

APPENDIX 7

COMMERCIAL REVITALIZATION DISTRICTS

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FAIRFAX COUNTY ZONING ORDINANCE

APPENDIX 7

COMMERCIAL REVITALIZATION DISTRICTS

PART 1 A7-100 ANNANDALE COMMERCIAL REVITALIZATION DISTRICT

A7-101 Purpose and Intent

The Annandale Commercial Revitalization District is established to encourage economic development activities in this older commercial area of the County in order to provide desirable employment and enlarge the tax base consistent with the provisions of Sections 15.2-2200, 2283 and 2284 of the Code of Virginia, as amended. Commercial revitalization districts are intended to enhance the older commercial areas of the County by providing for specific regulations which are designed to facilitate the continued viability and redevelopment of these areas. To that end, the district is intended to provide for additional flexibilities for development and redevelopment in these areas while also providing for urban design measures such as streetscape and landscaping.

A7-102 Permitted Uses

All uses permitted by right in the underlying zoning district regulations, except vehicle transportation service establishments, and as follows:

1. In the C-8 District, notwithstanding the provisions of Sect. 4-805, offices may, as a by right use, occupy a total gross floor area of eighty-five (85) percent of the maximum floor area permitted on the lot in accordance with the maximum floor area for the district. An increase in office use up to 100 percent of the maximum floor area permitted for the district may be allowed in accordance with the provisions of Sect. 9-622.

A7-103 Special Permit Uses

All uses permitted by special permit in the underlying zoning district regulations

A7-104 Special Exception Uses

1. Except as qualified in Sect. 102 above for the C-8 District, all uses permitted by special exception in the underlying zoning district regulations, vehicle transportation service establishments in the C-6, C-7, C-8 or C-9 Districts, and other applicable Category 6 special exception uses shall be allowed in accordance with the provisions of Sect. 9-622. In addition, a modification or waiver of the minimum lot size requirements, minimum yard requirements and/or minimum open space requirements, increase in the maximum building height, amount of permitted office or maximum permitted floor ratio in accordance with the underlying zoning district regulations and the waivers and modifications set forth below for this district shall also be permitted in accordance with the provisions of Sect. 9-622.

A7-105 Use Limitations

As set forth in the underlying zoning district regulations

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A7-106 Lot Size Requirements

As specified in the underlying zoning district regulations, except that the minimum lot size requirements may be modified or waived by the Board in accordance with the provisions of Sect. 9-622.

A7-107 Bulk Regulations

1. Maximum building height: As specified in the underlying zoning district regulations, except that for land zoned C-6 or C-8, a maximum height of fifty (50) feet shall be allowed by right. In addition, where an increase in the maximum building height is allowed in the underlying zoning district regulations by special exception, such may be approved by the Board in accordance with the provisions of Sect. 9-622.
2. Minimum yard requirements: As specified in the underlying zoning district regulations, except that the minimum front yard in commercial districts shall be 20 feet, unless the adopted comprehensive plan specifies a front yard requirement that is equal to or less than the minimum front yard requirement of the underlying zoning district, in which case, the minimum front yard shall be in accordance with the comprehensive plan, provided that any plantings, streetscape treatments or other amenities set forth in the adopted comprehensive plan are also provided in general accordance with the comprehensive plan. In addition, modifications or waivers of the minimum yard requirements as specified in this district, the adopted comprehensive plan or the underlying zoning district regulations may be approved by the Board in accordance with the provisions of Sect. 9-622.
3. Maximum floor area ratio: As specified in the underlying zoning district regulations, except that where an increase in the floor area ratio is allowed in the underlying zoning district regulations by special exception, such may be approved by the Board in accordance with the provisions of Sect. 9-622.

A7-108 Open Space

As specified in the underlying zoning district regulations, except the open space requirement may be modified or waived by the Board in accordance with the provisions of Sect. 9-622. In addition, the open space requirement shall not apply to an expansion or enlargement of an existing development, as defined in Sect. 109 below, on a lot which does not comply with the open space requirement of the underlying zoning district, provided such expansion or enlargement does not decrease the amount of existing open space.

A7-109 Additional Provisions

1. For the purpose of this district, an expansion or enlargement of an existing development shall be an increase in the gross floor area of all existing buildings on a lot, which increase is less than 100% of the total gross floor area of all such existing buildings. A redevelopment shall be the total removal of all buildings on a lot and the construction of new buildings, or the addition of gross floor area which is equal to or more than 100% of the total gross floor area of all existing buildings on a lot. A new development shall be the construction of buildings on a vacant lot.

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2. The provisions of Article 2 shall be applicable, except as may be qualified by the provisions of this district.
3. The off-street parking, loading and private street requirements of Article 11 shall apply, except as set forth below:
 - A. The minimum off-street parking requirements for any non-residential uses may be reduced by up to twenty (20) percent by the Board when it is demonstrated by the applicant and determined by the Board that such reduction is in furtherance of the goals of the Commercial Revitalization District as set forth in the adopted comprehensive plan. Such request may also be considered in conjunction with a rezoning and/or special exception application. The fee for a parking reduction set forth in Sect. 17-109 shall not be applicable.

For a mixed-use development in a PDC or PRM District, the minimum off-street parking requirements for residential and non-residential uses may be reduced by the Board in accordance with Article 11 and when it is demonstrated by the applicant and determined by the Board that such reduction is in furtherance of the recommendations of the adopted comprehensive plan for the area and that such reduction will not adversely affect the site or the adjacent area.
 - B. The provisions of Par. 1 of Sect. 11-102 shall be applicable, except that where there are practical difficulties or if the public safety and/or public convenience would be better served by parking spaces being located on other than the same lot or other than on a lot contiguous to the use to which it is accessory, the Director, acting upon a specific request for a non-residential use may authorize such alternative location subject to conditions deemed to be appropriate and the following:
 - (1) Such required spaces shall be subject to agreements or arrangements satisfactory to the Director that will ensure the permanent availability of such spaces, and
 - (2) The applicant shall demonstrate to the Director's satisfaction that such required space shall be generally located within 500 feet walking distance of a building entrance to the use that such space serves or such spaces will be provided off-site with access via a valet or shuttle service subject to agreements or arrangements approved by the Director which will ensure the operation of such service and that there will not be any adverse impacts on the site of the parking spaces or the adjacent area.

An alternative location may also be approved in accordance with the above provisions by the Board in accordance with the provisions of Sect. 9-622.
 - C. The provisions of Par. 8 of Sect. 11-102 which require off-street parking spaces that are located on the ground and open to the sky to be located no closer than ten (10) feet to any front lot line shall not apply.
4. The sign provisions of Article 12 shall apply, except as follows:

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- A. Signs lawfully existing on the effective date of this Ordinance or prior ordinances, which do not conform to the provisions of this Ordinance, and signs which are accessory to a nonconforming use shall be deemed to be nonconforming signs and may remain. Notwithstanding Paragraphs 1 and 4 of Sect. 12-110, such signs shall not be enlarged or extended but may be removed and replaced with a sign which is reduced in height and/or sign area.
 - B. When erected by a public agency or County recognized revitalization organization, there may be freestanding signs, located within or in proximity to the Commercial Revitalization District boundaries, which identify the district or give directions and/or distances to commercial areas or centers within the district. No such sign shall give the name, direction, or distance to any specific business or identify a specific product. Such signs, which may include a banner affixed to the signpost, shall not exceed sixty (60) square feet in area or twenty (20) feet in height. In addition, within the Commercial Revitalization District, there may be separately erected banners, erected by a public agency or County recognized revitalization organization, identifying the district or announcing districtwide events, but no individual businesses or products. Such banners shall not exceed twenty (20) square feet in area or twenty (20) feet in height. All banners shall be securely affixed at the top and the bottom so as to preclude any fluttering or rotation by the movement of the atmosphere. The banners shall also be subject to the applicable outdoor advertising provisions of the Code of Virginia. When erected by a public agency, such signs and/or banners shall not require a sign permit, but when erected by a County recognized revitalization organization, a sign permit shall be required.
5. The landscaping and screening requirements of Article 13 shall apply, except as set forth below. When the following provisions provide for a determination with regard to the feasibility of meeting the requirements on a lot, such determination may be made by either the Director in the approval of a minor site plan or site plan, or the Board in accordance with the provisions of Sect. 9-622.
- A. The interior parking lot landscaping requirements of Sect. 13-201 shall apply as follows:
 - (1) When there is a proposed expansion or enlargement of an existing development which does not involve the addition of twenty (20) or more parking spaces, no additional interior parking lot landscaping shall be required.
 - (2) When there is a proposed expansion or enlargement of an existing development which involves the addition of twenty (20) or more parking spaces, the interior parking lot landscaping requirements shall apply to the expanded area of the parking lot unless it is determined that it is not feasible to meet the requirement and/or that compliance with the requirement will adversely impact the provision of required off-street parking.
 - (3) For redevelopments and new developments, the interior parking lot landscaping requirements shall be applicable.

