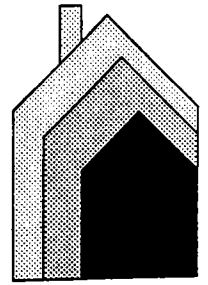


Handbook of
PLANNING
TERMINOLOGY
ARLINGTON COUNTY, VIRGINIA



HANDBOOK OF PLANNING TERMINOLOGY

Introduction

This booklet presents a glossary of planning and zoning terms. While most of the terms in this publication have commonly understood meanings and are used throughout the United States, some are specific to the state of Virginia, or are used, as defined here, only in Arlington.

The definitions in this booklet are intended to be educational, to answer questions that are routinely asked about the language of planning and zoning, and to help planning in Arlington be accessible to everyone, not just to professional planners. This is not a legal document. Many of these terms have very detailed legal definitions, which are available from other sources, such as legal dictionaries, zoning ordinances, and state and local codes. Previously published books and pamphlets provided the basis for most of the definitions in this booklet. When the source of a definition is known and provides the bulk of the definition, it is referenced at the end of the definition. A complete list of references used in developing this handbook can be found at the end of the handbook.

If you have any comments or further questions, please call the Planning Division at (703) 358-3525.

Access

A way of approach or physical entrance to a property. In zoning and subdivision regulations, lots of record usually are required to have direct access to a public street or highway or to a private street meeting public standards. This is done, not only to permit entry of residents and other uses, but also to permit fire engines to reach buildings. In the context of land use controls, access also includes ingress, the right to enter, and egress, the right to leave. (*The Language of Zoning: A Glossary of Words and Phrases, Planning Advisory Service Report No. 322 (PAS 322)*).

Accessory Building or Use

A building or use which: (1) is subordinate to and serves a principal building or principal use; (2) is subordinate in area, extent, or purpose to the principal building or principal use served; (3) contributes to the comfort, convenience, or necessity of occupants of the principal building or principal use; and (4) is located on the same zoning lot as the principal building or principal use. Examples of accessory uses are private garages, storage sheds, play houses, and swimming pools. (*PAS 322*). See *Figure 1*.

Air Rights

The rights to the space above a property for development, usually for a dissimilar use. Common law grants the owner of a piece of real estate ownership of a vertical space extending an unlimited distance above the ground. Common uses of air rights are above transportation facilities such as highways, railroad tracks, and subway stations. (*PAS 322*).

Arterial Street

An arterial street's most important function is to move vehicles, while its secondary function is to provide access to land. Arterials carry large traffic volumes which include longer trips from one part of a county or city to another. (*Local Planning Administration*).

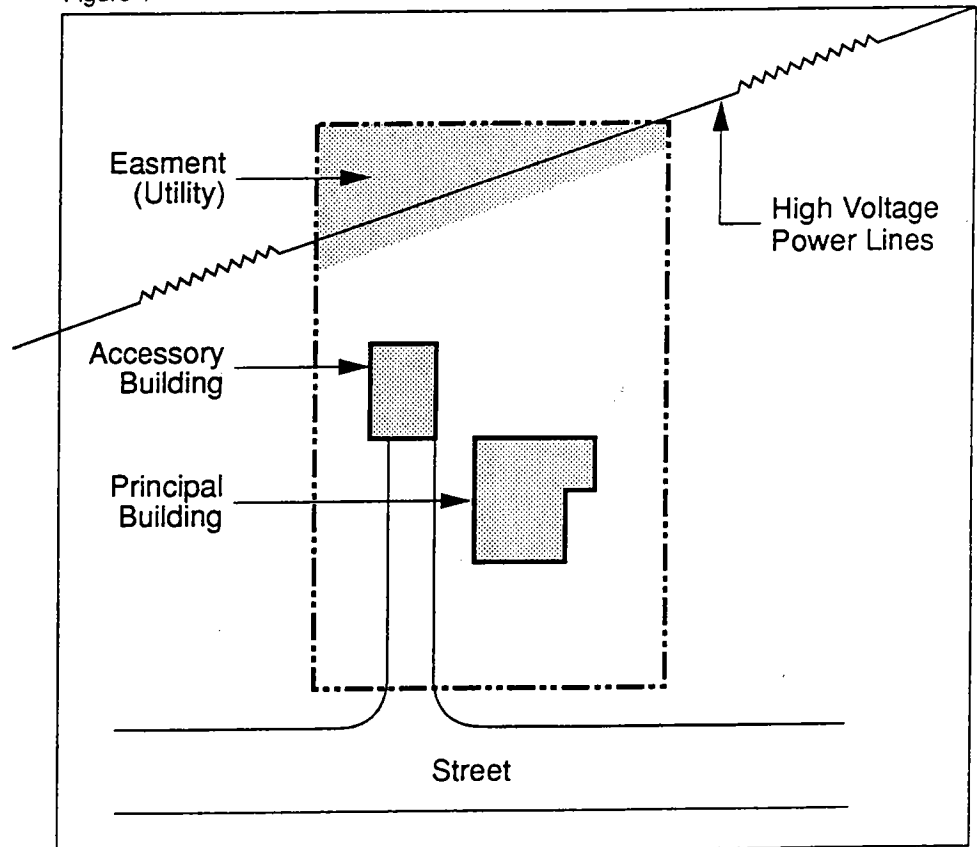
At Place Employment

The total number of jobs in a jurisdiction. These jobs may be filled by local residents or by persons from outside the locality.

Board of Zoning Appeals (B.Z.A.)

In Virginia, a five or seven-member board appointed by the local Circuit Court, that hears requests for variances to the Zoning Ordinance which demonstrate "undue hardship". Variances are usually limited to situations where the proposed placement or size of a structure is not in compliance with the Zoning Ordinance. The B.Z.A. can also hear appeals of specific determinations made by the Zoning Administrator and appeals of violation notices, as they apply to the Zoning Ordinance. Arlington's B.Z.A. consists of five members appointed by the Arlington Circuit Court. See variance.

Figure 1



Buffer Area

A portion of a lot established to protect one type of land use from another with which it is incompatible. Normally, a buffer area is landscaped and kept in open space uses. But the term may be used more broadly to describe any area that separates two unlike areas, such as a multifamily housing zone between single-family housing and business uses. (PAS 322). See Figure 2.

Buildable Area

The space remaining on a zoning lot after the minimum open-space requirements (coverage, side and rear yards, street setbacks) have been met. (PAS 322). See Figure 3.

