

ZOA-16-08, FBC-23, AND N-FBC-7

AN ORDINANCE TO AMEND, REENACT AND RECODIFY THE ARLINGTON COUNTY ZONING ORDINANCE AS FOLLOWS: A) ARTICLE 11.1 CP-FBC COLUMBIA PIKE FORM BASED CODE DISTRICTS, §11.1.1 AND §11.1.8 IN ORDER TO REVISE THE PURPOSE STATEMENT FOR CLARITY AND REPLACE ADMINISTRATION REGULATIONS WITH A REFERENCE TO ADMINISTRATION REGULATIONS CONTAINED IN THE CP-FBC (APPENDIX A); B) ARTICLE 11.1 CP-FBC COLUMBIA PIKE FORM BASED CODE DISTRICTS (APPENDIX A), SECTIONS I, II, III, IV, VI, AND VII IN ORDER TO: 1) UPDATE ADMINISTRATION REGULATIONS, INCLUDING UPDATES TO SUBMISSION REQUIREMENTS AND REVIEW PROCESSES, ESTABLISHING A TERM LIMIT FOR BY-RIGHT DEVELOPMENT, AND INCORPORATING CRITERIA AND PROCESSES FOR MAJOR/MINOR AMENDMENTS AND ADMINISTRATIVE CHANGES, AND ADDING AN APPLICABILITY STATEMENT AND REVISING THE PURPOSE STATEMENT TO CLARIFY INTENT; 2) UPDATE REFERENCES TO THE COUNTY'S TRAFFIC AND STREET LIGHTING SPECIFICATIONS DOCUMENT; AND 3) INCORPORATE OTHER REVISIONS FOR CLARITY, CONSISTENCY AND ORGANIZATION, INCLUDING ADDING A NUMBERING SYSTEM TO CP-FBC REGULATIONS AND UPDATING REFERENCES THROUGHOUT THE ORDINANCE; C) ARTICLE 11.2 CPN-FBC COLUMBIA PIKE NEIGHBORHOODS FORM BASED CODE DISTRICTS (APPENDIX B), SECTIONS 201, 203, 206, 302, AND 505 IN ORDER TO: 1) UPDATE ADMINISTRATION REGULATIONS, INCLUDING UPDATES TO SUBMISSION REQUIREMENTS AND REVIEW PROCESSES, ESTABLISHING A TERM LIMIT FOR BY-RIGHT DEVELOPMENT, AND INCORPORATING CRITERIA AND PROCESSES FOR MAJOR/MINOR AMENDMENTS AND ADMINISTRATIVE CHANGES; 2) UPDATE REFERENCES TO THE COUNTY'S TRAFFIC AND STREET LIGHTING SPECIFICATIONS DOCUMENT; 3) INDICATE THAT ALLEY LOCATIONS MAY BE ADJUSTED; AND 4) INCORPORATE OTHER REVISIONS FOR CLARITY, CONSISTENCY AND ORGANIZATION, INCLUDING UPDATING REFERENCES THROUGHOUT THE ORDINANCE; AND IN ORDER TO FACILITATE THE CREATION OF A CONVENIENT, ATTRACTIVE AND HARMONIOUS COMMUNITY; AND FOR OTHER REASONS REQUIRED BY THE PUBLIC NECESSITY, CONVENIENCE AND GENERAL WELFARE, AND GOOD ZONING PRACTICE.

Be it ordained that the Arlington County Zoning Ordinance is hereby amended, reenacted and recodified as follows: A) Article 11.1 CP-FBC Columbia Pike Form Based Code Districts, §11.1.1 and §11.1.8 in order to revise the purpose statement for clarity and replace Administration regulations with a reference to Administration regulations contained in the CP-FBC (Appendix A); B) Article 11.1 CP-FBC Columbia Pike Form Based Code Districts (Appendix A), Sections I, II, III, IV, VI, and VII in order to: 1) update administration regulations, including updates to submission requirements and review processes, establishing a term limit for by-right development, and incorporating criteria and processes for major/minor amendments and administrative changes, and adding an Applicability statement and revising the Purpose

statement to clarify intent; 2) update references to the County's Traffic and Street Lighting Specifications document; and 3) incorporate other revisions for clarity, consistency and organization, including adding a numbering system to CP-FBC regulations and updating references throughout the ordinance; C) Article 11.2 CPN-FBC Columbia Pike Neighborhoods Form Based Code Districts (Appendix B), Sections 201, 203, 206, 302, and 505 in order to: 1) update administration regulations, including updates to submission requirements and review processes, establishing a term limit for by-right development, and incorporating criteria and processes for major/minor amendments and administrative changes; 2) update references to the County's Traffic and Street Lighting Specifications document; 3) indicate that alley locations may be adjusted; and 4) incorporate other revisions for clarity, consistency and organization, including updating references throughout the ordinance; and, in order to facilitate the creation of a convenient, attractive and harmonious community; and for other reasons required by the public necessity, convenience and general welfare, and good zoning practice.

* * *

- In the proposed amendment, text proposed to be added is shown with underline and text proposed to be removed is shown with ~~strikethrough~~.
- Where paragraphs have been inserted or deleted, subsequent paragraphs will be renumbered and references will be updated throughout the Zoning Ordinance.
- Formatting adjustments will be made to change the typeface and add a numbering system in place of all bullets in CP-FBC Columbia Pike Form Based Code (Appendix A) (not shown).
- Text shown in [footnotes](#) is explanatory only and is not intended to be adopted.

* * *

1 **§11.1. CP-FBC, Columbia Pike Form Based Code District**

2
3 11.1.1 Purpose

4 The purpose of the CP-FBC, Columbia Pike Form Based Code District (Form Based Code) is to provide an
5 alternative means of development that promotes mixed-use development where the variety in retail,
6 service, residential and office uses is intended to serve a broad-based community. The CP-FBC district
7 provides for an expanded range of uses, greater density and more flexibility than the other service
8 commercial and apartment districts while promoting mixed-use development which conforms to
9 principles of good urban form. Specific requirements have been adopted to encourage and regulate
10 mixed-use development in accord with the Form Based Code, including height, and building and site
11 design elements which help ensure the provision of the desirable components of good public spaces.
12 This Columbia Pike Form Based Code is intended to implement the purpose and goals of the Columbia
13 Pike Initiative Plan initially adopted by the County Board on March 12, 2002, the subsequent Columbia
14 Pike Urban Design Charrette and citizen workshops held in September 2002, and other policies adopted
15 by the County Board to:

- 16 1. Foster a vital main street for its adjacent neighborhoods through a lively mix of uses—with
17 shopfronts, sidewalk cafes, and other commercial uses at street level, overlooked by canopy
18 shade trees, upper STORY residences and offices;
19 2. Create transit, pedestrian-, and bicycle-oriented development, which is dependent on three
20 factors: density, diversity of uses, and design; and
21 3. Place greatest emphasis on design, or physical form, because of its importance in defining
22 neighborhood character.

23
24 **11.1.2. Applicability**

25 Properties zoned according to the S-3A, RA8-18, RA14-26, RA7-16, RA6-15, C-1, C-2, C-3, C-O or C-O-1.0
26 districts and that are located in the Columbia Pike Special Revitalization District (CP-FPC district), as
27 designated on the General Land Use Plan, shall be eligible to develop in accordance with the CP-FBC
28 district requirements. After such development all uses permitted in §11.1.4 shall be permitted on the
29 property, subject to all regulations in §11.1.

30
31 **11.1.3. Form Based Code**

32 All development pursuant to this §11.1 shall be governed by the requirements of the Form Based Code
33 as adopted by the Arlington County Board (Appendix A of the Zoning Ordinance).

34
35 * * *

36 ~~11.1.8 Administration~~

37 ~~A. Eligible sites~~

¹ This section is removed. Administration regulations are provided in Appendix A, Sections I and II (see lines 91 – 181 and 257 – 501), as required in §11.1.3.

