



ARLINGTON COUNTY, VIRGINIA

<p>County Board Agenda Item Meeting of December 11, 2004</p>

DATE: December 9, 2004

SUBJECT: Request to Advertise public hearings on the proposed Zoning Ordinance amendment to Section 1. Definitions, and Section 32. Bulk, Coverage and Placement Requirements of the Zoning Ordinance to amend coverage requirements and related issues.

C.M. RECOMMENDATION:

Authorize the advertisement of public hearings on the proposed amendments to Sections 1. and 32. of the Arlington County Zoning Ordinance by the County Board at the March 2005 meeting and by the Planning Commission at the corresponding meeting in 2005. The proposed Zoning Ordinance amendments would amend, reenact, and recodify the Zoning provisions concerning lot coverage and other related issues in order to reduce the current lot coverage requirement that does not accurately reflect the existing conditions; to encourage orderly development of one-family residential neighborhoods; 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.

SUMMARY: The proposed Zoning Ordinance amendments for *lot coverage* apply only to new construction or existing homes that are substantially changed. These amendments will permit owners of existing, one-family residential properties to make reasonable additions and actually preserve the character of the neighborhood. At the same time, the amendments will mitigate against oversized construction of new in-fill homes (such as by-right subdivisions and unified residential developments) or tear-downs of existing homes.

The proposed new coverage requirements are on a sliding scale based on the residential zoning category ("R" districts). The current Zoning Ordinance permits 56 percent coverage for one-family residential lots in all five "R" Districts regardless of the minimum required size of the lot.

<p>County Manager: _____</p>

<p>County Attorney: _____</p>

<p>Staff: Sakura Namioka, CPHD, Planning Division</p>

<p>PLA-3872</p>

In addition, in all five residential zoning districts, the following provisions are proposed:

- Five (5) percent coverage bonus for lots with a detached rear garage.
- A maximum main building footprint coverage.
- Three (3) percent coverage bonus for lots with a front porch.
- Main building footprint caps for one-family house footprints on oversized lots.

The following table summarizes the amendments as they would apply to new construction or substantially changed existing structures.

<i>Categories</i>	<i>R-5</i>	<i>R-6</i>	<i>R-8</i>	<i>R-10</i>	<i>R-20</i>
Maximum Lot Coverage	45%	40%	35%	32%	25%
Maximum Lot Coverage with front porch	48%	43%	38%	35%	28%
Maximum Lot Coverage with rear detached garage	50%	45%	40%	37%	30%
Maximum Lot Coverage with rear garage and front porch	53%	48%	43%	40%	33%
Maximum Main Building Footprint Coverage	34%	30%	25%	25%	16%
Max. Main Building Footprint Coverage with a front porch	37%	33%	28%	28%	19%
Main Buildings Cap	2040 sf	2160 sf	2400 sf	3000 sf	3880 sf
Main Buildings Cap with a front porch	2200 sf	2376 sf	2688 sf	3360 sf	4610 sf

As noted, the proposal would also permit all existing houses to retain the present 56 percent coverage requirement, unless they are substantially changed. “Substantial Change” is defined as the “relocation of more than fifty percent (50%) of a building’s outer walls from their location” or in an increase in the main building footprint “of more than 100 percent (100%).”

The proposed amendments are intended to balance concerns about the construction of new homes that are dramatically out of scale and character with the rest of the neighborhood, while still permitting construction of new homes that meet current market requirements. The amendments also provide assurance that existing homes can be modernized and reasonably expanded.

BACKGROUND: The County Board directed ZORC and staff to analyze options to control the impacts of new residential development on one-family residential neighborhoods, in response to the many concerns raised about recent infill residential development. The County Board recognized that it was important to balance the desirability of Arlington’s residential neighborhoods, which is created by the character of existing houses, with the need to permit expansion of existing houses and construction of new houses in the current strong housing market.

Arlington is a very desirable place to live and many new houses are being developed on few remaining vacant lots. In addition, existing houses on large lots are being torn down and replaced by two or more houses or being enlarged with additions. Many perceive that some new developments are too large and incongruous with the character of the existing neighborhoods.

The complaints include a loss of open space, bulky and incongruous houses that are incompatible with the character of the surrounding neighborhood, loss of separation between houses, visual intrusions, loss of mature trees, and large areas devoted to parking and driveways.

The zoning components that most directly affect the size and character of one-family houses are height, setbacks from street and property lines, the shape of lots, and coverage. The County Board has already adopted Zoning Ordinance amendments concerning building height, lot width and pipe-stem lots. Coverage is the last item of this infill residential development study. Coverage determines how much of a lot can be covered by footprints of structures and driveways. Thus, controlling coverage has a direct impact on the size of the footprint of houses, garages and driveways. The proposed Zoning Ordinance amendments intend to establish reasonable coverage limits that would protect neighborhoods from very large houses in the future while still allowing reasonable-sized houses for today's market.

