



# COLUMBIA PIKE NEIGHBORHOODS SPECIAL REVITALIZATION DISTRICT FORM BASED CODE ARLINGTON COUNTY, VIRGINIA

ADOPTED NOVEMBER 16, 2013  
WITH AMENDMENTS THROUGH OCTOBER 18, 2016

ARLINGTON COUNTY ZONING ORDINANCE | APPENDIX B

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## How to Use this Code

### Why are some words shown in ALL CAPITAL LETTERS?

1. The Form Based Code includes terms with special meanings and their definitions are included in *Part 10. Definitions*. Defined terms are shown throughout the document in ALL CAPITAL LETTERS.

### I want to know what is allowed for my property:

2. Check the General Land Use Plan and determine if your property is located within the “Columbia Pike Neighborhoods Special Revitalization District” (Note 24). If not, this Code is not applicable to your property\*.
3. Find your property on the REGULATING PLAN for the subarea in which your property is located, the REGULATING PLANS are in *Part 3. Regulating Plans*. Note the color of the STREET-SPACES that are within or adjacent to your property—this determines the applicable BUILDING ENVELOPE STANDARD (see the key located on the REGULATING PLAN). Note whether or not any portion of your property has been designated for special circumstances (CONSERVATION AREA, ADJACENT TO CONSERVATION AREA, or BONUS AREA) for the purposes of this Code.
4. Find all of the applicable BUILDING ENVELOPE STANDARDS in *Part 4. Building Envelope Standards*. (Note the General Standards in *Section 402*, which apply to all Columbia Pike Neighborhood Special Revitalization District FBC properties.) The BUILDING ENVELOPE STANDARD will tell you the parameters for development on each site in terms of height, siting, elements, and use. If the property, or portion of the property, was designated for special circumstances, you should also review *Sections 203-205, Special Exception Use Permit FBC Application, Special Circumstances and Modifications*.
5. Additional regulations regarding streets and other public spaces are found in *Part 5. Street-Space Standards*.

(\*If the General Land Use Plan map indicates “Columbia Pike Special Revitalization District” (Note 8) for the property, then property is eligible to be developed using the Columbia Pike Special Revitalization District Form Based Code for the commercial nodes).

### I want to modify a building or develop a new building:

1. Determine if the property in question is located within the “Columbia Pike Neighborhoods Special Revitalization District” (Note 24) as shown on the General Land Use Plan (GLUP). If not, this Code is not applicable\*.
2. If this Code is applicable to the property, determine the level of review required for your intended changes by looking at *Part 2. Administration*.
  - a. *Section 202* describes DEVELOPMENT PROJECTS that can be approved administratively by the Zoning Administrator;
  - b. *Sections 203-205* describe special circumstances (FBC CONSERVATION AREA, ADJACENT TO CONSERVATION AREA, or BONUS AREA) and list of limited modifications that will require a use permit approval by the County Board.
  - c. *Section 206* describes the application process and other required review for preliminary and final applications. Request the Administrative Regulations 4.1.2 from the Columbia Pike Initiative Coordinator in the Department of Community Planning, Housing and Development, Planning Division to obtain further information on the submission and review processes.
3. Find the property on the REGULATING PLAN for the appropriate subarea in *Part 3. Regulating Plans*.
  - a. Note the REQUIRED BUILDING LINE and the PARKING SETBACK LINE.
  - b. Note the color of the—STREET-SPACES that are within or adjacent to your property—this determines the applicable BUILDING ENVELOPE STANDARD (see the key located on the REGULATING PLAN).
  - c. Note whether or not the property has been designated for special circumstances (FBC CONSERVATION AREA, ADJACENT TO CONSERVATION AREA, or BONUS AREA) for the purposes of this Code.

4. Find the applicable BUILDING ENVELOPE STANDARD in *Part 4. Building Envelope Standards*. Also note the *General Standards* in *Section 402*, which apply to all Neighborhood Special Revitalization District FBC properties. The BUILDING ENVELOPE STANDARD will tell you the parameters for development on the site in terms of height, siting, elements, and use.
5. Additional regulations regarding streets and other public spaces surrounding the property are found in:
  - a. *Part 5. Street-Space Standards*: the general parameters and/or specifications for the STREET-SPACE including vehicular traffic lane widths, sidewalk and street tree planting area dimensions, on-street parking configurations, and public open space standards.
  - b. *Part 6. General Architectural Standards* and *Part 7. Conservation Area Standards*: materials, configurations and techniques for the architectural elements of the building. (If the property in question has been designated on the REGULATING PLAN as a CONSERVATION AREA or ADJACENT TO CONSERVATION AREA for the purposes of this Code, refer to both *Part 6 and 7*.)
  - c. *Part 8. Parking Standards*.
  - d. *Part 902 Affordable Housing Requirements* describe affordable housing requirements for all DEVELOPMENT PROJECTS.

**I want to develop my property in phases:**

1. *Section 202.B By-Right FBC Applications* describes application requirements for phased DEVELOPMENT PROJECTS. If any special circumstances (FBC CONSERVATION AREA, ADJACENT TO CONSERVATION AREA, or BONUS AREA) exist for the site, or modifications are requested, development applications will require use permit approval by the County Board in which case *Sections 204 and 205* will be applicable.
2. *Section 804 Parking Standards for Phased Infill Development* provides special parking provisions for interim phases of phased infill development.
3. See also, the Sections referenced above under “I want to modify a building or develop a new building.”

**I want to retain some existing buildings and remove others for new development following this Code:**

1. A use permit is required for development where existing buildings are proposed to be retained and modified as part of a DEVELOPMENT PROJECT. See *Sections 201.A.2 and 201.B Applicability*, and *206.B.2 Allowable Modifications*.
2. See *Section 902.E Affordable Housing Requirements* for renovation standards applicable to affordable housing in existing buildings.

**I want to change the use/function in an existing building:**

1. Find the property on the REGULATING PLAN for the appropriate subarea and determine the applicable BUILDING ENVELOPE STANDARD.
2. Review the USE standards in the applicable BUILDING ENVELOPE STANDARDS to determine the types of uses allowed by the BUILDING ENVELOPE STANDARD (residential, civic, ground or upper story commerce, retail).
3. Determine whether the desired use is allowed (either by-right or by use permit) by looking at *Section 901 Building Use Table*. If the use is listed with a cross-reference in the right-hand column, refer to those standards in *Article 12 of the Arlington County Zoning Ordinance*.

**I want to subdivide my property:**

1. Property can be subdivided only in accordance with the procedures in *Chapter 23 of the Arlington County Code*.
2. Any such subdivision shall also meet the standards of the Arlington County Zoning Ordinance, which includes this Code.