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- B. The peripheral parking lot landscaping requirements of Sect. 13-202 shall apply as follows:
- (1) For expansions or enlargements of existing developments, the peripheral parking lot landscaping requirements of Par. 1 of Sect. 13-202 concerning when a property line abuts land not in the right-of-way of a street shall not apply.
 - (2) For redevelopments or new developments, the provisions of Par. 1 of Sect. 13-202 shall be applicable. However, where there are landscaping or design provisions in the adopted comprehensive plan which recommend a planting strip or other streetscape treatment with the same or lesser width or different plant materials than those required by Sect. 13-202, then the provisions of the adopted comprehensive plan shall apply.
 - (3) For expansions or enlargements of existing developments, redevelopments and new developments, the peripheral parking lot landscaping requirements of Par. 2 of Sect. 13-202 concerning when the property line abuts the right-of-way of a street shall not apply and the following shall be required:
 - (a) A landscaping strip ten (10) feet in width, which shall not include any sidewalk, trail or parallel utility easement, shall 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 shall be at least one (1) large deciduous tree planted in the landscaping strip for each thirty (30) feet of length; however, this shall not be construed as requiring the planting of such trees at a spacing of one (1) tree every thirty (30) feet on center. If there are overhead utility lines, there shall be at least one (1) small to medium deciduous tree planted in the landscaping strip for every twenty-five (25) feet of length; however, this shall not be construed as requiring the planting of such trees at a spacing of one (1) tree every twenty-five (25) feet on center. Trees planted in a landscaping strip beneath overhead utility lines shall be of a shape and character so as not to interfere with the utility lines.
 - (c) All trees shall be two and one-half to three inches (2 ½ to 3") in caliper at the time of planting.

However, where there are landscaping or design provisions in the adopted comprehensive plan which recommend a planting strip or other streetscape treatment with the same or lesser width or different plant materials than set forth above, the provisions of the adopted comprehensive plan shall apply.

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.

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- C. The transitional screening and barrier requirements of Part 3 of Article 13 shall apply as follows:
- (1) For expansions or enlargements of existing developments, the transitional screening and barrier requirements shall apply. However, where there are landscaping or design provisions in the adopted comprehensive plan which recommend a planting strip or other streetscape treatment with the same or lesser width and the same or lesser number of plantings than required by Part 3, then the provisions of the adopted comprehensive plan shall apply, including any provisions for different plant materials.
 - (2) For redevelopments or new developments, the transitional screening and barrier requirements shall apply. However, where there are landscaping or design provisions in the adopted comprehensive plan which recommend a planting strip or other streetscape treatment with the same or lesser width and the same or lesser number of plantings than required by Part 3, then the provisions of the adopted comprehensive plan shall apply, including any provisions for different plant materials.
 - (3) When the peripheral planting requirements of Par. 5B(3) above are required and provided in accordance with that paragraph, they shall be deemed to meet the transitional screening requirement for that portion of the lot.
 - (4) In addition to the above and to the provisions of Sect. 13-304, transitional screening may be modified or waived when a barrier is provided and such barrier consists of a wrought iron fence, a decorative brick or block wall or a different treatment when it is determined that such would be more appropriate or reasonable due to compatibility with other alternative treatments prevalent in the District.

For all of the above, the requirements may be modified or waived by the Board in accordance with the provisions of Sect. 9-622.

6. Notwithstanding the provisions of Sect. 17-105, a minor site plan for the following shall not be subject to the required improvements of Par. 3A and Par. 4 of Sect. 17-201 which require the construction of service drives adjacent to any primary highway, and dedication and construction of widening for existing roads, existing roads on new alignments, and proposed roads, all as indicated on the adopted comprehensive plan.
- A. Additions to existing buildings on a lot when such additions do not exceed a total of 5000 square feet of gross floor area and not more 100% of the gross floor area of the existing buildings.
 - B. Any permitted use on a temporary basis for a period not to exceed two (2) years from the date of approval; provided the Director may extend the approval for one additional two (2) year period.
 - C. Additions and alterations to provide an accessibility improvement not otherwise exempt under Sect. 17-104.

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- D. Uses which do not involve construction of gross floor area, such as tennis courts or storage yards, or modifications to existing uses which do not involve construction of gross floor area such as changes to walkways, parking lots or landscape plans.

For uses subject to a minor site plan for other than as specified above or a site plan and upon request of the applicant, the Board, in accordance with the provisions of Sect. 9-622 may modify or waive the required improvements of Paragraphs 1, 3A, 4, 5, and 14 of Sect. 17-201.

In addition, for a minor site plan or site plan, the required improvement for the construction of trails and walkways as set forth in Par. 2 of Sect. 17-201 shall be applicable unless there is a conflict with the design guidelines of the adopted comprehensive plan for a commercial revitalization area, in which case, the Director shall, in conjunction with the approval of a minor site plan or site plan, or the Board, in accordance with Sect. 9-622, may require the provision of trails or walkways in accordance with the adopted comprehensive plan recommendation for the commercial revitalization area.

- 7. A site plan or minor site plan may be filed concurrently with the filing of a rezoning, special exception or special permit application, however, no such plan shall be approved by the Director until the rezoning, special exception or special permit application has been approved by the Board or BZA, respectively. This concurrent processing shall not relieve the applicant from complying with the provisions of any applicable ordinances, regulations, or adopted standards, and shall not prejudice the consideration of the application in any way.

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**PART 2 A7-200 BAILEY’S CROSSROADS/SEVEN CORNERS COMMERCIAL
REVITALIZATION DISTRICT**

A7-201 Purpose and Intent

The Bailey’s Crossroads/Seven Corners Commercial Revitalization District is established to encourage economic development activities in this older commercial area of the County in order to provide desirable employment and enlarge the tax base consistent with the provisions of Sections 15.2-2200, 2283 and 2284 of the Code of Virginia, as amended. Commercial revitalization districts are intended to enhance the older commercial areas of the County by providing for specific regulations which are designed to facilitate the continued viability and redevelopment of these areas. To that end, the district is intended to provide for additional flexibilities for development and redevelopment in these areas while also providing for urban design measures such as streetscape and landscaping.

A7-202 Permitted Uses

All uses permitted by right in the underlying zoning district regulations, except vehicle transportation service establishments, and as follows:

1. In the C-8 District, notwithstanding the provisions of Sect. 4-805, offices may, as a by right use, occupy a total gross floor area of eighty-five (85) percent of the maximum floor area permitted on the lot in accordance with the maximum floor area for the district. An increase in office use up to 100 percent of the maximum floor area permitted for the district may be allowed in accordance with the provisions of Sect. 9-622.

A7-203 Special Permit Uses

All uses permitted by special permit in the underlying zoning district regulations

A7-204 Special Exception Uses

1. Except as qualified in Sect. 202 above for the C-8 District, all uses permitted by special exception in the underlying zoning district regulations, vehicle transportation service establishments in the C-6, C-7, C-8 or C-9 Districts, and other applicable Category 6 special exception uses shall be allowed in accordance with the provisions of Sect. 9-622. In addition, a modification or waiver of the minimum lot size requirements, minimum yard requirements and/or minimum open space requirements, increase in the maximum building height, amount of permitted office or maximum permitted floor ratio in accordance with the underlying zoning district regulations and the waivers and modifications set forth below for this district shall also be permitted in accordance with the provisions of Sect. 9-622.

A7-205 Use Limitations

As set forth in the underlying zoning district regulations

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A7-206 Lot Size Requirements

As specified in the underlying zoning district regulations, except that the minimum lot size requirements may be modified or waived by the Board in accordance with the provisions of Sect. 9-622.

A7-207 Bulk Regulations

1. Maximum building height: As specified in the underlying zoning district regulations, except that for land zoned C-6 or C-8, a maximum height of fifty (50) feet shall be allowed by right. In addition, where an increase in the maximum building height is allowed in the underlying zoning district regulations by special exception, such may be approved by the Board in accordance with the provisions of Sect. 9-622.
2. Minimum yard requirements: As specified in the underlying zoning district regulations, except that the minimum front yard in commercial districts shall be 20 feet, unless the adopted comprehensive plan specifies a front yard requirement that is equal to or less than the minimum front yard requirement of the underlying zoning district, in which case, the minimum front yard shall be in accordance with the comprehensive plan, provided that any plantings, streetscape treatments or other amenities set forth in the adopted comprehensive plan are also provided in general accordance with the comprehensive plan. In addition, modifications or waivers of the minimum yard requirements as specified in this district, the adopted comprehensive plan or the underlying zoning district regulations may be approved by the Board in accordance with the provisions of Sect. 9-622.
3. Maximum floor area ratio: As specified in the underlying zoning district regulations, except that where an increase in the floor area ratio is allowed in the underlying zoning district regulations by special exception, such may be approved by the Board in accordance with the provisions of Sect. 9-622.

