



Zoning Ordinance Consolidated Draft Use Regulations

Z M O D

Development Process Committee

May 14, 2019

Today's discussion

- Residential, Accessory, and Temporary Uses
- Changes to Other Use Classifications
- Next Steps



Timeline for Drafts of Uses



Residential Uses



Single Family Detached



Stacked Townhouses



Multifamily

Residential Uses Structure

Use Classification



Residential Uses

Use Category



Household Living

Group Living

Specific Land Uses



11 Specific Residential Uses

Use Names:

Residential Uses – Household Living

Proposed Use Name	Current Use Name
Dwelling, Multifamily	Dwellings, multifamily
Dwelling, Single Family Attached	Dwellings, single family attached
Dwelling, Single Family Detached	Dwellings, single family detached
Dwelling, Stacked Townhouse	New use
Group Residential Facility	Group Residential Facility
Live-Work Development	New use
Manufactured Home	<ul style="list-style-type: none"> • Mobile home • Manufactured home

Use Names:

Residential Uses – Group Living

Proposed Use Name	Current Use Name
Congregate Living	Congregate living facilities
Group Household	Group housekeeping unit
Religious Group Living	Convent, monastery, nunnery
Residence Hall	Dormitories, fraternity/sorority houses, rooming/boarding houses, or other residence halls

Stacked Townhouse Dwelling

- New use for structure currently interpreted to be multifamily
- Four-story buildings – “two-over-two”
- Shared or individual entries
- New parking rate will be established



Live-Work Development

- Accommodates a residential dwelling unit, a flexible work space, or both
- Recognizes an emerging use and would be allowed if shown on a final development plan in the PDC, PRM, and PTC Districts
- Standards prohibit certain uses and any activities that would require installation of specialized equipment



Other Notable Changes

Religious Group Living

- New standard that requires the location to be in conjunction with a religious assembly use in commercial and industrial districts

Residence Hall

- New standard that requires the location to be in conjunction with a private school, a college or university, or a religious assembly use in commercial and industrial districts

Accessory Uses



Home-Based Business



Electric Vehicle Charging



Solar Collection Systems

Accessory Use Names:

Proposed Use Name	Current Use Name
Accessory Dwelling Unit	Accessory dwelling unit
Caretaker Quarters	<ul style="list-style-type: none"> • Servants quarters • Quarters of a caretaker, watchman, or tenant farmer, and his family
Child Care Center for Occasional Care	Child care centers for occasional care
Donation Drop-off Box	Donation drop-off boxes
Electric Vehicle Charging	New use
Family Health Care Structure	Temporary family health care structures
Garage Sale or Yard Sale	Garage and yard sales
Gardening and Composting	New use
Home Daycare Facility	Home child care facilities

Accessory Use Names, cont'd:

Proposed Use Name	Current Use Name
Home-Based Business	<ul style="list-style-type: none"> • Home occupations • Barber shop or beauty parlor as a home occupation • Home professional office
Keeping of Animals	Keeping of animals
Limited Riding or Boarding Stable	Horseback riding lessons as a home occupation
Residence for a Manager or Employee	<ul style="list-style-type: none"> • Residence for a proprietor or storekeeper and his/her family and a residence for an employee within the same building as a funeral home or chapel • Dwelling unit for a watchman, custodian, proprietor or owner and his/her family, etc.
Sawmilling	Sawmilling
Short-term Lodging	Short-term lodging
Solar Collection System	New use
Wayside Stand	Wayside stand

Freestanding Accessory Structures

Existing Regulations

Accessory Storage Structure:

- If less than 8.5 feet in height, can locate in any side or rear yard
- If greater than 8.5 feet in height, must be out of minimum required side yard and distance in height from rear

Accessory Structure:

- If less than 7 feet in height, can locate in any side or rear yard
- If greater than 7 feet in height, must be out of minimum required side yard and distance in height from rear



Freestanding Accessory Structures, cont'd

Proposed Regulations

Eliminates distinction in all zoning districts between “accessory storage structures” and “accessory structures” for height and location

