

**ZONING ORDINANCE**  
**FOR**  
**FAIRFAX COUNTY, VIRGINIA**

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**CHAPTER 6 OF VOLUME II**  
**OF THE CODE OF**  
**FAIRFAX COUNTY, VIRGINIA**  
**AS AMENDED**

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**ADOPTED . . . . . JULY 22, 1959**

**EFFECTIVE . . . . . SEPTEMBER 1, 1959**

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**AUGUST 4, 1959**

FAIRFAX COUNTY  
VIRGINIA

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Be it ordained and enacted by the Board of County Supervisors of the County of Fairfax, Commonwealth of Virginia, as follows:

This ordinance is adopted for the purpose of promoting the health, safety, order, prosperity, the conservation of natural resources, and the general welfare of the County of Fairfax and the residents thereof.

Section 1. Definitions

For the purpose of this ordinance certain words and terms are herein defined as follows:

Words used in the present tense include the future tense; words in the singular number include the plural number and words in the plural number include the singular number; unless the obvious construction of the wording indicates otherwise.

The word "shall" is mandatory. Unless otherwise specified, all distances shall be measured horizontally and at right angles to the line in relation to which the distance is specified. The word "building" includes the word "structure"; the word "lot" includes the word "plot"; the word "used" shall be deemed also to include "designed, intended, or arranged to be used"; the term "erected" shall be deemed also to include "constructed", "reconstructed", "altered", "placed", or "moved". The terms "land use" and "use of land" shall be deemed also to include "building use" and "use of a building". The word "adjacent" means "nearby" and not necessarily "contiguous". The word "county" means the County of Fairfax, Commonwealth of Virginia; and the term "county boundary" means any exterior boundary of the county or any boundary of unincorporated territory within the county. The terms "board of county supervisors", "planning commission", "planning engineer", "zoning administrator", "board of zoning appeals", "director of public works", "building inspector", "health officer" and "sanitary engineer" mean the respective said boards, commission, and officers of said county.

Agriculture: The tilling of the soil; the growing of crops, or plant growth of any kind, including forestry; and including the maintenance of nurseries and greenhouses. Growing shall be deemed to include propagating, transplanting, or otherwise placing in the soil; also raising of livestock and poultry. Any agricultural use other than such as is incidental to a residential use shall be deemed to be agriculture on a commercial scale.

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Alley: A passage or way open to public travel which affords generally a subordinate means of vehicular access to abutting lots and is not intended for general traffic circulation.

Automobile sales lots: Any place outside a building where two or more vehicles in operating condition are offered for sale or are displayed for sale or advertising purposes.

Basement: A story partly underground and having at least one-half of its height above grade.

Block: That land abutting on one side of a street, extending to the rear lot lines (or, for parcels of land extending through to another street, to a line midway between the two streets) and lying between the two nearest intersecting or intercepting streets or between the nearest intersecting or intercepting street and boundary of any railroad right of way, park, school ground, or unsubdivided acreage, or center line of any drainage channel 30 feet or more in width.

Building: Any structure.

Building, accessory: A building detached from and subordinate to a main building on the same lot and used for purposes customarily incidental to those of the main building. Any building that is customarily incidental to any agricultural use shall be deemed to be an accessory building, whether situated on the same lot with a principal building or not.

Building, main: A building in which is conducted the principal use of the lot on which it is situated.

Building area: The maximum horizontal projected area of a building and its accessory buildings.

Building group: A group of two or more main buildings and any buildings accessory thereto, occupying a lot in one ownership and having any yard in common.

Building setback: See "Setback".

Carport: Any space outside a building and contiguous thereto, wholly or partly covered by a roof, and used for the shelter of motor vehicles. An unenclosed carport is a carport with no side enclosure (other than the side of the building to which the carport is contiguous) that is more than 18 inches in height, exclusive of screens.

Section 1. Definitions - Ctd.

Cellar: A story entirely underground or partly underground, with at least one-half of its height below grade.

Center line: A line lying midway between the side lines of a street or alley right of way, except that if future street lines have been designated for any street by the provisions of Section 10 or by the adoption of a map of future street lines by the Board of Supervisors, as provided in Section 10.2 and such future street lines do not lie equidistant from the center line of such street as existing, the center line of such street for the purpose of making any measurement specified by this ordinance as being taken in relation to a center line shall be a line lying midway between such future street lines.

Contractor's yard: The use of any space, whether inside or outside a building, for the storage or keeping of construction equipment, machinery, or vehicles, or parts thereof, which are in active use by a construction contractor.

Community Use: See "Use, Community".

Development: The utilization of a lot or a tract of land for two or more uses.

Districts, R, C, and I: The term "R district" means any residential district the first letter of the symbol for which is the letter "R"; the term "C district" means any commercial district the first letter of the symbol for which is the letter "C"; and the term "I district" means any industrial district the first letter of the symbol for which is the letter "I".

Dustless surface: A surface adequately covered, in accordance with good practice, with screenings, stone, bank run or other gravel, concrete, or bituminous products, or adequately treated, in accordance with good practice, with oil, calcium chloride, or similar dust-inhibiting substance, and in any event maintained in good condition at all times.

Dwelling: A building containing only dwelling units. The term "dwelling" or any combination thereof shall not be deemed to include hotel, rooming house, motel, hospital, or other accommodations used for more or less transient occupancy.

Dwelling, one-family: A dwelling containing one dwelling unit only and not occupied by more than one family.

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Dwelling, two-family: A dwelling containing two dwelling units only and not occupied by more than two families.

Dwelling, multi-family: A dwelling containing three or more dwelling units.

Dwelling, mobile: A structure that contains one or more dwelling units and that is so designed as to be transportable, either by traction or under its own power. This definition shall apply regardless of whether or not the wheels or other devices for transportability are actually in place.

Dwelling, semi-detached: A one-family dwelling attached to another one-family dwelling by not to exceed one party or common wall.

Dwelling group: A building group consisting only of dwellings.

Dwelling unit: A building or portion thereof having cooking facilities for one family.

Eleemosynary institution: An establishment by a private, non-profit organization (including fraternal organizations), which is not operated for the purpose of carrying on a trade or business, no part of the net earnings of which inures to the benefit of any member of said organization or any other individual, and which provides volunteer aid to the sick and wounded of armies in time of war and relief in case of great calamity; or provides any of the following: social, physical, recreational, educational, agricultural, or benevolent services.

Family: (a) One person or two or more persons related by blood or marriage, with not to exceed two roomers or boarders, or (b) a group of not more than four persons not necessarily related by blood or marriage; in any case living together as a single housekeeping unit.

Floor area, net livable: The aggregate area of all floors included within the outer walls of a building, measured at the exterior of such walls, excluding basements not used for living purposes (except for recreational use), cellars, rooms for heating equipment, garages and unenclosed porches, breezeways, and other unheated areas, and including only such floor area under a sloping ceiling for which the headroom is not less than 5 feet, 6 inches and then only if at least 50 per cent of such floor area has a ceiling height of not less than 7 feet, 4 inches and if any such floor that is situated above another story has access to the floor below by a permanent built-in stairway.

Floor area ratio: The ratio of the aggregate gross area of all floors of a building, measured at the exterior of the walls thereof, to the area of the lot on which the building is situated.

Frontage: That dimension of a lot measured along the front street line thereof, or if said front street line is curved, along the chord of the arc. The shorter street line of a lot abutting on more than one street shall be deemed to be the front street line thereof, regardless of the location of the principal entrance of a building on the lot, provided that the frontage of a lot on which a building group is located shall be that lot line along the principal entrance of or approach to said group, as the same is designated on the site plan thereof, approved in accordance with the provisions of Section 5.

Garage, accessory: An accessory building or part of a main building used only for the storage of motor vehicles as an accessory use.

Garage, parking: A building, or part thereof, other than an accessory or repair garage, used for the storage of passenger vehicles and which may include (a) servicing of said vehicles as an incidental use, but not the repair thereof, and (b) keeping any such vehicles for hire.

Garage, repair: A building or part thereof, other than an accessory or parking garage, used for the storage, care, or repair of motor vehicles.

Gasoline station: An area of land, including structures thereon, or any building or part thereof, that is used primarily for the retail sale and direct delivery to motor vehicles of gasoline and lubricating oil, which establishment may or may not include facilities for lubricating, washing, minor repairs, or otherwise servicing motor vehicles, but not including auto body work, welding, painting, or major repair work.

Grade: The level from which the height of a building is measured, as defined herein.

Height of building: The vertical distance in the case of flat roofs to the level of the highest point of the roof and in the case of pitched roofs to the mean level between the eaves and the highest point of the roof, measured from the curb level if the building is not more than 10 feet distant from the front lot line, but from the average ground level at all sides of the building in all other cases.

Section 1. Definitions - Ctd.

Home occupation: Any use customarily conducted entirely within a dwelling and carried on solely by the inhabitants thereof, in connection with which there is no display visible from outside the building other than an identification sign conforming with the provisions of Section 7.2 which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof. The conducting of a clinic, hospital, restaurant, gift shop, antique shop, animal hospital, or any use similar to any of the foregoing shall not be deemed to be a home occupation.

Home professional office: The office, studio, or occupational room of a physician, surgeon, dentist, architect, artist, musician, instructor in arts and crafts, professional engineer or land surveyor, lawyer, or similar professional person, or of a person engaged in the real estate or insurance business (but not including any use excluded from the definition herein of "home occupation", or any mortuary or establishment similar thereto, or any establishment in which goods are offered for sale) when (a) such use is conducted entirely within a dwelling which is the bona fide residence of the principal practitioner, (b) no other persons are engaged in the occupation except not to exceed 2 employees of the principal practitioner, and (c) there is no display of goods or of advertising other than an identification sign conforming with the provisions of Section 7.2.

Hospital: Unless otherwise specified, the term "hospital" shall be deemed to include sanitarium, sanatorium, preventorium, clinic, rest home, nursing home, convalescent home, and any other place containing beds for four or more patients, and used for the diagnosis, treatment, or other care of ailments, and shall be deemed to be limited to places for the diagnosis, treatment, or other care of human ailments. The term "hospital" shall also include a group of offices of professional practitioners in the treatment of human ailments.

Hotel: Defined under "Motel".

House trailer: Included in definition of "Mobile dwelling".

Junk yard: The use of any space, whether inside or outside a building, for the storage, keeping, or abandonment of junk, including scrap metals or other scrap materials, or for the dismantling, demolition, or abandonment of automobiles or other vehicles or machinery or parts thereof; provided that this definition shall not apply to any such use conducted solely as an accessory use and occupying not more than one hundred square feet of the area of any

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lot other than any portion of that half thereof that adjoins any street.

Kennel: Any place in or at which dogs are kept under any one or more of the following conditions: (a) more than 12 dogs more than 4 months of age, (b) more than 4 dogs more than 4 months of age that are not penned at all times, or (c) any number of dogs that are kept for the purpose of sale or in connection with the boarding, care, or breeding of which any fee is charged.

Kindergarten: Defined under "Nursery School".

Loading space: Any off-street space available for the loading or unloading of goods, not less than 15 feet wide, 25 feet long, and 14 feet high, and having direct usable access to a street or alley, except that where one such loading space has been provided, any additional loading space lying alongside, contiguous to, and not separated from such first loading space need not be wider than 12 feet.

Lot: Land occupied or to be occupied by a building and any buildings accessory thereto, or by a building group and any buildings accessory thereto, together with the open spaces appurtenant to such building or group, and either having its principal frontage on a street or having access by a right of way or easement. A parcel of land shall be deemed to be a lot in accordance with this definition regardless of whether or not the boundaries thereof coincide with the boundaries of lots or parcels as shown on any map of record.

Lot, corner: A lot at the junction of and abutting on two or more intersecting streets when the interior angle of intersection does not exceed 135 degrees.

Lot, interior: A lot other than a corner lot.

Lot area: The total horizontal area included within lot lines.

Lot depth: The mean horizontal distance between the front and rear lot lines.

Lot width: The width of a lot along a line parallel to the frontage thereof and lying at a distance therefrom equal to the required setback on said lot.

Lot line: Any boundary of a lot as defined herein.

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Lot line, rear: The lot line that is generally opposite the lot line along the frontage of the lot; if the rear lot line is less than ten feet in length, or if the lot comes to a point at the rear, the rear lot line shall be deemed to be a line parallel to the front lot line, not less than ten feet long, lying wholly within the lot, and farthest from the front lot line.

Mobile dwelling park: Any space, however designated, that is occupied or designated for occupancy by one or more mobile dwellings.

Motel: Any building or portion thereof containing sleeping accommodations in 6 or more rooms for persons who are not members of a family as defined in this section, whether such establishment is designated as a hotel, inn, motel, motor hotel, motor lodge, or otherwise.

Non-conforming building or use: A building or use lawfully existing at the time of adoption of this or prior ordinances and which does not conform with the use regulations of the district in which it is located.

Nursery school: Any place, however designated, operated for the purpose of providing training, guidance, education, or care for 4 or more children under 6 years of age, separated from their parents or guardians during any part of the day other than from 6 p.m. to 6 a.m., including kindergartens, day nurseries, and day care centers.

One ownership: Possession of land under single or unified control, whether by sole, joint, common, or other ownership, or by a lease having a term of not less than 30 years.

Parking lot: An area not within a building where passenger vehicles may be stored for the purpose of temporary, daily, or overnight off-street parking, other than as an accessory use.

Parking space: An off-street space (a) available and usable for the parking of one motor vehicle, (b) having an area of not less than 180 square feet, exclusive of passage ways and driveways appurtenant thereto and giving access thereto, and (c) having direct usable access to a street or alley.

Play space: An off-street space available and usable for play by children.

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Porch: The term "porch" shall include any porch, veranda, gallery, terrace, piazza, portico, or similar projection from a main wall of a building and covered by a roof, other than a carport as defined in this ordinance. An "uninclosed porch" is a porch with no side enclosure (other than the side of the building to which the porch is attached) that is more than 18 inches in height, exclusive of screens.

Recreation ground: Any establishment operated as a commercial enterprise in which seasonal facilities are provided for all or any of the following: camping, lodging, picnicking, boating, fishing, swimming, outdoor games and sports, and activities incidental and related to the foregoing, but not including miniature golf grounds, golf driving ranges, or any mechanical amusement device.

Restaurant: Any establishment, however designated, including tea room, at which food is sold for consumption on the premises. However, a snack bar or refreshment stand at a public or non-profit community swimming pool, playground, playfield, or park, operated solely by the agency or group operating the recreational facility, and for the convenience of patrons of the facility, shall not be deemed to be a restaurant.

Riding stable: Any place at which horses or ponies are kept for hire either with or without instruction in riding.

Room count: All rooms in a dwelling unit except those used exclusively for kitchen, bath, or utility purposes. Any floor space exceeding 70 square feet in area and enclosed by partitions or walls having cased openings or doors of any type shall be deemed to be a room.

Rooming house: Any building or portion thereof containing sleeping accommodations for at least one but not more than 5 persons who are not members of a family as defined in this section. The term "rooming house" shall be deemed to include lodging house and boarding house, but not motel or other accommodations used for transient occupancy.

School of general instruction: A public, parochial, or private school or college giving regular instruction at least five days each week (except for holidays) for a normal school year of not less than seven months; but not including: (a) a school of special instruction as defined herein; or (b) a nursery school unless conducted as a part of a school of general instruction; or (c) a riding school, however designated; or (d) a school for mental defectives.

Section 1. Definitions - Ctd.

School of special instruction: A school primarily devoted to giving instruction in vocational, professional, commercial, musical, dramatic, artistic, terpsichorean, linguistic, scientific, religious, or other special subjects, but not including: (a) a nursery school; or (b) a riding school, however designated; or (c) a school for mental defectives.

Setback: The distance between the setback line and the street or lot line from which such setback line is measured. The term "required setback" means the distance between the required setback line and the street or lot line from which said setback line is measured.

Setback area: The space between the setback line and the nearest street or lot line, as the case may be.

Setback line: A line drawn through the point of a building nearest to the street or lot line from which the setback line is measured and lying parallel thereto. The term "required setback line" means a line beyond which a building is not permitted to extend under the provisions of this ordinance establishing minimum depths and widths of yards.

Sign: Any device that is used for the purpose of visually bringing the subject to which it is appurtenant to the attention of the public, while viewing the same from outdoors, regardless of whether such device is located outdoors or indoors, but not including (a) any flag of and displayed by any government or governmental agency or otherwise displayed for patriotic purposes, or (b) any flag or banner of and displayed by any civic, charitable, religious, patriotic, fraternal, or similar organization, or (c) any badge or insigne of any such organization, all parts of which may be contained within a rectangle neither dimension of which exceeds four feet. Any lighting used to delineate any part of a building shall be deemed to be a sign display.

Sign area: The total area of the smallest rectangle that will contain the entire sign or sign structure, including all parts and appurtenances thereof except not to exceed two supports neither of which exceeds a cross section of one foot square or one foot in diameter and on neither of which is there displayed any advertising material or any lighting. Each display face of a sign or sign structure shall be measured separately in computing total sign area. The actual area of any lighting used to delineate any part of a building or lot other than a sign (except any temporary lighting displayed as a part of holiday decorations) shall be in-

Section 1. Definitions - Ctd.

cluded in any computation of sign area, provided that the area of any band of lighting (including a string of individual lights) less than one foot in width shall be computed at the rate of one square foot for each one foot of the length thereof.

Sign structure: Any structure located outdoors primarily for the purpose of providing a support for the display of signs, regardless of whether or not any sign is actually displayed thereon at any particular time.

Story: That part of any building comprised between the level of one finished floor and the level of the next higher finished floor, or if there is no higher finished floor, then that part of the building comprised between the level of the highest finished floor and the top of the roof beams. A basement shall be counted as a story if its ceiling is more than six feet above the level from which the height of the building is measured or if it is used for business purposes other than storage or for dwelling purposes by other than a janitor or watchman, but no other basement shall be counted as a story.

Story, half: That portion of a building situated above a full story and having at least two opposite exterior walls meeting a sloping roof at a level not higher above the floor than a distance equal to one-half the floor-to-ceiling height of the story below.

Street: A public or private thoroughfare, however designated, which affords the principal means of access to abutting property.

Street line: The dividing line between a street and a lot.

Structure: Any combination of materials forming any construction the use of which requires location on the ground or attachment to something having location on the ground and including, among other things: display stands; fences and walls (other than retaining walls not exceeding 3 1/2 feet above ground level on one side and 6 feet above ground level on the other); gasoline pumps; gates and gate posts; mobile dwellings (whether mobile or stationary at the time); outdoor bins; pergolas; platforms; pools; porches; reviewing stands; sales stands; signs; stadiums; stagings; standpipes; tanks of any kind; tents; towers of any kind, including radio and television towers and antennae; trellises; vending machines. The word "structure" shall be construed as though followed by the words "or part thereof."

Section 1. Definitions - Ctd.

Structural alteration: Any change in or addition to the supporting members of a structure.

Tourist house: A dwelling, occupied as such, in which sleeping accommodations in less than 6 rooms with not more than 4 persons per room are provided or offered for transient guests for compensation, under the management of the occupants of that dwelling for dwelling purposes.

Use: The specific purpose for which a parcel of land or a building is designed, arranged, intended, occupied, or maintained. The term "permitted use" or its equivalent shall not be deemed to include any non-conforming use.

Use, accessory: A use which is customarily incidental and subordinate to the principal use of a lot or a building and which is located on the same lot therewith.

Use, public: (a) Uses of land and buildings maintained by the county for administrative, cultural, educational, health, or welfare purposes; for water supply, sewerage, police protection; or for park, playground, or automobile parking purposes; but not including any materials or equipment yard in any district more restricted than a C-G district; nor a fire station which may be established under Group VI, Section 12. (b) Buildings owned by and uses conducted by the United States of America, or the Commonwealth of Virginia, provided that the Planning Commission shall submit to the agency proposing to establish any such use its recommendations with regard to the location of buildings or any other matter on which the Commission may deem it advisable to offer any recommendation.

Use, community: Country clubs, golf courses and similar recreational uses conducted by membership organizations for use only by members thereof and not for gain. Also, community clubs or centers, civic or cultural centers not in public ownership and not conducted for gain, but not including community swimming pools.

Yard: An open space on the same lot with a building or a building group, lying between the building or building group and the nearest lot line, and unoccupied and unobstructed from the ground upward except for certain features specified in Section 4.3.

Yard, front: A yard extending across the full width of the lot and lying between the front line of the lot and the building or building group.

Section 1. Definitions - Ctd.

Yard, rear: A yard extending across the full width of the lot and lying between the rear line of the lot and the building or building group.

Yard, side: A yard between the side line of the lot and the building or building group and extending from the front yard to the rear yard, or, in the absence of either of such yards, to the front or rear lot line, as may be.

Section 2. Districts and District Map

2.1 Establishment of Districts

The unincorporated territory of the county is hereby divided into the following classes of districts:

- RE-2: One-family residential, required lot size 2 acres
- RE-1: " " " " " 1 acre
- RE-0.5: " " " " " 1/2 acre
- R-17: " " " " " 17,000 sq. ft.
- R-12.5: " " " " " 12,500 sq. ft.
- R-10: " " " " " 10,000 sq. ft.
  
- RM-1: Semi-detached residential
- RM-2: Multi-family "
- RM-3: Mobile dwelling "
  
- C-O: Commercial - offices
- C-N: " - neighborhood
- C-D: " - designed shopping center
- C-DM: " - " " " and motels
- C-G: " - general
  
- I-I: Industrial - institutional
- I-S: " - specialized
- I-P: " - park
- I-L: " - limited
- I-G: " - general

2.2 Zoning Map

The location and boundaries of the districts hereby established are set forth and indicated on a map entitled "Zoning Map", which map, properly identified and dated, is hereby adopted as a part of this ordinance, insofar as it indicates said designations, locations

Section 2. Districts and District Map - Ctd.

and boundaries, and the same shall be deemed to be as much a part of this ordinance as if the same were fully described herein.

In construing the said map the following rules shall apply:

- 2.2.1 Where such boundaries are indicated as approximately following the center lines of streets, alleys, railroads, waterways, or the boundary lines of parks or other publicly owned land, such lines shall be construed to be such boundaries. Where such boundaries are shown intersecting boundaries located as aforesaid, the same shall be deemed to be perpendicular thereto unless otherwise indicated on the map.
- 2.2.2 Where such boundaries are indicated as approximately following the lines of lots or other parcels of record, such lot or parcel lines shall be deemed to be such boundaries.
- 2.2.3 Where a district boundary divides a parcel of land, the location of such boundary, unless the same is indicated by dimensions shown on the map, shall be determined by use of the scale appearing thereon.
- 2.2.4 Any district boundary shown extended to or into any body of water bounding the county shall be deemed to extend straight to the county boundary.
- 2.2.5 Whenever a portion of any "C" district is indicated on a zoning map as a strip parallel to an open or unopened street, the depth of such strip, unless otherwise shown on such map, shall be deemed to be 200 feet, measured at right angles, from the side line of the street to which such strip is parallel and adjacent.

Section 3. Schedule of Regulations

No building shall hereafter be erected and no existing building shall be moved, altered, added to, or enlarged, nor shall any land or building be used, designed, or arranged to be used for any purpose other than is included among the uses listed in the following schedule as permitted in the district in which such building or land is located, nor in any manner contrary to any other requirements specified in said schedule.

This schedule, entitled "Schedule of Regulations", and properly identified as a part of this section, is hereby adopted and declared to be a part of this ordinance, and may be amended in the same

Section 3. Schedule of Regulations - Ctd.

manner as any other part of this ordinance.

The regulations listed in said schedule for each district are hereby adopted and prescribed for each district and shall be deemed to be the minimum requirements in every instance of their application, subject to the provisions of other sections of this ordinance.

See "Schedule of Regulations" at end of ordinance.

Section 4. General Regulations

4.1 Height

- 4.1.1 The height limitations of this ordinance shall not apply to barns, silos, residential chimneys, spires, flag poles, monuments, or transmission towers and cables; nor to any smokestack, water tank, radio or television antenna or tower not exceeding in height the distance therefrom to the nearest lot line, provided, however, this height limitation shall not apply to any of the above enumerated structures now or hereafter located on existing public utility easements.
- 4.1.2 Towers, gables, pent houses, scenery lofts, cupolas, similar structures, and necessary mechanical appurtenances may be erected on a building to a height greater than the limit established for the district in which the building is located; provided that no such exception shall cover at any level more than 15 per cent of the area of the lot; provided, further, that no such exception shall be used other than as the following are incidental to the permitted use of the main building (1) for sleeping or housekeeping purposes, or (2) for any commercial or industrial purpose.
- 4.1.3 A parapet wall, cornice, or similar projection may exceed the height limit established for the district by not more than 3 feet, but shall not extend more than 3 feet above the roof level of any building.
- 4.1.4 A building may be erected to a height greater than that specified for the district in which the same is situated if it is set back from every street and lot line, in addition to each of the required minimum yard dimensions, a distance of not less than two feet for each one foot of

height that it exceeds the limit specified for the district; provided, however, that no building shall exceed a height of 90 feet.

4.1.5 A building on a lot with an average slope of more than one foot of rise or fall in 5 feet of the length of that part of the lot to be occupied by the building may be erected with one story on the downhill side in addition to the number of stories in height permitted in the district, but within the height limit in feet that is prescribed for the district.

4.1.6 Except as permitted by the provisions of Section 4.1.1, no accessory building in any R district shall exceed a height of 16 feet; provided, however, that this limitation shall not apply to any building that is accessory to any agricultural use and that is located on a parcel of land with an area of not less than 5 acres and at a distance from any property line thereof not less than equal to the height of such building.

#### 4.2 Accessory Buildings and Uses

4.2.1 The uses permitted in each district shall be deemed to include uses and buildings therefor that are customarily accessory and incidental to such permitted uses and are located on the same lot therewith, provided as follows:

4.2.1.1 A driveway or a walk to and from a business or industrial use shall be deemed to be integral with such use and shall not be deemed to be a permitted use in any R district; provided that if no other means of access is available or reasonably possible, the Board of Zoning Appeals may permit the use of a means of access lying wholly or partly within any R district to a use in any C or I district that was zoned for commercial or industrial purposes at the time of the adoption of this ordinance.

4.2.1.2 A junk yard, as defined in this ordinance, shall not be deemed to be an accessory use in any district unless specifically permitted therein under the terms of this ordinance.

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- 4.2.1.3 In any R district space in any accessory garage, but not any unenclosed space, may be rented for the storage of not to exceed 2 currently licensed passenger vehicles in operating condition.
  - 4.2.1.4 There may be kept as an accessory use on any lot in an R district not to exceed one commercial vehicle (other than a tractor trailer) operated by the occupant of the lot.
  - 4.2.1.5 An office incidental to the sale of the products of a nursery or greenhouse, but not including any salesroom or showroom (other than a greenhouse itself), may be maintained as a part of the nursery or greenhouse establishment and on the same parcel of land therewith.
- 4.2.2 If an accessory building is attached to a main building by any wall or roof construction, it shall be deemed to be a part of the main building and shall comply in all respects with the requirements of this ordinance applicable to a main building. Trellises, gates, and gate posts may be located in any part of any yard. The following regulations shall apply to the location of all other accessory buildings and uses than the foregoing:
- 4.2.2.1 Rear yard: in any part thereof, but not to an aggregate extent of more than 30 per cent of the required minimum rear yard area; or nearer to the main building than a distance equal to the height of the accessory building in any R district; and in any district other than an R district, if the main building is a dwelling of any kind: same as in an R district. For any other building: a distance of 8 feet. Also, not nearer to any rear or side lot line than a distance of 4 feet, or if the walls of such accessory building are of fire-resistant construction, nearer thereto than a distance of 2 feet; provided, however, that if the main building is a dwelling, no accessory building shall be located nearer to any side lot line than a distance equal to the required width of a side yard on that lot unless the front wall of such accessory building is at least 12 feet farther toward the rear of the lot than the rear wall of the main building; provided, further, that this provision shall not be so applied as to prevent the subsequent extension

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of the main building a distance of not to exceed 12 feet to the rear, but not so as to encroach on any required rear yard or be nearer to the accessory building than a distance equal to the height thereof.

4.2.2.2 Front yard, whether required (i.e., minimum) or in addition thereto: in no part thereof.

4.2.2.3 Side yard:

Required side yard: in no part thereof. In any side yard space in addition to the required minimum side yard: in any part thereof, but not nearer to the main building than specified in subsection 4.2.2.1.

