



County of Fairfax, Virginia

MEMORANDUM

DATE: June 7, 2022

TO: Board of Supervisors

FROM: Leslie B. Johnson *Leslie B. Johnson*
Zoning Administrator

SUBJECT: Proposed Zoning Ordinance Work Program - FYs 2023/2024
Land Use Policy Committee
June 14, at 1:30 p.m.

This memorandum provides the Zoning Ordinance Work Program (ZOWP) for fiscal years 2023 and 2024, including proposed adjustments to priorities and timing, and highlights of the accomplishments made since October 2021.

Introduction

The Land Use Policy Committee (LUPC) is meeting on June 14, 2022, to, among other things, review and comment on the ZOWP for fiscal years 2023 and 2024. The ZOWP includes carry over items where progress is continuing as well as new items. The LUPC review of the proposed Work Program is intended to ensure that the work of the Zoning Administration Division continues to accurately reflect the Board's priorities.

The following documents are attached to facilitate the discussion of the proposed ZOWP:

- Attachment 1 – FY 2022 ZOWP Status Update
- Attachment 2 – Proposed ZOWP – FYs 2023/2024
- Attachment 3 – Estimated Timelines for ZOWP
- Attachment 4 – Priority 2 Work Program Amendments

The ZOWP includes requested changes to the Zoning Ordinance which originate from a variety of sources, including the Board, the Planning Commission, the Board of Zoning Appeals (BZA), residents, industry representatives, and staff.

FY 2022 ZOWP Accomplishments (Attachment 1)

The FY 2022/2023 Work Program included a total of 11 amendment topic areas. A number of these initiatives are broken down into more specific sub-topics. Since October 2021, when the ZOWP was last approved by the Board, four of the individual amendment topics have been completed; seven are in progress; one is part of a monitoring effort; and two have not been



Proposed Zoning Ordinance Work Program - FYs 2023/2024

June 7, 2022

Page 2

started. Highlighted below are some of the more significant topic areas that have been completed or are currently in progress.

Completed:

- ✓ Construction Vehicles (Stakeholder Group) (Item #3): In response to the zMOD follow-on motion #3, staff convened a stakeholder workgroup of landscape professionals and contractors and conducted research regarding the appropriate locations for these businesses and the outdoor storage of their vehicles. Staff has prepared a white paper on the topic which was discussed with the Planning Commission Land Use Process Review Committee on May 12, 2022, and the Board's LUPC on May 17, 2022. The Planning Commission and Board supported consideration of a Zoning Ordinance amendment and therefore, this topic, titled Contractor's Office and Shop, has been added to the proposed Work Program as new Item #4.
- ✓ Hollin Hills Historic Overlay District (Item #5A): Following considerable outreach, the Board adopted the Hollin Hills Historic Overlay District (HOD) on March 8, 2022. This amendment included establishment of the new HOD for the 492 parcels in the district. Working with the Heritage Resources Branch of DPD, the zoning amendment was prepared alongside a concurrent Comprehensive Plan amendment and rezoning application.

In Progress:

- ✓ Affordable Housing Initiatives (Item #1): Staff has been participating in the Manufactured Housing Task Force and in other interagency discussions regarding manufactured home communities. It is anticipated that task force recommendations will be provided in the summer/fall which may lead to the consideration of zoning changes to update the R-MHP District (Residential – Manufactured Home Park) later in the fiscal year. The proposed ZOWP (Attachment 2, Item #2) has been revised to focus on these efforts which are moving forward. Future affordable housing initiatives may also include consideration of changes to facilitate development of innovative housing types designed to serve older adults, first-time homebuyers, and lower income populations.
- ✓ Holmes Run Acres Historic Overlay District (Item #5B): Staff has been working with the Heritage Resources Branch of DPD and a community work group on the potential creation of the Holmes Run Acres Historic Overlay District. It is anticipated that this item will be brought forward for authorization in early 2023.
- ✓ Outdoor Lighting (Item #7): This topic is in accordance with a follow-on motion by the Board to consider revisions to protect dark skies around the Turner Farm Park Observatory. Research and outreach on this topic are underway, including completion of a town hall and survey of property owners. Draft recommendations will be prepared, and outreach will continue this summer, with the amendment potentially being brought forward for consideration this fall/winter.
- ✓ Parking Rates (Item #8): This topic is a major initiative, known as [Parking Reimagined](#), that includes a full review and evaluation of parking rates, and other parking and loading issues. A consultant has been retained and research and preliminary outreach

Proposed Zoning Ordinance Work Program - FYs 2023/2024

June 7, 2022

Page 3

has taken place, leading to a presentation to the LUPC in March 2022. Recommendations are being developed and additional outreach will occur. It is anticipated that the amendment will be brought forward for authorization in late 2022/early 2023.