38 ~~Only sites located within the Columbia Pike Special Revitalization District, as amended, are eligible~~
39 ~~to use the Form Based Code.~~

40 ~~B. Review process~~

41 ~~1. Properties of 40,000 square feet in area or less that are located within the Columbia Pike Special~~
42 ~~Revitalization District: Form Based Code proposals will be reviewed administratively for~~
43 ~~conformance with the Code within 30 days of submission of a complete proposal. Upon~~
44 ~~completion of such review, applicants will be notified as to whether their submission is in~~
45 ~~compliance with the Form Based Code. Applicants are required to provide a copy of the~~
46 ~~submission to the Columbia Pike Revitalization Organization and all affected civic associations at~~
47 ~~the time of submission.~~

48 ~~2. Once a proposal is determined to be in conformance with the Form Based Code, the applicant~~
49 ~~may apply for construction permits, as provided for in §15.2, but only for actions consistent with~~
50 ~~a proposal that has been determined to be in compliance with the provisions of the Form Based~~
51 ~~Code.~~

52 ~~3. Proposals that are determined to deviate from the Form Based Code requirements may not~~
53 ~~proceed with development, but may submit a revised proposal for review, or may seek approval~~
54 ~~of a use permit, as provided for in §15.4 and §11.1.8.C.~~

55 ~~4. Properties larger than 40,000 square feet in area, and proposals that do not conform with the~~
56 ~~Form Based Code may be approved only by special exception use permit, as provided for in~~
57 ~~§15.4.~~

58 ~~5. At the time of or prior to filing a special exception use permit application and any related~~
59 ~~material, applicants must provide a copy of the submission to the Columbia Pike Revitalization~~
60 ~~Organization and all affected civic associations. Applicants must provide written notice to all~~
61 ~~affected and abutting property owners, as well as those across the street from the subject site~~
62 ~~prior to the hearing as required by the Code of Virginia.~~

63 ~~6. Applications for Form Based Code development approval shall comply with applicable portions~~
64 ~~of §15.5. Form Based Code use permit applications shall be filed no less than 55 days before the~~
65 ~~public hearings, which shall be the first regular meeting of the County Board each month. The~~
66 ~~County Board, on its own motion, may establish a different date for the public hearing.~~

67 ~~C. Standards for review of use permits~~

68 ~~1. Proposals that do not conform to the Form Based Code~~

69 ~~a) The County Board may modify the provisions of the Form Based Code upon a finding that,~~
70 ~~after the proposed modification, the subject development will better accomplish the~~
71 ~~purposes and intent of O than would the development without those modifications and that~~
72 ~~the proposed uses will not:~~

73 ~~1) Affect adversely the health or safety of persons residing or working in the neighborhood~~
74 ~~of the proposed use;~~

75 ~~2) Be detrimental to the public welfare or injurious to property or improvements in the~~
76 ~~neighborhood; and~~

77 ~~3) Be in conflict with the purposes of the master plans of the county.~~

78 ~~b) Pursuant to a use permit application, the County Board may modify only the following~~
79 ~~requirements of the Form Based Code. Provided, however, that after such modifications,~~
80 ~~the County Board is still able to make the finding called for in subsection 1(a), above.~~
81 ~~1) Height of first floor relative to fronting sidewalk elevation;~~
82 ~~2) RBLs for the location of new alleys or streets, for historic buildings and for existing~~
83 ~~parking garages as of February 25, 2003;~~
84 ~~3) Breaks between buildings;~~
85 ~~4) Streetscape details; and~~
86 ~~5) Design issues related to the inclusion of existing or historic buildings or mature trees.~~
87

88 **ARTICLE 11.1 CP-FBC COLUMBIA PIKE FORM BASED CODE (APPENDIX A)**

89 * * *

90
91 **I. ~~Components of the Code~~ General Provisions**

92
93 **A. Title**

94 This Code is known as the Columbia Pike Special Revitalization District Form Based Code (Columbia Pike
95 Form Based Code, or Code).

96
97 **B. Applicability**

- 98 1. Properties that are zoned S-3A, RA14-26, RA8-18, RA7-16, RA6-15, C-1, C-2, C-3, C-O, or CP-FBC
99 districts and are located in the *Columbia Pike Special Revitalization District*, as designated on the
100 General Land Use Plan (GLUP), shall be eligible to develop in accordance with the Columbia Pike
101 Special Revitalization District Form Based Code requirements. After such development all uses
102 permitted in Appendix A of the Zoning Ordinance shall be permitted on the property, subject to
103 all regulations in Appendix A.
- 104 2. Properties that are zoned R-6 and R-5 and located in the *Columbia Pike Special Revitalization*
105 *District*, as designated on the General Land Use Plan (GLUP), shall be eligible to develop in
106 accordance with the Columbia Pike Special Revitalization District Form Based Code requirements
107 only after the County Board approves a rezoning to the CP-FBC district.
- 108 3. The Columbia Pike Special Revitalization District Form Based Code is an optional zoning tool and
109 property owners retain the zoning rights under the existing zoning. Use of the Form Based Code
110 is selected through the filing of an application for development under the Form Based Code. If
111 this Code is used, development proposals shall comply with all provisions of this Code.

112
113 **C. Purposes**

114 This Columbia Pike Form Based Code is intended to implement the purpose and goals of the
115 *Columbia Pike Initiative Plan* initially adopted by the County Board on March 12, 2002, the
116 subsequent Columbia Pike Urban Design Charrette and citizen workshops held in September 2002,
117 and other policies adopted by the County Board to:

- 118 A. Foster a vital main street for its adjacent neighborhoods through a lively mix of uses—with
119 shopfronts, sidewalk cafes, and other commercial uses at street level, overlooked by canopy
120 shade trees, upper STORY residences and offices;
- 121 B. Create transit, pedestrian-, and bicycle-oriented development, which is dependent on three
122 factors: density, diversity of uses, and *design*; and
- 123 C. Place greatest emphasis on design, or physical form, because of its importance in defining
124 neighborhood character.

125
126 **D. Other Applicable Regulations**

127 Wherever there is a variation or conflict between the Columbia Pike Special Revitalization District Form
128 Based Code, and other sections of the *Arlington County Zoning Ordinance*, the requirements set forth in
129 this Code shall prevail. For development standards not covered by this Code, applicable sections of the

130 Arlington County Zoning Ordinance shall be used as the requirement. Similarly, all development must
131 comply with all Federal, State or local regulations and ordinances including, but not limited to,
132 Chesapeake Bay Ordinance and other environmental regulations.

133

134 **E. Minimum Requirements**

135 The provisions of the Code are the minimum requirements for development under this Code.

136

137 **F. Severability**

138 Should any provision of this Code be decided by the courts to be unconstitutional or invalid, that
139 decision shall not affect the validity of the Code other than the part decided to be unconstitutional or
140 invalid.

141

142 **G. Components of the Code**

143 The Code is comprised of the following sections:

144

1. Administration: Section II. Administration covers the application and review processes for
145 development plan approval, permits, amendments, and administrative changes.

146

2. Regulating Plans: The REGULATING PLAN provides specific information on the development
148 parameters for each parcel and shows how each LOT or DEVELOPMENT PROJECT relates to
149 public spaces (STREETS, CIVIC GREENS, PEDESTRIAN PATHWAYS, etc.) and the surrounding
150 neighborhood. The REGULATING PLAN may identify additional regulations and/or special
151 provisions for specific locations. The Columbia Pike Special Revitalization District is divided into
152 four subareas, each of which is covered by an individual REGULATING PLAN. The REGULATING
153 PLAN also includes general regulations pertaining to the arrangement of blocks and alleys,
154 buildings, streetscape, parking, ground story uses, and historic preservation.

155

3. Building Envelope Standards: The BUILDING ENVELOPE STANDARDS (BES), establish basic
157 parameters governing building form, including the envelope for building placement (in three
158 dimensions) and certain permitted/required building elements as they frame the STREET or
159 public realm. The BUILDING ENVELOPE STANDARDS establish both the boundaries within which
160 things may be done and specific things that must be done to ensure that the buildings relate to
161 each other and form a functioning and consistent block structure. The applicable standard(s) for
162 a development project is determined by the BES frontage type designated on the REGULATING
163 PLAN.

164

4. Streetscape Standards: The purpose of the Streetscape Standards is to ensure coherent
166 STREETS and to assist developers and owners with understanding the relationship between the
167 public realm and their own DEVELOPMENT PROJECT or building. These standards set the
168 parameters for the placement of street trees, sidewalks, and other amenities or furnishings
169 within the STREET as well as the basic configurations for other public spaces, including streets
170 and sidewalks.

171

- 172 5. Architectural Standards: The Architectural Standards are used to achieve a coherent and high-
173 quality building design that is complementary to the best local traditions. The Architectural
174 Standards govern a building’s exterior elements and set the parameters for allowable materials,
175 configurations, and techniques.
176
- 177 6. Definitions: Certain terms in this Code are used in very specific ways, often excluding some of
178 the meanings of common usage. Wherever a word is in ALL CAPITALS format, consult *Section*
179 *VII. Definitions* for its specific and limited meaning within this Code. Words used in the Code, but
180 not defined by the Code, but that are defined in the *Arlington County Zoning Ordinance*, shall
181 have the meanings set forth therein
182

183 **Section 1 Components of the Code²**

184 The ~~Columbia Pike Special Revitalization District Form Based Code~~ is designed to foster a vital main
185 street for its adjacent neighborhoods through a lively mix of uses—with shopfronts, sidewalk cafes, and
186 other commercial uses at street level, overlooked by canopy shade trees, upper-STORY residences and
187 offices.

188
189 Redevelopment within the Columbia Pike Special Revitalization District may be regulated by the
190 ~~Columbia Pike Special Revitalization District Form Based Code~~, in order to achieve Arlington County’s
191 vision set forth in the Columbia Pike Initiative—A Revitalization Plan, adopted by the County Board on
192 March 12, 2002, the subsequent Columbia Pike Urban Design Charrette and citizen workshops held in
193 September 2002, and any other future addenda.

194
195 While the ~~Columbia Pike Special Revitalization District Form Based Code~~ provides a citizen-endorsed
196 urban design for the improvement of all properties in designated areas, configurations shown for the
197 Bus Rapid Transit/Light Rail Transit (BRT/LRT) systems are shown only for illustrative purposes and no
198 commitment has yet been made by Arlington County and/or a transit service operator.

