



ARLINGTON COUNTY, VIRGINIA

ZOA-2023-02

**(Expanded Housing Option Development/
Missing Middle Housing Study)**

Adopted March 22, 2023

Effective July 1, 2023

At the County Board carryover meeting on March 22, 2023, on a motion duly made by County Board Chair Christian Dorsey and seconded by County Board Member Katie Cristol, the Arlington County Board unanimously adopted the following ordinance to amend, reenact, and recodify the Arlington County Zoning Ordinance (ACZO) Articles 3, 10, 12, 13, 14, 15, 16, and 18, to establish regulations for Expanded Housing Option Development for properties zoned R-20, R-10, R-8, R-6, or R-5, with an effective date of July 1, 2023.

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

New subsection §10.4 is shown with underline only, rather than bold underline, because all of the text is new.

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

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Article 3. Density and Dimensional Standards

§3.2. Bulk, Coverage and Placement Requirements

§3.2.6. Placement

The following regulations shall govern the placement on a lot of any building or structure, or addition thereto, hereafter erected, except as may be allowed by site plan approval or as otherwise specifically provided in this Zoning Ordinance:

A. Setbacks (required yards)

1. Setbacks from any street

No structure shall be located closer to the centerline of any street or officially designated street right-of-way (as defined in this zoning ordinance) than 50 percent of the height of the building. For the purpose of determining setbacks, a limited access highway shall be considered as an abutting lot and not as a street or street right-of-way. Structures shall be set back from streets no less than as follows:

(a) ...

(e) For all one- and two-family dwellings, all expanded housing option development subject to §10.4, and their accessory structures

No structure shall be located less than 25 feet from any street right-of-way line, except that the distance between any street or officially designated street right-of-way line and the front wall of a structure, with the exception of stoops and covered or uncovered but unenclosed porches, may be reduced as follows:

- (1) The distance shall be at least the average of the distances between the street right-of-way line, and the edges of the front walls of existing structures located on the frontage where the structure is proposed to be located, subject to approval by the Zoning Administrator, of a plat showing all existing structures located on the subject frontage;
- (2) The distance shall be at least 15 feet, provided, however, that no parking garage shall be located closer than 18 feet from the street right-of-way line; and
- (3) No structure located within 25 feet of a street right-of-way line shall exceed 2 ½ stories.

2. Side and rear yards

No structure shall be located closer to side or rear lot lines than as follows:

(a) ...

(b) For all one-family dwellings, all expanded housing option development subject to §10.4, and their accessory structures

10 feet, provided that one side yard may be reduced to eight feet. The aggregate width of both side yards on any lot shall not be less than 30 percent of the required width of the lot, provided that on interior lots no structure shall be located closer than 25 feet from a rear lot line.

(c) ...

(g) **Side yards for expanded housing option development**

For the purpose of side yard regulations, a group of semidetached or townhouse dwellings, subject to §10.4, shall be considered as one building occupying one lot.

Article 10. Unified, Cluster, and Housing Option Developments

§10.1 Unified Residential Developments

§10.1.3. Minimum requirements

Any unified residential development shall comply with the zoning requirements applicable to the site and the following requirements, unless the County Board, after it finds that such modifications will better accomplish the purposes and intent of §10.1.1, modifies some of those requirements by use permit, as permitted in §10.1.5:

A. Density

The maximum number of dwelling units shall be determined by the County Board, depending on the design and configuration of the development, up to a maximum number arrived at by dividing the site area, together with the area of any part of the site to be dedicated for public right-of-way, by the required minimum lot area of the district applicable to the site, **as specified in Article 5.**

§10.3 Residential Cluster Development

§10.3.5. Density

The maximum number of dwelling units shall be determined by the County Board, depending on the design and configuration of the development, up to a maximum number arrived at by dividing the site area, together with the area of any parts of the site that have been dedicated for public right-of-way, by the required minimum lot area of the district applicable to the site, **as specified in Article 5.**

§10.4. Expanded Housing Option Development

§10.4.1. Purpose

The purposes of this §10.4 are to:

- A.** Promote the creation of housing options suitable for meeting the current and future needs of Arlington;
- B.** Provide opportunities to increase housing supply and the range of housing options, at variety of price levels and sizes, available throughout Arlington;
- C.** Support environmental goals by encouraging more compact housing options, tree conservation and planting, options for reduced on-site parking requirements, and housing that can make use of existing infrastructure; and
- D.** Preserve and enhance valued neighborhood features, including walkability, opportunities for connections to nature, and a low-rise pattern of development.

