

# **Neighborhood Edge Re-Development**

Interim Report  
from the  
Planning & Zoning Committee

## **Neighborhood Edge Development**

Development in Arlington is primarily infill, so we're really talking about re-development.

First, I'll provide some background information and then I'll present the findings and recommendations we've developed so far.

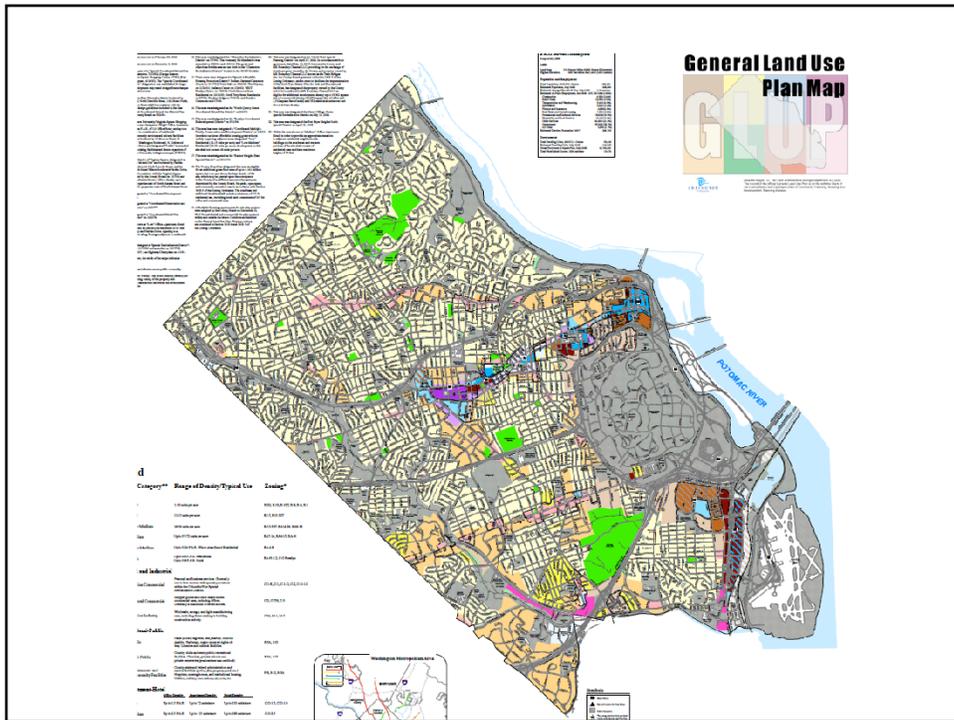
## **General Land Use Plan “The GLUP”**

- Reflects guidance, not law
- Shows big picture of development:
  - Residential
  - Commercial and Industrial
  - Public and Semi-Public
  - Office-Apartment Hotel
  - Mixed Use
- 18 color-coded categories

### **General Land Use Plan “The GLUP”**

The General Land Use Plan is also called “the GLUP.”

- It reflects guidance, not law.
- The GLUP gives the big picture of what is planned for various parts of the county. The slide lists the 5 overall types of development. But each of these types of has several categories within it.
- Altogether the GLUP designates 18 categories of development. Each of the 18 categories has an associated color that you can see on the GLUP map.



Here's a miniature of the GLUP map. If you look carefully, you can see that most of Arlington is yellow.

## GLUP Legend for “Residential”

Category	Definition
Low	1-10 units per acre
Low	11-15 units per acre
Low-Medium	16-36 units per acre
Medium	Up to 37-72 units per acre
High-Medium	Up to 3.24 FAR Residential
High	Up to 4.8 FAR Residential Up to 3.8 FAR Hotel

FAR = Floor Area Ratio

### GLUP Legend for “Residential”

If we look at the legend on the GLUP map, we see that Residential development has 6 categories ranging from Low to High.

The yellow we saw on the GLUP map indicates Low residential.

To understand what this means, we need to talk about Zoning.

# Zoning

- 31 “Zoning Districts”

## ***Zoning Ordinance***

- Describes legal rights and requirements
  - By-right
  - By Site Plan — By Use Permit
    - Decided by the County Board
    - Community input/conditions

## **Zoning**

Each of piece of property has a Zoning designation called a “Zoning District.”