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# Part 1. General Provisions

## 101. Title

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

## 102. Applicability

- A. Properties zoned according to the R-6, R-5, R2-7, R15-30T, RA14-26, RA8-18, RA7-16, RA6-15, C-1 or C-O districts and that are located in the “*Columbia Pike Neighborhoods Special Revitalization District*”, as designated on the General Land Use Plan (GLUP), shall be eligible to develop in accordance with the Columbia Pike Neighborhoods Special Revitalization District Form Based Code requirements. After such development all uses permitted in Appendix B of the Zoning Ordinance shall be permitted on the property, subject to all regulations in Appendix B.
- B. The Columbia Pike Neighborhoods Special Revitalization District Form Based Code is an optional zoning tool and property owners retain the zoning rights under the existing zoning. Use of the Form Based Code is selected through the filing of an application for development under the Form Based Code.

## 103. Purposes

- A. This Columbia Pike Neighborhoods Form Based Code is intended to implement the purpose and goals of the *Columbia Pike Neighborhoods Area Plan* as described in Chapter 1 of that Plan:
  - 1. Foster a healthy, diverse community with a high quality of life;
  - 2. Stabilize and strengthen residential neighborhoods and mixed-use commercial centers;
  - 3. Promote creation and preservation of affordable housing and expand housing options;
  - 4. Create a pedestrian-friendly and multi-modal corridor;
  - 5. Preserve neighborhood character, historic buildings and tree canopy;
  - 6. Enhance urban design and architecture; and
  - 7. Incorporate sustainable building design.
- B. The Code implements a primary element of the *Columbia Pike Neighborhoods Area Plan* vision to create transit- and pedestrian-oriented development, which is dependent on three factors: density, diversity of uses, and *design*. This Code places greatest emphasis on design, or physical form, because of its importance in defining neighborhood character

## 104. Other Applicable Regulations

Wherever there is a variation or conflict between the Columbia Pike Neighborhoods Special Revitalization District Form Based Code, and other sections of the *Arlington County Zoning Ordinance*, the requirements set forth in this Code shall prevail. For development standards not covered by this Code, applicable sections of the *Arlington County Zoning Ordinance* shall be used as the requirement. Similarly, all development must comply with all Federal, State or local regulations and ordinances including, but not limited to, Chesapeake Bay Ordinance and other environmental regulations.

## 105. Minimum Requirements

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

## 106. Severability

In the event a court of competent jurisdiction finds any provision of *Part 902 Affordable Housing Requirements* to be unconstitutional or otherwise invalid, then this entire Code shall be invalid. Should any other provision of this Code be decided by the courts to be unconstitutional or invalid, that decision shall not affect the validity of the Code other than the part decided to be unconstitutional or invalid.

## 107. Components of the Code

The Code is comprised of the following sections.

### A. Administration

*Part 2. Administration* covers the application and review process for development plan approval.

### B. Regulating Plans

The REGULATING PLAN provides specific information on the development parameters for each parcel and shows how each lot or DEVELOPMENT PROJECT relates to the STREET-SPACE and the surrounding neighborhood. The REGULATING PLAN may identify additional regulations and/or special circumstances for specific locations. The Columbia Pike Neighborhood Special Revitalization District is divided into four subareas, each of which is covered by an individual REGULATING PLAN.

### C. Building Envelope Standards

The BUILDING ENVELOPE STANDARDS (BES), establish basic parameters governing building form, including the envelop for building placement (in three dimensions) and certain permitted/required building elements as they frame the STREET-SPACE or public realm. The BUILDING ENVELOPE STANDARDS establish both the boundaries within which things may be done and specific things that must be done to ensure that the buildings relate to each other and form a functioning and consistent block structure. The applicable standard(s) for a DEVELOPMENT PROJECT is determined by the BES frontage type designated on the REGULATING PLAN.

### D. Street-Space and Other Public Space Standards

The purpose of the Street-Space and Public Space Standards is to ensure coherent STREET-SPACE and to assist developers and owners with understanding the relationship between the public realm and their own DEVELOPMENT PROJECT or building. These standards set the parameters for the placement of street trees, sidewalks, and other amenities or furnishings within the STREET-SPACE as well as the basic configurations for other public spaces, including streets and sidewalks.

### E. General Architectural Standards

The General Architectural Standards are used to achieve a coherent and high-quality building design. The General Architectural Standards govern a building's exterior elements and set the parameters for allowable materials, configurations, and techniques.

### F. Conservation Area Standards

The Conservation Area Standards provide additional rules for properties designated on the REGULATING PLAN as CONSERVATION AREAS and areas ADJACENT TO CONSERVATION AREAS.

### G. Parking and Loading Standards

Parking and Loading Standards establish the specific vehicular and bicycle parking ratios required throughout the *Columbia Pike Neighborhoods Special Revitalization District*. Some standards in the *Arlington County Zoning Ordinance* may govern where standards are not included in this Code.



## **H. Building Use Standards**

Building Use Standards establish the uses allowed and/or required in the Columbia Pike Neighborhoods Special Revitalization District Form Based Code. Affordable housing requirements are also set forth in the Building Use Standards.

## **I. Definitions**

Certain terms in this Code are used in very specific ways, often excluding some of the meanings of common usage. Wherever a word is in ALL CAPITALS format, consult *Part 10. Definitions* for its specific and limited meaning within this Code. Words used in the Code, but not defined by the Code, but that are defined in the *Arlington County Zoning Ordinance*, shall have the meanings set forth therein.

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## Part 2. Administration

### 201. Applicability

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

- A. In areas not identified as CONSERVATION AREAS on the REGULATING PLAN:
  - 1. The Zoning Administrator may approve existing structures to remain as part of an interim condition in a phased development as part of a DEVELOPMENT PROJECT that is otherwise in compliance with all provisions of this Code, if such DEVELOPMENT PROJECT meets all standards in *Section 202.B* below for infill development.
  - 2. Existing buildings and additions to existing buildings may be approved by the County Board to remain as part of a DEVELOPMENT PROJECT if they are 1) included in an approved DEVELOPMENT PROJECT that is otherwise in compliance with all provisions of this Code, and 2) AFFORDABLE HOUSING meeting the standards in *Part 902* is provided within the existing buildings.
- B. In areas identified as CONSERVATION AREAS on the REGULATING PLAN, existing structures may be approved by the County Board to remain as part of a DEVELOPMENT PROJECT if they are 1) included in an approved DEVELOPMENT PROJECT that is otherwise in compliance with all provisions of this Code, or 2) preserved through a transfer of density to an approved DEVELOPMENT PROJECT that is otherwise in compliance with all provisions of this Code in another location; and in either case, such existing structures are renovated in compliance with the renovation standards in *Part 7 Conservation Area Standards*.