§10.4.2. Applicability

Expanded housing option development is allowed within the R-20, R-10, R-8, R-6, and R-5 districts, subject to the issuance of a permit by the zoning administrator, and subject to the provisions of this subsection.

A. Exception

Properties located entirely or partially within a planning district as identified on the General Land Use Plan Map are not eligible for expanded housing option development.

§10.4.3. Uses

Expanded housing option development shall include the following uses:

- A.** Duplexes
- B.** Semidetached
- C.** Townhouses (maximum of 3 units)
- D.** Multiple-family (maximum of 6 units)

§10.4.4. Density and dimensional standards

A. By-right

By-right development in accordance with §10.4 shall comply with the following standards, except as otherwise expressly allowed or stated in this ordinance.

<u>Type of Standard</u>	<u>R-20</u>	<u>R-10</u>	<u>R-8</u>	<u>R-6</u>	<u>R-5</u>
<u>Site area, minimum (sq. ft.)</u>					
<u>2 - 4 dwellings</u>	<u>20,000</u>	<u>10,000</u>	<u>8,000</u>	<u>6,000</u>	<u>5,000</u>
<u>5 - 6 dwellings</u>	<u>20,000</u>	<u>10,000</u>	<u>8,000</u>	<u>6,000</u>	<u>6,000</u>
<u>Site area, maximum (sq. ft.)</u>	<u>43,560</u>				
<u>Lot width, minimum (feet)</u>					
<u>Duplexes or multiple-family</u>	<u>100</u>	<u>80</u>	<u>70</u>	<u>60</u>	<u>50</u>
<u>Semi-detached</u>	<u>24</u>	<u>24</u>	<u>24</u>	<u>24</u>	<u>24</u>
<u>Townhouses</u>	<u>16</u>	<u>16</u>	<u>16</u>	<u>16</u>	<u>16</u>

Type of Standard	R-20	R-10	R-8	R-6	R-5
Height, maximum (feet)			35		
Main building gross floor area, maximum (sq. ft.)					
Duplexes			4,800		
Semidetached			5,000		
Townhouses			7,500		
Multiple-Family:					
3 units			6,000		
4 units			7,200		
5-6 units			8,000		

1. Semidetached dwelling and townhouse lots may be subdivided into individual dwelling lots of no less than 1,300 square feet each, provided that the deed of dedication shall commit sufficient common land to satisfy the total site area requirements, per §10.4.4.A. The deed of dedication shall provide to each lot the right to use the common land for:

- (a) Parking, when not located on individual dwelling lots;
- (b) The right to use land dedicated to other common uses; and
- (c) For easements for access to public streets and other common area.

2. Nonconforming Lots

- (a) Nonconforming lots that were recorded under one ownership at the time of the adoption of this ordinance, as set forth in §16.1.1, may be occupied by expanded housing option uses with up to 4 dwelling units.
- (b) Nonconforming lots that were recorded under one ownership at the time of the adoption of this ordinance, as set forth in §16.1.1, may be occupied by expanded housing option uses with 5 to 6 dwelling units, subject to the following minimum site area requirements: 7,000 square feet for 5 or 6 units.

B. Special exception

1. The purpose and intent of special exception approvals of expanded housing option development on larger sites is to:

- (a) Promote flexible, sustainable design that is in harmony with surrounding neighborhoods by coordinating building forms, the bulk, scale and placement of new buildings, and the relationship between buildings and structures within the development and surrounding properties;
- (b) Support the goals of the Master Transportation Plan, Community Energy Plan, Stormwater Master Plan, and/or the Affordable Housing Master Plan; and
- (c) Preserve natural land forms and significant trees and foliage.

2. Development with more than one main building including expanded housing option uses on any lot with an area of one acre or greater on July 1, 2023, require use permit approval as provided in §15.4. All expanded housing option development allowed by use permit shall comply with the following standards and all other by-right standards of §10.4, except as otherwise approved by the County Board.

