

ZOA 13-01

AN ORDINANCE TO AMEND, REENACT AND RECODIFY SECTIONS 1, 3, 4, 5, 19, 21, 25C, 26A, 27A, 33 AND 36 OF THE ARLINGTON COUNTY ZONING ORDINANCE TO REVISE PARKING STANDARDS FOR ELEMENTARY AND MIDDLE SCHOOLS TO ONE PARKING SPACE PER 7.5 STUDENTS OF DESIGN CAPACITY FOR EMPLOYEES AND ONE PARKING SPACE PER 40 STUDENTS OF DESIGN CAPACITY FOR VISITORS, AND TO REMOVE THE REQUIREMENT FOR PARKING BASED ON PUBLIC ASSEMBLY SEATS AND SQUARE FOOTAGE OF PUBLIC ASSEMBLY SPACE WITH NO FIXED SEATING; DEFINE DESIGN CAPACITY; PERMIT OFF-SITE VEHICLES TO PARK AT COMMUNITY SWIMMING POOLS SUBJECT TO USE PERMIT APPROVAL; AND PERMIT COUNTY BOARD MODIFICATION OF PARKING STANDARDS FOR PUBLIC AND PRIVATE ELEMENTARY, MIDDLE AND HIGH SCHOOLS, AND PUBLIC AND PRIVATE, NONCOMMERCIAL RECREATIONAL USES SUBJECT TO SPECIAL EXCEPTION USE PERMIT APPROVAL BY THE COUNTY BOARD; AND TO REQUIRE THAT APPLICATIONS FOR USE PERMITS FOR PUBLICLY-OWNED AND FOR PUBLICLY-OPERATED FACILITIES, BUILDINGS, AND USES INCLUDE A TRANSPORTATION DEMAND MANAGEMENT PLAN; AND TO REDUCE OR PREVENT CONGESTION IN THE STREETS; TO FACILITATE THE CREATION OF A CONVENIENT, ATTRACTIVE AND HARMONIOUS COMMUNITY; AND FOR OTHER REASONS REQUIRED BY THE PUBLIC NECESSITY, CONVENIENCE AND GENERAL WELFARE, AND GOOD ZONING PRACTICE.

Be it ordained that Sections 1, 3, 4, 5, 19, 21, 25C, 26A, 27A, 33 and 36 of the Arlington County Zoning Ordinance are hereby amended, reenacted and recodified as follows in order to revise parking standards for elementary and middle schools to one parking space per 7.5 students of design capacity for employees and one parking space per 40 students of design capacity for visitors, and to remove the requirement for parking based on public assembly seats and square footage of public assembly space with no fixed seating; define Design Capacity; permit off-site vehicles to park at community swimming pools subject to Use Permit approval; and permit County Board modification of parking standards for public and private elementary, middle and high schools, and public and private, noncommercial recreational uses; and require that applications for use permits for publicly-owned and for publicly-operated facilities, buildings, and uses include a transportation demand management plan; to facilitate the creation of a convenient, attractive and harmonious community; and for other reasons required by the public necessity, convenience and general welfare, and good zoning practice.

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Proposed Zoning Ordinance Amendment

- Text denoted with underline or ~~strikethrough~~ is text proposed to be added or ~~deleted~~, respectively.
- Text denoted with a double-underline or underline/strikethrough is text that is proposed to be modified (added or deleted, respectively) since the Request to Advertise.

