

May 25, 2023

A Short Guide to Land Use Planning, the GLUP, Zoning Code, and Site Plan Development in Arlington

Arlington County maintains a system of <u>land use plans and studies</u> supporting its general <u>Comprehensive Plan</u>. These plans and studies "typically contain recommendations on elements of land use, public space, building design, transportation, historic preservation, community revitalization and retail."

- Sector Plans guide the vision and future development of Metro station areas;
- Area Plans are like sector plans, and cover smaller areas within or outside Metro areas:
- Special GLUP Studies apply to parcels that lack an adopted plan, or where a
 General Land Use Plan (GLUP) amendment request is inconsistent with an existing
 plan; and
- **Site Plans** are significant private or public-private projects on specific parcels. Almost all include special exceptions to the County's land use and zoning policies.

For most of these initiatives, a baseline awareness of land use and zoning is key.

What is the GLUP?

The county regulates land use through the <u>General Land Use Plan</u> booklet or GLUP (Extensive quotes here are drawn from the GLUP booklet.) The GLUP guides development and sets parameters for "character, extent and location of" various land uses. "It balances residential, shopping, office and mixed-use development, focuses development around Metro Station Areas and encourages construction of a variety of housing types." For each of the five categories in our "GLUP booklet" (residential, commercial/industrial, public/semi-public, office-apartment-hotel, or mixed use), there are corresponding zoning options typical for that general location; these zoning categories are codified in Arlington County Zoning Code (ACZO). The GLUP outlines density in terms of "units per acre" for most residential projects, or as "floor-area-ratio" for other use categories. (See Chart 1, also available on p. 2 of the GLUP booklet)

Land Use

Land Use Designation*			Range of Density/Typical Use			Zoning**
Residential						
	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			R15-30T, RA14-26, RA8-18
	Medium		Up to 37-72 units per acre			RA7-16, RA6-15, RA-H
	High-Medium		Up to 3.24 F.A.R. (Floor Area Ratio) Residential			RA-4.8
	High		Up to 4.8 F.A.R. Residential Up to 3.8 F.A.R. Hotel			RA-H-3.2, C-O Rosslyn
Commercial and Industrial						
	Service Commercial		Personal and business services. Generally one to four stories, with special provisions within the Columbia Pike Special Revitalization District.			C-1-R, C-1, C-1-O, C-2, C-O-1.0, C-TH
	Service Industry		Wholesale, storage, and light manufacturing uses, in- cluding those relating to building construction activity.			CM, M-1, M-2
Public and Semi-Public						
	Public		Parks (Local, regional, and federal). Schools (public). Parkways, major unpaved rights-of- way. Libraries and cultural facilities.			S-3A, S-D
	Semi-Public		Country clubs and semi-public recreational facilities. Churches, private schools and private cemeteries (predominant use on block).			S-3A, S-D
	Government and Community Facilities		County, state and federal administration and service facilities (police, lire, property yard, etc.) Hospitals, nursing homes, and institutional housing. Utilities, military reservations, airports, etc.			P-S, S-D, S-3A
Office-Apartment-Hotel						
		Office De	ensity	Apartment Density	Hotel Density	
	Low	Up to 1.5	F.A.R.	Up to 72 units/acre	Up to 110 units/acre	C-O-1.5, C-O-1.0
	Medium	Up to 2.5	F.A.R.	Up to 115 units/acre	Up to 180 units/acre	C-O-2.5
	High	Up to 3.8	F.A.R.	Up to 4.8 F.A.R.	Up to 3.8 F.A.R.	C-O, C-O Crystal City, C-O Rosslyn, RA-H-3.2
Mixed Use						
	Medium Density Mixed-Use		Up to 3.0 F.A.R. with special provision for additional density within the "Clarendon Revitalization District" (See Note 12) and the "Special Coordinated Mixed Use District" for East End of Virginia Square (See Note 3)			C-R, C-3, MU-VS
	High-Medium Residential Mixed-Use		Up to 3.24 F.A.R. including associated office and retail activities.			R-C
	Coordinated Mixed-Use Development		This is a high density mixed use district with actual density determined by site size. Up to 6.0 F.A.R. with office not more than 3.0 F.A.R.			C-O-A

Chart 1, page 2 of the General Land Use Plan Booklet, as amended June 2022

What is the Arlington County Zoning Code?