### 202. By-Right FBC Applications

The Zoning Administrator is authorized to approve:

- A. Applications for DEVELOPMENT PROJECTS consisting only of new structures that are fully compliant with this Code, where no modifications are requested under *Section 205*; and
- B. Applications for DEVELOPMENT PROJECTS that include existing buildings approved administratively prior to November 16, 2013, to be retained as an interim condition as part of a phased DEVELOPMENT PROJECT, provided that:
  - 1. All new development complies with all provisions of this Code;
  - 2. Existing buildings remain in existing residential use;
  - 3. The number of dwelling units in the existing buildings shall not be increased above that legally existing on the site at the time of application;
  - 4. No additions to, or enlargements of, existing buildings shall be approved, and no additional height or gross floor area shall be approved for an existing building beyond that legally existing on the site on November 16, 2013.
  - 5. In any single phase of development, the number of parking spaces for existing dwelling units shall meet the requirements of *Section 804*.
  - 6. The application shall show all proposed phasing in accordance with *Section 206.A.4*, with each of the phases of development resulting in compliance with all provisions of this Code, and that at the end of the final phase, the DEVELOPMENT PROJECT will meet all STREET-SPACE requirements for any new streets and PUBLIC SPACES shown on the REGULATING PLAN, as well as all required utility improvements.

## 203. Special Exception Use Permit FBC Applications

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

- A. Request for approval of any Special Circumstances set forth in *Section 204*;
- B. Request for approval of any modifications, as set forth in *Section 205*.
- C. Request for approval of CIVIC BUILDINGS on sites designated for those uses on the REGULATING PLAN.
- D. Request for a hotel that includes 7,500 square feet or more of conference room or banquet facility Gross Floor Area (GFA). <sup>2a</sup>
- E. Request for approval of a partial infill development as regulated by 201.A.2 <sup>7a</sup>

## 204. Special Circumstances

Special Circumstances include bonus stories; property located in an CONSERVATION AREA; or property located in an area ADJACENT TO A CONSERVATION AREA; or transfer of development rights; as set forth below:

### A. Bonus Stories

The County Board may, by use permit approval, allow up to two or up to six additional bonus STORIES (whichever limit is shown on the REGULATING PLAN), and increase the ULTIMATE BUILDING HEIGHT in accordance with *Section 402.M* for each bonus STORY, for buildings within areas designated as BONUS AREAS on the REGULATING PLAN, when it finds that:

1. The proposal otherwise complies with this Code; and
2. Either committed AFFORDABLE HOUSING UNITS or PUBLIC SPACE is provided as set forth below:
  - a. Committed AFFORDABLE HOUSING UNITS beyond the minimum required in Section 902 as follows:
    - (i) Preservation of existing buildings and affordable units within a CONSERVATION AREA shown on the REGULATING PLAN, in accordance with *Section 204.D.2*; and/or
    - (ii) Inclusion of on-site AFFORDABLE HOUSING UNITS in the DEVELOPMENT PROJECT; and/or
    - (iii) Provision of AFFORDABLE HOUSING UNITS at an off-site location within the Columbia Pike Neighborhoods Special Revitalization District.
  - b. Provision of a PUBLIC SPACE within a CONSERVATION AREA or a NEIGHBORHOOD PARK shown on the REGULATING PLAN either for the subject site or elsewhere within the Neighborhoods Special Revitalization District in accordance with *Section 204.D.1*.

### B. Conservation Areas

In CONSERVATION AREAS shown on the REGULATING PLAN, the County Board may, after review by the HALRB as provided in *Section 206.D*, and by use permit approval as provided in *Section 206.C.2*, allow:

1. Existing buildings to remain and additions to existing buildings within CONSERVATION AREAS, so long as:
  - a. All existing main buildings remain;
  - b. Building renovations and new construction meet the standards set forth in the *Part 7. Conservation Area Standards*; and all new construction included in the DEVELOPMENT PROJECT complies with this Code;
  - c. PUBLIC SPACES shown on the REGULATING PLAN are provided consistent with the standards in *Section 506*; and
  - d. The applicant proposes one of the following:

*N-FBC-2a: Columbia Pike Neighborhoods Form Based Code Amendment adopted on November 15, 2014*

*N-FBC-7a: Columbia Pike Neighborhoods Form Based Code Amendment adopted on October 15, 2016*

- (i) The provision of AFFORDABLE HOUSING UNITS in accordance with *Section 902*, in existing buildings within a CONSERVATION AREA designated on the REGULATING PLAN as part of the DEVELOPMENT PROJECT; or
- (ii) Transfer of development rights from the Conservation Area to another property, in accordance with *Section 204.D*, subject to such conditions as the Board may approve.

2. Modification of existing regulations as described in *Section 205.B.2*.

### C. Development Adjacent to Conservation Areas

1. Applications for new construction within areas shown on the REGULATING PLAN as ADJACENT TO CONSERVATION AREAS shall, in addition to other applicable requirements of this Code, comply with the standards set forth in *Part 7. Conservation Area Standards*, excepting *Sections 601-604* and *606-608*; and shall be consistent with the policies of the *Columbia Pike Neighborhoods Area Plan*.
2. The County Board may approve modification of existing regulations described in *Section 205.B.2* for applications for new construction within areas labeled as ADJACENT TO CONSERVATION AREAS on the REGULATING PLAN.
3. In approving applications for new construction in areas ADJACENT TO CONSERVATION AREAS, the County Board shall consider comments from the Historical Affairs and Landmark Review Board pursuant to the process set forth in *Section 206.D* below.

### D. Transfer of Development Rights <sup>1</sup>

The transfer of development rights is permitted in order to achieve historic preservation, public open space and/or affordable housing within areas designated as CONSERVATION AREAS on the REGULATING PLAN, and for creation of NEIGHBORHOOD PARKS shown on the REGULATING PLAN. As part of a use permit approval for a DEVELOPMENT PROJECT, the County Board may certify the subject DEVELOPMENT PROJECT as a sending site for transfer of development rights in accordance with the following:

1. In considering the approval of transfer of development rights from a DEVELOPMENT PROJECT in exchange for the dedication of a PUBLIC SPACE within a CONSERVATION AREA or a NEIGHBORHOOD PARK shown on the REGULATING PLAN, subject to such conditions as the County Board may approve, the County Board shall determine that the PUBLIC SPACE will meet the standards consistent with *Section 506*. The amount of density eligible for transfer shall be equal to the square footage of the dedicated PUBLIC SPACE within a CONSERVATION AREA or a NEIGHBORHOOD PARK. As part of the certification of density or approval of transfer of development rights, the County Board may require assurances that the PUBLIC SPACE will be preserved.
2. In considering the approval of transfer of development rights from a CONSERVATION AREA, the County Board shall determine that a specified number of units within the CONSERVATION AREA will be renovated consistent with *Part 7 Conservation Area Standards* and preserved as committed AFFORDABLE HOUSING UNITS as set forth in *Section 902*. The amount number of density eligible for transfer shall be equal to 3 times the specified number of committed AFFORDABLE HOUSING UNITS when a Columbia Pike Neighborhoods FBC DEVELOPMENT PROJECT has been identified as the Receiving Site, or 2 times the specified number of committed AFFORDABLE HOUSING UNITS when a Site Plan proposal for a site elsewhere in the County has been identified as the Receiving Site; provided, however, that the aforementioned multipliers shall sunset on December 31, 2020 for density that has not been certified. <sup>4</sup>
3. Development rights from a sending site may be certified at the time of approval of a Receiving Site. Density may be transferred to either 1) an area designated as a BONUS AREA on the REGULATING PLAN in accordance with *Section 204.A* above; or 2) to another site within the County in accordance with §15.6.7.B of the Zoning Ordinance.