A7-208 Open Space

As specified in the underlying zoning district regulations, except the open space requirement may be modified or waived by the Board in accordance with the provisions of Sect. 9-622. In addition, the open space requirement shall not apply to an expansion or enlargement of an existing development, as defined in Sect. 209 below, on a lot which does not comply with the open space requirement of the underlying zoning district, provided such expansion or enlargement does not decrease the amount of existing open space.

A7-209 Additional Provisions

1. For the purpose of this district, an expansion or enlargement of an existing development shall be an increase in the gross floor area of all existing buildings on a lot, which increase is less than 100% of the total gross floor area of all such existing buildings. A redevelopment shall be the total removal of all buildings on a lot and the construction of new buildings, or the addition of gross floor area which is equal to or more than 100% of the total gross floor area of all existing buildings on a lot. A new development shall be the construction of buildings on a vacant lot.

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2. The provisions of Article 2 shall be applicable, except as may be qualified by the provisions of this district.
3. The off-street parking, loading and private street requirements of Article 11 shall apply, except as set forth below:

- A. The minimum off-street parking requirements for any non-residential uses may be reduced by up to twenty (20) percent by the Board when it is demonstrated by the applicant and determined by the Board that such reduction is in furtherance of the goals of the Commercial Revitalization District as set forth in the adopted comprehensive plan. Such request may also be considered in conjunction with a rezoning and/or special exception application. The fee for a parking reduction set forth in Sect. 17-109 shall not be applicable.

For a mixed-use development in a PDC or PRM District, the minimum off-street parking requirements for residential and non-residential uses may be reduced by the Board in accordance with Article 11 and when it is demonstrated by the applicant and determined by the Board that such reduction is in furtherance of the recommendations of the adopted comprehensive plan for the area and that such reduction will not adversely affect the site or the adjacent area.

- B. The provisions of Par. 1 of Sect. 11-102 shall be applicable, except that where there are practical difficulties or if the public safety and/or public convenience would be better served by parking spaces being located on other than the same lot or other than on a lot contiguous to the use to which it is accessory, the Director, acting upon a specific request for a non-residential use may authorize such alternative location subject to conditions deemed to be appropriate and the following:

- (1) Such required spaces shall be subject to agreements or arrangements satisfactory to the Director that will ensure the permanent availability of such spaces, and
- (2) The applicant shall demonstrate to the Director's satisfaction that such required space shall be generally located within 500 feet walking distance of a building entrance to the use that such space serves or such spaces will be provided off-site with access via a valet or shuttle service subject to agreements or arrangements approved by the Director which will ensure the operation of such service and that there will not be any adverse impacts on the site of the parking spaces or the adjacent area.

An alternative location may also be approved in accordance with the above provisions by the Board in accordance with the provisions of Sect. 9-622.

- C. The provisions of Par. 8 of Sect. 11-102 which require off-street parking spaces that are located on the ground and open to the sky to be located no closer than ten (10) feet to any front lot line shall not apply.
4. The sign provisions of Article 12 shall apply, except as follows:

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- A. Signs lawfully existing on the effective date of this Ordinance or prior ordinances, which do not conform to the provisions of this Ordinance, and signs which are accessory to a nonconforming use shall be deemed to be nonconforming signs and may remain. Notwithstanding Paragraphs 1 and 4 of Sect. 12-110, such signs shall not be enlarged or extended but may be removed and replaced with a sign which is reduced in height and/or sign area.
 - B. When erected by a public agency or County recognized revitalization organization, there may be freestanding signs, located within or in proximity to the Commercial Revitalization District boundaries, which identify the district or give directions and/or distances to commercial areas or centers within the district. No such sign shall give the name, direction, or distance to any specific business or identify a specific product. Such signs, which may include a banner affixed to the signpost, shall not exceed sixty (60) square feet in area or twenty (20) feet in height. In addition, within the Commercial Revitalization District, there may be separately erected banners, erected by a public agency or County recognized revitalization organization, identifying the district or announcing districtwide events, but no individual businesses or products. Such banners shall not exceed twenty (20) square feet in area or twenty (20) feet in height. All banners shall be securely affixed at the top and the bottom so as to preclude any fluttering or rotation by the movement of the atmosphere. The banners shall also be subject to the applicable outdoor advertising provisions of the Code of Virginia. When erected by a public agency, such signs and/or banners shall not require a sign permit, but when erected by a County recognized revitalization organization, a sign permit shall be required.
5. The landscaping and screening requirements of Article 13 shall apply, except as set forth below. When the following provisions provide for a determination with regard to the feasibility of meeting the requirements on a lot, such determination may be made by either the Director in the approval of a minor site plan or site plan, or the Board in accordance with the provisions of Sect. 9-622.
- A. The interior parking lot landscaping requirements of Sect. 13-201 shall apply as follows:
 - (1) When there is a proposed expansion or enlargement of an existing development which does not involve the addition of twenty (20) or more parking spaces, no additional interior parking lot landscaping shall be required.
 - (2) When there is a proposed expansion or enlargement of an existing development which involves the addition of twenty (20) or more parking spaces, the interior parking lot landscaping requirements shall apply to the expanded area of the parking lot unless it is determined that it is not feasible to meet the requirement and/or that compliance with the requirement will adversely impact the provision of required off-street parking.
 - (3) For redevelopments and new developments, the interior parking lot landscaping requirements shall be applicable.

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- B. The peripheral parking lot landscaping requirements of Sect. 13-202 shall apply as follows:
- (1) For expansions or enlargements of existing developments, the peripheral parking lot landscaping requirements of Par. 1 of Sect. 13-202 concerning when a property line abuts land not in the right-of-way of a street shall not apply.
 - (2) For redevelopments or new developments, the provisions of Par. 1 of Sect. 13-202 shall be applicable. However, where there are landscaping or design provisions in the adopted comprehensive plan which recommend a planting strip or other streetscape treatment with the same or lesser width or different plant materials than those required by Sect. 13-202, then the provisions of the adopted comprehensive plan shall apply.
 - (3) For expansions or enlargements of existing developments, redevelopments and new developments, the peripheral parking lot landscaping requirements of Par. 2 of Sect. 13-202 concerning when the property line abuts the right-of-way of a street shall not apply and the following shall be required:
 - (a) A landscaping strip ten (10) feet in width, which shall not include any sidewalk, trail or parallel utility easement, shall 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 shall be at least one (1) large deciduous tree planted in the landscaping strip for each thirty (30) feet of length; however, this shall not be construed as requiring the planting of such trees at a spacing of one (1) tree every thirty (30) feet on center. If there are overhead utility lines, there shall be at least one (1) small to medium deciduous tree planted in the landscaping strip for every twenty-five (25) feet of length; however, this shall not be construed as requiring the planting of such trees at a spacing of one (1) tree every twenty-five (25) feet on center. Trees planted in a landscaping strip beneath overhead utility lines shall be of a shape and character so as not to interfere with the utility lines.
 - (c) All trees shall be two and one-half to three inches (2 ½ to 3") in caliper at the time of planting.

However, where there are landscaping or design provisions in the adopted comprehensive plan which recommend a planting strip or other streetscape treatment with the same or lesser width or different plant materials than set forth above, the provisions of the adopted comprehensive plan shall apply.

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.

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- C. The transitional screening and barrier requirements of Part 3 of Article 13 shall apply as follows:
- (1) For expansions or enlargements of existing developments, the transitional screening and barrier requirements shall apply. However, where there are landscaping or design provisions in the adopted comprehensive plan which recommend a planting strip or other streetscape treatment with the same or lesser width and the same or lesser number of plantings than required by Part 3, then the provisions of the adopted comprehensive plan shall apply, including any provisions for different plant materials.
 - (2) For redevelopments or new developments, the transitional screening and barrier requirements shall apply. However, where there are landscaping or design provisions in the adopted comprehensive plan which recommend a planting strip or other streetscape treatment with the same or lesser width and the same or lesser number of plantings than required by Part 3, then the provisions of the adopted comprehensive plan shall apply, including any provisions for different plant materials.
 - (3) When the peripheral planting requirements of Par. 5B(3) above are required and provided in accordance with that paragraph, they shall be deemed to meet the transitional screening requirement for that portion of the lot.
 - (4) In addition to the above and to the provisions of Sect. 13-304, transitional screening may be modified or waived when a barrier is provided and such barrier consists of a wrought iron fence, a decorative brick or block wall or a different treatment when it is determined that such would be more appropriate or reasonable due to compatibility with other alternative treatments prevalent in the District.

For all of the above, the requirements may be modified or waived by the Board in accordance with the provisions of Sect. 9-622.

