C-O Rosslyn, Mixed Use Rosslyn District ..... 7-64
- § 7.16. C-O Crystal City, Mixed Use Crystal City District ..... 7-68
- § 7.17. C-2, Service Commercial-Community Business District ..... 7-79
- § 7.18. C-TH, Commercial Townhouse District ..... 7-81
- § 7.19. C-3, General Commercial District..... 7-84
- § 7.20. C-R, Commercial Redevelopment District..... 7-86

**ARTICLE 8. INDUSTRIAL (M) DISTRICTS..... 8-1**

- § 8.1. Industrial (M) Districts Use Tables ..... 8-1
- § 8.2. CM, Limited Industrial District ..... 8-11
- § 8.3. M-1, Light Industrial District ..... 8-12
- § 8.4. M-2, Service Industrial District..... 8-13

**ARTICLE 9. SPECIAL PLANNING AREA REGULATIONS ..... 9-1**

- § 9.1. Special Revitalization Districts ..... 9-1
- § 9.2. Clarendon Revitalization District..... 9-2
- § 9.3. Fort Myer Heights North Special District ..... 9-19
- § 9.4. Radnor Heights East Special District ..... 9-21

**ARTICLE 10. UNIFIED DEVELOPMENTS ..... 10-1**

- § 10.1. Unified Residential Developments..... 10-1
- § 10.2. Unified Commercial/Mixed Use Development ..... 10-3
- § 10.3. Residential Cluster Development..... 10-12

**ARTICLE 11. OVERLAY AND FORM BASED CODE DISTRICTS ..... 11-1**

- § 11.1. CP-FBC, Columbia Pike Form Based Code District..... 11-1
- § 11.2. CPN-FBC, Columbia Pike Neighborhoods Form Based Code District ..... 11-12
- § 11.3. Historic Preservation Overlay District ..... 11-13

**ARTICLE 12. USE STANDARDS..... 12-1**

- § 12.1. Applicability ..... 12-1

§ 12.2. Use Categories ..... 12-1

§ 12.3. Residential Use Standards ..... 12-19

§ 12.4. Public and Civic Use Standards ..... 12-23

§ 12.5. Commercial/Mixed Use Standards ..... 12-25

§ 12.6. Industrial Use Standards ..... 12-37

§ 12.7. Other Use Standards..... 12-40

§ 12.8. Transitional Use Standards ..... 12-40

§ 12.9. Accessory Use Standards ..... 12-42

§ 12.10. Short Term Use Standards ..... 12-52

**ARTICLE 13. SIGNS..... 13-1**

§ 13.1. Purpose..... 13-1

§ 13.2. Applicability ..... 13-2

§ 13.3. Modifications ..... 13-4

§ 13.4. Signs Prohibited in All Districts ..... 13-6

§ 13.5. Signs in R Districts and for One- and Two-Family Dwellings in All Districts..... 13-8

§ 13.6. Signs in RA Districts and for Townhouses in any Zoning District..... 13-10

§ 13.7. Signs in C and M Districts (excluding One- and Two-Family and Townhouse Uses) ..... 13-16

§ 13.8. Signs for Public, civic and institutional Uses ..... 13-29

§ 13.9. Signs in Public Districts, on Public Property andPublic Right-of-Way..... 13-32

§ 13.10. Temporary Signs by Private Parties in Public Right-Of-Way..... 13-43

§ 13.11. Sign Illumination ..... 13-44

§ 13.12. Flashing, Moving and Changeable Copy Signs ..... 13-46

§ 13.13. Sign Permits ..... 13-50

§ 13.14. Comprehensive Sign Plans Approved After July 24, 2012..... 13-50

§ 13.15. Temporary Signs for Construction and Sale/Leasing ..... 13-51

§ 13.16. General Provisions ..... 13-53

§ 13.17. Nonconforming Signs..... 13-54

§ 13.18. Definitions and Interpretations ..... 13-56

**ARTICLE 14. SITE DEVELOPMENT STANDARDS ..... 14-2**

§ 14.1. Maintenance of Common Area..... 14-2

§ 14.2. Landscaping ..... 14-2

§ 14.3. Parking and Loading..... 14-6

§ 14.4. Outdoor Lighting..... 14-20

§ 14.5. Aircraft Landing Approach Area..... 14-20

§ 14.6. Outdoor Storage and Display ..... 14-21

**ARTICLE 15. ADMINISTRATION AND PROCEDURES..... 15-1**

§ 15.1. Common Procedures ..... 15-1

§ 15.2. Certificates of Occupancy ..... 15-5

§ 15.3. Map and Text Amendments ..... 15-7

§ 15.4. Use Permits..... 15-9

§ 15.5. Site Plans ..... 15-11

§ 15.6. Board of Zoning Appeals; Appeals and Variances ..... 15-18

§ 15.7. Certificate of Appropriateness (CoA) ..... 15-20

§ 15.8. Sign Permits .....15-25

§ 15.9. Density Credit for Public Dedications.....15-27

§ 15.10. Permits for short term use.....15-29

**ARTICLE 16. NONCONFORMITIES ..... 16-1**

§ 16.1. Nonconforming Lots ..... 16-1

§ 16.2. Nonconforming Buildings and Structures ..... 16-1

§ 16.3. Nonconforming Uses ..... 16-3

§ 16.4. Nonconforming Due to Reclassification..... 16-3

§ 16.5. Nonconforming Due to Public Acquisition of Land ..... 16-4

§ 16.6. Condominium and Cooperative Conversion ..... 16-4

**ARTICLE 17. VIOLATIONS, ENFORCEMENT AND PENALTIES..... 17-2**

§ 17.1. Violations ..... 17-2

§ 17.2. Enforcement ..... 17-2

§ 17.3. Civil Penalties ..... 17-2

§ 17.4. Criminal Penalties ..... 17-4

**ARTICLE 18. DEFINITIONS..... 18-1**

§ 18.1. Word Usage ..... 18-1

§ 18.2. General Terms Defined ..... 18-1

INDEX



# Article 1. Introductory Provisions

## §1.1. Title

This ordinance and the official zoning map made a part hereof shall be known and may be cited and referred to as the “Arlington County Zoning Ordinance” or herein, simply as “this zoning ordinance”.

## §1.2. Minimum Requirements

The provisions of this zoning ordinance shall be held to be the minimum requirements adopted for the promotion of health, safety, convenience, morals, comfort, prosperity and general welfare of the public. It is not intended by this zoning ordinance to repeal, abrogate, annul or in any way to impair or interfere with any existing provisions of law or ordinance, any easement, covenant or private agreement, or any rules, regulations or permits other than zoning regulations.

## §1.3. USE OF BUILDINGS AND LAND

No building or structure shall be erected, reconstructed, structurally altered, enlarged or moved, and no land or building shall be used or designed to be used for any purpose other than is hereinafter permitted except as may be permitted by §16.5.<sup>1</sup>

## ~~§1.3.~~§1.4. Conflicting Provisions

### ~~§1.3.1.~~§1.4.1. Interpretation

- A. Where any part of this zoning ordinance imposes a greater or lesser restriction upon the use of the buildings or premises, or upon the height of the buildings, or requires larger or smaller yards, courts or other open spaces than are imposed or required by other existing agreements or provisions of law or ordinance, the provisions which are more restrictive shall control.
- B. Any permit filed and subject to approval prior to July 15, 1950 ~~the official adoption of this zoning ordinance~~<sup>2</sup> shall adhere to the regulations of the zoning ordinance, as amended.

### ~~§1.3.2.~~§1.4.2. Constitutionality, repeal of conflicting provisions

- A. Should any section or provision of this zoning ordinance be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so held to be unconstitutional or invalid.
- B. All ordinances or parts thereof which are in conflict with the provisions of this zoning ordinance are hereby repealed.

---

<sup>1</sup> This provision was moved to the introduction to each of Articles 4, 5, 6, 7 and 8 as part of the 2013 reformat. This proposed location (1.3) will restore this provision to a location and context where it was included in the 1950 Ordinance (see 1950 Ordinance Section 2.D.1: <http://buildingarlington.s3.amazonaws.com/wp-content/uploads/2012/04/ACZOSection2.pdf>).

<sup>2</sup> Date of adoption of 1950 Ordinance has been inserted here to clarify that this provision originated with the 1950 Ordinance (and pre-dated the adoption of the 2013 Ordinance).

~~§1.4.~~§1.5. Street Frontage Required

Every building hereafter erected shall be located on a lot with frontage on a public street having a minimum width of 30 feet as defined in this zoning ordinance.

~~§1.5.~~§1.6. Headings and Illustrations

Headings and illustrations are provided for convenience and reference only and do not define or limit the scope of any provision of this zoning ordinance. In case of any difference of meaning or implication between the text of this zoning ordinance and any heading, drawing, table, figure, or illustration, the text controls.

~~§1.6.~~§1.7. Zoning Districts Established

~~§1.6.1.~~§1.7.1. General districts

The following general zoning districts are hereby established. ~~“Residential districts” include the R districts and the RA districts. Other d~~istrict groupings include ~~the~~ Public (P), ~~Residential (R),~~ Residential Apartment (RA), Commercial/Mixed Use (C), and Industrial (M) districts.

GENERAL ZONING DISTRICTS	
<b>Public (P) districts</b>	
S-3A	Special
S-D	Special Development
P-S	Public Service
<b>Residential (R) districts</b>	
R-20	One-family Dwelling
R-10	One-family Dwelling
R-10T	One-family <del>and Residential</del> Townhouse Dwelling
R-8	One-family Dwelling
R-6	One-family Dwelling
R-5	One-family <del>and</del> Restricted Two-family Dwelling
R15-30T	<del>Residential</del> Townhouse Dwelling
R2-7	Two-family Dwelling
<b>Residential Apartment (RA) districts</b>	
RA14-26	<del>Apartment</del> Multiple-family Dwelling
RA8-18	<del>Apartment</del> Multiple-family Dwelling
RA7-16	<del>Apartment</del> Multiple-family Dwelling
RA6-15	<del>Apartment</del> Multiple-family Dwelling
<b>Commercial/Mixed-use (C) districts</b>	
RA4.8	Multiple-family Dwelling
R-C	<del>Apartment</del> Multiple-family Dwelling and Commercial
RA-H	Hotel
RA-H-3.2	Multiple-family Dwelling and Hotel
C-1-R	Restricted Local Commercial
C-1	Local Commercial
CP-FBC	Columbia Pike Form Based Code
<del>CPN-FBC</del>	<del>Columbia Pike Neighborhoods Form Based Code</del>
MU-VS	Mixed Use – Virginia Square
C-1-O	Limited Commercial-Professional Office Building
C-O-1.0	<del>Commercial Office Building, Hotel and Apartment</del> Mixed Use
C-O-1.5	<del>Commercial Office Building, Hotel and Apartment</del> Mixed Use

GENERAL ZONING DISTRICTS	
C-O-2.5	<del>Commercial Office Building, Hotel and Apartment</del> <u>Mixed Use</u>
C-O	<u>Mixed Use</u> <del>Commercial Office Building, Hotel and Multiple family Dwelling</del>
C-O-A	<u>Mixed Use</u> <del>Commercial, Office and Apartment</del>
C-O Rosslyn	<u>Mixed Use Rosslyn</u> <del>Commercial Office Building, Retail, Hotel and Multiple Family Dwelling</del>
C-O Crystal City	<u>Mixed Use "Crystal City"</u> <del>Commercial Office Building, Retail, Hotel and Multiple family Dwelling</del>
C-2	Service Commercial-Community Business
C-TH	Commercial Townhouse
C-3	General Commercial
C-R	Commercial Redevelopment
Industrial (M) Districts	
CM	Limited Industrial
M-1	Light Industrial
M-2	Service Industrial

~~§1.6.2.~~ §1.7.2. **Overlay and Special Purpose Districts**

The following districts are hereby established.

ZONING DISTRICTS	
Special Purpose District	
CP-FBC	Columbia Pike Form Based Code
<u>CPN-FBC</u>	<u>Columbia Pike Neighborhoods Form Based Code</u>
Overlay District	
HD	Historic Preservation

*This page intentionally blank*

## Article 2. District Map

### §2.1. Incorporated as Part of this Zoning Ordinance

The locations and boundaries of the districts shall be as shown on a map entitled, "Arlington County, Virginia Zoning Boundaries, July 2013, as amended" which map is hereby declared to be a part of this zoning ordinance. The said map represents a series of maps showing the more detailed location of boundaries between districts, said series of maps being entitled, "2013 Real Property Identification Map, as amended." All notations, dimensions and designations shown thereon shall be as much a part of this zoning ordinance as if the same were all fully described herein.

### §2.2. Map Interpretation

Where uncertainty exists as to the boundaries of any of the aforesaid districts as shown on said maps, the following rules shall apply:

#### §2.2.1. Existing boundaries

These district boundary lines are intended to follow street, alley, lot or property lines as they exist at the time of the passage of this zoning ordinance, unless such district boundary lines are fixed by dimensions as shown on the "2013 Real Property Identification Map" as amended.

#### §2.2.2. Follow lot lines

Where such boundaries are so indicated that they approximately follow lot lines, and are not more than 10 feet distant therefrom, such lot lines shall be construed to be such boundaries, unless specifically shown otherwise.

### §2.3. Future Boundaries to Street Centerline

Hereafter, all amendments of the zoning district maps shall encompass all land to the center line of all abutting streets, alleys or other public ways unless County Board action adopting said amendment specifically states otherwise.



# Article 3. Density and Dimensional Standards

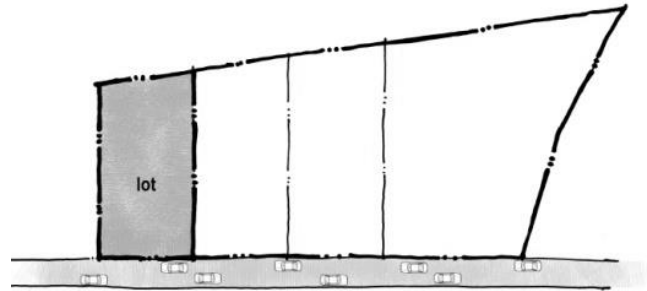
## §3.1. Measurements, Computations and Exceptions

### §3.1.1. Area

#### A. ~~Lot area, minimum~~

##### 1. Defined

~~4.~~ A lot is a designated parcel, tract or area of land having its principal frontage upon a street or a place permitted under the subdivisions ordinance and established by plat or subdivision.<sup>1</sup>



##### 2. Lot area

Lot area shall be that area, measured in gross square feet or acres, contained within a lot.<sup>2</sup>

##### 3. Lot area, minimum

- (a) Minimum lot area is the smallest lot area established by this zoning ordinance on which a use or structure may be located in a particular district.
- (b) No part of the minimum requirement may be met by using an area that is also counted for the minimum requirement of some other provision of this zoning ordinance or the subdivisions ordinance.

#### B. Buildable area<sup>3</sup>

Buildable area is the area of a lot within which a structure can be placed and remaining after the minimum yard and open space requirements of this zoning ordinance have been met, ~~less any area needed to meet the minimum requirements for streets, sidewalks or other similar public improvements.~~

#### ~~B-C.~~ Gross floor area

Gross floor area is the sum of the area of the horizontal surface of the several floors of a building measured from the exterior faces of exterior walls, to include all floor area not defined as gross parking area.

#### D. Site area

Site area is the total area of land contained within the property lines of a development project.

<sup>1</sup> Moved from definitions.

<sup>2</sup> New provision

<sup>3</sup> Moved from definitions and edited as shown.

### §3.1.2. Build-to line

Build-to line is a line established along a street frontage extending the full width of the lot, either on or setback from the right-of-way line that defines the block face and establishes building placement. <sup>1</sup>

### §3.1.3. Court<sup>2</sup>

#### A. Defined

An open, unoccupied space, other than a yard, on the same lot with a building or group of buildings and which is bounded on two or more sides by such building or buildings.

#### B. Inner

A court other than an outer court.

1. The length or depth of an inner court is the minimum horizontal dimension measured parallel to its longest side.
2. The width of an inner court is the minimum horizontal dimension measured at right angles to its length.

#### B=C. Outer

A court the full width of which opens onto a required yard, or street or alley.

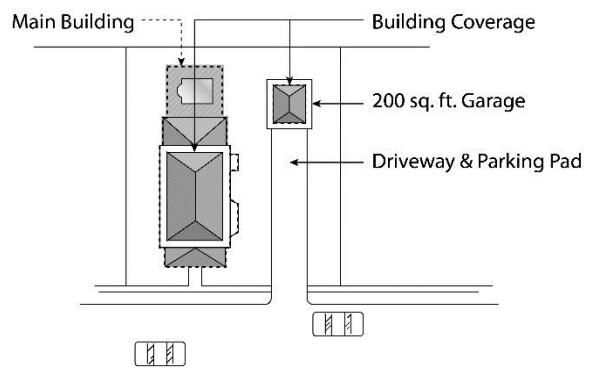
1. The length or depth of an outer court is the minimum horizontal dimension measured at right angles to its width.
2. The width of an outer court is the minimum horizontal dimension measured in the same general direction as the yard, street or alley upon which the court opens.

### §3.1.4. Coverage

#### C.A. Lot coverage

1. Lot coverage is the percentage determined by dividing the area of a lot covered by the total square feet (sq. ft.) of all features within the lot identified in §3.1.4.A.1(a) through §3.1.4.A.1(h) below, by the gross area of that lot:

- (a) The main building footprint, as defined in §3.1.4.C;
- (b) The total footprints of accessory buildings that have either footprints larger than 150 sq. ft. square feet, or with heights of two stories or more;



<sup>1</sup> From definitions

<sup>2</sup> From definitions, with changes as shown.



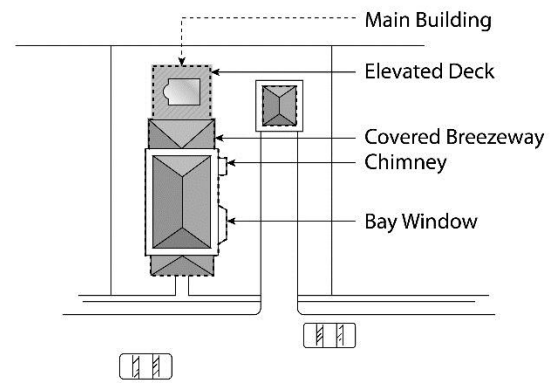
- (c) Driveways and parking pads including, without limitation, any unpaved center strip or other portion of the driveway and any lot area regularly used for maneuvering or parking of vehicles, whether paved or unpaved;
  - (d) Patios that are eight inches or higher above finished grade;
  - (e) Decks that are four feet or higher from finished grade that are not attached to a main building;
  - (f) Gazebos and pergolas, whether enclosed or unenclosed and with or without foundations;
  - (g) Stoops and landings (including those associated with stairs) that are four feet or higher above finished grade; and
  - (h) In-ground swimming pools.
2. The following are not counted in lot coverage:
- (a) Air conditioners, compressors, generators, stormwater planters, and other similar equipment, whether or not set on a foundation;
  - (b) Above ground swimming pools;
  - (c) Sidewalks and other pedestrian walkways; exterior basement steps, areaways and window wells;
  - (d) Tents and other temporary structures; play equipment; outdoor furniture; barbecues and grills; and
  - (e) Hot tubs.

#### D.B. Coverage, mainMain building footprint coverage

Main building footprint coverage is the percentage determined by dividing that area covered by a main building footprint in square feet by the gross area of the lot in square feet on which the main building is located.

#### E.C. Main building footprintFootprint, main building

The main building footprint shall include all parts of a main building that rest, directly or indirectly, on the ground, including, by way of illustration and not by limitation, attached garages, bay and oriel windows with floor space, chimneys, porches, decks with floor heights that are four feet or higher above finished grade, balconies with horizontal projections that are four feet or more, and covered breezeways connected to a main building.



#### §3.1.3. §3.1.5. Floor area ratio

Floor area ratio is the gross floor area of all buildings on a lot divided by the lot area.

§3.1.4. §3.1.6. Height

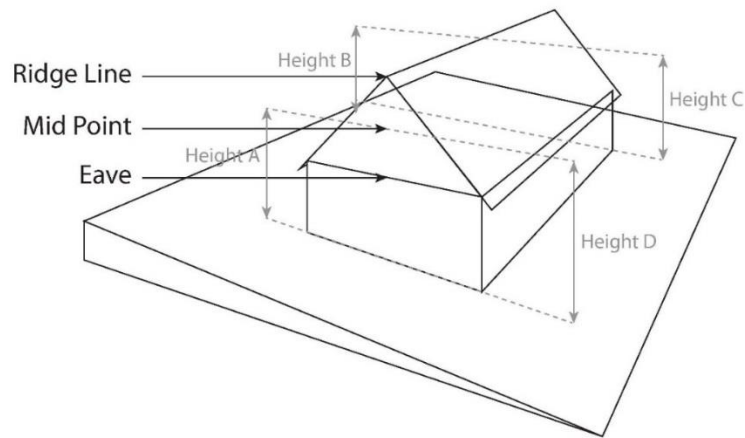
**A. Building height**

Building height is the vertical distance from existing grade to the highest point of the roof surface, if a flat roof, to the deck line of mansard roof, and to the mean height level (midpoint) between eaves and highest ridge point for gable, hip or gambrel roof. When a dormer exceeds 50 percent of the horizontal width of the roof, the dormer roof then becomes the main roof on that side of the building, and the building height is the vertical distance from existing grade to the mean height level (midpoint) between the eaves and ridge of the dormer roof.



**1. Measurement in R districts, except RA districts**

The average existing grade is calculated by averaging the existing grade at four points at the perimeter of the building, that include two points each on the front and rear of the building, at the points closest to the applicable side lot lines. The vertical distance is the difference between the average existing grade and a single building height determined as described in §3.1.6.A above (or two building heights, in the case where there is a dormer that exceeds 50 percent of the horizontal width of the roof).



## 2. Measurement in all other districts (including RA districts)

Vertical distance is measured from a calculated average elevation of the existing or officially approved grade of the site at the perimeter of the site. However, no wall or any structure in any district shall be exposed more than two stories more than the number permitted for that district.

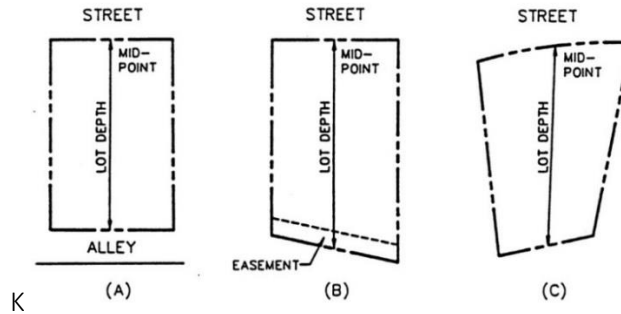
### B. Exceptions

1. ~~Mechanical pPenthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, and~~ fire or parapet walls, skylights, radio towers, steeples, flagpoles, chimneys, smokestacks or similar structures may be erected above the height limits herein prescribed, but no mechanical penthouse or roof structure or any space above the height limit shall be allowed for the purpose of providing additional floor space. Such structures shall not exceed 23 feet. Mechanical pPenthouses shall be concealed by exterior architectural material of the same type or quality as that used on the exterior walls of the building.
2. Noncommercial radio towers or masts, excluding amateur radio antennas permitted by §12.9.3, may exceed the height limit by no more than 25 feet.
3. Chimneys and smokestacks which are an integral part of a mechanical penthouse may exceed the height limit by no more than 27 feet.
4. County government and public school communication facilities may be erected to exceed the height limit or height of existing structures by no more than 50 feet.
5. Amateur radio antennas shall not exceed ~~seventy-five (75)~~ feet in height above the ground level. In addition, they shall comply with all of the following requirements:
  - (a) No amateur radio antenna, or support structure therefore shall be located in a front yard, or within 25 feet from any street setback line or within 10 feet from any side or rear property line.
  - (b) Amateur radio antennas shall be located only in side or rear yards. In a zoning district that does not require a rear yard, the antenna may be placed on a building's main roof, but not on the mechanical penthouse of the building.

Amateur radio antennas are permitted to be placed in the side yard, only when they are attached to the existing main structures.

### ~~§3.1.5.~~§3.1.7. Lot depth

Lot depth is the distance between the front and rear lot lines. Lot depth is measured along a straight line connecting the midpoint of the front lot line and the midpoint of the rear lot line.



### ~~§3.1.6.~~§3.1.8. Lot width, ~~minimum~~

#### A. Defined

~~Minimum lot~~Lot width is the distance determined by dividing the lot area by the lot depth.

#### ~~A.~~B. Minimum lot width

1. Every lot must meet the required minimum lot width for the applicable zoning district at the midpoint of the depth of the portion of the lot used for the calculation of the minimum lot width except as may be permitted by §16.5. The midpoint lot width shall be measured at right angles to the lot depth line at its midpoint.
2. Where a lot area exceeds the required minimum area for its particular zoning district, the minimum lot width may be computed within the boundary of a portion of the lot that meets the minimum lot area requirement. In that case, the front and/or rear lot line that is substituted for the original front or rear lot line must be parallel to the original front or rear lot lines, respectively. The midpoint lot width shall be measured at right angles to the lot depth line at its midpoint.

### ~~§3.1.7.~~§3.1.9. Setbacks and yards

Setback refers to the distance which a building is required to be "set back" from a lot line or from nearest building or structure.

#### A. Yard

An open space, other than a court, on a lot, which space: (a) either, (1) lies between a lot line and a building, a building group, or a use not involving a building, or (2) on a vacant lot ~~lies contiguous to~~abuts a lot line and has a uniform depth or width, as the case may be, equal to the minimum depth or width of yard required under the regulations for the district in which is situated the lot on which such yard is located; and (b) is unoccupied and unobstructed from the ground upward except for certain features specified in §3.2.5.<sup>1</sup> ~~The~~

<sup>1</sup> From definitions and edited as shown. Last sentence moved "measurement of yards" on next page.

~~depth or width of a yard, as the case may be, shall be measured from the nearest point of the building, building group or use not involving a building to the nearest point of the lot line bounding the yard. —(See also §3.1.8.B.2)~~

## **B. Types of yards<sup>1</sup>**

### **1. Front yard**

A yard extending across the full width of the lot and ~~lying contiguous to~~abutting the front lot line.

### **2. Rear yard**

A yard extending the full width of the lot and ~~lying contiguous~~abutting to the rear lot line.

### **3. Side yard**

A yard ~~lying contiguous to~~abutting a side lot line and extending from the front yard to the rear yard, or in the absence of either of such yards, to the front or rear lot line.

## **C. Measurement of yards**

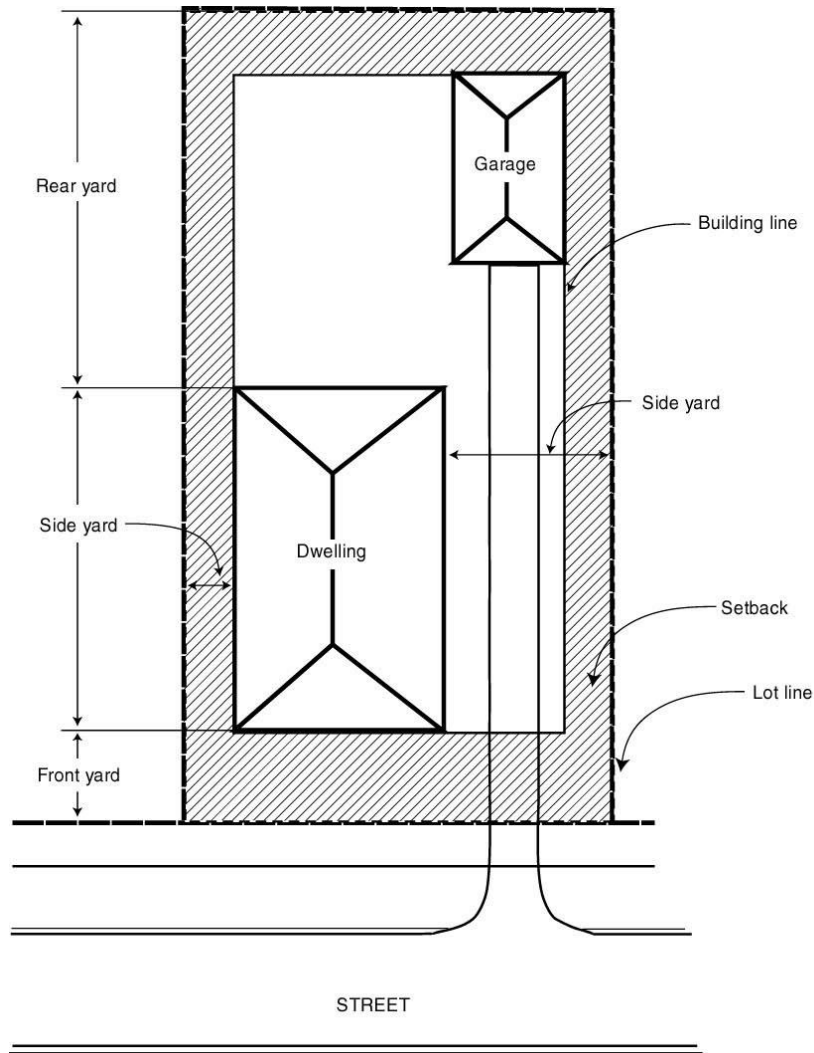
1. The depth or width of a yard, as the case may be, shall be measured from the nearest point of the building, building group or use not involving a building to the nearest point of the lot line bounding the yard.<sup>2</sup>

---

<sup>1</sup> From definitions (yard front, yard rear, yard side), and amended as shown.

<sup>2</sup> From definitions (yard – last sentence)

§3.2.1 PURPOSE



**D. Yard encroachments**

See ~~§3.2.6.A.3~~§3.2.6.A.3 for permitted ~~projections~~ encroachments into setbacks.

**§3.2. Bulk, Coverage and Placement Requirements**

**§3.2.1. Purpose**

Virtually every land use requires an appropriate relationship between lot area and intensity of use, and sufficient open space surrounding such use, to secure safety from fire, panic and other dangers; to ensure privacy; to lessen congestion in the streets; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate adequate provision for transportation, drainage and other public requirements; to conserve the value of buildings and encourage the most appropriate use of land.

### §3.2.2. Height

---

- A. Height of allowed uses is as specified in the respective district regulations.
- B. No building or structure shall be erected, reconstructed, structurally altered, enlarged or moved to exceed in height the limit hereinafter designated.

### §3.2.3. Lot area, minimum

---

- A. Lot area of allowed uses is as specified in the respective district regulations.
- B. No building or structure shall be erected, reconstructed, structurally altered, enlarged or moved, no open space surrounding any building shall be encroached upon or reduced in any manner, no lot shall be reduced in area, except in conformity with all area and building location, bulk, placement and coverage regulations hereinafter designated except as may be permitted by ~~§16.5~~§16.5. No yard or other space provided about any building shall be considered as providing a yard or open space for the building on any other lot.
- C. In townhouse or cluster development no required or provided lot or yard areas for a dwelling unit, in situations where there is one dwelling per lot, shall be encumbered by common use or access easements.

### §3.2.4. Lot width

---

- A. Minimum lot width is as specified in the respective district regulations.
- B. No parcel of land held under separate ownership, with or without buildings on July 15, 1950, at the time this ordinance became effective<sup>1</sup>, shall be subdivided, resubdivided, or reduced in any manner below the minimum lot width and lot area required by this ordinance except as may be permitted by ~~§16.5~~§16.5.
- C. **Exceptions**
  - 1. Split-lots shall be permitted, as a matter of right, only in the R-20, R-10, R-8, R-6, and R2-7 districts, as an alternative to pipe-stem lot development. Split-lot residential developments are permitted only when the applicant has demonstrated to the satisfaction of the zoning administrator, which may include a survey plat, that the property that is the subject of the split-lot application meets all ordinance standards to create one interior lot and one pipe-stem lot. The pipe-stem lot that can be created must have a minimum frontage of 40 feet on a public street. Except as specifically provided below, split-lot residential developments shall satisfy all applicable subdivision and zoning requirements, including those for minimum lot area, setback and yards, coverage, parking, and building height, and all of the following requirements:
    - (a) Split-lot residential development shall be permitted only on sites that have a minimum lot frontage of 140 feet in the R-20 district; 120 feet in the R-10 district; 110 feet in the R-8 district; 100 feet in the R-6 district; and 90 feet in the R-5 district and the R2-7 district.

---

<sup>1</sup> Date of adoption of 1950 Ordinance has been inserted here to clarify that this provision originated with the 1950 Ordinance (and pre-dated the adoption of the 2013 Ordinance).

- (b) Split-lot residential development shall be defined as the subdivision of one lot into two by adding a straight lot line that extends from the midpoint of the front lot line to the midpoint of the rear lot line.
- (c) The minimum lot width for any lot created under the split-lot provision shall be: 70 feet in the R-20 district; 60 feet in the R-10 districts; 55 feet in the R-8 district; 50 feet in R-6 district; and 45 feet in the R-5 district, and the R2-7 district.

**§3.2.5. Coverage**

**A. One-family dwellings**

On any one-family dwelling lot in an R district (R district to include R-20, R-10, R-8, R-6, and R-5), and in R2-7, RA, C, and M districts, the following shall apply:

MAXIMUM COVERAGE AND CAP					
Categories	R-5	R-6, R2-7, RA, C, M	R-8	R-10	R-20
Maximum lot coverage (%)	45	40	35	32	25
Maximum lot coverage of one-family dwelling with porch of at least 60 square feet (exclusive of any wrap-around or side portion) on the front elevation (%)	48	43	38	35	28
Maximum lot coverage with detached garage in the rear yard (%)	50	45	40	37	30
Maximum lot coverage with detached garage in the rear yard and porch of at least 60 square feet (exclusive of any wrap around or side portion) on the front elevation (%)	53	48	43	40	33
Maximum main building footprint coverage (%)	34	30	25	25	16
Maximum main building footprint coverage with front porch (%)	37	33	28	28	19
Maximum main building footprint (sf.)	2,380	2,520	2,800	3,500	4,480
Maximum main building footprint with front porch (sf.)	2,590	2,772	3,136	3,920	5,320

1. Existing main and accessory buildings or structures that, as of November 15, 2005, are not in conformance with the coverage requirements adopted on November 15, 2005, may be rebuilt within the building footprint and height and stories as they existed on November 15, 2005 if such structures are damaged or destroyed by fire, wind, earthquake, or other force majeure. Such rebuilding shall only be permitted if commenced within two years after such damage or destruction.
2. Maximum main building footprint coverage on undersized lots in a zoning district shall be the same square footage as permitted on a standard sized lot (e.g., 6000 square feet in R-6) in the zoning district, subject to all applicable setback requirements.

**B. Lots in R, RA, R2-7, C-1-O districts**

For all lots in R, RA, R2-7, and C-1-O districts that are not used for one-family dwellings, lot coverage shall not exceed 56 percent, except as may be specified in the various district classifications, or unless where otherwise permitted to be modified by site plan or use permit.



### §3.2.6. Placement

The following regulations shall govern the placement on a lot of any building or structure, or addition thereto, hereafter erected, except as may be allowed by site plan approval:

#### A. Setbacks [\(required yards\)](#)

##### 1. Front yard

No structure shall be located closer to the centerline of any street or officially designated street right-of-way (as defined in this zoning ordinance) than 50 percent of the height of the building. For the purpose of determining setbacks, a limited access highway shall be considered as an abutting lot and not as a street or street right-of-way. Structures shall be set back from streets no less than as follows:

##### (a) For all C, M and PS districts excepting C-1, C-1-O, C-1-R, and C-O

40 feet from said centerline except for properties located within the “Clarendon Revitalization District” on the General Land Use Plan and zoned C-3.

##### (b) For all RA4.8 and C-O districts

50 feet from said centerline.

##### (c) For all C-3 district properties in the “Clarendon Revitalization District” on the General Land Use Plan

50 feet from the centerline of Fairfax Drive or any street containing more than five lanes, including travel lanes and on-street parking lanes, and 40 feet from the centerline in all other cases.

##### (d) For all residential structures and all structures in all other districts except for one- and two-family dwellings and their accessory structures regulated by §3.2.5.A.1(e)

50 feet from said centerline but under no circumstances less than 25 feet from any street right-of-way line.

##### (e) For all one- and two-family dwellings and their accessory structures

No structure shall be located less than 25 feet from any street right-of-way line, except that the distance between any street or officially designated street right-of-way line and the front wall of a structure, with the exception of stoops and covered or uncovered but unenclosed porches, may be reduced as follows:

- (1) The distance shall be at least the average of the distances between the street right-of-way line, and the edges of the front walls of existing structures located on the frontage where the structure is proposed to be located, [subject to approval by the Zoning Administrator, of a plat showing all existing structures located on the subject frontage;](#)
- (2) The distance shall be at least 15 feet, provided, however, that no parking garage shall be located closer than 18 feet from the street right-of-way line; and
- (3) No structure located within 25 feet of a street right-of-way line shall exceed 2 ½ stories.

##### 2. Side and rear yards

No structure shall be located closer to side or rear lot lines than as follows:

**(a) For all RA4.8, C, M and PS districts, not including C-1-O**

No side or rear yard shall be required except that no wall either on the side or rear of a lot abutting an R or RA district or containing openings or windows, whether or not they can be opened, shall be located closer to side or rear lot lines than eight feet for the first 10 feet of building height, plus two additional feet for each 10 additional feet of building height, or fraction thereof.

**(b) For all one-family dwellings and their accessory structures**

10 feet, provided that one side yard may be reduced to eight feet. The aggregate width of both side yards on any lot shall not be less than 30 percent of the required width of the lot, provided that on interior lots no structure shall be located closer than 25 feet from a rear lot line.

**(c) For all accessory buildings in R districts**

**(1)** No addition to a main building shall be located closer than eight feet to any wall of an existing accessory building.

**(2)** No accessory buildings of two or more stories, or taller than 25 feet shall occupy any part of a required rear yard nor shall any wall of such accessory building be located closer than 10 feet to any lot line, or closer than 15 feet to any wall of a main building. Provided, however, that for new construction of accessory buildings with heights lower than 1½ stories or 25 feet, whichever is less, and footprint smaller than 560-~~sq-ft-square feet~~ in R-5 or R-6 districts, or 650 ~~square feetsq-ft~~ in any other district, placement may be as follows:

- (i)** No wall of any accessory building shall be located closer than eight feet to any wall of a main building;
- (ii)** On interior lots, the nearest edge of the eave of an accessory building shall not be located closer than one foot to a side or rear lot line; and
- (iii)** On corner lots, the nearest edge of an eave of an accessory building shall not be located closer than one foot to any side lot line or 10 feet to any rear lot line.

**(d) For all nonresidential main buildings in R and RA districts**

Double the side and rear yard requirements for the district in which said structures are located.

**(e) For all other residential buildings and for structures in all other districts**

10 feet plus one additional foot for each 2 1/2 feet, or fraction thereof, of building height above 25 feet, provided that on interior lots no structure shall be located closer than 25 feet from a rear lot line.

**(f) Side yards for semidetached dwelling**

For the purpose of side yard regulations, a semidetached dwelling shall be considered as one building occupying one lot.

**3. Encroachments allowed into required yards and courts**

The following encroachments shall be allowed into required yards and courts

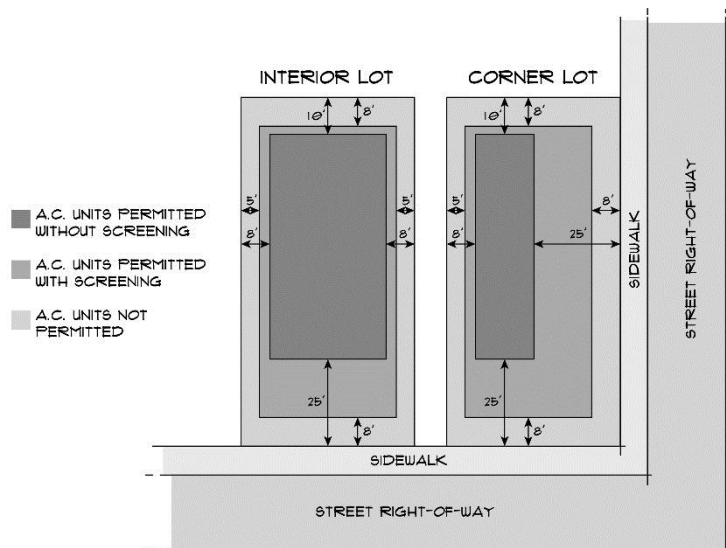
- (a) No building or structure, or addition thereto, other than walls or fences, shall encroach into a required yard or court; except that:
- (1) Bay and oriel windows without floor space and chimneys may encroach 18 inches.
  - (2) Trellises of neither more than eight feet in height nor more than a total of eight feet in length may be placed in any required side or rear yard, but not nearer than 18 inches to any property line; provided, however:
    - i. Trellises incorporated as fences  
~~that s~~ Subject to the provisions of ~~§3.2.6.A.3(e)~~~~§3.2.6.A.3(e)~~, trellises of a total height and length not to exceed the dimensions in §3.2.6.A.3(a)(2), may be incorporated as part of fences; ~~and provided that,~~
    - ii. Trellises providing screening from an accessory building  
~~O~~ Only where a trellis is placed to provide screening from an accessory building that is within five feet of the common side lot line on abutting property, trellises placed as provided in §3.2.6.A.3(a)(2) above, may be increased to no more than the height and width of the abutting accessory building, but under no circumstances shall such trellises be larger than 14 feet in height and a total of 25 feet in length.
  - ~~(2)~~(3) The following unenclosed uses may encroach no more than four feet but not nearer than five feet to any property line: Balconies; eaves, trim and fascia boards and similar architectural features; window wells and areaways; decks and patios that are eight inches or higher from finished grade; stoops; and attached stormwater planters and similar features.
  - ~~(3)~~(4) Porches on interior lots, including the base, supporting columns and roof, may encroach four feet into the required front and rear yard, provided that they are no closer than 21 feet to any street right-of-way line and that no rear porch shall exceed the height of the first story of the building to which it is attached. Porch eaves on interior lots may encroach an additional 18 inches beyond the edge of the porch, provided they are no closer than 19.5 feet to any street right-of-way line.
  - ~~(4)~~(5) Porches on corner lots, including the base, supporting columns and roof, may encroach four feet into the required front yard and the required side yard facing the street right-of-way, provided that they are no closer than 21 feet to any street right-of-way line. Porch eaves on corner lots may encroach an additional 18 inches beyond the edge of the porch, provided they are no closer than 19.5 feet to any street right-of-way line.
  - ~~(5)~~(6) Stairs and steps may encroach into required yards and courts, provided they are no closer than five feet to any lot line, and provided that stairs and steps that encroach more than four feet into required yards shall be uncovered, and for one-family detached dwellings, shall be no wider than 35 percent of the width of the building elevation facing that yard. Stairs and steps that are less than 8 inches above finished grade may come all the way to the lot line.

This diagram is based on R-5 and R-6 setback requirements. Larger setbacks shall be applied to other R and RA Districts per § 3.2.6.

- Porch base, columns, and eaves permitted
- Eaves permitted
- No structures permitted except that stairs and steps may be located 5 ft. from any lot line
- All residential structures permitted
- Eaves



(b) Air conditioning units and similar mechanical equipment including emergency generators; pool equipment; compressors; and heat pumps are permitted in required side and rear yards, provided that they are under no circumstances less than eight feet from any side lot line or 10 feet from any rear lot line.



However, air conditioning units and similar mechanical equipment as described above, that are screened with fence or vegetation, and stormwater planters that are separate structures (whether screened or not) may encroach into a required front, side or rear yard, where it is located no closer than eight feet to any front or rear lot line, and no closer than five feet to any side lot line. Stormwater planters

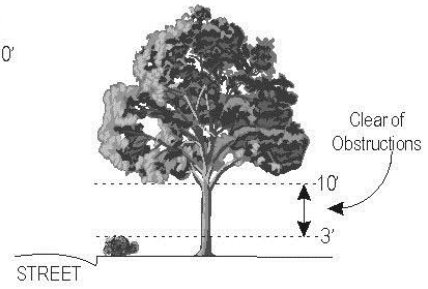
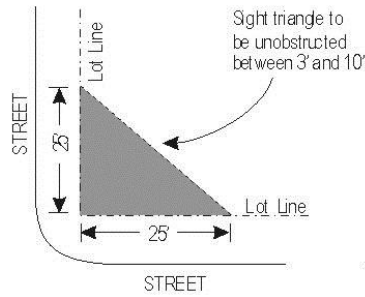
with walls no higher than eight inches from finished grade may be located within any required yard.

- (c) Except porches, any roofed-over area existing on November 20, 1976, which is attached to a main structure and which encroaches on required front, side or rear yard area may not be enclosed.
- (d) Subsurface parking and subsurface accessory structures may be located anywhere on a property. Nothing in this section shall be construed to abridge the right of the County Board, by site plan approval, to permit the use of air rights over streets and public property, together with inter-building connections or projections into yards associated therewith.
- (e) The front, side and rear yard requirements of this zoning ordinance shall not be deemed to prohibit any otherwise lawful fence or wall which is not more than four feet high; provided, however, that a fence or wall along the rear lot line or along a side lot line to the rear of the required setback line may be erected to a height not exceeding seven feet; provided, further, that in side and rear yards of corner lots, fences up to six feet in height may be erected in the required setback in order to permit the enclosure of the side and rear yards for privacy so long as the requirements of ~~§3.2.6.A.4~~§3.2.6.A.4, relating to visual clearance are maintained. No fence exceeding four feet in height shall be placed within three feet of any public right-of-way. This provision shall not be interpreted to prohibit the erection of any open mesh type fence enclosing any school or playground.
- (f) The zoning administrator shall permit construction of benches, shelters, and bike share stations for passengers of public transportation facilities even though such construction would otherwise violate setback and yard requirements of this section of the zoning ordinance when he is requested by a public authority to permit such construction, and when satisfactory evidence that such construction would not have an adverse effect on automobile and pedestrian traffic safety is presented to him.
- (g) Ramps and other structures or equipment provided to comply with the accessibility requirements for individuals with disabilities in the Virginia Uniform Statewide Building Code (VUSBC), or to provide access for individuals with disabilities to any building or structure which is exempt from said accessibility requirements, may extend, to the extent reasonably necessary, into any minimum required front, side or rear yard or court.
- (h) The front, side and rear yard requirements of this zoning ordinance shall not be deemed to prohibit any otherwise lawful kiosk meeting the requirements of ~~§12.5.11~~§12.5.11; provided, however, that a kiosk shall not be placed within the visual clearance area. (See ~~§3.2.6.A.4~~§3.2.6.A.4).

**4. Visual clearance (corners)**

**(a) R and RA districts**

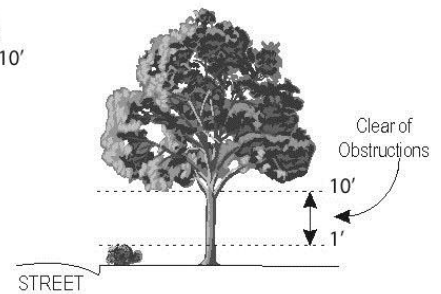
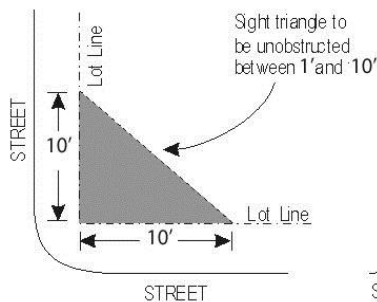
On any corner lot in an R or RA district there shall be no planting, structure, retaining wall, fence, shrubbery



or obstruction to vision between a height of three feet and a height of 10 feet above the curb level within the triangle formed by the street right-of-way lines and a line connecting said street lines 25 feet from their intersection.

**(b) C, M and PS districts**

On any corner lot in any C or M district, no building or obstructions shall be permitted between a height of one foot and a height of 10 feet higher than the



curb level within the triangle formed by the street right-of-way lines and a line connecting said street lines 10 feet from their intersection.

**5. Courts**

- (a)** An "outer court" with window openings shall have a depth not more than 1 1/2 times its width.
- (b)** An "inner court" shall not have any horizontal dimension, measured at right angles to any wall with window openings, which is less than the height of the building above the floor level of the story containing such openings; but under no circumstances shall the width be less than 20 feet. No other dimension of such court shall be less than one-third the height of the building above the floor level of the lowest story served by such court, but under no circumstances shall the width be less than 10 feet.

**6. Open spaces for multiple building projects**

For projects having more than one main building, the front setback, side and rear yard requirement shall apply along the boundary lines of the project. The minimum distances between the main buildings within the project shall be the sum of the side yard requirements between the respective buildings for each building as though it were located on a separate lot. Multiple-family dwelling projects which are less than 35 feet in building height shall have a minimum distance between main buildings of 20 feet. Except in R districts, these regulations shall also apply to all townhouse projects and the setback and yard requirements for individual lots within the project are not

applicable.

#### **7. Provision for development on certain streets**

The zoning administrator shall have the authority to permit residential development on streets otherwise meeting the width requirements of this zoning ordinance but on which a dwelling or dwellings, in existence before the adoption of this zoning ordinance, encroach into the street right-of way; provided, however, that the proposed development shall not be permitted unless it is otherwise proper and the zoning administrator has approved a traffic engineering plan for the proposed development designed to minimize any adverse impact on health and safety caused by the encroaching dwelling or dwellings or increased by the proposed development.

*This page intentionally blank*



# Article 4. Public (P) Districts

## §4.1. Public (P) Districts Use Tables

### §4.1.1. General

The use tables of this section list all uses allowed within P districts, and is subject to the explanations set forth below. ~~No building or structure shall be erected, reconstructed, structurally altered, enlarged or moved, and no land or building shall be used or designed to be used for any purpose in the P districts other than is hereinafter permitted except as may be permitted by §16.5.~~<sup>1</sup>

### §4.1.2. Public (P) districts principal use table

~~Table §4.1.2 lists the principal uses allowed within the P districts. The following use table summarizes the principal use regulations of the P districts.~~

#### ~~A. Key to types of uses~~

~~The permitted use table is subject to the explanation set forth below.~~

#### ~~1.A. Permitted uses~~

A "P" indicates that a use is permitted by-right and may be approved administratively in the respective general district subject to all other applicable requirements of this zoning ordinance, including the specific use standards in Article 12 and the site development standards of Article 13 and Article 14. ~~Subject to density and dimensional standards in the subject district or as approved by use permit or site plan, all uses permitted by-right may also be approved administratively in buildings controlled under use permit or site plan, except where expressly prohibited by use permit or site plan conditions for the subject property or where the subject property is expressly approved only for a specific use or uses.~~

#### ~~2.B. Use permit approval required~~

A "U" indicates a special exception use that may be allowed subject to approval of a use permit as provided in §15.5. ~~The Zoning Administrator may require a use permit for such use, whether the use is located in a building approved administratively or whether located in a building controlled by use permit or site plan.~~ Uses allowed by use permit are subject to all other applicable requirements of this zoning ordinance, including the specific use standards in Article 12 and the site development standards of Article 13 and Article 14.

#### ~~3.C. Site plan approval required~~

An "S" indicates a special exception use that may be allowed more flexibility in development form and density subject to site plan approval as provided in §15.6. Site plan uses are subject to all other applicable requirements of this zoning ordinance to the extent not modified through the site plan approval, including the specific use standards in Article 12 and the site development standards of Article 13 and Article 14.

---

<sup>1</sup> Moved to §1.3

**4.D. Uses not ~~allowed~~permitted**

A blank cell (one without a “P”, “U”, or “S”) in the use table indicates that a use is not allowed in the respective district. Uses not ~~specifically~~ listed may be allowed pursuant to the similar use determination procedure of ~~§12.2.2~~§12.2.2. A blank cell in the use table indicates that a use is not allowed in the respective district. See also §12.2.1.

**5.E. Use standards**

The final “use standard” column on the use table contains references ~~to use standards that apply to the listed use types in all districts in which the use is allowed.~~ The “use standard” column on the use table (last column on the right) is a cross-reference to any specific use standard listed in Article 12, which apply to more than one district. ~~Where use standards apply exclusively to a specific district(s), such standards are listed in the respective district(s) regulations.~~

**6.F. Accessory and temporary uses**

The regulations that apply to accessory and ~~temporary short term~~ uses are contained in ~~§12.9~~§12.9 and ~~§12.10~~§12.10, accessory uses (§12.8), and temporary uses (§12.9).

**B.G. Use ~~categories~~classification**

All of the use categories listed in the table below are described in ~~§12.2~~§12.2. The first column of the use table lists the sub-categories. The second column of the use table lists the specific use types included within the respective ~~sub-categories.~~ The first column of the use table lists some of the specific uses allowed in the respective districts. Uses not listed may be allowed pursuant to the similar use determination procedure of §12.2.1.

**Commentary:**

The Use Table is organized in to five major use groups:

- \*Residential
- \*Public, Civic and Institutional
- \*Retail, Service and Commercial
- \*Industrial
- \*Other Uses

Each major use group is further divided into a series of use categories. The use category system is based on common functional, product or compatibility characteristics, thereby regulating uses in accordance with criteria directly relevant to the public interest. Sec. 14.1 provides a further description of use categories.

PUBLIC (P) DISTRICTS PRINCIPAL USE TABLE				
Use Category	Specific Use Types	§-3A	§-D	P-S Use Standards
KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted				
<b>Residential Use Categories (See §12.2.3)</b>				
Household Living (See §12.2.3.A)	Dwelling, one-family	P	P	P
	Assisted living centers, and nursing homes <del>Nursing homes, convalescent homes and intermediate care facilities, and related housing facilities for the elderly</del>		U S	
Group Living (See §12.2.3.B)	<del>Group</del> Institutional homes	<u>U</u>	U S	<u>U</u>

PUBLIC (P) DISTRICTS PRINCIPAL USE TABLE					
Use Category	Specific Use Types	S-3A	S-D	P-S	Use Standards
KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted					
	Institutional homes, counseling service, occupational therapy, and similar social service uses	U		U	
<b>Public, Civic and Institutional Use Categories (§12.2.4)</b>					
Colleges (§12.2.4.A)	Colleges and universities Schools and colleges and other public and private educational institution	U	U S	U	§12.4.10
	Hospitals and institutions of an educational, religious, charitable, or philanthropic nature, except animal hospitals and institutions of a corrective nature.	U		U	
Community Service (See §12.2.4.B)	Community centers Public parks, playgrounds, recreational and community center buildings and grounds	P	P	P	
	Libraries Public buildings and properties of a cultural, recreational or administrative type, including libraries, museums and art galleries, but not including repair garages, storage or repair yards or warehouses	P	P	P	
	Museums and art galleries or studios Public buildings and properties of a cultural, recreational or administrative type, including libraries, museums and art galleries, but not including repair garages, storage or repair yards or warehouses	P	P	P	
	Public buildings and properties of a cultural, recreational, administrative or service type, including libraries, fire stations, museums and art galleries but not including repair garages, storage or repair yards or warehouses	P		P	
	Recreation centers, Country clubs, golf courses, and other private noncommercial recreational areas and facilities or recreation centers, including swimming pools	P		P	§12.4.8
	Swimming pools, community Country clubs, golf courses, and other private noncommercial recreational areas and facilities or recreation centers, including swimming pools	P		P	§12.4.11
Day Care (See §12.2.4.C)	All day care uses Child care center or other programs licensed pursuant to Chapter 52 of the Arlington County Code	U		U	§12.4.2
Governmental Facilities (See §12.2.4.D)	Detention or correctional facilities Courthouses, jails, and county government administration buildings located on sites designated "government and community facilities" on the General Land Use Plan and adjacent to or across the street from a zoning district in which heights greater than 75 feet			P	
	Fire and police stations Public buildings and properties of a cultural, recreational, administrative or service type, including libraries, fire stations, museums and art galleries but not including repair garages, storage or repair yards or warehouses	P		P	
	Public buildings and properties of a service type use other than "public parks, playgrounds, recreational and community center buildings and grounds" and "public buildings and properties of a cultural, recreational or administrative type, including libraries, museums and art galleries, but not including repair garages, storage or repair yards or warehouses"		U S		
	Publicly-owned or controlled repair garages, storage areas and yards and warehouses Publicly owned or controlled buildings, properties and uses of all kinds including, but not limited to, repair garages, storage areas and yards and warehouses			P	

§4.1.2 PUBLIC (P) DISTRICTS PRINCIPAL USE TABLE

PUBLIC (P) DISTRICTS PRINCIPAL USE TABLE					
Use Category	Specific Use Types	S-3A	S-D	P-S	Use Standards
KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted					
	Repair garages, storage areas and yards and warehouses and buildings, properties and uses of all kinds that are publicly owned or controlled. As used herein, "publicly owned or controlled" refers to ownership or control by any government authority or other political subdivision			P	
Hospital (See §12.2.4.E)	Hospitals and hospital-related medical and health care facilities	U	S	U	
	Hospitals and institutions of an educational, religious, charitable, or philanthropic nature, except animal hospitals and institutions of a corrective nature.	U		U	
Parks and Open Space (See §12.2.4.F)	Arboretums, forests and nature preserves Public and private arboretums, forests, wild life reservations and conservation areas, including stream valley drainage areas	P		P	
	Cemeteries, but not including crematoriums	P		P	
	Country clubs and golf courses, and other private noncommercial recreational areas and facilities or recreation centers, including swimming pools	P		P	
	Parks and recreation areas, semipublic or private, when owned and operated by a nonprofit organization	P		P	
Passenger Terminals and Services (See §12.2.4.G)	Parks, playgrounds and playfields Public parks, playgrounds, recreational and community center buildings and grounds	P	P	P	
	Bus, trolley, air, boat and rail passenger terminals Bus and train passenger terminals Public utilities and services such as railroad, trolley, bus, air or boat passenger stations; right-of-way and tracks (but excluding car barns, garages, railroad yards, siding and shops); static transformer stations; transmission lines and towers, commercial and public utility radio towers, telephone exchange (but excluding service and storage yards); provided, that the exterior appearance of any building permitted under this paragraph shall be in keeping with the character of the neighborhood in which it is located	U		U	§12.4.6
Religious Institutions (See §12.2.4.H)	Churches, mosques, synagogues, and temples and other places of worship and Sunday school buildings, but excluding rescue missions or temporary revivals <sup>1</sup>	P	P	P	
	Church and other places of worship and Sunday school buildings, but excluding temporary revivals		P		
	Churches. Secondary uses of churches, schools, public buildings and public properties, including the daily or hourly rental to profit or nonprofit entities of classrooms, meeting rooms, auditoriums, multilevel parking structures and recreational facilities for uses of a cultural, educational, recreational or public service nature. The zoning administrator may approve, for periods not to exceed seven (7) consecutive days, commercial uses incidental to and not inconsistent with the above when he finds that such uses will not disrupt the surrounding community <sup>2</sup>	P		P	

<sup>1</sup> Revivals addressed in use classification

<sup>2</sup> This is a short term use, and is being moved to §12.10 with short term use standards.

PUBLIC (P) DISTRICTS PRINCIPAL USE TABLE					
Use Category	Specific Use Types	S-3A	S-D	P-S	Use Standards
KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted					
Schools (See §12.2.4.I)	<del>Schools, elementary, middle, or high schools and colleges and other public and private educational institutions.</del>	U	U S	U	§12.4.10
Social Service Institutions (See §12.2.4.J)	<del>Institutional homes, counseling service, occupational therapy, and similar social service uses</del>	U		U	
	<del>All social service institutions</del> Hospitals and institutions of an educational, religious, charitable, or philanthropic nature, except animal hospitals and institutions of a corrective nature	U		U	
Utilities, Major (See §12.2.4.K)	<del>Electrical generating plants and substations</del> Communication and electric utility plant facilities and distributing substations			P	
	<del>Wastewater treatment plants</del> Sewage treatment plants, County-owned, including incinerators and sanitary sewage pumping and lift stations			P	
	<del>Water storage facilities, treatment and pumping facilities, County-owned</del>			P	
	<del>All other major utilities</del> Public utilities and services such as railroad, trolley, bus, air or boat passenger stations; right-of-way and tracks (but excluding car barns, garages, railroad yards, siding and shops); static transformer stations, transmission lines and towers, commercial and public utility radio towers, telephone exchange (but excluding service and storage yards); provided, that the exterior appearance of any building permitted under this paragraph shall be in keeping with the character of the neighborhood in which it is located	U		U	§12.4.8
Utilities, Minor (See §12.2.4.K)	<del>Bus shelters; bike share stations</del> Public utilities and services such as railroad, trolley, bus, air or boat passenger stations; right-of-way and tracks (but excluding car barns, garages, railroad yards, siding and shops); static transformer stations, transmission lines and towers, commercial and public utility radio towers, telephone exchange (but excluding service and storage yards); provided, that the exterior appearance of any building permitted under this paragraph shall be in keeping with the character of the neighborhood in which it is located	U		U	
	<del>Wastewater pump stations</del> Sewage treatment plants, County-owned, including incinerators and sanitary sewage pumping and lift stations			P	
	<del>Water pump station storage</del> treatment and pumping facilities, County-owned			P	
<b>Retail, Service and Commercial Use Categories (See §12.2.5)</b>					
Food and Drinking Establishments (See §12.2.5.A)	<del>All food and drinking establishments</del>				
Entertainment, (See §12.2.5.B)	<del>All entertainment uses</del>				
Office (See §12.2.5.C)	<del>Offices, local government</del> Courthouses, jails, and county government administration buildings located on sites designated "government and community facilities" on the General Land Use Plan and adjacent to or across the street from a zoning district in which heights greater than 75 feet			P	
	<del>All other office uses</del>				

§4.1.2 PUBLIC (P) DISTRICTS PRINCIPAL USE TABLE

PUBLIC (P) DISTRICTS PRINCIPAL USE TABLE					
Use Category	Specific Use Types	S-3A	S-D	P-S	Use Standards
KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted					
Overnight Accommodations (See §12.2.5.D)	<a href="#">All overnight accommodations uses</a>				
Parking, Commercial (See §12.2.5.E)	Publicly-owned parking area	U		U	§12.4.5
	<a href="#">All other commercial parking</a>				
Recreation, Indoor (See §12.2.5.F.2(a))	<a href="#">All indoor recreation uses</a>				
Recreation, Outdoor (See §12.2.5.F.2(b))	<a href="#">All outdoor recreation uses</a>				
Retail, Sales (See §12.2.5.G.2(a))	<del>Kiosks and uses permitted and conducted in kiosks</del>	U		U	§12.5.11
	Open-air markets	U	U	U	§12.5.17
	<a href="#">All other retail sales uses</a>				
Retail, Personal Service (See §12.2.5.G.2(b))	<a href="#">All retail personal service uses</a>				
Retail, Repair (See §12.2.5.G.2(c))	<a href="#">All retail repair uses</a>				
Self-service Storage (See §12.2.5.H)	<del>Storage as a principal use</del> <a href="#">All self-service storage uses</a>				§12.5.24
Vehicle Sales and Service (See §12.2.5.I)	<a href="#">All vehicle sales and service uses</a>				
<b>Industrial Use Categories (See §12.2.6)</b>					
Light Industrial Service (See §12.2.6.A)	<a href="#">All light industrial service uses</a>				
Manufacturing and Production (See §12.2.4.B)	<a href="#">All manufacturing and production uses</a>				
Heavy Industrial (See §12.2.6.C)	<a href="#">All heavy industrial uses</a>				
Warehouse and Freight Movement (See §12.2.6.D)	<a href="#">All warehouse and freight movement uses</a>				
Waste-related Service (See §12.2.6.E)	Recycling centers	U		U	
	<del>Separation and disposal facilities, including incinerators</del> <a href="#">Trash collection, County-owned trash collection, transfer, separation and disposal facilities, including incinerators</a>	P		P	
	<del>Solid or liquid waste transfer</del> <a href="#">Trash collection, County-owned trash collection, transfer, separation and disposal facilities, including incinerators</a>	P		P	
	<a href="#">Sewage treatment plants, County-owned, including incinerators and sanitary sewage pumping and lift stations</a>			P	
Wholesale Trade (See §12.2.6.F)	<a href="#">All wholesale trade uses</a>				
<b>Other use categories (See §12.2.7)</b>					
Agriculture (See §12.2.7.A)	<a href="#">All agricultural uses</a>				
Resource Extraction (See §12.2.7.B)	<a href="#">All resource exaction uses</a>				

PUBLIC (P) DISTRICTS PRINCIPAL USE TABLE					
Use Category	Specific Use Types	S-3A	S-D	P-S	Use Standards
KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted					
Tele-communications Facilities (§12.2.6.C)	All telecommunications facilities communication and electric utility plant facilities and distributing substations			P	
Unclassified (See §12.2.7.D)	Columbia Pike Special Revitalization District Form Based Code Development as specified in §11.2	U			

**§4.1.3. Public (P) districts transitional uses table**

Transitional uses in Public (P) districts shall include the following uses, activities and structures:

Public (P) Districts Transitional Uses				
Specific Use Types	S-3A	S-D	P-S	Use Standards
KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted				
Public Transitional parking area on a transitional site if said area is located and developed as required in §14.3	U		U	§12.8.5
To permit the productive use of existing publicly owned structures on a temporary basis, when the board determines it to be advisable to have such structures available for possible public use at the end of the period of temporary use, the County Board may permit commercial use of an existing structure on a transitional site in conjunction with and primarily for the purpose of providing services to an existing adjacent use for a period not to exceed 15 years subject to the provision of parking as required in §14.3; such uses may be permitted notwithstanding the fact that not more than 25 percent of the area of the existing structure is located outside the portion of the site within which transitional uses are permitted	U		U	

**§4.1.4. ~~Public (P) districts accessory uses table~~**

~~Accessory uses in Public (P) districts shall include the following uses, activities and structures:~~

<del>Public (P) Districts Accessory Uses</del>				
<del>Specific Use Types</del>	<del>S-3A</del>	<del>S-D</del>	<del>P-S</del>	<del>Use Standards</del>
<del>KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted</del>				
<del>Accessory buildings private garages, provided that a detached accessory building shall be located as required in §3.2</del>	<del>U</del>	<del>U</del>	<del>U</del>	
<del>Parking, off site incidental to a use permitted in an S, R or RA district; provided that, unless located on publicly owned land, such parking area shall be on land in the same fee ownership as the land on which the appurtenant use is located<sup>1</sup></del>	<del>U</del>		<del>U</del>	

<sup>1</sup> This is not a land use type, but rather a parking provision; so it has been moved/grouped to §14.3.3.B with the other off-site parking provisions.

## §4.2. S-3A, Special District

### §4.2.1. Purpose

The purpose of the S-3A, Special District is to encourage the retention of certain properties in a relatively undeveloped state. Land so designated may include publicly or privately owned properties which have distinct and unique site advantages or other features so as to make them desirable to retain as active or passive recreation or for a scenic vista. Also stream valley floodplains could be included in this district.

### §4.2.2. Uses

Uses shall be as specified in §4.1.

### §4.2.3. Columbia Pike Special Revitalization District

Properties that are located in the Columbia Pike Special Revitalization District may be developed in accordance with §11.1, CP-FBC district. After such development all uses permitted in §11.1 shall be permitted on the property, subject to all regulations in §11.1.

### §4.2.4. Density and dimensional standards

#### A. By-right

Development allowed by-right in the S-3A district shall comply with the following area, width and height requirements, except as otherwise expressly allowed or stated.

Type of Standard	One-family Dwelling	All Other Uses
Lot area, minimum ( <del>acres</del> )	3 <del>acres</del>	6,000 <del>square feet</del>
Lot width, average minimum (feet)	60	60
Height, maximum (feet)	35	45

#### B. Special exception

All development allowed by special exception in the S-3A district shall comply with the following standards, except as otherwise approved by the County Board.

Type of Standard	<del>Colleges, Hospitals, and Social Service, and Institutions of an Educational, Religious, Charitable or Philanthropic Nature</del>	All Other Uses
Lot area, minimum ( <del>acres</del> )	5 acres	6,000 <del>square feet</del>
Lot width, average minimum (feet)	--	60
Height, maximum (feet)	45	45

#### C. Bulk, coverage and placement

For bulk, coverage and placement requirements not listed in this section see §3.2.

#### D. Exception

The height of high schools and school administration buildings on sites that are 19 acres or more, may be increased to a height not exceed 75 feet, subject to the approval of a use permit.



**§4.2.5. District use standards**

---

Use standards applicable to specific uses in the S-3A district include:

- A. [RESERVED]

**§4.2.6. Site development standards**

---

The site development standards of Article 13 and Article 14 apply to all development, except as otherwise specified below.

**A. Parking**

Parking shall be provided in accordance with the requirements of §14.3.

- B. [Reserved]

## §4.3. S-D, Special Development District

### §4.3.1. Purpose

[Reserved]

### §4.3.2. Uses

Uses shall be as specified in §4.1.

### §4.3.3. Density and dimensional standards

#### A. By-right

Development allowed by-right in the S-D district shall comply with the following area, width and height requirements, except as otherwise expressly allowed or stated:

Type of Standard	One-family Dwelling	All Other Uses
Lot area, minimum (sq. ft.)	6,000	43,560
Lot width, minimum average (feet)	60	--
Height, maximum		
(stories)	3	3
(feet)	35	45
Floor area ratio, maximum	--	1.0
Lot coverage, maximum (percent)	56	56

#### B. Special exception

Development allowed by special exception in the S-D district shall comply with the following area, width and height requirements, except as otherwise approved by the County Board

Type of Standard	Nursing Homes, Convalescent Homes, Intermediate Care Facilities and Related Housing for the Elderly	All Other Uses
Lot area, minimum (sq. ft.)	43,560	43,560
Lot width, minimum average (feet)	--	--
Setbacks, minimum (feet)		
Front	As	As
Side, interior	Specified	Specified
Side, total	in	in
Rear	§3.2.6.A.2(c)	§3.2.6.A.2(c)
Height, maximum (stories)		
Site area 2 acres or more by site plan approval	6	6
Site area 3 acres or more by site plan approval	10	10
Height, maximum (feet)		
Site area 2 acres or more by site plan approval	60	60
Site area 3 acres or more by site plan approval	95	95
Floor area ratio, maximum	1.5	1.0
Lot coverage, maximum by site plan (percent)	75	75

#### C. Bulk, coverage and placement

For bulk, coverage and placement requirements not listed in this section see §3.2.

## D. Exceptions

### 1. Floor area ratio by site plan

- (a) The maximum gross floor area shall not exceed the site area multiplied by the prevailing F.A.R. of the surrounding area (calculated by averaging the F.A.R. of all the improvements on each lot, any part of which is located within 260 feet from any part of the site), except that the County Board may approve a development by site plan approval with a maximum gross floor area not exceeding the site area multiplied by 1.0. In judging the appropriateness of granting site plan approval for hospitals and hospital-related medical and health care facilities at densities greater than the prevailing F.A.R. of the surrounding area, the following guidelines shall be considered:
- (b) The bulk and placement of buildings shall be concentrated in a location on the site so as to have the least negative impact on the surrounding neighborhoods. The basis for judging the appropriate bulk and placement of density on the site shall be the degree to which the project achieves a tapering in height, bulk and mass from the center of the site, or that portion of the site deemed appropriate for the concentration of density on the master plan, down to the building line of the site so that the building line of the site is set back at least as far as the required building line of surrounding properties zoned R and RA, and the structures meet the height requirements for the surrounding residential properties at the building line. Behind the building line, the intent is to increase gradually in height in such a way as to relate to the height and bulk requirements of the ~~adjacent abutting~~ residential properties, as well as those residential properties across the street.
- (c) The placing of parking underground, where feasible, shall be encouraged. Where parking is provided in above-ground structures, they shall meet the bulk, coverage and placement requirements for site plans required in subsection (b), above.
- (d) A vehicular traffic mitigation plan shall be provided.
- (e) A master plan outlining proposed future development on the site for a minimum of five years from the date of site plan application shall be provided. Master plans and a conceptual plan for the following five years shall include the information, analysis and standards necessary for a plan to be the basis for judging future requests.
- (f) An increase in gross floor area of private medical offices may be approved only when the applicant demonstrates the medical need for said office space. The total gross floor area of private medical offices shall be substantially subordinate to the gross floor area of hospital use.
- (g) The impact on the continuous provision of medical services and facilities, particularly those in existing buildings, shall be considered when using these guidelines to evaluate new development.

### 2. [Reserved]

#### §4.3.4. Use standards

---

- A. [Reserved]

#### §4.3.5. Site development standards

---

The site development standards of Article 13 and Article 14 apply to all development, except as otherwise specified below.

##### A. Parking

Parking shall be provided in accordance with the requirements of §14.3, except as such requirements may be modified in an approved site plan.

- B. [Reserved]

#### §4.3.6. Filing of site plan

---

In addition to other conditions, a conditional use permit may be issued on the condition that an application for a site plan be subsequently filed and approved by the County Board.

**§4.4. P-S, Public Service District**

**§4.4.1. Purpose**

[Reserved]

**§4.4.2. Uses**

Uses shall be as specified in §4.1.

~~§4.4.3. Columbia Pike Special Revitalization District~~

~~Properties that are located in the Columbia Pike Special Revitalization District may be developed in accordance with §11.1, CP-FBC district. After such development all uses permitted in §11.1 shall be permitted on the property, subject to all regulations in §11.1.~~

~~§4.4.4.~~ **§4.4.3. Density and Dimensional Standards**

**A. By-right**

All development in the P-S district shall comply with the following area, width and height requirements, except as otherwise expressly allowed or stated:

Type of Standard	One-family Dwelling	All Other Uses
Lot area, minimum (acres)	3	--
Lot width, average minimum (feet)	60	--
Height, maximum (feet)	35	75

**B. Special exception**

Development allowed by special exception in the P-S district shall comply with the following standards, except as otherwise approved by the County Board.

Type of Standard	<del>Institutions of an Educational, Religious, Charitable or Philanthropic Nature</del> Colleges, Hospitals and Social Service	All Other Uses
Lot area, minimum (acres)	5	--
Height, maximum (feet)	75	75

**C. Bulk, coverage and placement**

For bulk, coverage and placement requirements not listed in this section see §3.2.

**D. Exceptions**

**1. Smokestacks and water towers**

Smokestacks and water towers may, by use permit, exceed 75 feet.

**2. Publicly-owned or controlled recreation buildings or aquatic centers ~~of properties, located on sites designated North Tract Special Planning District on the General Land Use Plan~~**

Publicly owned or controlled recreation buildings or aquatic centers or properties, located ~~on sites~~ within areas designated as North Tract Special Planning District on the General Land Use Plan, may be constructed to a height which does not exceed 100 feet.

**3. Dentention or correctional facilities and local government offices**

~~Courthouses, jails, and county government administration buildings~~Courthouses, detention or correctional facilities and County government offices located on sites designated "government and community facilities" on the General Land Use Plan and ~~adjacent-abutting~~to or across the street from a zoning district in which heights greater than 75 feet are allowed may be constructed to a height which does not exceed that of the ~~adjacent~~subject-abutting district or district across the street, and exceptions may be made to the provisions of ~~§4.4.3.A~~§4.4.3.A, subject to the following:

- (a) A use permit from the County Board under the provisions of ~~§15.4~~§15.4 must be obtained.
- (b) No use permit shall be granted for a structure which exceeds a height of 180 feet. The County Board may approve bonus height of up to 11 percent, not to exceed 200 feet, for the focal point courthouse or county government administration building for a Metro station area, as defined by approved sector plans, where the added height will clearly be used to create an architectural feature which would be recognized by the standards of professional architecture and professional city planning to be the focal point for the area.

**§4.4.4. District use standards**

Use standards applicable to specific uses in the P-S district include:

~~**E. Use standards applicable to specific uses in the P-S district include:  
Courthouses, jails, and county government administration buildings located on sites designated "government and community facilities" on the General Land Use Plan and adjacent to or across the street from a zoning district in which heights greater than 75 feet**~~

~~Courthouses, jails, and county government administration buildings located on sites designated "government and community facilities" on the General Land Use Plan and adjacent to or across the street from a zoning district in which heights greater than 75 feet are allowed may be constructed to a height which does not exceed that of the adjacent district, and exceptions may be made to the provisions of §4.4.4.A, subject to the following:~~

- ~~1. A use permit from the County Board under the provisions of §15.5 must be obtained.~~
- ~~2. No use permit shall be granted for a structure which exceeds a height of 180 feet. The County Board may approve bonus height of up to 11 percent, not to exceed 200 feet, for the focal point courthouse or county government administration building for a Metro station area, as defined by approved sector plans, where the added height will clearly be used to create an architectural feature which would be recognized by the standards of professional architecture and professional city planning to be the focal point for the area.<sup>1</sup>~~

A. [Reserved]

<sup>1</sup> Moved to 4.4.4.D.3 above and edited as shown.

**§4.4.5. Site development standard**

---

The site development standards of Article 13 and Article 14 apply to all development, except as otherwise specified below.

**A. Parking**

Parking shall be provided in accordance with the requirements of §14.3.





# Article 5. Residential (R) Districts

## §5.1. Residential (R) Districts Use Tables

### §5.1.1. General

The use tables of this section lists all uses allowed within R districts, and is subject to the explanations set forth below. ~~No building or structure shall be erected, reconstructed, structurally altered, enlarged or moved, and no land or building shall be used or designed to be used for any purpose in the R districts other than is hereinafter permitted except as may be permitted by §16.5.~~<sup>1</sup>

### §5.1.2. Residential (R) districts principal use table

~~Table §5.1.2 lists the principal uses allowed within the R districts. The following use table summarizes the principal use regulations of the R districts.~~

#### ~~A.~~ Key to types of uses

~~The permitted use table is subject to the explanation set forth below.~~

#### ~~1.A.~~ Permitted uses

A "P" indicates that a use is permitted by-right and may be approved administratively in the respective general district subject to all other applicable requirements of this zoning ordinance, including the specific use standards in Article 12 and the site development standards of Article 13 and Article 14. Subject to density and dimensional standards in the subject district or as approved by use permit or site plan, all uses permitted by-right may also be approved administratively in buildings controlled under use permit or site plan, except where expressly prohibited by use permit or site plan conditions for the subject property or where the subject property is expressly approved only for a specific use or uses.

#### ~~2.B.~~ Use permit approval required

A "U" indicates a special exception use that may be allowed subject to approval of a use permit as provided in §15.5. The Zoning Administrator may require a use permit for such use, whether the use is located in a building approved administratively or whether located in a building controlled by use permit or site plan. Uses allowed by use permit are subject to all other applicable requirements of this zoning ordinance, including the specific use standards in Article 12 and the site development standards of Article 13 and Article 14.

#### ~~3.C.~~ Site plan approval required

An "S" indicates a special exception use that may be allowed more flexibility in development form and density subject to site plan approval as provided in §15.6. Site plan uses are subject to all other applicable requirements of this zoning ordinance to the extent not modified through the site plan approval, including the specific use standards in Article 12 and the site development standards of Article 13 and Article 14.

---

<sup>1</sup> Moved to §1.3

**4.D. Uses not allowedpermitted**

A blank cell (one without a “P”, “U”, or “S”) in the use table indicates that a use is not allowed in the respective district. Uses not listed may be allowed pursuant to the similar use determination procedure of ~~§12.2.2~~§12.2.2. A blank cell in the use table indicates that a use is not allowed in the respective district. See also ~~§12.2.1~~.

**5.E. Use standards**

The final “use standard” column on the use table contains references use standards that apply to the listed use types. The uses standards in Article 12 apply to more than one district. The “use standard” column on the use table (last column on the right) is a cross-reference to any specific use standard listed in Article 12, which apply to more than one district. Where use standards apply exclusively to a specific district(s), such standards are listed in the respective district(s) regulations.

**6.F. Accessory and temporary uses**

The regulations that apply to accessory and temporary uses are contained in ~~§12.9~~§12.9 and ~~§12.10~~§12.10, accessory uses (~~§12.8~~), and temporary uses (~~§12.9~~).

**G. Transitional uses**

The regulations that apply to transitional uses are contained in ~~§12.8~~§12.8.

**B.H. Use categories Use classification**

All of the use categories listed in the table below are described in ~~§12.2~~§12.2. The second column of the use table lists some of the specific use types included within the respective use categories. The first column of the use table lists some of the specific uses allowed in the respective districts. Uses not listed may be allowed pursuant to the similar use determination procedure of ~~§12.2.1~~.

**Commentary:**  
 The Use Table is organized in to five major use groups:  
 \*Residential  
 \*Public, Civic and Institutional  
 \*Retail, Service and Commercial  
 \*Industrial  
 \*Other Uses

Each major use group is further divided into a series of use categories. The use category system is based on common functional, product or compatibility characteristics, thereby regulating uses in accordance with criteria directly relevant to the public interest. Sec. 14.1 provides a further description of use categories.

RESIDENTIAL (R) DISTRICTS PRINCIPAL USE TABLE										
Use Category	Specific Use Types	R-20	R-10	R-10T	R-8	R-6	R-5	R15-30T	R2-7	Use Standards
KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted										
<b>Residential Use Categories (See §12.2.3)</b>										
Household Living (See §12.2.3.A)	<u>One-family detached Dwelling, one-family</u>	P	P	P	P	P	P	P	P	
	<u>Duplexes</u>									P S

RESIDENTIAL (R) DISTRICTS PRINCIPAL USE TABLE										
Use Category	Specific Use Types	R-20	R-10	R-10T	R-8	R-6	R-5	R15-30T	R2-7	Use Standards
KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted										
	Dwellings, two-family (duplexes and semidetached dwellings)									P S
	Duplexes, <del>adjacent</del> <del>butting to</del> RA, C or M districts Dwellings, two-family (duplexes and semidetached dwellings), on sites that share a lot line with RA, C or M district						U S	U S		§12.8.6
	Semidetached, <del>adjacent</del> <del>butting to</del> RA, C or M districts Dwellings, two-family (duplexes and semidetached dwellings), on sites that share a lot line with RA, C or M district						U S	U S		§12.8.7
	Semidetached								P S	
	Dwellings, two-family (duplexes and semidetached dwellings)								P S	
	Townhouses								P	
	Dwellings, townhouse								P	§5.9.4.A
	Dwellings, <del>T</del> townhouse, semidetached and existing one-family dwellings			S						§5.4.4.A
Dwellings, <del>T</del> townhouse, semidetached, one-family and stacked units							S		§1.1.1.A	
Group Living (See §12.2.3.B)	Dormitories Private clubs, lodges, fraternities, sororities and dormitories	U	U	U	U	U	U	U	U	§12.3.3
	Fraternity and sorority houses; Private clubs, lodges, fraternities, sororities and dormitories	U	U	U	U	U	U	U	U	§12.3.5
	Group homes Institutional homes and institutions of an educational or philanthropic nature; except those of a correctional nature	U	U	U	U	U	U	U	U	§12.3.6
<b>Public, Civic and Institutional Use Categories (§12.2.4)</b>										
Colleges §12.2.4.A)	Colleges and universities Institutional homes and institutions of an educational or philanthropic nature; except those of a correctional nature	U	U	U	U	U	U	U	U	§12.3.6
	Community centers Community buildings	U	U	U	U	U	U	U	U	
Community Service (See §12.2.4.B)	Community swimming pools Clubs and grounds for games or sports, including community swimming pools	U	U	U	U	U	U	U	U	§12.4.11
	Publicly-operated recreation buildings, playgrounds, parks, and athletic fields	U	U	U	U	U	U	U	U	
	Libraries Public libraries, museums, and art galleries	U	U	U	U	U	U	U	U	
	Museums and art galleries or studios Public libraries, museums, and art galleries	U	U	U	U	U	U	U	U	
Day Care (See §12.2.4.C)	All day care uses Schools, private, elementary, middle and high, and kindergartens, nursery schools, child care centers, and other programs regulated by Chapter 52 of the Arlington County Code	U	U	U	U	U	U	U	U	§12.4.2
	Schools, private, elementary, middle and high, and kindergartens, nursery schools, child care centers, and other programs regulated by Chapter 52 of the Arlington County Code	U	U	U	U	U	U	U	U	§12.4.11
Governmental Facilities (See §12.2.4.D)										

§5.1.2 RESIDENTIAL (R) DISTRICTS PRINCIPAL USE TABLE

RESIDENTIAL (R) DISTRICTS PRINCIPAL USE TABLE										
Use Category	Specific Use Types	R-20	R-10	R-10T	R-8	R-6	R-5	R15-30T	R2-7	Use Standards
KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted										
Hospital (See §12.2.4.E)	Hospitals or sanitariums; except animal hospitals, clinics, and hospitals or sanitariums for contagious, mental or drug or liquor addict cases	U	U	U	U	U	U	U	U	§12.4.4
Parks and Open Space (See §12.2.4.F)	Airports and aircraft landing fields; golf courses (except driving tees and miniature courses); cemeteries; and funeral homes and/or crematories when on the same premises as a cemetery of 10 or more acres	U	U	U	U	U	U	U	U	
	Country clubs and golf courses Airports and aircraft landing fields; golf courses (except driving tees and miniature courses); cemeteries; and funeral homes and/or crematories when on the same premises as a cemetery of 10 or more acres	U	U	U	U	U	U	U	U	
	Clubs and grounds for games or sports, including community swimming pools	U	U	U	U	U	U	U	U	<del>§12.4.13</del>
	Parks, playgrounds and playfields Publicly-operated recreation buildings, playgrounds, and athletic fields	U	U	U	U	U	U	U	U	
Passenger Terminals and Services (See §12.2.4.G)	Airports and aircraft landing fields ; golf courses (except driving tees and miniature courses); cemeteries; and funeral homes and/or crematories when on the same premises as a cemetery of 10 or more acres	U	U	U	U	U	U	U	U	
	Bus, trolley, air, boat and rail passenger terminals Public utilities and services; such as railroad, trolley, bus, air, or boat passenger stations; railroad offices, rights-of-way, and tracks (but excluding car barns, garages, railroad yards, sidings and shops); static transformer stations, transmission lines and towers, commercial and public utility radio towers, telephone exchanges (but excluding service and storage yards); provided, however, that the exterior appearance of any building permitted under this paragraph shall be in keeping with the character of the neighborhood in which it is located	U	U	U	U	U	U	U	U	§12.4.4
Religious Institutions (See §12.2.4.H)	Churches, mosques, synagogues, and temples and other places of worship, including parish houses and Sunday schools, but excluding rescue missions or temporary revivals	P	P	P	P	P	P	P	P	
Schools (See §12.2.4.I)	Schools, elementary, middle and high, and kindergartens, nursery schools, child care centers, and other programs regulated by Chapter 52 of the Arlington County Code	U	U	U	U	U	U	U	U	§12.4.2
Social Service Institutions (See §12.2.4.J)	All social service institutions									

RESIDENTIAL (R) DISTRICTS PRINCIPAL USE TABLE										
Use Category	Specific Use Types	R-20	R-10	R-10T	R-8	R-6	R-5	R15-30T	R2-7	Use Standards
KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted										
Utilities, major (See §12.2.4.K)	<a href="#">All major utilities</a> Public utilities and services; such as railroad, trolley, bus, air, or boat passenger stations; railroad offices, rights-of-way, and tracks (but excluding car barns, garages, railroad yards, sidings and shops); static transformer stations, transmission lines and towers, commercial and public utility radio towers, telephone exchanges (but excluding service and storage yards); provided, however, that the exterior appearance of any building permitted under this paragraph shall be in keeping with the character of the neighborhood in which it is located	U	U	U	U	U	U	U	U	§12.4.8
Utilities, minor (See §12.2.4.K)	<a href="#">Bus shelters; bike share stations</a> Public utilities and services; such as railroad, trolley, bus, air, or boat passenger stations; railroad offices, rights-of-way, and tracks (but excluding car barns, garages, railroad yards, sidings and shops); static transformer stations, transmission lines and towers, commercial and public utility radio towers, telephone exchanges (but excluding service and storage yards); provided, however, that the exterior appearance of any building permitted under this paragraph shall be in keeping with the character of the neighborhood in which it is located	U	U	U	U	U	U	U	U	
	<a href="#">All other minor utilities</a>	P	P	P	P	P	P	P	P	
<b>Retail, Service and Commercial Use Categories (See §12.2.5)</b>										
Food and Drinking Establishments (See §12.2.5.A)	<a href="#">All Food and Drinking Establishments</a>									
Entertainment (See §12.2.5.B)	<a href="#">Membership clubs and lodges</a> Private clubs, lodges, fraternities, sororities and dormitories	U	U	U	U	U	U	U	U	§12.5.13
Office (See §12.2.5.C)	<a href="#">Offices, federal, state and local</a> Buildings used exclusively by the federal and state governments for public purposes, except penal and correctional institutions	U	U	U	U	U	U	U	U	
	<a href="#">Offices or clinics, medical or dental</a> Offices of medical doctors, physicians, dentists or psychologists in existing institutional structures converted to such use					U	U	U	U	§12.5.16
Overnight Accommodations (See §12.2.5.D)	Bed and breakfasts	U	U	U	U	U	U	U	U	§12.5.3
Parking, Commercial (See §12.2.5.E)	<a href="#">All commercial parking uses</a>									
Recreation, Indoor (See §12.2.5.F.2(a))	<a href="#">All indoor recreation uses</a>									
Recreation, Outdoor (See §12.2.5.B)	<a href="#">All outdoor recreation uses</a>									
Retail, Sales (See §12.2.5.G.2(a))	<a href="#">All retail sales uses</a>									
Retail, Personal Service (See §12.2.5.G.2(b))	<a href="#">All retail personal service uses</a>									
Retail, Repair (See §12.2.5.G.2(c))	<a href="#">All retail repair uses</a>									

§5.1.3 RESIDENTIAL (R) DISTRICTS TRANSITIONAL USE TABLE

RESIDENTIAL (R) DISTRICTS PRINCIPAL USE TABLE										
Use Category	Specific Use Types	R-20	R-10	R-10T	R-8	R-6	R-5	R15-30T	R2-7	Use Standards
KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted										
Self-service Storage (See §12.2.5.H)	<a href="#">All self-storage uses</a> <a href="#">Storage as principal use</a>									§12.5.25
Vehicle Sales and Service (See §12.2.5.I)	<a href="#">All vehicle sales and service uses</a>									
<b>Industrial Use Categories (See §12.2.6)</b>										
Light Industrial Service (See §12.2.6.A)	<a href="#">All light industrial uses</a>									
Manufacturing and Production (See §12.2.4.B)	<a href="#">All manufacturing and production uses</a>									
Heavy Industrial (See §12.2.6.C)	<a href="#">All heavy industrial uses</a>									
Warehouse and Freight Movement (See §12.2.6.D)	<a href="#">All warehouse and freight movement uses</a> <a href="#">Storage as principal use</a>									§12.5.25
Waste-related Service (See §12.2.6.E)	Recycling centers <a href="#">All other waste-related service uses</a>	U	U	U	U	U	U	U	U	
Wholesale Trade (See §12.2.6.F)	<a href="#">All wholesale trade uses</a>									
<b>Other use categories (See §12.2.7)</b>										
Agriculture (See §12.2.7.A)	<a href="#">All agricultural uses</a> , <a href="#">Farming, livestock and poultry raising, and all uses commonly classed as agricultural</a>	P	P	P	P	P	P	P	P	§12.7.1
Resource Extraction (See §12.2.7.B)	<a href="#">All resource extraction uses</a>									
Telecommunications Facilities (§12.2.6.C)	<a href="#">All telecommunications facilities</a>									
Unclassified (See §12.2.7.D)	<a href="#">Columbia Pike Neighborhoods Special Revitalization District Form Based Code Development as specified in §11.3.1</a>					P	P	P	P	
	<a href="#">Contractors, off-site storage and staging yards and sales or leasing trailers or pavilions</a> <sup>2</sup>	U	U	U	U	U	U	U	U	§12.9.4
	<a href="#">Residential cluster development as specified in §5.10</a> <sup>3</sup>	S	S	S	S	S	S	S	S	

**§5.1.3. Residential (R) districts transitional use table**

Transitional uses in residential (R) districts shall include the following uses, activities and structures:

<sup>1</sup> This is not a specific land use type. Applicability is clearly stated in §11.1.2 and, additionally, applicability is broader than shown here.

<sup>2</sup> See temporary use provisions (12.10)

<sup>3</sup> This is not a specific land use type. The applicability statement in §5.10 explains where such development may be allowed.

RESIDENTIAL (R) DISTRICTS TRANSITIONAL USE TABLE

Specific Use Types	R-20	R-10	R-10T	R-8	R-6	R-5	R15-30T	R2-7	Use Standards
KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted									
<del>Duplexes, adjacent butting to other than C-1 or C-1-0 districts Dwellings, two-family (duplexes and semidetached dwellings), adjacent to other than the C-1 or C-1-O district</del>					U	S	U	U	
<del>Semidetached, adjacent butting to other than C-1 or C-1-0 districts Dwellings, two-family (duplexes and semidetached dwellings), adjacent to other than the C-1 or C-1-O district<sup>1</sup></del>					U	S	U	U	
Medical or dental clinic					S	S	S	S	§12.5.17
Offices of doctors, physicians, dentists or psychologists					S	S	S	S	
Offices or clinics, medical or dental, in existing one-family detached dwelling. Office, principal, of a physician, surgeon or dentist, provided such use is conducted within a dwelling and the residential character of such dwelling is not changed	P	P	P	P	S	S	S	S	§12.8.3
Transitional parking areas Transitional parking area if said area is located and developed as required in §14.2 and §14.3	U	U	U	U	U	U	U	U	§12.8.5

<sup>1</sup> Duplexes and semidetached have been removed from R-6 and R15-30T because they are already allowed in the same manner as a principal use. Site plan option was added to R-5 and R2-7, where it was left out in error during the reformat adopted in May 2013.

**§5.1.4. Residential (R) districts accessory use table**

Accessory uses in residential (R) districts shall include the following uses, activities and structures:

**RESIDENTIAL (R) DISTRICTS ACCESSORY USE TABLE**

Use Types	R-20	R-10	R-10T	R-8	R-6	R-5	R15-30T	R2-7	Use Standards
<b>KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted</b>									
Accessory buildings, including a private garage, provided that a detached accessory building shall be located as required in §3.2	P	P	P	P	P	P	P	P	
Accessory dwellings	P	P	P	P	P	P	P	P	§12.9.2
Accessory uses, customarily incident to any of the otherwise permitted uses	P	P	P	P	P	P	P	P	
Commercial vehicle parking—Parking of one commercial vehicle which has a gross vehicle weight of 16,000 pounds or less	P	P	P	P	P	P	P	P	§12.9.4
<del>Commercial vehicle parking. In cases working a grave hardship on the resident, and in accordance §12.8.5, and §14.6, parking of (i) a commercial vehicle which does not meet the locational requirements of this zoning ordinance, or (ii) more than one commercial vehicle</del>	U	U	U	U	U	U	U	U	<del>§12.9.4</del>
<del>CrematoriesCrematoriums</del> Airports and aircraft landing fields; golf courses (except driving tees and miniature courses); cemeteries; and funeral homes and/or crematories when on the same premises as a cemetery of 10 or more acres	U	U	U	U	U	U	U	U	§12.9.6
Family day care homes (six to nine children)for six to nine children	U	U	U	U	U	U	U	U	§12.9.9
Family day care homes (up to five children)for up to five children	P	P	P	P	P	P	P	P	§12.9.9
Family/caregiver suites	P	P	P	P	P	P	P	P	§12.9.8
Guest house	P	P	P	P	P	P	P	P	§12.9.10
Home occupations	P	P	P	P	P	P	P	P	§12.9.11
<del>Mortuaries and funeral homes</del> Airports and aircraft landing fields; golf courses (except driving tees and miniature courses); cemeteries; and funeral homes and/or crematories when on the same premises as a cemetery of 10 or more acres	U	U	U	U	U	U	U	U	§12.9.13
Swimming pools, private	P	P	P	P	P	P	P	P	§12.9.15
<del>Trailer</del> Recreational vehicle or trailer parking	P	P	P	P	P	P	P	P	§12.9.16
Vehicle maintenance and minor repairs, routine	P	P	P	P	P	P	P	P	§12.9.17
Vehicle, <del>one</del> unlicensed and/or uninspected.	P	P	P	P	P	P	P	P	§12.9.18



## §5.2. R-20, One-Family Dwelling District

### §5.2.1. Purpose

[Reserved]

### §5.2.2. Uses

Uses shall be as specified in §5.1.

### §5.2.3. Density and dimensional standards

#### A. General

All development in the R-20 district shall comply with the following requirements, except as otherwise expressly allowed or stated.

Type of Standard	All Uses
<b>Lot, minimum (sq. ft.)</b>	
Lot area	20,000
Lot area per dwelling unit	20,000
<b>Lot width, average minimum (feet)</b>	100
<b>Height, maximum (feet)</b>	35

#### B. Bulk, coverage and placement

For bulk, coverage and placement requirements not listed in this section see §3.2.

#### C. Exceptions

The County Board may, on R district lots of 100 acres or more, by use permit approval in accordance with §15.5, approve an increase in the height of one main building to 55 feet. Notwithstanding the provisions of §3.1.10, when a use permit is approved with such a height increase, the County Board may approve non-occupiable architectural features such as cupolas, flagpoles and chimneys that are no more than 15 feet in height above the height of the main building. Height increases allowed under this subsection may only be approved where the main building is set back a minimum of 150 feet from all lot lines and public rights-of-way.

### §5.2.4. District use standards

Use standards applicable to specific uses in the R-20 district include:

[Reserved]

### §5.2.5. Site development standards

The site development standards of Article 13 and Article 14 apply to all development, except as otherwise specified below.

#### A. Parking

Automobile parking spaces to be provided as required in ~~§14.3~~§14.3.

**§5.3. R-10, One-Family Dwelling District**

**§5.3.1. Purpose**

[Reserved]

**§5.3.2. Uses**

Uses shall be as specified in §5.1.

**§5.3.3. Density and dimensional standards**

**A. General**

All development in the R-10 district shall comply with the following standards, except as otherwise expressly allowed or stated.

Type of Standard	One-family Dwellings	All Other Uses
<b>Lot, minimum (sq. ft.)</b>		
Lot area	10,000	10,000
Lot area per dwelling unit	10,000	10,000
<b>Lot width, minimum average (feet)</b>	80	80
<b>Height, maximum (feet)</b>	35	35

**B. Bulk coverage and placement**

For bulk, coverage and placement requirements not listed in this section see §3.2.

**C. Exceptions**

The County Board may, on R district lots of 100 acres or more, by use permit approval in accordance with §15.5, approve an increase in the height of one main building to 55 feet. Notwithstanding the provisions of ~~§3.1.6.B~~~~§3.1.6.B~~, when a use permit is approved with such a height increase, the County Board may approve non-occupiable architectural features such as cupolas, flagpoles and chimneys that are no more than 15 feet in height above the height of the main building. Height increases allowed under this subsection may only be approved where the main building is set back a minimum of 150 feet from all lot lines and public rights-of-way.

**§5.3.4. District use standards**

Use standards applicable to specific uses in the R-10 district include:

A. [Reserved]

**§5.3.5. Site development standards**

The site development standards of Article 13 and Article 14 apply to all development.

## §5.4. R-10T, One-Family and, Residential ~~Townhouse~~ Dwelling District

### §5.4.1. Purpose

The purpose of the R-10T, One-Family, ~~Residential~~ Townhouse Dwelling District is to provide for development of one-family dwellings and, under certain conditions, the development of townhouse projects. Such townhouse projects may include a variety of dwelling styles including one-family and semidetached dwellings; however, the project shall maintain the townhouse style character. Up to one-third of the permitted dwelling units may be semidetached. In townhouse projects, existing one-family dwellings may be retained but new construction of such dwellings is not permitted. Townhouse development may occur where development will be consistent with the adopted master plan or plans for the immediate area. Such development is appropriate but not limited to situations where it provides a transition between a one-family district and uses permitted in other district classifications, or for a reuse of land. It is intended that any townhouse development permitted should result in well- designed living units offering optimum residential environmental amenities, including preservation of natural land form and foliage and the clustering of usable open space. Clusters of dwelling units should be so arranged as to achieve an intimate internal relationship. Site plans shall be prepared in such detail as to permit judgment of the quality of design.

### §5.4.2. Uses

Uses shall be as specified in §5.1.

### §5.4.3. Density and dimensional standards

#### A. By-right

All development in the R-10T district shall comply with the following standards, except as otherwise expressly allowed or stated.

Type of Standard	One-family Dwelling	All Other Uses
<b>Lot, minimum (sq. ft.)</b>		
Lot area	10,000	10,000
Lot area per dwelling unit (sq. ft.)	10,000	10,000
<b>Lot width, minimum average (feet).</b>	80	80
<b>Height, maximum (feet)</b>	35	35

#### B. Special exception

All development allowed by special exception in the R15-30T district shall comply with the following standards, except as otherwise approved by the County Board.

Standard	Townhouse, Semidetached and Existing One-family Dwellings
<b>Project, minimum</b>	
Units (number)	12
Site (sq. ft.)	51,600
<b>Setbacks, minimum</b>	
Front	--
Side, interior	--
Side, street	20
Rear	20

Standard	Townhouse, Semidetached and Existing One-family Dwellings
<b>Site, minimum</b> Area (sq. ft.) Width (feet), average	4,300-5,000 18
<b>Lot area, minimum (sq. ft.)</b> Lot area per dwelling unit	As approved by Site Plan
<b>Lot width per dwelling unit (feet)</b>	18
<b>Height, maximum (feet)</b>	36
<b>Floor area, minimum, exclusive of utility, attic, and garage area (sq. ft.)</b> Townhouse Semidetached Existing one-family	1,500 1,500 --

**C. Bulk coverage and placement**

For bulk, coverage and placement requirements not listed in this section see §3.2.

**D. Exceptions**

The County Board may, on R district lots of 100 acres or more, by use permit approval in accordance with §15.5, approve an increase in the height of one main building to 55 feet. Notwithstanding the provisions of ~~§3.1.6.B~~§3.1.6.B, when a use permit is approved with such a height increase, the County Board may approve non-occupiable architectural features such as cupolas, flagpoles and chimneys that are no more than 15 feet in height above the height of the main building. Height increases allowed under this subsection may only be approved where the main building is set back a minimum of 150 feet from all lot lines and public rights-of-way.

**§5.4.4. District use standards**

Use standards applicable to specific uses in the R10-T district include:

**A. Townhouses, semidetached and existing one-family dwellings**

Semidetached dwellings shall not compromise more than one-third of the total dwelling units, as follows:

**1. Lot area and width requirements**

Every townhouse project shall have a minimum area per dwelling of 4,300 square feet; provided, however, that the County Board may require up to a minimum of 5,000 square feet per dwelling to preserve unique site characteristics including natural land form and foliage. Not less than 1,000 square feet of the minimum area per dwelling unit shall be combined to form common open park space suitable for recreational use located within the project. Public or private drives and parking areas shall not be included in the calculation of common open park space. A site plan showing either less lot area or common open park space, or both, shall not be approved by the County Board.

## 2. Setback and yard requirements

- (a) Where an off-street parking space is provided in front of a dwelling unit, the front yard setback shall be no less than 25 feet from any street right-of-way line.
- (b) Side yard setback for corner lots shall be a minimum of 20 feet.
- (c) Every dwelling unit shall have a rear yard of not less than 20 feet which shall be screened with landscaping, walls or fences so as to provide optimum privacy for the occupants of that dwelling unit.
- (d) Building setback variations shall be provided whenever possible to permit side lighting to interior spaces.

## 3. Lot development and visibility requirements

- (a) All dwelling units shall be functionally related to the natural topography.
- (b) No townhouse or semidetached dwelling shall be constructed so as to provide direct vehicular ingress or egress to any streets designated as controlled access principal arterial, minor arterial, local principal as designated in the adopted Arlington County Master Transportation Plan.

## 4. Landscape and site improvement plan

A preliminary landscape plan shall be included as part of the site plan submittal. A detailed landscape plan and a complete site improvement plan shall be submitted and approved by the county manager prior to the issuance of a building permit. In approving the plans the county manager shall require the following:

- (a) Conformance to the approved site plan.
- (b) Plant materials which do not have a deleterious effect on other site improvements, which do have a reasonable period of life and which do not produce an unreasonable amount of debris in the form of branches and leaves.
- (c) Plant materials shall be used in sufficient quantity to reasonably enhance the appearance of the entire townhouse project.
- (d) The impervious area of townhouse project shall not exceed 50 percent.

## 5. Internal streets

Internal streets, whether public or private, shall have a minimum right-of-way width of 40 feet and a minimum pavement width of 30 feet.

## 6. Completion of construction

Upon the completion of construction, street improvements, parking, site improvements and landscaping, the standard zoning regulations for the district become effective, even though they conflict with provisions of the approved site plan, landscaping plan and site improvement plan as to individual dwelling units, title to which has been conveyed to individual owners who will be occupying or renting such dwelling units to other persons; provided, however, all areas of the project intended for common use shall remain bound by the approved site plan, site improvement plan and landscaping plan.

## **7. Parking**

Not less than two and one-half off-street parking spaces shall be provided for every dwelling unit.

### **§5.4.5. Site development standards**

---

The site development standards of Article 13 and Article 14 apply to all development, except as otherwise specified below.

## §5.5. R-8, One-Family Dwelling District

### §5.5.1. Purpose

[Reserved]

### §5.5.2. Uses

Uses shall be as specified in §5.1.

### §5.5.3. Density and dimensional standards

#### A. General

All development in the R-8 district shall comply with the following standards, except as otherwise expressly allowed or stated.

Type of Standard	One-family Dwellings	All Other Uses
<b>Lot, minimum (sq. ft.)</b>		
Lot area	8,000	8,000
Lot area per dwelling unit (sq. ft.)	8,000	8,000
<b>Lot width, minimum average (feet)</b>	70	70
<b>Height, maximum (feet)</b>	35	35

#### B. Bulk coverage and placement

For bulk, coverage and placement requirements not listed in this section see §3.2.

#### C. Exceptions

The County Board may, on R district lots of 100 acres or more, by use permit approval in accordance with §15.5, approve an increase in the height of one main building to 55 feet. Notwithstanding the provisions of ~~§3.1.6.B~~~~§3.1.6.B~~, when a use permit is approved with such a height increase, the County Board may approve non-occupiable architectural features such as cupolas, flagpoles and chimneys that are no more than 15 feet in height above the height of the main building. Height increases allowed under this subsection may only be approved where the main building is set back a minimum of 150 feet from all lot lines and public rights-of-way.

### §5.5.4. District use standards

Use standards applicable to specific uses in the R-8 district include:

A. [Reserved]

### §5.5.5. Site development standards

The site development standards of Article 13 and Article 14 apply to all development.

**§5.6. R-6, One-Family Dwelling District**

**§5.6.1. Purpose**

[Reserved]

**§5.6.2. Uses**

Uses shall be as specified in §5.1.

**§5.6.3. Density and dimensional standards**

**A. GeneralBy-right**

All development in the R-6 district shall comply with the following standards, except as otherwise expressly allowed or stated.

Type of Standard	One-family Dwellings	All Other Uses
<b>Lot, minimum (sq. ft.)</b>		
Lot area	6,000	6,000
Lot area per dwelling unit	6,000	6,000
<b>Lot width, minimum average (feet)</b>	60	60
<b>Height, maximum (feet)</b>	35	35

**B. Special exception use permit<sup>1</sup>**

All development allowed by special exception use permit in the R-6 district shall comply with the following standards, except as otherwise approved by the County Board.

Type of Standard	<u>Two-family Dwellings on Transitional Sites, other than abutting C-1 or C-1-O districts</u>	
	<u>Semi-detached</u>	<u>Duplex</u>
<u>Site area, minimum (sq. ft.)</u>	<u>8,700</u>	<u>8,700</u>
<u>Lot, minimum (sq. ft.)</u>		
<u>Lot area</u>	<u>4,350</u>	<u>8,700</u>
<u>Lot area per dwelling unit</u>	<u>4,350</u>	<u>=</u>
<u>Lot width, minimum average (feet) by use permit</u>	<u>35</u>	<u>70</u>
<u>Lot width, minimum average (feet) by site plan</u>	<u>28</u>	<u>56</u>
<u>Height, maximum (feet)</u>	<u>35</u>	<u>35</u>
<u>Floor area per dwelling unit, minimum, exclusive of basement or attic (sq. ft.)</u>	<u>750</u>	<u>750</u>

**B-C. Bulk coverage and placement**

For bulk, coverage and placement requirements not listed in this section see §3.2.

**C-D. Exceptions**

The County Board may, on R district lots of 100 acres or more, by use permit approval in accordance with §15.5, approve an increase in the height of one main building to 55 feet. Notwithstanding the provisions of ~~§3.1.6.B~~~~§3.1.6.B~~, when a use permit is approved with

<sup>1</sup> Was missing from 2013 Ordinance; restored from 1950 Ordinance.



such a height increase, the County Board may approve non-occupiable architectural features such as cupolas, flagpoles and chimneys that are no more than 15 feet in height above the height of the main building. Height increases allowed under this subsection may only be approved where the main building is set back a minimum of 150 feet from all lot lines and public rights-of-way.

#### **§5.6.4. District use standards**

---

Use standards applicable to specific uses in the R-6 district include:

- A. [Reserved]

#### **§5.6.5. Site development standards**

---

The site development standards of Article 13 and Article 14 apply to all development, except as otherwise specified below.

##### **A. Parking**

Automobile parking space shall be provided as required and regulated in ~~§14.3~~§14.3, except that in considering use permit applications under §14.5 the required parking for medical offices may be reduced up to a maximum of 10 percent.

**§5.7. R-5, One-Family and, Restricted Two-Family Dwelling District**

**§5.7.1. Purpose**

The purpose of the R-5, One-family, Restricted Two-family District is to provide for one-family dwellings on relatively small lots and to provide, under certain circumstances, for two-family dwellings on lots of such size as follows the progression in residential density established in this zoning ordinance giving consideration to architectural compatibility with one-family detached dwellings in the existing neighborhood. An existing one-family dwelling shall not be converted into a two-family dwelling (duplexes and semidetached dwellings). Two-family dwelling (duplexes and semidetached dwellings) units should have as many of the one-family amenities as possible.

**§5.7.2. Uses**

Uses shall be as specified in §5.1.

**§5.7.3. Density and dimensional standards**

**A. By-right**

All development allowed by-right in the R-5 district shall comply with the following standards, except as otherwise expressly allowed or stated.

Type of Standard	One-family Dwelling	All Other Uses
<b>Lot, minimum (sq. ft.)</b>		
Lot area	5,000	5,000
Lot area per dwelling unit	5,000	5,000
<b>Lot width, minimum average (feet).</b>	50	50
<b>Height, maximum (feet)</b>	35	35

**B. Special exception**

All development allowed by special exception in the R-5 district shall comply with the following standards, except as otherwise approved by the County Board.

Type of Standard	Two-family Dwellings <del>That Share a Lot Line</del> with <u>abutting</u> RA, C or M District		All Other Uses
	Semi-detached	Duplex	
<b>Site area, minimum (sq. ft.)</b>	8,700	8,700	--
<b>Lot, minimum (sq. ft.)</b>			
Lot area	4,350	8,700	5,000
Lot area per dwelling unit	4,350	--	5,000
<b>Lot width, minimum average (feet) by use permit</b>	35	70	50
<b>Lot width, minimum average (feet) by site plan</b>	28	56	--
<b>Height, maximum (feet)</b>	35	35	35
<b>Floor area per dwelling unit, minimum, exclusive of basement or attic (sq. ft.)</b>	750	750	--

### C. Bulk coverage and placement

For bulk, coverage and placement requirements not listed in this section see §3.2.

### D. Exceptions

The County Board may, on R district lots of 100 acres or more, by use permit approval in accordance with §15.5, approve an increase in the height of one main building to 55 feet. Notwithstanding the provisions of ~~§3.1.6.B~~~~§3.1.6.B~~, when a use permit is approved with such a height increase, the County Board may approve non-occupiable architectural features such as cupolas, flagpoles and chimneys that are no more than 15 feet in height above the height of the main building. Height increases allowed under this subsection may only be approved where the main building is set back a minimum of 150 feet from all lot lines and public rights-of-way.

## §5.7.4. District use standards

---

Use standards applicable to specific uses in the R-5 district include:

### A. Two-family (duplexes and Semidetached) abutting RA, C and M districts

Two-family dwellings (semidetached and duplex dwellings), on sites that share a lot line with RA, C, or M Districts, shall be located no more than 100 feet from the shared lot line, or on sites that are located on principal or minor arterial streets as designated in the Arlington County Master Transportation Plan provided that the dwellings front on the principal or minor arterial street, except on corner lots where no more than one unit may front on the local street.<sup>1</sup>

B. [Reserved]

## §5.7.5. Site development standards

---

The site development standards of Article 13 and Article 14 apply to all development, except as otherwise specified below.

### A. Parking

There shall be two parking spaces per dwelling unit.

---

<sup>1</sup> Moved from use standards (12.3.3)

**§5.8. R15-30T, Residential-Townhouse Dwelling District**

**§5.8.1. Purpose**

The intent of the R15-30T, Residential-Townhouse Dwelling District is to provide for low-rise one-family townhouse development within Metro Transit Corridors as designated by the County Board. The R15-30T district may also be appropriate in other areas of the county which are planned for "low" residential (11-15 units per acre) and "low-medium" residential (16-36 units per acre) use in the General Land Use Plan, and where townhouse development will provide an appropriate transition between commercial uses or higher density residential uses and single-family or two-family residential development. Uses shall be as permitted and regulated as in R-5; however, density up to 15 units per acre, and density up to 30 units per acre may be permitted by the County Board in accordance with the site plan provisions of this zoning ordinance when consistent with the General Land Use Plan and approved plans for the area. Preservation of existing dwellings in projects is encouraged as is architectural integration of new projects into existing neighborhoods by relating the facade, height, and setbacks of the new dwellings with the old. Determination as to the actual densities to be allowed will be based on the characteristics of individual sites in their neighborhood and on the need for community facilities, open and landscaped areas, circulation, and utilities.

**§5.8.2. Uses**

Uses shall be as specified in §5.1.

**§5.8.3. Density and dimensional standards**

**A. By-right**

All development allowed by-right in the R15-30T district shall comply with the following standards, except as otherwise expressly allowed or stated.

Type of Standard	One-family Dwellings	All Other Uses
<b>Lot, minimum (sq. ft.)</b>		
Lot area	5,000	5,000
Lot area per dwelling unit	5,000	5,000
<b>Lot width, minimum average (feet)</b>	50	50
<b>Height, maximum (feet)</b>	35	35

## B. Special exception

All development allowed by special exception in the R15-30T district shall comply with the following standards, except as otherwise approved by the County Board.

Standard	Two-family Dwellings That Share a Lot Line with abutting RA, C or M districts		Semi- detached Dwellings	Townhouse Dwellings	Townhouse, Semi- detached and Existing One- family Dwellings
	Semi- detached	Duplex			
<b>Units, minimum</b> Project (units)	--	--	2	3	--
<b>Density, maximum</b> (units/acre)			15	15	16-30
<b>Site, minimum</b>					
Area (sq. ft.)	8,700	8,700	5,808	8,712	8,712 sq. ft., or 17,424 sq. ft. in projects where density is requested above 15 units per acre As approved by Site Plan
Width (feet)	--	--	50	75	
<b>Setbacks, minimum (feet)</b>					
Front					25
Side	See §3.2 and §5.8.4.A	See §3.2 and §5.8.4.A	See §3.2	See §3.2	7 (Townhouse, Semidetached dwelling end units)
Side, street					15
Rear					25
<b>Lot area, minimum (sq. ft.)</b>					
Lot area	4,350	8,700	--	--	--
Lot area per dwelling unit	4,350	--	2,904	2,904 of which up to 1,300 sq. ft. may be in common area	As approved by site plan but under no circumstances less than 1,452 sq. ft. of site area per dwelling unit
<b>Lot width per dwelling unit (feet)</b>					
By use permit	35	70	--	--	--
By site plan	28	56	25	20	As approved by Site Plan, see §5.8.4.B
<b>Height, maximum (feet)</b>	35	35	45	45	45

## C. Bulk, coverage and placement

For bulk, coverage and placement regulations not listed in this section, See ~~§3.2~~ §3.2.

