



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item
Meeting of January 23, 2010

SUPPLEMENTAL REPORT

DATE: January 26, 2010

SUBJECT: Request to Advertise public hearings on proposed Zoning Ordinance amendments to Sections 1, 16, 18, 19, 20 (and its Appendix A), 21, 25A, 26, 28, 32A, 33 and 34 to 1) delete “automobile service station,” “public garage” and “tire shop” and instead add a new definition for, and references to “vehicle service establishment,” which use would include vehicle fueling sales, accessory retail sales and vehicle service and repair uses; 2) permit vehicle service and repair as provided for in the proposed “vehicle service establishment” definition, by use permit approval, in Section 19. “C-1” Local Commercial Districts, Section 20 (and its Appendix A) “CP-FBC” Columbia Pike Form Based Code Districts and Section 25A. “C-O-A” Commercial Office Building, Hotel and Apartment Districts; 3) create a new definition for and update references to “vehicle body shop” as a use that includes both repair uses and vehicle body work, painting and upholstery; and 4) update usage of automobile-related terms.

C.M. RECOMMENDATION:

Adopt the resolution attached to the staff report dated January 13, 2010, except with line 264 corrected as shown in this report, which resolution would authorize advertisement of public hearings by the Planning Commission on March 1, 2010, and the County Board on March 13, 2010, on the attached ordinance to amend, reenact, and recodify the Zoning Ordinance, Sections 1, 16, 18, 19, 20, 21, 25A, 26, 28, 32A, 33 and 34, to 1) delete “automobile service station,” “public garage” and “tire shop” and instead add a new definition for, and references to “vehicle service establishment,” which use would include vehicle fueling sales, accessory retail sales and vehicle service and repair uses; 2) permit vehicle service and repair as provided for in the proposed “vehicle service establishment” definition, by use permit approval, in Section 19. “C-1” Local Commercial Districts, Section 20 (and its Appendix A) “CP-FBC” Columbia Pike Form Based Code Districts and Section 25A. “C-O-A” Commercial Office Building, Hotel and Apartment Districts; 3) create a new definition for and update references to “vehicle body shop” as a use that includes both repair uses and vehicle body work, painting and upholstery; and 4) update usage of automobile-related terms.

County Manager: FMD

County Attorney: CWM

Staff: Deborah Albert, DCPHD, Planning Division

PLA-5442 Supplemental Report

29.

DISCUSSION: This supplemental report provides clarification to tables provided in the original report, as well as a correction to the proposed text amendment.

Tables: Tables 1 and 2 in the original report did not consistently list uses that are permitted by reference to other Zoning Ordinance sections. In addition, information about motor vehicle sales and rental lot uses was corrected in both tables. A new table (Table 3) is also included in this report to summarize proposed policy changes. The specific revisions are as follows:

- Table 1 includes an updated list of existing permitted uses. A new column has been added, identifying the Zoning Districts where the listed uses are not permitted, and a clarifying note has been added to indicate where regulation of uses is proposed to be changed with the proposed amendment.
- Table 2 includes two new columns listing regulation of uses in “C-3” and “M-2” Zoning Districts, which were omitted from the table in the original report.
- Table 3 is a new table summarizing proposed policy changes. Automobile repair uses are proposed to be permitted in “C-1”, “CP-FBC” and “C-O-A” districts, subject to use permit approval, and as defined in the proposed “vehicle service establishment” definition. Currently these districts do not permit automobile repair. No other policy changes are proposed.

Correction to proposed text amendment: Line 264 of the resolution attached to the original report dated January 13, 2010, should not include “vehicle service establishment” in the proposed amendments to the “C-O-A” Zoning District. Vehicle service establishment is proposed to be permitted in “C-O-A” districts, subject to use permit approval, as described in the original report, and therefore should not be listed as a prohibited use in that district.

The corrected text proposed for the “C-O-A” district is shown below (line numbers match those in the original report). The text to be added is shown with an underline, text to be deleted is shown with ~~strikethrough~~, and the correction is shown with a ~~double-strikethrough~~ to denote text that should not be added. Formatting comments are shown in brackets.

- 254 1. All uses as permitted and regulated in the "C-2" District, except that the following
255 shall not be permitted: [realphabetize this list and re-letter subsequent uses
256 accordingly]
- 257 a. ~~Automotive painting, upholstering, rebuilding, reconditioning, body and~~
258 ~~fender work, truck repairing or overhauling and the like~~ Vehicle body
259 shop.
- 260 b. Car wash.
- 261 c. ~~Motor v~~ Vehicle sales or rental lot storage lots.
- 262 d. Vehicle storage lot. [re-letter subsequent uses accordingly]
- 263 d. Plumbing or sheet metal shops.
- 264 e. ~~Public garage~~ Vehicle service establishment.

