

ZO 112.2-2024-4

ADOPTION OF AN AMENDMENT TO CHAPTER 112.2

(ZONING)

OF THE 1976 CODE OF THE COUNTY OF

FAIRFAX, VIRGINIA

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium, Lobby Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia, on Tuesday, January 23, 2024, the Board after having first given notice of its intention so to do, in the manner prescribed by law, adopted an amendment to Chapter 112.2 (Zoning) of the 1976 Code of the County of Fairfax, Virginia, said amendment so adopted being in the words and figures following:

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA:

Amend Chapter 112.2 (Zoning Ordinance), as follows:

Repeal and Replace Section 5108 with the following text.

Article 5 – Development Standards

5108. Landscaping and Screening

The purpose of this section is to provide for effective and functional landscaping and screening to create an attractive and harmonious community by minimizing the impact of dissimilar, adjoining uses. Placemaking opportunities are enhanced by encouraging connected, walkable, and open communities through enhanced shade and pathways for pedestrian use. Natural resource conservation is promoted, including soil, air, and water quality while enhancing ecological and social or recreational spaces. Provisions in this section lessen the impact of wind, heat, noise, dust, and other debris, and motor vehicle headlight glare or other artificial light intrusion.

Appropriate landscaping provides shade, which can reduce health-related impacts from extreme heat, and contributes toward compliance with the Federal Clean Air Act by reducing levels of carbon dioxide and helping to alleviate atmospheric heat island production and other negative effects on the air quality and ozone levels produced by accelerated fuel evaporation from vehicles parked on non-shaded pavement. Provisions also promote adequate planting areas for healthy development of trees.

1. Applicability and Administration

- A. The Director is responsible for the administration of this section.
- B. The provisions of this section apply to all development subject to the provisions of subsection 8100.7.

2. General Landscaping Standards

A. Conformance with Public Facilities Manual

The planting, including the height and caliper requirements, and maintenance of all trees and shrubs must be in accordance with the Public Facilities Manual.

B. Vegetation

- (1) Suitable existing vegetation, as determined by the Director, will be used to meet the requirements of this Section and the Public Facilities Manual.
- (2) Preference should be given to native species, and environmentally tolerant species where appropriate for site conditions, as identified in the Public Facilities Manual.

C. Commercial Revitalization Districts and PTC District

In a Commercial Revitalization District and in the PTC District, parking lot landscaping and transitional screening and barriers must be provided in accordance with the provisions of subsection 3102 and 2105.6 respectively.

D. Utility Easements

New utility easements must be located outside of landscaping areas required under this Section, except to cross perpendicularly, to the greatest extent feasible, as determined by the Director. If satisfying this requirement is determined by the Director to not be feasible, the required landscaping must be provided as close to the required location as possible. If the required number of trees per subsection 5108.3, subsection 5108.4, and subsection 5108.5 cannot be accommodated on the remaining available site area, a modification must be approved by the Board or BZA in accordance with subsection 5108.6.A(4).

E. Landscaping Plan and Planting Requirements

- (1)** A landscaping plan must be submitted as required by proffered or development conditions, an approved development plan, and subsection 8100.7. A landscaping plan may also be required for a minor site plan, as determined by the Director.
- (2)** Landscaping plans must be drawn to scale, including dimensions and distances, and clearly delineate all existing and proposed parking spaces or other vehicle areas, access aisles, driveways, and the location, size, and description of all landscaping materials in accordance with the Public Facilities Manual and the requirements of this Section.
- (3)** Landscaping required by this Section must be shown on the landscape plan and must be completed according to specifications before approval of any Residential or Nonresidential Use Permit in accordance with subsection 8100.9.B.

3. Street Frontage Landscaping

A. Street Frontage Landscaping Requirements

- (1)** Street frontage landscaping must be provided parallel to all street lines of a public or private street.
- (2)** Street frontage landscaping must consist of a ten-foot-wide landscaping strip, exclusive of a sidewalk or trail, containing at least one tree per 30 linear feet of frontage, but trees are not required to be planted on 30-foot centers.
- (3)** Where street frontage landscaping required by this subsection conflicts with street planting regulations of the Virginia Department of Transportation, the regulations of the latter govern.

