

**ADOPTED 2011 PRIORITY 1  
ZONING ORDINANCE AMENDMENT WORK PROGRAM  
July 12, 2011**

**Highlighted items** are those items that are new to the Priority 1 list. Several of the items listed below are annotated with an asterisk (\*) without any projected timeline. Although these items are of importance and are listed on the Priority 1 list, these items may not be completed within the 12 month time frame covered by this Work Program if the other higher priority items place greater demands on staff resources than originally anticipated. Additionally, several of the items listed below are annotated with the abbreviation (EAC), as they are directly aligned with the recommendations of the Fairfax County Economic Advisory Commission as presented in its February, 2011 report.

1. Dancing and/or Live Entertainment in Eating Establishments (EAC - 2010 Priority 1)  
Consider requiring special exception approval to establish dancing and/or live entertainment in eating establishments and to review Chapter 27 of the County Code to ensure all regulatory alternatives for such activities are fully vetted.

*September, 2011 authorization to advertise; October, 2011 Planning Commission public hearing; December, 2011 Board of Supervisors' public hearing*

2. Farm Wineries (EAC - 2010 Priority 1)\*  
Consider adding regulations for farm wineries.

*Monitoring amendment efforts in Albemarle and Fauquier Counties*

3. Grading Plans (EAC)  
Consider revising the 2500 square foot threshold for the amount of soil that may be added or removed without grading plan approval.

*July 26, 2011 Board of Supervisors' public hearing*

4. Gross Floor Area – Cellar Space (2010 Priority 1)  
Review the definition of gross floor area as to how it is calculated for underground space in areas located outside of the PTC District.

*October, 2011 authorization to advertise; November, 2011 Planning Commission public hearing; January, 2012 Board of Supervisors' public hearing*

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## HOUSING

5. Housing – Independent Living Facilities for Low Income Residents (EAC - 2010 Priority 1)\*  
Establish a subset of the existing independent living facility use that will serve a population whose annual income is not more than fifty (50) percent of the Washington Metropolitan Statistical Area Median Income (AMI).

*This item has evolved from the previous item on the 2010 Priority 1 Work Program pertaining to the establishment of Residential Studios in certain districts. July, 2011 authorization to advertise; September, 2011 Planning Commission public hearing; October, 2011 Board of Supervisors' public hearing*

6. Housing – Work Force Dwellings in C and/or I Districts (EAC - 2010 Priority 1)\*  
Study the implications of allowing ADUs and/or workforce housing units in certain commercial and/or industrial districts, subject to specific standards or by special exception.

*This item is a study item pursuant to the Planning Commission's recommendation*

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7. Maintaining Neighborhood Character (Infill Study, Environmental Improvement Program. EAC - 2010 Priority 1)\*

In order to address compatibility issues associated with new residential development in existing residential areas, review methods, such as lot coverage and square footage maximums, in addition to the recently adopted grade amendment.

*January 11, 2011 update to the Board on the Zoning Ordinance Amendment Grade amendment recommended no further action at this time.*

8. Minor Revisions (2010 Priority 2 and New)

Minor revisions to include the following: (a) Clarify that an error in building location special permit or an administrative reduction in minimum required yards pursuant to Sect. 2-419 can be granted for the location regulation for detached accessory structures that requires such structures be setback a distance of their height from the rear lot line;. (b) Consider allowing the Board of Zoning Appeals in conjunction with the approval of another special permit to approve an error in building location of less than ten percent. (c) Consider revising the application fee for a home child care facility special exception in the PDH, PDC, PRM and PTC Districts to be consistent with the filing fee for a child care center with an enrollment of less than 100 students daily in those districts (EAC); (d) Replace all references to “mental retardation” with the term “intellectual disabilities”; (e) Review the maximum allowable horsepower of common home

appliances that can be repaired and serviced in a repair service establishment as many common home appliances exceed the current 5 horsepower limitation (f) Clarify the site distance provisions for corner lots contained in Sect. 2-505; and; (g) Allow rooftop guardrails, which are required under the Building Code to be 3 ½ feet in height, when such roofs are occupied by the public, to be excluded from the building height. (h) Revise the home child care facility provisions set forth in Par. 6 of Sect. 10-103 to allow for a substitute child care provider for up to 6 weeks per year in accordance with the State’s guidelines for licensed home child care providers.

***September, 2011 Authorization to Advertise; October, 2011 Planning Commission public hearing; November, 2011 Board of Supervisors’ public hearing***

9. Noise (EAC - 2010 Priority 1 and New)

Consider revising the regulations in Sect. 108-4-4 of the Noise Ordinance regarding the method of noise measurement as well as establishment of day time and night time noise levels designed to protect the community. Due to a 2009 Virginia Supreme Court Decision, review the nuisance noise provisions of the Noise Ordinance. Consider the appropriateness of the weekend construction start times; and consider regulating vehicle alarm noise.

***September, 2011 Authorization to Advertise; October, 2011 Planning Commission public hearing; November, 2011 Board of Supervisors’ public hearing***

10. Open Space (Infill Study, Environmental Improvement Program and EAC – 2010 Priority 1)\*

Review the definitions and other provisions of the Zoning Ordinance related to open space, including consideration of setting minimum sizes/dimensions for required open space areas and exempting either all or part of stormwater management dry pond facilities from open space calculations; only providing open space credit for innovative BMPs but not for non-innovative BMPs; and allowing credit only for usable open space. Develop a consistent approach to open space preservation as it relates to various existing and proposed elements of the Comprehensive Plan. Review general provisions on open space to clarify that open space credit is only intended for land that is dedicated or conveyed without monetary compensation.