While the GLUP is a framework, the Arlington County Zoning Code (AZCO) is law. Often a change in the GLUP's land use requires a change to the zoning.

The zoning code "consists of a text and a map and classifies all land according to various districts. Each district permits a certain type and level of development 'by right.' Beyond this, certain districts provide public review processes for special exception by site plan or use permit that allow for greater flexibility in use, density and form of development. A rezoning request must be filed with the Zoning Administrator, pursuant to the ACZO, in advance of the County Board hearing to allow for proper legal advertising and administrative and public review by the County Board. If a proposed rezoning is inconsistent with the General Land Use Plan designation. . . , the applicant is also required to request an amendment to the General Land Use Plan." (GLUP booklet p. 28, section 6.6)

Other Guardrails on Development

The GLUP sets the boundaries for development and allowed use (i.e., no industrial sites in residential areas); while zoning sets the terms for "by-right development" consistent with heights, setbacks, massing, parking ratios, and other stipulations. By-right projects do not require review by the public or the Board. The Virginia Building Code, the Chesapeake Bay Preservation Ordinance, the Americans with Disabilities Act and the Fair Housing Act also determine aspects of construction and access to housing units, as do other federal statutes.

How Does the Community Engage if Owners Want More Intense Land Use?

There are two ways property owners may pursue higher development yield: 1) via more intense land use in the GLUP, which also usually requires a change in the zoning, and 2) via "bonus density" above what is allowed "by right" in the zoning code, a process that requires a site plan approval. These are two separate processes and should be regulated as discrete elements if and when both methods are part of a single project.

It is recognized that development at increased density levels has an increased impact on the community. Therefore, development at the higher end of the density range on the General Land Use Plan may not necessarily represent the vision for a specific location or may not be desirable under all circumstances. However, when the impacts of increased density are mitigated in a manner consistent with County goals, policies and plans, and good zoning practice, increased density may be permitted. " (GLUP booklet p.28 section 6.8, bolding ASF's.)

What is Special Exception Site Plan Development?

<u>Site plans</u> are a type of "special exception zoning" commonly used for major projects, both large residential and commercial, and are an alternative to "by-right" construction which simply applies existing zoning code. They allow property owners to seek added density, reduced parking ratios or other benefits in exchange for community benefits to mitigate the effects of that impact. See the <u>administrative regulations memo on Site</u>

<u>Plans of 2019 for more detail</u>. As per the GLUP, "uses permitted by special exception are reviewed through a public process and include public hearings by the Planning Commission and County Board." The community should be heavily engaged and has a full seat on the Site Plan Review Committee.

"The site plan review process provides for public review of such projects and permits the County Board to vary the uses, heights, setbacks, densities and regulations of a zoning district for a specific project to meet County goals, policies and plans, and to comport with good zoning practice generally. This may include (but is not limited to): preservation or provision of public open space, ... affordable housing, public cultural resources, or community facilities, preservation of historic structures, provision of improved infrastructure or quality design, and promotion of sustainable development goals. The majority of site plan reviews. . . are for hotel, residential, office, and mixed-use development in certain high-density zoning districts." (GLUP booklet, p. 28, section 6.8)

Why are Site Plans Called "4.1 Projects"?