4.2.3 The Board of Zoning Appeals, acting under the provisions of Section 11.6 may permit the erection of an accessory garage in the required front setback area on a lot the average slope of the front half of which is greater than one foot of rise or fall in a distance of 7 feet, provided that the location thereof (1) will not cause traffic hazard by reason of vehicular egress from such garage at any place where the sight distance on the street giving access to the garage is impaired by lateral or vertical curvature or by reason of any other condition and (2) will not cause obstruction of the view from any dwelling now existing on an adjacent lot or from any dwelling that might be erected thereon, under the area and yard requirements applying in the district.

4.2.4 On a corner lot the rear lot line of which adjoins a side lot line of a lot to the rear (i.e., where the lot to the rear fronts on the street along the side of the corner lot) no accessory building shall be located (1) nearer to any part of the rear lot line that adjoins the side yard on the lot to the rear than a distance equal to the required minimum side yard width on said lot to the rear or (2) nearer to the side street line than a distance equal to the required front setback on the lot to the rear; provided, however, that no accessory garage facing said side street line shall be required to have a depth of less than 25 feet. Subject to the foregoing limitations, any accessory garage on any such corner lot shall be located, to the maximum extent possible, within the interior one-quarter of the lot, i.e., half the length and half the width of the lot distant from the respective front and side street lines thereof.

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4.3 Extensions into Yard Areas

The following features, and no others, may extend into required yards specified:

- 4.3.1 Cornices, canopies, eaves, or any similar features, none of which is less than 10 feet above grade: 3 feet into any required yard, but not nearer to any lot line than a distance of 2 feet.
- 4.3.2 Sills, leaders, belt courses, and similar ornamental features: 12 inches into any required yard.
- 4.3.3 Open fire balconies, fire escapes, and fire towers: 5 feet into any required yard.
- 4.3.4 Bay windows, oriels, and balconies, not more than 10 feet in width: 3 feet into any front or side required yard, 10 feet into any rear required yard, but not nearer to any side lot line than a distance of 7 feet nor to any rear lot line than a distance of 15 feet.
- 4.3.5 Any unroofed and completely unenclosed patio or terrace with its floor no higher than that of the entrance to the building: 6 feet into any required yard, but not nearer to any side lot line than a distance of 4 feet. An "open-work" railing or wall (which means at least 50 per cent of the area thereof open, in a generally distributed pattern), not over 3 1/2 feet high, may be erected around such patio or terrace.
- 4.3.6 An outside stairway, unenclosed above and below the steps thereof: 4 feet into any side or rear required yard, but not nearer to any side lot line than a distance of 6 feet.
- 4.3.7 Trellises, gates, gate posts: no limitation.
- 4.3.8 On any lot in any block in which 25 per cent or more of the lots are occupied by dwellings on which porches or attached carports have been lawfully extended into required side yards, an enclosed or unenclosed porch or an enclosed or unenclosed carport attached to a dwelling may be extended into any side yard a distance of not more than 5 feet, and on a corner lot not more than 10 feet.

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4.4 Area and Setback Requirements

4.4.1 No yard or other open space provided about any building for the purpose of complying with the provisions of this ordinance shall be reduced so as to be less in width, depth, or area than is required by this ordinance, and no such yard or open space shall be considered as providing any part of a yard or open space for any other building, except as part of a building group and subject to all the regulations of this ordinance applying thereto.

4.4.2 In any R district, except RM-2 and RM-3, not more than one dwelling shall hereafter be erected on any one lot. In RM-2 and RM-3 districts, more than one dwelling may be erected on any one lot only as part of a dwelling group. The Zoning Administrator may permit the erection and occupancy of a temporary dwelling during, but not prior to or after the completion of, the construction of a dwelling on the same lot and may, if he deems it to be advisable to do so, refer the application for a permit for such temporary dwelling to the Board of Zoning Appeals, which may specify any appropriate conditions and requirements to be applied to the permit, in which event the permit shall be subject to such conditions and requirements.

4.4.3 No building in any C district shall be located nearer to the boundary of any lot in any R district than a distance equal to either:

- (1) the width of a side yard required on such lot in such R district, or,
- (2) the height of the building in the C district, whichever is the greater distance.

In no case shall the rear yard be less in dimension than that specified in Section 3 of this ordinance. If any such building is used for or as a part of any gasoline station or repair garage, such distance shall be increased by 25 feet.

No building in an I district shall be located nearer than either:

- (1) 100 feet from any lot or property line lying in an R district, and
- (2) 50 feet from any such line lying in a C district, or
- (3) a distance equal to the height of the building in the I district, whichever is the greater distance, (except as larger yards are required in Column 6 of Section 3 of this ordinance.)

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- 4.4.4 In averaging lot areas in a development of which a general layout plan has been submitted to and tentatively approved by the Planning Engineer but of which development several subdivision plats are recorded at successive times, any excess in the aggregate area of the lots shown on a recorded plat over the average lot area required in the district multiplied by the number of said lots, may be included in computing the lot area average on plats subsequently recorded; otherwise no plat with lots having less than the average area required in the district shall be approved unless the land shown on such plat includes sufficient acreage, reserved against building development under conditions approved by the Planning Engineer, to make up the required average.
- 4.4.5 A reduction in side yard requirements may be permitted for any lot (recorded prior to the adoption of this Subsection) which has a width less than that required by this ordinance;
- (1) which lot is not adjoined by any other land in the same ownership, and
  - (2) which lot has not been reduced in width since the adoption of this Subsection to a width or area less than required by this ordinance.

The width of any side yard required for such lots may be reduced to not less than 15 per cent of the width of the lot as scaled to the nearest foot, said 15 per cent being computed to the nearest foot, with one-half foot being computed as one foot; provided that in no event shall one side yard be less than 10 feet in width nor the other side yard less than 7 feet in width.

The Board of Zoning Appeals, acting under the provisions of Subsection 11.6 may permit similar reductions on a group of such contiguous lots in the same ownership.

A 20 per cent reduction of a minimum setback or yard requirement shall be permitted by the Zoning Administrator on any setback or yard reduced in dimension below minimum requirements at any time by condemnation or by acquisition of a portion thereof for public purposes by any governmental agency.

- 4.4.6 Any parcel of land under one ownership, which has an area of at least 180 per cent of the minimum lot area prescribed by this ordinance for the district in which such parcel is situated, and which has not, since the adoption of the regulations

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prescribing such minimum area, been reduced below an area of twice such minimum area, and is not adjoined by any other land in the same ownership, may be divided into 2 lots, neither of which has an area of less than 85 per cent of such required minimum lot area, and each of the two resulting lots may be used as a lot for a use permitted in the district; provided that all other regulations for the district shall be complied with. In passing on a subdivision plat the Planning Engineer may permit a similar division into 3 lots of a parcel with an area of not less than 270 per cent of the minimum area prescribed for the district, which parcel has not, since the adoption of regulations prescribing such minimum area, been reduced below 3 times the minimum area prescribed for the district and which is not adjoined by any land in the same ownership, provided that none of such 3 lots shall have an area of less than 85 per cent of the minimum area prescribed for the district. Neither the Planning Engineer nor the Board of Zoning Appeals shall have any authority to permit any variance from the foregoing figures of 180 per cent and 270 per cent, respectively, but may permit minor deviation from the resultant minimum figure of 85 per cent if so doing would, in their opinion, result in a better utilization of the land for building purposes.

- 4.4.7 In any required setback area in any C or I district no goods shall be displayed, offered for sale, or stored and no services shall be performed, except the dispensing of gasoline and oil at the pumps of a gasoline station, and no processing or other industrial operation of any kind shall be carried on provided that these limitations shall not be construed to prohibit the provision of required automobile parking space in any setback area, except as provided in Section 5.
- 4.4.8 If 25 per cent or more of the frontage of any block in any R district, exclusive of the frontage along the side of a corner lot, has been improved with dwellings at the time of the passage of this ordinance, excluding dwellings the setbacks of which vary to an extent greater than 10 feet from the required setback, then the required setback for such district shall be disregarded in such block and in lieu thereof the required setback on each lot in such block shall be not less than the average setbacks of such dwellings existing at the time of the passage of this ordinance, to a maximum required setback distance of not more than 40 feet greater than the setback specified for the district. However, a dwelling erected on a lot between lots laterally contiguous thereto on which there

are existing dwellings need not observe a greater front setback than the setbacks of such existing dwellings, or the lesser of the two if they differ. On application with respect to one or more lots not covered by the provisions of the preceding sentence and lying between other lots (1) in the same block and (2) within a distance of 600 feet on each side and (3) on which other lots there are existing dwellings with front setbacks less than the setback required for the district, the Board of Zoning Appeals may issue a permit, under the provisions of Section 11.6, authorizing the erection of dwellings on such intervening lots at such front setback or setbacks as will, in the opinion of said board, produce the most satisfactory overall design of the development and the most appropriate manner of use of the land that is involved; provided, however, that no setback shall be authorized hereunder that is less than the setback of the nearest of such existing dwellings to the dwelling to which such setback applies.

4.5 Obstructions, Fences, Screen Planting

4.5.1 On every corner lot, within the triangle formed by the street lines of such lot and a line drawn between points on such lines at the distances from the intersection thereof that are specified below, there shall be no fence (other than an open wire fence) or wall higher than 3 1/2 feet, nor any obstruction to vision other than a post, column, or trunk (but not branches or foliage) of a tree, none of which exceeds in cross section one foot square or one foot in diameter, between a height of 3 1/2 feet and a height of ten feet above the established grade of either street, or if no grade has been officially established, then above the average elevation of the existing surface of either street at the center line thereof:

4.5.1.1 for a lot having an interior angle of 90 degrees or more at the street corner thereof: 30 feet;

4.5.1.2 for a lot having an interior angle of less than 90 degrees at the street corner thereof: 30 feet plus one foot for every 10 degrees or major fraction thereof by which such interior angle is less than 90 degrees.

4.5.2 The setback and yard requirements of this ordinance shall not be deemed to prohibit any otherwise lawful fence or wall which is less than 4 feet high, provided, however, that a fence or wall along the rear lot line or along a side lot line to the rear of the required front setback line may be erected to a height of not exceeding 7 feet.

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4.5.3 On every lot in a C or an I district, contiguous to a lot in an R district or in a residential district established by the zoning ordinance of any municipality or of any other county, and on which there is any use that is not permitted in an R district hereafter established, there shall be provided along the lot line contiguous to such adjoining lot a wall or fence, supplemented by planting, all of such nature and density that the same will screen the activities conducted on the lot from view from the normal level of a first story window on such adjoining lot, all in accordance with specifications for such screening adopted by the Board of County Supervisors. Such wall or fence and planting shall be properly maintained at all times in accordance with the aforesaid specifications.

4.6 Drainage

4.6.1 No building shall be erected on any land and no change shall be made in the existing contours of any land, including any change in the course, width, or elevation of any natural or other drainage channel, in any manner that will obstruct, interfere with, or change the drainage of such land, taking into account land development that may take place in the vicinity under the provisions of this ordinance, without providing adequate drainage in connection therewith. In his administration of this requirement the Zoning Administrator may refer any application submitted to him to the Director of Public Works for a determination in the matter.

4.6.2 Regardless of the provisions of Section 4.6.1 within any area subject to recurrent overflow as indicated on any map delineating flood plains adopted by the Board of Supervisors after notice and hearing in accordance with the same procedure as set forth in Section 10.2 for the adoption of future street line maps and recorded in the office of the Clerk of the Circuit Court, no permit shall be issued for the erection of any building the underside of the lowest floor of which (including any cellar or basement) would be at an elevation of less than 18 inches above the flood level indicated on such map; provided that this limitation shall not apply to any

4.6.2.1 building used for any agricultural purpose other than a dwelling or a structure for the shelter of livestock;

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4.6.2.2 shelter in a park, playground, or recreation ground;

4.6.3 In any flood plain delineated on any map adopted by the Board of County Supervisors as prescribed in Section 4.6.2 (or above) there shall be no filling or change of contours which will so constrict the flood plain as to interfere with its use as a natural drainage way.

4.7 Miscellaneous

4.7.1 A house displayed for advertising purposes, whether in connection with a residential development or otherwise, unless the same conforms to all the requirements of this ordinance and of any other ordinance or law applicable to a dwelling in the district in which such house is located, shall not (1) be located in any R district or (2) be connected with utilities or otherwise be made usable for occupancy as a dwelling.

4.7.2 No mobile dwelling shall be occupied for dwelling purposes unless the same is located in a mobile dwelling park, in accordance with all the regulations applying thereto under State law or county ordinance.

4.7.3 The sale or offering for sale of goods or services from any vehicle shall be deemed to be a business use and shall be subject to all the regulations prescribed for the district in which the same is conducted, but this regulation shall not be deemed to prohibit any vending from vehicles on public streets that is not otherwise prohibited by law.

4.7.4 Nothing in this ordinance shall be deemed to require any change in the plans, construction, or designated use of any building on which construction was authorized by a permit issued prior to the effective date of this ordinance, such construction authorized and actual construction shall have been commenced within six months after the date of issuance of said permit.

Section 5. Site Plans

5.1 A site plan shall be submitted to the Planning Commission for approval for

5.1.1 Any use or development for which the submission of a site plan is required by any provision of this ordinance.

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- 5.1.2 Any development in which any automobile parking space is to be used by more than one establishment.
  - 5.1.3 Any use in a C or an I district on any site of one acre or more in area.
  - 5.1.4 Any use or development in a C or an I district lying contiguous to or across a street from any R district.
  - 5.2 Every site plan submitted to the Planning Commission, in accordance with the requirements of this ordinance, shall contain such information and be in such form as the Commission may prescribe in its rules. No site plan shall be approved by the Commission until the same has been reviewed by the Director of Public Works, and by the Health Officer or the Sanitary Engineer, for compliance with duly adopted local and state laws and with standards of the respective County departments for drainage of storm water and sewerage facilities; and a report thereon submitted to the Planning Commission. No site plan for a mobile dwelling park shall be approved by the Planning Commission except in conformity with the provisions of Section 5.5.
  - 5.3 In passing on any site plan, the Commission shall consider
    - 5.3.1 the location and design of driveways providing vehicular ingress to and egress from the site, in relation to streets giving access to the site and in relation to pedestrian traffic;
    - 5.3.2 the traffic circulation features within the site and the location of automobile parking areas; and may make such requirements with respect to any of such matters as will assure
      - 5.3.2.1 safety and convenience of both vehicular and pedestrian traffic, both within the site and in relation to access streets;
      - 5.3.2.2 satisfactory and harmonious relations between the development on the site and the existing and prospective development of contiguous land and adjacent neighborhoods;
- all in furtherance of the purposes of this ordinance. The Planning Commission may require landscaping, fences, and

walls in pursuance of these objectives and the same shall be provided and maintained as a condition of the establishment and the continued maintenance of any use to which they are appurtenant.

5.4 No permit shall be issued for any building in any area covered by a site plan that is required under the provisions of this ordinance, or submitted in support of a petition for an amendment to this ordinance or of an application for a special permit under the provisions of this ordinance and in either case approved by the Planning Commission, except in conformity to such site plan or a subsequent amendment thereof approved as in the first instance. No certificate of occupancy shall be issued for any such building unless the same conforms in all respects to such site plan and unless all automobile parking space and all other features included in such site plan have been installed in accordance therewith. Approval by the Planning Commission of a site plan submitted under the provisions of Section 5.1 (but not of any other site plan) shall expire one year after the date of such approval if building permits have not been obtained for construction in accordance therewith.

5.5 Mobile Dwelling Parks or Trailer Parks

5.5.1 Any trailer park in operation at the time of the passage of this Section may continue in operation provided that driveways are constructed therein to a minimum surfaced width of twenty (20) feet in accordance with the requirements for surfacing material of Section 5.5.8 hereof, not later than January 24, 1960.

5.5.2 Each application shall be accompanied by three copies of a plot plan drawn at a scale of one inch equals twenty (20) feet, prepared by a licensed surveyor or engineer showing the following information: (a) limits and square footage of proposed trailer park, and (b) location and size of driveways, parking areas, drying areas, playgrounds, service buildings, other buildings, independent trailer lots and dependent trailer lots together with required setbacks from rights of way and property lines. All trailer lots shall be numbered in sequence on said plot plan.

5.5.3 The minimum unit area for each trailer lot used or occupied by and under each trailer shall be as follows:

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(a) 70% of the lots in any one trailer park shall be not less than 2100 square feet in area; (b) 25% of the lots in any one trailer park shall be not less than 1800 square feet in area; and (c) 5% of the lots in any one trailer park shall provide not less than 1000 square feet, exclusive of the ground underneath each trailer in accordance with the requirements of the State Department of Health. These lots are to be used only for the temporary parking of trailers for a period not to exceed thirty (30) days.

- 5.5.4 The minimum width for each trailer lot shall be thirty (30) feet, except that the trailer lots included in Section 5.5.3 (c) above shall be not less than twenty-five (25) feet in width.
- 5.5.5 No trailer shall be placed within fifteen (15) feet of another provided however that with respect to trailers parked end-to-end the distance between trailers so parked shall be not less than ten (10) feet.
- 5.5.6 No trailer shall be placed a lesser distance from the trailer park boundary than the sideyard width required in the zoning district in which the property adjoining each such boundary lies. In no case shall any trailer be placed less than ten (10) feet from the trailer park boundary. All trailers shall be set back from any public street the same distance as buildings are required to set back therefrom in the zoning district in which the trailer park is located.
- 5.5.7 Every trailer lot shall be clearly defined on the ground by permanent markers. There shall be posted and maintained in a conspicuous place on each lot a number corresponding to the number of each lot as shown on the plot plan submitted as required in Section 5.5.2 so that each lot may be easily identified.
- 5.5.8 The minimum lane or driveway on which an individual trailer lot fronts shall be twenty-eight (28) feet in width. This shall not apply to trailer parks existing at the time of the passage of this Section. Driveways in such existing trailer parks shall comply with the provisions of Section 5.5.1. In cases when driveways dead-end, there shall be constructed at each such dead-end, a cul-de-sac with a minimum turning radius of thirty-eight (38) feet. All driveways or lanes shall be surfaced and maintained for the full

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width thereof with a durable, dust-proof, hard material. Minimum material which will meet these requirements will be a 2-shot bituminous treatment applied on a base of not less than six (6) inches of compacted bank gravel. Before construction of any driveway or lane shall commence, a permit therefor shall be secured from the Department of Public Works. All driveways or lanes shall have unobstructed access to a public street or highway. Driveway entrances to trailer parks from any public street shall conform to the current construction standards of the Virginia Department of Highways.

- 5.5.9 Parking spaces shall be provided at the rate of at least one and one-half (1 1/2) car spaces for each trailer lot. Required car parking spaces may include one car space on each trailer lot where the area of the lot is 2300 square feet or more; shall include one car space for each trailer lot containing less than 2300 square feet, located in parking bays convenient to such lots; and in addition shall include a sufficient number of car spaces in conveniently located parking bays to bring the total number of parking spaces up to the required one and one-half (1 1/2) car spaces per trailer lot. Each such parking space shall be not less than ten (10) feet wide and twenty-two (22) feet deep; shall be surfaced for its entire area with a durable, hard material, suitable for all-weather use; and shall have unobstructed access to a public street or highway. No parking space shall be more than two-hundred-fifty (250) feet from the trailer lot which it serves.
- 5.5.10 Water Supply. An adequate supply of potable water approved by the Health Department shall be furnished from a public water supply system, or from a private water system conforming to all applicable laws, regulations, resolutions and ordinances, with supply faucets located on each trailer lot. An adequate supply of hot water shall be provided at all times to all hot water outlets required by this ordinance. No drinking water containers or fountains shall be located within any room housing toilet facilities.
- 5.5.11 Sewer and Sewage. In each trailer park all waste or waste water (including such waste or waste water from trailers) from a faucet, toilet, tub, shower, sink, slop-sink,

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drain, washing machine, garbage disposal unit or laundry, shall empty into an approved sewer system installed in accordance with the Fairfax County Plumbing Code as amended. The discharge of waste or waste water into a septic tank is hereby prohibited.

5.5.12 Service Building(s). Each park permitting dependent trailers shall, and each park permitting independent trailers only may, provide service buildings to house such toilet, bathing, or other sanitation facilities and such laundry facilities as are hereinafter more particularly prescribed in Paragraphs 11 and 12 of this Section.

(a) All service buildings shall be permanent structures complying with all applicable laws and ordinances regulating the construction of buildings.

(b) All service buildings shall be adequately lighted at all times of day and night; shall be well ventilated and with screens on all openings; shall be constructed of such moisture-proof material, including painted woodwork, as shall permit repeated cleaning and washing; and shall be maintained at a temperature of not less than 68 degrees Fahrenheit during the period from October 1 to May 1. Floors of all service buildings shall be of water-impervious material, shall contain a drain or drains and shall be so constructed as to assure efficient drainage to such drain or drains.

(c) Service buildings housing sanitation facilities shall be located not closer than twenty (20) feet from any trailer lot nor farther than one hundred (100) feet from any trailer lot upon which a dependent trailer is harbored. Setback requirements from public streets pertaining to trailers shall also apply to service buildings. Walkways shall be provided from each service building to the nearest driveway; shall be constructed and maintained to a minimum width of three (3) feet; in a manner and of materials suitable for all-weather use.

(d) All service buildings and the grounds of the park shall be maintained in a clean, sightly condition and kept free of any condition that will menace the health of any occupant or the public or constitute a nuisance or fire hazard.

5.5.13 Sanitation Facilities. Each park accommodating dependent trailers shall be provided with toilets, baths or showers, slop-sinks and other sanitation facilities which shall conform to the following requirements:

(a) Toilet facilities shall consist of not less than one flush toilet for each 3.5 dependent trailer lots or fraction thereof, not less than one for each sex and not less than one urinal for each 15 dependent trailer lots or fraction thereof.

(b) Each sex shall be provided with not less than one lavatory for each 5 dependent trailer lots or fraction thereof, and not less than one shower or bath tub with individual dressing accommodations for each 10 dependent trailer lots or any portion thereof. Each lavatory, shower and tub shall be provided with hot and cold water outlets.

(c) Each toilet, and each shower or tub with individual dressing accommodations, shall be in a private compartment or stall.

(d) The toilet and other sanitation facilities for males shall be either in separate buildings or shall be separated, if in the same building, by a soundproof wall from those provided for females.

(e) In addition to other required sanitary facilities there shall be provided in a separate compartment or stall in each area housing toilet facilities, not less than one flush toilet bowl receptacle for emptying bed pans or similar containers. Also in such compartment or stall, there shall be hot and cold water outlets, over a slop-sink, for cleansing such bed pans or containers.

5.5.14 Laundry Facilities. When laundry facilities are provided, such facilities shall be provided in either of the following ratios:

(a) Not less than one double laundry tray and one conventional wringer type washing machine for each 25 trailer lots or any portion thereof.

(b) Not less than one single laundry tray and one automatic or semi-automatic type washing machine for each 25 trailer lots or any portion thereof.

(c) Hot and cold water outlets shall equal not less than the number of laundry trays and washing machines.

(d) An ample number of electrical outlets shall be provided supplying current sufficient to operate each such machine.

(e) The laundry facilities shall be in a separate service building, or, if in the same building where sanitation facilities are housed, shall be separated from the area housing sanitation facilities by a soundproof wall.

5.5.15 Garbage and Trash Disposal. Corrosion-resistive metal garbage cans or other non-combustible containers, with

tight-fitting covers shall be provided in quantities adequate to permit disposal of all garbage and rubbish. Each trailer lot shall have at least one garbage can within one hundred and fifty (150) feet of it. The cans shall be kept in sanitary condition as determined by inspection of the Health Department. Garbage and rubbish shall be collected and disposed of as frequently as may be necessary, but not less than once daily to insure that the garbage cans shall not overflow.

- 5.5.16 Electric Lighting and Outlets. All entrances, exits and driveways shall be lighted at night. Not less than a 100 watt electric light shall be provided for each two hundred (200) lineal feet of internal driveway and at each entrance and exit to the trailer park. At least one (1) receptacle outlet for each trailer space shall be provided; this receptacle and other electric wiring shall conform to the Fairfax County Electrical Ordinance.
- 5.5.17 Storage Tanks. Gasoline, liquified petroleum, gas or oil storage tanks shall be so installed as to comply with all County, State and National Fire Code regulations.
- 5.5.18 Playgrounds. The purpose of this paragraph is to provide for areas and facilities for recreational purposes appropriate to the needs of the occupants. At least fifty (50) square feet of playground space shall be provided and maintained for each trailer lot. Each trailer park must provide not less than one (1) playground, and no playground shall be less than twenty-five hundred (2500) square feet in area. Such playground areas shall be used exclusively for playground purposes.
- 5.5.19 Additions. No permanent or semi-permanent structure shall be affixed to any trailer as an addition to such trailer nor shall any accessory structure be permitted on any trailer lot or in any trailer park except those accessory structures required by this ordinance and a structure to house an office. If an office structure is provided, its construction shall comply with all applicable laws and ordinances. The prohibition herein against any addition or accessory to a trailer shall not apply to a canopy or awning designed for use with a trailer, nor to any expansion unit or accessory structure specifically manufactured for trailers. The trailer lot coverage of a trailer together with additions or accessory

structures thereto permitted by this ordinance, shall not exceed thirty (30) per cent of the total trailer lot area.

1. No trailer shall be occupied in any trailer park until after a Certificate of Use and Occupancy shall have been issued by the Zoning Administrator to the effect that the said trailer park or the portion thereof for which Certificate is requested is in compliance with all applicable provisions of this ordinance. The Zoning Administrator shall not issue such Certificate until after the same has been approved by the Department of Public Works, the Health Department, the Sanitary Engineer, the Electrical Inspector, the Building Inspector, the Fire Marshal and other agencies concerned.

2. It shall be unlawful for any electric company to furnish electricity to any trailer that is to be used as a dwelling or living quarters in Fairfax County unless it is parked in a trailer park licensed by the County.

3. It shall be unlawful for any property owner, tenant, lessee or administrator of any real estate in Fairfax County to rent, lease or to allow any trailer that is to be used as a dwelling or living quarters to be parked on the land under their supervision, unless it is a legal trailer park licensed by the County and maintained in accordance with the provisions of this ordinance.

5.5.20 Notwithstanding the penalty provided elsewhere in this Chapter, any person, firm or corporation, owner, lessee or operator of a trailer park who violates any provision of this Section, shall be guilty of a misdemeanor and shall be punished by a fine not exceeding \$300.00 or imprisonment in the County Jail not exceeding 30 days or both such fine and imprisonment. Each day of violation shall constitute a separate offense.

## Section 6. Parking Requirements

6.1 Off-street parking space shall comply with the following regulations in addition to those specified in the schedule contained in Section 3.

6.1.1 All off-street parking space appurtenant to any use permitted in an R district shall be provided on the same lot with the use to which it is appurtenant.

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- 6.1.2 All off-street parking space appurtenant to any use other than a use permitted in an R district shall be provided on the same lot with the use to which it is appurtenant; provided, however, that where there are practical difficulties in the way of such location of parking space, or if the public safety or the public convenience or both would be better served by the location thereof other than on the same lot with the use to which it is appurtenant, the Planning Commission, acting either on a specific application or by the adoption of standards and rules sufficient to serve as a conclusive guide in the issuance of building permits and certificates of occupancy, may authorize such alternative location of required parking space as will adequately serve the public interest, subject to the following conditions: (a) such space shall be located on land in the same ownership as that of the land on which is located the use to which such space is appurtenant or, in the case of cooperative provision of parking space, as provided in Section 6.1.3, in the ownership of at least one of the participants in the combination; (b) the entrance to such space shall be located within 500 feet walking distance of an entrance to the use that such space serves.
- 6.1.3 Parking space required under the provisions of this ordinance may be provided cooperatively for two or more uses in a development, or for two or more individual uses, subject to arrangements that will assure the permanent availability of such space, as such arrangements are approved by the Planning Commission as a part of its action on a site plan, subject to the provisions of Section 5. The amount of such combined space shall be equal to the sum of the amounts required for the separate uses; provided that the Planning Commission may reduce the amount of space required for a church or for a meeting place of a civic, fraternal or similar organization under the provisions of this ordinance by the amount of space available to it in such a combined parking area by reason of different hours of normal activity than those of other uses participating in the combination.
- 6.1.4 All off-street loading space shall be provided on the same lot with the use to which it is appurtenant.