The current Zoning Ordinance permits a maximum of 56 percent coverage for all residential lots in the "R-5," "R-6," "R-8," "R-10," and "R-20" Districts regardless of the minimum required size of the lot. Staff analyzed data using Geographic Information System for all one-family residential lots in the County and found that few houses even approach 56 percent maximum coverage in any of these zoning districts.

The County Board/Planning Commission Work Session: On June 11, 2001, the County Board held a work session on the lot coverage study. ZORC and staff submitted three Zoning Ordinance amendment options for review at the work session. When the three options were shared with the community, some concerns were raised as to how the proposed amendments would affect existing and future one-family residential development. Consequently, the County Board directed staff to conduct additional research, specifically collecting additional lot coverage data for new construction and existing one-family houses to address these concerns. In 2003, staff completed the research and shared the results with the ZORC. In February 2004, ZORC completed the study and submitted its recommendation to the Planning Commission. The ZORC report is attached to this report (Attachment B).

On July 19, 2004, County Board and the Planning Commission held a second work session on the lot coverage study and reviewed the revised recommendation. At the work session, the County Board directed staff to reach out to the community to inform them about the proposed lot coverage related amendments and to prepare Zoning Ordinance amendment language for consideration in 2004. This report is prepared as a response to this direction.

The major difference between the ZORC proposal and staff recommendations is to grandfather existing homes to the current coverage limits. This means that no existing, conforming home will be made non-conforming by the changes, nor will the existing ability to expand homes be reduced as long as the expansion does not meet the definition of new construction. Staff also does not recommend adding pergolas and swimming pools to the list of what should be counted as coverage.

Civic Associations and Citizen Outreach: In the fall of 2001, staff conducted a citizen survey that was assisted by the Arlington County Civic Federation. The Civic Federation supported efforts to control infill residential development, but has not reached consensus about the proposed changes. On November 11, 2004, the Neighborhood Conservation Advisory Committee adopted a resolution generally endorsing the ZORC recommendations (Attachment C). In 2004, a representative of ZORC and staff attended several civic association meetings to present the proposed Zoning Ordinance amendments for lot coverage study. From November 2004 to March 2005, additional citizen outreach efforts will be made.

In 2001 information related to the lot coverage study was added to the county web site and subsequently updated. In addition, the County established a hotline for lot coverage in October 2004 to receive citizen's comments.

DISCUSSION: Staff has prepared the Zoning Ordinance amendment proposal to reduce the permitted maximum lot coverage from the current 56 percent based on the ZORC report dated February 2004 with some modifications.

Proposed Zoning Ordinance Amendments: The proposed amendments are to Section 1. Definitions and Section 32. Bulk, Coverage and Placement Requirements of the Zoning Ordinance:

1. The proposal includes two new items in Section 1. Definitions. These are, *lot coverage* and *main building footprint coverage*. One of the major subjects discussed at the ZORC and staff meetings was what should be counted in the coverage calculation. The proposed definitions are based on the recommendation made by ZORC in its report dated February 2004 and would clarify what should be included in coverage calculation. Two lists, items that are recommended by ZORC to be counted for coverage and items that are recommended to be excluded from coverage, are attached to this report (Attachment B). Staff modified the ZORC recommendation and does not recommend advertising the inclusion of pergolas and swimming pools in the list of what should be counted as coverage, because staff's goal is to make coverage easy to understand and administer by focusing on essential items, and because swimming pools do not add to the bulk of structures on the lot.

The proposed definitions of *Lot Coverage* and *Main Building Footprint Coverage* are:

Lot Coverage. The percentage determined by dividing (a) the area of a lot covered by the total (in square feet) of (1) the footprint of the main building, (2) the total footprints of accessory buildings [counting only buildings with footprints larger than one hundred fifty (150) square feet], or with a height of two stories or more, and (3) parking pads and driveways, by (b) the gross area of that lot.

Main Building Footprint Coverage: The percentage determined by dividing that area covered by a main building footprint by the gross area of the lot on which the main building is located. The main building footprint shall include all parts of a main building that rest, directly or indirectly, on the ground, including, by way of illustration and not by limitation, bay-windows with floor space, chimneys, covered porches, decks supported by posts and with floor heights that are four (4) feet or higher above grade, cantilevered decks with horizontal projections that are four (4) feet or more, and covered breezeways connected to a main building.

