

Attachment 5:
N-FBC Pages Removed

- Text proposed to be added is shown with underline and text proposed to be deleted is shown with ~~strikethrough~~.
- Text to be relocated from the Attachments is shown in blue underline with explanatory text shown following it in *[gray bold italics]* and not intended to be adopted. Otherwise, full pages of content to be removed from Attachments is shown with an **X**.

Attachments

A. **RESERVED** ~~Article 11.2. “CPN-FBC” - Columbia Pike Neighborhoods Form Based Code District~~

B. ~~Green Building Standards Additional Prerequisites~~

C. ~~Neighborhoods Form Based Code Amendments (Regulating Plans)~~

D. ~~Neighborhoods Form Based Code Amendments (Text)~~

A. Article 11.2. “CPN-FBC” - Columbia Pike Neighborhoods Form Based Code District

Refer to [Arlington County Zoning Ordinance](#) for full text of Section 11.2.

B. Green Building Standards Additional Prerequisites ~~(Reference information)~~

ENERGY STAR™ Appliances and Fixtures

ENERGY STAR™ label for all clothes washers, dryers, refrigerators, dishwashers, and at least 90% LED or ENERGY STAR™ labeled light fixtures installed in residential and hotel units.

WaterSense Plumbing Fixtures

WaterSense label for all toilets, bathroom faucets, and showerheads installed in residential and hotel units.

Refrigerant Leakage

In addition to the energy code requirements for commissioning activities, the Commissioning Agent shall oversee the on-site refrigerant charging process and verify the following:

- Collect as-built refrigerant piping line length calculations (as-designed lengths will not be accepted)
- Collect and review the detailed refrigerant pipe pressure and vacuum testing reports that have been based on the as-built calculations for completeness and accuracy
- Collect the charge confirmation documentation

Equity, Diversity, and Inclusion Program

At least one member of the development team shall be employed by an organization with a racial and ethnic diversity, equity, and inclusion program within its management operations. Specifically, the firm's program shall include:

- Staff training plan that reflects the firm's understanding of structural racism and its intersection with the building industry.
- Professional development opportunities and data-driven policies used to identify and invest in staff diversity among leadership levels.
- Strategies in place to ensure racial and ethnic inclusion at all levels of the organization, including the Board of Directors level.

Document compliance with a written description of how the firm implements and institutionalizes diversity through policy, management philosophy, and training. Describe how the firm, on a day-to-day basis, fosters a work environment that is inclusive and conducive to diverse staff. Include copies of personnel and other relevant policies, training provided to staff, description of the general management philosophy as it relates to diversity.

Energy Benchmarking

Permanently install energy meters or monitoring devices and software service capable of tracking and remote download of at least monthly electric and gas consumption for the entire building. Utility billing data may be used as an alternative if the owner receives energy utility bills for all energy uses in the building directly from the utility. After occupancy, provide utility reporting data through ENERGY STAR™ Portfolio Manager each year for 10 years.

Air Sealing of Ventilation Supply and Exhaust

To ensure fresh air is delivered as intended to all occupied spaces in the building, seal all central vertical and horizontal supply ductwork with aerosolized duct sealant. All code requirements for joints, sealants, and connections must be met. For commercial and multifamily buildings, meet the criteria for central ventilation exhaust testing and performance as required by ENERGY STAR™ Multifamily High-Rise certification.

Electric Vehicle Charging Infrastructure

Exceed the criteria that would earn the project points for LEED version 4.1 credit Electric Vehicles option 1- Electric Vehicle Charging and option 2 - Electric Vehicle Charging Infrastructure, with electric vehicle charging stations for at least 5% of parking spaces and electric vehicle infrastructure for at least 10% of parking spaces.

Human Interaction with Nature (Biophilia)

Provide a narrative describing how the project enhances existing and/or creates new natural spaces for occupants and the public to interact with nature and creates habitat for people, plants and wildlife.

Components to be evaluated include (but are not limited to):

- Enhance connections between humans and nature at the ground level and as part of the building
 - Provide opportunities to interact with nature at the ground level
 - Provide opportunities to interact with nature as part of the building (indoor gardens, green walls, atria, balconies, roof amenity space, etc.)
 - Enhance views of nature and green spaces
 - Provide access to water, where possible
 - Provide views of the sky
 - Create access to nature sounds
 - Create linkages to existing natural resources and adjoining open space (physical or visual connections)
- Create or expand natural habitats
 - Plant native trees and plants (including pollinator gardens, butterfly gardens, bird nesting areas, meadows, etc.)
 - Show that the Project meets or exceeds tree canopy requirements stipulated in the applicable sector plan
- Use natural forms and materials in design and construction
- Provide energy and environmental conservation co-benefits
 - Renewable energy (solar) access
 - Shading of outdoor space
 - Mitigate heat island o Reduced stormwater runoff (minimize impervious area)
 - Minimized air quality impacts (indoor – low VOC materials, minimize natural gas combustion; and outdoor – bike parking, EV charging)

Bird-Friendly Materials

A bird friendly material is defined as a building material or assembly that has, or has been treated to have a maximum threat factor of 30 in accordance with the American Bird Conservancy Bird Collision Deterrence Material Threat Factor Reference Standard, or with the American Bird Conservancy Birdfriendly Materials Evaluation Program at Carnegie Museum's Avian Research Center test protocol, or with a relevant ASTM standard.

The exterior wall envelope, and any associated openings, shall be constructed with bird friendly materials between 8 feet and 36 feet above grade. Alternatively, the exterior wall envelope between 8 feet and 36 feet above grade, and any associated openings, shall on a weighted average be constructed to achieve a maximum total building Bird Collision Threat Rating (BCTR) of 15 or less according to the methodology of LEED credit Bird Collision Deterrence. Materials other than bird friendly materials shall not exceed an aggregate of 10 square feet within any 10 feet by 10 feet square area of exterior wall between 8 and 36 feet above grade.

Renewable Energy

- i. Provide on-site solar generation (or other acceptable forms of renewable energy) equal to at least 2.0 watts per square foot of the roof area (including mechanical area) -or
- ii. Co-locate an integrated vegetated roof and solar whereby vegetated roof meets Virginia DEQ BMP standards and is equal to at least 12% of the roof area (including mechanical area-and- on-site solar generation (or other acceptable forms of renewable energy) is equal to at least 1.5 watts per square foot of the roof area (including mechanical area) -or
- iii. Procure off-site solar ((or other acceptable forms of renewable energy) to meet the criteria that would earn the project at least one point for renewable energy procurement of Tier 2 renewable energy as outlined in LEED version 4.1 Energy and Atmosphere credit Renewable Energy.
- iv. Alternative Compliance Path for Developments without sufficient solar exposure - Developments without sufficient solar exposure due to shading by surrounding development shall contribute to the Green Building Fund in the amount of \$4/s.f. roof area (including mechanical equipment). Insufficient solar exposure is defined as having a Total Solar Resource Fraction (TSRF) or equivalent solar industry metric of less than 80% for square footage of roof area needed to accommodate the minimum required solar PV array. A request to qualify for the alternative compliance path must include a report prepared by a qualified solar professional that documents insufficient TSRF.

Light Pollution Reduction

At least 90% of exterior fixtures, excluding streetlights required by the County, shall meet the following specifications and have motion sensor controls, integrative photovoltaic cells, photosensors or astronomic time-clock operation.

Note, Dark Sky-approved “Friendly Fixture” certification automatically meets the following specifications.

- Luminaires shall be fully shielded emitting no light above 90 degrees (with the exclusion of incidental light reflecting from fixture housing, mounts, and pole). The luminaire’s mounting hardware shall not permit mounting in any configuration other than those maintaining full shielding.
- Fixture shall have no sag or drop lenses, side light panels, up-light panels.
- Fixture shall employ warm-toned (3000K and lower) white light sources or may employ amber light sources or filtered LED light sources. Note: Exterior emergency lighting and lighting required by code for health and safety purposes are exempt shall be permitted to be exempted.

C. Neighborhoods Form Based Code Amendments (Regulating Plans)

N-FBC-12: Neighborhoods Form Based Code Part Western Subarea Regulating Plan Amendment adopted on November 14, 2020

(* This N-FBC ZOA Case number was incorrectly assigned at the time of approval, resulting in two Case Numbers assigned as N-FBC-12 (11.14.2020 and 11.13.2021). To remain consistent with County Board Meeting Minutes, this Case No. will remain, with this clarifying note.).

Modification of the Western Subarea Regulating Plan to relocate two planned streets and reclassify them as planned alleys within the Greenbrier Apartments property, bordered by S. Greenbrier Street to the west and Columbia Pike to the South. This amendment was considered within the context of the proposed Pike West redevelopment proposal (Special Exception Use Permit U-3587-20-1)

N-FBC-14a: Neighborhoods Form Based Code Part Western Subarea Regulating Plan Amendment adopted on December 17, 2022

Modification of the Western Subarea Regulating Plan to designate the Haven Apartments as a Conservation Area and to incorporate associated changes to the Conservation Area Standards. This amendment was considered within the context of the proposed Conservation Area Special Exception Use Permit FBCN21-00003 for the Haven Apartments.

D. Neighborhoods Form Based Code Amendments (Text)

Notes:

1. Text proposed to be added is shown with underline and text proposed to be removed is shown with ~~strikethrough~~; text proposed to be deleted from one location and moved to another location is shown with ~~double-strikethrough~~ and double underline, respectively.
2. Footnotes shown below and within FBC regulations were provided for informational purposes only and were removed from FBC regulations, effective May 1, 2024.

N-FBC-1: **Neighborhoods Form Based Code Part 2: Administration; 204.D Special Circumstances Amendment adopted on December 14, 2013**

D. Transfer of Development Rights *

*** ~~Section 204.D. is pending County Board approval on December 14, 2013~~**

The transfer of development rights is permitted in order to achieve historic preservation, public open space and/or affordable housing within areas designated as CONSERVATION AREAS on the REGULATING PLAN, and for creation of NEIGHBORHOOD PARKS shown on the REGULATING PLAN. As part of a use permit approval for a DEVELOPMENT PROJECT, the County Board may certify the subject DEVELOPMENT PROJECT as a sending site for transfer of development rights in accordance with the following:

1. In considering the approval of transfer of development rights from a DEVELOPMENT PROJECT in exchange for the dedication of a PUBLIC SPACE within a CONSERVATION AREA or a NEIGHBORHOOD PARK shown on the REGULATING PLAN, subject to such conditions as the County Board may approve, the County Board shall determine that the PUBLIC SPACE will meet the standards consistent with Section 506. The amount of density eligible for transfer shall be equal to the square footage of the dedicated PUBLIC SPACE within a CONSERVATION AREA or a NEIGHBORHOOD PARK. As part of the certification of density or approval of transfer of development rights, the County Board may require assurances that the PUBLIC SPACE will be preserved.
2. In considering the approval of transfer of development rights from a CONSERVATION AREA, the County Board shall determine that a specified number of units within the CONSERVATION AREA will be renovated consistent with Part 7 Conservation Area Standards and preserved as committed AFFORDABLE HOUSING UNITS as set forth in Section 902. The amount number of density eligible for transfer shall be equal to 3 times the specified number of committed AFFORDABLE HOUSING UNITS when a Columbia Pike Neighborhoods FBC DEVELOPMENT PROJECT has been identified as the Receiving Site, or 2 times the specified number of committed AFFORDABLE HOUSING UNITS when a Site Plan proposal for a site elsewhere in the County has been identified as the Receiving Site; provided, however, that the aforementioned multipliers shall sunset on November 16, 2015 for density that has not been certified.
3. Development rights from a sending site may be certified at the time of approval of a Receiving Site. Density may be transferred to either 1) an area designated as a BONUS AREA on the REGULATING PLAN in accordance with Section 204.A above; or 2) to another site within the County in accordance with §15.6.7.B of the Zoning Ordinance.

N-FBC-2a: Neighborhoods Form Based Code Part 2: Administration; 203. Special Exception Use Permit FBC Applications
Amendment adopted on November 15, 2014

The Special Exception Use Permit process will be required for DEVELOPMENT PROJECTS that meet any of the following criteria:

- A. Request for approval of any Special Circumstances set forth in *Section 204*;
- B. Request for approval of any modifications, as set forth in *Section 205*.
- C. Request for approval of CIVIC BUILDINGS on sited designated for those uses on the REGULATING PLAN.
- D. Request for a hotel that includes 7,500 square feet or more of conference room or banquet facility Gross Floor Area (GFA).

N-FBC-2b: Neighborhoods Form Based Code Part 8: Parking Standards; 802. General Standards
Amendment adopted on November 15, 2014

B. Bicycle Parking:

- 3. For retail uses, the developer shall provide a minimum of 1 employee bicycle parking space per 25,000 square feet of GFA and 1 visitor/customer bicycle parking space per 5,000 square feet of GFA for the first 50,000 square feet of retail GFA; and 1 additional visitor/customer space per each additional 12,500 square feet of retail GFA, or portion thereof.
- 4. For hotel uses, the developer shall provide a minimum of 1 employee bicycle parking space per 10 guest rooms, or portion thereof, and 1 visitor space per 50 guest rooms, or portion thereof.

N-FBC-3: Neighborhoods Form Based Code Part 9: Building Use Standards; 901. Building Use Table
Amendment adopted on February 21, 2015

The following uses are permitted in the **Columbia Pike Neighborhoods Special Revitalization District** as specified further in the Building Envelope Standards.

When specific Use Standards are referenced below, they may be found in the **Arlington County Zoning Ordinance**.

<u>USE CATEGORY</u>	<u>SPECIFIC USE TYPES</u>	PERMITTED (P) or USE PERMIT (U); ACCESSORY USE (A)	USE STANDARD
RESIDENTIAL			
<u>Household Living</u> (see §12.2.3.A)	One 1-family <u>detached</u>	P	
	Two 2-family <u>detached</u>	P	
	Townhouse	P	§12.3.2
	Multiple-family	P	
<u>Group Living</u> (see §12.2.3.B)	Boardinghouses and rooming houses	U	
	Private clubs, lodges, fraternities, sororities and D dormitories	U	§12.3. 35.4
	Private clubs, lodges, fraternities and, sororities and dormitories	U	§12.5. 43.5
	Group homes Institutional homes and institutions of an educational or philanthropic nature; except those of a correctional nature	U	§12.3. 65
	Private Membership clubs and, lodges, fraternities, sororities and dormitories	U	§12.5. 154
<u>Overnight Accommodations</u> (see §12.2.5.D)	Bed and breakfasts	U	§12.5.3
<u>Offices</u> (see §12.2.5.C)	Offices or clinics, medical or dental, principal, of physicians, surgeons or dentists in existing apartment houses or residences converted to such use or in new buildings designed for such use	U	§12.5. 1722
<u>Accessory Uses</u>	Accessory unit	P-A	
	Accessory unit, English Basement	P-A	
	Family day care homes for six to nine children	U-A	
	Family day care homes for up to five children	P-A	
	Home occupations	P-A	§12.9. 118.7

USE CATEGORY	SPECIFIC USE TYPES	PERMITTED (P) or USE PERMIT (U); ACCESSORY USE (A)	USE STANDARD
CIVIC			
<u>Colleges</u> (see §12.2.4.A)	Schools and Colleges and universities other public and private educational institutions; nursery schools, child care centers	U	
<u>Community Service</u> (see §12.2.4.B)	Recreational and Community center buildings	U	
	Libraries	U	
	Museums and art galleries or studios	U	
	Public buildings of a cultural, recreational administrative or service type	U	
<u>Day Care</u> (see §12.2.4.C)	All day care uses Schools and colleges and other public and private educational institutions; nursery schools, child care centers	U	
<u>Government Facilities</u> (see §12.2.4.D)	Bus shelters; bike share stations Transit centers	U	
	Fire or police stations	U	
<u>Passenger Terminals and Services</u> (see §12.2.4.G)	Railroad, trolley, bus, air or boat passenger stations Transit centers	U	§12.4.5
<u>Religious Institutions</u> (see §12.2.5.H)	Churches, mosques, synagogues, and temples and other places of worship, including parish houses and Sunday schools, but excluding rescue missions or temporary revivals	P	
<u>Schools</u> (see §12.2.5.I)	Schools, elementary, middle and high and colleges and other public and private educational institutions, nursery schools, child care centers		§12.4.7
<u>Entertainment, Indoor</u> (see §12.2.5.B)	Indoor theater or auditorium	P	
<u>Office</u> (see §12.2.5.C)	Government, Offices, F federal, state and local government buildings used exclusively by federal, state, and local governments for public purposes; except penal and correctional institutions	U	

GROUND STORY COMMERCE			
USE CATEGORY	SPECIFIC USE TYPES	PERMITTED (P) or USE PERMIT (U); ACCESSORY USE (A)	USE STANDARD
Passenger Terminals and Services (see §12.2.4.G)	Railroad, trolley, bus, air or boat passenger stations; Public utilities and services; such as railroad, trolley, bus, air, or boat passenger stations; railroad offices, rights of way, and tracks (but excluding car barns, garages, railroad yards, sidings and shops); static transformer stations, transmission lines and towers, commercial and public utility radio towers, telephone exchanges (but excluding service and storage yards)	U	§12.4.56.8
Utilities, minor (see §12.2.4.K)	All major utilities; Public utilities and services; such as railroad, trolley, bus, air, or boat passenger stations; railroad offices, rights of way, and tracks (but excluding car barns, garages, railroad yards, sidings and shops); static transformer stations, transmission lines and towers, commercial and public utility radio towers, telephone exchanges (but excluding service and storage yards)	U	§12.4.9.6.8
	All minor utilities; Public utilities and services; such as railroad, trolley, bus, air, or boat passenger stations; railroad offices, rights of way, and tracks (but excluding car barns, garages, railroad yards, sidings and shops); static transformer stations, transmission lines and towers, commercial and public utility radio towers, telephone exchanges (but excluding service and storage yards)	PU	§12.4.106.8
Food and Drinking Establishments (see §12.2.5.A)	Catering establishment, small scale	P	
	All other food and drinking establishment uses (see RETAIL)		
Office (see §12.2.5.C)	Audio-visual production studio	U	
Retail, personal service (see §12.2.5.F.2(b))	Animal care facilities, veterinary clinics, and animal hospitals or veterinary clinic within a fully enclosed structure	P	§12.5.2
	Banks or other financial institutions	P	
	Dry cleaning, drop off stationsers laundry and Laundromat	P	§12.5.6
	Dry cleaners laundry and Laundromats	P	§12.5.136
	Mailing service, including bulk mailing	P	
	Printing, publishing and lithographing or publishing	P	