- Arlington has 31 different Zoning Districts.
- The laws about how properties can be developed and used are described in the Zoning Ordinance. The Zoning Ordinance has a separate section for each Zoning District that indicates property owner’s rights and requirements.
  - The Zoning Ordinance also specifies what property owners can do “by-right.”
  - If allowed in the Zoning District, the Zoning Ordinance indicates what can be done by Site Plan or by Use Permit. Site Plan is an extensive process that usually results in the developer getting additional height and density or relief from requirements in exchange for providing community benefits and contributions to County funds. The Use Permit process allows a use by special permit, such as automobile repair, daycare in a house, or live entertainment in a restaurant.
    - Site Plans and Use Permits are decided by the County Board.
    - Both processes allow for the public to weigh in and recommend conditions.

## GLUP Legend for “Residential”

Category	Definition	Consistent Zoning
Low	1-10 units per acre	R-20, R-10, R-10T, R-8, R-6, R-5
Low	11-15 units per acre	R2-7, R15-30T
Low-Medium	16-36 units per acre	R-15-30T, RA14-26, RA8-18
Medium	Up to 37-72 units per acre	RA7-16, RA6-15, RA-H
High-Medium	Up to 3.24 FAR Residential	RA-4.8
High	Up to 4.8 FAR Residential Up to 3.8 FAR Hotel	RA-H-3.2, C-O Rosslyn

**There are many Zoning inconsistencies.**

### GLUP Legend for “Residential”

The GLUP legend also lists the Zoning Districts that are consistent with each GLUP category.

If you look at the Zoning Ordinance, you will see that the “R” Zoning Districts listed for the yellow Low categories represent single-family homes, duplexes, and some types of townhouses.

In many older parts of Arlington, you will find properties that have Zoning that is not consistent with today’s GLUP — for example garden apartments Zoned RA8-18 in an area designated Low Residential.

That’s often because the GLUP was overlaid after those properties were built.

When the GLUP and Zoning are not consistent, the property owner has a right to develop the property consistent with its existing Zoning.

When an area is up-GLUPed, property owners can request that the property be rezoned to a Zoning District listed for the new GLUP category.

## GLUP & Zoning +

- Court cases
- Zoning Administrator “determinations”
- County Code
- Sector Plans (adopted)
- Neighborhood Conservation Plans (accepted)
- Board of Zoning Appeals (BZA)
  - Appealed to the Circuit Court

### GLUP & Zoning +

The GLUP and the Zoning Ordinance don't tell the whole story about how a property can be developed.

- Court cases may nullify portions of the Zoning Ordinance or expand property owner rights.
- The Zoning Administrator makes “determinations” that provide details about what the wording in the Zoning Ordinance means. These supplement the Zoning Ordinance. The Zoning Administrator may also provide advice or administrative letters that are not determinations.
- The County Code provides additional rules related to development and use of property. For example, Noise is mostly controlled by the County Code and not the Zoning Ordinance.
- Areas around Metro stations have Sector Plans that guide development. These are adopted by the County Board, but are still guidance documents and not law.
- Some neighborhoods may include guidelines related to development in their Neighborhood Conservation Plans. These are “accepted” by the County Board, a lower level of policy guidance than Sector Plans.
- Property owners can ask for an exception to a rule in the Zoning Ordinance or appeal a decision of the Zoning Administrator. The appeal is made to the Arlington Board of Zoning Appeals — not the County Board. A further appeal may be made to the Circuit Court.

## **EDGE DEVELOPMENT PROJECT**

- **Scope and Goals**
- **Products to Date**

This is the second year that the Planning & Zoning Committee has been studying Neighborhood Edge Development.

As we've progressed, we've refined our scope and goals — and we've produced products for individual civic associations, and for consideration County-wide.

## **Our Scope: The Edge**

### **Where R properties meet non-R properties**

- R = single-family homes, duplexes, town houses consistent with Low Residential on the GLUP

### **Meet**

- Abut: Share a lot line with
- Adjacent: Are across a minor street or alley from

### **Scope: The Edge**

Here's how we're defining the "Edge" in the Neighborhood Edge Re-Development project: The edge is where R-zoned properties meet non-R-zoned properties.

- R-zoned properties include single-family homes, duplexes, and town houses zoning districts consistent with the GLUP "Low Residential" category.

When we say "meet," we mean:

- Properties that share a lot line with
- Properties that are across a neighborhood minor street or alley.

## Goals

- Work with individual civic associations
- Identify challenges associated with new building and/or new use
- Suggest new guidelines

### Goals

- Our initial goals were to work with individual civic associations to understand and document the various situations that exist across the county. We wanted to make sure each civic association knew where edge re-development would likely occur given their current GLUP and Zoning.
- We also wanted to develop a list of challenges associated with a new building—or a new use of an existing building.
- We envisioned working with staff, developers, land use attorneys, and communities to jointly develop some new guidelines for meeting the challenges that would provide a successful transition at the edge.