B. Exceptions

- (1)** Street frontage landscaping is not required for lots developed with a single-family dwelling unless shown on an approved development plan or PRC Plan.
- (2)** Street frontage landscaping is not required parallel to internal drive aisles within a development, or along a railroad, interstate highway, the Dulles International Airport Access Highway, or the combined Dulles International Airport Access Highway and Dulles Toll Road.
- (3)** Where peripheral parking lot landscaping is required by this Section, street frontage landscaping is not required.

4. Parking Lot Landscaping

A. Interior Parking Lot Landscaping

(1) Amount Required

- (a) Any lot or parcel containing ten or more surface parking spaces, including surface parking lots expanded to provide ten or more spaces, must include interior landscaping covering a minimum of ten percent of the total area of the surface parking lot. Interior parking lot landscaping must be calculated in accordance with the Public Facilities Manual.
- (b) Up to half of the required interior parking lot landscaping in subsection 5108.4.A(1)(a) may be satisfied through shade structures with solar collection systems, with the remainder satisfied by shade trees.
- (c) For calculation purposes, interior parking lot landscaping does not include any planting or landscaping within six feet of a building, any planting or landscaping required as peripheral parking lot landscaping, and any transitional screening required by subsection 5108.5.B.

(2) Planting Requirements

- (a) The primary landscaping materials used in parking lots must be trees that provide shade at maturity. Shrubs and other planting material may be used to complement the tree landscaping but may not be the sole contribution to the landscaping.
 - (b) An average of one planting area, as defined in the Public Facilities Manual, is required for every ten contiguous parking spaces.
 - (c) The location of landscaping materials used in parking lots must not impede the accessibility of ADA compliant parking spaces.
- (3) There must be a minimum distance of 15 feet between a light pole and a tree required by this Section unless modified by the Director in accordance with subsection 5108.6.B(5).
- (4) The interior dimensions of any planting area must be large enough to protect all landscaping materials in conformance with the Public Facilities Manual.
- (5) Interior parking lot landscaping is not required for storage yards.

B. Shade Structures

- (1) Any parking structure with an exposed surface containing ten or more parking spaces must include shade structures covering a minimum of ten percent of the total area of the exposed portion of the parking structure. Alternatively, the required percentage of shade may be provided through shade trees or a combination of trees and shade structures, located on the exposed portion of the parking structure, as required for interior parking lot landscaping in subsection 5108.4.A.
- (2) Shade structures include canopies, solar collection system, or similar structures. Structures must be permanent and not made of temporary materials such as fabric.
- (3) If the shade structures are solar collection systems, a minimum of five percent of the total area of the exposed portion of the parking structure must be covered.
- (4) The shade structures required by this Section may exceed the maximum height requirement by up to 16 feet.

C. Peripheral Parking Lot Landscaping

Any lot containing ten or more surface parking spaces, including parking lots expanded to provide ten or more spaces, where transitional screening is not required by subsection 5108.5.B must provide peripheral parking lot landscaping as follows.

(1) Property Does Not Abut Street Right-of-Way

- (a) A continuous landscaping strip must be provided between the parking lot and the abutting property lines, except where driveways, pedestrian access, or other openings may necessitate other treatment.
- (b) At least 13 shrubs, planted at a height of 30 inches, for each 50 linear feet must be planted in the landscaping strip to grow to a height of at least four feet at maturity. The selection and placement of the shrubs must be designed to create adequate screening of vehicle headlights at maturity.
- (c) The minimum width of any planting area must provide at least four feet between the center of a tree and a restrictive barrier, such as a curb or pavement, unless modified in accordance with subsection 5108.6.A.
- (d) At least one tree for each 50 linear feet must be planted in the landscaping strip; however, trees are not required to be planted on 50-foot centers.

(2) Property Abuts Street Right-of-Way

- (a) A continuous landscaping strip ten feet in width must be located between the parking lot and the property line, except where driveways, pedestrian access, or other openings may necessitate other treatment, and may not include a sidewalk, or trail.
- (b) At least one tree for each 30 linear feet must be planted in the landscaping strip; however, trees are not required to be planted on 30-foot centers.
- (c) At least eight shrubs, planted at a height of 30 inches, for each 30 linear feet must be planted in the landscaping strip to grow to a height of at least four feet at maturity. The selection and placement of the shrubs should be designed to create adequate screening of vehicle headlights at maturity.
- (d) Where peripheral landscaping required by this subsection conflicts with street planting regulations of the Virginia Department of Transportation, the regulations of the latter govern.

