



## ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item  
Meeting of April 24, 2010**

**DATE:** April 13, 2010

**SUBJECT:** ZOA-10-01/FBC-9. 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 upholstering; and 4) update usage of automobile-related terms.

**C.M. RECOMMENDATION:**

Adopt the attached ordinance (ZOA-2010-01/FBC-9) 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 upholstering; and 4) update usage of automobile-related terms.

**ISSUES:** This is a Zoning Ordinance Amendment to permit, by use permit approval, vehicle service and repair uses in “C-1,” “CP-FBC” (and its appendix A) and “C-O-A” zoning districts, and to update and replace other vehicle service-related definitions throughout the Zoning Ordinance. No issues have been identified.

County Manager: BMD/GA

County Attorney: CUMM SA

Staff: Deborah Albert, DCPHD, Planning Division

PLA-5559

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**SUMMARY:** Staff was prompted to research the issue of automobile repair uses in the Zoning Ordinance by the issuance and subsequent appeal of two notices of violation to uses identified as “automobile services stations” in “C-1” Zoning Districts. Industry trends for gasoline service stations indicate that definitions and regulations related to automobile repair services in the Zoning Ordinance are outdated, and no longer reflect a viable service model. Two defined terms, for “automobile service station” and “public garage,” include vehicle fuel sales and minor repair services, respectively. However, typically, both fuel sales and repair services are incorporated into a single station, unlike earlier times, when gas stations generally provided only minimal repair services. Furthermore, in “C-1” Zoning Districts, only fuel sales (no repair services) are permitted, yet most existing automobile services stations in “C-1” Districts perform repair services, and therefore are nonconforming. While there are no existing service stations in “CP-FBC” or “C-O-A” Zoning Districts, these districts are ambiguous as to the level of vehicle repair permitted.

Staff concludes that in today’s market, gasoline retailers need additional services in order to run sustainable businesses, and that permitting automobile service and repair in commercial areas throughout the County, with impacts mitigated through the use permit review process, would be a means of maintaining a sustainable community. Therefore, staff proposes to delete “automobile service station” and “public garage” from the Definitions Section of the Zoning Ordinance, and replace them with a single term, “vehicle service establishment,” which would be defined to include vehicle fuel sales, service and repair services, and accessory retail sales. This new term would also replace “tire shop,” which is not defined, but used in the Ordinance. Staff also proposes to define “vehicle body shop” to reference a use permitted in various zoning districts, but currently undefined, that includes auto body work, painting and upholstery. Finally staff proposes to permit vehicle service and repair uses in “C-1,” “CP-FBC” and “C-O-A” Districts, by adding “vehicle service establishment” as a permitted use, subject to use permit approval, and to update usage of auto repair-related terms throughout the Zoning Ordinance. Table 1 below, summarizes those changes included in the proposed amendment that would implement a change in policy regarding regulation of uses.

**Table 1: 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 [as defined in the automobile service station definition] 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	Vehicle service establishment	Not permitted	Use Permit (as described above)	Not permitted	Use Permit (as described above)
Tire Shop		Not permitted		Use permit	

**BACKGROUND:** Two recent notices of violation issued to automobile service stations in "C-1" Districts and subsequent appeals to the Board of Zoning Appeals have prompted staff to examine automobile uses and regulation of such uses throughout the County in order to address issues related to sustainability and viable models for service stations in Arlington County. The proposed amendment was heard by the Planning Commission at their March 1, 2010, meeting and they voted to recommend that the County Board defer consideration of the amendment in order to allow for editorial revisions that would provide additional clarity. At the March 13, 2010, County Board meeting, the County Board voted to defer the amendment for consideration at the April Planning Commission and County Board meetings.

**DISCUSSION:** As Arlington County continues to plan more areas for mixed-use development, traditional service commercial areas that support low intensity (up to 1.5 FAR) commercial uses are increasingly limited. While high intensity mixed-use development encourages and supports transit use, there continues to be a need for automobile vehicle fueling, repair and servicing within the County. In order to maintain a sustainable community, such uses should be available in major corridors throughout the County, with appropriate limitations.

Industry trends for vehicle services uses, as reported in mainstream news media (i.e. *The Washington Post*, *The New York Times*, etc.) over the last ten years, indicate that a gasoline service station that provides no services other than the sale of gasoline, no longer reflects a viable business model. The low profit margin on retail gasoline sales, combined with increased credit card usage and fees, requires a station owner to provide other products or services in order to stay in business. Based on this business model, staff review of the Zoning Ordinance indicates that

terms defining and regulating vehicle repair and fueling in the Zoning Ordinance are outdated in today's market. Expanding and updating the definition of automobile service stations would allow owners of such businesses to diversify the services they provide in order to keep up with a changing market and would provide a means of maintaining a sustainable community. Therefore, the intent of the proposed amendment is 1) to further clarify definitions for all vehicle repair and service-related uses throughout the Zoning Ordinance, without making changes to how uses are regulated in each zoning district (other than those listed below); and 2) to permit vehicle repair in "C-1," "CP-FBC" and "C-O-A" Districts, where it is either currently not permitted (as in "C-1"), or ambiguous as to the level of service permitted (as in "CP-FBC" and "C-O-A").

**Definitions:** There are currently two terms defined in the Zoning Ordinance that describe uses related to auto repair and fueling services. Additionally, there are undefined terms used to identify permitted uses within some Zoning Ordinance sections that describe more intense repair uses, such as vehicle body work, painting and upholstery. The defined terms are as follows, and neither provides any clarification as to what constitutes "minor" services or "repair," which makes the Zoning Ordinance difficult to administer:

*"Automobile service station.* Any premises used for supplying gasoline and oil, at retail direct to the customer, including minor accessories and services for automobiles"

*"Garage, public.* A building, or portion thereof, used for the care, repair or equipment of motor vehicles which is available to the public"

Undefined uses listed as permitted in some zoning districts include the following:

"Automotive painting, upholstery, rebuilding, reconditioning, body and fender work, truck repairing or overhauling and the like"

"Tire shop"

Furthermore, as discussed above, the forgoing definitions combined with the regulation of these uses in the Zoning Ordinance do not reflect industry trends for how gasoline sales work in today's market. Staff supports a continued ability to provide such uses throughout the County as a means of maintaining a sustainable community. Therefore, staff recommends adding "vehicle service establishment" as a new defined term in the Zoning Ordinance, which use would include vehicle fuel sales, repair and service, and accessory retail sales of snacks, beverages and other merchandise. Repairs included under the "vehicle service establishment" use would include routine vehicle maintenance services as well as engine and transmission repairs, but would not include vehicle body work. This new use would replace "automobile service station," "public garage" and "tire shop." In addition, staff recommends adding "vehicle body shop" as a new defined term to replace undefined uses that permit vehicle body work and other intense repair services, such as painting and upholstery.