## **Civic Association Materials**

*Customized for each CA:*

- Map showing CA boundaries
- A list of every property in the CA:
  - GLUP and Zoning for each parcel
  - Parcels with Zoning inconsistent with the GLUP
  - Property code to find additional information in the Real Estate database

*Individual analysis*

### **Civic Association Materials**

Last year, we worked with staff to develop customized materials for each of the 60+ civic associations in Arlington. In February 2010, we provided a link to a site that had materials that would help each civic association with their initial analysis.

- The site has a separate map for each civic association showing its boundaries.
- The site also has an Excel spreadsheet that lists every piece of property in the civic association boundaries, but not individual units in a building.
  - The Excel provides the GLUP and Zoning designation for each property.
  - We used red text to flag entries where the GLUP and Zoning were not consistent.
  - We also provided the property code that can be used to look it up in the Real Estate database, so people can get additional information about who owns the property, its sales history, its size, and a map showing the lot boundaries and buildings on the property.

The site also has instructions for using the materials.

We sent information about the site to all civic associations — and then reached out to a few to test our process. Thus far, we have worked with Bluemont, Aurora Highlands, Arlington Ridge, and Lyon Village. We have an upcoming meeting Ballston/Virginia Square. Members of the Planning & Zoning Committee have had experience working on large and small projects and on use permit and site plan conditions — who can help with the review and with specific development projects. We encourage civic associations to contact us.

## **EDGE RE-DEVELOPMENT**

- **Rationale**
- **Challenges**
- **Benefits**

Next I'm going to summarize our findings from the work we've done so far. First I'll cover two examples that illustrate why we think edge development will increase in the future. Then I'll review some of the potential challenges and benefits that edge development brings.

## Example: C-1 Zoning



### Example: C-1 Zoning

Here is a picture of a small shopping center on Lee Highway. It has six stores and surface parking between the storefronts and the road. Single-family homes, zoned R-5, abut the site at the rear.

The entire property is one parcel that is zoned C-1. The Zoning Ordinance states that the C-1 Zoning District is designed for shopping centers and that the maximum building height for C-1 is 35 feet.

## Example: C-2 Zoning



### Example: C-2 Zoning

Our second example is an older, 1-story commercial building on Wilson Boulevard that is currently being redeveloped.

It sits between much taller buildings on Wilson and is near the Courthouse Metro station.

It's current GLUP category is Service Commercial and it is zoned C-2, which can be up to 45 feet tall — 4 stories.

The developer also owns 4 single-family homes, zoned R, that share a lot line with the C-2 property.

The building has a variance for surface parking that is partially on the single-family home lots.

Buildings in the Metro corridors like this one are likely to be replaced with something much taller than 4 stories.

The owner has requested both a GLUP and Zoning change to build a hotel that will be at least 75 feet tall.

## Rationale for Redeveloping Older Commercial Buildings

- Many older buildings zoned C-1 or C-2
- Cost of meeting requirements creates incentives for up-zoning OR change of use
- Property consolidated
  - Needs renovation
  - Neighbors want it replaced



### Rationale for Redeveloping Older Commercial Buildings

- There are many older buildings in Arlington zoned C-1 or C-2. Our database lists 145 parcels zoned C-1 and 600 parcels zoned C-2. Most are 1-2 stories tall at this time. Some are near Metro and others are not. Some look like they have successful retail and others do not.
- When existing C-1 and C-2 is redeveloped, owners will need to comply with the current zoning regulations. The cost of redevelopment may create an incentive for up-zoning. For example, the larger building may have greater parking requirements, so that underground parking is needed. Underground parking costs about \$35,000 per space.
- You may find that commercial property and nearby homes have been purchased by a single owner. In some cases, the properties are held for years in the hopes that they can be consolidated and up-zoned.

The homes that abut commercial development are more likely to be rental rather than owner-occupied, have permits for commercial uses, have lower assessments — and have not been renovated like other properties in the area.

The condition of these properties may make neighbors want it replaced, arguing “anything is better than that.”

You should know that the County has a policy against rezoning single-family property to commercial use.

## Potential Challenge: Building Height

- Height difference may be great
- Taper may be inadequate solution
- **New transitional, residential zoning options are needed — and we are exploring the process.**



### Potential Challenge: Building Height

- One of the new building challenges is achieving a height and form that provides an acceptable physical transition to the adjacent or abutting residential homes. Single-family homes, duplexes, and R town houses have a height limit of 35 feet to the midpoint of the roof. If the new buildings are much taller, they can overpower the abutting or adjacent homes, and perhaps block existing sunlight.
- Some areas of Arlington, such as portions of Clarendon, have implemented taper requirements to nearby homes. These may not produce a significant difference in height perception. Taper requirements also limit architectural options.
- So one of our major conclusions is that we need to have some additional zoning options for building forms that provide effective, physical transitions from new buildings to R properties. At the March 12<sup>th</sup> County Board meeting, we will ask about the process for developing new zoning options.