Table 1 (revised): Current Regulation of Uses

Existing Term	New Proposed Term	Permitted		Not Permitted
		By right	Use Permit	
Automobile Service Station	Vehicle service establishment	n/a	C-1, CP-FBC, C-2, C-3, C-O-A, CM, M-1, M-2,	MU-VS
Automotive painting, upholstery, rebuilding, reconditioning, body and fender work, truck repairing or overhauling and the like (not defined)	Vehicle body shop	CM, M-1, M-2	CP-FBC, C-2, C-3	C-1, MU-VS, C-O-A,
Automotive Wrecking	No change	n/a	n/a	Not explicitly permitted in any zoning district
Public Garage	Vehicle service establishment	n/a	C-2, C-3, CM, M-1, M-2	C-1*, CP-FBC*, MU-VS, C-O-A*
Motor Vehicle Sales or Rental Lot	Vehicle Sales or Rental Lot	On sites >20,000 sf: CP-FBC, C-2, C-3, CM, M-1, M-2	On sites >10,000 sf and <= 20,000 sf: CP-FBC, C-2 C-3, CM, M-1, M-2	C-1, MU-VS, C-O-A; or on sites <10,000 sf in CP-FBC, C-2, C-3, CM, M-1, M-2
Motor Vehicle Storage Lot	Vehicle Storage Lot	CM, M-1, M-2	n/a	C-1, CP-FBC, MU-VS, C-2, C-3, C-O-A
Tire Shop (not defined)	Vehicle service establishment	n/a	CP-FBC, C-2, C-3, C-O-A, CM, M-1, M-2,	C-1*, MU-VS

*Regulation of uses in districts denoted with an asterisk and grey highlight is proposed to be changed from not permitted to permitted, subject to use permit approval.

Table 2 (revised): Regulation of Automobile Service Uses as Currently Permitted in the Zoning Ordinance

Existing Use	C-1	CP-FBC	MU-VS	C-2*	C-3	C-O-A	CM	M-1	M-2
Automobile Service Station	Use permit - Provided there is no incidental automobile repair	Use permit (as in C-2)	Not permitted	Use permit - Provided that any incidental vehicle repairs such as tube and tire repairing, battery charging and storage or merchandise and supplies shall be conducted wholly within a building, and that any lubrication or washing not conducted wholly within a building shall be permitted only if a masonry wall, seven (7) feet in height, is erected and maintained between such uses and any adjoining "R" District.	Use permit (as in C-2)	Use permit (as in C-2)	Use permit (as in C-2)	Use permit (as in CM)	Use permit (as in M-1)
Automotive painting, upholstering, rebuilding, reconditioning, body and fender work, truck repairing or overhauling and the like (not defined)	Not permitted	Use permit - Provided that all uses are conducted within an enclosed structure	Not permitted	Use Permit - provided that all uses are conducted within an enclosed structure	Use permit (as in C-2)	Not permitted	By-right, provided the use is conducted wholly within an enclosed building (except for on-site parking of delivery vehicles that are incidental thereto). Also includes auto-assembly, tire retreading or recapping, battery manufacturing and the like.	By-right (as in CM)	By-right (as in M-1)
Automotive Wrecking	Not explicitly permitted in any district								
Public Garage	Not permitted	Not permitted	Not permitted	Use Permit	Use permit	Not permitted	Use permit	Use permit	Use permit

Existing Use	C-1	CP-FBC	MU-VS	C-2*	C-3	C-O-A	CM	M-1	M-2
Motor Vehicle Sales or Rental Lot	Not permitted	As in C-2, and provided that indoor and/or outdoor display areas do not exceed 300 linear ft. along Main or Ave frontage. Motor vehicle dealerships are prohibited on Neigh. and Ave sites.	Not permitted	NOT permitted on sites <=10,000 sf. Use Permit – on sites <=20,000 sf but >10,000 sf, provided the use complies with the stds id'd in 26.C.4. By Right - Provided the use is located on a site which is > 20,000 sf, and where the use complies with the stds id'd in 26.C.4.	As in C-2	Not permitted	As permitted in C-2 - provided the use is developed in accordance with Section 33 and conducted wholly within a completely enclosed building or within an area enclosed on all sides with a solid wall or uniformly painted board fence, not less than 6-ft in height.	As permitted in CM, within or without a building or an enclosed area. (see C-2 and CM)	As permitted in M-1 – within or without a building or an enclosed area. (see C-2, CM and M-1)
Motor Vehicle Storage Lot	Not permitted	Not permitted	Not permitted	Not permitted	Not permitted	Not permitted	By-right – and towing services; Provided the use is conducted within an enclosed building or w/in an area enclosed on all sides with a solid wall or uniformly painted board fence, not less than 6 ft in height.	By-right – and towing services; Provided the area is located and developed as required in Section 33 and that any incidental repair of automobiles or trailers is confined wholly within a building	By-right (as in M-1)
Tire Shop (not defined)	Not permitted	Use permit	Not permitted	Use permit	Use permit	Use permit	Use permit	Use permit	Use permit

Table 3 (new): Summary of Proposed Policy Changes

Existing Use	Proposed New Use	Permitted Uses: C-1		Permitted Uses: CP-FBC and C-O-A	
		Current	Proposed	Current	Proposed
Automobile Service Station	Vehicle service establishment	Use permit, provided there is no incidental automobile repair	Use permit, provided that any portion of the use except the sale of gasoline shall be conducted wholly within a building.	Use permit, provided that any incidental vehicle repairs such as tube and tire repairing, battery charging and storage of merchandise and supplies shall be conducted wholly within a building and that any lubrication or washing not conducted wholly within a building shall be permitted only if a masonry wall, 7 ft. in height, is erected and maintained between such uses and any adjoining "R" district.	Use permit, provided that any vehicle repairs, battery charging and storage of merchandise and supplies shall be conducted wholly within a building and that any lubrication or washing not conducted wholly within a building shall be permitted only if a masonry wall, 7 ft. in height, is erected and maintained between such uses and any adjoining "R" district.
Public Garage		Not permitted	Not permitted	Not permitted	
Tire Shop (not defined)		Not permitted		Use permit	