- 6.1.5 All off-street parking space and off-street loading space shall be provided with safe and convenient access to a street. If any such space is located contiguous to a street, the street side thereof shall be curbed, and ingress and egress shall be provided only through driveway openings through the curb not exceeding 30 feet in width and located and constructed in accordance with specifications prescribed by the Director of Public Works. All off-street parking space and off-street loading space that is not located within a building shall be constructed and maintained with a dustless surface and of such type of construction that the same will be available for safe and convenient use at all times.
- 6.1.6 All required off-street parking space, all required off-street loading space, and all passageways and driveways appurtenant thereto and giving access thereto shall be deemed to be required space on the lot on which the same are situated and shall not be encroached upon or reduced in any manner except upon approval by the Planning Commission in either of the two following circumstances only, as set forth in the findings of the commission; (1) such space may be reduced by the amount to which other and equivalent space, conforming to the provisions of this ordinance, is provided for the use that is involved. (2) Such space may be reduced by an amount which is justified by a reduction in the need for such space by reason of a reduction in the size or change in the nature of the use to which such space is appurtenant; or, with respect to off-street parking space, by reason of the provision of conveniently available parking space in a parking lot established by public authority.
- 6.1.7 If there is any uncertainty with respect to the amount of parking space required by the provisions of this ordinance as a result of any indefiniteness as to the proposed use of a building or of land, the maximum requirement for the general type of use that is involved shall govern.
- 6.2 Upon approval by the Board of Supervisors following a duly advertised public hearing in accordance with the same procedure as set forth in Section 10.2, and subject to the provisions of Section 6.1, any parcel of land in any R district may be used for off-street parking of motor vehicles subject to the following limitations and requirements:
- 6.2.1 There shall be no parking of vehicles nearer to any boundary of such parcel than a distance equal to the

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minimum depth or width required for a front or side yard on the adjoining property.

- 6.2.2 That part of the parcel abutting any R district shall be subject to the requirements of Section 4.5.3 regarding fencing and screen planting.
- 6.2.3 No sign shall be displayed on such parcel except one identification sign not exceeding 4 square feet in area, nor shall such sign be located outside the parcel. No such sign shall be illuminated by other than indirect lighting nor at any time other than during the same time that the use to which the parking is appurtenant is open for business or otherwise engaged in the activities thereof.
- 6.2.4 No charge shall be made for the use of such parcel for parking purposes.
- 6.2.5 No service of any kind shall be extended to persons occupying vehicles in such parcel; nor shall such parcel be used for automobile repair, service or storage.
- 6.2.6 Wherever lighting of such parcel abutting any R district is provided installation shall be arranged so as not to reflect or cause glare onto the abutting or facing residential land.

Section 7. Signs

- 7.1 It is hereby declared to be the policy of the county that the protection of property values, the protection of the character of the various communities in the county, the encouragement of the sound development of land throughout the county for its most appropriate use, and the protection of the public welfare in general require strict limitation of all display of signs in the county.

Any sign placed on land or on a building for the purpose of identification or protection of the same or for advertising a use conducted thereon or therein shall be deemed to be accessory and incidental to such land, building, or use. It is the purpose of this ordinance to place such limitations on the display of all such signs as will assure that they will (1) be appropriate to the land, building, or use to which they are appurtenant and

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(2) be adequate but not excessive for the intended purpose of identification, protection, or advertisement. With respect to signs advertising business uses, such regulations have been devised after considering, among other matters, shopping habits; extent of trade area, and means of access to such uses, and are specifically intended, among other things, to avoid excessive competition among sign displays in their demand for public attention.

It is intended by this ordinance that all signs erected (1) for directional purposes, (2) for public information, or (3) to call attention to special events shall be confined to those that are of general public interest and that such signs shall be limited to the giving of information.

All other signs, commonly referred to as outdoor advertising, are deemed by this ordinance to constitute a separate use, unique among all uses in the county in that it is essentially a use of the streets and highways in the county. Any widespread display of outdoor advertising is deemed to be inappropriate to the character and sound development of the county and it is intended by this ordinance that the streets and highways in the county shall not be made available for such display, but that outdoor advertising shall be confined to locations in types of industrial districts in which it is deemed not to be incongruous with other uses permitted therein.

In accordance with the foregoing declaration of policy all the regulations of this ordinance relating to signs shall be strictly construed, and all signs not specifically permitted by the provisions of this ordinance shall be deemed to be prohibited.

7.2 The following regulations shall apply to signs in all districts:

7.2.1 A sign permit shall be obtained before any sign is displayed, except for any sign listed in Section 7.2.2. Every sign for which a permit is issued shall have the permit number and the date of issuance affixed thereon in letters one inch high at the bottom right-hand corner.

7.2.2 No permit shall be required for any of the following signs and the same may be displayed in any district, in addition to signs permitted in such district under the provisions of this article relating to signs in particular districts or classes of districts, and the area of any of the following signs shall not be included in computing the aggregate sign area for the purpose of such provisions:

(a) Signs displayed on any farm by the owner or other operator thereof for the purpose of identifying such farm or advertising solely the products thereof. No single sign shall exceed 60 square feet in area. The total aggregate area of all signs shall not exceed 120 square feet.

(b) Non-illuminated signs displayed on buildings other than one-family or two-family dwellings for the purpose of giving only the names thereof, as follows: not to exceed one sign on any building, located on the face thereof, and projecting not more than 6 inches therefrom, not extending above the actual height of the building and not exceeding one foot in vertical dimension, except that the latter limitation shall not apply to any sign carved or cast in stone or masonry and being of the same material and color as such stone or masonry. The following limitations shall apply to the area of such signs (except signs carved or cast in stone or masonry, as aforesaid):

- I. in RM-1, RM-2 and RM-3 districts: 12 square feet;
- II. in C, I-I, I-S and I-P districts: one-half of one square foot for each one foot of the frontage width of the building;
- III. in I-L and I-G districts: no limitation.

(c) Official notices or advertisements posted or displayed by or under the direction of any public or court officer in the performance of his official or directed duties, or by trustees under deeds of trust, deeds of assignment, or other similar instruments; provided that all such signs shall be removed not later than 10 days after the last day of the period for which the same are required to be displayed in order to accomplish their purpose.

(d) Signs of any political party or announcing the candidacy of any individual for any nomination or office; provided that in any R district no such sign shall exceed 32 square feet in area and in any district other than an R district no such sign shall exceed in area the maximum area of sign display permitted on any lot in that district; provided, further that all such signs shall be removed not later than 10 days after the day of the election to which they pertain.

(e) Signs advertising only the name, time, and place of any bona fide fair, carnival, festival, bazaar, horse show, or similar event, when conducted by a public agency or for the benefit of any civic, fraternal, religious, or charitable cause; provided that no such sign shall be displayed in any R district except on the immediate site of the event to which it pertains; and provided, further, that all such signs shall be removed within 10 days after the last day of the event to which they pertain. Such signs shall be subject to the same area limitations set forth in paragraph (d) preceding.

(f) Signs not exceeding 6 square feet in area warning the public against hunting, fishing, or trespassing on the land on which the same are displayed.

(g) Any informational or directional sign or historic marker erected by a public agency, which may include signs displayed by the County for the purpose of giving directions and distances to business districts in which are located the following types of commercial facilities for the convenience of the traveling public: restaurants, motels, establishments for the servicing of motor vehicles; provided that no such sign shall give direction or distance to any specific business establishment. No permit shall be required for any identification sign permitted in any R district and not exceeding 2 square feet in area.

7.2.3 Signs advertising the prospective sale, rental, lease or trade of land, and/or buildings may be erected as follows, but not otherwise:

(a) Not more than one sign, not exceeding 10 square feet in area in any R district and not exceeding 60 square feet in area in all other districts on a multiple dwelling building group or on any other building or on a lot or other parcel of land, advertising the prospective sale, rent, lease, or trade of such real property, displayed by the owner thereof or by his agent, but not by the same person who displays or causes to be displayed a sign under paragraph (b) of this subsection advertising a subdivision within which such real property is situated; provided that such sign shall be removed within 3 days after the sale, rental, lease, or trade of such real property, except that any such sign advertising the availability of dwelling units for rent in any multiple dwelling or any multiple dwelling building group may be

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displayed for as long as any dwelling units therein are available for rent;

(b) One sign not exceeding 20 square feet in area advertising a subdivision development and located therein adjacent to each street bounding such development, provided that no such sign shall be displayed for a longer period than ten days after the initial sale of the last lot or building in the subdivision, whichever occurs later.

7.2.4 Signs not exceeding one and one-half square feet in area may be displayed for the purpose of giving only directions and distances to specified (a) churches, (b) community buildings, (c) tourist houses located in R districts, and (d) real estate for sale, rent, lease or trade; provided as follows:

(a) No such sign giving direction to real estate for sale, rent, lease, or trade shall be illuminated; no other such sign shall be illuminated by other than indirect lighting, with the source thereof so shielded as to prevent glare;

(b) Not more than two signs pertaining to a single place shall be displayed along any one street.

(c) Nothing in this paragraph shall be construed to prohibit the use by churches of signs produced by the various denominations on a national basis which do not exceed five square feet in area.

7.2.5 One sign giving the place name of an established neighborhood or community, and not more in addition thereto than direction to the location of features in such neighborhood or community, may be displayed in such neighborhood or community or at not more than one entrance thereto on each street bounding the same. No such sign shall exceed an over-all height of 6 feet or an area of 20 square feet, computed as of a rectangle containing such place name and any such directional information and not including the area of the structure on which the same is placed, the overall area of which shall not exceed 100 square feet.

7.2.6 A sign advertising a use which is permitted in a C or an I district but which use (a) exists as a non-conforming

use in a more restricted C or I district shall conform to the regulations applying to signs in the district in which the same is located; (b) exists as a non-conforming use in an R district shall conform to the regulations applying to signs in C-O districts, except that no sign shall be displayed on or in connection with such use except on the front wall of the building in which the same is conducted.

7.2.7 The following types of signs are prohibited:

(a) Any sign of which all or any part is in motion by any means, including fluttering, rotating, or other moving signs set in motion by movement of the atmosphere.

(b) Any sign displaying flashing or intermittent lights or lights of changing degrees of intensity.

(c) Any illuminated tubing or strings of lights outlining roof lines, doors, windows or wall edges of any building.

(d) Any sign that obscures a sign displayed by public authority for the purpose of giving traffic instructions or direction or other public information.

(e) Any sign that uses the word "stop" or "danger" or otherwise presents or implies the need or requirement of stopping or caution or the existence of danger or which is a copy or imitation of or which for any reason is likely to be confused with any sign displayed by public authority.

(f) Any sign within the triangular area at the street corner of a corner lot described in Section 4.5.1.

(g) Any sign that obstructs any window, door, fire escape, stairway, ladder, or opening intended to provide light, air, ingress, or egress for any building as required by law.

(h) Any sign that causes any direct glare into or upon any dwelling.

(i) Any portable sign, including any sign displayed on a vehicle when used primarily for the purpose of such display, except this shall not apply to temporary political signs.

(j) Any sign that violates any provision of any law of the State of Virginia relative to outdoor advertising.

7.2.8 No part of any sign projecting more than 2 inches from any wall or from any other support shall be less than 9 feet above the level of the ground at that point.

7.2.9 Any illumination of any sign by other than indirect lighting shall be not less than 16 feet above the level

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of the ground at that point.

7.2.10 The height of a building for the purpose of the regulations of this ordinance pertaining to signs shall be measured as provided in the definition of Height of Building in Section 1. The term "actual height of the building" as used in said regulations with respect to the location of signs shall not be deemed to include any part of the building that consists of a sign structure or that is erected for the primary purpose of displaying a sign.

7.3 Signs may be displayed in any R district as follows, but not otherwise:

7.3.1 One sign not exceeding 1 1/2 square feet in area identifying a dwelling, its occupant or its location, or a home occupation or a home professional office.

7.3.2 Signs identifying special permit uses as provided in the regulations pertaining thereto set forth in Section 12.

7.3.3 Not more than two signs not exceeding 24 square feet in aggregate area identifying any other use permitted in the district.

Except as may be otherwise specified in connection with a special permit, as provided in Section 12 every sign in an R district shall be either (1) placed flat against a building, projecting not more than 6 inches therefrom, on the front thereof, and not extending above the actual height thereof or (2) located completely apart from a building, directly in front thereof, at a distance of not less than 15 feet from the front lot line, and not exceeding one foot in over-all height for each one square foot in area, to a maximum of 10 feet in height.

No sign in an R district shall be illuminated by other than indirect lighting, with the source thereof so shielded that it illuminates only the face of the sign.

7.4 Signs identifying or advertising a use conducted on the same lot on which such signs are displayed but not elsewhere, including products offered for sale thereon, but with not more than one-third the aggregate area of all signs displayed thereon being used to advertise any one brand-name product, may be displayed in C districts as follows, but not otherwise:

7.4.1 C-0 districts:

(a) On the front wall of the first story of the building or part thereof in which the advertised use is conducted, and not projecting more than one foot therefrom.

- I. maximum vertical dimension: 2 feet;
- II. maximum over-all height: not extending above the actual height of the building;
- III. maximum number of signs: 3;
- IV. maximum aggregate area of all signs, including all signs displayed in windows: one square foot for each one foot of width of the front wall of the building, to a maximum aggregate area of 60 square feet.

(b) On the street side wall of the first story of a building on a corner lot and not projecting more than one foot therefrom:

- I. maximum vertical dimension and over-all height limit: same as specified for signs on the front wall of the building;
- II. maximum number of signs: one;
- III. maximum area: equal to one-half the maximum aggregate area of signs permitted on the front wall of that building; provided that no sign on the side wall of a building located on a lot that is contiguous to or across a street from the boundary of any R district shall extend to a distance of more than 30 feet from the front wall of the building.

(c) On the second story: window signs only, not occupying more than 25 per cent of the area of any window, computed on the basis of the aggregate area of rectangles each enclosing one line of the sign.

7.4.2 C-N districts: the same regulations as prescribed for C-0 districts, except that the maximum aggregate area of all signs on the front wall of the first story of a building shall be 100 square feet.

7.4.3 C-G districts:

(a) On or at the front wall of the building, or part thereof in which the advertised use is conducted, and not projecting more than 42 inches therefrom:

- I. maximum vertical dimension of any horizontal sign: 3 feet;
- II. maximum width of any vertical sign: 6 feet;

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- III. maximum over-all height of any sign: not extending above a height of twice the actual height of the building and not above the height limit prescribed for the district;
- IV. maximum aggregate area of all signs, exclusive of temporary window signs designed primarily for the attention of patrons on foot and not that of persons in motor vehicles on any adjacent street: 3 square feet for each one foot of the width of the front wall of the building, to a maximum aggregate area of 300 square feet.

(b) On the street side wall of a building on a corner lot, and not projecting more than 42 inches therefrom: the same as on or at the front wall, but to a maximum aggregate area equal to one-half the maximum aggregate area of signs permitted on or at the front wall of that building; provided that no sign on the side wall of a building located on a lot that is contiguous to or across a street from the boundary of any R district shall extend to a distance of more than 50 feet from the front wall of the building.

(c) For a building, or for two or more buildings designed as a composite group, and in either case located on a lot with a frontage of 100 feet or more, there may be erected not to exceed one pylon sign, conforming to the foregoing regulations as to over-all height, having a sign area of not exceeding one square foot for each one foot of actual width of the building or building group, to a maximum of 100 square feet, on each of not to exceed two display faces with an interior angle between them of not exceeding 45 degrees, and located not less than 20 feet from the front lot line. The total sign area of such pylon sign shall be included in the maximum aggregate area of sign display permitted on the lot; provided, however, that for any actual width of the building or building group that exceeds 100 feet, a portion of the aggregate area of such pylon sign, not exceeding one square foot for each foot of building width by which said width exceeds 100 feet, shall be excluded from the computation of the maximum aggregate area of sign display permitted on the lot.

(d) In addition to the signs permitted under Subsections 3 (a), (b) and (c) above, a gasoline station may display the following signs:

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- I. signs on a group of pumps, not exceeding in aggregate area one square foot for each one foot of length of the base of the group;
- II. one sign, not exceeding 20 square feet in area, on each of not to exceed two display faces, parallel to each other, on a support consisting of a pipe not exceeding 4 inches in diameter, and not extending to an over-all height of more than 20 feet, provided no sign has been displayed under provision of Section 7.4.3 (c).

(e) The following regulations shall apply to the display of signs on any lot the use of which consists primarily of the use of land, with any building thereon being only incidental and accessory thereto, such as a shelter or a cashier's booth:

- I. location: only at the front of the lot, but not within any setback area;
- II. maximum over-all height of any sign: 20 feet;
- III. maximum number of signs on the lot: 3;
- IV. maximum aggregate area of all signs on the lot, including the area of any sign on any building on the lot:
  - in C-G districts: one square foot for each one foot of frontage of the lot;but not exceeding a total aggregate of 300 square feet.

7.4.4 C-D districts: same as specified for C-G districts; provided, however, that the location and arrangement of signs, within the same limitations as to height and maximum aggregate area as are specified for C-G districts, shall be subject to approval as part of the action on site plans required in C-D districts.

7.4.5 In any C district the following identification signs, none of which shall exceed 4 square feet in area, may be displayed on any lot and shall not be included in computing the aggregate area of all signs displayed on the lot:

- (a) not more than one sign each identifying the vehicular entrance to and exit from the lot;
- (b) not more than one sign identifying the location of each area on the lot assigned to automobile parking space;
- (c) not more than one sign identifying any secondary entrance to a building on the lot from automobile parking space or from a pedestrian way.

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No such sign shall be lighted by other than indirect illumination, with the source thereof so shielded as to prevent glare; provided, however, that regardless of the provisions of Subsection 7.2.9 any such sign identifying the vehicular entrance to or exit from the lot may be lighted by the same means of illumination as that used for not less than 75% of all similar signs located within a distance of 600 feet on each side thereof and that were in existence at the time of the adoption of this ordinance.

7.4.6 The limitations as to number and area of signs in C districts shall apply separately to separate establishments, with the area of signs computed on the basis of the actual width of building frontage occupied by the particular establishment; provided, however, that two or more establishments, upon written consent of the responsible proprietors thereof, may be pooled and considered in the aggregate for the purpose of the application of the regulations prescribed by this section. Such written consent shall either be in a form that is binding on successors in interest or shall contain provisions for the termination of the pooled arrangement under such terms as will assure conformity to the provisions of this section.

7.5 Signs may be displayed in I-S districts as follows, but not otherwise; same as specified for C-D districts.

7.6 Signs may be displayed in I-L and I-G districts as follows, but not otherwise:

7.6.1 Signs identifying or advertising a use conducted on the same lot, including products thereof: same as specified for C-G districts. Such signs may also advertise uses conducted or goods sold elsewhere.

7.6.2 Outdoor advertising signs as separate uses:

- (a) maximum area of any one sign: 825 square feet;
- (b) maximum length of any sign structure: not to exceed 50 per cent of the width of the frontage of the lot on which the same is displayed;
- (c) minimum distance from lot line: 25 feet between any part of any sign and the nearest side lot line of the same or any contiguous lot, except that no part of any sign shall be located nearer than a distance of 200 feet to any lot line of any lot in an R district.

Section 8. Non-conforming Uses

8.1 The following types of non-conforming uses may be continued, and, on the obtaining of a permit from the Board of Zoning Appeals in accordance with the provisions of Subsection 3 of Section 11.6 any such use may be enlarged to an aggregate extent, at all times, of not to exceed 25 per cent of the area of land occupied by such use and to an aggregate extent, at all times, of not to exceed 25 per cent of the floor area of the building in which such use is conducted, but not so as to exceed the maximum building area or floor area prescribed for the district, and structural alterations may be made in such building to an aggregate extent, at all times, of not to exceed 50 per cent of its current appraised value according to the records of the Supervisor of Assessments.

8.1.1 A one-family dwelling existing as a non-conforming use in a C-D or an I district.

8.1.2 A use permitted in a C district of one class, either with or without a permit from the Board of Zoning Appeals, and existing as a non-conforming use in a C district of another class.

8.2 Any non-conforming use other than those specified in Section 8.1 may be continued but shall not be enlarged or extended nor shall any structural alteration be made in any building in which such use is conducted.

8.2.1 Any non-conforming junk yard in any district shall, within one year after the adoption of this ordinance, be brought into full conformity with the requirements as to fencing that are set forth in the ordinance of the county relating to the licensing and regulation of Automobile Graveyards in Fairfax County. This requirement shall apply regardless of the location of such junk yard with respect to any state highway.

8.2.2 Any non-conforming use may be extended to occupy any part of a building that was manifestly arranged or designed for such use at the time of the adoption of this ordinance, but no such use shall be extended to occupy any land outside such building. Except as provided in Section 8.1, no non-conforming use shall be extended to occupy a greater area of land than that occupied by such use at the time of the adoption of this ordinance.

8.2.3 Nothing in this article shall be deemed to prevent keeping in good repair a non-conforming building or a building in which a non-conforming use is conducted,

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but no such building that is declared by any duly authorized county official to be unsafe or unlawful by reason of physical condition shall be restored, repaired or rebuilt.

- 8.2.4 If a building in which a non-conforming use is conducted is moved for any distance whatever for any reason, then any future use of such building shall be in conformity to the regulations specified by this ordinance for the district in which such building is located. If any building in which any non-conforming use is conducted is hereafter removed, the subsequent use of the land on which such building was located and the subsequent location and use of any building thereon shall be in conformity to the regulations specified by this ordinance for the district in which such land is located.
- 8.2.5 A non-conforming building or a building in which a non-conforming use is conducted that is destroyed or damaged by any casualty to an extent not exceeding 50 per cent of its current appraised value according to the records of the Supervisor of Assessments, exclusive of foundations, may be restored within one year after such destruction or damage, but shall not be enlarged except as provided in Section 8.1. If any such building is so destroyed or damaged to an extent exceeding 50 per cent of its value as above, it shall not be reconstructed except
- 8.2.5.1 for a conforming use; or
  - 8.2.5.2 if the building is used for agricultural purposes and the floors and foundation walls are of concrete or other masonry and are not practical to move; or
  - 8.2.5.3 if the non-conforming location is necessary to meet any requirement or regulation of the Health Department of the county or of the District of Columbia; or
  - 8.2.5.4 if the non-conforming building is a one-family dwelling, in which event it may be reconstructed within one year after the aforesaid destruction or damage so as to occupy the same space that it occupied prior to such destruction or damage, or any part thereof.

- 8.2.6 If any non-conforming use ceases for any reason for a continuous period of 6 months or more other than for reasons beyond the control of the owner of the property, except for provisions of Section 8.2.5 above, or is changed to or replaced by a conforming use, the land and building theretofore devoted to such non-conforming use shall thereupon be subject to all the regulations as to use for the district in which such land and building are located, as if such non-conforming use had never existed.
- 8.2.7 Any use for the establishment of which a permit from the Board of Zoning Appeals is required under the use regulations for a particular district as set forth in the schedule contained in Section 3, whether such use is existing in such district at the time of the adoption of this ordinance or is subsequently established therein on the obtaining of such a permit, shall be deemed to be a conforming use in such district; provided that any subsequent replacement or enlargement of such use or of any building in which the same is conducted or the construction of any additional building for such use beyond the extent specified in any such permit (or the extent to which such use existed at the time of the adoption of this ordinance) shall be subject to the obtaining of a further permit therefor from the Board of Zoning Appeals.
- 8.2.8 The rights pertaining to a non-conforming use or building shall be deemed to pertain to the use or building itself, regardless of the ownership of the land or building on or in which such non-conforming use is conducted, or of such non-conforming building, or the nature or the tenure of the occupancy thereof.
- 8.2.9 All the foregoing provisions relating to non-conforming uses and buildings shall apply to all non-conforming uses and buildings existing at the time of the adoption of this ordinance and to all uses and buildings that become non-conforming by reason of any amendment thereof, but not to any use established or building erected in violation of law, regardless of the time of establishment or erection. However, any error in the location of any building with respect to required minimum yard dimensions or maximum percentage of lot area coverage applicable at the time such building was erected shall not be deemed to be a violation of the provisions of this ordinance if, and only if:

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- 8.2.9.1 the foundation and walls of the building are completed prior to the time of the adoption of this ordinance; and
- 8.2.9.2 the owner of the building obtains a certificate of non-conformity for the purposes of this section
- (a) from the Zoning Administrator if the error does not exceed 10 per cent of the measurement that is involved;
  - (b) from the Board of Zoning Appeals if the error is greater than 10 per cent of the measurement that is involved, which certificate shall not be issued unless said Board finds that the error will not cause serious detriment to the neighborhood and will not be seriously adverse to the purposes of this ordinance.

Upon a finding of the foregoing facts and a statement of the foregoing opinion with respect to a particular building, the same shall be deemed to be a lawful non-conforming building, subject to the provisions of this Section 8. The Board of Zoning Appeals shall have no power to vary the application of any of the limitations specified in the foregoing proviso.

Section 9. Performance Standards

No use shall hereafter be established or conducted in any I district except I-G in any manner in violation of the following standards of performance:

- 9.1 Sound: The sound-pressure level of sound radiated from an establishment, measured at the lot line of the site thereof that is the nearest thereto, shall not exceed the values in any octave band of frequency that are specified in Table I below, or in Table I as modified by the correction factors set forth in Table II below. The sound-pressure level shall be measured with a sound level meter and an associated octave band analyzer conforming to standards prescribed by the American Standards Association.

Table I

Maximum Permissible Sound Pressure Levels Measured re 0.0002 dyne per CM<sup>2</sup>

Frequency Band: Cycles per Second	Decibels
20-75	74
75-150	62
150-300	57
300-600	51
600-1200	47
1200-2400	42
2400-4800	38
4800-10,000	35

Table II - Correction Factors

Condition	Correction in decibels
On a site contiguous to or across a street from the boundary of any R district established by this ordinance or by the Zoning Ordinance of any other county or any municipality	Minus 5
Operation between the hours of 10 P.M. and 7 A.M.	Minus 5
Sound of impulsive character (e.g., hammering)	Minus 5
Sound of periodic character (e.g., hum or screech)	Minus 5
Sound source operated less than	
20% in any one hour period	Plus 5*
5% in any one hour period	Plus 10*
1% in any one hour period	Plus 15*

\*Apply only one of these corrections. All other corrections (including any one of the starred corrections) are cumulative.

Section 9. Performance Standards - Ctd.

9.2 Vibration

No vibration at any time shall produce an acceleration of more than 0.1g or shall result in any combination of amplitudes and frequencies on any structure beyond the "safe" range of Table 7, United States Bureau of Mines Bulletin No. 442, entitled "Seismic Effects of Quarry Blasting". The methods and equations of said Bulletin No. 442 shall be used to compute all values for the enforcement of this subsection.

9.3 Smoke

There shall be no emission into the atmosphere from any operation, of visible gray smoke of a shade darker than No. 2 on the Ringleman Smoke Chart as published by the United States Bureau of Mines, except that visible gray smoke of a shade not darker than No. 3 on said chart may be emitted for not more than four minutes in any period of 30 minutes. These provisions applicable to visible gray smoke shall also apply to visible smoke of any other color but with an equivalent apparent opacity.

9.4 Other Air Pollutants

There shall be no emission of fly ash, dust, dirt, fumes, vapors, or gases into the atmosphere from any operation, to any extent that could cause any damage to the public health, or to animals or vegetation, or to other forms of property, or which could cause any excessive soiling at any point; and in no event shall there be any such emission of solid or liquid particles in concentrations exceeding 0.3 grains per cubic foot of the conveying gas or air, nor of acid gases in excess of 0.2% by volume. For measurement of the amount of particles in gases resulting from combustion, standard corrections shall be applied to stack temperatures of 500 degrees Fahrenheit and 50 per cent excess air.

9.5 Odor

There shall be no emission of odorous gas or any other odorous material in such quantity as to be offensive beyond the boundaries of the site of such emission. There is hereby established as a guide in determining such quantities of offensive odors Table III (Odor Thresholds) in Chapter 5, "Air Pollution Abatement Manual", copyright 1951 by Manufacturing Chemists Association, Inc., Washington, D. C.

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9.6 Radioactivity

There shall be no radioactive emission that would be dangerous to health.

9.7 Electrical Interference

There shall be no electrical disturbance adversely affecting the operation of any equipment other than that of the creator of such disturbance.

