



## ARLINGTON COUNTY, VIRGINIA

### County Board Agenda Item Meeting of February 23, 2013

**DATE:** February 14, 2013

**SUBJECT:** ZOA-13-02 Amendments to the Arlington County Zoning Ordinance Section 16A. "R-C" Apartment Dwelling and Commercial Districts to confirm the location and designation of properties eligible for rezoning by the County Board to "R-C" Districts through clarifying purpose language.

#### **C. M. RECOMMENDATION:**

Adopt the attached resolution to amend, reenact and re-codify the Arlington County Zoning Ordinance, Section 16A. "R-C" Apartment Dwelling and Commercial Districts, to confirm the location and designation of properties eligible for rezoning by the County Board to "R-C" Districts through clarifying purpose language.

**ISSUE:** This proposed Zoning Ordinance amendment clarifies the general nature of the purpose paragraph of the "R-C" District to define the areas in which property must be located so that the County Board may rezone property to "R-C".

**SUMMARY:** "R-C" is the zoning district that is consistent with areas designated "High-Medium Residential Mixed-Use" on the General Land Use Plan (GLUP). The current purpose paragraph of Section 16A. "R-C" Apartment Dwelling and Commercial Districts in the Zoning Ordinance states that, for a property to be rezoned "R-C", it must be both within a one-quarter mile radius of a Metrorail station entrance and designated "High-Medium Residential Mixed-Use" or other compatible designations on the GLUP. This language had been treated, in the past, as a guide only, and since the early 1980s, several properties designated "High-Medium Residential Mixed-Use" located outside this one-quarter mile radius have been rezoned to "R-C" in conjunction with site plan approvals to help implement the future vision of the County expressed through the GLUP. At this time, a Zoning Ordinance amendment is proposed to clarify the purpose paragraph of "R-C" consistent with previous County Board actions. Specifically, the amendment would permit the rezoning to "R-C" of any property currently designated "High-Medium Residential Mixed-Use" on the GLUP or expressly identified to be replanned or

County Manager:

*BMD/GA*

County Attorney:

*[Handwritten signatures]*

Staff: Anthony Fusarelli, Jr., Planning Division, DCPHD

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rezoned to the aforementioned GLUP or zoning categories in adopted County plans. In addition, the amendment would limit the application of "R-C" zoning to properties located within Metro Station Areas as identified on the GLUP.

**BACKGROUND:** The origins of this proposed Zoning Ordinance amendment stem from community discussions pertaining to the development of the draft North Quincy Street Plan Addendum. The North Quincy Street Plan Addendum and associated GLUP and Master Transportation Plan (MTP) amendments are the subject of a separate staff report. During those discussions, staff discovered that the current purpose paragraph language for "R-C" Districts could be problematic for future rezoning to "R-C" of property outside a one-quarter mile radius from a Metrorail station entrance. This would include properties located in the North Quincy Street Plan Addendum that are currently designated "High-Medium Residential Mixed-Use" or recommended for such designation in the future. The County Board's intent for the use of "R-C" zoning was not to be so limiting, as evidenced by earlier rezoning for property in the County that did not necessarily meet this strict standard of one-quarter mile radius from Metrorail station entrances. In response to this finding, Zoning Ordinance amendments to "R-C" are proposed to carry out the original intent and to facilitate the potential future rezoning and development consistent with the established planning goals of the County.

**DISCUSSION:** During the community process to develop the North Quincy Street Plan Addendum, attention was brought to a lack of clarity in the purpose language in the first paragraph of the "R-C" District of the Zoning Ordinance. "R-C" is the zoning district specifically intended for areas designated "High-Medium Residential Mixed-Use" on the GLUP. Currently, the purpose paragraph for the "R-C" zoning district require that, to be rezoned "R-C", a site must be both 1) located within a one-quarter mile radius from a Metrorail station entrance and 2) designated "High-Medium Residential Mixed-Use" or other compatible designation on the GLUP. Since 1981, several sites have been planned "High-Medium Residential Mixed-Use" and/or zoned "R-C" (the typical zoning district for the aforementioned GLUP designation). However, several of those sites are located west of N. Glebe Road and are outside a one-quarter mile radius from the closest (Ballston) Metrorail station entrance (and some of those sites are also located in the Plan Addendum study area). To clarify which properties are eligible for rezoning to "R-C" by the County Board, and to ensure the Zoning Ordinance is consistent with the County Board's intentions, and to implement the vision established through the GLUP, an amendment to the purpose paragraph of the "R-C" District is proposed.

If approved, the proposed amendment to the "R-C" zoning would clarify the potential application of this district to sites located within Metro Station areas but farther than one-quarter mile from a Metrorail station entrance, under certain circumstances. Additionally, this amendment would reconcile the apparent conflict between the County's planning framework (expressed through the GLUP and other adopted plans) and the zoning tools available to implement that framework. The proposed amendment includes two aspects. First, the proposed amendment includes adjustments to the site criteria for rezoning to emphasize the focus on sites within one-quarter mile from a Metrorail station entrance, while recognizing that other sites farther from Metro may be appropriate for "R-C" zoning depending on their GLUP designation and/or special recognition as a site appropriate for such zoning or plan designation in other adopted County plan or policy documents. Second, the proposed amendment would set new limits to the potential application of

"R-C", by restricting it to properties located within Metro Station areas as depicted on the GLUP Map.