## D. Exceptions

- The County Board may, on R district lots of 100 acres or more, by use permit approval in accordance with §15.5, approve an increase in the height of one main building to 55 feet. Notwithstanding the provisions of ~~§3.1.6.B~~ §3.1.6.B, when a use permit is approved with such a height increase, the County Board may approve non-occupiable architectural features such as cupolas, flagpoles and chimneys that are no more than 15 feet in height above the height of the main building. Height increases allowed under this subsection may only be approved where the main building is set back a minimum of 150 feet from all lot lines and public rights-of-way.

#### §5.8.4. District use standards

Use standards applicable to specific uses in the R15-T district include:

##### E.A. Two-family (duplexes and Semidetached) abutting RA, C or M districts

Two-family dwellings (semidetached and duplex dwellings), on sites that share a lot line with RA, C, or M Districts, shall be located no more than 100 feet from the shared lot line, or on sites that are located on principal or minor arterial streets as designated in the Arlington County Master Transportation Plan provided that the dwellings front on the principal or minor arterial street, except on corner lots where no more than one unit may front on the local street.<sup>1</sup>

##### F.B. Townhouse and semidetached dwellings requiring site plan approval by the County Board:

1. Site plans may include a variety of dwelling styles including townhouse, semidetached, one-family and stacked units. Existing one-family units may be retained. The provisions of this subsection shall be in accordance with Section 36 and consistent with the general land use plan. The County Board, at its discretion, may approve any of the following special exceptions subject to the approval of a site plan as specified in §15.5~~§15.5~~: variations in setback, yard, lot size, coverage and parking requirements to achieve a design appropriate for the site and project.
2. To maintain neighborhood scale by matching new and existing setbacks, the front yard setback for one-family and two-family dwellings may be reduced to that of the average setback of the existing buildings on the same side of the subject block.

#### §5.8.4. §5.8.5. Site development standards

The site development standards of Article 13 and Article 14 apply to all development, except as otherwise specified below.

##### **A. Parking**

1. Semidetached dwellings: Two parking spaces per unit.
2. All other uses: Parking spaces shall be provided as required in §14.3.

##### **B. Landscaping**

A landscaping plan shall be submitted within two weeks after submitting the application for approval of the site plan. At a minimum, plans shall include the following:

##### **1. Shrubs**

There shall be a minimum of five shrubs for each dwelling unit and a minimum of one tree per dwelling unit

##### **2. Street trees**

- (a) In addition to the requirement for shrubs of §5.8.5.B.1~~§5.8.5.B.1~~, above, major deciduous trees shall be planted at the minimum rate of one for every 35 feet along any property line abutting public right-of-way. The requirement is to be satisfied by planting trees ~~on-site~~on-site within the front yard setback or within

<sup>1</sup> Moved from use standards 12.3.3.

the public right-of-way at a location to be designated by the zoning administrator and consistent with otherwise existing ordinances.

- (b) The above shall be planted according to the standards of §14.2, Landscaping.

#### ~~§5.8.5~~ §5.8.6. Additional regulations

---

- A. Prior to the approval of a plat of subdivision, where a common area is included, there shall be submitted to the county attorney evidence satisfactory to him that by condominium or a homeowner's association, there will be incorporated into each deed conveying a townhouse, a covenant which provides the following:
1. That the common area of the townhouse project shall be maintained by the council of co-owners, homeowner's association or other entity established in the covenant as the entity responsible for such maintenance.
  2. Each townhouse owner shall be responsible for a pro rata share of cost of such maintenance and such share shall constitute a lien on the townhouse owner's property.
  3. In the event that the entity fails to maintain the common area in accordance with the approved landscape plan in a reasonable condition and state of repair, the determination of such failure to be made by the zoning administrator, Arlington County may, at its option through its own agents or by independent contractor, enter upon the common area for purposes of maintenance thereof, and assess each lot owner a pro rata share of the costs thereof, together with an additional charge of 25 percent of said costs for management fee, said costs to constitute a lien upon each and every lot in the project.
- B. Projects are only permitted where an existing recorded subdivision or master deed shows the lots (or condominium areas) on which the individual units are to be constructed prior to the issuance of a building permit.
- C. Heating, air conditioning units and other similar equipment should be screened and mounted to minimize noise and visibility.

**§5.9. R2-7, Two-Family and Townhouse Dwelling District**

**§5.9.1. Purpose**

[Reserved]

**§5.9.2. Uses**

Uses shall be as specified in §5.1.

**§5.9.3. Density and dimensional standards**

All development in R2-7 district shall comply with the following requirements, except as otherwise expressly allowed or stated:

**A. By-right**

All development in the R2-7 district shall comply with the following standards, except as otherwise expressly allowed or stated.

Type of Standard	One-family Dwellings	Two-family Dwellings		Townhouse Dwellings	All Other Uses
		Semi-detached	Duplex		
Site area, minimum (sq. ft.)	--	7,000	7,000	10,500	--
Lot, minimum (sq. ft.)					
Lot area	5,000	3,500	7,000	3,500	5,000
Lot area per dwelling unit	5,000	3,500	3,500	3,500	5,000
Lot width, minimum average (feet)					
Lot width	50	35	70	--	50
Unit width, minimum	--	--	--	18	--
Height, maximum (feet)	35	35	35	35	35
Floor area, minimum, exclusive of basements and attics (sq. ft.)	--	750	750	--	--

**B. Special exception<sup>1</sup>**

Development allowed by special exception in the R2-7 district shall comply with the following standards, except as otherwise approved by the County Board.

Type of Standard	Two-family Dwellings		Two-family Dwellings on Transitional sites other than abutting C-1 or C-1-O Districts		All Other Uses
	Semi-detached	Duplex	Semi-detached	Duplex	
Site area, minimum (sq. ft.)	7,000	7,000	<u>8,700</u>	<u>8,700</u>	--
Lot, minimum (sq. ft.)					
Lot area	3,500	7,000	<u>4,350</u>	<u>8,700</u>	5,000
Lot area per dwelling unit	3,500	3,500	<u>4,350</u>	<u>4,350</u>	5,000
Lot width, minimum average (feet)					
Lot width	28	56	<u>28</u>	<u>56</u>	50
Lot width per dwelling unit	28	--	<u>28</u>	--	--

<sup>1</sup> Transitional site standards were missing from 2013 Ordinance; restored from 1950 Ordinance.



Type of Standard	Two-family Dwellings		Two-family Dwellings on Transitional sites other than abutting C-1 or C-1-O Districts		All Other Uses
	Semi-detached	Duplex	Semi-detached	Duplex	
Height, maximum (feet)	35	35	35	35	35
Floor area, minimum, exclusive of basements and attics (sq. ft.)	750	750	750	750	--

**C. Bulk, coverage and placement**

For bulk, coverage and placement regulations not listed in this section, §3.2.

**D. Exceptions**

**1. Subdivision of a group of townhouse dwelling units**

In the case of any subdivision of a group of townhouse dwelling units, the lot size for each dwelling unit may be reduced to an area not less than 1,300 sq. ft. square feet; provided, that the deed of dedication shall commit sufficient common land so that the total site satisfies the area requirements of this zoning ordinance for each unit. Moreover, the deed of dedication shall provide to each lot the right to use the land required by this zoning ordinance for parking (where parking is not on the lot of the dwelling unit), as well as the right to use land dedicated to other common uses, and for easements for access to public streets and other common area.

2. The County Board may, on R district lots of 100 acres or more, by use permit approval in accordance with §15.5, approve an increase in the height of one main building to 55 feet. Notwithstanding the provisions of ~~§3.1.6.B~~§3.1.6.B, when a use permit is approved with such a height increase, the County Board may approve non-occupiable architectural features such as cupolas, flagpoles and chimneys that are no more than 15 feet in height above the height of the main building. Height increases allowed under this subsection may only be approved where the main building is set back a minimum of 150 feet from all lot lines and public rights-of-way.

**§5.9.4. District use standards**

Use standards applicable to specific uses in the R2-7 district include:

**A. Townhouses**

**1. General**

- (a) All townhouse projects shall comply with the following regulations:
- (b) No grouping of units shall exceed 180 feet in length.
- (c) No individual townhouse lot shall have direct vehicular access to a controlled access highway, a primary arterial, a secondary arterial, a distributor or a collector street.
- (d) Heating, air conditioning units, utility meters and other similar equipment shall be screened and mounted to minimize noise and visibility.
- (e) Each townhouse dwelling shall have a rear yard of not less than 25 feet.

- (f) Each townhouse dwelling, when subdivided to a common access easement, shall be set back a minimum of 10 feet from the access casement.

**2. Modification of use regulations for townhouse projects**

On sites having a minimum size of one acre and extremely uneven topography, the use regulations may be modified by site plan approval. Site plans are required to be approved as specified in §15.6.

**§5.9.5. Site development standards**

---

The site development standards of Article 13 and Article 14 apply to all development, except as otherwise specified below.

**A. Landscaping**

At least 50 percent of the area within the required setback shall be landscaped.

**B. [Reserved]**

# Article 6. ~~Residential Apartment~~Multiple-Family (RA) Districts

## §6.1. ~~Residential Apartment~~Multiple-family (RA) Districts Use Tables

### §6.1.1. General

The use tables of this section list all uses allowed within RA districts, and is subject to the explanations set forth below. ~~No building or structure shall be erected, reconstructed, structurally altered, enlarged or moved, and no land or building shall be used or designed to be used for any purpose in the RA districts other than is hereinafter permitted except as may be permitted by §16.5.~~<sup>1</sup>

### §6.1.2. ~~Multiple-family~~Residential apartment (RA) districts principal use table

~~Table §6.1.2~~§6.1.2 lists the principal uses allowed within the RA districts. ~~The following use table summarizes the principal use regulations of the R districts.~~

#### ~~A.~~ Key to types of uses

~~The permitted use table is subject to the explanation set forth below.~~

#### ~~1.A.~~ Permitted uses

A "P" indicates that a use is permitted by-right and may be approved administratively in the respective general district subject to all other applicable requirements of this zoning ordinance, including the specific use standards in Article 12 and the site development standards of Article 13 and Article 14. Subject to density and dimensional standards in the subject district or as approved by use permit or site plan, all uses permitted by-right may also be approved administratively in buildings controlled under use permit or site plan, except where expressly prohibited by use permit or site plan conditions for the subject property or where the subject property is expressly approved only for a specific use or uses.

#### ~~2.B.~~ Use permit approval required

A "U" indicates a special exception use that may be allowed subject to approval of a use permit as provided in §15.5. The Zoning Administrator may require a use permit for such use, whether the use is located in a building approved administratively or whether located in a building controlled by use permit or site plan. Uses allowed by use permit are subject to all other applicable requirements of this zoning ordinance, including the specific use standards in Article 12 and the site development standards of Article 13 and Article 14.

#### ~~3.C.~~ Site plan approval required

An "S" indicates a special exception use that may be allowed more flexibility in development form and density subject to site plan approval as provided in §15.6. Site plan uses are subject to all other applicable requirements of this zoning ordinance to the extent not modified through the site plan approval, including the specific use standards in Article 12 and the site development standards of Article 13 and Article 14.

---

<sup>1</sup> Moved to §1.3

**4.D. Uses not allowedpermitted**

A blank cell (one without a “P”, “U”, or “S”) in the use table indicates that a use is not allowed in the respective district. Uses not listed may be allowed pursuant to the similar use determination procedure of §12.2.2§12.2.2. A blank cell in the use table indicates that a use is not allowed in the respective district. See also §12.2.1.

**5.E. Use standards**

The final “use standard” column on the use table contains references use standards that apply to the listed use types. The uses standards in Article 12 apply to more than one district. The “use standard” column on the use table (last column on the right) is a cross-reference to any specific use standard listed in Article 12, which apply to more than one district. Where use standards apply exclusively to a specific district(s), such standards are listed in the respective district(s) regulations.

**F. Transitional uses**

The regulations that apply to transitional uses are contained in §12.8§12.8.

**6.G. Accessory and temporary uses**

The regulations that apply to accessory and temporary uses are contained in §12.9§12.9 and §12.10§12.10, accessory uses (§12.8), and temporary uses (§12.9).

**B.H. Use categoriesclassification**

All of the use categories listed in the table below are described in §12.2§12.2. The second column of the use table lists some of the specific use types included within the respective use categories. The first column of the use table lists some of the specific uses allowed in the respective districts. Uses not listed may be allowed pursuant to the similar use determination procedure of §12.2.1.

**Commentary:**

The Use Table is organized in to five major use groups:

- \*Residential
- \*Public, Civic and Institutional
- \*Retail, Service and Commercial
- \*Industrial
- \*Other Uses

Each major use group is further divided into a series of use categories. The use category system is based on common functional, product or compatibility characteristics, thereby regulating uses in accordance with criteria directly relevant to the public interest. Sec. 14.1 provides a further description of use categories.

<b>Residential ApartmentMultiple-family (RA) Districts Use Table</b>						
<b>Category</b>	<b>Specific Use Types</b>	<b>RA14-26</b>	<b>RA8-18</b>	<b>RA7-16</b>	<b>RA6-15</b>	<b>Use Standards</b>
<b>KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted</b>						
<b>Residential Use Categories (See §12.2.3)</b>						
Household Living (See §12.2.3.A)	<u>One-family detached Dwelling, one-family</u>	P	P		P	
	<u>Dwellings, apartment houses</u>		P		P	
	<u>Duplexes Dwelling, two-family (duplexes and semidetached dwellings)</u>	P	P		P	
		S	S		S	

ResidentialApartmentMultiple-family (RA) Districts Use Table						
Category	Specific Use Types	RA 14-76	RA 8-18	RA 7-16	RA 6-15	Use Standards
KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted						
	SemidetachedDwellings, two-family (duplexes and semidetached dwellings)	P S	P S		P S	
	Apartment houses			P		
	Apartment houses, which may be of townhouse design			U		
	Multiple-familyApartments or townhouse dwellings	P	P	U P	P	
	Townhouses, not within the "Fort Myer Heights North Special District," as designated on the General Land Use Plan	P	P	S	P	
	Townhouses, within the "Fort Myer Heights North Special District," as designated on the General Land Use Plan		S		S	
	Dwellings, Townhouses, semidetached and existing one-family	S	S		S	§12.3.4
Group Living (See §12.2.3.B)	Boarding houses and rooming houses		U		U	§12.3.1
	DormitoriesPrivate clubs, lodges, fraternities, sororities and dormitories		U	U	U	§12.3.3
	Fraternity and sorority houses; Private clubs, lodges, fraternities, sororities and dormitories		U	U	U	§12.3.5
	Group homesInstitutional homes and institutions of an educational or philanthropic nature, except those of a correctional nature.		U	U	U	§12.3.6
<b>Public, Civic and Institutional Use Categories (§12.2.4)</b>						
Colleges (§12.2.4.A)	Colleges and universities Institutional homes and institutions of an educational or philanthropic nature, except those of a correctional nature.		U	U	U	§12.3.5
Community Service (See §12.2.4.B)	Community centers, fire stations, and libraries		U	U	P U	
	Community buildings		U	U	U	
	Community swimming pool Clubs and grounds for games or sports, including community swimming pools		U	U	U	§12.4.11
	Museums and art galleries or studios Public libraries, museums, and art galleries		U	U	U	
	LibrariesPublic libraries, museums, and art galleries		U	U	P U	
	Recreation centers Publicly-operated recreation buildings, playgrounds, parks, and athletic fields		U	U	U	§12.4.8
Day Care (See §12.2.4.C)	Child care centers Schools, private, elementary, middle and high, and kindergartens, nursery schools, child care centers, and other programs regulated by Chapter 52 of the Arlington County Code.		U	U	U	§12.4.2
	Nursery schools and preschools Schools, private, elementary, middle and high, and kindergartens, nursery schools, child care centers, and other programs regulated by Chapter 52 of the Arlington County Code.		U	U	U	§12.4.2
Governmental Facilities (See §12.2.4.D)	Fire and police stations				P	
	Community centers, fire stations, and libraries				P	

ResidentialApartmentMultiple-family (RA) Districts Use Table						
Category	Specific Use Types	RA14-76	RA8-18	RA7-16	RA6-15	Use Standards
KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted						
Hospital (See §12.2.4.E)	Hospitals <del>or sanitariums</del> except animal hospitals, clinics, and hospitals or sanitariums for contagious, mental or drug or liquor addict cases; provided, that any building so used shall be set back not less than 100 feet from any lot line or street line; and doctors' offices in buildings already being used exclusively as such pursuant to other zoning provisions or variances previously granted, and a one-time addition thereto, provided such addition does not exceed 25 percent of the existing floor area of the building being so used	U	U	U	U	§12.4.4
	<del>Cemeteries, Airports and aircraft landing fields; golf courses (except driving tees and miniature courses); cemeteries; and funeral homes and/or crematories when on the same premises as a cemetery of 10 or more acres</del>	U	U	U	U	
Parks and Open Space (See §12.2.4.F)	<del>Country clubs and golf courses, Airports and aircraft landing fields; golf courses (except driving tees and miniature courses); cemeteries; and funeral homes and/or crematories when on the same premises as a cemetery of 10 or more acres</del>	U	U	U	U	
	<del>Parks, playgrounds and playfields, Publicly-operated recreation buildings, playgrounds, parks, and athletic fields</del>	U	U	U	U	
	<del>Clubs and grounds for games or sports, including community swimming pools</del>	U	U	U	U	§12.4.13
	<del>Airports and aircraft landing fields; golf courses (except driving tees and miniature courses); cemeteries; and funeral homes and/or crematories when on the same premises as a cemetery of 10 or more acres</del>	U	U	U	U	
Passenger Terminals and Services (See §12.2.4.G)	<del>Bus, trolley, air, boat and rail passenger terminals, Public utilities and services; such as railroad, trolley, bus, air, or boat passenger stations; railroad offices, rights of way, and tracks (but excluding car barns, garages, railroad yards, sidings and shops); static transformer stations, transmission lines and towers, commercial and public utility radio towers, telephone exchanges (but excluding service and storage yards); provided, however, that the exterior appearance of any building permitted under this paragraph shall be in keeping with the character of the neighborhood in which it is located</del>	U	U	U	U	§12.4.4
	<del>Churches, mosques, synagogues, and temples and other places of worship, including parish houses and Sunday schools, but excluding rescue missions or temporary revivals</del>	P	P	P	P	
Schools (See §12.2.4.I)	Schools, elementary, middle and high <del>and kindergartens, nursery schools, child care centers, and other programs regulated by Chapter 52 of the Arlington County Code.</del>	U	U	U	U	§12.4.2
Social Service Institutions (See §12.2.4.J)	All social service institutions					

ResidentialApartmentMultiple-family (RA) Districts Use Table						
Category	Specific Use Types	RA14-76	RA8-18	RA7-16	RA6-15	Use Standards
KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted						
Utilities, major (See §12.2.4.K)	<u>All major utilities</u> <del>Public utilities and services; such as railroad, trolley, bus, air, or boat passenger stations; railroad offices, rights-of-way, and tracks (but excluding car barns, garages, railroad yards, sidings and shops); static transformer stations, transmission lines and towers, commercial and public utility radio towers, telephone exchanges (but excluding service and storage yards); provided, however, that the exterior appearance of any building permitted under this paragraph shall be in keeping with the character of the neighborhood in which it is located</del>	U	U	U	U	§12.4.8
Utilities, minor (See §12.2.4.K)	<u>Bus shelters; bike share stations</u> <del>Public utilities and services; such as railroad, trolley, bus, air, or boat passenger stations; railroad offices, rights-of-way, and tracks (but excluding car barns, garages, railroad yards, sidings and shops); static transformer stations, transmission lines and towers, commercial and public utility radio towers, telephone exchanges (but excluding service and storage yards); provided, however, that the exterior appearance of any building permitted under this paragraph shall be in keeping with the character of the neighborhood in which it is located</del>	U	U	U	U	
	<u>All other minor utilities</u>	P	P	P	P	
<b>Retail, Service and Commercial Use Categories (See §12.2.5)</b>						
Food and Drinking Establishments (See §12.2.5.A)	<u>All Food and Drinking Establishments</u>					
Entertainment (See §12.2.5.B)	<u>Membership clubs and lodges</u> <del>Private clubs, lodges, fraternities, sororities and dormitories</del>	U	U	U	U	§12.5.13
Office (See §12.2.5.C)	<u>Offices, federal, state or local</u> <del>Government buildings, federal and state. Buildings used exclusively by the federal and state governments for public purposes; except penal and correctional institutions</del>	U	U	U	U	
	<u>Offices or clinics, medical or dental</u> <del>Offices of medical doctors, physicians, dentists or psychologists may be permitted in existing institutional structures converted to such use</del>	U	U	U	U	§12.5.16
	<u>Offices, principal, of physicians, surgeons or dentists in existing multiple family dwellings or residences converted to such use or in new buildings designed for such use</u>	U	U	U	U	§12.5.22
Overnight Accommodations (See §12.2.5.D)	<u>Bed and breakfasts</u>	U	U	U	U	§12.5.3
	<u>Tourist homes</u>		U	U		
Parking, Commercial (See §12.2.5.E)	<u>All commercial parking</u>					
Recreation, Indoor (See §12.2.5.F.2(a))	<u>All indoor recreation uses</u>					
Recreation, Outdoor (See §12.2.5.F.2(b))	<u>All outdoor recreation uses</u>					
Retail, Sales (See §12.2.5.G.2(a))	<u>All retail sales uses</u>					

ResidentialApartmentMultiple-family (RA) Districts Use Table						
Category	Specific Use Types	RA14-76	RA8-18	RA7-16	RA6-15	Use Standards
KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted						
Retail, Personal Service (See §12.2.5.G.2(b))	<del>Mortuaries, Mortuary or and funeral homes, including a cremation unit within a mortuary or funeral home.</del> <sup>1</sup> <u>All other retail personal service uses</u>	S	S	<del>S</del>	S	§12.5.14
Retail, Repair (See §12.2.5.G.2(c))	<u>All retail repair uses</u>					
Self-service Storage (See §12.2.5.H)	<u>All self-service storage uses</u> <del>Storage as principal use.</del>					§12.5.24
Vehicle Sales and Service (See §12.2.5.H)	<u>All vehicle sales and service uses</u>					
<b>Industrial Use Categories (See §12.2.6)</b>						
Light Industrial Service (See §12.2.6.A)	<del>Contractors, off site, storage and staging yards and sales or leasing trailers or pavilions.</del> <sup>2</sup>	U	U		U	§12.9.4
Manufacturing and Production (See §12.2.4.B)	<u>All manufacturing and production uses</u>					
Heavy Industrial (See §12.2.6.C)	<u>All heavy industrial uses</u>					
Warehouse and Freight Movement (See §12.2.6.D)	<u>All warehouse and freight movement uses</u>					
Waste-related Service (See §12.2.6.E)	Recycling centers	U	U	U	U	
Wholesale Trade (See §12.2.6.F)	<del>Storage as principal use.</del> <u>All wholesale trade uses</u>					
<b>Other use categories (See §12.2.7)</b>						
Agriculture (See §12.2.7.A)	<u>All agricultural uses. Farming, livestock and poultry raising, and all uses commonly classed as agricultural.</u>	P	P		P	§12.7.1
Resource Extraction (See §12.2.7.B)	<u>All resource extraction uses</u>					
Telecommunications Facilities (§12.2.6.C)	<u>All telecommunications facilities and uses</u>					
Unclassified (See §12.2.7.D)	<del>Columbia Pike Neighborhoods Form Based Code Development as specified in §11.3</del>	P	P	P	P	
	<del>Columbia Pike Special Revitalization District Form Based Code Development as specified in §11.2</del>	P	P	P	P	
	<del>Housing, low or moderate income.</del> <sup>3</sup>	U	U	U	U	§12.3.6

<sup>1</sup> S in RA7-16 was shown in error in 2013 reformat, and is now proposed to be deleted, consistent with 1950 Ordinance.

<sup>2</sup> Moved to short term use standards (12.10)

<sup>3</sup> Site development regulation is referenced in the specific district regulations where it is allowed.



**§6.1.3. Residential apartment (RA) districts transitional use table**

Transitional uses in residential apartment (RA) districts shall include the following uses, activities and structures:

RESIDENTIAL APARTMENT (RA) TRANSITIONAL USE TABLE					
Specific Use Types	RA14-76	RA8-18	RA7-16	RA6-15	Use Standards
KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted					
Duplexes, <del>adjacent butting to</del> other than C-1 or C-1-O districts Dwellings, two-family (duplexes and semidetached dwellings) Two-family dwellings (duplexes and semidetached dwellings), adjacent to other than the C-1 or C-1-O district, provided that the dwellings are located no more than 100 feet from the shared lot line, or on sites that are located on <del>principal or minor</del> arterial streets as designated in the <del>Arlington County</del> Master Transportation Plan provided that the dwellings front on the arterial street, except on corner lots where no more than one unit may front on the local street, provided: (1) Every lot shall have a minimum average width of 70 feet and a minimum area of 8,700 sq. ft. In the case of semidetached dwellings, the minimum average width of lot per dwelling unit shall be 35 feet and the minimum lot area per dwelling unit shall be 4,350 sq. ft. (2) Each dwelling unit shall have a minimum gross floor area of 750 sq. ft., exclusive of basement or attic. semidetached	U	U	U	U	
Semidetached, <del>adjacent butting to</del> other than C-1 or C-1-O districts Dwellings, two-family (duplexes and semidetached dwellings) Two-family dwellings (duplexes and semidetached dwellings), adjacent to other than the C-1 or C-1-O district, provided that the dwellings are located no more than 100 feet from the shared lot line, or on sites that are located on <del>principal or minor</del> arterial streets as designated in the <del>Arlington County</del> Master Transportation Plan provided that the dwellings front on the arterial street, except on corner lots where no more than one unit may front on the local street, provided: (1) Every lot shall have a minimum average width of 70 feet and a minimum area of 8,700 sq. ft. In the case of semidetached dwellings, the minimum average width of lot per dwelling unit shall be 35 feet and the minimum lot area per dwelling unit shall be 4,350 sq. ft. (2) Each dwelling unit shall have a minimum gross floor area of 750 sq. ft., exclusive of basement or attic. semidetached	U	U	U	U	
Dwellings, two-family (duplexes and semidetached dwellings) adjacent to other than the C-1 district or the C-1-O district two-family dwellings (duplexes and semidetached dwellings), provided that the dwellings are located no more than 100 feet from the shared lot line, or on sites that are located on arterial streets as designated in the Master Transportation Plan provided that the dwellings front on the arterial street, except on corner lots where no more than one unit may front on the local street, provided: -Semidetached (1) Each dwelling unit shall have a minimum gross floor area of 750 sq. ft., exclusive of basement or attic. (2) Two-family dwellings (duplexes and semidetached dwellings) on lots with a minimum average width of 56 feet and a minimum area of 8,700 sq. ft. In the case of semidetached dwellings, the minimum average lot width per dwelling unit shall be 28 feet and the minimum lot area per dwelling unit shall be 4,350 sq. ft.	S	S		S	
Dwellings, two-family (duplexes and semidetached dwellings) adjacent to other than the C-1 district or the C-1-O district two-family dwellings (duplexes and semidetached dwellings), provided that the dwellings are located no more than 100 feet from the shared lot line, or on sites that are located on arterial streets as designated in the Master Transportation Plan provided that the dwellings front on the arterial street, except on corner lots where no more than one unit may front on the local street, provided: -Semidetached (1) Each dwelling unit shall have a minimum gross floor area of 750 sq. ft., exclusive of basement or attic. (2) Two-family dwellings (duplexes and semidetached dwellings) on lots with a minimum average width of 56 feet and a minimum area of 8,700 sq. ft. In the case of semidetached dwellings, the minimum average lot width per dwelling unit shall be 28 feet and the minimum lot area per dwelling unit shall be 4,350 sq. ft. <sup>1</sup>	S	S		S	
Medical or dental clinics on sites which abut C-2, CM or M districts	S	S		S	§12.5.16

<sup>1</sup> These two-family uses were carried over in error from R-6 districts in the reformat adopted in May 2013, so are proposed to be deleted.

RESIDENTIAL APARTMENT (RA) TRANSITIONAL USE TABLE					
Specific Use Types	RA14-26	RA8-18	RA7-16	RA6-15	Use Standards
KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted					
<del>Offices or clinics, medical or dental clinics</del>	<del>U</del>	<del>U</del>		<del>U</del>	<del>§12.8.3</del>
<del>Office, principal, of a physician, surgeon or dentist, provided such use is conducted within a dwelling and the residential character of such dwelling is not changed</del>	<del>U</del>	<del>U</del>	<del>U</del>	<del>U</del>	
<del>Offices of doctors, physicians, dentists or psychologists<sup>1</sup></del>	<del>S</del>	<del>S</del>		<del>S</del>	<del>§12.5.18</del>
<del>Offices of physicians, surgeons, dentists, or psychologists or clinics, medical or dental on sites that which about C-2, CM or M districts</del>	<del>S</del>	<del>S</del>		<del>S</del>	<del>§12.8.4</del>
<del>Transitional parking area if said area is located and developed as required in §14.2 and §14.3</del>	<del>U</del>	<del>U</del>	<del>U</del>	<del>U</del>	<del>§12.8.5</del>

**§6.1.4. Residential apartment Multiple-family (RA) districts accessory use table**

Accessory uses in residential apartment (RA) districts shall include the following uses, activities and structures:

MULTIPLE-FAMILY RESIDENTIAL APARTMENT (RA) DISTRICTS ACCESSORY USE					
Use Types	RA14-26	RA8-18	RA7-16	RA6-15	Use Standards
KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted					
<del>Accessory buildings, including a private garage, provided that a detached accessory building shall be located as required in §3.2</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	
<del>Accessory uses, customarily incident to any of the otherwise permitted uses</del>	<del>P</del>	<del>P</del>		<del>P</del>	
<del>Commercial vehicle parking. Parking of one commercial vehicle which has a gross vehicle weight of 16,000 pounds or less and conforms to the requirements in §12.8.3</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>§12.9.4</del>
<del>Commercial vehicle parking. In cases working a grave hardship on the resident, and in accordance §12.9.5, and §14.6, parking of (i) a commercial vehicle which does not meet the locational requirements of this zoning ordinance, or (ii) more than one commercial vehicle</del>	<del>U</del>	<del>U</del>	<del>U</del>	<del>U</del>	<del>§12.9.4</del>
Convenience service areas	U	U	U	U	§12.9.5
<del>Crematoriums</del> Airports and aircraft landing fields; golf courses (except driving tees and miniature courses); cemeteries; and funeral homes and/or crematories when on the same premises as a cemetery of 10 or more acres	U	U	U	U	§12.9.6
Family day care homes (six to nine children) for six to nine children	U	U	U	U	§12.9.9
Family day care homes (up to five children) for up to five children	P	P		P	§12.9.9
Home occupations	P	P	P	P	§12.9.11
<del>Mortuaries and funeral homes</del> Airports and aircraft landing fields; golf courses (except driving tees and miniature courses); cemeteries; and funeral homes and/or crematories when on the same premises as a cemetery of 10 or more acres	U	U	U	U	§12.9.13
Swimming pools, private	P	P	P	P	§12.9.15
<del>Trailer</del> Recreational vehicle or trailer parking	P	P	P	P	§12.9.16
Vehicle maintenance and minor repairs, routine	P	P		P	§12.9.17

<sup>1</sup> Not a transitional use because already otherwise allowed as a principal use, therefore removed from transitional use table.

**MULTIPLE-FAMILY ~~RESIDENTIAL APARTMENT~~ (RA) DISTRICTS ACCESSORY USE**

Use Types	RA14-26	RA8-18	RA7-16	RA6-15	Use Standards
KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted					
Vehicle, unlicensed and/or uninspected	P	P		P	§12.9.18

## §6.2. RA14-26, ~~Multiple-family Apartment~~ Dwelling District

### §6.2.1. Purpose

[Reserved]

### §6.2.2. Uses

Uses shall be as specified in §6.1.

### §6.2.3. Density and dimensional standards

#### A. By-right

All development allowed by-right in the RA14-26 district shall comply with the following standards, except as otherwise expressly allowed or stated.

Type of Standard	One-family Dwelling	Two-family Dwellings		Multiple-family Apartment Houses	Townhouse Dwellings	All other uses
		Semi-detached	Duplex			
Site area, minimum (sq. ft.)	6,000	7,000	7,000	7,500	7,500	--
Lot, minimum (sq. ft.)						
Lot area	6,000	3,500	7,000	7,500	7,500	5,000
Lot area per dwelling unit	6,000	3,500	3,500	1,800	1,800	5,000
Lot width, minimum average (feet)						
Lot width	60	35	70	75	75	50
Lot width per dwelling unit	60	35	--	--	--	--
Height						
Maximum (feet)	35	35	35	35	35	35
Maximum (stories)	--	3 ½	3 ½	3 ½	3 ½	--
Floor area per dwelling unit, minimum, exclusive of basement or attic (sq. ft.)	--	750	750	--	--	--

#### B. Bulk coverage and placement

For bulk, coverage and placement requirements not listed in this section see §3.2.

**C. Special exception**

All development allowed by special exception in the RA14-26 district shall comply with the following standards, except as otherwise approved by the County Board.

Type of Standard	Two-family Dwellings		Low or Moderate Income Housing	Townhouse, Semi-detached, and Existing One-family Dwellings	All other uses	
	Semi-detached	Duplex				
Site area, minimum (sq. ft.)	7,000	7,000	See §12.3.7	See §12.3.4	--	
Lot, minimum (sq. ft.)						
Lot area	3,500	7,000				5,000
Lot area per dwelling unit	3,500	3,500				5,000
Lot width, minimum average (feet)						
Lot width	28	56				50
Lot width per dwelling unit	28	--				--
Height						
Maximum (feet)	35	35				35
Maximum (stories)	3 ½	3 ½				--
Floor area per dwelling unit, minimum, exclusive of basement or attic (sq. ft.)	750	750			--	

**D. Exceptions**

**1. Large-scale housing projects**

Large-scale housing projects having a site area of five acres or more, dwellings may be erected to a height not to exceed either six stories or 60 feet, provided said dwellings are located not nearer than 150 feet to any boundary line of the site on which the project is situated.

**2. Nonconforming lots**

- (a) Where a lot has less width and less area than required in this subsection and was recorded under one ownership at the time of the adoption of this ordinance, such lot may be occupied by any use permitted in this section.
- (b) Where a lot has less width and less area than required in this subsection and was recorded under one ownership at the time of the adoption of this zoning ordinance, such lot, if it has an area of 7,000 sq. ft. or more, may be occupied by a two-family dwelling (duplexes and semidetached dwellings) with a minimum average width of 70/35 ft. and minimum site area of 7000/3500 sq. ft. by-right for duplex/semidetached, respectively; and 56/28 feet and 7000/3500 sq. ft. by site plan for duplex/semidetached, respectively; and minimum GFA per dwelling unit of 750 sq. ft. If such lot has an area of less than 7,000 sq. ft., it may be occupied by a one-family dwelling.

**3. Lot size for townhouse groups**

In the case of any subdivision of a group of townhouse dwellings, the lot size for each dwelling unit may be reduced to an area not less than 750 sq. ft., provided, that the deed of dedication shall commit sufficient common land so that the total site satisfies the area requirements of this zoning ordinance for each unit. Moreover, the deed of dedication shall provide to each lot the right to use the land required by this zoning

§6.2.4 DISTRICT USE STANDARDS

ordinance for parking (where parking is not on the lot of the dwelling unit), as well as the right to use land dedicated to other common uses, and for easements for access to public streets and other common areas.

**§6.2.4. District use standards**

---

Use standards applicable to specific uses in the RA14-26 district include:

- A. [Reserved]

**§6.2.5. Site development standards**

---

The site development standards of Article 13 and Article 14 apply to all development, except as otherwise specified below.

**A. Parking**

Parking shall be provided in accordance with the requirements of §14.3.

**§6.3. RA8-18, Multiple-family Apartment Dwelling District**

**§6.3.1. Purpose**

[Reserved]

**§6.3.2. Uses**

Uses shall be as specified in §6.1.

**§6.3.3. Fort Myer Heights North Special District**

Properties in the area designated as the Fort Myer Heights North Special District on the General Land Use Plan may be developed in accordance with the requirements of ~~§9.3~~ §9.3.

**§6.3.4. Density and dimensional standards**

**A. By-right**

All development allowed by-right in the RA8-18 district shall comply with the following standards, except as otherwise expressly allowed or stated.

Type of Standard	One-family Dwelling	Two-family Dwelling		Multiple-family Apartment Houses	Townhouse Dwellings	All other uses
		Semi-detached Dwellings	Duplex			
<b>Lot, minimum (sq. ft.)</b>						
Lot area	6,000	3,500	7,000	7,500	7,500	5,000
Lot area per dwelling unit	6,000	3,500	3,500	1,200	1,200	5,000
<b>Lot width, minimum average (feet)</b>						
Lot width	60	35	70	75	75	50
Lot width per dwelling unit	60	35	--	--	--	--
<b>Height, maximum</b>						
Maximum (feet)	35	35	35	40	40	35
Maximum (stories)	3	3½	3½	4	4	--
<b>Floor area per dwelling unit, exclusive of basement or attic, minimum (sq. ft.)</b>	--	750	750	--	--	--

**B. Bulk coverage and placement**

For bulk, coverage and placement requirements not listed in this section see §3.2.

**C. Special exception**

All development allowed by special exception in the RA8-18 district shall comply with the following standards, except as otherwise approved by the County Board.

Type of Standard	Two-family Dwellings		Low or Moderate Income Housing	Townhouse, Semi-detached, and Existing One-family Dwellings	All other uses	
	Semi-detached	Duplex				
Site area, minimum (sq. ft.)	7,000	7,000	See §3.2	See §12.3.4	--	
Lot, minimum (sq. ft.)						
Lot area	3,500	7,000				5,000
Lot area per dwelling unit	3,500	3,500				5,000
Lot width, minimum average (feet)						
Lot width	28	56				50
Lot width per dwelling unit	28	--				--
Height						
Maximum (feet)	35	35				35
Maximum (stories)	3 ½	3 ½				--
Floor area per dwelling unit, minimum, exclusive of basement or attic (sq. ft.)	750	750		--		

**D. Exceptions**

**1. Height**

**(a) General**

By site plan approval dwellings may be increased to a height not to exceed either eight stories or 75 feet.

**(b) Revitalization Area of the “Fort Myer Heights North Special District”**

In the “Revitalization Area” of the “Fort Myer Heights North Special District” designated on the General Land Use Plan, building heights shall under no circumstances exceed 12 stories or 125 feet, exclusive of mechanical penthouses, if developed by site plan in a manner consistent with the design guidelines, heights plan and purposes of the Fort Myer Heights North Plan.

**(c) Large-scale housing projects**

By site plan approval as specified for the RA4.8 district, the height limit in large-scale housing projects having a site area of 20 acres or more may be increased to a height not to exceed either 10 stories or 95 feet subject to the following:

- (1)** The coverage shall not exceed 25 percent;
- (2)** Where a district abuts any residential district, no automobile parking shall be permitted between the building setback line and any property line;
- (3)** Where a district abuts an RA district, no parking shall be permitted nearer than 50 feet from the property lines.

**2. Lot size for townhouse groups**

In the case of any subdivision of a group of townhouse dwellings, the lot size for each dwelling unit may be reduced to an area not less than 750 sq. ft., provided, that the



deed of dedication shall commit sufficient common land so that the total site satisfies the area requirements of this zoning ordinance for each unit. Moreover, the deed of dedication shall provide to each lot the right to use the land required by this zoning ordinance for parking (where parking is not on the lot of the dwelling unit), as well as the right to use land dedicated to other common uses, and for easements for access to public streets and other common areas.

**§6.3.5. District use standards**

---

Use standards applicable to specific uses in the RA8-18 district include:

- A. [Reserved]

**§6.3.6. Site development standards**

---

The site development standards of Article 13 and Article 14 apply to all development, except as otherwise specified below.

## §6.4. RA7-16, Multiple-family Apartment Dwelling District

### §6.4.1. Purpose

[Reserved]

### §6.4.2. Uses

Uses shall be as specified in §6.1.

### §6.4.3. Density and dimensional standards

#### A. By-right

All development allowed by-right in the RA7-16 district shall comply with the following standards, except as otherwise expressly allowed or stated.

Type of Standard	Multiple-family Apartment Houses	All other uses
<b>Lot, minimum (sq. ft.)</b>		
Lot area	7,500	100,000
Lot area per dwelling unit	1,800	--
<b>Lot width, minimum average (feet)</b>	75	200
<b>Height</b>		
Maximum (feet)	35	95
Maximum (stories)	3½	10
<b>Lot coverage (percent)</b>	--	50

#### B. Bulk coverage and placement

For bulk, coverage and placement requirements not listed in this section see §3.2.

#### C. Special exception

All development allowed by special exception in the RA7-16 district shall comply with the following standards, except as otherwise approved by the County Board.

Type of Standard	Multiple-family Apartment Houses	Low or Moderate Income Housing	All other uses
<b>Lot, minimum (sq. ft.)</b>		See §12.3.7	
Lot area	100,000		100,000
Lot area per dwelling unit	1,000		--
<b>Lot width, minimum average (feet)</b>	200		200
<b>Height</b>			
Maximum (feet)	95		95
Maximum (stories)	10		10
<b>Lot coverage (percent)</b>	50		50

## D. Exceptions

### 1. Nonconforming lots

Nonconforming lots may be occupied by any use permitted in this district where a lot or plot has less width and less area limited by:

- (a) Bounding streets; or
- (b) Abutting streets and a zoning district boundary of an abutting ~~lesser~~ restricted district.

### 2. Lot coverage

Within the site boundaries of any lot or parcel, the total amount of site covered by buildings, parking and maneuvering space, driveways, sidewalks, roads and any other accessory uses shall not exceed 50 percent.

#### §6.4.4. District use standards

---

Use standards applicable to specific uses in the RA7-16 district include:

- A. [Reserved]

#### §6.4.5. Site development standards

---

The site development standards of Article 13 and Article 14 apply to all development, except as otherwise specified below.

##### A. Parking and loading requirements

Parking and loading shall be provided in accordance with the requirements of §14.3.

- B. [Reserved]

## §6.5. RA6-15, Multiple-family Apartment Dwelling District

### §6.5.1. Purpose

[Reserved]

### §6.5.2. Uses

Uses shall be as specified in §6.1.

### §6.5.3. Radnor Heights East Special District

Properties in the area designated as the Radnor Heights East Special District on the General Land Use Plan may be developed in accordance with the requirements of ~~§9.4~~§9.4.

### §6.5.4. Fort Myer Heights North Special District

Properties in the area designated as the Fort Myer Heights North Special District on the General Land Use Plan may be developed in accordance with the requirements of ~~§9.3~~§9.3.

### §6.5.5. Density and dimensional standards

#### A. By-right

All development allowed by-right in the RA6-15 district shall comply with the following standards, except as otherwise expressly allowed or stated.

Type of Standard	One-family Dwellings	Two-family Dwellings		Multiple-family Apartment Houses	Townhouse Dwellings	All other uses
		Semi-detached Dwellings	Duplex			
<b>Lot, minimum (sq. ft.)</b>						
Lot area	6,000	3,500	7,000	7,500	7,500	5,000
Lot area per dwelling unit	6,000	3,500	3,500	900	<del>1,800</del> 900 <sup>1</sup>	5,000
<b>Lot width, minimum average (feet)</b>						
Lot width	60	35	70	75	75	50
Lot width per dwelling unit	60	35	--	<del>75</del> 75	<del>75</del> 75	<del>50</del> 50
<b>Height, maximum</b>						
Maximum (feet)	35	35	35	60	60	35
Maximum (stories)	--	3½	3½	6	6	--
<b>Floor area per dwelling unit, exclusive of basement or attic, minimum (sq. ft.)</b>						
	--	750	750	--	--	--

#### B. Bulk coverage and placement

For bulk, coverage and placement requirements not listed in this section see §3.2.

<sup>1</sup> Incorrect in 2013 Ordinance. Restored from 1950 Ordinance.

**C. Special exception**

All development allowed by special exception in the RA6-15 district shall comply with the following standards, except as otherwise approved by the County Board.

Type of Standard	Two-family Dwellings		Low or Moderate Income Housing	Townhouse, Semi-detached, and Existing One-family Dwellings	All other uses	
	Semi-detached	Duplex				
Site area, minimum (sq. ft.)	7,000	7,000	See §3.2	See §12.3.412.3.6	--	
Lot, minimum (sq. ft.)						
Lot area	3,500	7,000				5,000
Lot area per dwelling unit	3,500	3,500				5,000
Lot width, minimum average (feet)						
Lot width	28	56				50
Lot width per dwelling unit	28	--				--
Height						
Maximum (feet)	35	35				35
Maximum (stories)	3 ½	3 ½				--
Floor area per dwelling unit, minimum, exclusive of basement or attic (sq. ft.)	750	750			--	

**D. Exceptions**

**1. Height**

**(a) “Revitalization Area” of the Fort Myer Heights North Special District**

In the “Revitalization Area” of the Fort Myer Heights North Special District designated on the General Land Use Plan, building heights shall under no circumstances exceed 12 stories or 125 feet, exclusive of mechanical penthouses, if developed by site plan in a manner consistent with the design guidelines, heights plan and purposes of the Fort Myer Heights North Plan.

**(b) Radnor Heights East Special District**

In areas designated as Radnor Heights East Special District on the General Land Use Plan, the following restrictions shall apply:

- (1)** Chimneys, flagpoles and other similar items with a width, depth, or diameter of three feet or less may extend above the height limit, as long as they extend no more than five feet above the highest point of the main building roof.
- (2)** ~~Penthouses or r~~rooftop structures for the housing of elevator mechanical equipment on townhouse dwellings may extend no more than 10 feet over the 60-foot height limit. ~~Penthouses or r~~rooftop structures for the housing of elevator mechanical equipment on multiple-family dwellings may extend no more than 16 feet above the highest point of the main building roof.
- (3)** ~~Other Mechanical penthouses rooftop structures for the housing of stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building~~ shall not extend more than 10 feet above the highest point of the main building roof. Parapet walls, skylights or similar

structural features, exclusive of fire walls, shall not extend more than five feet above the highest point of the main building roof.

- (4) Mechanical pPenthouses or roof structures shall cover no more than five percent of the roof area on multiple-family dwellings and shall cover no more than 15 percent of the roof area on townhouse dwellings. No rooftop mechanical equipment or mechancial penthouse shall be located within five feet of any roof edge that runs along a street.
- (5) No mechanical penthouse or roof structure or any space above the height limit shall include additional floor space.

**(c) Modification of height limit in the RA6-15 district**

By site plan approval as specified for the RA4.8 district, dwellings may be increased to a height not to exceed either 12 stories or 125 feet, except in areas designated as Radnor Heights East Special District on the General Land Use Plan, where heights of buildings, exclusive of mechancial penthouses, shall be limited to 60 feet as referenced in §6.5.6.B.1(b), above.

**2. Lot size for townhouse groups**

In the case of any subdivision of a group of townhouse dwellings, the lot size for each dwelling unit may be reduced to an area not less than 750 sq. ft., provided, that the deed of dedication shall commit sufficient common land so that the total site satisfies the area requirements of this zoning ordinance for each unit. Moreover, the deed of dedication shall provide to each lot the right to use the land required by this zoning ordinance for parking (where parking is not on the lot of the dwelling unit), as well as the right to use land dedicated to other common uses, and for easements for access to public streets and other common areas.

**§6.5.6. District use standards**

---

Use standards applicable to specific uses in the RA6-15 district include:

**A. ApartmentsMultiple-family**

By site plan approval, as specified in ~~§15.5~~§15.5, the County Board may permit the inclusion of apartmentmultiple-family units in site plans on abutting properties or on properties which would abut except for the existence of a public street.

B. [Reserved]

**§6.5.7. Site development standards**

---

The site development standards of Article 13 and Article 14 apply to all development, except as otherwise specified below.



*This page intentionally blank*



# Article 7. Commercial/ Mixed Use (C) Districts

## §7.1. Commercial/Mixed Use (C) Districts Use Tables

### §7.1.1. General

The use tables of this section list all uses allowed within C districts, and is subject to the explanations set forth below. ~~No building or structure shall be erected, reconstructed, structurally altered, enlarged or moved, and no land or building shall be used or designed to be used for any purpose in the C districts other than is hereinafter permitted except as may be permitted by §16.5.~~<sup>1</sup>

### §7.1.2. Commercial/mixed use (C) districts principal use table

~~Table §7.1.2 lists the principal uses allowed within the C districts. The following use table summarizes the principal use regulations of the R districts.~~

#### ~~A. Key to types of uses~~

~~The permitted use table is subject to the explanation set forth below.~~

#### ~~1.A. Permitted uses~~

A "P" indicates that a use is permitted by-right and may be approved administratively in the respective general district subject to all other applicable requirements of this zoning ordinance, including the specific use standards in Article 12 and the site development standards of Article 13 and Article 14. ~~Subject to density and dimensional standards in the subject district or as approved by use permit or site plan, all uses permitted by-right may also be approved administratively in buildings controlled under use permit or site plan, except where expressly prohibited by use permit or site plan conditions for the subject property or where the subject property is expressly approved only for a specific use or uses.~~

#### ~~2.B. Use permit approval required~~

A "U" indicates a special exception use that may be allowed subject to approval of a use permit as provided in §15.5. ~~The Zoning Administrator may require a use permit for such use, whether the use is located in a building approved administratively or whether located in a building controlled by use permit or site plan.~~ Uses allowed by use permit are subject to all other applicable requirements of this zoning ordinance, including the specific use standards in Article 12 and the site development standards of Article 13 and Article 14.

#### ~~3.C. Site plan approval required~~

An "S" indicates a special exception use that may be allowed more flexibility in development form and density subject to site plan approval as provided in §15.6. Site plan uses are subject to all other applicable requirements of this zoning ordinance to the extent not modified through the site plan approval, including the specific use standards in Article 12 and the site development standards of Article 13 and Article 14.

---

<sup>1</sup> Moved to §1.3

**D. Site plan and use permit approval required**

A “C” indicates a special exception use that may be allowed subject to approval of a use permit as provided in §15.5, only in buildings controlled by site plan. Uses allowed by use permit are subject to all other applicable requirements of this zoning ordinance, including the specific use standards in Article 12 and the site development standards of Article 13 and Article 14.

**4.E. Uses not allowed/permittted**

A blank cell (one without a “P”, “U”, “S” or “C”) in the use table indicates that a use is not allowed in the respective district. Uses not listed may be allowed pursuant to the similar use determination procedure of §12.2.2. A blank cell in the use table indicates that a use is not allowed in the respective district. See also §12.2.1.

**5.F. Use standards**

The final “use standard” column on the use table contains references use standards that apply to the listed use types. The uses standards in Article 12 apply to more than one district. The “use standard” column on the use table (last column on the right) is a cross-reference to any specific use standard listed in Article 12, which apply to more than one district. Where use standards apply exclusively to a specific district(s), such standards are listed in the respective district(s) regulations.

**6.G. Accessory and temporary uses**

The regulations that apply to accessory and temporary uses are contained in §12.9. accessory uses (§12.8), and temporary uses (§12.9).

**B.H. Use categories/classification**

All of the use categories listed in the table below are described in §12.2. The second column of the use table lists some of the specific use types included within the respective use categories. The first column of the use table lists some of the specific uses allowed in the respective districts. Uses not listed may be allowed pursuant to the similar use determination procedure of §12.2.1.

**Commentary:**

The Use Table is organized in to five major use groups:

- \*Residential
- \*Public, Civic and Institutional
- \*Retail, Service and Commercial
- \*Industrial
- \*Other Uses

Each major use group is further divided into a series of use categories. The use category system is based on common functional, product or compatibility characteristics, thereby regulating uses in accordance with criteria directly relevant to the public interest. Sec. 14.1 provides a further description of use categories.

COMMERCIAL/MIXED USE (C) DISTRICTS PRINCIPAL USE TABLE																						
Specific Use Types	RA4.8	R-C	RA-H	RA-H-3.2	C-1-R	C-1	MU-VS *	C-1-O	C-O-1.0	C-O-1.5	C-O-2.5	C-O	C-O-A	C-O ROSSLYN	C-O CRYSTAL CITY	C-2 *	C-TH *	C-3 *	C-R *	Use Standards		
	KEY: C = requires use permit and site plan approval; P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted																					
<b>Residential Use Categories (See §12.2.3)</b>																						
Household Living (See §12.2.3.A)	One-family detached Dwelling, one family	P	P		P	P	P		P	P	P	P	P	P	P		P	P	P	P		
	Duplexes (duplexes and semidetached dwellings)	P	S		P	S												P				
	Semidetached dwellings, two-family (duplexes and semidetached dwellings)	P	S		P	S												P				
	Dwellings, multiple family	§															§				P	
	Multiple-family Dwelling, multiple-family, development	P	S		P	S			S	S	S	S	S	S	S	S		P		P	§7.13.4.A	
	Dwellings, multiple-family and/or hotel development				§																	§7.5.4.A
	Apartment building								§													§7.10.4.A
	Apartment building									§												7.11.4.A
	Apartment buildings										§											7.12.4.A
	Apartment house and hotels				§																	
	Apartments														§							7.14.3.B
	Apartments		S																			7.3.4.A
	Apartments				§	P																
	Dwelling units																		P			
	Apartment houses, which may be of townhouse design				§																	
	Dwellings multiple-family when allowed by General Land Use Plan															§						
	Townhouses/Apartments or townhouse dwellings	P			P	S	P															
	Dwellings, townhouse, semidetached dwellings and existing one-family	S	S		S																	§12.3.4
	Residential, office, retail, hotel development							§														§7.8.4
	Residential																				§	
Group Living (See §12.2.3.B)	Dormitories/Private clubs, lodges, fraternities, sororities and dormitories	U	U	U	U	U	U		U	U	U	U	U	U	U		U		U	U	§12.3.3	
	Fraternity and sorority houses/Private clubs, lodges, fraternities, sororities and dormitories	U	U	U	U	U	U		U	U	U	U	U	U	U		U		U	U	§12.3.5	

COMMERCIAL/MIXED USE (C) DISTRICTS PRINCIPAL USE TABLE																					
Specific Use Types	RA4.8	RC	RA-H	RA-H-3.2	C-1-R	C-1	MU-VS <sup>1</sup>	C-1-O	C-O-1.0	C-O-1.5	C-O-2.5	C-O	C-O-A	C-O ROSSLYN	C-O CRYSTAL CITY	C-2 <sup>2</sup>	C-TH *	C-3 <sup>3</sup>	C-R <sup>4</sup>	Use Standards	
	KEY: C = requires use permit and site plan approval; P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted																				
Group homes Institutional homes and institutions of an educational or philanthropic nature; except those of a correctional nature	U	U	U	U	U	U		U	U	U	U	U	U	U	U	U		U	U	U	§12.3.6
Nursing homes Institutional uses including hospitals, nursing homes and group care facilities									S	S											§7.10.4.A
Institutional uses including hospitals, nursing homes and group care facilities										S											§11.1.1.A.1
<b>Public, Civic and Institutional Use Categories (§12.2.4)</b>																					
Colleges (§12.2.4.A)	Colleges and universities <sup>1</sup> Institutional homes and institutions of an educational or philanthropic nature; except those of a correctional nature	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	§12.3.8
	Hospitals and institutions of an educational, religious, charitable, or philanthropic nature, except those of a correctional nature																U				
	Post-secondary education																U				
	Schools and colleges and other public and private educational institutions, nursery schools, child care centers																U				
Community Service (See §12.2.4.B)	Community buildings	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	
	Community centers, fire stations, and libraries	U	U	P	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	
	Community swimming pool Clubs and grounds for games or sports, including community swimming pools	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	§12.4.8
	Clubs and grounds for games or sports, including community swimming pools	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	§11.1.1
	Libraries Community centers, fire stations, and libraries	U	U	P	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	
	Museums and art galleries or studios Community centers, fire stations, and libraries	U	U	P	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	

<sup>1</sup> Added to MU-VS: should have been allowed due to 1950 Ordinance reference to C-2 uses.

COMMERCIAL/MIXED USE (C) DISTRICTS PRINCIPAL USE TABLE																					
Specific Use Types	RA4.8	R-C	RA-H	RA-H-3.2	C-1-R	C-1	MU-VS *	C-1-O	C-O-1.0	C-O-1.5	C-O-2.5	C-O	C-O-A	C-O ROSSLYN	C-O CRYSTAL CITY	C-2 *	C-TH *	C-3 *	C-R *	Use Standards	
	KEY: C = requires use permit and site plan approval; P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted																				
Public buildings and properties of a cultural, recreational administrative or service type, including libraries, fire stations, museums, theaters, and art galleries.																					
Public libraries, museums, and art galleries	U	U	U	U	U	U		U	U	U	U	U	U	U	U	U			U	U	
Publicly operated parks, playgrounds, recreational and community center buildings, playgrounds, parks, and athletic fields.																					
Recreation centersPublicly operated recreation buildings, playgrounds, parks, and athletic fields.	U	U	U	U	U	U		U	U	U	U	U	U	U	U	U			U	U	§12.4.6
Day Care (See §12.2.4.C)	All day care usesSchools and colleges and other public and private educational institutions, nursery schools, child care centers	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	§12.4.1
	Schools, private, elementary, middle and high, and kindergartens, nursery schools, child care centers, and other programs regulated by Chapter 52 of the Arlington County Code	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	§12.4.3

COMMERCIAL/MIXED USE (C) DISTRICTS PRINCIPAL USE TABLE																				
Specific Use Types	RA4.8	RC	RA-H	RA-H-3.2	C-1-R	C-1	MU-VS *	C-1-O	C-O-1.0	C-O-1.5	C-O-2.5	C-O	C-O-A	C-O ROSSLYN	C-O CRYSTAL CITY	C-2 *	C-TH *	C-3 *	C-R *	Use Standards
	Governmental Facilities (See §12.2.4.D)	Fire and police stations; public service, including electric distributing substation, fire or police station, telephone exchange, and the like	U	U	P	U	U	P	U	U	U	U	U	P	U	U	P	P	P	U
Public buildings and properties of a cultural, recreational, administrative or service type, including libraries, fire stations, museums and art galleries															U					
Community centers, fire stations, and libraries				P																
Public buildings and properties of a cultural, recreational administrative or service type, including libraries, fire stations, museums, theaters, and art galleries.															U					
Hospital (See §12.2.4.E)	Hospitals or sanitariums; except animal hospitals, clinics, and hospitals or sanitariums for contagious, mental or drug or liquor addict cases	U	U	U	U	U	U	U	S	S	U	U	U	U	U	U	U	U	U	§12.4.7
	Institutional uses including hospitals, nursing homes and group care facilities								S											§7.10.4.A
	Institutional uses including hospitals, nursing homes and group care facilities									S										§1.1.1.A.1
	Hospitals and institutions of an educational, religious, charitable, or philanthropic nature, except those of a correctional nature														U					
Parks and Open Space (See §12.2.4.F)	Cemeteries; airports and aircraft landing fields; golf courses (except driving tees and miniature courses); cemeteries; and funeral homes and/or crematories when on the same premises as a cemetery of 10 or more acres	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	

COMMERCIAL/MIXED USE (C) DISTRICTS PRINCIPAL USE TABLE																				
Specific Use Types	RA4.8	R-C	RA-H	RA-H-3.2	C-1-R	C-1	MU-VS *	C-1-O	C-O-1.0	C-O-1.5	C-O-2.5	C-O	C-O-A	C-O ROSSLYN	C-O CRYSTAL CITY	C-2 *	C-TH *	C-3 *	C-R *	Use Standards
	Country clubs and golf courses; Airports and aircraft landing fields; golf courses (except driving tees and miniature courses); cemeteries; and funeral homes and/or crematories when on the same premises as a cemetery of 10 or more acres	U	U	U	U	U	U		U	U	U	U	U	U	U		U		U	U
Parks, playgrounds and playfields; Clubs and grounds for games or sports, including community swimming pools	U	U	U	U	U	U		U	U	U	U	U	U	U	U	U		U	U	§11.1
Clubs and grounds for games or sports, including community swimming pools																U				
Publicly operated parks, playgrounds, recreational and community center buildings, playgrounds, parks, and athletic fields.																U				
Airports and aircraft landing fields; golf courses (except driving tees and miniature courses); cemeteries; and funeral homes and/or crematories when on the same premises as a cemetery of 10 or more acres	U	U	U	U	U	U		U	U	U	U	U	U	U		U		U	U	
Passenger Terminals and Services (See §12.2.4.G) Bus, trolley, air, boat and rail passenger terminals; Public utilities and services; such as railroad, trolley, bus, air, or boat passenger stations; railroad offices, rights of way, and tracks (but excluding car barns, garages, railroad yards, sidings and shops); static transformer stations, transmission lines and towers, commercial and public utility radio towers, telephone exchanges (but excluding service and storage yards)	U	U	U	U	U	U		U	U	U	U	U	U	U		U		U	U	§12.4.4
Religious Institutions (See §12.2.4.H) Churches, mosques, synagogues, and temples and other places of worship, including parish houses and Sunday schools but excluding rescue missions or temporary revivals	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

§7.1.2 COMMERCIAL/MIXED USE (C) DISTRICTS PRINCIPAL USE TABLE

COMMERCIAL/MIXED USE (C) DISTRICTS PRINCIPAL USE TABLE																				
Specific Use Types	RA4.8	RC	RA-H	RA-H-3.2	C-1-R	C-1	MU-VS *	C-1-O	C-O-1.0	C-O-1.5	C-O-2.5	C-O	C-O-A	C-O ROSSLYN	C-O CRYSTAL CITY	C-2 *	C-TH *	C-3 *	C-R *	Use Standards
	KEY: C = requires use permit and site plan approval; P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted																			
Wedding chapel	S			S					S	S	S	S	P	S	S	P		P		
Schools (See §12.2.4.I)	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	§12.4.1
Schools and colleges and other public and private educational institutions, nursery schools, child care centers															U					
Social Service Institutions (See §12.2.4.J)															U					
Utilities, major (See §12.2.4.K)	U	U	U	U	U	U	P	U	U	U	U	U	U <sub>P</sub>	U	U	U <sub>P</sub>	P	U <sub>P</sub>	U	§12.4.9
Public utilities and services; including but not limited to railroad, trolley, streetcar, bus, air, or boat passenger stations; bicycle share or rental stations; railroad offices, rights of way, and tracks; static transformer stations, transmission lines, and towers, commercial and public utility radio towers, telephone exchanges; provided, however, that the exterior appearance of any building permitted under this paragraph shall be in keeping with the character of the surrounding area															U					



COMMERCIAL/MIXED USE (C) DISTRICTS PRINCIPAL USE TABLE																						
Specific Use Types	RA4.8	R-C	RA-H	RA-H-3.2	C-1-R	C-1	MU-VS *	C-1-O	C-O-1.0	C-O-1.5	C-O-2.5	C-O	C-O-A	C-O ROSSLYN	C-O CRYSTAL CITY	C-2 *	C-TH *	C-3 *	C-R *	Use Standards		
	KEY: C = requires use permit and site plan approval; P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted																					
Utilities, minor (See §12.2.4.K)	Bus shelters; bike share stations Public utilities and services; such as railroad, trolley, bus, air, or boat passenger stations; railroad offices, rights-of-way, and tracks (but excluding car barns, garages, railroad yards, sidings and shops); static transformer stations, transmission lines and towers, commercial and public utility radio towers, telephone exchanges (but excluding service and storage yards)	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	§12.6.8	
	Public utilities and services; including but not limited to railroad, trolley, streetcar, bus, air, or boat passenger stations; bicycle share or rental stations; railroad offices, rights-of-way, and tracks; static transformer stations, transmission lines, and towers, commercial and public utility radio towers, telephone exchanges; provided, however, that the exterior appearance of any building permitted under this paragraph shall be in keeping with the character of the surrounding area															U						
	All other minor utilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
<b>Retail, Service and Commercial Use Categories (See §12.2.5)</b>																						
Food and Drinking Establishments (See §12.2.5.A)	Bakeries					P	P	P					P				P	P	P	P		
	Commercial uses including retail and service commercial uses								S												§7.10.4.A	
	Commercial uses, other, or as otherwise approved by the County Board.				S																§12.5.5	
	Commercial development											S									§1.1.1.A	
	Commercial development												S								§7.14.3.B	
	Commercial uses as permitted in C-1-R districts, or as otherwise approved by the County Board	S																			§12.5.5	
	Catering establishment, small scale	S	S	S			P	S	S	S	S	P	S	S	P	P	P	S				
	Food delivery services	C	C	C		U	U	C	C	C	C	U	C	C	U	C	U	U				
Nightclubs and restaurants providing live entertainments, including dance halls							U					U			U		U	U				

COMMERCIAL/MIXED USE (C) DISTRICTS PRINCIPAL USE TABLE																				
Specific Use Types	RA4.8	R-C	RA-H	RA-H-3.2	C-1-R	C-1	MU-VS <sup>1</sup>	C-1-O	C-O-1.0	C-O-1.5	C-O-2.5	C-O	C-O-A	C-O ROSSLYN	C-O CRYSTAL CITY	C-2 <sup>2</sup>	C-TH *	C-3 <sup>2</sup>	C-R <sup>2</sup>	Use Standards
Residential, office, retail, hotel development							Ⓢ													§7.8.4
Restaurant, fast food																	Ⓢ			§12.5.24
Restaurants, general Restaurant, excluding the following types: restaurants with drive-through windows, restaurants for which less than 50 percent of the food is served to conventional restaurant tables at which customers sit to order and eat. Delivery of food and beverages to off-site locations is permitted when it involves less than 20 percent of the amount of the sales from these restaurants <sup>1</sup>	Ⓢ	Ⓢ	Ⓢ		P	P	P		S	Ⓢ	S	Ⓢ		Ⓢ	Ⓢ	P	Ⓢ	Ⓢ	P	§12.5.22
Restaurants, limited Restaurant (excluding restaurants with drive-through windows and dancing or entertainment). Delivery of food and beverages to off-site locations is permitted when it involves less than 30 percent of the amount of the sales from these restaurants.	Ⓢ	Ⓢ	Ⓢ			P	P		Ⓢ	Ⓢ	Ⓢ	Ⓢ	P	Ⓢ	Ⓢ	P	P	P	P	§12.5.23
Restaurant providing live entertainment or dancing limited to customers, or restaurant associated with indoor or outdoor amusement facility																	Ⓢ			
Restaurants providing live entertainment and/or dancing <sup>2</sup>						Ⓢ	Ⓢ						Ⓢ			Ⓢ	Ⓢ	Ⓢ	Ⓢ	
Restaurant									Ⓢ	Ⓢ										
Restaurant									Ⓢ											§1.1.1.A.1
Retail and service commercial		Ⓢ																		
Retail and service commercial uses when allowed by the General Land Use Plan														Ⓢ						§7.15.4.A
Retail stores or businesses							Ⓢ										Ⓢ			
Retail stores or businesses in addition to those permitted in C-1-R and C-1 district							P						P			P	P			
Commercial uses including retail and service commercial uses									Ⓢ											§7.10.4.A

<sup>1</sup> See "restaurants, limited"

<sup>2</sup> Live entertainment uses moved to accessory use table

COMMERCIAL/MIXED USE (C) DISTRICTS PRINCIPAL USE TABLE																
Specific Use Types	RA4.8	R-C	RA-H	RA-H-3.2	C-1-R	C-1	MU-VS <sup>1</sup>	C-1-O	C-O-1.0	C-O-1.5	C-O-2.5	C-O	C-O-A	C-O ROSSLYN	C-O CRYSTAL CITY	Use Standards
	KEY: C = requires use permit and site plan approval; P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted															
Commercial uses including retail and service-commercial uses																§11.1.1.A
Commercial uses including retail and service-commercial uses																§11.1.1.A
Retail																
Game/Amusement game arcades	C	C	C			U	U	C	C	C	C	U	C	C	U	U
Movie or other theaters indoor theater or auditorium	S	S	S				P	S	S	S	S	P	S	S	P	P
Theater																
Membership clubs and lodges Private clubs, lodges, fraternities, sororities and dormitories	U	U	U	U	U	U	U <sup>1</sup>	U	U	U	U	U	U	U	U	U
Private clubs, restaurants and similar-commercial service compatible with high value apartment buildings																
All other indoor entertainment uses Amusement enterprises, including a billiard or pool hall, boxing arena, games of skill, penny arcade, shooting gallery and the like	S	S	S				P	S	S	S	S	P	S	S	P	P

Entertainment (See §12.2.5.B)

<sup>1</sup> Should have been allowed in MU-VS, based on 1950 Ordinance by reference to R-20 via C-1-R, C-1 and C-2.

COMMERCIAL/MIXED USE (C) DISTRICTS PRINCIPAL USE TABLE																					
Specific Use Types	RA4.8	RC	RA-H	RA-H-3.2	C-1-R	C-1	MU-VS <sup>1</sup>	C-1-O	C-O-1.0	C-O-1.5	C-O-2.5	C-O	C-O-A	C-O ROSSLYN	C-O CRYSTAL CITY	C-2 <sup>2</sup>	C-TH *	C-3 <sup>2</sup>	C-R <sup>2</sup>	Use Standards	
	Audio-visual production studio	C			C			U		C	C	C	C	U	C	C	U	C	U	C	
Financial services Banks or other financial institutions	S			S	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Trade or commercial school, if not objectionable due to noise, odor, vibration or other similar causes.	S			S					S	S	S	S	P	S	S	P	P	P	S	§1.1.1	
Business college operated as a commercial enterprise							P						P			P	P	P			
Commercial development													S							§1.1.1.A	
Commercial development													S							§7.14.3.B	
Offices							P	P					P		S	P		P	P		
Offices, federal, state and local Government, federal and state buildings used exclusively by the federal and state governments for public purposes, except penal and correctional institutions	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	
Offices or clinics, medical or dental Medical office or clinics	S	U	S	U	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	§12.5.16	
Medical offices					P	P	P						P		S	P		P	P		
Medical or dental clinics															S		P		P		
Medical or dental clinics and laboratories																	P		P		
Offices of doctors or physicians <sup>1</sup>															S						
Offices of medical doctors, physicians, dentists or psychologists in existing institutional structures converted to such use <sup>2</sup>	S	U	U	U	U	U		U	U	U	U	U	U	U	U	U		U	U	U	
Offices, business and professional		S					P	P	P	P	P	P	P	P	P	P	P	P	P		
Offices, business and professional, including medical, legal, insurance, philanthropic, real estate, banking and other offices which, in the judgment of the zoning administrator, are of the same general character as those otherwise permitted.								P	P	P	P	P		P	P						

Office (See §12.2.5.C)

<sup>1</sup> In the 1950 Ordinance, "Offices of doctors or physicians" by site plan approval in C-O Crystal City conflicted with the by-right use in this district "offices, business and professional, including medical....". This conflict was carried over into the 2013 Ordinance. It is now being removed, retaining the by-right use only, consistent with C-1-O, which was the basis for this district.

<sup>2</sup> For districts where this use was included only by reference to previous districts in the 1950 Ordinance, AND the use is also allowed without such restrictions (e.g. by-right), this use, requiring a use permit, is not being continued. These districts include: C-1-R, C-1, C-1-O, C-O.1.0, C-O-1.5, C-O-2.5

COMMERCIAL/MIXED USE (C) DISTRICTS PRINCIPAL USE TABLE																		
Specific Use Types	RA4.8	RC	RA-H	RA-H-3.2	C-1-R	C-1	MU-VS *	C-1-O	C-O-1.0	C-O-1.5	C-O-2.5	C-O	C-O-A	C-O ROSSLYN	C-O CRYSTAL CITY	Use Standards		
Offices, principal of physicians or dentists				☒														
Offices, principal, of physicians, surgeons or dentists, in existing apartment houses or residences converted to such use or in new buildings designed for such use	☒	☒	☒	☒														
Office													☒			§7.14.3.B		
Office buildings											☒							
Office buildings								☒								§7.10.4.A		
Office buildings									☒							§1.1.1.A		
Office commercial uses, when allowed by the General Land Use Plan													☒					
Office development												☒				§1.1.1.A		
Office, without restriction on location within structures							P						P		P	P		
Office, retail and residential development at the densities set forth in §7.20.9																S		
Residential, office, retail, hotel development							☒									§7.8.4		
Bed and breakfasts	U	U	U	U	U	U		U	U	U	U	U	U	U	U	U	§12.5.3	
Hotels or motels Apartment houses and hotels			S	☒			☒	☒	☒	☒	☒	☒	P	☒	☒	☒	§12.5.10	
Hotel or tourist court							P						P		P	P		
Hotel												☒					§7.13.4.A	
Hotels								☒									§7.10.4.A	
Hotels							☒							☒				
Hotels												☒					§7.14.3.B §7.14.4.A	
Hotels								☒									§1.1.1.A.1	
Hotels, when allowed by the General Land Use Plan													☒					
Hotels										☒							§1.1.1.A.1	
Dwellings, multiple family and/or hotel development				☒													§7.5.4.A	
Residential, office, retail, hotel development							☒										§7.8.4	
Parking, Commercial (See §12.2.5.E)						U	P						U	P		U	U	§12.5.4

COMMERCIAL/MIXED USE (C) DISTRICTS PRINCIPAL USE TABLE																					
Specific Use Types	RA4.8	R-C	RA-H	RA-H-3.2	C-1-R	C-1	MU-VS *	C-1-O	C-O-1.0	C-O-1.5	C-O-2.5	C-O	C-O-A	C-O ROSSLYN	C-O CRYSTAL CITY	C-2 *	C-TH *	C-3 *	C-R *	Use Standards	
	Public parking area of up to 20 spaces or of a lot area of up to 20,000 sq. ft., when located and developed as required in §14.3							P													
Public parking area of up to 50 spaces or of a lot area of up to 20,000 sq. ft., when located and developed as required in §14.3													P			P	P	P			
Public parking areas whether with or without improvements deferred, as regulated in §14.3.4.A						U														U	
Billiard or pool halls							U													U	
Bowling alley	C	C		C				C	C	C	C	U	C	C	U	U	U	U	C		
Driving ranges Amusement facility such as an indoor or outdoor miniature golf course, an indoor or outdoor driving range, or an amusement game arcade																	U				
Miniature golf courses Amusement facility such as an indoor or outdoor miniature golf course, an indoor or outdoor driving range, or an amusement game arcade																	U				
Skating Indoor and outdoor skating rink	C	C		C		U		C	C	C	C	U	C	C	U	C	U	C			
Indoor sSwimming pool	S	S		S		P		S	S	S	S	P	S	S	P	P	P	P			
Tennis, racquet or handball courts Indoor and outdoor Tennis, racquet or handball court	C	C		C		U	U	C	C	C	C	U	C	C	U	U	U	U			
Indoor tennis, racquet or handball courts																	U				
Driving ranges Amusement facility such as an indoor or outdoor miniature golf course, an indoor or outdoor driving range, or an amusement game arcade																	U				
Miniature golf courses	C	C		C				C	C	C	C	U	C	C	U	U	U	U			
Skating rinks Indoor and outdoor skating rinks	C	C		C		U		C	C	C	C	U	C	C	U	C	U	C			
Tennis, racquet or handball courts Indoor and outdoor tennis, racquet or handball courts	C	C		C		U	U	C	C	C	C	U	C	C	U	C	U	U			
Outdoor sSwimming pool	C	C		C				C	C	C	C	U	C	C	U	C	U	C			

COMMERCIAL/MIXED USE (C) DISTRICTS PRINCIPAL USE TABLE																					
Specific Use Types	RA4.8	RC	RA-H	RA-H-3.2	C-1-R	C-1	MU-VS <sup>1</sup>	C-1-O	C-O-1.0	C-O-1.5	C-O-2.5	C-O	C-O-A	C-O ROSSLYN	C-O CRYSTAL CITY	C-2 <sup>2</sup>	C-TH *	C-3 <sup>3</sup>	C-R <sup>4</sup>	Use Standards	
	<b>KEY:</b> C = requires use permit and site plan approval; P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted																				
All other outdoor entertainment Outdoor commercial enterprises including games of skill and science	C	C		C		U	U		C	C	C	C	U	C	C	U	U	U		U	
Antique shops						P	P						P			P	P	P	P		
Automobile accessories and supplies, excluding installation						P	P						P			P		P	P		
Art stores, including artwork, art supplies and framing materials						P	P						P			P		P	P		
Art or antique shop																	P		P		
Bakeries Bakery	S	S	S		P	P	P		S	S	S	S	P	S	S	P	P	P	P		§12.5.20
Book or stationary stores																	P				
Book, stationary or card stores						P	P						P			P	P	P	P		
Clothing or wearing apparel shops						P	P						P			P	P	P	P		
Confectionery store																	P				
Delicatessen					P	P	P						P			P		P	P		
Commercial uses as permitted in C-1-R districts, or as otherwise approved by the County Board	S																				§12.5.5
Commercial uses including retail and service commercial uses									S												§7.10.4.A
Commercial uses including retail and service commercial uses										S											§1.1.1.A
Commercial uses including retail and service commercial uses											S										§1.1.1.A
Commercial uses, other, or as otherwise approved by the County Board				S																	§12.5.5
Commercial development												S									§1.1.1.A
Commercial development													S								§7.14.3.B
Department store restricted to sites that are a minimum of five acres <sup>1</sup>						P														P	
Department store, without restriction on minimum site area as imposed in C-1 district							P						P			P		P			
Department stores																	P				
Department, furniture or household appliance store																				P	

<sup>1</sup> Department store, in general, and restricted to sites of a minimum of 5 acres or more in C-1 and C-R districts, is superseded by large format retail, allowed by use permit in C-1, MU-VS, C-O-A, C-2, C-3 and C-R.

COMMERCIAL/MIXED USE (C) DISTRICTS PRINCIPAL USE TABLE																					
Specific Use Types	RA4.8	RC	RA-H	RA-H-3.2	C-1-R	C-1	MU-VS <sup>1</sup>	C-1-O	C-O-1.0	C-O-1.5	C-O-2.5	C-O	C-O-A	C-O ROSSLYN	C-O CRYSTAL CITY	C-2 <sup>2</sup>	C-TH *	C-3 <sup>2</sup>	C-R <sup>2</sup>	Use Standards	
Drug stores																	P				
Drug stores—Delivery of drug store items to off-site locations is permitted when it involves less than 20 percent of the amount of the sales from these stores.	S	S	S		P	P	P		S	S	S	S	P	S	S	P	P	P	P	P	§12.5.5
Dry goods or notion stores						P	P						P			P	P	P	P		
Film exchange <sup>1</sup>																				P	
Film processing kiosks (photo service)						P	P						P			P		P	P		
Florist or gift shops	S	S	S		P	P		S	S	S	S	P	S	S	P	P	P	P	P		§12.5.7
Florist or gift shops																	P				
Grocery stores, convenience. Grocery, fruit or vegetable stores	S	S	S		P	P	P		S	S	S	S	P	S	S	P	P	P	P		§12.5.8
Grocery, fruit or vegetable store																	P				
Grocery stores, fruit or vegetable stores without restriction or maximum floor area	S	S	S		P	P		S	S	S	S	P	S	S	P	P	P	P	P		§12.5.9
Hardware, paint or appliance stores						P	P						P			P	P	P	P		
Hobby or handcraft stores						P	P						P			P		P	P		
Home furnishings stores						P	P						P			P	P	P	P		
Ice cream or confectionery stores					P	P	P						P			P		P	P		
Interior decorating stores																				P	
Jewelry stores						P	P						P			P	P	P	P		
Kiosks					U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	§12.5.11
Meat market or delicatessen																	P				
Meat or fish markets, and delicatessens	S	S	S		P	P	P		S	S	S	S	P	S	S	P	P	P	P		§12.5.20
Large-format retail sales establishments						U	U						U			U		U	U		
Newsstands	S	S	S		P	P	P		S	S	S	S	P	S	S	P	P	P	P		§12.5.20
Nursery, flower or plant stores	S	S	S				P		S	S	S	S	P	S	S	P	P	P	S		§12.5.15

KEY: C = requires use permit and site plan approval; P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted

<sup>1</sup> Obsolete use

<sup>2</sup> Added kiosks to C-TH. This is a change in policy. When kiosks were adopted, C-TH districts were overlooked because they were not part of the pyramid in the 1950 Ordinance.



COMMERCIAL/MIXED USE (C) DISTRICTS PRINCIPAL USE TABLE																					
Specific Use Types	RA4.8	RC	RA-H	RA-H-3.2	C-1-R	C-1	MU-VS *	C-1-O	C-O-1.0	C-O-1.5	C-O-2.5	C-O	C-O-A	C-O ROSSLYN	C-O CRYSTAL CITY	C-2 *	C-TH *	C-3 *	C-R *	Use Standards	
	Nursery, flower or plant store, provided that all incidental equipment and supplies, including fertilizer and garden tools, are kept within a building or in designated areas outside which are adequately screened as approved by the zoning administrator																	P			
Open-air markets					U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	§12.5.17
Optical stores						P	P						P			P		P	P		
Pet shops						P	P						P			P	P	P	P		
Pet shops, bird stores or taxidermists																				P	
Residential, office, retail, hotel development							S														§7.8.4
Retail																S				S	
Retail and service commercial		S																			
Retail and service commercial uses when allowed by the General Land Use Plan															S						§7.15.4.A
Retail stores or businesses							S										P				
Retail stores or businesses in addition to those permitted in C-1-R and C-1 district							P						P			P		P			
Secondhand or consignment shop						P	P						P			P		P	P		
Secondhand stores, if conducted wholly within a completely enclosed building	S	S		S		P	P	S	S	S	S	S	P	S	S	P	U	P	P		§12.5.23
Shoe store						P	P						P			P		P	P		
Sporting goods store						P	P						P			P		P	P		
Variety store						P	P						P			P		P	P		
Video tape or record store						P	P						P			P		P	P		
All other retail sales uses	S	S		S		P	S		S	S	S	S	P	S	S	P	P	P	P		§12.5.20
Animal care facilities, veterinary clinics, animal hospitals	S	S		S			P		S	S	S	S	P	S	S	P	P	P	U		§12.5.2
Animal hospitals or veterinary clinics within a fully enclosed structure																					
Animal hospital or veterinary clinic																S					
Animal hospitals within fully enclosed structures																				U	
Athletic or health clubs	S	S		S		U	U		S	S	S	S	P	S	S	P	U	P	U		§12.5.19
Barbershop or beauty parlor	S	S		S	P	P	P		S	S	S	S	P	S	S	P	P	P	P		

KEY: C = requires use permit and site plan approval; P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted

COMMERCIAL/MIXED USE (C) DISTRICTS PRINCIPAL USE TABLE																				
Specific Use Types	RA4.8	R-C	RA-H	RA-H-3.2	C-1-R	C-1	MU-VS *	C-1-O	C-O-1.0	C-O-1.5	C-O-2.5	C-O	C-O-A	C-O ROSSLYN	C-O CRYSTAL CITY	C-2 *	C-TH *	C-3 *	C-R *	Use Standards
Branch, Banks or other financial institutions	S	S		S	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Offices, business and professional, including medical, legal, insurance, philanthropic, real estate, banking and other offices which, in the judgment of the zoning administrator, are of the same general character as those otherwise permitted.								P	P	P	P	P		P	P					
Commercial uses as permitted in C-1-R districts, or as otherwise approved by the County Board	S																			§12.5.5
Dry-cleaning drop-off stations or laundry establishment	S	S		S	P	P	P		S	S	S	S	P	S	S	P	P	P	P	§12.5.6
Clothes cleaning or laundry establishment, including laundrette self-service type establishment																	P			
Commercial uses including retail and service commercial uses									S											§7.10.4.A
Commercial uses including retail and service commercial uses										S										§1.1.1.A
Commercial uses including retail and service commercial uses											S									§1.1.1.A
Commercial uses, other, or as otherwise approved by the County Board				S																§12.5.5
Commercial development												S								§1.1.1.A
Commercial development													S							§7.14.3.B
Dance studio	S	S		S			U		S	S	S	S	P	S	S	P	U	P	U	§12.5.19
Dry cleaners, laundry and Laundromat					P	P	P						P			P	P	P	P	§12.5.13
Laundromats Dry cleaners, laundry and Laundromat	S	S		S	P	P	P		S	S	S	S	P	S	S	P	P	P	P	§12.5.12 §12.5.13
Photocopy, blueprint and quick-sign services Photo copy services	S	S		S		P	P		S	S	S	S	P	S	S	P	P	P	P	
Private postal services Private postal service limited to a gross floor area of 1,200 sq. ft	S	S		S		P	P		S	S	S	S	P	S	S	P	P	P	P	§12.5.18

COMMERCIAL/MIXED USE (C) DISTRICTS PRINCIPAL USE TABLE																				
Specific Use Types	RA4.8	RC	RA-H	RA-H-3.2	C-1-R	C-1	MU-VS <sup>1</sup>	C-1-O	C-O-1.0	C-O-1.5	C-O-2.5	C-O	C-O-A	C-O ROSSLYN	C-O CRYSTAL CITY	C-2 <sup>2</sup>	C-TH *	C-3 <sup>2</sup>	C-R <sup>2</sup>	Use Standards
Mortuaries and/or funeral homes, including a cremation unit within a mortuary or funeral home <sup>1</sup>	S	S	S	S					C	C	C	C	U	C	C	U	U	U		§12.5.14
Pawnshop	S	S		S				S	S	S	S	S	P	S	S	P	P	P	S	
Mortuary or funeral homes, including a cremation unit within a mortuary or funeral home in existing apartment houses or residences converted to such use or in new buildings designed for such use	S	S		S																§12.5.12
Mailing service, including bulk mailing							P						P			P	P			
Massage parlor and the like <sup>2</sup>							U						U			U	U			
Music conservatory or music instruction							P						P			P	P	P	P	
Palmistry							P						P			P	P	P		
Photography studio						P	P						P			P	P	P	P	
Retail															S				S	
Retail and service commercial uses when allowed by the General Land Use Plan														S						§7.15.4.A
Retail and service commercial		S																		
Retail stores or businesses							S										P			
Retail stores or businesses in addition to those permitted in C-1-R and C-1 district							P						P			P	P			
All other retail personal service uses	S	S		S		P	S	S	S	S	S	S	P	S	S	P	P	P	S	§12.5.19
Commercial uses including retail and service commercial uses								S												§7.10.4.A
Commercial uses including retail and service commercial uses									S											§1.1.1.A
Commercial uses including retail and service commercial uses										S										§1.1.1.A
Commercial uses, other, or as otherwise approved by the County Board				S																§12.5.5

<sup>1</sup> S in RA-H was shown in error in 2013 reformat (by reference to RA7-16, also shown in error), and is now proposed to be deleted, consistent with 1950 Ordinance.

<sup>2</sup> Delete – antiquated use

§7.1.2 COMMERCIAL/MIXED USE (C) DISTRICTS PRINCIPAL USE TABLE

COMMERCIAL/MIXED USE (C) DISTRICTS PRINCIPAL USE TABLE																																								
Specific Use Types	RA4.8	RC	RA-H	RA-H-3.2	C-1-R	C-1	MU-VS *	C-1-O	C-O-1.0	C-O-1.5	C-O-2.5	C-O	C-O-A	C-O ROSSLYN	C-O CRYSTAL CITY	C-2 *	C-TH *	C-3 *	C-R *	Use Standards																				
	KEY: C = requires use permit and site plan approval; P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted																																							
Commercial uses as permitted in C-1-R districts, or as otherwise approved by the County Board	S																			§12.5.5																				
Commercial development												S								§1.1.1.A																				
Commercial development													S							§7.14.3.B																				
Locksmiths						P	P						P				P	P	P																					
Tailors and milliners Tailor or dressmaker	S	S	S	P	P	P		S	S	S	S	S	P	S	S	P	P	P	P																					
Shoe repair	S	S	S	P	P	P		S	S	S	S	S	P	S	S	P	P	P	P																					
Repair shop (small appliance, television, radio)						P	P						P			P	P	P	P																					
Retail																S			S																					
Retail and service commercial uses when allowed by the General Land Use Plan														S						§7.15.4.A																				
Retail and service commercial		S																																						
Retail stores or businesses							S										P																							
Retail stores or businesses in addition to those permitted in C-1-R and C-1 district							P						P			P	P	P																						
Upholstery shops, if conducted wholly within a completely enclosed building	S	S	S					S	S	S	S	S	P	S	S	P	P	P	S	§12.5.25																				
All other retail repair uses	S	S	S			P	P	S	S	S	S	S	P	S	S	P	P	P	P	S																				
Self-service Storage (See §12.2.5.H)	All self-service storage uses facility																															U		§12.5.24						
	Storage as principal use																																				§12.5.25			
Vehicle Sales and Service (See §12.2.5.I)	Car wash																																	U	U					
	Vehicle body shop, so long as such activities are conducted entirely within a building																																				U	U	§12.5.26	
	Vehicle sales, rental, or leasing facilities Vehicle dealership, sales or rental lot, provided that the use is located on a site which is more than 20,000 sq. ft. in area. In addition, vehicle dealership, sales or rental lot that is located on a site 10,000 sq. ft. or smaller shall not be permitted																									U		C	C	C	C	U	C	C			U	P	U	§12.5.28
	Vehicle dealership, sales or rental lots located on sites of 20,000 sq. ft. or less but more than 10,000 sq. ft.																																				U	U	§12.5.19	

COMMERCIAL/MIXED USE (C) DISTRICTS PRINCIPAL USE TABLE																					
Specific Use Types	RA4.8	R-C	RA-H	RA-H-3.2	C-1-R	C-1	MU-VS *	C-1-O	C-O-1.0	C-O-1.5	C-O-2.5	C-O	C-O-A	C-O ROSSLYN	C-O CRYSTAL CITY	C-2 *	C-TH *	C-3 *	C-R *	Use Standards	
	KEY: C = requires use permit and site plan approval; P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted																				
Vehicle service establishment, provided that any vehicle repairs and storage of merchandise and supplies shall be conducted wholly within a building, and that any lubrication or washing not conducted wholly within a building shall be permitted only if a masonry wall, seven feet in height, is erected and maintained between such uses and any adjoining R district						U			C	C	C	C	U	C	C	U		U	U		§12.5.27
Vehicle service establishment, provided that any portion of the use except the sale of gasoline shall be conducted wholly within a building						U														U	
All other vehicle sales and service uses																					
<b>Industrial Use Categories (See §12.2.6)</b>																					
Light Industrial Service (See §12.2.6.A)	Building, heating, plumbing or electrical contractors																		P		
	Carpet cleaning plants and rug cleaning establishments, excluding dyeing												U				U	U	U		
	Contractors, off site, storage and staging yards and sales or leasing trailers or pavilions <sup>1</sup>	U	U		U	U	U		U	U	U	U	U	U	U		U		U	U	
	Medical or dental laboratories medical or dental clinics and laboratories							P		S	S	S	S	P	S	S	P	P	P	P	
	Printing, lithography or publishing and lithographing, small scale													P			P	P	P		
	Sign making painting shop, if conducted wholly within a completely enclosed building													P			P	P	P		

<sup>1</sup> Moved to short term use standards (12.10)

COMMERCIAL/MIXED USE (C) DISTRICTS PRINCIPAL USE TABLE																																							
Specific Use Types	RA4.8	RC	RA-H	RA-H-3.2	C-1-R	C-1	MU-VS *	C-1-O	C-O-1.0	C-O-1.5	C-O-2.5	C-O	C-O-A	C-O ROSSLYN	C-O CRYSTAL CITY	C-2 *	C-TH *	C-3 *	C-R *	Use Standards																			
	KEY: C = requires use permit and site plan approval; P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted																																						
Manufacturing and Production (See §12.2.4.B)	Plumbing or sheet metal shops, <del>if conducted wholly within a completely enclosed building</del>																			P	P	§12.6.6																	
	All other manufacturing and production uses																																						
Heavy Industrial (See §12.2.6.C)	All heavy industrial uses																																						
Warehouse and Freight Movement (See §12.2.6.D)	All warehouse and freight movement uses																																						
Waste-related Service (See §12.2.6.E)	Solid waste transfer																			U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	
	Recycling centers																			U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U
Wholesale Trade (See §12.2.6.F)	Wholesale merchandising broker, excluding wholesale storage																				P																		
<b>Other use categories (See §12.2.7)</b>																																							
Agriculture (See §12.2.7.A)	All agricultural uses Farming, livestock and poultry raising, and all uses commonly classed as agricultural																			P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	§12.7.1			
Resource Extraction (See §12.2.7.B)	All resource extraction uses																																						
Tele-communications Facilities (§12.2.6.C)	All telecommunications towers and facilities equipment, unscreened																																		U				
Unclassified (See §12.2.7.D)	Columbia Pike Neighborhoods Special Revitalization District Form Based Code Development as specified in §11.3																																						
	Columbia Pike Special Revitalization District Form Based Code Development as specified in §11.2																																						
	Outdoor fair, carnival, circus, trade show																																						
	Unified commercial/mixed-use development not within the Columbia Pike Special Revitalization District or the Lee Highway Cherrydale Special Revitalization District as set forth in §10.2																																						

COMMERCIAL/MIXED USE (C) DISTRICTS PRINCIPAL USE TABLE																					
Specific Use Types	RA4.8	RC	RA-H	RA-H-3.2	C-1-R	C-1	MU-VS *	C-1-O	C-O-1.0	C-O-1.5	C-O-2.5	C-O	C-O-A	C-O ROSSLYN	C-O CRYSTAL CITY	C-2 *	C-TH *	C-3 *	C-R *	Use Standards	
	Unified commercial/mixed use development Uses in projects that are within the Clarendon Revitalization District and are part of a unified commercial/mixed use development as set forth in 10.2						U											U	U	U	U
Housing, low or moderate income per §14.6	U S	U S	U	U																	
Other uses which, in the judgment of the zoning administrator, are of the same general character as those listed in this subsection and will not be detrimental to the district in which located.							P						P				P	P	P		

KEY: C = requires use permit and site plan approval; P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted

\* Classes or instruction to children. if a use provides classes or instruction to children and, either 20 percent or more of the total number of students enrolled in classes and/or instruction are children under 18 years of age or the total number of children under 18 years of age enrolled in classes scheduled to be held at any one time is 10 or more, the use may only be established subject to obtaining a use permit as provided in §14.5, for each such use.<sup>1</sup>

<sup>1</sup> Moved to use standards

**§7.1.3. Commercial/mixed use (C) districts accessory use table**

Accessory uses in commercial/mixed use (C) districts shall include the following uses, activities and structures:

COMMERCIAL/MIXED USE (C) DISTRICTS ACCESSORY USE TABLE																				
Use Types	RA4.8	R-C	RA-H	RA-H-3.2	C-1-R	C-1	MU-VS *	C-1-O	C-O-1.0	C-O-1.5	C-O-2.5	C-O	C-O-A	C-O ROSSLYN	C-O CRYSTAL CITY	C-2 *	C-TH *	C-3 *	C-R *	Use Standards
Accessory buildings, including a private garage, provided that a detached accessory building shall be located as required in §3.2	P	P	P	P	P	P		P	P	P	P	P	P	P		P		P	P	
Accessory uses customarily incidental to permitted uses and accessory buildings, when located on the same lot, including automobile parking garage.															P					
Accessory uses and buildings customarily accessory to otherwise allowed uses.			P		P	P	P						P			P		P	P	
Accessory uses customarily incident to any of the permitted uses and accessory buildings, when located on the same lot, including automobile parking garage for the exclusive use of the patrons of the above offices								P	P	P	P	P		P						
Accessory uses, customarily incident to otherwise allowed uses	P	P		P	P	P	P	P	P	P	P	P	P			P		P	P	
Commercial vehicle parking which has a gross vehicle weight of 16,000 pounds or less. <sup>1</sup>	P	P		P	P	P		P	P	P	P	P	P	P		P		P	P	§12.9.5
Commercial vehicle parking. In cases working a grave hardship on the resident, and in accordance §12.8.2.C, and §14.6, parking of (i) a commercial vehicle which does not meet the locational requirements of this zoning ordinance, or (ii) more than one commercial vehicle <sup>2</sup>	U	U	U	U	U	U		U	U	U	U	U	U	U		U		U	U	
<b>Crematoriums</b> Airports and aircraft landing fields; golf courses (except driving tees and miniature courses); cemeteries; and funeral homes and/or crematories when on the same premises as a cemetery of 10 or more acres	U S	U	U S	U S	U	U		U	U	U	U	U	U	U		U		U	U	§12.9.6
Mortuary or funeral homes, including a cremation unit within a mortuary or funeral home in existing apartment houses or residences converted to such use or in new buildings designed for such use	S	S		S																§12.5-12
Convenience service areas		U	U S	U																§12.9.5
Drive-through windows Any use otherwise permitted in this district with a drive through window						U										U		U	U	

<sup>1</sup> Commercial vehicle parking was carried over from R and RA districts through 1950 Ordinance pyramid structure, but was not intended to be used in C districts, therefore it is proposed to be deleted.

<sup>2</sup> See 1 above.



COMMERCIAL/MIXED USE (C) DISTRICTS ACCESSORY USE TABLE

Use Types	RA-4.8	R-C	RA-H	RA-H-3,2	C-1-R	C-1	MU-VS *	C-1-O	C-O-1.0	C-O-1.5	C-O-2.5	C-O	C-O-A	C-O ROSSLYN	C-O CRYSTAL CITY	C-2 *	C-TH *	C-3 *	C-R *	Use Standards
<b>KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted</b>																				
Family day care homes (six to nine children)for six to nine children	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	§12.9.9
Family day care homes (up to five children)for up to five children	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	§12.9.9
Garage, private parking garage for exclusive use of occupants			P																	
Home occupations	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
<del>Restaurants providing live entertainment and/or dancing</del>						U	U	U	U	U	U	U	U	U	U	U	U	U	U	§12.9.12
<del>Mortuaries and funeral homes</del> Airports and aircraft landing fields; golf courses (except driving tees and miniature courses); cemeteries; and funeral homes and/or crematories when on the same premises as a cemetery of 10 or more acres	U	U	U	U	U	U		U	U	U	U	U	U	U		U		U	U	§12.9.13
<del>Commercial uses including retail and service commercial uses</del>									S											§7.10.4.A
<del>Commercial uses including retail and service commercial uses</del>										S										§1.1.1.A
<del>Commercial uses including retail and service commercial uses</del>											S									§1.1.1.A
<del>Commercial uses, other, or as otherwise approved by the County Board</del>				S																§12.5.5
<del>Commercial uses as permitted in C-1-R districts, or as otherwise approved by the County Board</del>	S																			§12.5.5
<del>Commercial development</del>												S								§1.1.1.A
<del>Commercial development</del>													S							§7.14.3.B
<del>Retail</del>															S				S	
<del>Retail and service commercial uses when allowed by the General Land Use Plan</del>														S						§7.15.4.A
<del>Restaurant providing live entertainment or dancing limited to customers, or restaurant associated with indoor or outdoor amusement facility</del>																	U			
Outdoor café associated with a restaurant on private property	P			P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	§12.9.14
Outdoor café associated with a restaurant on public right-of-way or easement for public use	U			U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	§12.9.14
Swimming pools, private	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P		P	P	§12.9.15
<del>Trailer-Recreational vehicle or trailer parking</del>	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P		P	P	§12.9.16
Vehicle maintenance, routine	P	P		P	P	P		P	P	P	P	P	P	P		P		P	P	§12.9.17
Vehicle, unlicensed and/or inspected	P	P		P	P	P		P	P	P	P	P	P	P		P		P	P	§12.9.18

## §7.2. RA4.8, Multiple-Family Dwelling District

### §7.2.1. Purpose

The purpose of the RA4.8, Multiple-family District is to provide for multiple-family dwelling development at moderate densities and, under appropriate conditions, high-rise multiple-family dwelling redevelopment. To be eligible for this district, a site shall be designated "high-medium" residential or other comparable designation on the General Land Use Plan. Determination as to the actual types and densities of uses to be allowed will be based on the characteristics of individual sites in their neighborhood and on the need for community facilities, open and landscaped areas, circulation and utilities.

### §7.2.2. Uses

Uses shall be as specified in §7.1. Density and dimensional standards

### §7.2.3. Density and dimensional standards

#### A. By-right

Development allowed by-right in the RA4.8 district shall comply with the following standards, except as otherwise expressly allowed or stated.

Type of Standard	One-family Dwelling	Two-family Dwellings		Apartments, Multiple-family Dwellings	Townhouse Dwellings	All other uses
		Semi-detached	Duplex			
Site area, minimum (sq. ft.)	6,000	7,000	7,000	7,500	7,500	5,000
Lot, minimum (sq. ft.)						
Lot area	6,000	3,500	7,000	7,500	7,500	5,000
Lot area per dwelling unit	6,000	3,500	3,500	1,800	1,800	--
Lot width, minimum average (feet)						
Lot width	60	70	70	75	75	150
Lot width per dwelling unit	60	35	--	--	--	--
Height						
Maximum (feet)	35	35	35	35	35	35
Maximum (number of stories)	--	3 ½	3 ½	3 ½	3 ½	--
Floor area ratio	--	--	--	--	--	--
Floor area, minimum (sq. ft.)						
Floor area per dwelling unit, exclusive of basement or attic	--	750	750	--	--	--

#### 1. Exception

##### (a) Large-scale housing projects

Large-scale housing projects having a site area of five acres or more, dwellings may be erected to a height not to exceed either six stories or 60 feet, provided said dwellings are located not nearer than 150 feet to any boundary line of the site on which the project is situated.

##### (b) Reserved

#### B. Special exception

Development allowed by special exception in the RA4.8 district shall comply with the following standards, except as otherwise approved by the County Board

Type of Standard	Two-family Dwellings		Low or Moderate Income Housing	Townhouse, Semi-detached, and Existing One-family Dwellings	Multiple-family, Apartment Houses, Commercial	All Retail Sales and Service and Food and Drinking Establishment uses	All other uses
	Semi-detached	Duplex					
Site area, minimum (sq. ft.)	7,000	7,000			30,000		5,000
Lot, minimum (sq. ft.)							
Lot area	3,500	7,000			30,000		5,000
Lot area per dwelling unit	3,500	3,500			--		--
Lot width, minimum average (feet)							
Lot width	56	56	§12.3.7	See §12.3.4	150		150
Lot width per dwelling unit	28	--			--	--	
Height							
Maximum (feet)	35	35			136		35
Maximum (number of stories)	3 ½	3 ½			--		--
Floor area ratio	--	--			3.24 <i>(including street level sales and service)<sup>1</sup></i>	0.5 <i>(street level only)</i>	--
Floor area, minimum (sq. ft.)							
Floor area per dwelling unit, exclusive of basement or attic	750	750			--		--

### C. Bulk coverage and placement

For bulk, coverage and placement requirements not listed in this section see §3.2.

### D. Exceptions

#### 1. Height

By site plan approval, a building may have a maximum height of 136 feet, including mechanical penthouses and parapet walls, measured from the average elevation at the perimeter of the site.

#### 2. Minimum lot area and width

The County Board may authorize application for rezoning to the RA-4.8 district where a lot or plot having less width or less area which is any part of a block surrounded by streets and/or buildings that generally comply with the provisions of this section.

#### 3. FloorGross floor area ratio

The gross floorMaximum floor area, including any commercial uses permitted on a given site, shall be determined by multiplying the site area by 3.24. Any mechanical penthouse area in excess of that used for elevator, mechanical or maintenance equipment shall be counted as gross floor area.

### §7.2.4. District use standards

Use standards applicable to specific uses in the RA4.8 district include:

- A. [Reserved]

<sup>1</sup> This and 0.5 FAR limitation from use table.

### §7.2.5. Site development standards

---

The site development standards of Article 13 and Article 14 apply to all development, except as otherwise specified below.

#### A. Parking

As specified and regulated in §14.3, except that the following may be approved by site plan:

1. Multiple-family dwelling: One off-street space per dwelling unit.
2. The parking provided under the provisions of subsection 1, above, shall be located below grade or within the structure housing the use to which the parking is appurtenant, except as may be allowed in an approved site plan.

## §7.3. R-C, Multiple-family Apartment- Dwelling and Commercial District

### §7.3.1. Purpose

- A. The purpose of the R-C, Multiple-family Apartment- Dwelling and Commercial District is to encourage high-medium density residential development while also providing for a mixed-use transitional area between higher density development and lower density residential uses. This district is designed for use in Metro station areas as identified on the General Land Use Plan (GLUP), and primarily for sites any part of which is located:
1. Within a 1/4 mile radius of a Metrorail station entrance and
  2. That are designated "high-medium residential mixed-use" on the GLUP.
- B. This district may also be considered for other locations in Metro station areas up a ½ mile radius of a Metrorail station entrance that are designated “high-medium residential mixed-use” or expressly identified as eligible for rezoning to this district or re-planning to “high-medium residential mixed-use” in adopted County plans.
- C. Determination as to the actual types and densities of uses to be allowed will be based on the characteristics of individual sites and on the need for community facilities, open space and landscaped areas, circulation and utilities.

### §7.3.2. Uses

Uses shall be as specified in §7.1.

### §7.3.3. Density and dimensional standards

#### A. By-right

Development allowed by-right in the R-C district shall comply with the following standards, except as otherwise expressly allowed or stated.

Type of Standard	One-family Dwelling	Two-family Dwellings		Multiple-family Apartment Houses	Townhouse Dwellings	All other uses
		Semi-detached	Duplex			
Site area, minimum (sq. ft.)	6,000	7,000	7,000	7,500	7,500	5,000
Lot, minimum (sq. ft.)						
Lot area	6,000	3,500	7,000	7,500	7,500	5,000
Lot area per dwelling unit	6,000	3,500	3,500	1,800	1,800	--
Lot width, minimum average (feet)						
Lot width	60	70	70	75	75	50
Lot width per dwelling unit	60	35	--	--	--	--
Height						
Maximum (feet)	35	35	35	35	35	35
Maximum (number of stories)	--	3 ½	3 ½	3 ½	3 ½	--
Floor area, minimum (sq. ft.)						
Floor area per dwelling unit, exclusive of basement or attic	--	750	750	--	--	--
Floor area ratio	--	--	--	--	--	--

**1. Exception**

**(a) Large-scale housing projects**

Large-scale housing projects having a site area of five acres or more, dwellings may be erected to a height not to exceed either six stories or 60 feet, provided said dwellings are located not nearer than 150 feet to any boundary line of the site on which the project is situated.

**B. Special exception**

Development allowed by special exception in the R-C district shall comply with the following standards, except as otherwise approved by the County Board.

Type of Standard	Two-family Dwellings		Low or Moderate Income Housing	Townhouse, Semi-detached, and Existing One-family Dwellings	Multiple-family Apartment Houses	All Retail and Food and Drinking Establishment uses	All other uses		
	Semi-detached	Duplex							
Site area, minimum (sq. ft.)	7,000	7,000	See §12.3.7	See §12.3.4	20,000		5,000		
Lot, minimum (sq. ft.)									
Lot area	3,500	7,000					20,000		5,000
Lot area per dwelling unit	3,500	3,500					--		--
Lot width, minimum average (feet)									
Lot width	56	56					--		50
Lot width per dwelling unit	28	--					--		--
Height									
Maximum (feet)	35	35					65, including the <u>mechanical penthouse</u>		35
Maximum (number of stories)	3 ½	3 ½					--		--
Floor area, minimum (sq. ft.)									
Floor area per dwelling unit, exclusive of basement or attic	750	750			--	0.62 per square foot of multiple-family (first floor only)	--		
Floor area ratio	--	--			3.24 (including retail sales and service)		--		

**C. Bulk coverage and placement**

For bulk, coverage and placement requirements not listed in this section see §3.2.

**D. Exceptions**

1. [Reserved]

**§7.3.4. District use standards Site plans**

~~Use standards applicable to specific uses in the R-C district include~~ The County Board may approve site plans, as provided in ~~§15.5~~ §15-5, subject to the following:

## ~~A.~~ Apartments

### ~~B.~~A. General

1. The following uses ~~shall be permitted~~may be approved at the rate of 0.62 square feet of gross floor area for each gross square foot of ~~apartment~~multiple-family use proposed, provided that the total F.A.R. of the project does not exceed 3.24:
  - (a) Retail and service commercial uses which shall be restricted to the first floor of any structure.
  - (b) Offices, business and professional.
2. Such uses may be ~~permitted~~approved at the rate not to exceed one square foot of gross floor area for each square foot of gross floor area of ~~apartment~~multiple-family use and the total F.A.R. of the project may be permitted in an amount not to exceed 3.5 on sites which:
  - (a) Have a minimum area of 50,000 square feet;
  - (b) Have a minimum of 200 feet of continuous frontage on a principal arterial, minor arterial or local principal street as designated on the Arlington County Master Transportation Plan; and
  - (c) Are across a principal arterial, minor arterial or local principal street from a C-O-A district.
3. On sites which meet the criteria in ~~§7.3.4.A.2~~§7.3.4.A.2, above, and which also include an entire block, such uses may be ~~permitted~~approved at the rate not to exceed 1½ square feet of gross floor area for each square foot of gross floor area of ~~apartment~~multiple-family use in the approved site plan and the total floor area ratio of the project may be permitted in the amount not to exceed 3:5.

### ~~C.~~B. Arterial or local principal street frontage requirement

Any structure in which less than 50 percent of the gross floor area is ~~multiple-family~~apartment use shall front on a principal arterial, minor arterial or local principal street as designated in the Arlington County Master Transportation Plan.

### ~~D.~~C. Height limit

Under no circumstances shall the height of any building exceed 95 feet nor shall a ~~mechanical~~mechanical penthouse extend more than 16 feet above the 95 foot height limit, except that in order to allow enclosure of elevator equipment needed to provide elevator access to roof areas, the ~~mechancial~~mechanical penthouse height may be increased by up to eight additional feet. This additional height may only be used to allow the amount of structure necessary to enclose the elevator equipment.

### ~~E.~~D. Landscaping

A minimum of 10 percent of the total site area is required to be landscaped open space in accordance with the requirements of §14.2, Landscaping.

### ~~F.~~E. Automobile parking and loading space

1. Parking spaces shall be provided as required in §14.3, provided, however, that as part of the site plan approval, the County Board may reduce this requirement to no less than one space for each unit.

2. One parking space for each 580 square feet of commercial or office space.

~~3. Off-street loading spaces for all permitted uses shall be provided as specified in §14.3.~~

### §7.3.5. Site development standards

---

The site development standards of Article 13 and Article 14 apply to all development, except as otherwise specified ~~below~~.

#### ~~A. Signs<sup>1</sup>~~

~~Signs as regulated in Article 13.~~

#### ~~B. Parking and loading~~

~~1. Off-street loading spaces for all permitted uses shall be provided as specified in §14.3~~

---

<sup>1</sup> Redundant of above statement.



**§7.4. RA-H, Hotel District**

**§7.4.1. Purpose**

[Reserved]

**§7.4.2. Uses**

Uses shall be as specified in §7.1.

**§7.4.3. Density and dimensional standards**

**A. By-right**

Development allowed by-right in the RA-H district shall comply with the following standards, except as otherwise expressly allowed or stated.

Type of Standard	Multiple-family Apartment Houses	All other uses
<b>Site area, minimum (sq. ft.)</b>	7,500	100,000
<b>Lot, minimum (sq. ft.)</b>		
Lot area	7,500	100,000
Lot area per dwelling unit	1,200	--
<b>Lot width, minimum average (feet)</b>		
Lot width	75	200
Lot width per dwelling unit	--	--
<b>Height</b>		
Maximum (feet)	35	95
Maximum (stories)	3½	10
<b>Floor area, minimum (sq. ft.)</b>		
Floor area per dwelling unit	--	--
<b>Lot coverage, Maximum (percent)</b>	--	50

**B. Special exception**

Development allowed by special exception in the RA-H district shall comply with the following standards, except as otherwise approved by the County Board.

Type of Standard	Low or Moderate Income Housing	Multiple-family Apartment Houses and Hotels
<b>Site area, minimum (sq. ft.)</b>		100,000
<b>Lot, minimum (sq. ft.)</b>		
Lot area		100,000
Lot area per dwelling unit		600
Lot area per guest room		600
<b>Lot width, minimum average (feet)</b>	See §3.2	
Lot width		200
Lot width per dwelling unit		--
<b>Height</b>		
Maximum (feet)		125
Maximum (stories)		12
<b>Floor area, minimum (sq. ft.)</b>		
Floor area per dwelling unit or sleeping room		--
<b>Lot coverage, maximum (percent)</b>		50

**1. Lot coverage**

Underground structures may cover the entire lot, provided that, within the site boundaries of any lot or parcel, the total amount of the surface of the site, after development, covered by buildings, parking, driveways, roads and any accessory building, shall not exceed 50 percent.

**2. [Reserved]****C. Bulk coverage and placement**

For bulk, coverage and placement requirements not listed in this section see §3.2.

**§7.4.4. District use standards**

---

Use standards applicable to specific uses in the RA-H district include:

**A. [RESERVED]****§7.4.5. Site development standards**

---

The site development standards of Article 13 and Article 14 apply to all development, except as otherwise specified below.

**A. Parking**

Parking shall be provided in accordance with the requirements of §14.3.

**B. [\[Reserved\]](#)**

## §7.5. RA-H-3.2, Multiple-Family Dwelling and Hotel District

### §7.5.1. Purpose

The purpose of the RA-H-3.2, Multiple-family Dwelling and Hotel District is to provide for multiple-family dwelling development at moderate densities and, under appropriate conditions, high-rise hotel and/or multiple-family dwelling redevelopment within "Metro Transit Corridors" as determined by the County Board. Mixtures of use and densities shall be consistent with the General Land Use Plan or approved plans for the area. Determinations as to the actual types and densities of uses to be allowed will be based on the characteristics of individual sites in their neighborhood and on the need for community facilities, open and landscaped areas, circulation and utilities.

### §7.5.2. Uses

Uses shall be as specified in §7.1.

### §7.5.3. Density and dimensional standards

#### A. By-right

Development allowed by-right in the RA-H-3.2 district shall comply with the following standards, except as otherwise expressly allowed or stated.

Type of Standard	One-family Dwelling	Two-family Dwellings		Apartments of Multiple-family Dwellings	Townhouse Dwellings	All other uses
		Semi-detached	Duplex			
Site area, minimum (sq. ft.)	6,000	7,000	7,000	7,500	7,500	5,000
Lot, minimum (sq. ft.)						
Lot area	6,000	3,500	7,000	7,500	7,500	5,000
Lot area per unit	6,000	3,500	3,500	1,800	1,800	--
Lot width, minimum average (feet)						
Lot width	60	70	70	75	75	50
Lot width per dwelling unit	60	35	--	--	--	--
Height						
Maximum (feet)	35	35	35	35	35	35
Maximum (number of stories)	--	3 ½	3 ½	--	3 ½	--
Floor area ratio	--	--	--	--	--	--
Floor area, minimum (sq. ft.)						
Floor area per dwelling unit, exclusive of basement or attic	--	750	750	--	--	--

**B. Special exception**

Development allowed by special exception in the RA-H-3.2 district shall comply with the following standards, except as otherwise approved by the County Board.

Type of Standard	Two-family Dwellings		Low or Moderate Income Housing	Townhouse, Semi-detached, and Existing One-family Dwellings	Apartments or Multiple-family Dwellings	Hotels	Retail and Eating and Drinking Establishment uses	All other uses		
	Semi-detached	Duplex								
Site area, minimum (sq. ft.)	7,000	7,000	See §12.3.7	See §12.3.4	30,000	30,000		5,000		
Lot, minimum (sq. ft.)										
Lot area	3,500	7,000					30,000	30,000	5,000	
Lot area per dwelling unit	3,500	3,500					--	--	--	
Lot width, minimum average (feet)										
Lot width	56	56					150	150	150	
Lot width per dwelling unit	28	--					--	--	--	
Height										
Maximum (feet)	35	35					180 including <u>mechanical</u> penthouse and parapet walls	180 including <u>mechanical</u> penthouse and parapet walls		35
Maximum (number of stories)	3 ½	3 ½					--	--		--
Floor area ratio										
	--	--			4.8 (including <u>retail sales and service</u> )	3.8 (including <u>retail sales and service</u> )	0.5 (street level only)	--		
Floor area, minimum (sq. ft.)										
Floor area per dwelling unit, exclusive of basement or attic	750	750			--	--		--		

**C. Bulk coverage and placement**

For bulk, coverage and placement requirements not listed in this section see §3.2.