"Every site plan application must be filed in writing with the Zoning Administrator, pursuant to Section 15 of the ACZO and Administrative Regulation 4.1, to allow for proper administrative and public review. . . . The review process is coordinated through the Site Plan Review Committee (SPRC), a committee of the Planning Commission. The SPRC provides a forum in which the applicant, the community, and County staff can review, discuss, and comment on site plans and most major site plan amendments." (GLUP booklet p. 29 section 6.8)

What is a Phased Development Site Plan?

"For sites larger than 20 acres, the County Board may approve a Phased Development Site Plan (PDSP), a general plan defining uses, densities, heights, parking, transportation facilities, utilities and community facilities. The developer is required to submit a final site plan showing precise building locations and all other development details for public review and County Board approval." (GLUP booklet p. 29, section 6.8)

A PDSP allows the applicant and the community to frame expectations for each phase independently. The Amazon HQ2 project at Metropolitan Park will soon close out its PDSP by completing a series of open space and street network elements.

What are Special Planning Corridors?

Where "special conditions or circumstances exist, the County Board may initiate special planning processes for designated areas," as per Section 5.0 of the GLUP. The

adopted plans and districts -- mostly along the two Metro corridors and Columbia Pike -- serve as County Board policy guiding future change and redevelopment in the described area. The offer combinations of sector plans, phased development plans, revitalization areas, and more.

Two Ways to Change the GLUP

The GLUP may be amended two ways, via:

1. Long Range Planning Process for a Designated Area

"The first process includes detailed land use studies which may be undertaken for designated areas of the County at the County Board's directive where conditions warrant a comprehensive framework of policies for community improvement through redevelopment, revitalization or conservation. This process has been used to develop Sector Plans for the Metro Station Areas in the Rosslyn-Ballston and Richmond Metro Corridors." (GLUP p. 30, section 7.)

2. Special GLUPs

In 2008, the County Board adopted the "Policy for Consideration of General Land Use Plan Amendments Unanticipated by Previous Planning Efforts," or "special GLUP" process which reminds us:

"Amending the GLUP without fully identifying the range of issues . . . , understanding whether it comports with the County's long term planning goals and principles, and obtaining full input from the Board's advisory commissions and the community, disserves, and may result in decisions contrary to, the County's planning principles and policies (GLUP booklet, p 36 Item #4)

"... a proposed GLUP amendment for any site not identified in a County-Board-adopted-planning study as appropriate for such a GLUP amendment will not be considered until such a planning study or analysis has been completed and presented to the County Board." (GLUP booklet, p. 36, Item #5)

In summary, the staff-prepared Study Document needs to:

- Contain a "high-level review separate from and prior to any site plan or use permit project review";
- Include community review;
- Assess whether proposed changes to the GLUP are consistent with the County's long-term planning principles and goals of our Comp Plan.

"At the conclusion of the public review process, staff will prepare a "Request to Advertise" report, which includes the results of the study, for consideration by the Planning Commission and County Board." (GLUP

If the Board Approves the Request to Advertise (RTA) the proposed GLUP amendment:

"The "request to advertise" or "not to advertise" report and comprehensive study document will then be brought to the County Board for final action, thereby concluding the Special GLUP Study process." "Authorizing advertisement, . . . would not imply that the County Board supports the proposed amendment, but that it is in the realm of consideration, subject to

"Public hearing dates for the [PC] and the County Board will be set and publicly advertised. At [those] public hearings, which will be set on dates concurrent with hearings for the site plan project, the [PC] receives a recommendation from the County Manager and hears public testimony. The Commission makes a recommendation to the requested amendment. The County Board at its meeting also receives the County Manager's report, hears public testimony, and makes the final decision." (GLUP booklet p. 30-

Reforms Blur Lines between GLUP and Site Plans:

In 2019, the county amended its procedures via <u>Arlington County VA: Special GLUP Study Process</u> while still nominally observing 2008 guidelines. ASF has concerns about the practice as it has evolved since these reforms were adopted -- particularly the elements we have italicized in the section above. These will be reviewed separately with suggestions as to how the county should improve community engagement.