



# Zoning Ordinance Modernization Project

Z M O D

Land Use Policy Committee

March 16, 2021

# Accessory Living Units

Topic	Current Standards	Staff Recommendation	Planning Commission Recommendation
Age/Disability	A person living on the property must be 55+ years old or have a disability	No change from current ZO	Remove requirement
Size	Up to 35% of the principal dwelling	Interior: Up to 800 SF or 40% of the dwelling, whichever is less; increased size with SP  Detached: 1,200 SF	Interior: Same as staff recommendation, plus use of entire basement, up to the size existing on effective date of new ZO  Detached: 1,200 SF
Approval Process	Special Permit (SP)	Interior: Administrative Permit if meet all standards; SP to modify size, access/entrance, or parking standards  Detached: No change from current ZO	No change from current ZO
Location of Unit	Interior or Detached with 2+ acres	No change from current ZO	No change from current ZO

# Accessory Living Units

Topic	Current Standards	Staff Recommendation	Advertised Options
Age/Disability	A person living on the property must be 55+ years old or have a disability	No change from current ZO	Remove requirement
Size	Up to 35% of the principal dwelling	Interior: Up to 800 SF or 40% of the dwelling, whichever is less; increased size with SP  Detached: 1,200 SF	Interior: 500 – 1,200 SF or 40%, whichever is less; use of entire basement  Detached: 700 – 1,500 SF
Approval Process	Special Permit (SP)	Interior: Administrative Permit if meet all standards; SP to modify size, access/entrance, or parking standards  Detached: No change from current ZO	No change from current ZO
Location of Unit	Interior or Detached with 2+ acres	No change from current ZO	No change from current ZO

# Accessory Living Units – cont'd

Topic	Current Standards	Staff Recommendation	Planning Commission Recommendation
Owner-occupied	Owner must live in the principal unit or in the ALU	No change from ZO	Same as staff recommendation
Max # of People	Up to two bedrooms and two people in the ALU	No change from ZO	
Parking	Determined by the BZA	Administrative Permit: 1 additional space (total of 3 or 4 spaces)  Detached: No change – determined by BZA	
Renewal	Every 5 years by Zoning Administrator	Initial renewal in 2 years, subsequent up to 5 years based on compliance	

\* No advertised options for these topics

# Enforcement

## Process

Whether ALUs require administrative permit or special permit approval, the enforcement process will be unchanged from today's complaint-based system

- Enforcement can also occur during the ALU renewal inspection
- Permits can be revoked for failure to comply with the requirements

## Staffing

As the enforcement process will not change from today's, it's not anticipated that any additional staffing resources will be needed

# Home-Based Businesses

Topic	Current			Staff Recommendation	Planning Commission Recommendation
	Home Occupation	Home Professional Office	Barbershop / Beauty Parlor		
Customers	Instructional uses: 4 at a time; 8 in a day	Determined by the BZA	1 patron at a time	2 at a time / 6 in a day with admin. permit  SP for additional customers	Zero customers with admin. permit (except for teaching activities)  SP to allow customers
Employees	1	Up to 4; up to 6 with 2+ acres	0	1 in SFD 0 in all other dwellings*	Same as staff recommendation
Size	No size limit			400 SF*	
Parking	No requirement/standard			One designated off-street parking space	

\* Additional employees and larger size with SP approval

# Home-Based Businesses

Topic	Current			Staff Recommendation	Advertised Options
	Home Occupation	Home Professional Office	Barbershop / Beauty Parlor		
Customers	Instructional uses: 4 at a time; 8 in a day	Determined by the BZA	1 patron at a time	2 at a time / 6 in a day with admin. permit  SP for additional customers	With admin. permit: 0 to 4 at a time 0 to 8 in a day
Employees	1	Up to 4; up to 6 with 2+ acres	0	1 in SFD 0 in all other dwellings	1 in all dwelling unit types
Size	No size limit			400 SF	200 to 750 SF
Parking	No requirement/standard			One designated off-street parking space	

# Home-Based Businesses

**New:** If the dwelling is served by a well or septic system, the applicant must obtain Health Department approval prior to administrative permit or special permit approval.

**New:** A home-based business may not use, store, or generate flammable or combustible liquids, explosives, or hazardous materials in an amount that requires a permit under Chapter 62 of the County Code (Fairfax County Fire Prevention Code).

This information will be included on the FAQs page posted on the zMOD website:  
<https://www.fairfaxcounty.gov/planning-development/zmod>

# Flags and Flagpoles

Topic	Current Standards	Staff Recommendation	Planning Commission Recommendation
Number of Flags	3 per lot	No change	No change from current standards
Size of Flag	Unlimited	50 SF for single family and manufactured homes; 150 SF for other uses	
Flagpole Height	Unlimited	25 feet for single family and manufactured homes; 60 feet for other uses	
Location in Front Yard	Allowed anywhere	Five-foot setback from front lot line or street line	
Location in Side/Rear Yard	Allowed – must meet location regulations for accessory structures	No change	

# Questions & Discussion



Z M O D