**D. Exceptions**

**1. Large-scale housing projects**

Large-scale housing projects having a site area of five acres or more, dwellings may be erected to a height not to exceed either six stories or 60 feet, provided said dwellings are located not nearer than 150 feet to any boundary line of the site on which the project is situated.

**2. Lot area and width**

The County Board may authorize application for rezoning to the RA-H-3.2 district where a lot or plot having less width or less area which is any part of a block surrounded by streets and/or buildings that generally comply with the provisions of this section.

**§7.5.4. District use standards**

Use standards applicable to specific uses in the RA-H3.2 district include:

### ~~A. Multiple-family dwellings and/or hotel development~~

- ~~1. Commercial uses may also be permitted provided that they are located at street level and do not exceed a 5/10 floor area ratio (F.A.R.).<sup>1</sup> No auto- or automobile-oriented uses such as vehicle service establishments, vehicle body shops, car washes, or vehicle dealership, sales or rental lots shall be permitted.<sup>2</sup>~~
2. Any mechancial penthouse area in excess of that used for elevator, mechanical or maintenance equipment shall be counted as gross floor area.

B. [Reserved]

### §7.5.5. Site development standards

The site development standards of Article 13 and Article 14 apply to all development, except as otherwise specified below.

#### A. Parking

1. As specified and regulated in §14.3, except that the following may be approved by site plan:
  - (a) Multiple-family Dwelling: One off-street parking space per dwelling unit.
  - (b) Hotel: One off-street parking space for each guest room and dwelling unit.
  - (c) Commercial Uses: One off-street parking space for each 300 sq. ft. of gross floor area of commercial space provided.
2. The parking required above shall be located below grade or within the structure housing the use to which the parking is appurtenant, except as may be allowed in an approved site plan.

---

<sup>1</sup> Moved to §7.5.3.B

<sup>2</sup> Addressed by use classification system.

## §7.6. C-1-R, Restricted Local Commercial District

### §7.6.1. Purpose

The purpose of this the C-1-R, Restricted Local Commercial District is to recognize existing pockets of commercial development in isolated locations throughout the county and to allow for continuation of these commercial areas primarily in personal service uses with limited opportunity for retail uses. The C-1-R district is intended for limited application throughout the county and generally should be restricted to areas which are currently developed in commercial uses but which, due to their isolated locations in predominantly residential areas, should be limited with respect to expansion of both permitted commercial uses and established district boundaries in order to minimize the impacts on surrounding residential development.

### §7.6.2. Uses

Uses shall be as specified in §7.1.

### §7.6.3. Density and dimensional standards

#### A. By-right

Development allowed by-right in the C-1-R district shall comply with the following standards, except as otherwise expressly allowed or stated.

Type of Standard	One-family dwelling	All other uses
<b>Lot, minimum (sq. ft.)</b>		
Lot area	6,000	--
Lot area per dwelling unit	6,000	--
<b>Lot width, minimum average (feet)</b>	60	--
<b>Height, maximum (feet)</b>	35	35
<b>Floor area ratio, maximum</b>	--	0.6

#### B. Bulk coverage and placement

For bulk, coverage and placement requirements not listed in this section see §3.2.

#### C. Exceptions

1. [Reserved]

### §7.6.4. District use standards

Use standards applicable to specific uses in the C-1-R district include:

- A. [Reserved]

### §7.6.5. Use limitations

Uses allowed in the C-1-R district are permitted only under the following conditions:

- A. No industry or manufacturing shall be permitted except the making of articles which are to be sold at retail on the premises; no killing of poultry or livestock; no wholesaling or jobbing shall be carried on; and no merchandise shall be stored other than that which is to be sold at retail at these establishments;
- B. All business shall be conducted wholly within an enclosed building, except as follows:

1. Uses permitted and conducted in kiosks in accordance with the requirements of ~~§12.5.11~~~~§12.5.11~~, may have outdoor displays of merchandise that extend no more than two feet from the exterior wall of the kiosk and cover no more than 20 sq. ft.
- C. All primary or incidental products and services shall be sold, at retail on the premises. This provision does not apply to permitted drug stores and restaurants.
- D. ~~Such uses, operations or products shall not adversely affect any contiguous district through the dissemination of odor, dust, smoke, fumes, noise, vibrations, creation of trash, garbage or litter of other similar causes.~~<sup>1</sup>

#### **§7.6.6. Site development standards**

---

The site development standards of Article 13 and Article 14 apply to all development, except as otherwise specified below.

##### **A. Landscaping**

10 percent of total site area is required to be landscaped open space in accordance with the requirements of §14.2, Landscaping.

##### **B. Parking**

Parking shall be provided in accordance with the requirements of §14.3.

---

<sup>1</sup> Enforced by other codes and regulations, including, but not limited to noise ordinance; care of property ordinance.

## §7.7. C-1, Local Commercial District

### §7.7.1. Purpose

The purpose of the C-1, Local Commercial District is to provide locations for low intensity development where retail and personal service uses predominate and where there is also limited opportunity for office uses and business service uses. C-1 district should be located and developed as unified shopping centers consisting primarily of small individual shops of a linear or cluster design. Furthermore, development of C-1 district should result in commercial centers which are compatible with the surrounding development in terms of scale and character.

### §7.7.2. Uses

Uses shall be as specified in §7.1.

### §7.7.3. Density and dimensional standards

#### A. By-right

Development allowed by-right in the C-1 district shall comply with the following standards, except as otherwise expressly allowed or stated.

Type of Standard	One-family dwelling	All other uses
<b>Lot, minimum (sq. ft.)</b>		
Lot area	6,000	--
Lot area per dwelling unit	6,000	--
<b>Lot width, minimum average (feet)</b>	60	--
<b>Height, maximum (feet)</b>	35	35
<b>Floor area ratio, maximum</b>	--	1.0

#### B. Bulk coverage and placement

For bulk, coverage and placement requirements not listed in this section see §3.2.

### §7.7.4. District use standards

Use standards applicable to specific uses in the C-1 district include:

- A. [Reserved]

### §7.7.5. Use limitations

Allowed uses shall comply with the following conditions:

- A. No industry or manufacturing shall be permitted except the making of articles to be sold at retail on the premises, no killing of poultry or livestock and no wholesaling or jobbing shall be carried on, and no merchandise shall be stored other than that which is sold at retail at these establishments.
- B. All business shall be conducted wholly within an enclosed building, except as provided in the following:
  1. Outdoor cafes.
  2. ~~Vegetable and fruit stands~~ [Short term uses permitted by §12.10.6.B.2.](#)



- ~~3.~~ Outdoor display and sale of fireworks shall be permitted for a period not to exceed 14 consecutive days and not more than one such period each year.<sup>1</sup>
- ~~4.~~ Outdoor display and sale of Christmas trees shall be permitted for a period not to exceed 30 consecutive days each year.<sup>1</sup>
- ~~5.3.~~ Outdoor display and sale of flowers shall be permitted for a period not to exceed seven consecutive days and not more than two such periods each year.<sup>1</sup>
- ~~6.4.~~ Outdoor activities sponsored by the county, nonprofit organizations and community groups shall be permitted for a period not to exceed three consecutive days and not more than four such periods each year.<sup>1</sup>
- ~~7.~~ Outdoor display and sale of general merchandise in connection with an established retail business on the same lot shall be permitted and the parking requirement waived for a period not to exceed three consecutive days and not more than four such periods each year upon the approval of the zoning administrator whenever he finds that the waiver will encourage and promote sound retail activity without disruption to the community.<sup>2</sup>
- ~~8.5.~~ Outdoor display and storage of goods that are customarily used outside such as fertilizers, mulch, peat moss and garden tools shall be permitted by the holder of the occupancy permit in designated areas as approved by the zoning administrator, provided that the location does not impede pedestrian or vehicular movement on the property.
- ~~9.6.~~ Uses permitted and conducted in kiosks in accordance with the requirements of ~~§12.5.11~~~~§12.5.11~~, may have outdoor displays of merchandise that extend no more than two feet from the exterior wall of the kiosk and cover no more than 20 sq. ft.
- C. All primary or incidental products shall be sold at retail on the premises, except for those sold in permitted kiosks, florist or gift shops, or restaurants.
- D. ~~Such uses, operations or products shall not adversely affect any contiguous district through the dissemination of odor, dust, smoke, fumes, noise, vibration, creation of trash, garbage or litter or other similar causes.~~<sup>3</sup>

#### §7.7.6. Site development standards

The site development standards of Article 13 and Article 14 apply to all development, except as otherwise specified below.

##### A. Landscaping

10 percent of total site area is required to be landscaped open space in accordance with the requirements of §14.2, Landscaping.

##### B. Parking and loading

1. Automobile parking space is to be provided as required in §14.3.

<sup>1</sup> Moved to §12.10.6; proposed to be included in new provisions for short term use.

<sup>2</sup> Moved to §12.5.22 and included in use standard column for relevant uses in C and M use tables in §7.1.2 and §8.1.2, respectively.

<sup>3</sup> Enforced by other codes and regulations, including, but not limited to noise ordinance; care of property ordinance.

2. Loading space to be provided as required in §14.3.

**§7.8. MU-VS, Mixed Use –Virginia Square District**

**§7.8.1. Purpose**

The purpose of the MU-VS, Mixed Use –Virginia Square District is to encourage coordinated mixed-use development of medium-density residential and office development within the area of the East End Special Coordinated Mixed Use District that is designated as Medium Density Mixed-Use on the General Land Use Plan in the Virginia Square Metro station Area. The goals of this district are to:

- A. Provide for residential development that meets the housing goals and policies of Arlington County as further set forth in the 2002 Virginia Square Sector Plan;
- B. Encourage quality residential, office and/or mixed use space;
- C. Provide for a tapering of heights between higher density residential development and lower density residential and commercial uses;
- D. Encourage the implementation of urban design, streetscape and open space plans and policies;
- E. Help achieve the policy objectives for increasing locally-oriented retail commercial services; and
- F. Achieve superior architecture and the best in urban design practice.

**§7.8.2. Uses**

Uses shall be as specified in §7.1.

**§7.8.3. Density and dimensional standards**

**A. By-right**

Development allowed by-right in the MU-VS district shall comply with the following standards, except as otherwise expressly allowed or stated.

Type of Standard	Hotels	All other uses
<b>Lot, minimum (sq. ft.)</b>		
Lot area	--	--
Lot area per dwelling unit	--	--
Lot area per sleeping unit	600	--
<b>Lot width, minimum average (feet)</b>	--	--
<b>Height, maximum (feet)</b>	45	45
<b>Floor area ratio, maximum</b>	1.5	1.5

**B. Special exception**

See ~~§7.8.4~~ §7.8.4.

**C. Bulk coverage and placement**

For bulk, coverage and placement requirements not listed in this section see §3.2.

**D. Exceptions**

**1. Building placement**

Building placement, except for front yard setbacks, shall be as provided in §3.2.5.A for front yard setbacks, buildings fronting on public streets shall have a build-to line of 14

feet from the back of curb unless the zoning administrator determines that any additional area between the sidewalk and the building face is built consistent with the Streetscape, Landscaping, and Parking requirements of this subsection. The location of the curb shall be determined by the Department of Environmental Services (DES) and shown on the civil engineering plan submitted pursuant to ~~§7.8.5.B.3~~§7.8.5.B.3, below, and the location of the curb shall be consistent with the Virginia Square Sector Plan, the Master Transportation Plan, and ~~§7.8.5.B~~§7.8.5.B, below.

#### **§7.8.4. District use standards**

---

Use standards applicable to specific uses in the MU-VS district include:

A. [\[Reserved\]](#)

#### **§7.8.5. Site development standards**

---

[The site development standards of Article 13 and Article 14 apply to all development, except as otherwise specified below.](#)

##### **A. Mix of residential, office, retail, hotel development**

By site plan approval pursuant to §15.6, the County Board may modify the regulations of this district in a manner consistent with the following. Actual types and densities of uses to be allowed pursuant to special exception site plan approval will be based on the extent to which a proposed special exception site plan proposed for development or redevelopment meets the standards of this section and accomplishes the policies, recommendations and urban design guidelines contained in the 2002 Virginia Square Sector Plan, the East End “Special Coordinated Mixed Use District” on the General Land Use Plan, and other plans and policies established for the area by the County Board.

##### **1. Density**

Where the County Board finds that a development proposal furthers the goals identified in the Virginia Square Sector Plan and the “Special Coordinated Mixed Use District” designation on the General Land Use Plan, including the goals for affordable housing, it may approve a density of up to 4.0 F.A.R. west of North Kansas Street and may approve a density of up to 3.24 F.A.R. east of North Kansas Street. The County Board may approve additional density up to a further 1.0 F.A.R. west of North Kansas Street and may approve additional density up to a further 1.76 F.A.R. east of North Kansas Street if it finds that:

- (a) Additional affordable dwelling units are being provided to a degree that is at least consistent with the goals set forth on the General Land Use Plan and in the Virginia Square Sector Plan; and
- (b) The development proposal offers important community benefits identified in approved plans.
- (c) Under no circumstances shall application of the provisions for additional density be applied to permit a height of more than the building height limits set forth below or a density greater than 5.0 F.A.R.

##### **2. Height, tapering and step-back**

- (a) Building heights shall taper down from Fairfax Drive to Wilson Boulevard. Under no circumstances shall the County Board approve a height of more than the

following, unless as permitted in ~~§7.8.5.A.2(b)~~ and ~~§7.8.5.A.2(c)~~, below:

**(1) Block 1**

Bordered by Fairfax Drive, Wilson Boulevard, North Lincoln Street, and North Kansas Street:

- (i) Fronting Fairfax Drive – 13 stories, or 135 feet
- (ii) Fronting Wilson Boulevard – nine stories, or 95 feet

**(2) Block 2**

Bordered by Fairfax Drive, Wilson Boulevard, North Kansas Street, and North Kenmore Street:

- (i) Fronting Fairfax Drive – 10 stories, or 105 feet
- (ii) Fronting Wilson Boulevard – nine stories, or 95 feet

**(3) Block 3**

Bordered by Fairfax Drive, Wilson Boulevard, North Kenmore Street, and North Jackson Street:

- (i) Fronting Fairfax Drive – 10 stories, or 105 feet
- (ii) Fronting Wilson Boulevard – nine stories, or 95 feet

**(4) Block 4**

Bordered by North Jackson Street, Fairfax Drive /10th Street, and Wilson Boulevard fronting Fairfax Drive, 10th Street and Wilson Boulevard – seven stories, or 90 feet, except for mechanical penthouses and architectural embellishments.

- (b) Mechancial pPenthouses may be permitted above the height limits described above, provided that they are set back from the building edge a distance equal to their height and the County Board finds that the design of the mechancial penthouse and surrounding roof area contributes positively to the design of the skyline of Virginia Square. Under no circumstances shall the height of a mechanical penthouse exceed 18 feet.
- (c) Architectural embellishments on buildings within Block 4 and facing Fairfax Drive/10th Street or Wilson Boulevard may project above the primary roof line a maximum of 25 feet to emphasize the gateway location.
- (d) Buildings along Fairfax Drive shall provide a step-back of no less than 15 feet from the building wall at a point that is above the third story but no higher than 45 feet, where the overall building height is 10 stories or more.
- (e) Buildings along Wilson Boulevard shall provide a step-back of no less than 15 feet from the building wall, above the sixth story.
- (f) Buildings shall be designed with ground floor retail space with a floor-to-ceiling height of at least 12 feet.

**3. Urban design guidelines**

Unless otherwise approved by the County Board, development subject to site plan approval pursuant to §15.6 shall meet the urban design guidelines stated in the Virginia

Square Sector Plan and any other plans the County Board has adopted for this area, including but not limited to, the guidelines for:

- (a) Relationship of buildings to streets
- (b) Building size and site area
- (c) Open space
- (d) Landscaping
- (e) Streetscape
- (f) Retail frontage
- (g) Roofs and mechancial penthouses
- (h) Internal block pedestrian/vehicular access

#### 4. Parking

Unless modified by the County Board, parking requirements shall be as specified and regulated in §14.3, and as below:

- (a) The equivalent of one off-street parking space shall be provided for each dwelling unit, subject to the provisions as specified in §7.8.5.A.4(d)(2)~~§7.8.5.A.4(d)(2)~~, below.
- (b) Office and retail parking may be approved at a rate of one off-street parking space for each 580 sq. ft. of office and retail gross floor area. No parking shall be required for retail and service-commercial uses for the first 5,000 sq. ft. of gross floor area per main building except as described below in §7.8.5.A.4(d)(2)~~§7.8.5.A.4(d)(2)~~. In determining the parking requirement for a particular proposal, the County Board may consider the adequacy of both a Shared Parking Management Plan (SPMP) and a Transportation Demand Management Plan (TDMP) proposed for the project.
- (c) Hotel: 0.7 off-street parking space for each guest room.
- (d) To ensure shared parking spaces for use by visitors, clients and retail patrons in the Virginia Square Metro station Area, a SPMP shall be submitted as part of the site plan application. The SPMP shall be developed pursuant to the following guidelines:
  - (1) The allocation for short-term, high-turnover spaces for use by visitors to retail establishments, residential and office ~~establishments in a buildings~~ shall be based on the guidelines below and may be provided out of the total overall building parking requirement, if appropriate provisions are made in the SPMP for such shared use, on terms acceptable to the County Board at the time of site plan approval.
  - (2) In commercial and mixed-use buildings (i.e., buildings with at least 50 percent non-residential uses by gross floor area (GFA)), or in residential buildings (i.e. buildings with 50 percent or more GFA devoted to residential uses) parking on the first level of a parking garage shall be provided as short-term, high-turnover spaces for use by visitors to retail establishments,

residential and office ~~establishments in the~~ buildings and shall be determined based upon the following minimum quantities:

- (i) The quantity of parking spaces that are exempt for retail or service commercial uses as described in ~~§7.8.5.A.4(b)~~§7.8.5.A.4(b), above;
  - (ii) All retail space parking required as a result of any ground floor retail or office space provision in the design at a ratio of one space per 580 sq. ft. of GFA;
  - (iii) 0.1 space per dwelling unit shall be provided as short-term, high turnover parking; and
  - (iv) The remaining commercially-oriented parking provided in the building shall be made available to the public on evenings and weekend hours.
- (3) All of the short term, high turnover and visitor parking provided pursuant to this §7.8.5.A.5(d) shall be located and signed in the garage in such a manner as to optimize safe and friendly pedestrian access by its users to the retail frontage and building cores it is intended to serve.
- (4) Deviations from these guidelines may be approved by the County Board upon a satisfactory demonstration of the rationale for such a request, supported by such parking demand/transportation demand analyses and/or design studies reflecting difficult site conditions and /or acceptable alternative parking provision solutions.

#### §7.8.5. Site development standards

~~The site development standards of Article 13 and Article 14 apply to all development, except as otherwise specified below.~~

#### A-B. Streetscape

1. The periphery of any site fronting on public rights-of-way shall be landscaped from face of curb to face of building by the provision of curb, gutter, landscape strip, sidewalk, and street lights according to the design standards described below in this subsection and the landscaping standards in §14.2.
2. The zoning administrator may approve the use of a portion of the public right-of-way to provide the area needed to fulfill the streetscape requirements, when that is consistent with the requirements of this subsection and provides uniformity with ~~adjacent~~ abutting sites.
3. A civil engineering plan shall be submitted to DES to show the existing and proposed curb and gutter location. The alignment of the curb and gutter shall be as shown on the civil engineering plan approved by the county manager, or his designee. If curb and gutter does not presently exist, curb and gutter shall be constructed meeting DES specifications and shall be constructed to tie in with ~~adjacent abutting~~ curb and gutter, or as specified by DES, to provide a continuous curb wall along each street in a uniform manner.
4. If a building wall is located further from the back of curb than 14 feet, the site area between the back of the sidewalk and the building wall shall be designed consistent with the landscaping standards in §14.2 and shall not result in a depressed area below,

or a raised area above, the sidewalk elevation of more than three feet or for a length that is more than 50 percent of the length of the corresponding property line.

5. Sidewalks shall be built from the back of curb to a minimum six feet clear width, without obstructions, behind a five feet minimum width landscape strip with street tree plantings
6. Street trees shall be planted as provided in ~~§14.2.2~~~~§14.2.2~~, using species designated for street tree use in the Virginia Square Sector Plan.
7. Sidewalks shall be constructed of pavers or concrete meeting DES specifications.
8. Any lighting installed on a property shall be pursuant to a lighting plan approved by the zoning administrator to ensure that conflicts with overhead utilities, driveways, and sidewalks are avoided. Use of the Carlyle-style street light is encouraged.
9. New building construction or expansion of existing structures or uses shall result in no new utility poles, overhead wires or facilities on private property or public right-of-way.

### **B.C. Landscaping**

Ten percent of each site shall be landscaped in accordance with the requirements of §14.2, Landscaping, and any other plans or policies approved by the County Board for this area.

1. The provisions of §14.2, including ~~§14.2.2~~~~§14.2.2~~ and ~~§14.2.4~~~~§14.2.4~~, shall be applicable to all uses within the East End “Special Coordinated Mixed Use District.”
2. If surface parking lots are provided, the provisions of ~~§14.2.4~~~~§14.2.4~~ shall apply to all parking areas regardless of the number of parking spaces. Surface parking lots shall be screened by evergreen hedges, at least 18 inches in height at the time of planting and consistent with the Arlington Landscape Standards manual, or a 36- to 48-inch-high brick, stone or concrete wall.

### **C.D. Parking**

1. Parking requirements shall be calculated as specified in §14.3, to the extent that the requirements of ~~§14.3~~~~§14.3~~ are not modified or otherwise specifically mentioned by this subsection D, then those requirements shall apply.
2. However, to encourage and promote pedestrian-related commercial activity in the Metro station areas, to provide relief for expanding, existing commercial uses, and to promote the efficient use of parking spaces in the East End “Special Coordinated Mixed Use District”, no parking shall be required for commercial uses for the first 5,000 sq. ft. of floor area per main building, except that the following uses shall provide all parking that is otherwise required: blueprinting or photostating; ~~business college~~; catering establishment; feed or fuel store; frozen food lockers; ice storage house; indoor swimming pools; ~~offices or clinics, medical or dental; hospitals; medical or dental clinics and laboratories~~; vehicle ~~dealership, sales or rental lots~~~~sales, rental or leasing facilities~~; vehicle storage lots; music conservatory or music instruction; plumbing or sheet metal shops; printing, lithographing or publishing; ~~major utilities, community service uses~~~~public service, including electric distribution substation, fire or police station, telephone exchange and the like~~; sign ~~making~~~~painting~~ shops; vehicle service establishment; trade or commercial school.



3. All restaurants within the “Special Coordinated Mixed Use District” may provide parking consistent with §14.3.6.A. If a restaurant use expands its operations to exceed what is defined in §14.3.6.A, parking shall be provided consistent with 2, 4, and 5 of this subsection.
4. Up to 100 percent of any required parking may be provided off-site if the said parking spaces are located within a ¼-mile radius of the subject site and if a legally binding parking agreement meeting the standards of §14.3.6.B is provided to the zoning administrator.
5. No development shall be exempt from parking requirements under this section, unless it meets the urban design requirements set forth in ~~§7.8.3~~§7.8.3, ~~§7.8.5.B~~§7.8.5.B, and ~~§7.8.5.C~~§7.8.5.C. Development plans showing such urban design shall be submitted for approval by the zoning administrator prior to any development activity on the site.
6. On-street parking shall be maximized on each street. To increase the quantity of on-street parking, the quantity of driveway openings shall be minimized and shall not exceed more than two per property frontage. Driveway openings shall be constructed consistent with the requirements of §14.3.

§7.9.1 PURPOSE

## §7.9. C-1-O, Limited Commercial ~~Professional~~ Office Building District

### §7.9.1. Purpose

The intent of the C-1-O, Limited Commercial ~~Professional~~ Office Building District is to provide areas for nonretail commercial uses such as offices and financial institutions in a low-intensity manner.

### §7.9.2. Uses

Uses shall be as specified in §7.1.

### §7.9.3. Density and dimensional standards

#### A. By-right

Development allowed by-right in the C-1-O district shall comply with the following standards, except as otherwise expressly allowed or stated.

Type of Standard	One-family Dwellings	All Other Uses
Lot area, minimum (sq. ft.)	6,000	20,000
Lot width, average (feet)	60	100
Height, maximum (feet)	35	35
<b>Floor area ratio, maximum</b>		
Site area up to 9,999	--	0.40
Site area 10,000 to 19,999	--	0.50
Site area 20,000 and above	--	0.60

#### B. Bulk, coverage and placement

For bulk, coverage and placement requirements not listed in this section see §3.2.

#### C. Exceptions

1. The County Board may rezone a traditional lot(s) to the C-1-O district that does not meet minimum width and area requirements.
2. The County Board may rezone to the C-1-O district a lot which is located adjacent to ~~the a~~ C or M districts with more than 20,000 sq. ft. and designated for commercial or industrial use on the general land use plan subject to the floor area requirements listed above. Under no circumstances shall the lot being considered for rezoning have a lot area of less than 6,000 sq. ft.

### §7.9.4. District use standards

Use standards applicable to specific uses in the C-1-O district include:

[Reserved]

### §7.9.5. Use limitations

Building Type: All buildings erected under the provisions of this section shall have an exterior design so as to present the appearance of a residential structure. The basis for judging the exterior design shall be the degree to which the structure has the appearance of and complies with the bulk and placement requirements for residential buildings and structures in the vicinity of the site.

### **§7.9.6. Site development standards**

---

The site development standards of Article 13 and Article 14 apply to all development, except as otherwise specified below.

#### **A. Landscaping**

20 percent of total site area is required to be landscaped open space in accordance with the requirements of §14.2, Landscaping.

#### **B. Parking and loading**

Parking and loading shall be provided in accordance with the requirements of §14.3.

## §7.10. C-O-1.0, ~~Commercial Office Building, Hotel and Apartment~~ Mixed Use District

### §7.10.1. Purpose

The purpose of the C-O-1.0, ~~Commercial Office Building, Hotel and Apartment District~~ Mixed Use District is to provide for limited office building land use and, under appropriate conditions, office building, hotel, ~~apartment~~ multiple-family, commercial and/or institutional redevelopment of older commercial areas. Appropriate mixtures of use and densities under the terms of this district are to be determined in accordance with the conditional use provisions of this zoning ordinance and shall be consistent with the General Land Use Plan or approved plans for the area. Determination as to the actual types and densities of uses to be allowed will be based on the characteristics of individual sites in their neighborhood and on the need for community facilities, open and landscaped areas, circulation and utilities.

### §7.10.2. Uses

Uses shall be as specified in §7.1.

### §7.10.3. Density and dimensional standards

#### A. By-right

Development allowed by-right in the C-O-1.0 district shall comply with the following standards, except as otherwise expressly allowed or stated.

Type of Standard	One-family Dwellings	All Other Uses
Lot area, minimum (sq. ft.)	6,000	20,000
Lot width, minimum average (feet)	60	100
Height, maximum (feet)	35	35
Floor area ratio, maximum		
Site area up to 9,999	--	0.40
Site area 10,000 to 19,999	--	0.50
Site area 20,000 and above	--	0.60

#### B. Special exception

Development allowed by special exception in the C-O-1.0 district shall comply with the following standards, except as otherwise approved by the County Board.

Type of Standard	Institutional uses including hospitals, nursing homes and group care facilities	Office, Commercial	Apartment	Hotel	All other uses
Density, maximum (units/acre)	--	--	40	60	
Lot area, minimum (sq. ft.)	20,000	20,000	20,000	20,000	20,000
Lot width, average (feet)	100	100	100	100	100
Height, maximum (stories)	--	5	6	6	35
Floor area ratio, maximum	1.0	1.0	--	--	
Site area up to 9,999, sq. ft.					0.4
Site area 10,000 to 19,999 sq. ft.					0.5
Site area 20,000 and above sq. ft.					0.6

#### C. Bulk, coverage and placement

For bulk, coverage and placement requirements not listed in this section see §3.2.

## D. Exceptions

1. Stories shall be counted from the average elevation of the site. Mechanical equipment placed on roof shall be enclosed or screened.
2. The County Board may authorize application for rezoning to the C-O-1.0 district where a lot or plot having less width or less area which [sic] is any part of a block surrounded by streets and/or buildings that generally comply with the provisions of this section.
3. [Hotel meeting rooms and restaurants may be permitted to exceed the above density by site plan approval.](#)

### §7.10.4. District use standards

---

Use standards applicable to specific uses in the C-O-1.0 district include:

#### A. Office, commercial, institutional, apartment or hotel uses

1. By site plan approval, any building or group of buildings may have [a mix of ed office, commercial, institutional, apartment or hotel](#) uses, but no part of any site shall be used more than once in calculating its permitted density of use. ~~The amount of the site required for a given office, commercial and/or institutional floor area is determined by dividing the total amount of floor area for such uses by 1.0.<sup>1</sup> The balance of the site is available for hotel and/or apartment use.~~
2. ~~Hotel meeting rooms and restaurants may be permitted to exceed the above density by site plan approval.<sup>2</sup>~~

### §7.10.5. Site development standards

---

The site development standards of Article 13 and Article 14 apply to all development, except as otherwise specified below.

#### A. Parking

Parking shall be provided in accordance with the requirements of §14.3, except as provided above in an approved site plan.

---

<sup>1</sup> This statement is redundant to §7.10.3, and not necessary.

<sup>2</sup> This is not a use standards, but a density or dimensional standards. Moved to §7.10.3.D.3.

## §7.11. C-O-1.5, ~~Commercial Office Building, Hotel and Apartment~~ Mixed Use District

### §7.11.1. Purpose

The purpose of the C-O-1.5, ~~Commercial Office Building, Hotel and Apartment~~ Mixed Use District is to provide for limited office building land use and, under appropriate conditions, office building, hotel, multiple-family, commercial and/or institutional redevelopment of older commercial and industrial areas. Appropriate mixtures of use and densities under the terms of this district are to be determined in accordance with the special exception provisions of this zoning ordinance and shall be consistent with the General Land Use Plan or approved plans for the area. Determinations as to the actual types and densities of uses to be allowed will be based on the characteristics of individual sites in their neighborhood and on the need for community facilities, open and landscaped areas, circulation and utilities.

### §7.11.2. Uses

Uses shall be as specified in §7.1.

### §7.11.3. Density and dimensional standards

#### A. By-right

Development allowed by-right in the C-O-1.5 district shall comply with the following standards, except as otherwise expressly allowed or stated.

Type of Standard	One-family Dwellings	All Other Uses
Lot area, minimum (sq. ft.)	6,000	20,000
Lot width, average (feet)	60	100
Height, maximum (feet)	35	35
Floor area ratio, maximum		
Site area up to 9,999	--	0.40
Site area 10,000 to 19,999	--	0.50
Site area 20,000 and above	--	0.60

#### B. Special exception

Development allowed by special exception in the C-O-1.5 district shall comply with the following standards, except as otherwise approved by the County Board.

Type of Standard	Institutional uses including hospitals, nursing homes and group care facilities	Office, Commercial	Multiple-family Apartment	Hotel	All other uses
Density, maximum (units/acre)	--	--	72	110	
Lot area, minimum (sq. ft.)	20,000	20,000	20,000	20,000	20,000
Lot width, average (feet)	100	100	100	100	100
Height, maximum (feet)					35
Height, maximum (stories)					
Sites less than 20 acres	--	8	10	10	
Sites more than 20 acres	--	12-18	12-18	12-18	
Floor area ratio, maximum	1.5	1.5	--	--	
Site area up to 9,999, sq. ft.					0.4
Site area 10,000 to 19,999 sq. ft.					0.5
Site area 20,000 and above sq. ft.					0.6

### C. Bulk, coverage and placement

For bulk, coverage and placement requirements not listed in this section see §3.2.

### D. Height

1. On sites of less than 20 acres in area, no building, excluding mechanical penthouse area, shall exceed eight stories for office buildings and 10 stories for multiple-family and hotel buildings. Varied building heights will be encouraged, but the maximum average height for such sites shall not exceed eight stories.
2. On sites of 20 acres or larger, varied building heights will be encouraged, but the average height of all buildings shall not exceed 12 stories with no individual building exceeding 18 stories except as provided in ~~§15.5.7~~§15.5.7. No building which exceeds 12 stories for multiple-family or hotels or eight stories for offices shall be located within 200 feet of a residential district with a lower height limit. Average height in stories is the quotient of the gross floor area of all uses divided by the sum of the arithmetic means of the floor areas of each and every building that is part of the total site. Parapet walls may be extended upward to screen a mechanical penthouse. This area shall not be counted as a story but may be enclosed and in addition to those uses meeting the definition of mechanical penthouse, may also be used for ~~elevator, mechanical and maintenance equipment,~~ restaurants, meeting rooms, recreational facilities and other ancillary uses. ~~Area of a~~All other uses other than the aforementioned uses within a mechanical penthouse ~~area~~ shall be counted as gross floor area.

### E. Lot area and width

The County Board may authorize application for rezoning to the C-O-1.5 District where a lot or plot having less width or less area which [sic] is any part of a block surrounded by streets and/or buildings that generally comply with the provisions of this section.

### F. Density

Restaurants, theaters, hotel meeting rooms and community facilities and uses may be permitted and may exceed the permitted densities by site plan approval, provided any reduction in required parking shall follow special study of their related parking requirements. <sup>1</sup>

## §7.11.4. District use standards

Use standards applicable to specific uses in the C-O.1.5 district include:

### ~~A.~~ Office, commercial, institutional, apartment or hotel uses

1. By site plan approval, any building or group of buildings may have a mixed office, commercial, institutional, apartment or hotel uses, of uses, but no part of any site shall be used more than once in calculating its permitted density of use. ~~The balance of the site is available for hotel and/or apartment use.~~
2. ~~Restaurants, theaters, hotel meeting rooms and community facilities and uses may be permitted and may exceed the permitted densities by site plan approval, provided any~~

<sup>1</sup> Moved from §7.11.4

~~reduction in required parking shall follow special study of their related parking requirements.~~<sup>1</sup>

### **§7.11.5. Site development standards**

---

The site development standards of Article 13 and Article 14 apply to all development, except as otherwise specified below.

---

<sup>1</sup> Moved to §7.11.3.F.



## §7.12. C-O-2.5, ~~Commercial Office Building, Hotel and Apartment~~ Mixed Use District

### §7.12.1. Purpose

The purpose of the C-O-2.5, ~~Commercial Office Building, Hotel and Apartment~~ Mixed Use District is to provide for limited office building land use and, under appropriate conditions high-rise office building, hotel, commercial and/or ~~apartment~~ multiple-family redevelopment within "Metro Transit Corridors" as designated by the County Board. Appropriate mixtures of use and densities under the terms of this district are to be determined in accordance with the conditional use provisions of this zoning ordinance and shall be consistent with the General Land Use Plan or approved plans for the area. Determinations as to the actual types and densities of uses to be allowed will be based on the characteristics of individual sites in their neighborhood and on the need for community facilities, open and landscaped areas, circulation and utilities.

### §7.12.2. Uses

Uses shall be as specified in §7.1.

### §7.12.3. Density and dimensional standards

#### A. By-right

Development permitted by-right in the C-O-2.5 district shall comply with the following standards, except as otherwise expressly allowed or stated.

Type of Standard	One-family Dwelling	All Other Uses
Lot area, minimum (sq. ft.)	6,000	20,000
Lot width (feet)	60	100
Height, maximum (feet)	35	35
Floor area ratio, maximum		
Site area up to 9,999	--	0.40
Site area 10,000 to 19,999	--	0.50
Site area 20,000 and above	--	0.60

#### B. Special exception

Development allowed by special exception in the C-O-1.0 district shall comply with the following standards, except as otherwise approved by the County Board.

Type of Standard	Institutional uses including hospitals, nursing homes, and group care facilities	Office, Commercial	<del>Multiple-family</del> <u>Apartment</u>	Hotel	All other uses
Density, maximum (units/acre)	--	--	115	180	
Lot area, minimum (sq. ft.)	20,000	20,000	20,000	20,000	20,000
Lot width, average (feet)	100	100	100	100	100
Height, maximum (stories), excluding <u>mechanical</u> penthouse	--	12	16	16	35
Floor area ratio, maximum	2.5	2.5	--	--	
Site area up to 9,999, sq. ft.					0.4
Site area 10,000 to 19,999 sq. ft.					0.5
Site area 20,000 and above sq. ft.					0.6

### C. Bulk, coverage and placement

For bulk, coverage and placement requirements not listed in this section see §3.2.

### D. Exceptions

#### 1. Height

By site plan approval the following may be approved:

- (a) Parapet walls may be extended upward to screen a mechanical penthouse. This area shall not be counted as a story but may be enclosed and may also be used for ~~elevator, mechanical and maintenance equipment~~, private clubs, auditoriums, meeting rooms and restaurants.
- (b) All permitted additional mechanical penthouse uses shall be limited to one floor. Elevator service to the penthouse level may be considered in support of an approved additional use in the mechanical penthouse ~~use~~.

#### 2. Lot area and width

The County Board may authorize application for rezoning to the C-O-2.5 District where a lot or plot having less width or less area ~~which [sic] that~~ is any part of a block surrounded by streets and/or buildings that generally comply with the provisions of this section.

#### 3. Density

Hotel meeting rooms and restaurants may be permitted to exceed the above density by site plan approval.<sup>1</sup>

### §7.12.4. District use standards

---

Use standards applicable to specific uses in the C-O-2.5 district include:

#### A. Office, commercial uses including retail and service commercial uses, apartment or hotel uses

1. ~~By site plan approval, a~~ Any building or group of buildings may have a mix of uses mixed office, commercial uses including retail and service commercial uses, apartment or hotel uses, as follows, but no part of any site shall be used more than once in calculating its permitted density of use.
2. ~~Hotel meeting rooms and restaurants may be permitted to exceed the above density by site plan approval.~~<sup>2</sup>

### §7.12.5. Site development standards

---

The site development standards of Article 13 and Article 14 apply to all development, except as otherwise specified below.

#### A. Parking

As specified and regulated in §14.3, except as provided above in an approved site plan.

---

<sup>1</sup> From §7.12.5

<sup>2</sup> This is not a use standard, but a density or dimensional standards. Moved to §7.12.3.D.3.

## §7.13. C-O, ~~Commercial Office Building, Hotel and Multiple-Family Dwelling~~ Mixed Use District

### §7.13.1. Purpose

The purpose of the C-O, Commercial Office Building, Hotel and Multiple-family Dwelling District is to provide for limited office building land use, and under appropriate conditions, to encourage rebuilding with high-rise office buildings, hotels, or multiple-family dwellings in the vicinity of Metrorail stations. Determination as to the appropriate mixtures of uses and densities shall be based on the General Land Use Plan designation or approved plans for the area, characteristics of individual sites and the need for community facilities, open space and landscaped area, circulation and utilities.

### §7.13.2. Uses

Uses shall be as specified in §7.1.

### §7.13.3. Density and dimensional standards

#### A. By-right

Development allowed by-right in the C-O district shall comply with the following standards, except as otherwise expressly allowed or stated.

Type of Standard	One-family Dwellings	All Other Uses
Lot area, minimum (sq. ft.)	6,000	20,000
Lot width, minimum average (feet)	60	100
Height, maximum (feet)	35	35
Floor area ratio, maximum		
Site area up to 9,999	--	0.40
Site area 10,000 to 19,999	--	0.50
Site area 20,000 and above	--	0.60

#### B. Special exception

Development allowed by special exception in the C-O district shall comply with the following standards, except as otherwise approved by the County Board.

Type of Standard	Office, Commercial	Multiple-family Apartment	Hotel
Lot area, minimum (sq. ft.)	30,000	30,000	30,000
Lot width, average (feet)	125	125	125
Height, maximum, including <u>mechancial</u> penthouse and parapet walls (feet)	153	180	180
Floor area ratio, maximum	3.8	4.8	3.8

#### C. Bulk, coverage and placement

For bulk, coverage and placement requirements not listed in this section see §3.2.

#### D. Exceptions

##### 1. Lot area and width

The County Board may authorize application for rezoning to the C-O district where a lot

or plot having less width or less area is part of a block surrounded by streets and/or buildings that generally comply with the provisions of this section.

#### §7.13.4. District use standards

---

Use standards applicable to specific uses in the C-O district include:

##### A. Office, hotel, multiple-family dwelling and commercial development

By site plan approval, any building or group of buildings may have a mixed-office, multiple-family dwelling, commercial or hotel of uses. No portion of the site shall be used more than one time in computing the permitted density. All mechanical penthouse area in excess of that used for elevator, mechanical, or maintenance equipment shall be counted as gross floor area.

#### §7.13.5. Site development standards

---

The site development standards of Article 13 and Article 14 apply to all development, except as otherwise specified below.

##### A. Parking requirements

1. As specified and regulated in §14.3, except that the following may be approved by site plan:
  - (a) Office, Retail, Service Commercial Space: One off-street parking space for each 530 sq. ft. of gross floor area.
  - (b) Multiple-family Dwelling: One off-street parking space for each dwelling unit.
  - (c) Hotel: 0.7 off-street parking spaces for each guest room and dwelling unit.
2. The above required parking shall be located below grade or within the structure housing the use to which the parking is appurtenant, except as may be allowed in an approved site plan.

**§7.14. C-O-A, ~~Commercial, Office and Apartment~~ Mixed Use District**

**§7.14.1. Purpose**

The purpose of the C-O-A, ~~Commercial, Office and Apartment~~ Mixed Use District is to encourage a coordinated mixed-use development of office, ~~apartment~~ multiple-family and hotel use in the vicinity of Metro-rail stations. To be eligible for the district, a site, or a major portion of a site, shall be located within an area designated for "coordinated mixed use development" on the General Land Use Plan. Determination as to the actual types and densities of uses to be allowed will be based on the characteristics of individual sites and on the need for community facilities, open space and landscaped areas, circulation and utilities.

**§7.14.2. Uses**

Uses shall be as specified in §7.1.

**§7.14.3. Density and dimensional standards**

**A. By-right**

Development allowed by-right in the C-O-A district shall comply with the following standards, except as otherwise expressly allowed or stated.

Type of Standard	One-family Dwellings	Hotels	All Other Uses
<b>Lot, minimum (sq. ft.)</b>			
Lot area	6,000	--	--
Lot area per dwelling unit	6,000	--	--
Lot area per sleeping or living unit		600	
<b>Lot width, minimum average (feet)</b>	60	--	--
<b>Height, maximum (feet)</b>	35	45	45

**B. Special exception**

**1. General**

The boundaries of this district shall be fixed by amendment of the zoning map at such time in the future as the district is applied to specific properties in the County.

**2. Height**

(a) Development allowed by special exception in the C-O-A district shall comply with the following standards, except as otherwise expressly allowed or stated.

Type of Standard	Office and Hotel	<del>Multiple-family Apartment</del>
<b>Height, maximum (feet)</b>		
Site area 19,999 or less	100	151
Site area 20,000 to 29,999	110	162
Site area 30,000 to 39,999	120	171
Site area 40,000 to 49,999	130	180
Site area 50,000 to 59,999	140	189
Site area 60,000 to 69,999	150	198
Site area 70,000 to 79,999	160	207
Site area 80,000 or more	170	216

§7.14.3 DENSITY AND DIMENSIONAL STANDARDS

- (b) Site plans are required to be approved as provided for in §15.6, except that under no circumstances shall the height of any building exceed the height limits established in §7.14.3.B.2(a) by more than 30 feet.
- (c) No building, nor the enlargement of any building, including mechancial penthouse height and/or height of parapet walls, shall be hereafter erected to exceed the above height.
- (d) An apartmentmultiple-family structure shall be any building with a minimum of 30 percent of the gross floor area in apartmentmultiple-family use.

**3. Density**

- (a) Office, apartmentmultiple-family, hotel and commercial development may be approved at the following densities:

Site Area (sq. ft.)	Total Floor Area Ratio	Maximum Office Hotel and Commercial Floor
4,999 or less	1.0	.5
5,000	1.5	.75
10,000	2.0	1.0
15,000	2.5	1.25
20,000	3.0	1.5
30,000	3.5	1.75
40,000	4.0	2.0
50,000	4.5	2.25
60,000	5.0	2.50
70,000	5.5	2.75
80,000 or more	6.0	3.0

- (b) On sites with more area than 5,000 sq. ft. and less area than 20,000 sq. ft. which do not have the precise number of sq. ft. shown on the chart above, the F.A.R. shall be the F.A.R. allowed for the next smaller site as shown on the chart plus .0001 maximum total F.A.R. for each additional square foot of site area. The maximum office, hotel, and commercial F.A.R. to be added for each square foot shall be .00005. On sites with more than 20,000 sq. ft. and less area than 80,000 sq. ft. which do not have the precise number of sq. ft. shown on the chart above, the F.A.R. shall be the F.A.R. allowed for the next smaller site shown on the chart plus .00005 maximum total F.A.R. for each additional square foot of site area. The maximum office, hotel, and commercial F.A.R. to be added for each square foot shall be .000025.
- (c) To encourage the development of multiple-family, an additional ½ F.A.R. may be approved within any project that is at least 90 percent committed to apartmentmultiple-family use. The additional ½ F.A.R. may be used for apartmentmultiple-family, commercial or office use.
- (d) The County Board may modify the mix of uses within a site plan to allow hotel use to substitute for apartmentmultiple-family use. Provided, however, that such modification will not result in more than 800,000 sq. ft. of hotel gross floor area being substituted for apartmentmultiple-family use in the C-O-A district.
- (e) Buildings in which the primary use is hotel shall have 50 percent of the gross floor area located at street level in retail use except as otherwise approved by site plan

by the County Board. To the extent practical, retail uses shall front on the street and be directly accessible therefrom except as otherwise approved by site plan by the County Board.

**C. Bulk, coverage and placement**

For bulk, coverage and placement requirements not listed in this section see §3.2.

**§7.14.4. District use standards**

---

Use standards applicable to specific uses in the C-O-A district include:

**A. Hotel**

For hotel use, when subject to site plan approval, a transportation demand management plan shall be provided which addresses among other things retail and shared parking of motor vehicles including buses.

**§7.14.5. Site development standards**

---

The site development standards of Article 13 and Article 14 apply to all development, except as otherwise specified below.

**A. Landscaping**

A minimum of 10 percent of the total site area is required to be landscaped open space in accordance with the requirements of §14.2, Landscaping.

**B. Parking and loading space**

1. One off-street parking space shall be provided for each dwelling unit.
2. One parking space for each 530 sq. ft. of commercial or office space, provided that one parking space for each 580 sq. ft. of commercial or office space shall be required in projects with associated ~~apartment~~multiple-family use.
3. One parking space for each hotel unit.
4. Off-street loading spaces for all permitted uses shall be provided as specified in §14.3.

§7.15.1 PURPOSE

**§7.15. C-O Rosslyn, ~~Commercial Office Building, Retail, Hotel and Multiple-Family Dwelling~~ Mixed Use Rosslyn District**

**§7.15.1. Purpose**

The purpose of the C-O, Rosslyn, ~~Commercial Office Building, Retail, Hotel and Multiple family Dwelling~~ Mixed Use Rosslyn District is to encourage a mixed-use development of office, retail and service commercial, hotel and multiple-family dwelling uses within the Rosslyn Metro station Area and the area designated as the Rosslyn Coordinated Redevelopment District on the General Land Use Plan. When a lot is located in the area designated Rosslyn Coordinated Redevelopment District on the General Land Use Plan, site plans may be approved by the County Board. Determination as to the actual types and densities of uses to be allowed will be based on the characteristics of the site and its location, and on the extent to which the proposed site plan for development, redevelopment or rehabilitation of the site meets the standards of this section and accomplishes the policies and recommendations contained in the Rosslyn Station Area Plan Addendum and other plans and policies established for the area by the County Board. The goals of this district are to:

- A. Create premier office space suitable for regional and national headquarters of major corporations, institutions and international firms;
- B. Provide hotels that expand and enhance hotel services for Rosslyn and Arlington County businesses, residents, and visitors;
- C. Provide residential development that meets the housing goals and policies of Arlington County;
- D. Implement urban design, streetscape and open space plans and policies, including the central place, the esplanade and other public facilities;
- E. Achieve the policy objectives for increasing retail commercial services in the center of Rosslyn; and
- F. Achieve superior architecture and the best in urban design practice.

**§7.15.2. Uses**

Uses shall be as specified in §7.1 and special exception site plans as previously approved by the County Board, subject to all conditions of approval and any future amendments which the County Board may approve.

**§7.15.3. Density and dimensional standards**

**A. By-right**

Development allowed by-right in the C-O Rosslyn district shall comply with the following standards, except as otherwise expressly allowed or stated.

Type of Standard	Single-family Dwellings	All Other Uses
Lot area, minimum (sq. ft.)	6,000	20,000
Lot width (feet)	60	100
Height, maximum (feet)	35	35
Floor area ratio, maximum Site area up to 9,999	--	0.40



Type of Standard	Single-family Dwellings	All Other Uses
Site area 10,000 to 19,999	--	0.50
Site area 20,000 and above	--	0.60

**B. Special exception**

Development allowed by special exception in the C-O district shall comply with the following standards, except as otherwise approved by the County Board.

Type of Standard	Office, Retail, Service Commercial	Multiple-family Dwellings	Hotel
Lot area, minimum (sq. ft.)	30,000	30,000	30,000
Lot width, average (feet)	125	125	125
Height, maximum, including penthouse and parapet walls (feet)	153	180	180
Floor area ratio, maximum	3.8	4.8	4.8

**C. Bulk, coverage and placement**

For bulk, coverage and placement requirements not listed in this section see §3.2.

**D. Exceptions**

**1. Density**

No portion of the site shall be used more than one time in computing the permitted density. All mechanical penthouse area in excess of that used for elevator, mechanical, or maintenance equipment shall be counted as gross floor area.

**2. Provision for additional density and height**

(a) In considering the approval of a site plan the County Board may permit additional density, above 3.8 floor area ratio (FAR) for office, retail and service commercial uses, above 4.8 F.A.R. for hotels and multiple-family dwellings, and above the existing density on a site when it is already greater than 3.8 F.A.R. for office, retail and service commercial uses, or above 4.8 F.A.R. for hotels and multiple-family dwellings, up to maximum of 10.0 F.A.R. and/or height up to a maximum of 300 feet. Increases in density and height may be approved when the County Board finds that the development proposal offers important community benefits identified in approved plans for the area and meets the other special exception criteria of the zoning ordinance. In considering such modification, the County Board may also consider characteristics of the site and the area as described in ~~§15.5.7~~ and the plans and policies adopted for the area. Provisions of ~~§15.5.9~~ for the approval of additional height and density shall not be applicable in the C-O Rosslyn district. Under no circumstances shall application of the modification of use provisions of ~~§15.5.7~~ be applied to permit a density of more than 10.0 F.A.R. or a height of more than 300 feet except as described below.

(b) To enable the county to provide for adequate streets the County Board may grant additional density (F.A.R.) within the height limit up to an amount that would be permitted if any area dedicated from the site for street purposes were permitted to be counted in calculating density.

- (c) To enable the county to achieve an enhanced Rosslyn skyline and other community amenities the County Board may grant additional height up to maximum of 490 feet above sea level for projects within Central Place (defined as the area bounded by 19th Street N., N. Lynn Street, Wilson Boulevard, and Fort Myer Drive). Development subject to site plan approval pursuant to §15.6 within Central Place may be approved when the County Board finds a project is generally consistent with the May 5, 2007 County Board Resolution on Urban Design Principles for Rosslyn Central Place, and additionally meets the standards of ~~§15.5.5~~ §15.5.5.

### 3. Lot area and width

The County Board may authorize application for rezoning to the C-O Rosslyn District where a lot or plot having less width or less area is part of a block surrounded by streets and/or buildings that generally comply with the provisions of this section.

#### §7.15.4. District use standards

---

Use standards applicable to specific uses in the C-O Roslyn district include:

A. [Reserved]

#### §7.15.5. Site development standards

---

The site development standards of Article 13 and Article 14 apply to all development, except as otherwise specified below.

##### A. Retail and service commercial uses when allowed by the General Land Use Plan

In site plan projects, r Retail and service commercial uses, when allowed by the General Land Use Plan, shall be provided and located as described in the Rosslyn Station Area Plan Addendum. Primary retail and service commercial uses shall generally be located at the street level and on the streets identified for such uses in the Rosslyn Station Area Plan Addendum. Secondary retail and service commercial uses shall generally be located on levels other than the street level and off the street frontages or in areas designated for secondary retail and service commercial uses in the Rosslyn Station Area Plan Addendum.

#### ~~§7.15.5. Site development standards~~

---

The site development standards of Article 13 and Article 14 apply to all development, except as otherwise specified below.

##### ~~A.~~ B. Landscaping

20 percent of total site area is required to be landscaped open space in accordance with the requirements of §14.2, Landscaping. The County Board may modify landscaping requirements by site plan approval when the County Board finds that the proposed site plan accomplishes the policies and recommendations contained in the Rosslyn Station Area Plan Addendum and other plans and policies established for the area by the County Board.

##### ~~B.~~ C. Parking

1. Parking shall be regulated as specified and regulated in §14.3, and as specified below, except that the County Board may specify and modify parking regulations by site plan approval:

**(a) Dwelling unit**

One off-street parking space shall be provided for each dwelling unit.

**(b) Hotel**

0.7 off-street parking space for each guest room and dwelling unit.

2. The parking provided shall be located below grade or within the structure housing the use to which the parking is appurtenant, except as may be allowed in an approved site plan.
3. Off-street loading spaces for all permitted uses shall be provided as specified in §14.3.
4. Transportation Demand Management plans shall be required to be approved as part of any site plan approval unless determined otherwise by the County Board. Office, retail and service commercial parking may be approved within a range between the rate of one off-street parking space for each 530 sq. ft. of office, retail and service commercial gross floor area and the rate of one off-street parking space for each 1,000 sq. ft. of office, retail and service commercial gross floor area depending on the adequacy of the Transportation Demand Management plan in addressing the need for parking. Short-term, convenient parking shall be provided for customers of commercial tenant retailers when the business premises are open to the public for business.

**§7.15.6. Streetscape**

Streetscapes, including curb, gutter, sidewalk, street light, street furniture, landscaping and other elements, shall be provided as contained in the Rosslyn Station Area Plan Addendum, and other plans and policies established for the area by the County Board.

**§7.16. C-O, Crystal City, ~~Commercial Office Building, Retail, Hotel and Multiple-Family Dwelling~~ Mixed Use Crystal City District**

**§7.16.1. Purpose**

The purpose of the C-O, Crystal City, Mixed Use Crystal City District is to encourage mixed-use development of office, retail and service commercial, hotel and multiple-family dwelling uses within the area designated as the Crystal City Coordinated Redevelopment District on the General Land Use Plan. When a site is located in the area designated Crystal City Coordinated Redevelopment District on the General Land Use Plan, site plans may be approved by the County Board as set forth below. Determination of the actual types and densities of uses to be allowed will be based on the characteristics of sites and their locations, and on the extent to which the proposed redevelopment of the site is done in a way that ameliorates the impacts of the types and densities of uses, and provides features or amenities identified in the Crystal City Sector Plan and other plans and policies established for the area by the County Board, including without limitation site design incorporating co-location of land uses, adherence to recommended build-to lines, compliance with bulk-plane angles to provide for adequate sunlight to parks, tower separation and tower coverage goals for adequate light and relief, environmentally sustainable and energy-efficient building design, transportation and transit facilities, parks and other open space amenities, and creation of affordable housing. The goal of this zoning district is to permit development that:

- A. Advances the future vision of Crystal City established in the Sector Plan;
- B. Provides a mix of uses including office, residential, retail, cultural and civic within several defined neighborhood centers;
- C. Supports Crystal City’s revitalization and long-term economic sustainability;
- D. Facilitates gradual and coordinated redevelopment on each block;
- E. Supports, and is supported by, enhanced multimodal transportation access and connectivity; and
- F. Creates a high-quality public realm comprising the streets, squares, and other public areas envisioned in the Sector Plan.

**§7.16.2. Uses**

Uses shall be as specified in §7.1.

**§7.16.3. Density and dimensional standards**

**A. By-right**

Development allowed by-right in the C-O Crystal City district shall comply with the following standards, except as otherwise expressly allowed or stated.

Type of Standard	All Uses
Lot area, minimum (feet)	20,000
Lot width (feet)	100
Height, maximum (feet)	35
Floor area ratio, maximum	0.60

**B. Special exception**

Development allowed by special exception in the C-O Crystal City district shall comply with the following standards, except as otherwise approved by the County Board.

Type of Standard	All Uses
Lot area, minimum (feet)	--
Height, maximum (feet)	As specified in 7.16.8 or as otherwise approved by the County Board
Floor area ratio, maximum	As specified in 7.16.6 or as otherwise approved by the County Board

**C. Bulk, coverage and placement**

For bulk, coverage and placement requirements not listed in this section see §3.2.

**§7.16.4. Site development standards**

The site development standards of Article 13 and Article 14 apply to all development, except as otherwise specified below.

**§7.16.5. Site plans**

In considering the approval of a site plan within the area designated as the Crystal City Coordinated Redevelopment District on the General Land Use Plan as well as on the Base Density Map (§7.16.6), the County Board may approve additional density or other development features where the project ameliorates the impact of those densities or other increases, and provides features or amenities identified in the Crystal City Sector Plan and other plans and policies established for the area by the County Board, including without limitation site design incorporating co-location of land uses, adherence to recommended build-to lines, compliance with bulk-plane angles to provide adequate sunlight to parks, tower separation and tower coverage goals for adequate light and relief, environmentally sustainable and energy-efficient building design, transportation and transit facilities, parks and other open space amenities, and creation of affordable housing. The amount of additional density granted shall be based on the extent to which the project meets the plans or provides such benefits, and does so within the building form parameters established in this §7.16.5. Where identified below, maps are those contained in this section.

**A. Density regulations**

The maximum permitted residential, hotel, office, retail and service commercial gross floor area on a given site shall be the base densities shown on the Base Density Map (~~§7.16.6~~§7.16.6). In considering the approval of a site plan, the County Board may approve additional density or other development features permitted under the Sector Plan and by the provisions of this §7.16.5 when the County Board finds incremental amounts of additional density should be approved for the development proposal because it furthers the goals, policies, and recommendations in the Crystal City Sector Plan and other plans and policies established for the area by the County Board. The amount of additional density or other bonuses granted shall be based on the extent to which the project meets the plans or provides such benefits, and provided such density or bonuses can be accommodated within the other building form parameters established in §7.16.5.

**B. Area requirements**

None

### C. Use mix regulations

A site plan project shall include a mix of uses above the ground floor that does not preclude achieving the target mix for the block on which it is located as shown in the Land Use Map (§7.16.7). Pursuant to §15.6, this may be modified when the County Board finds that other goals of the Sector Plan are substantially met by the project.

### D. Height regulations

1. Building heights shall comply with the Building Heights Map (§7.16.8), and may be approved as specified in this ~~§7.16.5.D.1(a)~~ and ~~§7.16.5.D.1(b)~~, below. The height limits shown on the map shall exclude mechanical penthouse and parapet walls. Under no circumstances may the County Board approve heights above those specified in the Building Heights Map, provided, however, that:
  - (a) For sites comprising buildings existing on December 10, 2011 with heights greater than specified on §7.16.8, the County Board may approve a building height greater than specified on §7.16.8, but under no circumstances exceeding the height of existing buildings; and
  - (b) Where dimensions of height zones are shown on §7.16.8, such dimensions may be modified by site plan approval, pursuant to §15.6, when the County Board finds that the need for such modification is generated by site-specific circumstances and is otherwise consistent with the goals and policies contained in the Crystal City Sector Plan.
2. All mechancial penthouse and parapet walls above the height limit shall comply with ~~§3.1.6.B~~, provided, however, that on sites identified for architectural features shown on the Architectural Features Map (§7.16.9), mechanical penthouse and parapet heights shall not exceed 23 feet or 10 percent of the main building height, whichever is greater.

### E. Bulk plane angle requirements

For sites identified with a frontage type of “A” through “H” per the legend on the Bulk Plane Angle Map (§7.16.10), buildings shall conform to the bulk plane angle requirements shown on that map. For sites that are subject to bulk plane angle conditions specified in §7.16.10, buildings shall follow the height regulations in ~~§7.16.5.D~~, above, and shall also incorporate step-backs or sculpting in building form so as to fit within both the maximum building height and bulk plane angle requirements for the site. The bulk plane angle provisions specified above may be modified by the County Board, pursuant to §15.6, when it finds that a site plan maintains adequate sunlight to public open spaces across from frontages with bulk-plane angle requirements, such that the percentage of such public open space that is not in shadow between 11:00 a.m. and 3:00 p.m. on the vernal or autumnal equinoxes is greater than 55 percent.

### F. Building tower separation and coverage requirements

To ensure adequate light, air, and privacy, building tower separation and building tower coverage shall meet the following requirements:

1. A minimum horizontal separation of 60 feet between building towers above the fifth floor shall be provided. Pursuant to §15.6, this provision may be modified when the County Board finds that additional tower separation on the block will likely be achieved

through future redevelopment, based upon the Crystal City Block Plan referenced in [§7.16.5.J](#)~~§7.16.5.J~~.

2. Building tower coverage shall not exceed the allowable maximums as shown on the Tower Coverage Map (§7.16.11). Pursuant to §15.6, this requirement may be modified by the County Board when it finds that the building tower coverage depicted in the Crystal City Block Plan for the block complies with the maximums shown on §7.16.11.

### **G. Streetscape**

All development subject to site plan approval pursuant to §15.6 shall provide streetscapes, including curb, gutter, sidewalk, street light, street furniture, street trees, landscaping and other elements that are consistent with the Crystal City Sector Plan, and other plans and policies established for the area by the County Board.

### **H. Parking**

Notwithstanding any provisions in §14.3 that are different from those below, parking shall be regulated as specified below, unless otherwise modified by the County Board by site plan approval:

#### **1. Multi-family residential**

One and one-eighth parking spaces shall be provided for each of the first 200 dwelling units in any structure, and one space for each additional dwelling unit above 200.

#### **2. Commercial, including office and retail**

One parking space shall be provided for each 1,000 square feet of gross floor area.

#### **3. Hotel**

One-half parking space shall be provided for each guest room.

#### **4. Additional parking requirement**

All parking shall be located below grade or within the structure housing the use to which the parking is appurtenant. Where above-grade parking occurs in a structure along public open spaces or public arterial streets as identified in the County's Master Transportation Plan, such parking shall be lined with active programmed space. When occurring along other public streets or along alleys, such above-grade parking shall be treated at a minimum with enhanced architectural facades.

#### **5. Loading spaces**

The location of loading spaces for all permitted uses shall be determined by Site Plan approval.

### **I. Transportation demand management plans**

In order to justify the parking requirements in [§7.16.5.H](#)~~§7.16.5.H~~, above, Transportation Demand Management (TDM) plans required by Administrative Regulation 4.1 for site plans shall demonstrate a reduction in vehicular trips and an increase in the use of other transportation options so as to reduce the need for parking on the site.

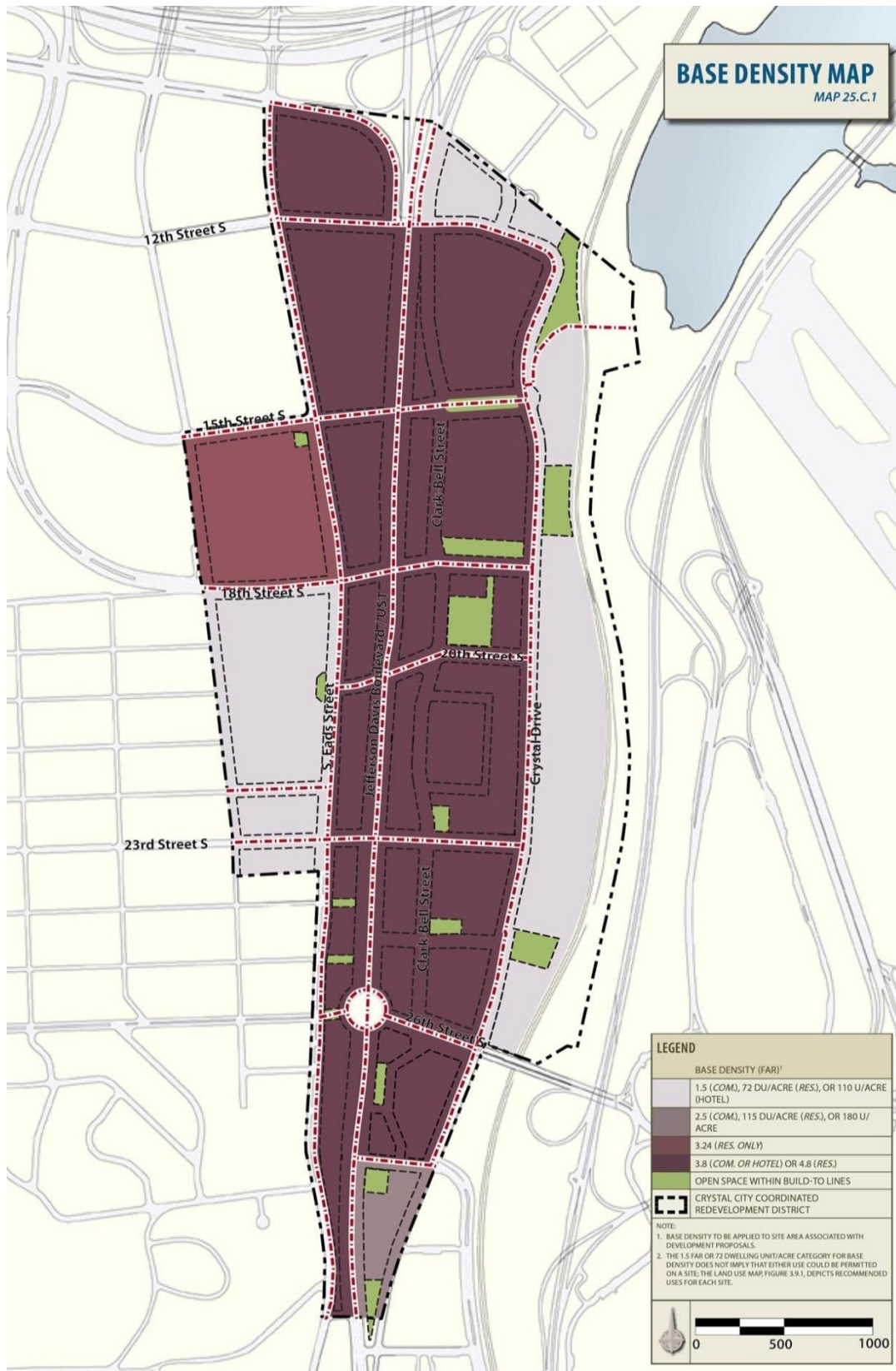
### **J. Crystal City block plans**

Each site plan application for properties within the Crystal City Coordinated Redevelopment District and located east of Jefferson Davis Highway shall include, for review and adoption by the County Board, a Crystal City Block Plan (CCBP) for the block(s) on which the site plan is located. The CCBP shall serve as a general, guiding long-range plan for a specific block,

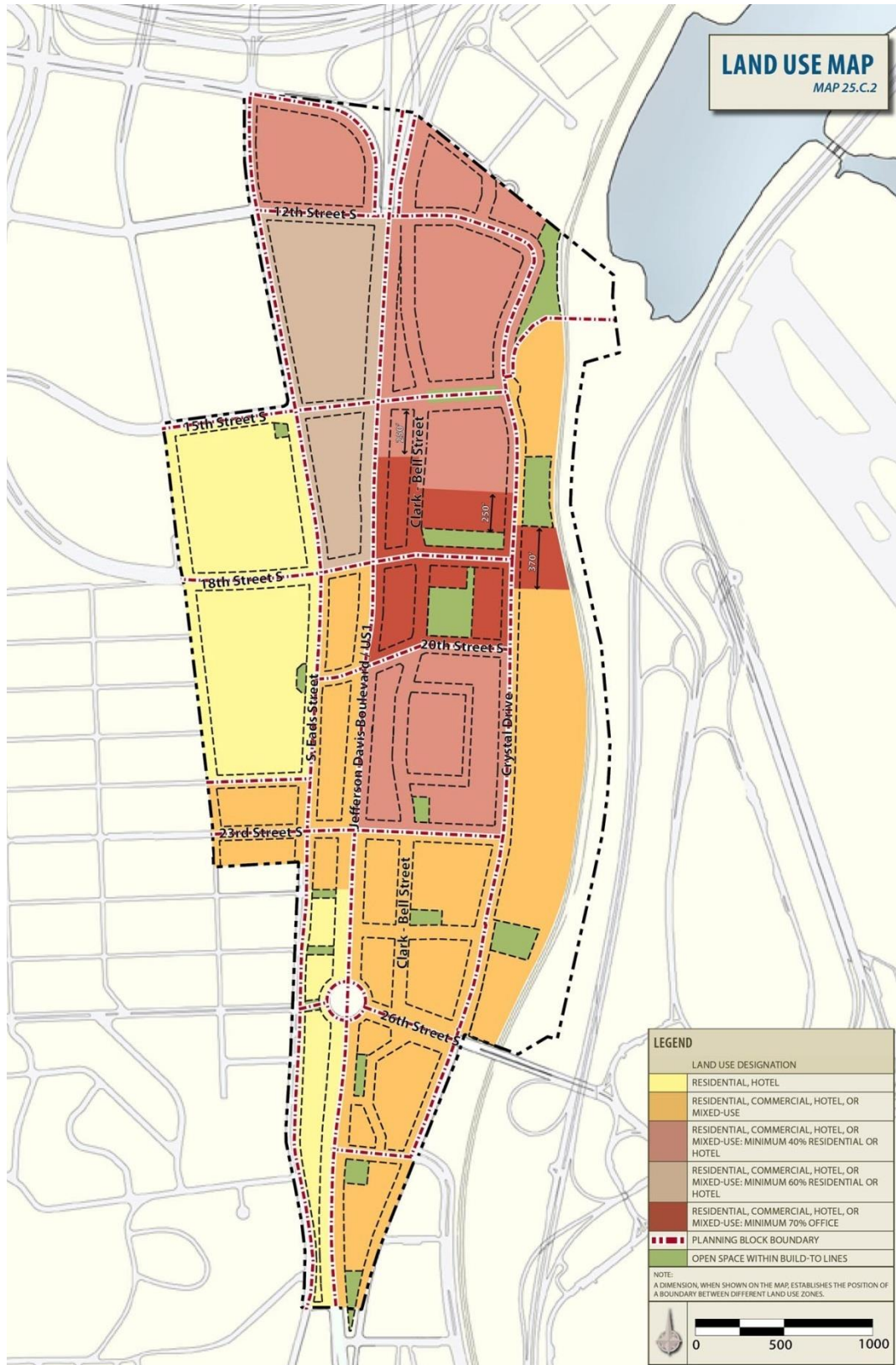
supplemental to and in support of the guidance and vision already established in the Crystal City Sector Plan. The CCBP shall be submitted in accordance with the applicable County administrative regulations.



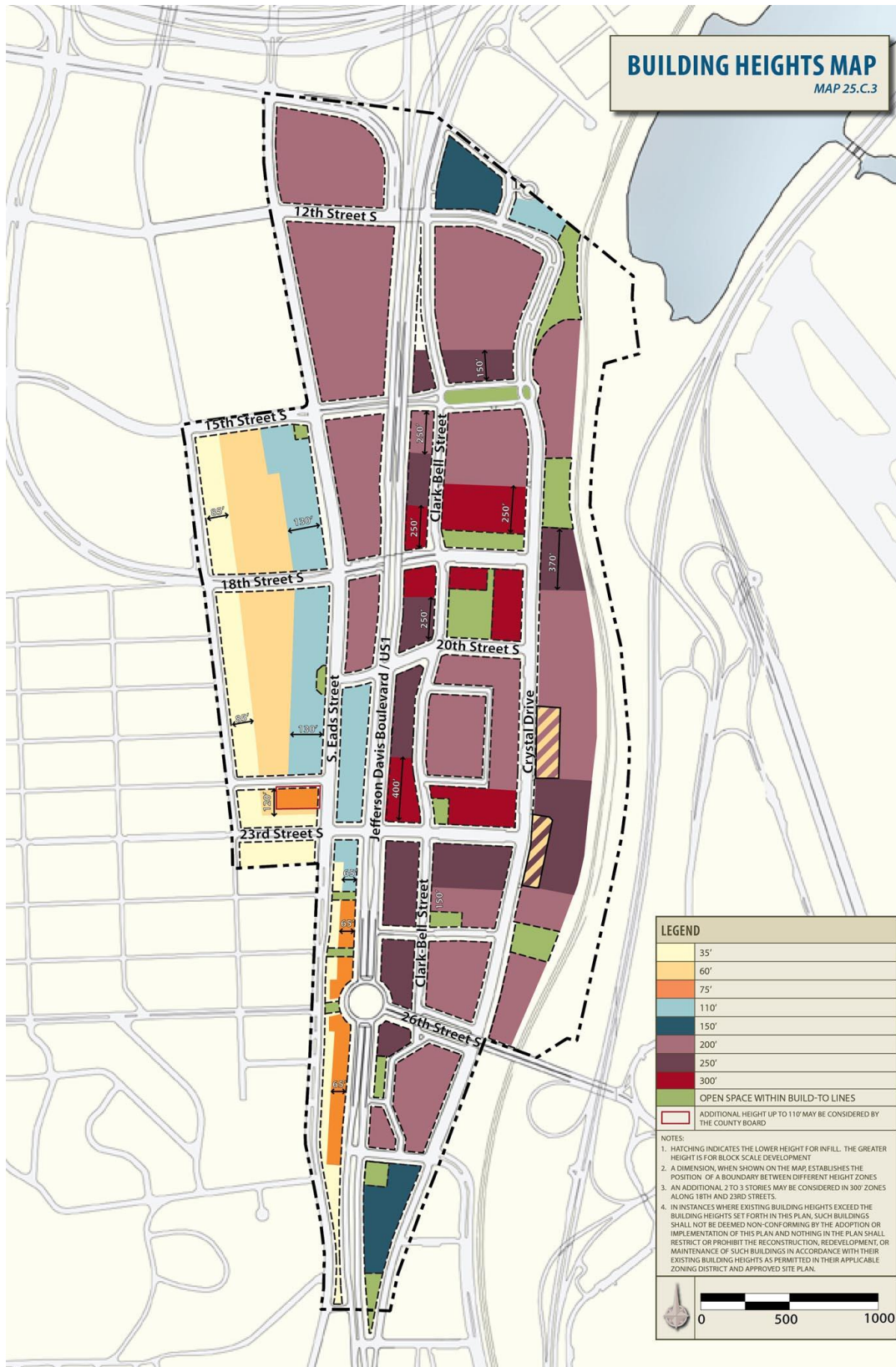
§7.16.6. Base density map



§7.16.7. Land use map



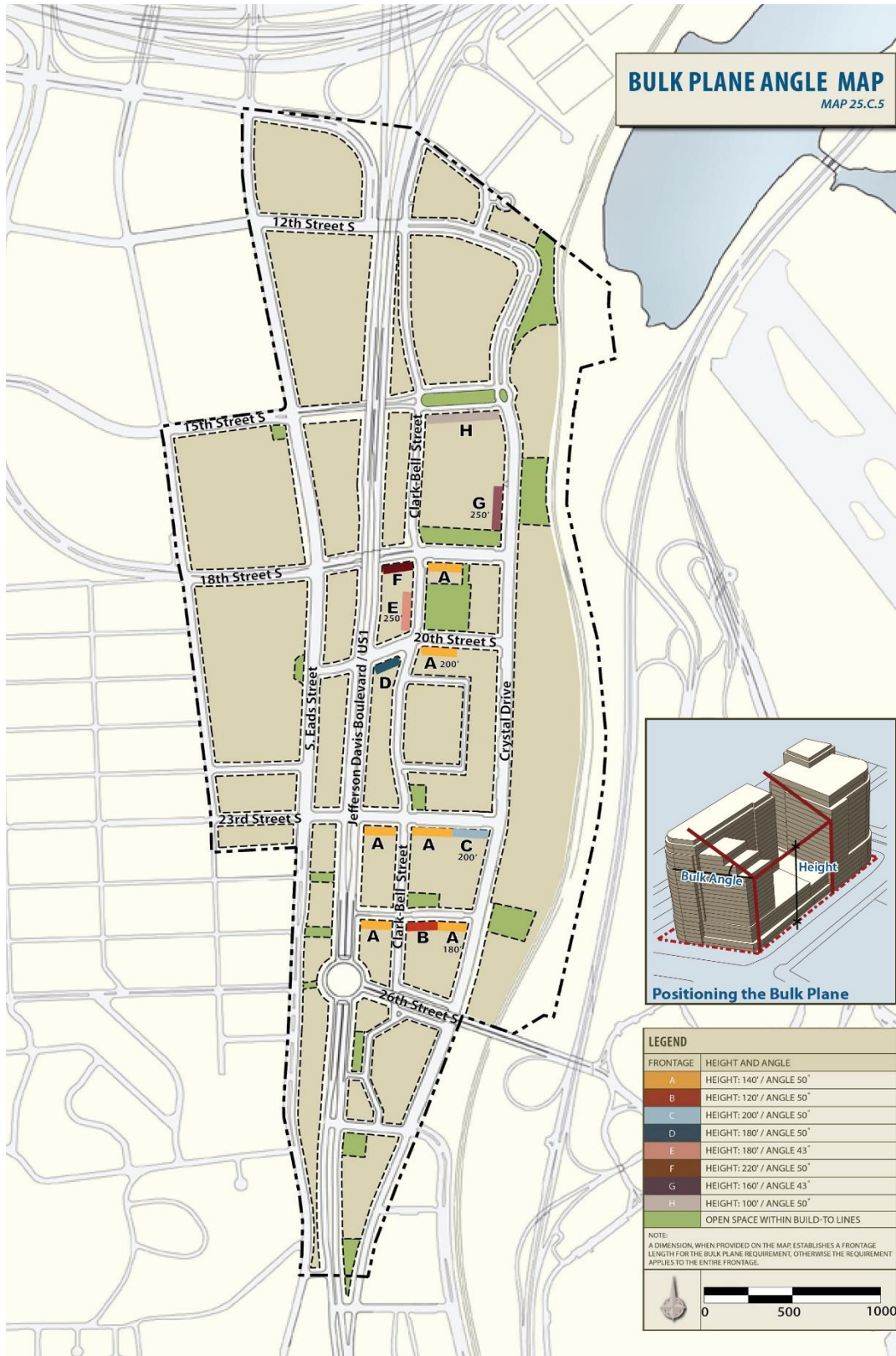
§7.16.8. Building heights map



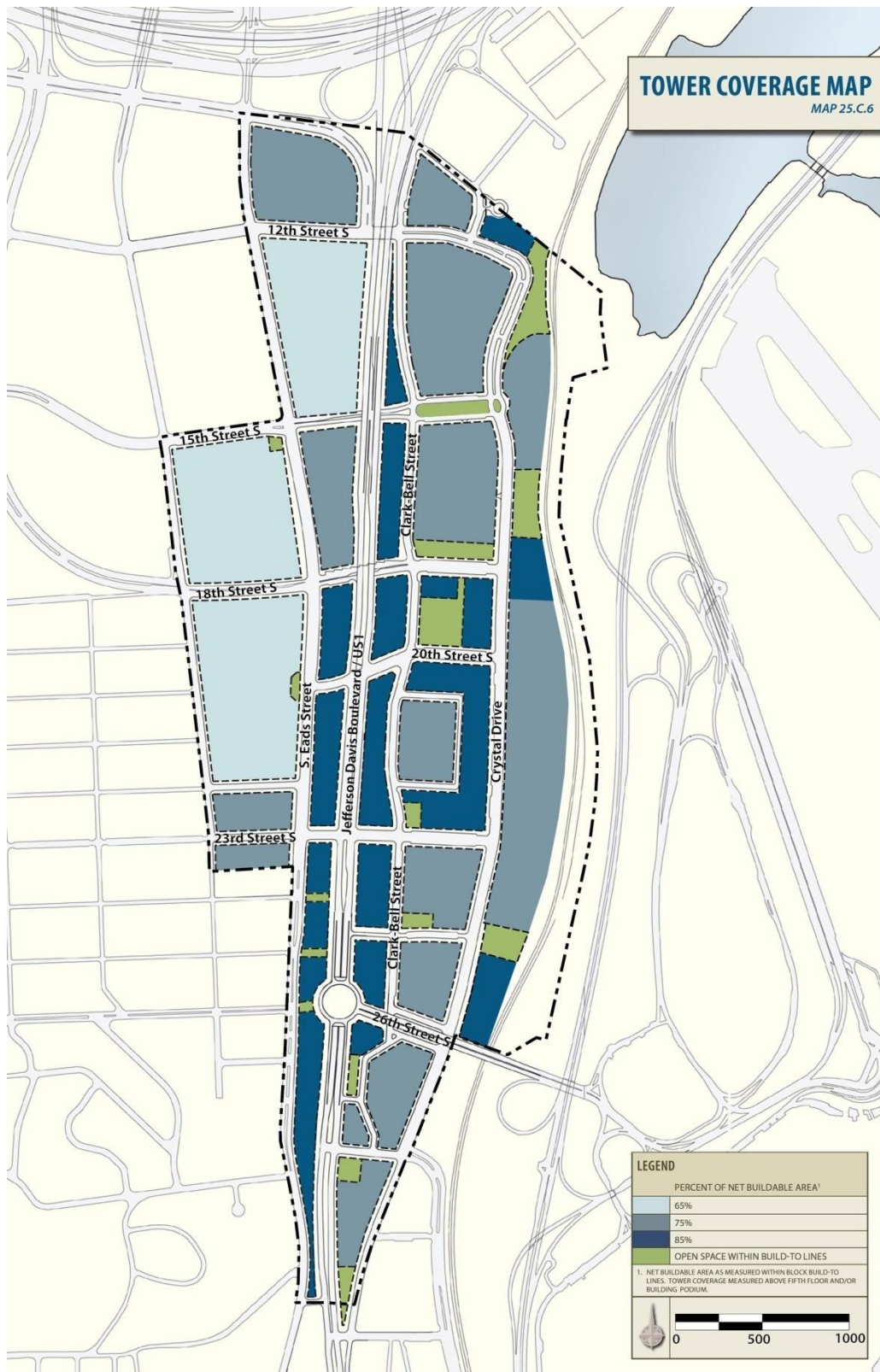
### §7.16.9. Architectural features map



§7.16.10. Bulk plane angle map



§7.16.11. Tower coverage map



## §7.17. C-2, Service Commercial-Community Business District

### §7.17.1. Purpose

The purpose of the C-2, Service Commercial-Community Business District is to provide locations for commercial development where the variety in retail, service and office uses is intended to serve a broad-based community. The C-2 district should be developed as linear commercial and be located primarily along principal arterial streets as designated in the Arlington County Master Transportation Plan. The C-2 district provides for an expanded range of uses, greater density and greater height than the C-1 district.

### §7.17.2. Uses

Uses shall be as specified in §7.1.

### §7.17.3. Special Revitalization Districts

See ~~§9.1~~§9.1 for regulations applicable to Special Revitalization Districts on the General Land Use Plan.

### §7.17.4. Density and dimensional standards

#### A. By-right

Development allowed by-right in the C-2 district shall comply with the following standards, except as otherwise expressly allowed or stated.

Type of Standard	One-family Dwellings	Hotels	All Other Uses
<b>Lot area, minimum (sq. ft.)</b>			
Lot area	6,000		--
Lot area per dwelling unit	6,000		--
Lot area per sleeping unit )	--	600	--
<b>Lot width (feet)</b>	60		--
<b>Height, maximum (feet)</b>	35	45	45
<b>Floor area ratio, maximum</b>	--	--	1.5

#### B. Exceptions

##### 1. Lot area

Buildings hereafter erected and used partly for dwelling and partly for commercial purposes, shall comply with the lot area requirements of the RA8-18 district.

#### C. Bulk, coverage and placement

For bulk, coverage and placement requirements not listed in this section see §3.2.

### §7.17.5. District use regulations

Use standards applicable to specific uses in the C-2 district include:

#### A. Cleaning and laundering establishments

Steam exhausts for cleaning and laundering establishments shall be within said building.

### §7.17.6. Use limitations

- A. There shall be no manufacturing, compounding, processing or treatment of products other than that which is clearly incidental and essential to a retail store or business and where all

such products are sold at retail at these establishments, except as allowed for food delivery service.

~~B. Such uses, operations or products shall not adversely affect any contiguous district through the dissemination of odor, dust, smoke, fumes, noise, vibrations, creation of trash, garbage or litter, or other similar causes.<sup>1</sup>~~

**§7.17.7. -Site development standards**

---

The site development standards of Article 13 and Article 14 apply to all development, except as otherwise specified below.

**A. Landscaping**

10 percent of total site area is required to be landscaped open space in accordance with the requirements of §14.2, Landscaping.

**B. [\[Reserved\]](#)**

---

<sup>1</sup> Enforced by other codes and regulations, including, but not limited to noise ordinance; care of property ordinance.



**§7.18. C-TH, Commercial Townhouse District**

**§7.18.1. Purpose**

The purpose of the C-TH, Commercial Townhouse District is to encourage commercial development of structures with the physical characteristics of townhouses and to provide tapering of heights between higher density commercial development and lower density residential uses. The district is designed for use in the vicinity of the Metrorail stations and, to be eligible for the district, a site shall be located within an area designated "service commercial" or "general commercial" on the General Land Use Plan and zoned for general commercial uses.

**§7.18.2. Uses**

Uses shall be as specified in §7.1.

**§7.18.3. Density and dimensional standards**

**A. General**

Development allowed by-right in the C-TH district shall comply with the following standards, except as otherwise expressly allowed or stated.

Type of Standard	One-family Dwelling	Two-family dwellings that share a lot line with RA, C or M districts		Hotel	Office, Commercial and Multi-family
		Semi-detached	Duplex		
Density, maximum (units/acre)	--	--	--	110	--
Site area, minimum (sq. ft.)	5,000	8,700	8,700	--	--
Lot, minimum (sq. ft.)					
Lot area	5,000	4,350	8,700	--	--
Lot area per dwelling unit	5,000	4,350	--	--	--
Lot width, minimum average (feet)					
Lot width	50	35	70	--	--
Lot width per dwelling unit	50			--	--
Height					
Maximum (feet)	35	35	35	55	55
Maximum (number of stories)	--			--	--
Floor area, minimum (sq. ft.)					
Floor area per dwelling unit	--	750	750	--	--

**B. Bulk, coverage and placement**

For bulk, coverage and placement requirements not listed in this section see §3.2.

**C. Exceptions**

**1. Height**

- (a) For properties which abut an R district that also is designated "low" residential (one through 10 units per acre) on the General Land Use Plan, building heights shall not exceed 45 feet, including mechanical penthouses, for the first 50 feet of property measured from the property line abutting the R district.

- (b) Mechanical pPenthouses shall be permitted above the 55 foot height limit, provided that they are set back a distance equal to their height from the building edge and shall not exceed 18 feet.

#### §7.18.4. District use standards

Use standards applicable to specific uses in the C-TH district include:

##### ~~A. Self-service storage<sup>1</sup>~~

~~In addition to complying with subsection A, above, in the C-TH district, self-service storage facilities may be permitted subject to the following requirements:~~

- ~~1. The facility must be located in a multi-story structure;~~
- ~~2. That portion of the ground floor of the building in which the facility is located and which fronts on public streets shall have retail or service-commercial uses. Retail or service uses shall be a minimum of 60 percent of the gross floor area on the ground floor level of any building which contains self-service storage facilities;~~
- ~~3. One parking space for each 8,000 square feet of gross floor area, or fraction thereof, which is used for self-service storage facilities and which has direct access only from within a building, and one additional space for each employee of the self-service storage facility shall be provided;~~
- ~~4. A minimum of two covered and enclosed loading spaces for the first 100,000 square feet of gross floor area of storage space, or fraction thereof, and one covered and enclosed loading space for each additional 50,000 square feet shall be provided; and~~
- ~~5. The parking spaces required by §14.3, shall be located adjacent to the storage entrance for drop-off and pick-up of goods being stored.~~

##### ~~B.A. [Reserved]~~

#### §7.18.5. Site development standards

The site development standards of Article 13 and Article 14 apply to all development, except as otherwise specified below.

##### A. Landscaping

10 percent of the total site is required to be landscaped open space in accordance with the requirements of ~~§14.2~~§14.2, Landscaping.

##### B. Parking

1. One parking space for each 580 sq. ft. of gross floor area of commercial or office space.
2. 1 1/2 parking spaces for each dwelling unit.
3. One parking space for each hotel unit.
4. Any parking area may include up to 15 percent of the parking spaces for compact car spaces.

<sup>1</sup> Moved to use standards Article 12.

### §7.18.6. Streetscape

---

- A. The periphery of any site fronting on public rights-of-way shall be landscaped by the provision of curb, gutter, sidewalk, street light, street furniture and other elements, from face of curb to face of building according to the streetscape standards set forth in the adopted sector plan for the area in which the site is located. Sites which are not located within sector plan areas shall provide streetscape improvements consistent with the Master Walkway Policy Plan:
1. The zoning administrator may approve the use of a portion of the public right-of-way to provide the area needed to fulfill the streetscape requirements, when that is consistent with all of the adopted elements of the Comprehensive Plan and provides uniformity with adjacent abutting sites.
  2. In cases where an existing building is preserved and the sidewalk section is less than the standard, the zoning administrator may waive the required width of paved sidewalk area for an abutting property, in conjunction with development of that property, in order to achieve uniformity in the streetscape. The total required width of the walkway and streetscape area shall be maintained.
- B. All aerial utilities on and at the periphery of the site shall be put underground with redevelopment or new construction.
- C. Surface parking shall be allowed. Surface parking areas shall be screened from public plaza areas, public sidewalks, and adjacent abutting residentially zoned properties by landscaping and a four-foot high brick wall, except that where parking areas abut an R district that also is designated "low" residential (one through 10 units per acre) on the General Land Use Plan the wall shall be a minimum height of six feet. When parking is provided at or above grade within a structure, a facade treatment shall be provided for the parking area which is consistent, in terms of materials, with the building facade.
- D. Trash collection and storage areas shall be provided inside the principal structure or in a designated area outside the structure which is screened by a brick wall or a masonry wall of similar material as the building and which is a minimum of six feet in height.

### §7.18.7. Physical requirements

---

Buildings shall have exterior physical characteristics that are compatible with and generally similar to residential townhouses in bulk, placement, exterior materials and other external characteristics. Building facades should be of materials commonly used for residential structures such as brick, wood, stone, stucco or other natural finish materials.

### §7.18.8. Proffers

---

See §15.3.4~~§15.3.4~~.

**§7.19. C-3, General Commercial District**

**§7.19.1. Purpose**

The purpose of the C-3, General Commercial District is to provide for the category of retail uses found in the C-1 and C-2 districts and to provide for additional intensity of use, density and height.

**§7.19.2. Uses**

Uses shall be as specified in §7.1.

**§7.19.3. Columbia Pike Special Revitalization District**

Properties that are located in the Columbia Pike Special Revitalization District may be developed in accordance with §11.1, CP-FBC district. After such development all uses permitted in §11.1 shall be permitted on the property, subject to all regulations in §11.1.

**§7.19.4. Clarendon Revitalization District**

Properties in the Clarendon Revitalization District shall comply with the requirements of ~~§9.2.5~~ or ~~§10.2.5~~.

**§7.19.5. Density and dimensional standards**

**A. By-right**

Development allowed by-right in the C-3 district shall comply with the following standards, except as otherwise expressly allowed or stated.

Type of Standard	One-family Dwellings	Hotel	All Other Uses
<b>Lot area, minimum (sq. ft.)</b>			
Lot area	6,000	--	--
Lot area per dwelling unit	6,000	--	--
Lot area per sleeping unit	--	600	--
<b>Lot width (feet)</b>	60		--
<b>Height, maximum (feet)</b>	35	75	75

**B. Floor area**

Maximum floor area in this district shall not exceed the number of square feet that results from compliance with the requirements stated in the ordinance with no less than nine feet between floors, except by site plan as provided in ~~§9.2.2.D~~.

**C. Exceptions**

**1. Height**

Additional height may be approved by site plan as provided in ~~§9.2.2.D~~.

**2. [Reserved]**

**D. Bulk coverage and placement**

For bulk, coverage and placement requirements not listed in this section see §3.2.

**§7.19.6. Site development standards**

The site development standards of Article 13 and Article 14 apply to all development, except as otherwise specified below.

**A. Landscaping**

10 percent of total site area is required to be landscaped open space in accordance with the requirements of §14.2, Landscaping, except by site plan as provided in

~~§9.2.2.D~~~~§9.2.2.D~~:

1. For all property except within the “Clarendon Revitalization District” on the General Land Use Plan, with the approval of the zoning administrator, a portion of the public right-of-way may be used to meet this landscaping requirement if the streetscape improvements comply with adopted plans and provided that all aerial utilities on and at the periphery of the lot shall be undergrounded with new development or redevelopment.
2. For properties within the “Clarendon Revitalization District” on the General Land Use Plan, the provisions of ~~§9.2.2.C~~~~§9.2.2.C~~ may apply.

**B. Parking**

Parking shall be provided in accordance with the requirements of §14.3.

**§7.19.7. Additional regulations**

---

All utility service on a lot where new development or redevelopment is placed shall be placed underground.

## §7.20. C-R, Commercial Redevelopment District

### §7.20.1. Purpose

The purpose of the C-R, Commercial Redevelopment District is to encourage medium density mixed use development; to recognize existing commercial rights; and to provide tapering of heights between higher density office development and lower density residential uses. The district is designed for use within one quarter mile of the Metrorail stations on property designated Medium Density Mixed Use on the General Land Use Plan.

### §7.20.2. Uses

Uses shall be as specified in §7.1.

### ~~§7.20.3. Columbia Pike Special Revitalization District Regulations.~~

~~Properties that are located in the Columbia Pike Special Revitalization District may be developed in accordance with §11.1, CP FBC district. After such development all uses permitted in §11.1 shall be permitted on the property, subject to all regulations in §11.1.~~

### §7.20.4. ~~§7.20.3.~~ Density and dimensional standards

#### A. By-right

Development by-right in the C-R district shall comply with the following standards, except as otherwise expressly allowed or stated.

Type of Standard	One-family Dwellings	Other Residential	Hotel	All Other Uses
Lot area, minimum (sq. ft.)	6,000	20,000	20,000	20,000
Lot area per sleeping or living unit			600	
Lot width, minimum (sq. ft.)	60	--		--
Height, maximum (feet)	35	55 (exclusive of <u>mechanical</u> penthouses)	55 (exclusive of <u>mechancial</u> penthouse)	55 (exclusive of <u>mechancial</u> penthouses)
Floor area ratio, maximum	--	4.0	3.0	3.0

#### B. Height

- When a structure is greater than 165 feet from a R or RA district, height may be increased by one foot for every three feet beyond 165 feet, up to a maximum height of 110 feet.
- For properties which front on a primary arterial and are also within 750 feet of a primary Metro entrance, building heights may be increased to 75 feet for the first 75 feet of property measured from the property line fronting on the primary arterial, even if the properties lie within 165 feet of an R or RA zoning district.
- All equipment above the roof line shall be screened from view by walls of equal height and similar materials, set back a distance equal to their height from the building edge and height limit line and shall not exceed 18 feet.
- Any building in the Clarendon Revitalization District which fronts on Wilson Boulevard, North Highland Street, or Clarendon Boulevard shall comply with the following height and placement provisions:

- (a) The front building wall of any development shall be placed against the back of the sidewalk as established by the Clarendon Streetscape Standards adopted by the County Board up to a height of at least 20 feet and no more than 30 feet above the sidewalk level. The building above this height shall be set back a minimum of 20 feet from the back of sidewalk, unless otherwise approved by site plan.

### C. Floor area

1. Consistent with the provisions of this section, the gross floor area permitted shall not exceed the site area multiplied by 3.0. An additional 1.0 F.A.R. is permitted for residential use.
2. When a development preserves a building or building facade designated as a contributing building eligible for preservation in an adopted revitalization district, the office density may be increased by 0.25 F.A.R. when the preservation complies with the following standards:
  - (a) The preservation retains a minimum 20 foot depth of the existing building or building facade;
  - (b) The preservation retains the facades of all buildings identified as appropriate for preservation in the district which are included in the site and ~~located adjacent~~ teabutting each other within a single block frontage; and
  - (c) The preservation retains and rehabilitates in a manner which complies with the standards set forth in ~~§7.20.8.C.6~~§7.20.8.C.6, below; at a minimum, all facades fronting on existing public rights-of-way.

### D. Coverage

No building or structure, including accessory buildings, and all areas for parking, driveways, maneuvering and loading space, unless specified under site plan approval in accordance with the standards set forth in §7.20.8.C, shall cover more than:

1. 80 percent of the lot area on those portions of blocks that have a height limit of 75 or fewer feet.
2. 65 percent of the lot area on those portions of blocks that have a height limit of more than 75 feet.
3. When a development preserves a building or building facade designated as a contributing building eligible for preservation in an adopted revitalization district, and in accordance with the standards set forth in ~~§7.20.8~~§7.20.8, the open space requirement may be reduced by the area of the first floor of the building being preserved.

**E. Special exception**

Development by special exception in the C-R district shall comply with the following standards, except as otherwise approved by the County Board.

Type of Standard	All Uses
Lot area, minimum (sq. ft.)	20,000
Lot width, minimum (sq. ft.)	--
Height, maximum (feet)	55
Floor area ratio	As Specified In §7.20.8.A

**F. Bulk, coverage and placement**

For bulk, coverage and placement requirements not listed in this section see §3.2.

~~§7.20.5~~ **§7.20.4. District use standards**

Use standards applicable to specific uses in the C-R district include:

- A. [\[Reserved\]](#)

~~§7.20.6~~ **§7.20.5. Site development standards**

The site development standards of Article 13 and Article 14 apply to all development, except as otherwise specified below.

**A. Parking requirements**

1. One parking space for each 580 sq. ft. of gross floor area. The ratio of compact to full size automobile spaces shall not exceed 15 percent for each. One parking space for each dwelling unit.
2. Surface parking shall not be allowed except for convenience retail, or service commercial. Required parking for townhouse residential may be surface parking. Such parking shall be screened from public plaza areas, public sidewalks, and ~~adjacent~~ **abutting** sites by landscaping and a four-foot masonry wall of similar materials as to the principal structure. Parking for commercial uses shall not be located across the street from or ~~adjacent abutting to~~ a "low" or "low medium" residential General Land Use Plan designation.

**B. Landscaping**

15 percent of the total site is required to be landscaped open space in accordance with the requirements of §14.2, Landscaping, and the Clarendon Streetscape Plan Standards.

~~§7.20.7~~ **§7.20.6. Streetscape**

- A. The periphery of any site fronting on public rights-of-way shall be landscaped by the provision of curb, gutter, sidewalk, street light, street furniture and other elements, from face-of-curb to face-of-building according to the adopted Clarendon Streetscape Plan standards set forth in the "Urban Design Section" of the Clarendon Sector Plan; provided, however, that with site plan approval as specified in ~~§7.20.8.C~~ **§7.20.8.C**, or with the approval of the zoning administrator, a portion of the public right-of-way may be used to provide the area needed to fulfill these requirements.
- B. All aerial utilities on and at the periphery of the site shall be placed underground with redevelopment or new construction.



~~§7.20.8~~ §7.20.7. **Physical requirements**

Buildings across the street from or ~~adjacent-abutting~~to areas designated on the General Land Use Plan as "low" or "low medium" residential shall have an exterior appearance that is compatible with residential uses in bulk, coverage, and placement. In addition, other external characteristics such as building materials should be similar.

~~§7.20.9~~ §7.20.8. **Site plans**

The County Board may approve site plans, as specified in §15.6, and may vary the requirements of ~~§7.20.3~~ §7.20.3, ~~§7.20.5.A~~ §7.20.5.A, ~~§7.20.5.B~~ §7.20.5.B, ~~§7.20.6~~ §7.20.6, and ~~§7.20.7~~ §7.20.7. Under site plans, the following regulations shall apply unless modified by the County Board:

**A. Floor area ratio**

1. Except as modified by the County Board in accordance with §15.6. The following sets forth the maximum densities which may be approved:

Site Area (sq. ft.)	Total F.A.R.	Office F.A.R.
20,000-29,999	2.0	2.0
30,000-39,999	3.0	3.0
40,000 and above or full block	4.0	3.0

2. In addition, to encourage appropriate consolidation of property for site plans (that include an entire block), an additional 0.25 F.A.R. office may be approved and the residential density may be reduced to 0.75 F.A.R.

**B. Height**

The by-right height and tapering requirements may be modified by the County Board in accordance with §15.6. In addition, when a site plan preserves a building which is designated as a contributing building eligible for preservation in an adopted revitalization district and in accordance with ~~§7.20.3~~ §7.20.3, the height and taper requirements set forth in ~~§7.20.3~~ §7.20.3 may be modified by the County Board. Under no circumstances shall the height of any building exceed 125 feet and under no circumstances shall a mechanical penthouse height extend more than 15 feet above the 125-foot height limit.

**C. Urban design**

All site plans must comply with the following design requirements unless otherwise approved by the County Board:

1. The first floor of every office building shall contain retail space equal to 75 percent of the gross leasable floor area. This retail space shall have direct access through openings directly on the sidewalk.
2. When the following retail uses are provided in any building, they may be counted at 200 percent of their actual floor area to calculate their requirement for retail with the remaining area available for all retail uses allowed in C-2 and/or other office uses: art gallery, bakery, barber shop or beauty shop, bookstore, delicatessen, dry cleaner, drug store, food-grocery store, fruit or vegetable-convenience store, gourmet food store, hobby shop, ice cream ~~or confectionery~~ store, meat or fish market, newsstand, restaurant, shoe repair, and tailor, milliners and dress-maker. In addition, when a development relocates an existing retail use from a site within the Clarendon Revitalization District, the retail use may be counted as 200 percent of its actual floor area to calculate the requirement for retail. In order to replace a use which qualifies to

be counted at 200 percent of the actual floor area requirement with a use which does not qualify to be counted at 200 percent of the actual floor area requirement, a site plan amendment will be required.

3. When a site plan is approved under these provisions, storage space equal to 50 percent of the retail gross floor area provided on the first floor may be provided in the basement and it shall not be required to be counted as floor area subject to the F.A.R. limitations of the district. This space shall be limited to storage and shall never be converted to any other use.
4. All development proposals shall comply with the urban design standards set forth in the Clarendon Sector Plan.
5. Open space shall comply with the requirements set forth in ~~§7.20.3.D~~~~§7.20.3.D~~, except that by site plan approval the open space requirement may be reduced on a site when the site plan meets all other design standards set forth in the appropriate sector plan, if the developer satisfies the open space requirement by providing open space off-site in the Clarendon Revitalization District or in a contiguous area designated by the county as appropriate for open space as shown on the General Land Use Plan.
6. When a development preserves an existing building or building facade, the rehabilitation and new development shall be compatible with the existing building in terms of material color and texture, size and orientation of doors and windows, and cornice lines.

#### D. Parking

Parking for any use covered by site plan shall be as set forth in ~~§7.20.5.A~~~~§7.20.5.A~~, except as follows:

1. When a building or building facade which has been identified as a contributing building eligible for preservation in an adopted revitalization district is preserved in accordance with the standards set forth in ~~§7.20.3.C.2~~~~§7.20.3.C.2~~, the parking requirement may be reduced by an area equal to the gross floor area of the building being preserved for as many levels as the garage is constructed.
2. Parking for retail uses shall comply with the requirements set forth in ~~§7.20.5.A~~~~§7.20.5.A~~, except where §14.3 provides specific relief. The parking for retail uses shall be provided on the first level of the garage and shall be available for short-term parking during the hours which the retail uses are open unless sufficient surface parking has been allowed on the site.
3. For buildings which include frontage on special retail streets as designated in any sector plan, surface parking spaces may be provided in accordance with the design standards set forth in the sector plan. The number of spaces required to be provided in the garage may then be reduced by the number of spaces which are provided on the surface. This parking may count toward the open space requirement.

# Article 8. Industrial (M) Districts

## §8.1. Industrial (M) Districts Use Tables

### §8.1.1. General

The use tables of this section list all uses allowed within M districts, and is subject to the explanations set forth below. ~~No building or structure shall be erected, reconstructed, structurally altered, enlarged or moved, and no land or building shall be used or designed to be used for any purpose in the M districts other than is hereinafter permitted except as may be permitted by §16.5.~~<sup>1</sup>

### §8.1.2. Industrial (M) districts principal use table

~~Table §8.1.2 lists the principal uses allowed within the M districts. The following use table summarizes the principal use regulations of the M districts.~~

#### ~~A. Key to types of uses~~

~~The permitted use table is subject to the explanation set forth below.~~

#### ~~1.A. Permitted uses~~

A "P" indicates that a use is permitted by-right and may be approved administratively in the respective general district subject to all other applicable requirements of this zoning ordinance, including the specific use standards in Article 12 and the site development standards of Article 13 and Article 14. Subject to density and dimensional standards in the subject district or as approved by use permit or site plan, all uses permitted by-right may also be approved administratively in buildings controlled under use permit or site plan, except where expressly prohibited by use permit or site plan conditions for the subject property or where the subject property is expressly approved only for a specific use or uses.

#### ~~2.B. Use permit approval required~~

A "U" indicates a special exception use that may be allowed subject to approval of a use permit as provided in §15.5. The Zoning Administrator may require a use permit for such use, whether the use is located in a building approved administratively or whether located in a building controlled by use permit or site plan. Uses allowed by use permit are subject to all other applicable requirements of this zoning ordinance, including the specific use standards in Article 12 and the site development standards of Article 13 and Article 14.

#### ~~3.C. Site plan approval required~~

An "S" indicates a special exception use that may be allowed more flexibility in development form and density subject to site plan approval as provided in §15.6. Site plan uses are subject to all other applicable requirements of this zoning ordinance to the extent not modified through the site plan approval, including the specific use standards in Article 12 and the site development standards of Article 13 and Article 14.

---

<sup>1</sup> Moved to §1.3

**4.D. Uses not ~~allowed~~permitted**

~~A blank cell (one without a “P”, “U”, or “S”) in the use table indicates that a use is not allowed in the respective district. Uses not listed may be allowed pursuant to the similar use determination procedure of §12.2.2. A blank cell in the use table indicates that a use is not allowed in the respective district. See also §12.2.1.~~

**5.E. Use standards**

~~The final “use standard” column on the use table contains references use standards that apply to the listed use types. The uses standards in Article 12 apply to more than one district. The “use standard” column on the use table (last column on the right) is a cross-reference to any specific use standard listed in Article 12, which apply to more than one district. Where use standards apply exclusively to a specific district(s), such standards are listed in the respective district(s) regulations.~~

**6.F. Accessory and temporary uses**

~~The regulations that apply to accessory and temporary uses are contained in §12.9 and §12.10, accessory uses (§12.8), and temporary uses (§12.9).~~

**B.G. Use ~~categories~~classification**

~~All of the use categories listed in the table below are described in §12.2. The second column of the use table lists some of the specific use types included within the respective use categories. The first column of the use table lists some of the specific uses allowed in the respective districts. Uses not listed may be allowed pursuant to the similar use determination procedure of §12.2.1.~~

**Commentary:**

The Use Table is organized in to five major use groups:

- \*Residential
- \*Public, Civic and Institutional
- \*Retail, Service and Commercial
- \*Industrial
- \*Other Uses

Each major use group is further divided into a series of use categories. The use category system is based on common functional, product or compatibility characteristics, thereby regulating uses in accordance with criteria directly relevant to the public interest. Sec. 14.1 provides a further description of use categories.