9.8 Liquid or Solid Wastes

There shall be no discharge of any liquid or solid wastes into any stream except as authorized by a public agency.

9.9 Glare

There shall be no direct or sky-reflected glare, whether from flood lights or from high-temperature processes (for example, combustion or welding) so as to be visible from within any R district established by this ordinance or by the zoning ordinance of any other county or any municipality.

Section 10. Trunk Thoroughfare Setbacks and Future Street Lines

10.1 In order that the comprehensive land use plan embodied in this ordinance shall be properly related to a comprehensive plan of thoroughfares for the county; and to assure that the continuing intensification of land use in the foreseeable future will not result in the erection of buildings in locations which will unduly restrict vehicular traffic capacity, it is hereby determined that building setbacks greater than those set forth in the regulations for the respective districts established by this ordinance are required for buildings adjacent to certain of the thoroughfares within the county. It is further determined that, in furtherance of this foregoing policy, future street lines may also be required.

10.2 Both the building setback lines and future street lines referred to in Section 10.1 may be specified by the Board of County Supervisors from time to time and shall be shown on a map adopted by said Board. Said Board may also amend any such map from time to time. Before taking any of the foregoing action the Board shall refer the proposed map or proposed

Section 10. Trunk Thoroughfare Setbacks and Future Street Lines

-Ctd.

amendment thereto to the Planning Commission for its recommendations thereon, and shall hold a public hearing on the proposal in accordance with the same procedure as that specified by law in connection with amendments of this ordinance. Failure of the Planning Commission to report on any such proposal within a period of 30 days, or such longer time as the Board of County Supervisors may specify, after receipt of the same shall be deemed to be approval. Any such map adopted under the provisions of this section shall be recorded in the office of the Clerk of the Circuit Court and upon such recordation shall be effective as provided in Section 10.3.

10.3 From and after the designation of future street lines for any street, as specified in Section 10.2 all distances specified in any of the regulations contained in this ordinance with reference to street lines shall be measured from the future street lines for such street. If any future street lines designated as aforesaid are located other than in relation to an existing street, such lines shall be deemed to be street lines for the purpose of the application of the provisions of this ordinance.

10.4 Nothing contained in Section 10.1 or 10.2 shall be construed to reduce or modify any existing setback provision required in any ordinance in effect in the county at the time of adoption of this ordinance.

Section 11. Board of Zoning Appeals

11.1 Establishment

The Board of Zoning Appeals heretofore established shall continue as the Board of Zoning Appeals under the provisions of this ordinance.

11.2 Composition

The Board shall consist of five members appointed by the Board of County Supervisors, who shall also fix their compensation. All members shall be residents of the county. The terms of office of the members of the board shall be for five years, except that the five members first appointed shall serve, respectively, for terms of: one for one year, one for two years, one for three years, one for four years, and one for five years, and thereafter members shall be appointed for terms

of five years each. One of the members shall be appointed from the membership of the County Planning Commission and the other four members shall be other than paid county officials. If the member appointed from the membership of the County Planning Commission shall cease to be a member of said Commission, his office as a member of the Board of Zoning Appeals shall thereupon become vacant and a successor shall be appointed from among the membership of the County Planning Commission for the unexpired term. At its first meeting in January of each year the board shall elect a chairman and a vice-chairman by a majority vote of the entire membership of the board and shall appoint a clerk, whose compensation shall be fixed by the Board of County Supervisors.

The Board of Zoning Appeals shall hold at least one meeting each month in the County Courthouse. Three members of the Board shall constitute a quorum, but a less number may meet and adjourn.

### 11.3 Powers and Duties

The Board is hereby authorized to hear and decide appeals alleging error in decision by the Zoning Administrator; appeals, alleging hardship, for variances from the strict application of provisions of this ordinance; petitions for special permits for uses not permitted by right in certain districts. All provisions of this ordinance relating to the Board of Zoning Appeals shall be strictly construed; the board, as a body of limited jurisdiction, shall act in full conformity with all provisions in this ordinance and in strict compliance with all limitations contained therein. The provisions of this section shall be deemed to be jurisdictional and any action taken by the board beyond the authority specifically conferred by the provisions of this ordinance and the limitations applicable thereto shall ipso facto be of no force and effect.

### 11.4 Appeals on Allegations of Error

On appeal from an order, requirement, decision or determination made by the Zoning Administrator, the Board of Zoning Appeals shall decide any question involving the interpretation of any provision of this ordinance, including determination of the exact location of any district boundary if uncertainty with respect thereto remains after exhausting the rules specified in Section 2.2. The Board shall also have the power to decide any such question of interpretation on

Section 11. Board of Zoning Appeals - Ctd.

applications by any official, agency or board of the county.

11.5 Appeals on Allegations of Hardship, or Variance

On appeal from an order, requirement, decision or determination made by the Zoning Administrator, the Board of Zoning Appeals may authorize a variance in the strict application of any specific requirement of this ordinance in the case of an exceptionally irregular, narrow, shallow or steep lot or other unusual physical condition, including some unusual feature of existing building development on adjacent land, as a result of which condition such strict application would result in practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of the land or building involved; provided, however, as follows:

- 11.5.1 no variance shall be authorized that would permit the establishment of any use not otherwise permitted in the district under the specific provisions of this ordinance;
- 11.5.2 no variance shall be authorized with respect to any of the provisions of Section 6, Section 7 or Section 8 that relate to the required amount of automobile parking space, to the size and number of permitted signs, or to non-conforming uses;
- 11.5.3 no variance shall be authorized that would modify the provisions of any definition set forth in Section 1;
- 11.5.4 no variance shall be authorized by the Board in cases where the appellant (subsequent to the adoption of this ordinance) has purchased a portion of a larger parcel which portion has an area or width less than required by the provisions of this ordinance at the time of such purchase, or which portion has unusual physical characteristics (that are set forth as the basis for the application for a variance) which would not exist if such portion had not been detached by such purchase from the larger parcel of which it was a part.
- 11.5.5 No variance in the strict application of any provision of this ordinance shall be authorized by the Board of Zoning Appeals except upon the following findings, made in the following sequence; (a) first: the Board shall ascertain whether or not there are unusual circumstances or conditions applying to the land or

buildings for which the variance is sought; and whether or not such circumstances or conditions are such as do not apply generally to land or buildings, and are such as have not resulted from any act of the appellant, subsequent to the adoption of this ordinance, whether such act be in violation of the provisions thereof or not (other than the act of the appellant in purchasing the land involved in the application).

In considering allegations of the existence of unusual circumstances and conditions the Board of Zoning Appeals shall take into account only such circumstances and conditions as pertain to the physical situation or condition of the specific land or building involved in the appeal and shall not consider any allegation or knowledge of financial hardship or any other personal situation or circumstance on the part of the appellant. Property rights that are involved in appeals for variances shall be deemed to pertain to the land or building that is involved, regardless of the ownership thereof or the nature or tenure of its occupancy.

(b) Second: the board shall ascertain whether or not the aforesaid special circumstances or conditions are such that the strict application of the specific provision of the ordinance involved in the appeal would deprive the appellant of the reasonable use of the land or building that is involved, and that the granting of some variance in such strict application is necessary for the reasonable use of said land or building. Upon an affirmative finding in both the foregoing respects and upon a full statement thereof, but not otherwise, the board shall proceed to the third step. If such an affirmative finding in both respects is not made together with a full statement of the reasons therefor, the board shall have no jurisdiction to proceed further and shall deny the appeal or, if the board does not so act, the appeal shall be deemed to have been denied 30 days after the date of the final closing of the public hearing thereon.

(c) Third: the board shall determine what variance in its opinion, is the minimum that will afford relief; in so doing the board shall not be confined to the specific content of the appeal. In making such a determination the board shall give careful consideration to the relation of the land or building in question to

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land and buildings in the neighborhood and to the purposes and intent of this ordinance, and shall not give favorable consideration to any variance unless it finds that the same is in harmony with such purposes and intent and will not be injurious to the use of land and buildings in the vicinity, or to the neighborhood, or otherwise be detrimental to the public welfare. The findings of the board in this regard shall also be fully set forth in the records of the board.

On the completion of all three steps of the foregoing procedure and after the completion of a written record of its findings, but not otherwise, the board shall authorize such variance as it deems to be necessary, as aforesaid, in order to afford relief. In so doing the board shall prescribe any condition applying to the authorization made by it that it may deem to be necessary or desirable in furtherance of the intent and purposes of this ordinance and may make such requirements in connection therewith as will give reasonable assurance that such conditions will be met.

11.6 Special Permits.

On application, supplementing an application to the Zoning Administrator, the Board of Zoning Appeals may issue a special permit for any of the uses specified in the schedule constituting Section 3 of this ordinance as requiring such permits in the particular district, subject to the specific requirements prescribed in Section 12; or for any purpose for which the Board is specifically authorized by any other provision of this ordinance to issue permits. No permit shall be issued by the board for any use or purpose that is not thus specifically authorized. In issuing any special permit under the provisions of this subsection the board shall have no power to modify, vary or waive any of the regulations for the district as specified by this ordinance and any purported such modification, variance, or waiver shall ipso facto nullify the action of the board in issuing any special permit hereunder. However, this provision shall not preclude any concurrent but jurisdictionally separate proceedings applying to the same property, in which an appeal is made for a variance on an allegation of hardship.

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- 11.6.1 Any use for which a special permit from the Board of Zoning Appeals is required and which complies with the specific requirements of this ordinance shall be deemed to be a permitted use in the district in which it is thus permitted, subject only to conformity to the aforesaid standards, and the jurisdiction of the Board of Zoning Appeals with respect to any use or purpose for which the board is authorized to issue special permits shall be confined to consideration of the question of such conformity. On an affirmative finding with respect to conformity, the board shall issue the special permit applied for, subject to whatever modification and conditions the board deems to be necessary or advisable in order to assure such conformity, together with any requirements in connection therewith as will give reasonable assurance that such conditions will be met.
- 11.6.2 The Board of Zoning Appeals may require, as a condition of the issuance of any special permit hereunder, that it shall be periodically renewed; or the board may grant a temporary special permit, subject to adequate guarantees that the use covered will be terminated at the end of the period specified or of such extension thereof as may be granted by said board; provided that any such renewal or extension shall be subject to the same procedure as specified in this section for the original issuance of the permit. Unless a time limit is specified for a permit the same shall be valid for an indefinite period of time but shall be revocable on the order of the board at any time on the failure of the owner or operator of the use covered by the permit to observe all requirements of law with respect to the maintenance and conduct of the use and all conditions in connection with the permit that were designated by the board in issuing the same. Before revoking any permit, however, the board shall give the holder thereof at least 10 days written notice of violation. If within such 10 days the permit holder so requests, the board shall hold a hearing on the revocation of the permit and shall give the applicant for the hearing at least 10 days written notice thereof, either sent to him by registered mail or served personally on him. The foregoing provisions shall not be deemed to preclude the use of any other remedy prescribed by law or by this ordinance with respect to violations of the provisions of this ordinance.

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11.7 Appeals

An appeal to the Board of Zoning Appeals on an allegation of error may be made by any person aggrieved or by his agent, or by any officer, board, or commission of the county, including the Planning Commission. An appeal on an allegation of hardship may be made only by the owner of the property involved or by the owner acting jointly with a lessee of the property or with a person, firm, or corporation under bona fide contract to purchase the same. An application for a permit for which approval by the Board of Zoning Appeals is required under the terms of this ordinance may be made by the owner of the property involved, or by a lessee thereof, or by a person, firm or corporation under bona fide contract to purchase the same.

11.8 Fees

Any fee required by the Board of County Supervisors for an appeal or an application for a permit shall be paid to the Director of Finance, who shall issue receipts in duplicate therefor, one copy of which receipt shall be filed with the Board of Zoning Appeals at the time the appeal or application is filed.

11.9 Notice of Hearing

With respect to an appeal on an allegation of error on the part of the Zoning Administrator, the clerk of the Board of Zoning Appeals shall either (1) send to the appellant by registered mail a notice of a hearing on said appeal or (2) cause such notice to be served personally on the appellant, in either case at least 10 days before the time of said hearing. A copy of such notice shall be sent to the Commonwealth's Attorney. Notice shall be published and the property involved posted as specified in the following paragraph. The board may, in its rules, prescribe additional means of giving notice of any such hearing.

With respect to an appeal for a variance or application for a permit under the provisions of this section, the clerk of the Board of Zoning Appeals shall, within 30 days after the filing thereof, publish a notice of the time and place of a public hearing on such appeal or application in a local newspaper of general circulation in the county at least 10 days before the time thereof. Additional notice of such hearing shall

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be given to interested persons and organizations in accordance with the rules of the board. In addition, the Zoning Administrator shall, at least 10 days before the date of the hearing and in accordance with the rules of the board, post on the land or building involved in any appeal for a variance or application for a permit, a notice of the said hearing and a statement indicating clearly both the property affected and the nature of the proposal.

11.10 Hearing Procedure

Appeals shall be heard and applications considered in the order in which they are filed, except that an appeal or application may be advanced for a hearing by an order of the board for a good cause shown. The clerk shall keep a calendar of cases to be heard, in their proper priority. The board in its rules shall prescribe procedure for the conduct of hearings in such manner as to assure an orderly and complete hearing of each case. The board shall hear all parties interested or affected. All meetings of the board shall be open to the public and all records and minutes of proceedings shall be kept in writing by the clerk.

A rehearing on any decision of the board may be had only on the affirmative vote of not less than three members of the board, provided a motion for rehearing is made not later than 45 days following the date of such decision. No motion for rehearing shall be entertained unless new evidence is submitted which could not reasonably have been presented at the original hearing. Any appellant or applicant whose appeal or application is denied may not institute a new appeal or application on substantially the same subject less than 12 months after the date on which the board took action on the previous appeal or application.

11.11 Forms, etc.

All appeals and applications made to the Board of Zoning Appeals shall be in writing, on forms prescribed by the Board and approved by the County Executive. Each appeal or application shall fully set forth the circumstances of the case. It shall refer to the specific provision of the ordinance that is involved, and shall exactly set forth, as the case may be, (1) the interpretation that is claimed on an allegation of error, or (2) the variance that is applied for and the grounds on which it is claimed that the same should be granted, or (3) the use

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for which the special permit is sought. The clerk of the board shall not receive, nor shall the board consider, any appeal or application that does not fully contain the information required herein. The board in its rules may prescribe further requirements with respect to the form and content of appeals and applications.

11.12 Referral to Planning Commission

The clerk of the Board of Zoning Appeals shall transmit to the Planning Commission a copy of every appeal or application made to the board, and shall also notify the commission of the date of the hearing thereon. The Planning Commission shall have 30 days from and after the submission to it of an appeal or application within which to make its recommendation to the board. If, prior to the time of the hearing, the Planning Commission submits to the Board of Zoning Appeals a recommendation (1) that an application for a special permit be denied, or (2) that specified conditions be prescribed in connection with a particular special permit, or (3) that specified conditions be prescribed in connection with a particular variance, the Board of Zoning Appeals shall not act contrary to such recommendation except by a majority vote of all the members of the board.

11.13 Decisions

Every decision of the Board of Zoning Appeals shall be recorded in accordance with standard forms prescribed by the board and approved by the County Executive, and shall fully set forth the circumstances of the case and the findings on which the decision is based.

Every decision of the Board of Zoning Appeals shall be made by resolution adopted by a majority of all the members present. Each such resolution shall be filed in the office of the clerk of the board by case number under one or another of the following headings: Interpretation; variances; special permits; together with all documents pertaining thereto. The Board of Zoning Appeals shall report to the Board of County Supervisors periodically, at intervals of not greater than six months, summarizing all appeals and applications made to it since its last previous report and summarizing its decisions on such appeals and applications. At the same time that each such report is filed with the Board of County Supervisors copies thereof shall also be filed with the

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County Executive, with the County Planning Commission, and and with the Commonwealth's Attorney. At intervals of not greater than 12 months the Commonwealth's Attorney shall examine the records of the Board of Zoning Appeals and shall submit to said board a written summary of his observations thereon, including any recommendations that he may deem to be advisable in order to assure full conformity with the requirements and limitations of this ordinance pertaining to the jurisdiction and functions of said board. Copies of such summary and recommendations shall be filed with the Board of Supervisors, with the County Executive, and with the County Planning Commission.

11.14 Expiration of Permits

Whenever a variance is authorized or a special permit is issued by the Board of Zoning Appeals, the activity authorized thereby shall be established, and any construction authorized thereby shall be diligently prosecuted and shall be completed, within such time as the board may have specified, or, if no such time has been specified, then within one year after the effective date of such variance or permit, unless an extension shall be granted by the board because of the occurrence of conditions unforeseen at the time of the authorizing of such variance or the granting of such special permit; and if not so acted on and completed within such period of one year, unless the same is extended as aforesaid, such special permit or variance shall automatically expire without notice.

Section 12. Special Permit Uses

12.1 The following special permit uses may be authorized by the Board of Zoning Appeals in certain districts upon a finding that the use will not be detrimental to the character and development of the adjacent land, and will be in harmony with the purposes of the comprehensive plan of land use embodied in this ordinance.

Group I Land Excavation and Filling

1. Soil, sand or gravel removal
2. Stone quarrying
3. Mining
4. Sanitary land fill

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Group II Public Utility Uses

1. Power generating plant
2. Power distribution facilities
3. Radio and television facilities
4. Telephone exchange or dial center
5. Water pumping, purification or storage facilities
6. Sewerage pumping, treatment or disposal facilities
7. Bus or railroad terminal or station

Group III Facilities for Disposal of the Dead

1. Cemetery
2. Crematory
3. Animal Cemetery

Group IV Aviation Facilities

1. Airport
2. Heliport

Group V Institutional Uses

1. Hospital
2. Charitable institution
3. Special care institutions
4. Eleemosynary institution
5. Scientific research and development establishments

Group VI Community Uses

1. Community swimming pool or archery range
2. Fire station
3. Nursery school or other school
4. Carnivals, festivals, fairs, etc.
5. Barber shop, beauty parlor

Group VII Commercial Recreational Establishments

1. Commercial swimming pool
2. Sports arena, including skating rink and bowling alley
3. Stadium
4. Miniature golf course, golf or baseball driving range

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Group VIII Kennels, Riding Stables, Sports Grounds

Group IX Special Uses of Older Structures

1. Antique shop
2. Restaurant
3. Arts and crafts school
4. Tourist house
5. Rooming house
6. Farm product packing and storage, summer theater

Group X Special Business and Industrial District Uses

1. Gas stations
2. Refreshment stands
3. Motels
4. Amusement arcades
5. Animal hospital
6. Auction establishment
7. Auto sales lots and mobile dwelling sales lots
8. Billiard parlors
9. Games of skill
10. Golf driving range
11. Miniature golf course
12. Mobile dwelling park
13. Motels
14. Open Air Theatre
15. Pony riding rings
16. Second hand stores
17. Shooting galleries

12.2 The following basic standards shall apply to all special permit uses in any R district:

12.2.1 The location and size of the use, the nature and intensity of the operations involved in or conducted in connection with it, its site layout, and its relation to streets giving access to it shall be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection with it will not be hazardous or inconvenient to the predominant residential character of the neighborhood or be incongruous therewith or conflict with the normal traffic on the residential streets of the neighborhood, both at the time and as the same may be expected to increase with any prospective increase in the population of the neighborhood, taking into account, among other

Section 12. Special Permit Uses - Ctd.

things, convenient routes of pedestrian traffic, particularly of children, relation to main traffic thoroughfares and to street intersections, and the general character and intensity of development of the neighborhood.

12.2.2 The location and height of buildings, the location, nature and height of walls and fences, and the nature and extent of landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof.

12.3 The following basic standards shall apply to all special permit uses in any C or I district:

12.3.1 The location and size of the use, the nature and intensity of the operations involved in or conducted in connection with it, its site layout, and its relation to streets giving access to it shall be such that vehicular traffic to and from the use will not be more hazardous than the normal traffic of the district, both at the time and as the same may be expected to increase with increasing development of the county, taking into account, among other things, vehicular turning movements in relation to routes of traffic flow, relation to street intersections, sight distances, and relation to pedestrian traffic.

12.3.2 The nature, location, size and site layout of the use shall be such that it will be a harmonious part of the commercial or industrial district in which it is situated, taking into account, among other things, prevailing shopping habits, convenience of access by prospective patrons, the physical and economic relationships of one type of use to another, and characteristic groupings of uses in a commercial or industrial district.

12.3.3 The site layout, the location, nature and height of walls and fences, and the display of signs in connection with the use shall be such that the use will not hinder the appropriate development and use of adjacent land and buildings or impair the value thereof.

- 12.3.4 The location, size, intensity, and site layout of the use shall be such that its operations will not be objectionable to nearby dwellings, by reason of noise, fumes, or lights, to a greater degree than is normal with respect to the proximity of commercial to residential uses.
- 12.4 The uses outlined by groups in Section 12.1 are more particularly set forth below, together with additional procedures, specific requirements, and standards for various of such uses. Unless otherwise indicated, procedures, specific requirements, and standards that are listed following the immediately consecutive listing of two or more types of use shall be deemed to apply to the several uses so listed.
- 12.5 The Board of Zoning Appeals shall have no authority to vary or modify any of the procedure prescribed for applications for, or for the granting of, special permits or any of the specific requirements prescribed for any use for which a special permit is required; the Board's discretion shall be limited to determinations with respect to the standards applying to the use covered by the application.
- 12.6 Automobile parking space, in sufficient amount to provide for the off-street parking of all vehicles used in connection with any use for which a special permit is required, shall be provided on the site thereof. Unless the required amount of such space is specified for the particular use by the provisions of this section, the same shall be determined by the Planning Commission either by means of formulae applying to types of uses and adopted by the commission after public hearing or, if such formulae have not been adopted, then on a determination with respect to a particular application for a special permit. In any event, the required amount of parking space specified by the commission shall be sufficient to provide for the parking on the same site on which the establishment is located of all motor vehicles that may be expected to come to the establishment at any time for any purpose, including all persons employed at the establishment, or all persons so employed on the maximum work shift if there is more than one, with allowance for overlap of parking requirements at change of shifts; and all persons who may be expected to visit the establishment at any one time for any purpose, whether as patrons, customers, purveyors, contractors, guests or otherwise.

12.7 Unless regulations applying to the display of signs for any use for which a special permit is required are specified in this section, no sign shall be displayed in connection with any such use other than one identification sign, not exceeding 24 square feet in area, located on the same site on which the use to which it pertains is located, and at a distance of not less than 20 feet from any street line. The sign limitations prescribed in or pursuant to the provisions of this section shall not apply to such signs, none of which shall exceed 2 square feet in area, as may be necessary to give direction to the location of access driveways, building entrances, and parking spaces. No sign shall be illuminated by other than indirect lighting, with the source thereof shielded.

12.8 Procedures, specific requirements, and standards for uses by groups are as follows:

12.8.1 Group I: Land Excavation and Filling

I. Removal of soil, sand or gravel by excavating, stripping, or otherwise taking other than as permitted by right under the provisions of Section 3.

(A) Procedure

(a) The application for a permit shall be accompanied by five copies of each of two plats, prepared by an engineer or surveyor duly authorized by the State to prepare such plats and drawn to scale of not less than one inch equals 100 feet. One of said plats shall show: (1) the boundary of the entire tract by courses and distances; (2) the limits and current field topography (including locations of water courses) of the part of such tract that is proposed to be used for the operations set forth in the application; (3) the average thickness of overburden in the area of proposed operations; (4) the current field topography (including locations of water courses) of such contiguous area as may be specified by the Director of Public Works and (5) the means of vehicular access to the proposed operations.

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The other of said plats shall show a general plan for proposed rehabilitation of the area on which the proposed operations are to be conducted and may indicate the scheduling of rehabilitation measures in relation to the sequence of operations. Both such plats shall be submitted to the Director of Public Works and shall be subject to his approval, as follows: the first of such plats as to the sufficiency of the data shown thereon and the second thereof as to the adequacy of the plan for rehabilitation with respect to the specific requirements of this section.

(b) The application for a permit shall include a general description of the proposed operations, including the scheduled times for blasting, if any.

(c) A permit for any such use may be issued for any period of from one to five years, at the discretion of the Board of Zoning Appeals, but the same shall not be issued until after the applicant shall have filed with the County Executive a bond with surety satisfactory to both the County Executive and the Commonwealth's Attorney as to form, sufficiency, and execution. Such bond shall be in the amount of \$1,000 per acre for each acre of land to be used for the operations set forth in the application, and shall guarantee that either upon termination of the permit or of the operations, whichever event may first occur, the ground surface of the land so used shall be left in conformity with both the specific requirements and the standards set forth in this section.

(d) If all operations undertaken pursuant to any permit issued hereunder have been conducted in full compliance with the terms of such permit and all provisions of this ordinance, the time limit of such permit shall be extended by the Zoning Administrator for successive further periods each equal to the period for which the permit was originally issued, but not beyond any final limit for such permit that may have

been set by the Board of Zoning Appeals in issuing the same. Any continuation of operations beyond such final limit shall be subject to the filing of a new application to the Board of Zoning Appeals and the issuance of a new permit, as in the first instance.

(B) Specific Requirements

(a) All banks shall be left with a slope no greater than 2 feet horizontal to one foot vertical.

(b) When any open excavation will have a depth of 10 feet or more and will create a slope of more than 30 degrees during operations for a period of more than 30 days, a substantial fence shall be erected at least 50 feet outside the edge of the excavation, which fence shall be at least 6 feet in height, with suitable gates, effectively controlling access to the area in which such excavation is located.

(c) Where topsoil is removed, sufficient arable soil shall be set aside for respreading over the excavated area and on the completion of operations such soil shall be respread in general accord with the aforesaid rehabilitation plan, in a layer one foot thick or the original thickness of earth cover, whichever is less, capable of supporting vegetation.

(C) Standards

(a) All means of access to the property from any street shall be so located and designed as to avoid the creation of dangerous or otherwise undesirable traffic conditions and so as to avoid the routing of vehicles to and from the property over streets that primarily serve abutting residential development.

(b) All operations shall be conducted in a safe manner, with respect to the likelihood of (i) hazard to persons; (ii) physical damage to adjacent land or improvements; (iii) damage to any street by reason of slides, sinking, or collapse

(c) Upon the completion of operations the land shall be left (i) in a safe condition, with respect to the considerations set forth in Paragraph (b) above; (ii) in such condition that sufficient drainage shall be provided so as to prevent water pockets or undue erosion, with all grading and drainage such that both natural and storm water leaves the entire property at the original, natural drainage points existing as shown by the field topographic maps submitted to the board as hereinbefore provided, and that the area drainage to any one such point is not increased; and (iii) in condition for utilization for a use permitted in the district in which such land is located.

## 2. Stone Quarrying

### (A) Procedure

(a) The application for a permit shall be accompanied by five copies of a plat prepared by an engineer or surveyor duly authorized by the State to prepare such plats and drawn to scale of not less than one inch equals 100 feet. Said plat shall show: (i) the boundary of the entire tract by courses and distances; (ii) the limits and current field topography (including locations of water courses) of the part of said tract that is proposed to be used for the operations set forth in the application, (iii) the current field topography (including locations of water courses) of such contiguous area as may be specified by the Director of Public Works and (iv) the means of vehicular access to the proposed operation. Such plats shall be submitted to the Director of Public Works and shall be subject to his approval as to the sufficiency of the data shown thereon.

(b) The application for a permit shall include a general description of the proposed operations, including the scheduled times for blasting.

(c) A permit for any stone quarrying may be issued for any period of from one to five years,

at the discretion of the Board of Zoning Appeals, but the same shall not be issued until after the applicant shall have filed with the County Executive a bond with surety satisfactory to both the County Executive and the Commonwealth's Attorney as to form, sufficiency, and execution. Such bond shall be in the amount of \$1,000 per acre for each acre of land to be used for the operations set forth in the application and shall guarantee that the applicant will conform with the terms of the permit for the operations and with all other provisions of this ordinance applying to such operations.

(d) Same as set forth in Paragraph (d) under Procedure in connection with Removal of Soil, Sand or Gravel, Item 1 above.

(B) Specific Requirements

(a) When any open excavation will have a depth of 10 feet or more, a substantial fence shall be erected at least 50 feet outside the edge of the excavation, which fence shall be at least 6 feet in height, with suitable gates, effectively controlling access to the area in which such excavation is located.