- ✓ Sign Ordinance, Part 2 (Item #9): The 2019 Sign Ordinance update represented Part 1 of a comprehensive review of the sign provisions of the Zoning Ordinance, restructuring the regulations and revising them for content neutrality. Part 1 also accomplished much of the review of the size, height, and location standards that had initially been planned to be deferred to Part 2. [Part 2](#) is underway and will include consideration of a consolidated comprehensive sign plan and special exception process as well as a review of other sign-related provisions. Outreach and education on sign provisions has taken place in collaboration with the Department of Code Compliance. Preliminary discussions took place with the Planning Commission Land Use Process Review Committee (LUPR) and the Board's LUPC in May, and draft text will be prepared for further review and outreach. Staff plans to return to LUPR and LUPC meetings in the late fall or winter.

Monitoring

- ✓ Fairfax Green Initiatives (Item #4): Staff has been collaborating with the Office for Environmental and Energy Coordination (OEEC) on the development of the Resilient Fairfax plan. The draft of the Resilient Fairfax Plan recommends regulatory changes, including possible amendments to the Zoning Ordinance. These recommendations are the subject of on-going outreach with the community and are planned to be presented to the Board for consideration later this year. Therefore, it is recommended that this item remain on the Work Program for on-going monitoring. As noted, these efforts may lead to amendments to the Zoning Ordinance and/or other portions of the County Code.

zMOD Implementation Follow-up (Item #11B):

Follow-on motion #7 approved as part of zMOD, required a review of the implementation of the new Zoning Ordinance, including a list of provisions that need to be revised or modified and a proposed schedule, to be included as part of this Work Program. Overall, the implementation of the new Ordinance has been well received. However, the Zoning Ordinance is not a static document and regular review is required in response to feedback and changes in the community. This Work Program includes the amendment topic areas that have been identified and a proposed schedule. Staff will continue to monitor feedback on the Ordinance, including:

- Minor and editorial revisions (Item #11A): Since the new Ordinance went into effect on July 1, 2021, staff compiled a list of needed minor and editorial revisions, as identified through the use and application of the Ordinance by staff and others. A number of corrections and other minor revisions were adopted on February 22, 2022. Additional minor and editorial revisions will be needed and are anticipated to be brought forward in the fall. In addition, proposed amendments to other chapters of the County Code will be brought forward to update references for consistency with the new Zoning Ordinance, such as references to Chapter 112.1 (instead of Ch. 112) or to specific articles or sections.

Proposed Zoning Ordinance Work Program - FYs 2023/2024

June 7, 2022

Page 4

- Uses and use standards: As innovative land uses and new approaches to uses are presented, staff will continue to review the use definitions, permissions, and standards.
- Accessory living units and home-based businesses (Item #11C): These were topics of much discussion during zMOD. As applications for administrative permits and special permits are reviewed, staff is evaluating the provisions in the Ordinance and is conducting surveys of applicants to receive their feedback. In accordance with zMOD follow-on motion #1, a report on the new provisions will be provided in January 2023.

Proposed ZOWP – FYs 2023/2024 (Attachment 2)

Attachment 2 provides a summary of the amendment topic areas proposed to either be evaluated and authorized for public hearing during FYs 2023/2024 or to be researched for future discussion with the Board. Anticipated timelines are depicted in **Attachment 3**. The origin of the proposed amendment topic is listed in parenthesis at the end of the topic description in Attachment 2. This ZOWP includes 12 topic areas, most of which have been carried over from the previous Work Program. The two-year cycle recognizes that Zoning Ordinance changes often require more than one year to complete, as they include significant research and community outreach which must occur before public hearings are scheduled. The timing for each amendment will be reviewed by the Board each year to adjust priorities. The attachment groups the amendments into four categories – First Tier, Second Tier, TBD, and Monitoring:

- First Tier – Topics anticipated to be brought forward either for discussion at an upcoming LUPC meeting, or for authorization to advertise public hearings within the first half of FY 2023.
- Second Tier – Topics scheduled to be similarly considered during the second half of FY 2023.
- TBD – Topics that do not have a specific timeframe.
- Monitoring – Topics for on-going monitoring or participation on task forces or other inter-agency work groups that may result in the need for future amendments.