Type of Standard	R-20	R-10	R-8	R-6	R-5
Site area, minimum (sq. ft.)	43,560				
Lot area, minimum (sq. ft.)					
Duplexes or multiple-family	20,000	10,000	8,000	6,000	5,000
Semi-detached or townhouses	1,300	1,300	1,300	1,300	1,300
Lot width, minimum (feet)					
Duplexes or multiple-family	100	80	70	60	50
Semi-detached	24	24	24	24	24
Townhouses	16	16	16	16	16
Height, maximum (feet)	35				

C. Bulk, coverage, and placement

1. Maximum lot coverage shall be as follows:

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

2. Maximum main building footprint shall be as follows:

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

(a) Maximum main building footprint coverage on undersized lots in a zoning district shall be the same square footage as permitted on a standard sized lot (e.g., 6,000 square feet in R-6) in the zoning district, subject to all applicable setback requirements.

(b) There shall be no more than one main building within a development's site area.

(1) §10.4.C.1.b shall not apply to expanded housing option development approved by special exception as set forth in §10.4.B.

(c) For the purposes of coverage regulations, a group of semidetached or townhouse dwellings shall be considered a single main building and maximum coverage requirements shall be calculated using the entire site area, rather than individual lots within a subdivision.

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

§10.4.5. Use standards

A. Accessory Uses

For sites which have established expanded housing option development in accordance with §10.4, accessory uses shall be permitted as specified in §5.1.4.

B. Accessory dwellings

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

§10.4.6. Site development standards

The site development standards of Article 13 and Article 14 apply to all development, except as otherwise specified below.

A. Parking

1. Parking for expanded housing option development subject to the provisions of §10.4 shall be provided in accordance with the following standards:

<u>Site Location</u>	<u>Minimum Parking Requirement (spaces)</u>	<u>Additional Requirements</u>
<u>Sites located entirely within a 3/4 mile radius of a Metrorail station entrance</u>	0.5 per dwelling unit	<u>Sites fronting on a cul-de-sac shall provide a minimum of 1 space per dwelling unit.</u>
<u>Sites located entirely within a 1/2 mile radius of a transit stop along the Premium Transit Network, as indicated on the Master Transportation Plan</u>		
<u>All other sites</u>	<u>1 space per dwelling unit</u>	

2. The Zoning Administrator shall approve a reduction in the required number of parking spaces to no fewer than 0.5 spaces per dwelling unit, subject to the following:
 - (a) A parking survey determines that the occupancy of on-street parking spaces on the block on which the site area is located is less than 65%;
 - (b) The number of reduced spaces, if added to the on-street parking spaces occupied in the parking survey, shall not result in parking occupancy that exceeds 85%; and
 - (c) Exception: Sites fronting on a cul-de-sac are not eligible for a parking reduction under the provisions of §10.4.6.A.2.
3. Exception: If an expanded housing option development would result in a loss of on-street parking spaces equal to or greater than the number of required off-street parking spaces, due to the creation or expansion of a curb cut, no off-street parking spaces shall be required.

4. Additional parking standards and exceptions for expanded housing option development are set forth in §14.3.3.

B. Location of parking spaces

1. Sites zoned R-5, R-6 or R-8

Up to two surface parking spaces shall be allowed between a building's street-facing façade and the street. For corner lots, up to four surface parking spaces shall be allowed between a building's street-facing façade and the streets on which the site has frontage, with no more than two spaces on a single street frontage.

2. Sites zoned R-10 or R-20

Up to three surface parking spaces shall be allowed between a building's street-facing façade and the street. For corner lots, up to four surface parking spaces shall be allowed between a building's street-facing façade and the streets on which the site has frontage, with no more than three spaces on a single street frontage.

3. Alley access

If a lot abuts an alley improved to county standards, vehicle access to parking spaces shall be provided from the alley, and parking spaces shall not be allowed between a building's street-facing façade and the street.

4. Enclosure

Any parking spaces that are located within the main building footprint and face a street or side yard shall be enclosed within a garage.

5. Curb cuts

Curb cuts shall not exceed 17 feet in width measured at the edge of the street easement or right-of-way.