INDUSTRIAL (M) DISTRICTS PRINCIPAL USE TABLE					
Use Category	Specific Use Types	CM <sup>*</sup>	M-1 <sup>*</sup>	M-2 <sup>*</sup>	Use Standards
KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted					
<b>Residential Use Categories (See §12.2.3)</b>					
Household Living (See §12.2.3.A)	All household living uses				
Group Living (See §12.2.3.B)	Group homes Institutional homes and institutions of an educational or philanthropic nature; except those of a correctional nature. An institutional home which has an approved use permit and which is a licensed home for adults under the Code of Virginia, may have up to 75 percent of the units with individual kitchens provided that there are central cooking and eating facilities which serve all the units in such a home	U	U	U	§12.3.6
	<del>Dormitories</del> Private clubs, lodges, fraternities, sororities and dormitories	U	U	U	§12.3.3
	Fraternity and sorority houses; <del>Private clubs, lodges, fraternities, sororities and dormitories</del>	U	U	U	§12.3.5

INDUSTRIAL (M) DISTRICTS PRINCIPAL USE TABLE					
Use Category	Specific Use Types	CM-1	M-1	M-2	Use Standards
KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted					
<b>Public, Civic and Institutional Use Categories (§12.2.4)</b>					
Colleges (§12.2.4.A)	All college uses Institutional homes and institutions of an educational or philanthropic nature; except those of a correctional nature. An institutional home which has an approved use permit and which is a licensed home for adults under the Code of Virginia, may have up to 75 percent of the units with individual kitchens provided that there are central cooking and eating facilities which serve all the units in such a home	U	U	U	
	Community centers Community buildings	U	U	U	
Community Service (See §12.2.4.B)	Community swimming pools Clubs and grounds for games or sports, including community swimming pools; provided any such use is not operated primarily for commercial gain, or for which any mechanical amusement equipment is operated incidental to such games or sports	U	U	U	
	Libraries Public libraries, museums, and art galleries	U	U	U	
	Public libraries, museums, and art galleries or studios	U	U	U	
	Recreation centers Publicly operated recreation buildings, playgrounds, parks, and athletic fields	U	U	U	§12.4.6
Day Care (See §12.2.4.C)	All day care uses	U	U	U	§12.4.1
	Schools, private, elementary, secondary, kindergarten and nursery	U	U	U	§12.4.3
Schools (See §12.2.4.I)	Schools, private, elementary, middle and high, secondary, kindergarten and nursery	U	U	U	§12.4.1
Governmental Facilities (See §12.2.4.D)	Public service, including electric distributing substation, fire or police station, telephone exchange, and the like	P	P	P	
Hospital (See §12.2.4.E)	Hospitals or sanitariums; except animal hospitals, clinics, and hospitals or sanitariums for contagious, mental or drug or liquor addict cases; provided, that any building so used shall be set back not less than 100 feet from any lot line or street line; and doctors' offices in buildings already being used exclusively as such pursuant to other zoning provisions or variances previously granted, and a one-time addition thereto, provided such addition does not exceed 25 percent of the existing total gross floor area of the building being so used	U	U	U	§12.4.2
Parks and Open Space (See §12.2.4.F)	Country clubs and golf courses Airports and aircraft landing fields; golf courses (except driving tees and miniature courses); cemeteries; and funeral homes and/or crematories when on the same premises as a cemetery of 10 or more acres	U	U	U	
	Clubs and grounds for games or sports, including community swimming pools; provided any such use is not operated primarily for commercial gain, or for which any mechanical amusement equipment is operated incidental to such games or sports	U	U	U	
	Parks, playgrounds and playfields Publicly operated recreation buildings, playgrounds, parks, and athletic fields	U	U	U	
Passenger Terminals and Services (See §12.2.4.G)	Airports and aircraft landing fields; golf courses (except driving tees and miniature courses); cemeteries; and funeral homes and/or crematories when on the same premises as a cemetery of 10 or more acres	U	U	U	
	Railroad, trolley, bus, air, or boat passenger stations Public utilities and services; such as railroad, trolley, bus, air, or boat passenger stations; railroad offices, rights of way, and tracks (but excluding car barns, garages, railroad yards, sidings and shops); static transformer stations, transmission lines and towers, commercial and public utility radio towers, telephone exchanges (but excluding service and storage yards)	U	U	U	§12.4.10
Religious Institutions	Churches, mosques, synagogues, and temples and other places of worship, including parish houses and Sunday schools, but excluding rescue missions or temporary revivals	P	P	P	

INDUSTRIAL (M) DISTRICTS PRINCIPAL USE TABLE					
Use Category	Specific Use Types	CM-1	M-1	M-2	Use Standards
KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted					
(See §12.2.4.H)	Wedding chapels	P	P	P	
Social Service Institutions (See §12.2.4.J)	All social service institutions				
Utilities, major (See §12.2.4.K)	Public utility service yard or electrical receiving or transforming station	P	P	P	§12.6.5
	Railroads and railroad right-of-way and tracks Railroad lines		P	P	
	Wastewater treatment plants Publicly operated facilities for the processing, treatment, or reduction of refuse material or water carried waste		P	P	
	Public utilities and services; such as railroad, trolley, bus, air, or boat passenger stations; railroad offices, rights-of-way, and tracks (but excluding car barns, garages, railroad yards, sidings and shops); static transformer stations, transmission lines and towers, commercial and public utility radio towers, telephone exchanges (but excluding service and storage yards)	U	U	U	§12.6.5
Utilities, minor (See §12.2.4.K)	Bus shelters; bike share stations Public utilities and services; such as railroad, trolley, bus, air, or boat passenger stations; railroad offices, rights-of-way, and tracks (but excluding car barns, garages, railroad yards, sidings and shops); static transformer stations, transmission lines and towers, commercial and public utility radio towers, telephone exchanges (but excluding service and storage yards)	U	U	U	
	Wastewater pump station Publicly operated facilities for the processing, treatment, or reduction of refuse material or water carried waste		P	P	
	All other minor utilities Public service, including electric distributing substation, fire or police station, telephone exchange, and the like	P	P	P	
<b>Retail, Service and Commercial Use Categories (See §12.2.5)</b>					
Food and Drinking Establishments (See §12.2.5.B)	Food delivery services	U	U	U	
	Catering establishment, small scale	P	P	P	
	Restaurant, general excluding the following types: restaurants with drive-through windows, restaurants for which less than 50 percent of the food is served to conventional restaurant tables at which customers sit to order and eat. Delivery of food and beverages to off-site locations is permitted when it involves less than 20 percent of the amount of the sales from these restaurants	P	P	P	§12.5.22
	Restaurant, limited Restaurant, including outdoor cafes associated with such uses (excluding restaurants with drive-through windows and dancing or entertainment, except for those providing live entertainment). Delivery of food and beverages to off-site locations is permitted when it involves less than 30 percent of the amount of the sales from these restaurants.	P	P	P	§12.5.23
	Restaurants providing live entertainment and/or dancing <sup>1</sup>	U	U	U	
Entertainment (See §12.2.5.A)	Game Amusement game arcades	U	U	U	
	Nightclubs and restaurants providing live entertainments, including dance halls	U	U	U	
	Membership clubs and lodges Private clubs, lodges, fraternities, sororities and dormitories	U	U	U	§12.5.13
	All other entertainment uses Amusement enterprises, including a billiard or pool hall, boxing arena, games of skill, penny arcade, shooting gallery and the like, if conducted wholly within a completely enclosed building.	P	P	P	§12.5.7
Entertainment, Outdoor					

<sup>1</sup> Live entertainment moved to accessory use table

INDUSTRIAL (M) DISTRICTS PRINCIPAL USE TABLE					
Use Category	Specific Use Types	CM-1	M-1	M-2	Use Standards
KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted					
(See §12.2.5.A)					
Office (See §12.2.5.C)	Audio-visual production studio	U	U	U	
	<del>Financial services</del> Banks and other financial institutions	P	P	P	
	Office, <del>business or professional</del> , without restriction on location within structures.	P	P	P	
	<del>Offices or clinics, medical or dental</del> Medical office or clinics	P	P	P	
	<del>Offices, federal, state and local</del> Government facilities, federal and state buildings used exclusively by the federal and state governments for public purposes, except penal and correctional institutions	U	U	U	
	<del>Offices of medical doctors, physicians, dentists or psychologists may be permitted in existing institutional structures converted to such use</del>	P	P	P	
	<del>Business college operated as a commercial enterprise</del>	P	P	P	§1.1.1
Overnight Accommodations (See §12.2.5.D)	Hotels or <del>motels or tourist court</del>	P	P		
Parking, Commercial (See §12.2.5.E)	All commercial parking <del>Public parking area of up to 50 spaces or of a lot area of up to 20,000 sq. ft., when located and developed as required in §14.3</del>	P	P	P	§12.5.4
	<del>Public parking area of more than 50 spaces or of a lot area of more than 20,000 sq. ft.</del>	U	U	U	
Recreation, indoor (See §12.2.5.F.2(a))	Bowling alley	U	U	U	
	<del>Skating</del> Indoor and outdoor skating rink	U	U	U	
	<del>Indoor theater or auditorium</del>	P	P	P	
	<del>Indoor s</del> Swimming pool	P	P	P	
	<del>Tennis, racquet or handball courts</del> Indoor and outdoor tennis, racquet or handball courts.	U	U	U	
	<del>All other indoor recreation uses</del>	U	U	U	
Recreation, outdoor (See §12.2.5.F.2(b))	Miniature golf courses	U	U	U	
	<del>Outdoor s</del> Swimming pools	U	U	U	
	<del>Skating</del> Indoor and outdoor skating rink	U	U	U	
	<del>Tennis, racquet or handball courts</del> Indoor and outdoor tennis, racquet or handball courts.	U	U	U	
Retail Sales (See §12.2.5.G.2(a))	<del>Antique shops</del>	P	P	P	
	<del>Art stores, including artwork, art supplies and framing materials</del>	P	P	P	
	<del>Automobile accessories and supplies, excluding installation</del>	P	P	P	
	<del>Bakery</del>	P	P	P	
	<del>Book, stationary or card store</del>	P	P	P	
	<del>Film processing kiosk (photo service)</del>	P	P	P	
	<del>Optical stores</del>	P	P	P	
	<del>Clothing or wearing apparel shops</del>	P	P	P	
	<del>Delicatessen</del>	P	P	P	
	<del>Department store, without restriction on minimum site area as imposed in C-1 district</del>	P	P	P	
<del>Drug store. Delivery of drug store items to off-site locations is permitted when it involves less than 20 percent of the amount of the sales from these stores.</del>	P	P	P	§12.5.5	
<del>Dry goods or notion stores</del>	P	P	P		

INDUSTRIAL (M) DISTRICTS PRINCIPAL USE TABLE					
Use Category	Specific Use Types	CM-1	M-1	M-2	Use Standards
KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted					
Retail, Personal Service (See §12.2.5.G.2(b))	Florist or gift shop, provided delivery of flowers to off-site locations is permitted when it involves less than 30 percent of the amount of the sales from these stores	P	P	P	§12.5.7
	Grocery store, fruit or vegetable stores without restriction or maximum gross floor area. Delivery of groceries to off-site locations is permitted when it involves less than thirty (30) percent of the amount of the sales from these stores	P	P	P	§12.5.9
	Hardware, paint or appliance stores	P	P	P	
	Hobby or handcraft stores	P	P	P	
	Home furnishings stores	P	P	P	
	Ice cream or confectionery stores	P	P	P	
	Jewelry stores	P	P	P	
	Kiosks	U	U	U	§12.5.11
	Large-format retail sales establishments	U	U	U	
	Meat or fish market	P	P	P	
	Nursery, flower or plant store	P	P	P	§12.5.15
	Open air markets	U	U	U	§12.5.17
	All other retail sales uses	P	P	P	
	Newsstands	P	P	P	
	Pet shops	P	P	P	
	Retail stores or businesses in addition to those permitted in C-1-R and C-1 district	P	P	P	
	Shoe store	P	P	P	
	Secondhand or consignment shop	P	P	P	
	Sporting goods store	P	P	P	
	Variety store	P	P	P	
	Video tape or record store	P	P	P	
	Animal care facilities, veterinary clinics, animal hospitals Animal hospital or veterinary clinic within a fully enclosed structure	P	P	P	§12.5.2
	Veterinary or dog or cat hospitals, and kennels	P	P	P	§12.6.4
	Health clubs	P	P	P	
	Barbershop or beauty parlor	P	P	P	
	Banks and other financial institutions	P	P	P	
	Dry cleaning drop-off stations, laundry and laundromat, provided that the equipment employed shall use synthetic, nonflammable solvent and have an aggregate maximum rated capacity of not more than 40 pounds and that not more than one truck or vehicle is employed for pickup and delivery. No cleaning establishment shall serve any other retail branches <sup>1</sup>	P	P	P	§12.5.6
	Dance studio	P	P	P	
	Laundromats Cleaning or laundry establishment	P	P	P	§12.5.12
	Locksmiths	P	P	P	
	Music conservatory or music instruction	P	P	P	
	Massage parlors <sup>2</sup> and the like	U	U	U	
Mortuaries and/or funeral homes, including a cremation unit within a mortuary or funeral home	U	U	U	§12.5.14	
Palmistry	P	P	P		
Pawnshops	P	P	P		
Photo copy services	P	P	P		

<sup>1</sup> Moved to use standards "dry cleaning plants"

<sup>2</sup> Deleted (archaic use)



INDUSTRIAL (M) DISTRICTS PRINCIPAL USE TABLE						
Use Category	Specific Use Types	CM-1	M-1	M-2	Use Standards	
KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted						
Retail, Repair (See §12.2.5.G.2(c))	<del>Photography studio</del>	P	P	P		
	Private postal service limited to a gross floor area of 1,200 sq. ft.	P	P	P	§12.5.19	
	All other retail personal service uses	P	P	P	§12.5.20	
	Repair shop (small appliance, television, radio)	P	P	P		
	Tailors, Tailor or dressmaker	P	P	P		
	Upholstery shops, if conducted wholly within a completely enclosed building	P	P	P	§12.5.26	
	All other retail repair uses Shoe repair	P	P	P		
Self-service Storage (See §12.2.5.H)	All self-storage uses Wholesale business, storage buildings and warehouses	P	P	P	§12.5.25	
Vehicle Sales and Service (See §12.2.5.I)	Car wash	U	U	U		
	Vehicle body shop, and automobile assembling, tire retreading or recapping, battery manufacturing and the like.	P	P	P	§12.5.27	
	Vehicle sales, rental, or leasing facilities Vehicle dealership, sales or rental lot on a site which is more than 20,000 sq. ft. in area, provided the area is developed as required in §14.3	P	P	P	§12.5.29	
	Vehicle dealership, sales or rental lots located on sites of 20,000 sq. ft. or less but more than 40,000 sq. ft. in area, provided the area is developed as required in §14.3.	U	U	U	§12.5.27	
	Vehicle service establishment, provided that any vehicle repairs and storage of merchandise and supplies shall be conducted wholly within a building, and that any lubrication or washing not conducted wholly within a building shall be permitted only if a masonry wall, seven feet in height, is erected and maintained between such uses and any adjoining residential district	U	U	U	§12.5.27	
<b>Industrial Use Categories (See §12.2.6)</b>						
Light Industrial Service (See §12.2.6.A)	Contractors and others who perform services off-site, but store equipment and materials or perform fabrication or similar work on-site Contractor's equipment storage yard or plant, or rental of equipment commonly used by contractors	P	P	P	§11.1.1	
	Carpet cleaning plants Laundry, cleaning and dyeing works, and carpet and rug cleaning	P	P	P	§12.6.4	
	Contractors, off-site storage and staging yards and sales or leasing trailers or pavilions <sup>1</sup>	U	U	U	§12.9.4	
	Dry cleaning plants laundry and laundromat, provided that the equipment employed shall use synthetic, nonflammable solvent and have an aggregate maximum rated capacity of not more than 40 pounds and that not more than one truck or vehicle is employed for pickup and delivery. No cleaning establishment shall serve any other retail branches	P	P	P	§12.6.2	
	Feed and fuel yard	P	P	P	§12.6.5	
	Manufacture or assembly of consumer equipment, instruments (including musical instruments), appliances, precision items and other electrical items Assembly of electrical appliances, electronic instruments and devices, radios and phonographs, including electroplating the manufacture of small parts only, such as coils, condensers, transformers, crystal holders and the like	P	P	P	§12.6.4	
	Medical or dental laboratories laboratory	P	P	P		
	Printing, publishing and lithography, small scale	P	P	P		
	Research, testing and development laboratories Laboratories; experimental, photo or motion picture, film or testing	P	P	P	§12.6.4	
	Sign making painting shop	P	P	P	§12.6.9	

<sup>1</sup> Moved to short term use standards (12.10)

§8.1.2 INDUSTRIAL (M) DISTRICTS PRINCIPAL USE TABLE

INDUSTRIAL (M) DISTRICTS PRINCIPAL USE TABLE					
Use Category	Specific Use Types	CM-1	M-1	M-2	Use Standards
KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted					
	Vehicle storage lots and towing services	P	P	P	§12.6.10
	<del>Vehicle storage lots and towing services</del>	P			<del>§12.6.3</del>
	<del>Welding, machine and tool repair shops, Blacksmith shop and machine shop, excluding punch presses over 20 tons rate capacity, drop hammers and automatic screw machines</del>	P	P	P	§12.6.4
	<del>Woodworking, including cabinet makers and furniture manufacturing, Carpenter or cabinet shop</del>	P	P	P	§12.6.5
Manufacturing and Production (See §12.2.6.B)	Distribution plants, parcel delivery, ice and cold storage plant, bottling plant, and food commissary or <b>large scale</b> catering establishments	P	P	P	
	<del>Draying, freighting or trucking yard or terminal</del>	P	P	P	
	Foundry <del>casting lightweight nonferrous metal not causing noxious fumes, and noise</del> <sup>1</sup>	P	P	P	§12.6.3
	<del>Manufacture and maintenance of electric and neon signs, billboards, commercial advertising structures, light sheet metal products, including heating and ventilating ducts and equipment, eornices, eaves and the like</del>	P	P	P	§1.1.1
	<del>Manufacture of musical instruments, toys, novelties and rubber and metal stamps</del>	P	P	P	§1.1.1
	<del>Manufacture of pottery and figurines or other similar ceramic products, using only previously pulverized clay, and kilns fired only by electricity or gas</del>	P	P	P	§1.1.1
	<del>Manufacture, compounding, assembling or treatment of articles or merchandise from the following previously prepared materials: bone, colophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semiprecious metals or stones, shell, textile, tobacco, wood (excluding planning mill) yarns and paint not employing a boiling process</del>	P	P	P	§1.1.1
	<del>Manufacture, compounding, processing, packaging or treatment of such products as bakery goods, candy, cosmetics, dairy products, drugs, perfumes, pharmaceuticals, perfumed toilet soap, toiletries and food products, except fish and meat products, sauerkraut, vinegar, yeast, and the rendering or refining of fats and oils</del>	P	P	P	§1.1.1
	<del>Manufacturing of fish and meat products, sauerkraut or vinegar</del>				
	<del>Sheet metal shops</del>	P	P	P	§12.6.5
	Plumbing or sheet metal shops	P	P	P	§12.6.5
	Printing, publishing and lithography, <b>large scale</b>	P	P	P	
	<del>Small boat building, except shipbuilding</del>	P	P	P	§1.1.1
	<del>Stone monument works employing not more than five persons</del>	P	P	P	§12.6.10
<del>All other manufacturing and production uses</del>	P	P	P	§12.6.4	
Heavy Industrial (See §12.2.6.C)	<del>Asphalt processing and manufacture batching</del>			U	
	<del>Concrete batching operations and related accessory activities</del>		U	P	
	<del>Wrecking and salvage yards/Junkyard</del>			U	§12.6.13
	<del>All other heavy industrial uses</del>				
Warehouse and Freight Movement (See §12.2.6.D)	Mailing service, including bulk mailing	P	P	P	
	Wholesale <del>business, storage or buildings and</del> warehouses	P	P	P	§12.6.4
	<del>All other warehouse and freight movement uses</del>				
Waste-related Service (See §12.2.6.E)	Recycling centers	U	U	U	
	<del>Separation and disposal facilities, including incinerators Publicly operated facilities for the processing, treatment, or reduction of refuse material or water-carried waste</del>		P	P	
	<del>Solid or liquid waste transfer Publicly operated facilities for the processing, treatment, or reduction of refuse material or water-carried waste</del>		P	P	

<sup>1</sup> Standards moved to use standards in Article 12, minus noise and fumes.

INDUSTRIAL (M) DISTRICTS PRINCIPAL USE TABLE					
Use Category	Specific Use Types	CM-1	M-1	M-2	Use Standards
KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted					
Wholesale Trade (See §12.2.6.F)	<a href="#">Storage or rental of machinery, equipment, heavy trucks, building supplies and lumber, special trade tools, welding supplies, machine parts, electrical supplies, janitorial supplies, restaurant equipment and store fixtures, Contractor's equipment storage yard or plant, or rental of equipment commonly used by contractors</a>	P	P	P	§12.6.5
	<a href="#">Wholesale business, storage buildings and warehouses</a>	P	P	P	<del>§12.6.2</del>
	<a href="#">Building material sales yards, including the sales of rock, sand, gravel and the like, as incidental part of the main business, but excluding concrete mixing</a>	P	P	P	§12.6.1
	<a href="#">Retail lumber yards, including only incidental mill work</a>	P	P	P	§12.6.8
	<a href="#">All other wholesale trade uses</a>	P	P	P	§12.6.12
<b>Other use categories (See §12.2.7)</b>					
Agriculture (See §12.2.7.A)	<a href="#">All agricultural uses: Farming, livestock and poultry raising, and all uses commonly classed as agricultural, with no restrictions as to the operation of such vehicles or machinery as are incidental to such uses, and with no restrictions as to the sale or marketing of products raised on the premises; provided, any livestock or poultry shall be kept in a building, structure or yard for the raising, housing or sale thereof which shall be located no less than 100 feet from any street or lot line; provided, further, that poultry shall not be allowed to roam at large</a>	P	P	P	§12.7.1
Resource Extraction (See §12.2.7.B)	<a href="#">All resource extraction uses</a>				
Telecommunications Facilities (§12.2.6.C)	<a href="#">All telecommunications facilities</a>				
Unclassified (See §12.2.7.D)	<a href="#">Other uses which, in the judgment of the zoning administrator, are of the same general character as those listed in this subsection and will not be detrimental to the district in which located.</a>	P	P	P	
<p>* Classes or instruction to children: if a use provides classes or instruction to children and, either 20 percent or more of the total number of students enrolled in classes and/or instruction are children under 18 years of age or the total number of children under 18 years of age enrolled in classes scheduled to be held at any one time is 10 or more, the use may only be established subject to obtaining a use permit as provided in §14.5, for each such use<sup>1</sup></p>					

<sup>1</sup> Moved to use standards (12.5)

**§8.1.3. Industrial (M) districts accessory use table**

Accessory uses in Industrial (M) districts shall include the following uses, activities and structures:

Use Types	CM*	M-1*	M-2*	Use Standards
<b>KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted</b>				
<del>Accessory buildings, including a private garage, provided that a detached accessory building shall be located as required in §3.2</del>	<del>P</del>	<del>P</del>		
<del>Accessory uses and buildings customarily accessory to otherwise allowed uses.</del>	<del>P</del>	<del>P</del>	<del>P</del>	
<del>Accessory uses customarily incidental to any of the above uses and accessory buildings when located on the same lot.</del>	<del>P</del>	<del>P</del>	<del>P</del>	
<del>Commercial vehicle parking. In cases working a grave hardship on the resident, and in accordance §12.8.2.C, and §14.6, parking of (i) a commercial vehicle which does not meet the locational requirements of this zoning ordinance, or (ii) more than one commercial vehicle</del>	<del>P</del>	<del>P</del>	<del>P</del>	
<del>Caretaker residence</del> Dwellings, caretakers or resident managers	P	P	P	§12.3.2
<del>Commercial vehicle parking</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>§12.9.5</del>
<del>Crematories</del> <del>Crematoriums</del> Airports and aircraft landing fields; golf courses (except driving tees and miniature courses); cemeteries; and funeral homes and/or crematories when on the same premises as a cemetery of 10 or more acres	U	U	U	§12.9.6
<del>Drive-through window. Any use otherwise permitted in this district with a drive through window</del>	U	U	U	
<del>Restaurants providing live entertainment and/or dancing<sup>1</sup></del>	U	U	U	
<del>Mortuaries and funeral homes</del> Airports and aircraft landing fields; golf courses (except driving tees and miniature courses); cemeteries; and funeral homes and/or crematories when on the same premises as a cemetery of 10 or more acres	U	U	U	§12.9.13
<del>Outdoor cafes</del> Restaurant, including outdoor cafes associated with such uses (excluding restaurants with drive through windows and dancing or entertainment, except for those providing live entertainment). Delivery of food and beverages to off-site locations is permitted when it involves less than 30 percent of the amount of the sales from these restaurants. <sup>1</sup>	<del>P</del> <del>U</del>	<del>P</del> <del>U</del>	<del>P</del> <del>U</del>	<del>§12.9.14</del>
<del>Outdoor cafes temporarily enclosed for up to 10 months per year<sup>1</sup></del>	<del>U</del>	<del>U</del>	<del>U</del>	<del>§12.9.14</del>
<del>Poultry- or rabbit-killing incidental to a retail business on the same premises<sup>1</sup></del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>§12.6.4</del>
<del>Private garage</del> Accessory buildings, including a private garage, provided that a detached accessory building shall be located as required in §3.2	P	P		
<del>Swimming pools, private</del>	P	P	P	§12.9.15
<del>Trailer</del> Recreational vehicle or trailer parking	P	P	P	§12.9.16
<del>Vehicle maintenance, routine.</del>	P	P	P	§12.9.17
<del>Vehicle, unlicensed and/or inspected.</del>	P	P	P	§12.9.18

<sup>1</sup> Moved from principal use table; enclosure included in §12.9.14.

## §8.2. CM, Limited Industrial District

### §8.2.1. Purpose

The purpose for the CM, Limited Industrial District is to provide areas for light manufacturing, wholesale businesses and distribution centers and other uses inappropriate to residential or service business areas.

### §8.2.2. Uses

Uses shall be as specified in ~~§8.1~~§8.1.

### §8.2.3. Density and dimensional standards

#### A. General

All development in the CM district shall comply with the following standards, except as otherwise expressly allowed or stated.

Type of Standard	Hotels	All Other Uses
<b>Lot area, minimum (sq. ft.)</b>		
Lot area per sleeping or guest unit	600	--
All other uses	--	--
<b>Lot width (feet)</b>		--
<b>Height, maximum (feet)</b>	--	45
<b>Floor area ratio, maximum</b>	--	1.5

#### B. Bulk, coverage and placement

For bulk, coverage and placement requirements not listed in this section see §3.2.

### §8.2.4. District use standards

Use standards applicable to specific uses in the CM district include:

#### A. [\[Reserved\]](#)

### §8.2.5. Site development standards

The site development standards of Article 13 and Article 14 apply to all development, except as otherwise specified below.

#### A. Landscaping

10 percent of total site area is required to be landscaped open space in accordance with the requirements of §14.2, Landscaping.

#### B. Parking

Parking shall be provided in accordance with the requirements of §14.3.

## §8.3. M-1, Light Industrial District

### §8.3.1. Purpose

[Reserved]

### §8.3.2. Uses

Uses shall be as specified in §8.1.

### §8.3.3. Density and dimensional standards

#### A. General

All development in the M-1 district shall comply with the following standards, except as otherwise expressly allowed or stated.

Type of Standard	All Uses
Height, maximum (feet)	75
Floor area ratio, maximum	1.5

#### B. Bulk coverage and placement

For bulk, coverage and placement requirements not listed in this section see §3.2.

### §8.3.4. District use standards

Use standards applicable to specific uses in the M-1 district include:

A. [Reserved]

### §8.3.5. Site development standards

The site development standards of Article 13 and Article 14 apply to all development, except as otherwise specified below.

#### A. Parking

Parking shall be provided in accordance with the requirements of §14.3.

B. [Reserved]

## §8.4. M-2, Service Industrial District

### §8.4.1. Purpose

[Reserved]

### §8.4.2. Uses

Uses shall be as specified in §8.1.

### §8.4.3. Density and dimensional standards

#### A. General

All development in the M-2 district shall comply with the following standards, except as otherwise expressly allowed or stated.

Type of Standard	All Uses
Height, maximum (feet)	75
Floor area ratio, maximum	1.5

#### B. Bulk, coverage and placement

For bulk, coverage and placement requirements not listed in this section see §3.2.

### §8.4.4. District use standards

Use standards applicable to specific uses in the M-2 district include:

#### A. [Reserved]

#### ~~B. Junkyards<sup>1</sup>~~

~~Junkyard may be allowed, subject to the following conditions:~~

- ~~1. No junkyard shall be located within 225 feet of an arterial highway~~
- ~~2. All junkyards shall be located on lots containing not less than 25,000 sq. ft.~~
- ~~3. All junkyards shall be surrounded by a wall seven feet high or of such additional height as needed to provide suitable screening of the operation with due regard to topography.~~
- ~~4. No material shall be reduced by fire, except when reduced in an approved incinerator.~~

#### Site development standards

The site development standards of Article 13 and Article 14 apply to all development, except as otherwise specified below.

#### ~~C.~~ B. Parking

Parking shall be provided in accordance with the requirements of §14.3.

#### ~~D.~~ C. [Reserved]

<sup>1</sup> Moved to §12.6.14





# Article 9. Special Planning Area Regulations

## §9.1. Special Revitalization Districts

### §9.1.1. C-2 District

#### A. Applicability

The provisions of this ~~§9.1.1~~ shall apply only in the C-2 district.

#### B. General

By site plan approval under §15.6 use regulations for areas designated as "Special Revitalization Districts" on the General Land Use Plan may be modified under the following conditions, and an additional F.A.R. of .5 may be allowed under the following conditions applicable to such increases in density:

1. Height limit: No building, nor the enlargement of any building, shall exceed the height standard in the revitalization area or six stories not including mechanical penthouses.
2. Density: The ratio of the total gross floor area of all uses, excluding one- and two-family dwellings, to the total area of the site shall not exceed 1.5 to 1. A building which has solely residential use above the second floor level shall be permitted to have a residential F.A.R. of 1.5 and a first floor retail commercial use F.A.R. of up to .5. Under no circumstances shall the total F.A.R. of such a building exceed 2.0.
3. The first floor of any office building shall be designed and used for retail commercial uses. A plan specifying the proposed retail commercial uses shall be developed and shall be consistent with the adopted plan for the "Special Revitalization District."
4. Automobile parking space is to be provided as required in ~~§14.3~~, except that parking may be reduced by site plan approval to no less than one off-street parking space per one dwelling unit and one off-street parking space for each 580 sq. ft. of the total office and retail gross floor area.
5. Screening walls and/or landscaping consistent with the goals and standards of the adopted plan for the revitalization area shall be provided where a parking area abuts a street, sidewalk, alley, or other public right-of-way and where a parking area abuts R and RA districts.
6. Streetscape improvements consistent with the standards of the adopted "Special Revitalization District" plan for the area shall be implemented on the periphery of the site fronting on public right-of-way.
7. A coordinated sign plan shall be required. Standards for signs shall be those set forth in the adopted "Special Revitalization District" plan for the area.
8. All aerial utilities in the public right-of-way at the periphery of the site and within the site shall be placed underground.

## §9.2. Clarendon Revitalization District

### §9.2.1. Preservation of identified structures

When a proposal located in the Clarendon Revitalization District as designated on the General Land Use Plan preserves a structure identified for preservation in adopted policies for Clarendon, and the County Board finds that the structure is preserved in accordance with such adopted policies, then the County Board may approve an increase above the otherwise allowable density as follows:

#### A. Referral to Historical Affairs and Landmark Review Board

Prior to County Board approval, the county manager will send the project for review and comment by the Historical Affairs and Landmark Review Board at least 45 days in advance of a public hearing by the County Board, and the Review Board's recommendation will be considered by the County Board. The County Board shall determine whether the project is consistent with the historic preservation objectives of the adopted policies.

#### B. Incentives

1. When an entire building is preserved, the project's gross floor area may, by site plan approval, be increased by an amount of up to 500 percent of the first 10,000 sq. ft. of gross floor area preserved and up to 300 percent of any sq. ft. of gross floor area preserved beyond 10,000 sq. ft.
2. When a building frontage or façade is preserved, the project's gross floor area may be increased by an amount of up to 500 percent of the sq. ft. of gross floor area preserved. The sq. ft. of gross floor area preserved shall be calculated by multiplying the linear feet of building façade or frontage preserved by the depth of preservation.

#### C. Step-back requirements

Unless the County Board finds, in a particular case, that a lesser step-back or no step-back is more appropriate to ensure a contextually appropriate definition between a structure identified for preservation in the Clarendon Sector Plan and new buildings, the preservation of building frontages or facades shall provide a step-back of at least 20 feet for frontages and 10 feet for facades, immediately above the preserved portion of the project.

### §9.2.2. C-3 district

#### A. Applicability

The provisions of this section apply only in the C-3 district.

#### B. General requirements

In the Clarendon Revitalization District, as designated on the General Land Use Plan, the following additional provisions shall apply:

##### 1. Treatment along major streets

Structures along Wilson Boulevard, Clarendon Boulevard, 10<sup>th</sup> Street North, Washington Boulevard, 13<sup>th</sup> Street North and Fairfax Drive (together referred to in this Article 9 as "major streets") shall contain functioning entry doors at least every 50 linear feet along the building façade.

##### 2. Parking along major streets

Above-ground parking structures or surface parking within 120 feet of the center line

of major streets shall be located behind a structure containing other uses for the entire height of the parking structure, such that the parking or parking structure is not visible from the frontage of the property along that street. Entrances and exits to parking lots or parking structure on major streets shall be allowed only where the zoning administrator determines that the only frontage(s) reasonably available for such entrance or exit is on a Major Street. When a parking structure is accessed from a Non-Major Street only, the zoning administrator may approve a decreased setback from a Major Street where such decrease will allow for adequate space to access the parking structure above the first floor.

### 3. Parking structures along non-major streets

Along non-major streets, except as alleys, North Ivy Street, 12<sup>th</sup> Street North and 10<sup>th</sup> Road North, any parking structure's ground floor shall be located behind a structure containing other uses, such that the first-floor of the parking structure is not visible from such street and its associated sidewalks. Any parking structure above the first floor that is visible from a Non-Major Street shall have all openings screened along the entire façade of such structure. Screening techniques may include the use of display windows, decorative grillwork, decorative glass, decorative masonry or a combination of these methods, or similar methods so as to ensure that vehicles within the structure are screened from the view of cars and pedestrians along non-major streets and their associated sidewalks. Interruptions to this screening method are allowed to accommodate vehicular and/or pedestrian access. Parking structures along alleys and along North Ivy Street, 12<sup>th</sup> Street North and 10<sup>th</sup> Road North are not required to be placed behind other uses on the first floor. However, parking along these streets shall be screened on all floors using the screening techniques listed above.

### 4. Surface parking along non-major streets

Surface parking shall be screened as required in §14.2.3.E, except that any surface parking lot facing a public rights-of-way (where no structure containing a use is between the right-of-way and the parking) shall incorporate a landscape strip as specified in §14.2.3.E.1, such landscape strip shall be a minimum of five feet wide, placed at the back of the required sidewalk along that right-of-way. In addition, any such parking area shall be screened by a masonry wall of a minimum of 42 inches and 48 inches tall (measured as described in §14.2.3.E.2), which shall be placed along the outer edge of the parking area, and which may extend no closer to the right-of-way than the distance specified in §3.2.5.A.1(c). This wall shall be designed to partially screen vehicles from pedestrian view from ~~adjacent~~ abutting sidewalks and to provide separation between pedestrians, and parking areas. Reasonable interruptions to this wall are allowed to accommodate vehicular access. Breaks in the masonry wall shall be allowed for pedestrian access but each break shall be a maximum of 48 inches wide. In addition, any vehicular access to a surface parking lot shall include sidewalks, a minimum of four feet wide, along each side of the driveway to permit pedestrian access from the street frontage into the parking lot.

## C. Landscaping requirements

1. For properties within the "Clarendon Revitalization District" on the General Land Use Plan, the following may apply:

- (a) Where a developer has entered into a binding commitment to construct streetscape improvements according to the county's adopted plans and to place all aerial utilities on and at the periphery of the lot underground as part of new development or redevelopment, then the 10 percent landscaping requirement may be reduced to eight percent. The zoning administrator's approval for such a reduction shall not waive the landscape strip required in ~~§9.2.2.B.3~~~~§9.2.2.B.3~~; or
- (b) Where a developer has entered into a binding commitment to construct streetscape improvements according to the county's adopted plans and to place all aerial utilities on and at the periphery of the lot underground as part of new development or redevelopment, the zoning administrator may approve use of a portion of the public right-of-way for that purpose. In such a case, the 10 percent landscaping requirement shall apply, without reduction, on private property; and
- (c) Where a developer dedicates land to the county in fee, with no other consideration, or in easement, in a form approved by the County Board, for a right-of-way called for in the Arlington County Master Transportation Plan within the area of the "Clarendon Revitalization District" on the General Land Use Plan, the zoning administrator may approve a reduction in the remaining landscape requirement by the same number of ~~sq. ft.~~~~square feet~~ of land area as is dedicated to the county.

#### D. Site plans

In areas designated "Medium Density Mixed Use" and located within the Clarendon Revitalization District as designated on the General Land Use Plan, where the County Board finds that a development proposal furthers the goals, policies, and recommendations identified in the Clarendon Sector Plan, it may, in accordance with §15.6, modify the requirements of ~~§7.19.5~~~~§7.19.5~~ and ~~§14.3~~~~§14.3~~, by site plan. The following regulations shall apply unless otherwise modified by the County Board by site plan:

##### 1. Density regulations

- (a) The County Board may approve a density of up to 3.0 F.A.R. subject to the Maximum Number of Floors shown on the Maximum Height Limits Map (~~§9.2.5~~~~§9.2.5~~, Map 1).
- (b) As provided in the Clarendon Sector Plan, the County Board may approve optional increases in density above 3.0 F.A.R. pursuant to §15.6 by approving additional floors subject to the Maximum Height (feet) on the Maximum Heights Limits Map (~~§9.2.5~~~~§9.2.5~~, Map 1) and as described in subsection 4, below. Density approved pursuant to ~~§15.5.7.B~~~~§15.6.6.B~~ shall only be density transferred to or received from other sites within the Clarendon Revitalization District.

##### 2. Area requirements

No minimum site area required.

##### 3. Use mix regulations

The regulations of this subsection 3 shall apply to density of up to 3.0 F.A.R. as approved by the County Board. Any additional density shall not be subject to these restrictions:

- (a) For sites designated as “Prime Office Sites” on the Use Mix Map (~~§9.2.6~~§9.2.6, Map 2), at least 60 percent of the density shall consist of commercial uses. For the purpose of this calculation, hotel uses will be counted as non-commercial uses.
- (b) For sites designated “Residential, Commercial, Hotel, or Mixed Use – Minimum 20 percent Commercial” on the Use Mix Map (~~§9.2.6~~§9.2.6, Map 2), at least 20 percent of the total density shall consist of commercial uses. For the purpose of this calculation, hotel uses will be counted as commercial uses.
- (c) For all sites in the Clarendon Revitalization District not covered by ~~§9.2.2.D.3(a)~~§9.2.2.D.3(a) and ~~§9.2.2.D.3(b)~~§9.2.2.D.3(b), residential, commercial, hotel, retail, or a combination of those uses shall be permitted.
- (d) The following shall apply to all sites: ground floor retail that substantially complies with the Frontage Type guidelines shall be provided where Retail Frontages are designated on the Use Mix Map (~~§9.2.6~~§9.2.6, Map 2).

#### 4. Height regulations

Under no circumstances shall the County Board approve a site plan that exceeds the following overall height maximums:

- (a) No building, except for mechancial penthouses, shall be erected to exceed 55 feet in height, except as provided below.
- (b) When a structure is farther than 165 feet from an R or RA district, the height may be increased by one foot for every three feet beyond 165 feet, up to a maximum height of 110 feet.
- (c) Where the Maximum Heights Limit Map (~~§9.2.5~~§9.2.5, Map 1) shows heights greater than heights allowed in subsections (a) and (b), above, the County Board may allow additional height up to the maximum height shown on the Maximum Heights Limit Map (~~§9.2.5~~§9.2.5, Map 1) and may permit additional height for those sites designated as “Receiving Sites for Additional Height” on the Receiving Sites Map (~~§9.2.7~~§9.2.7, Map 3).

#### 5. Coverage Requirements

Lot coverage as calculated for the property that is the subject of the special exception shall be no greater than 80 percent unless one of the following applies:

- (a) When a development preserves a building designated for preservation according to the Building Preservation Map (~~§9.2.8~~§9.2.8, Map 4), and in accordance with the standards set forth in ~~§9.2.2.D.8(b)~~§9.2.2.D.8(b), the area of the footprint of the structure being preserved may be excluded from the coverage calculation; and
- (b) Coverage may be increased by the amount of square footage of open space provided off site in the “Clarendon Revitalization District” as designated on the General Land Use Plan; and
- (c) Where new streets are provided and dedicated as designated in the Master Transportation Plan, coverage may be increased for the area of the street from face of curb to face of curb; and

- (d) Coverage may be increased on a site when the site plan meets other design standards set forth in the Clarendon Sector Plan pursuant to ~~§15.5.5~~~~15.5.5~~.

## 6. Building placement and streetscape

- (a) Any street frontage, including any new street as designated in the Master Transportation Plan, shall be improved with streetscapes consistent with the Streetscapes Map (~~§9.2.9~~~~9.2.9~~, Map 5) and sidewalk design guidelines (~~§9.2.3~~~~9.2.3~~, Table 1) unless otherwise approved. The clear walkway zone (an unobstructed area serving as circulation space for pedestrians) shall be maintained at a width no less than six feet.
- (b) New structures shall be built to the build-to line specified in the Build-To-Lines Map (~~§9.2.10~~~~9.2.10~~, Map 6) and shall be built to the build-to line for at least 75 percent of the building line on each street frontage of the site. The location of the build-to line will be based upon street cross-sections shown in the Clarendon Sector Plan as follows: facades of new structures along a build-to line shall be composed as a simple plane (limited jogs less than 24 inches are considered a simple plane within this requirement) interrupted only by porches, stoops, bay windows, shop-fronts, balconies, other entries to the building, café seating, or for compatibility with a preserved structure.
- (c) All aerial utilities on and at the periphery of the site shall be placed underground with redevelopment or new construction.

## 7. Parking requirements

- (a) Except as set forth in subsections (1), (2), and (3) below, one parking space for each dwelling unit and one parking space for each 580 ~~sq. ft.~~~~square feet~~ of gross floor area not part of a dwelling unit, and 0.7 parking space for each guest room.
- (b) When buildings which have been identified as contributing buildings eligible for preservation in the Clarendon Sector Plan are preserved in accordance with the standards set forth in that Plan, the above parking requirement may be reduced as follows:
  - (1) If a building identified for full preservation is preserved, the number of parking spaces provided for the gross floor area preserved may equal the lesser of either the “Estimated Parking Spaces” specified in ~~§9.2.4~~~~9.2.4~~, Table 2, or the amount otherwise required.
  - (2) If a building identified for partial preservation is preserved, the number of parking spaces provided for the gross floor area preserved shall equal the number of “Estimated Parking Spaces” specified in ~~§9.2.4~~~~9.2.4~~, Table 2, prorated by the ratio between the floor area preserved and the floor area of the original building.
  - (3) If a building identified for partial preservation is preserved beyond that identified in the Clarendon Sector Plan, the County Board may further reduce parking requirements for the gross floor area preserved equal to the lesser of the pro-rated amount based on the ratio between the floor area preserved and the floor area of the original building or the amount otherwise required.

- (4) The County Board may further reduce parking requirements for preserved structures where an applicant demonstrates that the number of parking spaces specified in ~~§9.2.4~~ ~~§9.2.4~~ Table 2, is greater than the number of spaces owned by the preserved structure on December 31, 2006.
- (5) Parking for retail uses shall comply with the requirements set forth above, or the requirements of §14.3, whichever are less stringent.
- (6) The County Board may allow up to 100 percent of parking requirements to be met off-site for sites smaller than 20,000 ~~sq.-ft.~~ ~~square feet~~ if the County Board determines that ~~on-site~~ ~~on-site~~ parking is not feasible due to site constraints, access limitation or other factors, and required parking can be provided within 1000 linear feet of the subject property with assurances that such parking will remain available for the duration of the approved plan.
- (c) Parking shall be provided as specified and regulated in §14.3, unless otherwise provided for in §9.1.3.A.7(a), above.
- (d) To ensure the availability of short term and shared parking for use by visitors, clients and retail patrons in the “Clarendon Revitalization District,” a parking management plan (PMP) shall be required and shall include provisions for shared parking consistent with recommendations in the Clarendon Sector Plan. The allocation of shared spaces may be provided out of the total building parking requirement if appropriate provisions are made in the PMP for such shared use, on terms acceptable to the County Board at the time of approval.

## 8. Design requirements

All site plans shall comply with the following design requirements unless otherwise approved by the County Board:

- (a) Buildings including, without limitation, facades and ground floor ceiling heights, shall be designed in a manner consistent with the frontage type guidelines set forth in the Clarendon Sector Plan, except for those buildings designated for full or partial preservation.
- (b) When a site includes a structure identified for preservation in the Clarendon Sector Plan, the structure shall be preserved in a manner consistent with the Clarendon Sector Plan, other regulations set forth in this district, and regulations set forth in ~~§9.2.1~~ ~~§9.2.1~~. New development within the site shall be compatible with the existing structures in terms of material color and texture, size and fenestration of doors and windows, and cornice lines.
- (c) Off-street parking entrances/exits and loading areas are to be provided as required in §14.3, except that these areas will be located only in areas designated for Service frontages as designated on the Frontage Types Map (~~§9.2.11~~ ~~§9.2.11~~, Map 7). If a site does not include any site area designated for Service frontage, the County Board may approve an alternate location for service and/or parking entrances/exits that balances the following considerations:
  - (1) Proposed location limits pedestrian and vehicle conflicts;
  - (2) Project as designed maximizes the site’s potential for pedestrian street activation along major pedestrian routes; and

- (3) Project is designed to maximize consolidation of loading and/or vehicular entrances with other properties on the same block.
- (d) All equipment above the roofline shall be screened from view by walls of equal height and materials similar to the facades of the building, set back a distance at least equal to their height from the building edge and height limit line and shall not exceed 18 feet.
- (e) Where retail space is located on the ground floor, such space shall be designed and constructed with a Structural Clear Height (the space bounded by the top of one slab, or other structural portion of one floor, and the bottom of the next slab, or structural portion of a floor) of at least 15 feet, except where the County Board finds that such Structural Clear Height would adversely affect the historical aspects of a building designated for full or partial preservation.
- (f) When a building exceeds 60 feet in height, a single step-back of at least 20 feet shall be implemented beginning on the third, fourth or fifth floor, on frontages designated for step-backs on the Step-Backs Map (~~§9.2.12~~~~§9.2.12~~, Map 8), except as provided below.
  - (1) The County Board may approve modifications to the depth of the step-back on sites smaller than 20,000 ~~sq. ft.~~~~square feet~~ if the County Board determines that a 20-foot step-back is not feasible due to the shape or configuration of the site.
  - (2) For projects that achieve full building preservation and for which step-backs are otherwise required, the County Board may consider and approve alternative step-back designs, pursuant to ~~§9.2.1~~~~§9.2.1~~.
  - (3) All projects in the “Clarendon Revitalization District” that include façade or frontage preservation but not full building preservation, shall be stepped back at least 10 feet for a façade and 20 feet for a frontage, immediately above the preserved structure, unless modified by the County Board pursuant to ~~§9.2.1~~~~§9.2.1~~.
- (g) Mezzanine space may be approved by the County Board when it finds that:
  - (1) Mezzanine is incidental to a retail or restaurant use with which it is associated and will contribute to the marketability and viability of the retail or restaurant use; and
  - (2) The mezzanine will not adversely affect transparency or fenestration as called for in the Clarendon Sector Plan or reduce the open space between the floor and the ceiling of the ground-floor space to less than 12 feet.
- (h) Mezzanines may be considered “incidental” if the square footage of mezzanine is no more than 2/3 of the square footage of the ground-floor retail and/or restaurant use to which it is incidental.



## §9.2.3. Table 1, Sidewalk design guidelines

Standard	Type			
	20'	18'	14'	12'
Total streetscape width	20'	18'	14'	12'
Clear walkway zone (minimum width although pinch points at a minimum of 6 ft. clear width will be permitted to accommodate building preservation and café space, however, at least 6' minimum clear width should <del>abut</del> <sup>be adjacent to</sup> preserved historic structures)	14' (may be reduced to 6' to accommodate café/shy zone)	12' (may be reduced to 6' to accommodate café/shy zone)	8' (may be reduced to 6' to accommodate café/shy zone)	6'
Tree and furniture zone (includes 8' brick band, soldier course between back of curb and tree pit, or other suitable material)	6'			
Café/Shy Zone	6'	6'	2'	see stoop/ landscape zone
Stoop/landscape zone	n/a			6' for urban residential frontage type
Paving material and concrete curb	concrete w/contemporary materials outside of clear walkway zone			Concrete
Tree pit size	5' x 12' minimum			
Continuous planting/utility strip	n/a			Permitted
Light fixture – Carlisle light (single pole or double pole)	double with 16' poles	double with 16' poles on main streets, single with 12' poles on secondary streets	single with 12' poles	single with 12' poles
Utilities (all underground and/or along rear lot line)	Yes			
Crosswalks	Thermoplastic markings (ladder)			
Street tree species	See Map 34			
Street tree spacing (average)	30' on center, coordinated with street light spacing, generally no closer than 12' from street trees			
Street tree size – major deciduous trees	4-6" caliper/16-30' tall at time of planting	4-6" caliper/16-30' tall at time of planting	4-6" caliper/16-30' tall at time of planting	4-6" caliper/16-30' tall at time of planting

## Notes:

<sup>1</sup> See Rosslyn Ballston Corridor Streetscape Standards (updated 2004 or most recent update) for additional details and methods

<sup>2</sup> Streetscape exemptions may apply only to frontages directly ~~adjacent~~<sup>abutting</sup> structures called for historic preservation; all other streetscape areas should be consistent with the streetscape standards.

**§9.2.4. Table 2, Parking Spaces Associated with Structures Recommended for Preservation**

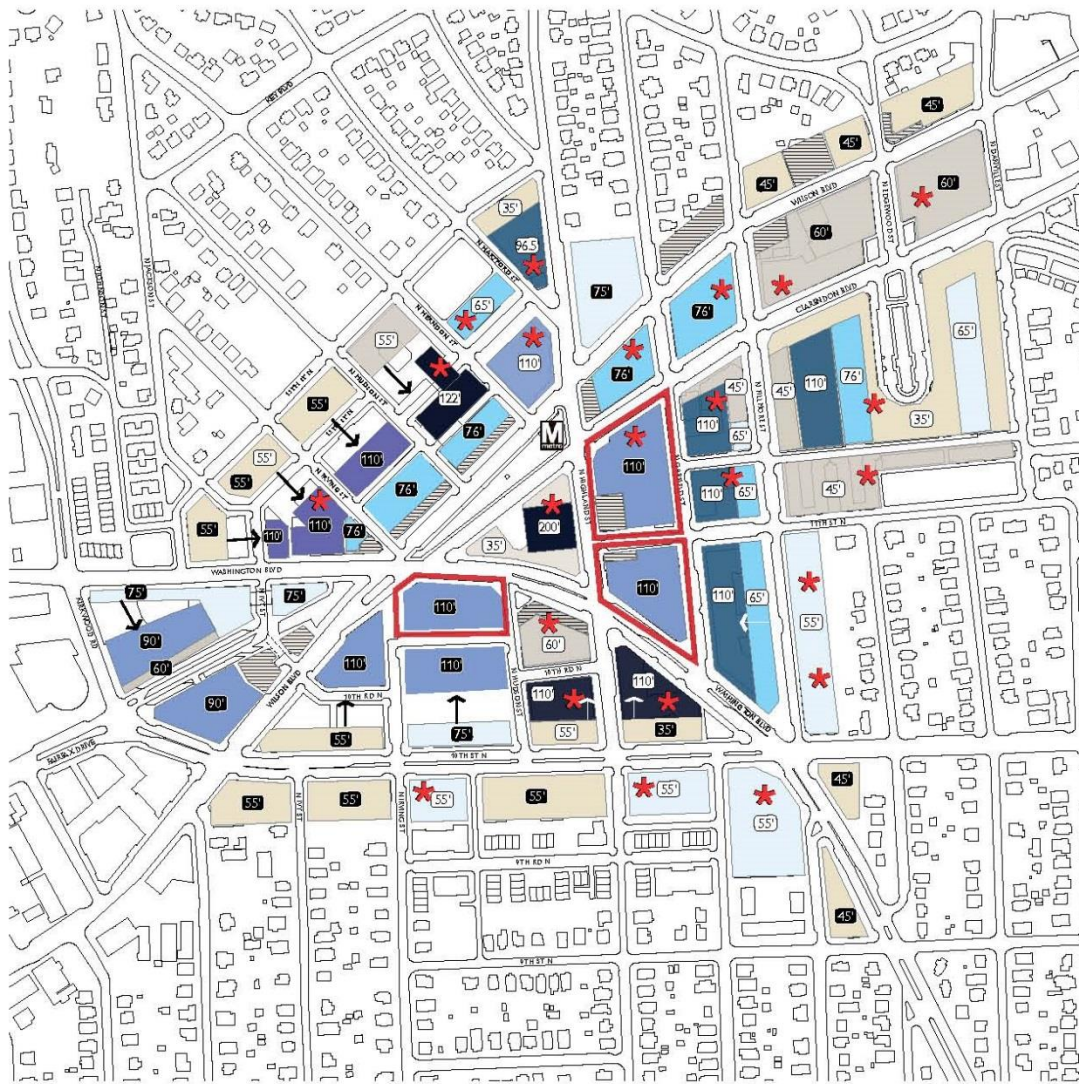
Block	Building(s)	Address	Estimated Parking Spaces	Approximate Parking Area (sq. ft.)
1	Meat Market Building	2719 Wilson Boulevard	27	6,500
1	Bike/Garden Shop Building	2727-31 Wilson Boulevard	5	1,300
2	NTB Building	2825 Wilson Boulevard	35	14,750
3	All Buildings	2901-25 Wilson Boulevard	40	12,000
8	All Buildings	3125-41 Wilson Boulevard	30	5,300
10	All Buildings	3165-95 Wilson Boulevard	12	4,200
12	All Buildings	3201-26 Washington Boulevard	6	1,150
18	Clarendon Citizens Hall Building	3211 Wilson Boulevard	5	2,400
19	Kirby Garage Building	3237 Wilson Boulevard	8	5,700
24	USPS	1020 N. Highland St	2	470
27	All Buildings	3016-28 Wilson Boulevard	0	0
30	Leadership Building	1101 N. Highland Street	0	0

Notes:

<sup>1</sup> Existing spaces as counted through 12/31/2006

<sup>2</sup> The existing estimated parking spaces may or may not conform with existing zoning. Where existing spaces are nonconforming, the existing approximate parking area may be used in determining the preferred number of spaces within a conforming parking layout as part of the proposed redevelopment. [Source: Field survey conducted by Arlington County DES]

§9.2.5. Map 1, Maximum height limit



Maximum Height (Feet)



Existing Buildings



Proposed Buildings

Maximum Number of Floors



Preservation Structures - Existing Heights are the Maximum (Actual Heights Vary)



3 Floors



4 Floors



5 Floors



6 Floors



7 Floors



8 Floors



10 Floors



More than 10 Floors



Additional Height up to 128' may be considered by the County Board in exchange for community benefits.



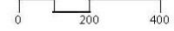
Building heights, step-backs, and tapers on blocks marked with asterisks are controlled under development projects approved by the County Board and the building height noted (feet) may be approximate.



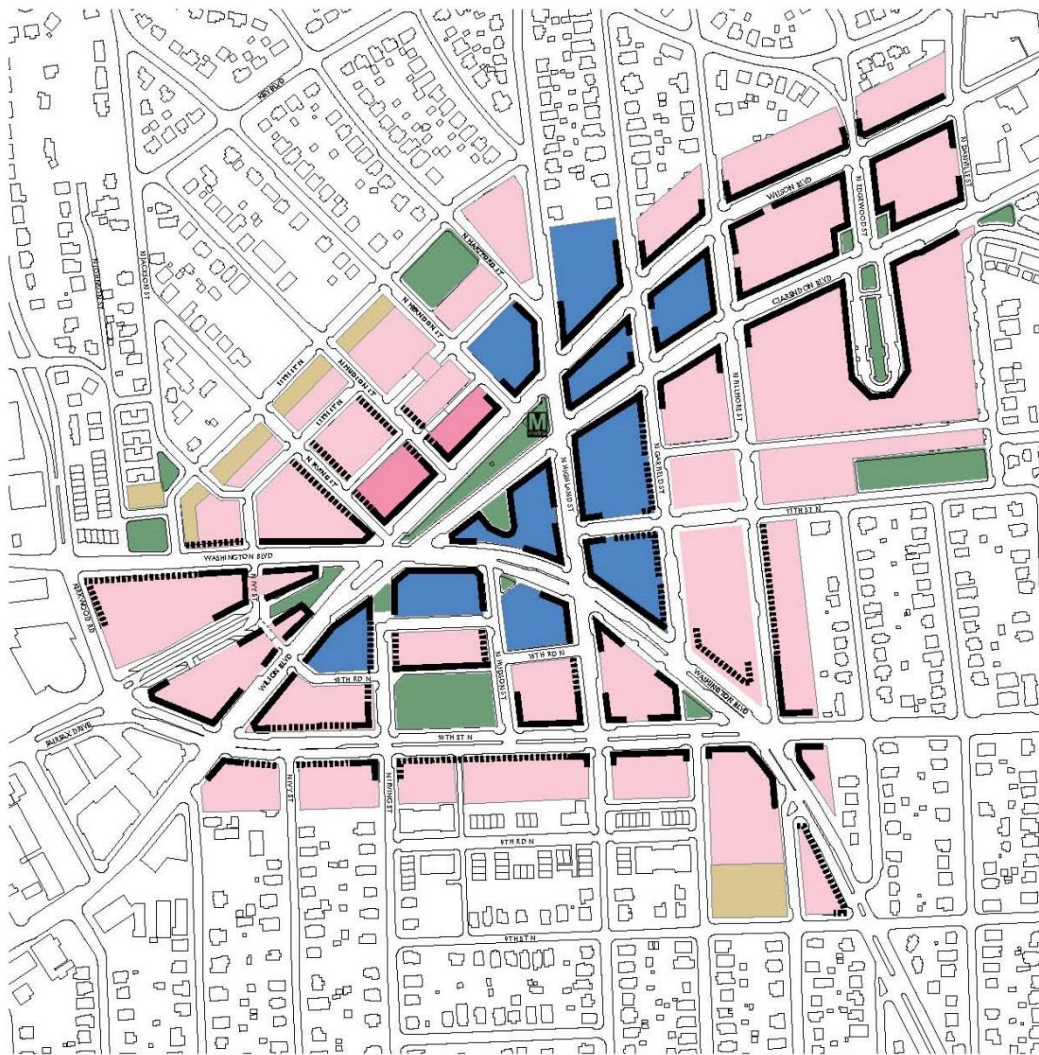
Taper Requirements (1:3 Ratio beyond 165' from "R" or "RA" Zoning line)

Notes:

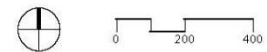
1. Unless otherwise indicated, numbers shown on the height map indicate the maximum height (feet) permitted.



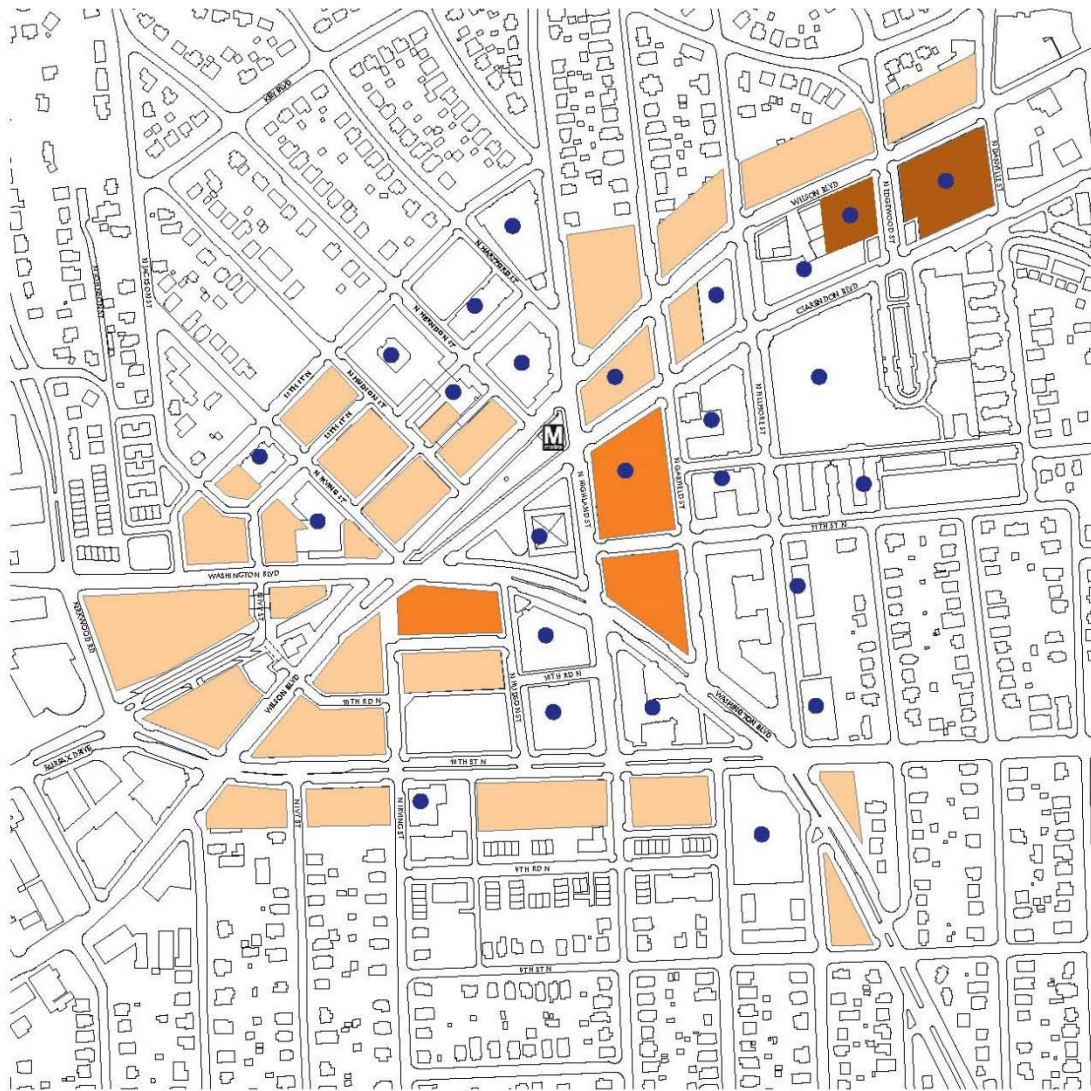
§9.2.6. Map 2, Use mix



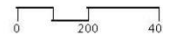
- Residential
- Residential, Commercial, Hotel, or Mixed Use
- Residential, Commercial, Hotel, or Mixed Use - Minimum 20% Commercial
- Residential, Commercial, Hotel, or Mixed Use - Prime Office - Minimum 60% Commercial
- Existing & Proposed Open Space
- Retail Frontages
- Retail and/or Personal/  
Business Service Frontages



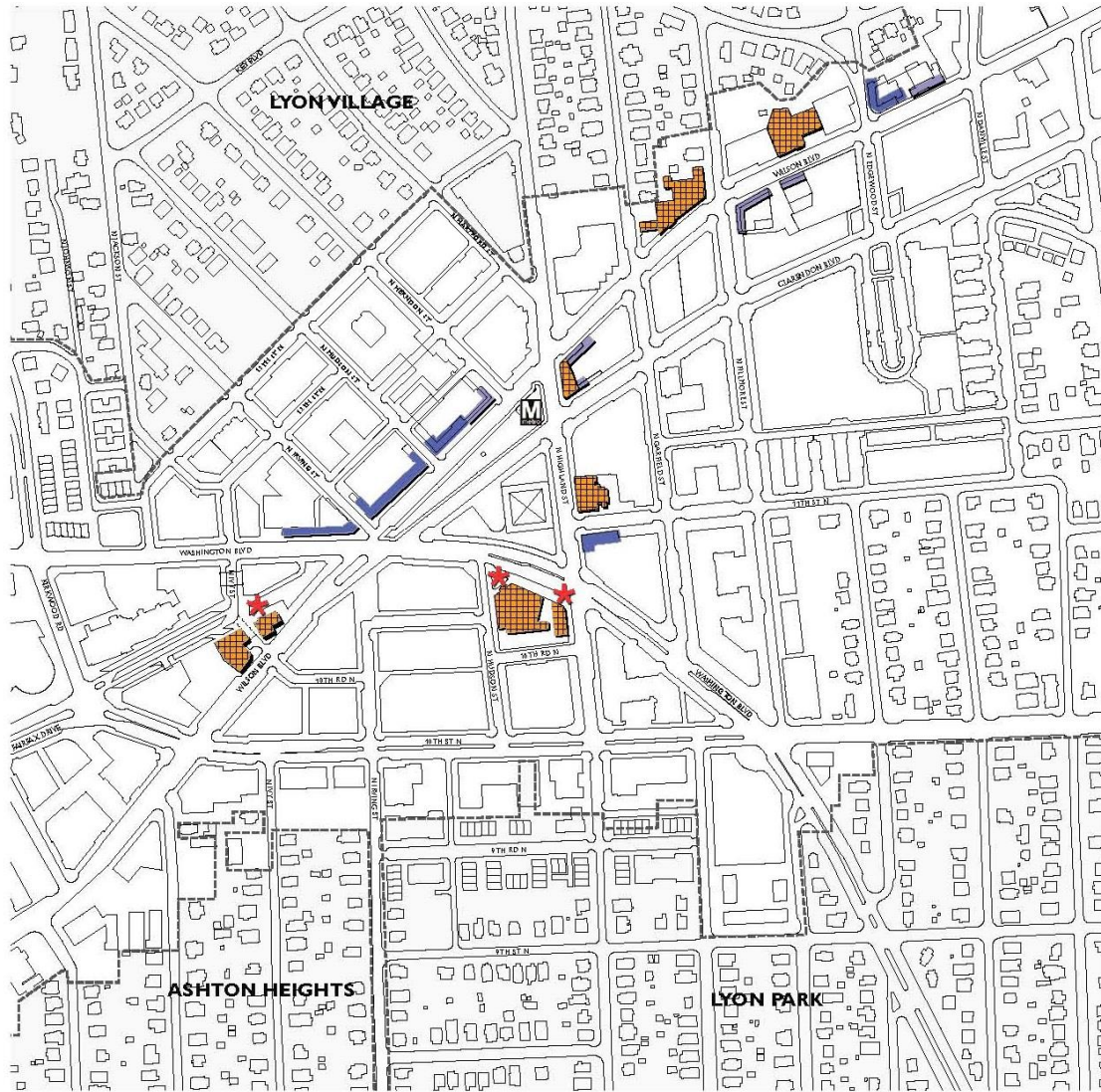
### §9.2.7. Map 3, Receiving sites



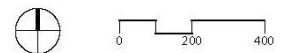
- Additional Density above GLUP may be approved by County Board; Maximum Building Height may not be exceeded
- Additional Height above Maximum Building Height and Additional Density above GLUP may be approved by County Board
- Additional Density above Existing Approved Site Plan Density may be approved by County Board; Maximum Building Height may not be exceeded
- Density controlled under development projects approved by the County Board



§9.2.8. Map 4, Building preservation

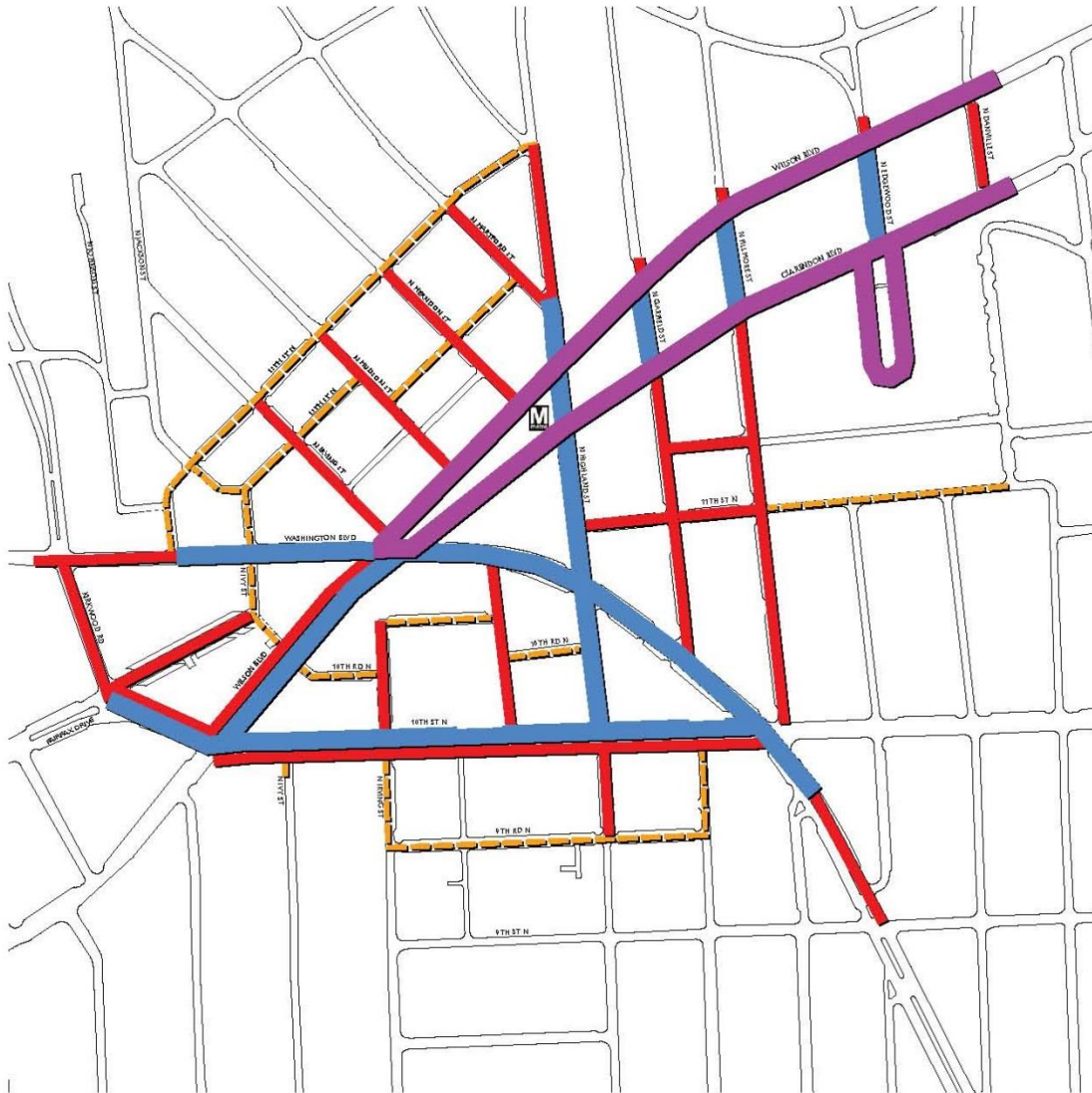


-  Full Building Preservation
-  Local Historic District
  - Joseph L. Fisher Post Office Building
  - Dan Kain Building
  - Former Clarendon Citizens Hall (Murky Coffee)
-  Building Frontage Preservation
-  Building Frontage or Facade Preservation
-  National Register Historic Districts
  - Lyon Village, May 2002
  - Ashton Heights, April 2003
  - Lyon Park, November 2003



§9.2.9. Map 5, Streetscapes

freight



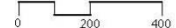
Sidewalk Widths

- 20'
- 18'
- 14'
- 12'

Notes: These widths indicate the anticipated dimensions from the curb face to the build-to line and include the various streetscape zones described in this chapter. Some modification to the streetscape condition, including widths, may be necessary adjacent to buildings, frontages, and facades recommended for preservation.

The streetscape for 9th Road would have a continuous landscape strip located at the back of curb.

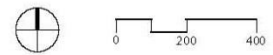
See recommended street cross sections in Chapter 2 for any adjustments to the streetscape dimensions due to unique site conditions.



### §9.2.10. Map 6, Build-to lines



Note: Parking and loading should be located where build-to lines are not indicated.

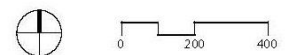




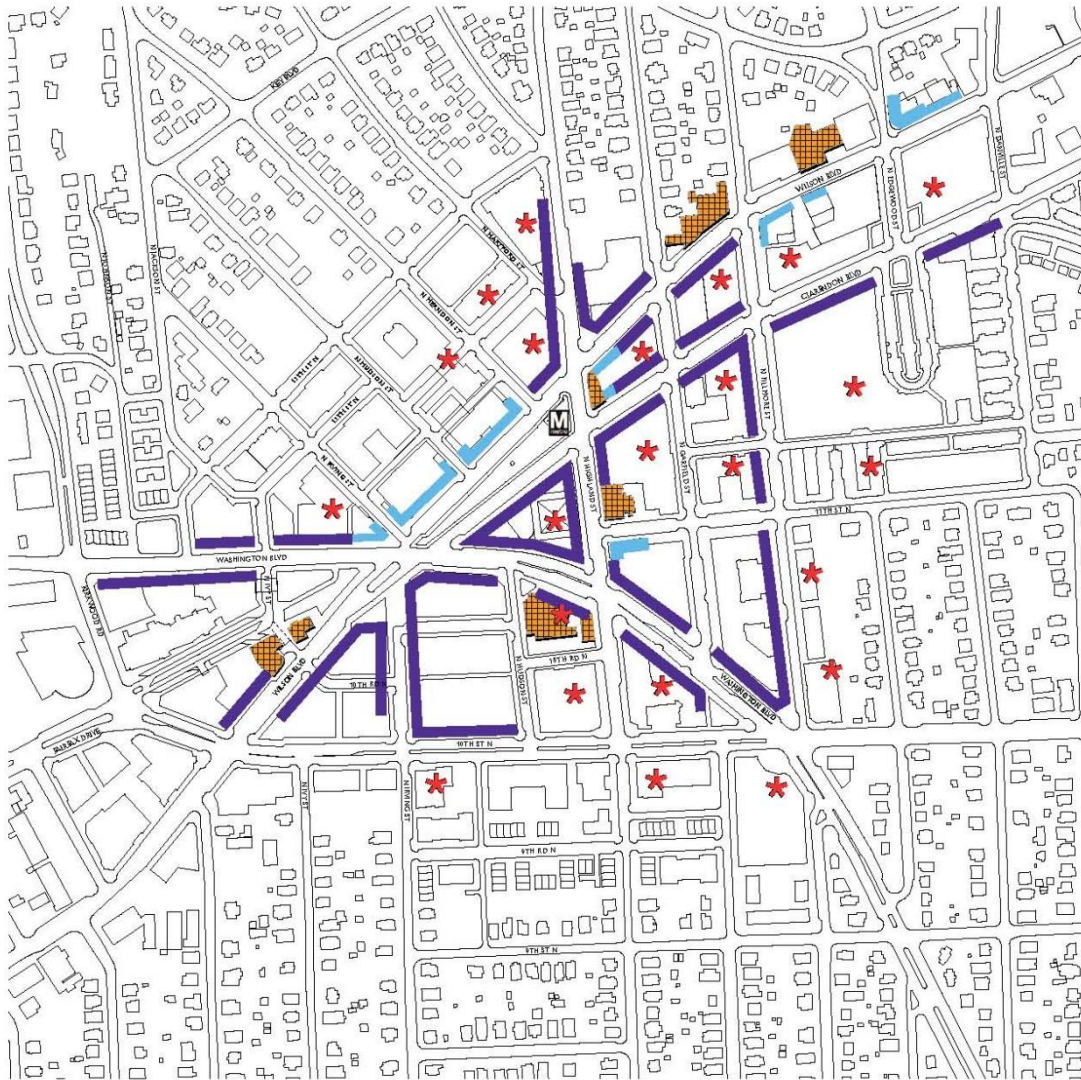
§9.2.11. Map 7, Frontage types




- Main Street
- 10th Street
- Side Street A
- Side Street B
- Urban Residential
- 9th Road Residential
- Service
- Alley




§9.2.12. Map 8, Step-backs



 Designated Frontages for Step-Backs when Building Heights Exceed 60 Feet  
 - 20' Step-back at 3rd, 4th, or 5th floors

 Designated Frontages for Step-Backs achieved through Building Facade or Building Frontage Preservation

 Full Building Preservation

 Building heights, step-backs, and tapers on blocks marked with asterisks are controlled under development projects approved by the County Board and the building height noted (feet) may be approximate.



## §9.3. Fort Myer Heights North Special District

When a site within the area designated as the Fort Myer Heights North Special District on the General Land Use Plan and within the RA8-18 or RA6-15 district is sought to be used in a manner consistent with the purposes of the Fort Myer Heights North Plan, and subject to the provisions hereafter set forth then, by special exception site plan approval pursuant to §15.6, development may be permitted at up to 3.24 F.A.R. in the “Revitalization Area” designated in the Plan. The County Board may approve site plans within the “Revitalization Area” designated in the Plan where the goals recommended in the Plan for that site are addressed, including, as applicable, the affordable housing contribution recommended in the Plan, the historic buildings identified for preservation in the Plan, and such other buildings as the County Board may identify as worthy of historic preservation, with their surrounding open spaces, the provision of the public open spaces identified in the Plan, and the preservation of significant trees identified in the Plan or their replacement in accordance with the county’s tree replacement guidelines.

### §9.3.1. Floor area ratio

A site plan project in the “Revitalization Area” designated in the Plan may exceed 3.24 F.A.R. with bonus density for achieving goals consistent with the intent of the Plan, such as LEED, provided that development is consistent with the design guidelines, including building height maximums, and where it furthers the purposes of the Plan.

### §9.3.2. Building height

Building heights shall be consistent with the heights recommended in the Plan. Building heights approved by site plan in the “Revitalization Area” designated in the Plan shall under no circumstances exceed 12 stories or 125 feet, exclusive of mechanical penthouses. Mechanical pPenthouses shall be minimized in terms of height, bulk and visual appearance and shall under no circumstances exceed 16 feet.

### §9.3.3. Affordable dwelling units

The County Board may approve a site plan project where the proposal designates 20 percent of the G.F.A. that is above the General Land Use Plan maximum as affordable, in addition to meeting the requirements of the county’s Affordable Dwelling Unit Ordinance as outlined in §15.5.8~~§15.5.8~~ for the proposed G.F.A. within the General Land Use Plan maximum, except as set forth in §9.2.E.5. Units shall be considered affordable where they are committed for a 30 year term, are affordable at 60 percent or less of the area median income and meet minimum habitability standards established by the county.

### §9.3.4. Neighborhood-serving retail and other service uses

Neighborhood-serving retail and other service uses, such as a medical or dental doctor’s office, neighborhood delicatessen, dry\_cleanin drop-off stationer, neighborhood-scale library branch or small café and other uses as permitted and regulated in the C-1-R district may be approved along Clarendon Boulevard, Fairfax Drive and at other primary intersections and/or locations that experience significant pedestrian traffic should the County Board find they will not adversely impact the neighborhood and will be otherwise appropriate.

### §9.3.5. Transfer of development rights

- A. The transfer of development rights in accordance with §15.5.7.B~~§15.5.7.B~~ is permitted for historic preservation, open space and affordable housing purposes for sending sites specifically identified in the Plan and located in the “Conservation Area” designated in the

Plan, subject to the following provisions. Additional sending sites that are located within the “conservation area” designated in the Plan may be approved by the County Board.

1. For the purposes of calculating F.A.R. in the Fort Myer Heights North Special District, an average unit size of 1,000 [sq.-ft.-square feet](#) shall be assumed.
  2. The County Board may approve a transfer of development rights in the amount of up to three times the first 10,000 [sq.-ft.-square feet](#) of a preserved historic building and up to two times the density of the remaining square footage in return for an easement to preserve the historic property in perpetuity, which easement includes an agreement to rehabilitate the property if the County Board determines that rehabilitation is necessary for preservation and to maintain it in good condition; and a commitment to maintain the open space surrounding the historic building in a manner consistent with the Plan.
  3. If, in addition to meeting the preservation and rehabilitation requirements outlined above, 10 percent or more of the units in the subject building are proposed to be committed for a 30 year term affordable at 60 percent or less of the area median income and to meet minimum habitability standards established by the county, the County Board may approve a transfer of development rights in the amount of up to an additional two times the density of the first 10,000 [sq.-ft.-square feet](#) of the preserved building and up to an additional one times the remaining density for a total of up to five times the density of the first 10,000 [sq.-ft.-square feet](#) of the preserved building and up to three times the density of the remaining square footage. If additional units are committed as affordable, the County Board may increase proportionally the aforementioned multipliers at its discretion.
  4. In order to achieve the goals of the Plan, it is preferred that density be transferred to sites within the “Revitalization Area” designated in the Plan, provided that development using such density is consistent with the design guidelines, including building height maximums, and the purposes of the Plan. Receiving sites will be expected to meet, [on-site/on-site](#), the aforementioned affordable housing requirements for all sites developed per the site plan process, except that the County Board may modify the requirement that 20 percent of the G.F.A. over the General Land Use Plan maximum be designated as affordable for that portion of the density transferred from the “Conservation Area” designated in the Plan. The County Board may permit receiving sites located within the “Revitalization Area” designated in the Plan to exceed the Plan’s maximum density of 3.24 F.A.R. In such instances, receiving sites that meet or exceed 3.24 F.A.R. will not be subject to the provisions of the Special Affordable Housing Protection District regulations of the General Land Use Plan.
  5. The County Board may also approve the transfer of density to sites located elsewhere in the county, with a preference for the Rosslyn or Courthouse Metro station Areas. Receiving sites located outside the Fort Myer Heights North Special District that meet or exceed 3.24 F.A.R. will remain subject to the provisions of the Special Affordable Housing Protection District regulations of the General Land Use Plan.
- B. The County Board may also approve the transfer of development rights in accordance with [§15.5.7.B](#)~~§15.5.7.B~~ for historic preservation, open space preservation and affordable housing purposes for sending sites located in the “Revitalization Area” designated in the Plan. Sites located in the “Revitalization Area” designated in the Plan may transfer density

to another site located within the “Revitalization Area” or to another site located outside the Fort Myer Heights North Special District. In such instances, the provisions of ~~§9.3.5.A.2~~ through ~~§9.3.5.A.5~~, above, will not apply.

## **§9.4. Radnor Heights East Special District**

When a site within the area designated as the Radnor Heights East Special District on the General Land Use Plan is sought to be used in a manner inconsistent with the existing regulations for setback, yard, coverage or parking, the County Board, in its discretion, may allow exceptions to those regulations after application for site plan approval consistent with §15.6, in order to achieve a design which is appropriate for the site, project, and the surrounding area and meets the standards for special exception site plan approval set forth in §15.6. By site plan approval multiple-family dwellings may be permitted at densities up to 48 dwelling units per acre.

*This page intentionally blank*

# Article 10. Unified Developments

## §10.1. Unified Residential Developments

### §10.1.1. Purposes and intent

The purposes and intent of this §10.1 is to:

- A. Provide for flexible, site-specific solutions for the development of one-family detached dwellings in certain districts;
- B. Implement the purposes of the general land use plan and the zoning ordinance;
- C. Promote the compatibility of one-family residential developments with surrounding neighborhoods by coordinating building forms, the bulk, scale and placement of new buildings, and the relationship between buildings and structures within the development and surrounding properties;
- D. Provide pedestrian connectivity; and
- E. Preserve natural land forms, irreplaceable historical features, and significant trees and foliage.

### §10.1.2. Applicability

Unified Residential Developments shall be permitted subject to the following limitations.

District	Minimum Site Area (sq. ft.)	Frontage, Minimum (feet)
R-20	40,000	140
R-10	20,000	120
R-8	16,000	110
R-6	12,000	100
R-5 and R2-7	10,000	90

### §10.1.3. Minimum requirements

Any unified residential development shall comply with the zoning requirements applicable to the site and the following requirements, unless the County Board, after it finds that such modifications will better accomplish the purposes and intent of ~~§10.1.1~~~~§10.1.1~~, modifies some of those requirements by use permit, as permitted in ~~§10.1.5~~~~§10.1.5~~:

#### A. Density

The maximum number of dwelling units shall be determined by the County Board, depending on the design and configuration of the development, up to a maximum number arrived at by dividing the site area, together with the area of any part of the site to be dedicated for public right-of-way, by the required minimum lot area of the district applicable to the site.

#### B. Minimum right-of-way width of internal streets

The streets which are located within the site and will be publicly dedicated shall have rights-of-way and pavement widths as specified in Chapter 23, Subdivisions, of the County Code. The minimum right-of-way width may be reduced to 40 feet and a pavement width to 30 feet, by use permit approval, if the County Board finds that such modifications will better accomplish the purposes and intent of ~~§10.1.1~~~~§10.1.1~~ than would the development

without those modifications. Private streets shall be constructed to Arlington County standards and shall be of sufficient width to serve the needs of the development.

**C. Maximum site coverage: 50 percent**

**D. Minimum parking requirement**

Two and one-half parking spaces per dwelling unit, at least one of which shall be off-street, shall be provided.

**E. Accessory buildings**

Accessory buildings, such as garages or storage buildings, may be attached to other accessory buildings along common lot lines by use permit approval.

**§10.1.4. Pipe-stem lots**

---

A. Pipe-stem lots may only be created as part of a unified residential development pursuant to §10.1. Development on pipe-stem lots shall satisfy all applicable zoning and subdivision requirements, including those for minimum lot area, setback and yards, coverage, parking and building height, and all the following requirements, unless otherwise modified by use permit:

1. In a “stem” portion of any pipe-stem lot: any side yard shall satisfy the requirements in ~~§3.2.6.A.2~~§3.2.6.A.2.
2. In the “pipe” section of any pipe-stem lot: any side yard shall be a minimum of 25 feet in depth.

B. Where no dwelling unit has been constructed on a pipe-stem lot that was recorded before March 18, 2003, a one-family dwelling unit may be constructed by-right in accordance with all applicable zoning requirement. Modification of these requirements may only be made by use permit approval pursuant to §15.5.

**§10.1.5. Modifications**

---

The County Board may modify the minimum site size, up to a maximum of 10 percent, upon a finding that, after the proposed modification, the subject development will still accomplish the purposes and intent of the zoning ordinance for unified residential development; the area and width of individual lots; any required setback and yard dimensions; site coverage; the number and dimensions of parking spaces; and the height of main buildings by use permit if it finds that such modifications will better accomplish the purposes and intent of §10.1 than would the development without those modifications. Reduction of the minimum site size or lot size shall not result in any greater density than would otherwise be permitted by the ordinance provisions for unified residential development.

**§10.1.6. Procedure for unified residential development**

---

- A. Unified residential developments shall be permitted by use permit, as specified in §15.5.
- B. An approved use permit for a unified residential development plan shall be modified or amended as specified in §15.5.
- C. A preliminary plat shall be submitted at the time of application showing lot areas, lot dimensions, and buildable areas, consistent with all zoning and subdivision requirements.



## §10.2. Unified Commercial/Mixed Use Development

### §10.2.1. Purposes

- A. The purposes of this §10.2 are to:
1. Provide for flexible, site-specific solutions for the revitalization of existing shopping areas while preserving commercial service levels, including, in certain circumstances, new construction in C-2 and C-3 district to implement the purposes of the General Land Use Plan and zoning ordinance;
  2. Promote the compatibility of commercial developments within the commercial district and surrounding properties by coordinating building placement, orientation, scale, bulk, parking, signage, landscaping, streetscape, pedestrian facilities, and historical features where applicable;
  3. Provide for creative opportunities which encourage and retain local and small business; and
  4. Promote opportunities for affordable housing. Additionally, this ~~§10.2~~ will provide for the construction of residential units within C-2 and C-3 district and within the Clarendon Revitalization District, also in C-1 and C-TH, as part of a mixed use development, according to specific guidelines.
- B. Where there is a sector plan or similar document that is at variance with or in conflict with these requirements the County Board can modify the requirements as set forth in ~~§10.2.2~~ to achieve a development that is more consistent with such plans.

### §10.2.2. Modifications

Any proposed unified commercial/mixed use development shall comply with the standards below in §10.2.3, §10.2.4 or §10.2.5, and with any zoning requirements that are consistent with those standards, unless through the use permit process, the County Board modifies such standards or requirements after finding that such modifications will better accomplish the purposes and intent of ~~§10.2.1~~. Provided, however, that under no circumstances shall the County Board modify the standards in §10.2.3 that pertain to the amount of residential density, building height or density, and under no circumstances shall the County Board modify the standards in §10.2.5 that pertain to the maximum building height (exclusive of mechanical penthouses). Projects within the Nauck Village Center Special Revitalization District can be approved pursuant to the requirements of §10.2.4, below.

### §10.2.3. Unified commercial/mixed use development not within Nauck Village Center, Columbia Pike or Lee Highway-Cherrydale Special Revitalization districts or within the Clarendon Revitalization district

The County Board may, by use permit approval, approve Unified Commercial/Mixed Use developments in the C-2 and C-3 districts where such a development is not within the Nauck Village Center Special Revitalization District, the Columbia Pike Special Revitalization District, the Lee Highway-Cherrydale Special Revitalization District or the Clarendon Revitalization District and where the development meets the following requirements:

#### A. Use

Unified commercial/mixed use developments shall not include residential dwelling units, unless a project contains a minimum of 0.4 F.A.R. of commercial or retail uses located on

the first (ground) floor. Commercial or retail uses above 0.4 F.A.R. may be located on any floor.

#### **B. Placement and orientation**

Buildings shall be sited to “build to” lines at the back of the sidewalk. At least 75 percent of a building’s façade must ~~abut~~be immediately adjacent to the back of the sidewalk along any street designed as an arterial in the Master Transportation Plan. Retail uses shall be oriented to streets designated as either principal arterials or minor arterials in the Arlington County Master Transportation Plan. Where a development parcel is ~~abutting~~located adjacent to an R district, all buildings must be setback a minimum of 20 feet from the residential district.

#### **C. Streetscape**

The periphery of any site fronting on a public right-of-way shall be landscaped by the provision of curb, gutter, sidewalk, street light, street furniture, street trees and other elements, covering the entire area from face of curb to face of building. Sites within the area of an applicable Sector Plan, Station Area Plan or Special Revitalization District Plan shall have all streetscape improvements constructed in a manner consistent with such plan, except as otherwise specifically approved. Except as otherwise approved, sites outside such areas and located along streets designated as principal or minor arterial streets in the Arlington County Master Transportation Plan shall be constructed with a minimum 14 feet distance from face of curb to face of building and sidewalks of 10 feet minimum unobstructed width (such width shall not contain tree grates, light poles, or similar obstructions). Sites on all other street fronts shall include a minimum 10 foot distance from face of curb to face of building and 6 feet minimum sidewalk unobstructed width on all other street fronts. Outdoor restaurant seating may be allowed by the county manager, so long as a straight 6 feet minimum sidewalk unobstructed width is maintained.

#### **D. Parking and loading**

Surface and structure parking as well as all loading areas shall be placed to the rear or to the side of buildings. All surface parking and loading areas shall be screened from public areas, public sidewalks, and ~~adjacent~~abutting residentially zoned properties by landscaping and a four foot high solid wall; except that where parking areas abut an R district that is also designated “Low” residential on the General Land Use Plan, the wall shall be at a height of six feet. When parking is provided at or above grade within a structure, a façade treatment which is consistent (in terms of materials and design) with the building façade shall be provided for the parking areas. Parking structures shall be constructed so that commercial uses occupy the ground level floor on all street fronts. Automobile parking space is to be provided as required in §14.3, unless otherwise approved by the County Board.

#### **E. Trash collection and storage areas**

Trash collection and storage areas shall be provided inside the main building or in a designated area outside the structure. Any such designated area shall be screened by a solid wall of materials similar to those used in the construction of the main building and which is a minimum of six feet in height.

#### **F. Building height**

Building heights shall be limited to 45 feet. ~~Mechanical p~~Penthouses may be permitted above the 45 feet height limit, provided that they are set back a distance equal to their

height from the building edge and that the mechanical penthouse height does not exceed 12 feet.

#### **G. First floor height**

Along any commercial frontage, where a building fronts on a street that is designated as principal or minor arterial streets in the Arlington County Master Transportation Plan, the First Floor shall have a minimum clear height of 12 feet for at least 75 percent of its gross floor area.

#### **H. First floor fenestration**

Where a building fronts on a street that is designated as principal or minor arterial streets in the Arlington County Master Transportation Plan, the First Floor shall have a façade which is at least 70 percent transparent (i.e., 70 percent glass and 30 percent solid walls) for the area of the façade that is between two feet and 10 feet above the adjacent-abutting sidewalk. “Transparent” shall mean using glass or other exterior material offering a view into an area of the commercial establishment space where human activity normally occurs and shall not be satisfied by views into areas blocked by display cases, the rear of shelving, interior walls, blinds, hallways or the like.

#### **I. Building entrances**

Where possible, primary building entrances shall be located on streets designated as principal or minor arterial streets in the Arlington County Master Transportation Plan. Secondary entrances and entrances to individual residential units may be placed on any street type. Entrances on streets that are designated as arterials in the Master Transportation Plan shall be placed no more than 100 feet apart. When possible, retail entrances should be placed at street corners. Retail entrances shall have transparent doors.

#### **J. Landscaping**

Any unified commercial/mixed use development which is proposed on a site of 20,000 sq. ft. square feet of land area or less shall have a minimum landscaped area of 10 percent of the total development site development project. Any development which is proposed on a site with a land area greater than 20,000 sq. ft. square feet shall provide a minimum landscaped area equivalent to 2,000 sq. ft. plus 20 percent of the land area in excess of 20,000 sq. ft. square feet

#### **K. Density**

1. Unified commercial/mixed use developments may include both residential units and commercial uses up to a total F.A.R. of 2.0, where the developments contain a minimum of 0.1 F.A.R. and maximum of 1.1 F.A.R. of residential uses.
2. Any development that contains only commercial uses may develop at a density of up to 1.5 F.A.R.

### **§10.2.4. Unified commercial/mixed use development in Nauck Village Center Special Revitalization District**

The County Board may, by use permit approval, approve unified commercial/mixed use developments in the Nauck Village Center Special Revitalization District where a proposal meets the following minimum requirements:

### A. Density and Use

Unified Commercial/Mixed use developments may include both residential units and commercial uses up to a total F.A.R. of 2.0, where the development fronts on a block face identified as “Retail Required” or “Retail Optional” within the Nauck Village Center Action Plan. On block faces specifying “Retail Required” within the Nauck Village Center Action Plan, the project must include retail uses totaling at least 0.4 F.A.R. located on the ground floor along the frontages shown in the Nauck Village Center Action Plan. Commercial or retail uses above 0.4 F.A.R. may be located on any floor. On block faces specifying “Retail Optional,” residential density of up to 1.5 F.A.R. shall be permitted provided the total F.A.R. for all uses on the site does not exceed 2.0. On block faces which are not identified as either “Retail Required” or “Retail Optional,” projects eligible for approval through this use permit process shall contain only residential uses, with allowances made for management and tenant amenity space, and shall be limited to 1.5 F.A.R., except as provided for in §10.2.4.L, below, relating to Affordable Housing.

### B. Placement and orientation

Buildings shall be sited to build-tos at the back of the sidewalk, which build-to shall be determined through use permit approval. At least 75 percent of a building’s façade must ~~be immediately adjacent abut to~~ the back of the sidewalk along any street designated as principal or minor arterial streets in the Arlington County Master Transportation Plan and along Shirlington road. Retail uses shall be oriented to the block face locations shown as “Retail required” or “Retail Optional” within the Nauck Village Center Action Plan, as relevant. Where a development parcel is ~~abutting located adjacent to~~ an R district, all buildings must be setback a minimum of 20 feet from the residential district.

### C. Streetscape

The periphery of any site fronting on a public right-of-way shall be landscaped by the provision of curb, gutter, sidewalk, street light, street furniture, street trees and other elements, covering the entire area from face of curb to face of building and conforming to the Streetspace and Streetscape Standards set forth in the Nauck Village Center Action Plan for the relevant block frontages. All streetscape improvements shall be constructed in a manner consistent with such plan, except as otherwise specifically approved. Outdoor restaurant seating may be allowed by the county manager, so long as a clear and unobstructed 6’ minimum sidewalk width is maintained.

### D. Parking and loading

Surface and structured parking as well as all loading areas shall be placed to the rear or to the side of buildings. However, structured parking above a level of ground floor retail may extend to the “build to” line, provided that it has façade treatments as further described below. All surface parking and loading areas shall be screened from public areas, public sidewalks, and ~~adjacent abutting~~ residentially zoned properties by landscaping and four foot high solid wall; except that where parking areas abut an R district that is also designated “Low” residential on the General Land Use Plan, the wall shall be at a height of six feet. When parking is provided at or above grade within a structure, a façade treatment which is consistent (in terms of materials and design) with the building facades of the larger structures of which it is a part shall be provided for the parking area. Automobile parking space is to be provided as required in §14.3 with the following exceptions:

1. Where a project has less than 8,000 [sq. ft. square feet](#) of retail space, at least one parking space shall be provided for each 500 [sq. ft. square feet](#) of retail space above the first 1,000 [sq. ft. square feet](#). No parking is required for the first 1,000 [sq. ft. square feet](#) of retail space in such projects.
2. Residential projects or portions of projects shall provide at least 1 1/8 parking spaces per residential unit.
3. When it finds that such approval will not have an adverse effect on the surrounding neighborhood and will contribute to a better overall transportation system in the area, the County Board may allow some or all of a project's parking requirement to be provided through the use of off-site committed parking, on-street parking, cash contributions for public parking purposes, or other similar mechanisms.

#### **E. Trash collection and storage areas**

Trash collection and storage areas shall be provided inside the main building or in a designated area outside the structure. Any such designated area shall be screened by a solid wall that is of materials similar to those used in the construction of the main building and at least six feet in height.

#### **F. Building height**

Building heights shall be limited to 45 feet. [Mechanical p](#)Penthouses may be permitted above the 45 feet height limit, provided that they are set back a distance equal to their height from the building edge and that the [mechanical](#) penthouse height does not exceed 12 feet. The County Board may accommodate the various topographical conditions prevalent in Nauck by modifying the locations on a frontage from which building height is measured. However, such modifications shall not result in a building height of more than 48 feet, arrived at through the calculation method required by the zoning ordinance, except as provided for in §10.2.4.G. Provided further that under no circumstances shall any portion of a structure located at the street frontage or build-to line, be taller than 45 feet from the adjoining curb grade, except as provided for in §10.2.4.G.

#### **G. Number of stories**

Notwithstanding the above provisions on Building Height at §10.2.4.F, projects north of 22nd Street South shall not exceed three stories, with allowances made for half-story attics with eaves. Unified Commercial/Mixed Use development projects south of 24th Street South applying under these use permit provisions may include five stories, provided the total height of the building does not exceed 56 feet as measured from the adjoining curb grade along Shirlington Road.

#### **H. Ground floor height**

Along any frontage identified in the Nauck Village Center Action Plan as "Retail Required," the Ground Floor of any building shall have a minimum clear height of 12 feet for at least 75 percent of the gross floor area of the ground floor that is retail uses.

#### **I. Ground floor fenestration**

Along any frontage identified in the Nauck Village Center Action Plan as "Retail Required," the Ground Floor shall have a façade which is at least 70 percent transparent (i.e., 70 percent glass and 30 percent solid walls) for the area of the façade that is between two feet and 10 feet above the [adjacent abutting](#) sidewalk grade. "Transparent" shall mean using glass or other exterior material offering a view into an area of the commercial

~~establishment space~~ where human activity normally occurs and shall not be satisfied by views into areas blocked by display cases, the rear of shelving, interior walls, blinds, hallways, or any other material that could block a view.

**J. Building entrances**

Where possible, primary building entrances for pedestrians and guests shall be located on Shirlington Road. Secondary entrances and entrances to individual residential units may be placed on any street type. Primary entrances shall be placed no more than 100 feet apart. When possible, retail entrances should be placed at street corners. Retail entrances shall have door that are at least 80 percent transparent.

**K. Landscaping**

Any development on a site of 20,000 ~~sq. ft. square feet~~ of land area or less shall have a minimum landscaped area of 10 percent of the total ~~development site~~~~development project~~. Any development on a site with a land area greater than 20,000 ~~sq. ft. square feet~~ shall provide a minimum landscaped area equivalent to 2,000 ~~sq. ft. square feet~~ plus 20 percent of the land area in excess of 20,000 ~~sq. ft. square feet~~

**L. Affordable housing bonus**

For projects with at least 1.0 F.A.R. of housing, up to an additional 0.5 F.A.R. of density shall be allowed if the project contains a total of 10 percent or more of its total housing units as affordable dwelling units, pursuant to the definition of affordable dwelling units in use by the county at the time of the application. However, under no circumstances may the total F.A.R. of all uses on the site exceed 2.0.

**§10.2.5. Unified commercial/mixed use development in Clarendon Revitalization District**

The County Board may, by use permit approval, approve unified commercial/mixed use developments in areas designated “service commercial” on the general land use plan and that are within the Clarendon Revitalization District, where a proposal meets the following requirements or where the County Board modifies the following requirements by use permit:

**A. Density and use**

Unified commercial/mixed use developments shall include: residential, commercial, hotel and/or retail uses up to a total F.A.R. of 1.5, except as provided for in ~~§10.2.5.L~~~~§10.2.5.L~~, below; and ground floor retail that substantially complies with the Frontage Type guidelines in the Clarendon Sector Plan shall be provided where retail frontages are designated on the Use Mix Map (~~§9.2.6~~~~§9.2.6~~, Map 2).

**B. Placement, orientation and massing**

New buildings shall be built to the back of the streetscape where build-to lines are shown on the Build-To-Lines Map (~~§9.2.10~~~~§9.2.10~~, Map 6), for at least 75 percent of the build-to line on each street frontage of the site. The location of the build-to Line will be based upon street cross-sections shown in the Clarendon Sector Plan. Facades of new structures along a build-to line shall be composed as a simple plane (limited jogs less than 24 inches are considered a simple plane within this requirement) interrupted only by bay windows, shop-fronts, other entries to the building, café seating, or for compatibility with a preserved structure.

1. Where a building frontage or facade identified for preservation in the Clarendon Sector Plan is preserved, a step-back of at least 20 feet for a frontage and 10 feet for a facade, shall be provided immediately above the preserved portion of the project, unless the County Board finds, in a particular case, that a lesser step-back or no step-back is more appropriate to ensure a contextually appropriate definition between the preserved structure and new buildings.
2. New buildings on parcels north of Wilson Boulevard and east of North Garfield Street that abut an R district shall incorporate a setback of 25 feet from the abutting residential district lot, and shall be limited to a maximum of three floors and 40 feet in height; provided, however, that a portion of the building may be constructed up to 45 feet if step-backs of 25 feet each are provided at the 25 and 35 foot height limits facing the residential district, unless the County Board finds, in a particular case, that an alternative design that includes a lesser step-back or no step-back would provide appropriate transition to the abutting low density residential properties. Except where a build-to line is required pursuant to §10.2.5.B, above, all other new buildings that abut an R district shall incorporate the aforementioned setback of 25 feet from the abutting residential district lot and shall provide step-backs or other reductions from the maximum height, as approved by the County Board in order to provide appropriate height transition to the abutting low-density residential properties.
3. Where a parcel abuts an R or RA district, a masonry wall of a height of six feet, or such other height as the County Board determines will reasonably protect residential properties shall be provided at the property line.

#### C. Streetscape

Any street frontage, including any new street as designated in the Master Transportation Plan, shall be improved with streetscapes consistent with the Streetscapes Map (~~§9.2.9~~~~§9.2.9~~, Map 5) and sidewalk design guidelines (~~§9.2.3~~~~§9.2.3~~, Table 1). The clear walkway zone (an unobstructed area serving as circulation space for pedestrians) shall be maintained at a width no less than six feet. All streetscape improvements shall be constructed in a manner consistent with such plan. All aerial utilities on and at the periphery of the site shall be placed underground with redevelopment or new construction.

#### D. Parking and loading

1. The proposal shall include parking as permitted and regulated in ~~§9.2.2.D.7~~~~§9.2.2.D.7~~.
2. Surface parking proposed along streets designated as Main Street or 10th Street frontages on the Frontage Types Map (~~§9.2.11~~~~§9.2.11~~, Map 7), shall only be located behind a structure containing other uses. In all other locations, if surface parking lots are provided, the provisions of §14.3 shall apply regardless of the number of parking spaces. Furthermore, surface parking shall be screened as required in §14.2.3.E except that any surface parking lot facing a public right-of-way (where no structure containing another use is between the right-of-way and the parking) shall comply with the minimum streetscape requirements in §10.2.5.C, above, and in addition, any such parking area is screened by a masonry wall between 42 inches and 48 inches tall (measured as described in §14.2.3.E.2), and placed at the back of the required streetscape. This wall shall be designed to partially screen vehicles from pedestrian view from ~~adjacent~~~~abutting~~ sidewalks, to provide separation between pedestrians, and parking areas and to continue the build-to line as required in §10.2.5.B, above.

Reasonable interruptions to this wall are allowed to accommodate vehicular access, as provided in §10.2.5.D.3, below. In addition, any vehicular access to a surface parking lot shall include sidewalks, a minimum of four feet wide, along each side of the driveway to permit pedestrian access from the street frontage into the parking lot. Additional breaks in the masonry wall shall be allowed to accommodate pedestrian access but each break shall be a maximum of 48 inches wide.

3. Parking entrances/exits and loading areas shall be provided as required in §14.3 except that these areas shall be located only in areas designated for “Service” frontages on the Frontage Types Map (~~§9.2.11~~~~§9.2.11~~, Map 7). If a site does not include any site area designated for Service frontage, the County Board may approve an alternate location for service and/or parking entrances/exits that balances the following considerations:
  - (a) Proposed location limits pedestrian and vehicle conflicts;
  - (b) Project as designed maximizes the site’s potential for pedestrian street activation along major pedestrian routes; and
  - (c) Project is designed to maximize consolidation of loading and/or vehicular entrances with other properties on the same block.

**E. Trash collection and storage areas**

Trash collection and storage areas shall be provided inside a main building or in a designated area screened by a solid wall made of materials similar to those used in the construction of the main building and that is at least six feet above the ground.

**F. Building height**

1. No building, except for mechanical penthouses ~~or rooftop structures for the housing of elevator or other mechanical equipment~~, shall be erected to exceed the overall maximum height (feet) shown on the Maximum Height Limits Map (~~§9.2.5~~~~§9.2.5~~, Map 1). Under no circumstances shall the County Board approve a use permit for a building (exclusive of the mechanical penthouse) that exceeds the overall maximum height (feet) as shown on the Maximum Heights Limits Map.
2. The proposal shall comply with the Maximum Number of Floors shown on the Maximum Height Limits Map (~~§9.2.5~~~~§9.2.5~~, Map 1), except as provided for in §10.2.5.L, below.
3. All equipment above the roofline shall be screened from view by walls of equal height, and materials similar to the facades of the building, set back a distance at least equal to their height from the building edge and the height limit line and shall not exceed 12 feet. No mechancial penthouse or rooftop structure or any space above the height limit shall include additional floor space.

**G. Ground floor height**

Ground floor space shall be designed and constructed with a structural clear height (the space bounded by the top of one slab, or other structural portion of one floor, and the bottom of the next slab, or structural portion of a floor) of at least 15 feet, except where the County Board finds that such structural clear height would adversely affect the historical aspects of a structure designated in the Clarendon Sector Plan for full or partial preservation.



## H. Ground floor transparency

The Ground Floor of all buildings shall provide a minimum transparency consistent with the Frontage Type, as designated on the Frontage Types Map (~~§9.2.11~~~~§9.2.11~~, Map 7).

“Transparent” shall mean using glass or other exterior material offering a view into an area of the commercial ~~establishment space~~ where human activity normally occurs and shall not be satisfied by views into areas blocked by display cases, the rear of shelving, interior walls, blinds, hallways, or any other material that could block a view.

## I. Building entrances

Functional entries that substantially comply with the Frontage Type guidelines set forth in the Clarendon Sector Plan shall be provided, except where the County Board finds that such entries would adversely affect the historical aspects of a structure designated in the Clarendon Sector Plan for full or partial preservation.

## J. Landscaping

1. Any unified commercial/mixed use development shall provide a minimum landscaped area of 10 percent of the total ~~development site~~~~development project~~.
2. When a proposal preserves a building designated for preservation according to the Building Preservation Map (~~§9.2.8~~~~§9.2.8~~, Map 4), and in accordance with the standards set forth in §10.2.5.K, below, the area of the footprint of the structure being preserved may be excluded from the required landscaped area requirements of ~~§10.2.5.J.1~~~~§10.2.5.J.1~~, above.

## K. Historic preservation

When a site includes a structure identified for preservation in the Clarendon Sector Plan, the structure shall be preserved in a manner consistent with the Clarendon Sector Plan, other regulations set forth in the District, and the regulations set forth below in §10.2.5.L.3. New development within the site shall be compatible with the existing structures in terms of material, color, texture, size and fenestration of doors and windows, and cornice lines.

## L. Bonus density

Subject to the maximum height limits in §10.2.5.F, the County Board may approve optional increases in density above 1.5 F.A.R. by approving additional floors above the maximum number of floors established in §10.2.5.F.2, below. Density approved pursuant to this §10.2.5.L may be accommodated ~~on-site~~~~on-site~~ or transferred to another site within Clarendon, except as provided in §10.2.5.L.1(b).

### 1. Affordable housing

When a project includes affordable dwelling units (ADUs), pursuant to the definition of ADUs in use by the county at the time of the application, or an equivalent cash contribution, the County Board may permit up to an additional 1.5 F.A.R. of density, as set forth below:

#### (a) Residential rental projects

For residential rental projects, ADUs shall be provided ~~on-site~~~~on-site~~ as part of the use permit project as a total of at least 10 percent of the gross square footage (GFA) of the bonus density permitted under this §10.2.5.L.1 when the required 10 percent of the GFA is equal to 4,000 ~~sq-ft~~~~square feet~~ or more.

**(b) All other projects**

For all other projects, ADUs shall be provided ~~on-site~~ on-site as a total of at least 10 percent of the gross square footage of the bonus density permitted under this §10.2.5.L.1, or the applicant shall make a cash contribution to the Affordable Housing Investment Fund of \$15 per square foot of the gross floor footage of the bonus density. The cash contribution will be indexed to the Consumer Price Index for Housing in the Washington-Baltimore MSA as published by the Bureau of Labor Statistics and shall be adjusted annually based on the January changes to such index for that year, beginning in January, 2010. Revised amounts apply only to use permit plans filed after the adjustment date. Amounts for the calculation of the cash option are established at the time the use permit application is filed. Bonus density permitted through a cash contribution shall be accommodated ~~on~~ on-site and shall not be available to transfer to another site.

**2. Sustainable design**

For projects that provide green building design (LEED) and comply with established county policies for bonus density, the County Board may approve additional density by use permit approval in an amount equivalent to that identified in established policy for development subject to site plan approval pursuant to §15.6.

**3. Historic preservation**

When the County Board finds that a structure identified for preservation in the Clarendon Sector Plan is preserved in accordance with §10.2.5.K, and when the County Board (after review and comment by the Historical Affairs and Landmarks Review Board at least 45 days in advance of a public hearing by the County Board, and upon consideration by the County Board of the HALRB’s recommendation), has determined that the project is consistent with the historic preservation objectives of the adopted polices, then the County Board may approve an increase above the otherwise allowable density as provided in ~~§10.2.5.L~~ §10.2.5.L.

**§10.2.6. Procedure for unified commercial/mixed use development approval**

- A. Unified commercial/mixed use developments shall be permitted by use permit approval, as specified in §15.5.
- B. An approved use permit for a commercial/mixed use development Plan may be modified or amended as specified in §15.5.

**§10.3. Residential Cluster Development**

**§10.3.1. Purpose**

The purpose of this ~~§10.3~~ §10.3 is to allow, by site plan approval, the clustering of one-family dwellings, in order to preserve, maintain and enhance the character of one-family residential neighborhoods. It is intended that such clustering shall result in the preservation of natural land form, irreplaceable historical features, trees and foliage, and permit the preservation of major common open site area without increasing the overall density of land use otherwise allowed for the site.

### §10.3.2. Applicability

---

Residential cluster development may be approved on sites in the R-5, R-6, R-8, R-10 and R-20 districts in accordance with the requirements of this section.

### §10.3.3. Uses

---

Residential cluster developments shall contain only one-family, semidetached, and townhouse dwellings and associated open spaces, on a single site of at least one acre, but no more than two acres.

### §10.3.4. Modification of zoning requirements

---

- A. Any residential cluster development shall comply with the zoning requirements applicable to the site and the following requirements, unless the County Board, after finding that such modifications will better accomplish the purposes and intent of ~~§10.3.1~~~~§10.3.1~~, modifies some of those requirements by site plan approval, as permitted in ~~§10.3.4.B~~~~§10.3.4.B~~ below.
- B. The County Board may modify the minimum site size, up to a maximum of 10 percent, upon a finding that, after the proposed modification, the subject development will still accomplish the purposes and intent of the zoning ordinance for residential cluster development; the area and width of individual lots; any required setback and yard dimensions; site coverage; common open areas; the number and dimensions of parking spaces; and the height of main buildings, by site plan, if it finds that such modifications will better accomplish the purposes and intent of ~~§10.3.1~~~~§10.3.1~~. Reduction of the minimum site size or lot size shall not result in any greater density than would otherwise be permitted by the ordinance provisions for residential cluster development.

### §10.3.5. Density

---

The maximum number of dwelling units shall be determined by the County Board, depending on the design and configuration of the development, up to a maximum number arrived at by dividing the site area, together with the area of any parts of the site that have been dedicated for public right-of-way, by the required minimum lot area of the district applicable to the site.

### §10.3.6. Internal streets

---

- A. Streets located within the site which are publicly dedicated shall have right-of-way and pavement widths as specified in Chapter 23, Subdivisions, of the County Code. The minimum right-of-way width may be reduced to 40 feet and a pavement width to 30 feet, by site plan approval, if the County Board finds that such modifications will better accomplish the purposes and intent of ~~§10.3.1~~~~§10.3.1~~ than would the development without those modifications. Private streets shall be constructed to Arlington County standards and shall be of sufficient width to serve the needs of the development.
- B. Publicly dedicated internal streets shall have a minimum right-of-way width of 50 feet and a minimum pavement width of 36 feet. In special circumstances, by site plan approval, the minimum right-of-way width may be reduced to 40 feet and the minimum pavement to 30 feet. Private streets shall be constructed to Arlington county standards and shall be of sufficient width to serve the needs of the development.

### §10.3.7. Density and dimensional standards

---

#### A. Setbacks

1. All buildings, including accessory buildings, shall have a minimum setback and/or yard of 25 feet from all exterior boundaries of the site.
2. There shall be a minimum side yard for detached units of five feet.
3. There shall be a minimum rear yard of 15 feet for each dwelling unit.

#### B. Coverage

Every residential cluster development shall have a maximum coverage (building, right-of-way, parking and drives) not exceeding 50 percent of the area of the site.

### §10.3.8. Procedure for residential cluster development approval

---

Residential cluster developments shall be permitted by site plan approval, as specified in §15.6, and as follows.

#### A. Landscape and site improvement plan

A preliminary landscape and site improvement plan shall be submitted with the site plan, including a means for preserving historical landmarks and significant trees and foliage and natural features on the site.

#### B. Site plan amendment

No site plan for a residential cluster development shall be modified or amended except as provided for in §15.6; provided, however, that such minor modifications or amendments as are made necessary by conditions of site plan approval or judged to be within the purpose and intent of the site plan may be approved by the zoning administrator.

### §10.3.9. Site development standards

---

The site development standards of Article 13 and Article 14 apply to all development, except as otherwise specified in this section.

#### A. Parking

Not less than two and one-half parking spaces, at least one of which shall be off-street, shall be provided ~~on-site~~[on-site](#) for each dwelling unit.

#### B. Common open area

1. The common open area gained by the clustering of dwelling units shall not be less than specified in the table below:

District(s)	Area per Dwelling Unit (min. sq. ft.)
R-5 and R-6	1,000
R-8	2,000
R-10	2,500
R-20	10,000

2. Under no circumstances shall the common open area be provided by easement over individual lots on which units are situated, or over streets or parking areas.

# Article 11. Overlay and Special Purpose Form Based Code Districts

## §11.1. CP-FBC, Columbia Pike Form Based Code District

### §11.1.1. Purpose

The purpose of the CP-FBC, Columbia Pike Form Based Code District (Form Based Code) is to provide an alternative means of development that promotes mixed-use development where the variety in retail, service, residential and office uses is intended to serve a broad-based community. The CP-FBC district provides for an expanded range of uses, greater density and more flexibility than the other service commercial and apartment districts while promoting mixed-use development which conforms to principles of good urban form. Specific requirements have been adopted to encourage and regulate mixed-use development in accord with the Form Based Code, including height, and building and site design elements which help ensure the provision of the desirable components of good public spaces.

### §11.1.2. 11.1.2. Applicability

Properties zoned according to the S-3A, RA8-18, RA14-26, RA7-16, RA6-15, C-1, C-2, C-3, C-O or C-O-1.0 districts and that are located in the Columbia Pike Special Revitalization District (CP-FBC district), as designated on the General Land Use Plan, shall be eligible to develop in accordance with the CP-FBC district requirements. After such development all uses permitted in ~~§11.2.4~~§11.2.4 shall be permitted on the property, subject to all regulations in ~~§11.2~~§11.2.

### §11.1.3. Form Based Code

All development pursuant to this ~~§11.2~~§11.2 shall be governed by the requirements of the Form Based Code as adopted by the Arlington County Board (Appendix A of the Zoning Ordinance).

### §11.1.4. Uses

#### A. Key to types of uses

The use tables are subject to the explanation set forth below.

#### 1. Permitted uses

A "P" indicates that a use is permitted by-right and may be approved administratively, provided that redevelopment of the subject property or properties involves an increase in total developed space of at least 50 percent; and the proposed redevelopment conforms to the Form Based Code as adopted by the County Board of Arlington County (see ~~§11.2.3~~§11.2.3). Properties within the Columbia Pike Special Revitalization District, which have not been redeveloped using the Form Based Code, shall be governed by all use limitations in the underlying zoning district.

(a) On sites of greater than 40,000 ~~sq. ft.~~square feet in area, such uses are not permitted unless a special exception use permit has been approved as set forth in ~~§11.2.8~~§11.2.8, Administration, below.

(b) [Reserved]

## 2. Use permit approval required

A “U” indicates a special exception use that may be established subject to obtaining a use permit as provided in §15.5, use permits, for each such use, and provided that the property has been redeveloped pursuant to the Form Based Code. [The Zoning Administrator may require a use permit for such use, whether the use is located in a building approved administratively or whether located in a building controlled by use permit.](#)

## 3. Uses not permitted

A blank cell in the use table indicates that a use is not allowed in the respective district. See also §12.2.1.

## 4. Use standards

The “use standard” column on the use table (last column on the right) is a cross-reference to any specific use standard listed in Article 12, which apply to more than one district. Where use standards apply exclusively to a specific district(s), such standards are listed in the respective district(s) regulations.

## 5. Accessory and temporary uses

The regulations that apply to accessory and temporary uses are contained in [§12.9](#) ~~§12.9~~ and [§12.10](#) ~~§12.10~~ [accessory uses \(§12.8\), and temporary uses \(§12.9\).](#)

### B. Use classification

The first column of the use table lists some of the specific uses allowed in the respective districts. Uses not listed may be allowed pursuant to the similar use determination procedure of §12.2.1.

### §11.1.5. Columbia Pike Form Based Code district principal use table

The following use table summarizes the principal use regulations of the CP-FBC district.