*N-FBC-1: Columbia Pike Neighborhoods Form Based Code Amendment adopted on December 14, 2013*

*N-FBC-4: Columbia Pike Neighborhoods Form Based Code Amendment adopted on November 14, 2015*

## 205. Modifications

### A. Purpose:

The County Board may, through approval of a use permit, modify the provisions of this Code as set forth in *Section 205.B* upon a finding that, after the proposed modification, the subject development and where applicable, existing buildings and structures to be retained, will better accomplish the purposes and intent of this Code and the goals of the Columbia Pike Neighborhoods Area Plan than would the development without those modifications and that the proposed uses will neither: 1) adversely affect the health or safety or persons residing or working in the neighborhood of the proposed use; nor 2) be detrimental to the public welfare or injurious to the property or improvements in the neighborhood; nor 3) be in conflict with the purposes of the master plans of the County.

### B. Allowable Modifications

1. In approving a new building as part of a use permit application, the County Board may modify the following requirements of this Code:
  - a. Deviations related to topography or street grade, such as height of first floor relative to fronting sidewalk elevation, spacing of entry doors;
  - b. Locations of RBLS for new streets where shown on the REGULATING PLAN, or amend the REGULATING PLAN to add a new street with associated RBLS;
  - c. Breaks between buildings;
  - d. Sidewalk and Landscape Standards in Section 505;
  - e. Building footprint; and
  - f. Design elements as called for by *Part 7. Conservation Area Standards* to achieve compatibility with existing buildings in CONSERVATION AREAS or retention of mature trees.
  - g. For interim phases only of a phased development plan where existing residential buildings remain, the County Board may reduce the number of required parking spaces upon a finding that a Transportation Demand Management plan submitted by the applicant demonstrates that the reduction in required parking combined with Transportation Demand Management measures, will mitigate any potential adverse impacts of parking demand and potential disruption of parking patterns within affected neighborhoods that could result from the reduction.
  - h. For publicly-owned CIVIC BUILDINGS in locations designated for such uses on the REGULATING PLAN, publicly-owned PUBLIC ART, and CIVIC BUILDINGS located on County property, the County Board may modify any provisions of this Code when it finds that the DEVELOPMENT PROJECT has undergone a public review process.
2. Where an existing building is included in an application for use permit approval, the County Board may approve modifications to setback, yard, coverage, parking, lot width, and lot area regulations as they are applicable to the retained existing buildings, including additions to or enlargements of such existing building when the County Board finds that:
  - a. New development on any portion of the DEVELOPMENT PROJECT complies with this Code, or as otherwise modified by *Section 205.B.1* above.
  - b. The applicant is retaining the existing buildings in order to either 1) meet the AFFORDABLE HOUSING requirements of *Section 902* within those buildings; and/or 2) comply with the requirements in *Section 208.B* below and with the renovation standards set forth in the *Part 7. Conservation Area Standards* for buildings in areas identified as CONSERVATION AREAS on the REGULATING PLAN;
  - c. Residential and associated accessory use is retained within the existing buildings;
  - d. No additional density is proposed beyond the number of units legally existing in existing buildings at the time of application;

- e. The height of the existing buildings is not increased beyond the greater of either 1) the height permitted by-right in the underlying zoning district; or 2) the height legally existing on the site at the time of application;
- f. No new building within the DEVELOPMENT PROJECT developed under this Code will be closer than 20 feet to existing buildings being retained.
- g. In each phase of development, the number of parking spaces for existing dwelling units shall meet the requirements of *Section 804*.

## 206. Application Requirements & Review Processes

### A. Submission Requirements

Each preliminary and final application shall include all materials identified in Administrative Regulations 4.1.2, including by way of illustration, and not limitation, the following:

1. DEVELOPMENT PROJECTS that include renovation of existing buildings shall submit plans and documentation indicating the location and condition of existing buildings and proposed renovation and/or other improvements.
2. A LEED scorecard, or equivalent scorecard for another green building standard system identified in *Section 403*.
3. A Housing Plan comprised of the following information:
  - a. Number of total housing units provided in the DEVELOPMENT PROJECT;
  - b. Number of total housing units existing on the property;
  - c. Number of total units permitted with the underlying zoning;
  - d. Number of net new units and the proportional percentage total units to existing units;
  - e. Number of AFFORDABLE HOUSING UNITS provided to meet requirements set forth in *Section 902.A*;
  - f. Income levels of targeted families / households for AFFORDABLE HOUSING UNITS;
  - g. The proposed rents and guarantee of limits on future rent increases or sales prices and the proposed affordability thereof for AFFORDABLE HOUSING UNITS;
  - h. Marketing plan for AFFORDABLE HOUSING UNITS;
  - i. Location of AFFORDABLE HOUSING UNITS;
  - j. Sizes of AFFORDABLE HOUSING UNITS;
  - k. Bedroom counts of AFFORDABLE HOUSING UNITS;
  - l. Amenities provided for AFFORDABLE HOUSING UNITS; and
  - m. Any other information needed to demonstrate compliance with *Section 902*.
4. A Phasing Plan consistent with the standards below:
  - a. Plans and narratives shall indicate how each of the following elements will be provided during each phase of the DEVELOPMENT PROJECT, including any phase within a phase:
    - (i) Proposed new building(s) and any existing buildings to remain;
    - (ii) Required STREET-SPACE elements in accordance with this Code;
    - (iii) PUBLIC SPACES shown on the REGULATING PLAN whereby any PUBLIC SPACE will be provided when it is adjacent to new buildings of that phase;
    - (iv) Overhead utilities that shall be placed underground during each phase of development for all streets; no new aerial poles shall be permitted on County right-of-way provided however transitional poles may be permitted during interim phases when located on private property;