(C) Standards

(a) Same as set forth in Paragraphs (a) and (b) under Standards in connection with Removal of Soil, Sand or Gravel, Item 1 above.

(b) Upon the completion of operations the land shall be left in a safe condition with respect to the considerations set forth in paragraph (a) above.

3. Mining

All operations shall be conducted in conformity with any and all county, state and federal regulations applicable thereto.

4. Sanitary Land Fill

(A) Procedure

(a) Same as set forth in Paragraph (a) under Procedure in connection with Removal of Soil, Sand or Gravel, Item 1 above.

(b) No permit for a sanitary land fill shall be issued unless the same has been approved by the Sanitary Engineer and the Health Officer with respect to the suitability of the site for such use.

(c) No permit for a sanitary land fill shall be effective until after approval thereof by the Board of County Supervisors, following approval by the Board of Zoning Appeals.

(d) Same as set forth under Procedure (d) in connection with Removal of Soil, Sand or Gravel, Item 1 above.

(B) Specific Requirements

Every sanitary land fill shall be subject to such regulations relating thereto as may be adopted from time to time by the Board of County Supervisors.

(C) Standards

Same as set forth under Standards in connection with Removal of Soil, Sand or Gravel, Item 1 above.

12.8.2 Group II: Public Utility Uses

1. Power generating plant.
2. Power distribution facilities, including high power transmission lines, ground transformer stations, but not ordinary transmission lines located in the public right of way or easements of not more than 25 feet in width.
3. Radio and television facilities.
4. Telephone exchange or dial center.
5. Water pumping, purification, or storage facility.

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6. Sewerage facility: pumping, treatment, or disposal.
7. Transportation facility: bus or railroad terminal or station; right of way; not including car barns or garages or railroad yards or shops other than for passenger purposes.

(A) Procedure

(a) The application for a permit shall be accompanied by a map generally showing the utility system of which the proposed facility is a part, together with information as to the functional relation of the facility to the system.

(b) No power generating plant or sewerage facility shall be established except on approval by the Board of County Supervisors, after approval by the Board of Zoning Appeals.

(c) No sewerage facility shall be established except on approval by the State Health Department, the State Water Control Board, and the County Board of Supervisors, the determinations by which agencies as to the technical aspects of the proposed facility shall be conclusive, so far as the purposes of this ordinance are concerned.

(B) Specific Requirements

(a) No land or building in any district more restricted than a C-G district shall be used for the storage of materials or equipment, or for the repair or servicing of vehicles or equipment, or for the parking of vehicles, except as an accessory use necessary for the proper operation of the public utility facility to which the same is appurtenant. Every such accessory use in such a district shall be conducted within a building enclosed on all sides, or within a yard enclosed on all sides with a wall or fence, supplemented by planting, adequate to screen all the operations of such accessory use.

(C) Standards

(a) None of the aforesaid public utility uses shall be established in any R district unless the Board of Zoning Appeals finds, with a statement of the reasons

for such finding, that the location proposed is necessary for the rendering of efficient service by such facility.

(b) In more particular application of the standard set forth in paragraph (a) preceding, no electric transformer station and no telephone exchange or dial center shall be established in any R district if there is a C or an I district within a distance of one mile from the proposed location, unless there is a substantial showing that it is impossible for satisfactory service to be rendered from an available location in such C or I district.

12.8.3 Group III Facilities for the Disposal of the Dead

1. Cemetery for human interment
2. Crematory, animal or human
3. Animal cemetery

(A) Specific Requirements

(a) No interment in any facility for the disposal of the dead shall be made within any required setback area.

12.8.4 Group IV Aviation Facilities

1. Airport
2. Heliport

(A) Procedure

(a) The application for a permit shall be accompanied by evidence that the proposed facility will meet the standards and requirements of the Federal Aeronautics Administration.

(b) No aviation facility shall be established hereunder except on approval by the Board of County Supervisors, after approval by the Board of Zoning Appeals.

(B) Specific Requirements

(a) No permit shall be issued for any airport unless the same is of such size, with the runways so located,

that the operation thereof, in accordance with the standards and requirements of the Federal Aeronautics Administration, will not require limitation of the heights of structures on adjacent land to less than the height limit specifically prescribed for the district in which such land is situated. For the purpose of this provision only, prescribed height limits shall not be deemed to include the exceptions and modifications specified in Section 4.1.

(b) Every land area used by any aircraft under its own power shall be provided with a dustless surface.

(c) No area used by any aircraft under its own power shall be located within a distance of 200 feet from any property line.

(d) Every area used by any aircraft under its own power shall be surrounded by a substantial fence not less than 6 feet in height, with suitable gates, effectively controlling access to such area.

#### 12.8.5 Group V Institutional Uses

No permit shall be issued for any use in Group V unless a site plan thereof has first been approved by the Planning Commission in accordance with the provisions of Section 5.

1. Hospital
2. Charitable institution, not of a correctional nature
3. Institution for the care of drug, liquor, insane or feeble-minded patients, or other special care.

##### (A) Specific Requirements

(a) Every building used in connection with any such use shall be located at a distance of not less than 100 feet from any property line.

(b) No automobile parking space shall be located in any required setback area nor within a distance of 25 feet from any property line.

4. Eleemosynary or Charitable Institutions

(A) Specific Requirements

(a) Every building shall be located at a distance of not less than 100 feet from any property line.

(b) All buildings on the site shall not cover, in the aggregate, a ground floor area of more than 20 per cent of the area of the site.

(c) No part of any building shall exceed a height of 3 1/2 stories or a height of 45 feet.

(d) No automobile parking space shall be located in any required setback area or within a distance of 25 feet from any property line.

5. Establishments for scientific research and scientific development

The scientific research and development activities to be performed shall be described by the applicant and approval will be based upon the nature, purpose and scope of the development and its effect upon the general welfare of the community. Such uses shall not be approved by the Board unless the application shall have first been submitted to the County Planning Commission for its recommendation.

Before granting approval the Board of Zoning Appeals shall approve plans showing landscaping of the site and showing exterior appearance of all buildings with the intent to afford maximum protection to adjoining property, and shall require as a condition to its approval of such use, strict adherence to such plans. The following specific requirements shall apply in all R districts and in the I-I and I-S districts (except as noted in the following), but shall not apply in any C, I-P, I-L, or I-G district. The requirement of item (f) shall apply in any district.

(A) Specific Requirements

(a) No establishment shall be permitted hereunder on a site of less than 20 acres in area, except that such establishments may be permitted on a site of not less than 2 acres in area in any I-S district.

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- (b) Every building shall be located at a distance of not less than 320 feet from the center line of any street and at a distance of not less than 200 feet from any property line other than a street line.
- (c) All buildings on the site shall not cover, in the aggregate, a ground floor of more than 20 per cent of the area of the site.
- (d) No building shall exceed a height of 65 feet; except that a part of any building, not exceeding in horizontal area 25% of the total horizontal roof area of the building, may be erected to a height of not more than 75 feet.
- (e) No automobile parking space shall be located in any required setback area or within a distance of 100 feet from any property line.
- (f) Two parking spaces (each not less than 10 feet by 18 feet in dimension) shall be provided for each three employees.
- (g) No sign shall be displayed in connection with any such establishment except signs identifying the same, to a maximum number of 3 signs on any principal building, with an aggregate area of all signs for any one building not exceeding one square foot for each one foot of the frontage width of the building. In addition, not more than one sign for any establishment, which sign shall not exceed 40 square feet in area, may be displayed other than flat against a building but not within a distance of 50 feet from any property line.
- (h) No products shall be manufactured or goods produced, except for the operation of a pilot plant incidental to the scientific research or development operations of the establishment, and no products shall be manufactured or goods produced for sale on the site or elsewhere.
- (i) There shall be no sale of any goods, commodities, or services on the site except the provision of meals, food, refreshments, and incidental personal convenience items and services solely for employees of the establishment and guests of the management, provided that all such sales and provisions shall be made entirely within a building devoted primarily to the major purpose of the establishment with no outside entrance to the area in which sales or provisions are made, and with no external visible evidence thereof, including any sign relating thereto.

(j) All operations of the establishment shall conform to the performance standards specified for I-S districts, as set forth in the schedule contained in Section 3.

(k) Any heliport located on the site of any establishment permitted hereunder, as a use accessory thereto, shall conform to both the procedure and the specific requirements set forth for Group IV uses.

12.8.6 Group VI: Community Uses

1. Community swimming pool or community archery range
2. Fire station, subject to approval by the Fire Commission
3. Nursery school or other school
4. Carnivals, festivals, fairs, horse shows, sale of Christmas trees and similar activities if conducted for a longer period than two weeks or conducted periodically. If conducted for a period of less than two weeks the activity shall be subject to the provisions of a temporary permit issued by the Zoning Administrator, which permit shall specify such conditions as to location, parking and traffic access as will protect the public safety, protect adjoining property from any adverse effects of the activity, and otherwise be appropriate to the character of the neighborhood.
5. Barber shop or beauty parlor as a home occupation

(A) Specific Requirements

No automobile parking space shall be located in any required setback area or within a distance of 25 feet from any property line.

12.8.7 Group VII: Commercial Recreational Establishments

No permit shall be issued for any use in Group VII unless a site plan thereof has first been approved by the Planning Commission, in accordance with the provisions of Section 5.

1. Commercial swimming pool
2. Sports arena, including skating rink and bowling alley
3. Stadium
4. Miniature golf course and golf or baseball driving range

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(A) Specific Requirements

(a) No such use shall be established except on a parcel of land fronting on a primary highway and there shall be no vehicular entrance to any such use except from such highway.

(b) No building of any such establishment shall be located at a distance of less than 100 feet from any property line.

(c) Automobile parking spaces shall be provided in an amount equal to one space for each 3 seats or other vantage places for spectators provided by the establishment. In any case in which this basis of measurement does not apply, automobile parking space shall be provided in accordance with the provisions of Section 12.6.

(d) No automobile parking space shall be located within any required setback area or within a distance of 50 feet from any property line.

(B) Standards

(a) All lighting of any such establishment shall be so shielded that there will be no objectionable glare observable from any adjacent land in any R district.

(b) The activities conducted in any such establishment and the manner and times of operation thereof shall be such that there will be no resulting detrimental disturbance of normal neighborhood tranquility.

12.8.8 Group VIII: Kennels, Riding Stables, Sports and Recreation Grounds

1. Kennel

(A) Procedure

(a) No permit for a kennel shall be issued for a period of more than 3 years. Any such permit may be renewed by the Zoning Administrator for not to exceed three successive periods of one year each; provided, however, that no such permit shall be thus renewed if any notice of violation, as provided in Section 15 has been given with respect to any of the operations of the kennel

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covered by the permit. If any such notice of violation has been given, and in any event after the expiration of six years from and after the original issuance of the permit, any renewal thereof shall be subject to the filing of a new application and action thereon as in the first instance.

(B) Specific Requirements

(a) Not more than 12 dogs more than 4 months of age shall be kept except in pens designed for the secure confinement of the same.

(b) No structure for the confinement, care, or breeding of dogs shall be located at a distance of less than 100 feet from any property line.

(C) Standards

(a) In applying the standards set forth in Sections 12.2 and 12.3 the Board of Zoning Appeals may take into account the kinds of dogs proposed to be kept and the characteristics thereof and may prescribe conditions with respect thereto.

2. Riding Stable

(A) Procedure

Same as specified for Kennel, Item 1, above.

(B) Specific Requirements

(a) No structure used for the operations of a riding stable shall be located at a distance of less than 100 feet from any property line.

3. Shooting preserve, limited to shot gun and bow and arrow, but not including commercial turkey shoot or any similar establishment

(A) Procedure

Same as specified for Kennel, Item 1, above.

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(B) Specific Requirements

(a) No shooting preserve shall be established on an area of land of less than 75 acres.

(b) No permit shall be issued hereunder for any shooting preserve that does not conform in all respects to any regulations specified by state law and county ordinance.

4. Recreation ground

(A) Procedure

(a) No permit shall be issued hereunder unless a site plan of the proposed establishment has first been approved by the Planning Commission, in accordance with the provisions of Section 5.

(b) Before acting on any application hereunder the Board of Zoning Appeals shall refer the same to the Health Officer and no permit shall be issued except after approval by him.

(B) Specific Requirements

(a) Except in an RE-2 or an RE-1 district, every cottage, cabin, or other building proposed for human habitation, for whatever period of time, shall conform to the regulations prescribed by this ordinance for dwellings in the district in which the establishment is proposed to be located. If any such building in an RE-2 or RE-1 district does not so conform, the same shall be of temporary construction, of such a nature that the same is not feasibly adaptable for conversion for year-round occupancy.

(b) No structure other than a dwelling conforming to the regulations prescribed for dwellings in the district shall be located at a distance of less than 50 feet from any property line.

(c) No automobile parking space shall be located within any required setback area or within a distance of 50 feet from any property line.

12.8.9 Group IX: Special Uses of Older Structures

1. Antique shop
2. Restaurant

(A) Specific Requirements

- (a) Any such use may be established only in a dwelling
- I. that was in existence on March 1, 1941, and
  - II. that has a total floor area of not less than 3000 square feet, and
  - III. that is located on a parcel of land of not less than 5 acres in area, and
  - IV. that is the bona fide residence of the proprietor of such use.

No structural alteration shall be made in connection with any such use, other than one which will produce an exterior appearance which is residential in character and will not exceed 25% of the total floor area existing in the building involved, as of the date on which application for special permit was filed.

(b) No automobile parking space shall be located in any required setback area or within a distance of 100 feet from any property line.

(c) No goods shall be displayed outdoors.

(d) No sign shall be displayed in connection with any such use other than one identification sign not exceeding 12 square feet in area, plus not more than one sign not exceeding 2 square feet in area giving direction to parking space.

3. Arts and crafts school

(A) Specific Requirements

(a) Any such use may be established only in a dwelling that was in existence on March 1, 1941. No structural alteration shall be made in connection with any such use.

(b) No automobile parking space shall be located in any required setback area.

(c) No sign shall be displayed in connection with any such use other than

- I. one identification sign not exceeding 6 square feet in area or not exceeding 12 square feet in area if the parcel of land on which the dwelling is located has an area of 5 acres or more, and
- II. not more than one sign not exceeding 2 square feet in area giving direction to parking space.

(d) No products shall be manufactured or goods produced for sale at any such establishment or elsewhere; except that this provision shall not be deemed to prohibit the sale of any items produced incidentally to the giving of instruction and for the purpose thereof.

4. Tourist house
5. Rooming house

(A) Specific Requirements

(a) Any such use may be established only in a dwelling that was in existence on March 1, 1941. No structural alteration shall be made in connection with any such use.

(b) Automobile parking spaces shall be provided in an amount equal to one space for each room in which sleeping accommodations are provided, transient or otherwise.

(c) No automobile parking space shall be located in any required setback area.

(d) No sign shall be displayed in connection with any such use other than as provided with respect to Arts and Crafts School, Item 3 above.

6. Use of a farm building other than a dwelling, which was in existence at the time of the adoption of this ordinance, for any of the following purposes: storage or packing of farm products not necessarily produced on the farm on which the building is located; summer theater (but not including open air motion picture theaters.)

(A) Specific Requirements with respect to summer theaters

(a) Automobile parking spaces shall be provided in an amount equal to one parking space for each 2 seats or other vantage places for spectators provided in the theater.

(b) No automobile parking space shall be located within a distance of 25 feet from any property line.

(c) No goods shall be sold in connection with any summer theater except refreshments and such incidentals as are customarily sold during theatrical performances, and no such goods shall be offered for sale except during the time that the theater is open for performances.

(d) All signs displayed in connection with any summer theater shall not exceed an aggregate area of 50 square feet.

12.8.10 Group X: Business and Industrial District Uses of Special Impact

No permit shall be issued for any use in Group X unless a site plan thereof has first been approved by the Planning Commission in accordance with the provisions of Section 5.

In C-N districts:

Gasoline stations  
Open refreshment stands

In C-DM districts:

Motels

In C-G districts:

Amusement arcades  
Animal hospitals  
Auction establishments  
Automobile sales lots and mobile dwelling sales lots  
Billiard parlors  
Games of skill  
Golf driving ranges; miniature golf courses  
Mobile dwelling parks (by special permit issued by the Board of County Supervisors as specified in the schedule contained in Section 3, Column 2, Item 3 in C-G districts)

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Motels  
Open air theaters  
Pony riding rings  
Second hand stores  
Shooting galleries  
Turkey shoots

Uses referred to in Item 2 in Column 2 for C-G districts in the schedule contained in Section 3 of this ordinance.

In I districts, as indicated in the schedule contained in Section 3:

Mobile dwelling parks (by special permit issued by Board of County Supervisors as specified in the schedule contained in Section 3, Column 2, Item 4 in I-L districts)

Open air theaters  
Outdoor mechanical amusement devices  
Golf driving ranges; miniature golf courses

(A) Specific Requirements

(a) Every use established hereunder shall conform in all respects to any ordinance of the county or any state law applicable thereto.

(B) Standards

(a) In applying to any use in Group X the standards prescribed in Sections 12.2 and 12.3 the Board of Zoning Appeals shall take into account the proximity of such uses to one another, with respect to traffic safety and with respect to appropriate patterns of land use in accordance with the Master Plan.

(b) In considering any application for a permit for a mobile dwelling park, the board shall consider the surroundings of the proposed location, traffic access thereto, and available or prospective community facilities, with respect to the safety of the prospective occupants and the amenities of the establishment as a place of habitation.

Section 13. Administration

- 13.1 The provisions of this ordinance shall be enforced by the Zoning Administrator, who shall serve at the pleasure of the Board of County Supervisors and whose compensation as such shall be fixed by said Board. The Zoning Administrator or any authorized assistant thereof, upon proper identification, shall have the right to enter upon any land or into any building for the purpose of making an inspection or acquiring information to determine whether or not the property and the use thereof conform to the requirements of this ordinance.
- 13.2 Every application required under any of the provisions of this ordinance, except a petition for an amendment, as provided in Section 14 shall be filed with the Zoning Administrator, who shall review the same for completeness and if it is in satisfactory form, shall transmit it to the officer, body, or agency of the county having jurisdiction to act on the same. Such officer, body or agency shall promptly notify the Zoning Administrator of the action taken on the application.
- 13.3 Every question with respect to the interpretation of any provision of this ordinance, including the exact location of a boundary of any district established hereunder, shall first be presented to the Zoning Administrator and by him transmitted to the Board of Zoning Appeals.
- 13.4 The following approvals shall be obtained for erection and occupancy of any building:
  - 13.4.1 Initial approval: No permit for the erection of any building shall be issued until the application therefor has been submitted to and approved by the Zoning Administrator. If approval by any officer, body, or agency of the county is required (other than that of the Building Inspector), the Zoning Administrator shall not approve the application until after such approval has been obtained.
  - 13.4.2 Intermediate approval: The erection of a building shall not proceed beyond construction to the first floor level, the corners of a concrete slab, or such other construction as will establish the exact location of all corners thereof, until such location, as indicated by a certified land surveyor's plat thereof, has been submitted to and approved by the Zoning Administrator as conforming to all applicable provisions of this ordinance.

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13.4.3 Final approval: No certificate of occupancy for any building other than a one-family dwelling shall be issued, as provided in Section 13.8 until the exact location of the completed building and of all appurtenances thereto, as indicated by a certified land surveyor's plat showing every constructed feature on the lot, including driveways and automobile parking areas and showing the composition of the surfacing of such driveways and automobile parking areas, has been submitted to and approved by the Zoning Administrator, as conforming to all applicable provisions of this ordinance.

13.4.4 No certificate of occupancy for any one-family dwelling shall be issued until the exact location of the completed building and any accessory buildings, as shown on a certified land surveyor's plat, has been submitted to and approved by the Zoning Administrator, as conforming to all applicable provisions of this ordinance.

13.5 Every application for initial approval filed with the Zoning Administrator as required by the provisions of Section 13.4 except an application with respect to a dwelling or to a building for any agricultural use, either of which is to be located not less than 100 feet from any property line, shall be accompanied by a plot plan in duplicate, drawn to scale, showing:

1. the dimensions of the lot;
2. the locations and dimensions of any building, including any porch or carport, and of any accessory building, then existing on the lot;
3. the lines within which the proposed building, including any porch or carport, is to be erected;
4. the lines within which any accessory building is to be erected;
5. the existing and intended use of each building or part of a building, including the number of dwelling units in a dwelling;
6. the locations, dimensions, and grades of any existing and of proposed automobile parking areas on the lot;
7. the locations, widths, and grades of driveways leading to such automobile parking areas, together with information as to the proposed surfacing of such parking areas and driveways;
8. such other information with regard to the lot, existing and proposed buildings, and existing and proposed uses thereof, and such information with regard to contiguous

lots, as may be prescribed by resolution of the Planning Commission and approved by the County Executive as being necessary to the proper enforcement of the provisions of this ordinance.

One copy of such plot plan shall be returned to the applicant when the application has been approved by the Zoning Administrator, and the other copy thereof shall remain on file in the office of the Zoning Administrator. The Zoning Administrator shall not approve any application made to him if the proposed building or the use thereof would be in violation of any of the provisions of this ordinance.

- 13.6 No permit shall be issued for the erection of any building on a lot that is in violation of any of the provisions of Chapter V of the Fairfax County Code, relating to subdivisions. Any subdivision plat which received preliminary approval by the Planning Engineer prior to adoption of this ordinance may be recorded at any time up to 90 days after adoption of this ordinance. Otherwise, the recordation of a subdivision plat shall not be deemed to authorize any violation of or deviation from any of the requirements of this ordinance.
- 13.7 A certificate of occupancy shall be obtained from the Zoning Administrator for any of the following:
- a. Occupancy and use of a building hereafter erected.
  - b. Change in the use of an existing building.
  - c. Occupancy and use of vacant land, except for any agricultural use.
  - d. Change in the use of land, except for any agricultural use.
  - e. Any change in the use of a non-conforming use.
  - f. Enlargement of any use with respect to the unit of measurement specified in this ordinance as the basis for determining the amount of required automobile parking space, whether the same is specified in terms of floor area, dwelling units, seats, or any other element of size of the use.
  - g. Continuation of any use, except that of any dwelling or of any agricultural use, after a change in the proprietorship of such use.

No such occupancy, use or change or enlargement of use shall take place until a certificate of occupancy therefor has been issued by the Zoning Administrator, upon payment of such fee as may be specified by the Board of County Supervisors.

Section 13. Administration - Ctd.

- 13.8 Written application for a certificate of occupancy for a building shall be made at the same time as the application for the building permit for such building, and a written request for issuance of the same shall be made to the Zoning Administrator after the completion of the work covered by the building permit. If the proposed use is in conformity with the provisions of this ordinance, and of all other applicable laws and ordinances as certified to the Zoning Administrator by the officers, bodies, or agencies responsible for the administration thereof, the certificate of occupancy shall be issued within 5 working days after the request for the issuance of the same has been made. Pending the issuance of such a certificate, a temporary certificate of occupancy may be issued by the Zoning Administrator for a period of not exceeding 3 months during the completion of any alterations that are required under the provisions of any law or ordinance. Such temporary certificate shall not be construed as in any way altering the respective rights, duties, or obligations of the owner or of the county relating to the use or occupancy of the land or building or any other matter covered by this ordinance.
- 13.9 Written application for a certificate of occupancy for the use of vacant land or for a change in the use of land or a building, or for a change of a non-conforming use, or for the enlargement of a use, or for the continuation of a use, as provided in Section 13.7 shall be made to the Zoning Administrator. If the proposed use is in conformity with the provisions of this ordinance, and of all other applicable laws and ordinances as certified to the Zoning Administrator by the officers, bodies, or agencies responsible for the administration thereof, the certificate of occupancy shall be issued within 5 working days after the application for the same has been made.
- 13.10 No certificate of occupancy shall be deemed to validate any violation of any provision of any law or ordinance.
- 13.11 In enforcing the application of the standards of performance set forth in Section 9 in connection with the issuance of a building permit or the issuance of a certificate of occupancy, the Zoning Administrator may require evidence that the applicant is able to conform to said performance standards. Enforcement shall be the responsibility of the county; however, where a violation has been established the Zoning Administrator may:

1. require the applicant to submit, at the expense of the applicant, reports or the certified results of tests with respect to any current or proposed operation of the use that is involved in relation to conformity to said standards, which reports or tests shall be made by a laboratory or other agency of recognized competence; or
  2. refer the application for a building permit or for a certificate of occupancy to the Board of Zoning Appeals for a determination of whether or not any operation of the use that is involved conforms to such of said standards as call for a conclusion of judgment rather than the application of specified measurements.
- 13.12 A certificate of occupancy shall be deemed to authorize, and is required for, both initial and continued occupancy and use of the building or land to which it applies and shall continue in effect so long as such building and the use thereof or of such land is in full conformity with the provisions of this ordinance and any requirements made pursuant thereto. On the serving of notice of any violation of any of such provisions or requirements with respect to any building or the use thereof or of land, as provided in Section 15 the certificate of occupancy for such use shall thereupon become null and void and a new certificate of occupancy shall be required for any further use of such building or land.
- 13.13 On written request by the owner, the Zoning Administrator shall issue a certificate of occupancy for any use of a building or of land existing at the time of the adoption of this ordinance or at the time of the adoption of any amendment of this ordinance changing the regulations applying to said building or land, certifying, after inspection and investigation, the extent and kind of such use and whether the same conforms to the provisions of this ordinance for the district in which it is situated or is a non-conforming use. The Zoning Administrator may require such proof as may be necessary to enable him to make a determination in the matter, and the furnishing of such proof shall be a condition of his acting on the request.
- 13.14 No officer, board, agency, or employee of the county shall issue, grant, or approve any permit, license, certificate, or other authorization for any erection, as said term is defined in Section 1, of any building or for any use of any land or building that would not be in full compliance with the

provisions of this ordinance. Any such permit, license, certificate, or other authorization issued, granted, or approved in violation of any of the provisions of this ordinance shall be null and void and of no effect, without the necessity of any proceedings for revocation or nullification thereof, and any work undertaken or use established pursuant to any such permit, license, certificate, or authorization shall be unlawful, and no action shall be taken by any officer, board, agency, or employee of the county, including the Board of Zoning Appeals, purporting to validate any such violation.

The Zoning Administrator, however, shall have the authority to approve any error in the location of any building for which a building permit was issued after the adoption of this subsection, if and only if:

- (a) such error does not exceed 6 inches, and
- (b) such error is found after issuance of final approval as provided in subsection 13.4.3 of this ordinance.

13.15 The Zoning Administrator shall maintain files of all applications submitted to him or filed with him for transmittal to others and of all certificates of occupancy issued by him and shall maintain records of all actions taken by him pursuant to all such applications and of all actions of others taken with respect thereto that are reported to him, which files and records shall be open to public inspection. He shall keep a record of every identifiable complaint of a violation of any of the provisions of this ordinance, and of the action taken consequent on such complaint, which record shall be a public record. He shall report to the Board of County Supervisors periodically, at intervals of not greater than six months, summarizing for the period since his last previous report all applications approved by him, all certificates of occupancy issued by him, and all complaints of violation made to him and the action taken by him thereon. A copy of each such report shall be filed with the Planning Commission at the same time that it is filed with the Board of County Supervisors.

Section 14. Amendments

14.1 The Board of County Supervisors may amend this ordinance by amending the text thereof, including the text of the schedule contained in Section 3 or by changing any district boundary shown on the zoning map adopted by Section 2; provided that proceedings for any amendment shall be initiated only in the following manner:

1. by the filing with the Zoning Administrator of a petition of owners or contract owners of land proposed to be rezoned, which petition shall be on a standard form and shall be accompanied by a fee of \$50.00, no part of which shall be returnable; provided, that no petition for amendment that would establish a C-D district or enlarge an existing C-D district shall be considered by the Planning Commission unless the same is accompanied by a site plan, submitted in accordance with the provisions of Section 5, or
  2. by the adoption by the Board of County Supervisors of a resolution of intention to amend, which resolution, upon adoption, shall be referred to the Planning Commission; or
  3. by the adoption of the Planning Commission of a resolution of intention to propose an amendment.
- 14.2 The Planning Commission shall hold a public hearing on any such petition or resolution, notice of which hearing and of the proposed amendment shall be given by at least one publication in a local newspaper of general circulation in the county at least 15 days before the date of such hearing.