As outlined above, significant progress is being made on the Work Program and it is anticipated that many of the topic areas will be completed during the next fiscal year. In addition to the items discussed above, other topics include:

- Application Fees (Item #3C) – An administrative permit for an outdoor, temporary special event can be approved for up to 21 days. Events that are proposed for a longer time period require special permit approval from the Board of Zoning Appeals. Because no separate fee has been established for this type of request, the general fee of \$16,375 applies. Staff believes that a lower fee should be considered for these temporary events without permanent construction. This item could be reviewed as part of the minor and editorial revisions, Item #11A.
- Landscaping and Screening (Item #7) – With the previous ZOWP, several items relating to landscaping and screening were moved from the Priority 2 list to the Work Program to initiate a comprehensive review of the current landscaping and screening provisions of the Zoning Ordinance. Discussion of this topic has begun, and staff will continue this review, including formation of an interagency work group, consultant

Proposed Zoning Ordinance Work Program - FYs 2023/2024

June 7, 2022

Page 5

assistance, and community outreach. It is anticipated that preliminary findings and recommendations will be presented to the LUPC during the next fiscal year.

- Agricultural and Related Uses (Item #11A) – The State Code (SB 678, Va. Code Sect. 3.2-300) was amended to include the housing of livestock, including horses, in the definition for an agricultural operation. The change requires a review of the Zoning Ordinance definitions and related uses for consistency with the State Code.
- Contractor’s Office and Shop (Item #4) – As discussed earlier, at the Board’s LUPC meeting on May 17, 2022, the Board supported consideration of an amendment to permit expanded opportunities for suitable locations for landscape professionals and other contractor’s office and shop, subject to use standards that address the storage of construction vehicles, construction materials, and other impacts.
- Additional Reports to the Board (Item #1) – On May 24, 2022, two Board Matters were approved, directing staff to provide reports to the Board this fall. One is to evaluate the current regulations for short-term temporary and longer-term interim uses and consider ways to increase flexibility and remove unnecessary impediments and time limits. Item #3C, discussed above, also relates to these administrative permits. The second report is for a review of current requirements and allowances for emergency homeless shelters in commercial and industrial districts and to consider whether vacant and underutilized properties could be used by private entities to provide sheltering and transitional services to the homeless population.

Priority 2 Work Program Update (Attachment 4)

The Priority 2 Work Program includes those amendments that are not proposed to be added to the current ZOWP but have been retained for future consideration. The Priority 2 list reflects potential changes recommended by various Boards, Authorities, and Commissions, as well as staff, citizens, and industry stakeholders. A significant number of items that were addressed with the adoption of the new Zoning Ordinance, or otherwise recommended to be removed from the Priority 2 list, were discussed in the memorandum for the ZOWP approved in October 2021.

Several additional changes are reflected on the proposed Priority 2 list. Two Priority 2 items have been consolidated under the Open space and Green Initiatives heading for ease of reference: Item #8B regarding setbacks in areas influenced by tidal flooding, and Item #24 regarding uses and standards in the R-C District. It is anticipated that these items may be addressed as part of the Fairfax Green Initiatives on the ZOWP (Item #5). Also, three items that have been on the Priority 2 list for a considerable amount of time with no request for prioritization are recommended to be removed: a) Item #1D to consider electric fences on lots less than two acres; b) Item #4 to review the provisions relating to nonconformities; and c) Item #14 to consider limits on the size of food and beverage production in the I-4 District (Medium Intensity Industrial).

