



## ARLINGTON COUNTY, VIRGINIA

### County Board Agenda Item Meeting of December 16, 2023

**DATE:** December 8, 2023

**SUBJECT:** ZOA-2023-14. An ordinance to amend, reenact, and recodify Articles 4, 5, 7, 9, 10, 11, 12, 14 and 18 of the Arlington County Zoning Ordinance to correct technical errors and to update regulatory inconsistencies.

**C. M. RECOMMENDATION:**

Adopt the attached ordinance to amend, reenact, and recodify Articles 4, 5, 7, 9, 10, 11, 12, 14 and 18 of the Arlington County Zoning Ordinance to correct technical errors and inconsistencies throughout the Zoning Ordinance.

**ISSUES:** This is a zoning text amendment to correct technical errors and inconsistencies throughout the Zoning Ordinance. There are no changes to existing policy. There are no known issues as of the date of this report.

**SUMMARY:** This zoning text amendment will correct multiple technical errors and inconsistencies throughout the Zoning Ordinance.

**BACKGROUND:** During the routine administration of the Zoning Ordinance, the Zoning Division and other County staff discover various minor errors and inaccuracies. Ranging from simple textual and citation errors to inconsistencies with the Code of Virginia and other regulations, these are all technical errors, meaning they primarily impact the practical application and administration of the Zoning Ordinance as opposed to impacting land use policies and goals.

The Zoning Division maintains a catalog of these reported errors, which at the start of 2023 exceeded sixty entries. In May and July of this year, Zoning Division staff lead two zoning text amendments through the legislative process to correct approximately half of these outstanding technical errors. This proposed text amendment is a continuation of that work as well as correcting several technical errors discovered in policy-related zoning text amendments adopted by the County Board during the 2023 calendar year.

**DISCUSSION:** This zoning text amendment will address multiple known errors in the Arlington County Zoning Ordinance [ACZO]. While the text changes are all corrective in nature, there are three varieties encompassed by this amendment: Scrivener's Errors, Technical Corrections, and Clarifications.

County Manager:

*MJS/SFW*

County Attorney:

*MNC*

*CR Sanders*

Staff: Clifton Hogan, CPHD – Zoning Division

*Scrivener's Errors* are basic mistakes in the text of the zoning ordinance. While the majority are citation errors, there are also typographic and grammatic mistakes and erroneous diagrams and illustrations. Overall, these are demonstrably provable errors with no policy impacts that can be resolved by nominal edits to the text of the ordinance.

*Technical Corrections* are erroneous provisions that are inconsistent or conflict with established practices and/or regulations. These errors include provisions which do not conform with the Code of Virginia, references to non-existent or outdated regulations, and erroneous regulations concerning the administration of the Zoning Ordinance. As with Scrivener's Errors, these are demonstrably provable errors with no policy impacts, though their resolution is more nuanced and involves more substantial edits to the text of the ordinance.

*Clarifications* are ambiguous or deficient provisions that while not strictly erroneous are nonetheless problematic from an administrative and interpretive standpoint. These proposed amendments do not carry any policy or regulatory impacts but instead improve the functionality and practical application of the Zoning Ordinance.

In the interests of brevity and clarity, a detailed analysis and discussion for each individual proposed amendment have been provided in three appendices attached to this staff report.

## **PUBLIC ENGAGEMENT:**

*Level of Engagement: Communicate.* This level of engagement is appropriate as the proposed amendments are technical corrections not anticipated to have any adverse impacts.

*Outreach Methods:* Public notice has been provided in accordance with the Code of Virginia with notice of this text amendment advertised in the *Washington Times* on November 20 and November 27, 2023, for the Planning Commission public hearing on December 6, 2023, and on December 4 and December 11, 2023, for the County Board public hearing on December 16, 2023.

The Planning Commission considered this amendment at its meeting on December 6, 2023, and voted unanimously to recommend approval of the proposed text amendment. Additional outreach included presenting the proposed text amendment to the Zoning Committee [ZOCO] during its public meeting on November 7, 2023, and making this Board Report available to the general public on the County's meeting agenda website.

**CONCLUSION:** Staff recommends adoption of the attached ordinance to correct technical errors and inconsistencies for the purpose of improving administration and enforcement of the Zoning Ordinance.

## Appendix A – Scrivener’s Errors

Section	Description of Proposed Amendment
<b>§4.1.2</b>	<p><b>Citation Error</b></p> <p>This subsection provides the principal uses allowed in the Public [P] zoning districts presented in a tabular format with rows for specific uses. The “<i>Colleges and Universities</i>” use under the “<i>Colleges</i>” use category references §12.4.7 as a use standard. This subsection [§12.4.7] is the use standard for “<i>Schools, elementary, middle and high</i>” not colleges and universities. There are no use standards for colleges and/or universities in the zoning ordinance.</p> <p>The text amendment will strike this citation error.</p>
<b>§5.1.2</b> <b>§11.1.5</b>	<p><b>Citation Errors</b></p> <p>These subsections provide the principal uses allowed in the Residential [R] and Columbia Pike Form-Based Code [CP-FBC] zoning districts, respectively; with both presented in tabular format with rows for specific uses. On both tables, the “<i>Colleges and Universities</i>” use under the “<i>Colleges</i>” use category reference §12.3.6 as a use standard. This subsection [§12.3.6] is the use standard for “<i>Group Homes</i>” not colleges and universities. There are no use standards for colleges and/or universities in the zoning ordinance.</p> <p>The text amendment will strike these citation errors.</p>
<b>§7.10.3.D</b>	<p><b>Typographic/Grammatic Error</b></p> <p>This subsection establishes the County Board’s authority to rezone a site to the C-O-1.0 <i>Mixed Use District</i>, when such site does not meet the minimum lot area and lot width requirement for the district [i.e. 20,000 sq. ft. and 100 ft., respectively]. The text contains the term “<i>[sic]</i>” which is an editorial mark-up that was inadvertently incorporated into the final published text of the zoning ordinance.</p> <p>The text amendment will strike this grammatic error.</p>
<b>§9.6.4.D</b>	<p><b>Citation Error</b></p> <p>This subsection establishes a maximum height limit for buildings developed under standards in ACZO §9.6 <i>Pentagon City Coordinated Redevelopment District</i>. Formerly, this subsection was designated as §9.6.4.C and contained a self-referential citation, i.e. §9.6.4.C. In September 2023, zoning text amendment ZOA-2023-10 was adopted by the County Board which replaced this subsection with provisions concerning density limitations and re-designating it to §9.6.4.D. However, the self-referential citation inadvertently was not updated.</p> <p>The text amendment will correct this citation error.</p>
<b>§12.10.6.B</b>	<p><b>Citation Error</b></p> <p>This subsection allows for short-term uses and activities provided for under §12.10.5 <i>Indoor and outdoor events and activities in vacant buildings or properties</i> to operate within short-term pop-up parks. The provision specifies that short-term uses are subject to the provisions in §12.10.4.B. This subsection regulates the placement of construction fences in temporary construction storage and staging yards. The correct citation is §12.10.5.B [<i>Indoor and outdoor events...</i>] <i>Uses</i>.</p> <p>The text amendment will correct this citation error.</p>
<b>§18.2</b> <b>[Main Building Footprint]</b> <b>[Main Building Footprint Coverage]</b>	<p><b>Citation Errors</b></p> <p>The zoning ordinance definitions for <i>Main Building Footprint</i> and <i>Main Building Footprint Coverage</i> both reference §3.1.4.A. This subsection [§3.1.4.A] contains provisions referring to lot coverage generally. The more specific – and correct – citations are §3.1.4.B for <i>Main Building Footprint</i> and §3.1.4.C for <i>Main Building Footprint Coverage</i>.</p> <p>The text amendment will correct these citation errors.</p>