Lastly, in a minor change from the advertised language, staff proposes to change the defined term "motor vehicle sales or rental lot" to "vehicle *dealership*, sales or rental lot." The term is used interchangeably throughout the Ordinance with and without "dealership." In the attached proposed resolution, "dealership" has been added into the defined term, and references have been

updated accordingly. In the advertisement, staff had proposed to remove the word “dealership,” however, in order to address differences in perception between a small sales lot, and a vehicle dealership, the term has been restored to include the broader description currently used in some places in the Ordinance. The definition of the term, as shown in lines 26-30 of the attached ordinance, is not proposed to be changed, and the change to the term reflects no change in policy regarding how the use is regulated, or the specific uses that are classified under this definition.

Table 2 below, shows a cross reference of the existing and proposed new terms and a list of zoning districts where they are currently permitted. All of the existing terms are proposed to be replaced with the new proposed defined terms in all zoning districts in which they occur throughout the Ordinance. In addition, it is proposed that all existing terms listed in Table 2 be updated in all places in which they occur in order to reflect the wording used in the defined term. Permitted and Special Exception uses would be realphabetized accordingly within each zoning district as the new terms are inserted.

**Table 2: Current Regulation of Uses with Cross-reference of Existing and Proposed Terms**

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, upholstering, 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 Dealership, 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.”

**Regulation of Uses:** In “C-1” Districts, “automobile service station” is currently permitted by special exception use permit, “provided that there is no incidental automobile repair.” Most existing service stations in “C-1” districts are nonconforming because they provide vehicle repair. While some may be legally nonconforming, many have expanded their original uses and therefore may have become illegal. As discussed above, it is atypical for a service station not to provide other products and services in addition to fuel. Therefore, staff proposes that “vehicle service establishment” uses be permitted in “C-1” Districts, by use permit approval, in order to permit gas stations with service and repair and/or accessory retail sales to be located in commercial zoning districts throughout the County. In “C-1” Districts, all such uses other than the sales of gasoline would be required to be fully enclosed within a building. Use permit conditions could allow other land use impacts to be mitigated, on a case by case basis.

In “CP-FBC” and “C-O-A” Districts, “tire shops” are currently permitted by use permit approval, as are “automobile service stations, provided 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, seven feet in height, is erected and maintained between such uses and any adjoining ‘R’ District.” “Public garages” are not currently permitted in either district. With the proposed amendment, “public garage,” “automobile service station” and “tire shop” are proposed to be combined into “vehicle service establishment” which includes both vehicle repair uses (vehicle maintenance as well as major repairs, but not including vehicle body work) and gasoline sales. Staff proposes to permit “vehicle service establishment,” by use permit approval and with all of the existing restrictions described above, in order to allow such services to be provided in these areas, but with a better definition of the specific repair uses permitted, as identified in the new defined term. The “C-O-A” District typically corresponds with areas designated as “Coordinated Mixed Use Development District” on the General Land Use Plan (GLUP), which exists in the Ballston area. The “CP-FBC” District may only be used within the areas identified as the “Columbia Pike Special Revitalization District” on the GLUP. As in “C-1” Districts, land use impacts of these uses could be mitigated with use permit conditions on a case by case basis.

Table 3 (starting on page 11) summarizes regulation of automobile repair-related uses currently defined or used in the Zoning Ordinance. Other than in “C-1,” “CP-FBC” and “C-O-A” Districts, all uses discussed would continue to be regulated as they are currently permitted.

**Impact to Existing uses:** Staff is aware of several existing use permits for “automobile service stations,” in areas zoned “C-1,” which currently does not permit vehicle repair uses. Should the County Board adopt the proposed amendment, staff recommends that existing use permits for “automobile services stations,” “public garages” and “tire shops” in “C-1,” “CP-FBC” and “C-O-A” Districts be updated in order to bring them under the more permissive use, and give them an opportunity to become conforming uses. The aforementioned zoning districts are those in which “automobile service station” (permitting gasoline sales) is permitted, subject to use permit approval, but “public garage” (permitting vehicle repair) is not permitted. “Tire shop” is permitted, subject to use permit approval, in “CP-FBC” and “C-O-A” Districts, but not permitted

in “C-1” Districts. In order to facilitate updating these use permits, staff has begun to research the existing use permits and recommends the following:

- All business owners of “automobile services stations,” “public garages” and “tire shops” in “C-1,” “CP-FBC” and “C-O-A” Districts should be notified of the Zoning Ordinance change and resulting expansion of permitted uses under the new definition.
- Staff then recommends that the County Board proactively advertise a use permit for each of the businesses described in the first bullet above, on its own motion (and at no fee to the applicant), for review. All of these use permits could be brought forward at once so they can all be reviewed together, under the standard use permit review process (which includes notification to neighboring properties). The result would be a new use permit under the new use (“vehicle service establishment”) allowing them to continue the use as permitted under the new Ordinance and as approved under the new use permit.
- Other zoning districts currently regulate “automobile services stations,” “public garages” and “tire shops” similarly (i.e. in any given zoning district, either all three uses are permitted, subject to use permit approval, or none of the three uses are permitted). Therefore, business owners, who have use permits for “automobile services stations” “tire shops” and “public garages” in any other zoning districts would have the option of applying for a use permit under the new “vehicle service establishment” use, should they wish to expand their uses beyond what they are permitted to do under their existing use permits and include activities defined under the new use. Such an application would be for a new use permit, and all normal fees would apply, as would the standard use permit review process. Should a business owner choose not to apply for a use permit, the business could continue operating under the existing use permit, subject to any conditions associated with that use permit, as a legally nonconforming use. However, only those uses that are currently legally permitted under an existing use permit could become legally nonconforming uses. Any business owner who has illegally expanded a use and who does not apply for a new use permit, or does not conform to the uses permitted under the existing use permit, would be subject to notice of zoning violation.