Conclusion and Recommendations

The FYs 2023/2024 ZOWP anticipates additional progress and completion of many of the ambitious efforts that began under the previous Work Program, including Parking Reimagined,

Proposed Zoning Ordinance Work Program - FYs 2023/2024

June 7, 2022

Page 6

Signs Part 2, and the potential Holmes Run Acres HOD. Work will continue on other fronts as well, including landscaping and screening, green initiatives, and several implementation items, such as additional minor and editorial revisions, and the report on accessory living units and home-based businesses.

The ZOWP was presented to the Planning Commission's Land Use Process Review Committee on May 19, 2022. The Planning Commission expressed support for the Work Program as presented. It was noted that work on item #2 relating to manufactured housing may need to be expedited. Staff will present the ZOWP at the Board of Supervisors' Land Use Policy Committee meeting on June 14, 2022, to provide an overview and answer questions. After review, the Work Program will be brought forward as a Board Matter for endorsement by the Board. Once endorsed, staff will update the ZOWP webpage, will include the topic in upcoming outreach meetings, and will distribute the ZOWP to all Listserv subscribers.

If you have any questions, please feel free to call me at 703-324-1314.

cc: Planning Commission
Bryan J. Hill, County Executive
Rachel Flynn, Deputy County Executive
Chris Leonard, Deputy County Executive
Elizabeth Teare, County Attorney
Jill Cooper, Director of Clerk Services
Barbara A. Byron, Director, DPD
Thomas E. Fleetwood, Director, HCD
Bill Hicks, Director, LDS
Tom Biesiadny, Director, FCDOT
Jack Weyant, Director, DCC
Jai Cole, Executive Director, Park Authority
Christopher S. Herrington, Director, DPWES

FY 2022/2023 ZONING ORDINANCE WORK PROGRAM STATUS UPDATE

# ¹	Amendment Topic	Origin	Target Timeframe in Approved WP ²	May 2022 Status
1	Affordable Housing Initiatives	Board/Staff and Carry over from 2018 Initiative 8C	Monitoring/TBD	In progress
2	Application Fees A. Cost of Living B. P District Recreational Facilities	A. Carry over from 2018 Initiative 3 B. Board direction for biennial review	A. TBD B. TBD	A. On hold B. On hold
3	Construction Vehicles (Establish Stakeholder Group)	Board zMOD Follow-on Motion #3/NEW	TBD	Completed (May presentation to Board LUPC)
4	Fairfax Green Initiatives	Carry over from 2019 Initiative 4	Monitoring/TBD	Monitoring
5	Historic Overlay Districts A. Hollin Hills Subdivision B. Holmes Run Acres	A. Carry over from 2019 Initiative 5 B. Carry over from 2020 Initiative 7B	A. First Tier B. Second Tier	A. Completed B. In progress
6	Landscaping and Screening	Planning Commission/Staff – moved from Priority 2/NEW	TBD	In progress
7	Outdoor Lighting (Lighting Overlay for Turner Farm Observatory)	Carry over from 2020 Initiative 5	Second Tier	In progress
8	Parking Rates	Carry over from 2020 Initiative 9	Multi-year project; First Tier – initial outreach	In progress; Initial outreach completed (March LUPC)
9	Sign Ordinance, Part 2	Carry over from 2018 zMOD Initiative 4	Second Tier	In progress (May presentation to Board LUPC)
10	State Code Changes A. As needed B. Cannabis legislation	Annual NEW	TBD TBD	None required Not required – retail sale of cannabis not reenacted

¹ Number shown on approved Work Program (FYs 2022/2023)

² First Tier = intent to seek Board LUPC discussion or authorization in first half of fiscal year; Second Tier = intent to seek Board discussion or authorization in second half of fiscal year; Pending = authorized and public hearings are scheduled; TBD = no specific timeframe

FY 2022/2023 ZONING ORDINANCE WORK PROGRAM STATUS UPDATE

# ¹	Amendment Topic	Origin	Target Timeframe in Approved WP ²	May 2022 Status
11	zMOD Ordinance			
	A. Minor and Editorial Revisions	Staff/NEW	First and/or Second Tier	Completed
	B. Implementation Follow-up (Work Program report)	Board zMOD Follow-on Motion #7/NEW	Monitoring	Completed
	C. Accessory Living Units and Home-Based Businesses	Board zMOD Follow-on Motion #1/NEW	Monitoring/January 2023	In progress

DRAFT
ZONING ORDINANCE WORK PROGRAM – FYs 2023/2024

Below are the topics proposed to be evaluated as part of the Zoning Ordinance Work Program (ZOWP). Recognizing that Zoning Ordinance amendments often require more than one year to complete, including research and community outreach, the ZOWP is presented for a two-year cycle with annual updates to ensure that the Work Program continues to reflect the Board's priorities. The origin of the amendment topic is noted in (parentheses) below.