## Potential Challenges: New Uses

- Uses not anticipated when the community was formed:
  - Many standing patrons in restaurants
  - Outdoor seating, Rooftop bars
- Increased vehicle traffic/parking
- Building lighting and lighted signs
- Noise
- Adequate sidewalk space for pedestrians

### Rules, Conditions & Caveats

#### Potential Challenges: New Uses

Another major challenge for neighborhood edge redevelopment is making a new use successful without unduly impinging on nearby homes with noise, traffic, lighting, and parking problems. Here are some impacts that we've identified for further study:

- Today we have uses that were not anticipated in the past, such as many standing-patrons in restaurants, outdoor seating, and rooftop bars. (Restaurant parking requirements are based on physical seats rather than capacity, as are the Virginia ABC fees.)
- A new building or a new use often raise concerns about increased traffic and decreased parking in the residential neighborhood. Challenges include providing parking for customers, employees, and delivery vehicles.
- Building lighting and lighted signs may bleed into nearby homes.
- The noise ordinance is being revised. More than a year ago, we gave staff a list of problems that we think need to be addressed. Noise is one of the biggest challenges. This includes:
  - Live entertainment noise that bursts to the outside when doors are opened.
  - Noise from late-night patrons returning to cars parked in the neighborhood.
  - Noise from dumpsters being emptied early in the morning.
  - Possibly, noise from background music piped to outdoor patios. (Live entertainment cannot be piped outside at this time.)
- In some areas, especially the Metro corridors, sidewalk cafés may not provide adequate space for pedestrians.

We are working with County and ABC staff to understand and document the current rules and when conditions can be placed on a use. We plan to bring forward resolutions where we think rules are inadequate. However – we are keeping in mind that it's unrealistic to expect that owners of properties that abut or are adjacent to commercial properties will have the same ambience as their neighbors who live blocks away from the edge.

## Potential Benefits of Redevelopment

- Neighborhood-serving retail
- Improved architecture
- Historic preservation
- Nicer lighting
- Utility under-grounding
- Better landscaping
- New curb, gutter, and storm drains
- Tax revenues
- Wider sidewalks
- Improved entrances and alleys
- New bike and bus facilities
- Off-hour parking
- On-site or contributions for Arlington priorities

**We are working on documenting these benefits.**

### Potential Benefits of Redevelopment

Edge re-development can provide benefits to nearby residents that improve both the quality of life in the neighborhood and its property values, as well as benefits to the broader Arlington community.

Here are some of those benefits.

- Neighborhood-serving business such as new retail and restaurants
- Improved architecture
- Possible historic preservation of buildings that the neighborhood wants to save
- Nicer lighting such as the Carlisle lights
- Better landscaping and more trees
- Paving of streets, alleys that need repaving
- New curb, gutter, and storm drains in areas that do not yet have these
- More tax revenues for the County from the redeveloped site, which helps hold down our real estate taxes
- Wider sidewalks
- improved entrances — fewer curb cuts
- New or improved alley
- New or improved bus stops or bicycle facilities
- More parking available for the neighborhood during off-peak hours
- In exchange for increased height and density or relief from by-right zoning requirements, Site Plan developers also make contributions to fund Arlington priorities, and provide many provide desired facilities onsite — such as affordable housing and community meeting rooms.

We are working on documenting the benefits that developers and communities receive.

## Summary

- As indicated, we are:
  - Exploring new zoning solutions.
  - Documenting existing rules.
  - Developing resolutions where rules are inadequate.
- We want to work with all stakeholders to identify and address challenges.
  - Please refer to the handout to participate.

### Summary

- Here's a summary of items that we're currently working on:
  - New zoning solutions for edge building height and forms
  - Documenting existing rules, such as the rules for outdoor café seating, and how density transfers work, which we will distribute after they have been reviewed by County staff.
  - We are already planning to develop resolutions that address challenges with new guidelines.
- This presentation has just touched the surface of what we have learned from our analysis to date. We know we have lots more to learn. Thus, we want to work with all stakeholders — staff, developers, land use attorneys, and community leaders — to identify challenges and address them with effective solutions.
  - Please refer to the handout. It has the link we described earlier and an expanded list of topics that communities should consider as they assess their situations.

*Thank you for your attention.*