

**DRAFT AMENDMENT**

1 **Amend Article 20, Ordinance Structure, Interpretations and Definitions, by amending**  
2 **Part 3, Definitions, to add the following definition of RESIDENTIAL STUDIOS in its**  
3 **proper alphabetical order, as follows:**  
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5 RESIDENTIAL STUDIOS: A multiple family residential building(s) or portion(s) of a  
6 building(s) comprised of efficiency (zero bedroom) dwelling units. The maximum number of  
7 residential studios that could be permitted on a lot shall be no more than seventy-five (75), or as  
8 otherwise limited by the Board. Occupancy shall be limited to rental tenants only wherein not  
9 less than eighty (80) percent of the total number of units shall be subject to tenant income and  
10 rental rate limits such that the units serve households whose income is not more than sixty (60)  
11 percent of the median income for the Washington Metropolitan Statistical Area (WMSA). Such  
12 use shall not be subject to or a substitute for the provisions of Part 8 of Article 2.  
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15 **Amend Article 2, General Regulations, as follows:**  
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17 - **Amend Part 5, Qualifying Use, Structure Regulations, Sect. 2-501, Limitation on the**  
18 **Number of Dwelling Units on a Lot, to read as follows:**  
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20 There shall be not more than one (1) dwelling unit on any one (1) lot, nor shall a dwelling unit be  
21 located on the same lot with any other principal building. This provision shall not be deemed,  
22 however, to preclude multiple family dwelling units or residential studios as permitted by the  
23 provisions of this Ordinance; an accessory use or accessory service use as may be permitted by the  
24 provisions of Article 10; an accessory dwelling unit as may be approved by the BZA in accordance  
25 with the provisions of Part 9 of Article 8; single family attached dwellings in a rental development;  
26 or a condominium development as provided for in Sect. 409 above; or antennas and/or related  
27 unmanned equipment structures for a mobile and land based telecommunications facility mounted  
28 on a utility distribution pole, utility transmission pole or light/camera standard in accordance with  
29 the provisions of Sect. 514 below.  
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31 In addition, in all districts, the Board or BZA, in conjunction with the approval of a special  
32 exception or special permit use, may allow dwelling units for a proprietor, owner and/or employee  
33 and his/her family whose business or employment is directly related to the special exception or  
34 special permit use. Such dwelling units may either be located within the same structure as the  
35 special exception or special permit use or in separate detached structures on the same lot. If located  
36 in separate detached structures, such dwelling units shall meet the applicable bulk regulations for a  
37 principal structure set forth in the specific district in which located, and any locational requirements  
38 set forth as additional standards for a special exception or special permit use shall not be applicable  
39 to detached structures occupied by dwelling units.  
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42 **Amend Article 3, Residential District Regulations, as follows:**  
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44 - **Amend Part 12, R-12 Residential District, Twelve Dwelling Units/Acre, by adding a new Par. 20**  
45 **to Sect. 3-1204, Special Exception Uses, as follows:**  
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1           2. Category 3 - Quasi-Public Uses, limited to:

2               O. Residential studios

- 3  
4 - **Amend Part 16, R-16 Residential District, Sixteen Dwelling Units/Acre, by adding a new Par. 2O**  
5 **to Sect. 3-1604, Special Exception Uses, as follows:**

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7           2. Category 3 - Quasi-Public Uses, limited to:

8               O. Residential studios

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10 - **Amend Part 20, R-20 Residential District, Twenty Dwelling Units/Acre, by adding a new Par. 2O**  
11 **to Sect. 3-2004, Special Exception Uses, as follows:**

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13           2. Category 3 - Quasi-Public Uses, limited to:

14               O. Residential studios

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16 - **Amend Part 30, R-30 Residential District, Thirty Dwelling Units/Acre, by adding a new Par. 2O**  
17 **to Sect. 3-3004, Special Exception Uses, as follows:**

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19           2. Category 3 - Quasi-Public Uses, limited to:

20               O. Residential studios

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23 **Amend Article 4, Commercial District Regulations, as follows:**

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25 - **Amend Part 1, C-1 Low-Rise Office Transitional District by adding a new Par. 2K to Sect. 4-104,**  
26 **Special Exception Uses, as follows:**

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28           2. Category 3 - Quasi-Public Uses, limited to:

29               K. Residential studios

- 30  
31 - **Amend Part 2, C-2 Limited Office District, by adding a new Par. 2K to Sect.4-204, Special**  
32 **Exception Uses, as follows:**

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34           2. Category 3 - Quasi-Public Uses, limited to:

35               K. Residential studios

- 36  
37 - **Amend Part 3, C-3 Office District and Part 9, C-9 Super-Regional Retail Commercial District,**  
38 **by adding a new Par. 2J to Sections 4-304 and 4-904, Special Exception Uses, as follows:**

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40           2. Category 3 - Quasi-Public Uses, limited to:

41               J. Residential studios

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43 - **Amend Part 4, C-4 High Intensity Office District, by adding a new Par. 2I to Sect. 4-404, Special**  
44 **Exception Uses, as follows:**

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46           2. Category 3 - Quasi-Public Uses, limited to:

47               L. Residential studios

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49 - **Amend Part 5, C-5 Neighborhood Retail Commercial District, by adding a new Par. 2H to Sect.**  
50 **4-504, Special Exception Uses, as follows:**

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2. Category 3 - Quasi-Public Uses, limited to:  
H. Residential studios

- **Amend Part 6, C-6 Community Retail Commercial District, by adding a new Par. 2H to Sect. 4-604, Special Exception Uses, as follows:**

2. Category 3 - Quasi-Public Uses, limited to:  
H. Residential studios

- **Amend Part 7, C-7 Regional Retail Commercial District, by adding a new Par. 2I to Sect.4-704, Special Exception Uses, as follows:**

2. Category 3 - Quasi-Public Uses, limited to:  
I. Residential studios

- **Amend Part 8, C-8 Highway Commercial District by adding a new Par. 2I to Sect. 4-804, Special Exception Uses, as follows:**

2. Category 3 - Quasi-Public Uses, limited to:  
I. Residential studios

- **Amend Part 9, C-9 Super-Regional Retail Commercial District, by adding a new Par. 2J to Sect. 4-904, Special Exception Uses, as follows:**

2. Category 3 - Quasi-Public Uses, limited to:  
J. Residential studios

**Amend Article 5, Industrial District Regulations, as follows:**

- **Amend Part 1, I-1 Light Industrial Research District, by adding a new Par. 3L to Sect. 5-104, Special Exception Uses, as follows:**

3. Category 3 - Quasi-Public Uses, limited to:  
L. Residential studios

- **Amend Part 2, I-2 Industrial Research District, by adding a new Par. 3M to Sect. 5-204, Special Exception Uses, as follows:**

3. Category 3 - Quasi-Public Uses, limited to:  
M. Residential studios

- **Amend Part 3, I-3 Light Intensity Industrial District, by adding a new Par. 3M to Sect. 5-304, Special Exception Uses, as follows:**

3. Category 3 - Quasi-Public Uses, limited to:  
M. Residential studios

1 - **Amend Part 4, I-4 Medium Intensity Industrial District, by adding a new Par. 3L to Sect. 5-404, Special Exception Uses, as follows:**

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4 3. Category 3 - Quasi-Public Uses, limited to:

5 L. Residential studios

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7 - **Amend Part 5, I-5 General Industrial District, by adding a new Par. 3I to Sect. 5-504, Special Exception Uses, as follows:**

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10 3. Category 3 - Quasi-Public Uses, limited to:

11 I. Residential studios

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13 - **Amend Part 6, I-6 Heavy Industrial District, by adding a new Par. 3I to Sect. 5-604, Special Exception Uses, as follows:**

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15 3. Category 3 - Quasi-Public Uses, limited to:

16 I. Residential studios

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20 **Amend Article 6, Planned Development District Regulations, as follows:**

21 - **Amend Part 1, PDH Planned Development Housing District, as follows:**

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24 - **Amend Sect. 6-105, Special Exception Uses, by adding new Par. 2 and renumbering subsequent paragraphs accordingly, as follows:**

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27 2. Category 3 - Quasi-Public Uses, limited to residential studios in the PDH-12 District and above

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30 - **Amend Sect. 6-106, Use Limitations, by adding a new Par. 12, as follows:**

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32 12. Residential studios approved in accordance with Sect. 105 above shall be subject to the provisions of Sect. 9-315.