Timing for consideration is identified in (**bold**) as:

- Pending – Amendments that have been authorized as of the date of preparation of this Work Program and are proceeding through the public hearing process.
- First Tier – Amendments anticipated to be brought forward for discussion at a Board committee meeting or for authorization within the first six months of Fiscal Year 2023 (by December 2022).
- Second Tier – Amendments to be brought forward in the second half of the fiscal year (by July 2023).
- TBD – Topics that do not have a specific timeframe or are anticipated to be brought forward in FY 2024.
- Monitoring – Topics that include on-going monitoring or participation in task forces that may lead to potential Zoning Ordinance amendments.

* See the attached table for a graphic depicting anticipated timing

1. Additional Reports to the Board (NEW)

- A. Short-term pop up and longer-term interim uses – Evaluate current zoning regulations for 21-day administrative temporary permit uses and longer-term interim uses and consider ways to increase flexibility and remove unnecessary impediments and time limits. (Board Matter May 24, 2022) (**October 2022**)
- B. Emergency homeless shelters – Review current zoning requirements for emergency shelters in commercial and industrial districts where vacant and underutilized properties might be used to provide shelter and services to the homeless population. (Board Matter May 24, 2022) (**November 22, 2022**)

2. Affordable Housing Initiatives – Consider zoning changes to support new affordable housing initiatives and land use policies, including strategies to incentivize preservation of existing manufactured home communities through a review of use standards and bulk regulations as part of the Manufactured Housing Task Force (Affordable Housing Preservation Task Force Recommendation MH7). (Carry over from 2018 Item #8C and Board motion April 13, 2021) (**Monitoring/Second Tier**)

3. Application Fees

- A. Cost of living – Consider an overall cost of living increase in accordance with the Construction Cost Index and other adjustments. (Carry over from 2018 Item #3) (**TBD**)
- B. Planned District recreational facilities – Consider increasing the minimum expenditure per dwelling unit for recreational facilities required in the PDH, PDC, PRM, and PTC Districts. (Board direction for biennial review) (**TBD**)

- C. Extension of time for special event (**NEW**) – Consider reducing the fee for a special permit under subsection 4102.8.I(1) for a request for a longer period of time than the maximum of 21 days allowed with an administrative permit. (Staff) (**First Tier**)
4. **Contractor’s Office and Shop** – As discussed at the Board’s Land Use Policy Committee meeting of May 17, 2022, staff will review possible zoning changes to permit expanded opportunities for suitable locations for landscape professionals and other contractor’s office and shop, subject to use standards that address the storage of construction vehicles, construction materials, and other impacts. (Board) (**First Tier**)
 5. **Fairfax Green Initiatives** – Consider zoning changes that would incentivize and support more environmentally sustainable development (Carry over from 2019 Item #4) (**Monitoring/TBD**)
 6. **Historic Overlay Districts/Holmes Run Acres** – Establish a Holmes Run Acres Historic Overlay District with associated design guidelines to preserve and protect its unique architecture, site design, and status on the National Register of Historic Places. (Carry over from 2020 Item #7B) (**Second Tier**)
 7. **Landscaping and Screening** – Work with an interagency work group to research and conduct outreach on a review of landscaping and screening provisions. (Planning Commission/Staff – moved from Priority 2 in FY 2022) (**Second Tier**)
 8. **Outdoor Lighting** – Consider additional zoning provisions to protect dark skies around astronomical facilities. (Carry over from 2020 Item #5) (**First Tier**)
 9. **Parking Rates** – With consultant services, conduct a comprehensive review and evaluation of parking rates, and other parking and loading issues. (Carry over from 2020 Item #9) (**First Tier**)
 10. **Sign Ordinance, Part 2** – Review processes and standards for comprehensive sign plans for mixed use or P Districts and special exceptions for an increase in sign area for conventional districts, with emphasis on providing design, size, and location flexibility; and a review of other sign related provisions. (Carry over from 2018 zMOD Item #4) (**First Tier**)
 11. **State Code Changes** – This item is an annual Work Program entry that will address any changes to the Code of Virginia that necessitate a change to the Zoning Ordinance.
 - A. Agricultural and Related Uses (**NEW**) – Review the Zoning Ordinance for consistency with the definitions adopted in Va. Code Sect. 3.2-300. (SB 678) (**TBD**)