COLUMBIA PIKE FORM BASED CODE DISTRICTS PRINCIPAL USE			
	Specific Use Types	CP-FBC	Use Standards
Household Living (See §12.2.3.A)	<a href="#">One-family detached Dwelling, one-family</a>	P	
	<a href="#">Multiple-family Dwelling, Apartment or townhouse</a>	P	
	<a href="#">Townhouses Dwelling, Apartment or townhouse</a>	P	
Group Living (See §12.2.3.B)	Boarding houses and rooming houses	U	§12.3.1
	<a href="#">Group Institutional homes and institutions of an educational or philanthropic nature</a>	U	§12.3.6
	<del>Dormitories Private clubs, lodges, fraternities, sororities and dormitories</del>	U	§12.3.3
	<a href="#">Fraternity and sorority houses; Private clubs, lodges, fraternities, sororities and dormitories</a>	U	§12.3.5
<b>Public, Civic and Institutional Use Categories (§12.2.4)</b>			
Colleges (§12.2.4.A)	<a href="#">Colleges and universities Institutional homes and institutions of an educational or philanthropic nature</a>	U	§12.3.6
Community Service (See §12.2.4.B)	<a href="#">Community buildings</a>	U	
	Community centers, <del>fire stations, and libraries</del>	P	
	<a href="#">Libraries Public libraries, museums, and art galleries</a>	U	

§11.1.5 COLUMBIA PIKE FORM BASED CODE DISTRICT PRINCIPAL USE TABLE

COLUMBIA PIKE FORM BASED CODE DISTRICTS PRINCIPAL USE			
	Specific Use Types	CP-FBC	Use Standards
	<del>Museums and art galleries or studios</del> <u>Public libraries, museums, and art galleries</u>	U	
	<u>Publicly-operated recreation buildings, playgrounds, parks, and athletic fields</u>	U	
	<del>Recreation centers</del> <u>Publicly-operated recreation buildings, playgrounds, parks, and athletic fields</u>	U	§12.4.8
Day Care (See §12.2.4.C)	<del>All day care uses</del> <u>Schools, private, elementary, middle and high, and kindergartens, nursery schools, child care centers, and other programs regulated by Chapter 52 of the Arlington County Code</u>	U	§12.4.2
Governmental Facilities (See §12.2.4.D)	<del>Detention and correctional facilities</del> <u>Government buildings, federal and state. Buildings used exclusively by the federal and state governments for public purposes; except penal and correctional institutions</u>	U	
	<u>Fire and police stations</u> <u>Community centers, fire stations, and libraries</u>	P	
	<u>Public service, including electric distributing substation, fire or police station, telephone exchange, and the like</u>	P	
Hospital (See §12.2.4.E)	<u>Hospitals or sanitariums.</u>	P U	§1.1.1
Parks and Open Space (See §12.2.4.F)	<del>Cemeteries</del> <u>Airports and aircraft landing fields; golf courses (except driving tees and miniature courses); cemeteries; and funeral homes and/or crematories when on the same premises as a cemetery of 10 or more acres</u>	U	
	<del>Country clubs and golf courses</del> <u>Airports and aircraft landing fields; golf courses (except driving tees and miniature courses); cemeteries; and funeral homes and/or crematories when on the same premises as a cemetery of 10 or more acres</u>	U	
	<u>Parks, playgrounds and playfields</u> <u>Publicly-operated recreation buildings, playgrounds, parks, and athletic fields</u>	U	
	<del>Clubs and grounds for games or sports</del>	U	
Passenger Terminals and Services (See §12.2.4.G)	<del>Airports and aircraft landing fields; golf courses (except driving tees and miniature courses); cemeteries; and funeral homes and/or crematories when on the same premises as a cemetery of 10 or more acres</del>	U	
	<u>Bus, trolley, air, boat and rail passenger terminals</u> <u>Public utilities and services such as railroad, trolley, bus, air or boat passenger stations; right of way and tracks (but excluding car barns, garages, railroad yards, siding and shops); static transformer stations, transmission lines and towers, commercial and public utility radio towers, telephone exchange (but excluding service and storage yards); provided, that the exterior appearance of any building permitted under this paragraph shall be in keeping with the character of the neighborhood in which it is located</u>	P	
Religious Institutions (See §12.2.4.H)	<u>Churches, mosques, synagogues, and temples and other places of worship, including parish houses and Sunday schools, but excluding rescue missions or temporary revivals</u>	P	
Schools (See §12.2.4.I)	<del>Schools, private, elementary, middle and high, and kindergartens, nursery schools, child care centers, and other programs regulated by Chapter 52 of the Arlington County Code</del>	U	§12.4.2
Social Service Institutions (See §12.2.4.J)	<u>All social service institutions</u>		
Utilities, major (See §12.2.4.K)	<u>All major utilities</u> <u>Public service, including electric distributing substation, fire or police station, telephone exchange, and the like</u>	P	

COLUMBIA PIKE FORM BASED CODE DISTRICTS PRINCIPAL USE			
	Specific Use Types	CP-FBC	Use Standards
	Public utilities and services such as railroad, trolley, bus, air or boat passenger stations; right of way and tracks (but excluding car barns, garages, railroad yards, siding and shops); static transformer stations, transmission lines and towers, commercial and public utility radio towers, telephone exchange (but excluding service and storage yards); provided, that the exterior appearance of any building permitted under this paragraph shall be in keeping with the character of the neighborhood in which it is located	P	
Utilities, minor (See §12.2.4.K)	<del>Bus shelters; bike share stations</del> Public utilities and services such as railroad, trolley, bus, air or boat passenger stations; right of way and tracks (but excluding car barns, garages, railroad yards, siding and shops); static transformer stations, transmission lines and towers, commercial and public utility radio towers, telephone exchange (but excluding service and storage yards); provided, that the exterior appearance of any building permitted under this paragraph shall be in keeping with the character of the neighborhood in which it is located	U	
	All minor utilities Public utilities and services such as railroad, trolley, bus, air or boat passenger stations; right of way and tracks (but excluding car barns, garages, railroad yards, siding and shops); static transformer stations, transmission lines and towers, commercial and public utility radio towers, telephone exchange (but excluding service and storage yards); provided, that the exterior appearance of any building permitted under this paragraph shall be in keeping with the character of the neighborhood in which it is located	P	
Retail, Service and Commercial Use Categories (See §12.2.5)			
Food and Drinking Establishments (See §12.2.5.A)	Catering establishment, <u>small scale</u>	P	
	Food delivery service	U	
	<del>Restaurant, general</del>	P	§12.5.21
	Restaurant, <u>limited</u> (excluding restaurants with drive-through windows and dancing or entertainment, except as provided for in §11.1.3.H and §11.1.3.L, above). Delivery of food and beverages to off-site locations is permitted when it involves less than 30 percent of the amount of the sales from these restaurants	P	§12.5.22
	<del>Restaurant with drive through window<sup>1</sup></del>	U	
	Retail stores or business in addition to those permitted in C-1-R and C-1 district	P	
Entertainment (See §12.2.5.B)	<del>Indoor</del> Theater or auditorium	P	
	<del>Nightclubs and restaurants, providing live entertainment, including dance halls<sup>2</sup></del>	U	
	<del>Membership clubs and lodges Private clubs, lodges, fraternities, sororities and dormitories.</del>	U	§12.5.13
	<del>All other indoor entertainment</del> Amusement enterprises, including a billiard or pool hall, boxing arena, games of skill, penny arcade, shooting gallery and the like, if conducted wholly within a completely enclosed building on the second level (above grade) or below	U	§12.5.7
Office (See §12.2.5.C)	Audio-visual production studio	U	
	<del>Business college operated as a commercial enterprise</del>	P	
	<del>Bank or other financial institution</del>	P	
	Offices, <u>business and professional</u> without restriction on location within structures along Main Street and/or Avenue frontage	P	
	<del>Office, federal, state and local. Government buildings, federal and state. Buildings used exclusively by the federal and state governments for public purposes; except penal and correctional institutions</del>	U	

<sup>1</sup> Moved to accessory use table

<sup>2</sup> Moved to accessory use table



§11.1.5 COLUMBIA PIKE FORM BASED CODE DISTRICT PRINCIPAL USE TABLE

COLUMBIA PIKE FORM BASED CODE DISTRICTS PRINCIPAL USE			
	Specific Use Types	CP-FBC	Use Standards
	Offices <del>or clinics</del> , medical or dental-	P U	§12.5.16
	<del>Medical or dental clinics and laboratories</del>	P	
	<del>Offices of medical doctors, physicians, dentists or psychologists in existing institutional structures converted to such use.</del> <sup>1</sup>	U	§1.1.1
	<del>Offices, principal, of physicians, surgeons or dentists in existing apartment houses or residences converted to such use or in new buildings designed for such use.</del>	U	
Overnight Accommodations (See §12.2.5.D)	Bed and breakfasts	U	§12.5.3
	Hotel or <del>tourist court</del> motel	P	
	<del>Tourist homes</del>	U	
Parking, Commercial (See §12.2.5.E)	<del>All commercial parking uses</del>		
	<del>Public parking area or public parking garage when located and developed as required in the Form Based Code</del>	P	
Recreation, Indoor (See §12.2.5.F.2(a))	Bowling alleys	U	
	<del>Indoor s</del> Swimming pool	P	
	<del>Indoor and outdoor s</del> Skating rink	P	
	<del>All other indoor recreation</del> Amusement enterprises, including a billiard or pool hall, boxing arena, games of skill, penny arcade, shooting gallery and the like, if conducted wholly within a completely enclosed building on the second level (above grade) or below	U	§12.5.20
Recreation, Outdoor (See §12.2.5.F.2(b))	Miniature golf course	U	
	<del>Indoor and outdoor s</del> Skating rink	P	
	<del>Outdoor s</del> Swimming pool	U	
Retail Sales (See §12.2.5.G.2(a))	<del>antique shops</del>	P	
	<del>Automobile accessories and supplies, excluding installation</del>	P	
	<del>Book, stationery or card stores</del>	P	
	<del>Blueprinting or Photostatting</del>	P	
	<del>Clothing or wearing apparel shops</del>	P	
	<del>Department stores</del>	P	
	<del>Dry goods or notion stores</del>	P	
	<del>Film processing kiosks (photo service)</del>	P	
	Florist or gift shops	P	§12.5.7 §1.1.1
	Grocery, fruit or vegetable stores <del>without restriction or maximum gross floor area</del>	P	§12.5.9 §12.5.13
	<del>Hardware, paint or appliance stores</del>	P	
	<del>Hobby or handcraft store</del>	P	
	<del>Home furnishings stores</del>	P	
	<del>Jewelry stores</del>	P	

<sup>1</sup> This use is permitted more broadly (in all structures) by right, above, therefore is being shown as allowed by-right.

COLUMBIA PIKE FORM BASED CODE DISTRICTS PRINCIPAL USE			
	Specific Use Types	CP-FBC	Use Standards
	Nursery, flower or plant store, <del>provided that all incidental equipment and supplies, including fertilizer, empty cans and garden tools are kept within a building or in designated areas outside as approved by the zoning administrator, provided that the location does not impede pedestrian or vehicular movement on the property</del>	P	§12.5.15
	Open-air markets	U	§12.5.17.
	<del>All other retail sales uses</del>	<del>P</del>	
	<del>Optical stores</del>	<del>P</del>	
	<del>Pet shops</del>	<del>P</del>	
	<del>Retail stores or business in addition to those permitted in C-1 R and C-1 district</del>	<del>P</del>	
	<del>Secondhand or consignment shops</del>	<del>P</del>	
	<del>Shoe stores</del>	<del>P</del>	
	<del>Sporting goods stores</del>	<del>P</del>	
	<del>Variety stores</del>	<del>P</del>	
	<del>Video tape, DVD or record stores</del>	<del>P</del>	
Retail, Personal Service (See §12.2.5.G.2(b))	<del>Animal care facilities, veterinary clinics, animal hospitals</del> <del>Animal hospital or veterinary clinic within a fully enclosed structure</del>	P	§12.5.2
	<del>Bank or other financial institution</del>	<del>P</del>	
	<del>health clubs</del>	<del>P</del>	
	<del>Dry-cleaning drop-off station</del> <del>Cleaning or laundry establishment</del>	P	§12.5.6
	<del>Laundromat</del> <del>Cleaning or laundry establishment</del>	P	§12.5.12
	<del>Massage parlors and the like<sup>1</sup></del>	<del>U</del>	
	<del>Music conservatory or music instruction</del>	<del>P</del>	
	<del>Mortuaries y or and funeral homes, including a cremation unit within a mortuary or funeral home</del>	U	§12.5.14
	<del>Private postal service limited to a gross floor area of 1,200 sq. ft.</del>	P	§12.5.19
	<del>Retail stores or business in addition to those permitted in C-1 R and C-1 district</del>	<del>P</del>	
	<del>Dance studio</del>	<del>P</del>	
	<del>Photography studio</del>	<del>P</del>	
	<del>Palmistry</del>	<del>P</del>	
	<del>Pawnshops</del>	<del>P</del>	
	<del>All other personal service retail uses</del>	<del>P</del>	§12.5.18
Retail, Repair-oriented (See §12.2.5.G.2(c))	<del>Upholstery shops</del>	P	§12.5.25
	<del>Locksmith</del> <del>All retail repair uses</del>	P	
	<del>Retail stores or business in addition to those permitted in C-1 R and C-1 district</del>	<del>P</del>	
Self-service Storage (See §12.2.5.H)	<del>All self-service storage uses</del> <del>Public storage facilities</del>	U	§12.5.24
	<del>Storage as principal use<sup>2</sup></del>		
Vehicle Sales	<del>Vehicle body shop, so long as such activities are conducted entirely within a building</del>	U	§12.5.25

<sup>1</sup> Deleted (archaic use)

<sup>2</sup> Deleted. Was added in error during 2012 reformat, but should have been superseded by "public storage facilities."

§11.1.5 COLUMBIA PIKE FORM BASED CODE DISTRICT PRINCIPAL USE TABLE

COLUMBIA PIKE FORM BASED CODE DISTRICTS PRINCIPAL USE			
	Specific Use Types	CP-FBC	Use Standards
and Service (See §12.2.5.I)	Vehicle <del>sales, rental or leasing facilities</del> dealership, sales or rental lot, provided that the use complies with the standards identified in §12.5.28, and provided that indoor and/or outdoor display area(s) do not exceed 300 linear feet along Main Street or Avenue frontage. <del>Vehicle dealerships, sales or rental lots are specifically prohibited on Neighborhood and Avenue Sites</del>	P	§12.5.27
	Vehicle service establishment, provided that any vehicle repairs and storage of merchandise and supplies shall be conducted wholly within a building and that any lubrication or washing not conducted wholly within a building shall be permitted only if a masonry wall, seven feet in height, is erected and maintained between such uses and any adjoining residential district	U	§12.5.26
<b>Industrial Use Categories (See §12.2.6)</b>			
Light Industrial Service (See §12.2.6.A)	Carpet <del>cleaning plants and rug cleaning establishments, excluding dyeing</del>	U	
	<del>Contractors<sup>1</sup>, off site, storage and staging yards and sales or leasing trailers or pavilions</del>	U	§12.9.4
	Medical or dental <del>clinics and laboratories</del>	P	
	Printing, lithographing or publishing	P	
	Sign <del>making painting shops, if conducted wholly within a completely enclosed buildings</del>	P	§12.6.9
	Recycling centers	U	
	Repair shop (small appliance, television, radio)	P	
Manufacturing and Production (See §12.2.4.B)	Plumbing or sheet metal shops, <del>if conducted wholly within a completely enclosed building</del>	P	§12.6.5
	All other manufacturing and production uses		
Heavy Industrial (See §12.2.6.C)	All heavy industrial uses		
Warehouse and Freight Movement (See §12.2.6.D)	All warehouse and freight movement uses		
	Mailing service, including bulk mailing	P	
Waste-related Service (See §12.2.6.E)	All waste-related service uses		
Wholesale Trade (See §12.2.6.F)	All wholesale trade uses		
<b>Other use categories (See §12.2.7)</b>			
Agriculture (See §12.2.7.A)	All agricultural uses, Farming, livestock and poultry raising, and all uses commonly classed as agricultural	P	§12.7.1
Resource Extraction (See §12.2.7.B)	All resource extraction uses		
Telecommunications Facilities (§12.2.6.C)	All telecommunications facilities		

<sup>1</sup> Moved to short term use standards (12.10)

COLUMBIA PIKE FORM BASED CODE DISTRICTS PRINCIPAL USE			
	Specific Use Types	CP-FBC	Use Standards
Unclassified (See §12.2.7.D)	<a href="#">All unclassified uses</a>		

\*Classes or instruction to children. if a use provides classes or instruction to children and, either 20 percent or more of the total number of students enrolled in classes and/or instruction are children under 18 years of age or the total number of children under 18 years of age enrolled in classes scheduled to be held at any one time is 10 or more, the use may only be established subject to obtaining a use permit as provided in §14.5, for each such use.<sup>1</sup>

<sup>1</sup> Moved to use standards for retail, personal service uses(12.5)

**§11.1.6. Columbia Pike Form Based Code districts accessory use table**

Accessory uses in Columbia Pike Form Based Code districts shall include the following uses, activities and structures.

COLUMBIA PIKE FORM BASED CODE DISTRICTS ACCESSORY USE TABLE		
Use Types	CP-FBC	Use Standards
<del>Uses and buildings customarily accessory to the above uses. Other uses which, in the judgment of the zoning administrator, are of the same general character as those listed in this subsection and will not be detrimental to the district in which located.</del>	P	
<del>Commercial vehicle parking. Parking of one commercial vehicle which has a gross vehicle weight of 16,000 pounds or less and conforms to the requirements in §12.9.5</del>	P	§12.9.4
<del>Commercial vehicle parking. In cases working a grave hardship on the resident, and in accordance §12.9.5, and §14.6, parking of (i) a commercial vehicle which does not meet the locational requirements of this zoning ordinance, or (ii) more than one commercial vehicle.</del>	U	
<del>Crematoriums</del> <del>Crematoriums</del> Airports and aircraft landing fields; golf courses (except driving tees and miniature courses); cemeteries; and funeral homes and/or crematories when on the same premises as a cemetery of 10 or more acres	U	§12.9.6
<del>Drive-through facilities window. Any other use otherwise permitted in this district with a drive-through window, provided that the drive-through operation has no more than two lanes. Drive through access may not be from Main Street frontage</del>	U	§12.9.7
<del>Restaurant with drive through window<sup>1</sup></del>	U	
<del>Family day care homes (six to nine children) for six to nine children</del>	U	§12.9.9
<del>Family day care homes (up to five children) for up to five children</del>	P	§12.9.9
Home occupations	P	§12.9.11
<del>Live entertainment</del> <del>Nightclubs and restaurants, providing live entertainment, including dance halls</del>	U	
<del>Mortuaries and funeral homes</del> Airports and aircraft landing fields; golf courses (except driving tees and miniature courses); cemeteries; and funeral homes and/or crematories when on the same premises as a cemetery of 10 or more acres	U	§12.9.13
Swimming pools, private	P	§12.9.15
Outdoor café associated with a restaurant on private property	P	§12.9.14
Outdoor café associated with a restaurant on public right-of-way or easement for public use	U	§12.9.14
<del>Trailer</del> <del>Recreational vehicle or trailer</del> parking	P	§12.9.16
Vehicle maintenance and minor repairs, routine	P	§12.9.17
Vehicle, unlicensed and/or uninspected.	P	§12.9.18

**§11.1.7. Use limitations**

- A. There shall be no manufacturing, compounding, processing or treatment of products other than that which is clearly incidental and essential to a retail store or business and where all such products are sold at retail at these establishments.
- B. ~~Such uses, operations or products shall not adversely affect any contiguous district through the dissemination of odor, dust, smoke, fumes, noise, vibrations, creation of trash, garbage or litter, or other similar causes.~~<sup>2</sup>

<sup>1</sup> From principal use table

<sup>2</sup> Enforced by other codes and regulations, including, but not limited to noise ordinance; care of property ordinance.

- C. Steam exhausts for cleaning and laundering establishments shall be fully contained within the building that contains the cleaning and laundering establishment.

### §11.1.8. Administration

---

#### A. Eligible sites

Only sites located within the Columbia Pike Special Revitalization District, as amended, are eligible to use the Form Based Code.

#### B. Review process

1. Properties of 40,000 ~~sq. ft.~~ [square feet](#) in area or less that are located within the Columbia Pike Special Revitalization District: Form Based Code proposals will be reviewed administratively for conformance with the Code within 30 days of submission of a complete proposal. Upon completion of such review, applicants will be notified as to whether their submission is in compliance with the Form Based Code. Applicants are required to provide a copy of the submission to the Columbia Pike Revitalization Organization and all affected civic associations at the time of submission.
2. Once a proposal is determined to be in conformance with the Form Based Code, the applicant may apply for construction permits, as provided for in §15.2, but only for actions consistent with a proposal that has been determined to be in compliance with the provisions of the Form Based Code.
3. Proposals that are determined to deviate from the Form Based Code requirements may not proceed with development, but may submit a revised proposal for review, or may seek approval of a use permit, as provided for in §15.5 and ~~§11.2.8.C~~ [§11.2.8.C](#).
4. Properties larger than 40,000 ~~sq. ft.~~ [square feet](#) in area, and proposals that do not conform with the Form Based Code may be approved only by special exception use permit, as provided for in §15.5.
5. At the time of or prior to filing a special exception use permit application and any related material, applicants must provide a copy of the submission to the Columbia Pike Revitalization Organization and all affected civic associations. Applicants must provide written notice to all affected and abutting property owners, as well as those across the street from the subject site prior to the hearing as required by the Code of Virginia.
6. Applications for Form Based Code development approval shall comply with applicable portions of §15.6. Form Based Code use permit applications shall be filed no less than 55 days before the public hearings, which shall be the first regular meeting of the County Board each month. The County Board, on its own motion, may establish a different date for the public hearing.

#### C. Standards for review of use permits

##### 1. Proposals that do not conform to the Form Based Code

- (a) The County Board may modify the provisions of the Form Based Code upon a finding that, after the proposed modification, the subject development will better accomplish the purposes and intent of O than would the development without those modifications and that the proposed uses will not:

- (1) Affect adversely the health or safety of persons residing or working in the neighborhood of the proposed use;
  - (2) Be detrimental to the public welfare or injurious to property or improvements in the neighborhood; and
  - (3) Be in conflict with the purposes of the master plans of the county.
- (b) Pursuant to a use permit application, the County Board may modify only the following requirements of the Form Based Code. Provided, however, that after such modifications, the County Board is still able to make the finding called for in subsection 1(a), above.
- (1) Height of first floor relative to fronting sidewalk elevation;
  - (2) RBLs for the location of new alleys or streets, for historic buildings and for existing parking garages as of February 25, 2003;
  - (3) Breaks between buildings;
  - (4) Streetscape details; and
  - (5) Design issues related to the inclusion of existing or historic buildings or mature trees.

## §11.2. CPN-FBC, Columbia Pike Neighborhoods Form Based Code District

### §11.2.1. Purpose

- A. The Columbia Pike Neighborhoods Form Based Code is intended to implement the purpose and goals of the Columbia Pike Neighborhoods Area Plan as described in Chapter 1 of that plan:
1. Foster a healthy, diverse community with a high quality of life;
  2. Stabilize and strengthen residential neighborhoods and mixed-use commercial centers;
  3. Promote creation and preservation of affordable housing and expand housing options;
  4. Create a pedestrian-friendly and multi-modal corridor;
  5. Preserve neighborhood character, historic buildings and tree canopy;
  6. Enhance urban design and architecture; and
  7. Incorporate sustainable building design.
- B. The Columbia Pike Neighborhoods Form Based Code implements a primary element of the Columbia Pike Neighborhoods Area Plan vision to create transit and pedestrian-oriented development, which is dependent on three factors: density, diversity of uses, and design. This Code places greatest emphasis on design, or physical form, because of its importance in defining neighborhood character.

### §11.2.2. Applicability

- A. Properties zoned according to the R-6, R-5, R2-7, R15-30T, RA14-26, RA8-18, RA7-16, RA6-15, C1 or C-O districts and that are located in the Columbia Pike Neighborhoods Special Revitalization District, as designated on the General Land Use Plan, shall be eligible to develop in accordance with the Columbia Pike Neighborhoods Form Based Code district requirements. After such development all uses permitted in Appendix B of the Zoning Ordinance shall be permitted on the property, subject to all regulations in Appendix B.
- B. The Columbia Pike Neighborhoods Special Revitalization District Form Based Code is an optional zoning tool and property owners retain the zoning rights under the existing zoning. A property owner who seeks to use the additional density and benefits available under this code shall be subject to requirements to provide additional features, design elements, uses, services, and/or amenities called for by this code, as part of the owner's development. Use of the Form Based Code is selected through the filing of an application for development under the Form Based Code.

### §11.2.3. Form Based Code

All development pursuant to this ~~§11.3~~ shall be governed by the requirements of the Neighborhoods Form Based Code as adopted by the Arlington County Board (Appendix B of the Zoning Ordinance).



## §11.3. Historic Preservation Overlay District

### §11.3.1. Purpose

The purpose of these regulations is to promote the health, safety, and general welfare of the public through the identification, preservation, and enhancement of buildings, structures, landscapes, settings, neighborhoods, places and features with special historical, cultural, architectural and archaeological significance through the establishment of historic districts, and through the protection of other significant properties. To achieve these general purposes, the county seeks to take the following steps to preserve and protect buildings, structures and properties that serve as important visible reminders of the historic, cultural, architectural, and archaeological heritage of Arlington County, the Commonwealth of Virginia, or the United States of America:

- A. Promote local historic preservation efforts through the identification and protection of historic resources throughout the county, and through the designation of local historic districts;
- B. Assure that, within Arlington County's historic districts, new structures, buildings, additions, landscaping and related elements will be in harmony with their setting and environs;
- C. Promote an enhanced quality of life within the county.
- D. Maintain and improve property values by providing incentives for the upkeep, rehabilitation and restoration of older structures and buildings in a safe and healthful manner, and by encouraging desirable uses and forms of development that will lead to the continuance, conservation and improvement of the county's historic, cultural and architectural resources and institutions within their settings;
- E. Encourage nomination of historic properties to the National Register of Historic Places and the Virginia Landmarks Register; and
- F. Promote tourism and enhance business and industry, through the protection of, and education about, historic, cultural and archaeological resources.

### §11.3.2. Historical Affairs and Landmark Review Board

#### A. Establishment and composition

##### 1. Establishment

There is hereby created and established an historical affairs and landmark Review Board which shall consist of no more than 15 members who are residents of the county who have an interest, competence, or knowledge of historic preservation and who shall be appointed by the County Board. The historical affairs and landmark Review Board shall be the Architectural Review Board provided by Section 15.1-503.2 of the Code of Virginia. The Historical Affairs and Landmark Review Board shall hereafter be referred to as "the Review Board."

##### 2. Composition

The County Board shall select the members of the Review Board that meet the criteria set forth by the Virginia Department of Historic Resources Certified Local Government (CLG) program. The County Board may consider including members from appropriate community groups (i.e., the Arlington Historical Society).

## **B. Terms of office**

1. The members of the Review Board shall serve overlapping terms of four years. Initially, four members shall be appointed for a term of one year, four members shall be appointed for a term of two years, four members shall be appointed for a term of three years, and three members shall be appointed for a term of four years. Thereafter, all appointments shall be made for a term of four years. Where the County Board appoints fewer than 15 members, the number of appointees with each term length shall be reduced proportionally.
2. Members may be reappointed for consecutive terms.
3. If a member representing a profession designated as a requirement by the CLG program ceases to be a member of that profession, then that member will no longer be a member of the Review Board. If a vacancy occurs for any reason, including those noted above, then a new appointment shall be made by the County Board for the remainder of the unexpired term.

## **C. Organization; officers; rules; meetings**

1. The Review Board shall annually elect from its membership a chairman and vice-chairman, at the first meeting held on or after December 1st in each calendar year, for a one year term of office. In the event such a person is unable to serve for the full term for any reason, a replacement shall be elected to serve for the remainder of the term.
2. The Review Board may establish any rules necessary for the orderly conduct of its business.
3. All meetings of the Review Board shall be kept as public record to the extent required by the Code of Virginia.

## **D. Responsibilities**

The function of the Review Board shall include, but not necessarily be limited to, the following activities:

### **1. Recommendations**

- (a) Recommend additional surveys of potential historic districts, and recommend properties for designation as local historic districts, including recommending Historic District Design Guidelines for such districts.
- (b) Act in an advisory role on historic preservation and historical affairs to the County Board, County Board appointed commissions and boards, and other groups.

### **2. Final decisions**

- (a) Approve, deny, or approve with conditions certificate of appropriateness applications in accordance with the provisions of §15.8.
- (b) Make such minor administrative amendments to the design guidelines as are necessary for the orderly review of CoA applications in designated historic districts. Any administrative amendment to existing design guidelines which comply with the spirit of ~~this code~~[this zoning ordinance](#), and the intent of the County Board in its approval of the underlying historic district design guidelines, may be approved by the HALRB. Those amendments may include but would not be restricted to the following; language on new building materials, construction

methods and technologies, updates to existing chapters and appendixes, revisions meant to take into account new county policies and changes to other sections of Code.

- (c) Organize, develop, and execute educational programs focusing on Arlington's heritage and local historic preservation efforts.

#### **E. Other**

1. Produce an annual report of the Review Board's activities.
2. Prepare, circulate, and approve text for local historic markers.
3. Provide the County Board with assistance in the naming of public facilities and advice on other matters of historical value.
4. Undertake such other responsibilities as the County Board may direct to protect historic properties.

#### **§11.3.3. Certificate of appropriateness**

See §15.8, for the certificate of appropriateness procedure.

#### **§11.3.4. Establishment of Historic Districts**

The Historic District (Overlay) is hereby established as an overlay district, ~~meaning that this district is overlaid upon other districts and the land so encumbered may be used in a manner permitted in the underlying district only if and to the extent such use also complies within the regulations contained herein.~~<sup>1</sup> Additionally:

##### **A. Nominations for inclusion within an historic district shall be made by referral to the Review Board**

Nominations for inclusion within a historic district shall be made by referral to the Review Board. The Review Board shall have reason to believe that at least two of the 11 qualifying criteria are present prior to initiating its study of the nomination.

1. The owner of any property being considered for inclusion in a historic district shall be informed of the nomination within 10 business days of the receipt of a request for consideration via first class mail.
2. The Review Board shall base its decision upon studies, documentation and/or research, and shall prepare or cause to be prepared, a report on the historic significance of the proposed historic district.
3. The Review Board shall hold a public hearing to consider the historic district status after due notice has been given to the owners of all properties to be included in such district(s), and the civic association which includes the proposed district within its boundaries.
4. The Review Board shall not recommend designation unless it finds that at least two of the criteria, below, have been met. The Review Board retains the authority to not

---

<sup>1</sup> Moved to definitions.

§11.3.4 ESTABLISHMENT OF HISTORIC DISTRICTS

recommend designation even if the property does meet at least two of the following criteria:

- (a) The property is listed or is eligible for inclusion in the National Register of Historic Places;
  - (b) The property has character, interest, or value as part of the development, heritage, or cultural characteristics of the county, state, or nation;
  - (c) The property was the site of a significant local, state, or national event;
  - (d) The property is associated with a person or persons who significantly contributed to the development of the county, state, or nation;
  - (e) The property embodies distinguishing characteristics of an architectural style valuable for the study of a period, type, or method of construction;
  - (f) The property is identified as the work of a master builder, architect, or landscape architect;
  - (g) The property embodies elements of design, detailing, materials, or craftsmanship that render it structurally or architecturally significant;
  - (h) The property has a distinctive location, or singular physical characteristics that make it an established or familiar visual feature;
  - (i) The property is a particularly fine or unique example of a utilitarian structure representing a period or style in the commercial, industrial, or agricultural development of the county, with a high level of historic integrity or architectural significance;
  - (j) The property has the potential to yield information important to the prehistory or history of the county, state, or nation; or
  - (k) The property is suitable for preservation or restoration.
5. If the Review Board recommends designation, then written copies of the Review Board's recommendation, including determinations of historical significance, and recommendations concerning the area to be included in the proposed historic district, shall be transmitted for review to the County Board.
6. If the Review Board recommends designation of a historic district, it will forward, with such recommendation, proposed Historic District Design Guidelines for the district to be considered for adoption by the County Board. Provided, however, that the Review Board may recommend that the County Board consider designation of a historic district without proposed design guidelines upon a finding that taking time to develop such guidelines would present a substantial risk that historic resources proposed to be preserved by the designation would be damaged or destroyed. Where design guidelines are not proposed with a recommendation for designation, the Review Board shall recommend design guidelines for approval by the County Board at the earliest practicable date after designation.
- (a) In the event that the Review Board does not recommend designation, the County Board, upon its own motion, may initiate the designation review process.

- B. The County Board shall act on the recommendations in accordance with the normal zoning approval procedure as specified in the Code of Virginia. The designation of such a historic district shall be shown as an overlay on the map referred to in ~~§2.1~~~~§2-1~~.
- C. Upon adoption of the ordinance, the owners and occupants of each designated historic district shall be given written notification of such designation by the County Board.

#### **§11.3.5. General maintenance; ordinary maintenance allowed; public safety**

---

- A. Nothing in this section shall be construed to prevent the ordinary maintenance or repair of any exterior feature in a historic district which does not involve a change in design, material, or outer appearance thereof.
- B. Nothing in this section shall prevent the construction, reconstruction, alteration, restoration or demolition of any such feature which the building official shall certify is required to maintain and uphold public safety because of an unsafe or dangerous condition that cannot otherwise be remedied and that is not the result, either directly or indirectly, of the owner's negligence.
- C. Neither the owner of nor the person in charge of a structure within a historic district shall permit such structure to fall into a state of disrepair which may result in the deterioration of any exterior appurtenance or architectural feature so as to produce or tend to produce a detrimental effect upon the character of the district as a whole or in part, including but not limited to:
  - 1. The deterioration of exterior walls or other vertical supports.
  - 2. The deterioration of roofs or other horizontal members.
  - 3. The deterioration of exterior chimneys.
  - 4. The deterioration or crumbling of exterior plaster or mortar.
  - 5. The ineffective waterproofing of exterior walls, roofs and foundations including broken windows or doors.
  - 6. The deterioration of any feature so as to create or permit the creation of any hazardous or unsafe, conditions or conditions.

#### **§11.3.6. Acquisition of historic easements**

---

The county may acquire, by purchase or donation or eminent domain, historic easements in any area within its jurisdiction wherever and to the extent that the County Board determines that the acquisition will be in the public interest and as permitted by Virginia Law.

#### **§11.3.7. Transfer of development rights (TDRS)**

---

The County Board may seek findings and recommendations from the Review Board on transfer of development rights applications per ~~§15.5.7.B~~~~§15-5.7.B~~.

#### **§11.3.8. Federal grants**

---

The County Board may, wherever practicable, make use of federal grants as provided in the National Historic Preservation Act of 1966.

### **§11.3.9. Regulations**

---

The County Board may from time to time promulgate, amend and rescind such regulations as it may deem necessary to effectuate the purposes of these regulations.

### **§11.3.10. Penalties**

---

Penalties shall be as provided in Article 17.



*This page intentionally blank*



# Article 12. Use Standards

## §12.1. Applicability

Uses allowed in this zoning ordinance shall be subject to the following special, use-specific provisions, except as permitted by site plan approval or otherwise specified in the respective districts or in the provisions of this article.

## §12.2. Use ~~Categories~~classification

### ~~§12.2.1. Similar use interpretation~~

~~Other uses of the same general character as those listed in a particular district may be permitted in the mapped districts by the zoning administrator. Any use so determined shall be regarded as a listed use and a log of all said determinations shall be maintained as a part of the public records of the zoning administrator. In no instance, however, shall a use be permitted in a district when said use is first permitted in a classification which, in this zoning text, follows that for said district.~~

### ~~§12.2.2. Zoning administrator action~~

~~The zoning administrator may provide a written statement of the current mapped district of a property, the uses permitted in said district, and verification of compliance with this zoning ordinance.~~

### ~~§12.2.3.~~§12.2.1. General

#### A. Basis for classification

Use categories classify land uses and activities based on similar **operational**, product, or physical characteristics. Characteristics include the type and amount of activity, the type of customers or residents, **type of goods or services**, how goods or services are sold or delivered, likely impact on surrounding properties and site conditions. The use categories provide a systematic basis for assigning land uses to appropriate zoning districts.

#### B. Principal uses

Principal uses are assigned to the category that most closely corresponds to the nature of the principal use. The “characteristics” subsection of each use category describes the common characteristics of each principal use.

#### C. Buildings with multiple principal uses

When **a building contains more than one use (principal or accessory)**, each use is subject to all applicable **use standards and regulations**.

#### D. Accessory uses

Accessory uses are allowed in conjunction with principal uses **unless otherwise stated in the regulations or in the use tables**. Also, unless otherwise stated, accessory uses are subject to the same regulations as the principal use. Common accessory uses are listed as **examples in the use category descriptions**.

### **E. Examples**

The “examples” subsection of each use category lists common examples of uses included in the respective use category.

1. The names of these sample uses are generic. They are based on common meanings and not on what a specific use may call itself. For example, a use that calls itself “wholesale warehouse” but that sells mostly to consumers, is included in the retail sales and service category rather than the wholesale sales category because the operational characteristics of the use match the description of the retail sales and service category.
2. The list of examples included in each category is not an exhaustive list of uses for each category.

### **F. Uses not included**

The “uses not included” section provides cross-references to uses that might first appear to be included in a particular category, but which in fact, are not intended to be included in that category, or are explicitly included in a different use category.

## **§12.2.4. §12.2.2. Similar use interpretations**

### **A. Authority**

If an application is submitted for a use not listed in the respective use tables, the zoning administrator shall be authorized to make a similar use interpretation, based on a consideration of the following factors:

1. The characteristics of the proposed use in relation to the stated characteristics identified for each use category;
2. The amount of site area, floor space and equipment necessary for the use;
3. The frequency and nature of sales or transactions from the use;
4. The number of on-site employees necessary for the use;
5. Hours of operation;
6. Building and site arrangement;
7. Vehicles necessary for the use;
8. The number of vehicle trips generated by the use;
9. Signs;
10. How the use describes and/or markets itself; and
11. Other factors that the Zoning Administrator determines would affect the consistency of the use with the regulations of this Ordinance and with the purposes of master plans in the County.

### **B. Use interpretation standards**

1. A proposed use that is not permitted in one zoning district, but is permitted either by-right or by special exception elsewhere in the ordinance, shall not be permitted in the one zoning district based on a similar use interpretation.

2. No use will be permitted in any zoning district based on a similar use interpretation unless the use complies with all applicable use standards and other requirements and standards of this ordinance.
3. No proposed use will be determined to be similar to a use listed in a proposed zoning district if the proposed use is more similar to uses allowed only in other zoning districts than it is to uses allowed in the proposed zoning district.
4. If the Zoning Administrator finds that a proposed use is not similar to any use permitted by this ordinance, then the Zoning Administrator shall find that the use is not permitted.

### **C. Effect of similar use interpretation**

After a proposed use is determined, through a similar use interpretation made in compliance with this ordinance §12.2.2§12.2.2, to be similar to a use listed in this zoning ordinance, then the proposed use shall thereafter be permitted, in the same zoning districts and in the same manner as and subject to all use or other standards or regulations that govern the listed use. Where a proposed use is found to be similar to a listed use, and the listed use is allowed only by special exception, then the similar use interpretation shall authorize only the filing of a special exception application for that proposed use, and the actual establishment of the proposed use shall be subject to the preparation, filing, processing, and approving of all applications for permits or other approvals that may be required for the listed use to which the proposed use is similar.

## **§12.2.3. Residential use categories**

### **A. Household living**

#### **1. Characteristics**

Household Living is characterized by residential occupancy of a dwelling unit by a family. Tenancy is arranged on a month-to-month or longer basis. Uses where tenancy may be arranged for a shorter period are not considered residential; they are considered a form of transient lodging (see Retail, Service and Commercial Use Categories).

#### **2. Examples**

Examples of Household Living include one-family detached; one-family attached; duplexes; **semidetached**; townhouses; multiple-family buildings; retirement center multiple-family.

#### **3. Accessory uses**

Accessory uses include accessory dwellings; family/caregiver suites; family day care homes; greenhouses and nurseries not engaged in retail trade; garden, **guest house**; personal; hobbies; home occupations;; parking of occupants' registered vehicles; raising of pets; recreational activities; storage sheds; and swimming pools.

#### **4. Uses not included**

Bed and breakfast establishments (see Overnight Accommodations); boarding or rooming houses (see Group Living); extended-stay facilities (see Overnight Accommodations); group home(see Group Living); halfway house (see Social Service Institutions); hotels or motels; inns; nursing or convalescent home (see Group Living);

assisted living facility not having individual dwelling units (see Group Living).

## **B. Group living**

### **1. Characteristics**

Group Living is characterized by residential occupancy of a structure by a group of people, other than a family, typically providing communal kitchen/dining facilities and no kitchens in individual living units . The size of the group may be larger than a family. Tenancy is typically arranged on a monthly or longer basis.

### **2. Examples**

Examples of group living include but are not limited to assisted living facilities, intermediate care, boarding houses, dormitories, fraternity and sorority houses, convents, group homes, monasteries, rooming houses, and nursing homes.

### **3. Accessory uses**

Accessory uses include associated offices; garden, personal; hobbies; food preparation and dining facilities; laundry facilities and services; parking of vehicles for occupants and staff; and recreational facilities.

### **4. Uses not included**

Adult day care (see Day Care); alternative or post-incarceration facilities; exclusive care and treatment for psychiatric, alcohol, or drug problems, where patients are residents (see Social Service Institutions); bed and breakfast establishments (See Overnight Accommodations); child care center (see Day Care); retirement center multiple-family, where individual units comply with the definition of a dwelling unit (see Household Living); extended-stay facilities, hotels or motels, inns (see Overnight Accommodations); family day care home (see Accessory Uses); residential occupancy of a dwelling unit by a family on a month-to-month or longer basis (see Household Living); time-shared interval ownership facility (see Overnight Accommodations); treatment centers, transient lodging or shelters (see Social Service Institutions).

## **§12.2.4. Public, civic and institutional use categories**

---

### **A. Colleges**

#### **1. Characteristics**

This category includes not-for-profit colleges and other institutions of higher learning that offer courses of general or specialized study leading to a degree or professional accreditation. Colleges are generally in campus-like settings, on multiple blocks or in multiple buildings.

#### **2. Examples**

Examples include community colleges, liberal arts colleges, nursing or medical schools not accessory to hospitals, seminaries, and universities.

#### **3. Accessory uses**

Accessory uses include associated offices, housing for students, food service, laboratories, health and sports facilities, theaters, meeting areas, parking, maintenance facilities and support commercial.

#### 4. Uses not included

Business, driving, fitness/wellness, trade and other commercial schools (see Office).

### B. Community service

#### 1. Characteristics

Community services are uses of a public, nonprofit, or charitable nature generally providing a local service to people of the community, **neighborhood or a specific segment of the community**. Generally, they provide the service on-site or have employees at the site on a regular basis. The service is ongoing, not just for special events. Community services or facilities that have membership provisions are open to **the general population of the community or neighborhood and/or the general public**, to join at any time, (for instance, any senior citizen could join a senior center). Such uses may provide special counseling, education, or training of a public, nonprofit or charitable nature.

#### 2. Examples

Examples of Community Service include community centers; libraries; museums and art galleries or studios; cultural exhibits; philanthropic institutions; recreation centers; senior centers; swimming pools; and youth club facilities.

#### 3. Accessory uses

Accessory uses include associated offices; caretaker residence; food preparation and dining facilities; health, arts and crafts, child care and therapy areas; indoor or outdoor recreation and athletic facilities; limited retail sales; meeting areas; and parking.

#### 4. Uses not included

Animal care facilities, veterinary clinics, animal hospitals (see Retail, Personal Service); athletic or health clubs (see Retail, Personal Service); churches, mosques, synagogues, or temples (see Religious Institutions); counseling in an office setting (see Office); membership clubs and lodges (see Entertainment); public parks (see Parks and Open Areas); repair garages, storage or repair yards or warehouses (see Light Industrial Service); soup kitchen (see Social Service Institutions); treatment centers, transient lodging or shelters for the homeless (see Social Service Institutions).

### C. Day care

#### 1. Characteristics

Day care uses provide care, protection, and supervision for children or adults on a regular basis away from their primary residence for less than 24 hours each day.

#### 2. Examples

Examples of day care include adult day care programs, child care centers, **after-school or extended day programs**, nursery schools and preschools.

#### 3. Accessory uses

Accessory uses include associated offices; food preparation and dining facilities; health, arts and crafts and therapy areas; indoor or outdoor recreation facilities; and parking.

#### 4. Uses not included

Counseling in an office setting (see Office); family day care for fewer than nine persons (see Accessory Use); on-site schools or facilities operated in connection with a business

or other principal use where children are cared for while parents or guardians are occupied on the premises (see Accessory Use).

#### **D. Government facilities**

##### **1. Characteristics**

Government facilities include storage, maintenance and other facilities for the operation of local, state, or federal government.

##### **2. Examples**

Examples of government facilities include detention or correctional centers; emergency medical and ambulance stations; fire and police stations; post offices; maintenance and repair garages, storage areas and yards and warehouses; and public transit facilities.

##### **3. Accessory uses**

Associated helicopter landing facilities, auditorium and meeting rooms, cafeterias, day care, holding cells, infirmaries, limited fueling facilities, off-street parking, satellite offices, storage, and telecommunications antennae.

##### **4. Uses not included**

Schools (see Schools); local, state, or federal offices (see Offices); park-and-ride facilities (see commercial parking) parks and recreational facilities (see Parks and Open Areas); utilities including bus shelters; bike share stations (see Utilities); waste-related service (see Waste-related Service).

#### **E. Hospital**

##### **1. Characteristics**

Hospitals include uses providing medical or surgical care to patients and may offer overnight care.

##### **2. Examples**

Examples of hospitals include blood plasma donation centers; hospitals; ~~medical or dental clinics~~; sanitariums; and medical centers.

##### **3. Accessory uses**

Accessory uses include associated helicopter landing facilities; meeting rooms; cafeterias; telecommunications; child care; infirmaries; out-patient clinics; parking; satellite offices; laboratories; teaching facilities; maintenance facilities and housing facilities for staff or trainees.

##### **4. Uses not included**

Exclusive care and treatment for psychiatric, alcohol, or drug problems, where patients are residents (see Social Service Institutions); nursing and medical schools not accessory to a hospital (see Schools); and urgent care or emergency medical offices (Retail, Personal Service), and parks and open space.

#### **F. Parks and open space**

##### **1. Characteristics**

Parks and open space includes uses focusing on natural areas consisting mostly of vegetation, and passive or active outdoor recreation areas, having few buildings, and typically of a public or nonprofit nature.

## **2. Examples**

Examples of parks and open space include botanical gardens; cemeteries and mausoleums; community gardens; country clubs and golf courses; mini-parks; memorial parks; forest and nature preserves; neighborhood parks; parks and play fields; reservoirs; squares, plazas or greens; and tot lots and playgrounds.

## **3. Accessory uses**

Accessory uses include boat docks and launching ramps; boat houses; basketball courts; clubhouses, with or without restaurants; concessions; maintenance facilities; parking; play equipment; recreational trails; caretaker residence; swimming pools; and tennis, racquet and handball courts.

## **4. Uses not included**

Athletic or health clubs (see Retail, Personal-service); crematoriums (see Light Industrial Service, or accessory uses to Retail, Personal Service); golf driving ranges and miniature golf facilities (see Recreation); membership clubs and lodges (see Entertainment); recreation centers (See Community Service); water park (see Recreation); water towers, tanks and standpipes (see Utilities).

## **G. Passenger terminals and services**

### **1. Characteristics**

Facilities for the takeoff and landing of airplanes and helicopters and terminals for taxi, rail or bus service.

### **2. Examples**

Examples include airports and landing strips; bus, trolley, air, boat and rail passenger terminals; heliports; and taxi dispatch center.

### **3. Accessory uses**

Accessory uses include associated offices; concessions; freight handling areas; fueling facilities; limited retail; maintenance facilities; and parking.

### **4. Uses not included**

Private helicopter landing facilities that are accessory to another use (see Medical Facilities or Government Facilities); public transit facilities, including bus shelters, bike share stations (see minor utilities), and park-and-ride facilities (see commercial parking).

## **H. Religious institutions**

### **1. Characteristics**

Places of assembly that provide meeting areas for religious practice.

### **2. Examples**

Examples of religious institutions include churches, mosques, synagogues, and temples..

### **3. Accessory uses**

Accessory uses include associated offices; food services and dining areas; meeting room/classroom for meetings or classes not held on a daily basis; parking; on-site child care, schools or facilities where children are cared for while parents or guardians are

occupied on the premises or a site-sponsored special event, but not on a daily basis; and staff residences located on-site.

#### **4. Uses not included**

Athletic or health clubs (see Retail Sales and Service, Personal-service Oriented); schools (see Schools); preschools, child care centers, nursery schools, latch-key programs, intermediate childcare, or adult day care programs (see Day Care); rescue missions (see Social Service Institutions); revivals, temporary (see temporary use standards); senior centers (see Community Service); and social service facilities (see Social Service Institutions); soup kitchen (see Social Service Institutions); and treatment centers, transient lodging or shelters for the homeless (see Social Service Institutions).

### **I. Schools**

#### **1. Characteristics**

Public and private (including charter or religious) schools at the primary, elementary, middle, junior high, or high school level that provide basic academic education.

#### **2. Examples**

Examples of schools include boarding schools; elementary schools; high schools; middle schools; military academies; nursing and medical schools not accessory to a hospital; and private schools.

#### **3. Accessory uses**

Adult continuing education programs; associated offices; auditoriums; before- and after-school child care; cafeterias; child care; food services; health facilities; housing for students and faculty; laboratories; libraries; maintenance facilities; meeting areas; parking; play areas; recreational and sports facilities; support commercial (a college-operated bookstore, for example); and theaters.

#### **4. Uses not included**

Business, driving, fitness/wellness, trade and other commercial schools (see Office); dance, art, music studios or classes (see Retail Sales and Service); preschools or nursery schools (see Day Care); and community colleges, liberal arts colleges, seminaries and universities (see Colleges).

### **J. Social service institutions**

#### **1. Characteristics**

Uses that primarily provide treatment of those with psychiatric, alcohol, or drug problems, and transient housing or shelters related to social service programs.

#### **2. Examples**

Examples of social service institutions include alternative- or post-incarceration facilities; counseling, occupational therapy services; exclusive care and treatment for psychiatric, alcohol, or drug problems, where patients are residents; halfway houses; neighborhood resource centers; rehabilitative clinics; rescue missions; social service facilities, including soup kitchens, transient lodging or shelter for the homeless; and treatment centers.

#### **3. Accessory uses**

Accessory uses include adult educational facility; ancillary indoor storage; associated



office; day care; food services and dining area; meeting room; parking; and staff residences located on-site.

#### **4. Uses not included**

Assisted living facility (see Group Living); cemetery, columbarium, mausoleum, memorial park (see Parks and Open Areas); schools (see Schools); philanthropic institution (see Community Service); Retirement living facility with individual self-contained dwelling units (see Household Living).

### **K. Utilities**

#### **1. Characteristics**

Public or private infrastructure serving a limited area with no on-site personnel (minor utility) or the general community and **may have** on-site personnel (major utility).

#### **2. Examples**

##### **(a) Minor**

Examples of minor utilities include lift stations; public transit facilities, including bus shelters, bike share stations; stormwater retention and detention facilities; traction power stations; and water and wastewater pump stations.

##### **(b) Major**

Examples of major utilities include electrical generating plants and substations; electrical transmission facilities; incinerators; stormwater pumping station; telephone exchanges; television and radio broadcasting transmitters; static transformer stations; commercial and public utility radio towers; **water and** wastewater treatment plants; water storage facilities; railroads and railroad right-of-way and tracks.

#### **3. Accessory uses**

Accessory uses include control, monitoring, data or transmission equipment; parking; cell antennae; storage; and security measures, such as fences.

#### **4. Uses not included**

Governmental uses (see Governmental Facilities); maintenance or repair yards and buildings (see Light Industrial Service); park-and-ride facilities (**see commercial parking**); railroad car barns, yards, sidings and shops (see Heavy Industrial); reservoir (see Parks and Open Areas); telecommunications towers and facilities (see Telecommunications Towers and Facilities); TV and radio studios; and utility offices (see Office);

### **§12.2.5. Retail, service and commercial use categories**

#### **A. Entertainment**

##### **1. Characteristics**

Generally commercial uses, varying in size, providing daily or regularly scheduled entertainment-oriented activities.

##### **2. Examples**

Examples of entertainment uses include adult entertainment establishment; game arcades; dance halls; movie or other theaters; and membership clubs and lodges.

**3. Accessory uses**

Associated offices; concessions; food preparation and dining areas; maintenance facilities; parking; and restaurants.

**4. Use not included**

Botanical gardens; nature preserves; golf courses or country clubs (see Parks and Open Areas).

**B. Food and Drinking Establishments****1. Characteristics**

Establishments that prepare and sell food for on- or off-premise consumption.

**2. Examples**

Examples of **Food and Drinking Establishments** include bakery; catering establishments, **small scale**; coffee shops; fast food; outdoor vendors with permanent facilities; food delivery establishments; restaurant, general; restaurant, limited; and yogurt, ice cream or other specialty food shops.

**3. Accessory uses**

Accessory uses include decks and patios for outdoor seating; drive-through facilities; live music; hookah bars; off-street customer and employee parking; outdoor cafés or service areas, and valet parking facilities.

**4. Uses not included**

Large-scale catering (see Light Industrial Service).

**C. Office****1. Characteristics**

Activities conducted in an office setting and generally focusing on business, government, professional, medical, or financial services.

**2. Examples**

Examples of offices include advertising offices; business management consulting; **college or university operated as a commercial enterprise**; counseling in an office setting; day labor employment agency; data processing; financial services, such as lenders, investment or brokerage houses, collection agencies, or real estate and insurance agents; government; professional services such as lawyers, accountants, bookkeepers, engineers, or architects; **medical or dental offices or clinics, including doctors, physicians, dentists, psychologists or similar practitioners of medical or healing arts for humans and licensed for such practice by the state**; sales office; travel agency; television and radio studios; and utility offices.

**3. Accessory uses**

Accessory uses include cafeterias; child care; health facilities; meeting rooms; parking; on-site child care, schools or facilities where children are cared for while parents or guardians are occupied on the premises; other amenities primarily for the use of on-site employees; small retail operations for on-site workers (with limited external signage); small retail operations for on-site workers (with limited external signage); small personal service operations for on-site workers (with limited external signage); telecommunications facilities; and technical libraries.

#### **4. Uses not included**

Branch banks (see Retail Sales and Service, Personal-service); contractors and others who perform services off-site, but store equipment and materials or perform fabrication or similar work on-site (see Light Industrial Service); mailing or stenographic services (see Light Industrial Service); mail-order houses (see Wholesale Trade); offices that are part of and located with a principal use in another category (see Accessory Uses); research, testing and development laboratories (Light industrial service); urgent care or emergency medical offices (see Retail Sales and Service, Personal-services Oriented).

### **D. Overnight accommodations**

#### **1. Characteristics**

Residential units arranged for short term stays of less than 30 days for rent or lease.

#### **2. Examples**

Examples of overnight accommodations include bed and breakfast establishments; condominium hotels; dwelling rentals; recreational vehicle parks and campgrounds; extended-stay facilities; hotels and motels; resort hotels and inns; and time-shared interval ownership facility.

#### **3. Accessory uses**

Accessory uses include associated offices; food preparation and dining facilities; laundry facilities; limited storage; meeting facilities; parking; and swimming pools and other recreational facilities

#### **4. Uses not included**

Transient lodging or shelters for the homeless (see Social Service Institutions).

### **E. Parking, commercial**

#### **1. Characteristics**

Facilities that provide parking not accessory to a specific use for which a fee may or may not be charged.

#### **2. Examples**

Examples of commercial parking include mixed parking lots (partially accessory to a specific use, partly to rent for others); public transit park-and-ride facilities; and short- and long-term fee parking facilities.

#### **3. Accessory uses**

Accessory uses include parking facilities that are accessory to a principal use, but that charge the public to park for occasional events nearby (see Accessory Use); sales or servicing of vehicles (see Vehicle Sales and Service).

#### **4. Uses not included**

Parking facilities accessory to other permitted uses.

### **F. Recreation**

#### **1. Characteristics**

Generally commercial uses, varying in size, providing daily or regularly scheduled recreation activities. Such activities may take place outdoors (outdoor recreation) or

within a number of structures (indoor recreation).

## **2. Examples**

### **(a) Indoor recreation**

Examples of indoor recreation uses include indoor recreation activities such as billiard or pool halls, bowling alleys, tennis and racquetball courts and firing ranges conducted within an enclosed building.

### **(b) Outdoor recreation**

Examples of outdoor recreation uses include amusement parks; batting cages; dog or horse tracks; fairgrounds; golf driving ranges, miniature golf facilities; riding academies or boarding stables; stadiums and arenas; tennis and racquetball courts; and water parks.

## **3. Accessory uses**

Associated offices; concessions; food preparation and dining areas; maintenance facilities; parking; and restaurants.

## **4. Use not included**

Botanical gardens; nature preserves; golf courses or country clubs (see Parks and Open Areas).

## **G. Retail**

### **1. Characteristics**

Companies or individuals involved in the sale, lease, or rental of new or used products, or providing personal or repair services to the general public.

### **2. Examples**

#### **(a) Sales**

Examples of sales retail sales and service include kiosks, second-hand stores; open air markets; farm stands; and stores selling, leasing or renting consumer, home and business goods including alcoholic beverages; appliances; art and antiques; art supplies; auto supplies; baked goods; bicycles; books, stationary, cards; cameras; carpet and floor coverings; crafts; clothing; computers; convenience goods; dry goods; electronic equipment; fabric; flowers; furniture; garden supplies; groceries; hardware; home improvements; household products; jewelry; liquor; meat, fish, produce, beverages and/or specialty foods; medical supplies; musical instruments; pet food and/or pets; pharmaceuticals; picture frames; office supplies and equipment; plants; printed material; sporting goods; stationery; tobacco and related products; and vehicle parts.

#### **(b) Personal service**

Examples of personal service retail include animal care facilities, veterinary clinics, animal hospitals; animal grooming; athletic or health clubs; branch banks; bike shops; body art studios; business services; dance, art, fitness/wellness, gymnastic or music studios or classes; doggie day care; dry-cleaning drop-off stations; hair, nail, tanning, day spa and personal care services; laundromats; mortuaries and funeral homes; music conservatory or music instruction; pawnshops; photocopy, blueprint and quick-sign services; photographic studios; psychics and mediums;

private postal services; security services; taxidermists; urgent care or emergency medical offices; and technical equipment and support services.

### **(c) Repair-oriented**

Examples of repair-oriented retail sales and service include locksmiths; repair of appliances, bicycles, canvas products, clocks, computers, guns, jewelry, musical instruments, office equipment, radios, shoes, televisions and watches; tailors and milliners; and upholsterers.

### **3. Accessory uses**

Accessory uses include associated offices; crematorium; food preparation and dining areas; manufacture or repackaging of goods for on-site sale; parking; parking lot/sidewalk sales; production services; and storage of goods.

### **4. Uses not included**

Adult entertainment; large-scale catering (see Light Industrial Service); laundry and dry-cleaning plants (see Light Industrial Service); lumber yards and other building material sales that sell primarily to contractors and do not have a retail orientation (see Wholesale Trade); **office or clinic, medical and dental (see Office)**; repair and service of motor vehicles, motorcycles, recreational vehicles, boats, and light and medium trucks (see Vehicle Sales and Service); restaurants (see **Food and Drinking Establishments**); sale or rental of machinery, equipment, heavy trucks, building supplies and lumber, special trade tools, welding supplies, machine parts, electrical supplies, janitorial supplies, restaurant equipment and store fixtures (see Wholesale Trade).

## **H. Self-service storage**

### **1. Characteristics**

Facilities providing separate storage areas for personal or business use designed to allow private access by the tenant for storing or removing personal property.

### **2. Examples**

Typical uses include mini-warehouses; and self-storage warehouses.

### **3. Accessory uses**

Accessory uses include leasing offices; outside storage of boats and campers; and single residential unit for security purposes.

### **4. Uses not included**

Rental of light or medium trucks (see Vehicle Sales and Service); storage areas used as manufacturing uses (see Light Industrial Services); storage areas used for sales, service and repair operations (see Retail Sales and Service); transfer and storage businesses where there are no individual storage areas or where employees are the primary movers of the goods to be stored or transferred (see Warehouse and Freight Movement)

## **I. Vehicle sales and service**

### **1. Characteristics**

Direct sales of and service to passenger vehicles, light and medium trucks and other consumer motor vehicles such as motorcycles, boats and recreational vehicles.

## 2. Examples

Examples of vehicles sales and service include fuel stations; body shops, auto paint shops, upholstery shops; auto detailing, auto repair, battery sales and installation, quick lubrication facilities, tire sales and mounting, car washes; vehicle sales, rental, or leasing facilities, including passenger vehicles, motorcycles, light and medium trucks, boats and other recreational vehicles.

## 3. Accessory uses

Accessory uses include associated offices; parking; sales of parts; towing vehicle fueling; and vehicle storage.

## 4. Uses not included

Refueling facilities for fleet vehicles that belong to a specific use (see Accessory Use); retail sales of farm equipment and machinery and earth moving and heavy construction equipment (see Heavy Industrial); vehicle parts sales as a principal use (see Retail); vehicle storage lots and towing services as a principal use (see Light Industrial Service).

### §12.2.6. Industrial use categories

---

#### A. Light industrial service

##### 1. Characteristics

Firms are engaged in the repair or servicing of industrial, business, or consumer machinery, equipment, products, or by-products. Firms that service consumer goods do so mainly by providing centralized services for separate retail outlets. Contractors and building maintenance services and similar uses perform services off-site. Few customers, especially the general public, come to the site.

##### 2. Examples

Examples of light industrial service include agricultural implement sales/service; building, heating, plumbing or electrical contractors; building maintenance facilities and services; catering establishments, large scale; contractors and others who perform services off-site, but store equipment and materials or perform fabrication or similar work on-site; carpet cleaning plants; clothing or textile manufacturing; commercial bakeries; crematoriums; dry cleaning plants; exterminators; mailing and stenographic services; manufacture or assembly of consumer equipment, instruments (including musical instruments), precision items and other electrical items; manufacture or production of artwork and toys; medical or dental laboratories; photo-finishing laboratories; printing, publishing and lithography, small scale; production of artwork and toys; research, testing and development laboratories; sign making; storage areas used as manufacturing uses; maintenance or repair yards and buildings; truck stop or truck plaza; vehicle and equipment maintenance facilities; vehicle storage lots and towing services; welding, machine and tool repair shops; woodworking, including cabinet makers and furniture manufacturing.

##### 3. Accessory uses

Accessory uses include cafeterias; child care; employee recreational facilities; offices; parking; on-site repair facilities; single residential unit for security purposes; and storage.

#### 4. Uses not included

Manufacture and production of goods from composting organic material (see Waste-related Service); and catering establishments, small-scale (see Food and Drinking Establishments); manufacture and maintenance of electric and neon signs, billboards, or commercial advertising structures (see Manufacturing and Production); plumbing or sheet metal shop (see Manufacturing and Production).

### B. Manufacturing and production

#### 1. Characteristics

Manufacturing and production firms are involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Natural, man-made, raw, secondary, or partially completed materials may be used. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Goods are generally not displayed or sold on-site, but if so, they are a subordinate part of sales. Relatively few customers come to the manufacturing site.

#### 2. Examples

Bakery, large scale; boatworks, small; catering establishment, large-scale; food and related products processing; food processing and packing; lumber mills; manufacture or production of chemical, rubber, leather, clay (previously pulverized only), bone, plastic, stone, or glass materials or products; manufacture or assembly of appliances, heating or ventilating ducts and equipment, machinery, or vehicles; manufacture and maintenance of electric and neon signs, billboards, or commercial advertising structures; manufacture, production or fabrication of metals or metal products including enameling and galvanizing, manufactured housing unit production and fabrication; monument works; ornamental iron work shop; printing, publishing and lithography, large scale; pulp and paper mills and other wood products manufacturing; research laboratory, including but not limited to pure research, product development, pilot plants and research manufacturing facilities; weaving or production of textiles or apparel.

#### 3. Uses not included

Manufacturing of goods to be sold primarily on-site and to the general public (See Retail Sales and Service); manufacture and production of goods from composting organic material (See Waste-Related Uses); rendering or refining of fats and oils (see Heavy Industrial); shipbuilding (See Heavy Industrial); sign making (see Light Industrial).

### C. Heavy industrial

#### 1. Characteristics

Firms involved in research and development activities without light fabrication and assembly operations; limited industrial/manufacturing activities. The uses emphasize industrial businesses and sale of heavier equipment. Factory production and industrial yards are located here. Sales to the general public are limited.

#### 2. Examples

Any use that is potentially dangerous, noxious or offensive to neighboring uses in the district or those who pass on public ways by reason of smoke, odor, noise, glare, fumes, gas, vibration, threat of fire or explosion, emission of particulate matter, interference

with radio, television reception, radiation or any other likely cause; animal processing, packing, treating, and storage; concrete batching and asphalt processing and manufacture; livestock or poultry slaughtering; processing of food and related product; production of chemical, rubber, leather, clay, bone, paper, pulp, plastic, stone, or glass materials or products; production or fabrication of metals or metal products including enameling and galvanizing; sawmill; bulk storage of flammable liquids; stockyards and other animal concentrations; earth moving and heavy construction equipment; manufacturing of acid, acetylene, cement lime, gypsum or plaster-of-Paris, chlorine, corrosive acid or fertilizer, insecticides, disinfectants, fertilizer poisons, explosives, glue, paint, lacquer, varnish, petroleum products, coal products, plastic and synthetic resins and radioactive materials; distillation of bones; explosives manufacture or storage; fat or oil rendering or refining; shipbuilding; smelting of ores; oil refining; railroad car barns, yards, sidings and shops; and wholesale storage of petroleum products.

### **3. Accessory uses**

Accessory uses include cafeterias; drainage structures; offices; parking; product repair; repackaging of goods; and warehouses.

### **4. Uses not included**

Animal waste processing (see Waste-related Service); repair and service of motor vehicles, motorcycles, RVs, boats, and light and medium trucks (see Vehicle Sales and Service); stores selling, leasing, or renting consumer, home and business goods (see Retail Sales and Service).

## **D. Warehouse and freight movement**

### **1. Characteristics**

Firms involved in the storage or movement of goods for themselves or other firms. Goods are generally delivered to other firms or the final consumer with little on-site sales activity to customers.

### **2. Examples**

Examples of warehouse and freight movement include cold storage plants, including frozen food lockers; household moving and general freight storage; parcel services; separate warehouses used by retail stores such as furniture and appliance stores; stockpiling of sand, gravel, or other aggregate materials; and transfer and storage businesses, where there are no individual storage areas or where employees are the primary movers of the goods to be stored or transferred.

### **3. Accessory uses**

Accessory uses include cafeterias; child care; employee recreational facilities; offices; parking; outdoor storage yard; single residential unit for security purposes; and truck fleet parking and maintenance areas.

### **4. Uses not included**

Mini-warehouses, multi-story enclosed storage facilities or storage garages (see self-service storage); solid or liquid waste transfer or composting (see Waste-related Service).



## **E. Waste-related service**

### **1. Characteristics**

Characterized by uses that receive solid or liquid wastes from others for transfer to another location and uses that collect sanitary wastes or that manufacture or produce goods or energy from the composting of organic material.

### **2. Examples**

Examples of waste-related service include animal waste processing; landfill; manufacture and production of goods from composting organic material; recycling centers; solid or liquid waste transfer; separation and disposal facilities, including incinerators; and wrecking or salvage yard.

### **3. Accessory uses**

Accessory uses include offices, parking, on-site refueling and repair, recycling of materials, and repackaging and shipment of by-products.

### **4. Uses not included**

Stockpiling of sand, gravel, or other aggregate materials (See Warehouse and Freight Movement).

## **F. Wholesale trade**

### **1. Characteristics**

Firms involved in the sale, lease, or rent of products primarily intended for industrial, institutional, agricultural, or commercial businesses. The uses emphasize on-site sales or order-taking and often include display areas. Businesses may or may not be open to the general public, but sales to the general public are limited. Products may be picked up on-site or delivered to the customer.

### **2. Examples**

Examples of wholesale trade include lumber yards and other building material sales that sell primarily to contractors and do not have a retail orientation; beverage distribution facilities; mail-order houses; sale or rental of machinery, equipment, heavy trucks, building supplies and lumber, special trade tools, welding supplies, machine parts, electrical supplies, janitorial supplies, restaurant equipment and store fixtures; wholesale of food, clothing, auto parts and building hardware.

### **3. Accessory uses**

Accessory uses include cafeterias, child care, minor fabrication services, offices, parking, product repair, repackaging of goods, single residential unit for security purposes, and warehouses.

### **4. Uses not included**

Stores selling, leasing, or renting consumer, home and business goods (see Retail Sales and Service); warehouse and freight movement uses (see Warehouse and Freight Movement).

## §12.2.7. Other use categories

---

### A. Agriculture

#### 1. Characteristics

Characterized by uses that create or preserve areas intended primarily for the raising of animals and crops, conservation, and the secondary industries associated with agricultural production.

#### 2. Examples

Animal boarding, outdoor; animal raising including horses, hogs, cows, sheep, goats, and swine, poultry, rabbits, and other small animals; apiculture, aquaculture, dairying, personal or commercial animal breeding and development; community garden; greenhouse or nursery; floriculture, horticulture, pasturage, row and field crops, viticulture, sod farm, silviculture; livestock auction; milk processing plant; packing house for fruits or vegetables; plant nursery; and poultry slaughtering and dressing.

#### 3. Accessory uses

Aircraft landing strip or helicopter landing facility (private); ancillary indoor storage; associated offices; auction ring; barns, garages, sheds, silos, stables (noncommercial); dock or pier (noncommercial); home occupations; housing for ranch or farm labor sale of agricultural products; and u-pick facilities.

#### 4. Uses not included

Animal waste processing (see Waste-related Service); borrow pit, mining (see resource extraction); citrus concentrate plant, commercial feed lot, livestock slaughtering, processing of food and related products (see Heavy Industrial); commercial hunting or fishing camp, dude ranch (see Recreation, Outdoor); garden center (see Retail Sales and Service); riding academy or public stable (see Recreation, Outdoor); and recyclable construction material storage, solid or liquid waste transfer or composting, (see Waste-related Service); and railroad right-of-way, new (see Utilities).

### B. Resource extraction

#### 1. Characteristics

Characterized by uses that extract minerals and other solids and liquids from land.

#### 2. Examples

Examples include mining; extraction of phosphate or minerals; and extraction of sand or gravel, borrow pit.

#### 3. Accessory uses

Accessory uses include ancillary indoor storage; associated offices; equipment storage; resource processing; and stockpiling of sand, gravel, or other aggregate materials.

#### 4. Uses not included

Concrete batching and asphalt processing and manufacture (see Heavy Industrial); recyclable construction material storage (see Waste-related Service); solid or liquid waste transfer or composting (see Waste-related Service).

## C. Telecommunications facilities

### 1. Characteristics

Telecommunications facilities are signal distribution systems used or operated by a telecommunications carrier under a license from the FCC consisting of a combination of improvements and equipment including (i) one or more antennas, (ii) a supporting structure and the hardware by which antennas are attached; (iii) equipment housing; and (iv) accessory building and equipment such as signal transmission cables and miscellaneous hardware.

### 2. Accessory uses

Accessory uses may include transmitter facility buildings.

### 3. Examples

Examples include broadcast towers, attached telecommunications ~~facilities~~ ~~equipment~~, telecommunications support towers and point-to-point microwave towers.

### 4. Uses not included

Amateur radio facilities that are owned and operated by a federally-licensed amateur radio station operator and receive-only antennas (see<sup>1</sup> Accessory Uses); radio and television studios (see Office category).

## D. Unclassified

Unclassified uses are uses that cannot reasonably be categorized as currently adopted according to the comprehensive use classification system of this section because the use is qualified by special or unique standards or procedures not normally associated the use or its characteristic.

## **§12.3. Residential Use Standards**

### §12.3.1. Boarding or rooming houses

-Individual guest rooms may not contain kitchens.

### ~~§12.2.5.~~ §12.3.2. Caretaker residence Dwelling for caretaker or resident manager

One dwelling unit for a caretaker or resident manager serving a storage or warehouse complex within the district may be permitted, provided that such dwelling unit is developed as an integral part of the storage or warehouse complex on the site and that the complex contains a minimum of 35,000 ~~sq. ft.~~ square feet of gross floor area.

### §12.3.3. Dormitories

Dormitories shall not be operated primarily for commercial gain.<sup>2</sup>

### ~~§12.2.6.~~ **Dwellings, two-family (semidetached and duplex dwellings) on sites that share a lot line with RA, C, or M Districts**

~~Two family dwellings (semidetached and duplex dwellings), on sites that share a lot line with RA, C, or M Districts, shall be located no more than 100 feet from the shared lot line, or on sites that~~

<sup>1</sup> Moved from definitions.

<sup>2</sup> From use table

~~are located on principal or minor arterial streets as designated in the Arlington County Master Transportation Plan provided that the dwellings front on the arterial street, except on corner lots where no more than one unit may front on the local street.<sup>1</sup>~~

~~§12.2.7. Dwellings, multiple-family<sup>2</sup>~~

~~A. Applicability~~

~~This provision shall apply to all multiple family dwellings now in existence or which come into existence after the enactment of this provision; provided, however, it shall not apply to those multiple family dwellings in existence on the date this provision is enacted which are located in districts for which the zoning regulations, in effect on the enactment date, permit hotels as a matter of right, that is, without obtaining a site plan or use permit.~~

~~B.~~

~~The purpose of this general regulation is to provide a limitation on conversion and it should not be construed as providing any authority to use land for hotel purposes or any authority to convert any existing use to hotel unless the district regulations applicable to the land specifically provide authority to use land for hotel purposes.~~

~~C. Change of use~~

~~After the issuance of a building permit for a multiple family dwelling in any district, no unit in any structure built for a multiple family dwelling use shall be converted to hotel use, unless the applicant obtains site plan approval pursuant to §15.6. Such site plans shall not be approved unless the board concludes, after taking into account the following factors and those factors contained in §15.6, that such conversion will improve the public health, safety, convenience and welfare of the inhabitants of the county, considering:~~

- ~~1. The need for housing in the county;~~
- ~~2. The effect of the conversion on the tax, employment or other economic bases of the county; and~~
- ~~3. Development trends in the area of the county in which the apartment structure is located.~~

~~§12.2.8-§12.3.4. Dwelling units, townhouse, and semidetached and existing one-family~~

~~Townhouse and semidetached dwelling units and existing one-family dwelling units may be allowed at densities up to those allowed under the General Land Use Plan designation then applicable to the site, but not to exceed the density specified for the respective districts below.~~

<del>Zoning District</del>	<del>RA14-26 RA-4.8 RC RA-H-3.2</del>	<del>RA8-18</del>	<del>RA6-15</del>
<del>Density, Maximum (units/acre)</del>	<del>14</del>	<del>22</del>	<del>29</del>

<sup>1</sup> Moved to 5.7.4 and 5.8.4 (R-5 and R15-30T)

<sup>2</sup> This provision, adopted in May 1981, is proposed to be deleted.

- A. Existing one-family dwelling units shall be allowed only as appropriate and integral parts of the design of the proposed townhouse development.
- B. No more than one-seventh or two of the dwelling units, whichever is greater, shall be semidetached.
- ~~C.~~ ~~Parking spaces shall be provided as required in §14.3.~~<sup>1</sup>
- ~~D.C.~~ The County Board may, in its discretion, approve variations in setback, yard, lot size, coverage, and parking requirements to achieve a design appropriate for the site and project.

~~§12.2.9.~~ **§12.3.5. Fraternities and sororities houses**

Fraternity and sorority houses shall not be operated primarily for commercial gain.

~~§12.2.10.~~ **§12.3.6. GroupInstitutional homes, except those of a correctional nature**

~~GroupInstitutional~~ homes, ~~except those of a correctional nature, that have an approved use permit and which is~~ ~~that are a~~ licensed homes for adults under the Code of Virginia, may have up to 75 percent of the units with individual kitchens provided that there are central cooking and eating facilities ~~that~~ ~~which~~ serve all the units in such a home.

~~§12.2.11.~~ **§12.3.7. Low and moderate income housing**

**A. Site plan options**

When a site with an area of more than 20,000 square feet, or with 10 or more existing dwelling units, is sought to be used in a manner inconsistent with existing regulations for height, setback, yard, coverage, or parking, or is sought to be developed using additional residential density, the County Board may allow exceptions, after application for a site plan approval consistent with §15.6, in order to achieve a design ~~which is~~ appropriate for the site, project, and the surrounding area. The County Board may approve additional height and density based on the provision of low or moderate income housing as provided in §15.6.8. The County Board, in its discretion, may modify regulations on height, setback, yard, coverage, or parking requirements and may approve up to a 25 percent increase in residential density ~~above the density shown in §12.3.7.A.1~~ ~~§12.3.7.A.1~~ below, for a project that provides low or moderate-income housing as regulated in ~~§15.5.9~~ ~~§15.5.9~~, provided that:

- 1. Under no circumstances shall the County Board approve a building with a height greater than that shown in the table below unless approved as specifically provided in ~~§15.5.9~~ ~~§15.5.9~~.

General District	Height, Maximum (feet)	Density, <del>Maximum</del> (units per acre) <u>Up to 25 percent above may be approved</u>
RA14-26 RA7-16 RA4.8 R-C RA-H	60	<del>30</del> <u>24</u>

<sup>1</sup> Redundant

General District	Height, Maximum (feet)	Density, <del>Maximum</del> (units per acre) <u>Up to 25 percent above may be approved</u>
RA-H-3.2		
RA8-18 <del>RA6-15</del>	60	<del>4536</del>
RA6-15	70	<del>4860</del>

2. Parking for new dwelling units shall be provided as required in ~~§14.3~~§14.3. However, the number of parking spaces per existing dwelling unit preserved shall be no less than the number of parking spaces per dwelling unit on the site at the time of application.

**B. Use permit options**

1. When a building is proposed to be used for the purpose of providing low or moderate income housing, and the land, buildings or structures on the site do not conform to the regulations of this Zoning Ordinance, the County Board may, by use permit approval pursuant to ~~§15.4~~§15.4, approve additions to or enlargement of building(s) on the property, and modification of regulations on setback, yard, coverage, parking, and/or density. Provided, however, that no use permit shall be approved unless the proposal includes a low or moderate income housing plan that furthers the County Board adopted Goals and Targets for Affordable Housing and a request for designation as a Voluntary Coordinated Housing Preservation and Development District (VCHPDD) by the County Board. Provided further that, under no circumstances shall the County Board approve a use permit to allow:

- (a) The greater of either 1) the height permitted in the table below; or 2) the height already legally existing on the site at the time of application; or

Eligible District(s)	Height, Maximum (feet)
RA14-26 RA4.8 R-C RA-H-3.2	35 feet or 3½ stories, or height already legally existing on the site at the time of application, whichever is greater
RA8-18	40 feet or 4 stories or height already legally existing on the site at the time of application, whichever is greater
RA7-16 RA-H	95 feet or 10 stories, or height already legally existing on the site at time of application, whichever is greater
RA6-15	60 feet or 6 stories, or height already legally existing on the site at the time of application, whichever is greater

- (b) Additional density beyond the number of units already legally existing on the site at the time of application.
2. When a site with an area of 20,000 square feet or less is sought to be used in a manner inconsistent with existing regulations for height, setback, yard, coverage, or parking, the County Board may allow exceptions, after application for a use permit as provided for in ~~§15.4~~§15.4, in order to achieve a design which is appropriate for the site, project, and the surrounding area, provided the site has been designated a Voluntary Coordinated Housing Preservation and Development District (VCHPDD) by the County Board. Existing multiple-family dwellings may be permitted to increase density up to the maximum density shown in the table below where provision is made for low or moderate income housing, and where a low or moderate income housing plan has

been submitted as part of a use permit application. The County Board, in its discretion, may, in approving the use permit, modify regulations on height, setback, yard, coverage, or parking, provided that:

- (a) In no event shall the County Board approve a building with a height greater than that shown in the table below;

Eligible District(s)	Height, Maximum (ft.)	Density, Maximum (units per acre)
RA14-26 RA4.8 R-C RA-H-3.2	45	24
RA8-18 RA7-16 RA-H	50	36
RA6-15	70	36

- (b) Parking for new dwelling units shall be provided as required in ~~§14.3~~§14.3. However, the number of parking spaces per dwelling units preserved shall be no less than the number of parking spaces per dwelling unit on the site at the time of application.

**§12.3. §12.4. Public and Civic Use Standards**

~~§12.3.1. Clubs and grounds for games or sports, including community swimming pools~~

~~Clubs and grounds for games or sports, including community swimming pools; provided any such use is not operated primarily for commercial gain, or for which any mechanical amusement equipment is operated incidental to such games or sports.~~

~~§12.3.2. §12.4.1. Day care uses Child care centers, preschools, nursery schools, parent’s day-out programs and cooperative playgroup programs~~

~~All day care uses child care center, preschools, nursery schools, parent’s day-out programs and cooperative playgroup programs shall be licensed pursuant to Chapter 52 of the Arlington County Code.~~

~~§12.3.3. §12.4.2. Hospitals or sanitariums~~

~~Hospitals may be allowed in R districts, such that a~~Any building so used shall be set back not less than 100 feet from any lot line or street line; and doctors’ offices in buildings already being used exclusively as such pursuant to other zoning provisions or variances previously granted, and a one-time addition thereto provided such addition does not exceed 25 percent of the existing total gross floor area of the buidling being so used.

~~§12.3.4. §12.4.3. Publicly-owned parking areas~~

Publicly-owned parking areas shall be allowed subject to the following conditions:

- A. The parking areas shall be developed in accordance with the requirements of §14.3;
- B. No parking shall be located within 25 feet of the boundary of an R district;
- C. The parking area shall have frontage on a street designated as a local principal, minor arterial, principal arterial, or controlled access facility as designated in the Arlington County Master Transportation Plan.

~~§12.3.5.~~ **§12.4.4. Passenger terminals and services**

Passenger terminals may be allowed provided the exterior appearance of any building permitted under this paragraph shall be in keeping with the character of the neighborhood in which it is located.<sup>1</sup>

~~§12.3.6.~~ **§12.4.5. Railroad, trolley, bus, air or boat passenger stations**

The exterior appearance of any building permitted under this paragraph shall be in keeping with the character of the neighborhood in which it is located.

**§12.4.6. Recreation centers**

Recreation centers shall not be operated primarily for commercial gain.<sup>2</sup>

~~§12.3.7.~~ **§12.4.7. Schools, elementary, middle and high**

- A. A transportation demand management plan shall be submitted with use permit applications for elementary, middle and high schools.
- B. Any school operating and accredited by the state board of education prior to August 8, 1992 may continue to operate without obtaining a use permit as required in §15.5.

~~§12.3.8.~~ **§12.4.8. Swimming pools, community, semi-public and commercial**

All community, semi-public and commercial swimming pools shall comply with the following requirements:

**A. Fencing**

The fencing or protection shall be as specified by the Arlington County Swimming Pool Codes, but no less than six feet in height.

**B. Lighting**

Where lighting is provided, all lights shall be arranged and hooded as to confine all direct light rays entirely within the boundary lines of the swimming pool property.

**C. Location**

No pool facility, building, structure, concession or other recreational use or space, except parking areas, shall be permitted in any required setback or yard area nor shall any such facility be permitted closer than 100 feet to the center line of any street in an R district or abutting property line in an R district. Community pool parking areas shall not be located closer to the front street line or front site boundary than the building line setback established in the district in which the site is located.

**D. Refreshments**

Refreshments shall be allowed only as an incidental part of a swimming pool development and shall be operated solely for convenience. Refreshments shall be available only during the hours and the season when the pool is open for operation. No advertising signs shall be permitted.

<sup>1</sup> From use table and edited as shown.

<sup>2</sup> From use table and edited as shown.



(See also §12.8.2.M, private swimming pools)

#### ~~§12.3.9.~~§12.4.9. **Utilities, major**

The exterior appearance of any building associated with major utilities shall be in keeping with the character of the neighborhood in which it is located.

#### ~~§12.3.10.~~§12.4.10. **Utilities, minor and services, public**

~~Utilities and services, public; such as railroad, trolley, bus, air, or boat passenger stations; railroad offices, rights-of-way, and tracks (but excluding car barns, garages, railroad yards, sidings and shops); static transformer stations, transmission lines and towers, commercial and public utility radio towers, telephone exchanges (but excluding service and storage yards); provided, however, that the~~ The exterior appearance of any building associated with minor utilities permitted under this paragraph shall be in keeping with the character of the neighborhood in which it is located.<sup>1</sup>

### ~~§12.4.~~§12.5. **Commercial/Mixed Use Standards**

#### ~~§12.4.1.~~§12.5.1. **Adult book stores**

- A. An establishment having at any point in time for sale or viewing for payment, at least 20 percent of its books, magazines, newspapers, photographs, or other similar articles sexually oriented is defined as an "adult book store" and must have a use permit regardless of the district in which it is located.
- B. The requirement for a use permit shall apply to all such adult book stores existing after the effective date of this section, and to all such establishments existing on the effective date to the extent possible under the United States and Virginia Constitutions and under the statutes of Virginia.
- C. A sexually oriented article is defined as a book, magazine, picture, newspaper, photograph or similar article which, when taken as whole, appeals to and is intended to appeal to, the prurient interest of a purchaser or viewer by means of one or more of the following:
  1. Representation or description of ultimate sex acts, normal or perverted, actual or simulated.
  2. Representations or descriptions of masturbation or excretory functions.
  3. Lewd exhibition of the genitals.
- D. In calculating the total number of books, magazines, newspapers, pictures, photographs or other similar articles which are in an establishment at any point in time, only those which are actually and regularly sold or viewed for payment at prices comparable to those charged for the sexually oriented articles shall be included. The 20 percent limit shall apply to each type of sexually oriented article, i.e., if an establishment has sexually oriented magazines, the number of such magazines shall not exceed 20 percent of all magazines unless permitted by use permit.

<sup>1</sup> From use table, and edited as shown.

- E. Nothing in this section shall be construed to permit the purveying of obscene materials prohibited by any criminal law.

~~§12.4.2. Amusement enterprises~~

~~Amusement enterprises shall be conducted wholly within a completely enclosed building.~~

§12.5.2. Animal care facilities, veterinary clinics, animal hospitals

A. In the CM district, all activities shall be conducted wholly within a completely enclosed building, except for on-site parking of delivery vehicles which are incidental thereto.

~~A.~~ In all other zoning districts, aAnimal hospitals and veterinary clinics may be allowed, provided all ~~such uses all~~ related activities are conducted wholly within a completely enclosed building.<sup>1</sup>

~~§12.4.3.~~§12.5.3. Bed and breakfasts

Bed and Breakfasts may be permitted with the following limitations:

A. Any bed and breakfast must have a use permit, as specified in §15.5.

B. Bed and breakfasts shall comply with all applicable requirements of county and state codes.

C. A bed and breakfast shall be operated by a resident owner.

~~C.~~D. The operator of a bed and breakfast shall obtain a certificate of occupancy for that purpose before the operation of the bed and breakfast commences.

E. Guests may stay in a bed and breakfast for no more than 14 consecutive days per stay.

~~D.~~F. Each bed and breakfast shall maintain an accurate record of each guest and the duration of his stay. The record may be reviewed by the county upon notice.

G. Bed and breakfasts shall neither contain a restaurant or banquet facility nor provide meal service other than breakfast.

~~E.~~H. No cooking facilities shall be provided for use by guests of a bed and breakfast.<sup>2</sup>

~~F.~~I. Only one nonresident employee at any time shall be permitted to work on the premises of a bed and breakfast.

~~G.~~J. Bed and breakfasts shall be located only on minor arterial streets or principal arterial streets as designated in the Arlington County Master Transportation Plan.

~~H.~~K. Bed and breakfasts must be located on lots that meet or exceed the minimum lot area requirement for the district in which the lot is located.

~~I.~~L. A minimum of one on-site parking space per guestroom in a bed and breakfast shall be provided in addition to the parking space(s) required for the principal residence. The County Board may modify this requirement by use permitParking shall be provided as required in §14.3.7.A.<sup>3</sup>

<sup>1</sup> From use table and edited as shown.

<sup>2</sup> C, E and H moved from definition.

<sup>3</sup> Moved to 14.3.7

~~J.M.~~ The exterior of the one-family in which the bed and breakfast is operated shall maintain its one-family dwelling character.

To assist the county in determining whether a bed and breakfast will maintain its residential character and will meet the standards for use permit approval set forth in ~~§15.4.3~~~~§15.4.3~~, any use permit application for a bed and breakfast must be accompanied by a plan showing the type and location of proposed parking, landscaping and exterior lighting.

#### §12.5.4. Commercial parking<sup>1</sup>

Parking lots shall be allowed as follows:

##### A. C-1 and C-R districts

Permitted by use permit, with or without improvements deferred as regulated in §14.3.4.A~~§14.3.4.A~~

##### B. C-O-A, C-2, C-TH, C-3, CM, M-1, and M-2 districts

1. Permitted by right: Up to 50 spaces or lot area of 20,000 square feet

2. Permitted by use permit: More than 50 spaces or lot area of 20,000 square feet

##### C. MU-VS district

1. Permitted by right: Up to 20 spaces or lot area of 20,000 square feet.

~~4.~~ Parking lots of more than 20 spaces are prohibited.

2.

#### §12.5.5. Drug stores

A. Delivery of products to off-site locations is permitted when it involves less than 20 percent of the amount of sales.<sup>2</sup>

B. Outdoor display and sales of general merchandise is permitted in C and M districts, only as provided in §12.5.20.

#### ~~§12.4.4. Commercial uses, other~~

~~Commercial uses, other, provided that they are located at street level and do not exceed a 0.5 Floor Area Ratio (F.A.R.). No drive-in type uses such as drive-in banks or drive-in restaurants or automobile-oriented uses such as vehicle service establishments, vehicle body shops, car washes or vehicle dealership, sales or rental lots shall be permitted.<sup>3</sup>~~

#### ~~§12.4.5.~~§12.5.6. Dry cleaning drop-off stations, laundry and laundromats

The equipment employed shall ~~use synthetic, nonflammable solvent and~~ have an aggregate maximum rated capacity of not more than 40 pounds and ~~that not no~~ more than one truck or

<sup>1</sup> From use table

<sup>2</sup> From use table

<sup>3</sup> Moved to appropriate density and dimensional standards for the respective districts for which this use applies (RA4.8, RA-H-3.2)

vehicle ~~shall be~~ is employed for pickup and delivery. ~~No cleaning establishment shall serve any other retail branches.~~

~~§12.4.6.~~ **§12.5.7. Entertainment uses**

Entertainment uses shall be conducted wholly within a completely enclosed building

~~§12.4.7.~~ **§12.5.8. Florist or gift shop**

- A. Delivery of flowers to off-site locations is permitted when it involves less than 30 percent of the amount of the sales from these stores.
- B. ~~Outdoor display and sales of general merchandise is permitted in C and M districts, only as provided in §12.5.20.~~

~~§12.4.8.~~ **§12.5.9. Grocery stores, convenience, ~~fruit or vegetable stores~~**

- A. Convenience grocery, fruit or vegetable stores shall be limited to a gross floor area of 2,600 ~~sq. ft.~~ square feet.
- B. ~~Outdoor display and sales of general merchandise is permitted in C and M districts, only as provided in §12.5.20.~~

~~§12.4.9.~~ **§12.5.10. Grocery stores, ~~fruit or vegetable stores without restriction or maximum gross floor area~~**

- A. Delivery of groceries to off-site locations is permitted when it involves less than 30 percent of the amount of the sales from these stores.
- A.B. ~~Outdoor display and sales of general merchandise is permitted in C and M districts, only as provided in §12.5.20.~~

~~§12.4.10.~~ **§12.5.11. Hotels or motels**

- A. ~~A hotel~~ Hotels and motels shall have a lot area of not less than 600 ~~sq. ft.~~ square feet for each individual sleeping or living unit, unless otherwise specified in the underlying district.
- B. Each guest room shall be not less than 240 square feet.<sup>1</sup>

~~§12.4.11.~~ **§12.5.12. Kiosks**

A. Purpose

These regulations are intended to provide for flexible, site-specific opportunities to encourage and enliven pedestrian activity within the streetscape and provide for an eclectic mix of small businesses and community information in certain commercial districts. The placement of kiosks should promote public use and enjoyment of the open area and should complement permitted uses in the surrounding area.

<sup>1</sup> From definition.

**A-B. Use Kiosk use**

Kiosks may be occupied by uses such as news or magazine stands, takeout food stands, candy stands, flower stands, information booths, ticket sales or other similar uses as determined by the zoning administrator.

**B-C. Placement Kiosk placement**

1. Kiosks, as defined in Article 18, and any directly associated merchandise on display within the kiosk or within two feet from said kiosk, may be permitted, on privately owned property, within the required setback or within parks, public rights-of-way or easements for public use subject to regulations set forth herein and upon approval of a use permit as provided for in §15.5.
2. One kiosk shall be permitted for every 5,000 ~~sq.-ft.~~ square feet of publicly accessible, contiguous open area ~~adjacent-abutting~~ to a sidewalk or street right-of-way (e.g. plaza); however, this shall not preclude the clustering of two or more kiosks within a larger open area.
3. Kiosk placement shall not impede or be located within any pedestrian circulation path. Kiosks, and any directly associated merchandise, must allow at least 10 feet of the sidewalk (public rights of way or easements) to remain clear for pedestrian traffic.
4. No kiosk or any directly associated merchandise may be placed with 10 feet from any crosswalk, intersection, entrance to a building, Metro entrance, bus stop, or a taxi stand.
5. No kiosk may be placed within the visual clearance area as defined in ~~§3.2.6.A.4~~ §3.2.6.A.4.
6. Any area occupied by a kiosk shall not be used in the calculation of floor area ratio.<sup>1</sup>

**C-D. Operation Kiosk operation**

1. Kiosks must be in operation and provide service a minimum of 275 days per year and a minimum of eight hours on each day between the hours 6:30 a.m. and 10:00 p.m.
2. Kiosks shall be exempt from any parking requirement.
3. Kiosks shall be operated by a licensed vendor under the provisions of Chapter 30, Peddlers, Vendors and Canvassers, of the Arlington County Code.

**D-E. Review Procedures for approval of a kiosk**

1. Kiosks that comply with the provisions of the sections and are allowed in the applicable district may be permitted upon determination by the County Board that:
  - (a) A party has been identified who is responsible for maintenance and upkeep of the kiosk;

---

<sup>1</sup> Moved from definitions



such approval, shall find that, after the proposed modification(s), the subject kiosk will still accomplish the purposes and intent of the zoning ordinance for kiosks.

#### ~~§12.4.12-§12.5.13. Dry cleaners, laundry and laundromats~~

The equipment employed shall ~~use synthetic, nonflammable solvent and~~ have an aggregate maximum rated capacity of not more than 40 pounds and ~~that~~ not more than one truck or vehicle ~~shall be~~ employed for pickup and delivery. ~~No cleaning establishment shall serve any other retail branches.~~<sup>1</sup>

#### ~~§12.4.13-§12.5.14. Membership clubs and lodges Clubs, private~~

~~Membership clubs and lodges~~ Such use shall not be operated primarily for commercial gain.<sup>2</sup>

#### ~~§12.4.14-§12.5.15. Mortuaries y or and funeral homes, including a cremation unit within a mortuary or funeral home~~

- A. ~~In RA districts and RA4.8, R-C, and RA-H-3.2 districts, M~~ mortuaries ~~and or~~ funeral homes, ~~including a cremation unit within a mortuary or funeral home~~ may be allowed ~~permitted~~ in existing ~~multiple-family buildings apartment houses~~ or residences converted to such use or in new buildings designed for such use; provided, that all such new buildings shall have the exterior appearance of a residential structure.
- B. ~~Cremation units may be included within mortuaries and funeral homes.~~

#### ~~§12.4.15-§12.5.16. Nurseries Nursery, flower or plant stores~~

All incidental equipment and supplies, including fertilizer and garden tools shall be kept within a building or in designated areas outside which are adequately screened as approved by the zoning administrator.

#### ~~§12.4.16. Offices of doctors, physicians, dentists or psychologists~~

~~Offices of doctors, physicians, dentists or psychologists, provided that the basis for judging the merits of any given site plan shall be the degree to which the structure has the appearance of, and complies with the bulk and placement requirements for, a single family residence.~~

#### ~~§12.4.17. Offices, principal, of physicians, surgeons or dentists~~

~~Principal office of a physician, surgeon or dentist, provided such use is conducted within a dwelling and the residential character of such dwelling is not changed.~~

#### ~~§12.4.18. Offices of doctors in buildings already used exclusively as such~~

~~Doctors' offices in buildings already being used exclusively as such pursuant to other zoning provisions or variances previously granted, and a one-time addition thereto, provided such addition does not exceed 25 percent of the existing total gross floor area of the building being so used.~~<sup>3</sup>

<sup>1</sup> From 12.5.6 (dry cleaners, laundry and laundromat), and edited as shown

<sup>2</sup> From use table and edited as shown.

<sup>3</sup> Offices of physicians, surgeons, dentists, or psychologists on transitional sites which abut C-2, CM or M districts (12.5.20) and offices principal, of physicians, surgeons or dentists (12.5.21) have been moved to 12.8, transitional use standards;

~~§12.4.19.~~ §12.5.17. Offices or clinics, medical or dental ~~Offices of medical doctors, physicians, dentists or psychologists in existing institutional structures~~

**A. Existing institutional structures** ~~Offices of medical doctors, physicians, dentists or psychologists in existing institutional structures~~

1. Medical and dental offices ~~Offices of medical doctors, physicians, dentists or psychologists~~ may be permitted in R-6, R-5, R15-30T, R-7, RA districts, RA4.8, R-C, RA-H and RA-H-3.2 and CP-FBC districts, in existing institutional structures converted to such use subject to securing a use permit as provided for in §15.5; and provided further, that said sites meet the following criteria:
  - (a) A minimum site area of 50,000 sq. ft.; and
  - (b) Located on a primary or secondary arterial thoroughfare.
2. The principal basis for judging the merits of any given use permit shall be the degree to which the proposed use and development provide for the reuse of an institutional structure which does not conflict with other uses in the district and which causes no greater adverse effects on the property and improvements in the neighborhood than the previous institutional use.

**B. Multiple family and other residential buildings**

In RA districts as specified in §6.1.2 ~~§6.1.2, and in RA4.8, R-C, RA-H, RA-H-3.2 and CP-FBC districts, medical and dental offices and clinics may be located in existing multiple family and other residential buildings, provided such buildings~~ Existing apartment houses or residences converted to such use or in new buildings designed for such use; provided, that all such new buildings shall have the exterior appearance of a residential structure.

**C. New buildings**

1. In RA districts as specified in §6.1.2 ~~§6.1.2, and in RA4.8, R-C, RA-H and RA-H-3.2 districts, medical and dental offices and clinics may be located in~~ Existing apartment houses or residences converted to such use or in new buildings designed for such use; provided such buildings, that all such new buildings shall have the exterior appearance of a residential structure.
2. In all other C districts and in M districts, as specified in §7.1.2 ~~§7.1.2, medical and dental offices and clinics are allowed subject to the density and dimensional standards for the subject district.~~

~~§12.4.20.~~ §12.5.18. Open-air markets

Open-air markets, which shall be subject to conditions approved by the County Board at the time of use permit approval including but not limited to conditions governing customer and vendor parking, landscaping, maintenance, impact on neighboring residential areas, management of trash, management of noise, times and days of the week of operation, including the number of vendors that would be permitted under the use permit. In addition, any open-air market shall meet the following requirements:

- A. No open-air market shall be located within 1,000 feet of another open-air market. However, the County Board may modify this requirement as part of the use permit review



process, if it finds that the location of the open-air market in proximity to other market(s) will not have a substantial adverse impact on surrounding neighborhoods;

- B. No open-air market shall be located within 100 feet of the boundary of an R district. However, the County Board may modify this requirement as part of the use permit review process if it finds that the location of the open-air market in proximity to an R district will not have a substantial adverse impact on surrounding neighborhoods; and

An application for a use permit for an open-air market shall include a parking plan that is drawn to scale, showing the number and location of customer and vendor parking spaces. Customer and vendor parking identified as available for market use shall be sufficient to not have a substantial adverse impact on the surrounding neighborhoods.<sup>1</sup>

#### §12.4.21-§12.5.19. Private postal services

Private postal services shall be limited to 1200 square feet.<sup>2</sup>

#### §12.5.20. Recreation uses, indoor

- A. Within the CP-FBC district, indoor recreation uses shall be conducted wholly within a completely enclosed building on the second level (above grade) or below.<sup>3</sup>

#### §12.5.21. Retail, personal service uses

~~\* Classes or instruction to children, if a use~~ For any use that provides classes or instruction to children and, either 20 percent or more of the total number of students enrolled in classes and/or instruction are children under 18 years of age or the total number of children under 18 years of age enrolled in classes scheduled to be held at any one time is 10 or more, the use may only be established subject to obtaining a use permit as provided in §14.5, for each such use.<sup>4</sup>

#### §12.5.22. Retail, sales uses, outdoor display<sup>5</sup>

- A. Outdoor display and sales of general merchandise ~~in connection with~~ associated with an established retail sales ~~businesses~~ on the same lot, ~~shall be permitted~~ may be allowed in C and M districts, ~~and the parking requirement waived~~ for a period not to exceed up to three consecutive days, and not more than four such periods each year, subject to the following:

1. Such use shall be allowed upon the approval of the zoning administrator, provided that the location does not impede pedestrian or vehicular movement on the property.
2. Additional permits and standards required for outdoor display and sales may include, but not be limited to permits, encroachments or other approvals for any structure or activity in a public right-of way.
3. Where outdoor display and sales is expressly allowed, prohibited or limited by use permit or site plan condition, that condition will govern outdoor display and sales.

<sup>1</sup> Outdoor cafes moved to accessory use standards (12.9)

<sup>2</sup> From use table

<sup>3</sup> From CP-FBC use table (amusement enterprises)

<sup>4</sup> Moved from (\*) in C use table, and edited as shown.

<sup>5</sup> Moved from C-1 use limitations in §7.7.5, and edited as shown.

### §12.5.23. Restaurant, general

Delivery of food and beverages to off-site locations is permitted when it involves less than 30 percent of the amount of the sales from these restaurants, subject to approval of a use permit pursuant to the requirements of §15.6.6~~§15.6.6~~.<sup>1</sup>

### §12.5.24. Restaurants, limited

Less than 50 percent of the food is served to conventional restaurant tables at which customers sit to order and eat. Delivery of food and beverages to off-site locations is permitted when it involves less than 20 percent of the amount of the sales from these restaurants.<sup>2</sup>

### §12.5.25. Secondhand stores

Secondhand stores may be allowed provided all activities are conducted wholly within a completely enclosed building.<sup>3</sup>

### §12.4.22-§12.5.26. Self-service storage

#### A. General<sup>4</sup>

1. Self-service storage facilities shall include two or more individual units of 500 square feet or less, each of which is rented solely to store household goods and personal effects as defined in Virginia Code Section 58.1-3504, tangible personal property employed in a trade or business as defined in Virginia Code Section 58.1-3503.A.17, and inventory of stock on hand as that term is used in Virginia Code Section 58.1-3510.A.
2. Within the area recorded as a self-service storage facility, any activity other than rental of storage units and pick up and deposit of goods being stored is prohibited, including the storage of motor vehicles and motorized boats, and the storage of radioactive materials, explosives, and flammable or hazardous materials or chemicals.

#### B. C-TH district<sup>5</sup>

In addition to complying with §12.5.25.A, above, in the C-TH district, self-service storage facilities may be permitted subject to the following requirements:

1. The facility must be located in a multi-story structure;
2. That portion of the ground floor of the building in which the facility is located and which fronts on public streets shall have retail or service commercial uses. Retail or service uses shall be a minimum of 60 percent of the gross floor area on the ground floor level of any building which contains self-service storage facilities;
3. One parking space for each 8,000 square feet of gross floor area, or fraction thereof, which is used for self-service storage facilities and which has direct access only from within a building, and one additional space for each employee of the self-service storage facility shall be provided;

<sup>1</sup> Moved from C use table

<sup>2</sup> Moved from C use table

<sup>3</sup> From use table.

<sup>4</sup> From definitions.

<sup>5</sup> From C-TH district (7.18.4)

4. A minimum of two covered and enclosed loading spaces for the first 100,000 square feet of gross floor area of storage space, or fraction thereof, and one covered and enclosed loading space for each additional 50,000 square feet shall be provided; and
5. The parking spaces required by §14.3, shall be located adjacent in an area near to the storage entrance for drop-off and pick-up of goods being stored.

**B. ~~Storage as a principal use prohibited~~**

~~The principal use of the main building in any district zoned for residential or commercial purposes shall not be storage, except under the specific provisions for special exceptions in §7.18.4.A, C-TH districts, and except that storage incidental to the principal use of the main building is permitted, subject to any specific regulation of storage provided in the applicable district regulations.~~

~~§12.4.23-§12.5.27. Upholstery shops~~

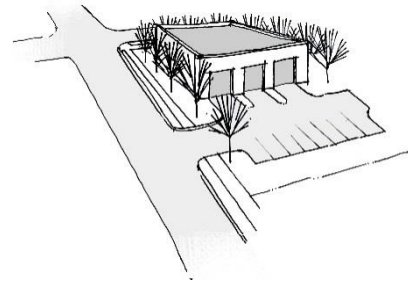
~~All upholstery shop activities shall be conducted wholly within a completely enclosed building.~~

**§12.5.28. Vehicle body shop<sup>1</sup>**

- A. In C-2, C-3 and CP-FBC districts, all activities shall be conducted wholly within a completely enclosed building.
- B. In the CM district, all activities shall be conducted wholly within a completely enclosed building, except for on-site parking of delivery vehicles which are incidental thereto.

~~§12.4.24-§12.5.29. Vehicle Fuel stations, service establishments, including full-service, mini-service and self-service<sup>2</sup>~~

- A. Gasoline pumps shall be erected at least 10 feet behind the building restriction line.
- B. In C-1 districts, any portion of the use except the sale of gasoline shall be conducted wholly within a building.
- C. In all other C districts in which the use is allowed, and in all M districts, any vehicle repairs and storage of merchandise and supplies shall be conducted wholly within a building; and that any lubrication or washing not conducted wholly within a building shall be permitted only if a masonry wall, seven feet in height, is erected and maintained between such uses and any adjoining R district.



~~§12.4.25-§12.5.30. Vehicle dealership, sales, and rental and leasing facilities-lots<sup>3</sup>~~

~~Vehicle dealership, sales and rental sales, rental and leasing facilities-lots shall comply with the following standards as well as any use permit conditions or requirements:~~

<sup>1</sup> Moved from respective use tables

<sup>2</sup> B and C from use table.

<sup>3</sup> A and B from use table; CP-FBC prohibitions corrected to "local"

**A. Minimum site area**

**1.** In C-1 and C-O-A districts, minimum site area shall be 20,000 square feet.

**4.2.** In C-2, C-3 and all M districts, such uses may be permitted subject to use permit approval as provided in §15.4~~§15.4~~ on sites with a minimum of 10,000 square feet, but less than 20,000 square feet; and by-right on sites with a minimum of 20,000 square feet.

**B.** In the CP-FBC district, indoor and/or outdoor display area(s) shall not exceed 300 linear feet along Main Street or Avenue frontage. Vehicle sales, rental or leasing facilities are specifically prohibited on Neighborhood and ~~Avenue~~ Local Sites.<sup>1</sup>

**C.** Delivery of automobiles shall be limited to the hours between 7:00 a.m. and 9:00 p.m., Monday through Saturday only. A plan shall be agreed upon with the police department for time and place of the delivery of automobiles and this plan shall be submitted to the zoning administrator.

**D.** All incidental repair services shall occur within the service bay facility. No vehicle parts and repair tools shall be stored or displayed outside the repair facility.

**D.E.** Any lubrication or washing not conducted wholly within a building shall be permitted only if a masonry wall, seven feet in height, is erected and maintained between such uses and any adjoining R district.<sup>2</sup>

**E.F.** Vehicles placed in the custody of the persons conducting the motor vehicle use shall be kept on the premises of the motor vehicle use in compliance with the parking plan approved by the zoning administrator consistent with the zoning ordinance and shall not be tested or parked on streets that are designated as local principal or local minor streets in the Arlington County Master Transportation Plan.

**F.G.** Lighting on the property shall be directed and shielded so as not to affect adversely, through the dissemination of light rays, any R or RA district that is ~~contiguous-abutting to~~ or across a street, alley, sidewalk or other public right-of-way from the use.

**G.H.** The property shall be developed as required in §14.2, Landscaping, and §14.3, Automobile Parking, Standing and Loading Space. A screening wall or solid wood fence with a minimum height of four feet shall be provided where a parking area for the storage or display of vehicles, including customer parking, abuts any street, sidewalk, alley or other public right-of-way, or separating the site from R or RA district.

**H.I.** Parking areas shall be arranged and used so that vehicles which are parked, displayed and stored on the property do not overhang or protrude outside the prescribed limits of the parking area into the required setback or onto the public right-of-way.

**I.J.** All trash receptacles located outside the building shall be screened from public view by a brick wall or solid wood fence on three sides which is a minimum of six feet in height.

<sup>1</sup> Proposed amendmnet to correct adopted conflict.

<sup>2</sup> From C use table

~~J.K.~~ Use of a public address system or loudspeaker shall comply with the standards and regulations in Chapter 15, Noise Control Ordinance, or the Arlington County Code, except that use of such system shall not be permitted after 9:00 p.m., daily.

~~K.L.~~ Submission requirements: New vehicle ~~sales, rental or leasing facilities dealerships, sales or rental lots,~~ or existing vehicle ~~sales, rental or leasing facilities dealerships, sales or rental lots~~ that are required to obtain a certificate of occupancy shall submit the following to the zoning administrator:

1. Parking lot layout plan, showing parking spaces, buildings, and landscaped area, drawn to scale, and certified by a surveyor or engineer;
2. Lot calculation table showing the total site area, and the size and location of each area occupied by vehicle display space, customer parking, employee parking, office, and landscaping and buffer.

## **§12.6. Industrial Use Standards**

### **§12.6.1. Building material sales yards<sup>1</sup>**

Building material sales yards shall be permitted provided:

- A. Sales of rock, sand, gravel and the like, may be allowed only as incidental to the main business;
- B. Concrete mixing shall be prohibited; and
- C. When in the CM district, all activities shall be conducted wholly within a completely enclosed building or within an area enclosed on all sides with a solid wall or uniformly painted board fence, not less than six feet in height.

### **§12.6.2. ~~Dry cleaners, laundry and laundromats~~ Dry-cleaning plants**

Dry-cleaning plants may be permitted provided that equipment employed shall use synthetic, nonflammable solvent and have an aggregate maximum rated capacity of not more than 40 pounds and that not more than one truck or vehicle is employed for pickup and delivery. No cleaning establishment shall serve any other retail branches.<sup>2</sup>

### **§12.6.3. Foundries**

- A. Foundries shall be allowed, provided they are limited to casting lightweight nonferrous metal, ~~not causing noxious fumes, and noise~~<sup>3</sup>
- ~~L.B.~~ When in the CM district, foundries shall be conducted wholly within a completely enclosed building, except for on-site parking of delivery vehicles which are incidental thereto.

<sup>1</sup> From M use table and C from 12.6.4, already previously associated with this use

<sup>2</sup> Moved from commercial use standards (12.5.6) and edited as shown

<sup>3</sup> From use table, and edited as shown; B is existing use standard, from 12.6.4, which was previously already associated with this use.

**§12.4.26-§12.6.4. Indoor-only uses**

Such uses, when in the CM district, shall be conducted wholly within a completely enclosed building, except for on-site parking of delivery vehicles which are incidental thereto.

**§12.4.27-§12.6.5. Indoor-only or screened uses**

Such uses, when in the CM district, shall be conducted wholly within a completely enclosed building or within an area enclosed on all sides with a solid wall or uniformly painted board fence, not less than six feet in height.

**§12.4.28-§12.6.6. Plumbing or sheet metal shops<sup>1</sup>**

- A. In C-2, C-3 and CP-FBC districts, all activities shall be conducted wholly within a completely enclosed building.
- A. Such uses, when in the CM district, shall be conducted wholly within a completely enclosed building, except for on-site parking of delivery vehicles which are incidental thereto.

**§12.4.29-§12.6.7. Railroad, trolley, bus, air, or boat passenger stations<sup>2</sup>**

The exterior appearance of any railroad, trolley, bus, air, or boat passenger stations permitted under this paragraph shall be in keeping with the character of the neighborhood in which it is located.

**§12.6.8. Retail lumber yards**

Retail lumber yards shall be permitted provided:

- A. Any milling of lumber shall be incidental to the main business<sup>3</sup>; and
- A.B. When in the CM district, all activities shall be conducted wholly within a completely enclosed building or within an area enclosed on all sides with a solid wall or uniformly painted board fence, not less than six feet in height.

**§12.4.30-§12.6.9. Sign makingpainting shops**

Sign making or painting shops shall be allowed, provided all~~A~~ activities shall be conducted wholly within a completely n-enclosed buildingstructure.

**§12.6.10. Stone monument works<sup>4</sup>**

- A. Stone monument works shall not employ more than five persons; and
- A. When in the CM district, stone monument works shall be conducted wholly within a completely enclosed building, except for on-site parking of delivery vehicles which are incidental thereto.

<sup>1</sup> Moved from respective use tables

<sup>2</sup> From use table

<sup>3</sup> From use table

<sup>4</sup> From use table

~~§12.4.31. Trade or commercial schools~~

~~A.B. Trade or commercial schools shall not be objectionable due to noise, odor, vibration or other similar causes.<sup>1</sup>~~

~~§12.4.32. §12.6.11. Vehicle storage lots and towing services~~

Vehicle storage lots and towing services are allowed, provided that:

- A. ~~That s~~Such area is Located and developed as required in §14.3; ~~and~~
- B. In CM districts, such use shall be conducted wholly within a completely enclosed building or within an area enclosed on all sides with a solid wall or uniformly painted board fence, not less than six feet in height; and<sup>2</sup>
- C. In M-1 and M-2 districts, ~~That~~ any incidental repair of automobiles or trailers ~~is~~shall be conducted and confined wholly within a building;

~~§12.4.33. §12.6.12. Welding, machine and tool repair shops~~

Welding, machine and tool repair shops are allowed, provided:

- A. ~~excluding p~~unch presses over 20 tons rate capacity, drop hammers and automatic screw machines shall be prohibited; and<sup>3</sup>
- B. All operations and storage are kept wholly within a completely enclosed building.

~~§12.4.34. §12.6.13. Wholesale trade~~

All wholesale trade uses shall be conducted wholly within a completely enclosed building or within an area enclosed on all sides with a solid wall or uniformly painted board fence, not less than six feet in height.

~~§12.4.35. §12.6.14. Wrecking and salvage yards<sup>4</sup>~~

Wrecking and salvage ~~junkyard~~ may be allowed, subject to the following conditions:

- A. No ~~junkyard~~ wrecking and salvage yard shall be located within 225 feet of an arterial highway.
- B. All ~~junkyards~~ wrecking and salvage yards shall be located on lots containing not less than 25,000 ~~sq. ft.~~ square feet
- C. All wrecking and salvage yards ~~junkyards~~ shall be surrounded by a wall seven feet high or of such additional height as needed to provide suitable screening of the operation with due regard to topography.
- D. No material shall be reduced by fire, except when reduced in an approved incinerator.

<sup>1</sup> Moved to commercial use standards (12.5)

<sup>2</sup> From use standards "indoor-only or screend uses"

<sup>3</sup> From M use table

<sup>4</sup> From 8.4.4 and edited as shown.

## ~~§12.5.~~§12.7. Other Use Standards

### ~~§12.5.1.~~§12.7.1. Agriculture Farming, livestock and poultry raising, and all uses commonly classed as agricultural

~~Agricultural uses may be allowed Farming, livestock and poultry raising, and all uses commonly classed as agricultural,~~ with no restrictions as to the operation of such vehicles or machinery as are incident to such uses, and with no restrictions as to the sale or marketing of products raised on the premises; provided, any livestock or poultry shall be kept in a building, structure or yard for the raising, housing or sale thereof which shall be located no less than 100 feet from any street or lot line; provided, further, that poultry shall not be allowed to roam at large.

### ~~§12.5.2. Publicly-owned structures~~

~~To permit the productive use of existing publicly owned structures on a temporary basis, when the board determines it to be advisable to have such structures available for possible public use at the end of the period of temporary use, the County Board may permit commercial use of an existing structure on a transitional site in conjunction with and primarily for the purpose of providing services to an existing adjacent use for a period not to exceed 15 years subject to the provision of parking as required in §14.3; such uses may be permitted notwithstanding the fact that not more than 25 percent of the area of the existing structure is located outside the portion of the site within which transitional uses are permitted.~~

## §12.8. TRANSITIONAL USE STANDARDS

### ~~§12.5.3.~~§12.8.1. General

#### A. Applicability

~~Transitional uses may be located on only transitional sites and in accordance with any applicable transitional use standards as specified below.~~

### ~~§12.5.4.~~§12.8.2. Hospitals on transitional sites ~~Medical and dental clinics on transitional sites abutting C-2, CM or M districts~~

On transitional sites abutting C-2, CM or M districts, ~~offices of physicians, surgeons, dentists, or psychologists, and medical or dental clinics~~ **medical and dental hospitals and clinics shall be allowed**, provided that the principal bases for judging the merits of any given site plan shall be:

- A. The degree to which the proposed development complies with the bulk, placement and coverage requirements of and has the appearance of an apartment building permitted in the apartment district in which it is located;
- B. The compatibility of the proposed development with existing and anticipated uses in the general neighborhood; and
- C. Compliance with adopted plans for the development of the area.

### ~~§12.8.3. Offices or clinics, medical or dental on transitional sites~~ **Offices, principal, of physicians, surgeons or dentists**

#### A. By-right

~~Principal offices of physicians, surgeons or dentists uses shall be permitted in Medical and dental clinics and~~ **offices may be allowed** in existing one-family detached dwellings **in R and**



RA14-26, RA8-18 and RA6-15 districts, provided the residential character of such dwelling is not changed.

B. By site plan approval, medical and dental clinics and offices may be allowed in R-6, R-5, R15-30T, R2-7, RA14-26, RA8-18 and RA6-15 districts, provided:

1. ~~Offices of doctors, physicians, dentists or psychologists, provided that t~~The basis for judging the merits of any given site plan shall be the degree to which the structure has the appearance of, and complies with the bulk and placement requirements for, and has the exterior appearance of, a single-family residence.<sup>1</sup>

~~Existing apartment houses or residences converted to such use or in new buildings designed for such use; provided, that all such new buildings shall have the exterior appearance of a residential structure.~~<sup>2</sup>

#### §12.8.4. Offices or clinics, medical or dental on transitional sites abutting C-2, CM or M districts ~~Offices of physicians, surgeons, dentists, or psychologists on transitional sites which abut C-2, CM or M districts~~

On transitional sites which abut C-2, CM or M districts, medical offices ~~of physicians, surgeons, dentists, or psychologists~~ may be allowed provided that the principal bases for judging the merits of any given site plan shall be:

- ~~D.~~A. The degree to which the proposed development complies with the bulk, placement and coverage requirements of and has the appearance of an apartment building permitted in the apartment district in which it is located;
- ~~E.~~B. The compatibility of the proposed development with existing and anticipated uses in the general neighborhood; and
- ~~F.~~C. Compliance with adopted plans for the development of the area.