199
200 The ~~Columbia Pike Special Revitalization District Form Based Code~~ (otherwise referred to herein as
201 “the **Form Based Code**” or “the **Code**”) is a legal document that regulates land development, setting
202 careful and clear controls on building form—with broad parameters on building use—to shape clear
203 public space (good streets, neighborhoods and parks) with a healthy mix of uses. With proper urban
204 form, a greater integration of building uses is natural and comfortable.

205
206 The ~~Form Based Code~~ uses simple and clear graphic prescriptions and parameters for height, siting, and
207 building elements to address the basic necessities for forming good public space. Wherever there
208 appears to be a conflict between the ~~Columbia Pike Special Revitalization District Form Based Code~~,
209 Article 11.1 of the Arlington County Zoning Ordinance, and other sections of the Zoning Ordinance (as
210 applied to a particular development), the requirements specifically set forth in the ~~Form Based Code~~
211 shall prevail. For development standards not covered by the ~~Form Based Code~~, the other applicable
212 sections in the Arlington County Zoning Ordinance shall be used as the requirement. Similarly, all
213 development must comply with all relative Federal, State or local regulations and ordinances including,
214 but not limited to, the Chesapeake Bay Ordinance and other environmental regulations.
215

² This entire section has been reorganized and edited (see lines 91 – 181).

216 The ~~Columbia Pike Special Revitalization District Form Based Code~~ is comprised of: Definitions, the
217 Regulating Plans, the Building Envelope Standards, the Streetscape Standards and the Architectural
218 Standards.

219

220 **Definitions**

221 Certain terms in the ~~Code~~ are used in very specific ways, often excluding some of the meanings of
222 common usage. Wherever a word is in SMALL CAPITAL LETTERS format, consult the Definitions for the
223 specific meaning. Words used in the ~~Form Based Code~~, but not defined by the ~~Form Based Code~~, that
224 are defined in the Arlington County Zoning Ordinance, shall have the meanings set forth therein.

225

226 **The Regulating Plan**

227 The REGULATING PLAN is the coding key for the Columbia Pike ~~Form Based Code~~ that provides specific
228 information on permitted development for each building site. The REGULATING PLAN also shows how
229 each LOT relates to public spaces (STREETS, CIVIC GREENS, PEDESTRIAN PATHWAYS, etc.) and the
230 surrounding neighborhood. There may be additional regulations for LOTS in special locations/situations
231 as identified in the REGULATING PLAN.

232

233 **The Building Envelope Standards**

234 The BUILDING ENVELOPE STANDARDS establish basic parameters governing building form, including the
235 envelope for building placement (in three dimensions) and certain permitted/required building
236 elements, such as storefronts, BALCONIES, and STREET WALLS. The BUILDING ENVELOPE STANDARDS
237 establish both the boundaries within which things may be done and specific things that must be done.
238 The applicable standard for a building is determined by its STREET FRONTAGE contained in the
239 REGULATING PLAN. This produces a coherent STREET and allows the building greater latitude behind its
240 STREET facade. The intent of the BUILDING ENVELOPE STANDARDS is to shape a vital public space
241 (Columbia Pike and its adjoining STREETS) through placement and envelope controls on private
242 buildings. They aim for the minimum level of control necessary to meet that goal.³

243

244 **The Streetscape and Architectural Standards**

245 The purpose of the Streetscape Standards is to ensure coherent STREETS and to assist builders and
246 owners with understanding the relationship between the public space of Columbia Pike and their own
247 building. These standards set the parameters for planting trees and/or other amenities on or near each
248 building site.

249

250 The goal of the Architectural Standards is a coherent and pleasing architectural character that is
251 complementary to the best local traditions. The Architectural Standards govern a building's architectural
252 elements regardless of its BUILDING ENVELOPE STANDARD and set the parameters for allowable
253 materials, configurations, and construction techniques. Equivalent or better products (as determined by
254 the ADMINISTRATIVE REVIEW TEAM) than those specified are always encouraged and may be submitted
255 for approval to the County.⁴

256

257 II. Definitions Administration

258

259 A. By-Right FBC Applications

³ Intent statements have been moved to *Section IV Building Envelope Standards* (see lines 699 – 710).

⁴ The concept of “equivalent or better” has been removed from *Section I*, as it is provided for in *Section VI Architectural Standards* (see lines 761 – 771).

260 The Zoning Administrator is authorized to approve applications for DEVELOPMENT PROJECTS smaller
261 than 40,000 square feet, consisting only of new structures that are fully compliant with this Code, and
262 where no modifications are requested under Section II.D.

263

264 B. Special Exception Use Permit Applications

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

- 267 1. DEVELOPMENT PROJECTS larger than 40,000 square feet;
- 268 2. DEVELOPMENT PROJECTS with building floorplates larger than 30,000 square feet;
- 269 3. Request for a hotel that includes 7,500 square feet or more of conference room or banquet
270 facility Gross Floor Area (GFA);
- 271 4. Request for approval of any special circumstances as set forth in Section II.C.
- 272 5. Request for approval of any modifications, as set forth in Section II.D.

273

274 C. Special Circumstances

275 In order to better incorporate HISTORIC STRUCTURES and HISTORIC FACADES shown on the
276 REGULATING PLAN into DEVELOPMENT PROJECTS with redevelopment, the County Board may,
277 subject to HALRB review, and approval of a Certificate of Appropriateness (CoA), as provided in
278 Section II.E.4, and by use permit approval as provided in Section II.E.3.b, approve:

- 279 1. Modifications of the parking requirements set forth in Section III.B.4 for that portion of the
280 project that includes the HISTORIC STRUCTURES and HISTORIC FACADES;
- 281 2. Modification of the following:
 - 282 a. Utility undergrounding as provided in Section III.B.7; and
 - 283 b. Provision of street furniture as provided in Section III.B.7 and Section V.
- 284 3. Up to two bonus stories with appropriate design and tapering, on the remainder of the site,
285 provided that the overall building height is within the maximum (in feet) for the site.

286

287 For example, on a MAIN STREET SITE, the maximum height is 6 STORIES, the equivalent to 94
288 feet under the Form Based Code. (Maximum floor heights are 24 ft., 14 ft., 14 ft., 14 ft., 14 ft.,
289 14 ft.) Thus, up to an additional two STORIES are permitted, but overall building height cannot
290 exceed 94 feet.

291

292

293

294 D. Modifications

- 295 1. Purpose: The County Board may, through approval of a use permit, modify the provisions of this
296 Code as set forth in Section II.D.2 upon a finding that, after the proposed modification, the
297 subject development and where applicable, existing buildings, structures, HISTORIC
298 STRUCTURES and HISTORIC FACADES to be retained, will better accomplish the purposes and
299 intent of this Code and the goals of the Columbia Pike Initiative Plan than would the
300 development without those modifications and that the proposed uses will neither: 1) adversely
301 affect the health or safety or persons residing or working in the neighborhood of the proposed

302 use; nor 2) be detrimental to the public welfare or injurious to the property or improvements in
303 the neighborhood; nor 3) be in conflict with the purposes of the master plans of the County.

- 304
- 305 2. Allowable Modifications: In approving a use permit application, the County Board may modify
306 only the following requirements of this Code:
- 307 a. Height of first floor relative to fronting sidewalk elevation;
 - 308 b. Required Building Lines (RBLs) for the location of STREETS, for HISTORIC STRUCTURES AND
309 HISTORIC FACADES, and for existing parking garages as of February 25, 2003;
 - 310 c. Locations of alleys;
 - 311 d. Breaks between buildings;
 - 312 e. STREETSCAPE details;
 - 313 f. Design issues related to the inclusion of existing buildings, HISTORIC STRUCTURES, HISTORIC
314 FACADES or mature trees;
 - 315 g. Parking ratios for hotels and/or associated conference/banquet facilities;
 - 316 h. Signs, only as provided in Section VI.F and ACZO §13.3; and
 - 317 i. Modifications associated with special circumstances as provided in Section II.C.