1 Section 33.A.8. *Use of Private Parking Areas:*

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- 3 a. No parking spaces located in a private parking area in "R" or "RA" Districts
- 4 except in "RA-H" Districts shall be used by any persons other than persons
- 5 engaging in the use for which the parking is provided such as occupants of the
- 6 premises, their visitors and employees at the site, except as expressly provided in
- 7 Section 33.A.8.b. and 33.C.4 below.
- 8 b. For places of worship, ~~or~~ lodges, or community swimming pools not operated
- 9 primarily for commercial gain: (1) Parking spaces that are accessory to those uses
- 10 may be used by off-site users to park noncommercial vehicles, when such use
- 11 does not exceed either ten (10) percent of the total number of spaces or twelve
- 12 (12) parking spaces, whichever is less; and (2) Parking spaces that are accessory
- 13 to those uses may be used by off-site users to park non-commercial vehicles,
- 14 when such use is for no more than four (4) days per 90 day period, and (3) The
- 15 County Board may, by use permit approval, as specified in Subsection 36.G. Use
- 16 Permits, permit the use of parking spaces accessory to those uses to be leased or
- 17 used under a verbal or written contractual agreement with off-site users to park
- 18 non-commercial vehicles, when such use exceeds the parameters set forth in
- 19 subparts 33.A.8.b.(1) and 33.A.8.b.(2) above. Such use permit may be approved
- 20 where the County Board finds that such use promotes the effective use of the
- 21 County's limited parking facilities, reduces traffic congestion, and does not create
- 22 adverse impacts on the adjacent neighborhoods and streets, and will not result in
- 23 parking being unavailable for the primary use of the site on which the parking is
- 24 provided. The County Board may, through such use permit approval, allow
- 25 spaces that are required by this Ordinance to be provided for the place of worship
- 26 or lodge to also be used for other purposes pursuant to such use permit, if the
- 27 findings above are made.
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31 Section 33.C.4.

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33 *4. Required Parking and Standing Space:* Parking shall be provided for all uses in accordance

34 with the following standards unless specified otherwise in this or other sections of this ordinance:

- 35 a. Conditional and Community Service Uses: Sufficient space shall be provided on
- 36 the lot for the use, as determined by the County Board, in conformity to the policy
- 37 set forth above, except:
- 38 (1) *Nursery schools:* One (1) space for each staff member or employee.
- 39 ~~(2) *Elementary schools and junior high schools:* One (1) space for each~~
- 40 ~~twenty (20) students of design capacity.~~
- 41 (3) *High schools:* One (1) space for each ten (10) students of design capacity.
- 42 (4) *Schools of higher instruction:* Such parking space as may be determined to
- 43 be necessary in accordance with policy set forth above.
- 44 (5) *Auditorium or other facility for public assembly in any of the above*
- 45 *schools:* One (1) space for each ten (10) seats or other vantage
- 46 accommodation for spectators.

- 47 (65) *Auditoriums, multipurpose rooms, gymnasium or other facilities used for*
 48 *public assembly but having no fixed seating arrangement specified*
 49 *(excluding those located in elementary and middle schools): One (1) space*
 50 *per fifty (50) square feet of said floor area.*
- 51 (6) *Elementary and middle schools: Employee parking equal to one (1) space*
 52 *for each seven and one-half (7.5) students of design capacity, and visitor*
 53 *parking equal to one (1) space for each forty (40) students of design*
 54 *capacity.*
- 55 (7) *Establishments other than schools, involving public assembly (excluding*
 56 *church sanctuaries), and club buildings (other than golf clubs, and*
 57 *community buildings): One (1) space for each three (3) seats or other*
 58 *accommodations for attendants or participants, computed on the basis of*
 59 *one (1) accommodation for each attendant or participant.*
- 60 (8) *Golf courses: Forty (40) spaces for each standard nine (9) holes.*
- 61 (9) *Community swimming pools: One (1) space for each forty (40) square feet*
 62 *of pool area.*
- 63 (10) *Church sanctuaries: One (1) space for each five (5) sanctuary seats.*
 64 *Notwithstanding other sections of this ordinance, required parking for*
 65 *churches may be located on a parking lot which is accessory to another*
 66 *principal use which is not open or operating on the days of the week on*
 67 *which the church sanctuaries are regularly used if said lot is either located*
 68 *within six hundred (600) feet by the shortest route of effective pedestrian*
 69 *access, or within three-quarters (3/4) of one (1) mile by the shortest route*
 70 *of effective vehicular access, and regular and frequent shuttle bus service*
 71 *is provided between the lot and the church during any hours when the use*
 72 *for which the lot is provided is not open and operating and the lot is open*
 73 *to persons attending meetings at the church.*
- 74 (11) *Hospitals, rest homes, nursing homes, sanitariums, convalescent homes*
 75 *and institutions: One (1) space for each four (4) beds, plus one (1) space*
 76 *for each two (2) employees (other than staff doctors), plus one (1) space*
 77 *for each doctor assigned to the staff.*
- 78 (12) *Libraries, art galleries, and museums, private and public: One (1) space*
 79 *for each five hundred (500) square feet of floor area.*
- 80 (13) *Intermediate care facilities: One (1) space for each three (3) dwelling*
 81 *units, plus one (1) space per three (3) employees, plus one (1) space per*
 82 *doctor.*
- 83 b. Residential and Housing Uses:
- 84 (1) (a) *One- and two-family dwellings, other than those one- and two-*
 85 *family dwellings fronting a cul-de-sac: One (1) space for each*
 86 *dwelling unit.*
- 87 (b) *One- and two-family dwellings fronting a cul-de-sac: Two (2)*
 88 *spaces for each dwelling unit, improved in accordance with*
 89 *Section 33.B.1.*
- 90 (c) *Town houses and stacked one-family dwellings: Two (2) spaces for*
 91 *each dwelling unit, and one-fifth (1/5) additional parking spaces*

