ADOPTION OF AN AMENDMENT TO CHAPTER 112.2
(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 Tuesday, October 27, 2026, the Board after having first given notice of its intention so to do, in the manner prescribed by law, adopted an amendment to Chapter 112.2 (Zoning) of the 1976 Code of the County of Fairfax, Virginia, said amendment so adopted being in the words and figures following:

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

Amend Chapter 112.2 (Zoning Ordinance), as follows:

Revise the Zoning Districts that permit Manufactured Homes where site-built dwellings are permitted in Table 4101.1 and Table 4101.2; and revise the use standards for Manufactured Homes, in subsection 4102.3.D to reflect new Code of Virginia requirements pursuant to HB 655 and SB 346.

4101. Use Tables

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3. Use Table for Residential, Commercial, and Industrial Districts

TABLE 4101.1: Use Table for Residential, Commercial, and Industrial Districts

P = permitted; SE = special exception; SP = special permit; blank cell = not allowed
A = allowed as accessory use only; A+ = permitted as an associated service use; AP = allowed with approval of administrative permit

Use	Residential Districts														Commercial Districts								Industrial Districts						Use-Specific Standards NOTE: General Standards also apply
	R-A	R-C	R-E	R-1	R-2	R-3	R-4	R-5	R-8	R-12	R-16	R-20	R-30	R-MHP	C-1	C-2	C-3	C-4	C-5	C-6	C-7	C-8	I-1	I-2	I-3	I-4	I-5	I-6	
Residential Uses																													
Household Living: uses characterized by residential occupancy of a dwelling unit that functions as a single household																													
Manufactured Home	P	P	P	P	P	P	P	P	P	P	P	P	P	P															4102.3.D

TABLE 4101.2: Use Table for Planned Development Districts

✓ = permitted if shown on final development plan/PRC development plan and PRC plan;
✓/SE = permitted if shown on final development plan/PRC development plan and PRC plan, or as special exception if not on plan(s)
SE = special exception; SP = special permit; blank cell = not allowed
A = allowed as accessory use only; A+ = permitted as an associated service use;
AP = allowed with approval of administrative permit

Use	PDH		PRC					PDC		PRM		PTC	PCC		Use-Specific Standards NOTE: General Standards also apply
	Principal	Secondary	Residential	Neighborhood Convenience Center	Village Center	Town Center	Convention/ Conference Center	Principal	Secondary	Principal	Secondary		Principal	Secondary	
Residential Uses															
Household Living: uses characterized by residential occupancy of a dwelling unit that functions as a single household															
Manufactured Home	✓		✓	✓	✓	✓	✓		✓	✓		✓			4102.3.D

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4102. Use Standards

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3. Residential Uses

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Household Living

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D. Manufactured Home

Standards applicable to all manufactured homes:

A manufactured home that is used as a dwelling is allowed:

(1) In a manufactured home park in the R-MHP District in accordance with subsection 2102.14.;

(2) In a nonconforming manufactured home park in accordance with subsection 8104.2.F.;

(3) In the R-A District in accordance with subsection 2102.1.C.

(4) Except when located in a manufactured home park, in accordance with Va. Code Sect. 15.2-2290(B), if it:

- **(a)** Is converted to real property in accordance with Va. Code Sect. 46.2-653.1;
- **(b)** Is constructed so that a Certificate of Occupancy is issued within five years of the date of manufacture listed on the home's data plate; and
- **(c)** Is placed on an individual lot.

(5) As a temporary dwelling in accordance with subsection 4102.8.J.

Revise, add, and renumber the use-specific standards for Solar Power Facility in subsection 4102.4.V to update requirements related to expansion of mandatory review criteria and use standards for facilities subject to special exception; revise the general standards for fences and walls in subsection 4102.7.A(7)(b)5; revise the applicability standards of transitional screening and barrier requirements in subsection 5108.5.A(6)(f); and revise submission requirements for facilities subject to a special exception application in subsection 8101.3.D(19) to reflect new Code of Virginia requirements pursuant to HB 711 and SB 347.
Revise, add, and renumber the use-specific standards for Solar Power Facility in subsection 4102.4.V, to reflect new Code of Virginia requirements permitting certain Battery Energy Storage Systems as an accessory use on parcels subject to an approved special exception for a Solar Power Facility pursuant to HB 891 and SB 443.