USE CATEGORY	SPECIFIC USE TYPES	PERMITTED (P) or USE PERMIT (U); ACCESSORY USE (A)	USE STANDARD
	Private postal service limited to a gross floor area of 1,200 sq. ft.	P	§12.5.19
	All other personal service retail uses (see UPPER STORY AND GROUND STORY COMMERCE)		§12.5.21
<u>Light industrial</u> (see §12.2.6.A)	Sign making painting shop, if conducted wholly within a completely enclosed building	P	§12.6.9
	Upholstery shop, if conducted wholly within a completely enclosed building	U	§12.5.27-7
	Carpet and rug cleaning plants establishments, excluding dyeing	U	
<u>Telecommunications Facilities</u> (see §12.2.6.C)	All Telecommunications towers and facilities equipment, unscreened	U	
UPPER STORY COMMERCE			
<u>Colleges</u> (see §12.2.4.A)	Trade or commercial school, if not objectionable due to noise, odor, vibration or other similar causes	P	12.6.6
<u>Offices</u> (see §12.2.5.C)	Offices or clinics , medical or dental	P	§12.5.22
	Offices	P	
	Offices of medical doctors, physicians, dentists or psychologists in existing institutional structures converted to such use	U	12.5.22
	Offices, business and professional	P	
	Business e College operated as a commercial enterprise	P	
<u>Retail, Personal Service</u> (see §12.2.5.F.2(b))	Massage parlor and the like	U	
	All personal service retail uses (see UPPER STORY AND GROUND STORY COMMERCE)		§12.5.21
<u>Light Industrial Service</u> (see §12.2.6.A)	Medical or dental clinics and laboratories	P	
	Garage, private parking garage for exclusive use of occupants	P	
UPPER STORY AND GROUND STORY COMMERCE			
<u>Religious Institutions</u> (see §12.2.4.H)	Wedding chapel	P	
<u>Overnight Accommodations</u> (see §12.2.5.D)	Hotel	P	§12.5.11-7.10.4.A; 7.13.4.A; 7.11.4.A; 7.12.4.A
	All other overnight accommodation uses		

<u>USE CATEGORY</u>	<u>SPECIFIC USE TYPES</u>	PERMITTED (P) or USE PERMIT (U); ACCESSORY USE (A)	USE STANDARD
<u>Parking, Commercial</u> (see §12.2.5.E)	Public parking area or public parking garage when located and developed as required in the Form Based Code	P	
<u>Recreation, Indoor</u> (see §12.2.5.B)	Indoor and outdoor Skating rink	P	
	Indoor and outdoor Tennis, racquet or handball courts	U	
	Indoor Swimming pool	P	
<u>Recreation, Outdoor</u> (see §12.2.5.B)	Indoor and outdoor Skating rink	P	
	Indoor and outdoor Tennis, racquet or handball courts	U	
<u>Retail, Sales</u> (see §12.2.5.F.2(a))	Interior decorating stores	P	
<u>Retail, Personal Service</u> (see §12.2.5.F.2(a))	All retail, personal service uses Health clubs	P	§12.5.21
	Dance studio	P	
	Music conservatory or music instruction	P	
<u>Retail, Repair</u> (see §12.2.5.F.2(c))	All repair retail uses Locksmith	P	
	Repair shop (small appliance, television, radio)	P	
	Shoe repair	P	
	Tailor or dressmaker	P	
<u>Accessory Uses</u>	Swimming pools, private	P-A	§12.9.168.9
RETAIL			
<u>Food and Drinking Establishments</u> (see §12.2.5.A)	Restaurants, limited Bakery	P	§12.5.24
	Food delivery services	U	
	Restaurant, fast food	U	
	Restaurants, general	P	§12.5.23
<u>Recreation, Indoor</u> (see §12.2.5.B)	Billiard or pool halls	U	
	Bowling alleys	U	
<u>Retail, Sales</u> (see §12.2.5.F.2(a))	Grocery, convenience grocery, fruit or vegetable stores	P	§12.5.109 §12.5.22
	Grocery, fruit or vegetable store without restriction or maximum gross floor area	P	12.5.10
	Kiosks	U	§12.5.12
	Nursery, flower or plant stores	P	§12.5.16 §12.5.22
	Open-air markets	U	§12.5.1823
	Florist or gift shops	P	§12.5.87 §12.5.22
	All other retail sales uses Art or antique shop	P	§12.5.22
	Art store, including art work, art supplies and framing materials	P	
	Automobile accessories and supplies, excluding installation	P	
	Bakery	P	

<u>USE CATEGORY</u>	<u>SPECIFIC USE TYPES</u>	PERMITTED (P) or USE PERMIT (U); ACCESSORY USE (A)	USE STANDARD
	Book or stationary stores	P	
	Clothing or wearing apparel shops	P	
	Delicatessen	P	
	Department, furniture or household appliance store	P	
	Drugstores	P	<u>§12.5.5.</u> <u>§12.5.22</u>
	Dry goods or notion stores	P	
	Hardware, paint or appliance stores	P	
	Hobby or handcraft store	P	
	Home furnishings stores	P	
	Ice cream or confectionery store	P	
	Jewelry store	P	
	Meat or fish market	P	
	Newsstand	P	
	Optical stores	P	
	Pet shops, bird stores or taxidermists	P	
	Secondhand store, if conducted wholly within a completely enclosed building	P	
	Shoe store	P	
	Sporting goods store	P	
	Variety store	P	
	Video tape, DVD or record store	P	
<u>Retail, Personal Service</u> (see §12.2.5.F.2(b))	All personal service retail uses	P	<u>§12.5.19</u>
	Barbershop or beauty parlor		
	Blueprinting or photostating	P	
	Film exchange	P	
	Palmistry	P	
	Pawnshop	P	
	Photo copy services	P	
	Photography studio	P	
<u>Accessory Uses</u>	Live entertainment Nightclubs and restaurants providing live entertainments, including dance halls	U	<u>§12.9.12</u>
	Outdoor café associated with a restaurant on public right-of-way or easement for public use	U	<u>§12.5.14</u> <u>24</u>

N-FBC-4: Neighborhoods Form Based Code Part 4: Building Envelope Standards; 204.D. Transfer of Development Rights
Amendment adopted on November 14, 2015

D. Transfer of Development Rights

The transfer of development rights is permitted in order to achieve historic preservation, public open space and/or affordable housing within areas designated as CONSERVATION AREAS on the REGULATING PLAN, and for creation of NEIGHBORHOOD PARKS shown on the REGULATING PLAN. As part of a use permit approval for a DEVELOPMENT PROJECT, the County Board may certify the subject DEVELOPMENT PROJECT as a sending site for transfer of development rights in accordance with the following:

1. In considering the approval of transfer of development rights from a DEVELOPMENT PROJECT in exchange for the dedication of a PUBLIC SPACE within a CONSERVATION AREA or a NEIGHBORHOOD PARK shown on the REGULATING PLAN, subject to such conditions as the County Board may approve, the County Board shall determine that the PUBLIC SPACE will meet the standards consistent with Section 506. The amount of density eligible for transfer shall be equal to the square footage of the dedicated PUBLIC SPACE within a CONSERVATION AREA or a NEIGHBORHOOD PARK. As part of the certification of density or approval of transfer of development rights, the County Board may require assurances that the PUBLIC SPACE will be preserved.
2. In considering the approval of transfer of development rights from a CONSERVATION AREA, the County Board shall determine that a specified number of units within the CONSERVATION AREA will be renovated consistent with *Part 7 Conservation Area Standards* and preserved as committed AFFORDABLE HOUSING UNITS as set forth in *Section 902*. The amount number of density eligible for transfer shall be equal to 3 times the specified number of committed AFFORDABLE HOUSING UNITS when a Columbia Pike Neighborhoods FBC DEVELOPMENT PROJECT has been identified as the Receiving Site, or 2 times the specified number of committed AFFORDABLE HOUSING UNITS when a Site Plan proposal for a site elsewhere in the County has been identified as the Receiving Site; provided, however, that the aforementioned multipliers shall sunset on ~~December 14, 2015~~ December 31, 2020 for density that has not been certified.
3. Development rights from a sending site may be certified at the time of approval of a Receiving Site. Density may be transferred to either 1) an area designated as a BONUS AREA on the REGULATING PLAN in accordance with *Section 204.A* above; or 2) to another site within the County in accordance with §15.6.7.B of the Zoning Ordinance.

N-FBC-5a: Neighborhoods Form Based Code Part 4: Building Envelope Standards; 402. General Standards
Amendment adopted on December 15, 2015

B. Façade Composition

1. The average length of the COMPLETE AND DISCRETE VERTICAL FACADE COMPOSITIONS along a FAÇADE on a BLOCK FACE shall be no more than 100 feet for Urban Mixed-Use and Urban Residential frontages, and 120 feet for Townhouse/Small Apartment frontages. DEVELOPMENT PROJECTS with STREET-SPACE frontage of less than 120 feet on a BLOCK FACE are exempted from the COMPLETE AND DISCRETE VERTICAL FACADE COMPOSITION requirement for that BLOCK FACE. Provided, however, that the COMPLETE AND DISCRETE VERTICAL FACADE COMPOSITIONS maximum length requirements above do not apply to buildings within ADJACENT TO CONSERVATION AREAS.

2. The average distance between STREET-SPACE entry doors shall be no greater than 60 feet for each FACADE. Provided, however, that each COMPLETE AND DISCRETE VERTICAL FACADE COMPOSITION shall include at least one functioning entry door from the STREET-SPACE.

- a. The County Board may modify the interval between STREET-SPACE entry doors specified in 402.B.2 above, for certain uses located on the GROUND STORY. Such uses are identified by a reference to the Form Based Code in the "ACZO and N-FBC Use Standards" column of the Building Use Table provided in Section 901, and subject to approval of a use permit, as provided in ACZO §15.4. Such modifications may only be allowed where, in addition to meeting the requirements of ACZO §15.4, the County Board finds that the proposed modifications can be retrofitted to meet standard requirements when the subject use is discontinued and are otherwise consistent with the intent of the Form Based Code.⁵

K. Civic Buildings

Publicly-owned CIVIC BUILDINGS are exempt from *Part 6. Architectural Standards* and this *Part 4* except for *402.D. Neighborhood Manners* and all other regulations applicable to lots in an R district or in an RA district occupied by a one-family detached dwelling.

N-FBC-5b: Neighborhoods Form Based Code Part 4: Building Envelope Standards; 605. General Architectural Standards
Amendment adopted on December 15, 2015

A. Requirements & Configurations

1. The bottom of all SHOPFRONT window glass shall be between 1 and 3 feet above the adjacent fronting CLEAR SIDEWALK and shall run from the sill to a minimum of 8 feet above the adjacent fronting CLEAR SIDEWALK. BUILDING WALL MATERIAL permitted by *Section 603* above shall be used below the SHOPFRONT window glass.
2. SHOPFRONT window glass shall be clear, with light transmission of at least 90 percent (modified as necessary to meet applicable building and energy code requirements). However, SHOPFRONT glass that is located above 8 feet the adjacent fronting CLEAR SIDEWALK or no lower than the top of any door along the SHOPFRONT may be tinted or stained.
3. A minimum of 80 percent of the window surface shall allow a view into the building interior for a depth of at least 15 feet such that window signs or other opaque window glass treatments or applications are minimized. ~~However,~~ Operable shading devices within the conditioned space are permitted. Provided, however:
 - a. The County Board may modify the requirement specified in 605.A.3. above, for certain uses located on the GROUND STORY. Such uses are identified by a reference to the Form Based Code in the "ACZO and N-FBC Use Standards" column of Building Use Table provided in Section 901, and subject to approval of a use permit, as provided in ACZO §15.4. Such modifications may only be allowed where, in addition to meeting the requirements of ACZO §15.4, the County Board finds that the proposed modifications can be retrofitted to meet standard requirements when the subject use is discontinued and are otherwise consistent with the intent of the Form Based Code.

4. SHOPFRONT doors shall contain at least 60 percent transparent glass. Solid (completely opaque) doors are prohibited.
5. SHOPFRONTS shall be differentiated from the FACADE above by an EXPRESSION LINE.

N-FBC-5c: Neighborhoods Form Based Code Part 4: Building Envelope Standards; 901. Building Use Table Amendment adopted on December 15, 2015

901. Building Use Table

The following uses are permitted in the *Columbia Pike Neighborhoods Special Revitalization District*, subject to the explanations set forth below, and as specified further in the Building Envelope Standards.

When specific Use Standards are referenced below, they may be found in the Arlington County Zoning Ordinance.

A. Use Categories and Specific Use Types

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

B. Permitted or Use Permit

1. A “P” indicates that a use is permitted by-right and may be approved administratively, provided that redevelopment conforms to the Neighborhoods Form Based Code as adopted by the County Board (see ACZO §11.2).
2. A “U” indicates a special exception use that may be established subject to obtaining a use permit as provided in ACZO §15.4, use permits, for each such use, and provided that the property has been redeveloped pursuant to the Neighborhoods Form Based Code. The Zoning Administrator may require a use permit for such use, whether the use is located in a building approved administratively or whether located in a building controlled by a use permit.
3. A blank cell (one without a “P” or “U”) in the use table indicates that a use is not allowed in the respective location. Uses not specifically listed may be allowed pursuant to the similar use determination procedure of ACZO §12.2.2.

C. ACZO and N-FBC Use Standards

Where applicable, the “ACZO and N-FBC Use Standards” column references specific use standards listed in either ACZO §12 or in the specified section of the Neighborhoods Form Based Code, which always apply to the listed use.

USE CATEGORY	SPECIFIC USE TYPES	PERMITTED (P) or USE PERMIT (U)	AZCO (§) AND N-FBC (SECTION) USE STANDARDS
RESIDENTIAL			
Household Living (see § 12.2.3.A)	One-family detached	P	
	Two-family detached	P	
	Townhouse	P	
	Multiple-family	P	

USE CATEGORY	SPECIFIC USE TYPES	PERMITTED (P) or USE PERMIT (U)	AZCO (§) AND N-FBC (SECTION) USE STANDARDS
Group Living (see § 12.2.3.B)	Boardinghouses and rooming houses	U	
	Dormitories	U	§ 12.3.3
	Fraternities and sororities	U	§ 12.3.5
	Group Homes	U	§ 12.3.6
	Membership clubs	U	§ 12.5.13
Overnight Accommodations (see § 12.2.5.D)	Bed and breakfasts	U	§ 12.5.3
Offices (see § 12.2.5.C)	Offices or clinics, medical or dental	U	§ 12.5.17
Accessory Uses	Accessory unit	P	
	Accessory unit, English Basement	P	
	Family day care homes for six to nine children	U	
	Family day care homes for up to five children	P	
	Home occupations	P	§ 12.9.11
CIVIC			
Colleges (see § 12.2.4.A)	Colleges and universities	U	<u>Section 605.A.3.a</u> <u>Section 402.B.2.a</u>
Community Service (see § 12.2.4.B)	Community center	U	<u>Section 605.A.3.a</u> <u>Section 402.B.2.a</u>
	Libraries	U	<u>Section 605.A.3.a</u> <u>Section 402.B.3</u>
	Museums and art galleries or studios	U	<u>Section 605.A.3.a</u> <u>Section 402.B.2.a</u>
Day Care (see § 12.2.4.C)	All day care uses	U	<u>Section 605.A.3.a</u> <u>Section 402.B.2.a</u>
Government Facilities (see § 12.2.4.D)	Bus shelters; bike share stations	U	<u>Section 605.A.3.a</u> <u>Section 402.B.2.a</u>
	Fire or police stations	U	<u>Section 605.A.3.a</u> <u>Section 402.B.2.a</u>
Passenger Terminals and Services (see § 12.2.4.G)	Railroad, trolley, bus, air or boat passenger stations	U	§ 12.4.5
Religious Institutions (see § 12.2.5.H)	Churches, mosques, synagogues, and temples	P	<u>Section 605.A.3.a</u> <u>Section 402.B.2.a</u>
Schools (see § 12.2.5.I)	Schools, elementary, middle and high		§ 12.4.7 <u>Section 605.A.3.a</u> <u>Section 402.B.2.a</u>

Entertainment Indoor (see § 12.2.5.B)	Indoor theater or auditorium	P	
USE CATEGORY	SPECIFIC USE TYPES	PERMITTED (P) or USE PERMIT (U)	AZCO (§) AND N-FBC (SECTION) USE STANDARDS
Office (see § 12.2.5.C)	Offices, federal, state and local	U	
GROUND STORY COMMERCE			
Passenger Terminals and Services (see § 12.2.4.G)	Railroad, trolley, bus, air or boat passenger stations	U	§ 12.4.5 Section 605.A.3.a Section 402.B.2.a
Utilities, minor (see § 12.2.4.K)	All major utilities	U	§ 12.4.9 Section 605.A.3.a Section 402.B.2.a
	All minor utilities	P	§ 12.4.10 Section 605.A.3.a Section 402.B.2.a
Food and Drinking Establishments (see § 12.2.5.A)	Catering establishment, small scale	P	
	All other food and drinking establishment uses (see RETAIL)		
Office (see § 12.2.5.C)	Audio-visual production studio	U	
Retail, personal service (see § 12.2.5.F.2(b))	Animal care facilities, veterinary clinics, and animal hospitals	P	§ 12.5.2
	Banks	P	
	Dry cleaning, drop off stations	P	§ 12.5.6
	Laundromats	P	§ 12.5.13
	Mailing service, including bulk mailing	P	
	Printing, publishing and lithographing	P	
	Private postal service	P	§ 12.5.19
	All other personal service retail uses (see UPPER STORY AND GROUND STORY COMMERCE)		§ 12.5.21
Light Industrial (see § 12.2.6.A)	Sign making shop	P	§ 12.6.9
	Upholstery shop	U	§ 12.5.27
	Carpet and rug cleaning plants	U	
Telecommunications Facilities (see § 12.2.6.C)	All telecommunications towers and facilities	U	

USE CATEGORY	SPECIFIC USE TYPES	PERMITTED (P) or USE PERMIT (U)	AZCO (§) AND N-FBC (SECTION) USE STANDARDS
UPPER STORY COMMERCE			
Colleges (see § 12.2.4.A)	Trade or commercial school	P	
Offices (see § 12.2.5.C)	Offices or clinics, medical or dental	P	§ 12.5.22
	Offices, business and professional	P	
	College operated as a commercial enterprise		
Retail, Personal Service (see 12.2.5.F.2(b))	All personal service retail uses (see UPPER STORY AND GROUND STORY COMMERCE)		§ 12.5.21
Light Industrial (see § 12.2.6.A)	Medical or dental laboratories	P	
UPPER STORY AND GROUND STORY COMMERCE			
Religious Institutions (see § 12.2.4.H)			
Overnight Accommodations (see § 12.2.5.D)	Hotel	P	§ 12.5.11
	All other overnight accommodation uses		
Parking, Commercial (see § 12.2.5.E)	Public parking area or public parking garage when located and developed as required in the Form Based Code	P	
Recreation, Indoor (see § 12.2.5.B)	Skating rink	P	
	Tennis, racquet or handball courts	U	
	Swimming pool	P	
Recreation, Outdoor (see § 12.2.5.B)	Skating rink	P	
	Tennis, racquet or handball courts	U	
Retail, Sales (see § 12.2.5.F.2(a))	Interior decorating stores	P	
Retail, Personal Service (see § 12.2.5.F.2(a))	All retail, personal service uses	P	§ 12.5.21
Retail, Repair (see § 12.2.5.F.2(c))	All repair retail uses	P	
Accessory Uses	Swimming pools, private	P - A	§ 12.9.16
RETAIL			
Food and Drinking Establishments (see § 12.2.5.B)	Restaurants, limited	P	§ 12.5.24
	Food delivery services	U	
	Restaurants, general	P	§ 12.5.23
Recreation, Indoor (see § 12.2.5.F)	Billiard or pool halls	U	
	Bowling alleys	U	

USE CATEGORY	SPECIFIC USE TYPES	PERMITTED (P) or USE PERMIT (U)	AZCO (§) AND N-FBC (SECTION) USE STANDARDS
Retail, Sales (see § 12.2.5.G.2(a))	Grocery stores	P	§ 12.5.10 § 12.5.22
	Kiosks	U	§ 12.5.12
	Nursery, flower or plant stores	P	§ 12.5.16 § 12.5.22
	Open-air markets	U	§ 12.5.18
	Florist or gift shops	P	§ 12.5.8 § 12.5.22
	All other retail sales uses	P	§ 12.5.22
	Drugstores	P	§ 12.5.5 § 12.5.22
Retail, Personal Service (see § 12.2.5.F.2(b))	All personal service retail uses	P	§ 12.5.19
Accessory Uses	Live Entertainment	U	§ 12.9.12
	Outdoor cafe associated with a restaurant on public right-of-way or easement for public use	U	§ 12.9.14

**N-FBC-6: Neighborhoods Form Based Code Part 6: Architectural Standards; 611. Signs
Amendment adopted on June 18, 2016:**

611. Signs

A. Intent and Guiding Illustrations for Signs

Signs identify residential address, advertise Columbia Pike shops and offices, and provide decoration. The intent of the sign standards for the *Columbia Pike Neighborhoods Special Revitalization District* is to provide signs that are clear, informative to the public, energy efficient, and durable. Blade type shop signs are encouraged to incorporate creative art, graphics or materials. The sign standards also intend to provide for signs that are not glaring and do not create a distraction or visible pollution. The illustrations and statements in this paragraph are advisory only. Specific prescriptions of this section are in the standards below.