- (v) All underground utility infrastructure (e.g. water, stormwater, sanitary);
  - (vi) Any ordinances of vacations and encroachments to be obtained in the phase of development. All ordinances of vacation and ordinance of encroachments shall be enacted and obtained before issuance of any permit for any work in that phase; and
  - (vii) Any deeds of easements and dedications to be granted for the phase of development. All submittals for approval of deeds for each phase shall occur prior to the issuance of Excavation, Sheeting and Shorting Permit and all deeds for each phase shall be recorded among the land records of the Circuit Court of Arlington County prior to the issuance of the First Partial Certificate of Occupancy for the building or any portion thereof.
- b. The applicant shall obtain approval of a Final Phasing Plan from the Zoning Administrator prior to the issuance of any Demolition and Land Disturbance Permit and such Phasing Plan shall accurately reflect the Phasing Plan approved with the FBC approval, provided, however, that any changes to address final revisions made through the final permitting review and approval process for site civil engineering and building permits may be approved as an amended Phasing Plan by the Zoning Administrator. Furthermore, the Final Phasing Plan shall include all elements of 4.a. above.
  - c. The applicant agrees that if the phasing changes over time, or for any one phase, an amended Phasing Plan will be submitted for review and approval by the Zoning Administrator, which shall include the elements listed in a. and b. above. The last approved Phasing Plan shall govern the work.
5. A Transportation Impact Analysis (TIA) for any development project with 150 or more dwelling units or 100,000 square feet or more of non-residential uses including hotel.

## **B. Preliminary FBC Applications <sup>7a</sup>**

1. Preliminary Applications shall be submitted for review by the Administrative Review Team for all proposals.
2. When a preliminary application has been determined by the Administrative Review Team to be compliant with the regulations set forth in this Code, except to the extent modifications are being requested through use permit approval:
  - a. The Administrative Review Team will forward the application to the Form Based Code Advisory Working Group (AWG) and schedule a review meeting with the AWG.
  - b. Prior to the AWG meeting, applicants shall provide copies of the application to the Columbia Pike Revitalization Organization (CPRO) and to the civic association(s) in which the subject property is located, and to any immediately adjacent civic association, as specified in FBC Administrative Regulations 4.1.2.
  - c. When an application includes a request for a modification(s) to the REGULATING PLAN requirements, including the placement or alignment of a new street that differs from regulations set forth in *Section 301.C.1* or the addition of a new street not shown on the REGULATING PLAN, a meeting of a committee of the Planning Commission shall occur to review the proposed modification during the preliminary application phase in order to provide comment as to whether the proposed modification is consistent with the purposes and intent of this Code and the goals of the Columbia Pike Neighborhoods Area Plan.
  - d. The AWG will review the proposal and advise the Administrative Review Team as to whether it finds the preliminary application to be in compliance with this Code.
3. The Final Application can be filed at the earlier of the following: a) completion of requirements in Section 206.B.2.a-d, or b) completion of requirements in Section 206.B.2.a-c provided that the review meeting with the AWG, specified in 206.B.2.d, has been scheduled for a date within 15 days of the final application submission.



## C. Final FBC Applications <sup>7a</sup>

1. By-Right FBC Applications:
  - a. Final By-Right FBC applications will be reviewed administratively for conformance with this Code within thirty (30) days of a Final Application Submission. Upon completion of such review, applicants will be notified in writing by the Zoning Administrator as to whether the submission is in compliance with the Form Based Code.
  - b. At the time of, or prior to filing, applicants shall provide copies of the application to the Columbia Pike Revitalization Organization (CPRO) and to the civic association(s) in which the subject property is located, and to any immediately adjacent civic associations, as specified in FBC Administrative Regulations 4.1.2.
  - c. Once an application is approved by the Zoning Administrator, the applicant may apply for construction permits consistent with the approved application. Applications that the Zoning Administrator determines do not comply with the requirements of this Code may be resubmitted for review as a revised application, or may request approval of a use permit, as set forth in AZCO § 15.4 and *Section 206.C.2*.
2. Special Exception Use Permit FBC Applications:
  - a. At the time of, or prior to filing, applicants shall provide copies of the application to the Columbia Pike Revitalization Organization (CPRO) and to the civic association(s) in which the subject property is located and to any immediately adjacent civic associations, as specified in FBC Administrative Regulations 4.1.2.
  - b. Unless the Zoning Administrator determines that it is in the public interest to accept a later application, a Form Based Code application shall be filed by the final deadline for special exception applications set by the Zoning Administrator, and no less than fifty-five (55) days) before the public hearing.
  - c. The County Board shall approve the Development Project if it finds that the DEVELOPMENT PROJECT meets the standards of this Code as modified by the County Board in accordance with this Code, and meets the standards set forth in AZCO § 15.4.3.
  - d. In approving a FBC use permit, the County Board may designate such conditions in connection therewith as will, in its opinion, assure that the use will conform to the requirements of this Code and that such DEVELOPMENT PROJECT will continue to do so.

## D. Review by Historical Affairs and Landmarks Review Board (HALRB) <sup>7a</sup>

DEVELOPMENT PROJECTS within areas designated as CONSERVATION AREAS and areas designated ADJACENT TO CONSERVATION AREAS on the REGULATING PLAN shall be subject to review by the HALRB, as follows:

1. As part of the preliminary application phase, an applicant shall submit its DEVELOPMENT PROJECT to the HALRB for two meetings (or more, if necessary) for review and comment (HALRB and/or DRC meetings in one month shall count as one meeting). The HALRB, and/or its Design Review Committee (DRC), shall review the proposed architectural design to assess whether the application complies with *Part 7. Conservation Area Standards* of this Code.
2. Upon completion of its preliminary review, the HALRB will provide, in writing, its comments to the applicants stating how the project does or does not comply with *Part 7*.
3. The applicant shall address the HALRB comments and return to the HALRB for one additional meeting for final review and comment.
4. HALRB shall prepare a written recommendation as to whether the DEVELOPMENT PROJECT complies with *Part 7*, for consideration by the County Board. The County Board will consider the HALRB recommendation in approving a use permit pursuant to *Section 206.C.2.d*.