Building

An enclosed structure anchored to its foundation and having exterior or party walls and a roof, intended to be used for sheltering people,

animals, property, or business activity. Temporary structures such as tents are not buildings, but houses, garages, factories, barns, etc., are buildings. (*Zoning Ordinance, County of Arlington, Virginia; PAS 322*).

Bulk

The basic term used to describe the size (including height and floor area) of buildings.

Bulk Regulations

Standards that control the height, density, intensity, and location of structures. Components of bulk regulations include: size and height of building; location of exterior walls at all levels with respect to lot lines, streets, or other buildings; building coverage; gross floor area of buildings in relation to lot area (floor area ratio); open space (yard) requirements; and amount of lot area provided per dwelling unit. Their purpose is to assure sufficient light, air, and open space on the ground and at all levels of a building and, secondarily, to maintain a compatible and pleasing appearance. (PAS 322).

By-Right Zoning

Uses and development standards which are determined in advance and specifically authorized by the zoning ordinance. The ordinance, as a result, involves no flexibility and no discretion in its administration. For example, a single-family zone would allow single-family detached residences by-right so long as site development requirements are met (e.g., height, yards, bulk).

Figure 2

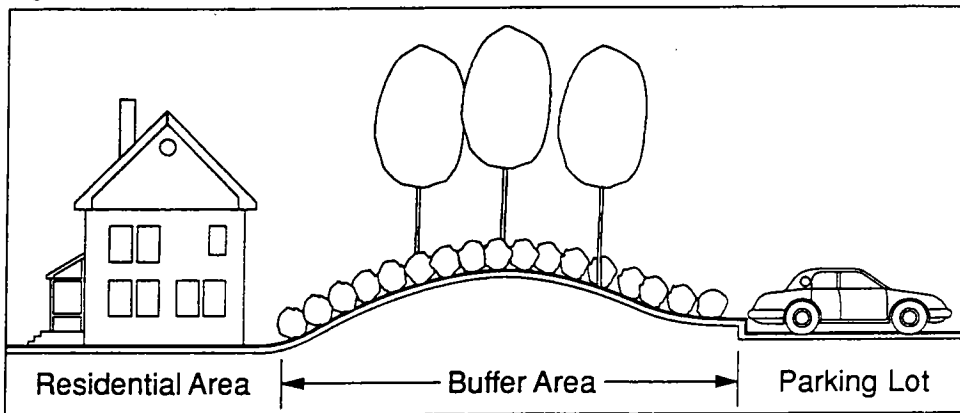
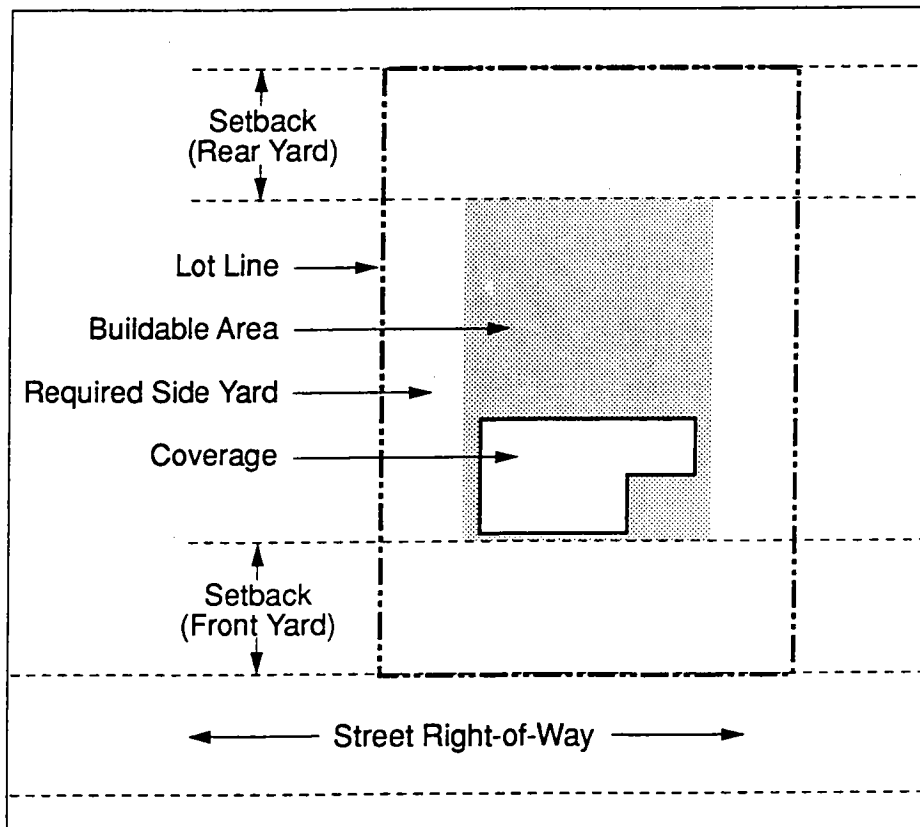


Figure 3



Census Block

Each census block is a well-defined piece of land bounded by streets, roads, railroad tracks, streams or other features on the ground. It is the smallest area for which census data is tabulated. Intermediate in size between census tracts and blocks are block groups (or enumeration districts). See census tract.

Census Tract

Statistical subdivisions of the County with a population between 2,500 and 8,000 persons. Census tracts are used to provide census to census comparability, thus census tract boundaries are usually the same from census to census. (*A Survey of Zoning Definitions, Planning Advisory Service Report No. 421 (PAS 421)*).

Certificate of Occupancy

Official certification that a building conforms to provisions of the zoning ordinance and building code, and meets other requirements, and may be used or occupied. Such a certificate is granted for new construction, for alteration or additions to existing structures, or for a change in use or ownership of a structure. Unless such a certificate is issued, a structure cannot be occupied. (*PAS 322*).