318

319 E. Applicant Requirements and Review Processes

- 320 1. Submission Requirements: Each preliminary and final application shall include all materials
321 identified in Administrative Regulations 4.1.2, including by way of illustration, and not limitation,
322 the following:
- 323 a. Plans and documentation indicating the proposed new development; the location,
324 condition, and any renovation of existing buildings to be retained; and other site
325 improvements;
 - 326 b. A LEED scorecard, or equivalent scorecard for another green building standard system;
 - 327 c. A Transportation Impact Analysis (TIA) for any development project with 100,000 square
328 feet or more of gross floor area (GFA).
- 329
- 330 2. Preliminary FBC Applications:
- 331 a. For all DEVELOPMENT PROJECTS, Preliminary FBC Applications shall be submitted to the
332 Administrative Review Team for review.
 - 333 b. When a preliminary application has been determined by the Administrative Review Team to
334 be compliant with the regulations set forth in this Code, except to the extent modifications
335 are being requested through use permit approval:
 - 336 i. The Administrative Review Team will forward the application to the Form Based Code
337 Advisory Working Group (AWG) and schedule a review meeting with the AWG.
 - 338 ii. Prior to the AWG meeting, applicants shall provide copies of the application to the
339 Columbia Pike Revitalization Organization (CPRO) and to the civic association (s) in
340 which the subject property is located, and to any immediately adjacent civic
341 associations, as specified in FBC Administrative Regulations 4.1.2.
 - 342 iii. When an application includes a request for a modification(s) to the REGULATING PLAN
343 requirements, including a different placement or alignment of a new building, street or

- 344 alley from what is depicted on the REGULATING PLAN, a joint meeting of a committee of
345 the Planning Commission and the Form Based Code Advisory Working Group shall occur
346 to review the proposed modification during the preliminary application phase in order
347 to provide comment as to whether the proposed modification is consistent with the
348 purposes and intent of this Code and the goals of the Columbia Pike Initiative Plan.
- 349 iv. The AWG will review the proposal and advise the Administrative Review Team as to
350 whether it finds the preliminary application to be in compliance with this Code.
- 351 c. The Final Application may be filed at the earlier of either: a) completion of requirements in
352 Sections II.E.2.b.i-iv; or b) completion of requirements in Section II.E.2.b.i-iii provided that
353 the review meeting with the AWG, specified in II.E.2.b.iv, has been scheduled for a date no
354 more than 15 days after the final application submission.
- 355
- 356 3. Final FBC Applications:
- 357 a. By-Right Applications:
- 358 I. Final By-Right FBC Applications shall be submitted to the Zoning Administrator for
359 approval.
- 360 II. Final By-Right FBC Applications will be reviewed administratively for conformance with
361 this Code within thirty (30) days of a Final Application Submission. Upon completion of
362 such review, applicants will be notified in writing by the Zoning Administrator as to
363 whether the submission is in compliance with the Form Based Code.
- 364 III. At the time of, or prior to filing, applicants shall provide copies of the application to the
365 Columbia Pike Revitalization Organization (CPRO) and to the civic association (s) in
366 which the subject property is located, and to any immediately adjacent civic
367 associations, as specified in FBC Administrative Regulations 4.1.2.
- 368 IV. Once an application is approved by the Zoning Administrator, the applicant may apply
369 for construction permits consistent with the approved application. Applications that the
370 Zoning Administrator determines do not comply with the requirements of this Code may
371 be resubmitted for review as a revised application, or as a request for approval of a use
372 permit, as set forth in ACZO §15.4 and Section II.E.3.b.
- 373
- 374 b. Special Exception Use Permit Applications
- 375 i. Unless the Zoning Administrator determines that it is in the public interest to accept a
376 later application, a Form Based Code Use Permit application shall be filed by the final
377 deadline for special exception applications set by the Zoning Administrator, and no less
378 than fifty-five (55 days) before the public hearing.
- 379 ii. At the time of, or prior to filing, applicants shall provide copies of the application to the
380 Columbia Pike Revitalization Organization (CPRO) and to the civic association(s) in which
381 the subject property is located, and to any immediately adjacent civic associations, as
382 specified in FBC Administrative Regulations 4.1.2.
- 383 iii. The County Board shall approve the DEVELOPMENT PROJECT if it finds that the
384 DEVELOPMENT PROJECT meets the standards of this Code as modified by the County
385 Board in accordance with this Code, and meets the standards set forth in ACZO §15.4.3.

- 386 iv. In approving a FBC use permit, the County Board may designate such conditions in
387 connection therewith as will, in its opinion, assure that the use will conform to the
388 requirements of this Code and that such DEVELOPMENT PROJECT will continue to do so.
389
- 390 4. Review by Historical Affairs and Landmark Review Board (HALRB)
391 DEVELOPMENT PROJECTS with buildings designated as HISTORIC STRUCTURES or HISTORIC
392 FACADES shall be subject to review and approval of a Certificate of Appropriateness (CoA) by
393 the HALRB, as follows:
- 394 a. As part of the preliminary application phase, an applicant shall submit its DEVELOPMENT
395 PROJECT to the HALRB for two meetings (or more, if necessary) for review and comment
396 (HALRB and/or DRC meetings in one month shall count as one meeting). The HALRB, and/or
397 its Design Review Committee (DRC), shall review the DEVELOPMENT PROJECT to assess
398 whether the application complies with Section III.6. *Historic Preservation* and ACZO
399 §15.7.9.F.
- 400 b. Upon completion of its preliminary review, the HALRB will provide, in writing, its comments
401 to the applicants stating how the DEVELOPMENT PROJECT does or does not comply with
402 Section III.6. *Historic Preservation* and ACZO §15.7.9.F.
- 403 c. The applicant shall address the HALRB comments and return to the HALRB for one
404 additional meeting for final review and comment.
- 405 d. HALRB shall approve a CoA for the DEVELOPMENT PROJECT where it finds the
406 DEVELOPMENT PROJECT meets the intent and regulations of Section III.6. *Historic*
407 *Preservation* and ACZO §15.7.9.F.
- 408
- 409 5. Preservation of HISTORIC STRUCTURES and HISTORIC FACADES
410 HISTORIC STRUCTURES and HISTORIC FACADES shall be preserved by either:
- 411 a. A preservation easement on the structure or façade and recorded for the benefit of
412 Arlington County or the Northern Virginia Conservation Trust; or,
- 413 b. The site can be designated as a local historic district by the Arlington County Board.
414
- 415 6. Subdivision and Building Permits
- 416 a. The applicant shall not pursue development permits until such time that either a Letter of
417 Approval by the Zoning Administrator or a Use Permit approval by the County Board has
418 been obtained.
- 419 b. All development shall be consistent with the approved FBC DEVELOPMENT PROJECT.
- 420 c. Administratively-approved FBC applications, approved after September 24, 2016, will expire
421 in 3 years from the date of the Zoning Administrator’s Letter of Approval unless a Footing to
422 Grade permit has been issued; however, the Zoning Administrator may extend the approval
423 up to 3 years for a total of up to 6 years if he/she finds that the applicant has been actively
424 working in good faith to pursue the Footing to Grade permit.
- 425
- 426 7. Major and Minor FBC Use Permit Amendments

- 427 a. Major FBC Use Permit Amendments: Any modification of the approved use permit which
 428 meets one or more of the following criteria is considered a major amendment and will
 429 require approval by the County Board:
- 430 I. Change to the principal use of the building in more than five percent of the total floor
 431 area of the building;
 - 432 II. Change to the overall building height by more than 12 feet;
 - 433 III. Change to the gross floor area of the ground story by more than 20 percent of the area
 434 of the ground story; or
 - 435 IV. Any change which the Zoning Administrator determines is similar in significance to the
 436 above stated changes, including but not limited to, changes to materials, design, or
 437 appearance of the building from the original approval.
- 438
- 439 b. Minor FBC Use Permit Amendments: Any modification of the approved use permit that
 440 meets either of the following criteria is considered a minor amendment and will require
 441 approval by the County Board:
- 442 i. Any modification of the approved DEVELOPMENT PROJECT which is not considered a
 443 major amendment and which cannot be approved administratively;
 - 444 ii. The subdivision of land involved in an approved DEVELOPMENT PROJECT, except that,
 445 if the following criteria are met, such subdivision may be approved as an
 446 administrative change by the Zoning Administrator:
 - 447 (1) Uses and building form is consistent with the zoning and approved use permit;
 - 448 (2) Parking is consistent with the zoning and the approved use permit;
 - 449 (3) Public improvements are consistent with the zoning and approved use permit;
 450 and
 - 451 (4) Clear evidence exists that all conditions of the approved use permit have been
 452 met or are bonded in a manner acceptable to the County Manager.
- 453
- 454 c. Processes for Major/Minor Amendments
- 455 I. When a major or minor use permit amendment is filed, the Zoning Administrator shall
 456 notify the applicant, as required in FBC Administrative Regulation 4.1.2, of the
 457 scheduled date of the County Board public hearing, which date will be up to 180 days
 458 after filing. Public hearings shall be the first regularly scheduled County Board
 459 meeting of each month, except the County Board may establish, on its own motion,
 460 another County Board meeting for the hearing.
 - 461 II. When either a major or minor use permit amendment is filed, the Administrative
 462 Review Team and the FBC AWG shall review the preliminary application consistent
 463 with Section II.E.2.a-b.
 - 464 III. After the Zoning Administrator has determined that the applicant has met the
 465 requirements of Section II.E.2.b, the application may be considered at a public hearing
 466 by the County Board on no less than 55 days after the AWG review meeting.
 - 467 IV. The County Board shall approve an amendment only if it finds, after a duly advertised
 468 hearing, that the DEVELOPMENT PROJECT will not 1) adversely affect the health or

469 safety or persons residing or working in the neighborhood of the proposed use; nor 2)
470 be detrimental to the public welfare or injurious to the property or improvements in
471 the neighborhood; nor 3) be in conflict with the purposes of the master plans of the
472 County.

473 V. In approving a major or minor FBC use permit amendment, the County Board may
474 designate such conditions in connection therewith as will, in its opinion, assure that
475 the use will conform to the requirements of this Code and that such DEVELOPMENT
476 PROJECT will continue to do so.