12. zMOD Implementation

- A. Minor and Editorial Revisions – Part 2 of minor revisions and editorial corrections to the new Zoning Ordinance. (Staff) (**First Tier**)
- B. Accessory Living Units and Home-Based Businesses – Monitor and evaluate the provisions for accessory living units and home-based businesses and provide a report in accordance with zMOD Follow-On Motion #1. (Board) (**Monitoring-January 2023**)

Zoning Ordinance Work Program - Estimated Timelines

Zoning Ordinance Amendments		FY2023				FY2024			
WP#	Topic	1	2	3	4	1	2	3	4
1A	Report to the Board - Short-term Temporary and Interim Uses	Background	Issue report						
1B	Report to the Board - Emergency Homeless Shelters	Background	Issue report						
2	Affordable Housing Initiatives (Manufactured Housing)	Background	Background	Background	Brought forward	Brought forward			
3A	Application Fees - Cost of Living								
3B	Application Fees - P District Recreational Facilities								
3C	Application Fees - Extension of time for special event		Brought forward						
4	Contractor's Office and Shop	Background	Background	Brought forward	Brought forward				
5	Fairfax Green Initiatives								
6	Holmes Run Acres HOD	Background	Background	Brought forward					
7	Landscaping and Screening	Background	Background	Brought forward	Brought forward	Brought forward			
8	Outdoor Lighting	Background	Brought forward	Brought forward					
9	Parking Rates	Background	Brought forward	Brought forward	Brought forward				
10	Sign Ordinance, Part 2	Background	Brought forward	Brought forward					
11A	State Code Changes - Agricultural and Related Uses								
12A	Minor and Editorial Revisions		Brought forward						
12B	ALU/HBB Reports	Background	Background	Issue report					

Key:

	Background/research/outreach
	Brought forward for Board LUPC or authorization and continuing work extending to public hearing phase
	Issue report/memorandum
	TBD

DRAFT
ZONING ORDINANCE WORK PROGRAM – FYs 2023/2024
PRIORITY 2

The following abbreviations are used in this document:

ARB - Architectural Review Board	EIP - Environmental Improvement Program
BOS - Board of Supervisors	EAC - Fairfax County Economic Advisory Commission
BZA - Board of Zoning Appeals	HCAB - Fairfax County Health Care Advisory Board
BPR - Business Process Redesign	PC - Planning Commission
DPWES - Department of Public Works and Environmental Services	

TOPIC	SOURCE
ACCESSORY USES AND STRUCTURES	
1. Comprehensive review of accessory uses and structures, to include consideration of issues such as:	BOS/PC/BZA/ Staff/Industry
A. Modify the accessory structure location provisions to require a freestanding wind turbine structure to be setback a distance of its height from all property lines.	BOS
B. Review the allowable placement of roll-off debris containers/dumpsters in residential districts during home improvement projects.	BOS
C. Consider establishing a minimum distance a fence can be located from a pipestem driveway.	Citizen
D. Consider permitting electric fences on lots less than two acres as a deer management tool.	Citizen
GENERAL REGULATIONS	
2. Consider revising the cluster provisions to delete the bonus density option.	General Assembly
3. Consider allowing for administrative approval for an error in building height (similar to error in building location) for small modifications to building height for new construction.	Industry/BZA
4. Comprehensive review and study of provisions relating to nonconformities to include addition of provisions to address situations resulting from condemnation of right-of-way by public agencies.	Staff/BPR
5. Review the definition of gross floor to consider including cellar space in all districts consistent with the PDC, PRM, and PTC Districts.	Staff
6. District Regulation Interpretations – Consider allowing the transfer of allowable density or gross floor area from parcels located within an identified sending area to parcels located within an identified receiving area.	BOS

