



## ARLINGTON COUNTY, VIRGINIA

**ZOA-2019-09**

**(Elder Care Uses – Initial Phase)**

Adopted September 21, 2019

Effective September 21, 2019

At the County Board regular meeting on September 21, 2019, on a motion duly made by County Board member Libby Garvey and seconded by County Board member Matt de Ferranti, the Arlington County Board unanimously adopted the following ordinance, effective immediately, to amend, reenact and recodify Articles 4, 6, 7, and 18 of the Arlington County Zoning Ordinance to permit the establishment of assisted living facilities in the RA8-18, C-O-1.0, C-O-1.5, and C-O-2.5 zoning districts, to permit the establishment of nursing homes in the RA8-18 district, to incorporate special exception use standards for assisted living facilities and nursing homes into the RA8-18 district standards, to revise the zoning definition for assisted living facilities, to make other editorial changes for purposes of clarity, and for other reasons required by public necessity, convenience, general welfare, and good zoning practice.

\* \* \*

Approved amendments are shown with **bold underline** to denote new text, and **~~bold strikethrough~~** to denote deleted text.

Where paragraphs are added or deleted, all subsequent paragraphs are renumbered accordingly, and all references throughout the Ordinance are updated accordingly.

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# Article 4. Public (P) Districts

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

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

Table §4.1.2 lists the principal uses allowed within the P districts.

A. ...

...

#### G. Use Categories

All of the use categories listed in the table below are described in §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.

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					
<b>Residential Use Categories (See §12.2.3)</b>					
Group Living (See §12.2.3.B)	Assisted living <del>facilities, centers, and nursing homes</del>		U S		
	Group homes	U	U S	U	
	<u>Nursing homes</u>		U S		

# Article 6. Multiple-Family (RA) Districts

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

### §6.1.2 Multiple-family (RA) districts principal use table

Table §6.1.2 lists the principal uses allowed within the RA districts.

A. ...

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#### H. Use Categories

All of the use categories listed in the table below are described in §12.2. The second column of the use table lists the specific use types included within the respective sub-categories.

Multiple-family (RA) Districts Use Table						
Category	Specific Use Types	RA14-26	RA8-18	RA7-16	RA6-16	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>						
Group Living (See §12.2.3.B)	<b>Assisted living facilities</b>		<b>S</b>			
	Boarding houses and rooming houses		U		U	§12.3.1
	Dormitories	U	U	U	U	§12.3.3
	Fraternity and sorority houses;	U	U	U	U	§12.3.5
	Group homes	U	U	U	U	§12.3.6
	<b>Nursing homes</b>		<b>S</b>			

## §6.3. RA8-18, Multiple-family Dwelling District

### §6.3.4. Density and dimensional standards

#### 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	Assisted Living Facilities and Nursing Homes	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			<u>43,560</u>	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			<u>75</u>	35
Maximum (stories)	3 ½	3 ½			--	--
Floor area per dwelling unit, minimum, exclusive of basement or attic (sq. ft.)	750	750	--	--		
Floor area ratio, maximum	--	--	<u>1.5</u>	--		

### §6.3.5. District use standards

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

#### A. ~~Reserved~~ Assisted living facilities and nursing homes

- 1. Under no circumstances shall the maximum height of an assisted living facility or a nursing home exceed 75 feet, exclusive of mechanical penthouses.**
- 2. Under no circumstances shall the maximum F.A.R. of an assisted living facility or a nursing home exceed 1.5.**

# 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

Table §7.1.2 lists the principal uses allowed within the C districts.

A. ...

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#### H. Use Categories

All of the use categories listed in the table below are described in §12.2. The second column of the use table lists the specific use types included within the respective 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																						
Residential Use Categories (See §12.2.3)																						
	<u>Assisted living facilities</u>									S	S	S										
Group Living (See §12.2.3.B)	Dormitories	U	U	U	U	U	U		U	U	U	U	U	U	U		U		U	U		§12.3.3
	Fraternity and sorority houses	U	U	U	U	U	U		U	U	U	U	U	U	U		U		U	U		§12.3.5
	Group homes	U	U	U	U	U	U		U	U	U	U	U	U	U		U		U	U		§12.3.6
	Nursing homes									S	S	S										

## **§7.10. C-O-1.0, Mixed Use District**

### **§7.10.3. Density and dimensional standards**

#### **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 assisted living facilities, 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

## **§7.11. C-O-1.5, Mixed Use District**

### **§7.11.3. Density and dimensional standards**

#### **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 assisted living facilities, hospitals, nursing homes and group care facilities	Office, Commercial	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

## §7.12. C-O-2.5, Mixed Use District

### §7.12.3. Density and dimensional standards

#### B. Special exception

Development allowed by special exception in the C-O-2.5 district shall comply with the following standards, except as otherwise approved by the County Board.

Type of Standard	Institutional uses including <u>assisted living facilities</u> , hospitals, nursing homes, and group care facilities	Office, Commercial	Multiple-family	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 mechanical 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

## Article 18. Definitions

### §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.

Assisted living facility. **A group living residential development that provides or coordinates personal and health care services, 24-hour supervision, and assistance (scheduled and unscheduled) for the protection, general supervision and oversight of the physical and mental well-being of aged, infirm or disabled adults. A 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.