Section	Description of Proposed Amendment
<p>§18.2 [Half Story diagram]</p>	<p><b>Diagram Error</b></p> <p>The Zoning Ordinance defines a ‘Half Story’ in part as a “story under a gable, hip or gambrel roof, the wall plates of which, on at least two opposite exterior walls, are not more than two feet above the floor of such story...” There is a diagram on page 18-17 labeled ‘Half Story’ showing a building section illustrating the configuration of a half story. Two labels in the diagram incorrectly use the term ‘knee wall’ to refer to the exterior wall plates cited in the text of the definition.</p> <div data-bbox="678 495 1247 909" data-label="Image"> </div> <p>The amendment will correct the diagram labels to be consistent with the text of definition.</p>

## Appendix B – Technical Corrections

Section	Description of Proposed Amendment
§5.1.3	<p><b>Technical Error</b></p> <p>This subsection provides the uses allowed on Transitional Sites in the Residential [R] zoning districts presented in a tabular format with rows for specific uses. Two specific uses – “<i>Duplexes, abutting other than C-1 or C-1-O districts</i>” and “<i>Semidetached, abutting other than C-1 or C-1-O districts</i>” – are shown as prohibited in the <b>R-6</b> zoning district. This is erroneous. The zoning ordinance has allowed duplex dwellings on transitional sites in the <b>R-6</b> district by special exception use permit approval since 1950 and semidetached dwellings on <b>R-6</b> transitional sites by special exception since 1962. In addition, §5.6.3.B [R-6] <i>Special exception use permit</i> in the current zoning ordinance provides density and dimensional standards for special exception development in the <b>R-6</b> zone presented in tabular format. The heading on the table reads: “<i>Two-family Dwellings on Transitional Sites, other than abutting C-1 or C-1-O districts</i>” indicating that duplex and semidetached dwellings are <u>not</u> prohibited on transitional sites in the <b>R-6</b> district. The text amendment will correct the error.</p>
§7.1.2 §12.2.4.A	<p><b>Technical Errors</b></p> <p>These subsections provide: (1) the principal uses allowed in the Commercial/Mixed Use [C] zoning districts presented in a tabular format with rows for specific uses [§7.1.2]; and, (2) the classification characteristics for the <i>Colleges</i> use category [§12.2.4.A]. The Commercial/Mixed Use principal use table [§7.1.2] shows a row for the “<i>Trade or commercial school</i>” use under the “<i>Colleges</i>” use category. The <i>Colleges</i> use category [§12.2.4.A] both cites trade or commercial schools as an example of a College use [§12.2.4.A.2 <i>Examples</i>] while also explicitly indicating that trade or commercial schools are <u>not</u> categorized as a <i>College</i> use but instead are categorized as an <i>Office</i> use [§12.2.4.A.4 <i>Uses not included</i>]. This discrepancy was discovered during the study period leading to zoning text amendment ZOA-2023-01, adopted in January 2023, which introduced <i>Urban colleges and universities</i> as a use in the <i>Office</i> use category. During that zoning study period, it was confirmed that the original intention was to categorize trade or commercial schools as an <i>Office</i> use, not a <i>Colleges</i> use. However, the correction of this error was inadvertently excluded from the final text amendment adopted by the County Board. The amendment will correct the error by: re-locating the “<i>Trade or Commercial School</i>” specific use row from the <i>Colleges</i> use category to the <i>Office</i> use category on the use table in §7.1.2 and striking “<i>trade or commercial schools</i>” from the examples listing in §12.2.4.A.</p>
§10.2.2 §10.2.3 §10.2.4	<p><b>Technical Updates</b></p> <p>These subsections contain various provisions for <i>Unified Commercial/Mixed Use Developments</i> [UCMUDs] pertaining to the Nauck Village Center with approximately a dozen references to ‘Nauck’ in the text. In May 2019, Nauck was renamed ‘Green Valley’ by the Nauck/Green Valley Civic Association. The text amendment will update the zoning ordinance to conform with this name change.</p>