**Community Process:** Zoning Committee of the Planning Commission (ZOCO): The proposed amendment was discussed at ZOCO meetings on December 10, 2009, and January 6, 2010. Discussion focused on the distinction between those services proposed to be defined as vehicle service establishment versus vehicle body shop. It was suggested by some ZOCO members that expanding the level of vehicle repair and service permitted in commercial zoning districts could be beneficial in order to allow Arlington County residents to have their vehicles serviced and repaired within the County, at places within walking distance of their homes. Following this discussion, staff broadened the proposed definition of “vehicle service establishment” to include repair of engines and transmissions, which had previously been proposed to be included only in the “vehicle body shop” definition. Staff supports expanding “vehicle service establishment” definition, as the intent of the amendment is to promote a sustainable community where such services are provided throughout the County. Additionally, in “C-1,” “CP-FBC” and “C-O-A” Districts, the repairs would be required to be performed inside a building, and additional impacts from these types of uses would not be significant. Finally, a special exception use permit would

be required for such use in all commercial Zoning Districts in which it is permitted, and therefore impacts could be addressed through that process.

The proposed amendment was further discussed at the April 6, 2010, ZOCO meeting. At this meeting staff presented a revised draft of the proposed amendment, with modifications reflecting the March 1, 2010, Planning Commission discussion (see description and summary of changes under Planning Commission and County Board heading below). While ZOCO members suggested additional minor edits, which staff has incorporated, there were no suggestions of any substantial changes to the text. One ZOCO member was concerned about potential noise generating uses associated with vehicle service establishments. Vehicle service establishments are permitted only by special exception use permit in all zoning districts in which they are permitted, and staff has indicated that land use impacts of any proposed use permit are analyzed during the use permit review process. The County Board may condition a use permit so as to limit individual uses that are included in the vehicle service establishment definition as a means of mitigating land use impacts at a particular location.

Form Based Code Advisory Working Group (AWG): The proposed amendment was presented to the AWG at their meeting on January 20, 2010, and no concerns were raised with permitting the proposed “vehicle service establishment” use, subject to use permit approval, in “CP-FBC” Districts. It was raised, however, by one member, that automotive painting, upholstery and body work, a currently permitted use, may not be an appropriate use within the Columbia Pike Special Revitalization District. While the proposed amendment updates terms related to this use, staff did not study the regulation of this use, and therefore has not proposed any other related changes to this use. Should the County want to make any changes to regulation of this use, it should be included as the subject of a future study, where impacts could be reviewed across all zoning districts.

Planning Commission and County Board: The proposed amendment was heard by the Planning Commission at their March 1, 2010, meeting. Discussion at the Planning Commission centered on the clarity of the proposed language. One motion considered by the Planning Commission included a rewrite of the vehicle service establishment definition. However, ultimately, the Planning Commission voted to recommend that the County Board defer consideration of the proposed amendment. Staff subsequently recommended that the proposed amendment be deferred. The County Board voted at their March 13, 2010, meeting, to defer consideration of the proposed amendment to the April Planning Commission and County Board meetings.

Staff has revised the proposed amendment and addressed the concerns raised at the Planning Commission hearing, including using some of the text proposed in the first motion considered by the Planning Commission. The intent and policy reflected in the proposed amendment remain unchanged, however, highlighted changes to the proposed text (changed since advertisement) are editorial in nature and reflect discussion by the Planning Commission. At their April 12, 2010, meeting, the Planning Commission voted unanimously (11-0) to recommend that the County Board adopt the proposed amendment. Changes to the proposed amendment since the advertisement include the following:

- The “vehicle service establishment” definition has been shortened in order to remove long lists of included activities that reflect outdated technologies, however, some examples have been retained, in order to provide examples, from which the Zoning Administrator can make a reasonable determination.
- “Fuel sales” was moved out of the introductory paragraph of the “vehicle service establishment” definition, and into the list of included activities in order to eliminate any confusion as to whether or not fuel sales is required of a use classified as a “vehicle service establishment.”
- The “vehicle body shop” definition was revised to include “upholstering,” which is a word used in the existing use, that vehicle body shop is intended to replace.
- The list of permitted uses in the “CM” District are broader than the uses defined in the proposed “vehicle body shop” term, and therefore the text has been corrected so as not to alter those uses permitted in industrial zoning districts.
- Staff reviewed the proposed amendment for use of the term “automobile” in order to address the suggestion that all instances of the term be replaced with “vehicle.” Staff has eliminated two instances of the term where it was redundant, however, has retained “automobile” in places where the narrower term is more appropriate. “Automobile” is a term with an accepted definition, and therefore remains an appropriate term to use in the Zoning Ordinance.

A revised version of the vehicle service establishment definition is included in the attached ordinance, shown with underline and strikethrough, however, for purposes of readability, a clean version is included below. Other changes described above are also included in the attached ordinance.

*Vehicle service establishment.* Any premises where the following or other similar activities are conducted:

1. Sales of vehicle fuel and oil at retail direct to the customer;
2. Tire sales, servicing and repair, but not recapping or regrooving;
3. Routine vehicle maintenance, including but not limited to greasing, lubrication, and radiator flushing, and replacement of parts, including but not limited to spark plugs, mufflers, windshield wipers, and the like, and sales of related vehicle parts;
4. Mechanical and electrical repairs, including but not limited to servicing and replacement of motors, drive trains, and related parts, as well as vehicle air conditioning, and sales of related vehicle parts;
5. Emissions and safety inspections;
6. After-market installation and sale of items such as vehicle audio or security systems, but not body work;
7. Sales of beverages, snack foods, and other retail merchandise as an accessory use. The area devoted to retail merchandise sales shall not exceed 400 square feet of gross floor area, which shall include the cashier’s area and space used for the display of sale items, to include cooler space, but not to include storage areas.

Vehicle service establishment uses shall not include vehicle body shop; vehicle dealership, sales or rental lots; vehicle storage lots; or automotive wrecking.

Other concerns raised by the Planning Commission include accommodating emerging technologies, such as charging stations for electric cars, in the proposed vehicle service establishment definition. Staff re-confirmed that the proposed definition would accommodate such uses. The range of possible uses for any specific use cannot be exhaustively defined in the Zoning Ordinance, and the Zoning Administrator is authorized to make a determination as to how a specific use may be classified. Within a Zoning Ordinance, the more specific term always applies, and the Zoning Administrator uses specific knowledge of an individual use in order to make such a determination regarding under what use it would fall. Finally, there were some questions by the Planning Commission related to the concept of principal versus accessory uses. Such determinations also fall under the purview of the Zoning Administrator.