4102. Use Standards

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4. Public, Institutional, and Community Uses

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Utility

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V. Solar Power Facility

Standards when permitted by special exception:

(1) Solar panels, supporting structures, and equipment associated with a solar power facility generating less than one megawatt, must comply with the minimum setback and maximum height standards of the district where they are located.

(2) The application must include a decommissioning agreement and security package in accordance with subsection 8100.7.F(5) that describes the timeline and manner in which the facility will be decommissioned and the site restored to a condition similar to its condition before the facility was established.

(3) In the R-A District, a solar power facility must be located on the same property with an agricultural operation.

(4) In accordance with Va. Code Sect. 15.2-2316.10, a battery energy storage system is a permitted accessory use if it has a rated storage capacity that does not exceed 100 percent of the nameplate generating capacity of the associated solar energy facility.

(5) Absent a siting agreement in accordance with VA. Code Sect. 15.2-2316.7, a solar power facility with a generating capacity of at least one megawatt must comply with the following additional standards:

(a) The following setbacks apply and are measured to the nearest edge of the equipment as described and may not be waived or modified under subsection 4102.1.A(6):

(1) A minimum setback of 50 feet is required from all abutting lot lines of properties not developed with solar power facilities.

(2) A minimum setback of 150 feet is required from the nearest point on the outer wall of an occupied community building or residential dwellings on adjacent properties. For the purposes of this subsection, an occupied community building includes any building used regularly as a gathering place for community members.

(3) A minimum setback of 50 feet is required from any abutting public or private street.

(4) For facilities under 25 megawatts, a minimum setback of 50 feet is required from the edge of tidal and nontidal wetlands or from the top of the bank of perennial streams.

(5) For facilities over 25 megawatts, a minimum setback of 100 feet is required from the edge of tidal and nontidal wetlands or from the top of the bank of perennial streams.

(6) For facilities of any capacity within Chesapeake Bay Preservation Areas, a minimum setback of 100 feet is required from the edge of the tidal wetlands, nontidal wetlands, or from the top of the bank of perennial streams.

(b) Solar panels may not exceed a maximum height of 25 feet when the arrays are at full tilt.

(c) Fencing must be provided in accordance with Va. Code Sect. 55.1-2804, the National Electrical Safety Code, and the USBC.

(d) Vegetative screening must be provided in accordance with Va. Code Sect. 15.2-2288.8. Trees and shrubs used for screening or buffering must be capable of providing effective screening within five years of planting.

(e) The facility must comply with Department of Environmental Quality stormwater regulations, and any land disturbance activities must be conducted in compliance with a stormwater pollution prevention plan, all in accordance with Virginia Code Sect. 15.2-2288.8.

(f) Exterior lighting must incorporate dimming technology or similar controls that adjust lighting intensity based on surrounding visibility conditions.

(g) New impervious surface area must be minimized to the extent practicable, including areas beneath solar panels.

(h) The site must be permanently stabilized with vegetative ground cover sufficient to minimize erosion and maintain long-term site stability in accordance with Va. Code Sect. 15.2-2288.8.

(i) Wildlife passage must be accommodated to the extent practicable while maintaining facility safety and security as follows:

(1) Fencing is limited to areas in reasonable proximity to solar arrays and interconnection equipment, consistent with safety and security requirements; and

(2) Wildlife access to riparian areas, wetlands, streams, and other areas outside the immediate vicinity of solar panels must be preserved.