B. Allowed Signs

DEVELOPMENT PROJECTS may have the following signs, provided they comply with the standards set forth in § 611.C below:

1. URBAN MIXED USE and URBAN RESIDENTIAL buildings may have:
 - a. ~~One STREET SPACE address sign per STREET SPACE entry door;~~
 - b. AWNING signs; and
 - c. One building sign.

2. TOWNHOUSES and SMALL APARTMENT buildings may have STREET-SPACE address signs and the signs below:
 - a. ~~One STREET-SPACE address sign per STREET-SPACE entry door;~~
 - b. AWNING signs;
 - c. One building sign per SMALL APARTMENT BUILDING, and
 - d. One wall sign per STREET-SPACE frontage for each TOWNHOUSE development.
3. ~~DETACHED BUILDINGS may have one STREET-SPACE address sign per STREET-SPACE entry door.~~
4. COMMERCE, SHOPFRONT and OFFICE spaces, where allowed, may have the following signs in addition to the signs allowed for the designated BES SITE in which they are located:
 - a. AWNING signs;
 - b. One blade type shop sign per GROUND STORY or second STORY tenant per STREET-SPACE elevation;
 - c. One graphic sign per tenant;
 - d. Up to a total of three wall or window signs per tenant; and
 - e. One additional wall or window sign and one additional blade sign for tenants occupying RETAIL or OFFICE spaces with more than one STREET-SPACE frontage.
5. Where there is SHARED PARKING within a structure, the following signs are allowed for the ~~SHARED PARKING~~ in addition to the signs allowed for the designated BES SITE in which the SHARED PARKING is located:
 - a. One wall sign ~~for the SHARED PARKING; and~~
 - b. One or more blade signs meeting the standards for incidental signs as set forth in 13.7.H of the *Arlington County Zoning Ordinance*.
6. Existing residential buildings with existing free-standing signs may retain or reface existing signs, or replace existing signs in accordance with Section 13.6 of the *Arlington County Zoning Ordinance*.

C. Sign Standards

1. All signs:
 - a. External lighting directed towards signs that are not internally illuminated is permitted. Signs shall not have automatic changeable copy elements unless explicitly permitted below.
2. AWNINGS/Overhangs:
 - a. Except for wall signs permitted to be attached or affixed to CANOPIES, lettering and/or logos on AWNINGS and CANOPIES shall be limited to 5 inches tall on the vertically hanging fabric/face at the curb side of the AWNING or CANOPY.
3. Blade Type Shop Signs:

Blade type shop signs for COMMERCE, SHOPFRONT and OFFICE uses shall meet the following standards:

 - a. Except for blade type building signs permitted as an alternative to the building sign below, blade type shop signs shall be not more than 6 square feet, shall project from the building no more than 42 inches, and shall be located so that there is a minimum of 9 feet clear height above the sidewalk and below the blade type shop sign.
 - b. Blade type shop signs may be hung from an overhang, CANOPY, or AWNING.
 - c. Blade type shop signs shall not be internally illuminated

- d. ~~The company name or logo~~ Commercial messages on a blade type shop sign may occupy no more than one-half of the square footage within the blade sign. ~~Creative art, graphics or materials are encouraged in the area of the blade type shop sign not containing the company name or logo.~~
- e. Blade signs for GROUND and second STORY tenants shall be located below the second STORY.

4. Graphics signs:

- a. A graphics sign is a sign designed to be read only from a distance of less than 3 feet away, such as, but not limited to restaurant menus or building directories.
- b. A graphics signs may be displayed in a permanently mounted display box of not more than 3 square feet on the surface of the building adjacent to the entry.
- c. Graphics signs shall not be exposed to the elements.

5. Building sign:

A building sign may be either a: 1) masonry or bronze plaque; 2) wall sign, which may be placed on a CANOPY; or 3) a blade type building sign. Building signs shall meet all requirements set forth in Section 611.C.5.a. through d. below.

- a. A building sign shall be wholly contained within one COMPLETE AND DISCRETE VERTICAL FACADE COMPOSITION.
- b. Wall signs shall be composed of individual letters and may be lighted from behind the individual letters, but shall not be internally illuminated.
- c. Blade type building signs shall project from the building no more than 42 inches, shall have a minimum of 9 feet clear height above the sidewalk, and may be internally illuminated.
- d. The standards in the following table apply to all building signs:

SIGN TYPE	NUMBER OF STORIES	PLACEMENT	MAXIMUM SIZE OF SIGN (IN SQUARE FEET)		
Masonry or bronze plaque	Any	In the building's plaque/parapet wall or under the eaves and above the STORY windos	8		
Wall Sign (may be placed on a CANOPY) or Blade Type Building Sign	No more than 50% of the sign area shall be placed above the top of the STORY identified below		<70 feet of building frontage	70-150 feet of building frontage	>150 feet of building frontage
	2	GROUND	35	35	50
	3-4	2ND			70
	5	3RD			
	6	4TH		50	100
	7	5TH			
	8	6TH			
	9	7TH			
	10-14	8TH			

6. ~~STREET SPACE address signs:~~

~~STREET SPACE address signs may be placed at STREET SPACE entry doors, non-cursive type lettering between 6 to 8 inches tall. Such letters shall be located between 6 feet and 10 feet above grade.~~

7. ~~Wall Signs:~~

~~a. Wall signs for COMMERCE, SHOPFRONT and OFFICE spaces shall meet the following standards:~~

- ~~(i) Wall signs are permitted either within the area above the GROUND STORY windows and below the second STORY windows, or on the vertical front of or on top of a CANOPY.~~
- ~~(ii) All wall signs shall be placed within a horizontal band not to exceed 2 feet in height. This band shall not be located higher than 18 feet or lower than 12 feet above the adjacent sidewalk, unless placed on the front of or on top of a CANOPY. If placed on top of a CANOPY, the 2-foot band shall not extend more than 2 feet beyond the top of the CANOPY.~~
- ~~(iii) Wall signs shall not come closer than 2 feet to an adjacent COMMON LOT LINE or the boundary of the area permitted to be used by the retail or office tenant. Letters on all wall signs shall exceed neither 18 inches in height or width nor 3 inches in relief. Wall signs shall not exceed 20 feet in length.~~

~~b. Wall signs for TOWNHOUSES shall meet the following standards:~~

- ~~(i) Wall signs shall not exceed 6 square feet.~~
- ~~(ii) Wall signs are permitted on the FACADE of the GROUND STORY, or may be installed on a GARDEN WALL or STREET WALL.~~
- ~~(iii) Letters on wall signs shall exceed neither 8 inches in height or width nor 2 inches in relief.~~

~~c. Wall signs allowed for where there is SHARED PARKING within a structure ~~shall~~ may be placed only in a horizontal band not to exceed 2 feet in height. This band shall be located immediately above the entrance to the SHARED PARKING structure and shall not be higher than 4 feet from the top of the entrance opening.~~

8. Window signs:

- a. Window Signs are permitted to be placed or painted within GROUND STORY OFFICE and RETAIL windows and the entire window sign shall fit within a rectangle of 8 square feet.
- b. Window signs shall be allowed automatic changeable copy elements as set forth in 13.12 of the *Arlington County Zoning Ordinance*.

9. Signs shall be further limited and regulated by the following provisions in Article 13 of the *Arlington County Zoning Ordinance*, which shall be incorporated as if fully set forth herein:

SECTION	TITLE
13.2	APPLICABILITY
13.3.1.A.1; 13.3.1.A.2(A) AND (B); 13.3.1.B	SPECIAL EXCEPTIONS
13.3.2	NO VARIENCES
13.4	SIGNS PROHIBITED IN ALL DISTRICTS
13.7.6	FLAGS (FOR ANY BES SITE)
13.7.8	INCIDENTAL SIGNS (FOR ANY BES SITE)
13.7.11	SIDEWALK SIGNS (FOR ANY ESTABLISHMENT DEVELOPED UNDER THIS CODE)
13.7.13	TRAFFIC CONTROL SIGNS (FOR ANY BES SITE)
13.9.1.H	NEIGHBORHOOD SIGNS

SECTION	TITLE
13.9.2	BANNER SIGN SYSTEMS
13.11	STANDARDS FOR LIGHTED SIGNS
13.12	FLASHING, MOVING AND CHANGEABLE COPY SIGNS
13.15	TEMPORARY SIGNS FOR CONSTRUCTION AND SALE/LEASING
13.16	GENERAL PROVISIONS
13.17	NONCONFORMING SIGNS
15.78.8	SIGNS REQUIRING A COA
15.89	SIGN PERMITS
17.4	CRIMINAL PENALTIES

N-FBC-7a: Neighborhoods Form Based Code Part 2: Administration
Amendment adopted on October 18, 2016:

201. Applicability

Development proposals for properties located within R, RA or C Districts of the Arlington County Zoning Ordinance in the "Columbia Pike Special Neighborhoods Revitalization District" as shown on the General Land Use Plan (GLUP) may develop using this Code. If this Code is used, development proposals shall comply with all provisions of this Code, unless otherwise modified by the County Board in accordance with *Sections 203 and 205*.

A. In areas not identified as CONSERVATION AREAS on the REGULATING PLAN:

1. The Zoning Administrator may approve existing structures to remain as part of an interim condition in a phased development as part of a DEVELOPMENT PROJECT that is otherwise in compliance with all provisions of this Code, if such DEVELOPMENT PROJECT meets all standards in *Section 202.B* below for infill development.
2. In areas not identified as Conservation Areas on the Regulating Plan, existing buildings and additions to existing buildings may be approved by the County Board to remain as part of a DEVELOPMENT PROJECT if they are 1) included in an approved DEVELOPMENT PROJECT that is otherwise in compliance with all provisions of this Code, and 2) AFFORDABLE HOUSING meeting the standards in *Part 902* is provided within the existing buildings.

- B. In areas identified as CONSERVATION AREAS on the REGULATING PLAN, existing structures may be approved by the County Board to remain as part of a DEVELOPMENT PROJECT if they are 1) included in an approved DEVELOPMENT PROJECT that is otherwise in compliance with all provisions of this Code, or 2) preserved through a transfer of density to an approved DEVELOPMENT PROJECT that is otherwise in compliance with all provisions of this Code in another location; and in either case, such existing structures are renovated in compliance with the renovation standards in *Part 7 Conservation Area Standards*.

203. Special Exception Use Permit FBC Applications

The Special Exception Use Permit process will be required for DEVELOPMENT PROJECTS that meet any of the following criteria:

- A. Request for approval of any Special Circumstances set forth in *Section 204*;
- B. Request for approval of any modifications, as set forth in *Section 205*.

- C. Request for approval of CIVIC BUILDINGS on sites designated for those uses on the REGULATING PLAN.
- D. Request for a hotel that includes 7,500 square feet or more of conference room or banquet facility Gross Floor Area (GFA). ^{2a}
- E. Request for approval of a partial infill development as regulated by 201.A.2

206. Application Requirements & Review Processes

B. Preliminary FBC Applications

1. Preliminary Applications shall be submitted for review by the Administrative Review Team for all proposals.
2. When a preliminary application has been determined by the Administrative Review Team to be compliant with the regulations set forth in this Code, except to the extent modifications are being requested through use permit approval:
 - a. The Administrative Review Team will forward the application to the Form Based Code Advisory Working Group (AWG) and schedule a review meeting with the AWG.
 - b. Prior to the AWG meeting, applicants shall provide copies of the application to the Columbia Pike Revitalization Organization (CPRO) and to the civic association(s) in which the subject property is located, and to any immediately adjacent civic association, as specified in FBC Administrative Regulations 4.1.2.
 - c. When an application includes a request for a modification(s) to the REGULATING PLAN requirements, including the placement or alignment of a new street that differs from regulations set forth in *Section 301.C.1* or the addition of a new street not shown on the REGULATING PLAN, a meeting of a committee of the Planning Commission shall occur to review the proposed modification during the preliminary application phase in order to provide comment as to whether the proposed modification is consistent with the purposes and intent of this Code and the goals of the Columbia Pike Neighborhoods Area Plan.
 - d. The AWG will review the proposal and advise the Administrative Review Team as to whether it finds the preliminary application to be in compliance with this Code.
3. When the application has been reviewed by the AWG and when necessary, a committee of the Planning Commission, the applicant may submit a Final Application. The Final Application can be filed at the earlier of the following: a) completion of requirements in Section 206.B.2.a-d, or b) completion of requirements in Section 206.B.2.a-c provided that the review meeting with the AWG, specified in 206.B.2.d, has been scheduled for a date within 15 days of the final application submission.

C. Final FBC Applications

1. By-Right FBC Applications:
 - a. Final By-Right FBC applications will be reviewed administratively for conformance with this Code within thirty (30) days of a Final Application Submission. Upon completion of such review, applicants will be notified in writing by the Zoning Administrator as to whether the submission is in compliance with the Form Based Code.
 - b. At the time of, or prior to filing, applicants shall provide ~~a copy~~ copies of the application to the Columbia Pike Revitalization Organization (CPRO) and to the civic association(s) in which the subject property is located, and to any immediately adjacent civic associations, as specified in FBC Administrative Regulations 4.1.2.

- c. Once an application is approved by the Zoning Administrator, the applicant may apply for construction permits consistent with the approved application. Applications that the Zoning Administrator determines do not comply with the requirements of this Code may be resubmitted for review as a revised application, or may request approval of a use permit, as set forth in AZCO Article § 15.45 of the Arlington County Zoning Ordinance and Section 206.C.2.

2. Special Exception Use Permit FBC Applications:

- a. Applications shall perform property owner notifications as required by the Code of Virginia.
- a. At the time of, or prior to filing, applicants shall provide a copy copies of the application to the Columbia Pike Revitalization Organization (CPRO) and to the civic association(s) in which the subject property is located and to any immediately adjacent civic associations, as specified in FBC Administrative Regulations 4.1.2.
- b. Unless the Zoning Administrator determines that it is in the public interest to accept a later application, a Form Based Code application shall be filed by the Final Deadline for special exception applications set by the Zoning Administrator, and no less than fifty-five (55 days) before the public hearing.
- c. The County Board shall approve the Development Project if it finds that the DEVELOPMENT PROJECT meets the standards of this Code as modified by the County Board in accordance with this Code, and meets the standards set forth in Article AZCO § 15.45.3 of the Arlington County Zoning Ordinance.
- d. In approving a FBC use permit, the County Board may designate such conditions in connection therewith as will, in its opinion, assure that the use will conform to the requirements of this Code and that such DEVELOPMENT PROJECT will continue to do so.

D. Review by Historical Affairs and Landmarks Review Board (HALRB)

DEVELOPMENT PROJECTS within areas designated as CONSERVATION AREAS and areas designated ADJACENT TO CONSERVATION AREAS on the REGULATING PLAN shall be subject to review by the HALRB, as follows:

1. As part of the preliminary application phase, an applicant shall submit its DEVELOPMENT PROJECT to the HALRB for two meetings (or more, if necessary) for review and comment (HALRB and/or DRC meetings in one month shall count as one meeting). The HALRB, and/or its Design Review Committee (DRC), shall review the proposed architectural design to assess whether the application complies with Part 7. Conservation Area Standards of this Code.
2. Upon completion of its preliminary review, the HALRB will provide, in writing, its comments to the applicants stating how the project does or does not comply with Part 7.
3. The applicant shall address the HALRB comments and return to the HALRB for one additional meeting for final review and comment.
4. HALRB shall prepare a written recommendation as to whether the DEVELOPMENT PROJECT complies with Part 7, for consideration by the County Board. The County Board will consider the HALRB recommendation in approving a use permit pursuant to Section 206.C.2.de.

E. Subdivision and Building Permits

1. The applicant shall not pursue development permits until such time that either a Letter of Approval by the Zoning Administrator or a Use Permit approval by the County Board has been obtained.
2. All development shall be consistent with the approved FBC DEVELOPMENT PROJECT.
3. Administratively-approved FBC applications, approved after September 24, 2016, will expire in 3 years from the date of the Zoning Administrator's Letter of Approval unless a Footing to Grade permit has been issued; however, the Zoning Administrator may extend the approval up to 3 years for a total of up to 6 years if he/she finds that the applicant has been actively working in good faith to pursue the Footing to Grade permit.

F. Major and Minor FBC Use Permit Amendments

1. Major FBC Use Permit Amendments: Any modification of the approved use permit which meets one or more of the following criteria is considered a major amendment and will require approval by the County Board:
 - a. Change the principal use of the building in more than five percent of the total floor area of the building;
 - b. Change the overall building height by more than 12 feet;
 - c. Change the gross floor area of the ground story by more than 20 percent of the area of the ground story;
or
 - d. Any change which the Zoning Administrator determines is similar in significance to the above stated changes, including but not limited to, changes to materials, design, or appearance of the building from the original approval.
2. Minor FBC Use Permit Amendments: Any modification of the approved use permit that meets either of the following criteria is considered a minor amendment and will require approval by the County Board:
 - a. Any modification of the approved DEVELOPMENT PROJECT which is not considered a major amendment and which cannot be approved administratively; and
 - b. The subdivision of land involved in an approved DEVELOPMENT PROJECT, except that, if the following criteria are met, such subdivision may be approved as an administrative change by the Zoning Administrator:
 - (i) Uses and building form is consistent with the zoning and approved use permit;
 - (ii) Parking is consistent with the zoning and the approved use permit;
 - (iii) Public improvements are consistent with the zoning and approved use permit; and
 - (iv) Clear evidence exists that all conditions of the approved use permit have been met or are bonded in a manner acceptable to the County Manager.
3. Processes for Major/Minor Amendments:
 - a. When a major or minor use permit amendment is filed, the Zoning Administrator shall notify the applicant, as required in FBC Administrative Regulation 4.1.2, of the scheduled date of the County Board public hearing, which date will be up to 180 days after filing. Public hearings shall be the first regularly scheduled County Board meeting of each month, except the County Board may establish, on its own motion, another County Board meeting for the hearing.
 - b. When either a major or minor use permit amendment is filed, the Administrative Review Team and the FBC AWG shall review the preliminary application consistent with Section 206.B.1-2.
 - c. After the Zoning Administrator has determined that the applicant has met the requirements of Section 206.B.2, the application may be considered at a public hearing by the County Board on no less than 55 days after the AWG review meeting.
4. The County Board shall approve an amendment only if it finds, after a duly advertised hearing, that the DEVELOPMENT PROJECT will not 1) adversely affect the health or safety or persons residing or working in the neighborhood of the proposed use; nor 2) be detrimental to the public welfare or injurious to the property or improvements in the neighborhood; nor 3) be in conflict with the purposes of the master plans of the County.
5. In approving a major or minor FBC use permit amendment, the County Board may designate such conditions in connection therewith as will, in its opinion, assure that the use will conform to the requirements of this Code and that such DEVELOPMENT PROJECT will continue to do so.

