

ARLINGTON COUNTY, VIRGINIA

ZOA-2021-01

**(Affordable Housing
Building Height)**

Adopted April 17, 2021

Effective April 17, 2021

At the County Board regular meeting on April 17, 2021, on a motion duly made by County Board member Katie Cristol and seconded by County Board member Katie Christian Dorsey, the Arlington County Board unanimously adopted the following ordinance, effective immediately, to amend, reenact and recodify §12.3.7 and §15.5.9 of the Arlington County Zoning Ordinance to allow modifications of the maximum building height up of to 60 feet for multifamily residential development in the RA14-26, RA8-18, and RA6-15 districts by the County Board through its site plan approval authority for development projects providing 100% of the dwellings as low- or moderate-income housing and to make other editorial changes to improve clarity.

* * *

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

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 12. Use Standards**

§12.3. Residential Use Standards

§12.3.7. Low- and moderate-income housing

A. Site plan options

When a site with an area of more than 20,000 square feet, or with 10 or more existing dwelling units, is sought to be used in a manner inconsistent with existing regulations for height, setback, yard, coverage, or parking, or is sought to be developed using additional residential density, the County Board may allow exceptions, after application for a site plan approval consistent with §15.5, in order to achieve a design appropriate for the site, project, and the surrounding area. The County Board, **in its discretion**, may approve additional height and density **above the amount allowed in the zoning district and may modify use regulations as specified in §15.5.7** based on the provision of low- or moderate-income **housing and in accordance with the following provisions: as provided in §15.5.8. The County Board, in its discretion, may modify regulations on height, setback, yard, coverage, or parking requirements and may approve up to a 25 percent increase in residential density above the density shown in §12.3.7.A.1 below, for a project that provides low- or moderate-income housing provided that:**

- 1. The County Board may approve a building or buildings with maximum height and density as set forth ~~Under no circumstances shall the County Board approve a building with a height greater than that shown in the table~~ below.**

General District	Height, Maximum (feet)	Density (units per acre) Up to 25 percent above may be approved
RA14-26 RA7-16 RA4.8 R-C RA-H RA-H-3.2	60	24
RA8-18	60	36
RA6-15	70	48

- 2. The County Board may further approve additional density in accordance with §15.5.9.A beyond that specified in §12.3.7.A.1; and approve additional height beyond that specified in §12.3.7.A.1, in accordance with §15.5.9.A.3.b.**

- 3. 2.** Parking for new dwelling units shall be provided as required in §14.3. However, the number of parking spaces per existing dwelling unit preserved shall be no less than the number of parking spaces per dwelling unit on the site at the time of application.

Article 15. Administration and Procedures

§15.5. Site Plans

§15.5.9. Additional building height and density above the zoning district regulations and the General Land Use Plan

A. Affordable housing

1. ...

2. ...

3. Modification of building height

(a) In considering the approval of a site plan, the County Board may permit additional building height above that specified for site plan development in the zoning district regulations for the provision of low- or moderate-income housing.

(b) In the RA14-26, RA8-18, and RA6-15 districts on lots which are identified on the adopted General Land Use Plan as either 1) within a Housing Conservation District as identified on the General Land Use Plan Map, or 2) outside of a planning district as identified on the General Land Use Plan Map, the County Board may, through site plan approval pursuant to §15.5, modify the maximum building height regulations specified in §12.3.7. Under no circumstances shall the County Board modify the maximum building height regulations as specified in §15.5.9.A.3.b in a manner that would result in additional building height beyond 60 feet above the height permitted in §12.3.7, exclusive of mechanical penthouses. Such modifications may be approved when the County Board finds that: ~~In RA districts, except RA-H, RA4-8, and RA-H 3.2 districts, building heights shall not be modified under this §15.5.9.A.3, except where a project provides low- or moderate-income housing as allowed by §12.3.7.~~

(1) The proposed development will result in the provision of 100% of the dwelling units providing low- or moderate-income housing. In instances where less than 100% of the dwelling units would be considered low- or moderate-income housing and the development project is overall consistent with the Affordable Housing Master Plan, the County Board may modify the maximum building height regulations as specified in §15.5.9.A.3.b.

(2) The applicant's site layout and proposed building heights have been designed in a manner to establish effective transitions to lower density residential neighborhoods, using site topography, landscaping, architectural façade treatments, graduated building heights, increased setbacks, or other similar measures;

(c) Notwithstanding the modification provisions specified in §15.5.9.A.3., under no

circumstances shall the County Board modify maximum building heights for the C-2, C-3, and C-4 districts under this Subsection.~~In C-2, C-3, and C-R districts, building heights shall not be modified under this §15.5.9.A.3.~~