6. Notwithstanding the provisions of Sect. 17-105, a minor site plan for the following shall not be subject to the required improvements of Par. 3A and Par. 4 of Sect. 17-201 which require the construction of service drives adjacent to any primary highway, and dedication and construction of widening for existing roads, existing roads on new alignments, and proposed roads, all as indicated on the adopted comprehensive plan.
- A. Additions to existing buildings on a lot when such additions do not exceed a total of 5000 square feet of gross floor area and not more 100% of the gross floor area of the existing buildings.
 - B. Any permitted use on a temporary basis for a period not to exceed two (2) years from the date of approval; provided the Director may extend the approval for one additional two (2) year period.
 - C. Additions and alterations to provide an accessibility improvement not otherwise exempt under Sect. 17-104.

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- D. Uses which do not involve construction of gross floor area, such as tennis courts or storage yards, or modifications to existing uses which do not involve construction of gross floor area such as changes to walkways, parking lots or landscape plans.

For uses subject to a minor site plan for other than as specified above or a site plan and upon request of the applicant, the Board, in accordance with the provisions of Sect. 9-622 may modify or waive the required improvements of Paragraphs 1, 3A, 4, 5, and 14 of Sect. 17-201.

In addition, for a minor site plan or site plan, the required improvement for the construction of trails and walkways as set forth in Par. 2 of Sect. 17-201 shall be applicable unless there is a conflict with the design guidelines of the adopted comprehensive plan for a commercial revitalization area, in which case, the Director shall, in conjunction with the approval of a minor site plan or site plan, or the Board, in accordance with Sect. 9-622, may require the provision of trails or walkways in accordance with the adopted comprehensive plan recommendation for the commercial revitalization area.

- 7. A site plan or minor site plan may be filed concurrently with the filing of a rezoning, special exception or special permit application, however, no such plan shall be approved by the Director until the rezoning, special exception or special permit application has been approved by the Board or BZA, respectively. This concurrent processing shall not relieve the applicant from complying with the provisions of any applicable ordinances, regulations, or adopted standards, and shall not prejudice the consideration of the application in any way.

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PART 3 A7-300 MCLEAN COMMERCIAL REVITALIZATION DISTRICT

A7-301 Purpose and Intent

The McLean Commercial Revitalization District is established to encourage economic development activities in this older commercial area of the County in order to provide desirable employment and enlarge the tax base consistent with the provisions of Sections 15.2-2200, 2283 and 2284 of the Code of Virginia, as amended. Commercial revitalization districts are intended to enhance the older commercial areas of the County by providing for specific regulations which are designed to facilitate the continued viability and redevelopment of these areas. To that end, the district is intended to provide for additional flexibilities for development and redevelopment in these areas while also providing for urban design measures such as streetscape and landscaping.

A7-302 Permitted Uses

All uses permitted by right in the underlying zoning district regulations, except vehicle transportation service establishments, and as follows:

1. In the C-8 District, notwithstanding the provisions of Sect. 4-805, offices may, as a by right use, occupy a total gross floor area of eighty-five (85) percent of the maximum floor area permitted on the lot in accordance with the maximum floor area for the district. An increase in office use up to 100 percent of the maximum floor area permitted for the district may be allowed in accordance with the provisions of Sect. 9-622.

A7-303 Special Permit Uses

All uses permitted by special permit in the underlying zoning district regulations

A7-304 Special Exception Uses

1. Except as qualified in Sect. 302 above for the C-8 District, all uses permitted by special exception in the underlying zoning district regulations, vehicle transportation service establishments in the C-6, C-7, C-8 or C-9 Districts, and other applicable Category 6 special exception uses shall be allowed in accordance with the provisions of Sect. 9-622. In addition, a modification or waiver of the minimum lot size requirements, minimum yard requirements and/or minimum open space requirements, increase in the maximum building height, amount of permitted office or maximum permitted floor ratio in accordance with the underlying zoning district regulations and the waivers and modifications set forth below for this district shall also be permitted in accordance with the provisions of Sect. 9-622.

A7-305 Use Limitations

As set forth in the underlying zoning district regulations

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A7-306 Lot Size Requirements

As specified in the underlying zoning district regulations, except that the minimum lot size requirements may be modified or waived by the Board in accordance with the provisions of Sect. 9-622.

A7-307 Bulk Regulations

1. **Maximum building height:** As specified in the underlying zoning district regulations, except that for land zoned C-6 or C-8, a maximum height of fifty (50) feet shall be allowed by right. In addition, where an increase in the maximum building height is allowed in the underlying zoning district regulations by special exception, such may be approved by the Board in accordance with the provisions of Sect. 9-622.
2. **Minimum yard requirements:** As specified in the underlying zoning district regulations, except that the minimum front yard in commercial districts shall be 20 feet, unless the adopted comprehensive plan specifies a front yard requirement that is equal to or less than the minimum front yard requirement of the underlying zoning district, in which case, the minimum front yard shall be in accordance with the comprehensive plan, provided that any plantings, streetscape treatments or other amenities set forth in the adopted comprehensive plan are also provided in general accordance with the comprehensive plan. In addition, modifications or waivers of the minimum yard requirements as specified in this district, the adopted comprehensive plan or the underlying zoning district regulations may be approved by the Board in accordance with the provisions of Sect. 9-622.
3. **Maximum floor area ratio:** As specified in the underlying zoning district regulations, except that where an increase in the floor area ratio is allowed in the underlying zoning district regulations by special exception, such may be approved by the Board in accordance with the provisions of Sect. 9-622.

A7-308 Open Space

As specified in the underlying zoning district regulations, except the open space requirement may be modified or waived by the Board in accordance with the provisions of Sect. 9-622. In addition, the open space requirement shall not apply to an expansion or enlargement of an existing development, as defined in Sect. 309 below, on a lot which does not comply with the open space requirement of the underlying zoning district, provided such expansion or enlargement does not decrease the amount of existing open space.

A7-309 Additional Provisions

1. For the purpose of this district, an expansion or enlargement of an existing development shall be an increase in the gross floor area of all existing buildings on a lot, which increase is less than 100% of the total gross floor area of all such existing buildings. A redevelopment shall be the total removal of all buildings on a lot and the construction of new buildings, or the addition of gross floor area which is equal to or more than 100% of the total gross floor area of all existing buildings on a lot. A new development shall be the construction of buildings on a vacant lot.

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2. The provisions of Article 2 shall be applicable, except as may be qualified by the provisions of this district.
3. The off-street parking, loading and private street requirements of Article 11 shall apply, except as set forth below:

A. The minimum off-street parking requirements for any non-residential uses may be reduced by up to twenty (20) percent by the Board when it is demonstrated by the applicant and determined by the Board that such reduction is in furtherance of the goals of the Commercial Revitalization District as set forth in the adopted comprehensive plan. Such request may also be considered in conjunction with a rezoning and/or special exception application. The fee for a parking reduction set forth in Sect. 17-109 shall not be applicable.

For a mixed-use development in a PDC or PRM District, the minimum off-street parking requirements for residential and non-residential uses may be reduced by the Board in accordance with Article 11 and when it is demonstrated by the applicant and determined by the Board that such reduction is in furtherance of the recommendations of the adopted comprehensive plan for the area and that such reduction will not adversely affect the site or the adjacent area.

B. The provisions of Par. 1 of Sect. 11-102 shall be applicable, except that where there are practical difficulties or if the public safety and/or public convenience would be better served by parking spaces being located on other than the same lot or other than on a lot contiguous to the use to which it is accessory, the Director, acting upon a specific request for a non-residential use may authorize such alternative location subject to conditions deemed to be appropriate and the following:

- (1) Such required spaces shall be subject to agreements or arrangements satisfactory to the Director that will ensure the permanent availability of such spaces, and
- (2) The applicant shall demonstrate to the Director's satisfaction that such required space shall be generally located within 500 feet walking distance of a building entrance to the use that such space serves or such spaces will be provided off-site with access via a valet or shuttle service subject to agreements or arrangements approved by the Director which will ensure the operation of such service and that there will not be any adverse impacts on the site of the parking spaces or the adjacent area.

An alternative location may also be approved in accordance with the above provisions by the Board in accordance with the provisions of Sect. 9-622.

C. The provisions of Par. 8 of Sect. 11-102 which require off-street parking spaces that are located on the ground and open to the sky to be located no closer than ten (10) feet to any front lot line shall not apply.