As noted, the proposed provisions are applicable only to new construction. New construction, for this purpose, will be a main building where one did not exist before, or relocation of 50 percent or more of the outer walls of a structure, or increasing the main building footprint by 100 percent. This would also ensure that existing conforming structures could be rebuilt if they are destroyed and the additions could be built based on current coverage limits of 56 percent.

2. The proposal would reduce the permitted maximum coverage of one-family dwelling lots from the current 56 percent to 45 percent for the “R-5” District and to 25 percent for the “R-20” District on a sliding scale for the five zoning districts. Staff carefully analyzed GIS data to determine coverage of existing buildings. Across the zoning districts 90 percent or more of existing homes are within the new coverage requirements. The amendments will ensure that new homes are kept within these same limits.

The one change in the coverage percentages from the ZORC proposal applies to the “R-20” District, where ZORC proposes a maximum coverage of 20 percent; however, 27 percent of the existing homes in the “R-20” District already exceed this limit. Thus staff recommends lot coverage for the “R-20” at 25 percent, which is more consistent with the recommendations for the other four zoning districts.

3. The proposed maximum lot coverage will allow many variations in site design. When there is no detached garage or accessory building on the lot, or there is no required parking space provided on the lot, as still found in older neighborhoods, the entire maximum lot coverage could be used for a main building footprint. This scenario will permit significantly larger houses compared to the houses with a detached garage and/or driveway. In order to control these unusually large main building footprints, the proposal includes maximum coverage percentage requirements for the main building footprints for each Zoning District. These maximum coverage percentages are based on an analysis of recent development on the minimum sized lots for each zoning district (e.g. 5,000 sq. ft. for “R-5”).
4. The proposal would allow an additional five percent of lot coverage when providing a detached garage in the rear yard. When garages are built within the main building



footprint, the main building tends to become tall and bulky. This factor was recognized as a major issue associated with recent residential developments. Building garages that are detached from the main building would significantly reduce this problem. Placing garages on the rear yard, however, generally increases the coverage because of the garage footprint and because a longer driveway is required. Permitting an additional five percent of lot coverage would address this issue and would encourage building detached garages in the rear yard. To be eligible for this additional coverage, rear garages will be required to be in compliance with the current Zoning Ordinance requirements in Section 32.D.2.e. which limit height, footprint and placement.

5. The proposal would permit up to three percent of additional lot coverage for providing porches attached to the front of the main building at the first floor level. Many older houses in the County have front porches and provide an attractive inviting streetscape. Some recently built houses, however, have a straight, tall façade facing the street and create a streetscape that is out of character in the neighborhood. Thus ZORC recommended providing a bonus for front porches. The County policy to encourage front porches is demonstrated in the Zoning Ordinance amendments adopted by the County Board in ember 2000, which permit the projection of uncovered porches into the required setback area.

6. Currently some oversized lots are found in all one-family dwelling Zoning Districts in the County. If the proposed main building footprint coverage is applied to these oversized lots, main buildings with footprints that are much larger than those on a neighboring standard sized lots can be built. The proposed maximum main building footprint caps would prevent the construction of houses that are oversized relative to the houses on the neighboring standard sized lots. The proposed caps are generally equal to 1.2 times the maximum main building footprint permitted on a minimum sized lot in the respective “R” Zoning District. These recommendations also vary from the ZORC proposal in the “R-20” District. Staff recommends a main building cap of 3,880 square feet compared to 3,840 square feet proposed by ZORC. Currently there are no main building caps in any districts, thus permitting up to 56 percent coverage on any size lot.

A summary of the proposed coverage is listed below:

<i>Categories</i>	<i>R-5</i>	<i>R-6</i>	<i>R-8</i>	<i>R-10</i>	<i>R-20</i>
Maximum Lot Coverage	45%	40%	35%	32%	25%
Maximum Lot Coverage with front porch	48%	43%	38%	35%	28%
Maximum Lot Coverage with rear detached garage	50%	45%	40%	37%	30%
Maximum Lot Coverage with rear garage and front porch	53%	48%	43%	40%	33%
Maximum Main Building Footprint Coverage	34%	30%	25%	25%	16%
Max. Main Building Footprint Coverage with a front porch	37%	33%	28%	28%	19%
Main Buildings Cap	2040 sf	2160 sf	2400 sf	3000 sf	3880 sf
Main Buildings Cap with a front porch	2200 sf	2376 sf	2688 sf	3360 sf	4610 sf

CONCLUSION: The proposed Zoning Ordinance amendments would amend, reenact, and recodify the Zoning provisions concerning lot coverage and other related issues in order to reduce the current lot coverage requirement that is incongruous with the existing conditions; to encourage orderly development of one-family residential neighborhoods; 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. It is therefore, recommended that the County Board authorize the advertisement of public hearings on the proposed amendments to Section 1. Definitions and Section 32. Bulk, Coverage and Placement of the Arlington County Zoning Ordinance by the County Board at the March 2005 meeting and by the Planning Commission on the corresponding meeting in 2005.

