

SECTION 2. GENERAL REGULATIONS

A. Interpretation.

The provisions of this ordinance shall be held to be the minimum requirements adopted for the promotion of health, safety, convenience, morals, comfort, prosperity and general welfare of the public. It is not intended by this ordinance to repeal, abrogate, annul or in any way to impair or interfere with any existing provisions of law or ordinance, any easement, covenant or private agreement, or any rules, regulations or permits other than zoning regulations.

Where any part of this ordinance imposes a greater or lesser restriction upon the use of the buildings or premises, or upon the height of the buildings, or requires larger or smaller yards, courts or other open spaces than are imposed or required by other existing agreements or provisions of law or ordinance, the provisions which are more restrictive shall control.

Any permit filed and subject to approval prior to the official adoption of this ordinance shall adhere to the regulations of the Zoning Ordinance, adopted August 10, 1950, as amended.

B. Districts.

For the purposes of this ordinance, Arlington County is hereby divided into zones or districts:

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| S-3A | Special Districts |
| S-D | Special Development Districts |
| R-20 | One-Family Dwelling Districts |
| R-10 | One-Family Dwelling Districts |
| R-10T | One-Family Residential--Town House Dwelling Districts |
| R-8 | One-Family Dwelling Districts |
| R-6 | One-Family Dwelling Districts |
| R-5 | One-Family Restricted Two-Family Dwelling Districts |
| R15-30T | Residential Town House Dwelling Districts |
| R2-7 | Two-Family Dwelling Districts |
| RA14-26 | Apartment Dwelling Districts |
| RA8-18 | Apartment Dwelling Districts |
| RA7-16 | Apartment Dwelling Districts |
| RA6-15 | Apartment Dwelling Districts |
| RA4.8 | Multiple-Family Dwelling Districts |
| R-C | Apartment Dwelling and Commercial Districts |
| RA-H | Hotel Districts |

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| RA-H-3.2 | Multiple-Family Dwelling and Hotel Districts |
| C-1 | Local Commercial Districts |
| C-1-O | Limited Commercial-Professional Office Building Districts |
| C-O-1.0 | Commercial Office Building, Hotel and Apartment Districts |
| C-O-1.5 | Commercial Office Building, Hotel and Apartment Districts |
| C-O-2.5 | Commercial Office Building, Hotel and Apartment Districts |
| C-O | Commercial Office Building, Hotel and Multiple-Family Dwelling Districts |
| C-O-Rosslyn | Commercial Office Building, Hotel and Multiple-Family Dwelling Districts |
| C-O-Crystal City | Commercial Office Building, Hotel and Multiple-Family Dwelling Districts |
| C-O-A | Commercial, Office and Apartment Districts |
| C-2 | General Commercial Districts |
| C-R | Commercial Redevelopment Districts |
| C-3 | General Commercial Districts |
| C-TH | Commercial Town House Districts |
| MU-VS | Mixed Use – Virginia Square Districts |
| CP-FBC | Columbia Pike Form Based Code Districts |
| CM | Limited Industrial Districts |
| M-1 | Light Industrial Districts |
| P-S | Public Service Districts |
| M-2 | Service Industrial Districts |
| HD | Historic Preservation Districts |

Whenever the term "S" District, "R" District, "RA" District, "C" District or "M" District are used herein, they shall be deemed to refer to all districts containing the same letter or letters in their names; provided that the term "M" District shall include "CM" Districts. (Ord. No. 82-1, 1-9-82)

C. Zoning Maps and District Boundaries.

The locations and boundaries of the districts shall be as shown on a map entitled, "County of Arlington, Virginia--Amended Zoning Ordinance, July 15, 1950," which map is hereby declared to be a part of this ordinance. The said map represents a series of maps showing the more detailed location of boundaries between districts, said series of maps being entitled, "Zoning District Sectional Maps, July 15, 1950, as amended." A certified copy of each zoning district sectional map, July 15, 1950, is on file in the office of the Arlington County Zoning Administrator and said maps are signed by the chairman of the County Board and certified by the clerk of the County Board. All notations, dimensions and designations shown thereon shall be as much a part of this ordinance as if the same were all fully described herein.