**CONCLUSION:** Staff recommends that the County Board adopt the proposed ordinance to amend, reenact and recodify Sections 1, 16, 18, 19, 20, 21, 25A, 26, 28, 32A, 33 and 34 of the Arlington County Zoning Ordinance in order to delete definitions of and references to “automobile service station,” “public garage” and “tire shop,” and replace them with a single new definition for and references to “vehicle service establishment” to include vehicle fueling sales and service, accessory retail sales and/or vehicle repair uses and to create a new definition for and references to “vehicle body shop” to include repair uses in addition to vehicle body work; to permit vehicle service establishment by use permit approval in “C-1,” “CP-FBC” and “C-O-A” Districts; and to update usage of automobile service and repair-related terms throughout the Zoning Ordinance.

**Table 3. 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
<b>Automobile Service Station</b>	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)
<b>Automotive painting, upholstering, rebuilding, reconditioning, body and fender work, truck repairing or overhauling and the like (not defined)</b>	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-assembling, tire retreading or recapping, battery manufacturing and the like.	By-right (as in CM)	By-right (as in M-1)
<b>Automotive Wrecking</b>	Not explicitly permitted in any district								
<b>Public Garage</b>	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
<b>Motor Vehicle Sales or Rental Lot</b>	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)
<b>Motor Vehicle Storage Lot</b>	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 in Section 33 and that any incidental repair of automobiles or trailers is confined wholly within a building	By-right (as in M-1)
<b>Tire Shop (not defined)</b>	Not permitted	Use permit	Not permitted	Use permit	Use permit	Use permit	Use permit	Use permit	Use permit

\*And by reference, C-3, CM, M-1, M-2, C-O-A, MU-VS (unless otherwise indicated above)

Note: Text to be added is shown with an underline and text to be deleted is shown with ~~strikethrough~~. Formatting comments, which will not be included in the adopted text, are shown in [brackets].

Proposed amendments that have been modified since advertisement are highlighted and shown as follows:

1. Text proposed to be added since advertisement is shown with a double underline.
2. Text proposed to be deleted since the advertisement is shown with a ~~double strikethrough~~.
3. Text that was proposed to be deleted in the advertisement, but is now proposed to remain, is shown with a wavy underline.
4. Text that was proposed to be added in the advertisement, but is now proposed not to be added is shown with underline and strikethrough.

**AN ORDINANCE TO AMEND, REENACT AND RECODIFY THE ARLINGTON COUNTY ZONING ORDINANCE, SECTIONS 1, 16, 18, 19, 20 (AND ITS APPENDIX A), 21, 25A, 26, 28, 32A, 33 AND 34 IN ORDER 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 UPHOLSTERING; 4) UPDATE USAGE OF AUTOMOBILE-RELATED TERMS; AND IN ORDER TO FACILITATE THE CREATION OF A CONVENIENT, ATTRACTIVE AND HARMONIOUS COMMUNITY; TO FACILITATE ECONOMIC DEVELOPMENT; AND FOR OTHER REASONS REQUIRED BY THE PUBLIC NECESSITY, CONVENIENCE AND GENERAL WELFARE AND GOOD ZONING PRACTICE.**

Be it ordained that Sections 1, 16, 18, 19, 20 (and its appendix A), 21, 25A, 26, 28, 32A, 33 and 34 of the Arlington County Zoning Ordinance are hereby amended, reenacted and recodified as follows, in order 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; and in order to facilitate the creation of a convenient, attractive and harmonious community; to encourage economic development; and for other reasons required by the public necessity, convenience and general welfare and good zoning practice:

1 **SECTION 1. DEFINITIONS**

2 \* \* \*

3  
4 ~~*Automobile service station.* Deleted. Any premises used for supplying gasoline~~  
5 ~~and oil, at retail direct to the customer, including minor accessories and services for~~  
6 ~~automobiles.~~

7  
8 ~~*Automotive wrecking.* The dismantling or wrecking of used motor vehicles or trailers,~~  
9 ~~or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked~~  
10 ~~vehicles or their parts.~~

11 \* \* \*

12  
13 ~~*Garage, public.* Deleted. A building, or portion thereof, used for the care, repair or~~  
14 ~~equipment of motor vehicles which is available to the public. (Ord. No. 83-9, 3-19-83)~~

15 \* \* \*

16  
17  
18 ~~*Vehicle body shop.* Any premises where vehicle body work; straightening of body~~  
19 ~~parts; painting; welding; upholstery or other similar work is performed on vehicles.~~  
20 ~~Vehicle service establishment uses may be permitted as part of a vehicle body shop,~~  
21 ~~however, vehicle body shop shall not be deemed to include vehicle dealership, sales or~~  
22 ~~rental lots, vehicle storage lots or automotive wrecking.~~

23 \* \* \*

24  
25  
26 ~~*Motor Vehicle dealership, sales or rental lot.* Any land or building where two (2) or~~  
27 ~~more vehicles of any kind that are in operating condition are:~~

- 28 (a) Offered for sale or rent;  
29 (b) Displayed for sale or rent; or  
30 (c) Stored prior to sale or rent. (Ord. No. 85-43, 2-1-86; Ord. No. 86-10, 11-15-86)

31 \* \* \*

32 [the list below will be renumbered accordingly]

33  
34 ~~*Vehicle service establishment.* Any premises where the following or used for supplying~~  
35 ~~vehicle fuel and oil, at retail direct to the customer, including accessories and/or where the~~  
36 ~~following services and other similar activities are conducted work may be rendered and sales~~  
37 ~~made:~~

