

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

The following abbreviations are used in this document:

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|---|---|
| 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
<b>ACCESSORY USES AND STRUCTURES</b>	
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
<del>D. Consider permitting electric fences on lots less than two acres as a deer management tool.</del>	Citizen
<b>GENERAL REGULATIONS</b>	
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. <del>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.</del>	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
7. Exempt floor area used for a public use from the density calculations on a property.	Economic Success Plan

TOPIC	SOURCE
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. <del>Consider requiring greater setbacks for proposed construction in areas influenced by tidal flooding.</del> <b>(Moved under Open Space and Green Initiatives, Item 15.)</b>	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
<b>HOUSING</b>	
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
I. Evaluate the definitions of Affordable Housing and Affordable Dwelling Unit Development in Article 9 to determine whether current income thresholds are	Fair Housing Action Plan 2016-

TOPIC	SOURCE
appropriate or if they should be aligned with the definitions used by Housing and Urban Development (HUD).	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
<b>INDUSTRIAL ZONING DISTRICTS</b>	
14. <del>Consider limitations on the size of a food and beverage production facility in the I-4 District.</del>	BOS
<b>OPEN SPACE AND GREEN INITIATIVES</b>	
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
<b>OVERLAY DISTRICTS</b>	
17. Airport Protection Overlay District - Establish an Airport Protection Zoning Overlay District for Dulles International Airport, Ronald Reagan National Airport, and Davison Airfield	BOS
18. Historic Overlay Districts – Consider the following revisions to the Historic Overlay Districts:	

TOPIC	SOURCE
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
<b>PARKING</b>	
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
<b>PERFORMANCE STANDARDS</b>	
22. Review the earthborn vibration performance standards.	Staff
<b>PLANNED DEVELOPMENT DISTRICTS</b>	
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
<b>RESIDENTIAL ZONING DISTRICTS</b>	
24. <del>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</del>	New Millennium Occoquan Task Force/EAC

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<p>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 Ocoquan. (Moved under Open Space and Green Initiatives, Item 15.)</p>	
<b>SHORT-TERM LODGING</b>	
<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>
<b>SPECIAL EXCEPTIONS</b>	
<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>
<b>SPECIAL PERMITS</b>	
<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>
<b>SUBMISSION REQUIREMENTS</b>	
<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>