Section	Description of Proposed Amendment
<p>§10.4.4.B.2  §10.4.4.C.2(b)(1)  §10.4.5.B.2(a)  §10.4.6.D  §10.4.6.F</p>	<p><b>Citation &amp; Technical Errors</b></p> <p>These subsections are all under the newly adopted Expanded Housing Option Development [EHO] regulations in §10.4 <i>Expanded Housing Option Development</i>, which became effective on July 1, 2023. During the implementation of the EHO Permit program, several minor technical errors were discovered in the adopted zoning text.</p> <ul style="list-style-type: none"> <li>▪ §10.4.4.B.2 – this subsection provides the dimensional standards for EHO developments on sites exceeding one (1) acre in land area presented in tabular format. The row label listing the minimum allowable site area reads “Site area, <u>maximum</u> (sq. ft.).” It should read <i>Site area, <u>minimum</u> (sq. ft.).</i></li> <li>▪ §10.4.4.C.2(b)(1) – this subsection provides exceptions to the one main building limitation imposed on EHO developments and contains two citations – §10.4.C.1.b and §10.4.B – which do not exist in the zoning ordinance. The correct citations are §10.4.4C.2(b) and §10.4.4.B, respectively.</li> <li>▪ §10.4.5.B.2(a) – this subsection contains a grammatic error, specifically multiple superfluous prepositions: “<i>Properties with a permitted detached accessory dwelling <u>as of</u> on July 1, 2023...</i>” The underscored text should be struck from the text.</li> <li>▪ §10.4.6.D – this subsection provides site development standards pertaining to building entrances, requiring entrances to face a street right-of-way or open onto a porch facing a street right-of-way. However, the text of the provision reads “...<i>or open onto a front porch that faces a street.</i>” The intention was to allow any porch facing a street to satisfy the street-facing entrance requirements. However, the use of the term ‘<u>front</u> porch’ effectively prohibits side porches facing a street from meeting this site design requirement. The term “front” needs to be struck from the text in both §10.4.6.D.1(a) and §10.4.6.D.2.</li> <li>▪ §10.4.6.F – this subsection provides shade tree landscaping requirements for EHO developments and contains two citations referencing §10.4.6.E.1. The cited subsection [§10.4.6.E.1] contains site development requirements for exterior stairs, not shade trees or landscaping. The correct citation is §10.4.6.F.1.</li> </ul> <p>The text amendment will correct all outstanding errors in §10.4.</p>
<p>§12.2.4.A  §12.2.4.I</p>	<p><b>Technical Updates</b></p> <p>These subsections are the use category descriptions for the <i>Colleges</i> and <i>Schools</i> use categories, respectively. Under the accessory uses paragraph for both categories, the term “<i>support commercial</i>” is indicated as an allowed accessory use. However, the “support commercial” term under the <i>Schools</i> use category [§12.2.4.I.3] is followed by a descriptive example, specifically “...<i>(a college-operated bookstore, for example).</i>” This descriptor more appropriately belongs under the <i>Colleges</i> use category with the example under the <i>Schools</i> category being changed to “<i>a <u>school</u> bookstore.</i>”</p> <p>The text amendment will update the terminology to accurately reflect the appropriate respective use categories.</p>

Section	Description of Proposed Amendment
§14.3.3.G.1 §14.3.3.G.3 §14.3.3.G.4	<p><b>Technical Errors</b></p> <p>These subsections contain provisions for the use of private parking areas by off-site users in various zoning districts. For parking areas in <b>R</b> or <b>RA</b> districts [§14.3.3.G.1] the text of the provision reads in part: “...in R or RA districts except in the RA-H district...” According to ACZO §1.7 <i>Zoning Districts Established</i>, the <b>RA-H</b> zoning district is classified as a Commercial/Mixed Use [C] district, not as a Residential [R] or a Residential Apartment [RA] district, making the reference superfluous and unnecessary. For parking areas in <b>C</b> or <b>M</b> districts [§14.3.3.G.3 and §14.3.3.G.4] the text of the provisions read in part: “...in C, C-O, M, RA-H or R-C districts...” Again, according to ACZO §1.7, the <b>C-O</b>, <b>RA-H</b>, and <b>R-C</b> zoning districts are classified under the Commercial/Mixed Use [C] district grouping, making the references superfluous and unnecessary.</p> <p>The amendment will strike the extraneous zoning district citations.</p>
§14.3.7.A	<p><b>Technical Error</b></p> <p>This subsection provides the minimum required parking ratios presented in tabular format with rows for specific types of uses. The required parking for <i>Public Assembly &amp; Club Buildings</i> erroneously excludes Community Centers. When originally adopted in 1960, this the text read: “Establishments other than schools, involving public assembly (excluding church sanctuaries), club buildings (other than golf clubs), and community buildings.” In 1965, the parking requirements were amended resulting in the text being mis-transcribed to read: “Establishments other than schools, involving public assembly (excluding church sanctuaries), club buildings (other than golf clubs, and community buildings).” This punctuation error inadvertently and erroneously excluded community centers from the public assembly parking ratio. This error was carried forward in every version of the zoning ordinance, including the 2015 Zoning Ordinance Update.</p> <p>The text amendment will correct this longstanding error.</p>
§18.2 [Family (c)] [Group Home]	<p><b>Technical Update</b></p> <p>The zoning definitions of <i>Group Home</i> and <i>Family (c)</i> describe congregate residential facilities licensed by the Virginia Dept. of Behavioral Health and Development Services for “persons with mental illness, intellectual disability or developmental disability” who reside with care providers; specifically, “one or more resident counselors or other staff persons.” The language in both definitions is derived from Code of Virginia §15.2-2291.A. In 2014, the General Assembly amended the language pertaining to care providers to read: “...one or more resident or nonresident staff persons...”</p> <p>The text amendment will update both definitions to conform with the Code of Virginia.</p>