If the proposed amendment consists of or includes a change in any boundary of any district established by this ordinance, the Planning Commission shall also give notice of the substance of the proposed amendment and of the hearing thereon, at least 15 days before the date of such hearing, by posting notices thereof at intervals of not more than 300 feet along every street abutting the land proposed to be rezoned, or if there is no abutting street, then along the exterior boundaries of said land and within a distance of 300 feet therefrom along every street giving access thereto. The Planning Commission is hereby authorized to post any such notice on private lands where necessary in order to give notice as herein provided. Each such posted notice shall bear the printed heading "Notice of Rezoning Proposal before Planning Commission" in letters not less than 2 inches in height. It shall be the duty of the Planning Commission to see to it that all such posted notices are removed not later than 7 days after the conclusion of the hearing to which they pertain.

Section 14. Amendments - Ctd.

- 14.3 After the conclusion of the hearing provided for in Section 14.2 unless the proceedings are terminated as provided in Section 14.6 the Planning Commission shall report to the Board of County Supervisors its recommendation with respect to the proposed amendment. In acting favorably with respect to a proposed amendment initiated by a petition of property owners, the Planning Commission need not confine its recommendation to the proposed amendment as set forth in the petition, but (1) if the proposed amendment consists of a change in the text of this ordinance, may revise the proposal or (2) if the proposed amendment consists of a change in district boundaries, may reduce or enlarge the extent of land that it recommends be rezoned or may recommend that land be rezoned to a different district classification than that petitioned for, if, in either case, the Commission is of the opinion that such revision is in accord with sound zoning practice and is in furtherance of the purposes of this ordinance, provided, however, that before recommending a larger extent of land or a rezoning to a less restricted classification than was set forth in the petition, the Commission shall hold a further hearing on the matter, of which notice shall be given as in the first instance.
- 14.4 In recommending the adoption of any amendment the Planning Commission shall fully state its reasons for such recommendation, describing any change in conditions, if any, that it believes makes the amendment advisable and specifically setting forth the manner in which, in its opinion, the amendment would be in harmony with a comprehensive plan of land use for the county and would be in furtherance of the purposes of this ordinance.
- 14.5 The Planning Commission shall have 30 days from and after the submission to it of a proposed amendment within which to make its recommendation to the Board of County Supervisors.
- 14.6 If any amendment is disapproved by the Board of County Supervisors, no petition for substantially the same amendment shall be received by the Planning Commission within a period of 12 months from and after the date of such disapproval.
- 14.7 With the consent of the Board of County Supervisors, any petition for an amendment may be withdrawn at any time by the filing of a verified petition of withdrawal signed by not less than a majority of the persons who signed the original petition. Such withdrawal shall terminate the proceedings

Section 14. Amendments - Ctd.

initiated by the original petition. Any proceedings for an amendment initiated by a resolution of the Board of County Supervisors or by the Planning Commission may be terminated by the body that initiated the same at any time that such proceedings are before said body. In any event, however, any hearing of which notice has been given shall be held.

- 14.8 In furtherance of the purposes of this ordinance the Planning Commission shall, at intervals of not greater than 5 years, report to the Board of County Supervisors whether or not in its opinion a general revision of this ordinance should be undertaken. If the Commission recommends such a revision, it shall describe the conditions which it believes indicate the desirability thereof, outlining in general the respects in which it is of the opinion that the ordinance could better be adapted to such conditions in furtherance of the purpose of this ordinance, and shall indicate the scope of the revision that it believes to be advisable.

Section 15. Violations and Penalties

- 15.1 Any person, whether as owner, lessee, principal, agent, employee, or otherwise, who violates any of the provisions of this ordinance or permits any such violation or fails to comply with any of the requirements hereof, or who erects (as said term is defined in Section 1) any building or uses any building or any land in violation of any detailed statement or plan submitted by him and approved under the provisions of this ordinance, shall be guilty of a misdemeanor and upon conviction thereof shall be subject to punishment as provided by law. Each day upon which such violation continues shall constitute a separate offense.
- 15.2 Any building erected (as said term is defined in Section 1) contrary to any of the provisions of this ordinance and any use of any building or land which is conducted, operated, or maintained contrary to any of the provisions of this ordinance shall be and the same is hereby declared to be unlawful. The Zoning Administrator may initiate injunction, mandamus, abatement, or any other appropriate action to prevent, enjoin, abate, or remove such erection or use in violation of any provision of this ordinance. Such action may also be instituted by any property owner who may be particularly damaged by any violation of any provision of this ordinance.

- 15.3 Upon his becoming aware of any violation of any provisions of this ordinance, the Zoning Administrator shall serve notice of such violation on the person committing or permitting the same, and if such violation has not ceased within such reasonable time as the Zoning Administrator has specified in such notice, and a new certificate of occupancy obtained as provided in Section 13 he shall institute such action as may be necessary to terminate the violation.
- 15.4 The remedies provided for in this section are cumulative and not exclusive and shall be in addition to any other remedies provided by law.

Section 16. Severability

- 16.1 If any section, subsection, sentence, clause, phrase, or other part of this ordinance is for any reason held by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of this ordinance as a whole or any section, subsection, sentence, clause, phrase, or other part thereof other than the part so adjudged to be invalid or unconstitutional.

DISTRICT	COLUMN 1	COLUMN 2	COLUMN 3		COLUMN 4										
	USES PERMITTED BY RIGHT	SPECIAL PERMIT USES	MINIMUM LOT SIZE		MAXIMUM PERCENTAGE OF LOT COVERAGE										
	<p>The references in this schedule to "uses permitted" in specified districts are solely to uses permitted by right, as set forth in this Column 1 for the respective districts, and do not apply to uses permitted on special permit obtained from the Board of Zoning Appeals, as set forth in Column 2, unless specifically so noted.</p>	<p>Uses permitted only on the obtaining of a special permit from the Board of Zoning Appeals for each use, in accordance with the provisions of Sections 11 and 12.</p> <p>The groups of uses listed in this column for the various districts are as specified in Section 12 subject to such exceptions as may be noted below for any district.</p>	AREA	WIDTH											
RE-2			<ol style="list-style-type: none"> <li>Accessory buildings and uses as specified in Section 4.2.</li> <li>All agricultural uses.</li> <li>Automobile parking as specified in Section 6.</li> <li>Churches, convents, monasteries and uses appurtenant thereto.</li> <li>Home occupations &amp; home professional offices.</li> <li>One-family dwellings.</li> <li>Public and community uses, except fire stations.</li> <li>Sawmilling of timber grown on the same property.</li> <li>Signs as specified in Section 7.</li> <li>Soil, sand or gravel removal but only as follows: (a) removal of such materials, including sod, to a maximum depth of 18 inches; or (b) removal for use exclusively on the land from which the material is removed and by the owner or occupant thereof; or (c) excavation in connection with the construction or alteration of a building for which a building permit has been obtained; or (d) grading in accordance with an approved grading plan of a subdivision, as defined in Sec. 5-1 (2) of this Code, for which a final plat has been recorded among the land records of the county; except the removal of soil, gravel or sand for purposes of sale or resale unless in accordance with other provisions of this ordinance.</li> <li>Wayside stands for the sale of agricultural products grown in the immediate vicinity, or products of any home occupation conducted on the same property.</li> <li>Keeping of horses on any lot not less than two acres in area.</li> </ol>	<p>The uses comprised within Groups I, II, III, IV, V, VI, VII, VIII and IX.</p>		<p>In approved subdivisions: average: 2 acres; minimum: 80,000 sq. ft. All others: 2 acres.</p>	<p>Interior lot: 200 ft.; corner lot: 225 ft.</p>	NR							
RE-1	<ol style="list-style-type: none"> <li>Wayside stands for the sale of agricultural products grown in the immediate vicinity, or products of any home occupation conducted on the same property.</li> <li>Keeping of horses on any lot not less than two acres in area.</li> </ol>	Same as specified for RE-2 districts.	<p>In approved subdivisions: average: one acre; minimum: 40,000 sq. ft. All others: one acre</p>	<p>Interior lot: 150 ft.; corner lot: 175 ft.</p>	NR										
RE-0.5		<p>The uses comprised within Groups I, II, V, VI, and IX and recreation grounds as comprised within Group VIII.</p>	<p>In approved subdivisions: average: one-half acre; minimum: 20,000 sq. ft. All others: one-half acre.</p>	<p>Interior lot: 100 ft.; corner lot: 125 ft.</p>	NR										
R-17		<p>All uses permitted in RE districts subject to the following limitations:</p> <ol style="list-style-type: none"> <li>All agricultural uses except the raising or keeping of livestock other than (a) fowl and animals kept incidentally to a residential use of the lot and (b) horses as provided in item 12, Column 1 for RE districts.</li> <li>Sawmilling prohibited.</li> </ol>	Same as specified for RE-0.5 districts.	<p>In approved subdivisions: average: 17,000 sq. ft.; minimum: 15,000 sq. ft. All others: 17,000 sq. ft.</p>	<p>Interior lot: 90 ft.; corner lot: 115 ft.</p>	NR									
R-12.5	Same as specified for R-17 districts.	Same as specified for RE-0.5 districts.	<p>In approved subdivisions: average: 10,000 sq. ft.; minimum: 10,500 sq. ft. All others: 12,500 sq. ft.</p>	<p>Interior lot: 80 ft.; corner lot: 105 ft.</p>	NR										
R-10	Same as specified for R-17 districts.	Same as specified for RE-0.5 districts.	<p>In approved subdivisions: average: 8,400 sq. ft. All others: 10,000 sq. ft.</p>	<p>Interior lot: 70 ft.; corner lot: 95 ft.</p>	NR										
RM-1	<ol style="list-style-type: none"> <li>All uses permitted in R-17 districts.</li> <li>Semi-detached dwellings, subject to approval of a site plan for each use.</li> </ol>	<p>The uses comprised within Groups II and VI.</p>	<p>1. For uses permitted in R-17 districts: same as specified for R-10 districts. 2. For each dwelling unit of a semi-detached dwelling: In approved subdivisions: average: 3,920 sq. ft. minimum: 3,600 sq. ft. All others: 3,920 sq. ft.</p>	<p>30 feet</p>	15%										
RM-2	<ol style="list-style-type: none"> <li>All uses permitted in R-17 districts.</li> <li>Multi-family dwellings, subject to approval of a site plan of each development.</li> </ol>	Same as specified for RM-1 districts.	<p>1. For uses permitted in R-10 districts: same as specified for R-10 districts. 2. For multi-family dwellings: minimum lot width 75 feet for an interior lot or 100 feet for a corner lot; minimum lot area: 10,000 sq. ft. but not less than a total area computed on the basis of the number of dwelling units on the lot and the number of rooms per dwelling unit, as follows:</p> <table border="0"> <tr> <td>No. of rooms per dwelling unit:</td> <td>Sq. ft. of lot area per dwelling unit:</td> </tr> <tr> <td>1</td> <td>1400</td> </tr> <tr> <td>2</td> <td>1800</td> </tr> <tr> <td>3</td> <td>2400</td> </tr> <tr> <td>4 or more</td> <td>2800</td> </tr> </table>	No. of rooms per dwelling unit:	Sq. ft. of lot area per dwelling unit:	1	1400	2	1800	3	2400	4 or more	2800		15%
No. of rooms per dwelling unit:	Sq. ft. of lot area per dwelling unit:														
1	1400														
2	1800														
3	2400														
4 or more	2800														
RM-3	<ol style="list-style-type: none"> <li>All uses permitted in RM-2 districts.</li> <li>Mobile dwelling parks, subject to approval of a site plan of each development.</li> </ol>	Same as specified for RM-1 districts.													

# SCHEDULE OF REGULATIONS

BEING A PART OF SECTION 3 OF THE ZONING ORDINANCE OF FAIRFAX COUNTY, VA.

4	COLUMN 5	COLUMN 6	COL. 7	COLUMN 8	COLUMN 9			
<p>Accessory building, but not used exclusively for purposes, and (2) each dwelling purpose, a minimum accessory buildings will be required occupying any</p>	<p>MAXIMUM HEIGHT OF BUILDING</p>	<p style="text-align: center;"><b>MINIMUM YARD DIMENSIONS AND BUILDING LOCATION REQUIREMENTS</b></p> <p>The required minimum side yard width applies to each of 2 side yards, except for semi-detached dwellings in RM-1 districts; provided, however, that:</p> <ol style="list-style-type: none"> <li>No side yard shall have a width of less than equal to one-half the height of the building to which it is appurtenant;</li> <li>The side yard on the side street side of a corner lot shall have a width of not less than the minimum depth of front yard required on that lot.</li> </ol>	<p style="text-align: center;"><b>FLOOR AREA</b></p>	<p style="text-align: center;"><b>MINIMUM OFF-STREET PARKING SPACE</b></p> <p>For the purposes of computing required off-street parking space, each automobile parking space shall be not less than 180 sq. ft. in area.</p>	<p style="text-align: center;"><b>OTHER OPEN SPACE</b></p> <p>For the purpose of computing required off-street loading space, gross floor area shall be used, measured at the exterior walls of the building, and the basis of computation shall be as follows:</p> <ol style="list-style-type: none"> <li>For all or part of a building used for offices or personal service establishments; such building or part thereof as a unit.</li> <li>For any building group; the aggregate floor area of the group.</li> <li>For other uses; the individual establishment.</li> </ol>			
		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 33%;">FRONT YARD</th> <th style="width: 33%;">SIDE YARD</th> <th style="width: 33%;">REAR YARD</th> </tr> </table>	FRONT YARD	SIDE YARD	REAR YARD			
FRONT YARD	SIDE YARD	REAR YARD						
	<p>Dwellings: 35 ft. Buildings used exclusively for agricultural purposes: NR Other buildings: 5 ft.; or 75 ft. in conformity with the provisions of Section 613.</p>	<p>50 ft. from the front lot line or 75 ft. from the center line of the abutting street, whichever is greater.</p> <p>Wayside stands: above dimensions less 25 ft.</p> <p>None of the following structures shall be located at a distance of less than 100 ft. from any lot line:</p> <ol style="list-style-type: none"> <li>All structures used for agriculture on a commercial scale and all other structures used for the confining or shelter of any poultry and livestock.</li> <li>All structures used in connection with sawmilling.</li> </ol>	<p style="text-align: center;">NR</p>	<ol style="list-style-type: none"> <li>For dwellings: one space for each dwelling unit</li> <li>For churches: one space for each 5 seats.</li> <li>For all other uses: a total number of spaces sufficient to accommodate the vehicles of all employees of the establishment, plus those of all persons who may be expected to visit the same at any one time, as determined by the Board of Zoning Appeals with respect to any use for which a permit from said board is required and by the Zoning Administrator with respect to all other uses, subject, under either procedure, to any requirements adopted by resolution of the Planning Commission in accordance with the policy as to automobile parking space set forth in Section 6.</li> </ol>	<ol style="list-style-type: none"> <li>Minimum off-street loading space:                             <ol style="list-style-type: none"> <li>For dwellings: NR.</li> <li>All other uses: sufficient space to provide on the lot for all loading and unloading of goods or persons in connection with the use, as determined by the Board of Zoning Appeals with respect to any use for which a permit from said board is required and by the Zoning Administrator with respect to all other uses, subject, under either procedure, to any requirements adopted by resolution of the Planning Commission in accordance with the policy as to off-street loading space set forth in Section 6.</li> </ol> </li> <li>Adequate space for drainage, as determined in accordance with the provisions of Section 4.6.</li> </ol>			
	<p>Same as specified for RE-2 districts.</p>	<p style="text-align: center;">Same as specified for RE-2 districts.</p>	<p style="text-align: center;">NR</p>	<p style="text-align: center;">Same as specified for RE-2 districts.</p>	<p style="text-align: center;">Same as specified for RE-2 districts.</p>			
	<p>Same as specified for RE-2 districts.</p>	<p style="text-align: center;">Same as specified for RE-2 districts.</p>	<p style="text-align: center;">NR</p>	<p style="text-align: center;">Same as specified for RE-2 districts.</p>	<p style="text-align: center;">Same as specified for RE-2 districts.</p>			
	<p>Dwellings: 35 ft. Buildings used for agricultural purposes: 35 ft. or 90 ft. in conformity with the provisions of Section 4.1.4.</p>	<p>45 ft. from the front lot line or 70 ft. from the center line of the abutting street, whichever is greater;</p> <p style="text-align: center;">except as follows;</p> <p>None of the following structures shall be located at a distance of less than 100 ft. from any lot line:</p> <ol style="list-style-type: none"> <li>All structures used for agriculture on a commercial scale.</li> <li>All structures used for the confining or shelter of any poultry and livestock.</li> </ol>	<p style="text-align: center;">NR</p>	<p style="text-align: center;">Same as specified for RE-2 districts.</p>	<p style="text-align: center;">Same as specified for RE-2 districts.</p>			
	<p>Same as specified for R-17 district.</p>	<p>40 ft. from the front lot line or 65 feet from the center line of the abutting street, whichever is greater;</p> <p>except as provided with respect to the exceptions listed for R-17 districts as set forth in this Column 6 of this schedule.</p>	<p style="text-align: center;">NR</p>	<p style="text-align: center;">Same as specified for RE-2 districts.</p>	<p style="text-align: center;">Same as specified for RE-2 districts.</p>			
	<p>Same as specified for R-17 districts.</p>	<p>35 ft. from the front lot line or 60 ft. from the center line of the abutting street, whichever is greater;</p> <p style="text-align: center;">except as provided with respect to the exceptions listed for R-17 districts as set forth in this Column 6 of this schedule.</p>	<p style="text-align: center;">NR</p>	<p style="text-align: center;">Same as specified for RE-2 districts.</p>	<p style="text-align: center;">Same as specified for RE-2 districts.</p>			
	<p>Same as specified for R-17 districts.</p>	<p>35 ft. from the front lot line or 60 ft. from the center line of the abutting street, whichever is greater; except as provided with respect to the exceptions listed for R-17 districts as set forth in this Column 6 of this schedule.</p>	<p style="text-align: center;">NR</p>	<p style="text-align: center;">Same as specified for RE-2 districts.</p>	<p style="text-align: center;">Same as specified for RE-2 districts.</p>			
	<p>Same as specified for R-17 districts.</p>	<p>For uses permitted in R-10 districts: same as specified for R-10 districts.</p> <p>For semi-detached dwellings: There shall be one side yard for each dwelling unit; which side yard shall conform to side yard requirements in the R-10 district.</p>	<p style="text-align: center;">NR</p>	<p style="text-align: center;">Same as specified for RE-2 districts.</p>	<p style="text-align: center;">Same as specified for RE-2 districts.</p>			
	<p>Same as specified for R-17 districts.</p>	<ol style="list-style-type: none"> <li>For uses permitted in R-10 districts: same as specified for R-10 districts.</li> <li>For multi-family dwellings:                             <ol style="list-style-type: none"> <li>No main or accessory building shall be located less than:                                     <ol style="list-style-type: none"> <li>100 ft. from the center line of any street bounding the development;</li> <li>30 ft. from the nearest line of any service drive lying alongside any street bounding the development;</li> <li>60 ft. from the center line of any street within the development, or 30 ft. from the right of way line thereof, whichever is greater.</li> </ol> </li> <li>No main building shall be located at a distance of less than 50 ft. from any side or rear property line and in no case closer thereto than a distance equal to the height of the building.</li> <li>No accessory building shall be located at a distance of less than 25 ft. from any main building, or from any side or rear property line.</li> <li>Minimum distance between main buildings:                                     <ol style="list-style-type: none"> <li>Front-to-front, front-to-rear, or rear-to-rear: 60 feet;</li> <li>End-to-end: not less than a distance equal to the average of the heights of the buildings;</li> </ol>                                     provided that if two buildings are so located that no portion of either building lies within the prolongation of lines along any two opposite exterior walls of the other, a distance of not less than 20 feet shall separate such buildings.                                 </li> </ol> </li> </ol>	<p style="text-align: center;">NR</p>	<ol style="list-style-type: none"> <li>For all uses permitted in R-10 districts: same as specified for RE-2 districts.</li> <li>For multi-family dwellings: 1-1/2 spaces for each dwelling unit, at least one-third of which shall be so located as to be convenient for frequent in-and-out vehicle movements and for use by tradesmen and visitors.</li> </ol>	<p style="text-align: center;">Same as specified for RE-2 districts and, in addition thereto: play space for multi-family dwellings: 50 sq. ft. for each dwelling unit, but not less than a play area of 5000 sq. ft. for any one multi-family development and located on the site thereof.</p>			
	<ol style="list-style-type: none"> <li>For uses permitted in RM-2 districts: same as specified for RM-2 districts.</li> <li>For mobile dwelling parks: subject to the provisions of Section 5.5 (Trailer Parks).</li> </ol>				<p style="text-align: center;">Same as specified for RM-2 districts and, in addition thereto: for each dwelling unit in a mobile dwelling park: play space as specified for multi-family dwellings in RM-2 districts, but not less than a play area of 2500 sq. ft. for any one mobile dwelling development and located on the site thereof.</p>			

DISTRICT

RE-2

RE-1

RE-0.5

R-17

R-12.5

R-10

RM-1

RM-2

RM-3

**SCHEDULE OF REGULATIONS**  
BEING A PART OF SECTION 4 OF THE ZONING ORDINANCE OF

	COL. 1 USES PERMITTED BY RIGHT	COL. 2 SPECIAL PERMIT USES	COL. 3 LOT SIZE	COL. 4 LOT COVERAGE											
C-O	<ol style="list-style-type: none"> <li>All uses permitted in R-17 districts.</li> <li>Offices for business or professional use.</li> <li>Establishments limited to the filling of prescriptions and the sale of pharmaceutical and similar supplies (but not including any other use specifically permitted in C-O districts, as set forth in this schedule.)</li> <li>Clinics without facilities for the overnight care of patients.</li> <li>Nursery schools.</li> <li>Schools of special instruction.</li> <li>Telephone exchanges and dial centers.</li> <li>Signs as specified in Section 7.</li> </ol>	The uses comprised within Groups II (except telephone exchanges and dial centers), VI (except nursery schools, which are permitted by right, as per Column 1), and IX.	<ol style="list-style-type: none"> <li>For uses permitted in R-10 districts: same as specified for R-10 districts.</li> <li>For other uses: NR</li> </ol>	NR	NR										
C-N	<ol style="list-style-type: none"> <li>All uses permitted in C-O districts.</li> <li>Any of the following uses when conducted entirely within an enclosed building, with no outside display of food or any other goods or merchandise except plants and flowers (including seasonal sale of Christmas trees):               <ol style="list-style-type: none"> <li>(I) Stores for the retail sale of automobile supplies; artworks and supplies; clothing and apparel of any kind; dry goods; garden supplies; electrical goods and supplies; food and food products of any kind (including production of bakery goods for retail sale in the same establishment, but not including the killing of poultry or any other livestock); furniture, household furnishings and decorator's supplies; hardware; luggage and leather goods; optical goods; pets and pet supplies (but not including any veterinary service); photographic equipment and supplies; variety goods; but not including any contracting establishment for any of the foregoing; (II) book, cigar, confectionery, drug, jewelry, liquor, music, stationery, and toy stores; (III) newsstands; shoe shining stands.</li> <li>Stores for the retail sale or repair (or both) of household appliances; musical instruments; sports goods.</li> <li>Banks and other financial institutions; barber shops; beauty parlors, and similar establishments; shoe repair shops; tailor shops; hand laundries; Laundromats; establishments for receiving and distributing articles for laundering or cleaning; blueprint, photostat, and similar reproduction establishments.</li> </ol> </li> <li>Restaurants not offering any entertainment other than by phonograph, radio, or television.</li> <li>Studios, but not public dance halls.</li> <li>Automatic vending machines.</li> <li>Commercial nurseries and greenhouses.</li> <li>Signs as specified in Section 7.</li> </ol>	<ol style="list-style-type: none"> <li>The uses comprised within Groups I and II (as specified for C-O districts) and the uses listed in Group X for C-N districts.</li> <li>Retail stores and service establishments having physical and functional characteristics similar to those of the uses listed in Item 2(a), 2(b), and 2(c) of Column 1 for C-N districts.</li> </ol>	<ol style="list-style-type: none"> <li>For uses permitted in R-10 districts: same as specified for R-10 districts.</li> <li>For other uses: NR</li> </ol>	NR	1. 2.										
C-D	<p>Subject to approval of a site plan for each development:</p> <ol style="list-style-type: none"> <li>All uses permitted in C-N districts, but not including any dwelling of any kind, mobile house, motel, rooming house, tourist house or any other place of human habitation either permanent or temporary, except the quarters of caretakers or watchmen serving uses within the district.</li> <li>Stores for the retail sale of goods and personal service establishments other than those permitted in C-N districts.</li> <li>Automobile sales rooms entirely enclosed on all sides, with no outdoor display of vehicles in connection therewith.</li> <li>Restaurants without limitation as to entertainment.</li> <li>Bowling alleys and skating rinks.</li> <li>Signs as specified in Section 7.</li> </ol>	The uses listed in Item 1 of this column 2 for C-N districts.	NR	NR	S C										
C-DM	<p>Subject to approval of a site plan for each development:</p> <ol style="list-style-type: none"> <li>All uses permitted in C-D district.</li> </ol>	<ol style="list-style-type: none"> <li>The uses listed in Item 1 of this Column 2 for C-N districts.</li> <li>Motels.</li> </ol>	NR	NR	S C										
C-G	<ol style="list-style-type: none"> <li>All uses permitted in C-N districts but not necessarily conducted in enclosed buildings.</li> <li>All uses permitted in C-O districts, but not subject to approval of site plans, except as required by Section 5.</li> <li>Multi-family dwellings, if served by sanitary sewers and central water supply approved by the Director of Public Works.</li> <li>Tourist houses; rooming houses.</li> <li>Ambulance service.</li> <li>Automobile laundries.</li> <li>Automobile sales rooms entirely enclosed on all sides in connection with which there may be outdoor display of vehicles (a) on the same lot therewith, (b) incidental and accessory thereto, (c) occupying an area not exceeding the floor area of the establishment of which the sales room to which such outdoor display is appurtenant is a part, and (d) not including the display of any vehicle that is not in operating condition.</li> <li>Bakeries employing not more than 10 persons other than clerks and vehicle drivers.</li> <li>Establishments for the installation and servicing of the following: air conditioning, electrical service, flooring, heating, interior decorating, painting, plumbing, roofing, tiling and ventilating, with all materials stored entirely in buildings enclosed on all sides, or within such walls or fences, supplemented by planting, as may be prescribed by resolution of the Planning Commission; but not including building construction.</li> <li>Cabinet making shops.</li> <li>Catering establishments.</li> <li>Dance halls.</li> <li>Frozen food lockers.</li> <li>Gasoline stations; parking garages; repair garages.</li> <li>Grain and feed supply establishments.</li> <li>Ice storage of not more than 5 tons capacity.</li> <li>Laundry, diaper service, and dyeing and cleaning establishments.</li> <li>Monument works.</li> <li>Mortuaries.</li> <li>Printing establishments.</li> <li>Taxidermists shops.</li> <li>Theaters, but not including open air theaters.</li> <li>Trade schools involving the use of machinery or equipment of not more than one horsepower capacity.</li> <li>Upholstering establishments.</li> <li>Warehouses.</li> <li>Wholesale establishments supplying goods for the type of uses permitted in C-G districts.</li> <li>The following uses in any C-G district entirely surrounded by RE-2 or RE-1 districts or any combination thereof or by such districts or combination thereof and the county boundary:               <ol style="list-style-type: none"> <li>Fuel sales establishments with all fuel tanks underground.</li> <li>Lumber yards.</li> <li>Farm equipment and machinery sales, including storage of used equipment and machinery, provided that any of the same that is damaged or not immediately usable shall be completely enclosed within such wall or fence as may be prescribed by resolution of the Planning Commission.</li> </ol> </li> <li>The uses comprised within the following groups as set forth in Section 12, but without the necessity of obtaining a special permit for any of the same:               <ol style="list-style-type: none"> <li>Group II, except sewerage facilities.</li> <li>Group V, except Item 4 thereof, subject to approval of a site plan for each use.</li> </ol> </li> <li>Signs as specified in Section 7.</li> </ol>	<ol style="list-style-type: none"> <li>The following uses as comprised within the following groups:               <ul style="list-style-type: none"> <li>Group II: Sewerage facilities</li> <li>Group V: Item 4 thereof</li> <li>Group VII: all uses</li> <li>Group VIII: all uses</li> <li>Group X: all uses listed therein for C-G districts.</li> </ul> </li> <li>Any other use involving the sale of goods, the providing of personal, professional, or business services, or the conducting of transactions, which has physical and functional characteristics similar to those of any of the uses listed in Column 1 for C-G districts.</li> <li>Mobile dwelling park or extension of an existing mobile dwelling park, subject to approval of a special permit therefor issued by the Board of County Supervisors acting as the Board of Zoning Appeals under the provisions of Section 11.6 of this ordinance. No such permit shall be issued by said Board until after a site plan of such park or such extension has first been approved by the Planning Commission in accordance with the provisions of Section 5, in considering applications for this use, the Board shall be governed by the provisions of Sections 11 and 12 of this ordinance applicable to the Board of Zoning Appeals. All such parks or extensions shall comply with all the regulations applicable thereto in RM-3 district.</li> </ol>	<ol style="list-style-type: none"> <li>For uses permitted in R-10 districts: same as specified for R-10 districts.</li> <li>For multi-family dwellings: same as specified for multi-family dwellings in RM-2 districts, except that the minimum lot area in relation to number of dwelling units shall be computed on the following basis:               <table border="1"> <thead> <tr> <th>No. of rooms</th> <th>Sq.ft. of lot per dwelling unit</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>800</td> </tr> <tr> <td>2</td> <td>1200</td> </tr> <tr> <td>3</td> <td>1600</td> </tr> <tr> <td>4 or more</td> <td>1800</td> </tr> </tbody> </table> </li> <li>For other uses: NR</li> </ol>	No. of rooms	Sq.ft. of lot per dwelling unit	1	800	2	1200	3	1600	4 or more	1800	NR	1. 2. 3.
No. of rooms	Sq.ft. of lot per dwelling unit														
1	800														
2	1200														
3	1600														
4 or more	1800														

# SCHEDULE OF REGULATIONS

BEING A PART OF SECTION 3 OF THE ZONING ORDINANCE OF FAIRFAX COUNTY, VA.