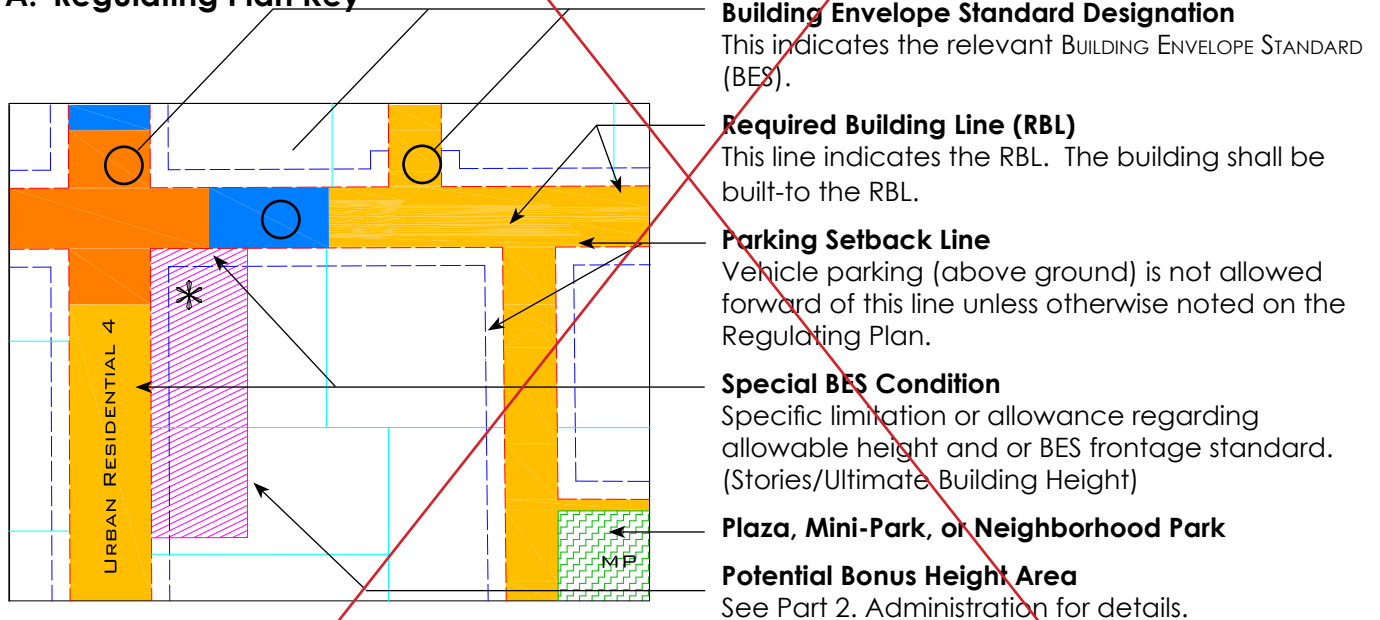
G. FBC Administrative Changes

Any minor adjustment to the approved DEVELOPMENT PROJECT elements listed below, and any other change that the Zoning Administrator determined is similar in significance and complies with the spirit of this Code and the Arlington County Zoning Ordinance, the intent of the County Board or the Zoning Administrator in its approval of the DEVELOPMENT PROJECT, the general purpose of the Comprehensive Plan for the development of the area, may be approved by the Zoning Administrator:
















1. Facade elevations, fenestration, and/or clear heights or story heights to address changes to the interior layout of the building;
2. Ground story finished floor elevations to address conflicts with site topography; or
3. On a limited basis, substitute comparable or better façade materials.

N-FBC-7b: Neighborhoods Form Based Code Part 3: Regulating Plans Amendment adopted on October 18, 2016

A. Regulating Plan Key

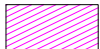
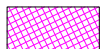




BES Designations and Regulatory Elements

	Urban Mixed Use
	Urban Storefront (See Urban Mixed Use BES)
	Urban Residential
	Townhouse/Small Apartment
	Detached
	District Boundary Line
	Required Building Line (RBL)
	Lot Building Line (LBL)
	Parking Setback Line
	Alternative Street
	Alley (<u>Locations may be adjusted</u>)
	Civic Structure
	Pedestrian Pathway/Bikeway
	Public Open Space
	Preserved Natural Areas

Special Circumstances

Bonus Areas

	Height Max 6 Stories Building Height 92 ft <i>Bonus Height Max up to 2 Add'l Stories</i> <i>Ultimate Building Height 116 ft</i>
	Height Max 6 Stories Building Height 92 ft <i>Bonus Height Max up to 6 Add'l Stories</i> <i>Ultimate Building Height 164 ft</i>
	Height Max 8 Stories Building Height 120 ft <i>Bonus Height Max up to 2 Add'l Stories</i> <i>Ultimate Building Height 144 ft</i>
	Height Max 8 Stories Building Height 120 ft <i>Bonus Height Max up to 6 Add'l Stories</i> <i>Ultimate Building Height 192 ft</i>

Conservation Area

Adjacent to Conservation Area



Additional Special

Circumstances Notes: See map for additional notes for specific areas.

N-FBC-7c: Neighborhoods Form Based Code Part 5: Street-Space Standards, 505. Sidewalk and Landscape Standards
Amendment adopted on October 18, 2016

D. Street-Space Lighting

- A photometric analysis will be submitted as part of the FBC application by the developer. Such analysis will show that, with the spacing of STREETLIGHTS as shown by the developer on the lighting plan, the light levels will fall within recommended levels shown in *Arlington County's 2014 Traffic and Street Lighting Specifications, as amended*, for the street type and location.

B. Façade Composition

1. Intent and Guiding Illustrations

Façade Compositions should create building facades which bring out changes in plane, material texture and detail through the interplay of light and shadow. Façade Compositions should also provide comfort and interest of the pedestrian environment through the provision of human-scaled architectural character and avoid large areas of undifferentiated or blank building facades. The statements in this paragraph and illustrations which follow on the following page are advisory only. Specific prescriptions of this section are provided in the standards below:

2. Requirements and Configurations

- a) Building FACADES shall be designed so that each BLOCK CORNER encompasses a distinct COMPLETE AND DISCRETE VERTICAL FAÇADE COMPOSITION.
- b) 1- The average length of the COMPLETE AND DISCRETE VERTICAL FAÇADE COMPOSITIONS along a FAÇADE on a BLOCK FACE shall have a ratio of no more than 2:1 (AVERAGE BUILDING HEIGHT : FAÇADE COMPOSITION length) be no more than 100 feet and no less than 25 feet for all Urban Mixed-Use and Urban Residential BES frontages, and 120 feet for Townhouse/Small Apartment frontages. DEVELOPMENT PROJECTS with STREET-SPACE frontage of less than 1250 feet on a BLOCK FACE are exempted from the COMPLETE AND DISCRETE VERTICAL FAÇADE COMPOSITION requirement for that BLOCK FACE, provided that the DEVELOPMENT PROJECT does not encompass more than one BLOCK CORNER. Provided, however, that the COMPLETE AND DISCRETE VERTICAL FAÇADE COMPOSITIONS maximum length requirements above do not apply to buildings within ADJACENT TO CONSERVATION AREAS.
- c) Each FAÇADE COMPOSITION shall be separated by an interruption in the building wall along the RBL which meets the following standards:
 - i. Interruptions in FAÇADE COMPOSITIONS shall run the full vertical height of the building from the CLEAR SIDEWALK to the top of the wall plate; and
 - ii. Interruptions in FAÇADE COMPOSITIONS shall span between 3 feet and 8 feet in width (as measured parallel to the RBL) and shall be at least 5 feet in depth (as measured perpendicular to the RBL)
- d) No single FAÇADE COMPOSITION shall encompass more than one BLOCK CORNER.
- e) 2- The average distance between STREET-SPACE entry doors shall be no greater than 60 feet for each FACADE. Provided, however, that each COMPLETE AND DISCRETE VERTICAL FAÇADE COMPOSITION shall include at least one functioning entry door from the STREET-SPACE.
 - i. The County Board may modify the interval between STREET-SPACE entry doors specified in 402.B.2 above for certain uses located on the GROUND STORY. Such uses are identified by a reference to the Form Based Code in the "ACZO and N-FBC Use Standards" column of the Building Use Table provided in Section 901, and subject to the approval of a use permit, as provided in ACZO §15.4. Such modifications may only be allowed where, in addition to meeting the requirements of ACZO §15.4, the County Board finds that the proposed modifications can be retrofitted to meet standard requirements when the

subject use is discontinued and are otherwise consistent with the intent of the Form Based Code⁵

E. Height

1. The height of all buildings is regulated in STORIES, with an ULTIMATE BUILDING HEIGHT measured in feet. The minimum length and height of the FACADE that is required at the RBL is shown on the appropriate BUILDING ENVELOPE STANDARD.
2. An ATTIC STORY is not included in the ULTIMATE BUILDING HEIGHT measurement or in the maximum STORY limit.
- ~~3. Maximum STORY HEIGHTS are used only to determine the ULTIMATE BUILDING HEIGHT. They do not constrain the configuration of individual STORIES. Any individual STORY may exceed the required maximum STORY HEIGHT so long as the ULTIMATE BUILDING HEIGHT is not exceeded, and no individual STORY has less than the required minimum CLEAR HEIGHT.~~
3. Where any part of a parking structure constructed or approved under this Code is located within 30 feet of another building constructed or approved under this Code, that portion of the parking structure shall be no taller than the allowable height for that building's primary roof ridge or parapet height.
- ~~4.~~ 5. A MEZZANINE is internally accessible from, and a continuation of, the GROUND STORY use. Any STORY above the GROUND STORY that does not meet the definition of a MEZZANINE shall be considered a STORY.
- ~~5.~~ 6. The prescribed minimum CLEAR HEIGHT for an individual STORY shall be met by at least 80 percent of that individual STORY area.
- ~~6.~~ 7. The GROUND STORY HEIGHT for URBAN MIXED-USE and URBAN RESIDENTIAL buildings is measured from the average elevation of the fronting CLEAR SIDEWALK to the second STORY floor.
- ~~7.~~ 8. Roof access for amenities is permitted (and do not count against maximum STORY limit or ULTIMATE BUILDING HEIGHT of their BES). Occupiable space for associated amenities, building code requirements or other common area space are permitted within the penthouse enclosure

F. Siting

1. Building FACADES shall be built to the RBLs as prescribed in the BES.
2. Building FACADES shall be built to the RBLs within 30 feet of a BLOCK CORNER, unless otherwise specified in the BES. (See diagram 402.F.2).
3. The GROUND STORY finished floor elevation requirements for each use shall be met for all points within 30 feet of any RBL.
4. A STREET WALL shall be required along any RBL frontage that is not otherwise occupied by a FACADE. FENESTRATION requirements shall apply to STREET WALLS.
5. The RBL incorporates an offset area (or depth) of 30 inches behind and in front of that line (into the BUILDABLE AREA) allowing for jogs, FACADE articulation (detail and composition), etc. unless otherwise designated herein. For Urban Mixed Use and Urban Residential sites, the offset area is 48 inches, for Townhouse/Small Apartment and Detached sites, the offset area is 24 inches. Therefore, where the FACADE

is placed within that ~~30-inch offset~~ zone, it is considered to be “built to” the RBL.

404. Urban Mixed-Use Frontage

SITTING

Facade

On each BES site, the FACADE shall be built to the REQUIRED BUILDING LINE for at least 75% and no more than 90% of the RBL length.

405. Urban Residential Frontage

SITTING

Facade

On each BES SITE the FACADE shall be built to the REQUIRED BUILDING LINE for at least 75% (east of Glebe Road) and 60% (west of Glebe Road) and no more than 90% of the RBL length.

406. Townhouse/Small Apartment Frontage

HEIGHT

Ground Story Height

1. For Townhouses:

- a. On principal arterial streets, the GROUND STORY finished floor elevation shall be either between 3 feet and 8 feet above the average elevation of the fronting CLEAR SIDEWALK, or except the GROUND STORY finished floor elevation may be at grade with a ZERO-STEP ENTRY/EXIT, when (1) - (5) below are provided:
 - i. An entrance from the adjacent CLEAR SIDEWALK to the GROUND STORY shall be provided;
 - ii. The finished floor elevation of the second STORY shall be a maximum of 9.5 feet above the average elevation of the fronting CLEAR SIDEWALK;
 - iii. A main entrance is provided at the second STORY finished floor elevation and a STOOP is provided to that entry;
 - iv. The minimum interior GROUND STORY CLEAR HEIGHT shall be 8 feet; and
 - v. The GROUND STORY BUILDING WALL MATERIALS shall be differentiated from the upper STORIES.
- b. On all other streets, the GROUND STORY finished floor elevation shall be either between 3 feet and 8 feet above the average elevation of the fronting CLEAR SIDEWALK, or be at grade with a ZERO-STEP ENTRY/EXIT.

when (1) - (3) below are provided:

- i. An entrance from the adjacent CLEAR SIDEWALK to the GROUND STORY shall be provided;
- ii. The GROUND STORY BUILDING WALL MATERIALS shall be differentiated from the upper STORIES;
- iii. The DOORYARD shall be distinguished from the CLEAR SIDEWALK by landscaping and a GARDEN WALL 2-3 feet in height.
- c. ~~b.~~ When a TOWNHOUSE has an elevated GROUND STORY or when an ENGLISH BASEMENT is provided, a STOOP at main entrance shall be provided to the GROUND STORY on the FACADE. An additional ZERO-STEP ENTRY/EXIT, to either the GROUND STORY or the ENGLISH BASEMENT shall be provided on either the side or rear of the TOWNHOUSE. The route to that additional entrance may be provided through a garage but the route shall not include steps and shall not have a slope that exceeds 1:12.
- d. ~~e.~~ The minimum interior CLEAR HEIGHT for the GROUND STORY shall be 8 feet 10 inches.
- e. ~~d.~~ The maximum GROUND STORY HEIGHT shall be 12 feet.

N-FBC-8b: Neighborhoods Form Based Code Part 6: Architectural Standards; 601. General Intent Amendment adopted on December 16, 2017

The primary purposes of the Architectural Standards, working in tandem with the Building Envelope Standards, are to: 1) ~~complement and reinforce the~~, enhance, and support a vibrant and safe pedestrian environment and STREET-SPACE through the application of high quality materials and architectural designs and 2) to achieve an aesthetic in the Columbia Pike corridor that is distinct from yet complementary to that of the mixed-use commercial centers. ~~promotes a dsitinct visual identity, is rich in character, creates inviting public spaces, and is strengthened by the diversity and quality of its architecture and public spaces.~~ The General Architectural Standards specify certain details, such as window proportions, roof or cornice configurations, storefronts, overhangs, and building wall materials. The standards are intended to result in construction that is simple and functional, durable and of high quality, including sustainable elements, that will result in long-lasting structures both in durability and design expression that will continue to strengthen the diversity of the Columbia Pike corridor. ~~including sustainable elements, that will result in long-lasting structures both in durability and design expression.~~ A wide range of architectural expressions, from traditional to contemporary, can be ~~achieved~~ used to support this vision. The character of new building facades should complement the materials and general scale of surrounding neighborhood buildings and, through application of these standards, create a cohesive ensemble of buildings within the *Columbia Pike Neighborhoods Special Revitalization District*.

603. Building Wall Materials

A. Intent

The BUILDING WALL MATERIALS standards are intended to achieve simple configurations and solid craftsmanship. The building walls should be developed using construction techniques and structural constraints of time-tested, long-

lasting building materials.

B. General Standards for all Buildings/Building Envelope Standards

1. For buildings three (3) STORIES or more, the GROUND STORY BUILDING WALL MATERIALS shall be different from the materials above or an EXPRESSION LINE shall be provided to differentiate the GROUND STORY from upper STORIES and to reinforce the STREET.
2. When different materials are used on a FACADE, heavier materials shall be used below lighter materials (i.e., darker color brick below lighter colored brick; cast stone below brick; brick below metal panel; brick below

siding).

- ~~3. EIFS (Exterior Insulation and Finishing System), Styrofoam, and all other foam-based products are prohibited.~~
- ~~3. 4. Siding shall be wood or composite material. Where siding, including panels, is not mitered at corners, siding shall incorporate corner boards on the outside building corners to conceal raw edges.~~
- ~~4. 5. Metal or cementitious panels may be used only for as ORNAMENTATION MATERIALS.~~
- ~~6. Vinyl and aluminum siding are prohibited.~~
- ~~5. 7. Brick MASONRY may be painted.~~
- ~~6. 8. All STUCCO surfaces shall have a smooth or sand finish and shall be painted. Prefabricated STUCCO panels and sprayed on STUCCO finishes are prohibited.~~
- ~~7. 9. All exposed MASONRY walls (i.e. STREET WALLS, GARDEN WALLS, other free-standing walls, parapet) shall have a cap to protect the top of the wall from weather.~~
- ~~8. The following building wall materials are prohibited:~~
 - ~~a. EIFS (Exterior Insulation and Finishing System), Styrofoam, and all other foam-based products~~
 - ~~b. Vinyl and aluminum siding~~
 - ~~c. Prefabricated STUCCO panels and sprayed on STUCCO finishes~~

~~C. Standards for Urban Mixed-Use Buildings, Urban Residential Buildings, Small Apartment Buildings, Multi-family, Mixed-Use, and Civic Buildings~~

- ~~1. For multi-family and mixed-use buildings:~~
 - ~~a) Permitted BUILDING WALL MATERIALS are: MASONRY (brick, ground-face block, stone or cast stone), terracotta, ceramic tile, and STUCCO.~~
 - ~~b) Permitted ORNAMENTATION MATERIALS are: metal or cementitious panels or elements, thin/veneer brick panels or tile, and other decorative elements and siding.~~
 - ~~c) Thin/veneer brick panels or tile may only be applied for the uppermost story to address building code constraints~~

D. Standards for Townhouses & Detached Single-Family Houses

- ~~1. For Townhouses, permitted finished building wall materials are: MASONRY, (brick, ground-face block, stone, or cast stone), STUCCO, and siding (of wood or composition board, such as HardiPlank®)~~

~~607. 604. Doors~~

~~608. 605. Windows~~

A. Requirements & Configurations

1. All windows shall be vertically proportioned such that their height is greater than their width, and shall meet the following:
 - a) This proportion shall be measured to include all glass or unenclosed openings, and frame elements with a dimension less than 7 inches between glass or unenclosed openings, as one unit. Windows may include vertical, horizontal or square glass or unenclosed openings.
 - b) Windows may be grouped horizontally, but only if each is separated by a frame element, column, pier, or wall section, with a minimum width of 7 inches between glass or unenclosed openings.
 - c) Where muntins are used to divide panes of glass (either as true-divided lite windows or simulated-divided lite windows), muntins shall be applied to the exterior of the glass to create shadow and dimension.
2. Windows shall correspond to the CLEAR HEIGHT within a building and shall not span across building structure such as floor structural and mechanical thicknesses. Windows on different STORY levels shall be separated by a minimum 18 inch wall or framing element.
3. Permitted window types are: single-, double-, and triple-hung, casement, awning, clerestory, and transom.
4. When used, shutters shall be sized to fit the adjacent window such that the opening would be covered if both shutter leaves were closed. Shutters shall be constructed of wood and shall be mounted with appropriate hinges fastened to window frames and tiebacks fastened to masonry joints so as to appear to be operable.
5. On all upper STORIES, a minimum of 40 percent of window glass area per STORY shall be operable and openable. Buildings that have dwelling units containing more than one wall with windows shall distribute the operable windows amongst the walls so that cross-ventilation is possible (modification as necessary to meet any applicable building code requirements).