TOPIC	SOURCE
7. Exempt floor area used for a public use from the density calculations on a property.	Economic Success Plan
8. Lot and Yard Regulations – Consider the following:	
A. Revise provisions of lots contiguous to pipestem driveways to remove the language “serving more than one pipestem lot.”	Citizen
B. Consider requiring greater setbacks for proposed construction in areas influenced by tidal flooding. (Moved under Open Space and Green Initiatives, Item 15.)	BOS Environmental Committee
9. Use and Structure Regulations – Consider the following:	
A. Consider revising the maximum number of horses that may be maintained on a lot.	No. Va. Soil & Water Conservation District
10. Review regulations related to sports arenas and stadiums	Staff/BOS
HOUSING	
11. Consider the following revisions to the Affordable Dwelling Unit (ADU) program:	
A. Clarify subsection 5101.8.C(2) to indicate that resales can be sold to nonprofits pursuant to the guidelines for new units.	Staff
B. Increase the closing cost allowance from 1.5% of the sales price to either the actual closing costs or up to 3%, whichever is less.	Staff
C. For resales, allow 3% of closing costs to be part of the sales price so that applicants can apply for closing costs assistance.	Staff
D. Establish a for-sale ADU pricing schedule to include the renovation and/or preservation of existing units and condominium conversions.	Staff
E. Consider requiring an ADU bedroom mix of 50% one-bedroom units and 50% two-bedroom units for independent living facilities.	Staff
F. Determine whether inheritance laws affect the retention of an ADU within the ADU Program in the event of the death of an ADU owner, and if so, whether an amendment is necessary.	Staff
G. Study the implications of allowing ADUs and/or workforce housing in certain commercial and/or industrial districts, subject to specific standards or by special exception.	Staff
H. Review the ADU program exemptions set forth in subsection 5101.3 that exclude certain types of developments from the ADU requirements.	Fair Housing Action Plan 2016-2020

TOPIC	SOURCE
I. Evaluate the definitions of Affordable Housing and Affordable Dwelling Unit Development in Article 9 to determine whether current income thresholds are appropriate or if they should be aligned with the definitions used by Housing and Urban Development (HUD).	Fair Housing Action Plan 2016-2020
12. Other Housing Policies – Consider increasing the number of persons with disabilities permitted in a group residential facility from eight to 12; consider use of a special permit process or other type of reasonable accommodation process to permit more than 12 people with disabilities in a community residence and decrease application fees associated with these types of applications.	Fair Housing Action Plan 2016-2020
13. Residential Studios – Establish a new use and associated use standards for an affordable housing product generally designed for one person per unit.	Board
INDUSTRIAL ZONING DISTRICTS	
14. Consider limitations on the size of a food and beverage production facility in the I-4 District.	BOS
OPEN SPACE AND GREEN INITIATIVES	
15. Green Initiatives – Consider zoning changes requiring greater setbacks for proposed construction in areas influenced by tidal flooding. In addition, establish an advisory committee to, among other things, review standards and guidelines associated with special permit, special exception, and public uses in the R-C District; review maximum allowable floor area ratios; consider standards for total impervious cover and/or undisturbed open space and review combined impact of the facility footprint and total impervious surface cover to include parking; and review the Comprehensive Plan to determine if clearer guidance is needed for special permit, special exception, and public uses in the Occoquan watershed.	BOS Environmental Committee/New Millennium Occoquan Task Force/EAC
16. Review of the open space provisions to include:	
A. Exempt either all or part of stormwater management dry pond facilities from the open space calculations.	Infill Study/EIP/Staff
B. Provide open space credit for innovative BMPs but not for non-innovative BMPs	Infill Study/EIP/Staff
C. Develop a consistent approach to open space as it relates to various existing and proposed elements of the Comprehensive Plan.	Infill Study/EIP/Staff
D. Review the general open space provisions to clarify that open space is only intended for land that is dedicated or conveyed without monetary compensation.	Infill Study/EIP/Staff
OVERLAY DISTRICTS	
17. Airport Protection Overlay District - Establish an Airport Protection Zoning Overlay District for Dulles International Airport, Ronald Reagan National Airport, and Davison Airfield	BOS