- 38 8. ~~Sales of vehicle fuel and oil at retail direct to the customer:~~

- 39 9. Sales and servicing of spark plugs, batteries, and distributors, distributor parts and other  
40 vehicle related items;
- 41 10. Tire sales, servicing and repair, but not recapping or regrooving;
- 42 11. Routine vehicle maintenance, including but not limited to greasing, lubrication, and  
43 radiator flushing, and replacement of parts, including but not limited to spark plugs,  
44 mufflers, and tail pipes, catalytic converters, water hoses, serpentine belts, brake fluid,  
45 light bulbs, fuses, floor mats, windshield wipers and wiper blades, grease retainers, wheel  
46 bearings, mirrors, and the like, and sales of related vehicle parts;
- 47 12. Mechanical and electrical repairs, including but not limited to Replacement of mufflers  
48 and tail pipes, catalytic converters, water hoses, serpentine belts, brake fluids, light bulbs,  
49 fuses, floor mats, windshield wipers and wiper blades, grease retainers, wheel bearings,  
50 mirrors, and the like;
- 51 13. Greasing, lubrication and radiator flushing;
- 52 14. Sservicing and replacement of motors, drive trains, and related parts, as well as vehicle  
53 repair of engines, carburetors, air conditioning, and sales of related vehicle parts; fuel  
54 pumps, oil pumps, water pumps and lines; and minor motor adjustments;
- 55 15. Major mechanical work and servicing and repair of transmissions and differentials;
- 56 16. Emergency wiring repairs;
- 57 17. Adjusting and repairing brakes;
- 58 18. Emissions and safety inspections;
- 59 19. After-market installation and sale of items such as vehicle audio or security systems, but  
60 not body work;
- 61 20. Sales of beverages, snack foods, and other retail merchandise as an accessory use. The  
62 area devoted to retail merchandise sales shall not exceed 400 square feet of gross floor  
63 area, which shall include the cashier's area and space used for the display of sale items, to  
64 include cooler space, but not to include storage areas.

65 Vehicle service establishment uses shall not include vehicle body shop; straightening of body  
66 parts; painting, welding; vehicle dealership, sales or rental lots; vehicle storage lots; or  
67 automotive wrecking.

68  
69 *Motor ~~v~~Vehicle storage lot.* Any land or building where two (2) or more wrecked,  
70 abandoned or impounded vehicles of any kind are stored prior to repair, disposal, claim or sale,  
71 but does not include the repair, wrecking, dismantling or salvaging of said vehicles or their  
72 parts. (Ord. No. 85-43, 2-1-86; Ord. No. 86-10, 11-15-86)

73  
74 \* \* \*

## 76 SECTION 16. "RA4.8" MULTIPLE-FAMILY DWELLING DISTRICTS

77  
78 \* \* \*

79  
80 By site plan approval as specified herein: Multiple-family dwellings. By site plan  
81 approval, commercial uses as permitted in "C-1-R" Districts, or as otherwise approved by the  
82 County Board, may be permitted, provided that they are located at street level and do not exceed

83 a five-tenths (0.5) Floor Area Ratio (F.A.R.). No drive-in type uses such as drive-in banks or  
84 drive-in restaurants or automobile-oriented uses such as ~~public garages, service stations, vehicle~~  
85 ~~service establishments, vehicle body shops, car washes, or motor-vehicle sales or automotive~~  
86 ~~oriented repair uses~~ of any type shall be permitted.

87  
88 \* \* \*

89  
90 **SECTION 18. "RA-H-3.2" MULTIPLE-FAMILY DWELLING AND HOTEL**  
91 **DISTRICTS**

92 \* \* \*

93 **B. Special Exceptions.**

94  
95 By site plan approval as specified herein: multiple-family dwellings and/or hotel  
96 development. Commercial uses may also be permitted provided that they are located at street  
97 level and do not exceed a five-tenths (5/10) floor area ratio (F.A.R.). No drive-in type uses such  
98 as drive-in banks or drive-in restaurants or automobile-oriented uses such as ~~public garages,~~  
99 ~~service stations, vehicle service establishments, vehicle body shops, car washes, or motor-vehicle~~  
100 ~~sales or automotive oriented repair uses~~ of any type shall be permitted.

101  
102 \* \* \*

103  
104 **SECTION 19. "C-1" LOCAL COMMERCIAL DISTRICTS**

105 \* \* \*

107 **B. Special Exceptions.**

108  
109 The following uses may be established subject to obtaining a use permit under the  
110 procedures established in Section 36 [all uses to be realphabetized and renumbered accordingly]:

- 111 ~~17.~~ Schools (private, elementary and high), kindergartens, day nurseries and day care  
112 facilities.  
113 ~~23.~~ Health club.  
114 ~~38.~~ ~~Automobile service station, Vehicle service establishment, provided that any~~  
115 ~~portion of the use except the sale of gasoline shall be conducted wholly within a~~  
116 ~~building, there is no incidental automobile repair.~~  
117 4. Indoor and outdoor tennis, racquet or handball courts.  
118 ~~56.~~ Restaurant providing live entertainment and/or dancing.  
119 ~~61.~~ Amusement game arcade.  
120 ~~79.~~ Any use otherwise permitted in this district with a drive-through window.  
121 ~~85.~~ Public parking area whether with or without improvements deferred, as regulated  
122 in Section 33.B.1.b.  
123 ~~92.~~ Food delivery services.  
124 10. Uses permitted and conducted in kiosks in accordance with the requirements of  
125 Section 31.A.18.

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**SECTION 20. "CP-FBC" – COLUMBIA PIKE FORM BASED CODE DISTRICTS**

\* \* \*

**A. Uses Permitted.**

\* \* \*

- 31. ~~Motor v~~ Vehicle dealership, sales or rental lot, provided that the use complies with the standards identified in subsection 26.C.4, and provided that indoor and/or outdoor display area(s) do not exceed 300 linear feet along Main Street or Avenue frontage. ~~Motor v~~ Vehicles dealerships, sales or rental lots are specifically prohibited on Neighborhood and Avenue Sites.
- 32. Music conservatory or music instruction.
- 33. Nursery, flower or plant store, provided that all incidental equipment and supplies, including fertilizer, empty cans and garden tools are kept within a building or in designated areas outside as approved by the Zoning Administrator, provided that the location does not impede pedestrian or vehicular movement on the property.

\* \* \*

**B. Special Exceptions.**

\* \* \*

- 1. Amusement enterprises, including a billiard or pool hall, boxing arena, games of skill, penny arcade, shooting gallery and the like, if conducted wholly within a completely enclosed building on the second level (above grade) or below.
- 2. Audio-visual production studio.
- 3. ~~Automobile service station~~, Vehicle service establishment, 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, seven (7) feet in height, is erected and maintained between such uses and any adjoining "R" district.
- 4. ~~Automotive painting, upholstery, rebuilding, reconditioning, body and fender work, truck repairing or overhauling and the like~~ Vehicle body shop, so long as such activities are conducted entirely within an ~~enclosed structure~~ building. [realphabetize this list and renumber all uses accordingly]
- 5. Bowling alley.
- 6. Carpet and rug cleaning establishments, excluding dyeing.
- 7. Food delivery service.
- 8. Restaurant with drive-through window.
- 9. Massage parlor and the like.
- 10. Miniature golf course.