605.606. Shopfronts

A. Requirements & Configurations

1. The bottom of all SHOPFRONT window glass shall be between 1 and 3 feet above the adjacent fronting CLEAR SIDEWALK and shall run from the sill to a minimum of 8 feet above the adjacent fronting CLEAR SIDEWALK. BUILDING WALL MATERIAL permitted by Section 603 above shall be used below the SHOPFRONT window glass.
2. SHOPFRONT window glass shall be clear, with light transmission of at least 90 percent (modified as necessary to meet applicable building and energy code requirements). However, SHOPFRONT glass that is located above 8 feet the adjacent fronting CLEAR SIDEWALK or no lower than the top of any door along the SHOPFRONT may be tinted or stained.
3. A minimum of 80 percent of the window surface shall allow a view into the building interior for a depth of at least 15 feet such that window signs or other opaque window glass treatments or applications are minimized. Operable shading devices within the conditioned space are permitted. Provided, however:
 - a. The County Board may modify the requirement specified in 605.A.3. above, for certain uses located on the GROUND STORY. Such uses are identified by a reference to the Form Based Code in the "ACZO and FBC use standards" column of Building Use Table provided in Section 901, and subject to approval of a use permit, as provided in ACZO 15.4. Such modifications may only be allowed where, in addition to meeting the requirements of ACZO §15.4, the County Board finds that the proposed modifications can be retrofitted to meet standard requirements when the subject use is discontinued and are otherwise

consistent with the intent of the Form Based Code.

4. SHOPFRONT doors shall contain at least 60 percent transparent glass. Solid (completely opaque) doors are prohibited.
5. SHOPFRONTS shall be differentiated from the FACADE above by an EXPRESSION LINE.
6. SHOPFRONTS may extend up to 48" beyond the FAÇADE (RBL) into the STREET.

606. 607. Awnings and Canopies

604. 608. Roofs

C. Pitched Roofs

All pitched roofs shall be as follows:

1. Roofs that cover the main body of a building shall have a slope of no less than 4:12 and no more than 10:12. The lower slope of a gambrel roof may have a pitch of up to 24:12.
2. The roofs of PORCHES, STOOPS, CANOPIES, and BALCONIES shall have a slope of no less than 2:12 and no more than 6:12.
3. All roofs, except shed roofs, shall be symmetrically sloped.
4. The end walls of a gable or gambrel roof may extend up above the roof line to form a parapet.
5. Gambrel roofs are permitted only when the roof ridge runs parallel to the front FACADE.
6. Pitched roofs, except those on the FACADE side of the building, may be "cut out" to allow roof access for terraces and mechanical equipment. The cut out area shall be neither within 18 inches of either end of the

individual building nor within 18 inches of the ridge.

7. Roof eaves shall overhang the walls below.

8. Permitted roofing materials for all pitched roofs are: metal, metal shingle, slate, synthetic slate, and composition shingles, provided, however, that corrugated metal roofs are prohibited.

9. Roof eaves shall overhang the walls below.

610. 609. Mechanical Equipment

609. 610. Street Walls, Garden Walls and Privacy Fences

A. Street Walls

1. Permitted materials for STREET WALLS are: brick, stone, cast stone, or other masonry.

2. STREET WALLS may include some openings within the masonry

3. STREET WALLS shall include copings which shall project between 1 and 4 inches from the face of the wall

B. Garden Walls

1. Permitted materials for GARDEN WALLS are: brick, stone, cast stone, or other masonry faced with stucco, iron, steel, or a combination of masonry, iron and steel. GARDEN WALLS may include panels of wood, metal, or dimensional composite material between piers
2. When building walls and GARDEN WALLS are both faced with STUCCO and adjacent to one another, the finish and color shall be identical on both

C. Privacy Fences

1. Permitted materials for fences are: wood, metal, dimensional composite material, and wood/dimensional composite material with masonry piers.
2. Chain link fences are prohibited.

D. Gates

1. Permitted materials for gates are: wood, dimensional composite material, and metal, or combinations thereof.

611. Signs

A. Intent and Guiding Illustrations for Signs

Signs identify residential address, advertise Columbia Pike shops and offices, and provide decoration. The intent of the sign standards for the Columbia Pike Neighborhoods Special Revitalization District is to provide signs that are clear, informative to the public, energy efficient, and durable. Blade type shop signs are encouraged to incorporate creative art, graphics or materials. The sign standards also intend to provide for signs that are not glaring and do not create a distraction or visible pollution. The illustrations and statements in this paragraph are advisory only. Specific

prescriptions of this section are in the standards below.

B. Allowed Signs

DEVELOPMENT PROJECTS may have the following signs, provided they comply with the standards set forth in 611.C below:

1. URBAN MIXED USE and URBAN RESIDENTIAL buildings may have:
 - a. One STREET-SPACE address sign per STREET-SPACE entry door;
 - b. AWNING signs; and
 - c. One building sign.
2. TOWNHOUSES and SMALL APARTMENT buildings may have STREET-SPACE address signs and the signs below:
 - a. One STREET-SPACE address sign per STREET-SPACE entry door;
 - b. AWNING signs;
 - c. One building sign per SMALL APARTMENT BUILDING; and
 - d. One wall sign per STREET-SPACE frontage for each TOWNHOUSE development.
3. DETACHED BUILDINGS may have one STREET-SPACE frontage for each TOWNHOUSE development.
4. COMMERCE, SHOPFRONT and OFFICE spaces, where allowed, may have the following signs in addition to the signs allowed for the designated BES SITE in which they are located:
 - a. AWNING signs;
 - b. One blade type shop sign per GROUND STORY or second STORY tenant per STREET-SPACE elevation;
 - c. One graphic sign per tenant;
 - d. Up to a total of three wall or window signs per tenant; and
 - e. One additional wall or window sign and one additional blade sign for tenants occupying RETAIL or OFFICE spaces with more than one STREET-SPACE frontage.
5. Where there is SHARED PARKING within a structure, the following signs are allowed for the designated BES SITE in which the SHARED PARKING is located:
 - a. One wall sign; and
 - b. One or more blade signs meeting the standards for incidental signs as set forth in 13.7.H of the Arlington County Zoning Ordinance.
6. Existing residential buildings with existing free-standing signs may retain or reface existing signs, or replace existing signs in accordance with Section 13.6 of the Arlington County Zoning Ordinance.

C. Sign Standards

- A. All signs:
 - a. External lighting directed towards signs that are not internally illuminated is permitted. Signs shall not have automatic changeable copy elements unless explicitly permitted below.
- B. AWNINGS/Overhangs:
 - b. Except for wall signs permitted to be attached or affixed to CANOPIES, lettering and/or logos on AWNINGS

and CANOPIES shall be limited to 5 inches tall on the vertically hanging fabric/face at the curb side of the AWNING or CANOPY.

C. Blade Type Shop Signs:-

Blade type shop signs for COMMERCE, SHOPFRONT and OFFICE uses shall meet the following standards:-

- a. Except for blade type building signs permitted as an alternative to the building sign below, blade type shop signs shall be not more than six square feet, shall project from the building no more than 42 inches, and shall be located so that there is a minimum of nine feet clear height above the sidewalk and below the blade type shop sign.
- b. Blade type shop signs may be hung from an overhang, CANOPY, or AWNING.
- c. Blade type shop signs shall not be internally illuminated
- d. Commercial messages on a blade type shop sign may occupy no more than one-half of the square footage within the blade sign.
- e. Blade signs for GROUND and second STORY tenants shall be located below the second STORY.

D. Graphics signs:-

- a. A graphics sign is a sign designed to be read only from a distance of less than three feet away, such as, but not limited to restaurant menus or building directories.
- b. A graphics signs may be displayed in a permanently mounted display box of not more than 3 square feet on the surface of the building adjacent to the entry.
- c. Graphics signs shall not be exposed to the elements.

E. Building sign:

A building sign may be either a: 1) masonry or bronze plaque; 2) wall sign, which may be placed on a CANOPY, or 3) a blade type building sign. Building signs shall meet all requirements set forth in Section 611.C.5.a. through d. below.

- a. A building sign shall be wholly contained within one COMPLETE AND DISCRETE VERTICAL FACADE COMPOSITION.
- b. Wall signs shall be composed of individual letters and may be lighted from behind the individual letters, but shall not be internally illuminated.
- c. Blade type building signs shall project from the building no more than 42 inches, shall have a minimum of nine feet clear height above the sidewalk, and may be internally illuminated.
- d. The standards in the following table apply to all building signs:

SIGN TYPE	NUMBER OF STORIES	PLACEMENT	MAXIMUM SIZE OF SIGN (IN SQUARE FEET)
Masonry or bronze plaque	Any	In the building's plaque/parapet wall or under the eaves and above the STORY windows	8

SIGN TYPE	NUMBER OF STORIES	PLACEMENT	MAXIMUM SIZE OF SIGN (IN SQUARE FEET)		
Wall Sign (may be placed on a CANOPY) or Blade Type Building Sign	No more than 50% of the sign area shall be placed above the top of the STORY identified below		<70 feet of building frontage	70-150 feet of building frontage	>150 feet of building frontage
	2	GROUND	35	35	50
	3-4	2ND			70
	5	3RD			
	6	4TH		50	100
	7	5TH			
	8	6TH			
	9	7TH			
	10-14	8TH			

F. Wall Signs:-

a. Wall signs for COMMERCE, SHOPFRONT and OFFICE spaces shall meet the following standards:-

- Wall signs are permitted either within the area above the GROUND STORY windows and below the second STORY windows, or on the vertical front of or on top of a CANOPY.
- All wall signs shall be placed within a horizontal band not to exceed 2 feet in height. This band shall not be located higher than 18 feet or lower than 12 feet above the adjacent sidewalk, unless placed on the front of or on top of a CANOPY. If placed on top of a CANOPY, the 2-foot band shall not extend more than 2 feet beyond the top of the CANOPY.
- Wall signs shall not come closer than 2 feet to an adjacent COMMON LOT LINE or the boundary of the area permitted to be used by the retail or office tenant. Letters on all wall signs shall exceed neither 18 inches in height or width nor 3 inches in relief. Wall signs shall not exceed 20 feet in length.

b. Wall signs for TOWNHOUSES shall meet the following standards:-

- Wall signs shall not exceed 6 square feet.
- Wall signs are permitted on the FACADE of the GROUND STORY, or may be installed on a GARDEN WALL or STREET WALL.
- Letters on wall signs shall exceed neither 8 inches in height or width nor 2 inches in relief.

c. Wall signs allowed where there is SHARED PARKING within a structure may be placed only in a horizontal band not to exceed 2 feet in height. This band shall be located immediately above the entrance to the

~~SHARED PARKING structure and shall not be higher than 4 feet from the top of the entrance opening.~~

~~G. Window signs:~~

~~a. Window Signs are permitted to be placed or painted within GROUND STORY OFFICE and RETAIL windows and the entire window sign shall fit within a rectangle of 8 square feet.~~

~~b. Window signs shall be allowed automatic changeable copy elements as set forth in 13.12 of the Arlington County Zoning Ordinance.~~

~~A. Signs for multi-family and mixed-use DEVELOPMENT PROJECTS shall be regulated by provisions in~~

~~B. Signs for townhouse DEVELOPMENT PROJECTS shall be regulated by provisions in Article 13.6 of the Arlington County Zoning Ordinance.~~

~~C. Signs for detached and single-family DEVELOPMENT PROJECTS shall be regulated by provisions in Article 13.5 of the Arlington County Zoning Ordinance.~~

~~D. Signs shall be further limited and regulated by the following provisions in Article 13 of the Arlington County Zoning Ordinance, which shall be incorporated as if fully set forth herein:~~

SECTION	TITLE
13.2	APPLICABILITY
13.3.1.A.1; 13.3.1.A.2(A) AND (B); 13.3.1.B	SPECIAL EXCEPTIONS
13.3.2	NO VARIENCES
13.4	SIGNS PROHIBITED IN ALL DISTRICTS
13.7.6	FLAGS (FOR ANY BES SITE)
13.7.8	INCIDENTAL SIGNS (FOR ANY BES SITE)
13.7.11	SIDEWALK SIGNS (FOR ANY ESTABLISHMENT DEVELOPED UNDER THIS CODE)
13.9.1.H	NEIGHBORHOOD SIGNS
13.9.2	SIGN SYSTEMS
13.11	STANDARDS FOR LIGHTED SIGNS
13.12	FLASHING, MOVING AND CHANGEABLE COPY SIGNS
13.15	TEMPORARY SIGNS FOR CONSTRUCTION AND SALE/LEASING
13.16	GENERAL PROVISIONS
13.17	NONCONFORMING SIGNS
15.7.8	SIGNS REQUIRING A COA
15.8	SIGN PERMITS
17.4	CRIMINAL PENALTIES

~~***~~

~~N-FBC-8c: **Neighborhoods Form Based Code Part 10: Definitions; 1001. Defined Terms**
Amendment adopted on December 16, 2017~~

~~***~~

~~The following terms are defined as set forth below for the purpose of the *Columbia Pike Special Neighborhoods Revitalization District Form Based Code*. Terms not defined here, but defined elsewhere in the *Arlington County*~~

Zoning Ordinance, shall have the meanings defined in the *Arlington County Zoning Ordinance*.

Average Building Height. The number, in feet, derived from dividing the overall Façade length by the sum of each Façade Segment's ratio of length to height. For purposes of calculating a Façade Segment's height, the measurement shall be taken from the grade at the midpoint of the Façade Segment's length to the top of the wall plate, excluding any architectural embellishments. Average Building Height for each Façade is calculated as follows and in Illustration a where "FS" represents individual Façade Segments:

Overall Façade Length

(FS 1 Length/FS 1 Height) + (FS 2 Length/FS 2 Height) + (FS 3 Length/FS 3 Height)

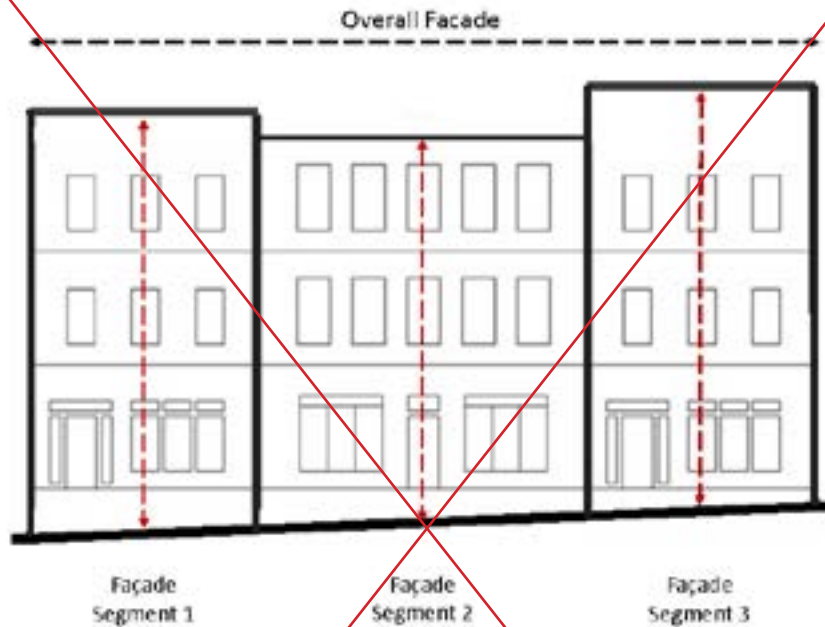


Illustration a

Building Wall Materials. Primary materials cover more than 33 25 percent of the building FACADE excluding FENESTRATION.

Complete and Discrete Vertical Façade Composition. A FACADE COMPOSITION that includes similar and related building elements that are distinct from adjacent FACADE COMPOSITIONS in at least three all of the following ways, in order to break down the apparent scale of a large building into smaller apparent pieces in order to maintain a

'human scale' for the STREET-SPACE:

Different fenestration type (window shape, proportions, and/or grouping) of at least 20 percent in height or width or height:width ratio. (See illustration b.);

Different façade bay composition rhythm/pattern (i.e. "ABA" "ABBA" "BAAB" "ABCBA") (See illustration c.);

Change in wall material, or in the case of masonry, a change in color and/or proportion of masonry units employed;

Change in total fenestration percentage of 12 10 percent or more; and

Change in the height of the cornice or roof line by one story.

Façade Segment. The Each portion of the Façade with a consistent, discrete building height. A Façade with varying heights is composed of multiple Façade Segments. A Façade with no height variation is composed of a single Façade Segment

Grade. The ground level or elevation at the outside of the building on a lot after grading or construction, as shown on a grading plan certified by a licensed surveyor, or where a grading plan is not required, as submitted to the Zoning Office on the accepted elevation drawings. The average GRADE shall be calculated individually along each Façade to establish the GROUND STORY.

Ground Story. The first occupiable level of a building where at least 50 percent of the with its finished floor elevation is at or above grade and within the finished floor elevation parameters established in the designated BES. The next STORY above the GROUND STORY is the SECOND STORY.

Ornamentation Materials. Materials used to provide architectural accent on the FACADE and cover less than 33 25 percent of the FACADE excluding FENESTRATION.