COL. 3 LOT SIZE	COL. 4 LOT COVERAGE	COL. 5 HEIGHT	COL. 6 YARDS			COL. 7 FLOOR AREA <sup>a</sup>	COL. 8 OFF-STREET PARKING SPACE	COL. 9 OTHER OPEN SPACE
			FRONT	SIDE	REAR			
For uses permitted in R-10 districts: same as specified for R-10 districts. For other uses: NR	NR	Same as specified for R-17 districts.	50 feet	1. For uses permitted in R-10 districts: same as specified for R-10 districts. 2. For other uses: NR, except as specified in Section 4.4.3.	25 feet	NR	1. For all uses permitted in R-10 districts: same as specified for R-10 districts. 2. For all office uses: one parking space for each 200 sq. ft. of floor area. 3. For all establishments listed as permitted in C-O districts in Item 8 of Column 1 of this schedule: one parking space for each 150 feet of floor area. 4. For all other uses: a total number of spaces sufficient to accommodate the vehicles of all employees of the establishment, plus those of all persons who may be expected to visit the same at any one time, as determined by the Board of Zoning Appeals with respect to any use for which a permit from said board is required and by the Zoning Administrator either respect to all other uses, subject, under either procedure, to any requirements adopted by resolution of the Planning Commission in accordance with the policy as to automobile parking space set forth in Section 6.	1. One off-street loading space for a floor area of from 7500 sq. ft. to 10,000 sq. ft.; one additional off-street loading space for each additional 10,000 sq. ft. of floor area or major fraction thereof. 2. Adequate space for drainage, as determined in accordance with the provisions of Section 4.6.
For uses permitted in R-10 districts: same as specified for R-10 districts. For other uses: NR	NR	1. For uses permitted in R-10 districts: same as specified for R-10 districts. 2. For other uses: Height in stories: 3 Height in feet: 40	50 feet	1. For uses permitted in R-10 districts: same as specified for R-10 districts. 2. For other uses: NR, except as specified in Section 4.4.3.	20 feet	1. For retail stores: maximum floor area of any one establishment: 7500 sq. ft. 2. For other uses: NR	1. For uses permitted in C-O districts: same as specified for C-O districts. 2. For other uses: Use Restaurants 2 seats Studios 200 sq. ft. of floor area Automatic 1/2 machines, which space may be provided in other available space on a multiple use basis. All other uses: One space for each 100 sq. ft. of floor area used for retail sales, trade or merchandising, and one space for each 200 sq. ft. of floor area used for offices, storage, or other purposes.	1. Off-street loading space as follows: (a) For building space designed exclusively for offices and personal service establishments and not adaptable for use for retail business purposes without structural alterations: same as specified for "other uses" in this Column 9 for C-O districts. (b) For building space designed, usable or adaptable without structural alterations for use for retail business purposes: one space for a floor area of from 3000 sq. ft. to 5000 sq. ft.; one additional space for each additional 5000 sq. ft. of floor area or major fraction thereof. (c) For other uses: space determined in the manner specified for "other uses" in this Column 9 for RE-2 districts. 2. Adequate space for drainage, as determined in accordance with the provisions of Section 4.6.
NR	NR	Same as specified for C-N districts.	50 feet	NR, except as specified in Section 4.4.3.	20 feet, except as specified in Section 4.4.3.	NR	1. For uses permitted in C-N districts: same as specified for C-N districts. 2. For other uses: one parking space for each 100 sq. ft. of floor area used for retail sales, trade or merchandising, and one space for each 200 sq. ft. of floor area used for offices, storage, or other purposes.	Same as specified for C-N districts.
NR	NR	Same as specified for C-N districts.	50 feet	Same as specified for C-D district.	NR	NR	For uses permitted in the C-D district, same as specified for C-D district. For Motels: 1 space per rental unit plus additional space as may be required by the Zoning Administrator.	Same as specified for C-D districts.
For uses permitted in R-10 districts: same as specified for R-10 districts. For multi-family dwellings: same as specified for multi-family dwellings in RM-2 districts, except that the minimum lot area in relation to number of dwelling units shall be computed on the following basis: No. of rooms Sq. ft. of lot area per dwelling unit: 1 800 2 1200 3 1600 4 or more 1800 For other uses: NR	1. For uses permitted in R-10 districts: same as specified for R-10 districts. 2. For multi-family dwellings: 30%. 3. For other uses: NR.	1. For uses permitted in R-10 districts: same as specified for R-10 districts. 2. For multi-family dwellings, same as specified for RM-2 districts. 3. For other uses: same as specified for C-N districts.	50 feet	1. For uses permitted in R-10 districts: same as specified for R-10 districts. 2. For multi-family dwellings: not less than equal to the height of the building, or 50 feet, whichever is the greater distance; minimum distance between buildings: same as specified for multi-family dwellings in RM-2 districts. 3. For other uses: 20 feet except as specified in Section 4.4.3.	NR	NR	1. For uses permitted in RM-2 districts: same as specified for RM-2 districts. 2. For other uses involving the provision of living or sleeping accommodations: one space for each room in which such accommodations are provided. 3. For establishments involving retail sales: one space for each 100 sq. ft. of floor area used for retail sales, trade or merchandising, and one space for each 200 sq. ft. of floor area used for offices, storage, or other purposes. 4. For offices and establishments providing personal, professional, or business services: one space for each 200 sq. ft. of floor area. 5. For uses involving the seating of patrons: one space for each 2 seats. 6. For other uses: a total number of spaces sufficient to accommodate the vehicles of all employees of the establishment, plus those of all persons who may be expected to visit the same at any one time, as determined by the Board of Zoning Appeals with respect to any use for which a permit from said board is required and by the Zoning Administrator with respect to all other uses, subject, under either procedure, to any requirements adopted by resolution of the Planning Commission in accordance with the policy as to automobile parking space set forth in Section 6.	Same as specified for C-N districts and in addition to said requirements: 1. For uses permitted in RM-2 districts: same as specified for RM-2 districts. 2. For uses permitted in C-O districts but not in C-N districts: one off-street loading space for a floor area of from 4000 sq. ft. to 5000 sq. ft.; one additional off-street loading space for each additional 5000 sq. ft. of floor area or major fraction thereof.

C-O

C-N  
20115  
11/9/16

C-D

C-DN

20#16  
11/9/16

C-G

**SCHEDULE OF RE**  
BEING A PART OF SECTION 4 OF THE ZONING ORDINANCE

	COL. 1 USES PERMITTED BY RIGHT	COL. 2 SPECIAL PERMIT USES	COL. 3 LOT SIZE	COL. 4 LOT COVERAGE															
C-O	<ol style="list-style-type: none"> <li>All uses permitted in R-17 districts.</li> <li>Offices for business or professional use.</li> <li>Establishments limited to the filling of prescriptions and the sale of pharmaceutical and similar supplies (but not excluding any other use specifically permitted in C-O districts, as set forth in this schedule.)</li> <li>Clinics without facilities for the overnight care of patients.</li> <li>Nursery schools.</li> <li>Schools of special instruction.</li> <li>Telephone exchanges and dial centers.</li> <li>Signs as specified in Section 7.</li> </ol>	<p>The uses comprised within Groups II (except telephone exchanges and dial centers), VI (except nursery schools, which are permitted by right, as per Column 1), and IX.</p>	<ol style="list-style-type: none"> <li>For uses permitted in R-10 districts: same as specified for R-10 districts.</li> <li>For other uses: NR</li> </ol>	NR															
C-N	<ol style="list-style-type: none"> <li>All uses permitted in C-O districts.</li> <li>Any of the following uses when conducted entirely within an enclosed building, with no outside display of food or any other goods or merchandise except plants and flowers (including seasonal sale of Christmas trees):               <ol style="list-style-type: none"> <li>(I) Stores for the retail sale of automobile supplies; artworks and supplies; clothing and apparel of any kind; dry goods; garden supplies; electrical goods and supplies; food and food products of any kind (including production of bakery goods for retail sale in the same establishment, but not including the killing of poultry or any other livestock); furniture, household furnishings and decorator's supplies; hardware; luggage and leather goods; optical goods; pets and pet supplies (but not including any veterinary service); photographic equipment and supplies; variety goods; but not including any contracting establishment for any of the foregoing; (II) book, cigar, confectionery, drug, jewelry, liquor, music, stationery, and toy stores; (III) news stands; shoe shining stands.</li> <li>Stores for the retail sale or repair (or both) of household appliances; musical instruments; sports goods.</li> <li>Banks and other financial institutions; barber shops; beauty parlors, and similar establishments; shoe repair shops; tailor shops; hand laundries; Laundromats; establishments for receiving and distributing articles for laundering or cleaning; blueprint, photostat, and similar reproduction establishments.</li> </ol> </li> <li>Restaurants not offering any entertainment other than by phonograph, radio, or television.</li> <li>Studios, but not public dance halls.</li> <li>Automatic vending machines.</li> <li>Commercial nurseries and greenhouses.</li> <li>Signs as specified in Section 7.</li> </ol>	<ol style="list-style-type: none"> <li>The uses comprised within Groups I and II (as specified for C-O districts) and the uses listed in Group X for C-N districts.</li> <li>Retail stores and service establishments having physical and functional characteristics similar to those of the uses listed in Item 2(a), 2(b), and 2(c) of Column 1 for C-N districts.</li> </ol>	<ol style="list-style-type: none"> <li>For uses permitted in R-10 districts: same as specified for R-10 districts.</li> <li>For other uses: NR</li> </ol>	NR															
C-D	<p>Subject to approval of a site plan for each development:</p> <ol style="list-style-type: none"> <li>All uses permitted in C-N districts, but not including any dwelling of any kind, mobile house, motel, rooming house, tourist house or any other place of human habitation either permanent or temporary, except the quarters of caretakers or watchmen serving uses within the district.</li> <li>Stores for the retail sale of goods and personal service establishments other than those permitted in C-N districts.</li> <li>Automobile sales rooms entirely enclosed on all sides, with no outdoor display of vehicles in connection therewith.</li> <li>Restaurants without limitation as to entertainment.</li> <li>Bowling alleys and skating rinks.</li> <li>Signs as specified in Section 7.</li> </ol>	<p>The uses listed in Item 1 of this column 2 for C-N districts.</p>	NR	NR															
C-DM	<p>Subject to approval of a site plan for each development:</p> <ol style="list-style-type: none"> <li>All uses permitted in C-D district.</li> </ol>	<ol style="list-style-type: none"> <li>The uses listed in Item 1 of this Column 2 for C-N districts.</li> <li>Motels.</li> </ol>	NR	NR															
C-G	<ol style="list-style-type: none"> <li>All uses permitted in C-N districts but not necessarily conducted in enclosed buildings.</li> <li>All uses permitted in C-O districts, but not subject to approval of site plans, except as required by Section 5.</li> <li>Multi-family dwellings, if served by sanitary sewers and central water supply approved by the Director of Public Works.</li> <li>Tourist houses; rooming houses.</li> <li>Ambulance service.</li> <li>Automobile laundries.</li> <li>Automobile sales rooms entirely enclosed on all sides in connection with which there may be outdoor display of vehicles (a) on the same lot therewith, (b) incidental and accessory thereto, (c) occupying an area not exceeding the floor area of the establishment of which the sales room to which such outdoor display is appurtenant is a part, and (d) not including the display of any vehicle that is not in operating condition.</li> <li>Bakeries employing not more than 10 persons other than clerks and vehicle drivers.</li> <li>Establishments for the installation and servicing of the following: air conditioning, electrical service, flooring, heating, interior decorating, painting, plumbing, roofing, tiling and ventilating, with all materials stored entirely in buildings enclosed on all sides, or within such walls or fences, supplemented by planting, as may be prescribed by resolution of the Planning Commission; but not including building construction.</li> <li>Cabinet making shops.</li> <li>Catering establishments.</li> <li>Dance halls.</li> <li>Frozen food lockers.</li> <li>Gasoline stations; parking garages; repair garages.</li> <li>Grain and feed supply establishments.</li> <li>Ice storage of not more than 5 tons capacity.</li> <li>Laundry, diaper service, and dyeing and cleaning establishments.</li> <li>Monument works.</li> <li>Mortuaries.</li> <li>Printing establishments.</li> <li>Taxidermists shops.</li> <li>Theaters, but not including open air theaters.</li> <li>Trade schools involving the use of machinery or equipment of not more than one horsepower capacity.</li> <li>Upholstering establishments.</li> <li>Warehouses.</li> <li>Wholesale establishments supplying goods for the type of uses permitted in C-G districts.</li> <li>The following uses in any C-G district entirely surrounded by RE-2 or RE-1 districts or any combination thereof or by such districts or combination thereof and the county boundary:               <ol style="list-style-type: none"> <li>Fuel sales establishments with all fuel tanks underground.</li> <li>Lumber yards.</li> <li>Farm equipment and machinery sales, including storage of used equipment and machinery, provided that any of the same that is damaged or not immediately usable shall be completely enclosed within such wall or fence as may be prescribed by resolution of the Planning Commission.</li> </ol> </li> <li>The uses comprised within the following groups as set forth in Section 12, but without the necessity of obtaining a special permit for any of the same:               <ol style="list-style-type: none"> <li>Group II, except sewerage facilities.</li> <li>Group V, except Item 4 thereof, subject to approval of a site plan for each use.</li> </ol> </li> <li>Signs as specified in Section 7.</li> </ol>	<ol style="list-style-type: none"> <li>The following uses as comprised within the following groups:               <ul style="list-style-type: none"> <li>Group II: Sewerage facilities</li> <li>Group V: Item 4 thereof</li> <li>Group VII: all uses</li> <li>Group VIII: all uses</li> <li>Group X: all uses listed therein for C-G districts.</li> </ul> </li> <li>Any other use involving the sale of goods, the providing of personal, professional, or business services, or the conducting of transactions, which has physical and functional characteristics similar to those of any of the uses listed in Column 1 for C-G districts.</li> <li>Mobile dwelling park or extension of an existing mobile dwelling park, subject to approval of a special permit therefor issued by the Board of County Supervisors acting as the Board of Zoning Appeals under the provisions of Section 11.6 of this ordinance. No such permit shall be issued by said Board until after a site plan of such park or such extension has first been approved by the Planning Commission in accordance with the provisions of Section 5. In considering applications for this use, the Board shall be governed by the provisions of Sections 11 and 12 of this ordinance applicable to the Board of Zoning Appeals. All such parks or extensions shall comply with all the regulations applicable thereto in RM-3 district.</li> </ol>	<ol style="list-style-type: none"> <li>For uses permitted in R-10 districts: same as specified for R-10 districts.</li> <li>For multi-family dwellings: same as specified for multi-family dwellings in RM-2 districts, except that the minimum lot area in relation to number of dwelling units shall be computed on the following basis:               <table border="1"> <thead> <tr> <th>No. of rooms</th> <th>Sq. ft. of lot per dwelling unit</th> <th>area per dwelling unit</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>800</td> <td></td> </tr> <tr> <td>2</td> <td>1200</td> <td></td> </tr> <tr> <td>3</td> <td>1600</td> <td></td> </tr> <tr> <td>4 or more</td> <td>1800</td> <td></td> </tr> </tbody> </table> </li> <li>For other uses: NR</li> </ol>	No. of rooms	Sq. ft. of lot per dwelling unit	area per dwelling unit	1	800		2	1200		3	1600		4 or more	1800		<ol style="list-style-type: none"> <li>For uses permitted in R-10 districts: same as specified for R-10 district.</li> <li>For multi-family dwellings: 30%.</li> <li>For other uses: NR.</li> </ol>
No. of rooms	Sq. ft. of lot per dwelling unit	area per dwelling unit																	
1	800																		
2	1200																		
3	1600																		
4 or more	1800																		

# SCHEDULE OF REGULATIONS

BEING A PART OF SECTION 1 OF THE ZONING ORDINANCE OF FAIRFAX COUNTY, VA.

COL. 3 LOT SIZE	COL. 4 LOT COVERAGE	COL. 5 HEIGHT	COL. 6 YARDS			COL. 7 FLOOR AREA	COL. 8 OFF-STREET PARKING SPACE	COL. 9 OTHER OPEN SPACE
			FRONT	SIDE	REAR			
For uses permitted in R-10 districts; same as specified for R-10 districts. For other uses: NR	NR	Same as specified for R-17 districts.	50 feet	1. For uses permitted in R-10 districts; same as specified for R-10 districts. 2. For other uses: NR, except as specified in Section 4.4.3.	25 feet	NR	1. For all uses permitted in R-10 districts; same as specified for RE-2 districts. 2. For all office uses: one parking space for each 200 sq. ft. of floor area. 3. For all establishments listed as permitted in C-O districts in Item 3 of Column 1 of this schedule: one parking space for each 150 feet of floor area. 4. For all other uses: a total number of spaces sufficient to accommodate the vehicles of all employees of the establishment, plus those of all persons who may be expected to visit the same at any one time, as determined by the Board of Zoning Appeals with respect to any use for which a permit from said board is required and by the Zoning Administrator either respect to all other uses, subject, under either procedure, to any requirements adopted by resolution of the Planning Commission in accordance with the policy as to automobile parking space set forth in Section 6.	1. One off-street loading space for a floor area of from 7500 sq. ft. to 10,000 sq. ft.; one additional off-street loading space for each additional 10,000 sq. ft. of floor area or major fraction thereof. 2. Adequate space for drainage, as determined in accordance with the provisions of Section 4.6.
For uses permitted in R-10 districts; same as specified for R-10 districts. For other uses: NR	NR	1. For uses permitted in R-10 districts; same as specified for R-10 districts. 2. For other uses: Height in stories: 3 Height in feet: 40	50 feet	1. For uses permitted in R-10 districts; same as specified for R-10 districts. 2. For other uses: NR, except as specified in Section 4.4.3.	20 feet	1. For retail stores: maximum floor area of any one establishment; 7500 sq. ft. 2. For other uses: NR	1. For uses permitted in C-O districts; same as specified for C-O districts. 2. For other uses: Use One space for each Restaurants 2 seats Studios 200 sq. ft. of floor area Automatic 1/2 machine, which space may be provided in other available space on a multiple use basis. All other uses: One space for each 100 sq. ft. of floor area used for retail sales, trade or merchandising, and one space for each 200 sq. ft. of floor area used for offices, storage, or other purposes.	1. Off-street loading space as follows: (a) For building space designed exclusively for offices and personal services establishments and not adaptable for use for retail business purposes without structural alterations: same as specified for "other uses" in this Column 9 for C-O districts. (b) For building space designed, usable or adaptable without structural alterations for use for retail business purposes: one space for a floor area of from 3000 sq. ft. to 5000 sq. ft.; one additional space for each additional 6000 sq. ft. of floor area or major fraction thereof. (c) For other uses: space determined in the manner specified for "other uses" in this Column 9 for RE-2 districts. 2. Adequate space for drainage, as determined in accordance with the provisions of Section 4.6.
NR	NR	Same as specified for C-N districts.	50 feet	NR, except as specified in Section 4.4.3.	20 feet, except as specified in Section 4.4.3.	NR	1. For uses permitted in C-N districts; same as specified for C-N districts. 2. For other uses: one parking space for each 100 sq. ft. of floor area used for retail sales, trade or merchandising, and one space for each 200 sq. ft. of floor area used for offices, storage, or other purposes.	Same as specified for C-N districts.
NR	NR	Same as specified for C-N districts.	50 feet	Same as specified for C-D district.		NR	For uses permitted in the C-D district, same as specified for C-D district. For Motels: 1 space per rental unit plus additional space as may be required by the Zoning Administrator.	Same as specified for C-D districts.
1. For uses permitted in R-10 districts; same as specified for R-10 districts. 2. For multi-family dwellings; same as specified for multi-family dwellings in RM-2 districts, except that the minimum lot area in relation to number of dwelling units shall be computed on the following basis: No. of rooms Sq.ft. of lot per dwelling area per dwelling unit: 1 800 2 1200 3 1600 4 or more 1800 3. For other uses: NR	1. For uses permitted in R-10 districts; same as specified for R-10 districts. 2. For multi-family dwellings: 30% 3. For other uses: NR.	1. For uses permitted in R-10 districts; same as specified for R-10 districts. 2. For multi-family dwellings, same as specified for RM-2 districts. 3. For other uses: same as specified for C-N districts.	50 feet	1. For uses permitted in R-10 districts; same as specified for R-10 districts. 2. For multi-family dwellings; not less than equal to the height of the building, or 50 feet, whichever is the greater distance; minimum distance between buildings; same as specified for multi-family dwellings in RM-2 districts. 3. For other uses: 20 feet except as specified in Section 4.4.3.		NR	1. For uses permitted in RM-2 districts; same as specified for RM-2 districts. 2. For other uses involving the provision of living or sleeping accommodations: one space for each room in which such accommodations are provided. 3. For establishments involving retail sales: one space for each 100 sq. ft. of floor area used for retail sales, trade or merchandising, and one space for each 200 sq. ft. of floor area used for offices, storage, or other purposes. 4. For offices and establishments providing personal, professional, or business services: one space for each 200 sq. ft. of floor area. 5. For uses involving the seating of patrons: one space for each 2 seats. 6. For other uses: a total number of spaces sufficient to accommodate the vehicles of all employees of the establishment, plus those of all persons who may be expected to visit the same at any one time, as determined by the Board of Zoning Appeals with respect to any use for which a permit from said board is required and by the Zoning Administrator with respect to all other uses, subject, under either procedure, to any requirements adopted by resolution of the Planning Commission in accordance with the policy as to automobile parking space set forth in Section 6.	Same as specified for C-N districts, and in addition to said requirements: 1. For uses permitted in RM-2 districts; same as specified for RM-2 districts. 2. For uses permitted in C-G districts but not in C-N districts: one off-street loading space for a floor area of from 4000 sq. ft. to 6000 sq. ft.; one additional off-street loading space for each additional 8000 sq. ft. of floor area or major fraction thereof.