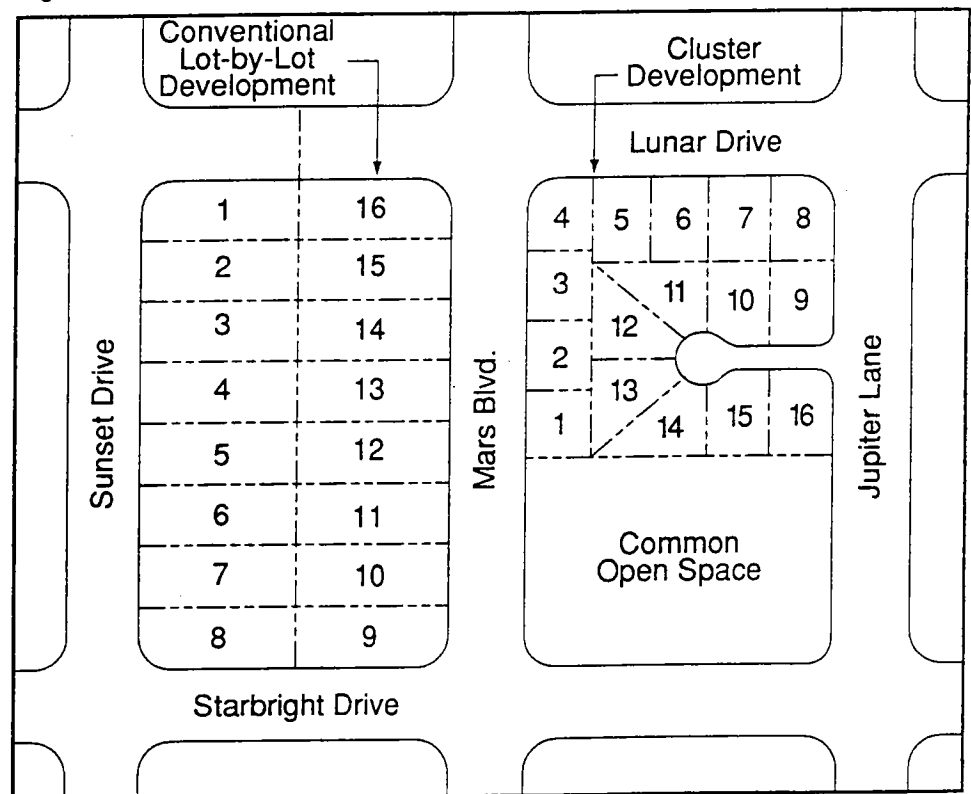
Cluster Development

A design technique that allows concentrating residential units on a smaller land parcel for each unit than specified as the minimum lot size for an individual unit. The remaining land is used for recreation, common open space, and/or preservation of environmentally sensitive areas. In contrast, in conventional lot-by-lot development,

the units are spread evenly throughout a parcel, entirely covering the area being developed. Some zoning ordinances permit cluster development for commercial and industrial uses as well. While commercial and industrial clustering is not expressly permitted in Arlington, clustering has been accomplished through the site plan process. See **Site Plan Process**. See *Figure 4*.

future of a community. It is the result of considerable study and analysis of existing physical, economic, and social conditions, a projection of future conditions, and community review. When adopted by a public body such as the County Board, it serves as a guide for many public decisions including land-use changes, preparation of capital improvements programs, and the enactment of zoning and related growth management legislation. Enabling statutes of many

Figure 4



Collector Street

Collector streets bisect residential areas connecting local streets to arterial streets. Average daily traffic on the two lane streets should not exceed 10,000 vehicles per day.

Comprehensive Plan

A document or series of documents prepared by the local authority setting forth policies for the

states require zoning to be in accordance with a comprehensive plan. (*PAS 322*). Arlington's Comprehensive Plan includes the following elements: Chesapeake Bay Preservation Ordinance, General Land Use Plan, Master Transportation Plan, Open Space Master Plan, Recycling Program Implementation Plan, Sanitary Sewer System Master Plan, Storm Sewer Plan, and Water Distribution System Master Plan.

Consolidated Metropolitan Statistical Area (CMSA)

If a Metropolitan Area has more than one million persons, primary metropolitan statistical areas (PMSAs) may be defined within it, according to U.S. Office of Management and Budget standards and with local support. A PMSA consists of a large urbanized county or cluster of counties that demonstrates very strong internal economic and social links, in addition to close ties to other portions of the larger area, which can also be designated as PMSAs. When PMSAs are established, the larger area of which they are component parts is designated a consolidated metropolitan statistical area (CMSA). For example, after the 1990 Census, Washington-Baltimore was declared a CMSA, with the Washington and Baltimore metropolitan statistical areas each designated as a PMSA. (*Technical Documentation - 1990 Census of Population and Housing*). See metropolitan statistical area, primary metropolitan statistical area.

Council of Governments (C.O.G.)

The regional planning agency whose member jurisdictions are the local jurisdictions of a specific region and whose directing board is made up of those member jurisdictions. They deal primarily with systems that are regionally influenced. The Metropolitan Washington Council of Governments is made up of the following jurisdictions: District of Columbia; Arlington County, Fairfax County, Loudoun County, Prince William County, Falls Church, and Fairfax City in Virginia; Montgomery County, Frederick County, Prince Georges

County, Rockville, Takoma Park, Gaithersburg, Greenbelt, Alexandria, College Park, Bowie, and Frederick City in Maryland.

Covenant

A private legal restriction on the use of land, contained in the deed to the property or otherwise formally recorded. There may be certain legal requirements for formal establishment of a covenant such as a written document, a mutual interest in the property, that the covenant be concerned with the use of the land rather than individual characteristics of ownership, etc. Covenants are most commonly used in the establishment of a subdivision to restrict the use of all individual lots in the development to a certain type of use, e.g., single-family dwellings. (*PAS 322*).

Coverage

The amount of land covered or permitted to be covered by a building, usually measured in terms of percentage of a lot. Coverage regulations are one way to assure provision of open space on lots and to limit intensity of use on property. (*PAS 322*). In Arlington, coverage includes accessory buildings and all areas for parking, driveways, maneuver and loading space. (*Zoning Ordinance*). The term Coverage should be distinguished from impervious cover or surface, which also includes sidewalks and patios on private property. See *Figure 3*.

Daytime Population

The total population of an area during regular, weekday business hours. Daytime population is estimated as the number of persons holding jobs in a jurisdiction plus

the number of local residents who remain at home or school during the day.

Density

The average number of housing units, square feet of office, etc., per unit of land; density usually is expressed "per acre". Density is controlled by limiting the amount of development on a piece of land through zoning which has specific restrictions, e.g., use; height; minimum lot-size requirements; floor area ratio; and setback and yard requirements.