4. The sign provisions of Article 12 shall apply, except as follows:

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- A. Signs lawfully existing on the effective date of this Ordinance or prior ordinances, which do not conform to the provisions of this Ordinance, and signs which are accessory to a nonconforming use shall be deemed to be nonconforming signs and may remain. Notwithstanding Paragraphs 1 and 4 of Sect. 12-110, such signs shall not be enlarged or extended but may be removed and replaced with a sign which is reduced in height and/or sign area.
 - B. When erected by a public agency or County recognized revitalization organization, there may be freestanding signs, located within or in proximity to the Commercial Revitalization District boundaries, which identify the district or give directions and/or distances to commercial areas or centers within the district. No such sign shall give the name, direction, or distance to any specific business or identify a specific product. Such signs, which may include a banner affixed to the signpost, shall not exceed sixty (60) square feet in area or twenty (20) feet in height. In addition, within the Commercial Revitalization District, there may be separately erected banners, erected by a public agency or County recognized revitalization organization, identifying the district or announcing districtwide events, but no individual businesses or products. Such banners shall not exceed twenty (20) square feet in area or twenty (20) feet in height. All banners shall be securely affixed at the top and the bottom so as to preclude any fluttering or rotation by the movement of the atmosphere. The banners shall also be subject to the applicable outdoor advertising provisions of the Code of Virginia. When erected by a public agency, such signs and/or banners shall not require a sign permit, but when erected by a County recognized revitalization organization, a sign permit shall be required.
5. The landscaping and screening requirements of Article 13 shall apply, except as set forth below. When the following provisions provide for a determination with regard to the feasibility of meeting the requirements on a lot, such determination may be made by either the Director in the approval of a minor site plan or site plan, or the Board in accordance with the provisions of Sect. 9-622.
- A. The interior parking lot landscaping requirements of Sect. 13-201 shall apply as follows:
 - (1) When there is a proposed expansion or enlargement of an existing development which does not involve the addition of twenty (20) or more parking spaces, no additional interior parking lot landscaping shall be required.
 - (2) When there is a proposed expansion or enlargement of an existing development which involves the addition of twenty (20) or more parking spaces, the interior parking lot landscaping requirements shall apply to the expanded area of the parking lot unless it is determined that it is not feasible to meet the requirement and/or that compliance with the requirement will adversely impact the provision of required off-street parking.
 - (3) For redevelopments and new developments, the interior parking lot landscaping requirements shall be applicable.

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- B. The peripheral parking lot landscaping requirements of Sect. 13-202 shall apply as follows:
- (1) For expansions or enlargements of existing developments, the peripheral parking lot landscaping requirements of Par. 1 of Sect. 13-202 concerning when a property line abuts land not in the right-of-way of a street shall not apply.
 - (2) For redevelopments or new developments, the provisions of Par. 1 of Sect. 13-202 shall be applicable. However, where there are landscaping or design provisions in the adopted comprehensive plan which recommend a planting strip or other streetscape treatment with the same or lesser width or different plant materials than those required by Sect. 13-202, then the provisions of the adopted comprehensive plan shall apply.
 - (3) For expansions or enlargements of existing developments, redevelopments and new developments, the peripheral parking lot landscaping requirements of Par. 2 of Sect. 13-202 concerning when the property line abuts the right-of-way of a street shall not apply and the following shall be required:
 - (a) A landscaping strip ten (10) feet in width, which shall not include any sidewalk, trail or parallel utility easement, shall 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 shall be at least one (1) large deciduous tree planted in the landscaping strip for each thirty (30) feet of length; however, this shall not be construed as requiring the planting of such trees at a spacing of one (1) tree every thirty (30) feet on center. If there are overhead utility lines, there shall be at least one (1) small to medium deciduous tree planted in the landscaping strip for every twenty-five (25) feet of length; however, this shall not be construed as requiring the planting of such trees at a spacing of one (1) tree every twenty-five (25) feet on center. Trees planted in a landscaping strip beneath overhead utility lines shall be of a shape and character so as not to interfere with the utility lines.
 - (c) All trees shall be two and one-half to three inches (2 ½ to 3") in caliper at the time of planting.

However, where there are landscaping or design provisions in the adopted comprehensive plan which recommend a planting strip or other streetscape treatment with the same or lesser width or different plant materials than set forth above, the provisions of the adopted comprehensive plan shall apply.

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.

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- C. The transitional screening and barrier requirements of Part 3 of Article 13 shall apply as follows:
- (1) For expansions or enlargements of existing developments, the transitional screening and barrier requirements shall apply. However, where there are landscaping or design provisions in the adopted comprehensive plan which recommend a planting strip or other streetscape treatment with the same or lesser width and the same or lesser number of plantings than required by Part 3, then the provisions of the adopted comprehensive plan shall apply, including any provisions for different plant materials.
 - (2) For redevelopments or new developments, the transitional screening and barrier requirements shall apply. However, where there are landscaping or design provisions in the adopted comprehensive plan which recommend a planting strip or other streetscape treatment with the same or lesser width and the same or lesser number of plantings than required by Part 3, then the provisions of the adopted comprehensive plan shall apply, including any provisions for different plant materials.
 - (3) When the peripheral planting requirements of Par. 5B(3) above are required and provided in accordance with that paragraph, they shall be deemed to meet the transitional screening requirement for that portion of the lot.
 - (4) In addition to the above and to the provisions of Sect. 13-304, transitional screening may be modified or waived when a barrier is provided and such barrier consists of a wrought iron fence, a decorative brick or block wall or a different treatment when it is determined that such would be more appropriate or reasonable due to compatibility with other alternative treatments prevalent in the District.

For all of the above, the requirements may be modified or waived by the Board in accordance with the provisions of Sect. 9-622.

6. Notwithstanding the provisions of Sect. 17-105, a minor site plan for the following shall not be subject to the required improvements of Par. 3A and Par. 4 of Sect. 17-201 which require the construction of service drives adjacent to any primary highway, and dedication and construction of widening for existing roads, existing roads on new alignments, and proposed roads, all as indicated on the adopted comprehensive plan.
- A. Additions to existing buildings on a lot when such additions do not exceed a total of 5000 square feet of gross floor area and not more 100% of the gross floor area of the existing buildings.
 - B. Any permitted use on a temporary basis for a period not to exceed two (2) years from the date of approval; provided the Director may extend the approval for one additional two (2) year period.
 - C. Additions and alterations to provide an accessibility improvement not otherwise exempt under Sect. 17-104.

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- D. Uses which do not involve construction of gross floor area, such as tennis courts or storage yards, or modifications to existing uses which do not involve construction of gross floor area such as changes to walkways, parking lots or landscape plans.

For uses subject to a minor site plan for other than as specified above or a site plan and upon request of the applicant, the Board, in accordance with the provisions of Sect. 9-622 may modify or waive the required improvements of Paragraphs 1, 3A, 4, 5, and 14 of Sect. 17-201.

In addition, for a minor site plan or site plan, the required improvement for the construction of trails and walkways as set forth in Par. 2 of Sect. 17-201 shall be applicable unless there is a conflict with the design guidelines of the adopted comprehensive plan for a commercial revitalization area, in which case, the Director shall, in conjunction with the approval of a minor site plan or site plan, or the Board, in accordance with Sect. 9-622, may require the provision of trails or walkways in accordance with the adopted comprehensive plan recommendation for the commercial revitalization area.

- 7. A site plan or minor site plan may be filed concurrently with the filing of a rezoning, special exception or special permit application, however, no such plan shall be approved by the Director until the rezoning, special exception or special permit application has been approved by the Board or BZA, respectively. This concurrent processing shall not relieve the applicant from complying with the provisions of any applicable ordinances, regulations, or adopted standards, and shall not prejudice the consideration of the application in any way.

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APPENDIX 7-COMMERCIAL REVITALIZATION DISTRICTS

PART 4 A7-400 RICHMOND HIGHWAY COMMERCIAL REVITALIZATION DISTRICT

A7-401 Purpose and Intent

The Richmond Highway Commercial Revitalization District is established to encourage economic development activities in this older commercial area of the County in order to provide desirable employment and enlarge the tax base consistent with the provisions of Sections 15.2-2200, 2283 and 2284 of the Code of Virginia, as amended. Commercial revitalization districts are intended to enhance the older commercial areas of the County by providing for specific regulations which are designed to facilitate the continued viability and redevelopment of these areas. To that end, the district is intended to provide for additional flexibilities for development and redevelopment in these areas while also providing for urban design measures such as streetscape and landscaping.

A7-402 Permitted Uses

All uses permitted by right in the underlying zoning district regulations, except vehicle transportation service establishments, and as follows:

1. In the C-8 District, notwithstanding the provisions of Sect. 4-805, offices may, as a by right use, occupy a total gross floor area of eighty-five (85) percent of the maximum floor area permitted on the lot in accordance with the maximum floor area for the district. An increase in office use up to 100 percent of the maximum floor area permitted for the district may be allowed in accordance with the provisions of Sect. 9-622.