92 per dwelling unit for visitors. Additional parking spaces for visitors
 93 shall be located in a clearly marked and designated common area
 94 available to all visitors. Provided, however, that visitor parking
 95 spaces may be included within the required two (2) parking spaces
 96 per dwelling unit when at least fifty (50) percent of parking spaces
 97 needed to meet the requirement are located in a common area and
 98 are available for either residents or visitors.

99 (d) All of the above parking spaces shall be constructed and
 100 maintained in accordance with Section 33.A.

101 (2) *Dwellings, other than one- and two-family*: One and one-eighth (1 1/8)
 102 spaces for each of the first two hundred (200) dwelling units in any
 103 structure and one (1) space for each additional dwelling unit.

104 (3) *Establishments with sleeping accommodations other than dwellings,*
 105 *including tourist courts, tourist homes, lodging or rooming houses, motels*
 106 *and motor hotels*: One (1) space for each dwelling unit or guest room.

107 c. Retail and Service Uses: One (1) space for each two hundred fifty (250) square
 108 feet of floor area on the first floor in a building, plus one (1) space for each three
 109 hundred (300) square feet of floor area located elsewhere in the building, except:

110 (1) *Vehicle service establishment and vehicle body shop*: Three (3) standing
 111 spaces for each wash rack, lubrication rack, repair bay or similar facility
 112 for the servicing or repair of vehicles, not including said rack or bay as a
 113 space, plus one (1) parking space for each employee.

114 (2) *Bowling alley*: Four (4) spaces for each alley.

115 (3) *Car wash*: Twenty (20) standing spaces for waiting vehicles for each wash
 116 rack, plus one (1) parking space for each two (2) employees.

117 (4) *Drive-in banking and similar "drive-in service" establishments*: Five (5)
 118 standing spaces for each teller or customer window.

119 (5) *Furniture and appliance stores, furniture repair shops*: One (1) space for
 120 each four hundred (400) square feet of floor area.

121 (6) *Greenhouses and nurseries*: One (1) space for each four hundred (400)
 122 square feet of floor area, plus such space as may be determined to be
 123 necessary in accordance with the policy set forth above.

124 (7) *Health clubs or other fitness facilities*. One (1) space per fifty (50) square
 125 feet of gross floor area.

126 (8) *Motor vehicle sales*: One (1) customer and one (1) employee parking
 127 space for each one thousand two hundred (1,200) square feet of area,
 128 whether or not said area is enclosed.