5. Transitional Screening and Barriers

A. Applicability

- (1) Transitional screening and barriers must be provided on the lot of the use indicated in the left column of Table 5108.2 where it is adjacent to land used or zoned for uses indicated across the top of Table 5108.2. Additionally, Light Utility Facility, Heavy Utility Facility, and uses in the Industrial Uses classification must provide transitional screening when located across the street from land used or zoned for uses indicated across the top of Table 5108.2. The uses are grouped by use classification, consistent with Article 4.
- (2) The more stringent requirements of the Table 5108.2 apply if the lot will contain more than one use or classification of uses in Table 5108.2; however, the lesser requirement will apply on a side where only the use with the lesser requirement is located.
- (3) In a P district, screening and barrier requirements apply to the boundaries of the development and do not apply to individual lots or uses interior to the development, unless shown on the approved PRC plan or development plan.

- (4) In addition to the standards established in Article 4 for a particular use, all uses allowed by special exception or special permit are required to provide transitional screening and barriers as determined by the Board or BZA, in accordance with Table 5108.2.
- (5) Transitional screening and barriers are not required between different dwelling unit types within an affordable dwelling unit development.
- (6) The following uses are not included in Table 5108.2 and are subject to the standards below:
 - (a) Agricultural operation does not require transitional screening or barriers.
 - (b) Wireless facility is subject to the requirements of subsection 4102.4.Y.
 - (c) The following uses may be required to provide transitional screening and barriers as determined by the Board or BZA: agritourism, campground; cemetery; farm winery, limited brewery, or limited distillery; group household; marina (commercial or private noncommercial); office in a residential district; and riding or boarding stable.
 - (d) A public use is subject to the requirements of the most similar use as determined by the Director in consultation with the Zoning Administrator. For a public use, the transitional screening and barrier which is to be provided in conjunction with the use, may be of such dimensions and location as approved by the Board.

B. Transitional Screening Requirements

(1) Types of Transitional Screening

There are three different transitional screening requirements as identified in Table 5108.2 that must be provided in accordance with Chapter 12 of the Public Facilities Manual and as follows:

(a) Transitional Screening 1

Transitional Screening 1 consists of a strip of open space a minimum of 25 feet wide and planted with all of the following:

1. A mixture of large and medium evergreen trees and large deciduous trees that achieve a minimum ten-year tree canopy of 75 percent or greater;
2. A mixture of trees consisting of at least 70 percent evergreen trees, and consisting of no more than 35 percent of any single species of evergreen or deciduous tree; and
3. A mixture of predominately medium evergreen shrubs at a rate of three shrubs for every ten linear feet for the length of the transition yard area. The shrubs must generally be located away from the barrier and staggered along the outer boundary of the transition yard.

(b) Transitional Screening 2

Transitional Screening 2 consists of a strip of open space a minimum of 35 feet wide and planted as required in subsections 5108.5.B(1)(a)1, 2, and 3 above.

(c) Transitional Screening 3

Transitional Screening 3 consists of a strip of open space a minimum of 50 feet wide planted as required in subsections 5108.5(B)(1)(a)1, 2, and 3 above.

- (2) An alternative mixture of evergreen and deciduous trees, as required by subsection 5108.5(B)(1)(a)2, is permitted if it results in no less than 50 percent evergreen trees, and at least 25 percent of the transitional screening area contains existing vegetation and/or new native trees.

- (3) A perpendicular sidewalk, trail, or shared use path up to ten feet in width may be allowed within transitional screening.
- (4) The transitional screening yard width and planting requirements may be reduced as much as two-thirds where a six-foot brick or architectural block wall is provided instead of the barrier required.

C. Barrier Requirements

(1) Barrier Location

- (a) Barriers may be located at the property boundary or between the transitional screening and use requiring the screening.
- (b) The faced or finished side of the barrier must be facing the adjacent use with any bracing, supports, or posts located on the side of the barrier facing the use requiring the barrier.

(2) Types of Barriers

- (a) Table 5108.1 identifies different barrier requirements, which must be provided in accordance with Table 5108.2. The applicant may choose the type of barrier if more than one type is allowed under Table 5108.2.
- (b) In unusual circumstances related to topography, or to alleviate specific problems with nuisance issues such as glare and noise, the Director may allow the use of an earth berm or more specialized barrier material in lieu of, or in combination with, any of the barrier types set forth below.