- If less than 8.5 feet, can locate in any side or rear
- If between 8.5 and 12 feet, must be 5 feet from side and rear
- If over 12 feet, must meet side setback, and rear setback or distance in height from rear
- Not allowed in the front yard on lots less than 36,000 sq. ft., with limited exceptions
- May not encroach into transitional screening



Freestanding Accessory Structures, cont'd

Proposed Regulations

Two new standards for single family dwellings:

- Accessory buildings may not exceed 25 feet in height without special permit approval
- Accessory buildings cumulatively may not exceed 50% of the gross floor area of the dwelling without special permit approval



Accessory Dwelling Unit

Current: All accessory dwelling units require SP

Proposed: Administrative approval if located within the principal dwelling

- **Unchanged:** 55+ or handicapped, no more than 35% of GFA, maximum of two people, two bedrooms
- **Revised:** identify a designated parking space

Continue to require special permit if detached

- **Unchanged:** Minimum 2+ acres, may require additional parking, all other standards continue to apply
- **Revised:** No more than 35% of GFA of principal dwelling or 1,500 sq. ft.



Accessory Dwelling Unit – cont'd

Question raised during outreach:

Should the minimum lot size for a detached unit be reduced to less than two acres (e.g., one acre or 36,000 square feet)?



Home-Based Business

Allows limited businesses to operate from the home:

- Consolidates current home occupations and home professional office
- No exterior evidence of home business and must occur entirely within dwelling/structure
- Prohibited list of uses



Home-Based Business, cont'd

- Two options for number of employees and clients/customers:

Proposed Options for Home-based Business			
	Maximum No. of Employees	Maximum No. of Home-based Business Customers at a Time	Cumulative No. of Customers/Day
Proposed Option 1	1 total	0 if a home daycare is on-site 2 for home-based business (if no daycare)	0 if a home daycare is on-site 8 total for home business & short-term lodging (if no daycare)
Proposed Option 2	1 for each business or daycare	4	8 total for home business, short-term lodging & home daycare

- Includes consideration of cumulative effects of home business, daycare, and short-term lodging
- Number of employees or customers/clients can be exceeded with special permit

Home-Based Business, cont'd

Question raised during outreach:

Should the number of customers be based on the type of dwelling unit (e.g., fewer for townhomes and multifamily)?



Solar Collection System

- New use that codifies existing interpretations
- Must primarily meet on-site demands



Roof-mounted:

- May exceed maximum building height by up to five feet

Ground-mounted:

- Must meet accessory structure setbacks and height requirements

Other Notable Changes

Caretaker Quarters

- Changes permissions for a separate dwelling unit from permitted to special permit
- Removes the use from the R-2 through R-4 Districts

Electric Vehicle Charging

- New use that codifies interpretation and clarifies that the spaces count towards the minimum required parking

Home Daycare Facility

- Clarifies that up to three aged, infirmed, or handicapped adults may be cared for

Keeping of Animals

- Updated to allow short-term boarding for limited number of dogs per Virginia State Code changes
- Allows up to three dogs on a minimum of 10,000 square feet

Temporary Uses



Food Truck



Farmers Market



Special Event

Temporary Use Names:

Proposed Use Name	Current Use Name
Business Promotional Activities	Promotional activities of retail merchants
Community Garden	New use
Construction Site Office and Storage	Contractors offices and equipment shed to include trailers accessory and adjacent to an active construction project
Farmers Market	Temporary farmers' markets
Food Truck	Food trucks
Interim Off-street Parking in Metro Station Area	Commercial off-street parking in Metro Station area as a temporary use
Model Home Sales or Leasing Office	Subdivision and apartment sales and rental offices
Portable Storage Container	Temporary portable storage containers
Special Event	Carnival, circus, festival, fair, horse show, steeplechase, music festival, turkey shoot, sale of Christmas trees or other seasonal commodities and other similar activities
Temporary Dwelling or Manufactured Home	Temporary dwellings or mobile homes