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35 - **Amend Par. 2 of Sect. 6-110, Open Space, as follows:**

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37 2. As part of the open space to be provided in accordance with the provisions of Par. 1 above, there shall be a requirement to provide recreational facilities in all PDH Districts. The provision of such facilities shall be subject to the provisions of Sect. 16-404, and such requirements shall be based on a minimum expenditure of \$1700 per dwelling unit for such facilities and either:

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42 A. The facilities shall be provided on-site by the developer in substantial conformance with the approved final development plan, and/or

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46 B. The Board may approve the provision of the facilities on land which is not part of the subject PDH District.

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1 Notwithstanding the above, in affordable dwelling unit developments and/or residential  
2 studio developments, the requirement for a per dwelling unit expenditure shall not apply to  
3 affordable dwelling units and/or to such residential studios.

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5 - **Amend Part 2, PDC Planned Development Commercial District, as follows:**

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7 - **Amend Sect. 6-205, Special Exception Uses, by adding new Par. 2 and renumbering**  
8 **subsequent paragraphs accordingly, as follows:**

9  
10 2. Category 3 - Quasi-Public Uses, limited to residential studios

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12 - **Amend Sect. 6-206, Use Limitations, by adding a new Par. 16, as follows:**

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14 16. Residential studios approved in accordance with Sect. 205 above shall be subject to the  
15 provisions of Sect. 9-315.

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17 - **Amend Sect. 6-209, Open Space, by amending Par. 2, as follows:**

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19 2. In a PDC development where dwelling units are proposed as a secondary use, as part of the  
20 open space to be provided in accordance with the provisions of Par. 1 above, there shall be a  
21 requirement to provide recreational facilities for the enjoyment of the residents of the  
22 dwelling units. The provision of such facilities shall be subject to the provisions of Sect. 16-  
23 404 and such requirement shall be based on a minimum expenditure of \$1700 per dwelling  
24 unit for such facilities and either:

25  
26 A. The facilities shall be provided on-site by the developer in substantial conformance  
27 with the approved final development plan. In the administration of this provision, credit  
28 shall be considered where there is a plan to provide common recreational facilities for  
29 the residents of the dwelling units and the occupants of the principal uses, and/or

30  
31 B. The Board may approve the provision of the facilities located on property which is not  
32 part of the subject PDC District.

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34 Notwithstanding the above, in affordable dwelling unit developments and/or residential  
35 studio developments, the requirement for a per dwelling unit expenditure shall not apply to  
36 affordable dwelling units and/or to such residential studios.

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38 - **Amend Part 3, PRC Planned Residential Community District, as follows:**

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40 - **Amend Sect. 6-304, Special Exception Uses, by adding new Par. 6, as follows:**

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42 6. Quasi-public uses (Category 3), limited to residential studios

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44 - **Amend Sect. 6-305, Use Limitations, by revising Par. 6 and add a new Par. 15 to read as**  
45 **follows:**

46  
47 6. In areas approved for low density residential uses, no multiple family dwellings shall be  
48 allowed, except if such dwellings are proffered workforce dwelling units, residential  
49 studios, or are provided pursuant to Part 8 of Article 2 and such uses are specifically  
50 shown on the approved development plan.

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2 15. Residential studios approved in accordance with Sect. 304 above shall be subject to the  
3 provisions of Sect. 9-315.  
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5 - **Amend Part 4, PRM Planned Residential Mixed Use District, as follows:**  
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7 - **Amend Sect. 6-405, Special Exception Uses, by adding new Par. 2B, as follows:**  
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9 2. B. Residential studios  
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11 - **Amend Sect. 6-406, Use Limitations, by adding a new Par. 13, as follows:**  
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13 13. Residential studios approved in accordance with Sect. 405 above shall be subject to the  
14 provisions of Sect. 9-315.  
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16 - **Amend Par. 2 of Sect. 6-409, Open Space, as follows:**  
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18 2. In addition to Par. 1 above, there shall be a requirement to provide recreational facilities.  
19 The provision of such facilities shall be subject to the provisions of Sect. 16-404,  
20 however, recreational facilities, such as swimming pools, exercise rooms, or health clubs,  
21 which are located on rooftops, deck areas and/or areas within a building, may be used to  
22 fulfill this requirement. The requirement for providing recreational facilities shall be  
23 based on a minimum expenditure of \$1700 per dwelling unit for such facilities and either:  
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25 A. The facilities shall be provided on-site by the developer in substantial conformance  
26 with the approved final development plan, and/or  
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28 B. The Board may approve the provision of the facilities on land which is not part of the  
29 subject PRM District.  
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31 Notwithstanding the above, in affordable dwelling unit developments and/or residential  
32 studio developments, the requirement for a per dwelling unit expenditure shall not apply  
33 to affordable dwelling units and/or to residential studios.  
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35 - **Amend Part 5, PTC Planned Tysons Corner Urban District, as follows:**  
36

