



# ARLINGTON COUNTY, VIRGINIA

## ARLINGTON COUNTY PLANNING COMMISSION

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COORDINATOR

GIZELE C. JOHNSON  
CLERK

December 9, 2015

Arlington County Board  
2100 Clarendon Boulevard  
Suite 300  
Arlington, Virginia 22201

**SUBJECT:** 1. **FBC-20 & N-FBC-5**, Amendments to the Arlington County Zoning Ordinance AZCO §11.1(Appendix A) to amend allowable uses permitted in ground stories of mixed-use buildings and AZCO §11.2 (Appendix B) to amend regulations associated with civic uses and civic buildings.

**RECOMMENDATIONS:** The Planning recommends that the County Board:

**Adopt the attached ordinance to amend, reenact and recodify the Arlington County Zoning Ordinance as follows: Article 11.1, CP-FBC Columbia Pike Form Based Code Districts (Appendix A) to amend allowable uses in ground stories of mixed-use buildings; and to Article 11.2, CPN-FBC Columbia Pike Neighborhoods Form Based Code Districts (Appendix B) to amend regulations associated with civic uses and civic buildings.**

### **BACKGROUND**

The Planning Commission heard these items at its November 30, 2015 public hearing. Matt Mattauszek, Department of Community Planning Housing and Development (CPHD)-Planning, gave a presentation on the background and details of the proposed project. Other staff present included Deborah Albert, CPHD – Planning, and Jennifer Smith, CPHD – Planning.

### **PUBLIC SPEAKERS**

There were no public speakers for this item.

### **REVIEW PROCESS**

Commissioner Forinash reported on behalf of Commissioner Schroll that the Transportation Commission (TC) discussed the item and there were no concerns with the proposal.

Commissioner Gutshall reported the Zoning Committee (ZOCO) discussed primarily a larger issue of how to change the zoning ordinance but had no issues with the proposed amendments.

Commissioner Ciotti reported the Form-Based Code Advisory Working Group supported the proposed amendments.

**P.C. #16.A.B.**

### **PLANNING COMMISSION DISCUSSION**

Commissioner Siegel asked why civic uses were not previously included in the Form Based Code. Mr. Mattauszek responded that when the FBC was developed, the focus was on revitalization of Columbia Pike and there is no clear explanation of why civic uses were left out, and the focus was on a constant flow of people.

Commissioner Cole said that medical offices should be allowed by right in the FBC, however there should be a distinction between medical offices and dental services, which often provide a cosmetic service rather than medical service.

Commissioner Cole pointed out that activation is not merely the action on the street but interaction between the street and inside the building, which means transparency is important. He added that there should be an additional option for the Board to make a finding that if a use serves a public good and is in the interest of the community but may not increase activation, it can be approved.

Commissioner Cole asked if there are any differences between regulation of religious uses in the FBC versus the rest of the Zoning Ordinance, and why was this [by-right] standard chosen for the FBC. He followed by asking why the FBC requires a use permit for medical office use on principal arterials in the Form Based Code while it is allowed by-right in other zoning districts. He suggested that medical office should be allowed by-right in order to facilitate opportunities for locating this use. He asked why was the use permit standard was chosen for the FBC, again asking if it is consistent with how the use is regulated elsewhere in the Zoning Ordinance.

Ms. Albert said there are some uses that are regulated consistently in every zoning district, such as religious institutions, which are always by-right. There are other uses, however, where different districts treat the same use differently (by-right versus use permit). The FBC is different in that the use table regulates only the ground floor, whereas, in the rest of the Zoning Ordinance, the use table applies to the entire building, and site plan conditions are used to regulate which uses may be allowed on the ground floor, based on adopted policies (such as the retail policy, which makes recommendations on which streets certain use categories should be allowed on the ground floor).. Medical office, which is classified as office in the use classification system in the Zoning Ordinance, would be allowed by-right in the upper stories of a Form Based Code building as long as office is allowed on that frontage type; it is just on the ground floor of buildings on principal arterials where a use permit would be required.

### **PLANNING COMMISSION MOTION**

Commissioner Ciotti moved that the Planning Commission recommend the County Board accept the County Manager's recommendation to adopt the attached ordinance to amend, reenact and recodify the Arlington County Zoning Ordinance as follows: Article 11.1, CP-FBC Columbia Pike Form Based Code Districts (Appendix A) to amend allowable uses in ground stories of mixed-use buildings; and to Article 11.2, CPN-FBC Columbia Pike Neighborhoods Form Based Code Districts (Appendix B) to amend regulations associated with civic uses and civic buildings. Commissioner Siegel seconded the motion.

Commissioner Cole sought unanimous consent to strike “Accept the Manager’s recommendation” and say “Board adopt the attached ordinance”. There was no objection.

The Planning Commission voted 10-0 to support the motion with Commissioners Forinash, Iacomini, Ciotti, Cole, Harner, Sockwell, Siegel, Gutshall, Brown, and Hughes in support.

Respectfully Submitted,  
Arlington County Planning Commission  
Christopher J. Forinash

A handwritten signature in black ink, appearing to read "Chris Forinash". The signature is fluid and cursive, with a large initial "C" and a long, sweeping tail.