



# 2017 ZOAWP

Presentation of the Proposed  
2017 Zoning Ordinance Amendment Work Program  
(Board Action Requested)

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Development Process Committee  
May 9, 2017

# Zoning Ordinance Amendment Work Program ZOAWP

- Originated in 1983.
- Outlines changes to Zoning Ordinance (ZO) requested by Board, Planning Commission, Board of Zoning Appeals, citizens, industry and staff.
- Unique for 2017 - includes the Zoning Ordinance Modernization Project (zMOD) that will update the format and structure of the ZO with help of consultant services; address specific amendments of county-wide priority and implement process changes. zMOD project will be integrated with, but not replace the ZOAWP.

# Proposed 2017 ZOAWP

Includes the Following Attachments:

- Attachment 1 – Status Table for 2016 Priority 1 ZOAWP
- Attachment 2 – Proposed 2017 Priority 1 ZOAWP Summary Table
- Attachment 3 – Proposed 2017 Priority 1 ZOAWP Narrative
- Attachment 4 – New Amendment Requests
- Attachment 5 – Proposed 2017 Priority 2 Work Program Amendments

# Status of 2016 ZOAWP Amendments

## (Refer to Attachment 1 )

- TOTAL: 33, including 2 added after adoption of the ZOAWP
- Adopted: 14 Amendments – including Farm Wineries, Commercial Recreation in PDH, Craft Beverage Establishments, Shape Factor in R-C District, Building Height, and others, including a number of clarification and minor amendments.
- Authorized: 2 Amendments – to be authorized in May, including P-District Recreation Fees and PRM District Final Development Plan (New).

# STATUS OF 2016 ZOAWP AMENDMENTS

## (Continued)

- Carry-Over: 17 Amendments – Seven (7) of the carry-over amendments have been incorporated into the zMOD Project, including signs, minor modifications, building repurposing, retail/restaurant use initiatives, and others.

During the zMOD Project process, additional amendments may be undertaken through the use of consultant services.

# PROPOSED 2017 ZOAWP AMENDMENTS

(Refer to Attachments 2 and 3)

- Comprised of 14 main subject areas, some of which include itemized amendment topics
- Total of 39 individual topic areas proposed for amendment (18 are new and remaining are carry over from 2016)
- Example: Agriculture Districts and Uses subject area (Item #1 on the ZOAWP) comprises 6 topic areas for consideration
- Example: Editorial and Minor Revisions comprises 12 topics

## Timing Considerations

**For the 2017 ZOAWP items, staff is proposing:**

First Tier - researched within the first half of FY2018, and potentially authorized/adopted in that timeframe.

Second Tier - researched within the second half of FY2018, and potentially authorized/adopted in that timeframe.

*(Timing for the zMOD Project is independent of the 2017 ZOAWP, as presented to DPC on March 28, 2017)*

# zMOD Project and 2017 ZOAWP

## (Attachment 2)

### zMOD Project Topics

- Reformat/Restructure ZO
- Minor Modifications  
(Scheduled for 5/23 DPC)
- Use Categories
- PDH District Regulations
- Sign Ordinance
- Building Repurposing/  
Repositioning

### 2017 ZOAWP Topics (First Tier)

- Agriculture
- Older Adult Accommodations  
and Services
- Parking
- P-District Recreation Fees
- PRC District Density
- PRM District Final Dev. Plan
- Rear Yard Coverage  
(Scheduled for 5/23 DPC)
- State Code Changes



# Highlights of Proposed First Tier Amendments

(Refer to Attachment 3)

# Agriculture

- Community Gardens/Urban Agriculture (including indoor and outdoor uses)
- Sales/Distribution of Garden/Farm Products (including Farmers' Markets, Wayside Stands, and other sales/distribution models)
- Agritourism Uses (define and establish appropriate regulations pursuant to State Code)



# Older Adult Accommodations and Services

- Continuing Care Communities (develop new district or use to accommodate industry model of “full spectrum” care + accommodations communities)



- Adult Day Health Care (incorporate use into the Zoning Ordinance in accordance with long-standing use determination that adult care is permitted wherever child care is permitted)

# Parking

*(Includes items presented to DPC on 3-28-2017)*

- Eliminate reductions for proffered transportation demand management programs.
- Allow administrative approval for certain shared parking agreements.
- Parking rates for non-Tysons Transit Station Areas  
*(To be presented at May 23, 2017 DPC)*
- Consider other changes that would streamline the parking reduction process.



