

**ADOPTION OF AN AMENDMENT TO CHAPTER 112
(ZONING) OF THE 1976 CODE OF THE COUNTY OF FAIRFAX, VIRGINIA**

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium, Lobby Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia, on Monday, March 27, 2007, the Board after having first given notice of its intention so to do, in the manner prescribed by law, adopted an amendment to Chapter 112 (Zoning) of the 1976 Code of the County of Fairfax, Virginia, said amendment so adopted being in the words and figures following, to-wit:

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

Amend Chapter 112 (Zoning Ordinance), as follows:

Amend Article 2, General Regulations, Part 8, Affordable Dwelling Unit Developments, by amending Sect. 2-808, Limitations on Building Permits and Residential Use Permits, to read as follows:

2-808 Limits on Building Permits and Residential Use Permits

1. In any development, except for one that is comprised solely of rental multiple family units, building permits may be issued for all of the dwelling units in the development; however, Residential Use Permits (RUPs) shall not be issued for more than seventy-five (75) percent of the total number of units in the development until such time as RUPs have been issued for at least seventy-five (75) percent of the affordable dwelling units in the development. Additionally, in accordance with Sect. 810 below, the required Notice of Availability and Sales Offering Agreement shall be submitted prior to the issuance of the first RUP for any affordable dwelling unit in the development.
2. A development which is comprised solely of rental multiple family units shall not be subject to the limitations on the issuance of Residential Use Permits contained in this Section, except in accordance with Sect. 811 below, which requires execution of a Notice of Availability and Rental Offering Agreement prior to the issuance of the first RUP for the development.

This amendment shall become effective on March 27, 2007 at 12:01 a.m.

GIVEN under my hand this 26th day of March, 2007.

NANCY VEHRS
Clerk to the Board of Supervisors