A7-403 Special Permit Uses

All uses permitted by special permit in the underlying zoning district regulations

A7-404 Special Exception Uses

1. Except as qualified in Sect. 402 above for the C-8 District, all uses permitted by special exception in the underlying zoning district regulations, vehicle transportation service establishments in the C-6, C-7, C-8 or C-9 Districts, and other applicable Category 6 special exception uses shall be allowed in accordance with the provisions of Sect. 9-622. In addition, a modification or waiver of the minimum lot size requirements, minimum yard requirements and/or minimum open space requirements, increase in the maximum building height, amount of permitted office or maximum permitted floor ratio in accordance with the underlying zoning district regulations and the waivers and modifications set forth below for this district shall also be permitted in accordance with the provisions of Sect. 9-622.

A7-405 Use Limitations

As set forth in the underlying zoning district regulations

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A7-406 Lot Size Requirements

As specified in the underlying zoning district regulations, except that the minimum lot size requirements may be modified or waived by the Board in accordance with the provisions of Sect. 9-622.

A7-407 Bulk Regulations

1. **Maximum building height:** As specified in the underlying zoning district regulations, except that for land zoned C-6 or C-8, a maximum height of fifty (50) feet shall be allowed by right, except as may be qualified by the provisions of the Woodlawn Historic Overlay District. In addition, where an increase in the maximum building height is allowed in the underlying zoning district regulations by special exception, such may be approved by the Board in accordance with the provisions of Sect. 9-622.
2. **Minimum yard requirements:** As specified in the underlying zoning district regulations, except that the minimum front yard in commercial districts shall be 20 feet, unless the adopted comprehensive plan specifies a front yard requirement that is equal to or less than the minimum front yard requirement of the underlying zoning district, in which case, the minimum front yard shall be in accordance with the comprehensive plan, provided that any plantings, streetscape treatments or other amenities set forth in the adopted comprehensive plan are also provided in general accordance with the comprehensive plan. In addition, modifications or waivers of the minimum yard requirements as specified in this district, the adopted comprehensive plan or the underlying zoning district regulations may be approved by the Board in accordance with the provisions of Sect. 9-622.
3. **Maximum floor area ratio:** As specified in the underlying zoning district regulations, except that where an increase in the floor area ratio is allowed in the underlying zoning district regulations by special exception, such may be approved by the Board in accordance with the provisions of Sect. 9-622.

A7-408 Open Space

As specified in the underlying zoning district regulations, except the open space requirement may be modified or waived by the Board in accordance with the provisions of Sect. 9-622. In addition, the open space requirement shall not apply to an expansion or enlargement of an existing development, as defined in Sect. 409 below, on a lot which does not comply with the open space requirement of the underlying zoning district, provided such expansion or enlargement does not decrease the amount of existing open space.

A7-409 Additional Provisions

1. For the purpose of this district, an expansion or enlargement of an existing development shall be an increase in the gross floor area of all existing buildings on a lot, which increase is less than 100% of the total gross floor area of all such existing buildings. A redevelopment shall be the total removal of all buildings on a lot and the construction of new buildings, or the addition of gross floor area which is equal to or more than 100% of the total gross floor area of all existing buildings on a lot. A new development shall be the construction of buildings on a vacant lot.

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2. The provisions of Article 2 shall be applicable, except as may be qualified by the provisions of this district.
3. The off-street parking, loading and private street requirements of Article 11 shall apply, except as set forth below:
 - A. Notwithstanding the provisions of Article 11, the minimum off-street parking requirements for all non-residential uses shall be reduced by twenty (20) percent.

For a mixed-use development in a PDC or PRM District, the minimum off-street parking requirements for residential and non-residential uses may be reduced by the Board in accordance with Article 11 and when it is demonstrated by the applicant and determined by the Board that such reduction is in furtherance of the recommendations of the adopted comprehensive plan for the area and that such reduction will not adversely affect the site or the adjacent area.
 - B. The provisions of Par. 1 of Sect. 11-102 shall be applicable, except that where there are practical difficulties or if the public safety and/or public convenience would be better served by parking spaces being located on other than the same lot or other than on a lot contiguous to the use to which it is accessory, the Director, acting upon a specific request for a non-residential use may authorize such alternative location subject to conditions deemed to be appropriate and the following:
 - (1) Such required spaces shall be subject to agreements or arrangements satisfactory to the Director that will ensure the permanent availability of such spaces, and
 - (2) The applicant shall demonstrate to the Director's satisfaction that such required space shall be generally located within 500 feet walking distance of a building entrance to the use that such space serves or such spaces will be provided off-site with access via a valet or shuttle service subject to agreements or arrangements approved by the Director which will ensure the operation of such service and that there will not be any adverse impacts on the site of the parking spaces or the adjacent area.

An alternative location may also be approved in accordance with the above provisions by the Board in accordance with the provisions of Sect. 9-622.
 - C. The provisions of Par. 8 of Sect. 11-102 which require off-street parking spaces that are located on the ground and open to the sky to be located no closer than ten (10) feet to any front lot line shall not apply.
4. The sign provisions of Article 12 shall apply, except as follows:
 - A. Signs lawfully existing on the effective date of this Ordinance or prior ordinances, which do not conform to the provisions of this Ordinance, and signs which are accessory to a nonconforming use shall be deemed to be nonconforming signs and may remain. Notwithstanding Paragraphs 1 and 4 of Sect. 12-110, such signs shall

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not be enlarged or extended but may be removed and replaced with a sign which is reduced in height and/or sign area.

- B. When erected by a public agency or County recognized revitalization organization, there may be freestanding signs, located within or in proximity to the Commercial Revitalization District boundaries, which identify the district or give directions and/or distances to commercial areas or centers within the district. No such sign shall give the name, direction, or distance to any specific business or identify a specific product. Such signs, which may include a banner affixed to the signpost, shall not exceed sixty (60) square feet in area or twenty (20) feet in height. In addition, within the Commercial Revitalization District, there may be separately erected banners, erected by a public agency or County recognized revitalization organization, identifying the district or announcing districtwide events, but no individual businesses or products. Such banners shall not exceed twenty (20) square feet in area or twenty (20) feet in height. All banners shall be securely affixed at the top and the bottom so as to preclude any fluttering or rotation by the movement of the atmosphere. The banners shall also be subject to the applicable outdoor advertising provisions of the Code of Virginia. When erected by a public agency, such signs and/or banners shall not require a sign permit, but when erected by a County recognized revitalization organization, a sign permit shall be required.
5. The landscaping and screening requirements of Article 13 shall apply, except as set forth below. When the following provisions provide for a determination with regard to the feasibility of meeting the requirements on a lot, such determination may be made by either the Director in the approval of a minor site plan or site plan, or the Board in accordance with the provisions of Sect. 9-622.
- A. The interior parking lot landscaping requirements of Sect. 13-201 shall apply as follows:
 - (1) When there is a proposed expansion or enlargement of an existing development which does not involve the addition of twenty (20) or more parking spaces, no additional interior parking lot landscaping shall be required.
 - (2) When there is a proposed expansion or enlargement of an existing development which involves the addition of twenty (20) or more parking spaces, the interior parking lot landscaping requirements shall apply to the expanded area of the parking lot unless it is determined that it is not feasible to meet the requirement and/or that compliance with the requirement will adversely impact the provision of required off-street parking.
 - (3) For redevelopments and new developments, the interior parking lot landscaping requirements shall be applicable.
 - B. The peripheral parking lot landscaping requirements of Sect. 13-202 shall apply as follows:

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- (1) For expansions or enlargements of existing developments, the peripheral parking lot landscaping requirements of Par. 1 of Sect. 13-202 concerning when a property line abuts land not in the right-of-way of a street shall not apply.
- (2) For redevelopments or new developments, the provisions of Par. 1 of Sect. 13-202 shall be applicable. However, where there are landscaping or design provisions in the adopted comprehensive plan which recommend a planting strip or other streetscape treatment with the same or lesser width or different plant materials than those required by Sect. 13-202, then the provisions of the adopted comprehensive plan shall apply.
- (3) For expansions or enlargements of existing developments, redevelopments and new developments, the peripheral parking lot landscaping requirements of Par. 2 of Sect. 13-202 concerning when the property line abuts the right-of-way of a street shall not apply and the following shall be required:
 - (a) A landscaping strip ten (10) feet in width, which shall not include any sidewalk, trail or parallel utility easement, shall 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 shall be at least one (1) large deciduous tree planted in the landscaping strip for each thirty (30) feet of length; however, this shall not be construed as requiring the planting of such trees at a spacing of one (1) tree every thirty (30) feet on center. If there are overhead utility lines, there shall be at least one (1) small to medium deciduous tree planted in the landscaping strip for every twenty-five (25) feet of length; however, this shall not be construed as requiring the planting of such trees at a spacing of one (1) tree every twenty-five (25) feet on center. Trees planted in a landscaping strip beneath overhead utility lines shall be of a shape and character so as not to interfere with the utility lines.
 - (c) All trees shall be two and one-half to three inches (2 ½ to 3") in caliper at the time of planting.

However, where there are landscaping or design provisions in the adopted comprehensive plan which recommend a planting strip or other streetscape treatment with the same or lesser width or different plant materials than set forth above, the provisions of the adopted comprehensive plan shall apply.