Food Truck

- Expands permission to allow food trucks at nonresidential uses, such as neighborhood pools or churches, located in residential areas
- Maximum 12 times per year without approval by the Board or BZA, or if approved as a part of proffered conditions or a final development plan
- Food truck permit required



Other Uses: Alternative Use of Historic Buildings

- Incentivizes historic preservation by allowing appropriate adaptive reuse
- Replaces the “older structures” SP with a new SE for nonresidential uses at historic sites on the Fairfax County Inventory



Bloomfield (Holly Knoll) c. 1858

Follow-Up on Previously Posted Use Classifications



Agricultural and Related Uses

Agritourism Amendment

- Under development as a separate amendment
- Will consider whether Agriculture should be deleted from R-1
- Will consider which activities may be allowed with a Farm Winery and other agritourism uses



Public, Institutional, and Community Uses

Revisions included in Consolidated Draft:

Club, Service Organization, or Community Center

- Added a standard to address non-member events

Solar Power Facility

- Added a standard requiring decommissioning plan



Commercial Uses

Revisions included in Consolidated Draft:

Office

- Revised standards for research and development

Indoor Commercial Recreation

- Revised permissions for C-3 and C-4: from SE/SP to by right in existing buildings
- Added as SE/SP use in I-2

Outdoor Commercial Recreation

- Deleted from C-1 and C-2



Commercial Uses – cont'd

Revisions included in Consolidated Draft:

Public Entertainment

- Added as SE in industrial districts
- Clarified definition

Large Health and Exercise Facility

- Revised permissions for C-3 and C-4: from by right to by right only in existing buildings

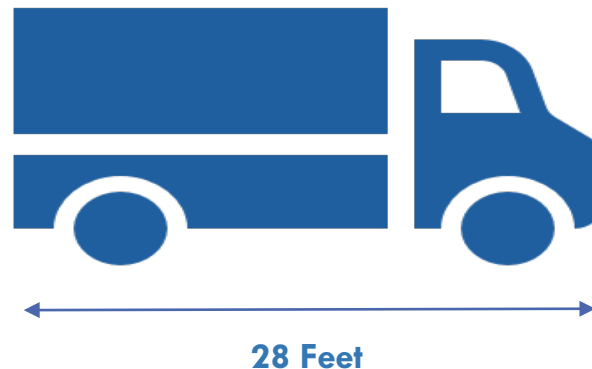


Industrial Uses

Revisions included in Consolidated Draft:

Goods Distribution Hub

- Added a standard for maximum vehicle length



Next Steps and Outreach



Next Steps

Tonight
May 14, 2019

7:00 PM – Fairfax County
Government Center
Public meeting – Clarion
presents consolidated use
definitions and
regulations

July 2019

Board Item to present the
revised Consolidated
Draft of use regulations
for endorsement