TOPIC	SOURCE
18. Historic Overlay Districts – Consider the following revisions to the Historic Overlay Districts:	
A. Laurel Hill – Establish Historic Overlay District as anticipated by the 2001 Memorandum of Agreement (MOA) between Fairfax County and the federal government for the former Lorton Correctional Complex.	BOS/Staff
B. Require all demolition permits for structures listed on the County Inventory of Historic Places to be reviewed by the History Commission prior to the issuance of the permit.	History Commission
C. Establish an historic overlay district for Mason Neck.	BOS
PARKING	
19. Consider the following revisions to vehicle parking on lots with single family detached dwellings:	
A. Limit the amount of pavement for driveways and parking in the R-5 and R-8 Districts.	Citizen
B. Limit parking for all vehicles or trailers to the front yard and only on a paved surface.	Citizen
20. Regulate the maximum size of personal vehicles that are permitted to park in a residential district.	Citizen
21. Consider establishment of pathway connections between rights-of-way and on-site bicycle/pedestrian pathways.	Staff
PERFORMANCE STANDARDS	
22. Review the earthborn vibration performance standards.	Staff
PLANNED DEVELOPMENT DISTRICTS	
23. Consider the following revisions to the Planned Development Districts:	
A. Review minimum lot size and open space requirements, and density credit for RPAs, streams and floodplains; review permitted secondary commercial uses in the PDH District and consider increasing amount of commercial uses permitted; allow the Planning Commission to waive the 200 square foot privacy yard for single family attached dwellings as part of FDP approvals; consider revising the 600 foot limit on private streets; and consider changes to the PRM/PDC District regulations related to mixed use districts.	Infill Study/EIP/EAC/PC/Staff
B. Reston PRC District Density Provisions	Board
RESIDENTIAL ZONING DISTRICTS	

TOPIC	SOURCE
<p>24. Establish an advisory committee to, among other things, review standards and guidelines associated with special permit, special exception and public uses in the R-C District; review maximum allowable floor area ratios; consider standards for total impervious cover and/or undisturbed open space and review combined impact of the facility footprint and total impervious surface cover, to include parking; and review the Comprehensive Plan to determine if clearer guidance is needed for special permit, special exception and public uses in the Occoquan. (Moved under Open Space and Green Initiatives, Item 15.)</p>	<p>New Millennium Occoquan Task Force/EAC</p>
<p>SHORT-TERM LODGING</p>	
<p>25. Short-Term Lodging/Commercially Operated – Consider changes that would permit new multifamily dwelling unit developments to provide units on a short-term basis for a limited percentage of the units and over a limited period of time during lease-up period; consider allowing multifamily buildings to offer a small percentage of the total unit count as short term rentals that are commercially managed.</p>	<p>Moved from 2020 ZOWP – from 2018 Initiative 12B</p>
<p>SPECIAL EXCEPTIONS</p>	
<p>26. Light Utility Facility Uses – Consider revisions to strengthen the additional standards for these uses and add provisions to protect adjacent residential uses.</p>	<p>Citizen</p>
<p>27. Consider establishing Country Inn as a new special exception use in the R-C, R-E, and R-1 Districts with appropriate acreage and standards.</p>	<p>Staff/Board</p>
<p>SPECIAL PERMITS</p>	
<p>28. Consider allowing BZA to modify or waive general standards when uses are proposed for existing structures and/or lots.</p>	<p>BPR</p>
<p>29. Consider deletion of requirement for extension requests to be submitted 30 days prior to an expiration date, consistent with renewal requests.</p>	<p>Staff</p>
<p>30. Extraction Activity Uses - Consider expanding the number of property owners requiring notification for the renewal of a special permit for a quarry and revise the blasting vibration maximum resultant peak particle velocity to be consistent with state regulation 4VAC25-40-880.</p>	<p>BOS /PC</p>
<p>SUBMISSION REQUIREMENTS</p>	
<p>31. Revise submission requirements to include identification of heritage resources; and consider expanding the archaeological survey submission requirements to be applicable to all zoning applications and not only those applications located in Historic Overlay Districts.</p>	<p>BOS/PC</p>
<p>32. Consider adding an environmental site assessment submission requirement for site plans and certain zoning applications.</p>	<p>General Assembly</p>