129 (9) *Offices of physicians, surgeons, and dentists*:

Square Feet (In each Building)	Parking Required
First 5,000	1 space for each 150 square feet
Next 10,000	1 space for each 200 square feet
Area in excess of 15, 000	1 space for each 250 square feet

130 (10) *Other office buildings*: One (1) parking space for each two hundred fifty
 131 (250) square feet of floor area on the first floor, one (1) space for each

- 132 three hundred (300) square feet of floor area located in the basement or on
 133 the second through fifth floors and one (1) space per four hundred (400)
 134 square feet of floor area located above the fifth floor.
- 135 (11) *Restaurants*: One (1) space for each six (6) seats (in addition to all parking
 136 space provided for service to patrons while seated in automobiles).
- 137 (12) *Tennis, racquet and handball courts*: Three (3) spaces per court.
- 138 (13) *Theaters, auditoriums and other commercial places of public assembly*:
 139 One (1) space for each three (3) seats or other accommodations, for
 140 attendants, employees or participants.
- 141 (14) *Undertaking establishments, funeral parlors, mortuary or funeral homes*:
 142 One (1) space for each fifty (50) square feet of chapel or parlor floor area,
 143 provided that there shall be no less than twenty (20) spaces.
- 144 (15) *Indoor or outdoor amusement facility*: One (1) space for each three
 145 hundred (300) square feet of indoor floor area or outdoor area used for
 146 amusement purposes.
- 147 d. Warehouse, Wholesale and Manufacturing Uses:
- 148 (1) *For uses consisting of the manufacture, processing assembly, storage,*
 149 *warehousing, wholesale, but not wholesale associated with retail uses,*
 150 *and distribution of products.* One (1) space for each one thousand (1,000)
 151 square feet of floor area, or one (1) space for each two (2) employees,
 152 whichever is the greater.
- 153 (2) *For uses where at least ninety (90) percent of the total floor area is*
 154 *available to the general public for the storage of items none of which is*
 155 *used for its intended purpose during the period that it is on the premises*
 156 *and is not associated with any office, retail, industrial or other business*
 157 *activity conducted on the premises:* One (1) space for each three thousand
 158 (3,000) square feet of gross floor area excluding residential floor area, plus
 159 one (1) space for the resident manager, plus one (1) space for each two (2)
 160 employees.
- 161 e. Similar Uses: For uses not listed heretofore in this schedule of parking
 162 requirements, by the interpretation of the Zoning Administrator, spaces shall be
 163 provided on the same basis as required for the most similar listed use.
- 164 f. The County Board may, through Use Permit approval pursuant to Section 36.G,
 165 modify the regulations set forth in 33.C.4.a. and 33.C.4.c or modify regulations to
 166 permit off-site parking to be used for public and private elementary, middle and
 167 high schools and for uses associated with public and private noncommercial
 168 recreational and community center buildings and grounds, where the County
 169 Board finds that:
- 170 (1) Such modifications will preserve or create recreational facilities such as
 171 playing fields, open space, playgrounds, and the like, that will reduce
 172 impervious surfaces, minimize grading and preserve existing trees, and
- 173 (2) A transportation demand management plan submitted by the applicant
 174 demonstrates that the potential adverse impacts of parking demand and
 175 any potential disruption of parking patterns within affected neighborhoods
 176 that could result from the modification will be mitigated by utilizing

177 available on-street parking contiguous to the site, and through the
178 implementation of measures such as, but not limited to:

- 179 i. Utilizing, by written agreement with another party in terms
180 acceptable to the County, off-street parking spaces at a site owned
181 or controlled by that same party; and/or
- 182 ii. Utilizing on-street parking spaces contiguous to the site that are
183 generally available during the hours of operation of the use, and/or
- 184 iii. Utilizing a managed or shared parking program at times when
185 parking demand is highest; and/or
- 186 iv. Implementing Transportation Demand Management (TDM)
187 strategies for the use, and/or demonstrating that transit or other
188 transportation options exist that may offset parking demand.

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193 **SECTION 1. DEFINITIONS**

194 **A. [Terms defined.]**

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196 [insert alphabetically]

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198 Design capacity. The number of students a school is designed to accommodate,
199 calculated by the same formula used to calculate capacity for elementary, middle or high schools,
200 respectively, shown in the latest Capital Improvement Plan adopted by the Arlington County
201 School Board as referenced by Capital Improvement Plan adopted by the County Board at the
202 time of application.