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11/91

**SCHEDULE OF REGULATION**  
BEING A PART OF SECTION 3 OF THE ZONING ORDINANCE OF FAIRFAX COUNTY

	COL. 1 USES PERMITTED BY RIGHT	COL. 2 SPECIAL PERMIT USES	COL. 3 LOT SIZE	COL. 4 LOT COVERAGE	COL. 5 HI															
C-O	<ol style="list-style-type: none"> <li>All uses permitted in R-17 districts.</li> <li>Offices for business or professional use.</li> <li>Establishments limited to the filling of prescriptions and the sale of pharmaceutical and similar supplies (but not excluding any other use specifically permitted in C-O districts, as set forth in this schedule.)</li> <li>Clinics without facilities for the overnight care of patients.</li> <li>Nursery schools.</li> <li>Schools of special instruction.</li> <li>Telephone exchanges and dial centers.</li> <li>Signs as specified in Section 7.</li> </ol>	<p>The uses comprised within Groups II (except telephone exchanges and dial centers), VI (except nursery schools, which are permitted by right, as per Column 1), and IX.</p>	<ol style="list-style-type: none"> <li>For uses permitted in R-10 districts: same as specified for R-10 districts.</li> <li>For other uses: NR</li> </ol>	NR	Same as specified for R-17 districts															
C-N	<ol style="list-style-type: none"> <li>All uses permitted in C-O districts.</li> <li>Any of the following uses when conducted entirely within an enclosed building, with no outside display of food or any other goods or merchandise except plants and flowers (including seasonal sale of Christmas trees):               <ol style="list-style-type: none"> <li>(I) Stores for the retail sale of automobile supplies; artworks and supplies; clothing and apparel of any kind; dry goods; garden supplies; electrical goods and supplies; food and food products of any kind (including production of bakery goods for retail sale in the same establishment, but not including the killing of poultry or any other livestock); furniture, household furnishings and decorator's supplies; hardware; luggage and leather goods; optical goods; pets and pet supplies (but not including any veterinary service); photographic equipment and supplies; variety goods; but not including any contracting establishment for any of the foregoing; (II) book, cigar, confectionery, drug, jewelry, liquor, music, stationery, and toy stores; (III) newsstands; shoe shining stands.</li> <li>Stores for the retail sale or repair (or both) of household appliances; musical instruments; sports goods.</li> <li>Banks and other financial institutions; barber shops; beauty parlors, and similar establishments; shoe repair shops; tailor shops; hand laundries; Laundromats; establishments for receiving and distributing articles for laundering or cleaning; blueprint, photostat, and similar reproduction establishments.</li> </ol> </li> <li>Restaurants not offering any entertainment other than by phonograph, radio, or television.</li> <li>Studios, but not public dance halls.</li> <li>Automatic vending machines.</li> <li>Commercial nurseries and greenhouses.</li> <li>Signs as specified in Section 7.</li> </ol>	<ol style="list-style-type: none"> <li>The uses comprised within Groups I and II (as specified for C-O districts) and the uses listed in Group X for C-N districts.</li> <li>Retail stores and service establishments having physical and functional characteristics similar to those of the uses listed in Item 2(a), 2(b), and 2(c) of Column 1 for C-N districts.</li> </ol>	<ol style="list-style-type: none"> <li>For uses permitted in R-10 districts: same as specified for R-10 districts.</li> <li>For other uses: NR</li> </ol>	NR	<ol style="list-style-type: none"> <li>For uses in R-10 districts: same as specified for R-10 districts.</li> <li>For other uses: NR</li> </ol>															
C-D	<p>Subject to approval of a site plan for each development:</p> <ol style="list-style-type: none"> <li>All uses permitted in C-N districts, but not including any dwelling of any kind, mobile house, motel, rooming house, tourist house or any other place of human habitation either permanent or temporary, except the quarters of caretakers or watchmen serving uses within the district.</li> <li>Stores for the retail sale of goods and personal service establishments other than those permitted in C-N districts.</li> <li>Automobile sales rooms entirely enclosed on all sides, with no outdoor display of vehicles in connection therewith.</li> <li>Restaurants without limitation as to entertainment.</li> <li>Bowling alleys and skating rinks.</li> <li>Signs as specified in Section 7.</li> </ol>	<p>The uses listed in Item 1 of this column 2 for C-N districts.</p>	NR	NR	Same as specified for C-N districts															
C-DM	<p>Subject to approval of a site plan for each development:</p> <ol style="list-style-type: none"> <li>All uses permitted in C-D district.</li> </ol>	<ol style="list-style-type: none"> <li>The uses listed in Item 1 of this Column 2 for C-N districts.</li> <li>Motels.</li> </ol>	NR	NR	Same as specified for C-N district															
C-G	<ol style="list-style-type: none"> <li>All uses permitted in C-N districts but not necessarily conducted in enclosed buildings.</li> <li>All uses permitted in C-O districts, but not subject to approval of site plans, except as required by Section 5.</li> <li>Multi-family dwellings, if served by sanitary sewers and central water supply approved by the Director of Public Works.</li> <li>Tourist houses; rooming houses.</li> <li>Ambulance service.</li> <li>Automobile laundries.</li> <li>Automobile sales rooms entirely enclosed on all sides in connection with which there may be outdoor display of vehicles (a) on the same lot therewith, (b) incidental and accessory thereto, (c) occupying an area not exceeding the floor area of the establishment of which the sales room to which such outdoor display is apartment is a part, and (d) not including the display of any vehicle that is not in operating condition.</li> <li>Bakeries employing not more than 10 persons other than clerks and vehicle drivers.</li> <li>Establishments for the installation and servicing of the following: air conditioning, electrical service, flooring, heating, interior decorating, painting, plumbing, roofing, tiling and ventilating, with all materials stored entirely in buildings enclosed on all sides, or within such walls or fences, supplemented by planting, as may be prescribed by resolution of the Planning Commission; but not including building construction.</li> <li>Cabinet making shops.</li> <li>Catering establishments.</li> <li>Dance halls.</li> <li>Frozen food lockers.</li> <li>Gasoline stations; parking garages; repair garages.</li> <li>Grain and feed supply establishments.</li> <li>Ice storage of not more than 5 tons capacity.</li> <li>Laundry, diaper service, and dyeing and cleansing establishments.</li> <li>Monument works.</li> <li>Mortuaries.</li> <li>Printing establishments.</li> <li>Taxidermist shops.</li> <li>Theaters, but not including open air theaters.</li> <li>Trade schools involving the use of machinery or equipment of not more than one horsepower capacity.</li> <li>Upholstering establishments.</li> <li>Warehouses.</li> <li>Wholesale establishments supplying goods for the type of uses permitted in C-G districts.</li> <li>The following uses in any C-G district entirely surrounded by RE-2 or RE-1 districts or any combination thereof or by such districts or combination thereof and the county boundary:               <ol style="list-style-type: none"> <li>Fuel sales establishments with all fuel tanks underground.</li> <li>Lumber yards.</li> <li>Farm equipment and machinery sales, including storage of used equipment and machinery, provided that any of the same that is damaged or not immediately usable shall be completely enclosed within such wall or fence as may be prescribed by resolution of the Planning Commission.</li> </ol> </li> <li>The uses comprised within the following groups as set forth in Section 12, but without the necessity of obtaining a special permit for any of the same:               <ol style="list-style-type: none"> <li>Group II, except sewerage facilities.</li> <li>Group V, except Item 4 thereof, subject to approval of a site plan for each use.</li> </ol> </li> <li>Signs as specified in Section 7.</li> </ol>	<ol style="list-style-type: none"> <li>The following uses as comprised within the following groups:               <ol style="list-style-type: none"> <li>Group II: Sewerage facilities</li> <li>Group V: Item 4 thereof</li> <li>Group VII: all uses</li> <li>Group VIII: all uses</li> <li>Group X: all uses listed therein for C-G districts.</li> </ol> </li> <li>Any other use involving the sale of goods, the providing of personal, professional, or business services, or the conducting of transactions, which has physical and functional characteristics similar to those of any of the uses listed in Column 1 for C-G districts.</li> <li>Mobile dwelling park or extension of an existing mobile dwelling park, subject to approval of a special permit therefor issued by the Board of County Supervisors acting as the Board of Zoning Appeals under the provisions of Section 11.5 of this ordinance. No such permit shall be issued by said Board until after a site plan of such park or such extension has first been approved by the Planning Commission in accordance with the provisions of Section 5. In considering applications for this use, the Board shall be governed by the provisions of Sections 11 and 12 of this ordinance applicable to the Board of Zoning Appeals. All such parks or extensions shall comply with all the regulations applicable thereto in RM-3 district.</li> </ol>	<ol style="list-style-type: none"> <li>For uses permitted in R-10 districts: same as specified for R-10 districts.</li> <li>For multi-family dwellings: same as specified for multi-family dwellings in RM-2 districts, except that the minimum lot area in relation to number of dwelling units shall be computed on the following basis:               <table border="1"> <thead> <tr> <th>No. of rooms</th> <th>Sq. ft. of lot</th> <th>area per dwelling unit</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>800</td> <td>800</td> </tr> <tr> <td>2</td> <td>1200</td> <td>600</td> </tr> <tr> <td>3</td> <td>1600</td> <td>533</td> </tr> <tr> <td>4 or more</td> <td>1800</td> <td>450</td> </tr> </tbody> </table> </li> <li>For other uses: NR</li> </ol>	No. of rooms	Sq. ft. of lot	area per dwelling unit	1	800	800	2	1200	600	3	1600	533	4 or more	1800	450	<ol style="list-style-type: none"> <li>For uses permitted in R-10 districts: same as specified for R-10 districts.</li> <li>For multi-family dwellings: 30%.</li> <li>For other uses: NR.</li> </ol>	<ol style="list-style-type: none"> <li>For uses in R-10 districts: same as specified for R-10 districts.</li> <li>For multi-family dwellings: specified districts.</li> <li>For other uses: NR.</li> </ol>
No. of rooms	Sq. ft. of lot	area per dwelling unit																		
1	800	800																		
2	1200	600																		
3	1600	533																		
4 or more	1800	450																		

# SCHEDULE OF REGULATIONS

BEING A PART OF SECTION 1 OF THE ZONING ORDINANCE OF FAIRFAX COUNTY, VA.

COL. 3 LOT SIZE	COL. 4 LOT COVERAGE	COL. 5 HEIGHT	COL. 6 YARDS			COL. 7 FLOOR AREA	COL. 8 OFF-STREET PARKING SPACE	COL. 9 OTHER OPEN SPACE
			FRONT	SIDE	REAR			
For uses permitted in R-10 districts; same as specified for R-10 districts. For other uses: NR	NR	Same as specified for R-17 districts.	50 feet	1. For uses permitted in R-10 districts; same as specified for R-10 districts. 2. For other uses: NR, except as specified in Section 4.4.3.	25 feet	NR	1. For all uses permitted in R-10 districts; same as specified for RE-2 districts. 2. For all office uses: one parking space for each 200 sq. ft. of floor area. 3. For all establishments listed as permitted in C-O districts in Item 3 of Column 1 of this schedule: one parking space for each 150 feet of floor area. 4. For all other uses: a total number of spaces sufficient to accommodate the vehicles of all employees of the establishment, plus those of all persons who may be expected to visit the same at any one time, as determined by the Board of Zoning Appeals with respect to any use for which a permit from said board is required and by the Zoning Administrator either respect to all other uses, subject, under either procedure, to any requirements adopted by resolution of the Planning Commission in accordance with the policy as to automobile parking space set forth in Section 6.	1. One off-street loading space for a floor area of from 7500 sq. ft. to 10,000 sq. ft.; one additional off-street loading space for each additional 10,000 sq. ft. of floor area or major fraction thereof. 2. Adequate space for drainage, as determined in accordance with the provisions of Section 4.6.
For uses permitted in R-10 districts; same as specified for R-10 districts. For other uses: NR	NR	1. For uses permitted in R-10 districts; same as specified for R-10 districts. 2. For other uses: Height in stories: 3 Height in feet: 40	50 feet	1. For uses permitted in R-10 districts; same as specified for R-10 districts. 2. For other uses: NR, except as specified in Section 4.4.3.	20 feet	1. For retail stores: maximum floor area of any one establishment; 7500 sq. ft. 2. For other uses: NR	1. For uses permitted in C-O districts; same as specified for C-O districts. 2. For other uses: Use One space for each Restaurants 2 seats Studios 200 sq. ft. of floor area Automatic 1/2 machine, which space may be provided in other available space on a multiple use basis. All other uses: One space for each 100 sq. ft. of floor area used for retail sales, trade or merchandising, and one space for each 200 sq. ft. of floor area used for offices, storage, or other purposes.	1. Off-street loading space as follows: (a) For building space designed exclusively for offices and personal service establishments and not adaptable for use for retail business purposes without structural alterations: same as specified for "other uses" in this Column 9 for C-O districts. (b) For building space designed, usable or adaptable without structural alterations for use for retail business purposes: one space for a floor area of from 3000 sq. ft. to 6000 sq. ft.; one additional space for each additional 6000 sq. ft. of floor area or major fraction thereof. (c) For other uses: space determined in the manner specified for "other uses" in this Column 9 for RE-2 districts. 2. Adequate space for drainage, as determined in accordance with the provisions of Section 4.6.
NR	NR	Same as specified for C-N districts.	50 feet	NR, except as specified in Section 4.4.3.	20 feet, except as specified in Section 4.4.3.	NR	1. For uses permitted in C-N districts; same as specified for C-N districts. 2. For other uses: one parking space for each 100 sq. ft. of floor area used for retail sales, trade or merchandising, and one space for each 200 sq. ft. of floor area used for offices, storage, or other purposes.	Same as specified for C-N districts.
NR	NR	Same as specified for C-N districts.	50 feet	Same as specified for C-D district.	NR	NR	For uses permitted in the C-D district, same as specified for C-D district. For Motels: 1 space per rental unit plus additional space as may be required by the Zoning Administrator.	Same as specified for C-D districts.
For uses permitted in R-10 districts; same as specified for R-10 districts. For multi-family dwellings same as specified for multi-family dwellings in RM-2 districts, except that the minimum of area in relation to number of dwelling units shall be computed on the following basis: No. of rooms Sq. ft. of lot per dwelling area per dwelling unit: 1 600 2 1200 3 1600 4 or more 1800 For other uses: NR	1. For uses permitted in R-10 districts; same as specified for R-10 districts. 2. For multi-family dwellings: 30%. 3. For other uses: NR.	1. For uses permitted in R-10 districts; same as specified for R-10 districts. 2. For multi-family dwellings, same as specified for RM-2 districts. 3. For other uses: same as specified for C-N districts.	50 feet	1. For uses permitted in R-10 districts; same as specified for R-10 districts. 2. For multi-family dwellings; not less than equal to the height of the building, or 50 feet, whichever is the greater distance; minimum distance between buildings: same as specified for multi-family dwellings in RM-2 districts. 3. For other uses: 20 feet except as specified in Section 4.4.3.	NR	1. For uses permitted in RM-2 districts; same as specified for RM-2 districts. 2. For other uses involving the provision of living or sleeping accommodations: one space for each room in which such accommodations are provided. 3. For establishments involving retail sales: one space for each 100 sq. ft. of floor area used for retail sales, trade or merchandising, and one space for each 200 sq. ft. of floor area used for offices, storage, or other purposes. 4. For offices and establishments providing personal, professional, or business services: one space for each 200 sq. ft. of floor area. 5. For uses involving the seating of patrons: one space for each 2 seats. 6. For other uses: a total number of spaces sufficient to accommodate the vehicles of all employees of the establishment, plus those of all persons who may be expected to visit the same at any one time, as determined by the Board of Zoning Appeals with respect to any use for which a permit from said board is required and by the Zoning Administrator with respect to all other uses, subject, under either procedure, to any requirements adopted by resolution of the Planning Commission in accordance with the policy as to automobile parking space set forth in Section 6.	Same as specified for C-N districts and in addition to said requirements: 1. For uses permitted in RM-2 districts; same as specified for RM-2 districts, but not in C-N districts; one off-street loading space for a floor area of from 4000 sq. ft. to 6000 sq. ft.; one additional off-street loading space for each additional 6000 sq. ft. of floor area or major fraction thereof.	

C-O

C-N  
20:15  
11/9/6

C-D

C-DM

20:15  
11/9/6

C-G

**SCHEDULE OF REGULATIONS**

BEING A PART OF SECTION 3 OF THE ZONING ORDINANCE OF FAIRFAX COUNTY

	COL. 1 USES PERMITTED BY RIGHT	COL. 2 SPECIAL PERMIT USES	COL. 3 LOT SIZE	COL. 4 LOT COVERAGE	COL. 5 HEIK
I-1	<p>Subject to approval of a site plan for each development:</p> <ol style="list-style-type: none"> <li>Office building.</li> <li>Establishments for scientific research and scientific development subject to the standards of performance set forth in Section 9. Before land may be zoned in this classification:                     <ol style="list-style-type: none"> <li>the scientific research and development activities to be performed shall be described by the applicant and approval of an application either to rezone land to this classification for this purpose or for a building permit for this use will be based upon the nature, purpose and scope of the research and development and its effect upon the general welfare of the community;</li> <li>plans showing landscaping of the site and showing exterior appearance of all buildings shall be submitted to the Board of County Supervisors for approval. Such plans shall have the intent of affording maximum protection to adjoining property; and</li> <li>Strict adherence to such plans shall be required as a condition to the approval of a certificate of Occupancy for such uses.</li> </ol> </li> <li>Signs as specified in Section 7.</li> </ol> <p>The following uses are prohibited:</p> <ol style="list-style-type: none"> <li>Any dwelling of any kind, mobile house, motel, rooming house, tourist house or any other place of human habitation, either permanent or temporary, except the quarters of caretakers, or watchmen serving uses within the district.</li> <li>Retail sales of any goods or services except primarily for the convenience of employees of permitted establishments and except for not more than one salesroom, not exceeding 1500 sq. ft. in floor area, for any one establishment, for the retail sale of samples and other products of that establishment.</li> </ol>	<p>The following uses as comprised within the following groups:</p> <ol style="list-style-type: none"> <li>Group I: all uses</li> <li>Group II: sewerage facilities</li> </ol>	20 acres	30%	No building shall have a height of 65 feet except that a part building, not exceeding in horizontal area of the total area of the roof area of the building, may be erected to a height of not more than 75 feet.
I-5	<p>Subject to approval of a site plan for each development as follows: site plans shall be submitted to the Planning Commission for approval and shall show in detail the following information:</p> <ol style="list-style-type: none"> <li>provision for adequate drainage,</li> <li>means of access to public roads,</li> <li>extension of railroad lead track, (if applicable),</li> <li>provision for screening from adjacent properties as required by Section 4.5.3.</li> <li>proposed street plan.</li> </ol> <p>In its approval of required site plans, the Commission shall give particular consideration to items (a), (b), (c), (d), and any local thoroughfare* and/or major thoroughfare* aspects of item (e) in the foregoing.</p> <p>*As defined in Section 5-1, Par. 13 and 14, Vol. II of the County Code.</p> <ol style="list-style-type: none"> <li>Office building.</li> <li>Establishments for scientific research and scientific development; manufacture, processing, assembly and distribution of products; subject to the standards of performance set forth in Section 9. The provisions of Column 1 relating to establishments for scientific research and scientific development in the I-1 district shall also apply to such establishments in this I-5 district.</li> <li>Signs as specified in Section 7.</li> </ol> <p>The following uses are prohibited:</p> <ol style="list-style-type: none"> <li>All uses prohibited in the I-1 district.</li> </ol>	<p>The following uses as comprised within the following groups:</p> <ol style="list-style-type: none"> <li>Group I: all uses</li> <li>Group II: sewerage facilities</li> </ol>	2 acres	30%	Not greater than one-half the distance from the building to the nearest lot line. A side of any lot line adjacent to the way of any railroad is in operation; however, that way shall exceed in height.
I-P	<p>Subject to approval of a site plan for each development as provided in the I-S district.</p> <ol style="list-style-type: none"> <li>All uses permitted in the I-S district, subject to all requirements with respect thereto as specified in this Col. 1 for I-S districts.</li> <li>Establishments for the retail sale of building materials and supplies and gardening materials and supplies.</li> <li>Establishments for the manufacture, processing, assembly and distribution of products, and the following specific uses, all subject to the standards of performance set forth in Section 9:                     <ol style="list-style-type: none"> <li>Bakeries.</li> <li>Bottling works.</li> <li>Furniture moving and storage.</li> <li>Truck terminals.</li> <li>Warehouses.</li> <li>Wholesale establishments of any kind.</li> </ol> </li> <li>Signs as specified in Section 7.</li> </ol> <p>Uses prohibited:</p> <ol style="list-style-type: none"> <li>Uses prohibited in the I-1 district (except as provided in Item 2 of this column 1 in this I-P district.)</li> </ol>	<p>The following uses as comprised within the following groups:</p> <ol style="list-style-type: none"> <li>Group I: all uses</li> <li>Group II: sewerage facilities</li> </ol>	NR	50%	Not greater than the distance from the building to the lot line, excluding any lot line adjacent to the right of way of any railroad in operation; except that no building shall exceed 75 feet height.
I-L	<ol style="list-style-type: none"> <li>All uses listed in Cols. 1 &amp; 2 for C-G districts, except as specified in Col. 2 for this I-L district, without any of the limitations specified therein for in C-G districts, and subject to provisions of Section 5. No dwelling of any kind, motel, rooming house, tourist house or any other place of human habitation, either permanent or temporary, shall be permitted except mobile house parks as permitted in Col. 2 or the quarters of caretakers or watchmen serving uses within the district.</li> <li>All uses permitted in the I-P district, subject to the standards of performance specified in Section 9.</li> <li>Animal hospitals.</li> <li>Construction equipment sales, storage and repair.</li> <li>Contractors yards; lumber and other construction materials yards; including processing of such materials (but not including the manufacture of brick, cinder block, concrete block or other masonry materials.)</li> <li>Metal work and blacksmith shops.</li> <li>Rug and other household goods cleaning.</li> <li>Sign manufacture and painting shops.</li> <li>Welding shops.</li> <li>The following uses comprised within the following groups, as set forth in Section 12, but without the necessity of obtaining a special permit for any of the same.                     <ol style="list-style-type: none"> <li>Group II: all uses</li> <li>Group III: all uses</li> </ol> </li> <li>Signs as specified in Section 7.</li> </ol>	<p>The following uses comprised within the following groups:</p> <ol style="list-style-type: none"> <li>Group I: all uses</li> <li>Group VII: all uses</li> <li>Group X: all uses listed therein for I districts</li> <li>Same as specified in Item 3, Column 2 of C-G districts</li> </ol>	NR	NR	75 feet
I-G	<ol style="list-style-type: none"> <li>All uses not otherwise prohibited by law subject to the standards of performance set forth in Section 9, except:                     <ol style="list-style-type: none"> <li>as specified in Column 2 in this district; and</li> <li>any dwelling of any kind, mobile house, motel, rooming house, tourist house or any other place of human habitation, either permanent or temporary, except the quarters of caretakers or watchmen serving uses within the district.</li> </ol> </li> <li>Signs as specified in Section 7.</li> </ol>	<ol style="list-style-type: none"> <li>Same as specified for I-L districts, except no mobile house shall be located or mobile house park be established in any I-G district.</li> <li>When any of the following uses are not controlled by existing county ordinances, such uses shall require the approval of the Board of County Supervisors and the prior submission of a report and recommendations to the Board by the County Planning Commission.                     <ol style="list-style-type: none"> <li>Abattoir.</li> <li>Ammonia, bleaching powder or chloring manufacture.</li> <li>Asphalt mixing plant.</li> <li>Bag cleaning establishment.</li> <li>Blast furnace.</li> <li>Boiler works.</li> <li>Concrete mixing or batching plant.</li> <li>Distillation of coal, wood, bones.</li> <li>Distillation of turpentine or varnish.</li> <li>Emery cloth manufacture.</li> <li>Fertilizer manufacture.</li> <li>Fireworks or explosives manufacture or storage.</li> <li>Fish canning, curing, grinding or smoking.</li> <li>Garbage incineration other than in municipal plants or incidental to the operation of hotels, restaurants, apartment houses and dwellings.</li> <li>Glue, size or gelatin manufacture.</li> <li>Grinding, cooking, boiling, rendering or storing of slaughterhouse refuse, or animal refuse or rancid fats, or refuse of dead animals.</li> <li>Iron, steel or copper works or foundries.</li> <li>lime, cement, gypsum or plaster of Paris manufacture.</li> <li>Manufacture of concrete or mortar.</li> <li>Petroleum or asphalt refining or manufacture.</li> <li>Pyroxylin or celluloid manufacture.</li> <li>Pulverizing of charcoal or coal.</li> <li>Smelting of iron.</li> <li>Soap manufacture.</li> <li>Stockyards.</li> <li>Sulphuric, nitric or hydrochloric acid manufacture.</li> <li>Tanning, curing or storage of raw hides or skins.</li> <li>Tetra-ethyl lead precipitate or liquid manufacture.</li> <li>Vinegar manufacture.</li> <li>Wool pulling and scouring.</li> <li>Yeast plants.</li> <li>Any other similar use which in the opinion of the Board of County Supervisors might be injurious or noxious by reason of odor, fumes, dust, smoke, vibration, noise or other cause. The Board of County Supervisors shall not act on any application for approval of any such use until the Board shall have:                     <ol style="list-style-type: none"> <li>Held a public hearing relative to such an application.</li> <li>Caused the notice of such hearing to be published in the same manner as required by law relative to proposed amendments, supplements or changes in the zoning ordinance, and</li> <li>Caused the land involved in such application to be posted with a placard to indicate the use proposed to be made of the land and the date, time and place of such hearing.</li> </ol> </li> </ol> </li> </ol>	NR	NR	75 feet

# SCHEDULE OF REGULATIONS

BEING A PART OF SECTION 3 OF THE ZONING ORDINANCE OF FAIRFAX COUNTY, VA.

COL. 3 LOT SIZE	COL. 4 LOT COVERAGE	COL. 5 HEIGHT	COL. 6 YARDS			COL. 7 FLOOR AREA	COL. 8 OFF-STREET PARKING SPACE	COL. 9 OTHER OPEN SPACE
			FRONT	SIDE	REAR			
20 acres	30%	No building shall exceed a height of 65 feet, except that a part of any building, not exceeding in horizontal area 25% of the total horizontal roof area of the building, may be erected to a height of not more than 75 feet.	320 ft. from the center line of any street	200 ft. except that no yard need be provided contiguous to the right of way of any railroad that is in operation.	No yard need be provided except that no yard need be provided contiguous to the right of way of any railroad that is in operation.	NR	<ol style="list-style-type: none"> <li>For all office uses: one parking space for each 200 sq. ft. of floor area.</li> <li>For all other uses: one space for each 1-1/2 employees for which the establishment is designed or for which the same is used.</li> <li>Area provided for individual parking spaces and maneuvering space in connection therewith shall be in accordance with such specifications therefor as may be included in this ordinance.</li> </ol>	<ol style="list-style-type: none"> <li>For all office uses: one off-street loading space for a floor area of from 7500 sq. ft. to 10,000 sq. ft.; one additional off-street loading space for each additional 10,000 sq. ft. of floor area or major fraction thereof.</li> <li>For all other uses: space determined in the manner specified "for other uses" in this Column 9 for RE-2 districts.</li> <li>Area provided for individual loading spaces and maneuvering space in connection therewith shall be in accordance with such specifications therefor as may be included in this ordinance.</li> <li>Adequate space for drainage, as determined in accordance with the provisions of Section 4.6.</li> </ol>
2 acres	30%	Not greater than equal to one-half the distance from the building to the nearest lot line, exclusive of any lot line contiguous to the right of way of any railroad that is in operation; except, however, that no building shall exceed 75 feet in height.	<ol style="list-style-type: none"> <li>Exterior boundary streets; 200 ft. from the centerline, except as otherwise provided in Section 10.</li> <li>Interior streets within the district.                             <ol style="list-style-type: none"> <li>local thoroughfare*: 80 ft. from the centerline.</li> <li>major thoroughfare*: 90 ft. from the centerline.</li> <li>any other type of interior street: 75 feet from the centerline.</li> </ol> </li> </ol> <p>*As defined in Sec. 5-1, Par. 13 and 14, Vol. II of the County Code. The foregoing requirements are subject to the provisions of Section 4.4.3 of this ordinance.</p>	Not less than twice the height of the building except that no yard need be provided contiguous to the right of way of any railroad that is in operation.	NR	<ol style="list-style-type: none"> <li>For all office uses: same as specified for such uses in the I-1 district.</li> <li>For all other uses: same as specified "for other uses" in the I-1 district.</li> <li>The provisions of Item 3 in this Column 8 for I-1 districts shall also apply in this I-S district.</li> </ol>	<ol style="list-style-type: none"> <li>For all office uses: same as specified for such uses in the I-1 district.</li> <li>For all other uses: space determined in the manner specified "for other uses" in this Column 9 for RE-2 districts.</li> <li>The provisions of Items 3 and 4 in this Column 9 for I-1 districts shall also apply in this I-S district.</li> <li>All off-street loading space and all storage of materials shall be completely enclosed.</li> </ol>	
NR	50%	Not greater than equal to the distance from the building to the nearest lot line, exclusive of any lot line contiguous to the right of way of any railroad that is in operation; except, however, that no building shall exceed 75 feet in height.	<ol style="list-style-type: none"> <li>Local thoroughfare*-80 ft. from the centerline.</li> <li>Major thoroughfare*-90 ft. from the centerline.</li> <li>Any type of boundary street other than (a) or (b) -75 ft. from the centerline or 50 ft. from the right of way line, whichever is the greater distance.</li> <li>Any type of internal street serving abutting lots within the district other than (a) or (b) -25 ft. from the right of way line or 50 ft. from the centerline, whichever is the greater distance.</li> </ol> <p>*As defined in Sec. 5-1, Par. 13 &amp; 14, Vol. II of the County Code. The foregoing requirements are subject to the provisions of Section 4.4.3 of this ordinance.</p>	No wall of any building shall be located nearer to any side or rear property line than a distance equal to the height of such wall.	NR	<ol style="list-style-type: none"> <li>For all office uses: same as specified for such uses in the I-1 district.</li> <li>For establishments or portions thereof used for the retail sale of gardening materials and supplies and building materials and supplies, same as specified in item 3, Col. 8 for C-G district.</li> <li>For all other uses: same as specified "for all other uses" in the I-1 district.</li> <li>The provisions of Item 3 in this Column 8 for I-1 districts shall also apply in this I-P district.</li> </ol>	<ol style="list-style-type: none"> <li>For all office uses: same as specified for such uses in the I-1 district.</li> <li>For establishments or portions thereof used for the retail sale of building materials and supplies: same as required in item 1(b) of this Column 9 for C-N districts.</li> <li>For establishments or portions thereof used for the retail sale of building materials and supplies: for such bakeries, warehouses and wholesale establishments as are permitted in C-G districts: same as specified in item 2 of this Column 9 for C-G districts.</li> <li>For all other uses: space determined in the manner specified "for other uses" in this Column 9 for RE-2 districts.</li> <li>The provisions of Items 3 and 4 in this Column 9 for I-1 districts shall also apply in this I-P district.</li> </ol>	
NR	NR	75 feet	50 feet	NR except as specified in Section 4.4.3.	NR	<ol style="list-style-type: none"> <li>For uses permitted in C-G districts: same as specified for C-G districts.</li> <li>For uses permitted in I-P districts but not in C-G districts: same as specified for I-P districts.</li> <li>For all other uses: same as specified "for all other uses" in the I-1 district.</li> <li>The provisions of Item 3 in this Column 8 for I-1 districts shall also apply in this I-L district.</li> </ol>	<ol style="list-style-type: none"> <li>For uses permitted in C-G districts: same as specified for C-G districts.</li> <li>For uses permitted in I-P districts, but not in C-G districts: same as specified for I-P districts.</li> <li>For all other uses: space determined in the manner specified "for other uses" in this Column 9 for RE-2 districts.</li> <li>The provisions of Items 3 and 4 in this Column 9 for I-1 districts shall also apply in this I-L district.</li> </ol>	
NR	NR	75 feet	50 feet	NR except as specified in Section 4.4.3.	NR	<ol style="list-style-type: none"> <li>Copy 1, Column 8 in I-L district.</li> <li>For uses permitted in I-L districts: same as specified for I-L district.</li> <li>Copy 3, Column 8 in the I-L district.</li> <li>The provisions of Item 3 in this Column 8 for I-1 districts shall also apply in this I-G district.</li> </ol>	<ol style="list-style-type: none"> <li>Copy 1, Column 9 in I-L district.</li> <li>Copy 2 in Column 8 of this sheet.</li> <li>Copy 3, Column 9 in I-L district.</li> <li>The provisions of Items 3 and 4 in this Column 9 for I-1 districts shall also apply in this I-G district.</li> </ol>	

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