477
478 d. FBC Administrative Changes: Any minor adjustment to the approved DEVELOPMENT
479 PROJECT elements below, and any other change that the Zoning Administrator determines is
480 similar in significance and complies with the spirit of this Code, the Arlington County Zoning
481 Ordinance, the intent of the County Board or the Zoning Administrator in its approval of the
482 DEVELOPMENT PROJECT, and the general purpose of the Comprehensive Plan for the
483 development of the area, may be approved by the Zoning Administrator:

484 I. Facade elevations, fenestration, and/or clear heights or story heights to address
485 changes to the interior layout of the building;

486 II. Ground story finished floor elevations to address conflicts with site topography; or

487 III. On a limited basis, substitute comparable or better façade materials.
488

489 F. FBC Administrative Review Team Duties & Procedures

490 The Administrative Review Team is comprised of staff from several County Departments who are
491 responsible to assist the Zoning Administrator in administering the Form Based Code.

492 1. The Administrative Review Team shall review both By-Right and Special Exception Use Permit
493 FBC applications for compliance with this Code. The Administrative Review Team shall
494 administer the Administrative Regulations 4.1.2 which describe the review processes and
495 submission requirements in further detail. The Administrative Review Team shall forward its
496 recommendations regarding compliance or noncompliance to the Zoning Administrator for By-
497 Right applications or the County Board, for Special Exception Use Permit applications.

498 2. In addition, the Administrative Review Team may be called upon as set forth in this Code or as
499 requested by the Zoning Administrator to provide recommendations on interpretation of this
500 Code. However, the Zoning Administrator is responsible for any final action taken under this
501 Code on By-Right applications.

502
503 VII Administration⁵

504 ~~The **Columbia Pike Special Revitalization District Form Based Code** process is intended to provide an~~
505 ~~incentive to property owners and developers who are willing to develop in a particular form. There are~~
506 ~~two review processes for the **Form Based Code** option: By Right (administrative review) and Special~~
507 ~~Exception. The Special Exception process is dependent upon site size and/or the need for minor~~
508 ~~variations to the **Code**. Projects approved through the Special Exception process should nonetheless~~
509 ~~meet the intent of the **Form Based Code**.~~

⁵ This entire section has been reorganized and edited (see lines 257 – 501).

510
511 Article 11.1 of the Arlington County Zoning Ordinance sets forth the provisions for reviewing and
512 approving development applications within the Columbia Pike Special Revitalization District, as
513 amended, where a landowner or developer chooses to develop pursuant to the ~~Form Based Code~~. The
514 intent is to ensure that all development occurring under the ~~Form Based Code~~ is consistent with the
515 provisions of that ~~Code~~ as they pertain to height, siting, architectural standards, and building form. All
516 five elements of the ~~Form Based Code~~—Definitions, the Regulating Plans, the Building Envelope
517 Standards, the Streetscape Standards and the Architectural Standards—will be applied during review.
518

519 The Columbia Pike Initiative ADMINISTRATIVE REVIEW TEAM, comprised of staff from the Department
520 of Community Planning, Housing & Development, including Planning and Historic Preservation; the
521 Department of Environmental Services; and, Arlington Economic Development, is charged with review of
522 all ~~Form Based Code~~ proposals.
523

524 **A. By-Right Option**

525 Projects on smaller sites (less than 40,000 square feet) are able to build as a matter of right when they
526 meet all of the standards of the ~~Form Based Code~~. The Columbia Pike Initiative ADMINISTRATIVE
527 REVIEW TEAM will be responsible for reviewing development proposals within 30 days of submission of
528 a completed application. Permits will not be issued for building activity until review is completed and a
529 determination made that the proposal is consistent with the ~~Form Based Code~~. Applicants also will be
530 required to provide copies of their proposal to the Columbia Pike Revitalization Organization and
531 affected civic associations at the time of submission to the County. Up to two civic association
532 representatives, who will be identified from each adjacent neighborhood, will participate in any
533 administrative review affecting their neighborhood.
534

535 **B. Special Exception/Use Permit Option**

536 The proposed Special Exception Use Permit process will be required for 1) sites over 40,000 square feet
537 or with floorplates over 30,000 square feet and 2) hotels that include 7,500 square feet or more of
538 conference room or banquet facility Gross Floor Area (GFA). Such sites will be required to meet the
539 intent of the ~~Code~~ and will be evaluated in terms of how well they conform to the ~~Code~~ and meet other
540 objectives of the Columbia Pike Initiative—A Revitalization Plan. The Use Permit process also provides
541 the opportunity for community input as well as fine tuning of a development proposal to address issues
542 that may not have been contemplated by the ~~Form Based Code~~.
543

544 The Use Permit process will give the opportunity for appropriate deviations from the ~~Code~~ that are
545 consistent with the County's goals and plans to revitalize Columbia Pike as detailed in the Columbia Pike
546 Initiative that was recently adopted by the County Board. Examples of these deviations may include
547 problems related to topography or STREET grade, the location of ALLEYS and STREETS, breaks and
548 passages between buildings, STREETSCAPE details, design issues related to the inclusion of existing
549 buildings, mature trees as part of a development proposal, and parking ratios for hotels and/or
550 associated conference/banquet facilities. Where properties of less than 40,000 square feet have such
551 difficulties, they too, could seek a use permit to gain approval of their development with needed
552 variations.
553

554 As currently proposed, the Special Exception process would take approximately 55 days from
555 acceptance of a completed application to public hearing by the Planning Commission and County Board.
556 Applicants will be required to provide copies of their application to the Columbia Pike Revitalization
557 Organization and all affected civic associations at the time of submission to the County. Applicants also

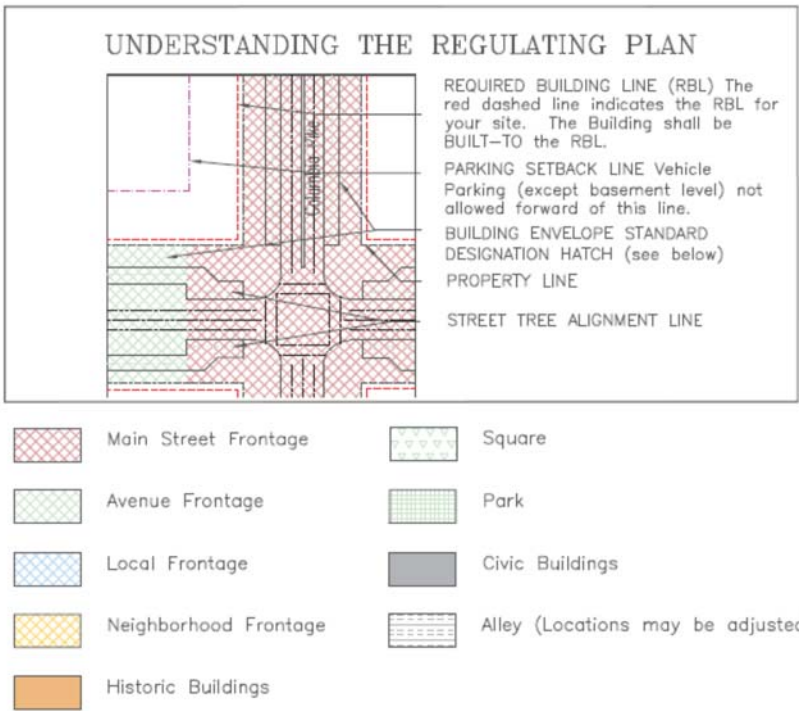
558 will be required to perform property owner notification (affected, abutting and owners across the
 559 STREET) as required by the Code of Virginia. At the time an application is received, a Planning
 560 Commission representative will be designated and civic association representatives from the affected
 561 neighborhood will be contacted to begin coordinating community input on the project.

562 * * *

563 **III. The Regulating Plans**

564 **A. Understanding the Regulating Plan**

565
 566
 567 A REGULATING PLAN provides standards for the disposition of each property or LOT and how each
 568 relates to its adjacent properties and STREETs. Following the adoption of the Columbia Pike Initiative–A
 569 Revitalization Plan in March 2002 and the Columbia Pike Urban Design Charrette and citizen planning
 570 workshops held in September 2002 and any future addenda, REGULATING PLANS have been produced
 571 for the Columbia Pike Special Revitalization District in Arlington County.
 572



573
 574
 575

* * *

576 Building Sites are Coded by Their ~~Street Frontage~~ BES frontage type

577
 578 The key above explains the elements of the REGULATING PLAN and serves as a reference when
 579 examining the REGULATING PLAN.