Development Rights

The right to develop a piece of land up to the limits imposed by the Zoning Ordinance and map, similar to by-right development. Development rights can also include the concept that ownership rights to a piece of land and any development existing on it is separate from the right to additional development. The right to additional development may be held by someone other than the landowner.

Dillon's Rule

A rule, used in Virginia and in several other states, that describes how local governments obtain their powers from the state. Dillon's rule says that local governments have only three types of powers: those granted in express words, those necessarily or fairly implied in or incident to the powers expressly granted, and those essential to the declared purposes of the local government, not simply convenient, but indispensable. In addition, if there is any reasonable doubt whether a power has been conferred on a local government, then the power has not been conferred. In other

words, local governments have only the powers specifically given to them by the state governments. This contrasts with the 43 states with "municipal home rule", in which local governments may choose their form of government and powers within limits set by the state.

Distributor Street

Distributor streets provide direct access to commercial and high density office or apartment areas from arterial streets. The number of travel lanes and the average daily traffic volumes are dependent upon the type and intensity of the adjacent development.

Easement

A grant of one or more of the property rights by the owner to, or for the use by, another person, the public, a government agency, a corporation, or other entity. For example, a property owner may give or sell an easement on his property to allow utility facilities like power lines or pipelines, or to allow access to another property. (PAS 421). See Figure 1.

Eminent Domain

The legal right of government to acquire or "take" private property for public use or public purpose upon paying just compensation to the owner. (PAS 322).

Family

The Arlington County Zoning Ordinance defines family as (1) an individual, or two or more persons related by blood, marriage or adoption, or under approved foster care; or (2) a group of not more than four persons (including servants) not

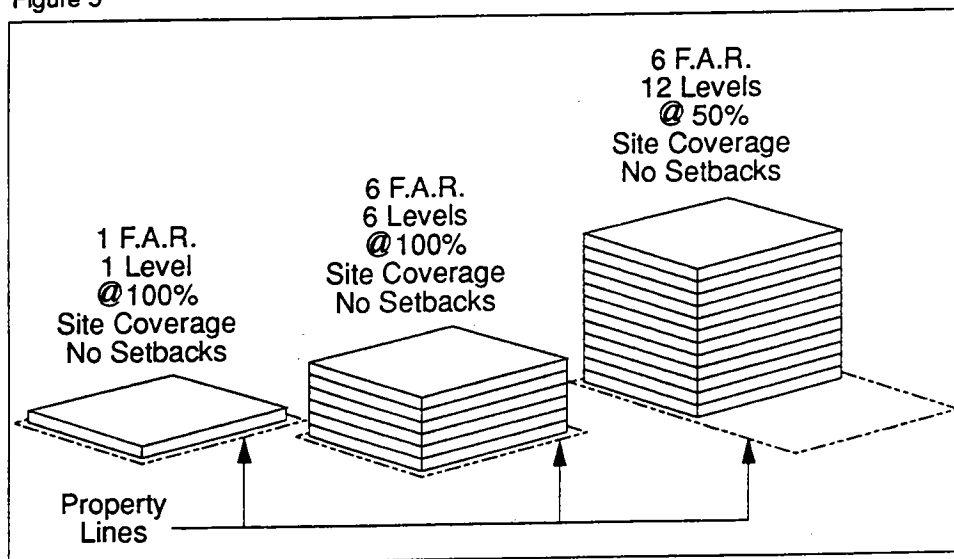
related by blood or marriage living together and sharing living areas in a dwelling unit; or (3) a group of up to eight (8) mentally ill, mentally retarded or developmentally disabled persons who are residing with one (1) or more resident counselor(s) or other staff person(s) in a facility which is licensed by the Department of Mental Health, Mental Retardation, and Substance Abuse Services of the Commonwealth of Virginia. A fourth definition, listed in the Code of Virginia, and applying only to Arlington, states that no more than eight aged, infirm, or disabled persons who are residing with one or more residential counselors or other staff persons in a facility which is licensed by the Department of Social Services, shall be considered a single family. For the purposes of this 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 succes-

sor. (*Zoning Ordinance, County of Arlington, Virginia; Code of Virginia 1950, 1996 Cumulative Supplement, Volume 3A*).

Floor Area Ratio (F.A.R.)

A method of measuring building density by means of the ratio of floor area permitted on a specific parcel of land to the area of the parcel. Thus, a permitted floor area ratio of 6.0 on a 10,000 square foot lot would allow a building whose total floor area is 60,000 square feet. F.A.R. provisions may be used in combination with other bulk regulations, such as height limits, open space, and building spacing requirements. When used alone, they give developers flexibility in deciding whether to build a low building covering most of the lot or taller buildings covering only a small part of the lot, or in some places, a combination of buildings, so long as the total F.A.R. allowed is not exceeded. (PAS 322, from PAS 111). See Figure 5.

Figure 5



Forecast

A future estimate, both short and long range, of employment, households and population for a jurisdiction. Forecasts are used to help determine functional plans in the areas of transportation, water, resources, air quality, housing, land use, and energy. Arlington participates in the Cooperative Forecasting Program established by the Metropolitan Washington Council of Governments, which includes the other local jurisdictions that are members of the Council of Governments.

General Land Use Plan

The adopted policy guide for the future orderly development of land uses in the County. The Plan initially was adopted by the County Board in 1961. Periodically, the Plan is amended to respond to changing community concerns related to development or to reflect areas that are targeted for major growth (Rosslyn-Ballston and Jefferson Davis Corridors). The General Land Use Plan typically has a time frame of 20 years.

Gross Floor Area (G.F.A.)

The total area of all floors of a building as measured to the outside surfaces of exterior walls and including halls, stairways, and elevator shafts. This area excludes areas within a building used for parking. (PAS 322).

Historic Preservation District

Any area that includes or encompasses such historic sites, landmarks, buildings, signs, appurtenances, structures, or objects as the County Board may determine to be appropriate for historical preser-

vation. Such designated district or districts shall not extend farther than the property line of the land pertaining to such historical landmarks, sites, buildings, signs, appurtenances, structures, or objects. (*Zoning Ordinance, County of Arlington, Virginia*).

Incentive Zoning

A system in which developers are given bonuses in exchange for providing amenities the community feels are desirable. Bonuses granted usually are in the form of higher permitted floor area ratios or heights to improve a development's feasibility; amenities received have been plazas, public open space, certain desired site designs, affordable housing, community facilities, access to Metro stops, special streetscape improvements, and infrastructure improvements such as streets, utilities, and landscaping. (PAS 322).