N-FBC-9: Neighborhoods Form Based Code Part 4: Building Envelope Standards; 402. General Standards Amendment adopted on January 25, 2020

D. Neighborhood Manners

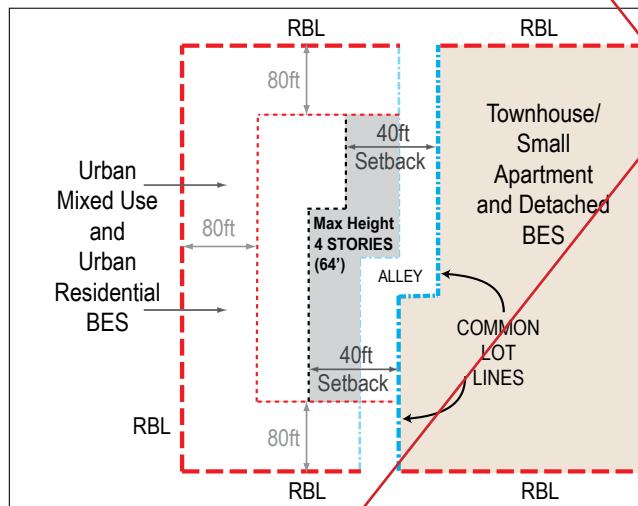
1. For URBAN MIXED USE and URBAN RESIDENTIAL frontages, the following apply to the BES SITE:

- a. Where a BES Site has a common lot line with a Small Apartment Building/Townhouse BES or Detached BES, and where any portion of a structure is more than 80 feet from any RBL and less than 40 feet from any COMMON LOT LINE, that portion of the structure shall have a maximum height of 4 STORIES and an

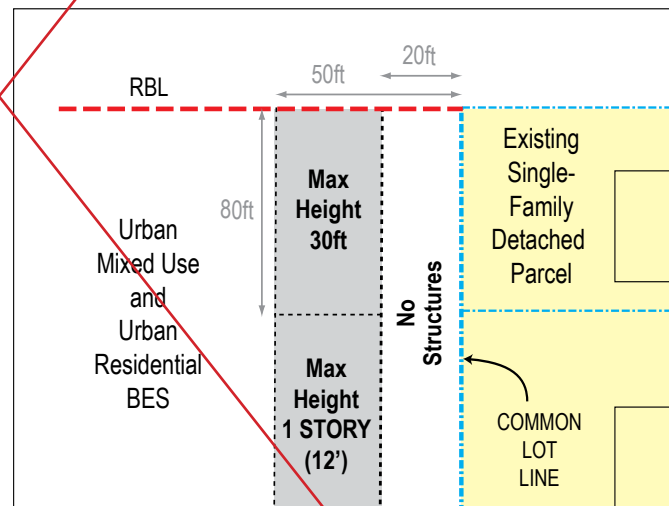
ULTIMATE BUILDING HEIGHT of 64 feet. (See diagram 402.D.1.a.)

b. Where a BES SITE has a COMMON LOT LINE with 1) a lot occupied by one-family detached dwelling in either an R-district or a RA-district occupied by one-family detached dwelling or 2) a vacant lot in either an R-district or a RA-district:

- (i) There shall be a setback of at least 20 feet from the COMMON LOT LINE. (See diagram 402.D.1.b.);
- (ii) Where any portion on of structure is within 50 feet of the COMMON LOT LINE, and within 80 feet of any RBL, that portion on of the structure shall have an ULTIMATE BUILDING HEIGHT of 30 feet. This requirement supersedes any applicable minimum story requirement. (See diagram 402.D.1.b);
- (iii) Where any portion on of a structure is more than 80 feet from any RBL and within 50 feet of the COMMON LOT LINE, that portion on of the structure shall have a maximum height of 1 STORY with an ULTIMATE BUILDING HEIGHT OF 12 feet. (See diagram 402.D.1.b.); and (iv) A GARDEN WALL at least 6 feet in height shall be constructed within one foot of the entire length of the COMMON LOT LINE.
- (iv) A GARDEN WALL at least 6 feet in height shall be constructed within one foot of the entire length of the COMMON LOT LINE. shall be constructed within one foot of the entire length of the COMMON LOT LINE.
- (iv) A GARDEN WALL at least 6 feet in height shall be constructed within one foot of the entire length of the COMMON LOT LINE.



402.D.1.a.



402.D.1.b.

K. Civic Buildings

Publicly-owned CIVIC BUILDINGS are exempt from *Part 6. Architectural Standards* and this *Part 4* except for 402.D. *Neighborhood Manners* and all other regulations applicable to lots either 1) occupied by a one-family detached dwelling in an R-district or in a RA-district occupied by a one-family detached dwelling or 2) vacant lots in either an R-district or a RA-district.

L. Bonus Height

1. Where a property has been identified on the REGULATING PLAN as a BONUS AREA, it is eligible for approval to exceed the maximum STORY limit and ULTIMATE BUILDING HEIGHT identified in the relevant BES in exchange for AFFORDABLE HOUSING or PUBLIC SPACE. (See *Part 2. Administration*).
2. When approved for bonus STORIES, the FACADE above the BES-prescribed maximum STORY limit shall be set back at least 5 feet from the RBL.
3. Individual bonus STORIES have a maximum STORY HEIGHT of 12 feet.
4. Where a property approved for bonus STORIES shares a COMMON LOT LINE with a lot either 1) occupied by a one-family detached dwelling in an R-district or RA-district ~~occupied by a one-family detached dwelling~~ or 2) vacant lot in either an R-district or a RA-district, in addition to the applicable regulations in *D. Neighborhood Manners* above, no part of the building shall exceed the height of a 60 degree plane, measured from grade at the COMMON LOT LINE. (See *diagram 402.L.4.*)

N-FBC-10: Neighborhoods Form Based Code Part 9: Building Use Standards; 902. Affordable Housing Requirements **Amendment adopted on July 18, 2020**

902. Affordable Housing Requirements

This Form Based Code provides for additional density above the underlying zoning as an incentive for property owners to create and preserve AFFORDABLE HOUSING to meet the current and future needs of the Columbia Pike Neighborhoods Special Revitalization District. Where a property owner takes advantage of the additional density permitted under this Code for the purposes of a commercial DEVELOPMENT PROJECT, the affordable housing cash contribution outlined in 902.A shall be provided and applicable requirements outlined in 902.E shall be met. Where a property owner takes advantage of the additional density permitted under this Code for the purposes of residential DEVELOPMENT PROJECT, the following AFFORDABLE HOUSING requirements, outlined in 902.B through F, shall be provided met.

A. Affordable Housing Cash Contribution for Commercial Development Projects

1. For commercial DEVELOPMENT PROJECTS (including Commerce and Retail) equal to or greater than 1.0 Floor Area Ratio (F.A.R.), the proposal shall include a cash contribution to the Affordable Housing Investment Fund calculated using the following tiers:
 - a. \$2.05 per square foot of Gross Floor Area (GFA) for the first 1.0 F.A.R.; and
 - b. \$5.48 per square foot of GFA above 1.0 F.A.R.
2. For mixed-use DEVELOPMENT PROJECTS:
 - a. A cash contribution, as outlined in 902.A.1., shall be provided for the proportionate amount of commercial GFA; and
 - b. On-site AFFORDABLE HOUSING, as outlined in 902.B through F, shall be provided for the proportionate amount of residential units
3. The cash contribution will be indexed to the Consumer Price Index for Housing in the Washington-Arlington-Alexandria, DC-VA-MD-WV, as published by the Bureau of Labor Statistics, and adjusted annually, beginning January 2020. Revised amounts apply only to the applications filed after the adjustment date. Amounts for the calculation of the cash contribution shall be established at the time of a Final Neighborhoods Form Based Code Application filing. A cash contribution for residential DEVELOPMENT PROJECTS will not be accepted.

B. Number of On-Site Affordable Housing Units

Each residential DEVELOPMENT PROJECT ~~proposal~~ shall include on-site AFFORDABLE HOUSING UNITS as set forth below:

1. The specific percent requirement shall be calculated as a fraction multiplied by ten. That fraction is calculated as the total number of proposed units (new construction and existing) over the maximum number of units permitted by the greater of: 1) the existing underlying zoning or 2) the number of units existing on the site on [time of adoption]. Under no circumstances shall the number of AFFORDABLE HOUSING UNITS required by this 902.A.B.1 be less than 20 percent or more than 30 percent of the NET NEW UNITS.
2. If AFFORDABLE HOUSING UNITS are proposed within existing buildings, the percent requirement arrived at through application of 902.A.B.1 above shall be increased by five.
3. New Construction Example: If 500 units are proposed, and 200 units exist today on site, the fraction equals 2.5, and therefore the applicant will be required to provide 25 percent of the 300 NET NEW UNITS as new committed AFFORDABLE HOUSING UNITS (75 units).

Partial Redevelopment Example: If 500 units are proposed, and 200 units exist today on site, and the applicant chooses to place the AFFORDABLE HOUSING UNITS within the existing buildings (rather than demolish and build new), the fraction equals 2.5, or 25 percent of the of the 300 NET NEW UNITS as committed AFFORDABLE HOUSING UNITS. Because the AFFORDABLE HOUSING UNITS are proposed within existing buildings, the percent requirement arrived at through application of 902.A.B.1. above shall be increased by five. Therefore, the applicant will be required to provide 30 percent of the NET NEW UNITS as new committed AFFORDABLE HOUSING UNITS (90 units).

C. Affordability Level & Term

AFFORDABLE HOUSING UNITS shall be committed for a term of no less than 30 years and shall be affordable to households earning up to 60 percent of the Area Median Income (AMI) as set by US Department of Housing and Development (HUD) for the Washington, DC Metropolitan Statistical Area, adjusted for household size, commencing at the time of the execution of the required documents ~~Final FBC application submission~~, except as follows:

1. ~~Projects DEVELOPMENT PROJECTS west of George Mason Drive: An applicant may provide up to 33 percent of the required low and moderate income units AFFORDABLE HOUSING UNITS at affordability levels of 60% percent to 80% percent of the AMI at a rate of two (2) units available at 60% - 80% of the AMI for every one (1) unit required at 60% percent of the AMI.~~
2. ~~Projects DEVELOPMENT PROJECTS east of George Mason Drive: An applicant may provide up to 33 percent of the required low and moderate income units AFFORDABLE HOUSING UNITS at affordability levels of 40% percent of the AMI at a rate of 0.5 units available at 40% percent of the AMI for every one (1) unit required at 60% percent of the AMI.~~
3. By use permit approval, the County Board may adjust the proportions described in 902.B.C.1.a and 902.B.C.2.1.b to allow for larger quantities of units affordable at 60% percent to 80% percent of the AMI or 40% percent of the AMI units, respectively.

D. Unit Mix

One-half of the quantity of required AFFORDABLE HOUSING UNITS within new construction shall have 2 or more bedrooms, of which at least 25 percent of those units have more than two bedrooms.

Where AFFORDABLE HOUSING UNITS are provided in existing buildings, one-half of the quantity of required AFFORDABLE HOUSING UNITS shall have 2 or more bedrooms, of which at least 25 percent have more than two bedrooms. If the requisite number of units with two or more bedrooms are not available within the existing building, and additions to the existing building are not proposed, the applicant may provide the required quantity of

AFFORDABLE HOUSING UNITS as 2 bedroom units.

E. Tenant Relocation Plan

The applicant shall provide information consistent with the Arlington County Tenant Relocation Guidelines including but not limited to tenant profiles, a relocation plan for existing tenants to be displaced with redevelopment, and a description of the relocation assistance proposed (financial and otherwise). The relocation plan shall:

1. Outline strategies the applicant plans to use to mitigate any displacement that may occur as a property is fully or partially redeveloped.
2. Documentation of timely tenant meetings, relocation payment amounts per bedroom size, eligibility criteria, and the proposal of new rents and utilities.

The applicant is responsible for presenting a draft plan to the Arlington Relocation Coordinator for review and approval prior to review with the Tenant Landlord Commission. Upon review and approval from the Tenant Landlord Commission, and during the duration of the relocation process as specified in the approved Tenant Relocation Plan, the applicant is required to meet monthly with the Arlington Relocation Coordinator to review ongoing status, as well as provide monthly statistical and tracking reports.

F. Affordable Housing Unit Location

An applicant may meet the AFFORDABLE HOUSING requirement by providing units either within new construction or within existing buildings that will remain within the development proposal. All units are subject to the Virginia Uniform Statewide Building Code.

AFFORDABLE HOUSING UNITS in existing buildings shall be renovated sufficiently to meet Housing Quality Standards, set by the U.S. Department of Housing and Urban Development (HUD), and the standards set-forth within the Virginia Uniform Statewide Building Code.

903. Additional Incentives for Affordable Housing

- A. The following incentives are provided in order to encourage property owners to create or preserve AFFORDABLE HOUSING units beyond the minimum number of AFFORDABLE HOUSING units required in Section 902.
 1. Reduced parking ratio: If an applicant provides at least 1 percent more AFFORDABLE HOUSING UNITS in excess of the minimum required quantity, the applicant may reduce the minimum parking ratio for all AFFORDABLE HOUSING UNITS within the DEVELOPMENT PROJECT from 1.125 spaces per unit to 0.825 spaces per unit, which includes 0.7 space per unit and 0.125 SHARED space per unit.
 2. Bonus Stories: An applicant may request County Board approval of Bonus Stories as set forth in Part 204.A in exchange for additional AFFORDABLE HOUSING UNITS.
 3. Financial Tools available by the County: Please contact the Department of Community Planning, Housing and Development, Housing Division, for more information.
- B. If AFFORDABLE HOUSING units beyond the minimum are provided, the Housing Plan required by Section 206.A shall indicate that AFFORDABLE HOUSING UNITS beyond the number of units required by Section 902 will be provided, as encouraged by Arlington County, and shall also include:
 1. The number of additional AFFORDABLE HOUSING UNITS.
 2. The proposed unit types for the additional AFFORDABLE HOUSING UNITS.
 3. Affordability levels of the additional AFFORDABLE HOUSING UNITS.

N-FBC-12 (*): Neighborhoods Form Based Code Part 3: Regulating Plans; Western Subarea Amendment adopted November 14, 2020

Refer to Regulating Plan Amendment as shown in Attachment C

(* This N-FBC ZOA Case number was incorrectly assigned at the time of approval, resulting in two Case Numbers assigned as N-FBC-12 (11.14.2020 and 11.13.2021). To remain consistent with County Board Meeting Minutes, this Case No. will remain, with this clarifying note.)

N-FBC-11: Neighborhoods Form Based Code Part 2: Administration; 204. Transfer of Development Rights Amendment adopted on March 20, 2021

D. Transfer of Development Rights

The transfer of development rights is permitted in order to achieve historic preservation, public open space and/or affordable housing within areas designated as CONSERVATION AREAS on the REGULATING PLAN, and for the creation of NEIGHBORHOOD PARKS shown on the REGULATING PLAN. As part of a use permit approval for a DEVELOPMENT PROJECT, the County Board may certify the subject DEVELOPMENT PROJECT as a sending site for transfer of development rights in accordance with the following:

1. In considering the approval of transfer of development rights from a DEVELOPMENT PROJECT in exchange for the dedication of a PUBLIC SPACE within a CONSERVATION AREA or a NEIGHBORHOOD PARK shown on the REGULATING PLAN, subject to such conditions as the County Board may approve, the County Board shall determine that the PUBLIC SPACE will meet the standards consistent with Section 506. The number amount of density eligible for transfer shall be equal to the square footage of the dedicated PUBLIC SPACE within a CONSERVATION AREA or a NEIGHBORHOOD PARK. As part of the certification of density or approval of transfer of development rights, the County Board may require assurances that the PUBLIC SPACE will be preserved.
2. In considering the approval of transfer of development rights from a CONSERVATION AREA, the County Board shall determine that a specified number of units within the CONSERVATION AREA will be renovated consistent with *Part 7 Conservation Area Standards* and preserved as committed AFFORDABLE HOUSING UNITS as set forth in *Section 902*. The amount number of density units eligible for transfer shall be equal to 3 times the specified number of committed AFFORDABLE HOUSING UNITS when a Columbia Pike Neighborhoods FBC DEVELOPMENT PROJECT has been identified as the Receiving Site, or 2 times the specified number of committed AFFORDABLE HOUSING UNITS when a Site Plan proposal for a site elsewhere in the County has been identified as the Receiving Site; provided, however, that the aforementioned multipliers shall sunset on December 31, 2020 for density that has not been certified.
3. Development rights from a sending site may be certified at the time of approval of a Receiving Site. Density may be transferred to either 1) an area designated as a BONUS AREA on the REGULATING PLAN in accordance with *Section 204.A* above; or 2) to another site within the County in accordance with §15.6.7.B of the Zoning Ordinance.

N-FBC-12 (*): Neighborhoods Form Based Code Part 9: Building Use Standards; 901. Building Use Table Amendment adopted on November 13, 2021

(* This N-FBC ZOA Case number was incorrectly assigned at the time of approval, resulting in two Case Numbers assigned as N-FBC-12 (11.14.2020 and 11.13.2021). To remain consistent with County Board Meeting Minutes, this Case No. will remain, with this clarifying note.)