11. Outdoor Lighting (EAC - 2010 Priority 1)

Consider revisions to the outdoor lighting standards pertaining to security lighting, outdoor sports facilities and automatic teller machines to improve the overall effectiveness of such provisions; consider requiring Architectural Review Board review of sports illumination plans and photometric plans that are submitted in Historic Overlay Districts when such plans do not require site plan, special permit, special exception, rezoning or development plan approval; and review single family

residential lighting exemptions to consider additional requirements for minimum spacing of lighting fixtures and possible limitations on cumulative allowable initial light outputs.

***July, 2011 authorization to advertise; September, 2011 Planning Commission public hearing; October, 2011 Board of Supervisors' public hearing***

12. Parking Reductions in Transit Oriented Areas (EAC - 2010 Priority 1)  
Consider applying parking maximums and a reduction of the minimum parking requirements due to transit oriented areas and/or transportation demand management provisions.

***This will be addressed with the PDC and PRM Districts – FAR Amendment (See No. 14 below). October, 2011 authorization to advertise; November, 2011 Planning Commission public hearing; January, 2012 Board of Supervisors' public hearing***

13. P District Recreational Fees (New)  
Consider an adjustment to the per unit recreational expenditure in the PDH, PDC, PRM and PTC Districts. The Board has requested that the required per unit expenditure be reviewed every two years and the last adjustment was adopted by the Board in October 2009.

***September, 2011 authorization to advertise; October, 2011 Planning Commission public hearing; November, 2011 Board of Supervisors' public hearing***

14. PDC and PRM Districts – FAR (Environmental Improvement Program and EAC - 2010 Priority 1)  
Consider increasing the maximum allowable floor area ratio (FAR) as well as other provisions in the PDC and PRM Districts to facilitate the implementation of the Comprehensive Plan recommendations for Revitalization Districts and Areas, Community Business Centers and Transit Station Areas.

***October, 2011 authorization to advertise; November, 2011 Planning Commission public hearing; January, 2012 Board of Supervisors' public hearing***

15. Planned Development Districts (Infill Study, Environmental Improvement Program and EAC–2010 Priority 1)\*  
Review of the Planned Development Districts to include a review of the purpose and intent, minimum lot size and open space requirements, General and Design Standards and CDP/FDP submission requirements. Review the following: density credit for RPAs, streams and floodplains; treatment of environmentally sensitive areas and non-

**Attachment 2  
2011 Priority 1**

environmentally sensitive areas effect on creation and preservation of open space; and review of permitted secondary commercial uses. Also consider allowing waiver of minimum district size for additions to existing PDH or PDC Districts;) consider allowing the Planning Commission to waive 200 foot privacy yards for single family attached dwellings in the PDH and PDC Districts in conjunction with FDP approvals; and consider adding P district design standards to ensure adequate driveway lengths and driveways that can safely and adequately function, particularly in a shared driveway situation. Consider increasing the amount of commercial uses and the amount of residential density that is permitted in a PDH District.

16. PRC District Density (2010 Priority 1)\*  
Consider possible revisions to the maximum allowable densities and/or persons per acre in the PRC District.

*To be processed in conjunction with the Reston Plan update.*

17. R-C District (New Millennium Occoquan Task Force Recommendations and EAC - 2010 Priority 1)\*  
Establish an advisory committee to, among other things, review standards and guidelines associated with special permit, special exception and public uses in the R-C District; review maximum allowable floor area ratios; consider whether standards need to be established for total impervious cover and/or undisturbed open space and review combined impact of the facility footprint and total impervious surface cover, to include parking; and review the Comprehensive Plan to determine if clearer guidance is needed for special permit, special exception and public uses in the Occoquan.

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**STATE CODE**

18. State Code (2011 Session)  
Possible revisions resulting from the 2011 General Assembly. (Continuing)  
  
*July, 2011 authorization to advertise; September, 2011 Planning Commission public hearing; October, 2011 Board of Supervisors' public hearing*
19. State Code – Development in Dam Break Inundation Zones (2010 Priority 1)  
Incorporate the new requirements for development in dam break inundation zones.  
  
*September, 2011 authorization to advertise; October, 2011 Planning Commission public hearing; November, 2011 Board of Supervisors' public hearing*

20. State Code - Temporary Health Care Structures (EAC - New)  
Incorporate provisions for temporary health care structures (granny pods).  
*November, 2011 authorization to advertise; January, 2012 Planning Commission public hearing; February, 2012 Board of Supervisors' public hearing*
21. State Code - Traffic Impact Analysis Submission Requirements (2010 Priority 1)\*  
Codify the Virginia Department of Transportation traffic impact analysis regulations into the zoning application and site plan submission requirements.  
*Coordinate with Department of Transportation as to the necessity of amending the Ordinance.*
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22. Truck Rental Establishments in PRC District (New)  
Consider allowing truck rental establishments in the PRC District as a special exception use and subject to appropriate standards.  
*December, 2011 authorization to advertise; January, 2012 Planning Commission public hearing; February, 2012 Board of Supervisors' public hearing*
23. Yards (Infill Study - 2010 Priority 1)\*  
Consider revisions to the lot and yard definitions; consider whether front yards should be required from unimproved dedicated rights-of-way.