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7. Accessory Uses

A. General Standards for Accessory Uses and Structures

(7) Fences and Walls

Fences and walls must comply with the following standards:

(b) Height

5. A fence or wall may exceed the maximum fence or wall height in Table 4102.4 above when it is an integral part of:

c. Screening of equipment for a data center in accordance with subsection 4102.6.A(1);

d. A large-scale battery energy storage system; or

e. A solar power facility

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5108. Landscaping and Screening

5. Transitional Screening and Barriers

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A. Applicability

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(6) The following uses are not included in Table 5108.2 and are subject to the standards below:

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(f) A solar power facility with a generating capacity of at least one megawatt is subject to the requirements of subsection 4102.4.V(5).

8101. Submission Requirements

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3. Special Exceptions, Special Permits, and Variances

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D. Additional or Modified Submission Requirements for Specific Special Exception Applications

The following are additional or modified submission requirements for special exception applications for:

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(19) Solar Power Facility

A visual impact analysis detailing the visual impacts to public parks, scenic rivers, scenic byways, and historic structures or sites listed on, or eligible for listing on, the National Register of Historic Places or the County Inventory of Historic Sites.

Revise the use standard for Wireless Facility, in subsection 4102.4.Y(7), to reflect new Code of Virginia requirements related to the modification of an existing Wireless Facility pursuant to HB 277.

4102. Use Standards

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4. Public, Institutional, and Community Uses

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Utility

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Y. Wireless Facility

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Eligible Facilities Requests:

(7) Once wireless facilities are approved in accordance with this Ordinance, any eligible facilities request for a modification of a wireless tower or base station that does not substantially change the physical dimensions of the tower or base station under Sect. 6409 of the Spectrum Act (47 U.S.C. § 1455) or Va. Code Sect. 15.2.2316.4:4 is subject to subsections (1), (2), and (3) above, except to the extent of any conflict with 47 C.F.R. § 1.6100(b)(7)(i)-(iv) or Va. Code Sect. 15.2.2316.4:4.

Revise and add use standards for Wireless Facility, in subsection 4102.4.Y; add an administrative permit fee for Wireless Facility Temporary Support Structure in Table 8102.1; and revise the definition for Wireless Facility, in subsection 9103.4.E to reflect new Code of Virginia requirements related to permitting of temporary Wireless Facilities referred to as "temporary support structures" pursuant to HB 876.

4102. Use Standards

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4. Public, Institutional, and Community Uses

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Utility

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Y. Wireless Facility

Standards applicable to all wireless facilities:

(1) The following standards apply to all wireless facilities:

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(c) Except for temporary support structures, which must meet the requirements in subsection 4102.4.Y(8), all antennas, associated equipment, and structures must be removed within 120 days after those antennas or related equipment are no longer in use, at which point they will be deemed abandoned.

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Standards for temporary support structures:

(8) A temporary support structure requires administrative permit approval. In accordance with Va. Code Sect. 15.2.2316.4:5, the application must demonstrate that it is necessary for one of the following reasons:

(a) To administer limited frequency and modulation testing to evaluate system performance and the need for additional wireless facility sites;

(b) To supplement communications coverage when a previously permitted wireless facility has become involuntarily non-operational through an accident or natural disaster;

(c) To meet a substantial increase in the locality's communications needs due to an emergency declared by the County, Commonwealth, or federal government; or

(d) To meet a substantial increase in the communications needs of the businesses, residents, or visitors of the County for a limited period of time due to an event held within the County.

(e) As an alternative, a temporary support structure may be approved for any other reason not listed under subsection 4102.4.Y(8) as deemed necessary and appropriate by the Board.

(9) An administrative permit application for a temporary support structure may request approval for up to 180 days. An extension may be approved by the Zoning Administrator beyond the initial approval period if:

(a) The request is submitted before the expiration of the initial approval period or current extended approval period;

(b) The request provides information for the Zoning Administrator to determine that the extension(s) is reasonably necessary to resolve or accommodate the reasons for the initial approval; and

(c) The total time approved for extensions, including the initial 180-day period, does not exceed two years.

(10) A temporary support structure must be removed at the cost of the owner and the site restored to its previous condition within 48 hours of the end of the approval period.