Just Compensation

Compensation which is fair to both the owner and the public when property is taken for public use through condemnation (eminent domain). (Black's Law Dictionary).

Labor Force

All those people who reside within a jurisdiction, working and/or looking for work. The labor force may consist of the employed or unemployed and the civilian and military worker.

Level of Service

In transportation planning, a descriptive measure of traffic flow on a segment of road. When followed by a letter from A to F, identifies one of six increasingly congested conditions of flow. Level of

Service A is characterized by free flow conditions, with total traffic volume at 60 percent or less of capacity. Level of Service F is characterized by long back-ups at signalized intersections, which are operating in a stop-and-go pattern, with volume below capacity and with effective capacity reduced because of low speeds and backups through other intersections. Level of Service is usually applied to peak hour conditions, along controlled access facilities, and at one or more signalized intersections.

Metropolitan Area (MA)

The general concept of a metropolitan area (MA) is one of a large population nucleus, together with adjacent communities that have a high degree of economic and social integration with that nucleus. Some MAs are defined around two or more nuclei. The Federal Office of Management and Budget designates and defines MAs following a set of published standards. These standards provide for a structure of metropolitan definitions that classify an MA either as a metropolitan statistical area (MSA) or as a consolidated metropolitan statistical area (CMSA) that is divided into primary metropolitan statistical areas (PMSAs). (*Technical Documentation - 1990 Census of Population and Housing*).

Metropolitan Statistical Area (MSA)

A relatively freestanding metropolitan area not closely associated with other metropolitan areas. For the 1990 Census, the Washington MSA was defined as the District of Columbia, Arlington County, Calvert County, Charles County, Fairfax County, Frederick County, Loudoun County, Montgomery County, Prince Georges County,

County, Prince Georges County, Prince William County, Stafford County, Falls Church, Alexandria, Fairfax City, Manassas, and Manassas Park. The term MSA was developed in 1983 and used for the 1990 Census; prior to that time, the term standard metropolitan statistical area (SMSA) was used. In 1992, the concepts of consolidated and primary metropolitan statistical areas (CMSA, PMSA) were developed, and the Washington MSA was redefined as the Washington PMSA. (*Technical Documentation - 1990 Census of Population and Housing*). See **consolidated metropolitan statistical area**.

Mixed Use Zoning

Zoning which permits a combination of uses within a single development. Many zoning districts specify permitted combinations of uses, for example, residential and office/commercial. More recently the term has been applied to major developments, often with several high-rise buildings, which may contain offices, shops, hotels, apartments, and related uses. (*PAS 322*).

National Capital Planning Commission (N.C.P.C.)

The central planning agency for the Federal Government in the National Capital Region. The Commission routinely reviews Arlington County plans for their impact on the Federal interest. The Commission prepares and adopts Federal elements of the Comprehensive Plan for the National Capital Region. N.C.P.C. also reviews all proposed Federal projects, including consideration of the comments of local jurisdictions regarding these projects.

Nonconformities

Lots, structures, uses of land and structures, and characteristics of uses, which are prohibited under the terms of the zoning ordinance but were lawful at the date of the ordinance's enactment. They are permitted to continue, or they are given time to become conforming. The continuation of such nonconformities is based on the principal that laws cannot be applied retroactively unless there is a compelling reason - such as imminent danger to health - to do so. While ordinances permit legal nonconformities to continue, they prohibit the substitution of a new or different nonconformity, nor do they permit the extension or enlargement of nonconforming uses. Many ordinances permit the rebuilding of a nonconforming use when destroyed by fire, but if a use is abandoned for a specified period of time, it cannot be restored, and the future use of the premises must conform to the requirements of the Zoning Ordinance. In Virginia, Zoning Ordinances give a very narrow interpretation of what is allowed in regard to nonconformities. Some ordinances provide for the abatement (amortization) of all or some nonconformities at the end of a prescribed period. Increasingly, ordinances are distinguishing among classes of nonconformities to include: nonconforming lots, nonconforming buildings or structures, nonconforming uses of land with minor structures only, nonconforming uses of major buildings and premises, and nonconforming characteristics of use, and are providing for their individualized treatment. (*PAS 322*).

Northern Virginia Planning District Commission (N.V.P.D.C.)

A regional planning agency established by the Commonwealth of Virginia to serve the Northern Virginia jurisdictions. Members include: Arlington County, Fairfax County, Prince William County, Loudoun County, Alexandria, Falls Church, Leesburg, Manassas, Manassas Park, Dumfries, Vienna, Herndon, and Fairfax City.

Overlay District

Created for the purpose of imposing special regulations in given designated areas beyond the requirements and standards of the underlying zoning districts. Overlay districts, as the name implies, "lay over" conventional zoning districts, so that any parcel of land in an overlay district also lies in one or more zoning districts on the Zoning Map. In Arlington, overlay districts may apply either to the Zoning Map or to the General Land Use Plan (GLUP). Examples of overlay districts in Arlington include the Special Affordable Housing Protection District (SAHPD) and Historic Districts (HD). SAHPD is designed to promote the retention of affordable housing and avoid displacement of tenants due to redevelopment of areas in the Metrorail Corridors. A proposal for redevelopment that includes on-site preservation or on- or off-site replacement of existing affordable housing could be considered for the SAHPD designation on the GLUP, which would justify higher density for the redevelopment than allowed by right. Historic Districts are established to identify, preserve, and protect historic structures and districts in Arlington. The normal zoning approval procedure is used to designate Historic Districts, which are

then placed on the Zoning Map as overlay districts.

Permitted Use

A use by right which is specifically authorized in a particular zoning district. It contrasts with special use permits, special exceptions, or conditional uses, which are authorized only if certain requirements are met and after review and approval by the County Board or other public body. (PAS 322).

Planned Unit Development

A development of land that is under unified control and is planned and developed as a whole in a single development operation or programmed series of development stages. The development may include streets, utilities, buildings, open spaces, and other site features and improvements. (PAS 421).

Planning Commission

The public agency in a community usually empowered to prepare a comprehensive plan and to evaluate proposed changes in land use and zoning, either by public or private developers, for conformance with the plan. (PAS 322). The Arlington County Board appoints members of Arlington's planning commission, which acts in an advisory capacity to the County Board. The Code of Virginia has set the size of a planning commission at five to 15 members.