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 Part 3 of Article 13 shall apply as follows:

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- (1) For expansions or enlargements of existing developments, the transitional screening and barrier requirements shall apply. However, where there are landscaping or design provisions in the adopted comprehensive plan which recommend a planting strip or other streetscape treatment with the same or lesser width and the same or lesser number of plantings than required by Part 3, then the provisions of the adopted comprehensive plan shall apply, including any provisions for different plant materials.
- (2) For redevelopments or new developments, the transitional screening and barrier requirements shall apply. However, where there are landscaping or design provisions in the adopted comprehensive plan which recommend a planting strip or other streetscape treatment with the same or lesser width and the same or lesser number of plantings than required by Part 3, then the provisions of the adopted comprehensive plan shall apply, including any provisions for different plant materials.
- (3) When the peripheral planting requirements of Par. 5B(3) above are required and provided in accordance with that paragraph, they shall be deemed to meet the transitional screening requirement for that portion of the lot.
- (4) In addition to the above and to the provisions of Sect. 13-304, transitional screening may be modified or waived when a barrier is provided and such barrier consists of a wrought iron fence, a decorative brick or block wall or a different treatment when it is determined that such would be more appropriate or reasonable due to compatibility with other alternative treatments prevalent in the District.

For all of the above, the requirements may be modified or waived by the Board in accordance with the provisions of Sect. 9-622.

6. Notwithstanding the provisions of Sect. 17-105, a minor site plan for the following shall not be subject to the required improvements of Par. 3A and Par. 4 of Sect. 17-201 which require the construction of service drives adjacent to any primary highway, and dedication and construction of widening for existing roads, existing roads on new alignments, and proposed roads, all as indicated on the adopted comprehensive plan.
 - A. Additions to existing buildings on a lot when such additions do not exceed a total of 5000 square feet of gross floor area and not more 100% of the gross floor area of the existing buildings.
 - B. Any permitted use on a temporary basis for a period not to exceed two (2) years from the date of approval; provided the Director may extend the approval for one additional two (2) year period.
 - C. Additions and alterations to provide an accessibility improvement not otherwise exempt under Sect. 17-104.

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- D. Uses which do not involve construction of gross floor area, such as tennis courts or storage yards, or modifications to existing uses which do not involve construction of gross floor area such as changes to walkways, parking lots or landscape plans.

For uses subject to a minor site plan for other than as specified above or a site plan and upon request of the applicant, the Board, in accordance with the provisions of Sect. 9-622 may modify or waive the required improvements of Paragraphs 1, 3A, 4, 5, and 14 of Sect. 17-201.

In addition, for a minor site plan or site plan, the required improvement for the construction of trails and walkways as set forth in Par. 2 of Sect. 17-201 shall be applicable unless there is a conflict with the design guidelines of the adopted comprehensive plan for a commercial revitalization area, in which case, the Director shall, in conjunction with the approval of a minor site plan or site plan, or the Board, in accordance with Sect. 9-622, may require the provision of trails or walkways in accordance with the adopted comprehensive plan recommendation for the commercial revitalization area.

- 7. A site plan or minor site plan may be filed concurrently with the filing of a rezoning, special exception or special permit application, however, no such plan shall be approved by the Director until the rezoning, special exception or special permit application has been approved by the Board or BZA, respectively. This concurrent processing shall not relieve the applicant from complying with the provisions of any applicable ordinances, regulations, or adopted standards, and shall not prejudice the consideration of the application in any way.

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PART 5 A7-500 SPRINGFIELD COMMERCIAL REVITALIZATION DISTRICT

A7-501 Purpose and Intent

The Springfield Commercial Revitalization District is established to encourage economic development activities in this older commercial area of the County in order to provide desirable employment and enlarge the tax base consistent with the provisions of Sections 15.2-2200, 2283 and 2284 of the Code of Virginia, as amended. Commercial revitalization districts are intended to enhance the older commercial areas of the County by providing for specific regulations which are designed to facilitate the continued viability and redevelopment of these areas. To that end, the district is intended to provide for additional flexibilities for development and redevelopment in these areas while also providing for urban design measures such as streetscape and landscaping.

A7-502 Permitted Uses

All uses permitted by right in the underlying zoning district regulations, except vehicle transportation service establishments, and as follows:

1. In the C-8 District, notwithstanding the provisions of Sect. 4-805, offices may, as a by right use, occupy a total gross floor area of eighty-five (85) percent of the maximum floor area permitted on the lot in accordance with the maximum floor area for the district. An increase in office use up to 100 percent of the maximum floor area permitted for the district may be allowed in accordance with the provisions of Sect. 9-622.

A7-503 Special Permit Uses

All uses permitted by special permit in the underlying zoning district

A7-504 Special Exception Uses

1. Except as qualified in Sect. 502 above for the C-8 District, all uses permitted by special exception in the underlying zoning district regulations, vehicle transportation service establishments in the C-6, C-7, C-8 or C-9 Districts, and other applicable Category 6 special exception uses shall be allowed in accordance with the provisions of Sect. 9-622. In addition, a modification or waiver of the minimum lot size requirements, minimum yard requirements and/or minimum open space requirements, increase in the maximum building height, amount of permitted office or maximum permitted floor ratio in accordance with the underlying zoning district regulations and the waivers and modifications set forth below for this district shall also be permitted in accordance with the provisions of Sect. 9-622.

A7-505 Use Limitations

As specified in the underlying zoning district regulations, except that the minimum lot size requirements may be modified or waived by the Board in accordance with the provisions of Sect. 9-622.

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A7-506 Lot Size Requirements

As specified in the underlying zoning district regulations, except that the minimum lot size requirements may be modified or waived by the Board in accordance with the provisions of Sect. 9-622.

A7-507 Bulk Regulations

1. **Maximum building height:** As specified in the underlying zoning district regulations, except that for land zoned C-6 or C-8, a maximum height of fifty (50) feet shall be allowed by right. In addition, where an increase in the maximum building height is allowed in the underlying zoning district regulations by special exception, such may be approved by the Board in accordance with the provisions of Sect. 9-622.
2. **Minimum yard requirements:** As specified in the underlying zoning district regulations, except that the minimum front yard in commercial districts shall be 20 feet, unless the adopted comprehensive plan specifies a front yard requirement that is equal to or less than the minimum front yard requirement of the underlying zoning district, in which case, the minimum front yard shall be in accordance with the comprehensive plan, provided that any plantings, streetscape treatments or other amenities set forth in the adopted comprehensive plan are also provided in general accordance with the comprehensive plan. In addition, modifications or waivers of the minimum yard requirements as specified in this district, the adopted comprehensive plan or the underlying zoning district regulations may be approved by the Board in accordance with the provisions of Sect. 9-622.
3. **Maximum floor area ratio:** As specified in the underlying zoning district regulations, except that where an increase in the floor area ratio is allowed in the underlying zoning district regulations by special exception, such may be approved by the Board in accordance with the provisions of Sect. 9-622.

A7-508 Open Space

As specified in the underlying zoning district regulations, except the open space requirement may be modified or waived by the Board in accordance with the provisions of Sect. 9-622. In addition, the open space requirement shall not apply to an expansion or enlargement of an existing development, as defined in Sect. 509 below, on a lot which does not comply with the open space requirement of the underlying zoning district, provided such expansion or enlargement does not decrease the amount of existing open space.

A7-509 Additional Provisions

1. For the purpose of this district, an expansion or enlargement of an existing development shall be an increase in the gross floor area of all existing buildings on a lot, which increase is less than 100% of the total gross floor area of all such existing buildings. A redevelopment shall be the total removal of all buildings on a lot and the construction of new buildings, or the addition of gross floor area which is equal to or more than 100% of the total gross floor area of all existing buildings on a lot. A new development shall be the construction of buildings on a vacant lot.

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2. The provisions of Article 2 shall be applicable, except as may be qualified by the provisions of this district.
3. The off-street parking, loading and private street requirements of Article 11 shall apply, except as set forth below:

A. The minimum off-street parking requirements for any non-residential uses may be reduced by up to twenty (20) percent by the Board when it is demonstrated by the applicant and determined by the Board that such reduction is in furtherance of the goals of the Commercial Revitalization District as set forth in the adopted comprehensive plan. Such request may also be considered in conjunction with a rezoning and/or special exception application. The fee for a parking reduction set forth in Sect. 17-109 shall not be applicable.

For a mixed-use development in a PDC or PRM District, the minimum off-street parking requirements for residential and non-residential uses may be reduced by the Board in accordance with Article 11 and when it is demonstrated by the applicant and determined by the Board that such reduction is in furtherance of the recommendations of the adopted comprehensive plan for the area and that such reduction will not adversely affect the site or the adjacent area.