## Appendix C – Clarifications

Section	Description of Proposed Amendment
<p>§12.9.8 §18.2 [Family/Caregiver Suite]</p>	<p><b><i>Family/Caregiver Suites</i></b></p> <p>The zoning ordinance defines a Family/Caregiver Suite as: “<i>Not more than two rooms plus a bathroom and "efficiency" kitchen in a dwelling that are designed, arranged, used or intended for occupancy by either not more than two persons who are related by blood or marriage to the principal occupant of the dwelling or no more than two persons who may be unrelated to the principal occupant of the dwelling, at least one of whom provides care for one or more children of the principal occupant of the dwelling or care for or assistance to one or more elder(s) or person(s) with disabilities who are occupant(s) of the main dwelling.</i>” The provisions regulating family/caregiver suites, which provide standards such as GFA limits, covenant requirements, and eligibility restrictions, are located in ACZO §12.9.8.</p> <p>There are two provisions in the Family/Caregiver Suite definition that are in practice use standards as opposed to describing the family/caregiver suite as a use. These provisions are: (1) “<i>Not more than two rooms plus a bathroom and “efficiency” kitchen...</i>” and (2) “<i>...for occupancy by...not more than two persons...</i>” These provision more appropriately belong under the family/caregiver suite use standards in §12.9.8 as they establish the regulatory framework for a family/caregiver suite use rather than describing when a use is a family/caregiver suite.</p> <p>The text amendment will relocate the use standard provisions from the Family/Caregiver Suite definition in §18.2 to the Family/Caregiver suite use standards in §12.9.8. In addition, the amendment proposes text edits of the definition and the use standards to provide language that is more concise, readable, and coherent. There are no anticipated policy changes inherent to the proposed amendments.</p>
<p>§14.3.7.A</p>	<p><b><i>Parking for Religious Institutions</i></b></p> <p>This subsection provides the minimum required parking ratios presented in tabular format with rows for specific types of uses. The required parking for <i>Churches, mosques, synagogues, and temples</i> [collectively termed ‘Religious Institutions’ in the zoning ordinance] is one (1) parking space per five (5) sanctuary seats with an ‘Additional Requirement’ that allows required parking spaces for these uses to be located off-site. This ‘Additional Requirement’ is not truly an additional parking requirement but rather a provision on the manner in which required parking spaces can be provided, i.e., off-site as opposed to on-site as is generally required per §14.3.3.A <i>Use and Parking on Same Lot</i>. As such, this provision more appropriately belongs under §14.3.3.B <i>Off-Site Parking</i>, which stipulates the circumstances where exceptions to §14.3.3.A are allowed.</p> <p>The text amendment will re-locate the off-site parking provisions for religious institutions to §14.3.3.B under a new subsection designated §14.3.3.B.3 <i>Parking for Religious Institutions</i> with the new subsection cited on the parking requirements table in §14.3.7.A. In addition, the term ‘Religious Institutions’ will replace the term ‘Churches, mosques, synagogues, and temples’ for consistency with the overall zoning ordinance and the original text of the off-site parking provision will be edited to provide language that is more concise, readable, and coherent.</p>



**ZOA-2023-14: AN ORDINANCE TO AMEND, REENACT, AND RECODIFY ARTICLES 4, 5, 7, 9, 10, 11, 12, 14 AND 18 OF THE ARLINGTON COUNTY ZONING ORDINANCE (ACZO) TO CORRECT TECHNICAL ERRORS AND TO UPDATE REGULATORY INCONSISTENCIES.**

*BE IT ORDAINED that Articles 4, 5, 7, 9, 10, 11, 12, 14 and 18 of the Arlington County Zoning Ordinance (ACZO) are hereby amended, reenacted, and recodified as shown in Attachment A, for the purpose of correcting technical errors and updating regulatory inconsistencies.*

\* \* \*

In the proposed amendment, text proposed to be added is shown with underline and text proposed to be removed is shown with ~~strikethrough~~.

## ATTACHEMENT A

### Article 4. Public (P) Districts

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

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

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					
Public, Civic and Institutional Use Categories (§12.2.4)					
Colleges (§12.2.4.A)	Colleges and universities	U	U S	U	§12.4.7

### Article 5. Residential (R) Districts

#### §5.1. Residential (R) Districts Use Tables

##### §5.1.2. Residential (R) districts principal use table

RESIDENTIAL (R) DISTRICTS PRINCIPAL USE TABLE										
Use Category	Specific Use Types	R-20	R-10	R-10T	R-8	R-6	R-5	R15-30T	R2-7	Use Standards
KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted										
Public, Civic and Institutional Use Categories (§12.2.4)										
Colleges §12.2.4.A)	Colleges and universities	U	U	U	U	U	U	U	U	<del>§12.3.6</del>

##### §5.1.3. Residential (R) districts transitional use table

Transitional uses in residential (R) districts shall include the following uses, activities and structures:

RESIDENTIAL (R) DISTRICTS TRANSITIONAL USE TABLE									
Specific Use Types	R-20	R-10	R-10T	R-8	R-6	R-5	R15-30T	R2-7	Use Standards
KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted									
Duplexes, abutting other than C-1 or C-1-O districts					S U	U S		U S	
Semidetached, abutting other than C-1 or C-1-O districts					S U	U S		U S	
Offices or clinics, medical or dental, in existing one-family detached dwelling	P	P	P	P	P S	P S	P S	P S	§12.8.3
Transitional parking areas	U	U	U	U	U	U	U	U	§12.8.5

# 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

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																				
<b>Public, Civic and Institutional Use Categories (§12.2.4)</b>																				
Colleges (See §12.2.4.A)	Colleges and universities	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U
	<del>Trade or commercial school</del>	S			S					S	S	S	S	P	S	S	P	P	P	S
<b>Retail, Service and Commercial Use Categories (See §12.2.5)</b>																				
Office (See §12.2.5.C)	Audio-visual production and broadcast studio	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P	P	
	Financial services	S			S	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Offices, federal, state and local	U	S	U	U	U	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Offices or clinics, medical or dental	U S	U	U S	U	P	P	P	P	P	P	P	P	P	P	P	P	P	P	§12.5.16
	Offices, business and professional		S				P	P	P	P	P	P	P	P	P	P	P	P	P	
	Research and development, flex		P		U		P	P	P	P	P	P	P	P	P	P	P	P	P	
	<del>Trade or commercial school</del>	S			S					S	S	S	S	P	S	S	P	P	P	S
	Urban agriculture	U	S	U	S	U	P	P	P	P	P	P	P	P	P	P	P	P	P	§12.5.33
	Urban colleges and universities	S	S	U	S	P	P	P	P	P	P	P	P	P	P	P	P	P	P	

## §7.10. C-O-1.0, MIXED USE DISTRICT

### §7.10.3. Density and dimensional standards

#### D. Exceptions

1. Stories shall be counted from the average elevation of the site. Mechanical equipment placed on roof shall be enclosed or screened.
2. The County Board may authorize application for rezoning to the C-O-1.0 district where a lot or plot having less width or less area which ~~is~~ is any part of a block surrounded by streets and/or buildings that generally comply with the provisions of this section.
3. Hotel meeting rooms and restaurants may be permitted to exceed the above density by site plan approval.