580 * * *

581 **B. Rules for the Regulating Plan and New Development Plans**

582 * * *

583 **4. Parking**

584 * * *

585 **A. Parking Goals**

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- B. There are no minimum parking requirements for the following:
 - 1. DEVELOPMENT PROJECTS Sites under 20,000 square feet in land area ~~have no minimum parking requirements,~~ except that on LOCAL sites of less than 20,000 square feet in land area and with more than two dwelling units per LOCAL STREET BUILDING, parking shall be provided for each dwelling unit, as required in *Section III.B.4.C*; and,
 - 2. The portion of any DEVELOPMENT PROJECT that includes HISTORIC STRUCTURES or HISTORIC FACADES.
- C. All other DEVELOPMENT PROJECTS sites not expressly covered by Section III.B.4.B. shall meet have the following requirements:
 - 1. A minimum of 1 and 1/8 parking spaces per residential dwelling unit, of which a minimum of 1/8 parking space per residential unit shall be provided as SHARED PARKING. There are no maximum limits on SHARED PARKING.
 - 2. For all uses except hotel uses, a minimum of one space per 1,000 square feet of non-residential Gross Floor Area (GFA) shall be provided as SHARED PARKING; there are no set maximum limits on SHARED PARKING. 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 on the SHARED PARKING (time limits or hours of the day) 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.
 - 3. For hotel uses, a minimum of 0.5 space per hotel guest room shall be provided as RESERVED PARKING; there are no set maximum limits on SHARED PARKING. In addition, 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.
 - 4. A maximum of one space per 1,000 square feet of non-residential GFA (excluding hotel uses), two spaces per residential dwelling unit, and a maximum of 0.7 space per hotel guest room may be made available for RESERVED PARKING, not counting the additional parking required by subsection 3, above, for hotels that include 7,500 square feet or more of conference rooms or banquet facilities.
 - 5. 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.

* * *

6. Historic Preservation

Certain HISTORIC STRUCTURES and HISTORIC FACADES are viewed as integral to the current and future identity of Columbia Pike. These historic resources are to be preserved pursuant to Section II.E.5 (see HISTORIC PRESERVATION, Section II. Definitions) through the use of local incentives, as well as Federal and/or State Historic Tax Credits.

HISTORIC STRUCTURES

Sites containing HISTORIC STRUCTURES may be redeveloped under the Code subject to any special provisions that apply to the site in the REGULATING PLAN and administrative review by the Arlington

634 Historical Affairs and Landmark Review Board (HALRB). When located on any site that is redeveloped
635 pursuant to this Code, HISTORIC STRUCTURES shall be preserved pursuant to Section II.E.5 (~~see HISTORIC~~
636 ~~PRESERVATION, Section II. Definitions~~) in their entirety and shall not be subject to the BUILDING
637 ENVELOPE STANDARD prescriptions of this Code.

638

639 The following properties are HISTORIC STRUCTURES:

- 640 • 2500-2530 Columbia Pike, Arlington Village Shopping Center
- 641 • 2624 Columbia Pike, Arlington Animal Hospital
- 642 • 2628 Columbia Pike, Birds N’ Things
- 643 • 2900 Columbia Pike, Old Dominion Bank/Blanca’s Restaurant
- 644 • 2903 Columbia Pike, Arlington Theater
- 645 • 3014 Columbia Pike, Charles Building
- 646 • 805 South Walter Reed Drive, Fillmore Gardens Apartments (The portion of the property south
647 of 9th Street may be redeveloped, on the condition that preservation (~~see HISTORIC~~
648 ~~PRESERVATION, Section II. Definitions~~) pursuant to Section II.E.5 is implemented for the portion
649 north of 9th Street.)

650

651 HISTORIC FACADES

652 Sites incorporating HISTORIC FACADES may be redeveloped under the Code subject to any special
653 provisions that apply to the site in the REGULATING PLAN or in this section and administrative review by
654 the Arlington Historical Affairs and Landmark Review Board (HALRB). When located on any site that is
655 redeveloped pursuant to this Code, HISTORIC FACADES shall be preserved (~~see HISTORIC~~
656 ~~PRESERVATION, Section II. Definitions~~) pursuant to Section II.E.5 and shall not be subject to the
657 BUILDING ENVELOPE STANDARD prescriptions of this Code.

658

659 The following properties contain HISTORIC FACADES:

- 660 • 2338-2344 and 2408 Columbia Pike, commercial buildings
- 661 • 2801-2811 Columbia Pike and 927 South Walter Reed, Elkins Building
- 662 • 900 block of South Walter Reed Drive, commercial buildings
- 663 • 2906-2922 Columbia Pike, Arlington Hardware

664

665 ~~⁶In order to better incorporate HISTORIC STRUCTURES and HISTORIC FACADES into redevelopment~~
666 ~~scenarios, the following are allowable modifications to the Form Based Code requirements.~~

- 667 • ~~⁷HISTORIC STRUCTURES and HISTORIC FAÇADE buildings have no minimum parking~~
668 ~~requirements. (rRedevelopment is not required to obtain this exemption).~~
- 669 • ~~⁸Redevelopment projects incorporating HISTORIC STRUCTURES and HISTORIC FACADES are~~
670 ~~exempt from the County’s parking requirements for that portion of the project that includes the~~
671 ~~historic property.~~
- 672 • ~~Siting and element requirements of the BUILDING ENVELOPE STANDARDS can be modified for~~
673 ~~that portion of any redevelopment project that includes a HISTORIC STRUCTURE or HISTORIC~~
674 ~~FACADE that is preserved.~~

675

⁶ This section has been moved to *Section II.C Special Circumstances* (see lines 274 – 292) and *Section II.E.4-5 HALRB Review and Preservation of Historic Structures/Facades* (see lines 390 – 407), except where noted in Footnote 7 and Footnote 8.

⁷ This section has been moved to *Section III.B.4.B Parking* (see lines 587 – 593).

⁸ This section has been deleted as it duplicates regulations moved to *Section III.B.4 Parking*.

676 Optional exceptions:

677 D. Up to two additional STORIES, with appropriate design and tapering, subject to HALRB review
678 and approval, are permitted on the remainder of the site, provided overall building height is
679 within the maximum (in feet) for the site.

680
681 For example, on a MAIN STREET SITE, the maximum height is 6 STORIES, the equivalent to 94
682 feet under the Form Based Code. (Maximum floor heights are 24 ft., 14 ft., 14 ft., 14 ft., 14 ft.,
683 14 ft.) Thus up to an additional two STORIES are permitted, but overall building height cannot
684 exceed 94 feet.

685
686 E. Developers are exempted from constructing certain STREETSCAPE improvements, including:

- 687 ● Utility undergrounding
- 688 ● Provision of street furniture
- 689 ● Provision of PUBLIC ART
- 690 ● Provision of CIVIC GREENS and SQUARES

691
692 Developers are required to obtain a Certificate of Appropriateness from the Historical Affairs and
693 Landmarks Review Board (HALRB) for projects involving the identified HISTORIC STRUCTURES and
694 HISTORIC FACADES listed above prior to application submission. Such Certificates of Appropriateness
695 shall be governed by the processes, standards, and rights of appeal as set forth in Section 31A of the
696 Zoning Ordinance.

697
698 * * *

699 **IV. Building Envelope Standards**

700
701 A. Introduction
702 The REGULATING PLAN identifies the BUILDING ENVELOPE STANDARDS (BES) for all building sites
703 within the Columbia Pike Revitalization District. The goal of the BUILDING ENVELOPE STANDARDS is
704 the creation of a healthy and vital public realm through good STREET space. The BUILDING
705 ENVELOPE STANDARDS (BES) establish both the limitations and specific requirements for building
706 form and frontages. They aim for the minimum level of control necessary to meet that goal. The
707 form and function controls work together to create the STREET-SPACE while allowing the building
708 design greater latitude behind the façades. Deviations from the BUILDING ENVELOPE STANDARDS
709 can be approved through a Special Exception Process as provided for in Section VII. Administration
710 of this Code and in ACZO Article §11.1 and §15. of the Zoning Ordinance. The BUILDING ENVELOPE
711 STANDARDS set the basic parameters governing building construction, including the building
712 envelope (in three dimensions) and certain required/permitted elements, such as BALCONIES,
713 STOOPS, and STREET WALLS.⁹

- 714
- 715 B.A. General Guiding Principles
- 716 1. Buildings are aligned and close to the STREET.
- 717 Buildings form the space of the STREET.

⁹ This text (see lines 710 – 713) has been incorporated in *Section I.G. Components of the Code* (see lines 156 – 163).

- 718 2. The STREET is a coherent space, with consistent building forms on both sides of the STREET.
 719 This agreement of buildings facing across the STREET contributes to a clear public space and
 720 community identity.
- 721 3. Buildings oversee the STREET (and SQUARE) with active fronts.
 722 This overview of the STREET contributes to vital and safe public space.
- 723 4. Property lines are physically defined by buildings or STREET WALLS.
 724 Land should be clearly public or private—in public view and under surveillance or private
 725 and protected.
- 726 5. Buildings are designed for towns and cities.
 727 Rather than being simply pushed closer together, as in many suburban developments,
 728 buildings must be designed for the urban situation within towns and cities. Views are
 729 directed to the STREET and the garden/courtyard, not toward the neighbors.
- 730 6. Vehicle storage, garbage and mechanical equipment are kept away from the STREET.
- 731 7. Retail on the GROUND FLOOR (for MAIN STREET locations).
 732 Retail helps to make the STREET active and interesting.
- 733 8. Parking (not including on-street parking) should be away from the STREETS and shared by
 734 multiple owners/users.
- 735 9. Historic Character.
 736 Those structures that have historic character should be preserved in some manner or their
 737 elements incorporated in the redevelopment of their site.