TABLE 5108.1: Barrier Requirements by Type			
Barrier Type	Height	Materials	Other Standards
A	42-48 inches	Wall of brick or architectural block	N/A
B	42-48 inches	Solid wood or otherwise architecturally solid fence	N/A
C	42-48 inches	Evergreen hedge	Planting size minimum 36 inches and planted to create a uniform hedge at maturity.
D	6 feet	Wall of brick or architectural block	N/A
E	6 feet	Solid wood or otherwise architecturally solid fence	N/A

TABLE 5108.2: Transitional Screening and Barrier Type Requirements
 Numbers in individual cells represent transitional screening type required (1, 2, or 3)
 Letters in individual cells represent barrier type required (A through E)

Use Classification	Adjacent Use								
	Single-Family Dwelling, Attached and Detached	All Other Residential Uses	Solar Power Facility	Utility Facility, Heavy	All Other Public, Institutional, and Community Uses	Vehicle Repair and Maintenance, Heavy	All Other Commercial Uses	Craft Beverage Production Establishment	All Other Industrial Uses
Residential Uses									
Single-Family Dwelling, Attached and Detached	None	None	None	None	None	None	None	None	None
All Other Residential Uses	Type 1 Barrier D or E	None	None	None	None	None	None	None	None
Public, Institutional, and Community Uses									
Solar Power Facility	Type 3 Barrier D or E	Type 2 Barrier D or E	None	None	Barrier D or E	None	Barrier D or E	Barrier D or E	None
Utility Facility, Heavy	Type 3 Barrier D or E	Type 3 Barrier D or E	None	None	Type 1 Barrier A, B or C	None	Barrier D or E	Barrier D or E	None
All Other Public, Institutional, and Community Uses	Type 2 Barrier D or E	Type 2 Barrier D or E	None	None	None	None	None	None	None
Commercial Uses									
Vehicle Repair and Maintenance, Heavy	Type 3 Barrier D or E	Type 3 Barrier D or E	Barrier D or E	Barrier D or E	Type 1 Barrier D or E	None	Type 1 Barrier D or E	Barrier D or E	Barrier A, B or C
All Other Commercial Uses	Type 2 Barrier D or E	Type 2 Barrier D or E	None	None	Barrier D or E	None	None	None	None
Industrial Uses									
Craft Beverage Production Establishment	Type 2 Barrier D or E	Type 2 Barrier D or E	None	None	Type 1 Barrier A, B or C	None	None	None	None
All Other Industrial Uses	Type 3 Barrier D or E	Type 3 Barrier D or E	Barrier D or E	Barrier D or E	Type 1 Barrier D or E	Type 1 Barrier D or E	Type 1 Barrier A, B or C	Type 1 Barrier D or E	None

6. Waivers and Modifications

- A. The Board, in conjunction with the approval of proffered conditions, a PRC plan, a special exception; or through a General Waiver associated with a site plan, or the BZA in conjunction with the approval of a special permit, may modify or waive the requirements of this Section as follows:
- (1) The transitional screening and barrier requirements may be waived or modified if the topography of the lot providing the transitional screening and the adjacent lot being protected is such that transitional screening or a barrier would not be effective.
 - (2) Parking lot landscaping planting requirements for interim uses of a specified duration, or where deemed appropriate, may be modified when the modification or waiver does not create a harmful effect on the existing and planned development of adjacent properties.
 - (3) Parking lot landscaping may be modified to allow the planting of less than one planting area for every ten contiguous parking spaces when the resulting configuration results in the appropriate amount of shade for vehicles parked in the parking lot.
 - (4) When there is a conflict between the required landscaping of subsection 5108.3, subsection 5108.4, and subsection 5108.5 and the location of a new utility easement, the required landscaping may be modified if the required landscaping cannot be accommodated on the remaining available site area as a result of the building placement and lot configuration.
- B. The Board in conjunction with the approval of proffered conditions, PRC plan, special exception, the BZA in conjunction with the approval of a special permit, or the Director in conjunction with a site plan, may waive or modify the requirements of this Section as follows:
- (1) The transitional screening, barriers, and street frontage landscaping may be modified if they are specifically designed to minimize adverse impacts such as noise, glare, vehicular traffic, unsightly views, and incompatible land uses through a combination of architectural and landscaping techniques such as building placement, lot configuration, and additional landscaping provided beyond the landscaping required by this subsection.
 - (2) The transitional screening, barriers, and street frontage landscaping may be modified if they are specifically designed in accordance with the approved urban design guidelines.
 - (3) The street frontage landscaping, transitional screening, or barrier requirements may be waived or modified if:
 - (a) The topography of the lot providing the trees and the adjacent lot is such that the required trees would not provide screening; or
 - (b) The topography or other conditions of the lot, where the trees would be located, would cause the trees to not be viable.
 - (4) A reduction in the percent of interior parking lot landscaping required in accordance with subsection 5108.4.A(1) is not permitted. However, the interior parking lot landscaping requirement in subsection 5108.4.A(2)(b) may be modified if the shape or size of the lot or parcel would preclude the arrangement of planting areas for every ten contiguous spaces.
 - (5) A reduction in the distance required between light poles and a required tree may be waived or modified if the topography or other conditions of the lot would not cause a reduction in lighting of the parking lot or impact the growth of the tree.