## Article 9. Special Planning Area Regulations

### §9.6. Pentagon City Coordinated Redevelopment District

#### §9.6.4. Maximum Development Threshold

- A. Under no circumstances shall the County Board permit a density of more than 9.0 FAR for sites within the Pentagon City Coordinated Redevelopment District and located in the C-O-2.5 district.
- B. Under no circumstances shall the County Board permit a density of more than 150 dwelling units per acre for sites within the Pentagon City Coordinated Redevelopment District and located in the RA6-15 district.
- C. For sites within the Pentagon City Coordinated Redevelopment District and located in the RA6-15 district, the County Board may, in accordance with §9.6.3, approve non-residential density of up to 1.5 F.A.R.
- D. Under no circumstances shall the County Board permit a building height of more than 350 feet, exclusive of mechanical penthouses and parapet walls, and except that non-occupiable, exceptional architectural features may exceed the heights outlines in this ~~§9.6.4.D.~~ ~~§9.6.4.C.~~

## Article 10. Unified, Cluster, and Housing Option Developments

### §10.2. Unified Commercial/Mixed Use Development

#### §10.2.2. Modifications

Any proposed unified commercial/mixed use development shall comply with the standards below in §10.2.3, §10.2.4 or §10.2.5, and with any zoning requirements that are consistent with those standards, unless through the use permit process, the County Board modifies such standards or requirements after finding that such modifications will better accomplish the purposes and intent of §10.2.1. Provided, however, that under no circumstances shall the County Board modify the standards in §10.2.3 that pertain to the amount of residential density, building height or density, and under no circumstances shall the County Board modify the standards in §10.2.5 that pertain to the maximum building height (exclusive of mechanical penthouses). Projects within the ~~Nauck~~ Green Valley Village Center Special Revitalization District can be approved pursuant to the requirements of §10.2.4, below.

#### §10.2.3. Unified commercial/mixed use development not within ~~Nauck~~ Green Valley Village Center, Columbia Pike or Lee Highway-Cherrydale Special Revitalization districts or within the Clarendon Revitalization district

The County Board may, by use permit approval, approve Unified Commercial/Mixed Use developments in the C-2 and C-3 districts where such a development is not within the ~~Nauck~~ Green Valley Village Center Special Revitalization District, the Columbia Pike Special Revitalization District, the Lee Highway-Cherrydale Special Revitalization District or the Clarendon Revitalization District and where the development meets the following requirements:

**§10.2.4. Unified commercial/mixed use development in Nauck Green Valley Village Center Special Revitalization District**

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The County Board may, by use permit approval, approve unified commercial/mixed use developments in the Nauck Green Valley Village Center Special Revitalization District where a proposal meets the following minimum requirements:

**A. Density and Use**

Unified Commercial/Mixed use developments may include both residential units and commercial uses up to a total F.A.R. of 2.0, where the development fronts on a block face identified as “Retail Required” or “Retail Optional” within the Nauck Green Valley Village Center Action Plan. On block faces specifying “Retail Required” within the Nauck Green Valley Village Center Action Plan, the project must include retail uses totaling at least 0.4 F.A.R. located on the ground floor along the frontages shown in the Nauck Green Valley Village Center Action Plan. Commercial or retail uses above 0.4 F.A.R. may be located on any floor. On block faces specifying “Retail Optional,” residential density of up to 1.5 F.A.R. shall be permitted provided the total F.A.R. for all uses on the site does not exceed 2.0. On block faces which are not identified as either “Retail Required” or “Retail Optional,” projects eligible for approval through this use permit process shall contain only residential uses, with allowances made for management and tenant amenity space, and shall be limited to 1.5 F.A.R., except as provided for in §10.2.4.L, below, relating to Affordable Housing.

**B. Placement and orientation**

Buildings shall be sited to build-tos at the back of the sidewalk, which build-to shall be determined through use permit approval. At least 75 percent of a building’s façade must abut the back of the sidewalk along any street designated as principal or minor arterial streets in the Arlington County Master Transportation Plan and along Shirlington road. Retail uses shall be oriented to the block face locations shown as “Retail required” or “Retail Optional” within the Nauck Green Valley Village Center Action Plan, as relevant. Where a development parcel is abutting an R district, all buildings must be setback a minimum of 20 feet from the residential district.

**C. Streetscape**

The periphery of any site fronting on a public right-of-way shall be landscaped by the provision of curb, gutter, sidewalk, streetlight, street furniture, street trees and other elements, covering the entire area from face of curb to face of building and conforming to the Streetspace and Streetscape Standards set forth in the Nauck Green Valley Village Center Action Plan for the relevant block frontages. All streetscape improvements shall be constructed in a manner consistent with such plan, except as otherwise specifically approved. Outdoor restaurant seating may be allowed by the county manager, so long as a clear and unobstructed 6’ minimum sidewalk width is maintained.

\* \* \* \* \*

**F. Building height**

Building heights shall be limited to 45 feet. Mechanical penthouses may be permitted above the 45 feet height limit, provided that they are set back a distance equal to their height from the building edge and that the mechanical penthouse height does not exceed 12 feet. The County Board may accommodate the various topographical conditions prevalent in Nauck Green Valley by modifying the locations on a frontage from which

building height is measured. However, such modifications shall not result in a building height of more than 48 feet, arrived at through the calculation method required by the zoning ordinance, except as provided for in §10.2.4.G. Provided further that under no circumstances shall any portion of a structure located at the street frontage or build-to line, be taller than 45 feet from the adjoining curb grade, except as provided for in §10.2.4.G.

\* \* \* \* \*

#### H. Ground floor height

Along any frontage identified in the Nauck Green Valley Village Center Action Plan as “Retail Required,” the Ground Floor of any building shall have a minimum clear height of 12 feet for at least 75 percent of the gross floor area of the ground floor that is retail uses.

#### I. Ground floor fenestration

Along any frontage identified in the Nauck Green Valley Village Center Action Plan as “Retail Required,” the Ground Floor shall have a façade which is at least 70 percent transparent (i.e., 70 percent glass and 30 percent solid walls) for the area of the façade that is between two feet and 10 feet above the abutting sidewalk grade. “Transparent” shall mean using glass or other exterior material offering a view into an area of the commercial space where human activity normally occurs and shall not be satisfied by views into areas blocked by display cases, the rear of shelving, interior walls, blinds, hallways, or any other material that could block a view.