C. Garage wall width

1. If an attached garage entrance faces a street, the width of the garage wall facing the street, measured as the horizontal distance between the interior side walls of the garage, shall be no more than 50% of the building façade along that street. If there are multiple attached garages within a building, this standard shall apply to the sum of all garage walls with entrances facing a street. For the purposes of this calculation, a group of semidetached or townhouse dwellings shall be considered a single building.

D. Building entrances and orientation

1. Duplex and multiple-family dwellings

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

2. Semidetached and townhouse dwellings

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

E. Upper story stairs

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

F. Landscaping

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

G. Screening

- 1. Heating, air conditioning units and other similar equipment shall be screened from view of street rights-of-way by fences, walls, or landscaping. Equipment mounted on a roof shall be sited in a location that is not visible from street rights-of-way. This provision shall not apply to equipment related to the generation of solar energy.**
- 2. Exterior trash collection and storage areas shall be screened from view of street rights-of-way and adjacent properties by fences, walls, landscaping, or other structures.**

§10.4.7. Annual Limit on Permits

A. Sites zoned R-5

No more than 7 expanded housing option developments shall be permitted in any one calendar year for sites zoned R-5.

B. Sites zoned R-6

No more than 30 expanded housing option developments shall be permitted in any one calendar year for sites zoned R-6.

C. Sites zoned R-8, R-10, or R-20

No more than 21 expanded housing option developments shall be permitted in any one calendar year for sites zoned R-8, R-10, or R-20, combined.

D. Expiration

The provisions of §10.4.7 that set forth annual limits on permits shall expire on June 30, 2028.

Article 12. Use Standards

§12.3 Residential Use Standards

§12.3.11. Two-family (duplexes and semidetached) abutting RA, C or M districts or located on a principal or minor arterial street

- A. Two-family dwellings (semidetached and duplex dwellings), on sites that share a lot line with RA, C, or M districts, shall be located no more than 100 feet from the shared lot line, or on sites that are located on principal or minor arterial streets as designated on the Arlington County Master Transportation Plan provided that the dwellings front on the principal or minor arterial street, exception corner lots where no more than one unit may front on the local street.
- B. **§12.3.11.A shall not apply to two-family dwellings permitted under the provisions of §10.4.**

§12.9. Accessory Use Standards

§12.9.2. Accessory dwellings

Accessory dwellings are allowed in R districts, subject to issuance of a permit by the zoning administrator and subject to the following:

A. Standards

1. Accessory dwellings may be within or attached to one-family dwellings, ~~or~~ in detached accessory buildings on lots containing one-family dwellings, **or within or attached to semidetached or townhouse dwellings permitted under the provisions of §10.4,** subject to the following limitations:
 - (a) An accessory dwelling shall not be permitted on a lot with a family/caregiver suite.
 - (b) Not more than one accessory dwelling shall be permitted on a lot.

Article 13. Signs

§13.5 Signs in R Districts and for One- and Two-Family Dwellings in All Districts

§13.5.1. General

A. Signs allowed

The sign types listed and described in this §13.5 are allowed on private property in ~~one-family~~ R districts ~~(excluding R-C districts)~~, **for expanded housing option development subject to the provisions of §10.4**, and for one- and two-family uses in all districts, subject to all permit requirements, standards and conditions set forth for each sign type.

§13.6. Signs in RA Districts and for Townhouses in any Zoning District

§13.6.1. General

A. Signs allowed

The sign types listed and described in this §13.6 are allowed on private property in the RA14-26, RA8-18, RA7-16, and RA6-15 districts, and on townhouse properties in all districts **(excluding expanded housing option development subject to §10.4)** subject to all permit requirements, standards and conditions set forth for each sign type.