RESOLUTION TO ADVERTISE PUBLIC HEARINGS ON THE PROPOSED ZONING ORDINANCE AMENDMENTS TO SECTION 1. DEFINITIONS AND SECTION 32. BULK, COVERAGE AND PLACEMENT REQUIREMENTS OF THE ZONING ORDINANCE TO ADD NEW ITEMS TO THE LIST OF DEFINITIONS AND TO AMEND COVERAGE REQUIREMENTS FOR ONE-FAMILY DWELLING LOTS.

The County Board of Arlington hereby resolves that the following amendments to Sections 1 and 32 of the Arlington County Zoning Ordinance shall be advertised for public hearings by the County Board at the March 2005 and by the Planning Commission on the corresponding meeting date in 2005, in order to reduce the current lot coverage requirement that is incongruous with the existing conditions; to encourage orderly development of one-family residential neighborhoods; 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.

* * *

Section 1. Definitions

* * *

Lot Coverage. The percentage determined by dividing (a) the area of a lot covered by the total (in square feet) of: (1) the footprint of the main building; and (2) the total footprints of accessory buildings [counting only buildings with footprints larger than one hundred fifty (150) square feet, or with a height of two stories or more]; and (3) parking pads and driveways; by (b) the gross area of that lot.

* * *

Main Building Footprint Coverage: The percentage determined by dividing that area covered by a main building footprint by the gross area of the lot on which the main building is located. The main building footprint shall include all parts of a main building that rest, directly or indirectly, on the ground, including, by way of illustration and not by limitation, bay-windows with floor space, chimneys, covered porches, decks supported by posts and with floor heights that are four (4) feet or higher above grade, cantilevered decks with horizontal projections that are four (4) feet or more, and covered breezeways connected to a main building.

* * *

Section 32. Bulk, Coverage and Placement Requirements

* * *

C. Coverage

~~For the purpose of securing open space for the exclusive use of pedestrians, except by site plan approval, no building or structure in “R,” “RA,” and “C-1-O” Districts, including accessory buildings and all areas for parking, driveways, maneuver and loading space, shall cover more than fifty six (56) percent of the area of the lot, except as may be specified in the various district classifications.*~~

The maximum lot coverage percentage shall be as follows:

1. On lots in “R” Districts (“R” District to include “R-20,” “R-10,” “R-8,” “R-6,” and “R-5, but not “R2-7”) that contain new construction, the following shall apply. For purpose of this section, new construction shall mean any construction of a main building that did not previously exist, or, where a main building did previously exist, construction that results in the relocation of more than fifty percent (50%) of a main building’s outer walls from their location on [date of the County Board action for these Zoning Ordinance amendments], or that results in an increase in the main building footprint as it existed on [date of the County Board action for these Zoning Ordinance amendments] of more than one hundred percent (100%).
 - a. Maximum lot coverage shall be as established in the table below;
 - b. When a detached garage is provided in the rear yard, the maximum lot coverage may be increased as shown in the table below (in compliance with the requirements of 32.D.2.e.);
 - c. Maximum main building footprint coverage shall be as shown in the table below.
 - d. When a porch is attached to the front elevation of a one-family dwelling and has an area of at least sixty (60) square feet on the front of the building (exclusive of any wrap-around or side portion), the maximum coverage may be increased as shown in the table below.

<i>Categories</i>	<i>R-5</i>	<i>R-6</i>	<i>R-8</i>	<i>R-10</i>	<i>R-20</i>
Maximum Lot Coverage	45%	40%	35%	32%	25%
Maximum Lot Coverage with front porch	48%	43%	38%	35%	28%
Maximum Lot Coverage with rear detached garage	50%	45%	40%	37%	30%
Maximum Lot Coverage with rear garage and front porch	53%	48%	43%	40%	33%
Maximum Main Building Footprint Coverage	34%	30%	25%	25%	16%
Maximum Main Building Footprint Coverage with a front porch	37%	33%	28%	28%	19%
Main Buildings Footprint Cap	2040 sf	2160 sf	2400 sf	3000 sf	3880 sf
Main Buildings Footprint Cap with a front porch	2200 sf	2376 sf	2688 sf	3360 sf	4610 sf

2. For all lots in “R” Districts that are not new construction as defined above or are not used for one-family dwellings, and lots in “R2-7,” “RA,” “C-1-O” or any other zoning districts, lot coverage shall not exceed fifty-six (56) percent, except as may be specified in the various district classifications, or unless where otherwise permitted to be modified by site plan or use permit.