- 171 11. Mortuary or funeral home, including a cremation unit within a mortuary or funeral  
 172 home.  
 173 12. Nightclubs and restaurants, providing live entertainment, including dance halls.  
 174 13. Outdoor swimming pool.  
 175 14. Public storage facilities.  
 176 ~~15. Tire shop. [renumber subsequent uses accordingly]~~  
 177 16. Any other use otherwise permitted in this district with a drive-through window,  
 178 provided that the drive-through operation has no more than two lanes. Drive-through  
 179 access may not be from Main Street frontage.

180  
 181 \* \* \*

182  
 183 **The Columbia Pike Special Revitalization District Form Based Code**  
 184 **Section 20 (Appendix A) of the Zoning Ordinance “CP-FBC” Columbia Pike Form Based**  
 185 **Code Districts**

186 \* \* \*

187  
 188 **Section III. The Regulating Plans**

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 190 \* \* \*

191  
 192 **B. Rules for the Regulating Plan and New Development Plans**

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 194 \* \* \*

195  
 196 **5. RETAIL**

197  
 198 \* \* \*

* * *
<b>Secondary Retail</b>
<b>*The following uses are permitted with Special Exception Use Permit</b>
* * *
Audio-visual production studio
<del>Automobile service station</del>
Carpet and rug cleaning (excluding dyeing)
Food delivery service
Miniature golf course
Mortuary or funeral home
<del>Tire shop</del>
Upholstery shop
<u>Vehicle service establishment</u>

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**SECTION 21. “MU-VS” MIXED USE – VIRGINIA SQUARE DISTRICTS**

\* \* \*

**A. Uses Permitted**

- 1. All uses as permitted in the “C-2” District except that the following uses shall not be permitted: [realphabetize this list and re-letter all uses accordingly]
  - a. Uses permitted in the “R-6” or “RA8-18” Zoning Districts.
  - b. Any use with a drive-thru window.
  - c. Apartment houses or townhouses.
  - d. ~~Automobile painting, upholstering, rebuilding, reconditioning, body and fender work, truck repairing or overhauling and the like~~ Vehicle body shop.
  - e. ~~Automotive service station, including tube and tire repairing, battery charging and storage or merchandise and supplies~~ Vehicle service establishment.
  - f. Bowling alley.
  - g. Car wash.
  - h. Carpet and rug cleaning establishments.
  - i. Miniature golf course.
  - j. Mortuary or funeral home, including the cremation unit within a mortuary or funeral home.
  - k. ~~Motor v~~ Vehicle dealership, sales or rental lot, ~~or storage lot.~~
  - ~~l. Vehicle storage lot.~~
  - l. Outdoor swimming pool.
  - m. Pawnshop.
  - n. Plumbing or sheet metal shops.
  - o. Printing, lithography or publishing.
  - p. ~~Public garage~~ [see e. above – vehicle service establishment replaces both automotive service station and public garage.
  - q. Public parking area of more than 20 spaces.
  - r. Sign painting shop.
  - ~~s. Tire shop.~~
  - t. Trade or commercial school.
  - u. Upholstery shop.
  - v. Wedding chapel.

\* \* \*

**C. Bulk, Streetscape, Landscaping and Parking Requirements**

\* \* \*

- 244 4. Parking
- 245 a. Parking requirements shall be calculated as specified in Section 33.
- 246 b. However, to encourage and promote pedestrian-related commercial activity in the
- 247 Metro Station areas, to provide relief for expanding, existing commercial uses,
- 248 and to promote the efficient use of parking spaces in the East End “Special
- 249 Coordinated Mixed Use District”, no parking shall be required for commercial
- 250 uses for the first five thousand (5,000) square feet of floor area per main building,
- 251 except that the following uses shall provided all parking that is otherwise
- 252 required: blueprinting or photostating; business college; catering establishment;
- 253 feed or fuel store; frozen food lockers; ice storage house; indoor swimming pools;
- 254 medical or dental clinics and laboratories; ~~motor-vehicle~~ dealership, sales or rental
- 255 lots; vehicle storage lots; music conservatory or music instruction; plumbing or
- 256 sheet metal shops; printing, lithographing or publishing; public service, including
- 257 electric distribution substation, fire or police station, telephone exchange and the
- 258 like; sign painting shop; ~~tire shop~~; vehicle service establishment; trade or
- 259 commercial school.

260 \* \* \*

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263 **SECTION 25A. "C-O-A" COMMERCIAL, OFFICE AND APARTMENT DISTRICTS**

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265 \* \* \*

266 **A. Uses Permitted.**

267

- 268 1. All uses as permitted and regulated in the "C-2" District, except that the following
- 269 shall not be permitted: [realphabetize this list and re-letter all uses accordingly]
- 270 a. ~~Automotive painting, upholstering, rebuilding, reconditioning, body and~~
- 271 ~~fender work, truck repairing or overhauling and the like~~ Vehicle body
- 272 shop.
- 273 b. Car wash.
- 274 c. ~~Motor v~~-Vehicle dealership, sales or rental lot storage lots.
- 275 d. Vehicle storage lot.
- 276 d. Plumbing or sheet metal shops.
- 277 e. ~~Public garage~~
- 278 f. Drive-in restaurant.

279 \* \* \*

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281

282 **SECTION 26. "C-2" SERVICE COMMERCIAL--COMMUNITY BUSINESS**

283 **DISTRICTS**

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285 **A. Uses Permitted.**

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- 16. ~~Motor~~ Vehicle dealership, sales or rental lot, provided that the use is located on a site which is more than twenty thousand (20,000) square feet in area, and where the use complies with the standards identified in subsection C.4., shall be permitted as a matter of right. In addition, ~~motor~~ vehicle dealership, sales or rental lot that is located on a site ten thousand (10,000) square feet or smaller shall not be permitted.

\* \* \*

**B. Special Exceptions.**

Any of the following uses may be established subject to obtaining a use permit as provided in Section 36, "Use Permits," for each such use: [re-alphabetize this list and re-number all uses accordingly]

- 1. Audio-visual production studio.
- 2. ~~Automobile service station~~, Vehicle service establishment provided that any ~~incidental~~ vehicle repairs such as ~~tube and tire repairing, battery charging~~ and storage ~~or~~ 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, seven (7) feet in height, is erected and maintained between such uses and any adjoining "R" District.
- 3. ~~Automotive painting, upholstering, rebuilding, reconditioning, body and fender work, truck repairing or overhauling and the like~~ Vehicle body shop, so long as such activities are conducted entirely within an ~~enclosed structure~~ building.