USE CATEGORY	SPECIFIC USE TYPES	PERMITTED (P) or USE PERMIT (U)	AZCO (§) AND N-FBC (SECTION) USE STANDARDS
CIVIC			
Colleges (see § 12.2.4.A)	Colleges and universities	U	Section 605.A.3.a Section 402.B.2.a
Community Service (see § 12.2.4.B)	Community center	U	Section 605.A.3.a Section 402.B.2.a
	Libraries	U	Section 605.A.3.a Section 402.B.3
	Museums and art galleries or studios	U <u>P</u>	Section 605.A.3.a Section 402.B.2.a
Day Care (see § 12.2.4.C)	All day care uses	U	Section 605.A.3.a Section 402.B.2.a
Government Facilities (see § 12.2.4.D)	Bus shelters, bike share stations	U	Section 605.A.3.a Section 402.B.2.a
	Fire or police stations	U	Section 605.A.3.a Section 402.B.2.a
Passenger Terminals and Services (see § 12.2.4.G)	Railroad, trolley, bus, air or boat passenger stations	U	§ 12.4.5
Religious Institutions (see § 12.2.5.H)	Churches, mosques, synagogues, and temples	P	Section 605.A.3.a Section 402.B.2.a
Schools (see § 12.2.5.I)	Schools, elementary, middle and high		§ 12.4.7 Section 605.A.3.a Section 402.B.2.a
Entertainment Indoor (see § 12.2.5.B)	Indoor theater or auditorium	P	
Office (see § 12.2.5.C)	Offices, federal, state and local	U	
GROUND STORY COMMERCE			
Passenger Terminals and Services (see § 12.2.4.G)	Railroad, trolley, bus, air or boat passenger stations	U	§ 12.4.5 Section 605.A.3.a Section 402.B.2.a
Utilities, minor (see § 12.2.4.K)	All major utilities	U	§ 12.4.9 Section 605.A.3.a Section 402.B.2.a
	All minor utilities	P	§ 12.4.10 Section 605.A.3.a Section 402.B.2.a
Food Establishments (see § 12.2.5.A)	<u>Shared commercial kitchens</u>	<u>P</u>	
	Catering establishment, small scale	P	
	All other food establishment uses (see RETAIL)		

USE CATEGORY	SPECIFIC USE TYPES	PERMITTED (P) or USE PERMIT (U)	AZCO (§) AND N-FBC (SECTION) USE STANDARDS
Office (see § 12.2.5.C)	Audio-visual production studio	U	
Retail, personal service (see § 12.2.5.F.2(b))	Animal care facilities, veterinary clinics, and animal hospitals <u>and animal boarding</u>	P	§ 12.5.2
	Banks	P	
	Dry cleaning, drop off stations	P	§ 12.5.6
	Laundromats	P	§ 12.5.13
	Mailing service, including bulk mailing	P	
	Printing, publishing and lithographing	P	
	Private postal service	P	§ 12.5.19
	All other personal service retail uses (see UPPER STORY AND GROUND STORY COMMERCE)		§ 12.5.21
Light Industrial (see § 12.2.6.A)	Sign making shop	P	§ 12.6.9
	Upholstery shop	U	§ 12.5.27
	Carpet and rug cleaning plants	U	
<u>Manufacturing, Artisan Beverage</u>	<u>All Manufacturing, Artisan beverage</u>	<u>P</u>	<u>§ 12.6.6</u>
<u>Manufacturing, Artisan Workshop</u>	<u>All Manufacturing, Artisan workshop</u>	<u>P</u>	<u>§ 12.6.6</u>
Telecommunications Facilities (see § 12.2.6.C)	All telecommunications towers and facilities	U	
UPPER STORY COMMERCE			
Colleges (see § 12.2.4.A)	Trade or commercial school	P	
Offices (see § 12.2.5.C)	Offices or clinics, medical or dental	P	§ 12.5.22
	Offices, business and professional	P	
	College operated as a commercial enterprise	P	
Retail, Personal Service (see 12.2.5.F.2(b))	All personal service retail uses (see UPPER STORY AND GROUND STORY COMMERCE)		§ 12.5.21
Light Industrial (see § 12.2.6.A)	Medical or dental laboratories	P	
UPPER STORY AND GROUND STORY COMMERCE			
Religious Institutions (see § 12.2.4.H)			
Overnight Accommodations (see § 12.2.5.D)	Hotel	P	§ 12.5.11
	All other overnight accommodation uses		

USE CATEGORY	SPECIFIC USE TYPES	PERMITTED (P) or USE PERMIT (U)	AZCO (§) AND N-FBC (SECTION) USE STANDARDS
Offices	<u>Offices or clinics, medical or dental</u>	P	§12.5.22
	<u>Offices, business and professional</u>	P	
	<u>Offices, federal, state and local</u>	U P	
	<u>Audio-visual production studio</u>	U P	
	<u>College operated as a commercial enterprise</u>	P	
Parking, Commercial (see § 12.2.5.E)	Public parking area or public parking garage when located and developed as required in the Form Based Code	P	
Recreation, Indoor (see § 12.2.5.B)	Skating rink	P	
	Tennis, racquet or handball courts	U	
	Swimming pool	P	
Recreation, Outdoor (see § 12.2.5.B)	Skating rink	P	
	Tennis, racquet or handball courts	U	
Retail, Sales (see § 12.2.5.F.2(a))	Interior decorating stores	P	
Retail, Personal Service (see § 12.2.5.F.2(a))	All retail, personal service uses	P	§ 12.5.21
Retail, Repair (see § 12.2.5.F.2(c))	All repair retail uses	P	
<u>Agriculture</u>	<u>Hydroponics, horticulture, floriculture, and/or aquaculture</u>	P	§12.7.2
	<u>All other agriculture uses</u>		
Accessory Uses	Swimming pools, private	P - A	§ 12.9.16

N-FBC-13: Neighborhoods Form Based Code Part 9: Building Use Standards; 901. Building Use Table
Amendment adopted on October 15, 2022

USE CATEGORY	SPECIFIC USE TYPES	PERMITTED (P) or USE PERMIT (U)	AZCO (§) AND N-FBC (SECTION) USE STANDARDS
RETAIL			
Retail, Sales (see § 12.2.5.G.2(a))	Grocery stores	P	§ 12.5.10 § 12.5.22
	Kiosks	U	§ 12.5.12
	Nursery, flower or plant stores	P	§ 12.5.16 § 12.5.22
	Open air markets	U	§ 12.5.18
	Florist or gift shops	P	§ 12.5.8 § 12.5.22
	<u>Micro-fulfillment centers</u>	<u>P</u>	<u>§ 12.5.14</u>
	All other retail sales uses	P	§ 12.5.22
	Drugstores	P	§ 12.5.5 § 12.5.22

N-FBC-14a: Neighborhoods Form Based Code Part 3: Regulating Plans
Amendment adopted on December 17, 2022
Refer to Regulating Plan Amendment as shown in Attachment C

N-FBC-14b: Neighborhoods Form Based Code Part 7: Conservation Area Standards; 701. Introduction
Amendment adopted on December 17, 2022

701. Introduction

This section outlines standards for the Conservation Areas and Adjacent to Conservation Areas in the Columbia Pike Neighborhoods Special Revitalization District. Specifically, this section sets forth criteria that provide incentives to property owners to protect and preserve the character historic fabric and features of, and the affordability of housing within, these important areas when renovation or development changes are proposed.

The purpose of these Conservation Area Standards is to protect against destruction of or encroachment upon historic areas and to promote the preservation of affordable housing by allowing for more or different types of development when a property owner preserves historic features and traditional design. The primary goals of these standards are appropriateness and compatibility with traditional architecture. These standards outline measures to ensure that these neighborhoods remain visible reminders of the history and cultural heritage of the Columbia Pike corridor, as well as the broader Arlington community.

The Conservation Area Standards are not intended to dictate design solutions or inhibit creativity, rather to simply define the range of appropriate responses and establish a framework so that future development does not detract from the character of Conservation Areas. These standards establish the degree to which renovations, as well as new construction, within and adjacent to Conservation Areas (as shown on the Regulating Plan) may occur and how such design is respectful of existing architecture and the character of the setting, the period of construction and

the overall architectural style. Components of the architectural style are conveyed through a building's decorative embellishments. The Conservation Area Standards herein address the architectural aesthetics and include standards to ensure compatibility and appropriateness in the context of Columbia Pike's historic resources. Ultimately, they provide a measure of architectural compatibility as the basis for determining appropriateness.

Given that the Conservation Areas are eligible for listing in the National Register of Historic Places, the US Secretary of the Interior's Standards for Historic Rehabilitation provide the basis for which the standards in this section were developed. Highlights of the Secretary's Standards as they relate to the Columbia Pike Conservation Areas are shown here as guiding principles in order to illustrate the basis for the requirements herein:

- A. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
- B. Each property shall be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings shall not be undertaken.
- C. Most properties change over time. Those changes that have acquired historic significance in their own right shall be retained and preserved.
- D. Distinctive features, finishes and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
- E. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical or pictorial evidence.
- F. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
- G. New additions, exterior alterations or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale and architectural features to protect the historic integrity of the property and its environment.
- H. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.



Barcroft Apartments



Fillmore Gardens

Historic Significance

Arlington County's early garden apartment developments served as a national prototype and currently represent some of the very best remaining examples of original "planned communities" in the United States. Portions of the following complexes are designated as Conservation and/or Adjacent to Conservation Areas:

- the Barcroft Apartments (constructed in phases between 1939 and 1953) and the
- Fillmore Gardens apartments (constructed from 1942 to 1948), and the
- Haven Apartments (constructed from 1948 to 1949) properties on which they are located.

These Conservation Area Standards are intended to allow new development that will neither encroach upon nor destroy these historic garden apartments and communities, and to provide design standards that maintain a sense of historic character for each property and reflect and complement the traditional materials and techniques of mid-century garden apartments.

702. Applicability

The Conservation Standards apply to property designated as "Conservation Areas" and "Adjacent to Conservation Areas" on the Regulating Plan. These standards apply to existing buildings within, or new construction immediately adjacent to, areas identified to contain significant historic fabric and features that help to define the character of the Columbia Pike corridor. Therefore, when a property owner chooses to take advantage of the rights available under this Code, that property owner must comply with these standards for preservation of these areas. These "Conservation Areas" and "Adjacent to Conservation Areas" areas are specifically subject to all requirements of the Code, however, in the case of a conflict, the Conservation Area Standards herein supersede those requirements. To the extent that an architectural issue is not specifically addressed in this chapter, the Part 6. General Architectural Standards shall govern.

Specifically, Conservation Areas are to be preserved through a mechanism such as an historic preservation easement granted to the County Board of Arlington County or a qualified preservation organization (such as the Northern Virginia Conservation Trust or National Trust for Historic Preservation). Historic preservation easements are permanent, recorded in the land records of Arlington County, and bind both current and future owners. The easements are to protect the historic resource and its exterior character-defining details of the property in perpetuity and therefore may prohibit an owner from demolishing the historic building(s) and limit changes or alterations to the property that are inconsistent with the historic character of the property. Proposed alterations to the property may be permissible under certain circumstances but may require prior approval from the easement holding organization which commonly places restrictions on subdividing and developing the property. For properties that are designated as a Conservation Area and are protected by a recorded historic preservation easement, which may have more stringent requirements than the standards found in this Part 7, the requirements of the easement shall supersede requirements of this Code.

A. General Standards

These criteria articulate the general requirements for development within Conservation Areas and Adjacent to Conservation Areas as designated on the Regulating Plan.

B. Renovation

These criteria apply to the treatment of existing buildings identified within Conservation Areas on the Regulating Plan. The Renovation standards shall be applied to alterations to existing buildings.

C. New Construction

These criteria apply to the development of new buildings in areas designated as “Adjacent to Conservation Areas” on the Regulating Plan and to alterations to existing building, including additions, within areas designated as Conservation Areas on the Regulating Plan.

Each section provides the intent and design context. The purpose of the design context statements is to articulate and guide the interpretation of certain provisions, but are not regulatory. In cases where a specific architectural component or condition is not addressed in the Conservation Area Standards, the HALRB, and ultimately the County Board, will evaluate the proposal in the context of the applicable Guiding Principle, Intent or Design Context.

D. Role of the Historical Affairs and Landmark Review Board

The County’s Historical Affairs and Landmark Review Board (HALRB) shall review all DEVELOPMENT PROJECTS within areas identified as Conservation Areas and Adjacent to Conservation Areas on the Regulating Plan. The HALRB shall review proposals in accordance with Part 206.D and shall forward a written recommendation to the County Board as to whether or not the DEVELOPMENT PROJECT complies with the standards in this Part 7.

E. Voluntary Compliance

While the standards outlined in this chapter are applicable to Conservation Areas and Adjacent to Conservation Areas, the County recognizes that there may be other properties where an applicant chooses to partially preserve existing buildings and/or partially redevelop the property. In some instances, concentrations of multi-family buildings along Columbia Pike also date from the years bracketing World War II and stand as important reminders of the County’s cultural and architectural heritage. Though not required by the Code, voluntary compliance with the Conservation Standards is encouraged. In these circumstances, a review by HALRB may be requested, but is not required. The County shall be notified if an applicant proposes to follow these Conservation Area Standards.

N-FBC-15: Neighborhoods Form Based Code Part 9: Building Use Standards; 901. Building Use Table
Amendment adopted on January 21, 2023

USE CATEGORY	SPECIFIC USE TYPES	PERMITTED (P) or USE PERMIT (U)	AZCO (§) AND N-FBC (SECTION) USE STANDARDS
CIVIC			
Colleges (see § 12.2.4.A)	Colleges and universities	U	Section 605.A.3.a Section 402.B.2.a
Community Service (see § 12.2.4.B)	Community center	U	Section 605.A.3.a Section 402.B.2.a
	Libraries	U	Section 605.A.3.a Section 402.B.3
	Museums and art galleries or studios	U <u>P</u>	Section 605.A.3.a Section 402.B.2.a
Day Care (see § 12.2.4.C)	All day care uses	U	Section 605.A.3.a Section 402.B.2.a
Government Facilities (see § 12.2.4.D)	Bus shelters; bike share stations	U	Section 605.A.3.a Section 402.B.2.a
	Fire or police stations	U	Section 605.A.3.a Section 402.B.2.a
Passenger Terminals and Services (see § 12.2.4.G)	Railroad, trolley, bus, air or boat passenger stations	U	§ 12.4.5
Religious Institutions (see § 12.2.5.H)	Churches, mosques, synagogues, and temples	P	Section 605.A.3.a Section 402.B.2.a
Schools (see § 12.2.5.I)	Schools, elementary, middle and high		§ 12.4.7 Section 605.A.3.a Section 402.B.2.a
Entertainment Indoor (see § 12.2.5.B)	Indoor theater or auditorium	P	
GROUND STORY COMMERCE			
Passenger Terminals and Services (see § 12.2.4.G)	Railroad, trolley, bus, air or boat passenger stations	U	§ 12.4.5 Section 605.A.3.a Section 402.B.2.a
Utilities, minor (see § 12.2.4.K)	All major utilities	U	§ 12.4.9 Section 605.A.3.a Section 402.B.2.a
	All minor utilities	P	§ 12.4.10 Section 605.A.3.a Section 402.B.2.a
Food Establishments (see § 12.2.5.A)	Shared commercial kitchens	P	
	Catering establishment, small scale	P	
	All other food establishment uses (see RETAIL)		

USE CATEGORY	SPECIFIC USE TYPES	PERMITTED (P) or USE PERMIT (U)	AZCO (§) AND N-FBC (SECTION) USE STANDARDS
Retail, personal service (see § 12.2.5.F.2(b))	Animal care facilities, veterinary clinics, and animal hospitals and animal boarding	P	§ 12.5.2
	Banks	P	
	Dry cleaning, drop off stations	P	§ 12.5.6
	Laundromats	P	§ 12.5.13
	Mailing service, including bulk mailing	P	
	Printing, publishing and lithographing	P	
	Private postal service	P	§ 12.5.19
	All other personal service retail uses (see UPPER STORY AND GROUND STORY COMMERCE)		§ 12.5.21
Light Industrial (see § 12.2.6.A)	Sign making shop	P	§ 12.6.9
	Upholstery shop	U	§ 12.5.27
	Carpet and rug cleaning plants	U	
Manufacturing, Artisan Beverage	All Manufacturing, Artisan beverage	P	§ 12.6.6
Manufacturing, Artisan Workshop	All Manufacturing, Artisan workshop	P	§ 12.6.6
Telecommunications Facilities (see § 12.2.6.C)	All telecommunications towers and facilities	U	
UPPER STORY COMMERCE			
Colleges (see § 12.2.4.A)	Trade or commercial school	P	
Retail, Personal Service (see 12.2.5.F.2(b))	All personal service retail uses (see UPPER STORY AND GROUND STORY COMMERCE)		§ 12.5.21
Light Industrial (see § 12.2.6.A)	Medical or dental laboratories	P	
UPPER STORY AND GROUND STORY COMMERCE			
Religious Institutions (see § 12.2.4.H)			
Overnight Accommodations (see § 12.2.5.D)	Hotel	P	§ 12.5.11
	All other overnight accommodation uses		

USE CATEGORY	SPECIFIC USE TYPES	PERMITTED (P) or USE PERMIT (U)	AZCO (§) AND N-FBC (SECTION) USE STANDARDS
Offices (see § 12.2.5.C)	Offices or clinics, medical or dental	P	§12.5.22
	Offices, business and professional	P	
	Offices, federal, state and local	P	
	Audio-visual production studio	P	
	College operated as a commercial enterprise	P	
	<u>Urban agriculture</u>	<u>P</u>	<u>§12.5.33</u>
	<u>Urban colleges and universities</u>	<u>P</u>	
Parking, Commercial (see § 12.2.5.E)	Public parking area or public parking garage when located and developed as required in the Form Based Code	P	
Recreation, Indoor (see § 12.2.5.B)	Skating rink	P	
	Tennis, racquet or handball courts	U	
	Swimming pool	P	
Recreation, Outdoor (see § 12.2.5.B)	Skating rink	P	
	Tennis, racquet or handball courts	U	
Retail, Sales (see § 12.2.5.F.2(a))	Interior decorating stores	P	
Retail, Personal Service (see § 12.2.5.F.2(a))	All retail, personal service uses	P	§ 12.5.21
Retail, Repair (see § 12.2.5.F.2(c))	All repair retail uses	P	
Agriculture	Hydroponics, horticulture, floriculture, and/or aquaculture	P	§12.7.2
	All other agriculture uses		
Accessory Uses	Swimming pools, private	P - A	§ 12.9.16
RETAIL			
Food Establishments (see § 12.2.5.B)	<u>Artisan beverage</u>	<u>P</u>	<u>§ 12.5.32</u>
	Restaurants, limited	P	§ 12.5.24
	Food delivery services	U	
	Restaurants, general	P	§ 12.5.23
Recreation, Indoor (see § 12.2.5.F)	Billiard or pool halls	U	
	Bowling alleys	U	

USE CATEGORY	SPECIFIC USE TYPES	PERMITTED (P) or USE PERMIT (U)	AZCO (§) AND N-FBC (SECTION) USE STANDARDS
Retail, Sales (see § 12.2.5.G.2(a))	Grocery stores	P	§ 12.5.10 § 12.5.22
	Kiosks	U	§ 12.5.12
	Nursery, flower or plant stores	P	§ 12.5.16 § 12.5.22
	Open-air markets	U	§ 12.5.18
	Florist or gift shops	P	§ 12.5.8 § 12.5.22
	Micro-fulfillment centers	P	§ 12.5.14 <u>30</u>
	All other retail sales uses	P	§ 12.5.22
	Drugstores	P	§ 12.5.5 § 12.5.22
	<u>Urban agriculture</u>	<u>P</u>	<u>§ 12.5.33</u>
Retail, Personal Service (see § 12.2.5.F.2(b))	<u>Artisan workshop</u>	<u>P</u>	<u>§ 12.5.31</u>
	All personal service retail uses	P	§ 12.5.19
Accessory Uses	Live Entertainment	U	§ 12.9.12
	Outdoor Cafe associated with a restaurant on public right-of-way or easement for public use	U	§ 12.5.14

N-FBC-16: Neighborhoods Form Based Code Part 9: Building Use Standards; 901. Building Use Table Amendment adopted on April 22, 2023

USE CATEGORY	SPECIFIC USE TYPES	PERMITTED (P) or USE PERMIT (U)	AZCO (§) AND N-FBC (SECTION) USE STANDARDS
UPPER STORY AND GROUND STORY COMMERCE			
Recreation, Indoor (see § 12.2.5.B)	Skating rink	P	
	Tennis, racquet or handball courts	U	
	Swimming pool, commercial	P	
	All other indoor recreation	P	
RETAIL			
Recreation, Indoor (see § 12.2.5.F)	Billiard or pool halls	U	
	Bowling alleys	U	

N-FBC-17: Neighborhoods Form Based Code Part 9: Building Use Standards; 901. Building Use Table Amendment adopted on May 13, 2023

UPPER STORY COMMERCE			
Light Industrial	Medical or dental laboratories	P	
UPPER STORY AND GROUND STORY COMMERCE			
Offices	Offices or clinics, medical or dental	P	§ 12.5.22
	Audio-visual production and broadcast studio	P	
	Research and development, flex	P	

N-FBC-18: Neighborhoods Form Based Code Part 9: Building Use Standards; 901. Building Use Table; Amendment adopted on June 10, 2023

UPPER STORY COMMERCE			
Light Industrial	Medical or dental laboratories	P	
UPPER STORY AND GROUND STORY COMMERCE			
Food Establishments (see §12.2.5.B)	Shared commercial kitchens	P	§ 12.5.34
	Shared commercial kitchens, limited	U	§ 12.5.34
	Shared commercial kitchens, open air	U	§ 12.5.34
	Food catering establishment, small scale	P	
	All other food establishments		
RETAIL			
Food Establishments (see § 12.2.5.B)	Restaurant, limited	P	§ 12.5.23
	Food delivery service	UP	
	Restaurant, general	P	§ 12.5.22

N-FBC-19: Neighborhoods Form Based Code Part 9: Building Use Standards; 901. Building Use Table Amendment adopted on September 23, 2023

RESIDENTIAL			
Household Living (see §12.2.3.A)	One-family detached	P	
	Two-family detached	P	
	Townhouse	P	
	Multi-family	P	
	Independent living facilities	U	§ 12.3.12
Group Living (see § 12.2.3.B)	Assisted living facilities	U	§ 12.3.12
	Boarding houses and rooming houses	U	
	Continuing care retirement communities	U	§ 12.3.12
	Dormitories	U	§ 12.3.3
	Fraternities and sororities	U	§ 12.3.5
	Group Homes	U	§ 12.3.6
	Membership Clubs	U	§ 12.5.13
	Nursing homes	U	§ 12.3.12

**N-FBC-20a: Neighborhoods Form Based Code Part 8: General Standards; 802. General Standards
Amendment adopted on February 24, 2024**

A. All Development Projects shall meet the following requirements:

1. A minimum of 1.125 parking spaces per residential dwelling unit, of which a minimum of 0.125 parking space per residential unit shall be provided for visitors or as SHARED PARKING, except for elder care uses as regulated below.