738 * * *

739
 740 **VI. Architectural Standards**

741 A. Introduction

742 Buildings must be reviewed by the ADMINISTRATIVE REVIEW TEAM. The ADMINISTRATIVE
 743 REVIEW TEAM will also work with the developer and/or designer to show them how the Form
 744 Based Code will satisfy their site needs and other requirements.

745
 746 ~~B.A.~~ General Principles and Intent

747 1. TRADITION

- 748 • These standards favor an aesthetic that is traditional in a broad sense. They specify an
 749 architecture language of load-bearing walls and regional materials. The standards also
 750 specify certain details, such as column and pier spacing, window proportions, roof or
 751 cornice configurations, storefronts, and overhangs.
- 752 • The intent behind these standards is to utilize a discipline of form when designing new
 753 buildings in order to foster a coherent Columbia Pike aesthetic.
- 754 • All building materials to be used shall express their specific properties. For example,
 755 stronger and heavier materials (masonry) support lighter materials (wood).

756
 757 2. EQUIVALENT OR BETTER

758 • ¹⁰While only materials, techniques, and product types prescribed here are allowed,
759 equivalent or better practices and products are encouraged. They shall be submitted to
760 the ADMINISTRATIVE REVIEW TEAM and may be added to the approved list after proper
761 review by the County. While certain materials, techniques, and product types are
762 prescribed in this section as being permitted, equivalent or better practices and
763 products are encouraged. Alternatives may be proposed through submittal of technical
764 specifications, samples, and case examples for proposed materials to the Zoning
765 Administrator. The FBC Administrative Review Team and the Zoning Administrator will
766 review the proposal and compare the use of the material, technique or product type
767 and its durability and appearance with the permitted materials, to determine whether it
768 is an equivalent or better material, technique, or product type. Once an alternative
769 material, technique, or product type has been determined to be acceptable for use, it
770 shall be added to a list maintained by the Zoning Administrator as acceptable in future
771 applications.

772

773 3. ENERGY EFFICIENCY AND ENVIRONMENTAL CONSERVATION

774 • LEED (Leadership in Energy and Environmental Design) standards, or an equivalent
775 standard, should be incorporated into the building design including the submission of a
776 LEED scorecard in the administrative review process.

777

778 4. WHERE CLEARLY VISIBLE FROM THE STREET

779 • Many of these standards apply only in conditions WHERE CLEARLY VISIBLE FROM THE
780 STREET. Note that the definition of STREET includes parks, CIVIC SQUARES, and CIVIC
781 GREENS. These controls therefore concentrate on the public space/views from the
782 public space and minimize interference in the private realm. For example, an
783 architectural element that is visible only through an opening in a STREET WALL is not
784 CLEARLY VISIBLE FROM THE STREET.

785

786 * * *

787 VI. Architectural Standards

788 G. Lighting and Mechanical Equipment, 2. Standards for Lighting and Mechanical Equipment, Lighting

789 • A photometric analysis will be submitted as part of the Form Based Code application by the
790 developer. Such analysis will show that, with the spacing of street lights as shown by the
791 developer on the lighting plan, the light levels will fall within recommended levels indicated in
792 Arlington County's 2014 2012 Traffic and Street Lighting Specifications, as amended, for the
793 street type and location.

794

795 * * *

796 VII. Administration Definitions

797

798 DEVELOPMENT PROJECT. A property that is the subject of County approval for development.

799

¹⁰ This text is replaced with text consistent with N-FBC (see lines 761 – 771).

* * *

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¹¹~~HISTORIC PRESERVATION. HISTORIC PRESERVATION can be conducted through two means: a preservation easement on the structure or façade can be recorded with the Northern Virginia Conservation Trust or the site can be designated as a local historic landmark by the Arlington County Board.~~

¹¹ This Definition is removed and replaced with regulations in Section II.E.5 (see lines 409 – 413).

807 **ARTICLE 11.2 CPN-FBC COLUMBIA PIKE NEIGHBORHOODS FORM BASED CODE**
808 **(APPENDIX B)**

809 * * *
810

811 **Part 2. Administration**

812 **201. Applicability**

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

818
819 **A.** In areas not identified as CONSERVATION AREAS on the REGULATING PLAN:

- 820 1. The Zoning Administrator may approve existing structures to remain as part of an interim
821 condition in a phased development as part of a DEVELOPMENT PROJECT that is otherwise in
822 compliance with all provisions of this Code, if such DEVELOPMENT PROJECT meets all standards
823 in *Section 202.B* below for infill development.
824
825 2. ~~In areas not identified as CONSERVATION AREAS on the REGULATING PLAN,~~ Existing buildings
826 and additions to existing buildings may be approved by the County Board to remain as part of a
827 DEVELOPMENT PROJECT if they are 1) included in an approved DEVELOPMENT PROJECT that is
828 otherwise in compliance with all provisions of this Code, and 2) AFFORDABLE HOUSING meeting
829 the standards in *Part 902* is provided within the existing buildings.

- 830
831 **B.** In areas identified as CONSERVATION AREAS on the REGULATING PLAN, existing structures may be
832 approved by the County Board to remain as part of a DEVELOPMENT PROJECT if they are 1) included
833 in an approved DEVELOPMENT PROJECT that is otherwise in compliance with all provisions of this
834 Code, or 2) preserved through a transfer of density to an approved DEVELOPMENT PROJECT that is
835 otherwise in compliance with all provisions of this Code in another location; and in either case, such
836 existing structures are renovated in compliance with the renovation standards in *Part 7*
837 *Conservation Area Standards*.

838 * * *
839

840 **202. By-Right FBC Applications**

841 * * *
842

843 **203. Special Exception Use Permit FBC Applications**

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

- 846 **A.** Request for approval of any Special Circumstances set forth in *Section 204*;
847 **B.** Request for approval of any modifications, as set forth in *Section 205*.
848 **C.** Request for approval of CIVIC BUILDINGS on sites designated for those uses on the REGULATING
849 PLAN.

850 D. Request for a hotel that includes 7,500 square feet or more of conference room or banquet facility
851 Gross Floor Area (GFA).

852 E. Request for approval of a partial infill development as regulated by 201.A.2.

853

854 * * *

855 **206. Application Requirements & Review Processes**

856 **A. Submission Requirements**

857

858 * * *

859 **B. Preliminary FBC Applications**

860 1. Preliminary Applications shall be submitted for review by the Administrative Review Team for all
861 proposals.

862 2. When a preliminary application has been determined by the Administrative Review Team to be
863 compliant with the regulations set forth in this Code, except to the extent modifications are being
864 requested through use permit approval:

865 a. The Administrative Review Team will forward the application to the Form Based Code
866 Advisory Working Group (AWG) and schedule a review meeting with the AWG.

867 b. Prior to the AWG meeting, applicants shall provide copies of the application to the Columbia
868 Pike Revitalization Organization (CPRO) and to the civic association (s) in which the subject
869 property is located, and to any immediately adjacent civic associations, as specified in FBC
870 Administrative Regulations 4.1.2

871 c. When an application includes a request for a modification(s) to the REGULATING PLAN
872 requirements, including the placement or alignment of a new street that differs from
873 regulations set forth in *Section 301.C.1* or the addition of a new street not shown on the
874 REGULATING PLAN, a meeting of a committee of the Planning Commission shall occur to
875 review the proposed modification during the preliminary application phase in order to
876 provide comment as to whether the proposed modification is consistent with the purposes
877 and intent of this Code and the goals of the Columbia Pike Neighborhoods Area Plan.

878 d. The AWG will review the proposal and advise the Administrative Review Team as to whether
879 it finds the preliminary application to be in compliance with this Code.

880 3. ~~When the application has been reviewed by the AWG and when necessary, a committee of the~~
881 ~~Planning Commission, the applicant may submit a Final Application. The Final Application can be~~
882 filed at the earlier of the following: a) completion of requirements in *Section 206.B.2.a – d*, or b)
883 completion of requirements in *Section 206.B.2.a - c* provided that the review meeting with the AWG,
884 specified in 206.B.2.d, has been scheduled for a date within 15 days of the final application
885 submission.

886

887 **C. Final FBC Applications**

888 1. By-Right FBC Applications:

889 a. Final By-Right FBC applications will be reviewed administratively for conformance with this Code
890 within thirty (30) days of a Final Application Submission. Upon completion of such review,
891 applicants will be notified in writing by the Zoning Administrator as to whether the submission is
892 in compliance with the Form Based Code.