## P District Recreation Fees

Consider increasing the recreation fees per dwelling unit from \$1800 to \$1900 in the Planned Development Districts in accordance with Construction Cost Index and Board's directive for bi-annual review.

*(Authorization May 2, 2017)*



# PRM District – Final Development Plan (FDP)

- Revises the Use Limitations to encourage but not require concurrent filing of Conceptual Development Plan (CDP) and FDP.
- Allows an FDP to be filed on a portion of the application property subject to the rezoning and CDP, similar to other P Districts.
- Facilitates implementation of Comprehensive Plan recommendations for mixed use projects w/longer term build out periods.



*(Authorization May 16, 2017)*

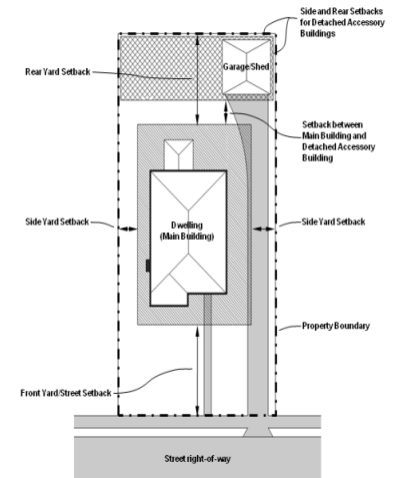
# Rear Yard Coverage

Rear yard coverage is limited to 30% for single family detached dwellings. The amendment would:

1. Clarify how coverage is calculated.
2. Consider increasing or eliminating limit for small sized lots.
3. Consider establishing a Special Permit to allow for increases over 30% for any lot.

*Agenda Item for May 23 Development Process Committee*

Setback and Yard Requirements



# State Code Changes



The 2017 Session of the General Assembly included State Code changes related to a number of topics that impact the Zoning Ordinance:

1. Short Term Rentals
2. Small Cell Facilities – *Authorization May 16, 2017*  
(More details at the end of this presentation)
3. Other Possible Changes



# Editorial and Minor Revisions

- 12 topics that require modification, clarification or correction, or are minor changes that are low impact.
- Revisions will be addressed throughout ZOAWP applicability period in Tier 1 and Tier 2 timeframe.
- Additional editorial and minor revisions may be identified during applicability of a ZOAWP and those items will be added at the Board's direction.



## 2017 ZOAWP Topics - Second Tier

- Remaining Agriculture Topics
- Remaining Older Adult Housing Topics
- Remaining Parking Topic
- Remaining Editorial and Minor Revisions
- Accessory Structure Size
- Application Fees
- Laurel Hill Historic Overlay District
- Outdoor Lighting
- Site Plan Provisions (LDS Initiative)

## New 2017 Priority 2 Work Program Amendments (for Future Prioritization)

- Off-leash dog parks
- Density credit for public use
- Limits on the size of food and beverage production facilities in the I-4 District
- Limits on the maximum size of personal vehicles allowed to park in a residential district
- Revise the 600 foot limit on the maximum length of a private street in a P-District

# Amendments Related to Telecommunications (SB 1282 and Spectrum Act Review)

## Article 2:

- Implement SB 1282: small cell facilities zoning permit
- Require zoning review of “eligible facilities requests” for minor modifications under the Spectrum Act

## Article 7:

ARB recommendation regarding certain small cell facilities

# Amendments related to 2232 Review

## Amend Article 2:

- Subject all Public Facilities to 15.2-2232 review/Feature Shown review, as appropriate
- Under Sect. 18-106, “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.”

# Fees for 2232 Applications - Telecommunications and Public Facilities

In Article 18, Create New Fees for:

- SB1282 Zoning Permit
- 2232 Review/Feature Shown Review
- Spectrum Act Review

## Amendment Outreach Opportunities

Development of expanded opportunities for input from stakeholders and other interested parties during development of each amendment.

Based on the topic area, such outreach will vary, but staff is looking into the following:

1. A work group of citizens from each Magisterial District
2. Monthly meeting of Board Land Use Aides
3. Quarterly Update/Open House sessions at the Gov't Center
4. Increasing web-based opportunities for updates and input
5. Modifications to the authorization process
6. Other opportunities that are identified

## Board Action Requested

Staff requests that the Development Process Committee forward the Proposed 2017 ZOAWP to the full Board for adoption at the June 20, 2017 Board of Supervisors' Meeting.



# DISCUSSION, QUESTIONS, CONTACTS

## Zoning Ordinance Amendment Work Program Website

<http://www.fairfaxcounty.gov/dpz/zoningordinance/workprogram/>

Zoning Administration Division  
703-324-1314