8102. Fee Schedule

1. Fee Schedule

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TABLE 8102.1: FEE SCHEDULE This table includes standard fees related to approvals under the Zoning Ordinance. Additional fees may apply related to review or approval by other County departments or governmental or quasi-governmental agencies, or in accordance with Appendix Q of the County Code.		
APPLICATION TYPE		**FEE [1]**
MISCELLANEOUS PERMITS AND APPROVALS		
Wireless Telecommunications		
Wireless Reviews to Determine Compliance with Sect. 6409 of the Spectrum Act		$500
Wireless Facility Temporary Support Structure	Administrative Permit	$285
	Extension	$100
Wireless Facilities	Standard Process Project	$8,790

9103. Uses

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4. Public, Institutional, and Community Uses

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E. Utilities

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Wireless Facility

As defined by Va. Code Sect. 15.2-2316.3, a wireless facility means equipment at a fixed location that enables wireless communications between user equipment and a communications network, including (1) equipment associated with wireless services, such as private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services, such as microwave backhaul, and (2) radio transceivers, antennas, coaxial, or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration.

The following terms are defined in Va. Code Sect. 15.2-2316.3: administrative review-eligible project, standard process project, co-locate, existing structure, new structure, project, small cell facility, temporary support structure, wireless facility, wireless infrastructure provider, wireless services provider, and wireless support structure; however, the term small cell facility as used in this

Ordinance is expanded to include the placement of such facilities on utility poles or transmission poles.

Revise, add, and renumber subsections and tables in subsection 6100.5 to create a new parking tier known as "Designated Area"; update cross references and renumber tables in subsection 6100.5; update cross references and renumber tables in subsection 6100.6; and revise subsections 6100.6.C(2)(a) and 6100.6.C(2)(c). These changes reflect new State Code requirements from HB 888, that require localities to establish "Designated Areas", for the purpose of limiting required off-street parking for residential development within one-half mile of defined mass transit or public transportation stations and facilities. HB 888 also requires localities to establish an administrative process to request reductions of off-street parking requirements for residential, multifamily, or mixed-use development, that are not located within a "Designated Area".

6100. Off-Street Parking

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5. Tiered Framework and PTC District – Off-Street Parking Requirement

For developments located in one of the following areas, or zoned to the PTC District, parking requirements are established in accordance with subsections 6100.5.A through G below. For developments located in more than one designated tier, or in the PTC District and another tier, the lowest minimum and maximum parking requirement will apply.

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E. Designated Area:

For properties located within a designated area as defined in subsection 6100.5.E(1), the following minimum parking spaces are required.

TABLE 6100.10: Designated Area Parking Requirements

Use	Minimum Parking Requirement
Dwelling, Single-Family Detached	1 space per unit
Dwelling, Single-Family Attached	
Dwelling, Single Family Attached – ADU Development	
Dwelling, Stacked Townhouse	
Dwelling, Stacked Townhouse – ADU Development	
Dwelling, Multifamily	0.5 space per unit
Dwelling, Multifamily – ADU Development	
Mixed-Use Residential Development	
All other Residential Uses	In accordance with Table 6100.2

(1) Designated area means any parcel located within one-half mile of the entrance to a mass transit or public transportation station or facility.

(2) For the purpose of this subsection, a mass transit or public transportation station or facility is a building or enhanced structure where members of the general public board or disembark mass transit or public transportation as defined in VA. Code Sect. 15.2-2209.4.A. A mass transit or public transportation station includes the following:

(a) Regional Rail Transit Facilities.

(b) Virginia Railway Express (VRE) and Amtrak station.

(c) Bus Rapid Transit (BRT) station; and

(d) Public commuter park-and-ride lots that are developed with a building or enhanced structure.

(3) For the purpose of this subsection, mixed-use residential development includes the following:

(a) A property that contains both residential and non-residential uses within a single development.

(b) A property that incorporates two or more types of residential uses within a single development.