Article 14. Site Development Standards

§14.3 Parking and Loading

§14.3.3. General requirements

The requirements set forth in this article with respect to the location or improvement of parking, standing and loading space shall apply to all such space that is provided for any use, whether said space is provided in accordance with the requirements of this zoning ordinance, or said space is voluntarily provided. Parking, standing and loading space shall comply with the following regulations:

A. ...

C. Dimensional requirements

1. Off-street parking spaces and off-street parking aisles

In calculating any required parking area, ~~other than for one- and two-family dwellings,~~ the following minimum dimensions shall be required:

Parking Angle (degrees)	Stall Width (feet)	Depth of Stalls Perpendicular to Aisle (feet)	One-way Aisle Width (feet)	Two-way Aisle Width (feet)
Full Size Automobile Spaces				
45	8.5	17.5	12.0	Not permitted
60	8.5	19.5	16.0	Not permitted
90	8.5	18.0	23.0	23.0
Parallel	22.0	8.0	12.0	23.0
Compact Car Spaces				
45	8	16.0	12.0	Not permitted
60	8	16.7	15.0	Not permitted
90	8	15.0	21.0	21.0
Parallel	20.0	8.0	10.0	20.0

NOTE: In the event of a row of nine foot wide stalls is opposite to a row of seven and one-half-foot wide stalls, the aisle size required for nine-foot stalls shall apply.

2. Exception

One- and two-family dwellings and expanded housing option development subject to §10.4 shall not be subject to the aisle width requirements set forth in §14.3.3.C.1.

3. ...

D. ...

E. Parking in setbacks

In all R, RA, C-1 and C-1-O districts, except for one- and two-family dwellings and townhouses in R districts **and expanded housing option development subject to §10.4,** no parking or required curb or wall shall encroach on the exterior 10 feet of a setback area and such area shall be landscaped and properly maintained at all times.

F. ...

H. Access to parking spaces

1. Except for one- and two-family dwellings and townhouses in R districts **and expanded housing option development subject to §10.4**, street rights-of-way shall not be used for maneuvering or direct ingress, or egress to off-street parking spaces.
2. Alleys which are improved to county standards may be used for maneuvering or direct ingress and egress to off-street parking spaces if the required aisle width is provided.

I. Location of parking spaces

1. In any districts, parking spaces for one- and two-family dwellings, ~~and~~ townhouses, **and expanded housing option development subject to §10.4** may encroach on the exterior 10 feet of a setback area, provided that they are located on a driveway with an existing or approved curb cut, and they have the minimum dimensions for full size automobile spaces as are required in §14.3.3.C. Parking spaces shall be designed and used so that the automobiles parked on driveways shall not encroach into the public rights-of-way. The setback area used for parking shall be landscaped and properly maintained at all times. The ground surface of the parking space shall be paved with a durable, dust-free and hard material, such as bituminous hot mix or Portland cement concrete or some comparable material, or shall be surfaced with an alternate material, suitable for passage by automobiles, which does not result in excessively dusty or muddy conditions at or around the parking area, as approved by the zoning administrator.
2. Tandem parking spaces may be allowed for off-street parking spaces for one- or two-family dwellings or townhouses, provided that they comply with ~~§14.3.3.~~ **§14.3.3.1.1. Tandem parking spaces shall count as one space for the purposes of complying with off-street parking requirements for expanded housing option development subject to §10.4.**

J. ...

Article 15. Administration and Procedures

§15.6 BOARD OF ZONING APPEALS; APPEALS AND VARIANCES

§15.6.6. Use permits

A. Authority

The Board of Zoning Appeals may approve use permits that allow modifications of placement requirement for structures on lots in the R-20, R-10, R-8, R-6, R-5, and R2-7 district where there is no option in this zoning ordinance to allow modification of requirements by the County Board, such as special exception use permits described in §15.4 or site plans described in §15.5. **The Board of Zoning Appeals shall not grant use permits to modify requirements for expanded housing option development as set forth in §10.4.**

B. ...

Article 16. Nonconformities

§16.2. Nonconforming Buildings and Structures

§16.2.3. Repairs, alterations

- A. Repairs and alterations may be made to a nonconforming building or structure; provided, that no structural alteration shall be made except those required by law or ordinance, or as provided in §16.2. Repairs and alterations to a nonconforming dwelling, building or structure not otherwise permitted under this Zoning Ordinance are prohibited, unless approved under a use permit or variance pursuant to sections §15.6.4 and §15.6.6
- B. Notwithstanding any provision to the contrary in this Ordinance, existing nonconforming one- and two-family dwellings, and nonconforming accessory buildings and structures located in the R and RA districts shall be permitted to make interior repairs and alterations, whether structural or non-structural, provided the repair or alteration is wholly contained within the existing exterior walls of the dwelling, building or structure.
 - 1. Expanded housing option development is permitted to make interior repairs and alterations wholly contained within the existing exterior walls of the building for the purpose of maintaining or adding dwelling units to an existing building under §10.4.