37 - **Amend Sect. 6-504, Special Exception Uses, by adding new Paragraphs 2A(2), as follows:**  
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39 2. The following uses shall only be permitted with the approval of a special exception:  
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41 A. Category 3 - Quasi-Public Uses, limited to:

42 (1) Sports arenas, stadiums

43 (2) Residential studios  
44

45 - **Amend Sect. 6-505, Use Limitations, by adding a new Par. 20, as follows:**  
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47 20. Residential studios approved in accordance with Sect. 504 above shall be subject to the  
48 provisions of Sect. 9-315.  
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50 - **Amend Sect. 6-508, Open Space, as follows:**

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2 2. In addition to Par. 1 above, there shall be a requirement to provide recreational facilities. The  
3 provision of such facilities shall be subject to the provisions of Sect. 16-404, however,  
4 recreational facilities, such as swimming pools, exercise rooms, or health clubs, which are  
5 located on rooftops, deck areas and/or areas within a building, may be used to fulfill this  
6 requirement. The requirement for providing recreational facilities shall be based on a  
7 minimum expenditure of \$1700 per dwelling unit for such facilities and either:

8  
9 A. The facilities shall be provided on-site by the developer in substantial conformance with  
10 the approved final development plan; and/or

11  
12 B. The Board may approve the provision of the facilities on land that is not part of the  
13 subject PTC District.

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15 Notwithstanding the above, in affordable dwelling unit developments and/or residential studio  
16 developments, the requirement for a per dwelling unit expenditure shall not apply to affordable  
17 dwelling units and/or to residential studios.

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20 **Amend Article 9, Special Exceptions, as follows:**

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22 - **Amend Part 3, Category 3, Quasi-Public Uses, by adding new Par. 16 to Sect. 9-301,**  
23 **Category 3 Special Exception Uses; by identifying the districts in which such use can be**  
24 **located in Sect. 9-302, Districts in Which Category 3 Uses May be Located; and by**  
25 **creating a new Sect. 9-315, Additional Standards for Residential Studios, all to read as**  
26 **follows:**

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28 - **9-301 Category 3 Special Exception Uses**

- 29  
30 1. Colleges, universities.  
31 2. Conference centers and retreat houses, operated by a religious or nonprofit organization.  
32 3. Cultural centers, museums and similar facilities.  
33 4. Independent living facilities.  
34 5. Congregate living facilities.  
35 6. Medical care facilities.  
36 7. Private clubs and public benefit associations.  
37 8. Quasi-public parks, playgrounds, athletic fields and related facilities.  
38 9. Sports arenas, stadiums as a principal use.  
39 10. Child care centers and nursery schools.  
40 11. Private schools of general education.  
41 12. Private schools of special education.  
42 13. Alternate uses of public facilities.  
43 14. Dormitories, fraternity/sorority houses, rooming/boarded houses, or other residence halls  
44 providing off-campus residence for more than four (4) unrelated persons who are students,  
45 faculty members, or otherwise affiliated with an institution of higher learning.  
46 15. Churches, chapels, temples, synagogues and other such places of worship with a child  
47 care center, nursery school or private school of general or special education.  
48 16. Residential studios.

1 - **9-302 Districts in Which Category 3 Uses May be Located**

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3 1. Category 3 uses may be permitted by right in the following districts:

4  
5 PDH, PDC, PTC Districts: Limited to uses 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14 and 15 when  
6 represented on an approved development plan

7 PRC District: All uses when represented on an approved development plan

8 PRM District: Limited to uses 1, 3, 4, 5, 6, 7, 10, 11, 12 and 15 when represented on an approved  
9 development plan

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11 C-1, C-2 Districts: Limited to quasi-public athletic fields, uses 10, 11, 12 and 15