Where uncertainty exists as to the boundaries of any of the aforesaid districts as shown on said maps, the following rules shall apply:

1. *Existing Boundaries.* These district boundary lines are intended to follow street, alley, lot or property lines as they exist at the time of the passage of this ordinance, unless such district boundary lines are fixed by dimensions as shown on the "Zoning District Sectional Maps, July 15, 1950."
2. *Follow Lot Lines.* Where such boundaries are so indicated that they approximately follow lot lines, and are not more than ten (10) feet distant therefrom, such lot lines shall be construed to be such boundaries, unless specifically shown otherwise.
3. *Future Boundaries to Street Centerline.* Hereafter, all amendments of the Zoning District Maps shall encompass all land to the center line of all abutting streets, alleys or other public ways unless County Board action adopting said amendment specifically states otherwise.

D. Regulations in All Districts.

1. *Use.* No building or structure shall be erected, reconstructed, structurally altered, enlarged or moved, and no land or building shall be used or designed to be used for any purpose other than is hereinafter permitted except as may be permitted by Subsection 35.E.
2. *Height.* No building or structure shall be erected, reconstructed, structurally altered, enlarged or moved to exceed in height the limit hereinafter designated.
3. *Area.* No building or structure shall be erected, reconstructed, structurally altered, enlarged or moved, no open space surrounding any building shall be encroached upon or reduced in any manner, no lot shall be reduced in area, except in conformity with all area and building location, bulk, placement and coverage regulations hereinafter designated except as may be permitted by Subsection 35.E. No yard or other space provided about any building shall be considered as providing a yard or open space for the building on any other lot.
4. *Subdividing, Resubdividing, Parcels of Land.*
 - a. No parcel of land held under separate ownership, with or without buildings, at the time this ordinance became effective, shall be subdivided, resubdivided, or reduced in any manner below the minimum lot width and lot area required by this ordinance except as may be permitted by Subsection 35.E.
 - b. In addition, every lot must meet the required minimum lot width for the applicable zoning district at the midpoint of the depth of the portion of the lot used for the calculation of the minimum lot width except as may be permitted by Subsection 35.E. The midpoint lot width shall be measured at right angles to the lot depth line at its midpoint.
5. *Parking, Standing or Loading Areas.* No parking area, parking space, standing space or loading space which existed at the time this ordinance became effective or which subsequent thereto is provided shall thereafter be relinquished or reduced in any manner below the requirements established in this ordinance except as may be permitted by Subsection 35.E.
6. *Maintenance of Common Areas.* Whenever a subdivision (including any division of interests whether covered by the subdivision ordinance or not) is created which contains any common area which will be conveyed to a homeowners' association, a council of co-owners or similar entity, the owner of the subdivided property shall create and record among the County land records, prior to the conveyance of any lot in the subdivision, a covenant which shall provide for the following:
 - a. That the entity which owns the common area shall be responsible for its maintenance.

- b. That in the event the entity fails to maintain the common area in accordance with the County-approved landscape plan for the subdivision or applicable State and County statutes and ordinances, the County shall have the right to enter upon the common area for the purposes of bringing it into compliance with the landscape plan, the statutes or ordinances.
- c. That a pro rata share of the costs incurred by the County pursuant to Section 2, subsection 2D.6.b. shall constitute a lien on each lot within the subdivision.
- d. A recitation that the covenant shall run with the real property within the subdivision and be binding on all parties having any right, title or interest in any lot therein.

All covenants required under this section shall be approved by the County Attorney prior to recordation.

(Ord. No. 82-1, 1-9-82; Ord. No. 82-18, 5-8-82; Ord. No. 00-23, 10-10-00; Ord. No. 09-01, 1-27-09)

E. Change of Use of Multiple-family Dwelling.

After the issuance of a building permit for a multiple-family dwelling in any district, no unit in any structure built for a multiple-family dwelling use shall be converted to hotel use unless the applicant obtains site plan approval pursuant to Section 36 of this ordinance which shall not be granted unless the board concludes, after taking into account the following factors and those factors contained in Section 36.H., that such conversion will be consistent with the improvement of the public health, safety, convenience and welfare of the inhabitants of the County:

- 1. The need for housing in the County.
- 2. The effect of the conversion on the tax, employment or other economic bases of the County.
- 3. Development trends in the area of the County in which the apartment structure is located.

