

ZOA-15-02 – Adopted April 18, 2015

ORDINANCE TO AMEND, REENACT AND RECODIFY THE ARLINGTON COUNTY ZONING ORDINANCE, ARTICLES 3, 7, 8, 9, 11, 12, 18 AND APPENDICES A AND B, IN ORDER TO EXTEND THE DURATION OF USE FOR SHORT TERM INDOOR AND OUTDOOR EVENTS AND ACTIVITIES AND SIGNS FOR SUCH ACTIVITIES, AND TO ALLOW THE ZONING ADMINISTRATOR TO RENEW SUCH ACTIVITIES WHERE A SITE PLAN AMENDMENT HAS BEEN FILED; TO CLARIFY DRY-CLEANING USES CONSISTENT WITH PRACTICE; AND TO CORRECT ERRORS INTRODUCED THROUGH THE COMPREHENSIVE REFORMAT OF THE ORDINANCE ADOPTED MAY 18, 2013, INCLUDING AN OMISSION OF LOT COVERAGE FOR THE R-10T AND R15-30T DISTRICTS AND AN INCORRECT MINIMUM LOT AREA PER DWELLING UNIT IN THE RA-H DISTRICT, AS SHOWN BELOW; IN ORDER 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 the Arlington County Zoning Ordinance, Articles 3, 7, 8, 9, 11, 12, 18 and Appendices A and B, is hereby amended, reenacted and recodified as set forth below in order to extend the duration of use for short term indoor and outdoor events and activities and signs for such activities, and to allow the zoning administrator to renew such activities where a site plan amendment has been filed; and to clarify dry-cleaning uses consistent with practice; and to correct errors introduced through the comprehensive reformat of the Ordinance adopted May 18, 2013, including an omission of lot coverage for the R-10T and R15-30T districts and an incorrect minimum lot area per dwelling unit in the RA-H district, as shown below; in order 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.

* * *

- In the proposed amendment, text proposed to be added is shown with underline and text proposed to be removed is shown with ~~striketrough~~. Footnotes are informational only, and are not intended to be included in the adopted text
- Changes to the proposed amendment included in the County Board action on April 18, 2015, on lines 53-5, are shown with double-underline and ~~double-striketrough~~.

* * *

The Arlington County Zoning Ordinance is amended, reenacted, and recodified as set forth below.

* * *

[Short term indoor and outdoor events and activities.]

Article 12. Use Standards

* * *

§12.10. Short Term Use Standards

* * *

§12.10.5. 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 portions thereof, or vacant ground floor spaces in buildings, or on outdoor spaces (which may or may not be vacant), may be allowed in C and M districts, and outdoor events and activities may additionally be allowed in P districts, as follows:

A. Applicability

1. 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;
2. For any use consistent with all provisions of the subject zoning district and all relevant site plan or use permit conditions for the subject property, provisions of this 12.10.5 shall not apply.

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, and shall include indoor markets at which groups of individual sellers offer new or used goods for sale;
2. Allowed outdoor events and activities shall include:
 - (a) Art galleries, carnivals, circuses, festivals, fairs, dog or horse shows, outdoor retail sales events that are not associated with an established retail business on the premises, and seasonal stands for the sale of Christmas trees, pumpkins, flowers, fireworks, fruits and vegetables and the like, not associated with an established retail business on the premises, and other uses, which in the judgment of the Zoning Administrator, are of the same general character;
 - (b) Outdoor cafes, as provided in 12.9.14, associated with a use with an approved Certificate of Occupancy for a restaurant located within 2,000 feet of the short term use, ~~shall be allowed for up to a total of 90 days per~~

~~year as provided in 12.10.5.C.2 below, provided that no such days shall be consecutive to one another.¹~~

3. Signs shall not be allowed as short term uses, except as provided in 12.01.5.D below.

C. Frequency and length of events

Short term indoor and outdoor events and activities in any individual building or on any individual property shall be allowed as follows:

1. Outdoor cafes, as provided in 12.10.5.B.2(b) above, shall be allowed for up to a total of 90 days per year per property (where property refers to the property on which the outdoor café is located).²
2. All other allowed uses shall be allowed as follows, provided, however, that where a site plan amendment has been filed for a change in use that would permit the short term use for the subject property, the Zoning Administrator may renew the short term use until such site plan amendment is acted upon by the County Board:
 - (a) Community service uses, as provided in 12.2.4.B shall be initially allowed for a cumulative total of 365 days ~~one year~~ 360 days, and all other uses shall initially be allowed for a cumulative total of 180 days.
 - (b) After the initial duration a period of 360 days, the building or property shall be eligible for short term uses as provided in 12.10.5.C.21(b) below provided in 12.10.5.C.2(a) above, all uses shall be allowed for up to 90 days per year per building, building space or property.
 - ~~(c) All other allowed short term uses (including community service uses after the expiration of the 360 days period provided in 12.10.5.C.1(a) above) shall be allowed for a total of 90 days per year per property.~~

D. Signs

1. Subject to 13.7, all signs for which no permit is required shall be allowed for indoor and outdoor events, for up to ~~one week~~ 30 days prior to the public opening of the event and 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 meet all applicable provisions of Article 13 and are consistent with any comprehensive sign plan for the property shall be allowed, subject to 15.8.

E. Additional provisions for outdoor events

Outdoor events shall be subject to the following additional standards:

¹ Moved to C, below, and edited as shown.

² Moved from B above, and edited as shown.

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. 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.