\* \* \*

- 16. ~~Public garage~~ [see 2. above – vehicle service establishment replaces “automobile service station,” “public garage” and “tire shop”]
- 17. ~~Tire shop~~. [see 2. above – vehicle service establishment replaces “automobile service station,” “public garage” and “tire shop”]
- 18. By site plan approval under Section 36.H., use regulations for areas designated as "Special Revitalization Districts" on the General Land Use Plan may be modified under the following conditions, and an additional F.A.R. of .5 may be allowed under the following conditions applicable to such increases in density:

\* \* \*

- 19. Public parking area of more than fifty (50) spaces or of a lot area of more than twenty thousand (20,000) square feet.
- 20. ~~Motor~~ Vehicle dealership, sales or rental lots located on sites of twenty thousand (20,000) square feet or less but more than ten thousand (10,000) square feet in area shall be permitted by use permit, provided that the use complies with the standards identified in subsection C.4.

**C. Use Limitations.**

1. There shall be no manufacturing, compounding, processing or treatment of products other than that which is clearly incidental and essential to a retail store or business and where all such products are sold at retail at these establishments, except as set forth in subsection B.7.
2. Such uses, operations or products shall not adversely affect any contiguous district through the dissemination of odor, dust, smoke, fumes, noise, vibrations, creation of trash, garbage or litter, or other similar causes.
3. Steam exhausts for cleaning and laundering establishments shall be within said building.
4. ~~Motor~~ Vehicle dealership, sales and rental lots shall comply with the following standards as well as any use permit conditions or requirements:
  - a. Delivery of automobiles shall be limited to the hours between 7:00 a.m. and 9:00 p.m., Monday through Saturday only. A plan shall be agreed upon with the police department for time and place of the delivery of automobiles and this plan shall be submitted to the Zoning Administrator.
  - b. All incidental repair services shall occur within the service bay facility. No vehicle parts and repair tools shall be stored or displayed outside the repair facility.
  - c. Vehicles placed in the custody of the persons conducting the ~~motor~~ vehicle use shall be kept on the premises of the ~~motor~~ vehicle use in compliance with the parking plan approved by the Zoning Administrator consistent with the Zoning Ordinance and shall not be tested or parked on streets that are designated as neighborhood streets in the Master Transportation Plan.
  - d. Lighting on the property shall be directed and shielded so as not to affect adversely, through the dissemination of light rays, any "R" or "RA" district which is contiguous to or across a street, alley, sidewalk or other public right-of-way from the use.
  - e. The property shall be developed as required in Section 32A, Landscaping, and Section 33, Automobile Parking, Standing and Loading Space. A screening wall or solid wood fence with a minimum height of four (4) feet shall be provided where a parking area for the storage or display of vehicles, including customer parking, abuts any street, sidewalk, alley or other public right-of-way, or separating the site from "R" or "RA" Districts.
  - f. Parking areas shall be arranged and used so that vehicles which are parked, displayed and stored on the property do not overhang or protrude outside the prescribed limits of the parking area into the required setback or onto the public right-of-way.
  - g. All trash receptacles located outside the building shall be screened from

- 376 public view by a brick wall or solid wood fence on three sides which is a  
 377 minimum of six (6) feet in height.
- 378 h. Use of a public address system or loudspeaker shall comply with the  
 379 standards and regulations in Chapter 15, Noise Control Ordinance, or the  
 380 Arlington County Code, except that use of such system shall not be  
 381 permitted after 9:00 p.m., daily.
- 382 i. Submission requirements: New ~~motor~~ vehicle dealership, sales or rental  
 383 lots, or existing ~~motor~~ vehicle dealership, sales or rental lots that are  
 384 required to obtain a certificate of occupancy shall submit the following to  
 385 the Zoning Administrator: (1) parking lot layout plan, showing parking  
 386 spaces, buildings, and landscaped area, drawn to scale, and certified by a  
 387 surveyor or engineer. (2) Lot calculation table showing the total site area,  
 388 and the size and location of each area occupied by ~~motor~~ vehicle display  
 389 space, customer parking, employee parking, office, and landscaping and  
 390 buffer.

391 \* \* \*

392  
 393 **SECTION 28. "CM" LIMITED INDUSTRIAL DISTRICTS**

394  
 395 The intent of this classification is to provide areas for light manufacturing, wholesale  
 396 businesses and distribution centers and other uses inappropriate to residential or service business  
 397 areas.(6-25-77)

398 The following regulations shall apply in all "CM" Districts:

399  
 400 **A. Uses Permitted.**

401 \* \* \*

- 402  
 403 2. Uses to be conducted wholly within a completely enclosed building except for on-  
 404 site parking of delivery vehicles which are incidental thereto: [realphabetize this  
 405 list and re-letter uses accordingly]

406 \* \* \*

- 407  
 408  
 409 f. Vehicle body shop, and aAutomobile assembling, painting, upholstering,  
 410 rebuilding, reconditioning, body and fender works, truck repairing or  
 411 overhauling, tire retreading or recapping, battery manufacturing and the  
 412 like
- 413 g. Stone monument works employing not more than five (5) persons.
- 414 h. Blacksmith shop and machine shop, excluding punch presses over twenty  
 415 (20) tons rate capacity, drop hammers and automatic screw machines.
- 416 i. Foundry casting lightweight nonferrous metal not causing noxious fumes,  
 417 noise or odors.
- 418 j. Laundry, cleaning and dyeing works, and carpet and rug cleaning.
- 419 k. Distribution plants, parcel delivery, ice and cold storage plant, bottling

- 420 plant, and food commissary or catering establishments.
- 421 l. Wholesale business, storage buildings and warehouses.
- 422 m. Assembly of electrical appliances, electronic instruments and devices,
- 423 radios and phonographs, including electroplating the manufacture of small
- 424 parts only, such as coils, condensers, transformers, crystal holders and the
- 425 like.
- 426 n. Laboratories; experimental, photo or motion picture, film or testing.
- 427 o. Veterinary or dog or cat hospitals, and kennels.
- 428 p. Poultry- or rabbit-killing incidental to a retail business on the same
- 429 premises.