## §10.4. Expanded Housing Option Development

### §10.4.4. Density and dimensional standards

#### B. Special Exception

1. The purpose and intent of special exception approvals of expanded housing option development on larger sites is to:
  - (a) Promote flexibility, sustainable design that is in harmony with surrounding neighborhoods by coordinating building forms, the bulk, scale and placement of new buildings, and the relationship between buildings and structures within the development and surrounding properties;
  - (b) Support the goals of the Master Transportation Plan, Community Energy Plan, Stormwater Master Plan, and/or the Affordable Housing Master Plan; and
  - (c) Preserve natural land forms and significant trees and foliage.
2. Development with more than one main building including expanded housing option uses on any lot with an area of one acre or greater on July 1, 2023, require use permit approval as provided in §15.4. All expanded housing option development allowed by use permit shall comply with the following standards and all other by-right standards of §10.4, except as otherwise approved by the County Board.

Type of Standard	R-20	R-10	R-8	R-6	R-5
Site area, <del>minimum</del> <del>maximum</del> (sq. ft.)	43,560				
Lot area, minimum (sq. ft.)					
Duplexes or multiple-family	20,000	10,000	8,000	6,000	5,000
Semidetached or townhouses	1,300	1,300	1,300	1,300	1,300
Lot width, minimum (feet)					

Duplexes or multiple-family	100	80	70	60	50
Semidetached	24	24	24	24	24
Townhouses	16	16	16	16	16
<b>Height, maximum (feet)</b>	35				

**C. Bulk, coverage, and placement**

1. Maximum lot coverage shall be as follows:

MAXIMUM LOT COVERAGE					
Categories	R-5	R-6	R-8	R-10	R-20
Maximum lot coverage (%)	50	45	40	37	30
Maximum lot coverage with one or more porches of at least 60 square feet (exclusive of any wrap-around or side portion) facing a street (%)	53	48	43	40	33

2. Maximum main building footprint shall be as follows:

MAXIMUM MAIN BUILDING FOOTPRINT COVERAGE AND CAP					
Categories	R-5	R-6	R-8	R-10	R-20
Maximum main building footprint coverage (%)	34	30	25	25	16
Maximum main building footprint coverage with one or more porches of at least 60 square feet (exclusive of any wrap-around or side portion) facing a street (%)	37	33	28	28	19
Maximum main building footprint (sq. ft.)	2,380	2,520	2,800	3,500	4,480
Maximum main building footprint coverage with one or more porches of at least 60 square feet (exclusive of any wrap-around or side portion) facing a street (sq. ft.)	2,590	2,772	3,136	3,920	5,320

- (a) Maximum main building footprint coverage on undersized lots in a zoning district shall be the same square footage as permitted on a standard sized lot (e.g., 6,000 square feet in R-6) in the zoning district, subject to all applicable setback requirements.
- (b) There shall be no more than one main building within a development's site area.
- (1) ~~§10.4.C.1.b~~ §10.4.C.2(b) shall not apply to expanded housing option development approved by special exception as set forth in §10.4.4.B ~~§10.4.B~~.
- (c) For the purposes of coverage regulations, a group of semidetached or townhouse dwellings shall be considered a single main building and maximum coverage requirements shall be calculated using the entire site area, rather than individual lots within a subdivision.

3. For bulk, coverage and placement requirements not listed in this section, see §3.2.

**§10.4.5. Use standards**

**B. Accessory dwellings**

1. Accessory dwellings, subject to the provisions of §12.9.2, shall be permitted within or attached to semidetached or townhouse dwellings permitted under §10.4.
2. Notwithstanding the provisions of §10.4.5.A, accessory dwellings shall not be permitted on lots containing duplex or multi-family dwellings which are subject to the provisions of §10.4.
- (a) Properties with a permitted detached accessory dwelling ~~as of~~ on July 1, 2023, shall be permitted to establish a duplex within the main building, subject to the provisions of §10.4 and the provisions of §12.9.2.

#### §10.4.6. Site development standards

##### D. Building entrances and orientation

###### 1. Duplex and multiple-family dwellings

- (a) At least one exterior entrance shall face a street or open onto a ~~front~~ porch that faces a street.
- (b) On interior lots, there shall be no more than one exterior entrance facing each side yard.
- (c) On corner lots, there shall be no more than one exterior entrance facing each adjacent property line.
- (d) No more than one exterior entrance to a building lobby or common area shall face a street.

###### 2. Semidetached and townhouse dwellings

Each unit shall have an exterior entrance facing a street or that opens onto a ~~front~~ porch that faces a street.

##### E. Upper story stairs

- 1. All stairs used to access dwellings located entirely above the ground story shall be enclosed within the building.
- 2. **Exception:** The provisions of §10.4.6.E.1 shall not apply to stairs facing a rear yard.

##### F. Landscaping

- 1. There shall be a minimum of four shade trees for sites with 2-4 dwelling units, and a minimum of eight shade trees for sites 5-6 dwelling units prior to issuance of a certificate of occupancy. This requirement may be satisfied with existing trees and/or by planting trees on-site.
- (a) Trees planted to satisfy the requirements of ~~§10.4.6.F.1~~ ~~§10.4.6.E.1~~ shall be species listed in the Arlington County Recommended Shade Tree List.
- (b) Trees planted to satisfy the requirements of ~~§10.4.6.F.1~~ ~~§10.4.6.E.1~~ shall conform to the standards set forth in §14.2.2.D.

## Article 11. Overlay and Form Based Code Districts

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

#### §11.1.5. Columbia Pike Form Based Code district principal use table

The following use table summarizes the principal use regulations of the CP-FBC district.

COLUMBIA PIKE FORM BASED CODE DISTRICT PRINCIPAL USE			
	Specific Use Types	CP-FBC	Use Standards
Public, Civic and Institutional Use Categories (§12.2.4)			
Colleges (§12.2.4.A)	Colleges and universities	U	<del>§12.3.6</del>



## Article 12. Use Standards

### §12.2 USE CATEGORIES

#### §12.2.4. Public, civic and institutional use categories

##### A. Colleges

###### 1. Characteristics

This category includes not-for-profit colleges and other institutions of higher learning that offer courses of general or specialized study leading to a degree or professional certification. Colleges are generally in campus-like settings, on multiple blocks or in multiple buildings.

