



# County of Fairfax, Virginia

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To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

## **zMOD Follow-Up: Electric Vehicle Charging Stations September 3, 2019**

As noted in the zMOD consolidated draft of use regulations dated July 1, 2019, the proposed standards for **Electric Vehicle Charging (EVC)** stations are still under review. The types of charging facilities are evolving, and some include large advertising screens and ancillary equipment. Staff is researching the issue and coordinating with industry representatives in order to develop a consistent set of standards to address concerns about number, size, lighting, signage, and screening. The current Zoning Administration guidelines, developed in 2013, are attached.

The July 1 zMOD draft draws from the current guidelines, with some revisions, such as requiring screening of equipment. EVC stations would be allowed as an accessory use, subject to the following standards, and stations that do not meet these standards would be considered a vehicle fueling station, which generally requires special exception approval:

- EVC stations would need to meet the definition of an accessory use as determined by the Zoning Administrator.
- EVC stations must not interfere with vehicular, bicycle, or pedestrian circulation.
- Residential: EVC stations are allowed for residents and their guests, and unless located in a parking structure, are limited to Level 1 or Level 2 facilities as defined by the U.S. Department of Energy.
- Nonresidential or mixed use:
  - The stations must be located in a parking structure or lot that serves a principal use.
  - EVC stations may be counted toward the minimum required parking only if the spaces are not reserved exclusively for charging.
  - The height of the dispenser must be a minimum of three feet.
- When the EVC station is **not** located in a parking structure or mounted on a wall:
  - The maximum height of the dispenser and any associated structure is eight and one-half feet.
  - A canopy is not allowed in a surface parking lot.
  - The display screen is limited to a maximum size of one square foot, and no other advertising is allowed.
  - The EVC station and related equipment must not be located in or impact any required transitional screening or parking lot landscaping.
  - Equipment such as transformers and switchgear must be screened with a fence, wall, berm, evergreen landscaping, or a combination.





# County of Fairfax, Virginia

## MEMORANDUM

### APPLICABLE ZONING PROVISIONS FOR ELECTRIC VEHICLE CHARGING STATIONS

July 12, 2013

Electric vehicle charging stations may be deemed a permitted accessory use serving another principal use, such as an office park, industrial park, institutional use, shopping center, retail sales establishment, or multiple family development, when the following conditions are met:

1. The charging station is located in a parking structure or parking lot that serves a principal use. The charging station shall not result in the reduction of parking spaces to less than what is required to serve the principal use.
2. The charging station shall be located so as not to interfere with any vehicular or pedestrian circulation or block any fire lanes or access into the site.
3. Signs promoting or advertising the electric charging station shall not be permitted on the charging station or on the lot. However, small directional signs not exceeding 2 sq. ft. in size and located no closer than 5 feet to any lot line shall be permitted.
4. When located in a parking lot or on the top level of a parking structure that is open to the sky, no canopy or any type of roofed structure shall be associated with the electric charging station.
5. Any outdoor lighting associated with an electric charging station shall be full cut-off and consistent in color and design with the other existing light poles and/or outdoor lighting.

The number of charging stations that may be permitted as an accessory use may vary from site to site based on, but not limited to, the size of the lot, size of the principal structure(s), type(s) of principal use(s) served, and visibility from off-site.

An electric vehicle charging station that does not comply with the above criteria is considered a principal use and is deemed an automobile-oriented use under the Zoning Ordinance. Automobile-oriented uses are defined in Article 20 of the Zoning Ordinance as follows:

**AUTOMOBILE-ORIENTED USE:** Any use of land not otherwise defined which provides a service directly to a motor vehicle, or which provides goods or services to the occupants of a motor vehicle while seated therein.

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Automobile-oriented uses are permitted by right in the C-8 District when located in a shopping center and are subject to use limitations contained in Sect. 4-805 of the Zoning Ordinance. Automobile-oriented uses are also permitted by right in the PDH, PDC and PRC Districts when depicted on an approved development plan. Automobile-oriented uses that do not meet the use limitations contained in Sect. 4-805 require special exception approval by the Board of Supervisors (Board) in the C-8 District. In addition, automobile-oriented uses are permitted with special exception approval by the Board in the C-5, C-6, C-7 and C-9 Districts. Information pertaining to the special exception process is available from the Zoning Evaluation Division at 703-324-1290 or at <http://www.fairfaxcounty.gov/dpz/zoning/development/>.

Any proposal for a specific location of an accessory electric vehicle charging station that is proposed to serve a principal use must be submitted to the Ordinance Administration Branch of the Zoning Administration Division at the address or facsimile number on this letterhead or by email at [ordadmin@fairfaxcounty.gov](mailto:ordadmin@fairfaxcounty.gov). Proposals must include a letter of consent from the property owner, architectural/building plans for the electric vehicle charging station, a site plan showing the proposed location of the electric vehicle charging station and the number of parking spaces, if any, the electric vehicle charging station will utilize.

All electric vehicle charging stations, whether permitted as an accessory or a principal use, may be subject to electrical and/or building permit approval and may require site plan approval if there is more than 250 square feet of land disturbing activity. The issuance of a Non-Residential Use Permit (Non-RUP) shall be required prior to the establishment of any electric vehicle charging station. Information pertaining to electrical and building permits is available from the Department of Public Works and Environmental Services (DPWES) at 703-222-0801 (option 1). Site plan information is available from DPWES at 703-324-1575, and Non-RUP information is available from the Zoning Permit Review Branch at 703-222-1082.