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6. Adjustments to Minimum Required Off-Street Parking

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C. Transit-Related Parking Adjustment

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(2) A 20 percent administrative adjustment of the minimum parking requirements found in subsections 6100.4 and 6100.5 will be approved when the following criteria are met:

(a) The use is located within 1,000 feet walking distance of a transit stop as defined in subsection 6100.6.C(1).

(b) The use is not located within an area identified in subsection 6100.5 as a Transit Oriented Development or PTC District.

(c) When at least two of the following supportive elements are provided:

1. A proffered transportation demand management (TDM) program that meets Fairfax County Department of Transportation criteria.

2. Bicycle parking in accordance with Section 6102.

3. A walk or bike score of greater than 70 in accordance with the most recent Walk Score® methodology.

Revise submission requirements for Data Centers subject to a rezoning application, in subsection 8101.2.E(13); and revise submission requirements for Data Centers subject to a special exception application, in subsection 8101.3.D(9), to reflect new Code of Virginia requirements pursuant to HB 153 and SB 94.

8101. Submission Requirements

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2. Zoning Map Amendments (Rezonings)

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E. Supporting Report and Studies

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(13) Data Center

For a rezoning to allow a data center, the application requires the following additional information:

(a) A noise study demonstrating that the operation of the data center will comply with the Noise Ordinance, Chapter 108.1 of the County Code.

(b) Architectural depictions of the proposed building and associated equipment as viewed from all lot lines and street lines.

(c) A statement indicating the anticipated total required megawatts of electrical power that will serve the facilities and the source of power generation.

(d) In accordance with Va. Code Sect. 15.2-2209.5, for a data center that reasonably anticipates requiring 100 megawatts or more of electrical power from an electric utility providing retail service to the facility, or the expansion of a previously approved data center that will exceed an additional 100 megawatts or more of electrical power, the following are also required:

1. The noise study must include the sound profile of the impact of the data center on residential units and schools within 500 feet of the property boundary.

2. A statement from the electric utility providing retail service to the data center describing (i) any new or existing substations that will serve the data center and (ii) the anticipated transmission voltage required to serve the data center.

3. Special Exceptions, Special Permits, and Variances

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D. Additional or Modified Submission Requirements for Specific Special Exception Applications

The following are additional or modified submission requirements for special exception applications for:

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(9) Data Center

(a) A noise study demonstrating that the operation of the data center will comply with the Noise Ordinance, Chapter 108.1 of the County Code.

(b) Architectural depictions of the proposed building and associated equipment as viewed from all lot lines and street lines.

(c) A statement indicating the anticipated total required megawatts of electrical power that will serve the facilities and the source of power generation.

(d) In accordance with Va. Code Sect. 15.2-2209.5, for a data center that reasonably anticipates requiring 100 megawatts or more of electrical power from an electric utility providing retail service to the facility, or if the expansion of a previously approved data center will exceed an additional 100 megawatts or more of electrical power, the following are also required:

1. The noise study must include the sound profile of the impact of the data center on residential units and schools within 500 feet of the property boundary.

2. A statement from the electric utility providing retail service to the data center describing (i) any new or existing substations that will serve the data center and (ii) the anticipated transmission voltage required to serve the data center.

Revise the nonconformities standards for Manufactured Homes, in subsection 8104.2.F(2)(b), to reflect new Code of Virginia requirements pursuant to HB 1463.

8104. Nonconformities

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2. Continuation and Expansion of Specific Nonconforming Uses or Structures

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F. Manufactured Homes

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(2) A nonconforming manufactured home may be placed, replaced, or enlarged as provided in this subsection.

(a) Regardless of the zoning district, any enlargement of a manufactured home must conform with the provisions of Table 2102.23 of the R-MHP District.

(b) The replacement of an existing nonconforming manufactured home, or the placement of a manufactured home on an open pad site in an existing nonconforming manufactured home park, is permitted in accordance with VA. Code Sect. 15.2-2307(I).

This amendment will become effective on October 28, 2026, at 12:01 AM

GIVEN under my hand this 27th day of October 2026.

Jill G. Cooper

Clerk for the Board of Supervisors