12 C-3 District: Limited to uses 3, quasi-public athletic fields, 10, 11, 12 and 15

13 C-4 District: Limited to uses 1, 3, quasi-public athletic fields, 10, 11, 12 and 15

14 C-5, C-6, C-7, C-8 Districts: Limited to uses 1, 3, 7, quasi-public athletic fields, 11 and 12

15 C-9 District: Limited to quasi-public athletic fields, uses 11 and 12

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17 I-I District: Limited to uses 10 and 11

18 I-1, I-2, I-3, I-4, I-5 Districts: Limited to quasi-public athletic fields, uses 10, 11 and 12

19 I-6 District: Limited to quasi-public athletic fields, uses 10 and 11

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21 2. Category 3 uses may be allowed by special exception in the following districts:

22  
23 R-A District: Limited to uses 8, nursery schools, 11 and 13

24 R-P District: Limited to uses 8, nursery schools, 11, 13 and 15

25 R-C District: Limited to uses 3, 5, private clubs, 8, nursery schools, 11, 13, 14,

26 R-E, R-1 Districts: Limited to uses 1, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14 and 15

27 R-2, R-3, R-4, R-5, R-8 Districts: Limited to uses 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14 and 15

28 R-12, R-16, R-20, R-30, ~~R-MHP~~ Districts: Limited to uses 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14,  
29 15 and 16

30 R-MHP District: Limited to uses 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14 and 15

31  
32 PRM, PTC Districts: Limited to uses 9 and 16

33 PDH-12 or above, PDC, PRC: Limited to use 16

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35 C-1, C-2 Districts: Limited to uses 1, 2, 3, 4, 5, 6, 7, 8, 13, ~~and 14~~ and 16

36 C-3 District: Limited to uses 1, 2, 4, 5, 6, 7, 8, 13, ~~and 14~~ and 16

37 C-4 District: Limited to uses 2, 4, 5, 6, 7, 8, 13, ~~and 14~~ and 16

38 C-5, C-6 Districts: Limited to uses 2, 6, 8, 10, 13, 14, ~~and 15~~ and 16

39 C-7, C-8 Districts: Limited to uses 2, 6, 8, 9, 10, 13, 14, ~~and 15~~ and 16

40 C-9 District: Limited to uses 1, 3, 6, 7, 8, 9, 10, 13, ~~and 15~~ and 16

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42 I-I District: Limited to uses 10, 11 and 15

43 I-1 District: Limited to uses 1, 2, 3, 6, 7, 8, 10, 11, 13, 14, ~~and 15~~ and 16

44 I-2, I-3 Districts: Limited to uses 1, 2, 3, 6, 7, 8, 9, 10, 11, 13, 14, ~~and 15~~ and 16

45 I-4 District: Limited to uses 1, 2, 3, 6, 7, 8, 9, 10, 11, 13, ~~and 15~~ and 16

46 I-5, I-6 Districts: Limited to uses 6, 7, 8, 9, 10, 11, 13, ~~and 15~~ and 16

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48 - **9-315 Additional Standards for Residential Studios**

49 1. Each residential studio dwelling unit shall be of efficiency design (zero bedrooms) and

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1 shall comprise not more than 500 square feet of gross floor area, inclusive of an in-  
 2 unit bathroom and kitchen.

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 4 2. The number of residential studio units permitted in a development shall be as established by the  
 5 Board upon review of a specific proposal, but in no event shall such development include fewer  
 6 than sixteen (16) units or exceed the seventy five (75) unit maximum set forth in the residential  
 7 studio definition. Residential studios and any associated uses or structures, whether the sole  
 8 use on the lot or whether co-located on a lot or in a building with any other principal use, shall  
 9 not be subject to or be included in the calculation of the maximum density (dwelling units or  
 10 persons per acre) or intensity (FAR) provisions specified for the zoning district in which  
 11 located. However, the Board may limit the maximum number of units on the application  
 12 property as it deems appropriate.

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 14 3. Residential Studio developments shall be located within reasonable proximity to a major  
 15 thoroughfare in order to provide convenient pedestrian or bicycle access to public  
 16 transportation, shopping and/or employment opportunities, although vehicular access to a  
 17 residential studio development may occur from a street or streets that connect(s) to a major  
 18 thoroughfare. The transportation needs of the intended tenants shall be considered an essential  
 19 element of the development and, as such, the applicant for any residential studio development  
 20 shall identify the nature, location, proximity and availability of public transportation  
 21 opportunities intended to serve the residents.