Plat

A map, plan, or chart of a city, town, section, or subdivision, indicating the location and boundaries of individual properties. A plat may also show improvements to property, and is then called a house location plat. See Figure 6.

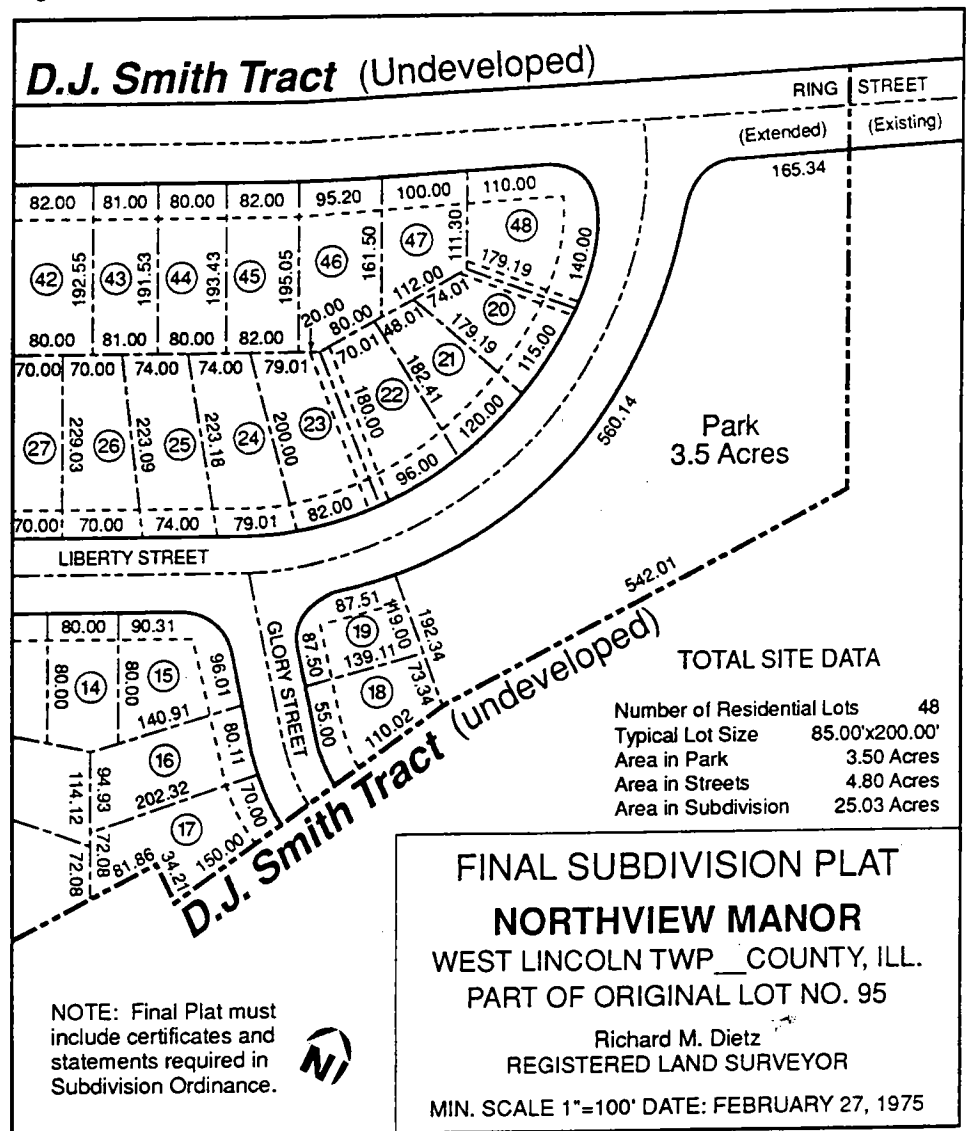
Police Power

The power, or right, of government to restrict and regulate private rights pertaining to property and person for the public good. Such an action must be reasonable and in the interest of public health, safety, and/or general welfare. Examples of police power regulations are animal control ordinances, building codes, traffic codes, zoning ordinances, and subdivision regulations. The use of the police power to restrict land use does not require that the owner of land be compensated. (The Citizen's Guide to Planning).

Preapplication Conference

Discussions held between developers and public officials, usually members of the planning staff, before formal submission of an application for a permit, site plan, or for subdivision plat approval. This meeting allows the staff to: (1) acquaint the applicant with the comprehensive area or precise plans that apply to his tract, as well as the zoning and other codes that affect the proposed development; (2) suggest improvements to the proposed design on the basis of a review of the concept plan; (3) advise the applicant on ways to reduce unnecessary costs and

Figure 6



encourage the applicant to get financial advice early; (4) encourage the applicant to consult appropriate authorities on the character and placement of public utility services; (5) help the applicant to understand the steps to be taken to receive approval; (6) give the applicant a reading on the likelihood of acceptance of his plans based on appropriate laws and ordinances; and (7) recommend that the applicant contact appropriate civic groups which may have an interest in the proposed project. (PAS 322).

Primary Metropolitan Statistical Area (PMSA)

Consists of a large urbanized county or cluster of counties that demonstrates very strong internal economic and social links, in addition to close ties to other portions of the larger area. If an area that qualifies as a metropolitan area has more than one million persons, one or more PMSAs may be defined within it. (*Technical documentation - 1990 Census of Population and Housing*). See consolidated metropolitan statistical area.

Principal Use

The main use of land or structures as distinguished from a secondary or accessory use. A house is a principal use in a residential area; a garage or pool is an accessory use. Zoning ordinances will often establish a general rule that only one principal structure or use will be permitted on each lot. Drafters of such language generally have single-family areas in mind. (PAS 322).

Public Hearing Process

The public review and official decision making process for proposed plans and projects. In

Arlington, the process involves plan review and the formulation of recommendations by staff, and culminates in public hearings by advisory commissions such as the Planning Commission and the County Board. Other relevant commissions may also make recommendations to the County Board. The County Board has the final decision on the plan or project. Typically, this process takes up to three months, depending on the type of proposal. Public comments and testimony are encouraged during the review period and at public hearings.

Resubdivision

The further division or relocation of lot lines of any lot or lots within a subdivision previously made and approved or recorded according to law, or the alteration of any streets or the establishment of any new streets within any subdivision previously made and approved or recorded according to law. (Black's Law Dictionary).