*N-FBC-7a: Columbia Pike Neighborhoods Form Based Code Amendment adopted on October 15, 2016*

## E. Subdivision and Building Permits

1. The applicant shall not pursue development permits until such time that either a Letter of Approval by the Zoning Administrator or a Use Permit approval by the County Board has been obtained.
2. All development shall be consistent with the approved FBC DEVELOPMENT PROJECT.
3. Administratively-approved FBC applications, approved after September 24, 2016, will expire in 3 years from the date of the Zoning Administrator's Letter of Approval unless a Footing to Grade permit has been issued; however, the Zoning Administrator may extend the approval up to 3 years for a total of up to 6 years if he/she finds that the applicant has been actively working in good faith to pursue the Footing to Grade permit. <sup>7a</sup>

## F. Major and Minor FBC Use Permit Amendments <sup>7a</sup>

1. Major FBC Use Permit Amendments: Any modification of the approved use permit which meets one or more of the following criteria is considered a major amendment and will require approval by the County Board:
  - a. Change the principal use of the building in more than five percent of the total floor area of the building;
  - b. Change the overall building height by more than 12 feet;
  - c. Change the gross floor area of the ground story by more than 20 percent of the area of the ground story;  
or
  - d. Any change which the Zoning Administrator determines is similar in significance to the above stated changes, including but not limited to, changes to materials, design, or appearance of the building from the original approval.
2. Minor FBC Use Permit Amendments: Any modification of the approved use permit that meets either of the following criteria is considered a minor amendment and will require approval by the County Board:
  - a. Any modification of the approved DEVELOPMENT PROJECT which is not considered a major amendment and which cannot be approved administratively; and
  - b. The subdivision of land involved in an approved DEVELOPMENT PROJECT, except that, if the following criteria are met, such subdivision may be approved as an administrative change by the Zoning Administrator:
    - (i) Uses and building form is consistent with the zoning and approved use permit;
    - (ii) Parking is consistent with the zoning and the approved use permit;
    - (iii) Public improvements are consistent with the zoning and approved use permit; and
    - (iv) Clear evidence exists that all conditions of the approved use permit have been met or are bonded in a manner acceptable to the County Manager.
3. Processes for Major/Minor Amendments:
  - a. When a major or minor use permit amendment is filed, the Zoning Administrator shall notify the applicant, as required in FBC Administrative Regulation 4.1.2, of the scheduled date of the County Board public hearing, which date will be up to 180 days after filing. Public hearings shall be the first regularly scheduled County Board meeting of each month, except the County Board may establish, on its own motion, another County Board meeting for the hearing.
  - b. When either a major or minor use permit amendment is filed, the Administrative Review Team and the FBC AWG shall review the preliminary application consistent with Section 206.B.1-2.
  - c. After the Zoning Administrator has determined that the applicant has met the requirements of Section 206.B.2, the application may be considered at a public hearing by the County Board on no less than 55 days after the AWG review meeting.

4. The County Board shall approve an amendment only if it finds, after a duly advertised hearing, that the DEVELOPMENT PROJECT will not 1) adversely affect the health or safety or persons residing or working in the neighborhood of the proposed use; nor 2) be detrimental to the public welfare or injurious to the property or improvements in the neighborhood; nor 3) be in conflict with the purposes of the master plans of the County.
5. In approving a major or minor FBC use permit amendment, the County Board may designate such conditions in connection therewith as will, in its opinion, assure that the use will conform to the requirements of this Code and that such DEVELOPMENT PROJECT will continue to do so.

**G. FBC Administrative Changes <sup>7a</sup>**

Any minor adjustment to the approved DEVELOPMENT PROJECT elements listed below, and any other change that the Zoning Administrator determined is similar in significance and complies with the spirit of this Code and the Arlington County Zoning Ordinance, the intent of the County Board or the Zoning Administrator in its approval of the DEVELOPMENT PROJECT, the general purpose of the Comprehensive Plan for the development of the area, may be approved by the Zoning Administrator:

1. Facade elevations, fenestration, and/or clear heights or story heights to address changes to the interior layout of the building;
2. Ground story finished floor elevations to address conflicts with site topography; or
3. On a limited basis, substitute comparable or better façade materials.

**207. Administrative Adjustments to Approved Development Projects**

**A. Purpose**

Once the Zoning Administrator or the County Board has approved a DEVELOPMENT PROJECT, unless expressly provided otherwise as part of the approval, the Administrative Adjustments outlined below may be approved by the Zoning Administrator. The purpose of these Administrative Adjustments is not to modify the design of a project but to provide relief for minor construction and survey errors identified after approval of a DEVELOPMENT PROJECT.

**B. Administrative Adjustments**

An applicant shall submit an Administrative Change application, with fees, for Administrative Adjustment to the Zoning Administrator. The Zoning Administrator is authorized to approve the following Administrative Adjustments in strict conformance with the following standards only to the extent required to correct minor construction and survey errors:

1. Height
  - a. Minimum and maximum height: up to five percent (5%) for any cumulative increase or decrease in ULTIMATE BUILDING HEIGHT.
  - b. STREET WALL/fence requirements: up to ten percent (10%).
  - c. Finished Floor Elevation: up to five percent (5%).
2. Siting
  - a. REQUIRED BUILDING LINE: move forward up to six (6) inches.
  - b. REQUIRED BUILDING LINE minimum percentage built-to: reduction of up to five percent (5%) of required length.

- c. PARKING SETBACK LINE: move forward up to six (6) feet.
  - d. Mezzanine floor area: up to ten percent (10%) additional area.
  - e. STREET WALL requirements: up to ten percent (10%) of the height/FENESTRATION/access gate requirements.
  - f. Entrances (maximum average spacing): up to ten percent (10%) increase in spacing.
3. Elements
- a. FENESTRATION (minimum and maximum percent): up to five percent (5%).
  - b. Elements (minimum and maximum projections): up to five percent (5%).
4. Streets, Blocks and Alleys
- a. Street and alley center lines may be moved up to 5 feet in either direction, so long as: (i) no dead-end streets or cul-de-sacs are created; (ii) no street intersection occurs within 100 feet of another street intersection; (iii) the BLOCK configuration meets the standards defined in Section 301.C.2; and (iv) the Street-Space or alley is entirely contained within the subject DEVELOPMENT PROJECT.

## **208. FBC Administrative Review Team Duties & Procedures**

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

1. The Administrative Review Team shall review both By-Right and Special Exception Use Permit FBC applications for compliance with this Code. The Administrative Review Team shall administer the Administrative Regulations 4.1.2 which describe the review processes and submission requirements in further detail. The Administrative Review Team shall forward its recommendations regarding compliance or noncompliance to the Zoning Administrator for By-Right applications or the County Board, for Special Exception Use Permit applications.
2. In addition, the Administrative Review Team may be called upon as set forth in this Code or as requested by the Zoning Administrator to provide recommendations on interpretation of this Code. However, the Zoning Administrator is responsible for any final action taken under this Code on By-Right applications.

# Part 3. Regulating Plans

## 301. Rules for Regulating Plans

### A. Purpose

1. The REGULATING PLAN sets the basic parameters and the standards for the application of this Code to each property, lot, BES SITE, or DEVELOPMENT PROJECT and how each relates to its adjacent properties and STREET-SPACE.
2. The REGULATING PLAN designates the applicable BUILDING ENVELOPE STANDARD and delineates the public spaces. In addition, the REGULATING PLAN identifies: the boundaries for the Columbia Pike Neighborhoods Special Revitalization District Form Based Code; existing and planned new streets; the REQUIRED BUILDING LINE and PARKING SETBACK LINE; and the street-type specifications.
3. The REGULATING PLAN sets specific limitations or requirements for specific locations, and, where expressly stated, creates exceptions to the BES or other standards.