###### 2. Examples

Examples include community colleges, liberal arts colleges, nursing or medical schools not accessory to hospitals, seminaries, ~~trade or commercial schools~~, and universities.

###### 3. Accessory uses

Accessory uses include associated offices, car-sharing, housing for students, food service, laboratories, health and sports facilities, theaters, meeting areas, parking, maintenance facilities and support commercial (a college bookstore, for example).

###### 4. Uses not included

Business, driving, fitness/wellness, trade and other commercial schools (see Office).

##### I. Schools

###### 1. Characteristics

Public and private (including charter or religious) schools at the primary, elementary, middle, junior high, or high school level that provide basic academic education.

###### 2. Examples

Examples of schools include boarding schools; elementary schools; high schools; middle schools; military academies; and private schools.

###### 3. Accessory uses

Adult continuing education programs; associated offices; auditoriums; before- and after-school child care; cafeterias; food services; health facilities; housing for students and faculty; laboratories; libraries; maintenance facilities; meeting areas; parking; play areas; recreational and sports facilities; support commercial (a ~~college-operated school~~ bookstore, for example); and theaters.

###### 4. Uses not included

Business, driving, fitness/wellness, trade and other commercial schools (see Office); dance, art, music studios or classes (see Retail Sales and Service); child care centers, excluding before- and after-school child care (see Day Care); and community colleges, liberal arts colleges, seminaries and universities (see Colleges).

## §12.9. ACCESSORY STANDARDS

### §12.9.8. Family/caregiver suites

Family/caregiver suites ~~may be~~ are an allowed accessory use within a main dwelling, subject to approval by the zoning administrator consistent with the following conditions:

~~A. No more than one family/caregiver suite is permitted in a dwelling. Not more than one family/caregiver suite shall be permitted in a dwelling;~~

~~B. A family/caregiver suite shall is not be~~ permitted in a dwelling or on a lot where in which an accessory dwelling is located. ~~;~~ and

~~C. There shall be only one address for the property; A family/caregiver suite cannot be addressed separately from the main dwelling.~~

~~B.D. The gross floor area of the a family/caregiver suite shall cannot~~ exceed ~~neither~~ 750 square feet ~~nor or~~ 35 percent of the combined total gross floor area of the main dwelling and including the family/caregiver suite.

~~E. A family/caregiver suite can contain no more than four rooms including a bathroom and an efficiency kitchen.~~

~~F. No more than two persons can occupy a family/caregiver suite.~~

~~G. The A dwelling in which the with a family/caregiver suite is located shall can~~ have only one main entrance. Any exterior entrance to a family/caregiver suite cannot be located on the same side of the dwelling as the main entrance. and no new entrance shall be permitted on the same side of the structure as the existing main entrance of the dwelling;

~~H. The A family/caregiver suite shall be designed so that it can to~~ function as ~~an integral~~ part of the ~~principal main~~ dwelling, although while allowing the occupants may to live independently ~~of each other.~~

~~I. The A family/caregiver suite shall have interior access to the rest of the main dwelling.~~

~~D.J. The A family/caregiver suite shall not cannot~~ have separate or sub-metered utility services (i.e., electric meter and water meter); ~~;~~

~~E.K. A floor plans of the a family/caregiver suite that also identifies showing its location within relationship to the rest of the main dwelling shall be filed with the zoning administrator.~~

~~F.L. The property owner of a dwelling with a family/caregiver suite shall record a covenant on the property in the County land records which identifies identifying the suite use and the restrictions imposed by this ordinance.~~

~~K.M. When a family/caregiver suite is occupied by an unrelated caregiver, A a~~ written statement identifying the occupant(s) person who will provide the care and the type kind of care provided that will be given must be filed in the office of with the zoning administrator ~~as to an unrelated resident of the family/caregiver suite.~~

## §12.10. SHORT TERM USE STANDARDS

### §12.10.6. Pop-up parks

Pop-up parks may be allowed on vacant properties in C and M districts, and on unbuilt portions of properties governed under site plan or use permit, for up to three years and subject to

renewal at the end of three years if the use has been operating in compliance with all applicable standards, as follows:

- A. Pop-up parks shall be open to the general public.
- B. Other short term uses within pop-up parks shall be subject to the provisions of [§12.10.5.B](#) ~~§12.10.4.B~~; and may also include open air markets where such use is allowed and subject to all provisions of the approved use permit for the open-air market.

## **Article 14. Site Development Standards**

### **§14.3. PARKING AND LOADING**

#### **§14.3.3. General requirements**

##### **B. Off-site parking**

##### **1. Zoning districts other than R and RA districts**

All off-street parking space appurtenant to any use other than a use permitted in any R or RA district shall be on the same parcel of land with the use to which it is appurtenant or on common areas in the same subdivision; provided, however, that where there are practical difficulties in the way of such location of parking space or if the public safety or the public convenience, or both, would be better served by the location thereof other than on the same parcel of land with the use to which it is appurtenant, the zoning administrator, acting on a specific application, shall authorize such alternative location of required parking space as will adequately serve the public interest, subject to the following conditions:

- (a) Such space shall be located on land in the same ownership as that of the land on which is located the use to which such space is appurtenant or, in the case of parking for certain restaurants, shall conform to the requirements in §14.3.6.
- (b) A pedestrian entrance to such space shall be located within a distance of 600 feet, by the shortest route of effective pedestrian access, entrance to entrance.
- (c) Such space shall be conveniently usable without causing unreasonable:
  - (1) Hazard to pedestrians.
  - (2) Hazard to vehicular traffic.
  - (3) Traffic congestion.
  - (4) Interference with safe and convenient access to other parking areas in the vicinity.
  - (5) Detriment to the appropriate use of business property in the vicinity.
  - (6) Detriment to any residential neighborhood.

##### **2. S-3A and P-S districts**

Off-site parking incidental to a use permitted in a P, R or RA district may be permitted in the S-3A and P-S districts subject to use permit approval as provided in §15.4;

provided that, unless located on publicly-owned land, such parking area shall be on land in the same fee ownership as the land on which the appurtenant use is located.