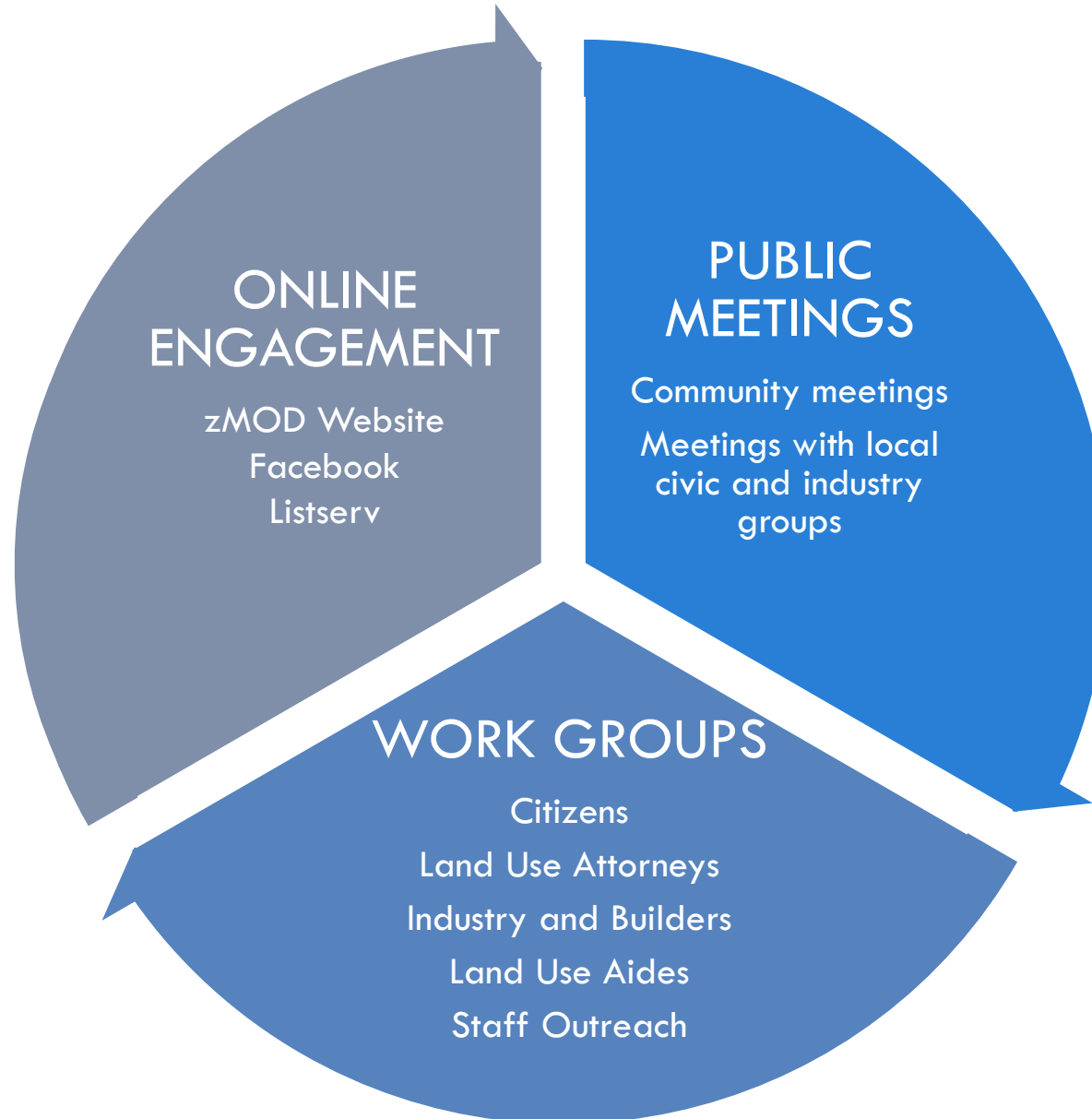
Summer 2019
– early 2020

Drafts of all remaining
articles will be released
in installments leading to
a complete draft

Spring/Summer
2020 

Public hearings on
complete draft of new
Zoning Ordinance

Outreach



**Staff is available to present the drafts to community groups, receive feedback, and answer questions*

Zoning Districts Preview



R-5 Residential (5 dwelling units/acre)

A. Purpose

The R-5 District is established to accommodate and preserve medium-density single family residential uses, including a mixture of both single family attached and single-family detached units. Other allowable uses that are compatible with the residential character of the district are indicated in Table 4101.3: *Use Table for Residential, Commercial, and Industrial Districts*.