Rezoning

A change in the zoning map, i.e., the zoning designation of a particular parcel or parcels. A rezoning, like enactment of the original ordinance, is a legislative act that, except under rare and specifically defined circumstances, cannot be delegated to administrative officials. In Arlington, the County Board makes rezoning decisions, also known as changes in land classification.

Sector Planning

A detailed planning process which examines a specific area (such as a Metro Station Area), usually within a larger jurisdiction, and makes specific recommendations on land use, zoning, trans-

portation, utilities, urban design, and community facilities. These plans serve to guide development in that area and are used by citizens, property owners, the development community, staff, advisory groups, and elected officials (such as the County Board in Arlington), in the review of specific projects.

Setback

A term usually defined as the required distance between every structure and the front lot line on the lot in which it is located; in some ordinances, setbacks refer to the distance between structures and all lot lines. In the latter case, the distance so defined is virtually indistinguishable from yard requirements. A yard is defined as an area to be kept as open space (except for specified exceptions); a setback is a distance from a lot line. (PAS 322). See *Figure 3*.

Site

A plot of land intended or suitable for development; also the ground or area on which a building has been built. (PAS 322).

Site Plan

A plan, to scale, showing uses and structures proposed for a parcel of land as required by the regulations involved. It includes lot lines, vegetation, topography, drainage, streets, building sites, reserved open space, buildings, major natural and man-made landscape features, and depending on requirements, the locations of proposed utility lines. (PAS 322). This is also known as an engineering site plan. In Arlington, the term "site plan" also refers to a particular special exception development application, review, and decision-making process (site plan process) for land

development, which is administered through Administrative Regulation 4.1.

Site Plan Process

In certain districts within Arlington County's zoning ordinance, a site plan option is available. This form of special exception allows more flexibility in development form, use, and density than that permitted by right in a zoning district. Essentially, the submission and approval of a site plan permits the County Board to vary the permitted uses and regulations in a zoning district. As an element of each site plan approval, the County Board may assign a number of conditions deemed appropriate for the site. Every site plan application must be filed in writing at least 90 days before a County Board public hearing. The review process is coordinated by County staff through the Site Plan Review Subcommittee (SPRS), a subcommittee of the Planning Commission. The SPRS prepares recommendations dealing with the specifics of the proposed project and may suggest site plan conditions for Planning Commission and County Board approval. The County Board takes final action on all site plans.

Special District

A district established to accommodate a narrow or special set of uses or for special purposes. The term can signify any district beyond the conventional residential, commercial, industrial, and/or office uses. Examples include coordinated development districts, planned development districts, and historic preservation districts. The establishment of special districts must have an appropriate police power basis

(these should be spelled out in the preamble or statement of intent), and there should be a reasonable market demand for the uses permitted to avoid charges of excessive and unlawful restrictions on the use of the property. (PAS 322).

Special Exception/Special Use Permit

A use that is actually provided for in the zoning ordinance, but requires specific case-by case approval. A special exception typically involves a use deemed appropriate in some locations within a zoning district or group of districts, but only if certain specified conditions are met. The County Board must determine whether such conditions are met and to attach necessary additional conditions and safeguards. Arlington County recognizes two main types of special exceptions: use permits and site plans. (Zoning and Subdivision Law in Virginia; PAS 322). See use permit, site plan process.

Structure

Anything constructed or erected on the ground or which is attached to something located on the ground. Structures include buildings, radio and TV towers, sheds, and permanent signs. It excludes vehicles, sidewalks, and paving, although for zoning purposes mobile homes usually are considered structures. Care should be taken to distinguish the definitions of "building" and "structure" when different zoning regulations are applied. (PAS 322).

Subdivision

The process (and the result) of dividing a parcel of land into smaller buildable sites, blocks, streets, open space, and/or public areas,

and the designation of utility locations and other improvements. (PAS 322).

Subdivision Regulations

Local ordinances that regulate the conversion of raw land into building lots for residential or other purposes. The regulations establish requirements for streets, utilities, site design, and procedures for dedicating land for open space or other public purposes to the local government (or for fees in lieu of dedication), and procedures for plan review and payment of fees. Subdivision regulations, which govern the land conversion process, and zoning ordinances, which establish permitted land uses, have been local governments' primary development and land use control tools. (PAS 322).

Transfer of Development Rights (TDR)

A system in which the right to develop a parcel of land (or to develop additional density beyond what already exists) is separated from the ownership of the land and any existing development on it. In cases where, for some reason, the parcel is not suitable for as much development as allowed by the zoning district it is in, the development rights may be sold or transferred for development on a more suitable parcel of land. This transfer of development rights reduces the development rights of the original parcel, a restriction which then runs permanently with the land. (The Citizen's Guide to Planning). TDR, also known as density transfer, is not currently permissible in Virginia.

Transitional Uses and Structures

Uses or structures, permitted under the zoning ordinance, which, by their nature or level and scale of activity, act as a transition or buffer between two or more incompatible uses such as commercial uses backing up to residences. Some zoning ordinances recognize conflicts or frictions across district boundaries by providing for transitional uses (such as a doctors' offices in a house or a parking lot) or structures (such as more yard space, walls, fences, or screening), or intermediate uses, to minimize conflict. (PAS 322). See *buffer area*.

U.S. Census of Population and Housing

An official enumeration of the population which is taken every ten years at the beginning of each decade. The census process includes collecting, completing, and publishing demographic, economic, and social data pertaining to all persons and housing units in the United States.

Use Permit

A form of special exception. Land and building uses allowable by use permit are generally those which are necessary in some types of districts, but which may have undesirable impacts if proper safeguards are not imposed. The use permit offers a process for considering and approving such uses, subject to special conditions particular to the character of the use. These conditions assure that the use conforms with all requirements. (*Use Permit* brochure).

Variance

Zoning ordinances allow a Board of Zoning Appeals to grant a property owner relief from certain provisions of a zoning ordinance when, because of the particular physical surroundings, shape, or topographical condition of the property, compliance would result in a particular hardship upon the owner, as distinguished from a mere inconvenience. The Code of Virginia describes the situation in which "strict application of terms of the ordinance would effectively prohibit or unreasonably restrict the utilization of the property or where the board is satisfied, upon the evidence heard by it, that the granting of such variance will alleviate a clearly demonstrable hardship approaching confiscation, as distinguished from a special privilege or convenience sought by the applicant." The hardship must be unique to the applicant and not self-induced. A variance may be granted, for example, to reduce yard or setback requirements. (PAS 322; *Code of Virginia*).