ATTACHMENT A

R-5 (5,000 sq. ft. Minimum Lot)	Recommendation	Number of Lots Affected
Maximum Lot Coverage	45%	199 (8.8%) of 2,253 total lots
Maximum Lot Coverage with 5% bonus for detached garage in rear yard	50%	51 (2.8%) of total lots*
Main Building Footprint Maximum Coverage	34% (1,700 sq. ft. in a 5,000 sq.ft. lot)	82 (3.6%) of total lots
Main Building Footprint Maximum with 3% bonus for porch	37% (1,850 sq. ft. in a 5,000 sq.ft. lot)	
Main Building Cap On Lots Larger than 5,000 sq. ft.	2,040 sq. ft.	63 (2.8%) of total lots
Main Building Cap On Lots Larger than 5,000 sq. ft. with 3% bonus for porch	2,200 sq. ft.	

R-6 (6,000 sq. ft. Minimum Lot)	Recommendation	Number of Lots Affected
Maximum Lot Coverage	40%	940 (5.4%) of 17,428 total lots
Maximum Lot Coverage with 5% bonus for detached garage in rear yard	45%	283 (1.6%) of total lots*
Main Building Footprint Maximum Coverage	30% (1,800 sq. ft. in a 6,000 sq.ft. lot)	447 (2.6%) of total lots
Main Building Footprint Maximum with 3% bonus for porch	33% or 1,980 sq. ft. in a 6,000 sq.ft. lot)	
Main Building Cap On Lots Larger than 6,000 sq. ft.	2,160 sq. ft.	500 (2.9%) of total lots
Main Building Cap On Lots Larger than 6,000 sq. ft. with 3% bonus for porch	2,376 sq. ft.	

R-8 (8,000 sq. ft. Minimum Lot)	Recommendation	Number of Lots Affected
Maximum Lot Coverage	35%	103 (5.8%) of 1,763 total lots
Maximum Lot Coverage with 5% bonus for detached garage in rear yard	40%	10 (0.6%) of total lots*
Main Building Footprint Maximum Coverage	25% (2,000 sq. ft. in an 8,000 sq.ft. lot)	120 (6.8%) of total lots
Main Building Footprint Maximum with 3% bonus for porch	28% (2,240 sq. ft. in an 8,000 sq.ft. lot)	
Main Building Cap On Lots Larger than 8,000 sq. ft.	2,400 sq. ft.	92 (5.4%) of total lots
Main Building Cap On Lots Larger than 8,000 sq. ft. with 3% bonus for porch	2,688 sq. ft.	

R-10 (10,000 sq. ft. Minimum Lot)	Recommendation	Number of Lots Affected
Maximum Lot Coverage	32%	459 (9.6%) of 4,790 total lots
Maximum Lot Coverage with 5% bonus for detached garage in rear yard	37%	36 (0.8%) of total lots*
Main Building Footprint Maximum Coverage	25% (2,500 sq. ft. in a 10,000 sq.ft. lot)	253 (5.3%) of total lots
Main Building Footprint Maximum with 3% bonus for porch	28% (2,800 sq. ft. in a 10,000 sq.ft. lot)	
Main Building Cap On Lots Larger than 10,000 sq. ft.	3,000 sq. ft.	211 (4.4%) of total lots
Main Building Cap On Lots Larger than 10,000 sq. ft. with 3% bonus for porch	3,360 sq. ft.	

R-20 (20,000 sq. ft. Minimum Lot)	Recommendation	Number of Lots Affected
Maximum Lot Coverage	25%	26 (9.3%) of 281 total lots
Maximum Lot Coverage with 5% bonus for detached garage in rear yard	30%	3 (1.1%) of total lots*
Main Building Footprint Maximum Coverage	16% (3,200 sq. ft. in a 20,000 sq.ft. lot)	26 (9.3%) of total lots
Main Building Footprint Maximum with 3% bonus for porch	19% (3,800 sq. ft. in a 20,000 sq.ft. lot)	
Main Building Cap On Lots Larger than 20,000 sq. ft.	3,880 sq. ft.	27 (9.6%) of total lots
Main Building Cap On Lots Larger than 20,000 sq. ft. with 3% bonus for porch	4,610 sq. ft.	

* These numbers include all garages and are not limited to the garages placed on the rear yard.

ATTACHMENT B

ZORC Report

ATTACHMENT C

NCAC Resolution: November 11, 2004