Figure 2101.1.A: R-5 District Aerial Example

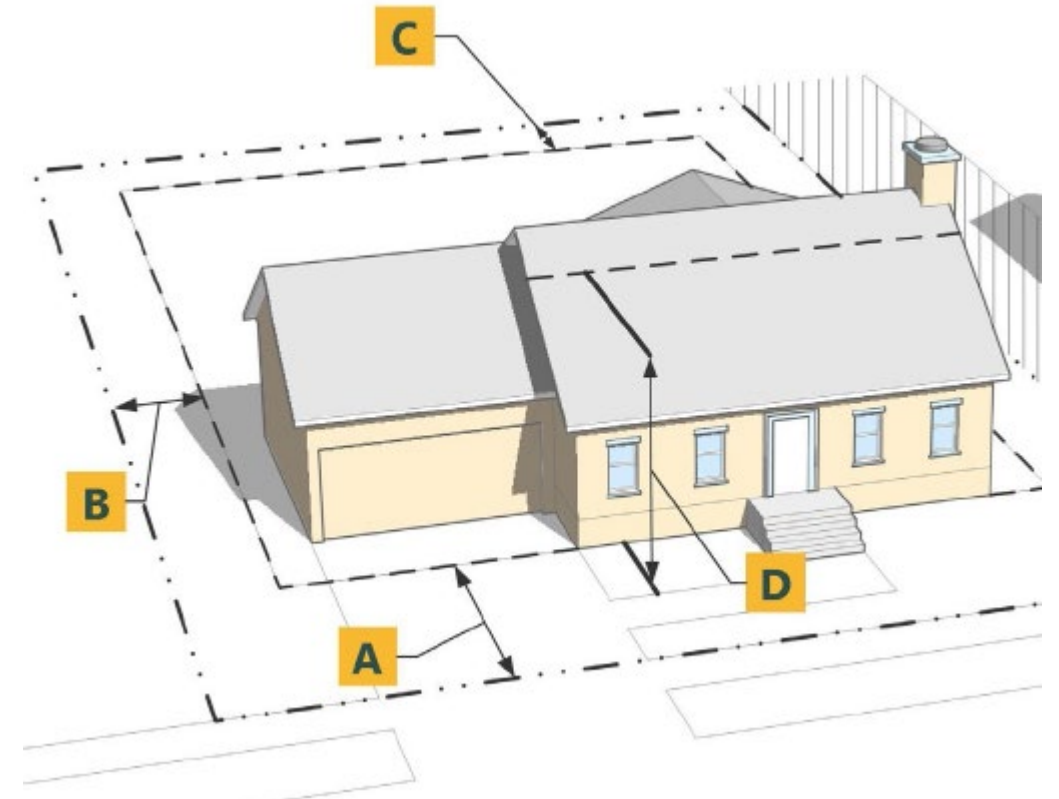
R-5 Lot and Building Dimensional Standards

Lot, Yard, and Building Standards				
	Single-family detached	Single-family attached	Other Uses	
District size, minimum	4 acres	4 acres	4 acres	
Density, maximum	5 du/ac	5 du/ac	5 du/ac	
Lot area, minimum	5,000 sf	No requirement	14,000 sf	
Lot width, minimum	Interior lot: 50 feet Corner lot: 70 feet	18 feet	Interior lot: 75 feet Corner lot: 100 feet	
Open space, minimum	25 percent of the gross area	25 percent of the gross area	25 percent of the gross area	
A	Front setback, minimum	20 feet	15° bulk plane; not less than 5 feet	30° bulk plane; not less than 20 feet
B	Side setback, minimum	8 feet	15° bulk plane; not less than 10 feet	25° bulk plane; not less than 10 feet
C	Rear setback, minimum	25 feet	30° bulk plane; not less than 20 feet	25° bulk plane; not less than 25 feet
	Privacy yard, minimum	Not required	200 sf per lot	Not required
D	Building height, maximum [2]	35 feet	35 feet	65 feet
	Floor-area-ratio, maximum	Not applicable	Not applicable	0.35

Notes:

[1] Refer to Sect. 13-301 for provisions that may qualify the minimum yard requirements. Refer to Sect. 2-307 for provisions that qualify the minimum yard requirements for individual units in single-family attached dwellings. Minimum yard requirements may be waived by the Board in accordance with the provisions of Sect. 9-613.

[2] Building height measurement depends on roof type as defined by Sect. 20-300.