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432 4. ~~Uses to be Vehicle dealership, sales or rental lot, as permitted and regulated in "C-~~  
 433 ~~2" Districts, provided the use is conducted in areas that are developed as required~~  
 434 ~~in Section 33 and that ancillary vehicle service establishment uses are where any~~  
 435 ~~incidental repair of vehicles shall be conducted only wholly within a building.~~  
 436 ~~enclosed structures:~~

437 ~~a. Motor vehicle dealership, sales or rental lot.~~

\* \* \*

440 **SECTION 32A. LANDSCAPING**

\* \* \*

444 **B. Additional Landscaping Requirements for Parking Areas, Public and Private.**

\* \* \*

- 448 5. *Screening Requirements:* The following regulations apply in all districts to all
- 449 uses including ~~motor~~ vehicle dealership, sales or rental lots and ~~or~~ vehicle storage
- 450 lots:
- 451 a. A landscaped strip a minimum of five (5) feet wide shall be provided
- 452 where a parking area abuts streets, sidewalks, street right-of-way and
- 453 alleys separating "C" Districts from "R," "RA," and "S-3A" Districts.
- 454 Deciduous trees shall be spaced every twenty-five (25) linear feet, to be
- 455 measured along the property line, in the planting areas with a minimum of
- 456 three (3) evergreen shrubs, planted on center, which attain a minimum
- 457 height of three (3) feet at maturity, planted between.
- 458 b. Except between abutting "RA" zoned lots or where topography achieves
- 459 the same effect, any part of a parking area located closer than fifty (50)
- 460 feet to a side or rear lot line of a lot in an "R" or "RA" District or where
- 461 such parking extends into an "R" or "RA" District as a permitted
- 462 transitional use, a minimum of a five-foot wide landscaped strip with a
- 463 wall or fence shall be required. The wall or fence shall be placed within

464 ten (10) feet of, and generally parallel to, the boundary of the parking area  
465 and the "R" or "RA" lots. The landscaped strip may be placed on either  
466 side of the wall or fence. Such wall or fence shall consist of durable  
467 material so arranged that direct light cannot penetrate the face thereof.  
468 Such wall or fence shall have a minimum height of six (6) feet above the  
469 finished surface of the area that it bounds, measured at the wheel bumper,  
470 where such exists, and of six (6) feet above the ground surface of the side  
471 exposed to abutting properties. The height of the wall or fence shall be  
472 reduced to four (4) feet when located in the required setback. In parking  
473 areas with less than twenty (20) spaces, the five-foot landscaped strip may  
474 be deleted; however, in all cases the wall or fence shall be required. (3-4-  
475 78)

476 c. A landscaped strip five (5) feet wide shall be provided where "C"  
477 properties abut "R," "RA," and "S-3A" properties.  
478 d. Planting which is required for screening may be considered as partial or  
479 complete fulfillment of the site landscaping requirement.

480 \* \* \*

### 481 SECTION 33. AUTOMOBILE PARKING, STANDING AND LOADING SPACE

482 \* \* \*

#### 483 B. Required Improvements.

484 Every parcel of land hereafter used as a private or public standing or parking area, other  
485 than parking required for one-and two-family dwellings, a loading space, ~~or a motor-vehicle~~  
486 dealership, sales or rental lot or a vehicle storage lot (referred to in this section as "parking area")  
487 shall be provided with safe and convenient access to a street and shall be improved in accordance  
488 with the following requirements:

489 \* \* \*

#### 490 C. Required Off-street Parking and Standing Space.

491 \* \* \*

- 492 3. *Parking in Metro Station Areas:*  
493 a. *Uses exempted from parking requirements:*

494 \* \* \*

- 495 (2) Retail and service-commercial uses for the first five thousand (5,000)  
496 square feet of floor area per main building, except the following uses  
497 which shall not be granted the exemption: blueprinting or photostating;

508 business college; catering establishment; feed or fuel store; frozen food  
509 lockers; ice storage house; indoor swimming pools; medical or dental  
510 clinics and laboratories; ~~motor~~ vehicle dealership, sales or rental lots; ~~or~~  
511 vehicle storage lots; music conservatory or music instruction; plumbing or  
512 sheet metal shops; printing, lithographing or publishing; public service,  
513 including electric distribution substation, fire or police station, telephone  
514 exchange and the like; sign painting shop; ~~tire shop~~; vehicle service  
515 establishment trade or commercial school.

516  
517 \* \* \*

518  
519 4. *Required Parking and Standing Space:* Parking shall be provided for all uses in  
520 accordance with the following standards unless specified otherwise in this or other  
521 sections of this ordinance:

522 \* \* \*

523 c. Retail and Service Uses: One (1) space for each two hundred fifty (250)  
524 square feet of floor area on the first floor in a building, plus one (1) space  
525 for each three hundred (300) square feet of floor area located elsewhere in  
526 the building, except:

527 (1) ~~Automobile service station and public garage~~ Vehicle service  
528 establishment and vehicle body shop: Three (3) standing spaces for  
529 each wash rack, lubrication rack, repair bay or similar facility for  
530 the servicing or repair of ~~motor~~ vehicles, not including said rack or  
531 bay as a space, plus one (1) parking space for each employee.

532  
533 \* \* \*

534  
535 **SECTION 34. NAMEPLATES, SIGNS, AND OTHER DISPLAYS OR DEVICES TO**  
536 **DIRECT, IDENTIFY, AND INFORM\***

537  
538 \* \* \*

539  
540 **G. Signs Permitted in All "C" and "M" Districts With Permits.**

541  
542 \* \* \*

543  
544 4. ~~Automobile service station~~ Vehicle service establishments may elect not to have  
545 the signs permitted in subsections G.1. and G.2. above and display signs as  
546 follows:

547 a. One (1) freestanding sign not exceeding sixty (60) square feet in area,  
548 mounted on a base no more than three (3) feet in height, with an overall  
549 height of no more than ten (10) feet. One (1) additional freestanding sign  
550 not exceeding sixty (60) square feet in area, mounted on a base no more  
551 than three (3) feet in height, with an overall height of no more than ten

- 552 (10) feet, may be approved on a corner lot or on a lot with frontage on two  
553 (2) or more streets, subject to the standards in subsection D.2.  
554 b. A group of pumps may have signs not exceeding an aggregate area of  
555 twelve (12) square feet for each pump island. Cloth or paper signs relating  
556 to price may be displayed without a permit.  
557 c. Authorized establishments may display not more than one (1) sign, not  
558 exceeding nine (9) square feet in area per face, indicating state and  
559 emissions inspection service.  
560 d. Portable signs for any purpose are prohibited  
561