Vested Right

The right of a property owner to use a piece of property as permitted by the zoning district in which it was located, after the zoning designation has been changed to one which would not allow that use. The property owner has no vested right merely due to the zoning classification by itself, since the right to zone and rezone is a right of the local government. In general, property rights vest when the property owner has relied in good faith, usually by spending a substantial amount of money to build or plan to build, what was allowed in the orig-

inal zoning district. In addition, legislation in Virginia created a five-year period from the time of local approval of a record plat or a final site plan within which the locality cannot take action to tighten the regulations that apply to that approval. (*Zoning and Subdivision Law in Virginia*).

Yard

An open space on the same lot with a building or building group lying between the front, rear, or side wall of a building and the nearest lot line, unoccupied except for projections and the specific minor uses or structures allowed in such open space under the provisions of the zoning ordinance. Because buildings may be irregularly shaped or set on an angle to the lot, widths of yards usually either are measured from the nearest lot line to the closest point of the building or averaged. Yard requirements traditionally have been included in ordinances to satisfy aesthetic desires and to provide room for greenery, to prevent overcrowding of land, to prevent spread of fire and to facilitate firefighting, to afford general and service access, to accommodate landscaping and such outdoor requirements as parking, storage, and recreation, to provide the visibility needed for traffic safety, to permit light access to windows, to buffer noise, and to provide view. (PAS 322). See *Figure 3*.

Zero Lot Line

A development approach in which a building is sited on one or more lot lines with no yard. Conceivably, three of the four sides of the building could be on the lot lines. The intent is to allow more flexibility in site design and to increase the amount of usable open space on the lot. Virtually all zoning ordinances retain yard requirements; where zero lot line developments have been permitted, they have been handled through variances or planned unit development procedure, or other devices which allow for site plan review. (PAS 322). See Figure 7.

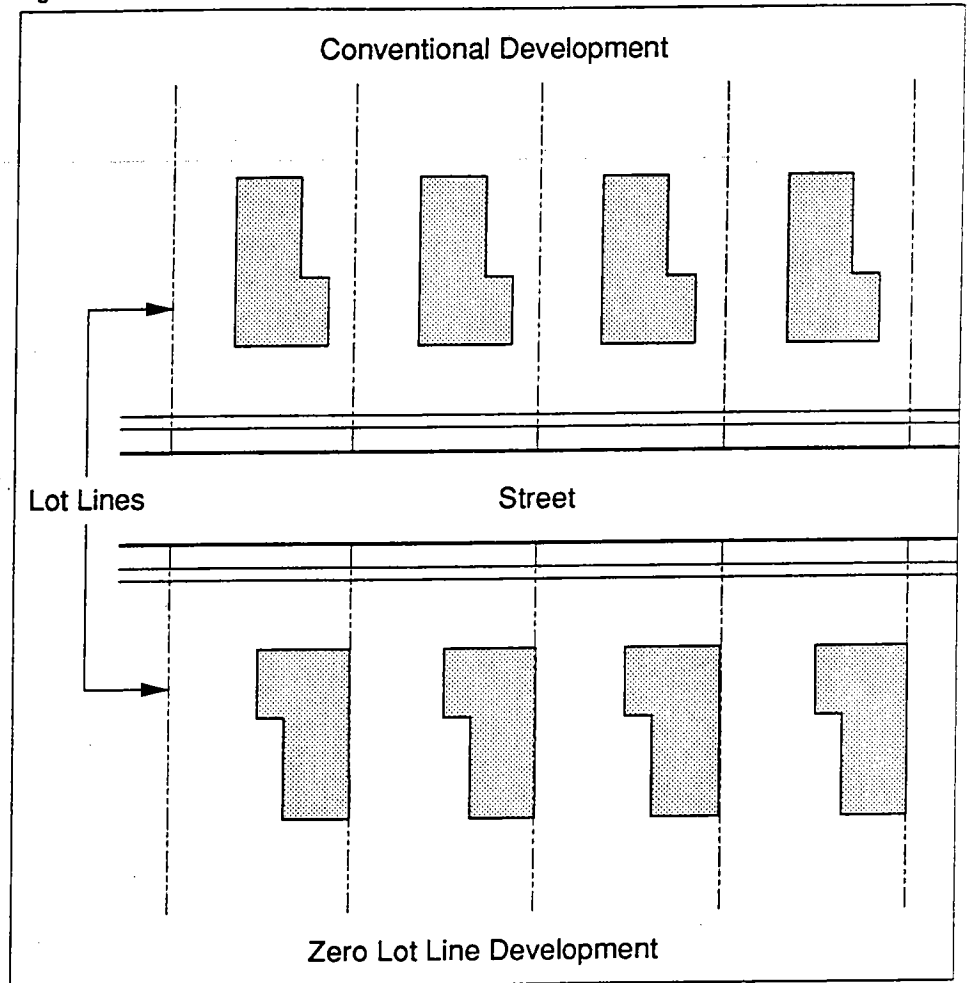
Zoning

A police power measure, enacted primarily by local governments, in which the community is divided into districts or zones within which permitted and special uses are established, as are regulations governing lot size, building bulk, placement, and other development standards. Requirements vary from district to district, but they must be uniform within districts. A zoning ordinance consists of two parts: a text and a map. (PAS 322).

Zoning Administrator

The person appointed (in Arlington, by the County Manager) to enforce and carry out the duties set out in the Zoning Ordinance, including granting zoning permits, interpreting the Zoning Ordinance, and following a determination by the Board of Zoning Appeals, granting permits for special uses and variances. In Arlington, the zoning administrator may appoint deputies

Figure 7



and assistants as are authorized from time to time by the County Manager. (PAS 322; Zoning Ordinance).

Zoning Amendment

A change in the Zoning Ordinance. Amendments usually take one of three forms: (1) a comprehensive revision or modification of the zoning text and map; (2) a change in the zoning text, also called a zoning text amendment in Arlington; or (3) a change in the zoning designation of one or more parcels on the zoning map, in Arlington also known as a zoning map amendment, rezoning, or

change in land classification. (PAS 322).

Zoning District

A section of a city or county designated in the zoning ordinance text and (usually) delineated on the zoning map, in which requirements for the use of land and building and development standards are prescribed. Within each district, all requirements must be uniform. A jurisdiction may have as few as two or three or as many as 50 districts, depending on circumstances and needs. (PAS 322).

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