#### ~~§12.5.5.~~ §12.8.5. Transitional parking areas ~~Transitional parking areas~~

- A. Transitional parking areas shall be in accordance with the applicable requirements of §14.2 and §14.3.
- B. ~~In transitional parking areas, n~~No activity or use shall be conducted on transitional parking areas except the parking of customer or employee automobiles and ~~uses as specifically permitted in the district.~~
- C. The use of such areas for parking shall not be deemed to include any sales or servicing ~~whatsoever.~~<sup>3</sup>
- B.D. Transitional parking areas shall not be used to satisfy the provisions of parking required by this zoning ordinance.<sup>4</sup>

<sup>1</sup> From 12.5.13

<sup>2</sup> From 12.5.21

<sup>3</sup> B and C sentences are moved from §14.3.3.F.

<sup>4</sup> From definitions.

## ~~§12.6.~~§12.9. Accessory Use Standards

### §12.9.1. General

Accessory buildings and uses shall comply with all standards in the district for the principal use, except as expressly set forth below.

- A. Accessory buildings and uses shall be clearly incidental and subordinate to permitted principal uses. An accessory use shall be allowed **only** when an **allowed** principal use **exists** for which such accessory use is allowed (see ~~§12.2~~§12.2, Use Categories).
- A.B. Accessory buildings and uses shall be located on the same lot as the permitted use or building.
- C. Accessory buildings shall comply with **all placement and dimensional standards for the subject district and as provided in §3.2**~~§3.2~~.
- D. Accessory buildings and uses shall not involve operations or buildings not in keeping with the character of the primary use or principal building served.
- E. Accessory buildings and uses shall not be of a nature likely to attract visitors in larger numbers than would normally be expected in association with the principal use, where applicable.
- F. An accessory use shall contribute to the comfort, convenience or necessity of occupants of the primary use served.
- G. An accessory use shall be located within the same district as the principal use.
- H. Tractor trailers and storage pods are prohibited for use as storage or buildings, except as permitted on an active construction site or by **permit for short term** use. (See also ~~§12.10~~§12.10)

### ~~§12.6.2.~~§12.9.2. Accessory dwellings

Accessory dwellings are allowed by permit within or attached to one-family dwellings provided they comply with the following:

- A. Accessory dwellings are permitted on lots containing one-family dwellings in all R districts (does not include the RA districts), subject to issuance of a permit by the zoning administrator.
- B. Accessory dwellings are permitted only on lots that meet the following criteria:
  1. Subject to a minimum lot width of 50 feet, the lot conforms to all zoning regulations for the district in which the lot is located, including the minimum lot area for recordation of newly created lots in the district.
  2. On a lot containing a structure with legal nonconforming conditions, including side and rear yards, setbacks and coverage, any modifications to the structure to create the accessory dwelling shall conform to all zoning regulations for the district in which the lot is located.
  3. An accessory dwelling shall not be permitted on a lot with a family/caregiver suite.
- C. Not more than one accessory dwelling shall be permitted on a lot.

- D. The gross floor area of an accessory dwelling shall not exceed 50 percent of the gross floor area of the main dwelling (or a third of the combined gross floor area), up to a maximum of 750 ~~sq. ft.~~square feet; except, if the gross floor area of the main dwelling is 1,000 ~~sq. ft.~~square feet or less, the accessory dwelling shall not exceed 80 percent of the gross floor area of the main dwelling up to a maximum of 500 ~~sq. ft.~~square feet. For the purposes of this section, gross floor area shall be calculated to include all floor area within the inside perimeter of the exterior walls, including basement, corridors, stairways, closets and interior walls.
- E. A valid certificate of occupancy shall have been issued for the accessory dwelling.
- F. Before approval of a building permit, the owner shall record a covenant on the property in a form acceptable to the zoning administrator, which identifies the accessory dwelling use and that it is subject to the restrictions imposed by the zoning ordinance.
- G. The following shall be filed with the zoning administrator with the application for an accessory dwelling permit:
1. A floor plan of the accessory dwelling that also identifies its relationship to the rest of the dwelling and that provides such further details as may be required by the zoning administrator.
  2. No accessory dwelling shall have a separate entrance on the same side of the main dwelling as the main entrance of the main dwelling.
  3. On a corner lot, no accessory dwelling shall have its entrance visible from the street.
  4. No accessory dwelling with an entrance above the first floor shall have exterior stairs to that entrance visible from the street.
  5. A certified plat of the lot.
- H. If a parking survey conducted by the county determines that the block on which the main dwelling is located is more than 65 percent parked and there is ~~on-site~~on-site, existing before issuance of the accessory dwelling permit:
1. Exactly one standard-size space, then such a space shall be maintained; or
  2. Two or more standard-size spaces that are not tandem, then at least two such spaces shall be maintained; or
  3. No standard-sized parking spaces, then at least one ~~on-site~~on-site parking space shall be provided. The owner shall be responsible for providing evidence of creation of the additional parking space to the zoning administrator. All new parking spaces shall be constructed to meet all applicable requirements in §14.2 and §14.3 (including coverage); and
  4. In any other case, at least two standard-sized parking spaces shall be maintained, at least one of which must provide direct vehicular access.
  5. For the purposes of this section, a standard-sized space shall be as defined in §14.3.3.C and shall be exclusive of sidewalk area.
- I. **Conditions of approval**
1. No more than two persons shall occupy the accessory dwelling.

2. The owner shall occupy one of the dwelling units and for approval of an initial accessory dwelling, shall have occupied one of the dwelling units for a minimum of one year immediately prior to approval of the accessory dwelling unit.
  3. Before a certificate of occupancy is issued for the accessory dwelling, the owner shall file an affidavit of compliance with the zoning administrator in a form acceptable to the zoning administrator attesting to compliance with the conditions of this section, and shall do so annually thereafter, as well as when a new occupant(s) occupies the accessory dwelling and when any structural modifications are made to the accessory dwelling.
  4. The owner shall permit annual inspections of the accessory dwelling by the zoning administrator or his designee upon reasonable notice to ensure compliance with the conditions of this section.
  5. The owner shall cooperate with the zoning administrator and his designee in ensuring compliance with conditions of this section and in the investigation of complaints of violations of this section.
  6. The owner shall advise all tenants of the accessory dwelling of the annual inspection requirement and obligation to cooperate with the zoning administrator in ensuring compliance with the conditions of this section.
  7. Accessory uses shall not be permitted in the accessory dwelling except home occupations as permitted and regulated in ~~§12.9.11~~§12.9.11.
- J. Failure to comply with the conditions in ~~§12.9.2~~§12.9.2 will result in revocation of an accessory dwelling permit and of the certificate of occupancy for the accessory dwelling by the zoning administrator. Revocation of the accessory dwelling permit and revocation of the certificate of occupancy shall be effective after:
1. A finding by the zoning administrator of violation;
  2. Notice with 30 day opportunity to correct the violation; and
  3. A finding by the zoning administrator after 30 days that the violation has not been corrected.
  4. Notwithstanding ~~§12.9.2~~§12.9.2, if more than three violations of the provisions of ~~§12.9.2~~§12.9.2 are found to exist by the zoning administrator within a one-year period, the permit may be revoked.
- K. The zoning administrator may approve not more than 28 permits for accessory dwellings in any one calendar year, excluding accessory dwelling permits approved under the provisions of this section to conform existing units created prior to January 1, 2009 to the requirements of this section.

### ~~§12.6.3~~§12.9.3. **Amateur radio antennas**

Amateur radio antennas shall not exceed 75 feet in height above the ground level. In addition, they shall comply with all of the following requirements:

- A. No amateur radio antenna, or support structure therefore shall be located in a front yard, or within 25 feet from any street setback line or within 10 feet from any side or rear property line.

- B. Amateur radio antennas shall be located only in side or rear yards. In a district that does not require a rear yard, the antenna may be placed on a building's main roof, but not on the mechanical penthouse of the building. Amateur radio antennas are permitted to be placed in the side yard, only when they are attached to the existing main structures.

#### ~~§12.6.4.~~ §12.9.4. Commercial vehicle parking

- A. The following commercial vehicles shall not be parked in any R or RA district:
1. Any tractor truck, trailer, semitrailer, garbage truck, dump truck, cement truck, or similar vehicles or equipment with any gross vehicle weight; or any commercial vehicle with a gross vehicle weight of more than 16,000 pounds, regardless of the location of its parking space on the premises, except while loading or unloading, or being used in construction, or performing services such as repair or installation of equipment, all of which are accessory to the dwelling units on the premises.
  2. Any commercial vehicle which is not owned, leased, or operated by the occupant of the dwelling unit at which it is parked, regardless of its weight.
- B. Parking of no more than one commercial vehicle of the eat type described below shall be permitted by-right in R or RA districts:
1. One commercial vehicle with a gross vehicle weight of 10,000 pounds or less may be parked behind the rear line of a main building or, in the case of a parcel used for multi-family residential purposes, in a private parking area; or
  2. One commercial vehicle with a gross vehicle weight of 10,000 pounds or more but no more than 16,000 pounds may be parked in a fully enclosed building on any parcel in an R or RA district.
- C. In cases working a grave hardship on the resident, and subject to use permit approval in accordance with §15.4, the County Board may modify the number of commercial vehicles permitted to be parked in R or RA districts or where they may be parked. Under no circumstances shall commercial vehicles as described in §12.9.4.A.1 be permitted in R or RA districts, whether by use permit or otherwise.
- D. Location of a parking space for the commercial vehicle shall meet the requirements of §12.9.4.A or §12.9.4.B unless those location requirements are modified by use permit, in accordance with §12.9.4.C and §15.4.

#### ~~§12.6.5. Parking of one commercial vehicle which has a gross vehicle weight of 16,000 pounds or less and conforms to the requirements in §12.8.5<sup>1</sup>~~

- ~~A. Location of a parking space for the commercial vehicle shall meet the requirements §12.8.5.B. Those location requirements may be modified by use permit in the R and RA districts, in accordance with §15.5.~~
- ~~B. In cases working a grave hardship on the resident, and in accordance with §12.8.10.A, §12.8.5, and §15.6, parking of (i) a commercial vehicle which does not meet the locational requirements of this zoning ordinance, or (ii) more than one commercial vehicle.~~

<sup>1</sup> This standard is redundant to §12.9.4

~~§12.6.6.~~ **§12.9.5. Convenience service areas**

In a singular ~~apartment~~ multiple-family building containing over 200 units, one small portion of the total floor area may be used ~~only~~ as a service exclusively for persons living therein, provided:

- A. There are no window displays or advertisements;
- B. There is no entrance to shops except from inside the building;
- C. There is no sign advertising such shop or service that shall be visible from outside the building;
- D. Commodities or services offered shall be limited to only those under the general classification of groceries, drugs, beauty shop and valet service;
- E. There are no deliveries made from the shop outside of the building or project; and
- F. No ~~more than~~ over one percent of the total gross floor area is used for such purposes, including the storage of merchandise; such use shall be confined to the ground floor or basement levels.

~~§12.6.7.~~ **§12.9.6. Crematoriums**

Accessory crematoriums shall be allowed as follows:

- A. Accessory to cemeteries of 10 or more acres (except not in P districts), subject to use permit approval;<sup>1</sup> and
- B. Accessory to a funeral home, subject to approval of a funeral home where allowed as a principal use.<sup>2</sup>

**§12.9.7. Drive-through facilities**

~~B.A.~~ Drive-through facilities operation in the CP-FBC district shall ~~has~~ have no more than two lanes, and drive-through access shall ~~may~~ not be from Main Street frontage.<sup>3</sup>

~~§12.6.8.~~ **§12.9.8. Family/caregiver suites**

Family/caregiver suites may be allowed, subject to approval by the zoning administrator consistent with the following conditions:

- A. Not more than one family/caregiver suite shall be permitted in a dwelling;
- B. The gross floor area of the suite shall not exceed 500 square feet;
- C. The suite shall have interior access to the rest of the dwelling;
- D. The suite shall not have separate utility service (i.e., electric meter and water meter);
- E. A floor plan of the suite that also identifies its relationship to the rest of the dwelling shall be filed with the zoning administrator;
- F. The property owner shall record a covenant on the property which identifies the suite use and the restrictions imposed by this ordinance;

<sup>1</sup> From use tables (airports and aircraft landing fields use)

<sup>2</sup> From use table

<sup>3</sup> From CP-FBC use table

- G.** The dwelling in which the suite is located shall have only one main entrance and no new entrance shall be permitted on the same side of the structure as the existing main entrance of the dwelling;
- G.H.** The suite shall be designed so that it can function as an integral part of the principal dwelling although the occupants may live independently of each other.<sup>1</sup>
- H.I.** There shall be only one address for the property;
- H.J.** A family/caregiver suite shall not be permitted in a dwelling in which an accessory dwelling is located; and
- J.K.** A written statement identifying the person who will provide the care and the kind of care that will be given must be filed in the office of the zoning administrator as to an unrelated resident of the family/caregiver suite.

#### ~~§12.6.9.~~ §12.9.9. **Family day care homes**

- A.** Every family day care home shall have a certificate of occupancy for both the residential dwelling and for the family day care home~~that property use~~ as required in §15.3.
- B.** Every family day care home shall be licensed pursuant to Chapter 59 of the Arlington County Code.

#### ~~§12.6.10.~~ §12.9.10. **Guest house**

Guest houses are permitted only when accessory to one-family detached dwellings, and meeting the following standards:

- A.** Guest houses may be used for temporary guests of the occupants of the premises; such quarters shall have no kitchen facilities and shall not be rented or otherwise used as a separate dwelling.
- A.B.** Guest houses shall meet all relevant regulations for the subject zoning district.

#### ~~§12.6.11.~~ §12.9.11. **Home occupation**

Home occupations are permitted in dwelling units subject to R, RA and C district regulations when such use is clearly subordinate or incidental to the principal use of the premises for dwelling purposes and as follows:

- A.** Home occupations which are conducted as limited by subsection 3, below, and which have the general character of the following uses are permitted:
- 1.** Artist, photographer, sculptor.
  - 2.** Author, composer, editor, translator, writer.
  - 3.** Contractor or service business, provided that all requirements of this section are met as well as the following additional requirements:

<sup>1</sup> From definition

- (a) Not more than one commercial vehicle, as defined in Article 18, shall be parked on the property and then only in accordance with applicable regulations of ~~§12.9.4~~§12.9.4.
  - (b) No contracting equipment or materials shall be stored on the premises, except in a commercial vehicle used for transporting said equipment and materials between jobs, and no loading or unloading shall be done on or in the vicinity of the premises.
  - (c) The dwelling is not an accessory dwelling.
4. ~~Tailors, milliners, seamstresses, dressmakers and upholsterers~~Dressmaker, seamstress and tailor.
  5. Home crafts such as lapidary work, macramé, model making and weaving,
  6. Office of an ordained minister of religion.
  7. Office of an accountant, architect, bookkeeper, broker, clerical service, computer programmer, consultant, dentist, doctor, engineer, instructor in the arts and crafts, insurance agent, land surveyor, landscape architect, lawyer, musician, ~~physician~~, real estate broker or telephone service.
  8. Office of a salesman, sales representative or manufacturers' representative.
  9. Repair services, such as musical instruments, watches and clocks, small household appliances, and toys or models.
- B. Home occupations not permitted include those with the general characteristics of the following:
1. Amusement or dance parlors;
  2. Animal care facilities, veterinary clinics, animal hospitals and grooming services
  - ~~2-3.~~ Antique shops;
  4. Barber shops or beauty salons;
  5. Boarding houses or rooming houses;
  6. Chapels;
  - ~~3-7.~~ Funeral homes~~-or chapels;~~
  - 4.8. Gift shops;
  9. Hospitals
  - 5-10. Kennels or other boarding of animals.
  11. Medical or dental offices or clinics~~, hospitals;~~
  - 6-12. Nursing homes;
  - 7-13. Motor vehicle repair or sales;
  - 8-14. Nursery schools;
  - 9-15. Repair or testing of internal combustion engines;
  - 10-16. Restaurants or tearooms;



~~11.17. Tourist homes, boarding houses, rooming houses; or~~

~~12.18. Veterinary clinic or animal hospital.~~

- C. Home occupation uses shall be subject to the following limitations. All limitations apply together. No limitation shall be interpreted as relaxing another limitation.
1. Home occupation operators shall apply for and enter into an agreement with the zoning administrator certifying that they will comply with the requirements for a home occupation in the zoning ordinance. The zoning administrator shall approve the agreement only upon finding that the home occupation will comply with the zoning ordinance and that it will be clearly subordinate to the principal use of the premises for dwelling purposes.
  2. There shall be no evidence on the exterior of the premises or visible from the exterior of the premises that the property is used in any way other than for a dwelling.
  3. There shall be no signs.
  4. There shall be no outside display, storage, or sale of merchandise or equipment.
  - ~~5. There shall be no audible noise, detectable vibration or odor beyond the confines of the subject dwelling or accessory building, including transmittal through vertical or horizontal party walls.<sup>1</sup>~~
  - ~~6.5.~~ Only one person, at any time, who is not a bona fide resident of the dwelling, may be employed or perform work on the premises. In addition, a disabled resident may employ assistance from one person at a time who is not a resident and whose assistance is limited to overcoming the effect of the disability. A written statement identifying the person who will give the assistance, the kind of assistance that will be given and the time the person will be in the dwelling must be filed in the office of the zoning administrator as to each person permitted to be employed as an assistant to a disabled person before that person may be employed in the dwelling. If the dwelling is an accessory dwelling, persons who are not bona fide residents of the dwelling may not be employed or perform work on the premises except one non-resident employee may be employed or perform work on the premises providing assistance to a disabled resident, as above.
  - ~~7.6.~~ Instruction of students (including delivery of materials clearly incidental to training) and service to clients or customers shall be limited to 12 persons per day but under no circumstances more than four persons at any one time.
  - ~~8.7.~~ The total floor area on any premises to be used for home occupation(s) shall not exceed a figure calculated by taking 25 percent of the total floor area of the principal dwelling on the premises, excluding attached garages provided, however, that under no circumstances shall more than 10 percent of the total floor area of the principal dwelling be used for specified storage of stock-in-trade. The storage of hazardous materials is prohibited.

---

<sup>1</sup> Deleted. Addressed through other regulations, including but not limited to noise ordinance.

~~9-8.~~ There shall be no stocks-in-trade displayed or sold on the premises, except for those produced at the premises.

~~10-9.~~ Each application for a home occupation agreement shall be accompanied by a sketch of all existing and proposed new parking spaces. Existing parking spaces, unless illegal, shall be permitted to remain. All new parking spaces shall comply with all applicable requirements in §14.2 and §14.3. No vehicles shall be parked or stored in any other spaces unless they comply with all provisions of the zoning ordinance.

~~11-10.~~ The lot or property on which the home occupation is conducted shall not have any parking space added to it during the time the home occupation is being conducted; nor shall any parking space be used that was not customarily used prior to that time. The application for approval shall show a sketch of the parking spaces customarily in use at the time of application and agree that parking shall not be increased during the period the approval is in effect. During the period the approval is in effect, no motor vehicle shall be parked at any place on the lot or property not represented as a parking space on the sketch attached to the application.

~~11.~~ No equipment may be used on the premises other than that which is usual for purely domestic or hobby purposes, or what is usual for a small business, professional, or medical office.

#### §12.9.12. Live entertainment

Live entertainment may be allowed accessory to otherwise allowed restaurants, subject to approval of a use permit pursuant to §15.4§15.4.

#### §12.9.13. Mortuaries and funeral homes

Accessory mortuaries and funeral homes may be allowed in cemeteries of 10 or more acres (except not in P districts).<sup>1</sup>

#### ~~§12.6.12-§12.9.14.~~ Outdoor cafés

~~In this ordinance, outdoor cafes are permitted only as accessory to otherwise allowed restaurants, where they are associated with a restaurant and therefore are permitted as accessory uses only. Where outdoor cafes are permitted, they shall be allowed~~ subject to the following requirements unless otherwise modified by site plan pursuant to ~~§15.5§15.5:~~

##### A. Outside of public rights-of-way or easements for public use

For outdoor cafes not located within public rights-of-way or easements for public use:

1. An outdoor cafe, including any canopy or cover associated with such a café, shall be permitted within the required setback.
2. Except as may be required by site plan or use permit condition, outdoor cafes are not required to be closed during a season and may be open any day during the year. Outdoor cafes shall not be enclosed, except as specified elsewhere in the ordinance, and all fixtures and furnishings in the outdoor café including, but not limited to, tables, chairs, bar, server stations and sources of heat shall be portable and not affixed to the

<sup>1</sup> From use table (see original airports use)

ground, building or other permanent structures. Permanent railings or fences may be permitted only where and to the extent that the building code requires an affixed fence for safety purposes.

3. As accessory uses, outdoor cafes shall have fewer seats than the indoor portion of the restaurant, and the hours of operation of an outdoor café shall not extend past the normal operating hours of the main use, the restaurant.
4. Outdoor cafes located in side or rear yards ~~adjacent to~~ abutting or across an alley from an “R” or “RA” District shall not operate before 9:00 am or after 11:00 pm.
5. Unless otherwise required by the County Board, outdoor cafes shall be exempt from any parking requirement.
6. No sound or audio or video entertainment, including but not limited to television or radio playing of music and/or sports events, may be piped into, or played so as to be visible or audible from the outdoor café area before 9 am or after 11 pm on Fridays and Saturdays and before 9 am or after 10 pm on Sundays through Thursdays.

**B. Within public rights-of-way or easements for public use**

Outdoor cafes may be permitted within public rights-of-way or easements for public use if a use permit is obtained as provided for in ~~§15.4~~§15.4.

**C. In M districts<sup>1</sup>**

In addition to the provisions of A and B, outdoor cafes in M districts may be enclosed up to ten months per year, subject to use permit approval as provided in §15.4~~§15.4~~.

~~§12.6.13~~§12.9.15. **Recreational Vehicle or Trailer parking**

The parking of a trailer in any district is hereby prohibited; except that one trailer may be parked or stored in an approved enclosed garage or accessory building; provided, that no living quarters shall be maintained, or any business practiced, in the trailer while such trailer is parked or stored. ~~An unoccupied travel or recreational vehicle trailer~~ of less than 30 feet in length and less than eight feet in width, including a pick-up coach, a utility trailer or tent trailer as is commonly used for camping and a mobile trailer which is propelled by its own power, shall be parked to the rear of the front line of the main building.

~~§12.6.14~~§12.9.16. **Swimming pools, private**

Private, accessory swimming pools shall comply with the following requirements:

**A. Fencing**

The fencing or protection shall be as specified by the Arlington County Swimming Pool Codes, but no less than six feet in height.

**B. Lighting**

Where lighting is provided, all lights shall be arranged and hooded as to confine all direct light rays entirely within the boundary lines of the swimming pool property.

(See also ~~§12.4.11~~§12.4.11, community, semi-public and commercial swimming pools)

<sup>1</sup> From M use table.

~~§12.6.15-§12.9.17.~~ **Vehicle maintenance and minor repairs, routine**

Routine maintenance and minor repair of motor vehicles which can be completed in 24 hours, including by way of illustration and not limitation, the replacement or changing of oil and other fluids (e.g., transmission, brake, water), batteries, tires, light bulbs, spark plugs, points, air filters, and radiator hoses, subject to the following conditions:

- A. The motor vehicle must be owned or leased by an occupant of the premises;
- B. Maintenance and repair activity is permitted on weekdays only from 7:00 a.m. to 9:00 p.m. and weekends and holidays only from 9:00 a.m. to 9:00 p.m.; and
- C. Commercial maintenance and repair activity is prohibited.

~~§12.6.16-§12.9.18.~~ **Vehicle, unlicensed and/or uninspected**

A maximum of one operable unlicensed and/or uninspected vehicle may be kept on the premises, provided said vehicle is parked to the rear of the front line of the main building. Inoperative vehicles or additional unlicensed and/or uninspected vehicles are permitted on the premises, provided said vehicles are located within a fully enclosed building.

~~§12.7.~~ **§12.10. Temporary Short Term Use Standards**

~~§12.7.1-§12.10.1.~~ **Purpose and intent**

There are certain uses that may be permissible on a short term basis subject to the controls, limitations and regulations of this section. The following sections provide the procedures and criteria used by the zoning administrator in reviewing short term use applications.

~~§12.10.2.~~ **Permit for short term use**

No short term use shall be established unless a permit for short term use is approved pursuant to the provisions of §15.10, except as specifically exempted in the use standards for the subject use. In addition, all short term uses shall comply with:

- A. The general standards in §12.10.3 below; and
- A.B. All applicable standards for the specific use in this §12.10.

~~§12.10.3.~~ **General standards**

- A. No short term use shall be permitted unless the applicant demonstrates compliance with these standards to the satisfaction of the zoning administrator. The zoning administrator may impose conditions on the proposed use to ensure compliance with these standards or other applicable provisions of law.
- B. Short term uses shall obtain a certificate of occupancy as required by §15.2.
- C. A specific time limit shall be required for all short term uses.
- D. No short term use shall reduce required parking spaces for any use on the lot or development project below the number of spaces required for such use(s).
- E. The use shall not create hazardous conditions for vehicular or pedestrian traffic, or result in traffic in excess of the capacity of streets serving the use.

- F. Adequate refuse management, security, emergency services and similar necessary facilities and services shall be available for the short term use, and all necessary sanitary facilities shall be approved by the appropriate health agency.
- G. The site shall be suitable for the proposed use, considering flood hazard, drainage, soils and other conditions which may constitute a danger to life, health or safety.
- H. The density and dimensional standards of Article 3 shall apply to all short term uses except as otherwise stated or as otherwise allowed in an approved site plan or use permit;
- B-I. Short term uses shall comply with all applicable state and federal regulations; building code requirements and other County codes, including any applicable administrative requirements and policies.

#### §12.7.2-§12.10.4. Contractors' storage and staging yards, off-site

Off-site contractors' storage and staging yards, and sales or leasing trailers or pavilions, associated with allowed new construction, may be allowed subject to the approval of a use permit as provided in §15.4§15.4, in all zoning districts:

- A. In reasonable proximity to such allowed construction; Subject to the approval of a use permit, off site contractors' storage and staging yards and sales or leasing trailers or pavilions associated with and in reasonable proximity to new construction shall be allowed in all zoning districts, except the CO-Crystal City, MU-VS, C-TH, RA7-16 and RA-H districts.
- B. ForSuch use shall be limited to a maximum of three years, or as otherwise approved by the County Board; and
- C. No application on the same lot shall be considered by the County Board within a period of two years following the discontinuance of such use.
- B-D. No permit for short term use shall be required.

#### §12.10.5. Construction equipment, fences and offices

This section (12.10.5) is still under construction.

- A. Upon application, the Zoning Administrator may permit, under his/her discrction, placement within required yards, of construction trailers; covered walkways required by building code; cranes, mobile concrete mixers and other similar equipment needed for construction; and dumpsters and on-site sanitary facilities and other similar facilities, subject to the following:
  1. No such building, structure or equipment shall be located in the vision obstruction area or tree protection area;
  2. All such buildings, structures or equipment shall be removed prior to issuance of the first certificate of occupancy for tenant occupancy, unless otherwise required by building code or other local, state or federal provisions;
  3. The Zoning Administrator may require that placement of such buildings, structures or equipment be shown on an approved grading plan or plat;
- B. Fences shall be allowed where and to the extent required by building code, provided, however, that where a development project abuts an R or RA district, a construction fence of a minimum of six feet in height shall be required along the common lot line. Fences shall be removed at the time of issuance of the final certificate of occupancy, or as otherwise required by building code.

**§12.10.6. Indoor and outdoor events and activities in vacant buildings or properties**

In order to promote activity and vibrancy in the County’s mixed-use and commercial areas, indoor and outdoor short term events or activities in vacant buildings, vacant floors or ground floor spaces in buildings, on vacant properties, or on outdoor spaces, may be allowed in C and M districts, and outdoor events and activities may additionally be allowed in P districts, as follows:

**A. Eligible properties**

1. The building or property shall be controlled by site plan as provided in §15.5 or by use permit as provided in §15.4;
2. The buildings or building space used for indoor events shall be approved for retail, service and commercial use(s) as provided in §12.2.5 or industrial use(s) as provided in §12.2.6;
3. The entrance to the building shall be on a street designated as a principal or minor arterial in the Arlington County Master Transportation Plan.

**B. Uses**

Notwithstanding use type limitations in use permit or site plan conditions:

1. Allowed indoor uses shall be those allowed in the subject zoning district;
2. Allowed outdoor events and activities shall include, but are not limited to, carnivals; circuses; festivals; fairs; dog shows; horse shows; fireworks shows; outdoor retail sales events and retail sales of christmas trees, pumpkins, flowers, fruits and vegetables and the like, not associated with an established retail business on the premises.
3. Outdoor retail sales or displays associated with established retail sales businesses shall not be regulated by this §12.10.6; such use shall be limited as provided in §12.5.20, or as otherwise expressly allowed by use permit or site plan conditions.

**C. Frequency and length of events**

1. Individual short term events or activities shall be allowed for a maximum of 45 consecutive days;
2. Time inbetween events or activities in a single building or outdoor space shall be a minimum of three times the length of the previous event in that building or space, inbetween consecutive events. Length shall be counted in days.

**D. Parking**

Parking provisions for this section (12.10.6) are still under construction

Adqeuqate provisions shall be made for parking, and safe ingress and egress, and shall be shown on the application for the permit for short term use; such application shall also include a parking plan drawn to scale, showing the number and location of any applicable customer, visitor and vendor parking spaces.

**E. Signs**

1. Subject to §13.7, all signs for which no permit is required shall be allowed for indoor and outdoor events, during the time period for which the certificate of occupancy is issued, notwithstanding comprehensive sign plan provisions for the subject property.

2. All other signs that allowed by Article 13 and consistent with any comprehensive sign plan for the property shall be allowed.

#### **F. Additional provisions for outdoor events**

Outdoor events shall be subject to the following additional standards:

1. Temporary buildings or structures allowed for outdoor events shall include tents, shipping containers, and other similar temporary structures, subject to bulk, coverage and placement provisions in §3.2, and subject to all by-right height limitations in the subject zoning district.
2. Night operations shall be permitted only if there is a lighting plan that provides for safe lighting without excessive glare into residential areas or streets.
3. All outdoor spaces subject to the permit for short term use shall be restored to prior conditions or to conditions otherwise required by the site plan or use permit controlling the subject property, upon conclusion of the approved time period for short term use.

#### **§12.10.7. Pop-up parks**

- A. Pop-up parks may be allowed on vacant properties in C and M districts, and on unbuilt portions of properties governed under site plan or use permit, for up to three years and subject to renewal at the end of three years, as follows:
  1. Pop-up parks shall be open to the general public.
  - 1.2. Other short term uses within pop-up parks shall be subject to the provisions of §12.10.6; and may also include open air markets where such use is allowed and subject to all provisions of the approved use permit for the open-air market.

#### **§12.7.3-§12.10.8. Public, civic and institutional building uses<sup>1</sup>**

Short termSecondary uses of buildings approved for public, civic and institutional uses, as provided in §12.2.4, may be allowed as follows:

- A. churches, schools, public buildings and public properties, including the dDaily or hourly rental of classrooms, meeting rooms, auditoriums, multilevel parking structures and recreational facilities to profit or nonprofit entities may be allowed as follows:
  1. to profit or nonprofit entities of classrooms, meeting rooms, auditoriums, multilevel parking structures and recreational facilities Ffor uses of a cultural, educational, recreational or public service nature; and-
  - 1.2. The Zoning Administrator may approve commercial uses The zoning administrator may approve, for periods not to exceed seven (7) consecutive days, commercial uses incidental to and not inconsistent with the purposes in §12.10.9.A.1the above, for periods not to exceed seven consecutive days. when he finds that such uses will not disrupt the surrounding community

<sup>1</sup> A was moved from public use table (S-3A and P-S districts) and applied broadly across all zoning districts here, and edited as shown; B was moved from transitional use table and edited as shown.

## §12.10.9 STORAGE PODS

- B. ~~On transitional sites in S-3A and P-S districts, Publicly owned structures. To~~ permit the productive use of existing publicly-owned structures ~~on a temporary basis~~, when the County Board determines it to be advisable to continue to have such structures available for ~~possible~~ public use ~~following the expiration of the short term use at the end of the period of temporary use~~, the County Board may ~~approve~~ permit short term commercial use of an existing publicly-owned structure on a transitional site, subject to the following:
1. ~~The proposed use shall be~~ subject to approval of a use permit as provided in §15.4 and the provision of parking as required in §14.3;
  2. ~~The proposed short term use shall be in conjunction with and primarily~~ for the purpose of providing services to an existing adjacent use for a period not to exceed 15 years;
  - 2.3. ~~Short term use of the transitional site such uses~~ may be ~~permitted~~ approved notwithstanding the fact that up to not more than 25 percent of the area of the existing structure is located outside the portion of the site within which transitional uses are ~~permitted~~ allowed.

§12.10.9. Storage pods

Storage pods, of a maximum of 8½ feet in height and width and 18 feet in length, for storage of household or other goods are permitted in R districts for up to 90 consecutive days, one time per year, subject to the following standards:

- A. ~~Storage pods shall be placed no closer than five feet to any lot line.~~
- B. ~~Storage pods shall not be placed on public right-of-way or easements for public use.~~
- C. ~~No permit for short term use shall be required.~~



# Article 13. Signs

## §13.1. Purpose

- A. To protect the safety and welfare of the public by minimizing hazards and distractions to pedestrian and vehicular traffic;
- B. To regulate the location of signs to prevent the distraction of drivers on public streets while providing adequate information and assistance to pedestrians and information to drivers while they remain in their cars but out of active traffic;
- C. To avoid unnecessary visual clutter and to avoid the unregulated construction, placement and display of signs that are or may become a public nuisance;
- D. To provide a means of way-finding in the community, thus improving the pedestrian experience, walkability of the community, usability of transit, and reducing traffic confusion and congestion;
- E. To provide one of the implementation tools for the ~~Arlington County~~ Comprehensive Plan by establishing sign regulations that are consistent with development and growth goals of the General Land Use Plan (a key element of the Comprehensive Plan), which calls for concentrating high density residential, commercial and office development within designated Metro Station Areas, while preserving and enhancing existing one-family and ~~apartment~~multiple-family neighborhoods and neighborhood retail areas;
- F. To allow signs as accessory and incidental uses to the primary residential, commercial, industrial and related uses in the County;
- G. To encourage the effective use of signs as a means of communication for businesses, organizations and individuals in Arlington County;
- H. To balance the sign needs in the intensely urban parts of the County with the desires and concerns of residents in lower density areas;
- I. To further economic development by providing for adequate business identification, advertising, and communication;
- J. To prohibit signs of such excessive size and number that they obscure one another to the detriment of the economic and social well-being of the County and its residents, property owners and visitors;
- K. To provide incentives to screen the clutter of large construction sites from public view;
- L. To differentiate from other signs the small placards, labels and displays that provide warnings, instructions and the like, in sizes and locations that do not add to clutter and that are unlikely to distract drivers;
- M. To minimize adverse effects of signs on nearby property;
- N. To prohibit most signs with commercial messages in residential districts, while allowing those messages that relate to commercial activities lawfully conducted on individual properties within such districts; and
- O. To provide broadly for the expression of individual opinions through the use of signs on private property.

## §13.2. Applicability

### §13.2.1. Generally

This Article 13 shall apply to all signs, as defined herein, that are erected, placed, painted or otherwise used in Arlington County. No sign shall be erected, placed, painted or otherwise used unless expressly allowed under this Article 13.

### §13.2.2. Other standards and other permits required

Other provisions of Arlington County ordinances or state or federal law may apply to some signs. Anyone installing or modifying a sign must comply with applicable provisions of this Article 13 as well as with all applicable standards and permit requirements of other laws or ordinances. Such additional permits and standards may include but are not necessarily limited to:

- A. Electrical permits for any type of electrified or lighted sign; and
- B. Permits, encroachments or other approvals for any sign placed in a right-of-way.

### §13.2.3. Signs and similar devices to which ordinance not applicable

The following displays, graphics or elements of larger products are less likely than typical advertising signs to undermine the stated purposes of this Article 13 and are not subject to further regulation under this Article 13.

#### SIGNS AND SIMILAR DEVICES TO WHICH ORDINANCE NOT APPLICABLE

##### A. Signs inside buildings

Any sign located entirely inside a building and not legible from property other than the property on which the sign is located. Signs inside buildings that are legible from property other than that on which the sign is located shall be regulated as signs under this Article 13.



##### B. Signs on certain vehicles

Any sign on a currently licensed vehicle that is used in the normal course of operation of an establishment for transportation. Signs on vehicles that are regularly parked in front of or near an establishment and not regularly used for transportation shall be considered freestanding signs and shall be regulated as such under this Article 13.



## SIGNS AND SIMILAR DEVICES TO WHICH ORDINANCE NOT APPLICABLE

### C. Murals or works of art

A mural or work of visual art that otherwise meets the definition of "sign" in this Article 13 but that conforms with either of the following standards shall not be subject to regulation under this Article 13:

1. Art that is installed or located in accordance with the Arlington County Public Art Policy; or
2. Art that meets all of the following criteria:
  - (a) Is located on the wall of a building in any district, but not in R districts or RA14-26, RA8-18, RA7-16 or RA6-15; and
  - (b) Includes no text legible from a public roadway; and
  - (c) Includes no logo or trademarked symbol; and
  - (d) Includes no specific commercial product, although it may include such generic products as automobiles, furniture, soft drinks or other items where the brand is not apparent; and
  - (e) Includes no picture, symbol or device of any kind that relates to a commercial business, product or service offered on the premises where the wall is located.



### D. Architectural lighting and embellishments and lighting of rooflines

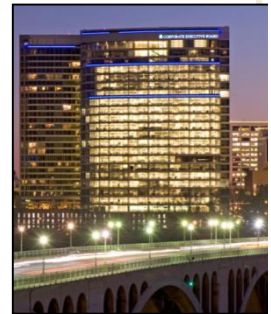
#### 1. Architectural lighting and embellishments

The following shall be allowed and shall not be considered signs only if they are shown on a site plan approved by the County Board under §15.6 and neither contain nor include any word, logo or trademarked symbol:

- (a) Tubes or strips of lights that outline a building or a part thereof;
- (b) Lighting that highlights parts of a building that does not otherwise include a sign as defined in Article 18; and/or
- (c) Architectural embellishments such as special rooflines, parapets, building extensions or accessories.

#### 2. Lighting of rooflines

In Metro Corridors as designated on the General Land Use Plan, the County Board may approve by special exception the lighting of roof lines of buildings at heights greater than 75 feet.



### E. Signs carried by persons

Devices or objects resembling a sign while carried by a person, whether such device or thing includes commercial or noncommercial messages or both. Such devices or objects may be regulated by other parts of the Arlington County Code.



### F. Product displays

Outdoor display of products where allowed under other provisions of this zoning ordinance and other sections of the County Code. Products and the labels thereon in permitted outdoor displays shall not be regulated under this Article 13. This Article 13 shall, however, apply to any sign, banner, pennant, or other attention-attracting device affixed to a product displayed outdoors. For example, the label "Chevrolet" on an automobile or "John Deere" on a tractor in a display shall not be considered a sign for purposes of this Article 13, but a separate sign attached to such a product shall be considered a sign and subject to regulation.



**SIGNS AND SIMILAR DEVICES TO WHICH ORDINANCE NOT APPLICABLE**

**G. Information on vending machines and similar devices**

Signs on vending machines used for the sale of products if they do not flash and if they are either not legible from any property other than the property on which the sign is located; or if they consist entirely of letters, numerals or symbols that identify the products sold in the vending machine. All other signs on vending machines shall be regulated under this Article 13.



**H. Information on news racks**

Signs on news racks and similar machines and devices used for the sale or dispensing of products if they do not flash and if they are either not legible from any property other than the property on which the sign is located; or if they consist entirely of letters, numerals or symbols that are less than four inches in height. All other signs on such devices shall be regulated under this Article 13.



**I. Signs at polling places**

Unlighted temporary political campaign signs erected on the day before or the day of an election, or a nominating caucus for a political party registered in the Commonwealth of Virginia on the lot of the officially designated polling place for a period not to exceed 24 hours. Each sign may be no larger than four and one-half sq.-ft.square feet in area.



**J. Certain signs in historic areas**

This Article 13 shall not apply to signs to which 0 is applicable.

**§13.2.4. Strict construction of applicability**

The provisions on applicability shall be strictly construed. If there is any doubt or dispute about whether the sign regulations are applicable to a display, graphic or other device, it shall be considered a sign subject to regulation under this Article 13.

**§13.3. Modifications**

**§13.3.1. Special exceptions**

A. The standards in this Article 13 may be modified only as set forth in this §13.3, by approval of a comprehensive sign plan through the use permit process in §15.5, or for properties that are the subject of a special exception site plan, through the site plan approval process in §15.6. In addition to the applicable standards in §15.5, the County Board may approve modifications to standards in this Article 13 where it finds that the modification of regulations is in keeping with the character of the neighborhood and will not adversely impact the neighborhood in which the sign is located, as follows:

1. Under no circumstances shall the County Board approve:

- (a) A sign type or characteristic explicitly prohibited in §13.4, except as set forth in subsection (c), below;
  - (b) Sign luminance exceeding maximum standards in ~~§13.11.2~~§13.11.2;
  - (c) Modification of hours of sign illumination unless expressly permitted in ~~§13.11.3~~§13.11.3;
  - (d) A sign type not listed as an allowed sign type for the district in which the property is located;
  - (e) More aggregate sign area than is allowed by ~~§13.14.2.D~~§13.14.2.D; or
  - (f) Modification of sign area or placement for signs placed above a height of 40 feet as set forth in §13.7.1.E.2 or §13.7.1.G except where expressly permitted below.
2. For those signs included in aggregate sign area on properties subject to §13.6 or §13.7, the County Board may:
- (a) Reallocate sign area among sign types. The County Board may approve an increase in the maximum permitted sign area identified for the subject sign type for one sign per building, if it also finds that:
    - (1) The aggregate sign area for the building or project does not exceed the area allocated by ~~§13.14.2.D~~§13.14.2.D; and
    - (2) The reallocation of sign area and/or lighting of the sign does not adversely impact adjacent residential properties.
  - (b) Modify placement standards for signs, including standards for signs placed above a height of 40 feet only as set forth in ~~§13.7.1.G.4~~§13.7.1.G.4, where topography or lot configuration significantly limits placement or effectiveness of signs(s) on the subject building or property, such that:
    - (1) The location of the building, main building entrance or tenant entrance is not visible to pedestrian traffic; or
    - (2) The surrounding street network or other transportation options limit visibility of signs placed in permitted locations; or
    - (3) The building has frontage on a plaza or other pedestrian pathway where signs are not otherwise allowed.
  - (c) The County Board may modify regulations to approve innovative elements of signs that conform to the following Ordinance requirements: automatic changeable copy elements as set forth in ~~§13.12~~§13.12; distance from R, RA14-26, RA8-18, RA7-16 and RA6-15 districts; direction the sign faces; number of signs; maximum sign size and height; and total aggregate sign area.
  - (d) Where the County Board finds that a sign is i) substantially blocked from view of properties within one mile of the sign that are zoned R, RA14-26, RA8-18, RA7-16 and RA6-15 and used for residential purposes; ii) compatible with the architectural style of the building on which it is located in scale, design and color; and iii) compatible with other signs on the building; then, subject to such conditions as the County Board may impose to ensure that the sign functions without glare or disturbance to nearby uses, which conditions may include but

shall not be limited to reduced luminance levels, reduction in sign area, and reduced hours of illumination, the County Board may modify regulations in this Article 13 as follows:

- (1) The County Board may allow illumination of a sign placed above a height of 40 feet where not otherwise allowed by the standards set forth in §13.7.1.G.7; and
  - (2) Except where expressly prohibited, the County Board may modify hours of illumination set forth in ~~§13.12.2~~ for a sign placed above a height of 40 feet.
3. Where the Historical Affairs and Landmarks Review Board determines that no sign can meet both the standards for approval of a Certificate of Appropriateness and be in compliance with this Article 13, then the County Board may approve a sign that does not comply with this Article 13, but meets the standards for a Certificate of Appropriateness.
- B. For treatment of signs allowed by a site plan or comprehensive sign plan approved by Special Exception before July 24, 2012, see ~~§13.17.3.D~~.

### §13.3.2. No variances

The standards in this Article 13 are not subject to variance under §15.7.3.

## §13.4. Signs Prohibited in All Districts

The following types of signs and sign characteristics are prohibited and shall not be permitted by variance or special exception (see §13.3):

- A. Any sign which is not accessory or incidental to the existing or otherwise approved lawful use of the property on which it is located;
- B. Any portable sign except those sidewalk signs expressly allowed under §13.7.10;
- C. Balloons or other devices that are not specifically permitted elsewhere in this Article 13 and that are located or designed to attract attention to goods or services;
- D. Signs attached to, painted on or otherwise affixed to any rock, tree or other natural feature;
- E. Any sign erected or painted upon a standpipe, or fire escape, except the manufacturer's or installer's ID plate, which shall not be legible from a distance of more than three feet;
- F. Any sign painted on or attached to a fence, except:
  1. Certain freestanding signs as expressly allowed by this Article 13;
  2. Signs on fences or other screening devices at construction sites, as allowed by ~~§13.15.6~~; and
  3. Signs that contain no commercial message and that are smaller than two ~~sq. ft.~~ square feet in R, RA-615, RA7-16, RA8-18 and RA14-26 districts and smaller than four ~~sq. ft.~~ square feet in all other districts;
  4. Temporary banners as permitted by ~~§13.9.5~~;
- G. Signs projected onto walls, fences or other surfaces;

- H. Searchlights and other projections into the sky;
- I. Signs for which a separate structure is mounted on a roof or parapet;
- J. Sign structures which do not support a sign, including otherwise permitted or nonconforming sign structures, after the sign has been removed for a period of 30 days;
- K. Any sign that falsely presents or implies the need or requirement of stopping or caution or the existence of danger or that is a copy or imitation of or that for any reason is likely to be confused with any sign displayed or authorized by a public authority;
- L. Any sign that violates any provision of any law of the Commonwealth of Virginia or the United States relating to outdoor advertising;
- M. Any sign that violates any provision of the Virginia Uniform Statewide Building Code;
- N. Any sign or device to attract attention, whether or not it has written message content, of which all or any part moves by any means, including fluttering, rotating or otherwise moving devices, or set in motion by movement of the atmosphere including, but not limited to, pennants, propellers, discs, balloons, and similar devices. This prohibition does not apply to:
  - 1. Flags otherwise allowed under this Article 13;
  - 2. Automatic changeable copy signs that conform with ~~§13.12.2~~§13.12.2; or
  - 3. Banners where allowed by this Article 13, provided that such banners are firmly affixed at all corners to mitigate movement or flapping in the breeze.
- O. Any flashing sign or device displaying flashing or intermittent lights or lights of changing degrees of intensity; this prohibition does not apply to:
  - 1. Devices that automatically reduce the intensity or brightness of the sign at night and that increase it during the day; or
  - 2. Automatic changeable copy signs that conform with ~~§13.12.2~~§13.12.2;
- P. Sign lighting that does not conform to the standards of ~~§13.11~~§13.11;
- Q. Signs that produce sound, cause interference with radio, telephone, television or other communication transmissions; produce or reflect motion pictures; emit visible smoke, vapor, particles, or odor; and
- R. Reflective signs or signs that produce light of such brightness as to constitute a hazard or nuisance to any person, building or property other than the person, building or property to which the sign may be related, as determined by the zoning administrator.
- S. Any sign advertising any commercial activity, product, or service not on the lot on which the sign is placed or not in a location that is part of the same approved comprehensive sign plan or site plan.

## §13.5. Signs in R Districts and for One- and Two-Family Dwellings in All Districts

### §13.5.1. General

#### A. Signs allowed

The sign types listed and described in this §13.5 are allowed on private property in one-family R districts (excluding R-C districts) and for one- and two-family uses in all districts, subject to all permit requirements, standards and conditions set forth for each sign type.

#### B. Lighting

Signs allowed under this §13.5 shall not be separately lighted unless the standard in the general standards table says “yes” or “see standards” next to the “separately lighted?” query. The fact that a sign may be partly or wholly illuminated by a porch light; other light serving another purpose; or a light designed to make street addresses visible in accordance with County regulation shall not be considered “separately lighted.”

#### C. Changeable copy

Signs allowed in these districts shall not include automatic changeable copy elements unless the standard in the general standards table says “yes” next to the “automatic changeable copy?” query. ~~§13.12~~§13.12 contains standards that apply to all automatic changeable copy signs under this Article 13.

### SIGNS ALLOWED IN R DISTRICTS AND FOR ONE-FAMILY AND TWO-FAMILY DWELLINGS

#### §13.5.2. Flags

##### A. Defined

A piece of cloth or other material used as a noncommercial symbol, standard, or signal, such as the flag of a local, state, or national government or private noncommercial organization.

##### B. General standards

Maximum number of poles	3
Maximum height of poles	35 ft.
Maximum flags per pole	2
Maximum flag size	60 sq. ft.
Maximum total flag area	180 sq. ft.
Permit required?	No
Separate lighting?	Yes
Automatic changeable copy	No
Commercial messages?	No





**§13.5.3. Freestanding and temporary signs**

**A. Defined**

A sign that is affixed to the ground, or to a wall that is not part of a building, or to a fence; freestanding signs include but are not necessarily limited to signs mounted on monument-style foundations, on poles, or on fences or other approved accessory structures.

**B. General standards**

Maximum size	6.5 sq. ft.
Maximum height	5 feet
Number	1 permanent; unlimited temporary
Permit required?	No
Separate lighting?	No
Automatic changeable copy	No
Commercial messages?	See other standards below

**C. Other standards**

1. One permanent freestanding sign is permitted and may contain only a noncommercial message.
2. Any number of temporary signs with noncommercial messages are permitted.
3. Up to three temporary signs with commercial messages are permitted at one time. The only commercial messages permitted are messages related to:
  - (a) Commercial activity lawfully conducted on the premises other than home occupations pursuant to §12.9.11, including the lawful, occasional sale of personal property (such as through a garage sale or a yard sale). Such signs shall be removed within 24 hours after the end of the sale or conclusion of commercial activity; or
  - (b) Sale, rental or lease of the premises. Such signs shall be removed no later than the date on which the deed, lease or other document representing the transaction is completed.



**§13.5.4. Incidental signs**

**A. Defined**

A sign that provides information or directions that are necessary for the physical use of the site, including but not limited to signs that provide warnings, parking rules or way-finding information.

**B. General standards**

Maximum size (wall)	1.5 sq. ft.
Maximum size (freestanding)	1.5 sq. ft.
Maximum height (freestanding)	4 ft.
Number allowed	Unlimited
Permit required?	No
Separate lighting?	No
Automatic changeable copy	No
Commercial messages?	No



**§13.5.5. Signs for ~~institutional~~public, civic and institutional uses (optional)**

An ~~institutional~~public, civic or institutional use (excluding day care and utility uses) may choose to have its signs regulated under the sign regulations applicable to other uses in the same district as the ~~institutional~~public, civic and institutional use or under the regulations set forth in §13.8. An ~~institutional~~public, civic and institutional use that intends to exercise that option must declare its intent on its comprehensive sign plan (if any) or by separate letter submitted on its first application for a sign permit. No ~~institutional~~public, civic and institutional use may “mix and match” signs allowed for ~~institutional~~public, civic and institutional uses and signs allowed for other uses in the same district.



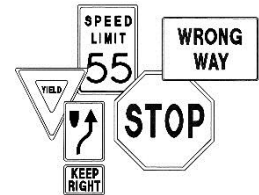
**§13.5.6. Traffic-control signs**

**A. Defined**

A sign used for traffic control and conforming with national or state standards for the design and installation of such signs.

**B. General Standards**

Maximum size	As set forth in MUTCD
Maximum height	As set forth in MUTCD
Number allowed	As needed
Permit required?	No
Separate lighting?	As set forth in MUTCD
Automatic changeable copy	As set forth in MUTCD
Commercial messages?	No



**C. Other standards**

1. Traffic control signs are allowed only in areas required by MUTCD and/or shown on an approved site plan;
2. Traffic control signs (including lighting) must conform with the Manual of Uniform Traffic Control Devices (MUTCD); no other sizes are allowed and no separate lighting is allowed except as specified by those standard design sources.

**§13.6. Signs in RA ~~Districts 14-26, RA8-18, RA7-16, RA6-15~~ and for Townhouses ~~Uses in any Zoning District~~**

**§13.6.1. General**

**A. Signs allowed**

The sign types listed and described in this §13.6 are allowed on private property in the RA14-26, RA8-18, RA7-16, and RA6-15 districts, and on townhouse properties in all districts, subject to all permit requirements, standards and conditions set forth for each sign type.

**B. Lighting**

Signs allowed under this §13.6 shall not be separately lighted unless the standard in the general standards table says “yes” or “see standards” next to the “separately lighted?” query. The fact that a sign may be partly or wholly illuminated by a porch light or other light serving another purpose shall not be considered “separately lighted.”

**C. Changeable copy**

Signs allowed under this §13.6 shall not include automatic changeable copy elements unless the standard in the general standards table says “yes” next to the “automatic

changeable copy?” query. See [§13.12](#)~~§13.12~~ for standards that apply to all automatic changeable copy signs under this Article 13.

**SIGNS ALLOWED IN RA14-26, RA8-18, RA7-16 AND RA6-15 DISTRICTS AND FOR TOWNHOUSE USES**

**§13.6.2. Awning or canopy signs**

**A. Defined**

Awning sign: A sign that is painted on or affixed to the surface of an awning.

Canopy sign: A sign that is painted on or affixed to the flat vertical surface of or sits on top of a canopy.

**B. General standards**

Maximum number	1 per building per street frontage if no freestanding sign(s) or wall sign
Maximum size	24 sq. ft.
Permit required?	Yes
Separate lighting?	Yes
Commercial messages?	No
Automatic changeable copy?	No
Included in aggregate sign area?	Yes

**C. Other standards**

The purpose of this section is to provide regulations for signs on awnings or canopies. This section does not govern the installation of awnings, canopies and other appurtenances; installation, design and dimensions of the awning or canopy are determined by applicable provisions of this zoning ordinance and/or from an approved site plan and/or other applicable County ordinance regulation or requirement.




**§13.6.3. Banners**

Banners are allowed in these districts only during period of construction and leasing; see §13.15, Temporary signs for construction and sale/leasing.



<b>§13.6.4. Flags</b>	
<b>A. Defined</b>	
A piece of cloth or other material used as a noncommercial symbol, standard, or signal, such as the flag of a local, state, or national government or private noncommercial organization.	
<b>B. General standards</b>	
Maximum number of poles	3
Maximum height of poles	35 ft.
Maximum flags per pole	2
Maximum flag size	60 sq. ft.
Maximum total flag area	180 sq. ft.
Permit required?	No
Separate lighting?	Yes
Automatic changeable copy?	No
Included in aggregate sign area?	No
<b>C. Other standards</b>	
Flagpoles shall be located as shown on an approved site plan; if there is no approved site plan for the property and no site plan is required, flagpoles shall be located within 30 feet of the principal entrance to the main building.	



§13.6.1 GENERAL

**§13.6.5. Freestanding signs**

**A. Defined**

A sign that is affixed to the ground or a wall that is not part of a building, or a fence; freestanding signs include but are not necessarily limited to signs mounted on monument-style foundations, on poles, or on fences or other approved accessory structures.

**B. General standards**

Maximum size at pedestrian entrance	6.5 sq. ft.
Maximum size at driveway or vehicular entrance	12 sq. ft.
Maximum height at pedestrian entrance	5 ft.
Maximum height at driveway or vehicular entrance	8 ft.
Number allowed	1 per driveway or vehicular entrance; plus 1 per postal street address or 1 per 20 dwelling units, whichever is fewer
Minimum setback	3 ft. from back of sidewalk; 5 ft from any other property line
Permit required?	Yes
Separate lighting?	Yes
Automatic changeable copy?	No
Commercial messages?	See standards below
Included in aggregate sign area?	Yes

**C. Other standards**

1. For townhouse uses, freestanding signs are permitted only in R, RA14-26, RA8-18, RA7-16 and RA6-15 districts.
2. The primary purpose of these signs is to provide address and way-finding information. Up to 10 percent of the allowed area of the sign may be used to provide contact information on management and/or sales or leasing agents.



**§13.6.6. Incidental signs**

**A. Defined**

A sign that provides information or directions that are necessary for the physical use of the site, including but not limited to signs that provide warnings, parking rules or way-finding information.

**B. General standards**

Maximum size (wall)	4 sq. ft.
Maximum size (freestanding)	4 sq. ft.
Maximum height (freestanding)	4 ft.
Number allowed	Unlimited
Permit required?	No
Separate lighting?	No
Automatic changeable copy?	No
Commercial messages?	No
Included in aggregate sign area?	No



**§13.6.7. Signs for institutional public, civic and institutional uses (optional)**

An institutional public, civic and institutional use (excluding day care and utility uses) may choose to have its signs regulated under the sign regulations applicable to other uses in the same district as the institutional public, civic and institutional use or under the regulations set forth in §13.8. An institutional public, civic and institutional use that intends to exercise that option must declare its intent on its comprehensive sign plan (if any) or by separate letter submitted on its first application for a sign permit. No institutional public, civic and institutional use may “mix and match” signs allowed for institutional public, civic and institutional uses and signs allowed for other uses in the same district.



**§13.6.8. Temporary signs**

**A. Defined**

A sign that may easily be moved or removed and that can feasibly be displayed for a limited period of time in any one location.

**B. General standards**

Maximum size	6.5 sq. ft.
Maximum height	5 feet
Number	3 per townhouse dwelling
Permit required?	No
Separate lighting?	No
Automatic changeable copy?	No
Commercial messages?	Yes

**C. Other standards**

Temporary signs allowed by this subsection §13.6.8 are allowed only for individual townhouse dwellings that are not advertised by any other commercial sign allowed by this Article 13. The only commercial messages permitted are those related to:

1. Commercial activity lawfully conducted on the premises, including the lawful, occasional sale of personal property (such as through a garage sale or a yard sale). Such signs shall be removed within 24 hours after the end of the sale or conclusion of commercial activity; or
2. Sale, rental or lease of the premises. Such signs shall be removed no later than the date on which the deed, lease or other document representing the transaction is completed.

**§13.6.9. Traffic-control signs**

**A. Defined**

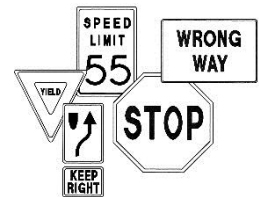
A sign used for traffic control and conforming with national or state standards for the design and installation of such signs.

**B. General standards**

Maximum size	As set forth in MUTCD
Maximum height	As set forth in MUTCD
Number allowed	As needed
Permit required?	No
Separate lighting?	As set forth in MUTCD
Automatic changeable copy?	As set forth in MUTCD
Commercial messages?	No
Included in aggregate sign area?	No

**C. Other standards**

1. Traffic control signs are allowed only where required by MUTCD and/or shown on an approved site plan; and



§13.7.1 GENERAL

2. Traffic control signs (including lighting) must conform with the Manual of Uniform Traffic Control Devices (MUTCD); no other sizes are allowed and no separate lighting is allowed except as specified by those standard design sources.

**§13.6.10. Wall signs**

**A. Defined**

Any sign that is affixed directly to or suspended from a wall, marquee, mansard wall, or parapet wall of a building, with the exposed face of the sign in a plane approximately parallel to and projecting no more than 18 inches from the face of the wall. A wall sign may be either of one-piece construction or of individual connected or related letters or symbols.

**B. General standards**

Maximum size	24 sq. ft.
Number allowed	1 per building if no awning sign, canopy sign or freestanding sign(s)
Permit required?	Yes
Separate lighting?	Yes
Automatic changeable copy?	No
Commercial messages?	See standards below
Included in aggregate sign area?	Yes

**C. Other standards**

A wall sign may contain a commercial message related to an activity lawfully conducted on the premises including the sale, lease or rental of the property or any unit or part thereof.



**§13.6.11. Window signs**

**A. Defined**

Any permanent or temporary sign, including any decal, that is legible from the outside, including plazas, public streets, and parking lots, and that is placed on the outside or inside face of a window or mounted within two feet of the inside face of the window.

**B. General standards**

Maximum size	6.5 sq. ft.
Number allowed	Unlimited temporary signs in windows only of residential dwelling units
Permit required?	No
Separate lighting?	No
Automatic changeable copy?	No
Commercial messages?	No
Included in aggregate sign area?	No

**§13.7. Signs in C and M Districts (excluding One- and Two-Family and Townhouse Uses)**

**§13.7.1. General**

**A. Signs allowed**

The sign types listed and described in this §13.7 are allowed on private property in C districts, M districts, and mixed use (RA4.8, R-C, RA-H, RA-H-3.2, MU-VS) districts, except for one- and two-family and townhouse uses, subject to the permit requirements, standards and conditions set forth for each sign type.



**B. Lighting**

Signs allowed under §13.7 shall not be separately lighted unless the standard in the table says “yes” or “see standards” next to the “separately lighted?” query. The fact that a sign may be partly or wholly illuminated by a porch light or other light serving another purpose shall not be considered “separately lighted.”

**C. Changeable copy**

Signs allowed under this §13.7 shall not include automatic changeable copy elements unless the standard in the table says “yes” next to the “automatic changeable copy?” query. See ~~§13.12~~~~§13.12~~ for standards that apply to all automatic changeable copy signs under this Article 13.

**D. Aggregate sign area allowed**

The maximum aggregate sign area allowed for a single building, or combination of buildings, is the larger of:

1. One square foot of sign area per linear foot of building frontage; or
2. For a building with one or more establishments with at least one exterior public entrance and less than 60 feet of frontage, 60 sq. ft. for each such establishment plus one square foot per linear foot of building frontage, excluding any frontage occupied by those establishments.

**E. Additional sign area for specified uses**

1. In addition to other signs on a development project, the county manager may place, or cause to be placed wall or freestanding signs at the garage entry to a public parking facility. Such signs shall:
  - (a) Be limited to noncommercial messages that show parking availability within the public parking facility and shall be no larger than 60 sq. ft;
  - (b) Be allowed in addition to otherwise allowed aggregate sign area;
  - (c) Notwithstanding the provisions of ~~§13.12.2~~~~§13.12.2~~, be allowed to include up to 12 sq. ft. of automatic changeable copy elements for each sign; and
  - (d) Be of such design as the county manager may determine.
2. Any building that meets the following criteria may install up to a maximum of two additional wall or projecting signs, with a permit, subject to the standards listed below. Such signs shall be allowed in addition to otherwise allocated aggregate sign area, but shall be separate from, and not combined with signs included in aggregate sign area, and under no circumstances shall more than two signs per building be placed above a height of 40 feet.
  - (a) The building is not located in an S-3A, S-D, R, RA14-26, RA8-18, RA7-16, RA6-15, C-1, C-2, C-1-O, C-O-1.0 or C-1-R district
  - (b) The building is more than 70 feet in height; and
  - (c) The building, above the ground floor, is devoted primarily to office, commercial, public or at least 50 percent to hotel uses.
  - (d) The maximum area of each additional sign is limited as follows:

Height of Building	Maximum Sign Area (sq. ft.)
70 ft. – 100 ft.	0.6 x building width at height of sign
101 ft. – 200 ft.	1.0 x building width at height of sign
>201 ft.	1.5 x building width at height of sign

**F. Placement standards for signs below a height of 40 feet**

1. No signs shall be permitted on that part of the side or rear wall of a building within 100 feet of any R or RA14-26, RA8-18, RA7-16, RA6-15 district except, where a tenant’s primary entrance is located on a side or rear wall of a building, the tenant’s sign that otherwise would be allowed on the front wall of the building may be erected on the wall where the primary entrance is located.
2. No sign shall extend above the height of the actual roofline of the building, measured from the actual roofline in the case of a flat roof or from the eaves line in the case of a hip or gable roof; except, on a building that is 24 feet or less in height, up to 20 percent of the sign area may extend up to 1.5 feet above the roofline.

**G. Placement standards for signs above a height of 40 feet**

In order to protect the viewshed for properties in residential districts that face commercial areas of the County, the following provisions are set forth in order to limit visibility of signs placed above a height of 40 feet.

1. Under no circumstances shall more than two signs per building be placed above a height of 40 feet. However, under no circumstances shall more than one sign be placed above a height of 40 feet on any building façade directly facing Line B on map 34-1.
2. No sign shall be placed above a height of 40 feet in a C-1, C-2, C-1-O, C-O-1.0 or C-1-R district.
3. Under no circumstances shall any sign in the C-O Rosslyn district be permitted above a maximum height of 50 feet on any building located within Central Place that is approved with additional density and height by application of either [§7.15.3.D.2\(a\)](#) ~~§7.15.3.D.2(a)~~ or [§7.15.3.D.2\(c\)](#) ~~§7.15.3.D.2(e)~~.
4. Horizontally oriented signs shall fit within a sign band that is no more than six feet in height, provided, however, that up to 20 percent of the sign may be no more than nine feet in height. The designated sign band shall be placed within the 20 feet of the building façade below the main roofline or other roofline of the building below the main roofline for a building where there are multiple rooflines.
5. No sign shall extend above the height of the actual roofline of the building, measured from the actual roofline in the case of a flat roof or from the eaves line in the case of a hip or gable roof.
6. No sign placed above a height of 40 feet shall have any automatic changeable copy element.



- 7. All signs placed above a height of 40 feet may be illuminated only by internal lighting and hours of illumination shall be as set forth in ~~§13.11.3~~§13.11.3.
- 8. Signs placed above a height of 40 feet may be placed on building facades perpendicular to or facing away from the line identified as Line A on Map 34-1, but shall not be placed on facades facing Line A (a façade shall be considered to be facing Line A if it is less than 90 degrees from parallel). Provided, however, that such signs may be placed on building facades immediately adjacent to streets parallel to Line A, including but not limited to, Wilson Blvd., Clarendon Blvd., Fairfax Dr., S. Randolph St., S. Quincy St. and Campbell Ave, if the building façade is not within 200 feet of an R or RA14-26, RA8-18, RA7-16 or RA6-15 district, and the applicant demonstrates that view of the sign is substantially blocked from the aforementioned districts by a building or other obstruction of equal or greater height to the height of the sign. Placement of such signs may be allowed by the County Board as set forth in §13.3.1.A.2(d).

**SIGNS ALLOWED IN C, M AND MIXED-USE (RA4.8, R-C, RA-H, RA-H-3.2, MU-VS) DISTRICTS**

**§13.7.2. Arcade signs**

**A. Defined**

A sign that is suspended underneath an awning, canopy, marquee, overhang, or other structural element of a building that forms a covered passageway for pedestrians.

**B. General standards**

Maximum number	1 per public entrance under canopy
Maximum size	1.5 sq. ft.
Minimum clearance above sidewalk	8 ft.
Permit required?	Yes
Separate lighting?	Yes
Commercial messages?	Yes
Automatic changeable copy?	No
Included in aggregate sign area?	Yes



**C. Other standards**

Allowed only where multiple establishments share a common canopy ceiling over a sidewalk.

§13.7.1 GENERAL

**§13.7.3. Awning or canopy signs**

**A. Defined**

Awning signs: A sign that is painted on or affixed to the surface of an awning.

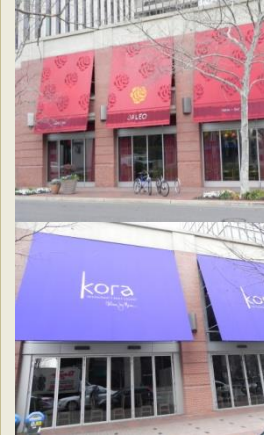
Canopy sign: A sign that is affixed to the flat vertical surface of or sits on top of a canopy.

**B. General standards**

Maximum number	1 per awning or canopy; for awnings or canopies longer than 8 linear feet, 1 per 8 ft. of linear awning or canopy
Maximum size	60 sq. ft. without a comprehensive sign plan; no limit other than aggregate sign area with a comprehensive sign plan
Permit required?	Yes
Separate lighting?	Yes
Commercial messages?	Yes
Automatic changeable copy?	No
Included in aggregate sign area?	Yes

**C. Other standards**

The purpose of this section is to provide regulations for signs on awnings or canopies; installation, design and dimensions of the awning or canopy are determined by applicable provisions of this zoning ordinance and/or from an approved site plan and/or other applicable County ordinance regulation or requirement.



**§13.7.4. Banners**

**A. Defined**

A sign of any kind applied to fabric or other flexible, durable material. Flags as defined herein shall not be considered banners.

**B. General standards**

Maximum number	2 per pole, as approved on comprehensive sign plan
Maximum size	6 sq. ft. on each side; may be 2-sided
Minimum clearance above sidewalk	8'6"
Permit required?	Yes, single permit may cover multiple banners
Separate lighting?	No
Commercial messages?	No
Automatic changeable copy?	No
Included in aggregate sign area?	No

**C. Other standards**

1. Banners in this subsection §13.7.4 are allowed only for property included in an approved comprehensive sign plan and only in accordance with the provisions of the approved plan;
2. Banners in this subsection §13.7.4 are allowed only on poles. Such poles shall be:
  - (a) approved on or consistent with a County-approved site engineering plan for the project;
  - (b) installed primarily for other purposes, such as site lighting;
  - (c) located in a parking lot, along a private street or on private property along a public or private plaza or courtyard;
  - (d) Two banners shall be allowed on a pole only if the two banners are of the same size and are mounted at the same height; and
  - (e) Banners on poles must be attached at all corners such that they do not move or flap.

**D. Other permits or approvals**

Banners on poles under this subsection §13.7.4 will be allowed only with the express consent of the owner(s) of the underlying real property and the pole(s).



**§13.7.5. Directory signs**

**A. Defined**  
 A map and/or sign at a building or project with multiple uses that identifies uses or activities conducted on-site and approved as part of a comprehensive sign plan; or a sign located on the wall of a building near a public entrance to the building.

**B. General standards**

Maximum size	Wall: 6 sq. ft.; freestanding 12 sq. ft.
Maximum height	Freestanding: 7 ft.
Number allowed	Wall: 1 per building; freestanding: 1 per every two buildings in a multi-building project
Permit required?	Yes
Separate lighting?	Yes
Automatic changeable copy?	Yes, with frequency of change of copy less than once per 24 hours
Commercial messages?	Yes
Included in aggregate sign area?	No

- C. Other standards**
1. Directory signs are allowed only for buildings or projects with approved comprehensive sign plans and only in locations shown on the approved plan.
  2. No part of a directory sign except the word “directory” or “map” or something similar shall be legible from a distance of more than six feet.
  3. Directory signs that change only through manipulation by the user shall be deemed not to be automatic changeable copy signs and shall not be subject to the limitations in §13.12.2.A.



**§13.7.6. Flags**

**A. Defined**  
 A piece of cloth or other material used as a noncommercial symbol, standard, or signal, such as the flag of a local, state, or national government or private noncommercial organization.

**B. General standards**

Maximum number of poles	3
Maximum height of pole	35 ft.
Maximum flags per pole	2
Maximum flag size	60 sq. ft.
Maximum total flag area	180 sq. ft.
Permit required?	No
Separate lighting?	Yes
Automatic changeable copy?	No
Commercial messages?	No
Included in aggregate sign area?	No



§13.7.1 GENERAL

**C. Other standards**

Flagpoles shall be located as shown on an approved site plan; if there is no approved site plan for the property and no site plan is required, flagpoles shall be located within 30 feet of the principal entrance to the main building.

**§13.7.7. Freestanding signs**

**A. Defined**

A sign that is affixed to the ground, or to a wall that is not part of a building, or to a fence; freestanding signs include but are not necessarily limited to signs mounted on monument-style foundations, on poles, or on fences or other approved accessory structures.

**B. General Standards**

Maximum size	60 sq. ft. per side; may be 2-sided
Maximum height	15 ft.
Number allowed	1 except as provided below
Permit required?	Yes
Minimum setback	10 ft. from back of sidewalk
Separate lighting?	Yes
Automatic changeable copy?	Yes, subject to standards of §13.12
Commercial messages?	Yes
Included in aggregate sign area?	Yes

**C. Uses for which allowed**

Freestanding signs are allowed for only the following uses:

1. Outdoor sales lot or other lot, the use of which involves no main building and consists primarily of the use of land;
2. Unified shopping center; and
3. Vehicle service establishment (replaces a wall sign).

**D. Other standards**

1. For a unified shopping center, one additional freestanding identification sign may be approved if both freestanding signs are incorporated into screening or retaining walls or planter boxes or are mounted on a brick base with a maximum height of three feet and a maximum overall base and sign height of 15 feet, and the total sign area of both freestanding signs does not exceed 60 sq. ft.
2. For vehicle service establishments and vehicle, a group of fuel pumps may have additional signs not exceeding an aggregate area of 12 sq. ft. for each pump island.
3. For uses listed in subsection C, above, located on a corner lot or on a lot with frontage on two or more streets, one additional freestanding sign may be approved with the same dimensions as the first sign.
4. Where two or more freestanding signs are allowed on a site, the sign placed on the side street shall not be located within 200 feet of property zoned R or RA14-26, RA8-18, RA7-16, RA6-15.
5. For a permitted drive-through window accessory to any use, one freestanding or wall mounted menu board or other instructional or informational device related to the drive-through window shall be permitted, up to a maximum of 12 sq. ft. in size, so long as the only words, numerals, symbol or pictures on such device that are legible from any property other than the property on which the drive-through window is located shall include no commercial message, but shall simply identify the device as a "menu," "directory," "instructions," "information" or something similar. If such a menu board or other device is larger than four sq. ft. or it is electrified, it shall require a permit.



**§13.7.8. Incidental signs**

**1. Defined**

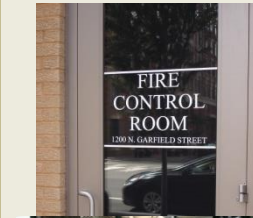
Signs that provide information or directions that are necessary for the physical use of the site, including but not limited to signs that provide warnings, parking rules or way-finding information.

**2. General standards**

Maximum size (wall)	4 sq. ft.
Maximum size (freestanding)	3 sq. ft. per side, may be 2-sided
Maximum height (freestanding)	4 ft.
Number allowed	As needed
Permit required?	No
Separate lighting?	No
Automatic changeable copy?	No
Commercial messages?	Limited; see standards below
Included in aggregate sign area?	No

**B. Other standards**

1. One incidental sign per 1<sup>st</sup> or 2<sup>nd</sup> floor occupant may contain a commercial message.
2. Freestanding signs may be placed only on the perimeter of a parking lot and may be no less than 25 feet apart.
3. Wall or projecting signs of a maximum of 6.5 sq. ft., with no dimension exceeding 4 sq. ft., that meet all other standards in subsection E.2, above, and all standards prescribed in the diagram below may be installed on public parking facilities. Compliance with these standards shall be determined by the zoning administrator, based on factors that include but are not limited to: location; color; size; shape and lettering, as shown in the diagram at left.



**§13.7.9. Signs for ~~institutional~~public, civic and institutional uses (optional)**

An ~~institutional~~public, civic and institutional use (excluding day care and utility uses) may choose to have its signs regulated under the sign regulations applicable to other uses in the same district as the ~~institutional~~public, civic and institutional use or under the regulations set forth in §13.8. An ~~institutional~~public, civic and institutional use that intends to exercise that option must declare its intent on its comprehensive sign plan (if any) or by separate letter submitted on its first application for a sign permit. No ~~institutional~~public, civic and institutional use may “mix and match” signs allowed for ~~institutional~~public, civic and institutional uses and signs allowed for other uses in the same district.



**§13.7.10. Projecting signs**

**A. Defined**

Any sign that is attached in a plane approximately perpendicular to the surface of a building or other structure.

**B. General standards**

Maximum size	20 sq. ft.
Maximum projection	42 inches
Minimum vertical clearance	10 ft. above finished grade
Permit required?	Yes
Separate lighting?	Yes
Automatic changeable copy?	Yes, subject to standards of §13.12
Commercial messages?	Yes
Included in aggregate sign area?	Yes
Maximum height to top of sign	40 feet, except a maximum of two wall or projecting signs per building may be placed above a height of 40 feet, subject to the standards in §13.7.1.B.

**C. Other permits**

A projecting sign may require a separate encroachment agreement or permit from the County, subject to established standards.

**D. Relationship to wall signs**

A sign that projects 18 inches or less from the wall is considered a wall sign; see §13.7.15.





**§13.7.11. Sidewalk signs**

**A. Defined**

A temporary, self-supporting sign made of durable material and located on the sidewalk in front of a use for which such a sign is allowed.

**B. General standards**

Maximum size	7 sq. ft. per side (may be two-sided)
Maximum height	3.5 ft.
Number allowed	One per public entrance directly from sidewalk into establishment
Permit required?	No
Separate lighting?	No
Changeable copy?	No
Commercial messages?	Yes, related to establishment for which sign is allowed
Included in aggregate sign area?	No

**C. Other standards**

1. Temporary sidewalk signs shall be permitted only for establishments (but not for home occupations);
2. No more than one temporary sidewalk sign is permitted for each public entrance to an establishment. For purposes of this §13.7.10, a parking garage is an establishment and a public entrance includes a vehicular entrance;
3. If an establishment has more than one public entrance and two of the public entrances face the same street and are located within 200 feet or less of each other, then a sign shall be allowed for only one of the public entrances;
4. Such signs may be placed on sidewalk only during hours the establishment is open;
5. Temporary sidewalk signs shall be permitted only on sidewalks where there is an existing minimum six-foot clear walkway (an unobstructed areas serving as circulation space for pedestrians). In order to provide adequate clearance for pedestrians and persons with visual and mobility disabilities, such signs shall not be placed within any required clear walkway for the site, and shall be located either entirely within two feet of the building face, or within the landscape and utility zone such that there is at least one foot between the sign and the edge of the curb (on sidewalks where there is no landscaping, sidewalk signs may be placed within four feet of the edge of the curb if such placement maintains the clear walkway required in this subparagraph and maintains at least one foot between the sign and the edge of the curb);
6. Temporary sidewalk signs shall not be placed in tree pits that are not covered with hard grates;
7. Such signs shall be self-supporting, either with legs or supports that are continuous with the plane of the sign face; or with a solid base no wider than the sign width, protruding no more than 12 inches from the plane of the sign face, and separated by no more than six inches from the bottom of the sign face; and
8. Any sign found by the zoning administrator to be unsafe or to present a hazard or to impair a required clear walkway, shall be removed immediately.



**§13.7.12. Temporary signs**

**A. Defined**

Any sign that may easily be moved or removed and that can feasibly be displayed for a limited period of time in any one location.

**B. Standards**

1. Where the vacancy rate of a building exceeds 33 percent, as determined by the county manager or his or her designee based on a comprehensive database of commercial real estate information, and if the building has had a certificate of occupancy for more than one year, and the building cannot accommodate a sign due to placement of windows, architectural features, and the like, then a temporary freestanding sign may be permitted subject to review by the zoning administrator to determine whether the location and design of the freestanding sign will meet all requirements of this zoning ordinance. The sign shall be no larger than 20 sq. ft. in area and no higher than 18 feet in height. The sign shall be removed immediately upon the vacancy rate of the building falling below 33 percent, but in any event, within 6 months after the date of approval of such sign by the zoning administrator.
2. For other temporary signs allowed in these districts, see window signs (§13.7.15) and temporary signs for construction and sale/leasing (§13.15).

**§13.7.13. Traffic control signs**

**A. Defined**

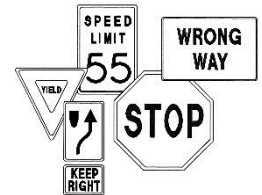
A sign used for traffic control and conforming with national or state standards for the design and installation of such signs.

**B. General standards**

Maximum size	As set forth in MUTCD
Maximum height	As set forth in MUTCD
Number allowed	As needed
Permit required?	No
Separate lighting?	As set forth in MUTCD
Automatic changeable copy?	As set forth in MUTCD
Commercial messages?	No
Included in aggregate sign area?	No

**C. Other standards**

1. Traffic control signs are allowed only where required by MUTCD and/or shown on an approved site plan;
2. Traffic control signs (including lighting) must conform with the Manual of Uniform Traffic Control Devices; no other sizes are allowed and no separate lighting is allowed except as specified by those standard design sources.



### §13.7.14. Umbrella signs

#### A. Defined

A sign painted on or affixed to the surface of an umbrella.

#### B. General standards

Maximum size	Up to 4 sq. ft. on any individual umbrella
Permit required?	No
Automatic changeable copy?	No
Commercial messages?	Yes, related to the dining facility or products served there, or noncommercial messages
Included in aggregate sign area?	No



**§13.7.15. Wall signs**

**A. Defined**

Any sign that is affixed directly to or suspended from a building wall, marquee, mansard wall, or parapet wall of a building, with the exposed face of the sign in a plane approximately parallel to and projecting no more than 18 inches from the face of the wall. A wall sign may be either of one-piece construction or of individual connected or related letters or symbols.

**B. General standards**

Permit required?	Yes
Separate lighting?	Yes
Automatic changeable copy?	Yes, subject to standards of §13.12
Commercial messages?	Yes
Included in aggregate sign area?	Yes
Maximum height to top of sign	40 feet, except a maximum of two wall or projecting signs per building may be placed above a height of 40 feet, subject to the standards in §13.7.1.G.



**C. Dimensional Standards**

1. For a property or building for which there is not an approved comprehensive sign plan, the following dimensional standards apply to wall signs:

Maximum size per sign	60 sq. ft.; see additional limitations below
Maximum sign area per occupant	The larger of 60 sq. ft. or one sq. ft. of sign per <u>linear</u> foot of building frontage; see also additional signs below
Maximum number	3 per establishment located on 1st or 2nd floor; see also additional signs below
Additional signs	1 additional sign not exceeding 6 sq. ft. to identify secondary entrances to a building
	1 additional side or rear sign not exceeding 30 sq. ft. on the side or rear wall of a commercial building which abuts a public street or a parking lot associated with the commercial building, for buildings located on corner lots or lots abutting streets at both the front and rear, or for buildings served by an abutting parking lot of no less than 60 feet in width located to the side or rear of the main building
Maximum height to top of sign	40 feet





2. For a building or property for which there is an approved comprehensive sign plan, the only dimensional limitation or limitation on total number of signs per occupant is the maximum aggregate sign area (see §13.18.1.A), as allocated under the approved comprehensive sign plan.

**D. Other standards**

Up to 50 sq. ft. of wall signs placed inside of a public parking garage, two feet or more from and mounted approximately perpendicular to the façade on which the vehicular entrance to the garage is located shall not be counted as part of aggregate sign area.

<b>§13.7.16. Window signs</b>	
<b>A. Defined</b>	
Any permanent or temporary sign, including any decal, that is legible from the outside, including plazas, public streets, and parking lots, and that is placed on the outside or inside face of a window or mounted within two feet of the inside face of the window.	
<b>B. General standards</b>	
Maximum total area per sign	80 sq. ft. or 20 percent of window area, whichever is less
Number allowed	Unlimited
Permit required?	No
Separate lighting?	Yes
Automatic changeable copy?	No
Commercial messages?	Yes; see standards below for window signs in residential dwelling units
Included in aggregate sign area?	No
<b>C. Other standards</b>	
<ol style="list-style-type: none"> <li>1. Any establishment located on the first or second floor of a building shall be allowed window signs.</li> <li>2. An unlimited number of temporary window signs with noncommercial messages only, up to 6.5 sq. ft. per sign is permitted in the windows only of residential dwelling units.</li> </ol>	

**§13.8. Signs for InstitutionalPublic, civic and institutional Uses**

**§13.8.1. General**

Any institutionalpublic, civic and institutional use in any district may have the following signs:

**A. Choice of standards**

A institutionalpublic, civic or institutional use (excluding day care and utility uses) may choose to have its signs regulated under the sign regulations applicable to other uses in the same district as the institutionalpublic, civic and institutional use. A institutionalpublic, civic and institutional use that intends to exercise that option must declare its intent on its comprehensive sign plan (if any) or by separate letter submitted on its first application for a sign permit. No institutionalpublic, civic and institutional use may “mix and match” signs allowed for institutionalpublic, civic and institutional uses and signs allowed for other uses in the same district.

**B. Miscellaneous signs**

Regardless of which election a institutionalpublic, civic and institutional use makes pursuant to §13.8.1.A, the institutionalpublic, civic and institutional use is allowed the following additional signs subject to all standards allowed for such signs in the same district:

1. Flags;
2. Incidental signs; and
3. Traffic control signs.

**SIGNS FOR ~~INSTITUTIONAL~~ PUBLIC, CIVIC AND INSTITUTIONAL USES**

**§13.8.2. Banners**

**A. Defined**

A sign applied to cloth or fabric or other flexible, durable material. Flags as defined herein shall not be considered banners.

**B. General standards**

Maximum number	1 per main building; or in the case of public parks without a main building, 1 per main entrance
Maximum size	40 sq. ft.
Permit required?	Yes
Separate lighting?	No
Commercial messages?	No
Automatic changeable copy?	No

**C. Other standards**

1. Banners shall be firmly affixed at all four corners to prevent movement.
2. Banners allowed under this §13.8.2 shall be temporary and shall be permitted up to fourteen days before and two days after an event, or a maximum of sixteen days.



**§13.8.3. Freestanding signs**

**A. Defined**

A sign that is affixed to the ground, or to a wall or to a fence (to the extent allowed by this Article 13) and not to a building; freestanding signs include but are not necessarily limited to signs mounted on monument-style foundations, on poles, or on fences or other approved accessory structures.

**B. General standards**

Maximum total sign area	30 sq. ft., except as provided in C.4 below
Maximum height	5 ft.
Number allowed	2
Minimum setback	5 feet from back of sidewalk
Permit required?	Yes
Separate lighting?	Yes
Automatic changeable copy?	Yes
Commercial messages?	No

**C. Other standards**

1. Freestanding signs shall not be located any closer than ten feet from the edge of the street or thoroughfare to which said sign is directed, nor within the visual clearance area defined by §3.2.6.A.4.
2. Freestanding signs shall be allowed only for ~~institutional~~public, civic and institutional uses in stand-alone buildings, not for ~~institutional~~public, civic and institutional uses in mixed-use buildings.
3. Freestanding signs for any ~~institutional~~public, civic and institutional use may alternatively be installed as wall, canopy or awning signs with the same total sign area and dimensions.
4. Additional signs for schools:
  - (a) Additional signs not legible from any public street right-of-way are permitted without permits for schools. All such signs shall contain only noncommercial messages.
  - (b) In schools, one scoreboard with no commercial messages, for each athletic field, up to a maximum of 150 sq. ft. Notwithstanding the provisions of §13.12, such scoreboards shall be allowed automatic changeable copy elements of up to 25 percent of the scoreboard. A scoreboard as permitted by this subsection (b) shall not be considered a large media screen.<sup>1</sup>



<sup>1</sup> From definitions

§13.9.1 SIGNS ALLOWED IN THE PUBLIC RIGHT-OF-WAY

**§13.8.4. Temporary Signs**

**A. Defined**  
Any sign that may easily be moved or removed and that can feasibly be displayed for a limited period of time in any one location.

**B. General standards**

Maximum size	7 sq. ft.
Maximum height	4 ft.
Number allowed	No limit
Permit required?	No
Separate lighting?	No
Automatic changeable copy?	No
Commercial messages?	No

**C. Other standards**

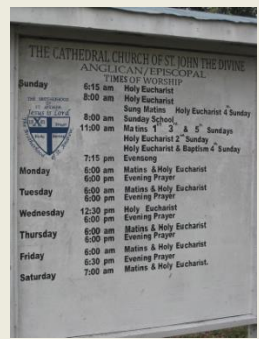
1. Temporary signs allowed by this section shall be removed within 45 days of installation or within seven days of the end of any event to which they refer, whichever may first occur.
2. Temporary signs allowed by this section shall be firmly affixed to the ground or to a structure to prevent movement.

**§13.8.5. Wall Signs**

**A. Defined**  
Any sign that is affixed directly to or suspended from a building wall, marquee, mansard wall, or parapet wall of a building, with the exposed face of the sign in a plane approximately parallel to the face of the wall. A wall sign may be either of one-piece construction or of individual connected or related letters or symbols.

**B. General standards**

Maximum size	4 sq. ft.
Number allowed	1 per public entrance
Permit required?	No
Separate lighting?	Yes
Automatic changeable copy?	No
Commercial messages?	No



(a) Signs allowed in public districts (S-3A, S-D, P-S), on public property in any district and in the public right-of-way

**§13.9. Signs Allowed in Public Districts, on Public Property in Any District and Signs in the Public Right-of-Way**

**§13.9.1. Signs allowed in the public right-of-way**

The following signs shall be allowed in the public right-of-way in Arlington County. Signs specified in this ~~§13.8~~ shall be placed only by public authority or with specific permission of public authority. Only the signs specified in this Article 13 are allowed in the public right-of-way and no other private signs are allowed there, except as specified in ~~§13.10~~.

- A. Signs installed by employees or officials of Arlington County, or a state or federal agency in the course of their governmental duties and bearing no commercial message, including without limitation, signs conforming to the Manual of Uniform Traffic Control Devices or Arlington Way Finding Standards;
- B. Signs required by a state or federal statute or County ordinance;



- C. Signs installed by public utilities in their rights-of-way or on their facilities and bearing no commercial message other than a message that is necessary to identify the use;
- D. Signs installed by a transit company with a franchise or other right to operate in Arlington County, where such signs are installed along its routes and relate to current or general schedules or other information about the transit route;
- E. Signs attached to privately owned appurtenances or fixtures in the public right-of-way where such appurtenances or fixtures and the signs for them are allowed by the terms of a permit, encroachment or agreement issued or approved by the County; such signs shall include no commercial messages other than a message necessary to identify the use.



- F. Temporary signs or banners approved by the County as part of and incident to a special event permit and placed across the right-of-way in locations established by the County; such signs shall be limited to messages related to the special event and its sponsors and shall be removed within five business days after the end of such event.



- G. Sidewalk signs subject to the standards and conditions in §13.7.10.

- H. Signs giving the place name of a neighborhood established as a distinctive area by custom and usage recognized throughout the county and/or direction to the location of public facilities in the neighborhood may be displayed in such neighborhood or community or at not more than four entrances thereto:



1. No such sign shall exceed an overall height of eight feet nor have an area exceeding 20 square feet;
  2. The overall area of the sign structure shall not exceed 100 sq. ft. square feet; and
  3. The signs shall be made from durable materials and be of a design that harmonizes with the surrounding structures and natural features and give notice without creating harm to traffic safety by either its placement, bulk, or visual characteristics.
- I. Such signs shall be installed by the County; where such signs are to be placed on private property, it is the responsibility of the association or persons requesting such signs to provide to the County authorization in a form acceptable to the County.
  - J. Subject to approval by the county manager or his or her designee, not-for-profit civic associations may attach to a sign permitted under this ~~§13.9~~§13.9, one temporary sign of up to 6 inches in height and 30 inches in width, with noncommercial messages only. The county manager may approve such temporary signs on a first-come, first-served basis for a period of up to five days before and two days after an event sponsored by the civic association for the neighborhood identified by the sign. The temporary sign shall be of durable materials and shall be attached to the top of the sign or hung from the bottom of the sign.

§13.9.2 BANNER SYSTEMS ALLOWED

### §13.9.2. Banner systems allowed

The County Board may authorize the county manager to place, and upon such authorization, the county manager may place or cause to be placed, banners or banner systems in the public right-of-way in areas where sector, area or revitalization plans have been adopted by the County Board; or on Arlington School Board or joint Arlington County Board-Arlington School Board properties and/or streets contiguous to abutting such properties. Such banners or banner systems shall be authorized only after findings by the County Board that the proposed banners would not adversely affect traffic safety to a significant degree and that the proposed banners would not result in clutter that would adversely affect the appearance or character of the surrounding neighborhood. The County Board ordinance will determine specific designs, size, locations and physical characteristics of the banners for a designated area; standards relating to maintenance, removal and replacement; and the length of time for which the banners may be displayed. The messages on these banners shall be government speech, determined by the County Board or, if authorized by the County Board, by the county manager.



### §13.9.3. Signs allowed in public districts and on publicly-owned property in any district

The signs in this subsection ~~§13.9.3~~ are allowed in S-3A, S-D and P-P districts and on Arlington County Board or Arlington County School Board property in any district or on parks or other public property controlled by Arlington County, subject to the permit requirements, standards and conditions set forth for each sign type.

#### A. Lighting

Signs allowed under this subsection ~~§13.9.3~~ shall not be separately lighted unless the standard in the table says “yes” or “see standards” next to the “separately lighted?” query. The fact that a sign may be partly or wholly illuminated by light serving another purpose shall not be considered “separately lighted.”

#### B. Changeable copy

Signs allowed under ~~§13.9.3~~ shall not include automatic changeable copy elements unless the standard in the table says “yes” next to the “automatic changeable copy?” query. See ~~§13.12~~ for standards that apply to all automatic changeable copy signs under this Article 13.

#### C. Aggregate sign area allowed

The maximum aggregate sign area allowed for a property, single building or combination of buildings, is either:

1. One square foot of sign area per linear foot of building frontage; or
2. The sum of area of the allowed signs, as set forth in ~~§13.9.5~~ (temporary banners), ~~§13.9.6~~ (permanent banners), ~~§13.9.7~~ (directory signs); ~~§13.9.8~~ (flags); ~~§13.9.9~~ (freestanding signs); ~~§13.9.10~~ (incidental signs); ~~§13.9.12~~ (temporary signs); ~~§13.9.13~~ (traffic control signs); and ~~§13.9.14~~ (umbrella signs).

**D. Additional sign area for specified uses**

Any building in a P-S district that is more than 70 feet in height may install up to two additional signs above a height of 40 feet, meeting the following standards.

1. Illumination standards shall be as set forth in ~~§13.11~~§13.11.
2. Maximum area of each additional sign shall be limited as follows:

Height of building	Maximum sign area (sq. ft. )
70 ft. – 100 ft.	0.6 x bldg. width at height of sign
101 ft. – 200 ft.	1.0 x bldg. width at height of sign
>201 ft.	1.5 x bldg. width at height of sign

3. In order to protect the viewshed for properties in residential districts that face commercial areas of the County, the following provisions are set forth in order to limit visibility of signs placed above a height of 40 feet:
  - (a) Horizontally oriented signs shall fit within a sign band that is no more than six feet in height, provided, however, that up to 20 percent of the sign may be no more than nine feet in height. The designated sign band shall be placed within the 20 feet of the building façade below the main roofline or other roofline of the building below the main roofline for a building where there are multiple rooflines;
  - (b) Vertically oriented signs shall be placed such that the top of the sign is above a height of 40 feet.
  - (c) No sign placed above a height of 40 feet shall have any automatic changeable copy element.
  - (d) All signs placed above a height of 40 feet may be illuminated only by internal lighting and hours of illumination shall be as set forth in ~~§13.11.3~~§13.11.3.
  - (e) Lighted signs placed above a height of 40 feet may be placed on building facades perpendicular to or facing away from the line identified as Line A on Map 34-1, but shall not be placed on facades facing Line A (a façade shall be considered to be facing Line A if it is less than 90 degrees from parallel). Provided, however, that lighted signs may be placed on building facades immediately adjacent to streets parallel to Line A if the building façade is not within 200 feet of an R or RA14-26, RA8-18, RA7-16 or RA6-15 district, and the applicant demonstrates that view of the sign is substantially blocked from the aforementioned districts by a building or other structure of equal or greater height to the height of the sign.

**SIGNS ALLOWED IN PUBLIC DISTRICTS OR ON OTHER PROPERTY OWNED BY THE ARLINGTON COUNTY BOARD OR ARLINGTON SCHOOL BOARD**

**§13.9.4. Awning or canopy signs**

**A. Defined**

Awning sign: A sign that is painted on or affixed to the surface of an awning; or

Canopy sign: A sign that is affixed to the flat vertical surface of or sits on top of a canopy.

**B. General standards**

Maximum number	1 per awning or canopy; for awnings or canopies longer than 8 linear feet, 1 per 8 ft. of linear awning or canopy
Maximum size	60 sq. ft. without a comprehensive sign plan; no limit other than aggregate sign area with a comprehensive sign plan
Permit required?	Yes
Separate lighting?	Yes
Commercial messages?	Yes
Automatic changeable copy?	No
Included in aggregate sign area?	Yes

**C. Other standards**

The purpose of this section is to provide regulations for signs on awnings or canopies; installation, design and dimensions of the awning or canopy are determined by applicable provisions of this zoning ordinance and/or from an approved site plan and/or other applicable County ordinance regulation or requirement.



**§13.9.5. Banners, temporary**

**A. Defined**

A sign applied to cloth or fabric or other flexible, durable material. Flags as defined herein shall not be considered banners.

**B. General standards**

Maximum number	1 per main building; or where there is no main building, 1 per main entrance
Maximum size	40 sq. ft.
Permit required?	Yes
Separate lighting?	No
Commercial messages?	No
Automatic changeable copy?	No

**C. Other standards**

1. Banners shall be firmly affixed at all four corners to prevent movement.
2. Banners allowed under this subsection §13.9.5 shall be temporary and shall be permitted up to fourteen days before and two days after an event, or a maximum of sixteen days.
3. Banners allowed under this subsection §13.9.5 may be affixed to a fence.



**§13.9.6. Banners, permanent**

**A. Defined**

A sign of any kind applied to fabric or other flexible, durable material. Flags as defined herein shall not be considered banners.

**B. General standards**

Maximum number	2 per pole, in locations as approved on comprehensive sign plan
Maximum size	6 sq. ft. on each side; may be 2-sided
Minimum clearance above sidewalk	8'6"
Permit required?	Yes, single permit may cover multiple banners
Separate lighting?	No
Commercial messages?	No
Automatic changeable copy?	No
Included in aggregate sign area?	No

**C. Other standards**

Banners in this §13.9.6 are allowed only on poles. Such poles shall be:

1. Approved on or consistent with a County-approved site engineering plan for the project;
  - (a) Installed primarily for other purposes, such as site lighting; and
  - (b) Located in a parking lot, along a private street or on private property along a public or private plaza or courtyard;
  - (c) Two banners shall be allowed on a pole only if the two banners are of the same size and are mounted at the same height;
2. Banners on poles must be attached at all corners such that they do not move or flap.
3. Other permits or approvals
  - (a) Banners on poles under this §13.9.6 will be allowed only with the express consent of the owner(s) of the underlying real property and the pole(s).



**§13.9.7. Directory signs**

**A. Defined**

A map and/or sign at a building or project with multiple uses that identifies uses or activities conducted [on-site/on-site](#) and approved as part of a comprehensive sign plan; or a sign located on the wall of a building near a public entrance to the building.

**B. General standards**

Maximum size	Wall: 6 sq. ft.; freestanding 12 sq. ft.
Maximum height	Freestanding: 7 ft.
Number allowed	Wall: 1 per building; freestanding: 1 per every two buildings in a multi-building project
Permit required?	Yes
Separate lighting?	Yes
Automatic changeable copy?	Yes, with frequency of change of copy less than once per 24 hours
Commercial messages?	Yes
Included in aggregate sign area?	No



§13.9.3 SIGNS ALLOWED IN PUBLIC DISTRICTS AND ON PUBLICLY-OWNED PROPERTY IN ANY DISTRICT

**C. Other standards**

1. No part of a directory sign except the word “directory” or “map” or something similar shall be legible from a distance of more than 6 feet.
2. Directory signs that change only through manipulation by the user shall be deemed not to be automatic changeable copy signs and shall not be subject to the limitations in §13.12.2.A.

**§13.9.8. Flags**

**A. Defined**

A piece of cloth or other material used as a noncommercial symbol, standard, or signal, such as the flag of a local, state, or national government or private noncommercial organization.

**B. General standards**

Maximum number of poles	3
Maximum height of pole	45 ft.
Maximum flags per pole	2
Maximum flag size	60 sq. ft.
Maximum total flag area	180 sq. ft.
Permit required?	No
Separate lighting?	Yes
Automatic changeable copy?	No
Commercial messages?	No
Included in aggregate sign area?	No



**C. Other standards**

Flagpoles shall be located as shown on an approved site plan; if there is no approved site plan for the property and no site plan is required, flagpoles shall be located within 30 feet of the principal entrance to the main building.

**§13.9.9. Freestanding signs**

**A. Defined**

A sign that is affixed to the ground, or to a wall that is not part of a building, or to a fence; freestanding signs include but are not necessarily limited to signs mounted on monument-style foundations, on poles, or on fences or other approved accessory structures.

**B. General Standards**

Maximum size	60 sq. ft. per side; may be 2-sided
Maximum height	15 ft.
Number allowed	1 for each entrance, except as provided below
Permit required?	Yes
Minimum setback	10 ft. from back of sidewalk 5 ft. from other property lines
Separate lighting?	Yes
Automatic changeable copy?	Yes, subject to standards of §13.12
Commercial messages?	Yes
Included in aggregate sign area?	Yes



**C. Other standards**

Signs allowed by this subsection §13.9.9 may alternatively be installed as wall, canopy or awning signs with the same total sign area and dimensions.

**D. Additional signs not included in aggregate sign area**

1. Signs that relate to the use of the property, provided that such signs shall not be legible from any public right-of-way outside of the property and such signs shall bear no commercial message except one that relates to a lawful commercial activity permitted within the property;
2. Signs for concessionaires and for sponsors of events for which a permit has been issued by the County and which are inside stadiums or arenas or at or adjacent to abutting ball fields or other such facilities. Signs within an outdoor facility, if such facility is located 200 feet or more from the nearest right-of-way, shall be deemed not to be legible from such right-of-way even if they may be visible from some locations outside the facility;
3. Scoreboards for each athletic field in schools and parks, with no commercial messages, except as permitted by specific agreement with the County. Notwithstanding the provisions of §13.12, scoreboards shall be allowed automatic changeable copy elements of up to 25 percent of the scoreboard. A scoreboard as permitted by this subsection 3 shall not be considered a large media screen.<sup>1</sup>

**§13.9.10. Incidental signs**

**A. Defined**

Signs that provide information or directions that are necessary for the physical use of the site, including but not limited to signs that provide warnings, parking rules or way-finding information.

**B. General standards**

Maximum size (wall)	4 sq. ft.
Maximum size (freestanding)	3 sq. ft. per side, may be 2-sided
Maximum height (freestanding)	4 ft.
Number allowed	As needed
Permit required?	No
Separate lighting?	No
Automatic changeable copy?	No
Commercial messages?	Limited; see standards below
Included in aggregate sign area?	No

**C. Other standards**

1. Freestanding signs may be placed only on the perimeter of a parking lot and may be no less than 25 feet apart.
2. Wall or projecting signs of a maximum of 6.5 sq. ft., with no dimension exceeding 4 sq. ft., that meet all other standards in subsection 2, above, and all standards prescribed in the diagram below may be installed on public parking facilities. Compliance with these standards shall be determined by the zoning administrator, based on factors that include but are not limited to: location; color; size; shape and lettering, as shown in the diagram to the right.



<sup>1</sup> From definitions.

**§13.9.11. Projecting signs**

**A. Defined**

Any sign that is attached in a plane approximately perpendicular to the surface of a building or other structure.

**B. General standards**

Maximum size	20 sq. ft.
Maximum projection	42 inches
Minimum vertical clearance	10 ft. above finished grade
Permit required?	Yes
Separate lighting?	Yes
Automatic changeable copy?	Yes, subject to standards of §13.12.
Commercial messages?	Yes
Included in aggregate sign area?	Yes
Maximum height to top of sign	40 feet, except a maximum of two wall or projecting signs per building may be placed above a height of 40 feet, subject to the standards in §13.7.1.G.

**C. Other permits**

A projecting sign may require a separate encroachment agreement or permit from the County, subject to established standards.

**D. Relationship to wall signs**

A sign that projects 18 inches or less from the wall is considered a wall sign; see §13.7.15.

**§13.9.12. Temporary signs**

**A. Defined**

Any sign that may easily be moved or removed and that can feasibly be displayed for a limited period of time in any one location.

**B. General standards**

Maximum size	7 sq. ft.
Maximum height	4 ft.
Number allowed	No limit
Permit required?	No
Separate lighting?	No
Automatic changeable copy?	No
Commercial messages?	No

**C. Other standards**

1. Temporary signs allowed by this section shall be removed within 45 days of installation or within seven days of the end of any event to which they refer, whichever may first occur
2. Temporary signs allowed by this section shall be firmly affixed to the ground or to a structure to prevent movement.



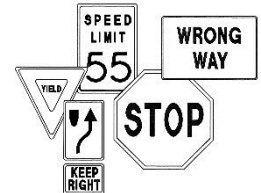
### §13.9.13. Traffic control signs

#### A. Defined

A sign used for traffic control and conforming with national or state standards for the design and installation of such signs.

#### B. General standards

Maximum size	As set forth in MUTCD
Maximum height	As set forth in MUTCD
Number allowed	As needed
Permit required?	No
Separate lighting?	As set forth in MUTCD
Automatic changeable copy?	As set forth in MUTCD
Commercial messages?	No
Included in aggregate sign area?	No



#### C. Other standards

1. Traffic control signs are allowed only where required by MUTCD and/or shown on an approved site plan; and
2. Traffic control signs (including lighting) must conform with the Manual of Uniform Traffic Control Devices; no other sizes are allowed and no separate lighting is allowed except as specified by those standard design sources.

### §13.9.14. Umbrella signs

#### A. Defined

A sign painted on or affixed to the surface of an umbrella.

#### B. General standards

Maximum size	Up to 4 sq. ft. on any individual umbrella
Permit required?	No
Automatic changeable copy?	No
Commercial messages?	Yes, related to the dining facility or products served there, or noncommercial messages
Included in aggregate sign area?	No



**§13.9.15. Wall signs**

**A. Defined**

Any sign that is affixed directly to or suspended from a building wall, marquee, mansard wall, or parapet wall of a building, with the exposed face of the sign in a plane approximately parallel to and projecting no more than 18 inches from the face of the wall. A wall sign may be either of one-piece construction or of individual connected or related letters or symbols.

**B. General standards**

Permit required?	Yes
Separate lighting?	Yes
Automatic changeable copy?	Yes, subject to standards of §13.12
Commercial messages?	Yes
Included in aggregate sign area?	Yes
Maximum height to top of sign	40 feet, except as provided below

**C. Other standards**

1. Up to 50 sq. ft. of wall signs placed inside of a public parking garage, two feet or more from and mounted approximately perpendicular to the façade on which the vehicular entrance to the garage is located shall not be counted as part of aggregate sign area.
2. Up to a maximum of two signs in P-S districts may be placed above a height of 40 feet subject to the placement standards set forth in §13.9.3.D.3 and the illumination standards set forth in §13.11.2.



**§13.9.16. Window signs**

**A. Defined**

Any permanent or temporary sign, including any decal, that is legible from the outside, including plazas, public streets, and parking lots, and that is placed on the outside or inside face of a window or mounted within two feet of the inside face of the window.

**B. General standards**

Maximum total area per sign	80 sq. ft. or 20 percent of window area, whichever is less
Number allowed	Unlimited
Permit required?	No
Separate lighting?	Yes
Automatic changeable copy?	No
Commercial messages?	Yes; see standards below for window signs in residential dwelling units
Included in aggregate sign area?	No

**C. Other standards**

1. Window signs shall be permitted on the first or second floor.
2. An unlimited number of temporary window signs with noncommercial messages only, up to 6.5 sq. ft. per sign, are permitted in the windows only of residential dwelling units.



## §13.10. Temporary Signs by Private Parties in Public Right-Of-Way

Temporary signs installed in the public right-of-way by private parties shall be allowed only as follows. To the extent that the Virginia Department of Transportation controls placement of signs or other objects in a right-of-way, the applicable regulations of that agency shall supersede this Article 13.

### §13.10.1. Lighting and structure

Such signs shall be temporary freestanding signs, shall not be lighted and shall be affixed to the ground such that they will not easily be removed by wind or other natural forces.

### §13.10.2. Location

- A. Such signs may be placed only on that portion of the public right-of-way ~~adjacent to~~ ~~abutting~~ a street, road, highway or sidewalk but not on landscaped beautification areas, traffic circles or control devices or signs, or any paved portion of a pedestrian refuge area, nor shall such signs be placed on or ~~adjacent-abutting to~~ any other public lands such as school sites, recreation fields, parks, and parkways.
- B. Nothing in this provision shall be construed to authorize the posting of signs upon utility poles, or in any place or manner prohibited by the provisions of this Article 13.

### §13.10.3. Identification

Each such sign shall bear clear identification and contact phone number of the establishment, person or other entity placing the sign or causing it to be placed; any sign that lacks such identification shall be considered a violation of this provision, regardless of whether it conforms with the other requirements of this provision. The person or other entity named on the sign shall be responsible for placement of such sign in accordance with this Article 13.

### §13.10.4. Directional commercial temporary signs

- A. The only commercial messages permitted on such signs are those with directions to the location of a commercial activity lawfully conducted within an R-district or RA14-26, RA8-18, RA7-16, or RA6-15 district and within one-half mile of the site of the sign, as set forth below.
- B. Such signs shall be allowed provided no signs are placed pursuant to subsection §13.10.5, below.

Maximum number	To limit clutter, no more than one sign may be placed for any commercial activity, candidate, political issue or ticket or other entity at any street intersection
Maximum size	1.5 sq. ft.
Maximum height	3 ft.
Timing	From sundown on Friday to sundown on Sundays and from sundown the night before a legal holiday to sundown on that holiday
Location	Within ½ mile of the activity, in the landscape and utility strip or median at an intersection, subject to §13.10.2.A.

**§13.10.5. Noncommercial temporary signs**

Temporary signs with noncommercial messages may be displayed as set forth in either subsection A or B, below, but not both. All such signs shall include the date of placement and the name and phone number of the person or group responsible for posting the sign.

**A. Political signs**

Such signs shall be allowed provided no signs are placed pursuant to subsection ~~§13.10.4~~ §13.10.4, above, or ~~§13.10.5.B~~ §13.10.5-B, below.

Maximum number	To limit clutter, no more than 2 signs shall be placed for any candidate, political issue or ticket or other entity in any median strip.
Maximum size	4.5 sq. ft.
Maximum height	4 ft.
Timing	Up to 31 consecutive days before an election or party nominating caucus called by: <ol style="list-style-type: none"> <li>1. A duly constituted governmental body, including all primaries; or</li> <li>2. A political party registered in the Commonwealth of Virginia, which signs shall be removed within five days after the election or nominating caucus to which they pertain</li> </ol>
Location	In the median, subject to the limitations in §13.10.2.A.

**B. Seven-day signs**

Such signs shall be allowed provided no signs are placed pursuant to ~~§13.10.4~~ §13.10.4 or subsection ~~§13.10.5~~ §13.10.5, above.

Maximum number	To limit clutter, no more than one sign shall be placed at any street intersection for any event, person, group, candidate, political issue or ticket or other entity strip.
Maximum size	4.5 sq. ft.
Maximum height	4 ft.
Timing	For up to a maximum of 7 days
Location	In the landscape and utility strip or median at an intersection, subject to the limitations in §13.10.2.A

**§13.10.6. Other signs**

If any sign other than those allowed by this Article 13 and/or by an encroachment ordinance or permit granted by Arlington County is placed in, on or over the public right-of-way, it shall be deemed abandoned and may be removed and disposed of by the County without notice or other process. Removal of the sign by the County will not eliminate the violation that occurred from the placement of the sign; the County may separately pursue available penalties and remedies for such violation.

**§13.11. Sign Illumination Standards for Lighted Signs**

**§13.11.1. General**

Unless otherwise expressly prohibited, signs may be lighted from within the letter or message area or by a light projected on the sign that is shielded in such a manner so as to light only the face of the sign, or in the case of a flag, or the area in which a flag waves or drapes in the case of a flag. Except on automatic changeable copy signs allowed in accordance with this ~~§13.11~~ §13.11, light sources for signs shall not be visible from street level.

**§13.11.2. Maximum allowable luminance**

**A. All signs except visible light source types (neon and automatic changeable copy)**

~~Maximum~~The maximum luminance for any type of sign, except visible light source types (neon and automatic changeable copy signs), shall not exceed the limits set forth below. The entire sign and any part thereof must comply with the maximum limit.

Zoning District and Locations	Maximum Allowable Luminance (cd/m <sup>2</sup> )
R, RA14-26, RA8-18, RA7-16, RA6-15 and S-3A districts	50
Signs placed above a height of 40 feet that are directly facing and within 100 feet of a residential building in any district	150
C-1-R, C-1, C-1-O, C-O-1.0 and C-2 districts	200
Signs placed above a height of 40 feet and directly facing Line B on Map 34.1, defining the monumental core, George Washington Parkway or Arlington Cemetery	
Signs placed above a height of 40 feet that are directly facing and within more than 100 feet but less than 200 feet of a multifamily residential building in any district	
Signs placed below a height of 40 feet in any district and placed within 200 feet and directly facing an R, RA14-26, RA8-18, RA7-16 or RA6-15 district	
All other districts and locations	350

**B. Neon signs**

~~Maximum~~The maximum luminance of a neon sign shall not exceed the limits set forth below.

Zoning District	Maximum Allowable Luminance (cd/m <sup>2</sup> )
R, RA14-26, RA8-18, RA7-16, RA6-15 and S-3A districts	Not permitted
C-1-R, C-1, C-1-O, C-O-1.0 and C-2 districts	1000
All other districts	2000

**C. Automatic changeable copy signs**

~~Maximum~~The maximum luminance of automatic changeable copy signs shall not exceed the limits set forth below.

Zoning District	Maximum Allowable Luminance (cd/m <sup>2</sup> )	
	During Daylight Hours	During Nighttime Hours
R, RA14-26, RA8-18, RA7-16, RA6-15 and S-3A districts	2000	50
C-1-R, C-1, C-1-O, C-O-1.0 and C-2 districts		200
All other zoning districts		350

**D. Large Media Screens**

~~Maximum~~The maximum luminance of large media screens shall not exceed the limits set forth below:

Location	Maximum Allowable Luminance (cd/m <sup>2</sup> )	
	During Daylight Hours	During Nighttime Hours
Where allowed by §13.12.4	5000	500

### §13.11.3. Hours of illumination

- A. No sign placed at a height of more than 40 feet shall be lighted between midnight and 8 am;
- B. Signs placed at a height of more than 40 feet that are directly facing and within 200 feet of a multifamily residential building in any district shall not be lighted between 10 pm and 8 am and under no circumstances shall hours of illumination for these signs be modified by the County Board; and
- C. No sign placed at a height of more than 40 feet and directly facing Line B on map 34-1 shall be lighted between 10 pm and 8 am. Under no circumstances shall hours of illumination for these signs be modified by the County Board.

### §13.11.4. Indirect lighted signs

Indirect lighting for signs shall be fully shielded to direct all light toward the sign surface, shielding it from the sky and from surrounding uses or buildings.

### §13.11.5. Level control

Lighting for a sign that is installed or modified after July 24, 2012 shall include an easily accessible dimming controller to allow immediate corrections where violations of the levels established by this ~~§13.11~~~~§13.11~~ are exceeded.

### §13.11.6. Near residential districts and uses

No sign located within 200 feet and directly facing an R or RA14-26, RA8-18, RA7-16, RA6-15 district shall contain any automatic changeable copy elements.

## §13.12. Flashing, Moving and Changeable Copy Signs

### §13.12.1. General rule

Signs that move, flash or simulate movement are prohibited except automatic changeable copy signs as allowed under this ~~§13.12~~~~§13.12~~ and large media screens that meet the standards in 13.12.4 below.

### §13.12.2. Size and time limits

The following limitations shall apply to the aggregate area of the automatic changeable copy portion of the sign; the overall area of the sign is regulated by other provisions of this Article 13. The message or image on the sign shall change no more than one time per minute, except where changes in a sign occur automatically to reflect changes in temperature, availability of parking spaces, or arrival of transit vehicles:

- A. An automatic changeable copy sign on which the message changes or is designed to change more than once every 24 hours may not exceed 4 sq. ft. in size;
- B. An automatic changeable copy sign on which a sign on which the message changes or is designed to change no more than once every 24 hours (as averaged over a 10-day period) shall not exceed 12 sq. ft. in size.