22  
 23 4. Ancillary uses, such as a laundry room, exercise room, gathering/entertainment room, storage  
 24 room/space, bicycle storage/parking or other similar use may be proposed as part of a  
 25 residential studio development provided that such use(s) shall be identified in the special  
 26 exception application in terms of the function, location, and gross floor area of such use. The  
 27 Board shall find that such use(s) are clearly subordinate in purpose, area and extent and are  
 28 designed to be used solely by the tenants of the residential studios to contribute to their  
 29 comfort, convenience and necessity.

30  
 31 5. If co-located with other uses on a lot, structures housing the residential studios shall be  
 32 integrated into any existing development on the lot in terms of architecture, character, intensity  
 33 and scale. Additionally, the development shall be designed such that it does not adversely  
 34 impact any development on neighboring properties. Factors to be considered when evaluating  
 35 the appropriateness of a proposed residential studio use on a lot and determining the maximum  
 36 size of the building and number of units that should be permitted shall include, but not be  
 37 limited to:

38  
 39 A. Predominant use and character of surrounding and nearby properties;

40 B. Location, mass and orientation of the buildings on the lot;

41 C. Proximity to other multiple family developments and/or residential studio developments;

42 D. Conformance with the revitalization and redevelopment goals and specific design  
 43 guidelines set forth in the comprehensive plan and/or as may be adopted/endorsed by the  
 44 Board for Commercial Revitalization Districts, Community Business Centers and  
 45 Commercial Revitalization Areas;

46 E. Use and intensity/density recommendations of the adopted comprehensive plan;

47 F. Availability of convenient access to public transportation, employment, and shopping  
 48 opportunities; and

49 G. Establishment, preservation, and enhancement of factors impacting the quality of life (such  
 50 as the physical environment, safety and security, and sense of community) of the tenants of

the residential studios and of occupants and/or tenants on surrounding properties.

6. In areas identified in the comprehensive plan as areas where substantial changes in land use in connection with eventual redevelopment are envisioned, the applicant shall demonstrate that the establishment of residential studios will not delay or interfere with the achievement of the long-range objectives of the comprehensive plan for that area.
7. In any district, the conversion of any single family dwelling, including any group of single family attached dwellings, or the construction of an attachment or addition to any single family dwelling or group of dwellings for the purposes of establishing residential studios shall not be permitted. A residential studio development shall not be co-located on a lot with any single family dwelling or group of dwellings.
8. The minimum front, side and rear yard requirements, minimum open space, and maximum building height limits shall be as set forth in the respective zoning district, except as may be modified by the Board to ensure compatibility with adjacent properties. In the R-12 through R-30 Districts, the yards and buildings heights shall be as specified for multiple family dwellings, unless modified by the Board.
9. For the purposes of Article 10, an individual residential studio unit shall be deemed a multiple family dwelling unit. However, no residential studio tenant shall be permitted to operate a home child care facility or a home occupation, as set forth in Article 10, which would result in employees, customers or clients coming to the unit to work or receive products or services and no stock in trade shall be permitted as part of any home occupation.
10. Notwithstanding the provisions of Article 11, the minimum off-street parking requirement shall be based on one (1) space per residential studio unit, plus such spaces as are necessary for any management agent or other staff providing services to the residential studio development. No additional fees may be charged to a tenant for the on-site parking of one (1) vehicle per residential studio unit. Additionally, where the Board shall find appropriate and/or an applicant can demonstrate, the base parking rate may be modified to:
  - A. Require additional spaces to accommodate visitors (guests, deliveries, etc.) to the development; and/or
  - B. Require additional spaces to address lesser proximity to and availability of walking, bicycling, and public transportation opportunities; and/or
  - C. Permit fewer parking spaces where an applicant can demonstrate to the Board's satisfaction that such reduction is appropriate, based on the specific characteristics of the tenant populations to be served by the units and/or the location in proximity to public transportation opportunities or alternate parking facilities, and/or in consideration of transportation services provided by the owner/operator of the residential studio development. For any application that includes a request for a reduction in parking spaces, the applicant shall provide a detailed description of any transportation services to be provided in association with the residential studio development.
11. In accordance with Article 12, signs for a residential studio development shall be as provided for multiple family residential developments.