B. The provisions of Par. 1 of Sect. 11-102 shall be applicable, except that where there are practical difficulties or if the public safety and/or public convenience would be better served by parking spaces being located on other than the same lot or other than on a lot contiguous to the use to which it is accessory, the Director, acting upon a specific request for a non-residential use may authorize such alternative location subject to conditions deemed to be appropriate and the following:

- (1) Such required spaces shall be subject to agreements or arrangements satisfactory to the Director that will ensure the permanent availability of such spaces, and
- (2) The applicant shall demonstrate to the Director's satisfaction that such required space shall be generally located within 500 feet walking distance of a building entrance to the use that such space serves or such spaces will be provided off-site with access via a valet or shuttle service subject to agreements or arrangements approved by the Director which will ensure the operation of such service and that there will not be any adverse impacts on the site of the parking spaces or the adjacent area.

An alternative location may also be approved in accordance with the above provisions by the Board in accordance with the provisions of Sect. 9-622.

- C. The provisions of Par. 8 of Sect. 11-102 which require off-street parking spaces that are located on the ground and open to the sky to be located no closer than ten (10) feet to any front lot line shall not apply.
4. The sign provisions of Article 12 shall apply, except as follows:

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- A. Signs lawfully existing on the effective date of this Ordinance or prior ordinances, which do not conform to the provisions of this Ordinance, and signs which are accessory to a nonconforming use shall be deemed to be nonconforming signs and may remain. Notwithstanding Paragraphs 1 and 4 of Sect. 12-110, such signs shall not be enlarged or extended but may be removed and replaced with a sign which is reduced in height and/or sign area.
 - B. When erected by a public agency or County recognized revitalization organization, there may be freestanding signs, located within or in proximity to the Commercial Revitalization District boundaries, which identify the district or give directions and/or distances to commercial areas or centers within the district. No such sign shall give the name, direction, or distance to any specific business or identify a specific product. Such signs, which may include a banner affixed to the signpost, shall not exceed sixty (60) square feet in area or twenty (20) feet in height. In addition, within the Commercial Revitalization District, there may be separately erected banners, erected by a public agency or County recognized revitalization organization, identifying the district or announcing districtwide events, but no individual businesses or products. Such banners shall not exceed twenty (20) square feet in area or twenty (20) feet in height. All banners shall be securely affixed at the top and the bottom so as to preclude any fluttering or rotation by the movement of the atmosphere. The banners shall also be subject to the applicable outdoor advertising provisions of the Code of Virginia. When erected by a public agency, such signs and/or banners shall not require a sign permit, but when erected by a County recognized revitalization organization, a sign permit shall be required.
5. The landscaping and screening requirements of Article 13 shall apply, except as set forth below. When the following provisions provide for a determination with regard to the feasibility of meeting the requirements on a lot, such determination may be made by either the Director in the approval of a minor site plan or site plan, or the Board in accordance with the provisions of Sect. 9-622.
- A. The interior parking lot landscaping requirements of Sect. 13-201 shall apply as follows:
 - (1) When there is a proposed expansion or enlargement of an existing development which does not involve the addition of twenty (20) or more parking spaces, no additional interior parking lot landscaping shall be required.
 - (2) When there is a proposed expansion or enlargement of an existing development which involves the addition of twenty (20) or more parking spaces, the interior parking lot landscaping requirements shall apply to the expanded area of the parking lot unless it is determined that it is not feasible to meet the requirement and/or that compliance with the requirement will adversely impact the provision of required off-street parking.
 - (3) For redevelopments and new developments, the interior parking lot landscaping requirements shall be applicable.

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- B. The peripheral parking lot landscaping requirements of Sect. 13-202 shall apply as follows:
- (1) For expansions or enlargements of existing developments, the peripheral parking lot landscaping requirements of Par. 1 of Sect. 13-202 concerning when a property line abuts land not in the right-of-way of a street shall not apply.
 - (2) For redevelopments or new developments, the provisions of Par. 1 of Sect. 13-202 shall be applicable. However, where there are landscaping or design provisions in the adopted comprehensive plan which recommend a planting strip or other streetscape treatment with the same or lesser width or different plant materials than those required by Sect. 13-202, then the provisions of the adopted comprehensive plan shall apply.
 - (3) For expansions or enlargements of existing developments, redevelopments and new developments, the peripheral parking lot landscaping requirements of Par. 2 of Sect. 13-202 concerning when the property line abuts the right-of-way of a street shall not apply and the following shall be required:
 - (a) A landscaping strip ten (10) feet in width, which shall not include any sidewalk, trail or parallel utility easement, shall 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 shall be at least one (1) large deciduous tree planted in the landscaping strip for each thirty (30) feet of length; however, this shall not be construed as requiring the planting of such trees at a spacing of one (1) tree every thirty (30) feet on center. If there are overhead utility lines, there shall be at least one (1) small to medium deciduous tree planted in the landscaping strip for every twenty-five (25) feet of length; however, this shall not be construed as requiring the planting of such trees at a spacing of one (1) tree every twenty-five (25) feet on center. Trees planted in a landscaping strip beneath overhead utility lines shall be of a shape and character so as not to interfere with the utility lines.
 - (c) All trees shall be two and one-half to three inches (2 ½ to 3") in caliper at the time of planting.

However, where there are landscaping or design provisions in the adopted comprehensive plan which recommend a planting strip or other streetscape treatment with the same or lesser width or different plant materials than set forth above, the provisions of the adopted comprehensive plan shall apply.

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.

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- C. The transitional screening and barrier requirements of Part 3 of Article 13 shall apply as follows:
- (1) For expansions or enlargements of existing developments, the transitional screening and barrier requirements shall apply. However, where there are landscaping or design provisions in the adopted comprehensive plan which recommend a planting strip or other streetscape treatment with the same or lesser width and the same or lesser number of plantings than required by Part 3, then the provisions of the adopted comprehensive plan shall apply, including any provisions for different plant materials.
 - (2) For redevelopments or new developments, the transitional screening and barrier requirements shall apply. However, where there are landscaping or design provisions in the adopted comprehensive plan which recommend a planting strip or other streetscape treatment with the same or lesser width and the same or lesser number of plantings than required by Part 3, then the provisions of the adopted comprehensive plan shall apply, including any provisions for different plant materials.
 - (3) When the peripheral planting requirements of Par. 5B(3) above are required and provided in accordance with that paragraph, they shall be deemed to meet the transitional screening requirement for that portion of the lot.
 - (4) In addition to the above and to the provisions of Sect. 13-304, transitional screening may be modified or waived when a barrier is provided and such barrier consists of a wrought iron fence, a decorative brick or block wall or a different treatment when it is determined that such would be more appropriate or reasonable due to compatibility with other alternative treatments prevalent in the District.

For all of the above, the requirements may be modified or waived by the Board in accordance with the provisions of Sect. 9-622.

6. Notwithstanding the provisions of Sect. 17-105, a minor site plan for the following shall not be subject to the required improvements of Par. 3A and Par. 4 of Sect. 17-201 which require the construction of service drives adjacent to any primary highway, and dedication and construction of widening for existing roads, existing roads on new alignments, and proposed roads, all as indicated on the adopted comprehensive plan.
- A. Additions to existing buildings on a lot when such additions do not exceed a total of 5000 square feet of gross floor area and not more 100% of the gross floor area of the existing buildings.
 - B. Any permitted use on a temporary basis for a period not to exceed two (2) years from the date of approval; provided the Director may extend the approval for one additional two (2) year period.
 - C. Additions and alterations to provide an accessibility improvement not otherwise exempt under Sect. 17-104.

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- D. Uses which do not involve construction of gross floor area, such as tennis courts or storage yards, or modifications to existing uses which do not involve construction of gross floor area such as changes to walkways, parking lots or landscape plans.

For uses subject to a minor site plan for other than as specified above or a site plan and upon request of the applicant, the Board, in accordance with the provisions of Sect. 9-622 may modify or waive the required improvements of Paragraphs 1, 3A, 4, 5, and 14 of Sect. 17-201.

In addition, for a minor site plan or site plan, the required improvement for the construction of trails and walkways as set forth in Par. 2 of Sect. 17-201 shall be applicable unless there is a conflict with the design guidelines of the adopted comprehensive plan for a commercial revitalization area, in which case, the Director shall, in conjunction with the approval of a minor site plan or site plan, or the Board, in accordance with Sect. 9-622, may require the provision of trails or walkways in accordance with the adopted comprehensive plan recommendation for the commercial revitalization area.

- 7. A site plan or minor site plan may be filed concurrently with the filing of a rezoning, special exception or special permit application, however, no such plan shall be approved by the Director until the rezoning, special exception or special permit application has been approved by the Board or BZA, respectively. This concurrent processing shall not relieve the applicant from complying with the provisions of any applicable ordinances, regulations, or adopted standards, and shall not prejudice the consideration of the application in any way.

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