§16.2.4. Additions, enlargements, moving

- A. A nonconforming building or structure shall not be added to or expanded in any manner unless such building or structure, including such additions and expansions, is made to conform to all the regulations of the district in which it is located.
- B. A building or structure which does not comply with the height or lot area regulations shall not be added to or expanded in any manner unless such addition or expansion conforms to all the regulations of the district in which it is located; provided, that the total aggregate floor area included in all such separate additions and expansions does not exceed 50 percent of the floor area contained in the existing building or structure, as of July 15, 1950
- C. A building or structure lacking sufficient automobile parking space in connection therewith as required in §14.3 may be altered or expanded, provided additional automobile parking space is supplied to meet, for the entire building, requirements of §14.3.
- D. No nonconforming building or structure shall be moved in whole or in part to any other location on the lot unless every portion of such building or structure is made to conform to all the regulations of the district in which it is located.
- E. Exceptions
 - 1. The provisions of §16.2.4.A, §16.2.4.B, §16.2.4.C, and §16.2.4.D do not apply to existing nonconforming one-family dwellings and nonconforming buildings or structures accessory to one-family dwellings located in the R-5, R-6, R-8, R-10, R-20, and R2-7 districts.
 - 2. The provisions of §16.2.4.A do not apply to existing nonconforming two-family dwellings and/or nonconforming buildings or structures accessory to two-family dwellings located in the R2-7 district and/or RA14-26, RA8-18, RA7-16, ~~and RA6-15,~~ R-5, and R-6 districts.

- 3. The provisions of §16.2.4.A and §16.2.4.B do not apply to existing nonconforming dwellings subject to §10.4, including for the purpose of adding dwellings.**
- (a) A building or structure lacking sufficient parking space as required in §10.4.6.A may be altered or expanded, provided that sufficient parking space is supplied to meet, for the entire building, the requirements of §10.4.6.A.**
- 4. The additions or expansions permitted through §16.2.4.E shall comply with all current provisions of this zoning ordinance, except as provided in ~~§16.2.4.E.1~~ §16.2.4.E.4.a.**
- (a) Nonconforming one-family dwellings, and two-family dwellings, and expanded housing option development subject to §10.4 permitted to add on to or expand pursuant to §16.2.4.E may construct, within applicable height limits, an addition over an existing one-family or two-family dwelling encroaching on a required setback or yard area provided there is no more of an encroachment into the required setback or yard than that of the existing wall below it, and providing that new construction may not take place over encroaching garages or porches.**

§16.6. Condominium and Cooperative Conversion

§16.6.1. Nonconforming land, buildings or structures

- A.** Whenever any land, buildings or structures or the use thereof are proposed to be converted to condominiums or cooperatives and such land, buildings or structures do not conform to the regulations of this zoning ordinance, then before such proposed conversion may take place, a special exception use permit pursuant to §15.4 shall be obtained unless a variance of the requirements of zoning or land use regulations which may be granted by the Board of Zoning Appeals pursuant to Chapter 22 of Title 15.2 of the Code of Virginia is, in fact, granted.
- B.** **Condominium and cooperative conversions of nonconforming dwellings to expanded housing option uses pursuant to the provisions in §10.4 are not subject to the provisions of §16.6.1.**

Article 18. Definitions

§18.2. General Terms Defined

Duplex. Two attached dwelling units in a single structure on a single lot with dwelling units situated either wholly or partially over or under the other dwelling unit. The building has ~~all exterior characteristics of a one family attached dwelling, having~~ a single front entrance, two front entrances, or one front and one side entrance on the first floor; provided an outside, enclosed stairway located parallel and abutting the rear of the dwelling shall be permitted for direct access to the second floor level.

...

Expanded housing option uses. Two-family dwellings, townhouses with three attached dwelling units, and multiple-family buildings with up to six dwelling units, as permitted and set forth in §10.4.