This provision shall apply to all multiple-family dwellings now in existence or which come into existence after the enactment of this provision; provided, however, it shall not apply to those multiple-family dwellings in existence on the date this provision is enacted which are located in zoning districts for which the zoning regulations, in effect on the enactment date, permit hotels as a matter of right, that is, without obtaining a site plan or use permit. The purpose of this general regulation is to provide a limitation on conversion and it should not be construed as providing any authority to use land for hotel purposes or any authority to convert any existing use to hotel unless the district regulations applicable to the land specifically provide authority to use land for hotel purposes. (5-19-81)

F. Storage as Principal Use Prohibited.

The principal use of the main building in any district zoned for residential or commercial purposes shall not be storage, except under the specific provisions for special exceptions in Section 26A, "C-TH" Districts, and except that storage incidental to the principal use of the main building is permitted, subject to any specific regulation of storage provided in the applicable district regulations.

(Ord. No. 85-43, 2-1-86; Ord. No. 91-33, 9-14-91)

G. Proffers.

- 1. In order to encourage and facilitate the provision of community facilities, including but not limited to space for a library, fire station, public schools facilities, post office facilities, community recreation or health center, nursing homes, convalescent homes, intermediate care facilities and other housing facilities providing assisted living for the elderly, while maintaining existing land use policies, the County Board may accept a limited proffer for such facilities pursuant to Section 15.1-491 of the Virginia Code which restricts future development of the subject property to the proffered development when the proffer provides that if the subject property is not developed in accordance with the proffer within the time specified, then the owner, applicant and successors or assigns stipulate that the subject property may be rezoned to the previous zoning classification, or to a category stated in the proffer and accepted by the County Board, and that the conditions for such rezoning shall be deemed to exist.
- 2. In order to facilitate the orderly development of sites with a site area of fifty thousand (50,000) square feet or greater when an application has been filed and the site is being considered for rezoning, to "C-TH," the County Board may accept a proffer meeting the requirements of Section

15.1-491 of the Virginia Code for a plan of development limited to a definition of the characteristics of the physical development of the site including, as illustration and not limitation, the height, number of stories and gross floor area of proposed buildings, and the exterior architectural design, including materials, the design of windows, doors and roofs, and the location of garage, loading and service access. Such proffers may restrict future development of the property to the proffered development and provide that if the subject property is not developed in accordance with the proffer within the time specified, then the owner, applicant and successors or assigns stipulate that the subject property may be rezoned to the previous zoning classification, or to a category stated in the proffer and accepted by the County Board, and that the conditions for such rezoning shall be deemed to exist.

3. The County Manager shall promulgate regulations for proffering conditions like those described above. Such regulations shall conform to the requirements of Section 15.1-491 of the Virginia Code. (Ord. No. 87-13, 5-2-87; Ord. No. 89-26, 11-18-89)

H. Minimum Standards for Lighting.

Exterior lighting of the premises of residential uses other than single-family detached dwellings and for commercial or office uses shall be reasonably designed to provide for the safety of the tenants and clientele in their use of the parking lot, walkways and entrance areas. Parking areas and walkways which provide direct access from the entrance areas of the dwelling units or office or commercial uses to the common parking areas shall be illuminated by an average lighting standard per the "Illuminating Engineering Society of North America, Fifth Edition," providing not less than one (1) footcandle of light at the surface during the hours of darkness. Walkways which provide direct access from the entrance areas of the dwelling units to service or recreational facilities shall be illuminated by an average lighting standard per the "Illuminating Engineering Society of North America, Fifth Edition," providing not less than one (1) footcandle of light at the surface during the hours of darkness that the facilities are available to the tenants. Parking areas for commercial uses need not be illuminated when the businesses are closed.

(Ord. No. 87-18, 6-6-87)