### B. General Standards

1. DEVELOPMENT PROJECTS built under the Form Based Code shall be planned and constructed according to the STREET-SPACE design and land development indicated on the REGULATING PLAN.
2. The street grid and intersection alignments are regulated by this Code. Streets shown on the REGULATING PLAN shall be constructed in the locations shown as part of DEVELOPMENT PROJECTS. Where provided for under *Section 301.C.1.* below, alternative locations may be approved. Reconfigurations or adjustments to the street alignments may be allowed subject to the process and procedures in *Part 2. Administration* and the design standards in *Section C. Streets, Blocks and ALLEYS* and *D. Regulating Plan Changes* (below).
3. At the time of development, the developer is required to build streets within the DEVELOPMENT PROJECT where new streets, or portions of streets, are shown on the REGULATING PLAN. Where a phasing plan has been submitted and a DEVELOPMENT PROJECT occurs in phases, the developer is required to build all streets that abut buildings to be constructed during the same phase, as well as all other streets that provide access to and/or from existing streets and from and/or to new buildings. The Zoning Administrator shall determine whether such streets provide access as provided herein. Where existing buildings are proposed to remain during a phase, and only a portion of the STREET-SPACE can be achieved due to site constraints associated with the existing building to remain, the applicant shall provide the following elements during the single phase:
  - a. A minimum of two 10-foot-wide travel lanes;
  - b. All required STREET-SPACE elements from the centerline, or interim centerline, to the proposed building FACADE including curb and gutter, TREE LAWN, STREET TREES, STREET LIGHTS, CLEAR SIDEWALK and DOORYARD; and
  - c. A temporary sidewalk on the opposite side of the street with a minimum 6-foot wide CLEAR SIDEWALK.
  - d. On-street parking spaces and the remaining STREET-SPACE improvements required on the opposite side of the street shall be provided in the phase in which the adjacent building is proposed to be constructed.

### C. Streets, Blocks, Alleys and Other Public Spaces

#### 1. Streets

- a. Where new streets are shown on the REGULATING PLAN with a solid fill, the center line may be moved up to 25 feet in either direction, as long as:
  - (i) the street is entirely contained within one DEVELOPMENT PROJECT, and no new dead-end streets or off-set connections are created;

- (ii) no street intersection occurs within 100 feet of another street intersection or planned street intersection;
  - (iii) the BLOCK configuration meets the standards defined in *Section 301.C.2. Blocks*, below; and,
  - (iv) the REQUIRED BUILDING LINES corresponding to the planned street also shift and provide the same overall STREET-SPACE dimension as the original alignment.
- b. Where new streets are shown with hatched fill and labeled as ALTERNATIVE STREET on the REGULATING PLAN, the alignment may be adjusted up to 25 feet in either direction, as long as:
- (i) The ALTERNATIVE STREET alignment is a connected extension of the adjacent street;
  - (ii) No new street intersection occurs within 100 feet of another street intersection or planned street intersection;
  - (iii) The block configuration meets the standards defined in *Section 301.C.2* below; and
  - (iv) The RBLs or Lot Building Limit lines corresponding to the planned alternative street-space also shift and provide the same overall street-space dimension as the originally planned alignment.
- c. Where significant site constraints exist such as steep slopes in excess of 8 percent, the alternative street may be adjusted to only carry pedestrian and bicycle traffic. In addition, when an ALTERNATIVE STREET will carry bicycle and pedestrian traffic only:
- (i) The transition point from street to ALTERNATIVE STREET (i.e., from automobile to bicycle and pedestrian only) may be moved up to 50 feet in either direction along the street/ALTERNATIVE STREET alignment.
  - (ii) The ALTERNATIVE STREET shall be constructed according to *Section 503.D*.
  - (iii) The adjacent street with vehicle traffic shall provide a turn-around to accommodate emergency vehicles (i.e. hammerhead or cul-de-sac) and, accordingly, the adjacent RBLs shall be adjusted to shift around this vehicle turn-around by the minimum distance required to meet the turn-around design and provide the STREET-SPACE details required behind the curb as set forth in *Part 5 Street-Space Standards*.
- d. Planned new streets shall be dedicated in fee to the County. Planned ALTERNATIVE STREETS shall be dedicated as public use and access easements to the County. All dedications of fee or easement shall comply with the provisions of *Section 301.C.6*. herein.
- e. Additional streets may be added to the REGULATING PLAN by a property owner during review process to create a smaller block pattern; however, no streets may be deleted without being replaced. All new streets shall meet the requirements of *Section 301.C.1.a.i-iv* above and all other requirements of this Code. No DEVELOPMENT PROJECT may be approved until amendment to this Code has been approved incorporating that street into the REGULATING PLAN.
- f. Each BES SITE shall share at least one frontage line with a STREET-SPACE.

## 2. Blocks

- a. BLOCKS shall be measured at the REQUIRED BUILDING LINE (or where there is no RBL, along public rights-of-way, other public, conservation and private lands).
- b. No BLOCK FACE shall have a length greater than 350 feet without an ALLEY or PEDESTRIAN PATHWAY providing through-access to another STREET-SPACE, ALLEY, or LOT BUILDING LIMIT. Individual DEVELOPMENT PROJECTS with less than 100 feet of STREET-SPACE FRONTAGE are exempt from the requirement to interrupt the BLOCK face; those DEVELOPMENT PROJECTS with over 200 feet of STREET FRONTAGE shall meet the requirement within their DEVELOPMENT PROJECTS, unless already satisfied within that BLOCK face.

- c. Unless otherwise expressly specified on the REGULATING PLAN, no curb cut is permitted within 75 feet of another curb cut, intersection, or driveway along the same BLOCK FACE. This requirement shall not apply to ALLEYS.
- d. If a street location is adjusted or added as permitted in *Section 301.C.1.a.* above, the average perimeter of the newly created BLOCKS shall not exceed 1,300 feet.

### 3. Alleys

- a. ALLEYS shall be constructed so that all BES SITES have rear access, except where a BES SITE is on a perimeter common to a PRESERVED NATURAL AREA or CONSERVATION AREA designated on the REGULATING PLAN, or where a BES SITE has streets on three sides and the absence of an ALLEY would not deprive any adjacent neighbor of rear access.
- b. For new ALLEYS or portions thereof, public access, public utility, and drainage easements shall be dedicated to the County in a form acceptable to the County Manager.
- c. ALLEYS may be incorporated into parking lots as standard drive aisles provided all requirements for ALLEYS are met for the subject drive aisle. Connections from ALLEYS to ALLEYS on all adjacent properties shall be maintained.
- d. Where an ALLEY does not exist and it is not feasible to construct the ALLEY or a portion thereof at the time of redevelopment of any property, the applicant is required to dedicate the ALLEY right-of-way, as provided in 3.a above, to the County (for future construction) and maintain the area within the rear setback by, at a minimum:
  - (i) Providing routine landscape maintenance to the area.
  - (ii) Keeping the area clear of debris, stored materials, and stored or parked vehicles.