- 1       12. For the purposes of Article 13, the landscaping and screening requirements for residential  
 2       studios located on a lot zoned for or developed with a non-residential principal use shall be  
 3       based upon the predominant non-residential use. For residential studios located on a lot zoned  
 4       for or developed with a residential principal use, such use shall be deemed a multiple family  
 5       dwelling unit development for the purposes of Article 13.  
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- 7       13. All initial lease terms shall be for a period of not less than six (6) months and not more than one  
 8       (1) year. Renewal terms may be on a month-to-month or other term basis, but shall not be  
 9       longer than one (1) year for each renewal period.  
 10
- 11       14. There shall be convenient laundry facilities provided either within the individual units or in a  
 12       separate room within the building(s) housing the residential studios and shall be provided at a  
 13       rate of not less than one (1) washer and one (1) dryer for each ten (10) residential studios, or  
 14       part thereof.  
 15
- 16       15. All residential studios developments shall provide for a management agent who is on-site for no  
 17       fewer than eight (8) hours per day. At a minimum, such management agent shall have the  
 18       designated authority to address tenant complaints, occupancy limitations, property maintenance  
 19       and emergencies as they relate to the tenants and/or the physical space.  
 20       The owner or manager shall monitor the income level of tenants at the time of initiation  
 21       and renewal of any lease term. The results of such monitoring shall be provided to the Zoning  
 22       Administrator, or designee, on an annual basis to assure on-going compliance with the tenancy  
 23       and income limits, as defined. Such report shall include the unit number, date of lease renewal,  
 24       term of lease renewal and tenant income. Subject only to modification or exception necessary  
 25       for compliance with a federal or state affordable housing program, should a tenant become  
 26       over-qualified with regard to income, such tenant shall vacate the residential studio at the end  
 27       of the lease term in effect at the time of such over-qualification or within nine (9) months of  
 28       such over-qualification, whichever time period is longer.  
 29
- 30       16. All residential studio developments shall provide an area of not less than eighty (80) square feet  
 31       for office space for a management agent and/or for the provision of supportive services and/or  
 32       training, which may include health, employment, life skills or other similar services/training.  
 33       The nature and type of services to be provided and the location within the building shall be  
 34       specifically identified in the special exception application.  
 35
- 36       17. Prior to the issuance of the first Residential Use Permit for any residential studio unit  
 37       within the development, the owner shall record a notice in the land records of Fairfax  
 38       County, on a form provided by or approved by the Fairfax County Department of  
 39       Housing and Community Development, to address, at a minimum, the income  
 40       limitations, rental price restrictions, the perpetuity of such controls and any other  
 41       relevant limits that are imposed by the Board. Additionally, prior to the issuance of  
 42       the first Residential Use Permit, the owner/management agent of the residential studio  
 43       development shall submit to the Department of Housing and Community  
 44       Development (DHCD) a unit breakdown of proposed rental rates in accordance with  
 45       the income limits set forth in the definition of residential studios and with the  
 46       maximum rental rates established by DHCD in accordance with the current Area  
 47       Median Income (AMI) for the Washington Metropolitan Statistical Area (WMSA) as  
 48       specified by Housing and Urban Development (HUD). For each subsequent year,  
 49       upon release of an updated AMI for the WMSA by HUD, the owner/management  
 50       agent shall submit an amended rent schedule to reflect the changes.

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**Amend Article 18, Administration, Amendments, Violations and Penalties, by amending  
Par. 1 of Sect. 18-106, Application and Zoning Compliance Letter Fees, to add Residential  
Studios to the fee structure, as follows:**

All appeals and applications as provided for in this Ordinance and requests for zoning compliance letters shall be accompanied by a filing fee in the amount to be determined by the following paragraphs unless otherwise waived by the Board for good cause shown; except that no fee shall be required where the applicant is the County of Fairfax or any agency, authority, commission or other body specifically created by the County, State or Federal Government. All fees shall be made payable to the County of Fairfax. Receipts therefore shall be issued in duplicate, one (1) copy of which receipt shall be maintained on file with the Department of Planning and Zoning.

1. Application for a variance, appeal, special permit or special exception:

Application for a:  
Category 3 special exception

<u>Residential studios</u> ( <i>The advertised range is \$1,100 to \$16,375</i> <i>Staff is recommending \$1,100</i> )	<u>\$1100</u>
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