2. A minimum of 0.4 space per bedroom of any assisted living facilities, independent living facilities, or continuing care retirement communities shall be provided as SHARED PARKING.

3. A minimum of 0.4 space per bed within a nursing home shall be provided as SHARED PARKING.

~~24.~~ A minimum of 1 space per 1,000 square feet of non-residential Gross Floor Area (GFA) shall be provided as SHARED PARKING, except for hotel uses as regulated below.

~~35.~~ A minimum of 0.5 space per hotel guest room shall be provided as reserved parking. Any hotel that includes 7,500 square feet or more of conference room or banquet facility GFA, shall provide additional parking at a rate of 1 space per 1,000 square feet of all conference room/banquet facility GFA.

~~46.~~ There are no maximum limits on SHARED PARKING.

~~57.~~ New on-street parking spaces created in conjunction with the development, which did not previously exist, may be counted toward the minimum requirement for SHARED PARKING. Any limitations (such as time limits or hours of the day) on the SHARED PARKING (time shall be subject to approval by the Zoning Administrator which shall be given upon a finding that at least 12 hours of public parking are provided in any 24-hour period and that at least 8 of those hours are provided during either business or nighttime hours depending on whether the Zoning Administrator determines that the primary public use will be for commercial or residential uses, respectively.

~~68.~~ A maximum of 1 space per 1,000 square feet of non-residential GFA or two spaces per residential dwelling unit may be made available for RESERVED PARKING.

~~79.~~ RESERVED PARKING above the maximum may be provided upon payment to the County. The County Manager shall establish the amount of payment annually based on the approximate cost to build structured parking.

~~810.~~ Parking spaces for visitors shall be located in a clearly marked and designated common area available to all visitors, except for any parking spaces that may be provided as new on-street SHARED PARKING spaces.

~~911.~~ SHARED PARKING shall be designated by appropriate signage and markings as required by County policy.

~~1012.~~ Parking requirements may be met either on-site or within the parking zone in which the development is located.

~~1113.~~ In lieu of minimum parking requirements, the County may accept a one-time payment per each space of Shared Parking. The County Manager shall establish the amount of payment annually based on the approximate cost to build structured parking.

B. Bicycle Parking:

1. For office uses, the developer shall provide a minimum of 1 employee bicycle parking space per 6,000 square feet of GFA and 1 visitor/customer bicycle parking space per 20,000 square feet of GFA.
2. For residential uses, the developer shall provide a minimum of 1 tenant bicycle parking space per 2.5 dwelling units and 1 visitor bicycle parking space per 50 dwelling units, except for elder care uses as regulated below.
3. For elder care uses (independent living facilities, assisted living facilities, continuing care retirement communities, and nursing homes) the developer shall provide a minimum of 1 employee bicycle parking space per 10 beds or portion thereof, and 1 visitor space per 50 beds, or portion thereof.
34. For retail uses, the developer shall provide a minimum of 1 employee bicycle parking space per 25,000 square feet of GFA and 1 visitor/customer bicycle parking space per 5,000 square feet of GFA for the first 50,000 square feet of retail GFA; and 1 additional visitor/customer space per each additional 12,500 square feet of retail GFA, or portion thereof.
45. For hotel uses, the developer shall provide a minimum of 1 employee bicycle parking space per 10 guest rooms or portion thereof, and 1 visitor space per 50 guest rooms, or portion thereof.
56. All office, residential and hotel visitor bicycle parking shall meet the standards for Class III or Class II bicycle parking as defined in the Arlington County Master Transportation Plan's Bicycle Element (July 2008) Bicycle Parking Standards Guide (2022) and as may be subsequently amended. Where tenant and employee bicycle parking cannot be accommodated within structured parking located on site, the design of the independent bicycle parking facility, also to be located on site, shall be screened from view of pedestrians along a Street-Space and constructed using the same materials or materials appearing to be the same as those used on the primary building(s). The bicycle parking facilities shall not encroach on any area in the public right of way intended for use by pedestrians, nor shall they encroach on any required fire egress.
67. Bicycle parking within the Street-Space (as defined in Part 5, Urban Space Standards, Section 504.F.) may be counted toward the Class III minimum customer/visitor bicycle parking requirement.

N-FBC-20b: Neighborhoods Form Based Code Part 9 Affordable Housing Requirements; 902. Affordable Housing Requirements
Amendment adopted on February 24, 2024

This Form Based Code provides for additional density above the underlying zoning as an incentive for property owners to create and preserve Affordable Housing to meet the current and future needs of the Columbia Pike Neighborhoods Special Revitalization District. Where a property owner takes advantage of the additional density permitted under this Code for the purposes of a commercial, elder care, or mixed-use DEVELOPMENT PROJECT, the affordable housing cash contribution outlined in 902.A shall be provided and applicable requirements outlined in 902.E shall be met, except as allowed below. Where a property owner takes advantage of the additional density permitted under this Code for the purposes of residential DEVELOPMENT PROJECT, the Affordable Housing requirements outlined in 902.B through F, shall be met, except that for elder care use (independent living facilities, assisted living facilities, continuing care retirement communities, and nursing homes) DEVELOPMENT PROJECTS, the proposal may provide a cash contribution in lieu of on-site AFFORDABLE HOUSING UNITS as set forth in 902.A.

A. Affordable Housing Cash Contribution for Commercial Development Projects

1. For commercial DEVELOPMENT PROJECTS (including Commerce, Civic, and Retail) equal to or greater than 1.0 Floor Area Ratio (F.A.R.), the proposal shall include a cash contribution to the Affordable Housing Investment Fund

calculated using the following tiers:

\$2.05 per square foot of Gross Floor Area (GFA) for the first 1.0 F.A.R.; and

\$5.48 per square foot of GFA above 1.0 F.A.R.

2. For elder care (independent living facilities, assisted living facilities, continuing care retirement communities, and nursing homes) DEVELOPMENT PROJECTS equal to or greater than 1.0 Floor Area Ratio (F.A.R.), the proposal shall, unless provisions of 902.B below are selected, include a cash contribution to the Affordable Housing Investment Fund (in lieu of on-site AFFORDABLE HOUSING UNITS) calculated using the following tiers:

a. \$2.05 per square foot of Gross Floor Area (GFA) for the first 1.0 F.A.R.; and

b. \$5.48 per square foot of GFA above 1.0 F.A.R.

23. For mixed-use DEVELOPMENT PROJECTS:

a. A cash contribution, as outlined in 902.A.1. and 902.A.2, shall be provided for the proportionate amount of commercial or elder care GFA; and

b. On-site AFFORDABLE HOUSING, as outlined in 902.B through F, shall be provided for the proportionate amount of residential units

34. The cash contribution will be indexed to the Consumer Price Index for Housing in the Washington-Arlington-Alexandria, DC-VA-MD-WV, as published by the Bureau of Labor Statistics, and adjusted annually, beginning January 2020. Revised amounts apply only to the applications filed after the adjustment date. Amounts for the calculation of the cash contribution shall be established at the time of a Final Neighborhoods Form Based Code Application filing. A cash contribution for residential DEVELOPMENT PROJECTS will not be accepted, except as allowed for elder care uses as described above.

B. Number of On-Site Affordable Housing Units

Each residential DEVELOPMENT PROJECT shall include on-site Affordable Housing UNITS as set forth below, except that for elder care uses (independent living facilities, assisted living facilities, continuing care retirement communities, and nursing homes) the proposal may provide a cash contribution in lieu of on-site AFFORDABLE HOUSING UNITS as set forth in 902.A:

1. The specific percent requirement shall be calculated as a fraction multiplied by ten. That fraction is calculated as the total number of proposed units (new construction and existing) over the maximum number (new construction and existing) over the maximum number of units permitted by the greater of: 1) the existing underlying zoning or 2) the number of units existing on the site on [time of adoption]. Under no circumstances shall the number of AFFORDABLE HOUSING UNITS required by this 902.B.1 be less than 20 percent or more than 30 percent of the NET NEW UNITS.

* * *

N-FBC-21a: Neighborhoods Form Based Code Contents Amendment adopted on February 24, 2024 (effective May 1, 2024)

(Note: Attachment B Administrative Regulations listed below was removed administratively with May 1, 2024 version update. Subsequent Attachments were renumbered accordingly).

* * *

ATTACHMENTS.....	ATT.1
A. Article 11.2. "CPN-FBC" - Columbia Pike Neighborhoods Form Based Code District	ATT.2
B. Administrative Regulations	ATT.3
C. Green Building Standards Additional Prerequisites	ATT.3
D. Neighborhoods Form Based Code Amendments (Regulating Plan)	ATT. 36

N-FBC-21b: Neighborhoods Form Based Code 403 Green Building Standards; 403. Green Building Standards Amendment adopted on February 24, 2024 (effective May 1, 2024)

- A. All Urban Mixed Use and Urban Residential BES Sites shall achieve a minimum of LEED (Leadership in Energy and Environmental Design) ~~Silver~~ Gold Certification, Earthcraft Gold Certification, or an equivalent in stringency green building certification ~~except as allowed below~~. In addition to achieving one of the above certification levels, the DEVELOPMENT PROJECT shall also achieve ENERGY STAR™ Certification, at least one of the Energy Optimization metrics, and all of the Additional Prerequisites listed in Table 4.1 and further outlined in Attachment C.
- B. All Small Apartment, Townhouse, and Detached BES Sites, ~~and for Development projects earning Virginia Housing Development Authority (VHDA) affordable housing tax credits~~, shall achieve a minimum of LEED Certification, Earthcraft ~~e~~Certification (with the Energy Star certification compliance path), or equivalent in stringency green building certification. ~~Green Home Choice is permitted for Detached and Townhouse BES Sites. In addition to achieving one of the above certification levels, the DEVELOPMENT PROJECT shall also achieve ENERGY STAR™ Certification.~~
- C. All proposals that include major* renovation of existing units in either Conservation Areas as shown on the REGULATING PLAN, or in other existing buildings proposed to remain, shall achieve a minimum of ~~Earthcraft certification or LEED e~~Certification, Earthcraft Certification, or an equivalent in stringency green building certification. In addition to achieving one of the above certification levels, the DEVELOPMENT PROJECT shall also achieve ENERGY STAR™ Certification. (Note: *Major renovation as defined by Earthcraft to determine eligibility for certification).

Table 4.1: Green Building Standards: Energy Optimization and Additional Prerequisites

Energy Optimization (Choose 1):
<u>At least 14% performance improvement for LEED version 4.1 EA credit Optimize Energy Performance</u>
<u>At least 24% performance improvement for LEED version 4 EA credit Optimize Energy Performance/Annual Energy Use</u>
<u>HERS index of 60 or lower if pursuing LEED version 4.1 Multifamily EA credit Optimize Energy</u>
<u>Performance Option 3 HERS index rating</u>
<u>HERS index of 60 or lower if pursuing Earthcraft Multifamily certification</u>
Additional Prerequisites (Achieve All):
<u>ENERGY STAR™ Appliances and Fixtures</u>
<u>WaterSense Plumbing Fixtures</u>
<u>Refrigerant Leakage</u>
<u>Equity, Diversity, and Inclusion Program</u>
<u>Energy Benchmarking</u>
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N-FBC-21c: Neighborhoods Form Based Code Attachments
Amendment adopted on February 24, 2024 (effective May 1, 2024)

Attachment B. Green Building Standards Additional Prerequisites

ENERGY STAR™ Appliances and Fixtures

ENERGY STAR™ label for all clothes washers, dryers, refrigerators, dishwashers, and at least 90% LED or ENERGY STAR™ labeled light fixtures installed in residential and hotel units.

WaterSense Plumbing Fixtures

WaterSense label for all toilets, bathroom faucets, and showerheads installed in residential and hotel units.

Refrigerant Leakage

In addition to the energy code requirements for commissioning activities, the Commissioning Agent shall oversee the on-site refrigerant charging process and verify the following:

- Collect as-built refrigerant piping line length calculations (as-designed lengths will not be accepted)
- Collect and review the detailed refrigerant pipe pressure and vacuum testing reports that have been based on the as-built calculations for completeness and accuracy
- Collect the charge confirmation documentation

Equity, Diversity, and Inclusion Program

At least one member of the development team shall be employed by an organization with a racial and ethnic diversity, equity, and inclusion program within its management operations. Specifically, the firm's program shall include:

- Staff training plan that reflects the firm's understanding of structural racism and its intersection with the building industry.
- Professional development opportunities and data-driven policies used to identify and invest in staff diversity among leadership levels.
- Strategies in place to ensure racial and ethnic inclusion at all levels of the organization, including the Board of Directors level. Document compliance with a written description of how the firm implements and institutionalizes diversity through policy, management philosophy, and training. Describe how the firm, on a day-to-day basis, fosters a work environment that is inclusive and conducive to diverse staff. Include copies of personnel and other

relevant policies, training provided to staff, description of the general management philosophy as it relates to diversity.

Energy Benchmarking

Permanently install energy meters or monitoring devices and software service capable of tracking and remote download of at least monthly electric and gas consumption for the entire building. Utility billing data may be used as an alternative if the owner receives energy utility bills for all energy uses in the building directly from the utility. After occupancy, provide utility reporting data through ENERGY STAR™ Portfolio Manager each year for 10 years.

Air Sealing of Ventilation Supply and Exhaust

To ensure fresh air is delivered as intended to all occupied spaces in the building, seal all central vertical and horizontal supply ductwork with aerosolized duct sealant. All code requirements for joints, sealants, and connections must be met. For commercial and multifamily buildings, meet the criteria for central ventilation exhaust testing and performance as required by ENERGY STAR™ Multifamily High-Rise certification.

Electric Vehicle Charging Infrastructure

Exceed the criteria that would earn the project points for LEED version 4.1 credit Electric Vehicles option 1- Electric Vehicle Charging and option 2 - Electric Vehicle Charging Infrastructure, with electric vehicle charging stations for at least 5% of parking spaces and electric vehicle infrastructure for at least 10% of parking spaces.

Human Interaction with Nature (Biophilia)

Provide a narrative describing how the project enhances existing and/or creates new natural spaces for occupants and the public to interact with nature and creates habitat for people, plants and wildlife. Components to be evaluated include (but are not limited to):

- Enhance connections between humans and nature at the ground level and as part of the building
 - Provide opportunities to interact with nature at the ground level
 - Provide opportunities to interact with nature as part of the building (indoor gardens, green walls, atria, balconies, roof amenity space, etc.)
 - Enhance views of nature and green spaces
 - Provide access to water, where possible
 - Provide views of the sky
 - Create access to nature sounds
 - Create linkages to existing natural resources and adjoining open space (physical or visual connections)
- Create or expand natural habitats
 - Plant native trees and plants (including pollinator gardens, butterfly gardens, bird nesting areas, meadows, etc.)
 - Show that the Project meets or exceeds tree canopy requirements stipulated in the applicable sector plan
- Use natural forms and materials in design and construction
- Provide energy and environmental conservation co-benefits
 - Renewable energy (solar) access
 - Shading of outdoor space
 - Mitigate heat island o Reduced stormwater runoff (minimize impervious area)
 - Minimized air quality impacts (indoor – low VOC materials, minimize natural gas combustion; and outdoor – bike parking, EV charging)

Bird-Friendly Materials

A bird friendly material is defined as a building material or assembly that has, or has been treated to have a maximum threat factor of 30 in accordance with the American Bird Conservancy Bird Collision Deterrence Material Threat Factor Reference Standard, or with the American Bird Conservancy Birdfriendly Materials Evaluation Program at Carnegie Museum's Avian Research Center test protocol, or with a relevant ASTM standard.

The exterior wall envelope, and any associated openings, shall be constructed with bird friendly materials between 8 feet and 36 feet above grade. Alternatively, the exterior wall envelope between 8 feet and 36 feet above grade, and any associated openings, shall on a weighted average be constructed to achieve a maximum total building Bird Collision Threat Rating (BCTR) of 15 or less according to the methodology of LEED credit Bird Collision Deterrence. Materials other than bird friendly materials shall not exceed an aggregate of 10 square feet within any 10 feet by 10 feet square area of exterior wall between 8 and 36 feet above grade.

Renewable Energy

- i. Provide on-site solar generation (or other acceptable forms of renewable energy) equal to at least 2.0 watts per square foot of the roof area (including mechanical area) -or
- ii. Co-locate an integrated vegetated roof and solar whereby vegetated roof meets Virginia DEQ BMP standards and is equal to at least 12% of the roof area (including mechanical area-and- on-site solar generation (or other acceptable forms of renewable energy) is equal to at least 1.5 watts per square foot of the roof area (including mechanical area) -or
- iii. Procure off-site solar ((or other acceptable forms of renewable energy) to meet the criteria that would earn the project at least one point for renewable energy procurement of Tier 2 renewable energy as outlined in LEED version 4.1 Energy and Atmosphere credit Renewable Energy.
- iv. Alternative Compliance Path for Developments without sufficient solar exposure - Developments without sufficient solar exposure due to shading by surrounding development shall contribute to the Green Building Fund in the amount of \$4/s.f. roof area (including mechanical equipment). Insufficient solar exposure is defined as having a Total Solar Resource Fraction (TSRF) or equivalent solar industry metric of less than 80% for square footage of roof area needed to accommodate the minimum required solar PV array. A request to qualify for the alternative compliance path must include a report prepared by a qualified solar professional that documents insufficient TSRF.

Light Pollution Reduction

At least 90% of exterior fixtures, excluding streetlights required by the County, shall meet the following specifications and have motion sensor controls, integrative photovoltaic cells, photosensors or astronomic time-clock operation.

Note, Dark Sky-approved "Friendly Fixture" certification automatically meets the following specifications.

- Luminaires shall be fully shielded emitting no light above 90 degrees (with the exclusion of incidental light reflecting from fixture housing, mounts, and pole). The luminaire's mounting hardware shall not permit mounting in any configuration other than those maintaining full shielding.
- Fixture shall have no sag or drop lenses, side light panels, up-light panels.
- Fixture shall employ warm-toned (3000K and lower) white light sources or may employ amber light sources or filtered LED light sources. Note: Exterior emergency lighting and lighting required by code for health and safety purposes are exempt shall be permitted to be exempted.