With the above approach, the proposed amendment seeks to clarify and reconcile the purpose statement to allow "R-C" zoning to continue to serve as an effective implementation tool for the County's planning and development policies as reflected in the GLUP and other adopted County plans. The proposed amendment would resolve any potential issues that may arise with the future rezoning to "R-C" for properties that are outside a one-quarter mile radius from a Metrorail station entrance and designated "High-Medium Residential Mixed-Use" or other compatible designations. The proposed amendment would better accommodate other property in the County designated "High-Medium Residential Mixed-Use" now or in the future, which would typically correspond with a rezoning to "R-C" Districts.

Staff has further provided minor editorial revisions to the proposed language. These editorial changes are within the scope of what the County Board advertised in January 2013.

**Community Concerns:** In studying this issue, some members of the community indicated that the draft amendment would permit property anywhere in the County to be rezoned "R-C" following a GLUP amendment to designate an area as "High-Medium Residential Mixed-Use". There were also concerns about the potential for increased vehicular traffic as a result of this proposed amendment, claiming that a limited number of people are willing to walk a distance of one-quarter of a mile and will alternatively choose driving as a mode of transportation.

To address the first concern, the language of the proposed amendment clarifies that the "R-C" District is designed to be applied only to properties within Metro Station areas as designated on the GLUP. Furthermore, although "High-Medium Residential Mixed-Use" existed as a GLUP designation for more than three decades, a relatively limited amount of the County is designated this classification, all of which is within Metro Station areas and most of which is within one-quarter mile radius of a Metro station (See Attachment 1). These factors combined would adequately limit the areas to which "R-C" could be applied and would ensure it is not applied broadly across the County. In terms of increased traffic concerns, as shown in the map in Attachment 1, all areas currently designated "High-Medium Residential Mixed-Use" in the County are within one-half mile radius from a Metrorail station entrance, and therefore the "R-C" development of these areas is generally not expected to result in significant adverse impacts attributable to vehicular traffic increases. This revised approach was advertised by the County Board at its January 26, 2013, hearing.

**Planning Commission:** A draft of the proposed Zoning Ordinance amendment was presented and discussed at a Zoning Committee (ZOCO) meeting of the Planning Commission on January 3, 2013. Comments at that meeting were primarily editorial. This proposed amendment was also discussed as an information item at a regular Planning Commission meeting on January 14, 2013. The Planning Commission had comments and questions on whether the revisions were clear enough. The Planning Commission held a public hearing on this item at its February 11, 2013 meeting. After three public speakers and limited discussion on the proposed amendment, the Planning Commission voted unanimously (8-0) to recommend that the County Board adopt the proposed Zoning Ordinance amendments per the County Manager's recommendation.

**CONCLUSION:** Staff recommends the County Board adopt the attached resolution to amend, reenact, and re-codify the Arlington County Zoning Ordinance Section 16A. "R-C" Apartment Dwelling and Commercial Districts to confirm the location and designation of properties eligible for rezoning by the County Board to "R-C" Districts through clarifying purpose language.

**ZOA 13-02**

**AN ORDINANCE TO AMEND, REENACT, AND RECODIFY ARLINGTON COUNTY ZONING ORDINANCE SECTION 16A. "R-C", APARTMENT DWELLING AND COMMERCIAL DISTRICTS, TO UPDATE THE PURPOSE PARAGRAPH FOR THE DISTRICT, TO REDUCE OR PREVENT CONGESTION IN 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 Section 16A. "R-C" Apartment Dwelling and Commercial Districts is hereby amended, reenacted, and recodified to update the purpose paragraph for the district, to reduce or prevent congestion in 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:*

\* \* \*

**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/double-strikethrough is text that is proposed to be modified (added or deleted, respectively) since the Request to Advertise.

**SECTION 16A. "R-C" APARTMENT DWELLING AND COMMERCIAL DISTRICT**

1  
2       The purpose of the "R-C" District classification is to encourage high-medium density  
3 residential development while also providing for a mixed-use transitional area between higher  
4 density ~~office~~ development and lower density residential uses. This district is designed for use  
5 ~~only in the vicinity of the Metro-rail sStations Areas as identified on the General Land Use Plan~~  
6 ~~(GLUP), and, to be eligible for the classification, a site or the major portion of a~~ primarily for  
7 ~~sites any part of which is located, shall (1) be within a one-quarter (1/4) mile radius of a~~  
8 ~~Metrorail station entrance and (2) be located within an area that are designated "High-Medium~~  
9 ~~Residential Mixed-Use" or other compatible designations on the GLUP~~ General Land Use Plan.  
10 ~~In addition, this district may also be considered for other locations in Metro Station Areas that~~  
11 ~~are designated "High-Medium Residential Mixed-Use" or expressly identified as eligible for~~  
12 ~~rezoning to this district or replanning to "High-Medium Residential Mixed-Use" in adopted~~  
13 ~~County plans.~~ Determination as to the actual types and densities of uses to be allowed will be  
14 based on the characteristics of individual sites and on the need for community facilities, open  
15 space and landscaped areas, circulation and utilities.

16       The following regulations shall apply in the "R-C" District:\*

17 -----  
18 \*Note--For supplemental regulations, see Section 31.  
19 -----

20 **A. Uses Permitted.**

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\* \* \*

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# ATTACHMENT 1



## Parcels Designated High Medium Residential Mixed Use

-  1/4 mile radius from Metro Station Entrance
-  Parcels with R-C Zoning
-  High-Medium Residential Mixed-Use areas
-  Metro Station Area Boundary
-  Subway Station Entrance

Map prepared by Arlington County Planning Division,  
 Master Planning Team  
 Produced and © December 2012  
 Contact us at 703-228-3525 for spatial reference notes.



Pursuant to Section 54.1-402 of the Code of Virginia, any determination of topography or contours, or any depiction of physical improvements, property lines or boundaries is general in nature and should not be used for the determination of the location of improvements to real property or for flood plain determination.