### §13.12.3. Rules for changeable copy signs

Automatic changeable copy signs shall be allowed only for sign types and in districts where automatic changeable copy sign allowed by general standards. Automatic changeable copy signs shall be subject to the following additional restrictions:

- A. There shall be no effects of movement, flashing, or similar effects in the individual images.
- B. Changes of image shall be substantially instantaneous as seen by the human eye and shall not use fading, rolling, window shading, dissolving or similar effects as part of the change; provided, however, that signs reflecting the arrival of transit vehicles that have letters no more than 2 inches tall may scroll.
- C. Light emitting diodes and similar lighting are permitted for automatic changeable copy signs.
- D. In automatic changeable copy signs shall use automatic level controls to reduce light levels at night and under cloudy or other darkened conditions, in accordance with the following standards.
  1. All automatic changeable copy signs shall have ambient light monitors that allow automatic adjustment of the brightness level of the sign based on ambient light conditions.
  2. Maximum luminance for automatic changeable copy signs shall not exceed the limits in [§13.11.2.C](#)~~§13.11.2.C~~.

### §13.12.4. Large media screens

In order to promote public health, safety and welfare by providing opportunities to disseminate emergency broadcast information and public service messages; to promote economic development; and to create a convenient, attractive and harmonious community in accordance with the vision for public spaces identified in master plans in the County and with the vision in adopted sector or small area plans for the subject area, the County Board may approve on buildings governed by site plan as specified in [§15.5](#)~~§15.5~~ or on buildings governed by use permit in P-S districts, and subject to other conditions as the County Board may require, large media signs.

- A. Large media screens that do not otherwise meet the standards of [§13.12](#)~~§13.12~~, may be approved when the County Board finds that the large media screen:
  1. Is oriented for viewing by pedestrians at an appropriate height below 40 feet;
  2. Is placed in a location consistent with the vision in County master plans and adopted design guidelines for the area to which it is oriented, where pedestrian activity is desired, and that the presence of the large media screen in that location will contribute positively to the pedestrian experience and further realization of that vision;
  3. Does not unreasonably interfere with or create a distraction that poses a hazard to drivers' operation of a motor vehicle on streets ~~adjacent to~~[abutting](#) or fronting the building on and/or plaza in which the sign is placed; and
  4. Is located not closer than 2000 feet from another approved large media screen, or in a location where it is visible from another large media screen; and

5. Does not unreasonably impact the monumental core of the District of Columbia or other sites of historic or national interest.

**B. Approval standards**

Under no circumstances shall the County Board approve a large media screen that does not meet all of the following standards:

**1. Location and siting**

- (a) Large media screens shall be allowed only:
  - (1) In P-S districts; or
  - (2) In commercial/mixed-use (C) districts within one-quarter mile of a metro station, major bus transfer station or street car station:
- (b) Large media screens shall be wall signs, and may be placed only on commercial or public buildings;
- (c) Proximity to residential districts and uses
  - (1) The video screen of a large media screen shall not be placed within 200 feet of the common lot line of an R or RA district, and shall be designed to not be visible from an R or RA district;
  - (2) A large media screen shall not be located within 600 feet of any residential dwelling unless the applicant demonstrates that the video screen will not have substantial visual impact on any dwelling unit within 600 feet of the large media screen;
- (d) Large media screens in parks and plazas:
  - (1) A large media screen designed to be viewed from a park or plaza shall be allowed only on elevations of buildings that immediately abut the park or plaza, or that are not separated from the park or plaza by streets identified as other principal or minor arterial streets on the Master Transportation Plan.
  - (2) A large media screen in a park or plaza shall face inward into the park or plaza such that it is designed to be viewed by persons using the park or plaza as opposed to persons outside of the park or plaza;
- (e) A large media screen shall function as an element separate from the building, such that the architectural design of the building is not derived primarily from the large media screen nor does it depend on the presence of the large media screen for architectural merit; and the media screen shall not substitute for fenestration on the building;
- (f) No large media screen shall be designed to be viewed from within a restaurant or outdoor café or placed in windows of a restaurant;

**2. Sign area**

No large media screen shall be larger than 750 sq. ft.

**3. Messages**

Commercial messages shall not be permitted on any large media screen.



#### 4. Lighting and sound

- (a) The sign shall meet all standards for lighted signs as set forth in ~~§13.11~~~~§13.11~~ and shall incorporate automatic level controls to reduce light levels at night and under cloudy or other darkened conditions by inclusion of an ambient light monitor that allows automatic adjustment of the brightness level of the sign based on ambient light conditions;
- (b) Sound shall be permitted only when showing movies, art displays or other live programming (such as concerts and special events of a national and/or community interest) associated with a scheduled Special Event open to the public, as permitted in ~~§13.12.4.G~~~~§13.12.4.G~~, below. Volume level of the large media screen during such events shall be in accordance with the noise ordinance.
- C. Large media screens shall not be subject to aggregate sign area limitations in the zoning ordinance, and may be approved by the County Board independently of a Comprehensive Sign Plan;
- D. Large media screens located in parks or plazas that are publicly-owned or have a public access easement and are a minimum of 12,000 square feet in size, may be used for special events associated with a special event permit issued by the County, and for special events sponsored by the County;
- E. The zoning administrator may approve a large media screen located in a park that is publicly-owned or has a public access easement, where such sign meets all standards in ~~§13.12.4.B~~~~§13.12.4.B~~, provided the sign is located such that the face of the sign is not visible from any street or residence on the perimeter of the park;
- F. Operation of any approved large media screen shall be commenced within one year from the date of County Board approval, or the approval becomes null and void.
- G. All wall-mounted large media screens approved and installed in the approved location as of [date of adoption] shall be deemed to have been approved under this ~~§13.12.4~~~~§13.12.4~~, but shall be required to operate in compliance with all conditions that govern size, location, sound and operation of the large media screen under which they were initially approved, and with all provisions for lighting in ~~§13.12.4.B.4(a)~~~~§13.12.4.B.4(a)~~, above. Such signs may be replaced consistent with this ~~§13.12.4.G~~~~§13.12.4.G~~ and any amendments to the original approval that were approved prior to December 17, 2013.
- H. A scoreboard as permitted by ~~§13.8.3.C.4(b)~~~~§13.8.3.C.4(b)~~ or ~~§13.9.9.D.3~~~~§13.9.9.D.3~~ shall not be considered a large media screen.<sup>1</sup>

#### §13.12.5. Malfunction or failure

Any automatic changeable copy sign that malfunctions, fails, or ceases to operate in its usual or normal programmed manner, thereby causing motion, movement, flashing or any other similar effects, shall be repaired or disconnected within 24 hours by the owner or operator of such sign.

<sup>1</sup> From definitions.

## §13.13. Sign Permits

See §15.9.

## §13.14. Comprehensive Sign Plans Approved After July 24, 2012

A comprehensive sign plan shall include all signs for a development project. Once approved, a comprehensive sign plan becomes the governing document for signs on a development project, and permits will be issued only for signs shown on the comprehensive sign plan.

### §13.14.1. Applicability

- A. A comprehensive sign plan is optional and may be approved for premises subject to §13.6 or §13.7;
- B. A comprehensive sign plan approved by the County Board prior to July 1, 2013 shall remain in effect unless replaced by a new comprehensive sign plan filed by the owners and approved in accordance with the provisions of this §13.14, or unless an election is made under ~~§13.17.3.D.1~~ to have signs permitted without a comprehensive sign plan; and
- C. The requirements of an approved comprehensive sign plan shall apply to all property, buildings, uses and establishments within the development project.

### §13.14.2. Required plan elements

The comprehensive sign plan shall provide the following information related to all proposed signs that require a permit and that are included in aggregate sign area:

#### A. Location

Identification of sign locations on buildings or property, including showing:

1. Setbacks from property or right-of-way lines;
2. Depth of projection;
3. Height above grade; and
4. For projecting signs, clearance below.

#### B. Materials and illumination

Description of the type of sign and sign materials, including:

1. Construction materials; and
2. Proposed lighting, if any.

#### C. Size

1. Itemization of sign size and/or size of any defined sign band area at identified locations; and
2. Total sign area per frontage, per sign type and overall for the project;

#### D. Allocation of sign area

1. Aggregate sign area for all signs in a comprehensive sign plan shall be the larger of:
  - (a) One square foot of sign per linear foot of building frontage; or

- (b) For a building with at least one exterior public entrance and one or more establishments with less than 60 feet of frontage, 60 sq. ft. for each such establishment plus one square foot per linear foot of building frontage excluding any frontage not occupied by those establishments.
- 2. Subject to size, location, and setback standards specified in §13.6 or §13.7 for the applicable district, the applicant for a comprehensive sign plan may allocate permitted aggregate sign area among the walls of various buildings and, to the extent allowed by §13.6 or §13.7, among freestanding signs, to favor one tenant or series of tenants, provided the comprehensive sign plan identifies available sign area and sign type for each tenant.

### §13.14.3. Additional signs

Premises subject to §13.7 with the comprehensive sign plan shall be allowed the following additional signs provided that the locations and designs of the signs are shown on an approved comprehensive sign plan:

- A. Banners as permitted in §13.7.4; and
- B. Directory signs as permitted in §13.7.5.

## §13.15. Temporary Signs for Construction and Sale/Leasing

The following additional signs are permitted with permits to advertise construction or the availability of property or space other than at one-family and two-family dwellings:

### §13.15.1. Additional Purposes

To address the substantial amount of new construction, redevelopment and remodeling of buildings within the County, the following purposes, supplementing those set forth in §13.1 support the adoption of special provisions for signs for construction projects, new buildings and empty spaces in existing projects:

- A. The County must provide services even to partially occupied buildings;
- B. Promoting occupancy of new buildings in the County encourages economic development by enlarging the tax base;
- C. The cost of media advertising is too expensive for all but the largest projects;
- D. Many potential occupants for a new or remodeled project are likely to pass by the site during the period of construction; and
- E. [On-site](#) advertising is a particularly effective, as well as affordable, means of advertising and helping to ensure occupancy of these projects and promoting future business, thus encouraging economic development within the County.

### §13.15.2. Messages

Signs allowed under this ~~§13.15~~ may bear any commercial message related to the project under construction, sale, lease or rental of any part of the project, and/or its future occupants and/or any noncommercial message.

### §13.15.3. New building generally

---

- A. Any new building or any building that has been substantially vacant during a remodeling process may have, in addition to other signs permitted by this Article 13, either:
1. Signs on construction fencing as set forth in ~~§13.15.6~~§13.15.6; or
  2. A total of 120 sq. ft. of banners as set forth in §13.15.4; or
  3. Freestanding signs that do not exceed 15 feet in height as set forth in ~~§13.15.5~~§13.15.5.
- B. Such signs shall be removed by the first of the following to occur: one year after the issuance of the shell and core permit; or the sale or lease of the building or property or, for a multi-occupant property, the sale or lease of 80 percent of the gross leasable area of the building.



### §13.15.4. Banners on new or remodeled building

---

- A. The banner shall be no larger than the 120 sq. ft. per main building on a lot;
- B. Any banner shall be firmly affixed at all corners to prevent its movement with air currents; and
1. After issuance of a certificate of occupancy and before installation of an allowed permanent freestanding or wall sign; such a banner shall be removed upon the installation of the permanent sign or the expiration of six months from the date of installation of the banner, whichever first occurs.
  2. For a “grand opening” of a new establishment or an establishment with a substantial change in ownership or control; such a banner may be displayed for a period of not more than 30 days.
- C. If the banner is within 200 feet and facing an R district, the highest part of the banner shall not be more than 40 feet above the finished grade as shown on the approved site plan.

### §13.15.5. Freestanding sign for new or remodeled building

- A. The freestanding sign shall be no larger than the 120 sq. ft. per main building on the lot; and
- B. The freestanding sign shall be no more than 15 feet in height.



### §13.15.6. Construction fencing

For new construction, remodeling or other modifications during which there is no occupancy of the building and for which fencing of the construction site is provided, screening attached to the fence may bear images of the proposed project along with commercial messages related to the sale, rental leasing or construction of the project, provided that text and numbers shall occupy no more than the larger of the following area:

- A. 120 sq. ft. on each street frontage; or
- B. 20 percent of the area of the screening on a construction fence along each street frontage.



### §13.15.7. Other buildings

- A. For any spaces for which window signs are allowed, window signs conforming with ~~§13.7.16~~§13.7.16 may be used to advertise the availability of the space for sale, rent or lease; If the owner or occupant of a vacant space chooses to cover the entire ground-floor window(s) of such space, the size limit shall apply only to the portion of the covering that contains the message, using the same method of measurement used to measure signs under ~~§13.18.1~~§13.18.1.
- B. Any permanent sign allowed by §13.6 or §13.7, identified as included in aggregate sign area, and placed below a height of 40 feet, may bear commercial messages related to the availability of space in a building or project, or be wholly or partly covered with a banner advertising the availability of space, provided that the size of the banner shall not exceed the size of the permitted sign and provided that the banner shall be firmly affixed at all four corners to prevent it moving with air currents.



## §13.16. General Provisions

### §13.16.1. Substitution of message

Any sign allowed under this Article 13 or a predecessor ordinance, by special exception, or by variance, may contain, in lieu of any other message or copy, any lawful noncommercial message that does not direct attention to a business operated for profit, or to a product, commodity, or service for sale or lease, or to any other commercial interest or activity, so long as said sign complies with the size, height, area, and other requirements of this zoning ordinance.

### §13.16.2. Sign removal

Every sign pertaining to a particular use shall be deemed to be accessory to that use, and if such use ceases, shall be removed not more than six months thereafter.

### §13.16.3. Sign maintenance, replacement and repair

No sign shall be enlarged, extended, reconstructed, or structurally altered in a way that extends the useful life of the sign unless it is made to comply with all applicable requirements of this Article 13. This is not intended to prohibit routine maintenance, including repainting or re-facing, of a sign.

### §13.16.4. Abandonment

If signs are discontinued for more than two years and then not continued in the existing structural condition, they shall be made to comply with all applicable requirements of this

## §13.17. Nonconforming Signs

### §13.17.1. Applicability

Nonconforming signs are signs that met all ordinance requirements at the time of installation or placement but which, due to ordinance changes, do not comply with current requirements.

### §13.17.2. Signs in historic districts

Notwithstanding the “applicability” provisions of §13.2, this Article 13 shall have no effect on any sign permitted at the time of placement within a historic district designated by the County Board. Such signs shall be considered conforming signs and may be modified or replaced in accordance with the terms of this Article 13 applicable to conforming signs and in accordance with the terms of 0.

### §13.17.3. Changes to nonconforming signs

- A. No nonconforming sign shall be modified except in accordance with the following standards and conditions:
  1. No nonconforming sign shall be modified in any manner that would increase the degree of its nonconformity, increase its size, or prolong its useful life. Replacing any part of the support structure of the sign shall be considered as prolonging its useful life; and
  2. No nonconforming sign which has been removed or has become dilapidated or damaged to the extent that repair of the sign requires replacement of any part of its support structure shall be replaced, except that this sentence shall not prevent the issuance of a permit for a conforming sign to replace the former nonconforming sign at the same location as the former nonconforming sign; and
  3. Any nonconformity that relates to the luminance level of a sign shall be corrected and brought into conformity by January 1, 2023.
- B. No permit for an additional sign shall be issued for any premises on which there are nonconforming signs, provided, however, that where the only nonconformity relates to luminance level, and the additional permit is sought prior to January 1, 2023, then additional permit(s) may be issued in spite of the nonconformity.

- C. The zoning administrator may approve the replacement of a nonconforming sign with a sign that does not fully conform with the terms of this zoning ordinance if the Administrator finds that:
1. The replacement sign would achieve a substantial reduction in the degree of nonconformity of the sign;
  2. The replacement sign would fully conform with all provisions of this Article 13 related to lighting, motion and changeable copy;
  3. If located within 250 feet of an R district or RA14-26, RA8-18, RA7-16, RA6-15 district, the replacement sign would fully conform with the height limitations of this Article 13;
  4. The replacement sign would fully conform with the visual clearance area requirements of §3.2.5.A.4.; and
    - (a) There are no other nonconforming signs on the same lot or building; or
    - (b) Any other nonconforming signs on the same lot or building will be brought into full conformance with this Article 13 as a condition of approval of the replacement sign.
- D. Where a comprehensive sign plan was approved prior to July 24, 2012, the approval for signs allowed by such comprehensive sign plan shall continue in effect, and such signs shall be treated as conforming to this ordinance, subject to the following:
1. All signs placed on the property subject to the comprehensive sign plan shall conform in all respects to the approved comprehensive sign plan and any conditions of such approval, except as to luminance level, which shall be subject to [§13.17.3.A.3](#)~~§13.17.3.A.3~~.
  2. A property owner or person in charge may elect to place only signs permitted under this Article 13 instead of signs allowed by the approved comprehensive sign plan, or instead of seeking approval of a comprehensive sign plan as required by a site plan condition, provided that:
    - (a) An application is submitted to the zoning administrator for an administrative change;
    - (b) The zoning administrator finds that all signs on the property comply with this Article 13; and
    - (c) The applicant provides evidence of consent to the administrative change from all owners of property that is subject to the comprehensive sign plan.
    - (d) No sign that is either specifically prohibited by a condition in an approved site plan or comprehensive sign plan for the subject property, or that expressly requires County Board approval, shall be approved by the zoning administrator.
  3. The zoning administrator may approve amendments to comprehensive sign plans that permit substitution of one or more comprehensive sign plan approved signs with signs of no greater size or number, that fully comply with the requirements of Article 13.

## §13.18. Definitions and Interpretations <sup>1</sup>

### §13.18.1. Measurements

#### A. Aggregate sign area

The aggregate sign area is the total area of all signs of a sign type, for which “yes” is included in the “included in aggregate sign area” line in §13.6 or §13.7, whichever is applicable for the property on which the sign is located.

#### B. Sign area, individual signs

##### 1. General

Sign area shall be the area of the rectangle if the sign is rectangular; or if the sign is not rectangular, the smallest convex polygon that contains the entire sign, excluding those architectural embellishments and supports on which no advertising material or lighting is displayed.

##### 2. Three-dimensional

The sign area of a three-dimensional or irregularly-shaped sign shall be the area of the convex polygon that will contain the entire sign when viewed in any dimension. If the size of such a polygon varies depending on the perspective of the sign viewed, the largest such polygon shall be used as the sign area. If the sign projects more than two feet from the wall, the sign area shall be two times the area measured by such polygon, to reflect the fact that the sign has a visual effect similar to a two-faced sign.

##### 3. Outline lighting

Any exposed tubing or lighting used to outline a sign shall be included in computation of sign area.

##### 4. Signs painted on wall

Where a sign is painted on a wall or other surface, the sign area shall include the entire area of the background color(s) of the sign that differentiate it from the general color of the wall or other surface.

##### 5. Signs on awnings

Where a sign appears on an awning, notwithstanding the size or color of the awning itself, the sign area shall be measured as set forth in ~~§13.18.1.A~~~~§13.18.1.A~~, above.

##### 6. Projecting or double-faced signs

For projecting or double-faced signs, the sign area shall be the area of one display face where the interior angle formed by the faces is 90 degrees or less. Otherwise the sign area shall include the area of all sign faces.

##### 7. Window signs

The size of a window shall be the area of glass surrounded by structural portions of the building. For window signs, the sign area shall be calculated as set forth in ~~§13.18.1.A~~~~§13.18.1.A~~, above, as a percentage of the area of the window, where dividers (mullions) of more than five inches shall not be counted as window area.

<sup>1</sup> Interpretations? How does this section provide for the interpretation of zoning provisions? Seems like a misnomer.



### C. Sign height

1. The height of a freestanding sign shall be the difference in height between the elevation of the finished grade level beneath the sign and the elevation of the uppermost extremity of the sign or sign structure, whichever is higher.
2. The height of a sign attached to a building shall be the difference in height between the elevation of the finished grade level beneath the sign and the elevation of the uppermost extremity of the sign or sign structure, whichever is higher.

#### §13.18.2. Sign-related definitions

---

See ~~§18.3~~§18.3.

# Article 14. Site Development Standards

## §14.1. Maintenance of Common Area

### §14.1.1. Applicability

Whenever a subdivision (including any division of interests whether covered by the subdivision ordinance or not) is created which contains any common area which will be conveyed to a homeowners' association, a council of co-owners or similar entity, the owner of the subdivided property shall create and record among the county land records,

### §14.1.2. Requirements

- A. Prior to the conveyance of any lot in the subdivision, a covenant which shall provide for the following:
  - 1. That the entity which owns the common area shall be responsible for its maintenance.
  - 2. That in the event the entity fails to maintain the common area in accordance with the county-approved landscape plan for the subdivision or applicable state and county statutes and ordinances, the county shall have the right to enter upon the common area for the purposes of bringing it into compliance with the landscape plan, the statutes or ordinances.
  - 3. That a pro rata share of the costs incurred by the county pursuant to subsection 2, above, shall constitute a lien on each lot within the subdivision.
  - 4. A recitation that the covenant shall run with the real property within the subdivision and be binding on all parties having any right, title or interest in any lot therein.
- B. All covenants required under this section shall be approved by the county attorney prior to recordation.

## §14.2. Landscaping

### §14.2.1. Purpose

The purpose of this section is to provide landscaping in order to better control and ameliorate problems of air and noise pollution, afford wind protection, help moderate temperature extremes, to increase property values and attract prosperous business activities into the county and to make the county a healthier and more aesthetically pleasing place to live, shop and work. It is the further intent of this section to provide minimum standards for the selection of plant materials to ensure their survival.

### §14.2.2. Landscape plans and plant materials

#### A. Applicability

All properties requiring site landscaping must submit with the application for a building permit a landscape plan demonstrating compliance with the standards set forth below.

#### B. Site landscaping requirements

- 1. Street trees: All properties requiring site landscaping shall include major deciduous trees at the minimum rate of one for every 35 feet along any property line abutting

public right-of-way. The requirement may be satisfied by planting trees within the public right-of-way at a location to be designated by the zoning administrator or, alternatively, such trees shall be planted [on-site/on-site](#) within the front yard setback.

2. No [on-site/on-site](#) landscaped area shall be less than five feet wide or eight feet long, except that this provision shall not apply to areas covered by easements for public purposes.
3. A minimum of 25 percent of the landscaped area shall be covered by shrub spread at maturity.

### C. Landscape plans standards

The landscape plan must show:

1. Topography of site before and after landscaping.
2. Location and size of all existing plant materials.
3. Existing vegetation to be retained.
4. Devices by which existing plant material shall be protected from damage during land alteration or land development activities. All disturbed areas not otherwise treated shall be seeded and/or sodded.
5. Location, type, size, spacing and number of proposed trees, shrubs, and ground covers.
6. Property lines, match lines, easements, limit of contract, building overhangs, paved areas, fences, walls and utilities.
7. A legend, plant list, key, a scale drawn to a minimum of one inch to 30 feet, north arrow and planting detail.

### D. Planting materials standards

1. Deciduous trees with an ultimate height of 36 feet or greater to be planted shall be a minimum two-inch caliper and 10 feet in height at time of planting.
2. Deciduous trees with an ultimate height of 35 feet or less to be planted shall be a minimum of one and one-half-inch caliper at the time of planting, and eight feet in height at time of planting.
3. Evergreen trees with an ultimate height of 26 feet or greater shall have a minimum height of five feet at time of planting.
4. Evergreen trees with an ultimate height of 25 feet or less shall have a minimum height of two feet at time of planting.
5. Caliper, as used herein, is the diameter in inches of the tree as measured six inches above ground level for trees up to and including those trees measuring four inches in caliper. Trees with a caliper greater than four inches shall be measured 12 inches above ground level.
6. Spreading shrubs, deciduous or evergreen, to be planted shall be a minimum 15 inches in diameter.
7. Upright shrubs to be planted shall be a minimum of 24 inches in height.

8. All trees, shrubs, vines or groundcover, shall be living species. No artificial plant material may be used to fulfill the requirements of this section.
9. All plant materials must be:
  - (a) Normally developed and typically representative of species and/or variety stated;
  - (b) Stock well-branched and healthy; and
  - (c) In accordance with the American Association of Nurserymen's American Standard for Nursery Stock.
10. A list of trees and shrubs to be used by developers to plan landscaping in compliance with this subsection shall be available at the office of the zoning administrator.
11. Trees that vary from this list may be used subject to the approval of the zoning administrator.

### §14.2.3. Maintenance

---

The owner of the property, or his designated agent, shall be responsible for the proper care and maintenance, and replacement if necessary, of all landscape materials in a healthy and growing condition.

### §14.2.4. ~~Parking area landscaping~~ ~~Additional landscaping requirements for parking areas, public and private~~

---

#### A. Applicability

The provisions of this subsection shall apply to all parking areas, including public and private areas, designed for 20 or more spaces except the provision of §14.2.3.E.2., which shall be applicable regardless of the number of parking spaces.

#### B. Landscape plans requirements

1. No parking area of 20 or more spaces shall be constructed or enlarged until a landscape plan for that parking area has been approved by the zoning administrator.
2. Landscape plans shall be drawn according to the standards set forth in §14.2.2.C.
3. Landscape plans shall show dimensions and distances, clearly delineate the existing and proposed parking spaces, or other vehicular use area, access aisles, driveways, and the location, size and description of all landscape materials.

#### C. Parking lot landscaping design criteria

1. All end islands of parking rows and all areas not otherwise used for ingress, egress, aisles or parking must be landscaped.
2. The interior space of any planting area shall be no less than nine square feet. and not narrower than two feet across its center.
3. The primary landscaping materials used in parking lots shall be deciduous trees which are capable of providing shade at maturity. Shrubbery, hedges and other live plant materials are to be used to complement the tree landscaping. Effective use of berms and existing topography is also encouraged as a component of the landscape plan.
4. All interior planting areas shall be protected from vehicle intrusion by a permanent barrier not less than four nor more than eight inches high.

5. In those instances where plant material exists on a parking lot site prior to its development, such landscape material may be used if approved as meeting the landscaping requirements of this subsection.

#### **D. Planting materials**

All plant materials shall conform to the standards set forth in §14.2.2.D.

#### **E. Screening requirements**

##### **1. Parking areas**

The following regulations apply in all districts to all uses, including ~~vehicle dealership~~ vehicle sales, rental or leasing facility, sales or rental lots and vehicle storage lots:

- (a) A landscaped strip a minimum of five feet wide shall be provided where a parking area abuts streets, sidewalks, street right-of-way and alleys separating C districts from R, RA, and S-3A districts. Deciduous trees shall be spaced every 25 linear feet, to be measured along the property line, in the planting areas with a minimum of three evergreen shrubs, planted on center, which attain a minimum height of three feet at maturity, planted between.
- (b) Except between abutting RA zoned lots or where topography achieves the same effect, any part of a parking area located closer than 50 feet to a side or rear lot line of a lot in an R or RA district or where such parking extends into an R or RA district as a permitted transitional use, a minimum of a five-foot wide landscaped strip with a wall or fence shall be required. The wall or fence shall be placed within 10 feet of, and generally parallel to, the boundary of the parking area and the R or RA lots. The landscaped strip may be placed on either side of the wall or fence. Such wall or fence shall consist of durable material so arranged that direct light cannot penetrate the face thereof. Such wall or fence shall have a minimum height of six feet above the finished surface of the area that it bounds, measured at the wheel bumper, where such exists, and of six feet above the ground surface of the side exposed to abutting properties. The height of the wall or fence shall be reduced to four feet when located in the required setback. In parking areas with less than 20 spaces, the five-foot landscaped strip may be deleted; however, in all cases the wall or fence shall be required.
- (c) A landscaped strip five feet wide shall be provided where C properties abut R, RA, and S-3A properties.
- (d) Planting which is required for screening may be considered as partial or complete fulfillment of the site landscaping requirement.

#### **E.F. Maintenance**

The owner of the property, or his designated agent, shall be responsible for the proper care and maintenance, and replacement if necessary, of all landscape materials in a healthy and growing condition.

## §14.3. Parking and Loading

### §14.3.1. Policy

Virtually every land use in the county now requires, and in the foreseeable future will require, access by motor vehicles. For the purposes of reducing and avoiding congestion of streets and providing a more suitable living and working environment, it is hereby declared to be the policy of the county that:

- A. For every land use hereafter established, there shall be provided sufficient space for access by, and for the off-street standing and parking of, all motor vehicles that may be expected to come to the establishment-premises at any time under normal conditions for any purpose, whether as patrons, customers, purveyors, guests, employees or otherwise.
- B. The responsibility for providing the space required by this zoning ordinance shall be that of whoever establishes the use to which it is appurtenant, except in business districts in which the County Board has declared, by resolution, that permanent parking space (but not loading space) has been provided on a community rather than an individual basis and that such space for such business district, within designated boundaries, shall be prorated against the requirements of this article.
- C. The requirements as to off-street parking space and off-street loading space set forth in this zoning ordinance are adopted in pursuance of the foregoing policy. Except as may be allowed by site plan or use permit approval, said requirements shall be deemed to be minimum requirements.

### §14.3.2. Reduction of parking, standing or loading areas

No parking area, parking space, standing space or loading space which existed at the time this zoning ordinance became effective or which subsequent thereto is provided shall thereafter be relinquished or reduced in any manner below the requirements established in this zoning ordinance except as may be permitted by §16.5.

### §14.3.3. General requirements

The requirements set forth in this article with respect to the location or improvement of parking, standing and loading space shall apply to all such space that is provided for any use, whether said space is provided in accordance with the requirements of this zoning ordinance, or said space is voluntarily provided. Parking, standing and loading space shall comply with the following regulations:

#### A. Use and parking on same lot

Off-street parking and off-street loading space appurtenant to any use permitted in any R or RA districts shall be provided on the same parcel of land occupied by the use to which said space is appurtenant or on common areas in the same subdivision.

#### B. Off-site parking

##### 1. R and RA district

All off-street parking space appurtenant to any use other than a use permitted in any R or RA district shall be on the same parcel of land with the use to which it is appurtenant or on common areas in the same subdivision; provided, however, that where there are practical difficulties in the way of such location of parking space or if the public safety or the public convenience, or both, would be better served by the location thereof

other than on the same parcel of land with the use to which it is appurtenant, the zoning administrator, acting on a specific application, shall authorize such alternative location of required parking space as will adequately serve the public interest, subject to the following conditions:

- (a) Such space shall be located on land in the same ownership as that of the land on which is located the use to which such space is appurtenant or, in the case of parking for certain restaurants, shall conform to the requirements in ~~§14.3.6~~§14.3.6.
- (b) A pedestrian entrance to such space shall be located within a distance of 600 feet, by the shortest route of effective pedestrian access, entrance to entrance.
- (c) Such space shall be conveniently usable without causing unreasonable:
  - (1) Hazard to pedestrians.
  - (2) Hazard to vehicular traffic.
  - (3) Traffic congestion.
  - (4) Interference with safe and convenient access to other parking areas in the vicinity.
  - (5) Detriment to the appropriate use of business property in the vicinity.
  - (6) Detriment to any residential neighborhood.

**2. S3-A and PS districts**

~~Off-site parking, off-site~~ incidental to a use permitted in an ~~SP~~, R or RA district ~~may be permitted in the S3-A and P-S districts~~ subject to use permit approval as provided in §15.4~~§15.4~~; provided that, unless located on publicly-owned land, such parking area shall be on land in the same fee ownership as the land on which the appurtenant use is located.<sup>1</sup>

**C. Dimensional requirements** ~~Minimum dimensions for o~~

**3-1. Off-street parking spaces and off-street parking aisles**

In calculating any required parking area, other than for one- and two-family dwellings, the following minimum dimensions shall be required:

Parking Angle (degrees)	Stall Width (feet)	Depth of Stalls Perpendicular to Aisle (feet)	One-way Aisle Width (feet)	Two-way Aisle Width (feet)
<b>Full Size Automobile Spaces</b>				
45	8.5	17.5	12.0	Not permitted
60	8.5	19.5	16.0	Not permitted
90	8.5	18.0	23.0	23.0
Parallel	22.0	8.0	12.0	23.0
<b>Compact Car Spaces</b>				
45	8	16.0	12.0	Not permitted
60	8	16.7	15.0	Not permitted
90	8	15.0	21.0	21.0

<sup>1</sup> Moved from P accessory use table (Parking, off-site) and edited as shown.

Parking Angle (degrees)	Stall Width (feet)	Depth of Stalls Perpendicular to Aisle (feet)	One-way Aisle Width (feet)	Two-way Aisle Width (feet)
Parallel	20.0	8.0	10.0	20.0

NOTE: In the event of a row of nine foot wide stalls is opposite to a row of seven and one-half-foot wide stalls, the aisle size required for nine-foot stalls shall apply.

**2. Standing space**

~~One off-street space no less than nine by 20 feet with a vertical clearance of not less than seven feet~~ Each required standing space shall be no less than nine by 20 feet and shall have a minimum vertical clearance of no less than seven feet.<sup>1</sup>

**3. Loading space**

Each required loading space shall be not less than 12 feet wide, 25 feet long, and shall have having a minimum vertical clearance of no less than 14 feet.<sup>2</sup>

**~~C.~~D. Vehicle access**

Access and maneuvering space shall be provided in accordance with ~~§14.3.3.C~~§14.3.3.C and shall permit the parking and removal of a vehicle without moving other vehicles.

**~~D.~~E. Parking in setbacks**

In all R, RA, C-1 and C-1-O districts, except for one- and two-family dwellings and townhouses in R districts, no parking or required curb or wall shall encroach on the exterior 10 feet of a setback area and such area shall be landscaped and properly maintained at all times.

**~~E.~~ Transitional parking use restrictions**

~~In transitional parking areas, no activity or use shall be conducted on the area except the parking of customer or employee automobiles and uses as specifically permitted in the district. The use of such areas for parking shall not be deemed to include any sales or servicing whatsoever.~~<sup>3</sup>

**F. Compact car spaces**

Any parking area may include up to 15 percent of the parking spaces for compact cars. In parking areas for office uses containing more than 100 spaces, up to 15 percent of the spaces may be compact spaces. The spaces shall be grouped together and visibly marked for "compact cars only." Aisle size shall not be reduced unless an entire aisle is providing access and maneuvering space for only compact cars. No compact parking spaces are permitted for hospitals or hospital-related medical and health care facilities, medical offices, ~~physician, surgeon or dentist offices,~~ nursing homes, convalescent homes and intermediate care facilities, and related housing for the elderly. ~~In addition, no e~~Compact parking spaces are not permitted for retail sales and service uses, or for and required guest and visitor parking.

<sup>1</sup> From definitions, with amendments as shown.

<sup>2</sup> From definitions, with amendments as shown

<sup>3</sup> Moved to §12.8.5.



### G. Use of private parking areas

1. No parking spaces located in a private parking area in R or RA districts except in the RA-H district shall be used by any persons other than persons engaging in the use for which the parking is provided such as occupants of the premises, their visitors and employees at the site, except as expressly provided in [§14.3.3.G.2](#) and [§14.3.7](#) below.
2. For [places of worship](#), lodges, or community swimming pools not operated primarily for commercial gain:
  - (a) Parking spaces that are accessory to those uses may be used by off-site users to park noncommercial vehicles, when such use does not exceed either 10 percent of the total number of spaces or 12 parking spaces, whichever is less; and
  - (b) Parking spaces that are accessory to those uses may be used by off-site users to park non-commercial vehicles, when such use is for no more than four days per 90 day period; and
  - (c) The County Board may, by use permit approval, as specified in §15.5, permit the use of parking spaces accessory to those uses to be leased or used under a verbal or written contractual agreement with off-site users to park non-commercial vehicles, when such use exceeds the parameters set forth in [§14.3.3.G.1](#) and [§14.3.3.G.2](#), above. Such use permit may be approved where the County Board finds that such use promotes the effective use of the county's limited parking facilities, reduces traffic congestion, and does not create adverse impacts on the adjacent neighborhoods and streets, and will not result in parking being unavailable for the primary use of the site on which the parking is provided. The County Board may, through such use permit approval, allow spaces that are required by this zoning ordinance to be provided for the place of worship or lodge to also be used for other purposes pursuant to such use permit, if the findings above are made.
3. Parking spaces in C, C-O, M, RA-H or R-C districts located in a private parking area, which are provided in addition to those required by this zoning ordinance to serve the premises, may be used by persons other than persons engaging in the use for which the parking is provided.
4. Parking spaces in C, C-O, M, RA-H or R-C districts which are required by this zoning ordinance may be used by persons other than persons engaging in uses on the site, provided that said spaces shall be made available at all times to persons engaging in uses on the site at least at the same rates as to persons not engaging in uses on the site, and provided that there is no demand for said spaces by persons engaging in uses on the site.

### H. Access to parking spaces

1. Except for one- and two-family dwellings and townhouses in R districts, street rights-of-way shall not be used for maneuvering or direct ingress, or egress to off-street parking spaces.
2. Alleys which are improved to county standards may be used for maneuvering or direct ingress and egress to off-street parking spaces if the required aisle width is provided.

**I. Location of parking spaces**

1. In any districts, parking spaces for one- and two-family dwellings and townhouses may encroach on the exterior 10 feet of a setback area, provided that they are located on a driveway with an existing or approved curb cut, and they have the minimum dimensions for full size automobile spaces as are required in §14.3.3.C. Parking spaces shall be designed and used so that the automobiles parked on driveways shall not encroach into the public rights-of-way. The setback area used for parking shall be landscaped and properly maintained at all times. The ground surface of the parking space shall be paved with a durable, dust-free and hard material, such as bituminous hot mix or Portland cement concrete or some comparable material, or shall be surfaced with an alternate material, suitable for passage by automobiles, which does not result in excessively dusty or muddy conditions at or around the parking area, as approved by the zoning administrator.
2. Tandem parking spaces may be allowed for off-street parking spaces for one- or two-family dwellings or townhouses, provided that they comply with §14.3.3.J.

**J. Conversion of parking, standing or loading spaces**

No parking areas, parking spaces, standing spaces or loading spaces required by this zoning ordinance shall be converted to any other use, which other uses include, without limitation, living space, storage, home occupation or other uses.

**K. Management of parking spaces by the homeowner's association**

Whenever a subdivision is created which contains any common area that will be used for parking and conveyed to a homeowners' association or similar entity, the owner of the subdivided property shall record a covenant in the land records of the ~~Ce~~ircuit ~~Ce~~ourt of ~~Arlington County~~ which provides that the homeowners' association or similar entity shall be responsible for the management of the common area parking spaces in its subdivision, including the following:

1. Maintenance of the required number of parking spaces in common areas in the subdivision, allocation of common area parking spaces to each property owner in the subdivision, or to visitor use, as required by this zoning ordinance; locations of all required common area parking spaces according to approved plans on file with the zoning office;
2. Ratio of compact to full-size common area parking spaces;
3. Striping; landscaping;
4. Lighting; and
5. Installation of any signs on common area parking spaces.

**L. Encroachment into parking spaces**

No encroachment into parking spaces that reduces the parking spaces' width, length or height clearance shall be permitted unless otherwise allowed by the zoning administrator.

**§14.3.4. Required improvements**

Every parcel of land hereafter used as a private or public standing or parking area, other than parking required for one-and two-family dwellings, a loading space, a vehicle sales, rental or leasing facility~~dealership, sales or rental lot~~ or a vehicle storage lot (referred to in this section as

"parking area") shall be provided with safe and convenient access to a street and shall be improved in accordance with the following requirements:

#### **A. Paving**

The ground surface shall be paved with a durable, dust-free and hard material, such as bituminous hot mix or Portland cement concrete or some comparable material subject to approval of the zoning administrator. Such paving shall be maintained for safe and convenient use at all times.

##### **1. Plans and timing**

Engineering and grading plans shall be submitted to the Department of Environmental Services, showing property lines, existing and proposed contours, proposed points of ingress and egress, curbing, sidewalks, lighting fixtures, drainage structures, collection booths and such other information as may relate to the construction of the parking area.

###### **(a) Deferral for up to one year**

When a developer is required to improve a new or existing parking area in accordance with the provisions of this §14.3.4, the owner of the property may request, in writing, that such improvements be deferred for a period not to exceed one year, subject to the zoning administrator's approval of a temporary surfacing material, provided that the alternate material does not result in excessively dusty or muddy conditions at and around the parking area and guarantees for such improvements are proffered in writing and recorded in the land records in the office of the clerk of the court of Arlington County.

###### **(b) Deferral for up to six years**

Improvements required for a new or existing public parking area, in accordance with the provisions, below, may be deferred for a period not to exceed six years from the date of the approved parking lot occupancy permit. No extension or renewal beyond the six-year period shall be permitted for any parking area. The deferral of required improvements shall be subject to the following and approved by the zoning administrator:

- (1)** The ground surface shall be improved in accordance with §14.3.4.A.
- (2)** Internal drainage of significant surface water shall be controlled by curbing or contours and shall be discharged to a suitable storm sewer system or to a positive outfall area.
- (3)** Sidewalks shall be constructed to walkway standards, up to a maximum of eight feet in width, if ~~adjacent-abutting~~ curb and gutter improvements are in place. Where curb and gutter improvements are not in place temporary asphalt sidewalks of a minimum of four feet in width shall be provided ~~adjacent to~~abutting the parking.
- (4)** Minimum horizontal illumination lighting standard of one footcandle shall be provided throughout the parking area. Lights used to illuminate any parking area shall be so arranged and shielded so as to confine all direct light rays entirely within the boundary lines of the parking area.

## §14.3.5 REQUIRED OFF-STREET PARKING AND STANDING SPACE

- (5) Wheel stops four feet from the edge of the parking area shall be provided to prevent vehicles from overhanging the public right-of-way and **adjacent abutting** properties.
- (6) For parking areas closer than 50 feet to a side or rear lot line of a lot in an R or RA district, a six-foot solid wall or fence shall be required and placed within 10 feet of, and generally parallel to, the boundary of the parking area and the R or RA lots.
- (7) Driveway openings through the curb shall not exceed 30 feet in width measured at the edge of the street easement or right-of-way.
- (8) Provisions shall be made to organize parking to provide adequate aisle clearance and entrance and exit accessibility, according to acceptable engineering practice.
- (9) Areas not used for access or parking shall be planted in grass or other appropriate ground cover.

**B. Curbs and delineation**

Fixed and permanent wheel bumpers or curbs of concrete or some comparable material at least four inches high, together with metal safety rails where specified by the zoning administrator, shall be installed for each parking area at least four feet within the prescribed limits of the parking area. The space created between the wheel bumper or curb and the required landscaped area may be either paved or covered with pervious materials; no plants may be used in this area that grow higher than six inches. Where the parking is so designated that the vehicle overhang does not protrude outside the prescribed limits of the area, such curbs may be placed at the outside limits of the area. Parking spaces shall be delineated and periodically restored to maintain a clear identification of separate parking stalls.

**C. Curb cuts**

Driveway openings through the curb shall not exceed 30 feet in width measured at the edge of the street easement or right-of-way.

**D. Landscaping and screening**

For landscaping and screening of parking areas, refer to §14.2, Landscaping, for regulations. See also §14.3.4.A.1(b)(6).

**E. Lighting**

Lights used to illuminate any parking area shall be so arranged and shielded as to confine all direct light rays entirely within the boundary lines of such area.

**F. Plans**

An application for a building permit for a parking area shall include plans in duplicate covering all the foregoing requirements which shall be approved by the zoning administrator before work is commenced.

**§14.3.5. Required off-street parking and standing space**

Parking or standing spaces shall be provided for each use, as permitted in its respective classification, in not less than the amounts set forth herein for every building, or addition thereto, and for all uses of land hereafter established or expanded:

**A. Use of parking or standing space**

Parking or standing space required by this zoning ordinance shall be used only for those purposes. Any other use of said space, including any repair work or servicing of any kind, shall be deemed to constitute a separate commercial use of said space in violation of the provisions of this zoning ordinance.

**B. Computation**

For the purpose of computing required off-street standing, parking or loading space in relation to floor area, the gross floor area shall be used. When computing parking space requirements on the basis of the number of occupants, practitioners, or employees, the total maximum number of said occupants on the premises at any one time shall be used. When application of the requirements would result in a fractional space, any such fraction shall be counted as one space. If there is any uncertainty with respect to the amount of parking space required by the provisions of this zoning ordinance as a result of any indefiniteness as to the proposed use of a building or of land, the maximum requirement for the general type of use that is involved shall govern.

**§14.3.6. Parking in Metro station areas****A. Uses exempted from parking requirements**

To encourage and promote pedestrian-related commercial activity in Metro station areas, no parking shall be required for the uses listed below where the major portion of the use is located within 1,000 feet of a Metrorail station entrance. No floor area granted a reduction under the provisions of this subsection shall be converted to any other use unless parking is provided for the space in accordance with the requirements of this zoning ordinance, notwithstanding any other provisions of this zoning ordinance, including §15.6.6.A.

**1. Restaurants**

- (a) Restaurants operating only between 6:00 a.m. and 6:00 p.m. (no floor area restriction).
- (b) Restaurants ~~which~~ operating between 6:00 p.m. and 6:00 a.m. and which have fewer than 200 seats.
- (c) Restaurants ~~which~~ operating between 6:00 p.m. and 6:00 a.m. shall provide parking spaces in accordance with the requirements in §14.3.2, §14.3.4, and §14.3.5, for the number of seats that exceeds 200 seats.

For purpose of this subsection, the number of seats shall be the number of seats allowed by the certificate of occupancy for the restaurant.

**2. Retail and service-commercial uses**

Retail and service-commercial uses for the first 5,000 sq. ft. of floor area per main building, except the following uses which shall not be granted the exemption blueprinting or photostating; ~~business college~~; catering establishment, large scale; feed or fuel store; frozen food lockers; ice storage house; indoor swimming pools; medical or dental offices, clinics and laboratories; vehicle sales, rental or leasing facilities dealership, sales or rental lots; vehicle storage lots; music conservatory or music instruction; plumbing or sheet metal shops; printing, lithographing or publishing; public service, including electric distribution substation, fire or police station, telephone

exchange and the like; sign ~~making~~painting shop; ~~tire shop~~; trade or commercial school; vehicle service establishment.

### 3. Grocery stores

Grocery stores that, ~~which~~ are not the principal use on a site, for the first 15,000 ~~sq.~~ ft. square feet.

## B. Special administrative provisions for meeting parking requirements for restaurants

Between 6:00 p.m. and 6:00 a.m., restaurants shall provide parking spaces as provided in §14.3.6.A. To encourage and promote pedestrian-related commercial activity in Metro station areas and to promote the efficient use of parking spaces, the required parking spaces for restaurants, the major portions of which are located within 1,000 feet of a Metro station entrance, may be provided by the restaurant obtaining a legally binding agreement to use off-site parking spaces, under any ownership, that are not required by any other use; or ~~on-site~~on-site or off-site parking spaces that are required for another use that is not open for business between 6:00 p.m. and 6:00 a.m.; provided that the zoning administrator approves such agreement and location of required parking spaces. Use of parking spaces to meet the zoning requirements shall be subject to the following conditions:

1. Such parking spaces shall be located in commercial or industrial districts.
2. Such parking spaces shall conform to the requirements in ~~§14.3.3~~§14.3.3, §14.3.4, and §14.3.7.
3. A pedestrian entrance to such parking spaces shall be located within a distance of 600 feet from the restaurant entrance by the shortest route of effective pedestrian access.
4. Such parking spaces shall be conveniently usable for patrons of the restaurant without causing unreasonable:
  - (a) Hazard to pedestrians.
  - (b) Hazard to vehicular traffic.
  - (c) Traffic congestion.
  - (d) Interference with safe and convenient access to other parking areas in the vicinity.
  - (e) Detriment to the appropriate use of business property in the vicinity.
  - (f) Detriment to any residential neighborhood.
5. The applicant shall file one copy of a notarized, legally binding agreement for the use of said parking spaces with the zoning administrator for review and approval when any restaurant parking requirement is met through said agreement. Approval by the zoning administrator of said agreement shall be subject to the following conditions:
  - (a) The name, address, and legal authorization of each signatory to execute the agreement shall be shown on the agreement.
  - (b) An agreement for the use of parking spaces shall be for not less than 20 years or shall coincide with the full period of the term of the lease, including options, for use of the land or building for the restaurant, whichever is shorter.

- (c) Verification satisfactory to the zoning administrator that the use for which such parking spaces are required is not open for business between 6:00 p.m. and 6:00 a.m. shall be provided by the applicant.
  - (d) A certified survey plat depicting the parking spaces shall be attached to the agreement. The plat shall accurately show the following:
    - (1) The precise locations of the restaurant and the parking spaces.
    - (2) The distance between the restaurant and the parking spaces by the shortest route of effective pedestrian access.
    - (3) The location, dimensions, access aisles, driveways, entrances, and exits of the parking spaces.
    - (4) Any other information required by the general regulations of this section.
6. Once the notarized copy of said agreement is approved and the parking spaces described on the agreement are certified to comply with all applicable provisions of this zoning ordinance by the zoning administrator, the zoning administrator shall credit such parking spaces toward the parking requirement of the restaurant and shall issue the certificate of occupancy to the restaurant. The applicant shall immediately notify the zoning administrator either before any amendment to or upon termination of the agreement.
- (a) If the validity of any agreement for the use of said parking spaces submitted in compliance with this subsection expires or the agreement for any reason becomes null and void, the certificate of occupancy issued under this subsection shall be automatically suspended for the number of seats affected by said nullification, effective as of the date of such expiration or nullification. The restaurant shall cease operation of said number of seats and shall not resume until such time as a replacement agreement for the use of said parking spaces, approved by the zoning administrator, is made and the requirements of this subsection are satisfied. The applicant shall obtain an amended certificate of occupancy for the seats that are not affected by said voiding.
  - (b) In the event a certificate of occupancy is suspended as provided in §14.3.6.B.6(a), above, if the applicant applies for a use permit for a modification of parking requirements for the restaurant as described in §14.3.6.C, the restaurant shall be allowed to continue operation for a maximum period of 90 days or until such time as the County Board renders a decision on the use permit request, whichever is shorter.
7. Acceptance by the zoning administrator of any agreement for the use of parking spaces shall in no way obligate the county to enforce the provisions of said agreement, nor shall it render the county liable for any damages, injury, or loss resulting from the implementation of the provisions of the agreement.
8. The applicant shall negotiate the renewal of any agreement for the use of said parking spaces prior to its expiration and provide copies of such supplemental agreement to the zoning administrator in the form and manner specified by this subsection.

**C. Modification of parking requirements for restaurants by use permit**

1. To encourage and promote pedestrian-related commercial activity in Metro station areas and to promote efficient use of parking spaces, the parking requirements for restaurants, the major portions of which are located within 1,000 feet of a Metro station entrance, may be modified by use permit. Such modification may include, but shall not be limited to, modification of the number of ~~on-site~~ on-site or off-site parking spaces required for the number of seats in the restaurant, and the distance between the restaurant and the proposed off-site parking spaces. In granting such use permit, the County Board may consider, among other things, the following factors:
  - (a) Hours of operation of the restaurant.
  - (b) The modes of transportation which are conveniently available to patrons of the restaurant.
  - (c) Management practices of the restaurant to reduce parking needs by patrons and employees.
  - (d) Whether parking spaces which are available for a restaurant are, as determined by the County Board, conveniently usable by patrons of the restaurant without causing unreasonable:
    - (1) Hazard to pedestrians.
    - (2) Hazard to vehicular traffic.
    - (3) Traffic congestion.
    - (4) Interference with safe and convenient access to other parking areas in the vicinity.
    - (5) Detriment to the appropriate use of business property in the vicinity.
    - (6) Detriment to any residential neighborhood.

**D. Modification of parking requirements for office and commercial uses**

The parking requirement for office and commercial uses may be reduced by 10 percent if a direct connection which is not greater than 500 feet in length and which provides shelter from the elements is provided from the structure housing the use to which the parking is appurtenant to a Metro Transit Station.

**§14.3.7. Required parking and standing space**

- A. Parking shall be provided for all uses in accordance with the following standards unless specified otherwise in this or other sections of this zoning ordinance:

Use Types	Minimum Parking Requirement (spaces)	Additional Requirements
<b>Residential and housing uses</b>		
One- and two-family dwellings	Not fronting on cul-de-sac	1 per dwelling unit Constructed and maintained in accordance with §14.3.3.
	Fronting on cul-de-sac	2 per dwelling unit Improved in accordance with §14.3.4.A. Constructed and maintained in accordance with §14.3.3.



Use Types	Minimum Parking Requirement (spaces)	Additional Requirements
Townhouses and stacked one-family dwellings	2 per dwelling unit, and 1/5 additional parking spaces per dwelling unit for visitors	Additional parking spaces for visitors shall be located in a clearly marked and designated common area available to all visitors. Provided, however, that visitor parking spaces may be included within the required two parking spaces per dwelling unit when at least 50 percent of parking spaces needed to meet the requirement are located in a common area and are available for either residents or visitors. -Constructed and maintained in accordance with §14.3.3.
Dwellings, other than one- and two-family	1 & 1/8 for each of the first 200 dwelling units in any structure	Plus 1 for each additional dwelling unit Constructed and maintained in accordance with §14.3.3.
Establishments with sleeping accommodations other than dwellings, including <del>tourist courts, boarding or rooming houses, tourist homes, lodging or rooming houses, hotel or motels, motels and motor hotels</del>	1 per dwelling unit or guest room	--
<u>Bed and Breakfasts</u>	<u>1 per guest room<sup>1</sup></u> <u>A minimum of one on-site parking space per guestroom in a bed and breakfast shall be provided in addition to the parking space(s) required for the principal residence. The County Board may modify this requirement by use permit</u>	<u>Plus parking space(s) required for the principal residence. The County Board may modify parking requirements for bed and breakfasts by use permit.</u>
<b><u>Conditional and Community Public, Civic and Institutional -Service uses</u></b>		
<u>Churches, mosques, synagogues, and temples, sanctuaries</u>	1 per each 5 sanctuary seats	Notwithstanding other sections of this zoning ordinance, required parking for churches may be located on a parking lot which is accessory to another principal use which is not open or operating on the days of the week on which the church sanctuaries are regularly used if said lot is either located within 600 feet by the shortest route of effective pedestrian access, or within 3/4 of one mile by the shortest route of effective vehicular access, and regular and frequent shuttle bus service is provided between the lot and the church during any hours when the use for which the lot is provided is not open and operating and the lot is open to persons attending meetings at the church.
<u>Colleges and Universities<sup>2</sup></u>	<u>As determined by the County Board</u>	--
Community swimming pools	1 per each 40 sq. ft. of pool area	--
Golf courses	40 per each standard 9 holes	--
Hospitals, rest homes, nursing homes, sanitariums, convalescent homes & institutions	1 per 4 beds	Plus 1 space for each 2 employees (other than staff doctors), plus 1 space for each doctor assigned to the staff.
Intermediate care facilities	1 per each 3 dwelling units	Plus 1 per 3 employees, plus 1 per doctor
Libraries, <u>museums and art galleries or studios, and museums, private and public</u>	1 per each 500 sq. ft. of floor area	--

<sup>1</sup> Moved from Bed and Breakfast use standards (§12.5.3)

<sup>2</sup> Moved from "schools" below

§14.3.7 REQUIRED PARKING AND STANDING SPACE

Use Types		Minimum Parking Requirement (spaces)	Additional Requirements
Public assembly establishments & club buildings	Excluding <del>church sanctuaries, religious institutions,</del> golf clubs and community centers/buildings	1 per each 3 seats or other accommodations or other accommodations for attendants or participants	Computed on the basis of one accommodation for each attendant or participant
Schools	Nursery	1 per each staff member or employee	Plus 1 space for each 10 fixed seats, or other vantage accommodation for spectators, for public assembly; plus 1 per 50 sq. ft. of floor area for auditoriums, multipurpose rooms, gymnasium or other facilities used for public assembly but having no fixed seating arrangement specified
	High	1 per each 10 students of design capacity	
	<del>Higher education</del>	<del>As determined by the County Board<sup>1</sup></del>	
Schools	Elementary and middle	1 per each 7.5 students of design capacity for employee parking	Plus 1 space for each 40 students of design capacity for visitor parking
<b>Retail and service commercial uses</b>			
Retail and service commercial uses other than those specified below		1 per each 250 sq. ft. of floor area on the first floor of a building	Plus 1 per each 300 sq. ft. of floor area located elsewhere in the building
Bowling alley		4 per each alley	--
Car wash		20 standing spaces for waiting vehicles for each wash rack	Plus 1 per each two employees.
<del>Drive-in/Drive-through</del> banking & similar <del>drive-in/drive-through</del> service establishments		5 standing spaces for each teller or customer window	--
Furniture & appliance stores, furniture repair shops		1 per each 400 sq. ft. of floor area	--
Greenhouses and nurseries		One space for each 400 sq. ft. of floor area, plus such space as may be determined to be necessary as set forth above	--
<del>Athletic or health clubs and other fitness facilities</del>		1 per 50 sq. ft. of gross floor area	--
Indoor or outdoor <del>amusement, recreation or entertainment facilities other than those specifically listed in this §14.3.7</del>		1 per 300 sq. ft. of indoor floor area or outdoor area used for <del>recreation or entertainment/amusement</del> purposes	--
<del>Vehicle sales, rental, or leasing facilities, Motor vehicle sales</del>		1 customer and 1 employee parking space for each 1,200 sq. ft. of area, whether or not said area is enclosed.	--
<del>Offices or clinics, medical or dental of physicians, surgeons and dentists</del>		1 per each 150 sq. ft. for first 5,000 sq. ft. in each building	Plus 1 per each 200 sq. ft. for next 10,000 sq. ft.; Plus 1 per each 250 sq. feet for area in excess of 15,000 sq. ft.
Other office buildings		1 per each 250 sq. ft. of floor area on the first floor	Plus 1 per 300 sq. ft. of floor area located in the basement or on the 2nd through 5th floors, plus 1 per 400 sq. ft. of floor area located above the fifth floor
Restaurants		1 per each 6 seats (in addition to all parking space provided for service to patrons while seated in automobiles).	--
Tennis, racquet and handball courts		3 per court	--
Theaters, auditoriums and other commercial places of public assembly		1 per each 3 seats or other accommodations, for attendants, employees or participants	--

<sup>1</sup> Moved to “colleges and universities” see above

Use Types	Minimum Parking Requirement (spaces)	Additional Requirements	
Undertaking establishments, funeral parlors, <del>mortuaries and mortuary</del> or funeral homes	1 per 50 sq. ft. of chapel or parlor floor area, provided that there shall be no less than 20 spaces	--	
Vehicle service establishments and vehicle body shops	3 standing spaces for each wash rack, lubrication rack, repair bay or similar facility for the servicing or repair of vehicles, not including said rack or bay as a space	Plus 1 per each employee.	
<b>Warehouse and freight movement, wholesale trade and manufacturing and production uses</b>			
Uses consisting of manufacture, processing assembly, storage, warehousing, wholesale	Excluding wholesale associated with retail uses, and distribution of products.	1 per 1,000 sq. ft. of floor area, or one space for each 2 employees, whichever is the greater	--
Uses where at least 90 percent of the total floor area is available to the general public for the storage of items none of which is used for its intended purpose during the period that it is on the premises and is not associated with any office, retail, industrial or other business activity conducted on the premises	1 per each 3,000 sq. ft. of gross floor area excluding residential floor area	Plus 1 for the resident manager; Plus 1 per each 2 employees	

- B. For uses not listed heretofore in this schedule of parking requirements, by the interpretation of the zoning administrator, spaces shall be provided on the same basis as required for the most similar listed use.
- C. The County Board may, through Use Permit approval pursuant to Section ~~§15.4~~§15.4, modify the ~~conditional and Community Service~~public, civic and institutional uses and retail and service commercial uses regulations set forth in ~~§14.3.7~~§14.3.7 or modify regulations to permit off-site parking to be used for ~~public and private~~ elementary, middle and high schools and for uses associated with ~~public and private~~ noncommercial recreational and community center buildings and grounds, where the County Board finds that:
  - 1. Such modifications will preserve or create recreational facilities such as playing fields, open space, playgrounds, and the like, that will reduce impervious surfaces, minimize grading and preserve existing trees, and
  - 2. A transportation demand management plan submitted by the applicant demonstrates that the potential adverse impacts of parking demand and any potential disruption of parking patterns within affected neighborhoods that could result from the modification will be mitigated by utilizing available on-street parking ~~contiguous abutting to~~ the site, and through the implementation of measures such as, but not limited to:
    - (a) Utilizing, by written agreement with another party in terms acceptable to the County, off-street parking spaces at a site owned or controlled by that same party; and/or
    - (b) Utilizing a managed or shared parking program at times when parking demand is highest; and/or
    - (c) Implementing Transportation Demand Management (TDM) strategies for the use, and/or demonstrating that transit or other transportation options exist that may offset parking demand.

### §14.3.8. Off-street loading

Off-street loading spaces shall be provided for each use, as permitted in its respective classification, in not less than the amounts set forth below for every building, or addition thereto, and for all uses of land established or expanded:

**A. All conditional uses**

Sufficient space to provide on the lot for the use, as determined by the County Board, as set forth above.

**B. Multiple-family uses**

More than 50 units, one loading space for each 200 units or fraction thereof.

**C. Over 6,000 sq. ft. of space for offices and personal services establishments, including prescription filling, out-patient clinics and schools, not adaptable for the use of retail purposes**

One loading space.

**D. Over 3,000 sq. ft. of floor area designed or adaptable for retail business purposes**

One loading space; one additional space for more than 15,000 sq. ft.; one additional space for more than 50,000 sq. ft.; and one additional space for each 100,000 sq. ft. of such floor area.

**E. For all wholesale and manufacturing uses**

One loading space; one additional space for more than 15,000 sq. ft. of floor area and one additional space for each 50,000 sq. ft. of such floor area.

## §14.4. Outdoor Lighting

### §14.4.1. General

Exterior lighting of the premises of residential uses other than single-family detached dwellings and for commercial or office uses shall be reasonably designed to provide for the safety of the tenants and clientele in their use of the parking lot, walkways and entrance areas.

### §14.4.2. Parking areas and walkways

Parking areas and walkways which provide direct access from the entrance areas of the dwelling units or office or commercial uses to the common parking areas shall be illuminated by an average lighting standard per the "Illuminating Engineering Society of North America, Fifth Edition", providing not less than one footcandle of light at the surface during the hours of darkness. Walkways which provide direct access from the entrance areas of the dwelling units to service or recreational facilities shall be illuminated by an average lighting standard per the "Illuminating Engineering Society of North America, Fifth Edition," providing not less than one footcandle of light at the surface during the hours of darkness that the facilities are available to the tenants. Parking areas for commercial uses need not be illuminated when the businesses are closed.

## §14.5. Aircraft Landing Approach Area

No building meeting Federal Aviation Administration criteria for notice (§77.9 Construction or alteration requiring notice) shall be erected, constructed, reconstructed, structurally altered, enlarged or moved per

the requirements in 14 Code of Federal Regulations, part 77 pursuant to 49 U.S.C, Section 44718 as amended, unless the zoning administrator shall have received a letter of clearance from the Federal Aviation Agency.

## **§14.6. Storage and Outdoor Storage and Display**

### **§14.6.1. Merchandise in setbacks**

No merchandise shall be displayed nor business conducted between the back of the curb and the building setback line unless directly associated with kiosk operations and located within the kiosk or within two feet from the exterior wall of the kiosk. (For kiosk standards see [§12.5.11](#)~~§12.5.11~~)

*This page intentionally blank*

# Article 15. Administration and Procedures

## §15.1. Common Procedures

### §15.1.1. General

- A. Procedures common to two or more applications are included in this section.
- B. No excavation shall be commenced; no wall, structure, premises or land shall be used; no wall, building or structure or part thereof shall be built, constructed or altered; nor shall any building be moved; nor shall any regulated sign be erected, repaired or repainted until application has been made and the proper approval or permit has been obtained from the zoning administrator.<sup>1</sup>

### §15.1.2. Building permits<sup>2</sup>

- A. All applications for building permits shall be accompanied by accurate plot plans in triplicate drawn to scale, showing the actual shape and dimensions of the lot to be built upon, the exact sizes and locations on the lot of the structures and accessory structures then existing, and the lines within which the proposed building or structure shall be erected or altered, the existing and intended use of such structure or part thereof, the number of dwelling or housing units the building is designed to accommodate, and such other information with regard to the lot and neighboring lots as may be necessary to determine and provide for the enforcement of this zoning ordinance.
- B. In order to determine whether or not a permit should be issued under this section, the zoning administrator in appropriate cases, may require that the application for a building permit be accompanied by a topographic survey of the lot showing existing and proposed grades.

### ~~§15.1.2.~~ §15.1.3. Advertising (public notification)

- A. All required advertising will be done in accordance with applicable law.
- B. Notice of any application for zoning amendment, variance and use permit or site plan, shall be given by posting one placard on the property for which said application has been filed and posting the surrounding area with no less than four placards showing the designation of the property together with the time and place of hearing.

### ~~§15.1.3.~~ §15.1.4. Proof of ownership

Every applicant for an amendment, variance, use permit, use permit amendment, site plan approval or site plan amendment, including a petitioner whose request was authorized on the County Board's own motion, shall file with his application a complete disclosure of the equitable ownership of the real estate to be affected including, in the case of corporate ownership, the names of stockholders, officers and directors, and in any case the names and addresses of all of the parties in interest, provided that the requirement of listing names of stockholders, officers

<sup>1</sup> Moved from 15.2.1

<sup>2</sup> Moved from 15.2.2

and directors shall not apply to a corporation whose stock is traded on a national or local stock exchange and having more than 500 shareholders.

#### §15.1.4. §15.1.5. Fees

---

##### **A. Fees**

1. The County Board shall adopt a schedule of fees to be paid upon the filing of each application, permit and inspection required by this zoning ordinance.
2. Each application or other request for any permit, inspection or subdivision plat submitted for review for compliance with this zoning ordinance or site plan or use permit conditions shall be accompanied by a fee in accordance with the schedule adopted by the County Board.

##### **B. Refunds**

1. Refunds of Filing fees to applicants who have paid fees shall be provided upon written request to the zoning administrator, only under the following circumstances and in the amounts stated for the types of permits referenced below:
  - (a) Fifty percent of the amount of filing fees paid shall be refunded to the applicant upon written withdrawal of site plan applications or site plan amendment applications (other than administrative changes) within 90 days after submittal of such application and prior to any public meeting of the Planning Commission or committee thereof which meeting has the site plan application on its agenda;
  - (b) Fifty percent of the amount of filing fees paid shall be refunded to the applicant upon written withdrawal of use permit applications (other than use permits including new construction) prior to publication of notice of public hearing on such application;
  - (c) Fifty percent of the amount of filing fees paid shall be refunded to the applicant upon written withdrawal within of the following applications within 30 days after submittal of the subject application, and prior to commencement of review by any County staff person of such application:
    - (1) Applications for use permits involving new construction;
    - (2) Applications for administratively-reviewed Form Based Code developments;
    - (3) Applications for Board of Zoning Appeals use permits;
    - (4) Variance applications;
  - (d) Seventy-five percent of the amount of the filing fees paid shall be refunded to the applicant or reduced for the following applications if the subject application is withdrawn prior to commencement of review by any County staff person:
    - (1) Applications for administrative change;
    - (2) All other permit applications not otherwise specifically referenced in this §15.1.4.
  - (e) All filing fees paid shall be refunded to the applicant upon written withdrawal of any application for a certificate of occupancy prior to any visit by the County to the subject property for the purpose of inspection;



2. All filing fees paid shall be refunded to the applicant for applications administratively withdrawn by the zoning administrator after a finding that the application was accepted in error.

### ~~§15.1.5.~~§15.1.6. Special submittals for use permit and site plan

---

#### A. Applicability

Every applicant who files an application for a site plan approval or a use permit, as defined in Article 15, shall provide a completed LEED Scorecard or other comparable reporting mechanism that is acceptable to the county manager as part of the site plan or use permit application.

#### B. General

The applicant shall analyze the LEED credits for various components of sustainable design and describe how and/or why each credit can or cannot be achieved.

#### C. Other information

The applicant shall also submit the following information with the application:

1. Plot and location map at a scale of one inch equals 25 feet;
2. Topographic map at a scale of one inch equals 25 feet with, at a minimum, two-foot contour intervals, showing existing and proposed grades;
3. Amount impervious area ~~on-site~~on-site: existing and proposed;
4. Location and description of major trees six inches or greater caliper measured four feet above grade;
5. Description of the project and potential activities within the project; and
6. Potential methods of minimizing adverse impacts, including their feasibility.

### ~~§15.1.6.~~§15.1.7. Interpretation and general administration

---

- A. Other uses of the same general character as those listed in a particular classification may be permitted in the mapped districts of that classification by the zoning administrator. Any use so determined shall be regarded as a listed use and a log of all said determinations shall be maintained as a part of the public records of the zoning administrator. In no instance, however, shall a use be permitted in a district when said use is first permitted in a classification which, in this zoning text, follows that for said district.
- B. The zoning administrator may provide a written statement of the current classification of a property, the uses permitted in said classification, and verification of compliance with the Zoning Ordinance.

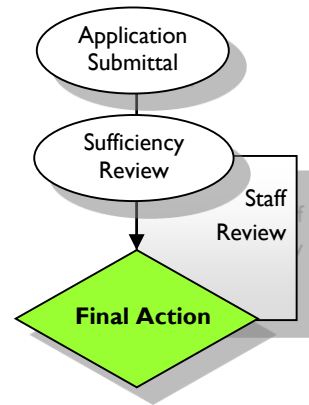
## Permits<sup>1</sup>

### §15.1.7.— Applicability

No excavation shall be commenced; no wall, structure, premises or land shall be used; no wall, building or structure or part thereof shall be built, constructed or altered; nor shall any building be moved; nor shall any regulated sign be erected, repaired or repainted until application has been made and the proper approval or permit has been obtained from the zoning administrator.

### §15.1.8.— Application requirements

- A.— All applications for building permits shall be accompanied by accurate plot plans in triplicate drawn to scale, showing the actual shape and dimensions of the lot to be built upon, the exact sizes and locations on the lot of the structures and accessory structures then existing, and the lines within which the proposed building or structure shall be erected or altered, the existing and intended use of such structure or part thereof, the number of dwelling or housing units the building is designed to accommodate, and such other information with regard to the lot and neighboring lots as may be necessary to determine and provide for the enforcement of this zoning ordinance.
- B.— In order to determine whether or not a permit should be issued under this section, the zoning administrator in appropriate cases, may require that the application for a building permit be accompanied by a topographic survey of the lot showing existing and proposed grades.



### §15.1.9.— Information required

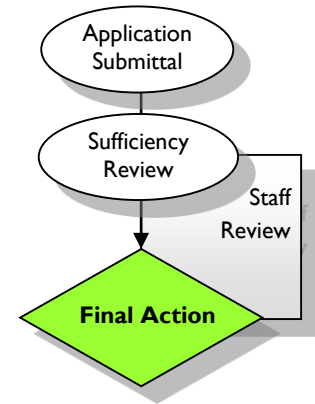
Every applicant for a site plan approval shall file with his application information as defined in §15.1.4.

<sup>1</sup> This section eliminated. 15.2.1 Applicability moved to 15.1.B; 15.2.2 permits moved to 15.1.2 and renamed "building permits"; 15.2.3 deleted – redundant from requirement in 15.6

## §15.2. Certificates of Occupancy

### §15.2.1. General

Every certificate of occupancy shall state that the building or the proposed use of a building or land complies with all provisions of law and of county ordinances and regulations. No occupancy, or change of occupancy, use or change of use of any land or building shall take place until a certificate of occupancy shall have been issued by the zoning administrator. This provision shall include a new building, an existing building which has been altered, a change in ownership of buildings other than one- or two-family dwellings, a conversion to condominiums or cooperatives, the use of vacant land, a change in the use of land or of a building, ~~or~~ change in a nonconforming use, and short term uses. Said certificate shall be issued within 10 days after a written request for the same has been made to the zoning administrator, provided it has been determined that such occupancy, use, erection or alteration of such building or land or part thereof has been completed in conformity with the provisions of this zoning ordinance.



### §15.2.2. Fees Certificates of occupancy types

#### A. Type i. Flat fees

Swimming pools; parking lots; ~~motor vehicle dealerships: new, used and rentals vehicle sales, rental or leasing facilities~~; accessory dwellings; uses not elsewhere specified.

#### B. Type ii. Residential, commercial, office, hotel and industrial buildings

##### 1. Master certificate of occupancy

A master certificate of occupancy (M.C.O.) shall be required for the entire building and site work. Except for certificates for shell and core and partial occupancy, as defined in subsections 2 and 3, below, no other certificate of occupancy is required if the M.C.O. can be approved and issued prior to any occupancy of the building. A request for a certificate for partial occupancy of a building may be made after the filing of the applications for the M.C.O. and the certificates of occupancy described in subsection 2, below, have been issued, if applicable.

##### 2. Shell and core certificate for elevator buildings

Prior to any approval of a request for a certificate for partial occupancy of any new elevator building or a multiple-family dwelling with elevator(s) converting to condominiums or a cooperative, the owner shall have filed a request for a master certificate of occupancy and shall have been issued a certificate of occupancy for the shell and core of the building. No shell and core certificate of occupancy shall be issued until the building support systems such as the fire alarm system, elevators, restrooms, ventilating system and exit-ways have been inspected and approved.

##### 3. Certificate for partial occupancy

A request for a certificate for partial occupancy of a multiple-family dwelling or hotel and tenant space for an office, commercial or industrial building may be made; however, no certificate for partial occupancy shall be issued unless the space is approved for occupancy and the master certificate of occupancy or the shell and core

certificates of occupancy for the building have been issued.

**C. Type iii. Parking structures**

Parking structures not associated with other uses.

**D. Type iv. Activities and short-term activities of nonprofit organizations**

County owned, operated and/or sponsored facilities and activities and short-term activities of nonprofit organizations

**E. Type v. Family day care homes**

Family day care homes for one to nine children.

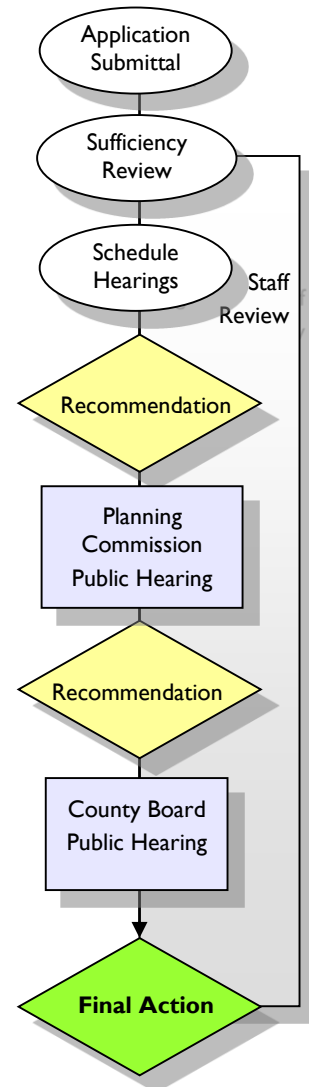
## §15.3. Map and Text Amendments

### §15.3.1. General

The County Board may, from time to time on its own motion or on petition of the owner or owners of property, after public notice and hearing, amend the requirements and districts herein established. All changes and amendments shall be referred to the county Planning Commission.

### §15.3.2. Review procedure

Every application by a property owner or contract owner for an amendment shall be filed in writing with the zoning administrator 120 days before the public hearings; however, the County Board may, on its own motion, schedule hearings for a date which is less than 120 days from the date of filing of the application. When a completed zoning amendment application is filed concurrently with a completed site plan or major site plan amendment application, the zoning administrator shall notify, as required in Administrative Regulation 4.1, the applicant that the public hearing for the amendments will be concurrent with the hearing on the associated site plan or site plan amendment. The date of filing of a complete application shall be determined as set forth in §15.6, based on whether the requirements of §15.6, have been met. Public hearings for changes and amendments ~~which that~~ are proposed by the County Board on its own motion for any property within the county may be held by the County Board at any meeting of the County Board. Applications for rezoning of county property shall be filed immediately after the County Board authorizes advertising of the action unless the county manager has caused an application to be filed prior to such time.



### §15.3.3. Time lapse between similar applications

No application for any change of zoning of the same lot shall be considered by the County Board within a period of 360 days from its last consideration by the County Board. This provision, however, shall not impair the right of the County Board to propose a change of zoning on its own motion.

### §15.3.4. Proffers

#### A. Purpose and authority

1. In order to encourage and facilitate the provision of community facilities, including but not limited to space for a libraries, fire station fire or police stations, public schools facilities, post office facilities, community recreation or health centers, nursing homes, convalescent homes, intermediate care facilities and other housing facilities providing assisted living for the elderly, while maintaining existing land use policies, the County Board may accept a limited proffer for such facilities pursuant to Section 15.1-491 of the Virginia Code which restricts future development of the subject property to the proffered development when the proffer

provides that if the subject property is not developed in accordance with the proffer within the time specified, then the owner, applicant and successors or assigns stipulate that the subject property may be rezoned to the previous zoning district, or to a category stated in the proffer and accepted by the County Board, and that the conditions for such rezoning shall be deemed to exist.

2. In order to facilitate the orderly development of sites with a site area of 50,000 sq. ft. or greater when an application has been filed and the site is being considered for rezoning to C-TH (~~§7.18~~~~§7.18~~), the County Board may accept a proffer meeting the requirements of Section 15.1-491 of the Virginia Code for a plan of development limited to a definition of the characteristics of the physical development of the site including, as illustration and not limitation, the height, number of stories and gross floor area of proposed buildings, and the exterior architectural design, including materials, the design of windows, doors and roofs, and the location of garage, loading and service access. Such proffers may restrict future development of the property to the proffered development and provide that if the subject property is not developed in accordance with the proffer within the time specified, then the owner, applicant and successors or assigns stipulate that the subject property may be rezoned to the previous zoning district, or to a category stated in the proffer and accepted by the County Board, and that the conditions for such rezoning shall be deemed to exist.

#### **B. County manager action**

The county manager shall promulgate regulations for proffering conditions like those described in ~~§15.3.4.A~~~~§15.3.4.A~~ above. Such regulations shall conform to the requirements of Section 15.1-491 of the Virginia Code. (Ord. No. 87-13, 5-2-87; Ord. No. 89-26, 11-18-89)

#### **§15.3.5. Amendment modifications**

Any amendment or amendments adopted by the County Board may be modified from the form in which they were advertised within the limits necessary to relate properly such amendment or amendments to the ~~C~~omprehensive ~~P~~lan and zoning ordinance.

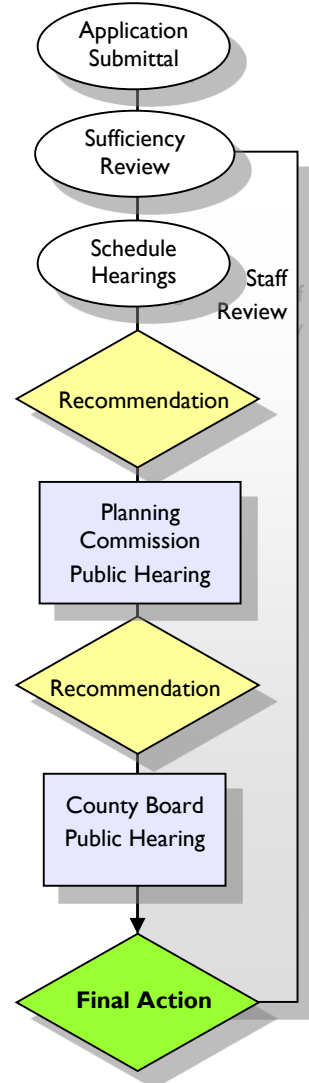
**§15.4. USE PERMITS**

**§15.4.1. Applicability**

Use permits may be approved by the County Board for any of the special exceptions or conditional uses for which a use permit is required by the provisions of this zoning ordinance.

**§15.4.2. Application requirements**

- A. Written application for a use permit shall be filed with the zoning administrator. Applications for unified residential development approval shall comply with applicable portion of Administrative Regulation 4.11, unified residential development use permit approval procedure, as amended. The time of the hearing shall be the first regular meeting of each month, except the County Board may establish, on its own motion, another time for the use permit hearing, which hearing may be at any County Board meeting.
- B. Every applicant for a use permit which would allow the construction of a new structures shall file with his application information as defined in §15.1.4.
- C. Every applicant for a use permit which would allow the construction of: (1) a new structure; or (2) a parking area for more than ten automobiles, shall file with his application information as defined in ~~§15.1.6~~§15.1.6.



**§15.4.3. Required findings**

The County Board shall find that after a duly advertised hearing that the use will not:

- A. Affect adversely the health or safety of persons residing or working in the neighborhood of the proposed use;
- B. Be detrimental to the public welfare or injurious to property or improvements in the neighborhood; and
- C. Be in conflict with the purposes of the master plans of the county.

**§15.4.4. Approval conditions**

In granting any use permit the County Board shall designate such conditions in connection therewith as will, in its opinion, assure that the use will conform to the foregoing requirements and that such use will continue to do so.

**§15.4.5. Period of validity**

Construction or operation shall be commenced within one year of date of issuance or the use permit becomes void; provided, however, that in granting a use permit the County Board may extend this period to up to three years upon its determination that additional time may be needed to commence construction or operation. If after a use permit has been used and the use for which the use permit was obtained is discontinued for more than one year, the use permit becomes void.

#### §15.4.6. Time lapse between similar applications

---

No application for a use permit for the same lot shall be considered by the County Board within a period of 360 days from its last consideration. This provision, however, shall not impair the right of the County Board to propose a use permit on its own motion.

#### §15.4.7. Administrative change

---

The zoning administrator may approve minor modifications to approved use permits which comply with the spirit of ~~this code~~[this zoning ordinance](#), the intent of the County Board in its approval of the use permit and the general purpose of the ~~C~~omprehensive ~~P~~lan for the development of the area.



## §15.5. Site Plans Approval

### §15.5.1. General

A use requiring site plan approval is a special exception use subject to the regulations in this section. Every applicant for site plan approval shall file with his application a proposed site plan in compliance with Administrative Regulation 4.1, site plan approval, as amended.

### §15.5.2. Application requirements

Every application for a site plan approval or a major site plan amendment shall be filed in writing with the zoning administrator a minimum of 120 days before the public hearing; however, the County Board may, on its own motion, schedule hearings for a date which is less than 120 days from the date of filing the application.

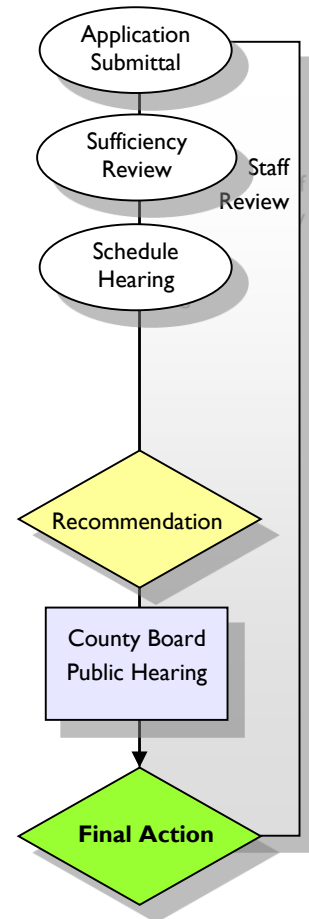
### §15.5.3. Scheduling

When a completed site plan or major site plan amendment is filed, the zoning administrator shall notify, as required in Administrative Regulation 4.1, the applicant of the scheduled date of the public hearing for the site plan or major site plan amendment, which date will be up to 180 days after filing. The date of filing of a complete application shall be determined as set forth in Administrative Regulation 4.1, based on whether the requirements of Administrative Regulation 4.1, have been met. Public hearings for site plans and major site plan amendments shall be the first regularly scheduled County Board meeting of each month, except the County Board may establish, on its own motion, another County Board meeting for the hearing. Public hearings for minor site plan amendments shall be as required for use permits under §15.5. Major site plan amendments, minor site plan amendments, and administrative changes shall be defined as follows:

#### A. Major amendment

Any modification of the approved site plan which meets one or more of the following criteria:

1. Principal use of the building would change in more than five percent of the total floor area of the building.
2. Density would change by more than five percent of the total floor area of the building.
3. Building height would change by more than 12 feet.
4. Gross floor area of the first floor would change in more than 20 percent of the area of the first floor.
5. Change in the site area which is used to calculate density.
6. Any change which the zoning administrator determines is similar in significance to the above stated changes.



### **B. Minor amendment**

Any modification of the approved plan which is not considered a major amendment and which cannot be approved administratively is a minor amendment. The subdivision of land involved in an approved site plan is a minor amendment, except, that if the following criteria are met, such subdivision may be approved as an administrative change by the zoning administrator:

1. Density allocation is consistent with the zoning and approved site plan;
2. Parking is consistent with the zoning and the approved site plan;
3. Public improvements are consistent with the zoning and approved site plan; and
4. Clear evidence exists that all conditions of the approved site plan have been met or are bonded in a manner acceptable to the county manager.

### **C. Administrative change**

Any minor modification of the approved site plan which complies with the spirit of ~~this~~ [this zoning ordinance](#), the intent of the County Board in its approval of the site plan, and the general purpose of the ~~comprehensive~~ [Comprehensive Plan](#) for the development of the area. Administrative changes may be approved by the zoning administrator.

#### **§15.5.4. Information required**

---

Every applicant for a site plan approval shall file with his application information as defined in §15.1.4.

#### **§15.5.5. Action by County Board**

---

The County Board shall approve and accept a site plan if the ~~County B~~oard shall find that the improvement and development proposed by the site plan:

- A. Substantially complies with the character of master plans, officially approved neighborhood or area development plans, and with the uses permitted and use regulations of the district as set forth in this zoning ordinance or as the same may be modified by the County Board as provided herein;
- B. Functionally relates to other structures permitted in the district and will not be injurious or detrimental to the property or improvements in the neighborhood; and
- C. Is so designed and located that the public health, safety and welfare will be promoted and protected.

#### **§15.5.6. Conditions of approval**

---

In approving and accepting a site plan, the County Board may designate such conditions in connection therewith as will, in its opinion, assure that the improvement and development will conform to the foregoing requirements or modifications thereof, including but not limited to provisions for protection of adjacent property, the expiration of said site plan approval after a specified period of time, access and design for off-street parking and loading, and provisions of space for community facilities; e.g., recreation and open space, library and fire facilities, utilities, etc.

### §15.5.7. Modifications and transfers

---

#### A. Uses and regulations modified

The County Board may, in appropriate cases, modify the uses permitted and use regulations in harmony with the general purpose and intent of the district taking into consideration the following:

1. Provisions made for open space and other environmental amenities;
2. Grade, direction and intensity of traffic on adjacent streets;
3. Relationship to adjacent existing or permitted uses and buildings;
4. Particular dimensions, grade and orientation of the site;
5. Particular construction problems and techniques; and
6. The other provisions of §15.6.

#### B. Transfer of development rights

In approving and accepting a site plan, the County Board may, subject to such conditions as the County Board may approve, permit the dedication of density or other rights to develop, as determined by the County Board, from one or more parcels that are not the subject of a particular site plan application to one or more parcels of property that are the subject of that same site plan application for purposes of, among others, open space, historic preservation, affordable housing, community recreation, and/or community facilities. In considering the approval of such dedication, the County Board shall consider the appropriateness of the dedicated density or other development rights at the proposed location, and whether the dedication is consistent with this zoning ordinance, approved land use policies and plans, and the public health, safety and welfare generally.

### §15.5.8. Affordable dwelling units for increased density within General Land Use Plan

---

#### A. Applicability

1. In exchange for approval by the County Board of a site plan containing density equal to or greater than 1.0 F.A.R., affordable dwelling units (ADUs), or optional contributions to support ADUs in lieu thereof, shall be required in accordance with the following provisions of this subsection.
2. The following provisions apply to site plan applications that are consistent with the General Land Use Plan (GLUP). The provisions also apply to site plan applications that include a rezoning application resulting in a use that was not permitted by-right under the prior zoning category provided that the newly permitted use is included within the existing GLUP designation for the site.
3. Site plan amendment applications that result in the demolition and rebuilding of a site plan project shall be subject to the requirements hereof at the time of redevelopment. The applicable requirements shall apply only to density that is replaced or rebuilt and any increased density. They shall not apply to rehabilitation or renovation of development subject to site plan approval pursuant to §15.6.

**B. Exception**

Site plans containing less than 1.0 F.A.R. shall be exempt from the ADU requirements hereof.

**C. Options for meeting ADU requirements**

Once a site plan has been approved, the site plan applicant must select one of the following options for meeting the ADU requirements:

**1. ~~On-site~~On-site units**

Unless a different option is selected by the applicant, ADUs shall be provided ~~on-site~~[on-site](#) as part of the site plan project, the total gross square footage of which shall be 5 percent of the GFA above 1.0 F.A.R.; or

**2. Off-site nearby**

ADUs shall be provided off-site near the site plan project, the total gross square footage of which ADUs shall be 7.5 percent of the GFA of the site plan project above 1.0 F.A.R. For purposes of this subsection, near the site shall mean as follows: if the site plan project is in a Metro station Area, the off-site units shall be within 0.5 miles from any Metro station; if the site plan project is not in a Metro station Area, the off-site units shall be within 0.5 miles of the project; or

**3. Off-site elsewhere**

ADUs shall be provided in locations in the county other than the locations provided for subsections §14.6.1.C.1 and §14.6.1.C.2, above, the total gross square footage of which ADUs shall be 10 percent of the GFA of the site plan project above 1.0 F.A.R.; or

**4. Cash contribution**

(a) The applicant shall make a cash contribution to the Affordable Housing Investment Fund calculated as follows for each of the described tiers;

(1) \$1.50 per square foot of GFA for first 1.0 F.A.R.

(2) \$4.00 per square foot of GFA from 1.0 F.A.R. to 3.0 F.A.R. for residential projects and \$4.00 per square foot of all GFA above 1.0 F.A.R. in commercial projects (including hotel and retail).

(3) \$8.00 per square foot of GFA above 3.0 F.A.R. for residential projects.

(4) For mixed-use projects, cash contributions shall be calculated by applying the proportionate amount of commercial and residential GFA to each tier.

(b) The cash contribution will be indexed to Consumer Price Index for Housing in the Washington-Baltimore MSA as published by the Bureau of Labor Statistics and adjusted annually, beginning January 2007. Revised amounts apply only to site plans filed after the adjustment date. Amounts for the calculation of the cash option are established at the time the site plan application is filed.

**D. County manager action**

The applicant's plan for meeting the ADU requirements ~~on-site~~[on-site](#) or off-site must be confirmed or approved by the county manager or his designee, and all necessary documents executed, prior to the issuance of the first certificate of occupancy. The county manager or his designee will act on approval request within 30 days.

**E. Provision for off-site ADUs**

An applicant may submit a proposal for off-site ADUs that deviates from the requirements above. Such proposals shall be reviewed by the housing commission which, after a public hearing on the proposal, shall make a report of its review to the county manager. After the housing commission's consideration of the alternative plan, the county manager, or his designee, may approve or reject it administratively. In the event that the plan is rejected, the applicant may request that the County Board consider the alternative as a site plan amendment.

**F. Substitution of ADUs**

On sites where the County Board has determined that there are other competing public priorities identified in county plans, studies, policies, or other documents that are addressed by the site plan application, the County Board may, at the time of site plan approval, approve the total or partial substitution of the ADUs required hereunder.

**G. Term**

ADUs shall be committed for a 30-year term, affordable at 60 percent of the area median income. ADUs must meet minimum habitability standards established by the county.

**H. Proposals for change of GLUP designation**

Site plan applications that include an application to change the GLUP designation of the site may be subject to an affordable housing requirement in addition to the above ADU requirement. Such affordable housing requirements shall be addressed separately in the process of the County Board's consideration of the approval of the site plan.

**I. Proposals for elimination of existing affordable housing**

Site plan applications that result in the elimination of existing affordable housing will address replacement of the housing in the process of the County Board's consideration of the approval of the site plan.

**J. Conflicts**

In the event of conflict between the provisions of this §15.6 and any other, provisions of this section shall control.

### §15.5.9. Affordable dwelling units for height and density above General Land Use Plan

---

**A. Affordable housing-residential**

1. In considering the approval of a site plan including apartmentsmultiple-family, the County Board may permit additional height and density as set forth below, providing the County Board determines that a variety of housing units and design would result thereby. Consideration of such design may include, but not be limited to, the provision of family housing units, housing for the elderly, housing for households of low or moderate income and such variety of design as provided by townhouse or terraced construction in association with the high-rise development. The County Board may approve additional height and/or residential density for low or moderate income housing only where a proposed site plan project is in compliance with all of the requirements specified below.

2. The application includes a low or moderate income housing plan that includes the following information and any other items that are determined by the County Board to be pertinent for that particular site plan:
  - (a) Number of total housing units provided under the site plan.
  - (b) Number of total housing units in the additional housing density.
  - (c) Number of low or moderate income housing units provided under the proposed site plan.
  - (d) Income levels of targeted families for low or moderate income housing units.
  - (e) The proposed rents and guarantee of limits on future rent increases or sales prices and the proposed affordability thereof for low or moderate income housing units.
  - (f) Marketing plan for the low or moderate income housing units.
  - (g) Location of low or moderate income housing units.
  - (h) Sizes of low or moderate income housing units.
  - (i) Bedroom counts of low or moderate income housing units.
  - (j) Amenities provided for low or moderate income households.
  - (k) Statement of consistency with County Board adopted housing policy, goals, principles and relevant staff guidelines for the use of additional housing density.

### 3. Modification of building height

- (a) In RA districts, except RA-H, RA4.8, and RA-H-3.2 districts, building heights shall not be modified under this ~~§15.5.9.A.3~~[§15.5.9.A.3](#), except that where a project provides low or moderate income housing, the County Board may approve a greater height, in order to achieve tapering, where the proposed project is adjacent to a property for which the district regulations or the General Land Use Plan designation allow, by site plan, a height greater than the proposed height.
- (b) In C-2, C-3, and C-R districts, building heights shall not be modified under this ~~§15.5.9.A.3~~[§15.5.9.A.3](#).
- (c) Additional building heights approved under this ~~§15.5.9.A.3~~[§15.5.9.A.3](#) shall not exceed six stories or 60 feet, whichever is smaller, above the height permitted in the district regulations.

### 4. Guarantees

That adequate guarantees exist as to the continued availability of such units to households of low or moderate income for a minimum of 30 years, or for such other time period as may be approved by the County Board.

### 5. New units approved by County Board

New low or moderate income housing units may be constructed either ~~on-site~~[on-site](#) or at appropriate off-site locations approved by the County Board or may be provided by means of in-lieu tax relief/rent supplement payments at levels approved by the County Board. Such low or moderate income housing, which may be either new or existing construction, may also be provided on abutting sites or on sites which abut

except for the existence of a public street.

**B. Affordable housing-office**

In considering the approval of a site plan, the County Board may permit additional office density above the amount allowed by site plan in the district regulations, not to exceed 0.25 F.A.R. on the site, providing the County Board judges that low or moderate-income housing being provided under the site plan is sufficient to justify the amount of the additional density allowed. Under no circumstances shall this bonus exceed 10 percent of the total gross floor area permitted without bonus under the site plan, nor shall additional height be allowed.

**C. Community facilities**

In considering the approval of an office, motel, or ~~apartment~~multiple-family site plan, the County Board may permit additional height, not to exceed three stories, and /or additional density, not to exceed 0.25 floor area ratio (F.A.R.) in an office structure, or 10 percent in a motel or ~~apartment~~multiple-family structure, providing the County Board judges that a contribution to required community facilities has been provided. Consideration of such facilities may include, but not be limited to, the provision of space for a library, fire ~~or~~polices station, public school facility, public transit facility, or a community recreation or health center. Such community facilities may be provided at appropriate off-site locations.

**D. Limitations on incentives**

Under no circumstances shall any combination of the above incentives be interpreted to allow additional height in excess of a maximum of six stories, or additional residential density in excess of 25 percent, or additional .25 F.A.R. of office density above that permitted by the applicable district.

**§15.5.10. Modification of approved site plan**

After a site plan has been approved and accepted by the County Board, amendments to the site plan which are consistent with the general purpose and intent of the district may be considered. Deviation from an approved site plan, site plan amendment or administrative change without the written approval of the zoning administrator or specific action by the County Board shall, at the discretion of the County Board, void the plan and the County Board may require the applicant to resubmit a new site plan for consideration by the County Board.

**§15.5.11. Clarendon Revitalization District**

See ~~§9.2~~§9.2 for information on density increases in the Clarendon Revitalization District.

## §15.6. Board of Zoning Appeals; Appeals and Variances

### §15.6.1. Board of Zoning Appeals

There shall be a Board of Zoning Appeals as provided for and having the powers, functions and responsibilities as described in the Code of the Commonwealth of Virginia.

### §15.6.2. Appeals

Every appeal from a determination of the zoning administrator and every application for a variance shall be filed in writing with the zoning administrator.

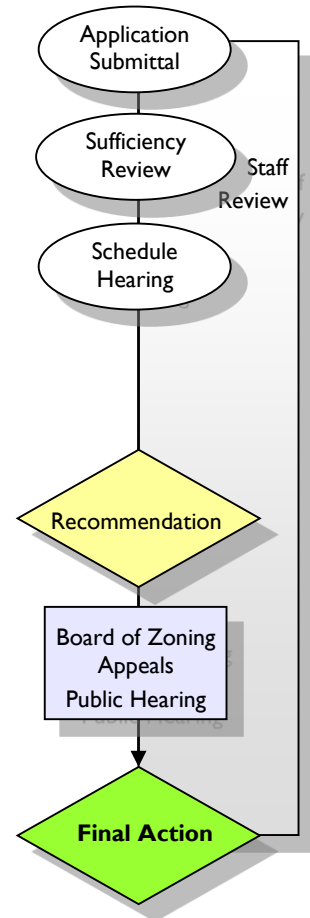
### §15.6.3. Hearing date

The time of the public hearing is determined by the Board of Zoning Appeals.

### §15.6.4. Variances

In addition to the above,

- A. The Board of Zoning Appeals shall have authority to grant, upon such conditions and safeguards as it may determine, such variances from the ordinance as may be in harmony with its general purpose and intent, so that the spirit of this zoning ordinance shall be observed, public safety and welfare secured, and substantial justice done.
- B. The Board of Zoning Appeals may permit the continuance of a nonconforming use in a conforming building for periods of three years beyond the three-year limitation contained in §16.3.1.B, if ~~it~~ the board finds that:
  - 1. Said nonconforming use is not detrimental to, and does not affect adversely, adjacent property by reason of the nature of the use, generation of traffic, parking, lighting, noise and similar factors;
  - 2. No commercial display, lighting, advertising and wholesale or retail merchandising is carried on in connection with the conduct of said nonconforming use; and
  - 3. Such discontinuance shall work practical difficulty and undue hardship upon the owner of said building.



### §15.6.5. Time limits

If any variance or use permit granted by the Board of Zoning Appeals is not acted upon and put into effect within one year after the date of such grant, then the variance shall be null and void and of no force and effect.

### §15.6.6. Use permits

#### A. Authority

The Board of Zoning Appeals may approve use permits that allow modifications of placement requirement for structures on lots in the R-20, R-10, R-8, R-6, R-5, and R2-7 district where there is no option in this zoning ordinance to allow modification of



requirements by the County Board, such as special exception use permits described in §15.5 or site plans described in §15.6.

**B. Conditions of approval**

The Board of Zoning Appeals may impose conditions on the use permit that it deems necessary in the public interest, including limiting duration of the use permit.

**§15.6.7. Required findings**

---

The Board of Zoning Appeals shall not approve a use permit unless it finds that the proposal will not:

- A. Affect adversely the health or safety of persons residing in the neighborhood;
- B. Be detrimental to the public welfare or injurious to property or improvements in the neighborhood; and
- C. Be in conflict with the purposes of the master plans and land use and zoning related policies of the county.

**§15.6.8. Approval criteria**

---

In determining whether the proposal will be detrimental to the public welfare, injurious to property or improvements in the neighborhood or will adversely affect the health or safety of persons residing in the neighborhood, the Board of Zoning Appeals shall consider whether the modification will promote compatibility of development with the surrounding neighborhood because the structure's overall footprint size and placement are similar to the structures on the properties surrounding the lot in question; and whether the modification will help preserve natural land form, historical features and/or significant trees and foliage.

## §15.7. Certificate of Appropriateness (CoA)

### §15.7.1. Applicability

- A. After the designation of an historic district, no exterior portion of any building or other structure (including walls, fences, light fixtures, steps and pavement, or other appurtenant features) nor above ground utility structure nor any type of outdoor advertising sign shall be erected, altered, restored, moved or demolished within such district until after an application for a certificate of appropriateness (CoA) has been submitted to and approved, in accordance with §15.8.5 below, by the Review Board or its designee, or, on appeal from a decision of Review Board, by the County Board as being architecturally or historically compatible with the historic district, buildings, or structures therein.
- B. The CoA must be issued by the Review Board or its designee, or, on appeal, by the County Board prior to the issuance of a building permit (or other permit granted for purposes of constructing or altering structures).
- C. A CoA shall be required regardless of whether or not a building permit is required.

### §15.7.2. Required findings

The Review Board may authorize county staff to issue certificates of appropriateness that meet certain standards. Staff may administratively issue CoA where the Review Board has specified:

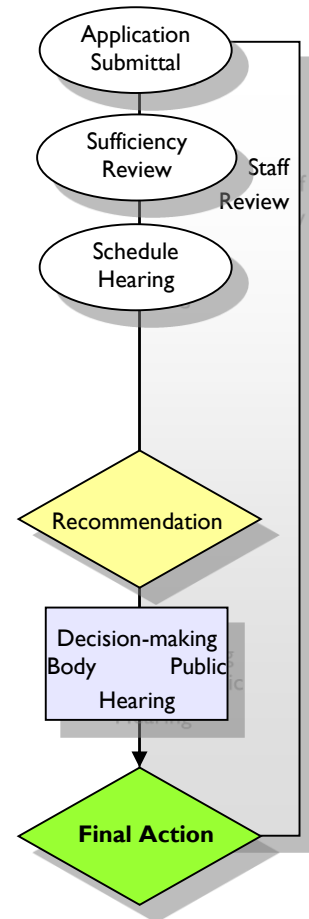
- A. The properties eligible for designee action;
- B. The specific category of modifications for which the designee may grant a CoA; and
- C. The standards the designee must use in deciding whether to issue the CoA.

### §15.7.3. Scope of review

The Review Board or, on appeal, the County Board shall not consider interior arrangement and shall take no action under this subsection except for the purpose of preventing the construction, reconstruction, alteration, restoration, moving or demolition of buildings, structures, appurtenant fixtures, outdoor advertising signs or natural features in the historic district which would be incongruous with the historical aspects of the district.

### §15.7.4. Setback modification permitted

As part of the certificate of appropriateness review process, the Review Board may find that the proposed setback for buildings and structures is consistent with the existing streetscape and historic district guidelines even though such setback is inconsistent with the requirements of the underlying zoning district. When the Review Board makes this finding, the zoning administrator shall grant a modification to the underlying setbacks, unless such modification violates visual clearance requirements from ~~§3.2.6.A.4~~ §3.2.6.A.4.



### §15.7.5. Time limitations

---

Any CoA issued pursuant to the sections shall expire 12 months from the date of approval if the authorized work has not commenced if a building permit is not required. If a building permit is required, it must be diligently pursued by the applicant after the CoA approval.

### §15.7.6. Application requirements

---

All applications for certificates of appropriateness shall be submitted on forms specified by the county. When an initial determination has been made that the application is complete, then the application shall be forwarded to the Review Board. The Review Board may request additional information if needed.

### §15.7.7. Advertising

---

Prior to action on a CoA, the Review Board or, on appeal to the County Board as provided by subsection C, below, the County Board shall give the applicant and other persons an opportunity to be heard after the following notice has been given:

- A. A notice of the public hearing shall be published 10 days prior to the hearing date in a newspaper having general circulation in the county;
- B. Notice shall be sent by first class mail to owner(s) of the property which will be the subject of the hearing and owner(s) of abutting property and property immediately across the street from the affected property, including any property which lies in an adjoining jurisdiction, at least 10 days prior to the public hearing;
- C. The civic association representing the neighborhood where the affected property is located shall be notified in writing at least seven days prior to the public hearing;
- D. One placard containing the public hearing notice shall be posted on the affected property and no fewer than four placards shall be posted in the surrounding neighborhood at least seven days prior to the public hearing. If any setback modifications are requested as part of the CoA, that information should be included in all notices.

### §15.7.8. Signs requiring a CoA

---

For all signs for which a Certificate of Appropriateness is required, the Historical Affairs and Landmark Review Board shall approve a Certificate of Appropriateness for a sign or modification of a sign in an historic district only if it finds that:

- A. The size, scale and design of the sign shall be compatible with the size, scale and design of the property, building or site upon which it is to be located;
- B. The materials used in the sign shall be compatible with the period and style of the property, building or site;
- C. The lighting of the sign shall be consistent with the period and style of the property, building, site or district, as applicable;
- D. The location of the sign shall not obscure any significant architectural features of the building or site; and
- E. Installation of the sign shall not irreparably damage any cornice, ornament or similar architectural detail and shall be the least damaging method feasible for the property, building or site.

### §15.7.9. Design guidelines

---

- A. The Review Board shall utilize the historic district design guidelines relevant to the specific historic district under consideration in their review of any application for alterations to an exterior feature and make a decision in accordance therewith. The design guidelines will guide and inform the decisions of the Review Board with regard to these exterior alterations. The design guidelines are for the benefit of the applicant as well as the Review Board. Historic district design guidelines shall be adopted and amended by the County Board, with such minor administrative amendments or updates as may be approved by the Review Board.
- B. The design guidelines shall also describe which modifications, if any, can be administratively approved by its designee, and shall provide specific standards for such approval.
- C. All design guidelines established, adopted, or amended by either the County Board or the Review Board on or before May 22, 2010 shall be in full force and effect, as though adopted by the County Board in a manner consistent with this zoning ordinance, until such time as the County Board, or the Review Board in the case of minor administrative amendments or updates, acts to amend them.
- D. Design guidelines shall not be created, amended, or updated except after a public hearing.
- E. For districts without approved design guidelines, The Secretary of the Interior's Standards for Rehabilitation, The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for the Treatment of Cultural Landscapes, or The Secretary of the Interior's Standards and Guidelines for Archaeology Documentation shall be used to guide the CoA review process as amended.

### §15.7.10. Appeals

---

- A. If the Review Board makes the findings called for in ~~§15.7.2~~§15.7.2, or, after an appeal as provided in §15.8.9.C, the County Board determines that the proposed construction, reconstruction, alteration, moving or demolition is appropriate, it shall forthwith approve such application and shall issue to the applicant a CoA.
- B. If the Review Board or, after an appeal as provided in §15.8.9.C, the County Board determines that a CoA should not be issued, it shall forthwith notify the applicant of such determination, furnishing him a copy of the reasons therefore and the recommendations, if any, as appearing in the records of the Review Board.
- C. Any person or persons jointly or severally aggrieved by any final decision of the Review Board, may, within 30 days after the final decision, have the right of appeal to the County Board of Arlington County by filing a petition which shall stay the decision of the Review Board pending the outcome of the appeal, provided that such a petition shall not stay a decision which denies the right to raze or demolish a historic landmark, building or structure. The County Board may reverse or modify, in whole or in part, any decision it finds upon review to be contrary to law or that is arbitrary and constitutes an abuse of discretion, or it may affirm the decision of the Review Board. The County Board may also reverse or modify the decision of the Review Board where the decision is based upon elements of the design guidelines that were amended solely by the Review Board after May 22, 2010 and the County Board finds that those elements are not consistent with the

purpose and intent of the County Board adopted design guidelines, or of the historic district designation.

- D. Any person or persons jointly or severally aggrieved by any final decision of the County Board may within 30 days after the final decision have the right to appeal to the ~~C~~ircuit ~~C~~ourt of Arlington County by filing a petition at law which shall stay the decision of the County Board pending the outcome of the appeal, provided that such a petition shall not stay a decision which denies the right to raze or demolish a historic building or structure within a historic district. The ~~C~~ircuit ~~C~~ourt may reverse or modify, in whole or in part, any decision it finds upon review to be contrary to law or that is arbitrary and constitutes an abuse of discretion, or it may affirm the decision of the ~~C~~ounty B-~~b~~oard.

**§15.7.11. Right to demolish or raze**

- A. In addition to the right of appeal, the property owner shall have a right to demolish or raze such building or structure in a historic district provided that:
  - 1. The owner has applied to the Review Board for such right and on appeal been denied such right by the County Board;
  - 2. The owner has, for the period of time set forth below at a price reasonably related to fair market value, made a bona fide offer to sell such building or structure and the land pertaining to it to the county or to any person, firm, corporation, government or government agency, political subdivision or agency, which give reasonable assurance that it is willing to preserve and restore the landmark, building or structure and the land pertaining to it; and
  - 3. No bona fide contract, binding on all parties to it, shall have been executed for the sale of any such landmark, building or structure and the land pertaining to it, prior to the expiration of the period of time set forth below.
- B. No such offer to sell may be made more than one year after a final decision of the County Board but no appeal to the ~~C~~ircuit ~~C~~ourt from a decision of the County Board shall stay or otherwise impair the right of such owner to offer for sale. After one year has passed from any such final decision (which has not been appealed or has been affirmed) of the County Board, the owner may renew his request to the Review Board for approval of a razing or demolition of the historic building or structure.
- C. The time schedule for offers to sell shall be as follows:

Offering Price	Months
Less than \$25,000	3
\$25,000 or more and less than \$40,000	4
\$40,000 or more and less than \$55,000	5
\$55,000 or more and less than \$75,000	6
\$75,000 or more and less than \$90,000	7
\$90,000 or more	12

- D. Before making a bona fide offer to sell as provided for in this section, an owner shall first file a statement with the county manager. The statement shall identify the property, state the offering price, reference the property’s Multiple Listing Service (MLS) identification number, or similar identifying information from a listing in an equivalent, comparable, real estate database system, the date the offer of sale is to begin and name and address of the listing real estate agent, if any. The statement shall provide assurances that the building or

structure shall be maintained during the period of offering for sale. No time period set forth in the time schedule contained in §15.8.10.C shall begin to run until said statement has been filed. Within five days of receipt of a statement, copies of the statement shall be delivered to the Review Board members. If at any time the offering price of the property increases, the owner shall re-file the statement with the county manager.

- E. During this period, the county may negotiate with the owner or person in charge of the historic district and other parties in an effort to find a means of preserving the property.
- F. During this period, or at any time prior thereto following notice to the owner and where such action is reasonably necessary or appropriate for the continued preservation of the property, the County Board may enter into negotiations with the owner for the acquisition by gift, purchase, exchange or otherwise of the property or any interest therein.

### **§15.7.12. Question as to price**

The fact that a building or structure has been offered for sale at a price reasonably related to fair market value (FMV) may be questioned, provided that a petition in writing is filed with the county manager within 15 days after the offer of sale has begun. The petition may be filed by the Review Board, or a petition in writing signed by at least five persons owning real estate in the vicinity of the property offered for sale. Alternatively, the county manager may do the same within the same time frame. The county manager retains the discretion to accept or reject the aforementioned petitions as grounds for initiating an appraisal process. Within 15 business days after the filing of a petition questioning the reasonableness of the sale price offered, the county and the owner shall each give written notice to the other setting forth the name and address of an appraiser licensed to perform appraisals in the Commonwealth of Virginia (appraiser), selected by such party, who has agreed to act in such capacity to determine whether the offering price of the property is reasonably related to the FMV of the property. If either party shall fail to select an appraiser aforesaid, and such failure shall continue for a period of 10 business days after receipt of written notice from the other party, then the FMV shall be determined by the appraiser selected by the other party. When the appraiser(s) have been selected, then each appraiser shall thereupon independently make his/her determination of whether the offering price of the property is reasonably related to the FMV of the property within 21 days. If the two appraisers' disagree significantly as to their determinations of the FMV of the property, then the two appraisers shall appoint a third appraiser within 10 business days after the second of the two determinations described above has been rendered. The third appraiser shall independently make his/her determination of whether the offering price of the property is reasonably related to the FMV of the property within 30 days after his/her appointment. Each party shall pay for the cost of its appraiser and one-half of the cost of the third appraiser. The opinion of any two of the three appraisers shall be final and binding. In the event the opinion is to the effect that the offer to sell the building or structure is at a price reasonably related to its FMV, the owner may continue to offer the property for sale pursuant to §15.8.10 through §15.8.10.C. In the event the opinion is to the effect that the offer to sell the building or structure is not at a price reasonably related to its FMV, the date of the offer to sell first established pursuant to §15.8.9.B shall be void and the owner, if he wishes to take advantage of the right provided in said section, must re-file the notice provided for above. Notwithstanding an adverse opinion by the appraisers if an owner has entered into a binding contract as provided in §15.8.10.A.3 prior to the date the appraisers have filed their report with the county manager, the price shall be deemed reasonably related to the FMV, for the purposes of this contract.

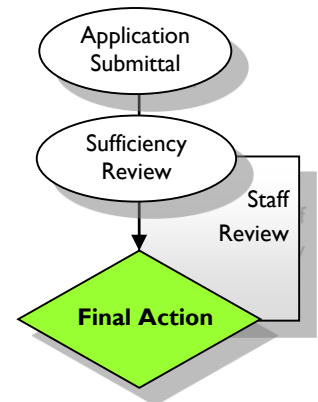
## §15.8. Sign Permits

### §15.8.1. Applicability

- A. A sign permit shall be obtained from the zoning administrator before any sign requiring a permit is erected, placed or installed (see ~~§13.5~~, ~~§13.6~~, ~~§13.7~~, ~~§13.8~~, ~~§13.10~~ and ~~§13.16~~ to determine which signs require permits).
- B. An application for a sign permit shall be signed by the applicant or an officer or member thereof, and shall include evidence of consent to the application by the owner of the building or property on which the sign is proposed for installation; and if the project is the subject of a comprehensive sign plan, the owner of the project or property manager responsible for the project.

### §15.8.2. Application

- A. Every application for a sign permit shall be accompanied by plans showing the area of the sign, the size, and design proposed; the method of lighting, if any, showing that lighting mechanisms are hidden to the extent practicable; and the exact location proposed for the sign. If the sign will be placed on premises for which there is an approved comprehensive sign plan, the application shall refer to the Plan and identify how the proposed sign conforms with the Plan.
- B. An application for a sign permit for a sign placed above a height of 40 feet that will be lighted shall include a certification by an engineer or other qualified professional licensed or practicing in Virginia that the installed sign will conform with the luminance standards and other limitations on illumination set forth in ~~§13.11.2~~. If a dimmed setting is used to meet the compliance limit, the dimmed setting meeting the compliance limit shall be measured, recorded and reported to the County prior to installation. The setting of the dimming controller itself may be reconfirmed after installation.
- C. An application for a sign permit for a sign with automatic changeable copy elements shall include a certification by an engineer or other qualified professional licensed or practicing in Virginia that the installed sign will conform with the luminance standards and other limitations on illumination and operation set forth in ~~§13.11.2~~ and §13.12.
- D. An incomplete application for a sign permit shall be returned to the applicant within one business day of its filing with notations or a checklist identifying what items are missing from the application. If the certifications required by ~~§15.8.2.B~~ and ~~§15.8.2.C~~, above, are not provided by a Professional Engineer licensed in Virginia, the zoning administrator may find that the application is incomplete and require that it be resubmitted with the required certifications by a Professional Engineer.
- E. A complete application for a permanent sign shall be approved or rejected within five work days. Upon request, a statement of the reasons for denial of a sign permit shall be provided within 30 days after rejection.
- F. A complete application for a temporary sign that requires a permit shall be approved or rejected within one business day of the receipt of a sign permit application. If the permit is



denied, the reason for the denial will be given orally, with a written reason provided within five days, if requested.