* * *

[Technical Updates]

Article 3. Density and Dimensional Standards

* * *

§3.2. BULK, COVERAGE AND PLACEMENT REQUIREMENTS

* * *

§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-15-30T	R-6, R2-7, RA, C, M	R-8	R-10, R-10T	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

* * *

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

* * *

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

* * *

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

* * *

Retail, Service and Commercial Use Categories (See §11.2.5)

* * *

		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
Retail, Personal Service (See §12.2.5.G.2(b))	Dry-cleaning, laundry and laundromat drop-off stations	S	S		S	P	P	P		S	S	S	S	P	S	S	P	P	P	P	§12.5.6
	Laundromats	S	S		S	P	P	P		S	S	S	S	P	S	S	P	P	P	P	§12.5.13

* * *

Industrial Use Categories (See §12.2.6)

Light Industrial Service (See §12.2.6.A)	Carpet and rug cleaning plants														U			U	U	U	§12.6.2
--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	---	--	--	---	---	---	---------

* * *

§7.4. RA-H, Hotel District

* * *

§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	All other uses
Site area, minimum (sq. ft.)	7,500	100,000
Lot, minimum (sq. ft.)		
Lot area	7,500	100,000
Lot area per dwelling unit	4,200 1,800	--
Lot width, minimum average (feet)		

Type of Standard	Multiple-family	All other uses
Lot width	75	200
Lot width per dwelling unit	--	--
Height		
Maximum (feet)	35	95
Maximum (stories)	3½	10
Floor area, minimum (sq. ft.)		
Floor area per dwelling unit	--	--
Lot coverage, Maximum (percent)	--	50

* * *

Article 8. Industrial (M) Districts

* * *

§8.1. Industrial (M) Districts Use Tables

* * *

§8.1.2. Industrial (M) districts principal use table

* * *

INDUSTRIAL (M) DISTRICTS PRINCIPAL USE TABLE					
Use Category	Specific Use Types	CM	M-1	M-2	Use Standards
Retail, Personal Service (See §12.2.5.G.2(b))	* * *				
	Dry-cleaning, laundry and laundromat drop-off stations	P	P	P	§12.5.6
	* * *				
	Laundromats	P	P	P	§12.5.13
	* * *				
Industrial Use Categories					
Light Industrial Service (See §12.2.6.A)	Carpet and rug cleaning and dyeing works plants	P	P	P	§12.6.2 §12.6.4
	Dry-cleaning plants	P	P	P	§12.6.2
	* * *				

* * *

Article 9. Special Planning Area Regulations* * *

§9.3. Fort Myer Heights North Special District

* * *

§9.3.4. Neighborhood-serving retail and other service uses

Neighborhood-serving retail and other service uses, such as a medical or dental office, neighborhood delicatessen, dry-cleaning, ~~laundry and laundromat drop-off station~~, 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.

* * *

Article 11. Overlay and Form Based Code Districts

* * *

§11.1. CP-FBC, Columbia Pike Form Based Code District

* * *

§11.1.4. Columbia Pike Form Based Code district principal use table

* * *

COLUMBIA PIKE FORM BASED CODE DISTRICT PRINCIPAL USE			
	Specific Use Types	CP-FBC	Use Standards
Retail, Personal Service (See §12.2.5.G.2(b))	***		
	Dry-cleaning, laundry and laundromat drop-off station	P	§12.5.6
	Laundromat	P	§12.5.13

* * *

Article 12. Use Standards

* * *

§12.2. Use Categories

* * *

§12.2.5. Retail, service and commercial use categories

* * *

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

* * *

(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, laundry and laundromat; 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.

* * *

4. Uses not included

Adult entertainment; large-scale catering (see Light Industrial Service); laundry and dry-carpet 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).

* * *

§12.5. Commercial/Mixed Use Standards

* * *

§12.5.6. Dry-cleaning, laundry and laundromats drop-off stations

The equipment employed shall have an aggregate maximum rated capacity of not more than 40 pounds and no more than one truck or vehicle shall be employed for pickup and delivery. Dry-cleaning, laundry and laundromats 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.

* * *

§12.5.13. Laundromats

The equipment employed shall have an aggregate maximum rated capacity of not more than 40 pounds and not more than one truck or vehicle shall be employed for pickup and delivery.

[NOTE: subsequent paragraphs will be renumbered and references throughout the Ordinance will be updated accordingly]

§12.6. Industrial Use Standards

* * *

§12.6.2. ~~Dry-cleaning plants~~ carpet and rug cleaning

~~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. Carpet and rug cleaning uses shall additionally allow dyeing, only in M districts.~~

* * *

Article 18. Definitions

* * *

Large-format retail 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 the sale of any combination of food, merchandise, and/or personal and business services (personal and business services include banks, ~~dry-cleaning, laundry and laundromats 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 or vehicle service establishment.

* * *

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

* * *

Use Category	Specific Use Types	Permitted (P) or Use Permit (U)	Primary (1) or Secondary (2)	Use Standards
Primary Retail				
Retail, Service and Commercial Use Categories				
Retail, Personal-Service (see §12.2.5.F.2(b))	* * *			
	<u>Dry cleaning, laundry and laundromat</u>	<u>P</u>	<u>2</u>	<u>§12.5.6</u>
* * *				
Industrial Use Categories				
Light Industrial Service (see §12.2.6.A)	* * *			
	Carpet and rug cleaning (excluding dying)	U	2	<u>§12.6.2</u>
* * *				

* * *

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*.

USE CATEGORY	SPECIFIC USE TYPES	PERMITTED (P) or USE PERMIT (U)	USE STANDARD
* * *			
GROUND STORY COMMERCE			
* * *			
Retail, personal service (see §12.2.5.F.2(b))	* * *		
	Dry cleaning, <u>laundry and laundromat</u> , drop-off stations	P	§12.5.6
	Laundromats	P	§12.5.13
* * *			
* * *			
Light industrial (see §12.2.6.A)	* * *		
	Carpet and rug cleaning plants	U	<u>§12.6.2</u>
* * *			