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206 School, elementary, middle and high. An institution which offers instructions in the
207 several branches of learning and study required to be taught in the public schools by the
208 Education Code of the State of Virginia. ~~High schools include junior and senior.~~

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211 **SECTION 3. "S-3A" SPECIAL DISTRICTS**

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215 **A. Uses Permitted.**

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218 10. Conditional uses: The following uses may also be permitted subject to securing a use
219 permit as provided in Section 36.G., "Use Permits":

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- c. Schools and colleges and other public and private educational institutions. A transportation demand management plan shall be submitted with use permit applications for elementary, middle and high schools.

SECTION 4. "S-D" SPECIAL DEVELOPMENT DISTRICTS

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A. Uses Permitted.

- 5. Conditional uses: The following uses may also be permitted subject to securing a use permit and site plan

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- d. Schools and colleges and other public and private educational institutions for academic instructions. A transportation demand management plan shall be submitted with use permit applications for elementary, middle and high schools.

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SECTION 5. "R-20" ONE-FAMILY DWELLING DISTRICTS

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A. Uses Permitted.

- 6. Special exceptions:
 - a. The following uses may also be permitted subject to use permit approval as specified in Section 36.G., "Use Permits":
 - (1) Schools, private, elementary, middle junior, and senior-high, and kindergartens, nursery schools, child care centers, and other programs regulated by Chapter 52 of the Arlington County Code, and family day care homes with six (6) or more but not more than nine (9) children. A transportation demand management plan shall be submitted with use permit applications for elementary, middle and high schools.

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SECTION 19. "C-1" LOCAL COMMERCIAL DISTRICTS

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B. Special Exceptions.

The following uses may be established subject to obtaining a use permit under the procedures established in Section 36.G. Use Permits:

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- 1. Schools (private, elementary, middle and high), kindergartens, day nurseries and day care facilities. A transportation demand management plan shall be submitted with use permit applications for elementary, middle and high schools.

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SECTION 21. "MU-VS" MIXED USE – VIRGINIA SQUARE DISTRICTS

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B. Special Exceptions

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- h. Schools: public and private, elementary, middle and high and secondary; kindergartens and day nurseries. A transportation demand management plan shall be submitted with use permit applications for elementary, middle and high schools.

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SECTION 25C. "C-O CRYSTAL CITY" COMMERCIAL OFFICE BUILDING, RETAIL, HOTEL AND MULTIPLE-FAMILY DWELLING DISTRICTS

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A. Uses Permitted.

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- 4. Special exceptions:
 - a. The following uses may also be permitted subject to use permit approval as specified in Section 36.G., "Use Permits":

310 (1) Schools and colleges and other public and private educational
311 institutions, nursery schools, child care centers and family day care
312 homes with six (6) or more but not more than nine (9) children. A
313 transportation demand management plan shall be submitted with
314 use permit applications for elementary, middle and high schools.

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318 **SECTION 26A. "C-TH" COMMERCIAL TOWN HOUSE DISTRICTS**

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322 **B. Special Exceptions.**

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326 11. Schools: private, elementary, middle and high, secondary, kindergarten and
327 nursery. A transportation demand management plan shall be submitted with use
328 permit applications for elementary, middle and high schools.

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333 **SECTION 27A. "C-R" COMMERCIAL REDEVELOPMENT DISTRICTS**

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337 **B. Special Exceptions.**

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339 The following uses may be established subject to obtaining a use permit under the procedures
340 established in Section 36.G. Use Permits.

341 1. Schools: private, elementary, middle and high, kindergartens and day nurseries. A
342 transportation demand management plan shall be submitted with use permit
343 applications for elementary, middle and high schools.

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348 **SECTION 36. ADMINISTRATION AND PROCEDURES**

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351 **G. Use Permits.**

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9. Applications for publicly-owned and for publicly-operated buildings, facilities and uses subject to use permit approval shall include a transportation demand management plan.