### 4. Public Spaces

Where new PUBLIC SPACES are indicated on the REGULATING PLAN, the developer is required to meet the requirements for the identified type of public space as set forth in *Part 5. Street-Space Standards.*

### 5. Preserved Natural Areas

DEVELOPMENT PROJECTS with PRESERVED NATURAL AREAS shall:

- a. Delineate the PRESERVED NATURAL AREAS through verified surveys completed by the applicant at the time of the FBC application. The survey shall delineate the PRESERVED NATURAL AREAS as shown on the Regulating Plan, with the boundaries terminating at half the length of the critical root zone of the outermost mature (having a caliper over 3 inches) trees. The resulting line will be treated as the limit of maximum disturbance, protecting the natural areas during construction of the DEVELOPMENT PROJECT.
- b. Retain the PRESERVED NATURAL AREAS as undeveloped and natural, conforming to the standards as defined in the Chesapeake Bay Preservation Ordinance and the Urban Forestry Master Plan.
- c. In coordination with the County staff, the developer shall:
  - (i) design and construct PEDESTRIAN PATH or BIKEWAYS as shown on the REGULATING PLAN.
  - (ii) grant a public access easement to the County over any existing trail or proposed PEDESTRIAN PATH or BIKEWAY through the PRESERVED NATURAL AREA.

### 6. General Dedication and Conveyance Standards

- a. No excavation, sheeting and shoring permit shall be issued for any phase of development under this Code, until after the developer submits for approval of all plats, deeds of dedication, deeds of conveyance and deeds of easement required to meet the provision of this Code.
- b. The first partial certificate of occupancy for any building or portion thereof for a phase of development under this Code shall not be issued until after the developer records all required dedications and conveyances required by this Code among the land records of the Circuit Court of Arlington County.

- c. All real estate interests required to be dedicated or conveyed to the County by this Code in fee simple shall be dedicated or conveyed to the County free and clear of all liens and encumbrances at the time of conveyance.
- d. The developer shall obtain the subordination of all liens and encumbrances on all real estate interests to be dedicated or conveyed to the County under this Code by easement (including by public access easement).
- e. No dedication or conveyance (which shall be in fee simple) of any PLAZA or NEIGHBORHOOD PARK shall occur until:
  - (i) The developer obtains a Phase 1 Environmental Assessment report, a Phase II Environmental Assessment report (if required by the results of the Phase I Environmental Assessment report), and a title report for all real property interests; and
  - (ii) All remediation measures to mitigate the existence of any hazardous materials identified in the results of any Environmental Assessment report on any real estate interests, are performed by the developer. In the event the County Manager determines that the use proposed for the property will be unaffected by the existence of hazardous materials, then the County Manager may permit the dedication or conveyance without such remediation measures.

#### **D. Regulating Plan Changes**

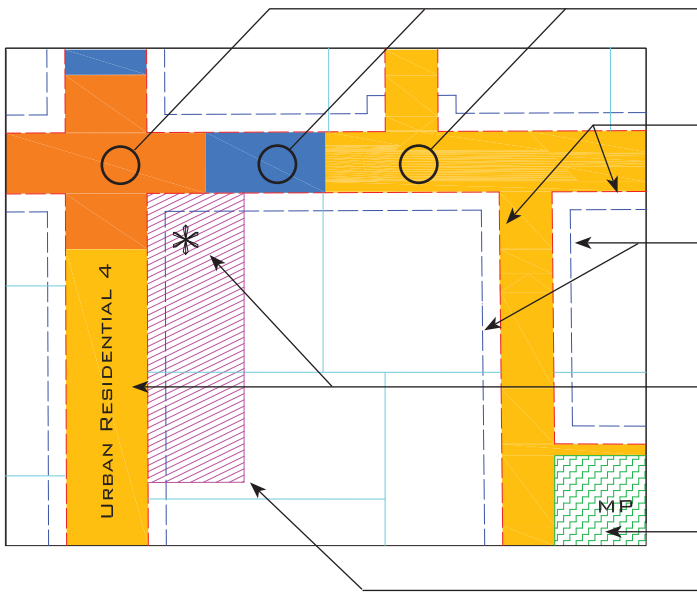
Any amendment or change to the REGULATING PLAN, beyond those specified above, will require approval by the County Board of an amendment of this Code. See *Part 2. Administration*.



## 302. The Regulating Plans

The following pages include small scale REGULATING PLANS for the District subareas. REGULATING PLANS are available as AutoCAD files from the County to indicate the place-specific details with more precision. Property owners or others planning to develop property under this Code should not rely upon the small-scale REGULATING PLANS, but should obtain the AutoCAD files. Contact the Columbia Pike Initiative Coordinator for more details.

## A. Regulating Plan Key



### Building Envelope Standard Designation

This indicates the relevant BUILDING ENVELOPE STANDARD (BES).

### Required Building Line (RBL)

This line indicates the RBL. The building shall be built-to the RBL.

### Parking Setback Line

Vehicle parking (above ground) is not allowed forward of this line unless otherwise noted on the Regulating Plan.

### Special BES Condition

Specific limitation or allowance regarding allowable height and or BES frontage standard. (Stories/Ultimate Building Height)

### Plaza, Mini-Park, or Neighborhood Park

### Potential Bonus Height Area

See Part 2. Administration for details.

### BES Designations and Regulatory Elements

	Urban Mixed Use
	Urban Storefront (See Urban Mixed Use BES)
	Urban Residential
	Townhouse/Small Apartment
	Detached
	District Boundary Line
	Required Building Line (RBL)
	Lot Building Line (LBL)
	Parking Setback Line
	Alternative Street
	Alley (Locations may be adjusted)
	Civic Structure
	Pedestrian Pathway/Bikeway
	Public Open Space
	Preserved Natural Areas

### Special Circumstances

#### Bonus Areas

	Height Max 6 Stories Building Height 92 ft <i>Bonus Height Max up to 2 Add'l Stories</i> <i>Ultimate Building Height 116 ft</i>
	Height Max 6 Stories Building Height 92 ft <i>Bonus Height Max up to 6 Add'l Stories</i> <i>Ultimate Building Height 164 ft</i>
	Height Max 8 Stories Building Height 120 ft <i>Bonus Height Max up to 2 Add'l Stories</i> <i>Ultimate Building Height 144 ft</i>
	Height Max 8 Stories Building Height 120 ft <i>Bonus Height Max up to 6 Add'l Stories</i> <i>Ultimate Building Height 192 ft</i>
	Conservation Area
	Adjacent to Conservation Area



**Additional Special Circumstances Notes:** See map for additional notes for specific areas.