

ZONING ORDINANCE WORK PROGRAM – FYs 2024/2025

Below are the topics proposed to be evaluated as part of the Priority 1 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 2024 (by December 2023).
- Second Tier – Amendments to be brought forward in the second half of the fiscal year (by July 2024).
- TBD – Topics that do not have a specific timeframe or are anticipated to be brought forward in FY 2025.
- 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. Reports to the Board

- A. Accessory Living Units and Home-Based Businesses – Continue to monitor and evaluate the provisions for accessory living units and home-based businesses as a follow up to the January 2023 report to the Board. (Board/Staff) (**Monitoring-January/February 2024**)
- B. Data Centers (**NEW**) – Prepare a report with findings and recommendations regarding Apotential environmental issues, mitigations and industry advances; locational guidelines regarding siting of data centers and potential approval processes and where any new guidelines should be located including the Zoning Ordinance and/or Comprehensive Plan. (May 9, 2023 Board Matter) (**First Tier**)

2. Affordable Housing Initiatives

- A. 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**)
- B. (**NEW**) – Consider zoning changes to facilitate adaptive reuse of vacant and underutilized commercial and industrial buildings to provide shelter, services and permanent supportive housing to people who are unhoused. (December 6, 2022, Board Matter) (**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)**

- 4. Climate Action and Resiliency Initiatives (Previously Green Initiatives)** – Consider zoning changes that would incentivize and encourage more environmentally sustainable development to support implementation of the Community-wide Energy and Climate Action Plan (CECAP) and Resilient Fairfax. (Carry over from 2019 Item #4 with updated description for FY 2024/2025 Work Program) **(Monitoring/TBD)**

- 5. 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) **(Second Tier)**

- 6. 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) **(First Tier)**

- 7. Minor and/or Editorial Revisions (Previously State Code Changes and zMOD Implementation)** – This item is an ongoing Work Program entry that will address changes to the Code of Virginia that necessitate a change to the Zoning Ordinance or other minor and editorial revisions that are limited in scope and more administrative in nature. **(Monitoring)**
 - A. **(NEW)** Consider updates to timing of published notices in the newspaper for public hearings based on Senate Bill (SB 1151) which contains changes to notice provisions recommended by the Virginia Code Commission. (Staff) **(Second Tier)**

 - B. **(NEW)** Update Board of Zoning Appeals (BZA) membership to recognize that BZA may have up to three alternative members in addition to seven permanent members – a number capped by State Code. (zMOD Readoption Follow-On Motion) **(Second Tier)**

 - C. **(NEW)** Consider adding checklist for minimum wastewater information to the submission requirements for Rezoning, Special Exception, Special Permit and Development Plan Applications. (DPWES staff) **(TBD)**

- 8. Outdoor Lighting** – Consider additional zoning provisions to protect dark skies around astronomical facilities. (Carry over from 2020 Item #5) **(First Tier)**

- 9. Outdoor Dining** – Consider ways to allow continuation of outdoor dining permitted in parking areas during the Covid Emergency (Board – Moved from FY 2023/2024 Item #1) **(First Tier)**

- 10. 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) **(Pending)**

11. **PRC Plan Exceptions (NEW)** – Review the exceptions for when a PRC Plan or amendment to a PRC Plan may be required and consider expanding the types of minor improvements that would not require a PRC Plan submission, particularly as they relate to open space or community facilities (zMOD Readoption Follow-On Motion) (**Second Tier**).
12. **Short-Term Pop-Up Events 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, Carry Over from FY 2023/2024 Work Program Topic #1) (**Second Tier**)
13. **Sign Ordinance, Part 2** – Review processes and standards for comprehensive sign plans for mixed use or Planned 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**)