### 3. Parking for Religious Institutions

A. Required parking for religious institutions per §12.2.4.H may be provided in off-site parking areas which are accessory to another principal use which is not open or operating on the days of the week on which the religious institution is regularly used, when such off-site parking area is within 600 ft. of the religious institution by the shortest effective pedestrian route.

B. Required parking for religious institutions per §12.2.4.H may be provided in off-site parking areas which are accessory to another principal use which is not open or operating on the days of the week on which the religious institution is regularly used, when such off-site parking area is within ¾ [0.75] a mile of the religious institution by the shortest effective vehicular route, and where regular and frequent shuttle service between the religious institution and the off-site parking area is provided on days of regular use and/or assembly at the religious institution.

\* \* \* \*

### G. Use of private parking areas

1. No parking spaces located in a private parking area in R or RA districts ~~except in the RA-H district~~ shall be used by any persons other than persons engaging in the use for which the parking is provided such as occupants of the premises, their visitors and employees at the site, except as expressly provided in §14.3.3.G.2 and §14.3.7 below.

\*\*\*\*

3. Parking spaces in C, ~~C-O, and/or~~ M, ~~RA-H or R-C~~ districts located in a private parking area, which are provided in addition to those required by this zoning ordinance to serve the premises, may be used by persons other than persons engaging in the use for which the parking is provided.
4. Parking spaces in C, ~~C-O, and/or~~ M, ~~RA-H or R-C~~ districts which are required by this zoning ordinance may be used by persons other than persons engaging in uses on the site, provided that said spaces shall be made available at all times to persons engaging in uses on the site at least at the same rates as to persons not engaging in uses on the site, and provided that there is no demand for said spaces by persons engaging in uses on the site.

### §14.3.7. Required parking and standing space

- A. Parking shall be provided for all uses in accordance with the following standards unless specified otherwise in this or other sections of this zoning ordinance:

Use Types	Minimum Parking Requirement (spaces)	Additional Requirements
<b>Public, Civic and Institutional uses</b>		
<u>Religious Institutions</u> <del>Churches, mosques, synagogues, and temples</del>	1 per each 5 sanctuary seats	<u>§14.3.3.B.3</u> <del>Notwithstanding other sections of this zoning ordinance, required parking for churches may be located on a parking lot which is accessory to another</del>

Use Types	Minimum Parking Requirement (spaces)	Additional Requirements
		<del>principal use which is not open or operating on the days of the week on which the church sanctuaries are regularly used if said lot is either located within 600 feet by the shortest route of effective pedestrian access, or within 3/4 of one mile by the shortest route of effective vehicular access, and regular and frequent shuttle bus service is provided between the lot and the church during any hours when the use for which the lot is provided is not open and operating and the lot is open to persons attending meetings at the church.</del>
Colleges and Universities	As determined by the County Board	--
Community swimming pools	1 per each 40 sq. ft. of pool area	--
Golf courses	40 per each standard 9 holes	--
Hospitals, rest homes, sanitariums, convalescent homes & institutions	1 per 4 beds	Plus 1 space for each 2 employees (other than staff doctors), plus 1 space for each doctor assigned to the staff.
Intermediate care facilities	1 per each 3 dwelling units	Plus 1 per 3 employees, plus 1 per doctor
Libraries, museums and art galleries or studios	1 per each 500 sq. ft. of floor area	--
<del>Community centers, public assembly uses excluding religious institutions, and membership club buildings excluding golf clubs</del>	<del>1 per each 3 seats or other accommodations (calculated on the basis of 1 accommodation for each attendant)</del>	
<del>Public assembly &amp; club buildings</del>	<del>Excluding religious institutions, golf clubs and community centers</del> <del>1 per each 3 seats or other accommodations or other accommodations for attendants or participants</del>	<del>Computed on the basis of one accommodation for each attendant or participant</del>

## Article 18. Definitions

### §18.2. GENERAL TERMS DEFINED

Family: (a) An individual, or two or more persons related by blood, marriage or adoption, or under approved foster care; or

(b) A group of not more than four persons (including servants) whether or not related by blood or marriage living together and sharing living areas in a dwelling unit; or

(c) A group of up to eight persons with mental illness, intellectual disability or developmental disability who are residing with one or more resident or nonresident staff persons ~~with one or more resident counselor(s) or other staff person(s)~~ in a facility which is licensed by the Department of Behavioral Health and Developmental Services of the Commonwealth of Virginia. For the purposes of this zoning 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 successor; or

(d) A group of up to eight aged, infirm or disabled persons who are residing with one or more resident counselor(s) or other staff person(s) in a facility licensed by the Virginia Department of Social Services of the Commonwealth of Virginia.

Family/caregiver suite. ~~Not more than two rooms plus a bathroom and "efficiency" kitchen in a dwelling that are~~ One or more rooms within a [main] dwelling designed, intended, or used in accordance with §12.9.8 arranged, used or intended for occupancy by:

(a) persons related by blood, marriage or adoption to an occupant residing in the main dwelling;  
or

(b) persons providing child care, elder care, or disabled-persons care to an occupant residing in the main dwelling.

~~either not more than two persons who are related by blood or marriage to the principal occupant of the dwelling or no more than two persons who may be unrelated to the principal occupant of the dwelling, at least one of whom provides care for one or more children of the principal occupant of the dwelling or care for or assistance to one or more elder(s) or person(s) with disabilities who are occupant(s) of the main dwelling.~~

Group home. A residential facility in which more than eight individuals with mental illness, intellectual disability or developmental disability reside, with one or more resident or nonresident staff persons ~~with one or more resident counselors or other staff persons~~; provided that, for purposes of this definition and the use of the term within the zoning ordinance, “mental illness or developmental disability” shall not include current illegal use of or addiction to a controlled substance as defined in Va. Code § 54.1-3401; all as provided in Va. Code §15.2-2291.A.

Main building footprint. See §3.1.4.C. §3.1.4.A

Main building footprint coverage. ~~See §3.1.4.B. §3.1.4.A.~~

Story, half. A story under a gable, hip or gambrel roof, the wall plates of which, on at least two opposite exterior walls, are not more than two feet above the floor of such story and if the roof has a dormer, the dormer wall is set back at least six inches from the front of the wall or main wall below and the width of the dormer is less than 50 percent of the width of the roof.