## §15.9. Density Credit for Public Dedications

### §15.9.1. Public dedication

When a parcel or portion thereof is needed by the county for a public purpose, including but not limited to public street right-of-way, and there are no encumbrances, title restrictions, or survey exceptions, to such parcel or portion thereof, which the County Board determines would restrict, adversely affect, or interfere with the use of the lot for public purposes, density credit may be granted by the County Board in conjunction with one of the following:

- A. County Board approval of a rezoning or special exception and a dedication or conveyance of a parcel or portion thereof for public purposes is part of such approval; or
- B. County Board approval of a density credit, upon recommendation of the county manager, when the County Board finds that the dedication or conveyance of a parcel or portion thereof for public purposes will contribute to the implementation of County Board approved plans, including by way of illustration and not limitation Sector Plans, Revitalization Plans, Business and Community Conservation Projects, Transportation Plans and Neighborhood Conservation Plans.

### §15.9.2. Approval criteria

Density credit determinations shall be based upon the following:

- A. The parcel or portion thereof to be dedicated or conveyed for public purposes is found by the County Board to be suitable in location, size, shape, condition and topography for such public purposes and the County Board finds that there are no encumbrances, title restrictions, or survey exceptions which would interfere with its use for such purpose or any other; and
- B. The parcel or portion thereof to be dedicated or conveyed is in accordance with the [county's Comprehensive Plan](#). Where such proposed public use requires approval under Section 15.2-2232 of the Code of Virginia, such approval shall be obtained prior to the granting of credit under this section; and
- C. The parcel or portion thereof for which density credit is granted will be [based on the square footage of land area dedicated or conveyed, and shall be](#) dedicated or conveyed to the County Board without monetary or other compensation except the granting of density credit.<sup>1</sup>

### §15.9.3. Plat required

Prior to a dedication or conveyance for public purposes, a plat showing the parcel or portion thereof to be dedicated or conveyed to the County Board for public purposes, the lot or site to which the density credit is to be granted and the appropriate appurtenant density allocation shall be submitted to and approved by the county manager, or his designee. Such plat, and a deed or other legally enforceable instrument acceptable to the county manager and accomplishing an irrevocable dedication or conveyance to the county for public purposes, shall be provided before any density credit may come into existence. Thereafter, any reallocation of such density credit shall require the submission to and approval by the county manager, or his

<sup>1</sup> From definitions ("density credit")

§15.9.4 COSTS

designee, of a plat showing the elements listed above. In the event of such reallocation density credit shall be reallocated in a manner proportional to the original allocation of density.

**§15.9.4. Costs**

All costs of implementation of the approved density credit, including any necessary subdivision, recording fees, or other costs, shall be borne by the owner of the lot or site to which the density credit is appurtenant. Any property owner asserting that a density credit applies to his property shall be responsible for establishing that such a density credit was approved by the County Board.

**§15.10. Permits for short term use**

**§15.10.1. Applicability**

Short term uses occurring on property outside of the public right-of-way shall obtain a permit for short term use from the zoning administrator that outlines conditions of operations so as to protect the public, health, safety and welfare subject to the standards of §12.10, Short Term Use Standards.

**§15.10.2. Application requirements**

- A. Applications for permits for short term use shall be sufficient for processing when it contains all of the information necessary to decide whether or not the development as proposed will comply with the approval criteria of §15.10.4, and with the applicable standards of §12.10. The burden of demonstrating that the application complies with approval criteria is the applicant’s.
- B. Each application is unique and, therefore, more or less information may be required according to the needs of the particular case. The applicant shall rely on the zoning administrator as to whether more or less information should be submitted.
- C. Concurrent with an application for a permit for short term use, the applicant shall submit a plat of the property showing the proposed short term use for review and approval.

**§15.10.3. Action by zoning administrator**

After receiving a complete application, the zoning administrator shall have up to 30 days to review and approve or deny the application.

**§15.10.4. Approval criteria**

Applications for permits for short term use shall be reviewed for compliance with the requirements of §12.10.

**§15.10.5. Conditions of approval**

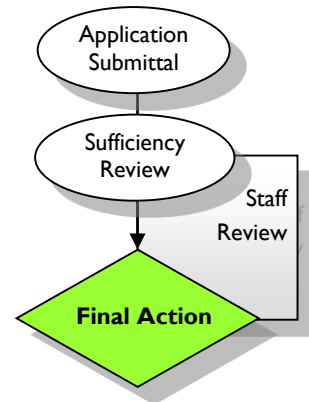
Short term use applications and plans, as approved, are incorporated into any permit issued, and except as otherwise provided herein, all subsequent development and/or use shall occur strictly in accordance with such approved application and documents.

**§15.10.6. Action following approval**

A permit for short term use will be issued by the zoning administrator for all approved applications.

**§15.10.7. Revocation of permit**

A permit for short term use shall be revoked if the zoning administrator finds that the terms of the permit have been violated or that there is a hazard to the public health, safety and welfare.





# Article 16. Nonconformities

## §16.1. Nonconforming Lots

### §16.1.1. Lots in R districts

In the R-20, R-10, R-8, R-6, and R-5 districts, where a lot has less width and less area than required in the subject district and was recorded under one ownership ~~at the time of the adoption of this ordinance~~ [on or before July 15, 1950], such lot may be occupied by any use permitted in the respective districts.

## §16.2. Nonconforming Buildings and Structures

### §16.2.1. Applicability

The provisions of this section shall apply to all nonconforming buildings and structures except as otherwise expressly stated in this zoning ordinance.

### §16.2.2. Qualification of nonconforming one-family dwellings

- A. Existing nonconforming one-family dwellings and accessory buildings or structures shall be permitted to be added to or expanded, provided that the addition or expansion complies with all current provisions of this zoning ordinance. The provisions of this section shall not preclude construction, within applicable height limits, of an addition over an existing one-family dwelling encroaching on a required setback or yard area provided there is no more of an encroachment into the required setback or yard than that of the existing wall below it, and providing that new construction may not take place over encroaching garages or porches.
- B. Existing main and accessory buildings or structures shall be permitted to be rebuilt within the building footprint and height and stories as they existed prior to damage or destruction if structures are damaged or destroyed by fire, wind, earthquake or other force majeure, and if construction commences within two years from the date of such damage or destruction. However, if the nonconforming building or structure is in an area under a federal disaster declaration and the building has been damaged or destroyed as a direct result of conditions that gave rise to the declaration, then the owner shall have an additional two (2) years within which to complete the repairs, rebuilding, or replacement. As used herein, "force majeure" shall mean any natural disaster or phenomena, including a hurricane, tornado, storm, flood, high water, wind-driven water, tidal wave, earthquake or fire caused by lightning or wildfire or other accidental fire (accidental fire shall not include arson committed under Va. Code Ann. §§18.2-77 or 18.2-80).

### §16.2.3. Maintenance permitted

Nonconforming buildings or structures may be maintained, except as otherwise provided in this section.

### §16.2.4. Repairs, alterations

Repairs and alterations may be made to a nonconforming building or structure; provided, that no structural alteration (as structural alteration is defined in the [Virginia Uniform](#)

~~Statewide~~~~United States~~ Building Code, as it may be amended from time to time) shall be made except those required by law or ordinance.

#### **§16.2.5. Additions, enlargements, moving**

This §16.2.5 applies to all buildings except one-family dwellings located in the R-5, R-6, R-8, R-10, and R-20 district.

- A. A nonconforming building or structure shall not be added to or expanded in any manner unless such building or structure, including such additions and expansions, is made to conform to all the regulations of the district in which it is located.
- B. A building or structure which does not comply with the height or lot area regulations shall not be added to or expanded in any manner unless such addition or expansion conforms to all the regulations of the district in which it is located; provided, that the total aggregate floor area included in all such separate additions and expansions does not exceed 50 percent of the floor area contained in the existing building or structure, as of July 15, 1950.
- C. A building or structure lacking sufficient automobile parking space in connection therewith as required in §14.3 may be altered or expanded, provided additional automobile parking space is supplied to meet, for the entire building, requirements of §14.3.
- D. No nonconforming building or structure shall be moved in whole or in part to any other location on the lot unless every portion of such building or structure is made to conform to all the regulations of the district in which it is located.

#### **§16.2.6. Restoration of damaged building**

A nonconforming residential or commercial building or structure which is damaged or destroyed by fire, flood, wind, earthquake or other calamity or force majeure or the public enemy may be repaired, rebuilt, or replaced to eliminate the nonconforming features or reduce the nonconformity to the extent possible, without the need to obtain a variance as provided in §15.6.4 or use permit as provided in §15.5, and the occupancy or use of such building, structure or part thereof, which existed at the time of such damage or destruction, may be continued or resumed. If such building is damaged or destroyed to the extent of more than fifty (50) percent of the building's value and cannot be repaired, rebuilt or replaced except to restore it to the original nonconforming condition, the owner may restore it to the original nonconforming condition. Unless such building or structure is repaired rebuilt or replaced within two years of the date of the natural disaster or other force majeure, such building shall only be repaired rebuilt or replaced in accordance with the provisions of this ordinance. However, if the nonconforming building or structure is in an area under a federal disaster declaration and the building has been damaged or destroyed as a direct result of conditions that gave rise to the declaration, then the owner shall have an additional two (2) years within which to complete the repairs, rebuilding, or replacement. As used herein, "force majeure" shall mean any natural disaster or phenomena, including a hurricane, tornado, storm, flood, high water, wind-driven water, tidal wave, earthquake or fire caused by lightning or wildfire or other accidental fire (accidental fire shall not include arson committed under Va. Code Ann. §§18.2-77 or 18.2-80).

## §16.3. Nonconforming Uses

### §16.3.1. Buildings

#### A. Continuation and change of use

Except as otherwise provided in this section:

1. The nonconforming use of a building or structure, existing at the time this zoning ordinance became effective, may be continued, provided that;
  - (a) The use of a nonconforming building or structure is not changed except to a use of the same or more restricted classification; and
  - (b) The use of a nonconforming building or structure that has previously been changed to a use of a more restricted classification is not thereafter changed to a use of a less restricted classification; and
  - (c) The nonconforming use of buildings or structures that is continued only so long as the then existing or a more restricted use continues and such use is not discontinued for more than two years.

#### B. Expansion prohibited; discontinuance

A nonconforming use of a conforming building or structure (i.e., commercial use in a dwelling, etc.) shall not be expanded or extended into any other portion of such conforming building or structure, nor changed except to a conforming use. If such a nonconforming use or portion thereof is discontinued or changed to a conforming use, any future use of such building, structure or portion thereof shall be in conformity with the regulations of the district in which such building or structure is located.

### §16.3.2. Nonconforming use of land

The nonconforming use of land (where no main building is involved), existing at the time this zoning ordinance or its successor, became effective, may be continued, provided:

- A. That no such nonconforming use of land shall in any way be expanded or extended either on the same or adjoining property.
- B. That no such nonconforming use of land or any portion thereof is discontinued or changed, and if so, that any future use of such land shall be in conformity with the provisions of this zoning ordinance.
- C. That any sign, billboard, commercial advertising structure or statuary, which is lawfully existing and maintained at the time this zoning ordinance became effective, may be continued although such use does not conform with the provisions hereof.

### §16.3.3. Townhouse projects within the Fort Myer Heights North Special District

Townhouse projects within the Fort Myer Heights North Special District for which building permit applications have been submitted to the Inspection Services Division on or before April 15, 2005 shall be allowed under the provision of this ordinance as it existed on or prior to April 15, 2005.

## §16.4. Nonconforming Due to Reclassification

The foregoing provisions of this section shall also apply to buildings, structures, land or uses which

hereafter become nonconforming due to any reclassification of districts under this zoning ordinance or any subsequent change in the regulations of this zoning ordinance. Provided, however, that where a period of years is specified in this section for the removal of nonconforming buildings, structures or uses, said period shall be computed from the date of such reclassification or change.

## §16.5. Nonconforming Due to Public Acquisition of Land

### §16.5.1. Purposes and findings

- A. When, due to acquisition by the county of a portion of a lot for public purposes, either:
  1. The use of the land, the lot, or a building or structure no longer complies with the requirements of this zoning ordinance; or
  2. An existing nonconforming use, ~~or~~ building or structure becomes further noncompliant with the requirements of this zoning ordinance; then,
- B. Upon a finding by the County Board that the acquisition of the property will be in the public interest and that the noncompliant conditions caused by the acquisition will not be of substantial detriment to adjacent property and the character of the district will not be changed, then, subject to such conditions as the County Board may approve, the provisions of §1.3, §3.1.8.B.1, §3.2.2.B, §3.2.3.B, §3.2.4.B, and §14.3.2 ~~§3.2~~<sup>1</sup> shall not apply to the acquisition and the lot, use, building or structure rendered noncompliant by the acquisition shall be treated as a nonconforming use or nonconforming building pursuant to the provisions of this Article 16.

### §16.5.2. Limitation

The foregoing provisions shall apply only to the noncompliant conditions caused by acquisition by the county, and under no circumstances shall the foregoing provisions be construed to confer nonconforming status on any condition that was not created or furthered by acquisition by the county.

## §16.6. Condominium and Cooperative Conversion

### §16.6.1. Nonconforming land, buildings or structures

Whenever any land, buildings or structures or the use thereof are proposed to be converted to condominiums or cooperatives and such land, buildings or structures do not conform to the regulations of this zoning ordinance, then before such proposed conversion may take place, a special exception use permit pursuant to §15.5 shall be obtained unless a variance of the requirements of zoning or land use regulations which may be granted by the Board of Zoning Appeals pursuant to Chapter 11 of Title 15.1 of the Code of Virginia is, in fact, granted.

### §16.6.2. Special exception or variance

A request for such a special exception or variance filed after July 1, 1982 shall be granted if the applicant can demonstrate that the continuance of any existing nonconformities, as proposed by

---

<sup>1</sup> Correction from May 2013 reformat. Inserted references reflect provisions referenced in the 1950 Ordinance. Edits in 16.5.1.A.2 are to make the provision consistent with the language in 16.5.1.A.1, such that there is parallel construction for circumstances of public acquisition that both create or further a nonconforming condition.



the conversion, is not likely to affect adversely the property or adjacent properties, the intention of the Comprehensive Plan, or the public welfare or safety.

## Article 17. Violations, Enforcement and Penalties

### §17.1. Violations

- A. Any building erected or improvements constructed contrary to any of the provisions of this zoning ordinance and any use of any building or land which is conducted, operated or maintained in a manner that is not in compliance with any of the provisions of the ordinance or in a manner not in compliance with any permit, detailed statement or plan approved under the provisions of this zoning ordinance shall be and the same is hereby declared to be unlawful.
- B. It shall constitute a violation of this zoning ordinance for any person, firm or corporation, either owner, agent or occupant, to do any of the things for which a permit is required by this zoning ordinance without having first obtained the said permit; and any permit issued upon a false statement of any fact which is material to the issuance thereof shall be void. Whenever the fact of such false statement shall be established to the satisfaction of the zoning administrator, he shall forthwith revoke the same, by notice in writing to be delivered to the holder of the void permit upon the premises where the violation has occurred, or, if such holder be not found there, by posting the said notice of revocation in some conspicuous place upon the said premises. Any such person, firm or corporation who shall proceed thereafter with such work or use without having obtained a new permit in accordance with this zoning ordinance shall be deemed guilty of violation thereof.
- C. It shall constitute a violation of this zoning ordinance for any person, firm or corporation, either owner, agent or occupant, to disobey, neglect or refuse to comply with or resist the enforcement of any of the provisions of this zoning ordinance. Each day upon which the said violation shall continue shall constitute a separate violation.

### §17.2. Enforcement

- A. This zoning ordinance shall be enforced by the zoning administrator. No building or other structure shall be erected, reconstructed, enlarged, moved or structurally altered without an appropriate permit therefore, and no structure shall be used, and the use of any land or building shall not be changed, without a certificate of occupancy therefore approved or issued by the zoning administrator. The zoning administrator shall under no circumstances approve or grant a permit or certificate of occupancy for the construction, alteration, use or change of use of any building or land if the building or land as proposed to be constructed, altered or used would be in violation of this zoning ordinance.
- B. If the zoning administrator finds that any of the provisions of this zoning ordinance are being violated, he shall notify in writing the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. He shall take any other action authorized by law to ensure compliance with, or to prevent violation of, its provisions.

### §17.3. Civil Penalties

- A. Except in case of the violation of any provisions of this zoning ordinance listed in §17.3.3, any violation of the provisions of this zoning ordinance shall be deemed a civil violation

and, upon an admission of liability or finding of liability, the owner, lessee, tenant or agent shall be subject to a civil penalty of \$200 for the first violation. Any person who continues to violate such provision of this zoning ordinance after the imposition of the first penalty, shall be subject to a civil penalty of not more than \$500, or such lesser amount so that the total amount of fines imposed will not exceed a total of \$5,000 arising out of the same set of facts, for each subsequent violation. No person shall be cited for a violation more than once in any 10 day period, and no person shall be fined more than a total of \$5,000 for all violations arising out of the same set of facts.

- B.** Civil penalties shall be assessed only after a written violation notice has been issued to the owner shown in the property tax records, which violation notice has provided a reasonable period of time to correct, or in instances where corrective measures will take time to complete, to commence and diligently pursue correction of the violation. Except for good cause shown, a reasonable period of time shall be a minimum of 10 days. Civil penalties shall be imposed by the issuance of a civil summons/ticket by the zoning administrator or deputy. Any person served with a summons/ticket shall be informed of his/her right to stand trial and of his/her responsibility to request within 30 days, said trial in General District Court. Any person may waive his/her right to trial by appearing in person or by mail and executing a Waiver of Trial and Admission of Liability and paying the fine to the Treasurer of Arlington County, Virginia. Aggrieved persons also have the right to appeal the violation Notice to the Board of Zoning Appeals within 30 days of the date of the violation notice. An aggrieved person may elect instead, at his/her option, to appeal a ticket/summons to the Board of Zoning Appeals within 30 days of issuance, or within 10 days for those violations listed in §17.3.C, below. In the event a person served with a violation notice and/or summons/ticket has, within 30 days of the date of violation notice and/or summons/ticket, or within 10 days for those violations listed in §17.3.C, neither:
1. Requested a hearing date in General District Court; nor
  2. Admitted liability and paid the fine; nor
  3. Filed an appeal of the violation notice with the Board of Zoning Appeals, then the determination of a violation shall be final and not subject to further appeal.
- C.** As provided for in the Code of Virginia the following violations shall have the right to appeal a violation notice within 10 days of the date of issuance:
1. Parking of commercial trucks in residential districts.
  2. Maximum occupancy limitation of a residential dwelling unit.
- D.** The demolition, razing or moving of a building or structure which is located in a historic overlay district without the prior approval of the Historical Affairs and Landmark Review Board (Review Board) and/or the County Board as provided in ~~§15.7~~~~§15.7~~ shall be punishable by civil penalty.
1. Such penalty shall not exceed twice the market value of the property as determined by the assessed value of the property at the time of destruction or removal of the building or structure, and shall include the value of any structure and the value of the real property upon which any such structure was located.
  2. Enforcement under the sections shall be by bringing an action in the name of the county in ~~C~~ircuit ~~C~~ourt by the county attorney, upon request of the zoning

administrator, and such action shall be brought against the party or parties deemed responsible for such violation.

3. The remedies provided for in the sections are not exclusive and shall be in addition to any other remedies provided by law.

## **§17.4. Criminal Penalties**

It shall be unlawful and constitute a misdemeanor for any person, firm, corporation, owner, agent or occupant to violate any of the provisions of this zoning ordinance, referenced in ~~§17.4.A~~~~§17.4.A~~. It shall furthermore, be unlawful for any person, firm, or corporation to cause or, with knowledge, permit such action to be taken upon such person's, firm's or corporation's behalf. For violations involving signs, where a sign bears a name, phone number, address, website or other identifying information, there shall be a rebuttable presumption that the person or entity bearing that name or controlling that phone number, address or website was responsible for placing or installing the sign. Any person, firm, corporation, owner, agent or occupant who is convicted of a violation of any of the provisions of this zoning ordinance shall be punished by a fine of not less than \$10 nor more than \$1,000. If the violation is uncorrected at the time of conviction, the court shall order the violator to abate or remedy the violation in compliance with this zoning ordinance within a time period established by the court. Failure to remove or abate a zoning violation within the specified time period shall constitute a separate misdemeanor offense punishable by a fine of not less than \$10 nor more than \$1,000, and any such failure during any succeeding 10 day period shall constitute a separate misdemeanor offense for each 10 day period punishable by a fine of not less than \$100 nor more than \$1,500.

- A. The following violations that shall be treated as criminal penalties are:
  1. Any sign posted on public property or in public rights-of-way in contravention of this zoning ordinance;
  2. Any land development activity without applicable permit;
  3. Any violation of the provisions of the ordinance that results in physical harm or injury to any person.
- B. When civil penalties total \$5,000 or more, the violation may be prosecuted as a criminal misdemeanor, as provided within the Code of Virginia. Treatment as criminal penalties shall not preclude the zoning administrator from pursuing injunctive action.
- C. The zoning administrator or his/her agent shall have all necessary authority to present sworn testimony to a magistrate or court of competent jurisdiction and if such sworn testimony establishes probable cause that a zoning ordinance violation has occurred, request that the magistrate or court grant the zoning administrator or his/her agent an inspection warrant to enable the zoning administrator or his/her agent to enter the property and/or building for the purpose of determining whether violations of this zoning ordinance exist. The zoning administrator or his/her agent shall make a reasonable effort to obtain consent from the owner or tenant of the property and/or building prior to pursuing the issuance of an inspection warrant.



*This page intentionally blank*

## Article 18. Definitions

### §18.1. Word Usage

The word "used" includes "designed, intended or arranged to be used" and vice versa; words used in the present tense include the future; words used in the singular number include the plural number and vice versa; the word "building" includes the word "structure"; the word "dwelling" includes the word "residence"; the word "lot" includes the word "plot"; and the word "shall" is mandatory and not directory.

### §18.2. General Terms Defined

For the purposes of this zoning ordinance certain terms and words used herein shall be defined and interpreted as follows. <sup>-1</sup>

Abut or abutting: To physically touch or border upon; or to share a common property line or border. Unless otherwise expressly stated, this definition does not include lots or parcels on the opposite side of a street.

Accessory building. Same as "building, accessory."

Accessory dwelling. Same as "dwelling, accessory."

Adult entertainment. Live performances by topless and/or bottomless dancers, strippers or similar entertainers, characterized by the display or exposure of anatomical areas that are customarily covered in public.

Adult use. 1) A use, whether private or open to the public, that features adult entertainment; or 2) Any use, which, as its primary business, offers for sale any book, publication or film that depicts nudity, or sexual conduct or that offers sexually-oriented services, including but not limited to bath houses, massage parlors, wrestling parlors.

Actual height of the building. The term "actual height of the building" as used in said regulations with respect to the location of signs shall not be deemed to include any part of the building that consists of a sign structure or that is erected for the primary purpose of displaying a sign.

Aggregate sign area. The total area of all signs of a sign type, for which "yes" is included in the "included in aggregate sign area," line in §13.6 or §13.7, whichever is applicable for the property on which the sign is located.

Airport or aircraft landing field. Any landing area, runway or other facility designed, used or intended to be used, either publicly or privately, by any person or persons for the landing and taking off of aircraft, including passenger terminals, and all ~~necessary-associated~~ taxiways, aircraft storage and tie-down areas, hangars and other necessary buildings and open spaces.

Alley. A public thoroughfare less than 30 feet wide that is usually used as a secondary means of vehicular access to abutting lots and not intended for general traffic circulation.

---

<sup>1</sup> All definitions shown with double-underline were moved from 18.2 sign definitions and inserted alphabetically into general definitions.

Animal care facility. A place where animals are cared for, such as a veterinary care facility or animal grooming facility, but not including businesses that meet the definition of kennel.

Apartment. A room or group of rooms used as a dwelling unit for one family, with facilities for preparing food therein. Same as See also "dwelling unit."

~~Apartment house. Same as "dwelling, multiple-family."~~

Application. An application is a document submitted to the county in an effort to obtain permission under this zoning ordinance to proceed with a particular action. Examples of such actions include, but are not limited to: site plan, use permit, variance, appeals, administrative changes, and the like. Applications may include requests for buildability letters, zoning determinations, second sink letters, accessory dwellings, family suites, etc.

Arcade sign. A sign that is suspended underneath an awning, canopy, marquee, overhang, or other structural element of a building that forms a covered passageway for pedestrians. See §13.7.2.<sup>1</sup>

Areaway. A sunken area affording access, air, or light to a basement door.

Art gallery or studio. Where objects of art are displayed for viewing, created (including the teaching of both painting and sculpting, or similar activities), or displayed for sale.

Assisted living facility. A ~~housing development~~ building or group of buildings designed for limited care and assistance of ambulatory persons, with spouses or companions when applicable, but not including any facility licensed as a nursing home or health care facility by the state. A facility providing assisted living care but also licensed by the state as a nursing home or other health care facility shall be considered a nursing home under the zoning ordinance.

~~Automotive wrecking.~~ ~~The dismantling or wrecking of used vehicles or trailers, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.~~

Awning or canopy. An awning or canopy ~~shall~~ includes any structure made of fabric or other durable material, metal or a frame attached to a building, and projecting therefrom, and ~~may be possibly~~ carried by frames supported at grade level.

Awning sign. A sign that is painted on or affixed to the surface of an awning.

Balcony. A cantilevered platform projecting from the wall of a building, with a railing along its outer edge, often with access to the building from a door or window.

Banner. A sign of any kind applied to fabric or other flexible, durable material. Flags as defined herein shall not be considered banners. (See §13.6.3, §13.7.4, §13.8.2, §13.9.2, §13.15.4).

Basement. A story partly or wholly underground. For purposes of height measurement, a basement shall be counted as a story where more than 1/2 of its height is above the average level of the adjoining ground.

Bed and breakfast. A one-family dwelling containing five or fewer guest rooms available for overnight accommodations which are rented at a daily rate and where meals are served only to guests. A one-family dwelling with five or fewer guestrooms available as overnight accommodations for compensation to guests for no more than 14 consecutive days per stay. A bed and breakfast has

---

<sup>1</sup> Moved from sign definitions



~~no cooking facilities for use by the guests and is operated by a resident owner.~~<sup>1</sup> (See also §12.5.3.)

~~Board. The Board of Zoning Appeals.~~

~~Boarding house or rooming house. A building other than a hotel or motel or bed and breakfast, where for compensation on a daily, weekly or monthly basis, lodging or both lodging and meals are provided. A building where, for compensation, meals or lodging and meals, are provided for three or more, but not exceeding nine guests. Compensation may be paid daily, weekly or monthly.~~

Breezeway. An enclosed or unenclosed roofed passageway connecting two buildings or parts of a building.

~~Buildable area. See §3.1.1.B§3.1.1.B. The area of a lot within which a structure can be placed and remaining after the minimum yard and open space requirements of this zoning ordinance have been met, less any area needed to meet the minimum requirements for streets, sidewalks or other similar public improvements.~~

Building. An enclosed structure anchored to its foundations and having exterior or party walls and a roof, designed for the shelter of persons, animals or property. When divided by walls without openings, each portion or section of such building shall be regarded as a separate building.

~~Building code. The Virginia Uniform Statewide Building Code, as it may be amended from time to time.~~

Building Tower Coverage. The gross floor area of the largest single floor above the fifth floor of a building expressed as a percentage of a site's buildable area. When applied across multiple buildings, the numerator shall be the total arrived at by adding together the areas, for each building, of the largest single floor above the fifth floor.

Building Tower Separation. The space between the portions of two buildings as measured above the fifth floor, expressed as the shortest horizontal dimension between the exterior building facades.

Bulk Plane Angle. An imaginary inclined plane rising over a lot, that begins at a specified height along a build-to line and slopes back at a specified angle from horizontal over the lot, and which when required, together with other bulk, coverage, and placement requirements for a specific district, delineates the maximum bulk of any improvement which may be constructed on the lot. (See ~~also~~<sup>Reference</sup> "Positioning the Bulk Plane" illustration in Map ~~§7.16.10§7.16.10~~)

Building, accessory. A detached subordinate building, the use of which is clearly incidental to that of the main building or to the use of the land. (See also §12.8)

~~Building, community. A building for social, educational and recreational activities of a neighborhood or community, provided any such use is not operated primarily for commercial gain.~~

Building group. Two or more buildings, including multiple dwellings, grouped upon a lot and held under single ownership, such as universities, hospitals and institutions.

Building line. A line which delineates a required minimum yard of the lot. (See ~~also §3.1.1.B§3.1.1.B.~~ "setback area" and "buildable area.")

<sup>1</sup> ~~Moved to use standards.~~

Building, main. A building in which is conducted the principal u-se of the lot on which it is situated.

Building official. The building official for the County, appointed by the county manager, pursuant to the Code of Virginia, to administer the building code.

Build-to line. See §3.1.2§3.1.2.

By right. May be approved administratively in the respective zoning district subject to all other applicable requirements of this zoning ordinance, including the specific use standards in Article 12 and site development standards of Article 13 and Article 14.

Canopy sign. A sign that is painted on or affixed to the flat vertical surface of or sits on top of a canopy.

Campground. Land used for occupancy by tents or recreational vehicles for temporary or transient living purposes. Same as "Tourist camp."

Camp, trailer. Same as "campground."

Caretaker residence. A dwelling unit used exclusively by the owner, manager or operator of a principal permitted use that is located on the same lot or parcel as the principal use.

Certificate of appropriateness (CoA). See also §15.7§15.7. A certificate issued by the Historical Affairs and Landmark Review Board, or its designee, or on appeal, the County Board, authorizing alteration, construction, relocation, restoration, grading, or demolition of any building, sign, appurtenance, structure, object, parcel of land or building located within a locally designated historic district and, separately, properties governed by the Columbia Pike Form Based Code Ordinance.

Changeable copy sign. A sign that includes characters, letters, or illustrations that can be changed or rearranged by mechanical, electronic or manual means without altering the face or surface of the sign.

Changeable copy sign, automatic. A sign that includes characters, letters, or illustrations that can be changed or rearranged by electronic or electro-mechanical means.

Child care center. Any facility, but not including family day care homes, operated for the purpose of providing care, protection, and guidance to a group of children separated from their parents or guardians during only part of the 24 hour day, ~~and that complies with the requirements of Chapter 52 of the Arlington County Code.<sup>1</sup> Every child care center shall have a use permit as required in §15.5.~~

Circuit Court. The circuit court of Arlington County.

~~Clinic, dental. A dental care facility devoted primarily to the diagnosis and treatment of the sick or injured.~~

Clinic, medical or dental. Same as medical or dental office.

College and university. An educational institution or other institution of higher learning that offer courses of general or specialized study leading to a degree.

<sup>1</sup> Moved to use standards 12.4.3

Commercial message. A sign, wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service or other commercial activity.<sup>1</sup>

Commercial vehicle. The following vehicles: (a) Any vehicle with a gross vehicle weight of 10,000 pounds or more; (b) Any vehicle designed to carry in excess of 16 passengers, including the driver; (c) Any vehicle designed primarily to tow, transport, or carry motor vehicles; (d) Any vehicle operated or used for rent or for hire for the transportation of passengers or as a property carrier for compensation, other than taxicabs; (e) Any vehicle or trailer designed to sell food or merchandise directly from the vehicle or trailer itself; and (f) Any tractor truck or semitrailer; provided, however, the following shall not be considered commercial vehicles:

(1) Any vehicle owned by the United States Government, or the Commonwealth of Virginia, or a political subdivision thereof and used solely for government purposes;

(2) Any farm tractor when located on property used for agricultural purposes;

(3) Any ~~motor home or camping trailer~~ recreational vehicle when used by an individual solely for personal recreational purposes and not for hire; and

(3) Any vehicle used exclusively for the transportation of persons to and from a school or building whose principal uses require an occupancy permit to house meeting rooms such as community meeting buildings, lodges, and ~~places of worship~~ religious institutions, or activities related to the school or the use requiring such occupancy permit. Terms used in this definition, which are defined in Virginia Code § 46.2-100, shall have the meanings set forth in that Section.

Commercial vehicles shall be parked in accordance with §12.8.2.C, unless a use permit is obtained in accordance with §15.5.

~~Commission. shall mean the County Planning Commission of Arlington County, Virginia.~~

Comprehensive Plan. The Comprehensive Plan of Arlington County, Virginia, as it may be amended from time to time.

Convenience service area. See ~~§12.9.5~~ §12.9.5.

Comprehensive sign plan. A plan showing the size, location, materials, structure and placement of all signs for which a permit is required that are associated with a development project.

Court. ~~See §3.1.3~~ §3.1.3. An open, unoccupied space, other than a yard, on the same lot with a building or group of buildings and which is bounded on two or more sides by such building or buildings.

Court, inner. ~~See §3.1.3~~ §3.1.3. A court other than an outer court. The length of an inner court is the minimum horizontal dimension measured parallel to its longest side. The width of an inner court is the minimum horizontal dimension measured at right angles to its length.

Court, outer. ~~See §3.1.3~~ §3.1.3. A court the full width of which opens onto a required yard, or street or alley. The width of an outer court is the minimum horizontal dimension measured in the same general direction as the yard, street or alley upon which the court opens. The depth of an outer court is the minimum horizontal dimension measured at right angles to its width.

Cul-de-sac. A local street with only one outlet and having an appropriate terminal for reversal of traffic movement.

<sup>1</sup> Moved from sign definitions

Curb grade. The elevation of the established curb in front of the building measured at the center of such front. Where no curb grade has been established, the highway engineer shall establish such curb grade or its equivalent for the purpose of the ordinance.

Deck. A flat unenclosed platform that is supported by posts.

Density credit. An amount of density assigned to a lot or site as permitted in ~~§15.9~~§15.9, ~~Such density credit shall be based on the square footage of land area dedicated or conveyed, without other compensation, to the County Board for public purposes.~~<sup>1</sup> Such density shall be expressed as a number of ~~sq. ft.~~square feet of land area that may be used to calculate additional gross floor area permitted on a lot or site when multiplied by the floor area ratio or units per acre permitted by this zoning ordinance in the district for the lot or site.

Design capacity. The number of students a school is designed to accommodate, calculated by the same formula used to calculate capacity for elementary, middle or high schools, respectively, shown in the latest Capital Improvement Plan adopted by the Arlington County School Board as referenced by Capital Improvement Plan adopted by the County Board at the time of application.

Development project. ~~A~~Property that is the subject of approval for development.<sup>2</sup>

Directly facing. A sign shall not be considered to be directly facing another area if there is another building or other obstruction of a height equal or greater to the height of the sign between the sign and the facing area.

Dormer. An element of a building that projects from a pitched roof. A dormer may have a window or louver for light or ventilation, and may be of a shed, gable or other design.

Dormitory. A residence, not operated for commercial gain, for groups who are associated with an organization such as a school or a university, a religious order, a health care program or a nonprofit, charitable, benevolent, educational or governmental agency providing shelter for needy persons or persons who are ~~objects- recipients~~ of the agency's charitable, benevolent, educational or governmental activity;~~;~~ which institution customarily provides housing quarters with a single kitchen and living area for the group and may include groups residing with one or more resident counselor(s) or other staff person(s). ~~Said residence shall not be operated primarily for commercial gain.~~

Duplex. Two attached dwelling units in a single structure on a single lot with dwelling units situated either wholly or partially over or under the other dwelling unit. The building has all exterior characteristics of a one-family attached dwelling, having a single front entrance or one front and one side entrance on the first floor; provided an outside, enclosed stairway located parallel and abutting the rear of the dwelling shall be permitted for direct access to the second floor level. A two-family dwelling with one dwelling unit above the other, having a single front entrance or one front and one side entrance on the first floor level and all exterior characteristics of a one-family dwelling; provided an outside, enclosed stairway located parallel and adjacent to the rear of the dwelling shall be permitted for direct access to the second floor level.

---

<sup>1</sup> Moved to 15.10.2.C

<sup>2</sup> Moved from §1.1 (sign definitions) and edited as shown.

Dwelling, accessory. A complete independent dwelling unit, with kitchen and bath, designed, arranged, used, or intended for occupancy by not more than two persons for living purposes and meeting the standards of ~~§12.9.2~~§12.9.2.

Dwelling or dwelling unit. A building or portion thereof designed exclusively for residential occupancy, including ~~one family, two family and multiple family dwellings, but not including hotels, boarding houses and rooming houses~~ One-family detached; Semidetached; Duplex; Townhouse; Multiple-family building.

~~Dwelling unit. One or more rooms designed, arranged, used or intended for occupancy by one family for living purposes and having: (a) Separate cooking facilities for the exclusive use of the occupants; or (b) Any separate entrance thereto either by an exterior door serving said rooms exclusively or by a common hall, stair or entry way.~~

Dwelling, duplex. ~~See duplex. A two family dwelling with one dwelling unit above the other, having a single front entrance or one front and one side entrance on the first floor level and all exterior characteristics of a one family dwelling; provided an outside, enclosed stairway located parallel and adjacent to the rear of the dwelling shall be permitted for direct access to the second floor level.~~

Dwelling, multiple-family. ~~See Multiple-family. A building or portion thereof, designed for occupancy by three or more families living independently of each other.~~

Dwelling, one-family. ~~See One-family detached. or single family. A detached building designed exclusively for occupancy by one family.~~<sup>1</sup>

Dwelling, semidetached. ~~See semidetached. A two family dwelling with one dwelling unit beside the other, separated by a common party wall without openings.~~

Dwelling, townhouse. ~~See Townhouse. One of a series of three or more attached similar dwelling units separated by common party walls without openings extending from basement to roof.~~

Dwelling, two-family. ~~Two-family dwellings include semidetached and duplex dwellings. A building designed exclusively for occupancy by two families living independently of each other, including a duplex or a semidetached dwelling.~~

~~Educational institution. A college or university giving general academic instruction equivalent to the standards prescribed by the state board of education.~~

Emergency services. Any service offered by any person, firm or corporation reasonably necessary to preserve the health, safety and property ~~values~~ of individuals or the community at large.

Enclosed. Any roofed-over structure or attachment to a structure is enclosed if sides (other than the side or sides where a structure is attached to a main building) are more than 40 percent covered ~~by enclosed with~~ any material other than customary wire or mesh screening.

Establishment. A business or organization of any kind offering goods or services to the public; this definition includes non-profit organizations.

Exterior Features. ~~Exterior features shall~~ include the architectural style, general design and general arrangement of the entire exterior envelope of a building structure, site, or object, including the

<sup>1</sup> Term updated and re-alphabetized (see "one-family")

kind and texture of the building material and the type and style of all windows, doors, light fixtures, signs, and other appurtenant fixtures, and other natural features. In the case of signs, "Exterior Features" shall be construed to mean the style, material, size and location of all such signs.

Family: (a) An individual, or two or more persons related by blood, marriage or adoption, or under approved foster care; ~~or~~

(b) A group of not more than four persons (including servants) whether or not related by blood or marriage living together and sharing living areas in a dwelling unit; or

(c) A group of up to eight ~~persons with mental illness, intellectual disability or developmental disability mentally ill, mentally retarded or developmentally disabled persons~~ who are residing with one or more resident counselor(s) or other staff person(s) in a facility which is licensed by the Department of ~~Mental Health, Mental Retardation and Substance Abuse Services~~ Behavioral Health and Developmental Services of the Commonwealth of Virginia. For the purposes of this zoning ordinance, mental illness and developmental disability shall not include current illegal use of or addiction to a controlled substance as defined in Section 54.1-3401 of the Code of Virginia or its successor; ~~or-~~

(d) A group of up to eight aged, infirm or disabled persons who are residing with one or more resident counselor(s) or other staff person(s) in a facility licensed by the Virginia Department of Social Services of the Commonwealth of Virginia.

Family day care home. Any dwelling unit where nine or fewer children not related by blood, adoption, or marriage to the person who resides in and maintains the home are received for care, protection, and guidance during only part of the 24 hour day, on a regular basis, for a minimum of 10 hours per week, and that complies with the requirements of Chapter 59 of the Arlington County Code. ~~Every family day care home shall have a certificate of occupancy for that property as required in §15.3.~~<sup>1</sup>

Family/caregiver suite. Not more than two rooms plus a bathroom and "efficiency" kitchen in a dwelling that are designed, arranged, used or intended for occupancy by either not more than two persons who are related by blood or marriage to the principal occupant of the dwelling or no more than two persons who may be unrelated to the principal occupant of the dwelling, at least one of whom provides care for one or more children of the principal occupant of the dwelling or care for or assistance to one or more elder(s) or person(s) with disabilities who are occupant(s) of the main dwelling. ~~The suite shall be designed so that it can function as an integral part of the dwelling although the occupants may live independently of each other.~~<sup>2</sup>

Flag. A piece of cloth or other material used as a noncommercial symbol, standard, or signal, such as the flag of a local, state, or national government or private noncommercial organization. See §13.5.2, §13.6.4, §13.7.6 and §13.9.8.

Flashing sign. A sign that incorporates the use of varying intensities or colors of light to attract attention; a changeable copy sign that conforms with §13.12.2 shall not be considered a flashing sign; a sign

<sup>1</sup> Moved to use standards (12.9)

<sup>2</sup> Moved to use standards (12.9)

shall not be considered flashing because it uses automated or human-operated technology to vary the light level to adjust to the ambient light level at different times of day.

Floor area ratio. See ~~§3.1.5~~§3.1.5.

Food catering service. ~~The activity of providing~~A business establishment that provides food or beverages or both, along with the necessary accessories for serving these products for social, institutional or business events at sites off the business establishment's premises. Food or beverages prepared for ordinary, in-home meals or for individual, resident or guest consumption is not “catering” ~~but, and~~ when delivered, ~~it is a would be a~~ “food delivery service.”

Food delivery service. ~~The preparation of Any establishment which prepares~~ food and beverages to fill orders from off the site where the order is taken for delivery to off-site locations for customers as prepared and delivered.

Freestanding sign. A sign that is affixed to the ground, to a wall that is not part of a building, or to a fence; freestanding signs include but are not necessarily limited to signs mounted on monument-style foundations, on poles, or on fences or other approved accessory structures. See §13.5.3, §13.6.5, §13.7.7 and §13.9.9.

Frontage. All the property fronting on one side of a street between the two nearest intersecting streets, or other natural barriers.

Grade, existing. The ground level or elevation at the outside of a building or elsewhere on a lot prior to any grading or construction, as submitted to the Zoning Office on a grading plan certified by a licensed surveyor, or where a grading plan is not required, as shown on the accepted elevation drawings.

Grade, finished. The ground level or elevation at the outside of a building or elsewhere on a lot after grading or construction, as shown on a grading plan certified by a licensed surveyor, or where a grading plan is not required, as submitted to the Zoning Office on the accepted elevation drawings. In the case of a sign, finished grade shall be the elevation of the ground at the site of the sign or at the main entrance to the main building on the site, whichever is lower.<sup>1</sup>

Gross floor area. See ~~§3.1.1.C~~§3.1.1.C.

Gross parking area. The sum of the ground surface area actually used for parking spaces and the area of the horizontal surface of the ~~several~~floor(s) of a building, measured from the exterior faces of exterior walls, devoted to off-street parking, loading and maneuvering space including all corridors, air shafts, elevators, stairwells and toilets incidental thereto, but not including area devoted to permitted and accessory uses other than parking and loading.

~~Group~~institutional home. A residential facility in which more than eight individuals with mental illness, intellectual disability or developmental disability reside, with one or more resident counselors or other staff persons; provided that, for purposes of this definition and the use of the term within the zoning ordinance, “mental illness or developmental disability” shall not include current illegal use of or addiction to a controlled substance as defined in Va. Code § 54.1-3401; all as provided in Va. Code §15.2-2291.A. A place for the care, including day care, of dependent children and persons needing assistance in the activities of normal daily living because of age or disability.

<sup>1</sup> Last sentence moved from sign definitions.

Guest. Any non-family member who is invited to occupy a dwelling unit or accessory building by the occupying family, without compensation, for not more than 30 days in any one calendar year. This definition shall not apply to hotel or motel or guest room as defined in this zoning ordinance.

Guest house. See ~~§12.9.10~~§12.9.10.

Guest room. A room with its own entrance, or with direct access to a common corridor, constituting one hotel or motel unit, that is ~~which is~~ designed or intended for occupancy by one or more guests, but in which no whether or not provision is made for cooking, and not including rooms that are part of dormitories ~~for sleeping purposes~~. Each guest room shall be not less than 240 sq. ft<sup>1</sup> ~~Every guest room having direct access to a common corridor, shall constitute one hotel or motel unit.~~

Height, building. See ~~§3.2.2~~§3.2.2.

Historic district. A landmark, building, structure, property, land or area ~~in which historic events occurred or having special public value because of notable architecture, archaeology, or other features relating to the cultural or artistic heritage of the community, and~~ that is included within an overlay district as established by ordinance adopted by the County Board in accordance with §11.2. Such overlay district shall not have boundaries that extend farther than the property line of the land pertaining to such district.

Historic district design guidelines. Those guidelines adopted by the County Board, pursuant to §11.4~~§11.4~~, and intended to guide and inform the decisions of the Historical Affairs and Landmark Review Board with regard to alterations to the exterior features of a locally designated historic district.

Historic landmark. ~~Historic landmarks shall be~~ Those properties listed on the Virginia Landmarks Register, as established by the Virginia Board of Historic Resources, and those properties established as historic landmarks ~~as such~~ by the County Board on its own motion.

Home occupation. An ~~occupation conducted as an~~ accessory use conducted pursuant to §12.9.11~~§12.9.11~~, in or from a residential dwelling or its accessory building by person(s) whose principal residence is on the premises, ~~which has no more effect on adjacent property than normal residential use~~. Home occupations include those uses as permitted and regulated in ~~See also §12.9.12.~~

Hotel or motel. A building designed for transient occupancy containing ten or more guest rooms or suites, providing living, sleeping and toilet facilities; ~~Individual cooking facilities, a general kitchen or a common dining room may be provided.~~ Any building or group of buildings, containing 10 or more guest rooms, and/or dwelling units which are intended, used, or designed to be rented, let, or hired out for compensation by automobile tourists or other transients, whether such compensation be paid directly or indirectly. This shall include motels, motor hotels, tourist courts, motor lodges, and the like. Daily or weekly rental of units or any sign on the premises making reference to other than monthly rates shall be considered prima facie evidence that a building containing 10 or more guest rooms and/or dwelling units is a hotel and subject to all hotel restrictions and ordinances.

Hotel unit. Same as "guest room".

<sup>1</sup> Moved to use standards for "hotel or motel"



Incidental sign. A sign that provides information or directions that are necessary for the physical use of the site, including but not limited to signs that provide warnings, parking rules or way-finding information. See §13.5.4, §13.6.6, §13.7.8 and §13.9.10.

Inoperative vehicle. Any motor vehicle, recreational vehicle, trailer or semi-trailer which is not in operating condition, or which for a period of 90 days or longer has been partially or totally disassembled by the removal of tires and wheels, the engine, or other essential parts required for operation of the vehicle. An inoperative vehicle shall also be considered a vehicle with an observable condition which indicates a state such that it is economically impractical to make such vehicle operative within a reasonable period of time, or which constitutes a health, fire or safety hazard. . .

Junk. Worn-out and discarded material in general that may be turned into some use; odds and ends; old iron or other metal, glass, paper, cordage, old bathroom fixtures, old rubber and old rubber articles, or other waste or discarded material which may be treated or prepared so as to be useful again in some form; rubbish of any kind, including but not limited to old rope, chairs, iron, copper, parts of machinery, bottles, paper, rags; and parts of used automobiles having only a salvage value.

~~Junkyard. Any land or open structure used for the collection, keeping, storage or abandonment of junk, or inoperative vehicles, whether or not the items are available for sale or trade.~~

Kennel. Any lot or premises on which four or more dogs, more than four months of age, are kept.

Kiosk. A free-standing structure which is: one-story, and that is neither ~~(no~~ more than 10 feet to the eaves in height); nor greater than 150 sq. ft. square feet in area; and constructed predominantly of materials such as glass, wood, plastic, metal or fabric. ~~Any area occupied by a kiosk shall not be used in the calculation of floor area ratio.<sup>1</sup>~~

Landing. A platform between stairs or at the foot or head of stairs.

Landscaped beautification area. An area within the public right-of-way that is substantially landscaped with flowers and/or other plantings. Areas of the public right-of-way landscaped with only trees and/or grass shall not be considered landscaped beautification areas.

Large-format retail sales establishment. A building for which one certificate of occupancy is to be sought or issued and that either occupies 50,000 square feet or more on any one level or provides 200 or more parking spaces dedicated to one principal land use; including any building used for. ~~This definition shall include uses where the primary activity is~~ the sale of any combination of food, merchandise, and/or personal and business services (personal and business services include banks, dry cleaning drop-off stations, ticket agencies, hair salons, shoe repair, watch repair, photo copying, fitness centers, and other uses that are similar in character, as determined by the zoning administrator) for use or consumption by a purchaser. A large-format retail sales establishment shall not be deemed to include ~~“vehicle sales, rental, or leasing facilities, vehicle dealership, sales, or rental lot”~~ or ~~“vehicle service establishment”~~.

Large media screen: A wall-mounted automatic changeable copy sign larger than 12 sq. ft. square feet that displays, on a video screen, either still, scrolling or moving images, including video, media

<sup>1</sup> Moved to §12.5.12.C.6

broadcasts and animation. Such images may be changed remotely through electronic means and utilizes a series of grid lights, including cathode ray, light emitting diode display, plasma screen, liquid crystal display, fiber optic, or other electronic media or technology, and meets the requirements of §13.12.4. ~~A scoreboard as permitted by §13.8.3.C.4(b) or §13.9.9.D.3 shall not be considered a large media screen.~~<sup>1</sup>

Legible. A legible message is a message that can be read during daylight hours by a person between five feet two inches and six feet tall, standing in the nearest public right-of-way, with eyesight adequate to obtain a current Virginia driver's license.<sup>2</sup>

Limited access highway. A highway ~~especially~~ designed for through traffic over which abutters have no easement or right of light, air or access to by reason of the fact that their property abuts upon such limited access highway.

Linear foot of building frontage. A straight line measured from one end of the wall most nearly parallel to the public right-of-way to the other end of the same wall of the portion of the building façade facing a public street or facing a street with a public access easement. Neither articulations nor off-sets in the wall shall increase the length of the linear foot of building frontage.

Live Entertainment. Any entertainment involving performances, or delivery of entertainment by one or more persons, including but not limited to: musical ensembles, solo performers, deejays, karaoke, comics/comedians, theatrical acts (when performed in a venue other than a theater) and dancing. Live entertainment does not include piped-in background music, where no "live" person is actively involved in the playing of the music.<sup>3</sup>

Loading space. ~~See §14.3.3.C~~§14.3.3.C Any off-street place available for the loading or unloading of goods<sup>4</sup>, ~~not less than 12 feet wide, 25 feet long, and having a minimum vertical clearance of 14 feet,~~ and having direct usable access to a street or alley.

Lot. ~~See §3.1.1.A.1~~§3.1.1.A.1 A designated parcel, tract or area of land having its principal frontage upon a street or a place permitted under the subdivisions ordinance and established by plat or subdivision.—

Lot area, minimum. See §3.1.1.A.3~~§3.1.1.A.3~~.

Lot, corner. A lot, or portion thereof, not greater than 100 feet in width and situated at the intersection of two or more streets, having an angle of intersection of not more than 135 degrees.

Lot, interior. A lot other than a corner lot.

Lot, pipe-stem. A residential lot that has a "pipe" portion, which complies with the minimum requirements for frontage, lot area, lot width, lot depth, and building placement in the zoning and subdivision ordinances, and that has a narrower "stem" portion, which does not meet the lot width requirement but provides the required frontage and access to a generally larger and more buildable "pipe" portion of the lot.

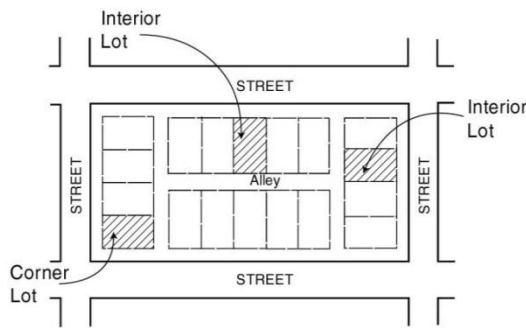
Lot, through. An interior lot having frontage on two parallel or approximately parallel streets.

<sup>1</sup> Moved from sign definitions and amended as shown. Strikethrough text moved to 13.8.3.C.4(b) and 13.9.9.D.3

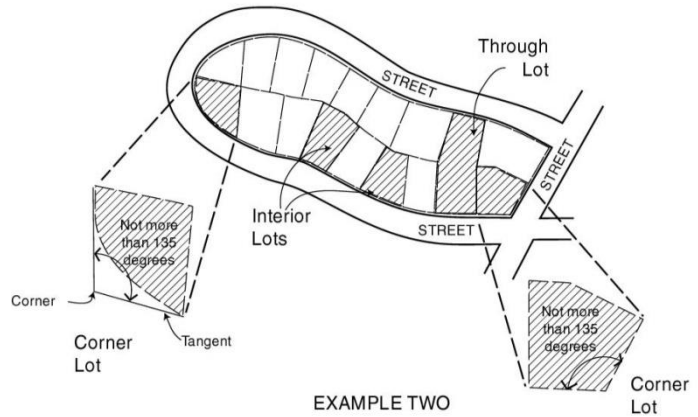
<sup>2</sup> Moved from sign definitions

<sup>3</sup> From November 1, 2010 Zoning Administrator determination: <http://building.arlingtonva.us/resource/advice-live-entertainment/>

<sup>4</sup> Moved to 14.3.3.C



EXAMPLE ONE



EXAMPLE TWO

Lot coverage. See [§3.1.4.A](#) and [§3.2.5](#).

Lot depth. See [§3.1.7](#).

Lot frontage. Where a front lot line runs along a straight line along the street right-of-way line, lot frontage shall be the front lot line. Where the front lot line includes an angle or curve along the street right-of-way line, the lot frontage shall be a straight line connecting the points where the two side lot lines meet the street right-of-way line.

Lot line. A line of record bounding a lot which divides one lot from another lot or from a public or private street or any other public or private space.

Lot line, front. The ~~eat~~ lot line, or combination of line segments, fronting a street or the legally required access to the lot. On a corner lot, it is the shortest of those lot lines ~~that which~~ front a street. Where a corner lot has equal frontage on two or more streets, the front lot line ~~is will be~~ the lot line on that street on which the greatest number of lots front within the block.

Lot line, rear. The ~~eat~~ lot line ~~which is~~ most distant from, and most nearly parallel ~~with~~ to, the front lot line lot frontage. In addition, the rear lot line shall comply with the following requirements: i) If the lot line that is most distant from the front lot line is a different line from the lot line that is most nearly parallel to the front lot line, then the rear lot line shall be the line whose use results in a greater lot depth. Where two lot lines are equidistant from and equally parallel to the lot frontage, then the point where those two lines intersect shall be used in place of the rear lot line midpoint to measure lot depth. ii) Where two lines are equally distant from and equally parallel to the lot frontage, both lines shall be used to establish the rear yard.

Lot line, side. Any lot line other than a front or rear lot line. Where two or more side lot lines are adjoining, they shall be treated as segments of an entire side lot line.

Lot, split. A residential lot that is created under [§3.2.4.C.1](#), Split-Lot Residential Development.

Lot, transitional. See "transitional site."

Lot width, minimum. See [§3.1.8](#).

Low or moderate income. Income at or below 60 percent of median household income for rental housing units, and at or below 80 percent of median household income for home ownership program. As used herein, median household income shall be defined as determined from time-to-time for the Washington Metropolitan Statistical Area by the U.S. Department of Housing and Urban Development.

Main building footprint. See [§3.1.4.A](#)~~§3.1.4.A~~

Main building footprint coverage: [§3.1.4.A](#)~~§3.1.4.A~~.

Mechanical penthouse. A roof structure for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain a building.<sup>1</sup>

Median strip. A portion of the median that is surrounded by a continuous curb, or where no curb exists, is bordered by a curb cut, street, street intersection, sidewalk, utility or planting strip.

Mixed use building. A building constructed to accommodate more than one use category, as identified in §12.2, such as, but not limited to, ground floor retail and upper-story residential or office uses, or lower-story hotel and upper-story residential uses.



Membership club or lodge. Any organization that is organized and operated solely for a social, recreational, patriotic or fraternal purpose that is not open to the general public, but is open only to the members of the organization and their bona fide guests. Membership club or lodge does not include adult uses as defined in this section.

Motel. Same as hotel or motel.

Multiple-family. A building or portion thereof, designed for occupancy by three or more families living independently of each other.



Nonconformity. See Article 16.

Nonconforming building. A building or structure or portion thereof lawfully existing at the time this zoning ordinance became effective, ~~that~~which was designed, erected or structurally altered for a use that doesn't conform to the use regulations of the district in which it is located.

Nonconforming sign. A sign that met all ordinance requirements at the time of installation or placement but which, due to ordinance changes, does not comply with current requirements.

Nonconforming use. A use ~~that~~which lawfully occupied a building or land at the time this zoning ordinance became effective and which does not conform with the use regulations of the district in which it is located.

Nursing home. A facility licensed by the state as a health care facility for chronic or convalescent patients or the aged or infirm in which three or more persons are received, kept or provided with food, shelter and care, but not including hospitals, medical clinics or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured.

Nursery school. Any place, however designated, operated for the purpose of providing training, guidance, education, or care for six or more children under six years of age, during any part of the

<sup>1</sup> Moved from 3.1.6.B.1 and various other locations throughout the Ordinance where this embedded definition is included.

day ~~other than from~~between 6:00 ~~ap.~~a.m. ~~and to~~ 6:00 ~~pa.~~p.m., including kindergartens, but not including family day care homes.

Office building. A building designed for or used as the offices of professional, commercial, religious, private, public or semi-public persons or organizations, and where provided that no goods, wares, or merchandise ~~are~~shall be prepared or sold on the premises.

Office, government. Federal, state, or county offices, administrative, clerical or public services.

Office, medical or dental. A use providing outpatient consultation, diagnosis, therapeutic, preventative, or corrective personal treatment services by doctors, dentists, or similar practitioners of medical and healing arts for humans, licensed for such practice by the state. The term includes outpatient clinics and outpatient emergency centers, ~~but not overnight care or ambulance receiving facilities.~~

One-family detached. A residential building containing one dwelling unit designed for one family and located on a single lot with required yards on all four sides.



~~On-site~~On-site. Located on the property that is the subject of an application for development.

Open-air market. An outdoor market held on a regular basis, and at which groups of individual sellers offer goods, new or used, for sale to the public. Open-air market shall not include garage sales not held on a regular basis, outdoor display or sales associated with retail establishments that are principally located in indoor facilities, or ~~motor vehicle dealerships~~vehicle sales, rental or leasing facilities. See also ~~§12.5.17~~§12.5.17

Outdoor café: An area that contains portable seating and tables, intended solely for the consumption of food and beverages that are also included in the standard menu of the restaurant, outside the exterior walls of a restaurant (excluding rooftops).

Outlot. A unit of land not usable as a building site and ~~substandard to~~not meeting the requirements of this zoning ordinance.

Overlay district. Overlay districts are “overlaid” upon other districts and the land so encumbered may be used in a manner permitted in the underlying district only if and to the extent such use also complies within the regulations contained therein.<sup>1</sup>

Parking area, private. An off-street area of land, or space within a building, that is used for the parking of motor vehicles used by persons at a site in order to use the land for the purposes for which the parking is provided. Any parking required by this zoning ordinance shall be ~~considered to be provided within~~ a private parking area, except that any parking in C or M district in excess of that required by this zoning ordinance shall be considered to be a public parking area.

Parking area, public. An open off-street area of land or space within a building, other than a private parking area, used for the parking of motor vehicles which is available for general public use.

<sup>1</sup> Moved from 11.2.4 and edited as shown.

Parking area, transitional. An off-street area of land which is a transitional site and which is used as a private surface parking area, but not for the provisions of parking required by this zoning ordinance.<sup>1</sup>

Parking space. An off-street place: (1) Available and useable for the parking of one motor vehicle; (2) With a vertical clearance of not less than seven feet; and (3) Having usable access to a street or alley.

Patio. A flat, unenclosed platform that rests on the ground.

Person in charge. The owner of a property or improvements thereon, as shown on the land records of the clerk of the Circuit Court of Arlington County, and/or any other person having the ability to manage or control the property or improvements, including a mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee, agent or any other person directly or indirectly in control of an improvement or improvement parcel.

Public parking facility. As used in Article 13, a public parking facility is a garage that provides parking for members of the general public, at a minimum, after business from 6:00 p.m. to 10:00 p.m. Monday through Friday and either all weekend or for at least 8 hours, in total, between 8:00 a.m. and 6:00 p.m. on Saturday and Sunday.

Pop-up park. A short term use of land for open space and/or recreational purposes available to access by the general public. See §12.10§12.10.

Porch. An unenclosed platform with columns or piers supporting a roof.

Portable sign. A durable sign not permanently affixed to the ground or to a building and designed to be easily relocated; portable signs are not necessarily temporary signs for purposes of Article 13.

Projecting sign. A sign that is attached in a plane approximately perpendicular to the surface of a building or other structure. See §13.9.11.

~~Principal office. A place of work, which is normally independent from place of residence, that is routinely occupied during scheduled working hours by the practitioner, including employees, for the purpose of meeting with clients and customers, display of merchandise, and sale of goods and services.~~

Recreational vehicleTrailer. A vehicle or vehicle trailer designed as temporary living quarters for recreational, camping or travel use that has a body width less than eight feet and a body length of less than 30 feet. Recreational vehicles may have their own power, or be designed to be drawn or mounted on an automotive vehicle. Recreational vehicle shall include motor homes, travel trailers, truck campers, camping trailers, converted buses, house boats or other similar units that meet the dimensions stated above as determined by the Administrator. A recreational vehicle may or may not include an individual toilet and bath. A residence, house car, camp car or street car or any unit enclosing habitable space, which is or was designed to be mobile, which is used, or may be used for residential, commercial, hauling or storage purposes or as an accessory building, including the following only when used for a dwelling: a travel or recreation trailer of less than 30

<sup>1</sup> Moved to use standards (12.8.17)

~~feet in length and less than eight feet in width, including a pickup coach, a utility trailer or tent trailer as is commonly used for camping and a mobile trailer which is propelled by its own power.~~

Recycling center. A place open to the public used for the processing, collection and transfer of recyclable materials. Typical recyclable materials include glass, paper, plastic, cans, or other source-separated, nonputrescible materials; other **recyclable** materials may include leaves, wood chips, fill dirt, and other similar materials.

~~(a) A place open to the public for the drop-off, collection, and interim storage prior to off-site processing and recycling of newspapers, corrugated papers, glass bottles, metal cans, plastic products, and other similar materials, and for associated parking spaces; and~~

~~(b) A place open to the public for the pick-up of leaves, wood chips, fill dirt, and other similar materials, and to Arlington County agencies for the collection and interim storage of these materials.~~

Remnant. See "outlot."

Restaurant. An establishment whose principal business is the sale of food and/or beverages using **non-disposable plates, containers and non-disposable eating utensils**, to customers in a ready to consume state, and whose principal method of operation includes one or both of the following characteristics:

(1) Customers, normally provided with an individual menu, are served their foods and beverages by a restaurant employee at the same table or counter at which food and beverages are consumed; and/or

(2) A cafeteria-type operation where food and beverages generally are **provided at a counter consumed at a table** within the restaurant building.

~~Any establishment which provides the sale of food and beverages in a state ready for consumption on the premises by customers at conventional tables, booths or counters within the establishment.~~

~~Restaurant carry-out. Any restaurant which provides food and beverages primarily for consumption off the premises.~~

Restaurant, drive-through. Any ~~restaurant establishment~~ **which is** constructed to sell, or **which** sells food and beverages to customers who are in a motor vehicle. See also "restaurant, fast food".

Restaurant, fast food. A restaurant where the principal business is the sale of food and/or beverages in a ready-to-consume state for consumption **and** whose principal method of operation is characterized by the service of food and/or beverages in disposable containers, **to be consumed either** (1) Within the restaurant building; (2) Within a motor vehicle on the premises; or (3) Off-premises as carry-out orders, **including** drive-through facilities. (See also ~~§12.9.7~~**§12.9.7**)

Retail. See §12.2.5.F.

Review Board. The Historical Affairs and Landmark Review Board.

~~Rooming house. Any building or portion thereof which contains guest rooms which are designed or intended to be used, let or hired out for occupancy by, or which are occupied by three or more,~~

~~but not exceeding nine individuals for compensation, whether the compensation be paid directly or indirectly. Compensation may be paid daily, weekly or monthly.~~<sup>1</sup>

School, elementary, middle and high. An institution ~~which~~that offers instructions in the several branches of learning and study required to be taught in the public schools by the ~~Education Code of the State Commonwealth~~ of Virginia.

~~School of higher instruction. A college or university giving general academic instructions according to standards equivalent to those prescribed by the State Board of Education of the State of Virginia. See "educational institution."~~<sup>2</sup>

Self-service storage facility. ~~See §12.5.24~~§12.5.24. A facility which consists of two or more individual units of 500 sq. ft. or less, each of which is rented solely to store household goods and personal effects as defined in Virginia Code Section 58.1-3504, tangible personal property employed in a trade or business as defined in Virginia Code Section 58.1-3503.A.17, and inventory of stock on hand as that term is used in Virginia Code Section 58.1-3510.A. Within the area recorded as a self-service storage facility, any activity other than rental of storage units and pick up and deposit of goods being stored is prohibited, including the storage of motor vehicles and motorized boats, and the storage of radioactive materials, explosives, and flammable or hazardous materials or chemicals.

Semidetached. A residential building with two attached dwelling units located on two lots that share a common wall along the lot line and where each dwelling unit has its own external entrance. A two-family dwelling with one dwelling unit beside the other, separated by a common party wall without openings.



Separately illuminated. A sign is separately illuminated if it has any internal or surface lighting or if any form of lighting directed at the sign serves no other purpose.

Setback. See ~~§3.1.9~~§3.1.9 and ~~§3.2.6.A~~§3.2.6.A.

Setback line. Either:

- (a) a line parallel to the street line at a distance therefrom, equal to the required depth of the front yard; or
- (b) the setback required from any lot line which defines the buildable area of the lot. See "building line."

Sign. Any word, numeral, figure, design, trademark, flag, pennant, twirler, light, display, banner, balloon or other device of any kind which, whether singly or in any combination, is used to direct, identify, or inform the public while viewing the same from outdoors.

Sign lighting, direct. A direct lighted sign shall mean a sign lighted internally or on the surface of the sign itself.

<sup>1</sup> Same as, and combined with, "boarding house"

<sup>2</sup> New term and definition "colleges and universities"



Sign lighting, indirect. An indirect lighted sign shall mean a sign that is lighted from a source separate from the sign.

Sidewalk sign. A temporary, self-supporting sign made of durable material and located on the sidewalk in front of a use for which such a sign is allowed. See §13.7.10.

Stairs. A series of steps, or multiple series of steps that may be connected by landings.

Standing space. See §14.3.3.C.2-§14.3.3.C.2. One An off-street parking space no less than nine by 20 feet with a vertical clearance of not less than seven feet for the temporary waiting in line of one automobile for service or delivery of goods to the automobile or its occupants at another place on the premises. <sup>1</sup>

Step. A stair unit that consists of one tread (walking surface) and one riser.

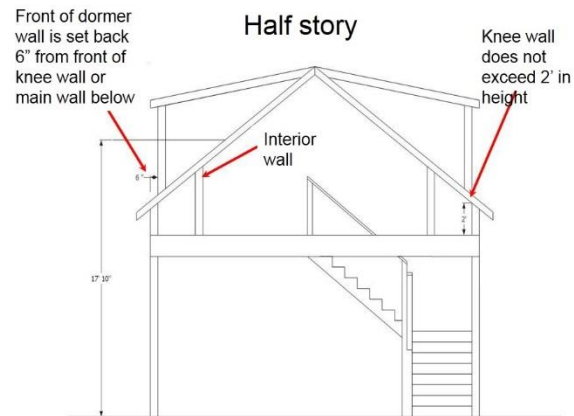
Step-back. An area of the a façade above the first floor, of a building or structure that is located a set distance further back from the façade or story below it.

Stoop. A raised platform that serves as an entrance to a building, may be roofed, has no supporting posts and is not enclosed.

Stormwater planter. A structure designed to include a soil filter and vegetation such that it meets the Virginia Stormwater Design Specifications and furthers the purposes of the stormwater management requirements of the Arlington County Code.

Story. That portion of a building included between the surface of any floor and the surface of the next floor above it; or, if there be no floor above it, then the space between such floor and the ceiling next above it.

Story, half. A story under a gable, hip or gambrel roof, the wall plates of which, on at least two opposite exterior walls, are not more than two feet above the floor of such story and if the roof has a dormer, the dormer wall is set back at least six inches from the front of the wall or main wall below and the width of the dormer is less than 50 percent of the width of the roof.



Street. A public thoroughfare, 30 feet or more wide, including any public interest in land (e.g., fee or easement) for street purposes. The side lines of such road, easement, or other right-of-way shall be the street right-of-way line. This shall be the case even where fee title to land **abutting adjacent to** a street extends into the road, street easement, or other street right-of-way.

Street width. The horizontal distance between the side lines of a street, measured at right angles to the side lines.

<sup>1</sup> Moved dimensions to article 14.

Structure. Anything constructed or erected ~~which that~~ requires location on the ground or attached to something having a location on the ground.

~~Structural~~ alteration, ~~structural~~. Any change ~~which that~~ would tend to prolong the life of the supporting members of a building or a structure, such as bearing walls, columns, beams or girders.

Swimming pools, commercial. An artificial pool of water, including auxiliary structures, dressing and locker rooms, toilets, showers and other areas that are operated for gain, including hotel pools.

Swimming pools, community ~~nonprofit~~. ~~Swimming pools, community nonprofit, as used in this zoning ordinance shall mean an~~ An artificial pool ~~including of water and may include such~~ auxiliary structures as dressing and locker rooms, toilets, showers, as well as other areas and enclosures that are intended for the use of the members and their guests using the pool, and which is operated by a community, nonprofit group, but ~~shall not include~~ private swimming pools with auxiliary structures and equipment at private residences intended only for the use of the owner and guests.

Swimming pools, private. An artificial pool of water located on the same lot as a one-family residence ~~and intended~~ only for the use of the occupants and guests for private and noncommercial use by persons residing therein and their guests only.

~~Tourist camp. Land used or intended to be used, let or rented for occupancy by campers traveling by automobile or otherwise, or for occupancy by or of trailers, tents or moveable or temporary dwellings, rooms or sleeping quarters of any kind; the parking or supporting by a foundation of two or more trailers will be termed a tourist camp.~~

~~Tourist home. A dwelling in which room or board or both are offered to the traveling public for compensation, with on-site management, not more than nine rooms in said dwelling being used for said purposes, with no individual cooking facilities, available to transient guests, in contradistinction to a boarding house or rooming house.~~<sup>1</sup>

Temporary sign. Any sign that may easily be moved or removed and that can feasibly be displayed for a limited period of time in any one location.

Trade or commercial school. A use providing education or training in business, commerce, language, or other similar activity or occupational pursuit, that neither meets the definition of home occupation, college and university, nor fits within the educational institutions or office use category.

Traffic control sign. A sign used for traffic control and conforming with national or state standards for the design and installation of such signs.

---

<sup>1</sup> Tourist home and tourist camp – deleted (obselete)

Townhouse. One of a series of three or more attached similar dwelling units, located on separately-owned lots or on a single lot, separated by common party walls without openings extending from basement to roof, and where each unit has its own external entrance.



~~Trailer camp. Same as "tourist camp."~~

Transitional site. ~~See §12.8~~~~§12.8~~. A lot or part thereof located in an R, S-3A or an RA district and lying within a distance of 200 feet from the boundary of any C or M district when such lot or part thereof: (a) ~~Lies contiguous to~~ is abutting such boundary but not across any part of a street therefrom; and (b) ~~is not contiguous to~~ abuts at more than one lot line, ~~to~~ a side lot line in an R, S-3A or RA district.

Trellis. A vertical frame supported only by posts placed in a single plane, supporting open latticework and used as a screen or a support for growing vines or plants.

Umbrella sign. A sign painted on or affixed to the surface of an umbrella.

Upholstery shop. A use providing upholstery or upholstery repairs.

Use or use type. The purpose or activity for which land, or any structure thereon, ~~or a building~~ is arranged, designed or intended, or for which ~~either land or a building~~ it is ~~or may be~~ occupied or maintained.

Use, principal. The use conducted a primary activity upon the lot on which it is located.

Use, short term. A use established for a fixed period of time with the intent to discontinue the use upon the expiration of the time.

Use, transitional-use. A use permitted only on ~~any~~ transitional site under the regulations for the district ~~but and~~ not permitted elsewhere in the district except on transitional sites, and subject to all other regulations for the district.

Vehicle body shop. Any premises where vehicle body work; straightening of body parts; painting; welding; upholstery or other similar work is performed on vehicles. Vehicle service establishment uses may be permitted as part of a vehicle body shop, however, vehicle body shop shall not be deemed to include vehicle ~~dealership, sales or rental lots~~ sales, rental or leasing facilities, vehicle storage lots or automotive wrecking.

Vehicle ~~sales, rental or leasing facility~~ ~~dealership, sales or rental lot~~. ~~Any land or building where two or more vehicles of any kind that are in operating condition are: (a) offered for sale or rent; (b) displayed for sale or rent; or (c) stored prior to sale or rent.~~ A facility for the sale, rental or display prior to sale or rental of two or more automobiles, noncommercial trucks, motorcycles, recreational vehicles, or boats, including incidental storage, maintenance, and servicing. Typical uses include new and used car dealerships, motorcycle dealerships, and boat, trailer, or recreational vehicle dealerships.

Vehicle service establishment. Any premises where the following or other similar activities are conducted:

- (a) sales of vehicle fuel and oil at retail direct to the customer;
- (b) tire sales, servicing and repair, but not recapping or regrooving;

(c) routine vehicle maintenance, including but not limited to greasing, lubrication, and radiator flushing, and replacement of parts, including but not limited to spark plugs, mufflers, windshield wipers and the like, and sales of related vehicle parts;

(d) mechanical and electrical repairs, including but not limited to servicing and replacement of motors, drive trains, and related parts, as well as vehicle air conditioning, and sales of related vehicle parts; emissions and safety inspections;

(e) after-market installation and sale of items such as vehicle audio or security systems, but not body work;

(f) sales of beverages, snack foods, and other retail merchandise as an accessory use. The area devoted to retail merchandise sales shall not exceed 400 sq. ft. of gross floor area, which shall include the cashier's area and space used for the display of sale items, to include cooler space, but not to include storage areas. Vehicle service establishment uses shall not include vehicle body shop; vehicle ~~dealership, sales or rental lots~~sales, rental or leasing facilities; vehicle storage lots; or automotive wrecking.

Vehicle storage lot. Any land or building where two or more wrecked, abandoned, ~~or~~ impounded or new vehicles of any kind are stored prior to repair, disposal, claim or sale, but does not include the repair, wrecking, dismantling or salvaging of said vehicles or their parts.

Veterinary clinic. A type of animal care facility where animals are provided with preventative care and/or treated for illness or disease, that does not meet the definition of kennel.

Wall sign. Any sign that is affixed directly to or suspended from a wall, marquee, mansard wall, or parapet wall of a building, with the exposed face of the sign in a plane approximately parallel to and projecting no more than 18 inches from the face of the wall. A wall sign may be either of one-piece construction or of individual connected or related letters or symbols. See §13.6.10, §13.8.5, and §13.9.15.

Window sign. Any permanent or temporary sign, including any decal, that is legible from the outside, including plazas, public streets, and parking lots, and that is placed on the outside or inside face of a window or mounted within two feet of the inside face of the window. See §13.6.11, §13.7.16 and §13.9.16.

Window well. A sunken area affording access, air, or light to a basement window.

Wrecking or salvage yard~~Automotive wrecking~~. The dismantling or wrecking of used vehicles or trailers, or the storage, sale or dumping of junk and/or dismantled, partially dismantled, obsolete or wrecked vehicles or their parts, ~~used for the collection, keeping, storage or abandonment of junk, or inoperative vehicles, whether or not the items are available for sale or trade.~~

Yard. ~~See §3.1.9~~§3.1.9. An open space, other than a court, on a lot, which space: (a) either, (1) lies between a lot line and a building, a building group, or a use not involving a building, or (2) on a vacant lot lies contiguous to a lot line and has a uniform depth or width, as the case may be, equal to the minimum depth or width of yard required under the regulations for the district in which is situated the lot on which such yard is located; and (b) is unoccupied and unobstructed from the ground upward except for certain features specified in §3.2.5. The depth or width of a yard, as the case may be, shall be measured from the nearest point of the building, building group or use not involving a building to the nearest point of the lot line bounding the yard. (See also §3.1.10)

Yard, front. ~~See §3.1.9§3.1.9. A yard extending across the full width of the lot and lying contiguous to the front lot line.~~

Yard, rear. ~~See §3.1.9§3.1.9. A yard extending the full width of the lot and lying contiguous to the rear lot line.~~

Yard, side. ~~See §3.1.9§3.1.9. A yard lying contiguous to a side lot line and extending from the front yard to the rear yard, or in the absence of either of such yards, to the front or rear lot line.~~

Yard, required. The open space required between a lot line and the buildable area of a lot, within which no structure shall be located except as provided in this zoning ordinance. [See also “setback”.](#)

Zoning administrator. The person appointed by the county manager to enforce and carry out duties as set out in this zoning ordinance. The zoning administrator may appoint deputies and assistants as are authorized from time to time by the county manager.

### ~~§18.3. Sign-Related Terms Defined~~

1

~~Aggregate sign area. The total area of all signs of a sign type, for which “yes” is included in the “included in aggregate sign area,” line in §13.6 or §13.7, whichever is applicable for the property on which the sign is located.~~

~~Arcade sign. A sign that is suspended underneath an awning, canopy, marquee, overhang, or other structural element of a building that forms a covered passageway for pedestrians. See §13.7.2.~~

~~Awning sign. A sign that is painted on or affixed to the surface of an awning.~~

~~Banner. A sign of any kind applied to fabric or other flexible, durable material. Flags as defined herein shall not be considered banners. (See §13.6.3, §13.7.4, §13.8.2, §13.9.2, §13.15.4)~~

~~Building frontage. A straight line measured from one end of the wall most nearly parallel to the public right of way to the other end of the same wall of the portion of the building façade facing a public street or facing a street with a public access easement. Neither articulations nor off-sets in the wall shall increase the length of the building frontage.~~

~~Canopy sign. A sign that is painted on or affixed to the flat vertical surface of or sits on top of a canopy.~~

~~Changeable copy sign. A sign that includes characters, letters, or illustrations that can be changed or rearranged by mechanical, electronic or manual means without altering the face or surface of the sign.~~

~~Changeable copy sign, automatic. A sign that includes characters, letters, or illustrations that can be changed or rearranged by electronic or electro-mechanical means.~~

~~Commercial message. A sign, wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product service or other commercial activity.~~

~~Comprehensive sign plan. A plan showing the size, location, materials, structure and placement of all signs for which a permit is required that are associated with a development project.~~

<sup>1</sup> All sign-related terms moved to 18.1 and inserted alphabetically into general terms.

~~Development project. A property that is the subject of approval for development.~~<sup>1</sup>

~~Directly facing. A sign shall not be considered to be directly facing another area if there is another building or other obstruction of a height equal or greater to the height of the sign between the sign and the facing area.~~

~~Establishment. A business or organization of any kind offering goods or services to the public; this definition includes non-profit organizations.~~

~~Freestanding sign. A sign that is affixed to the ground, to a wall that is not part of a building, or to a fence; freestanding signs include but are not necessarily limited to signs mounted on monument-style foundations, on poles, or on fences or other approved accessory structures. See §13.5.3, §13.6.5, §13.7.7 and §13.9.9.~~

~~Flag. A piece of cloth or other material used as a noncommercial symbol, standard, or signal, such as the flag of a local, state, or national government or private noncommercial organization. See §13.5.2, §13.6.4, §13.7.6 and §13.9.8.~~

~~Flashing sign. A sign that incorporates the use of varying intensities or colors of light to attract attention; a changeable copy sign that conforms with §13.12.2 shall not be considered a flashing sign; a sign shall not be considered flashing because it uses automated or human-operated technology to vary the light level to adjust to the ambient light level at different times of day.~~

~~Grade, finished. See §18.2~~<sup>2</sup>

~~Incidental sign. A sign that provides information or directions that are necessary for the physical use of the site, including but not limited to signs that provide warnings, parking rules or way finding information. See §13.5.4, §13.6.6, §13.7.8 and §13.9.10.~~

~~Institutional use. A school (non-profit), house of worship, community center, hospital, institutional home, or other public or semi-public use.~~<sup>3</sup>

~~Landscaped beautification area. An area within the public right-of-way that is substantially landscaped with flowers and/or other plantings. Areas of the public right-of-way landscaped with only trees and/or grass shall not be considered landscaped beautification areas.~~

~~Large media screen. A wall-mounted automatic changeable copy sign larger than 12 sq. ft that displays, on a video screen, either still, scrolling or moving images, including video, media broadcasts and animation. Such images may be changed remotely through electronic means and utilizes a series of grid lights, including cathode ray, light emitting diode display, plasma screen, liquid crystal display, fiber optic, or other electronic media or technology, and meets the requirements of §13.12.4. A scoreboard as permitted by §13.8.3.C.4(b) or §13.9.9.D.3 shall not be considered a large media screen.~~

~~Legible. A legible message is a message that can be read during daylight hours by a person between five feet two inches and six inch tall, standing in the nearest public right-of-way, with eyesight adequate to obtain a current Virginia driver's license.~~

---

<sup>1</sup> Moved to §18.2 (general definitions)

<sup>2</sup> Moved to 18.2

<sup>3</sup> Deleted term; replaced with use classification system for "public, civic and institutional uses"

~~Median strip. A portion of the median that is surrounded by a continuous curb, or where no curb exists, is bordered by a curb cut, street, street intersection, sidewalk, utility or planting strip.~~

~~Nonconforming sign. A sign that met all ordinance requirements at the time of installation or placement but which, due to ordinance changes, does not comply with current requirements.~~

~~Portable sign. A durable sign not permanently affixed to the ground or to a building and designed to be easily relocated; portable signs are not necessarily temporary signs for purposes of Article 13.~~

~~Projecting sign. A sign that is attached in a plane approximately perpendicular to the surface of a building or other structure. See §13.9.11.~~

~~Public parking facility. As used in Article 13, a public parking facility is a garage that provides parking for members of the general public, at a minimum, after business from 6:00 p.m. to 10:00 p.m. Monday through Friday and either all weekend or for at least 8 hours, in total, between 8:00 a.m. and 6:00 p.m. on Saturday and Sunday.~~

~~Separately illuminated. A sign is separately illuminated if it has any internal or surface lighting or if any form of lighting directed at the sign serves no other purpose.~~

~~Sidewalk sign. A temporary, self-supporting sign made of durable material and located on the sidewalk in front of a use for which such a sign is allowed. See §13.7.10.~~

~~Sign. Any word, numeral, figure, design, trademark, flag, pennant, twirler, light, display, banner, balloon or other device of any kind which, whether singly or in any combination, is used to direct, identify, or inform the public while viewing the same from outdoors.~~

~~Sign lighting, direct. A direct lighted sign shall mean a sign lighted internally or on the surface of the sign itself.~~

~~Sign lighting, indirect. An indirect lighted sign shall mean a sign that is lighted from a source separate from the sign.~~

~~Temporary sign. Any sign that may easily be moved or removed and that can feasibly be displayed for a limited period of time in any one location.~~

~~Traffic control sign. A sign used for traffic control and conforming with national or state standards for the design and installation of such signs.~~

~~Umbrella sign. A sign painted on or affixed to the surface of an umbrella.~~

~~Wall sign. Any sign that is affixed directly to or suspended from a wall, marquee, mansard wall, or parapet wall of a building, with the exposed face of the sign in a plane approximately parallel to and projecting no more than 18 inches from the face of the wall. A wall sign may be either of one-piece construction or of individual connected or related letters or symbols. See §13.6.10, §13.8.5, and §13.9.15.~~

~~Window sign. Any permanent or temporary sign, including any decal, that is legible from the outside, including plazas, public streets, and parking lots, and that is placed on the outside or inside face of a window or mounted within two feet of the inside face of the window. See §13.6.11, §13.7.16 and §13.9.16.~~

# INDEX

- Accessory Dwellings, 12-41
- Adult Book Stores
  - use standards for, 12-25*
- Advertising
  - public notification, 15-1*
  - requirements for certificate of appropriateness, 15-21*
- Affordable Dwelling Units
  - density, 15-13*
  - density in MU-VS district, 7-27*
  - height and density increases, 15-15*
- Aircraft Landing Approach Area, 14-76
- Amateur Radio Antennas, 12-43
- Animal Care Facilities
  - use standards for, 12-25*
- Appeals, 15-18
- Bed and Breakfasts
  - use standards for, 12-25*
- Building Frontage, 3-4
- Building Permits, 15-4
- Building Supplies and Lumber Sales
  - use standards for, 12-34*
- Build-to-line
  - establishment of, 3-1*
- Bulk Plane Angle, 3-6
- Bulk, Coverage and Placement, 3-9
- Caretaker Residence, 12-20
- Certificate of Appropriateness (COA), 15-20
- Certificates of Occupancy, 15-5
- Clarendon Revitalization District, 9-2
  - building preservation map, 9-14*
  - build-to lines, 9-16*
  - frontage types map, 9-17*
  - maximum height map, 9-11*
  - receiving sites map, 9-13*
  - step-backs map, 9-18*
  - streetscapes map, 9-15*
  - use mix map, 9-12*
- Cleaning and Laundering Establishments in the C-2 District, 7-62
- Columbia-Pike Form Based Code District, 11-1
- Commercial Parking
  - use standards for, 12-26*
- Commercial Vehicle Parking, 12-43
- Common Areas, 14-58
- Common Procedures, 15-1
- Condominium and Cooperative Conversion, 16-33
- Conflicting Provisions, 1-1
- Continuation of Nonconforming Use
  - variance for conforming building, 15-18*
- Contractors' Staging and Storage Yards, 12-52
- Convenience Service Areas, 12-44
- Court, 3-2
  - inner, 3-2*
  - minimum dimensions, 3-16*
- Coverage, 3-10
  - building tower, 3-2*
  - main building footprint, 3-3*
  - one family dwellings in R districts, 3-10*
- Curbs
  - curb cuts, 14-68*
  - delineation, 14-68*
- Density
  - credits for public dedications, 15-27*
  - increased for affordable housing, 15-15*
- Density Credit
  - defined, 18-4*
- Design Guidelines
  - for historic district, 15-22*
- Detention or Correctional Facilities
  - use standards for, 12-22*
- Driving ranges
  - use standards for, 12-26*
- Drug Stores
  - use standards for, 12-27*
- Dry Cleaners, Laundry and Laundromats
  - use standards for, 12-27*
- Dry-cleaning Plants
  - use standards for, 12-34*
- Dwellings, Multiple-family, 12-20
- Dwellings, Townhouse and Semidetached and Existing One-family Dwelling Units, 12-21
- Dwellings, Two-family (Semidetached and Duplex Dwellings), 12-37, 12-38
- Enforcement, 17-2
- Family/Caregiver Suites, 12-45
- Farming, Livestock and Poultry Raising, and Agricultural Uses, 12-35
- Fees
  - costs associated with density credits, 15-28*
- Floor Area Ratio, 3-4
- Florist or Gift Shop
  - use standards for, 12-27*
- Fuel Stations
  - use standards for, 12-27*
- Government Offices, Local
  - use standards for, 12-23*
- Grocery Delivery, 12-27



- Grocery Stores  
*use standards for, 12-27*
- Grocery Stores, Convenience  
*use standards for, 12-27*
- Gross Floor Area, 3-4
- Guest House, 12-46
- Height, 3-4  
*building, 3-4*  
*exceptions, 3-6*  
*maximum, 3-9*  
*measurement in all other districts, 3-6*  
*measurement in R districts, 3-5*
- Height, Maximum  
*increased for affordable housing, 15-15*
- Historic District  
*demolishing or razing in, 15-23*  
*design guidelines for, 15-22*
- Historic Preservation Overlay District, 11-11
- Historical Affairs and Landmark Review Board, 11-11  
*establishment and composition, 11-11*
- Home Occupation, 12-46
- Hookah bars  
*use standards for, 12-48*
- Hospitals for Clinics  
*use standards for, 12-23*
- Hospitals or Sanitariums, 12-23
- Hotels  
*use standards for, 12-27*
- Hotels in the C-O-A District, 7-46
- Institutional Homes, 12-22
- Kiosks  
*use standards for, 12-27*
- Landscaping, 14-58  
*in the C-1 district, 7-25*  
*in the C-1-O district, 7-34*  
*in the C-1-R district, 7-23*  
*in the C-2 district, 7-63*  
*in the C-3 district, 7-68*  
*in the CM district, 8-9*  
*in the C-O Rosslyn District, 7-49*  
*in the C-R district, 7-71*  
*in the MU-VS district, 7-31*  
*in the R15-T district, 5-19*  
*in the R2-7 district, 5-23*  
*maintenance, 14-60, 14-61*  
*parking areas, 14-60*  
*plans for, 14-59*  
*plant materials, 14-59*  
*screening, 14-61*
- LEED Scorecard, 15-3
- Live entertainment  
*use standards for, 12-48*
- Lot Area, 3-1  
*minimum, 3-9*
- Lot Depth, 3-7
- Lot Width, 3-7  
*minimum, 3-9*
- Low and Moderate Income Housing, 14-77
- Main Building Footprint, 3-4
- Map and Text Amendments, 15-7
- Medical or Dental Clinics Abutting C-2, CM or M districts, 12-39
- Membership Clubs and Lodges  
*use standards for, 12-30*
- Merchandise in Setbacks, 14-76
- Miniature golf facilities  
*use standards for, 12-26*
- Mix of Residential, Office, Retail, Hotel in the R2-7 District, 7-27
- Mortuary or Funeral Homes, 12-30  
*use standards for, 12-30*
- Multiple Building Projects  
*setbacks for, 3-16*
- Nauck Village Center, 10-5
- Nonconforming Buildings, 16-30
- Nonconforming Due to Public Acquisition, 16-33
- Nonconforming Due to Reclassification, 16-32
- Nonconforming Use of Buildings, 16-32
- Nonconforming Use of Land, 16-32
- Nurseries, Flower or Plant Store  
*use standards for, 12-30*
- Office and Commercial Uses  
*modification of parking requirements, 14-72*
- Offices of Medical Doctors, Physicians, Dentists or Psychologists in Existing Institutional Structures, 12-31
- Offices of Physicians, Surgeons, Dentists or Psychologists on Transitional Sites Which Abut C-2, CM or M Districts, 12-39
- Offices, Medical  
*use standards for, 12-31, 12-39*
- Open Air Markets  
*use standards for, 12-31*
- Outdoor cafés or service areas  
*use standards for, 12-48*
- Outdoor Lighting, 14-76  
*of parking lots, 14-67*  
*of swimming pools, 12-24*  
*of vehicle dealership, sales and rental lots, 12-33*

- parking areas and walkways, 14-76*
- Outdoor Storage and Display, 14-76
- Parking and Loading, 14-62
  - access and maneuverability, 14-64*
  - access to, 14-65*
  - compact cars, 14-64*
  - computation of requirements, 14-69*
  - conversion of, 14-66*
  - dimensions for, 14-63*
  - encroachment into, 14-66*
  - general requirements, 14-62*
  - in Metro station areas, 14-69*
  - in the C-3 district, 7-68*
  - in the CM district, 8-9*
  - in the C-O district, 7-43*
  - in the C-O Rosslyn district, 7-49*
  - in the C-O-A district, 7-46*
  - in the C-R district, 7-71*
  - in the MU-VS district, 7-31*
  - in the R15-T district, 5-19*
  - in the R7-16 district, 6-14*
  - in the RA4.8 district, 7-13*
  - in the RA-H-3.2 district, 7-21*
  - lighting of, 14-68, 14-76*
  - loading requirements, 14-75*
  - location for other district uses, 14-62*
  - location for R or RA district uses, 14-62*
  - location relative to setbacks, 14-65*
  - management by homeowners' association, 14-66*
  - plans for, 14-68*
  - protection for residential lots, 14-67*
  - reduction of, 14-62*
  - relative to setbacks, 14-64*
  - required improvements, 14-66*
  - use of private parking areas, 14-64*
- Parking and Standing
  - specific requirements for, 14-72*
- Parking Lots, Public
  - use standards for, 12-23*
- Penalties, 17-2
- Pipe-stem Lots, 10-2
- Placement, 3-11
- Proffers, 7-66, 15-7
- Public Dedication
  - density credits for, 15-27*
- Public Notices, 15-1
- Repair-oriented Retail Sales and Service
  - use standards for, 12-31*
- Residential Cluster Development, 10-12
- Restaurants
  - modification of parking requirements, 14-71*
  - special parking provisions, 14-70*
- Restaurants, Fast Food
  - use standards for, 12-32*
- Restaurants, General
  - use standards for, 12-32*
- Retail and Service Commercial Uses in the C-O Rosslyn District, 7-49
- Sales or Leasing Trailers or Pavilions, Off-site, 12-52
- Schools, Elementary, Middle and High
  - use standards for, 12-24*
- Screening Requirements, 14-61
- Self-service Storage
  - use standards for, 12-32*
- Setbacks
  - for multiple building projects, 3-16*
  - front yard, 3-11*
  - projections allowed into yards and courts, 3-13*
  - side and rear yards, 3-12*
- Setbacks (Required Yards)
  - permitted projections into, 3-13*
- Sidewalks
  - relative to required parking, 14-67*
- Sign area
  - aggregate requirements, 13-55*
  - measurement of individual signs, 13-55*
- Sign height
  - measurement of, 13-56*
- Sign Height, 13-56
- Sign Painting Shop, 12-35
- Sign Permits, 15-25
- Site Development Standards
  - aircraft landing approach, 14-76*
  - Landscaping, 14-58*
  - maintenance of common areas, 14-58*
  - outdoor lighting, 14-76*
  - outdoor storage and display, 14-76*
  - parking and loading, 14-62*
- Site Plan Review, 15-11
- Site Plans
  - exception from ADU requirements, 15-14*
- Special Revitalization Districts, 9-1
  - C-2 district, 9-1*
  - Clarendon Revitalization District, 9-2*
- Static Transformer Stations
  - use standards for, 12-24*
- Street Encroachment

- special development provision, 3-17*
- Street Frontage
  - required, 1-1*
- Swimming Pools, Community, Semi-Public and Commercial, 12-24
- Swimming Pools, Private, 12-49
- Title, 1-1
- Townhouses in the R2-7 District, 5-22
- Townhouses, Semidetached and Existing One-family Dwellings in the R10-T district, 5-10
- Trade or Commercial School, 12-35
- Trade or Commercial schools
  - use standards for, 12-35*
- Trailer Parking, 12-49
- Transfer of Development Rights, 15-13
- Transitional Parking Areas
  - use standards for, 12-39*
- Unified Developments
  - commercial/mixed use, 10-3*
  - residential, 10-1*
- Urban Design Guidelines
  - for MU-VS district development, 7-27*
- Use
  - interpretation of, 12-2*
- Use Categories, 12-18
  - commercial, 12-10*
  - day care, 12-5*
  - group living, 12-3*
  - industrial, 12-14*
  - public and civic, 12-4*
  - residential, 12-3*
  - unclassified, 12-19*
- Use Permit and Site Plan
  - special submittals for, 15-3*
- Use Permits, 15-9
  - approved by County Board, 15-9*
- Use Standards
  - commercial/mixed uses, 12-25*
  - industrial uses, 12-34*
  - temporary uses, 12-50*
- Uses Allowed
  - commercial/mixed use (C) districts, 7-1*
  - industrial (M) districts, 8-1*
  - public (P) districts, 4-1*
  - residential (R) districts, 5-1*
- Utilities and Community Services
  - use standards for, 12-35*
- Utilities and Services, Public, 12-35
- Utilities, Major
  - use standards for, 12-24*
- Variances, 15-18
- Vehicle Dealership, Sales and Rental Lots
  - use standards for, 12-33*
- Vehicle Maintenance and Minor Repairs, Routine, 12-50
- Vehicle Service, Limited and General
  - use standards for, 12-34*
- Vehicle Storage Lots and Towing Services, 12-35
  - use standards for, 12-35*
- Vehicle, Unlicensed and/or Uninspected, 12-50
- Violations, 17-2
- Visual Clearance (Corners), 3-16
- Wheel Stops, 14-67
- Wholesale trade
  - use standards for, 12-35*
- Wrecking and salvage yards, 12-35
- Zoning District Map
  - interpretation of, 2-1*
- Zoning DistrictS
  - established, 1-2*
- Zoning Map, 2-1

Proposed changes are shown with:

- Underline to denote text proposed to be added; and
- ~~Strikethrough~~ to denote text proposed to be deleted

Note:

- Specific use types within each category will be alphabetized
- Use standard references will be updated accordingly based on edits in Article 12 of the Zoning Ordinance

\* \* \*

## **Appendix A: Columbia Pike Special Revitalization District Form Based Code**

### **III. The Regulating Plans**

\* \* \*

#### **B. Rules for the Regulating Plan and New Development Plans**

\* \* \*

#### **5. RETAIL**

Generally, retail is required on the GROUND STORY of MAIN STREET SITES and, to a lesser degree, on LOCAL SITES. The inclusion of retail enlivens the STREET and creates a purpose for being there.

Unless otherwise noted, retail is an inclusive phrase that encompasses consumer comparison goods (general merchandise, apparel, furnishings and other types of similar merchandise commonly referred to as GAFO categories in the retail industry-convenience goods, food/delis, gifts, drugstore items, personal care, cards/stationery), personal business services, professional offices, restaurants, grocery stores, and hotel, theater, and other uses that provide visual interest and create active street life. Other uses, which in the judgment of the Zoning Administrator are of the same general character as those listed below and will not be detrimental to the district in which it is to be located, may be allowed.

- Primary Retail Uses: Generally, uses that provide entertainment or leisure activities, promote high walk-in customer counts, or are shopping destinations.
- Secondary Retail Uses: Generally, uses that provide personal or business services

<u>Use Category</u>	<u>Specific Use Types</u>	<u>Permitted (P) or Use Permit (U)</u>	<u>Primary (1) or Secondary (2)</u>	<u>Use Standards</u>
<b>Primary Retail</b>				
<b>Retail, Service and Commercial Use Categories</b>				
<u>Entertainment</u>	<del>Indoor theatres</del>	P	1	
	<del>Amusements All other entertainment uses</del>	U	1	
<u>Food and Drinking Establishments (see §12.2.5.A)</u>	<del>Restaurant, general</del>	P	1	
	<del>Restaurant, limited Bakery</del>	P	1	
	<del>Coffee shop</del>	<del>P</del>		
	<del>Catering establishment, small scale</del>	P	2	
	<del>Food delivery service</del>	U	2	
<u>Recreation (see §12.2.5.B)</u>	<del>Bowling alley</del>	<del>U</del>	<del>1</del>	
	<del>Miniature golf courses</del>	U	2	
	<del>Amusements All other indoor recreation uses</del>	U	1	
<u>Office (see §12.2.5.C)</u>	<del>Audio-visual production studio</del>	U	2	
	<del>Business eCollege operated as a commercial enterprise</del>	U	1	
	<del>Office or clinic, mMedical or dental offices, clinics or laboratories</del>	P	2	
<u>Retail, Sales (see §12.2.5.F.2(a))</u>	<del>Art or antique shop, including art work, art supplies and framing materials</del>	P	1	
	<del>Clothing shop</del>	P	1	
	<del>Delicatessen</del>	P	1	
	<del>Book, stationery, or card store</del>	P	1	
	<del>Department, furniture, home furnishings, or household appliance store</del>	P	1	
	<del>Drugstore</del>	P	1	
	<del>Dry goods or notion store</del>	P	1	
	<del>DVD/Video tape or record store</del>	P	1	
	<del>Electronics store</del>	P	1	
	<del>Florist or gift shop</del>	P	1	
	<del>Hardware, paint, or appliance store</del>	P	1	
	<del>Hobby or handcraft store</del>	P	1	
	<del>Ice cream or confectionery store</del>	P	1	
<del>Interior decorating store (with incidental interior service)</del>	P	1		

<u>Use Category</u>	<u>Specific Use Types</u>	<u>Permitted (P) or Use Permit (U)</u>	<u>Primary (1) or Secondary (2)</u>	<u>Use Standards</u>
	Jewelry store	P	1	
	Leather goods/luggage	P	1	
	Meat or fish market	P	1	
	Newsstand	P	1	
	Nursery, flower, or plant store	P	1	
	Grocery, fruit, or vegetable store	P	1	
	All other retail sales uses	P	1	
<u>Retail, Personal-Service (see §12.2.5.F.2(b))</u>	Day Spa	P	1	
	Animal care facilities, Animal hospital or veterinary clinics, animal hospitals within a fully enclosed structure	P	2	<u>12.5.2</u>
	Mortuary or funeral home	U	2	
	Pawnshop	P	2	
	All other personal service retail uses Bank or other financial institution (including check cashing)	P	2	<u>12.5.19</u>
	Automobile rental (retail functions only no auto-servicing) or automobile accessories and supplies(excluding installation)	P	2	
	Barbershop or beauty salon	P	2	
	Blueprinting, photostatting, or photo copy service	P	2	
	Clothes cleaning or laundry establishment	P	2	
	Dance studio	P	2	
	Employment agencies	P	2	
	Film processing or film exchange	P	2	
	Health club	P	2	
	Insurance sales	P	2	
	Music conservatory or music instruction	P	2	
	Palmistry	P	2	
	Photo studio	P	2	
	Private postal service	P	2	
	Tax service	P	2	
	Office (such as real estate broker, travel agency, medical, etc.)	P	2	

<u>Use Category</u>	<u>Specific Use Types</u>	<u>Permitted (P) or Use Permit (U)</u>	<u>Primary (1) or Secondary (2)</u>	<u>Use Standards</u>
<u>Retail, Repair</u> (see §12.2.5.F.2©)	<u>All retail repair uses</u>	P	2	
	<del>Tailor or dressmaker</del>	P	<del>2</del>	
	<del>Locksmith</del>	P	<del>2</del>	
	<del>Shoe or small appliance repair shop</del>	P	<del>2</del>	
<u>Self-service storage uses</u> (see §12.2.5.G)	Self- <u>service</u> storage facilities	U	1	
<u>Vehicle Sales and Service</u> (see §12.2.5.H)	<del>Vehicle <u>service establishment</u></del> <u>fuel station</u>	U	2	
	Vehicle service establishment	U	2	
<b><u>Industrial Use Categories</u></b>				
<u>Light Industrial Service</u> (see §12.2.6.A)	Carpet and rug cleaning (excluding dyeing)	U	2	
	<del>Medical or dental <u>offices, clinics or laboratories</u></del>	P	2	
	Sign painting shop	P	2	
	Printing, lithographing, or publishing	P	2	
	Upholstery shop	U	2	
	<u>All other light industrial uses</u>			
<b><u>Accessory Uses</u></b>				
<del><u>Live entertainment</u></del> <del>Nightclubs and restaurants with live entertainment/dancing</del>		U	1	
<del><u>Drive-through facilities (restaurants only)</u></del> <del>Restaurant with drive-through window</del>		U	1	
<p><b>*The following uses are permitted with Special Exception Use Permit</b>  If any of the aforementioned uses provide classes or instruction to children and, either twenty (20) percent or more of the total number of students enrolled in classes and/or instruction are children under eighteen (18) years of age or the total number of children under eighteen (18) years of age enrolled in classes scheduled to be held at any one time is ten (10) or more, the use may only be established subject to obtaining a use permit.</p>				
<p><b>*The following uses are permitted with Special Exception Use Permit</b>  If any of the aforementioned uses provide classes or instruction to children and, either twenty (20) percent or more of the total number of students enrolled in classes and/or instruction are children under eighteen (18) years of age or the total number of children under eighteen (18) years of age enrolled in classes scheduled to be held at any one time is ten (10) or more, the use may only be established subject to obtaining a use permit.</p>				

## APPENDIX B

\* \* \*

# Part 9. Building Use Standards

## 901. Building Use Table

The following uses are permitted in the *Columbia Pike Neighborhoods Special Revitalization District* as specified further in the Building Envelope Standards.

When specific Use Standards are referenced below, they may be found in the *Arlington County Zoning Ordinance*.

<u>USE CATEGORY</u>	<u>SPECIFIC USE TYPES</u>	<b>PERMITTED (P) or USE PERMIT (U); ACCESSORY USE (A)</b>	<b>USE STANDARD</b>
<b>RESIDENTIAL</b>			
<u>Household Living</u> (see §12.2.3.A)	<del>One</del> <u>1</u> -family <u>detached</u>	P	
	<del>Two</del> <u>2</u> -family <u>detached</u>	P	
	Townhouse	P	12.3.2
	<u>Multiple</u> -family	P	
<u>Group Living</u> (see §12.2.3.B)	Boardinghouses and rooming houses	U	
	<del>Group homes, institutional homes and institutions of an educational or philanthropic nature; except those of a correctional nature</del>	U	12.3.5
	Private clubs, lodges, fraternities, sororities and dormitories	U	12.5.4
<u>Overnight Accommodations</u> (see §12.2.5.D)	Bed and breakfasts	U	12.5.3
<u>Offices</u> (see §12.2.5.C)	<del>Offices or clinics, medical or dental, principal, of physicians, surgeons or dentists in existing apartment houses or residences converted to such use or in new buildings designed for such use</del>	U	12.5.22
<u>Accessory Uses</u>	Accessory unit	P-A	
	Accessory unit, English Basement	P-A	
	Family day care homes for six to nine children	U-A	
	Family day care homes for up to five children	P-A	
	Home occupations	P-A	12.8.7
<b>PUBLIC, CIVIC AND INSTITUTIONAL</b>			
<u>Colleges</u> (see §12.2.4.A)	<del>Schools and e</del> Colleges and <u>universities</u> <del>other public and private educational institutions, nursery schools, child care centers</del>	U	
<u>Community Service</u> (see §12.2.4.B)	<del>Recreational and e</del> Community center <del>buildings</del>	U	
	Libraries	U	
	Museums and art galleries <u>or studios</u>	U	
	<del>Public buildings of a cultural, recreational administrative or service type</del>	U	



<b>USE CATEGORY</b>	<b>SPECIFIC USE TYPES</b>	<b>PERMITTED (P) or USE PERMIT (U); ACCESSORY USE (A)</b>	<b>USE STANDARD</b>
<u>Day Care</u> (see §12.2.4.C)	<del>All day care uses Schools and colleges and other public and private educational institutions, nursery schools, child care centers</del>	U	
<u>Government Facilities</u> (see §12.2.4.D)	<del>Bus shelters; bike share stations Transit centers</del>	U	
	<del>Fire or police stations</del>	U	
<u>Passenger Terminals and Services</u> (see §12.2.4.G)	<del>Bus, trolley, air, boat and rail passenger terminals Transit centers</del>	U	
<u>Religious Institutions</u> (see §12.2.5.H)	<del>Churches, mosques, synagogues, and temples and other places of worship, including parish houses and Sunday schools, but excluding rescue missions or temporary revivals</del>	P	
<u>Schools</u> (see §12.2.5.I)	<del>Schools, elementary, middle and high and colleges and other public and private educational institutions, nursery schools, child care centers</del>		
<u>Entertainment, Indoor</u> (see §12.2.5.B)	Indoor theater or auditorium	P	
<u>Office</u> (see §12.2.5.C)	<del>Government, Offices, F-federal, state and local government buildings used exclusively by federal, state, and local governments for public purposes; except penal and correctional institutions</del>	U	
<b>GROUND STORY COMMERCE</b>			
<u>Passenger Terminals and Services</u> (see §12.2.4.G)	<del>Railroad, trolley, bus, air or boat passenger stations</del> Public utilities and services; such as railroad, trolley, bus, air, or boat passenger stations; railroad offices, rights-of-way, and tracks (but excluding car barns, garages, railroad yards, sidings and shops); static transformer stations, transmission lines and towers, commercial and public utility radio towers, telephone exchanges (but excluding service and storage yards)	U	12.6.78
<u>Utilities, minor</u> (see §12.2.4.K)	<del>All minor utilities</del> Public utilities and services; such as railroad, trolley, bus, air, or boat passenger stations; railroad offices, rights-of-way, and tracks (but excluding car barns, garages, railroad yards, sidings and shops); static transformer stations, transmission lines and towers, commercial and public utility radio towers, telephone exchanges (but excluding service and storage yards)	PU	12.6.78
	Catering establishment, <u>small scale</u>	P	

<u>USE CATEGORY</u>	<u>SPECIFIC USE TYPES</u>	<b>PERMITTED (P) or USE PERMIT (U); ACCESSORY USE (A)</b>	<b>USE STANDARD</b>
<u>Food and Drinking Establishments</u> (see §12.2.5.A)			
<u>Office</u> (see §12.2.5.C)	Audio-visual production studio	U	
<u>Retail, sales</u> (see §12.2.5.F.2(a))	Animal <del>care facilities, veterinary clinics, and animal hospitals or veterinary clinic within a fully enclosed structure</del>	P	<u>§12.5.2</u>
<u>Retail, personal service</u> (see §12.2.5.F.2(b))	<del>Banks or other financial institutions</del>	P	
	Dry cleaning, <u>drop off stations</u> ers laundry and Laundromat	P	12.5.6
	<del>Dry cleaners laundry and Laundromats</del>	P	12.5.6
	Mailing service, including bulk mailing	P	
	Printing, <u>publishing and lithographing or publishing</u>	P	
	Private postal service <del>limited to a gross floor area of 1,200 sq. ft.</del>	P	<u>12.5.20</u>
<u>Light industrial</u> (see §12.2.6.A)	Sign painting shop, if conducted wholly within a completely enclosed building	P	
	Upholstery shop, if conducted wholly within a completely enclosed building	U	12.6.7
	Carpet and rug cleaning <u>plants establishments, excluding dyeing</u>	U	
<u>Telecommunications Facilities</u> (see §12.2.6.C)	<del>All t</del> Telecommunications <u>towers and facilities equipment, unscreened</u>	U	
<b>UPPER STORY COMMERCE</b>			
<u>Offices</u> (see §12.2.5.C)	Offices <del>or clinics</del> , medical or dental	P	<u>12.5.22</u>
	<del>Offices</del>	<del>P</del>	
	<del>Offices of medical doctors, physicians, dentists or psychologists in existing institutional structures converted to such use</del>	<del>U</del>	<u>12.5.22</u>
	Offices, business and professional	P	
	<del>Business college operated as a commercial enterprise</del>	<del>P</del>	
	Trade or commercial school, <del>if not objectionable due to noise, odor, vibration or other similar causes</del>	P	12.6.6
<u>Retail, Personal Service</u> (see §12.2.5.F.2(b))	<del>Massage parlor and the like</del>	<del>U</del>	
	<u>All personal service retail uses</u>		
	Medical or dental <del>clinics and</del> laboratories	P	

<b>USE CATEGORY</b>	<b>SPECIFIC USE TYPES</b>	<b>PERMITTED (P) or USE PERMIT (U); ACCESSORY USE (A)</b>	<b>USE STANDARD</b>
<u>Light Industrial Service</u> (see §12.2.6.A)			
	<del>Garage, private parking garage for exclusive use of occupants</del>	<del>P</del>	
<b>UPPER STORY AND GROUND STORY COMMERCE</b>			
<u>Religious Institutions</u> (see §12.2.4.H)	Wedding chapel	P	
<u>Overnight Accommodations</u> (see §12.2.5.D)	Hotel	P	7.10.4.A; 7.13.4.A; 7.11.4.A; 7.12.4.A
<u>Parking, Commercial</u> (see §12.2.5.E)	Public parking area or public parking garage when located and developed as required in the Form Based Code	P	
<u>Recreation, Indoor</u> (see §12.2.5.B)	<del>Indoor and outdoor s</del> Skating rink	P	
	<del>Indoor and outdoor t</del> Tennis, racquet or handball courts	U	
	<del>Indoor s</del> Swimming pool	P	
<u>Recreation, Outdoor</u> (see §12.2.5.B)	<del>Indoor and outdoor s</del> Skating rink	P	
	<del>Indoor and outdoor t</del> Tennis, racquet or handball courts	U	
<u>Retail, Sales</u> (see §12.2.5.F.2(a))	Interior decorating stores	P	
<u>Retail, Personal Service</u> (see §12.2.5.F.2(a))	<del>All personal service retail uses</del> <u>Health clubs</u>	P	<u>12.5.19</u>
	<del>Dance studio</del>	<del>P</del>	
	<del>Music conservatory or music instruction</del>	<del>P</del>	
<u>Retail, Repair</u> (see §12.2.5.F.2(c))	<del>All repair retail uses</del> <u>Locksmith</u>	P	
	<del>Repair shop (small appliance, television, radio)</del>	<del>P</del>	
	<del>Shoe repair</del>	<del>P</del>	
	<del>Tailor or dressmaker</del>	<del>P</del>	
<u>Accessory Uses</u>	Swimming pools, private	P-A	12.8.9
<b>RETAIL</b>			
<u>Food and Drinking Establishments</u> (see §12.2.5.A)	<del>Restaurants, limited</del> <u>Bakery</u>	P	
	Food delivery services	U	
	<del>Restaurant, fast food</del>	<del>U</del>	
	Restaurants, <u>general</u>	P	
<u>Recreation, Indoor</u> (see §12.2.5.B)	Billiard or pool halls	U	
	Bowling alleys	U	
<u>Retail, Sales</u>	<del>Grocery, convenience grocery, fruit or vegetable</del> stores	P	12.5.9

<b>USE CATEGORY</b>	<b>SPECIFIC USE TYPES</b>	<b>PERMITTED (P) or USE PERMIT (U); ACCESSORY USE (A)</b>	<b>USE STANDARD</b>
<u>(see §12.2.5.F.2(a))</u>	Grocery, fruit or vegetable store without restriction or maximum gross floor area	P	12.5.10
	Kiosks	U	12.5.12
	Nursery, flower or plant stores	P	12.5.16
	Open-air markets	U	12.5.23
	Florist or gift shops	P	12.5.7
	All other retail sales uses Art or antique shop	P	
	Art store, including art work, art supplies and framing materials	P	
	Automobile accessories and supplies, excluding installation	P	
	Bakery	P	
	Book or stationary stores	P	
	Clothing or wearing apparel shops	P	
	Delicatessen	P	
	Department, furniture or household appliance store	P	
	Drugstores	P	
	Dry goods or notion stores	P	
	Hardware, paint or appliance stores	P	
	Hobby or handcraft store	P	
	Home furnishings stores	P	
	Ice cream or confectionery store	P	
	Jewelry store	P	
	Meat or fish market	P	
	Newsstand	P	
	Optical stores	P	
	Pet shops, bird stores or taxidermists	P	
Secondhand store, if conducted wholly within a completely enclosed building	P		
Shoe store	P		
Sporting goods store	P		
Variety store	P		
Video tape, DVD or record store	P		
<u>Retail, Personal Service</u> <u>(see §12.2.5.F.2(b))</u>	All personal-service oriented retail sales and service	P	12.5.19
	Barbershop or beauty parlor	P	
	Blueprinting or photostating	P	
	Film exchange	P	
	Palmistry	P	
	Pawnshop	P	
Photo copy services	P		
Photography studio	P		

<u>USE CATEGORY</u>	<u>SPECIFIC USE TYPES</u>	PERMITTED (P) or USE PERMIT (U); <del>ACCESSORY USE (A)</del>	USE STANDARD
	<del>Pet shops, bird stores or taxidermists</del>	<del>P</del>	
<u>Accessory Uses</u>	<del>Live entertainment Nightclubs and restaurants providing live entertainments, including dance halls</del>	U	
	Outdoor café associated with a restaurant on public right-of-way or easement for public use	U	12.5.24