7. Maintenance

- A. The owner or their agent is responsible for the maintenance, repair, and replacement of all landscaping materials and barriers as may be required by this Section.
- B. All plant material must be tended and maintained in a healthy growing condition including proper pruning, proper soil depth, and preventing impingement on root growth, replaced when necessary due to poor health or unsafe conditions, and kept free of refuse and debris.
- C. Fences and walls must be maintained in good repair. Openings within the barriers may be required by the Director for accessibility to an area for necessary maintenance.
- D. When tree conservation is required on individual lots in residential districts, the homeowner, subsequent to Residential Use Permit issuance, is not precluded from adding, removing, or relocating such landscaping.
- E. All landscaping must be installed and maintained in substantial conformance with any proffered conditions or with any approved development plan, PRC plan, special exception, special permit, or variance as determined by the Zoning Administrator. Any removal or replacement of required landscaping requires approval by the Director after coordination with the Zoning Administrator.
- F. The removal or replacement of any landscaping depicted on an approved site plan that is not subject to any of the approvals listed in subsection 5108.7.E above requires Director approval.
- G. Any landscaping required by subsections 5108.7.E and 5108.7.F above that is removed or replaced without the written permission of the Director must be replaced at the owner's expense with new landscaping of the appropriate species and equal to or as large in total canopy area at the time of planting as the required landscaping that was removed as determined by the Director.

8. Tree Conservation

Tree conservation requirements are set forth in Chapter 122 of the County Code and the Public Facilities Manual.

Revise subsection 3102.3.E(4) to read as follows.

Article 3 - Overlay and Commercial Revitalization Districts

3102. Commercial Revitalization Districts

3. Standards Applicable to All Commercial Revitalization Districts

E. Additional Standards

- (4) Landscaping and Screening

The landscaping and screening requirements of Section 5108 apply, except as set forth below. When the following provisions require a determination of feasibility of meeting the requirements on a lot, the Director may make the determination through the approval of a site plan, or the Board may make the determination by special exception in accordance with subsection 8100.3.

- (a)** The interior parking lot landscaping requirements of subsection 5108.4.A apply as follows:
- 1.** When a proposed expansion or enlargement of an existing development results in a parking lot containing ten or more parking spaces, the interior parking lot landscaping requirements apply to the parking lot unless waived or modified in accordance with subsection 5108.6.
 - 2.** The interior parking lot landscaping requirements apply for redevelopments and new developments.
- (b)** The peripheral parking lot landscaping requirements of subsection 5108.4.C apply as follows:
- 1.** The peripheral parking lot landscaping requirements of subsection 5108.4.C(1) concerning when a property line abuts land that is not the right-of-way of a street do not apply to expansions or enlargements of existing developments.
 - 2.** The requirements of subsection 5108.4.C(1) apply to redevelopments or new developments. However, where there are landscaping or design provisions in the Urban Design Guidelines that recommend a planting strip or other streetscape treatment with a different width or different plant materials than those required by subsection 5108.4.C, then the standards in the Urban Design Guidelines apply.
 - 3.** The peripheral parking lot landscaping requirements of subsection 5108.4.C(2) concerning when the property line abuts the right-of-way of a street do not apply for expansions or enlargements of existing developments, redevelopments, and new developments. However, the following are required:
 - a.** A ten-foot-wide landscaping strip, which may not include any sidewalk, trail, or parallel utility easement, must be located on the lot where it abuts a street right-of-way line.
 - b.** If there are no existing or proposed overhead utility lines, there must be at least one large deciduous tree planted in the landscaping strip for each 30 feet of length, but the trees are not required to be installed at a spacing of one tree every 30 feet on center. If there are overhead utility lines, at least one small to medium deciduous tree must be planted in the landscaping strip for every 25 feet of length, but the trees are not required to be installed at a spacing of one tree every 25 feet on center. Trees planted in a landscaping strip beneath overhead utility lines must be of a shape and character to avoid interfering with the utility lines.
 - c.** All deciduous trees must be at least three inches in caliper, or in accordance with the Urban Design Guidelines, at the time of planting.
 - d.** If there are landscaping or design provisions in the Urban Design Guidelines that recommend a planting strip or other streetscape treatment with a different width or different plant materials than set forth above, then the provisions of the Urban Design Guidelines apply.