Sample – for illustrative purposes only

C-5 Neighborhood Commercial Retail

A. Purpose

The C-5 District is established to provide locations for neighborhood-oriented convenience shopping. Typical uses include retail commercial, such as food supermarkets, drugstores, and small specialty shops, as well as personal service establishments, and a limited number of small professional offices. Other allowable uses are indicated in Table 4101.3: *Use Table for Residential, Commercial, and Industrial Districts*. The C-5 District is intended to accommodate development in compact centers. Development should incorporate multimodal access and walkable streetscapes, and should be architecturally compatible with the neighborhood in which they are located. Development in the C-5 district is not intended to attract substantial trade from outside the neighborhood.

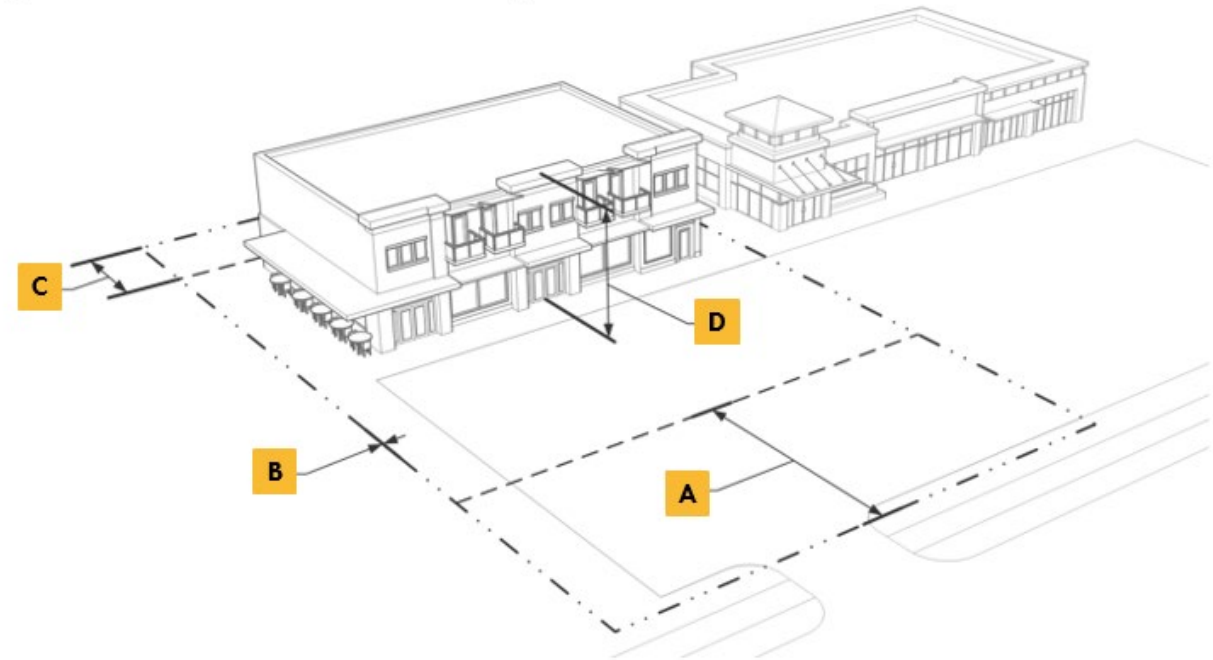


Figure 2102.1: C-5 District Aerial Example

C-5 Lot and Building Dimensional Standards

Lot, Yard, and Building Standards [1] [2]	
Lot area, minimum	40,000 sq. ft.
Lot width, minimum	200 feet
Landscaped open space, minimum	20 percent of the gross area
A Front setback, minimum	45° bulk plane; not less than 40 feet
B Side setback, minimum	No requirement
C Rear setback, minimum	20 feet
D Building height, maximum [3]	40 feet
Floor-area-ratio, maximum	0.30
Notes:	
[1] Lot size requirement may be waived by the Board in accordance with the provisions of [reference to relocated Sect. 9-610].	
[2] Refer to [reference to relocated Sect. 13-301] for provisions that may qualify the minimum yard (setback) requirements.	
[3] Building height measurement depends on roof type as defined by Sect. 20-300.	

Figure 2102.1.B: C-5 District Lot and Building Dimensional Standards



Sample – for illustrative purposes only

Questions & Discussion



May 2019

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