- 893 b. At the time of, or prior to filing, applicants shall provide ~~a copy~~ copies of the application to the
- 894 Columbia Pike Revitalization Organization (CPRO) and to the civic association (s) in which the
- 895 subject property is located, and to any immediately adjacent civic associations, as specified in
- 896 FBC Administrative Regulations 4.1.2.
- 897 c. Once an application is approved by the Zoning Administrator, the applicant may apply for
- 898 construction permits consistent with the approved application. Applications that the Zoning
- 899 Administrator determines do not comply with the requirements of this Code may be
- 900 resubmitted for review as a revised application, or may request approval of a use permit, as set
- 901 forth in ACZO Article ACZO §15.45 of the ~~Arlington County Zoning Ordinance~~ and Section
- 902 206.C.2.
- 903
- 904 2. Special Exception Use Permit FBC Applications:
- 905 ~~a. Applications shall perform property owner notification as required by the Code of Virginia.~~
- 906 a. At the time of, or prior to filing, applicants shall provide ~~a copy~~ copies of the application to the
- 907 Columbia Pike Revitalization Organization (CPRO) and to the civic association (s) in which the
- 908 subject property is located, and to any immediately adjacent civic associations, as specified in
- 909 FBC Administrative Regulations 4.1.2.
- 910 b. Unless the Zoning Administrator determines that it is in the public interest to accept a later
- 911 application, a Form Based Code application shall be filed by the ~~fFinal dDeadline~~ for special
- 912 exception applications set by the Zoning Administrator, and no less than fifty-five (55 days)
- 913 before the public hearing.
- 914 c. The County Board shall approve the DEVELOPMENT PROJECT if it finds that the DEVELOPMENT
- 915 PROJECT meets the standards of this Code as modified by the County Board in accordance with
- 916 this Code, and meets the standards set forth in ~~Article ACZO §15.45.3 of the Arlington County~~
- 917 Zoning Ordinance.
- 918 d. In approving a FBC use permit, the County Board may designate such conditions in connection
- 919 therewith as will, in its opinion, assure that the use will conform to the requirements of this
- 920 Code and that such DEVELOPMENT PROJECT will continue to do so.

921

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

923 DEVELOPMENT PROJECTS within areas designated as CONSERVATION AREAS and areas designated

924 ADJACENT TO CONSERVATION AREAS on the REGULATING PLAN shall be subject to review by the

925 HALRB, as follows:

- 926 1. As part of the preliminary application phase, an applicant shall submit its DEVELOPMENT PROJECT to
- 927 the HALRB for two meetings (or more, if necessary) for review and comment (HALRB and/or DRC
- 928 meetings in one month shall count as one meeting). The HALRB, and/or its Design Review
- 929 Committee (DRC), shall review the proposed architectural design to assess whether the application
- 930 complies with *Part 7. Conservation Area Standards* of this Code.
- 931 2. Upon completion of its preliminary review, the HALRB will provide, in writing, its comments to the
- 932 applicants stating how the project does or does not comply with *Part 7.*
- 933 3. The applicant shall address the HALRB comments and return to the HALRB for one additional
- 934 meeting for final review and comment.

935 4. HALRB shall prepare a written recommendation as to whether the DEVELOPMENT PROJECT
936 complies with *Part 7*, for consideration by the County Board. The County Board will consider the
937 HALRB recommendation in approving a use permit pursuant to *Section 206.C.2.d.e.*
938

939 **E. Subdivision and Building Permits**

- 940 1. The applicant shall not pursue development permits until such time that either a Letter of Approval
941 by the Zoning Administrator or a Use Permit approval by the County Board has been obtained.
942 2. All development shall be consistent with the approved FBC DEVELOPMENT PROJECT.
943 3. Administratively-approved FBC applications, approved after September 24, 2016, will expire in 3
944 years from the date of the Zoning Administrator’s Letter of Approval unless a Footing to Grade
945 permit has been issued; however, the Zoning Administrator may extend the approval up to 3 years
946 for a total of up to 6 years if he/she finds that the applicant has been actively working in good faith
947 to pursue the Footing to Grade permit.
948

949 **F. Major and Minor FBC Use Permit Amendments**

- 950 1. Major FBC Use Permit Amendments: Any modification of the approved use permit which meets
951 one or more of the following criteria is considered a major amendment and will require approval
952 by the County Board:
953 a. Change the principal use of the building in more than five percent of the total floor area of
954 the building;
955 b. Change the overall building height by more than 12 feet;
956 c. Change the gross floor area of the ground story by more than 20 percent of the area of the
957 ground story; or
958 d. Any change which the Zoning Administrator determines is similar in significance to the
959 above stated changes, including but not limited to, changes to materials, design, or
960 appearance of the building from the original approval.
961
962 2. Minor FBC Use Permit Amendments: Any modification of the approved use permit that meets
963 either of the following criteria is considered a minor amendment and will require approval by
964 the County Board:
965 a. Any modification of the approved DEVELOPMENT PROJECT which is not considered a major
966 amendment and which cannot be approved administratively; and
967 b. The subdivision of land involved in an approved DEVELOPMENT PROJECT, except that, if the
968 following criteria are met, such subdivision may be approved as an administrative change by
969 the Zoning Administrator:
970 I. Uses and building form is consistent with the zoning and approved use permit;
971 II. Parking is consistent with the zoning and the approved use permit;
972 III. Public improvements are consistent with the zoning and approved use permit; and
973 IV. Clear evidence exists that all conditions of the approved use permit have been met or
974 are bonded in a manner acceptable to the County Manager.
975
976 3. Processes for Major/Minor Amendments:

- 977 a. When a major or minor use permit amendment is filed, the Zoning Administrator shall notify
978 the applicant, as required in FBC Administrative Regulation 4.1.2, of the scheduled date of
979 the County Board public hearing, which date will be up to 180 days after filing. Public
980 hearings shall be the first regularly scheduled County Board meeting of each month, except
981 the County Board may establish, on its own motion, another County Board meeting for the
982 hearing.
- 983 b. When either a major or minor use permit amendment is filed, the Administrative Review
984 Team and the FBC AWG shall review the preliminary application consistent with *Section*
985 *206.B.1-2.*
- 986 c. After the Zoning Administrator has determined that the applicant has met the requirements
987 of *Section 206.B.2*, the application may be considered at a public hearing by the County
988 Board on no less than 55 days after the AWG review meeting.
- 989 4. The County Board shall approve an amendment only if it finds, after a duly advertised
990 hearing, that the DEVELOPMENT PROJECT will not 1) adversely affect the health or safety or
991 persons residing or working in the neighborhood of the proposed use; nor 2) be detrimental
992 to the public welfare or injurious to the property or improvements in the neighborhood; nor
993 3) be in conflict with the purposes of the master plans of the County.
- 994 5. In approving a major or minor FBC use permit amendment, the County Board may designate
995 such conditions in connection therewith as will, in its opinion, assure that the use will
996 conform to the requirements of this Code and that such DEVELOPMENT PROJECT will
997 continue to do so.

- 998
- 999 **G. FBC Administrative Changes:** Any minor adjustment to the approved DEVELOPMENT PROJECT
1000 elements listed below, and any other change that the Zoning Administrator determined is similar in
1001 significance and complies with the spirit of this Code and the Arlington County Zoning Ordinance,
1002 the intent of the County Board or the Zoning Administrator in its approval of the DEVELOPMENT
1003 PROJECT, the general purpose of the Comprehensive Plan for the development of the area, may be
1004 approved by the Zoning Administrator:
- 1005 1. Facade elevations, fenestration, and/or clear heights or story heights to address changes to the
1006 interior layout of the building;
- 1007 2. Ground story finished floor elevations to address conflicts with site topography; or
- 1008 3. On a limited basis, substitute comparable or better façade materials.

1009

1010 * * *

1011 **Part 3. Regulating Plans**
 1012 302. The Regulating Plans
 1013 A. Regulating Plan Key *[as shown in pages 3.6, 3.8, and 3.10]*
 1014

BES Designations and Regulatory Elements	Special Circumstances
Urban Mixed Use	Bonus Areas
Urban Storefront (See Urban Mixed Use BES)	Height Max 6 Stories Building Height 92 ft Bonus Height Max up to 2 Add'l Stories Ultimate Building Height 116 ft
Urban Residential	Height Max 6 Stories Building Height 92 ft Bonus Height Max up to 6 Add'l Stories Ultimate Building Height 164 ft
Townhouse/Small Apartment	Height Max 8 Stories Building Height 120 ft Bonus Height Max up to 2 Add'l Stories Ultimate Building Height 144 ft
Detached	Height Max 8 Stories Building Height 120 ft Bonus Height Max up to 6 Add'l Stories Ultimate Building Height 192 ft
District Boundary Line	
Required Building Line (RBL)	
Lot Building Line (LBL)	
Parking Setback Line	
Alternative Street	
Alley	
Civic Structure	Conservation Area
Pedestrian Pathway/Bikeway	Adjacent to Conservation Area

Locations may be adjusted

1015
 1016
 1017 * * *
 1018

1019 **Part 5. Street-Space Standards**
 1020 505. Sidewalk and Landscape Standards

1021 * * *
 1022 D. Street-Space Lighting
 1023 * * *

1024 3. A photometric analysis will be submitted as part of the FBC application by the developer.
 1025 Such analysis will show that, with the spacing of STREETLIGHTS as shown by the developer on
 1026 the lighting plan, the light levels will fall within recommended levels shown in *Arlington County's*
 1027 2014 2012 Traffic and Street Lighting Specifications, as amended, for the street type and
 1028 location

1029
 1030 * * *
 1031