- e. The above requirements may be modified or waived for expansions or enlargements of existing developments when it is determined that it is not feasible to meet these requirements on the lot.
- (c) The transitional screening and barrier requirements of subsection 5108.5.B apply as follows:
 1. For new development and redevelopment, or for expansions or enlargements of existing developments, the transitional screening and barrier requirements apply. If there are landscaping or design provisions in the Urban Design Guidelines that recommend a planting strip or other streetscape treatment with a different width, a different number of plantings, or different plant materials than required by subsection 5108.5, then the provisions of the Urban Design Guidelines apply.
 2. When the peripheral planting requirements of subsection 3102.3.E(4)(b)3 above, are required and provided in accordance with that subsection, they are deemed to meet the transitional screening requirement for that portion of the lot.
 3. In addition to the above and to the provisions of subsection 5108.5.C, transitional screening may be modified or waived when a barrier is provided. The barrier must consist of a decorative brick or block wall or an alternative treatment that is compatible with treatments prevalent in the district or provisions of the Urban Design Guidelines. Any alternative treatments must be approved by the Director.
 4. For all of the above, the requirements may be modified or waived by the Board by special exception in accordance with subsection 8100.3.

Add 2.B(3) to Appendix 1 as shown below.

APPENDIX 1 – PROVISIONS RELATING TO PREVIOUS APPROVALS

Below are the general provisions for this Ordinance, followed by the provisions for specific Zoning Ordinance amendments relating to applicability and previous approvals. They are not part of the adopted Zoning Ordinance, but are provided here as a convenience. Additional information for any amendment may be obtained by contacting the Zoning Administration Division, Department of Planning and Development.

2. Specific Provisions Regarding Previous Approvals

B. Amendments Adopted After May 10, 2023

(3) Repeal and Replacement of Section 5108 Landscaping and Screening (ZO 112.2-2024-4)

- (a) For all applications for rezonings and related development plans, special exceptions, special permits, variances, PRC plans, subdivision plats, site plans, parking reductions, parking tabulations, redesignation plans and building permits, submitted and accepted for review before January 24, 2024, the applicant/owner are entitled to review under the provisions of the Zoning Ordinance as amended through (January 23, 2024), if:

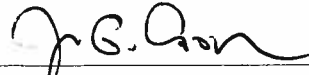
1. Approval is granted within twelve months of January 24, 2024, or, if corrections to a properly submitted and accepted plan are deemed necessary by the reviewing authority, revised plans are resubmitted within six months of its disapproval;
2. The approval remains valid; and
3. The uses, features, and structures are constructed in accordance with approved plans and permits.

Required subsequent plan and permit submissions may be accepted and approvals may be granted, consistent with those approvals. Revisions to such approvals may be approved if they do not aggravate conflicts with ZO 112.2-2024-4. Applicant/owner may elect to have the above applications reviewed in their entirety with the provisions of ZO 112.2-2024-4.

- (b)** For all applications for rezonings and related development plans, special exceptions, special permits, variances, PRC plans, subdivision plats, site plans, and building permits approved before January 24, 2024, the applicant/owner may continue under their previous approval or elect to utilize the requirements of ZO 112.2-2024-4, subject to the development being in substantial conformance with an approved special permit plat, special exception plat, or development plan, unless the site is subject to proffers or conditions requiring specific parking lot landscaping, transitional screening, or barriers.

This amendment shall become effective on January 24, 2024, at 12:01 a.m.

GIVEN under my hand this 23rd day of January, 2024.

A handwritten signature in black ink, appearing to read "J.G. Cooper", written over a horizontal line.

Jill G. Cooper
Clerk for the Board of Supervisors