

PROPOSED ZONING ORDINANCE WORK PROGRAM – FYs 2025/2026 Priority 1

Below are the topics proposed to be evaluated as part of the Priority 1 Zoning Ordinance Work Program (ZOWP). Recognizing that Zoning Ordinance amendments often require more than one year to complete, including research and community outreach, the ZOWP is presented for a two-year cycle with annual updates to ensure that the Work Program continues to reflect the Board's priorities. The origin of the amendment topic is noted in (parentheses) below.

Timing for consideration is identified in **(bold)** as:

- Pending – Amendments that have been authorized as of the date of preparation of this Work Program and are proceeding through the public hearing process.
- First Tier – Amendments anticipated to be brought forward for discussion at a Board committee meeting or for authorization within the first six months of Fiscal Year 2025 (by December 2024).
- Second Tier – Amendments to be brought forward in the second half of the fiscal year (by July 2025).
- TBD – Topics that do not have a specific timeframe or are anticipated to be brought forward in FY 2026.
- Monitoring – Topics that include on-going monitoring or participation in task forces that may lead to potential Zoning Ordinance amendments.

* See the attached table for a graphic depicting anticipated timing

1. Reports to the Board

- A. Signs (**NEW**) - Monitor and report on the implementation of the Signs Part II amendment, including the maximum nighttime brightness of electronic display signs and special exception applications for sign modifications. This report should be provided within 18 months of adoption of the amendment. (November 11, 2023, Signs Part II Follow-On Motion) (**Second Tier**)

2. **Accessory Living Units (NEW)** – Consider changes to the use-specific standards for an Accessory Living Unit (ALU), including the permitted size for detached ALU, minimum lot size for a detached ALU, parking, permit renewal and recordation, and other use-specific standards, as further described in the [Report on Accessory Living Units and Home-Based Businesses](#), dated April 12, 2024. (**Second Tier**)

3. Affordable Housing Initiatives

- A. Consider zoning changes to support new affordable housing initiatives and land use policies. (Carry over from 2018 Topic 8C and Board motion April 13, 2021) (**TBD**)
- B. Consider zoning changes and strategies to incentivize preservation of existing manufactured home communities through a review of use standards and bulk regulations. (Carry over from 2018 Topic 8C and Board motion April 13, 2021) (**TBD**)

4. Application Fees and Planned District Minimum Recreational Facilities Expenditure –

This topic combines application fees and the P District recreational facilities expenditure (Former Topics 3A and 3B) and will be an ongoing Work Program entry for review every two

years to consider adjustments based on cost-of-living increase in accordance with the consumer price index, construction cost index, and other factors. In addition, alternative approaches to the per acreage component of the zoning fee table will be part of the next comprehensive review. (April 16, 2024, Application Fee follow-on motion) **(Monitoring)**

5. **Climate Action and Resiliency Initiatives** – Consider zoning changes that would incentivize and encourage more environmentally sustainable development to support implementation of the Community-wide Energy and Climate Action Plan (CECAP) and Resilient Fairfax. (Carry over from 2019 with updated description in Topic 4 for FY 2024/2025 Work Program) **(Monitoring)**
6. **Congregate Living Facility (NEW)** – Review the provisions for the Congregate Living Facility use to consider expanding the districts where congregate living facilities are allowed and broadening the definition and standards to include additional support services, such as an emergency shelter and supportive housing. This is a refinement of FY 2024-2025 Topic 2B to consider zoning changes to facilitate adaptive reuse of vacant and underutilized commercial and industrial buildings to provide shelter, services, and permanent supportive housing to people who are unhoused. (Carry over from FY 2023/2024 Work Program Topic 2B and December 6, 2022, Board Matter) **(Second Tier)**
7. **Contractor’s Office and Shop** – Consider possible zoning changes to permit expanded opportunities for suitable locations for landscape professionals and other Contractor’s Office and Shop, subject to use standards that address the storage of construction vehicles, construction materials, and other impacts. (Carryover from FY 2023/2024 Work Program Topic 5) **(First Tier)**
8. **Floodplain (NEW)** – In coordination with Land Development Services, update floodplain regulations for consistency with the FEMA Map and consider removing the special exception requirements for redevelopment of dwelling units that pre-dated the floodplain requirements. **(TBD)**
9. **Light Utility Facility (NEW)** – Consider revisions to definitions, permissions, and use standards, including but not limited to: (Former Priority 2 Topic 28 and new)
 - A. **(NEW)** Review permissions and use standards for electrical substations in association with data centers and stand alone. (March 19, 2024, BOS Matter) **(First Tier)**
 - B. **(NEW)** Consider establishing a Memorandum of Agreement with natural gas providers to provide notice of proposed new high-pressure gas distribution pipelines in certain rights-of-way. (High-Pressure Gas Pipeline Presentation) **(First Tier)**
 - C. **(NEW)** Consider establishing new use for energy storage facilities with appropriate permissions and use standards. (Staff) **(First Tier)**
10. **Minor and Editorial Revisions and State Code Updates** – This topic is an ongoing Work Program entry that will address changes to the Code of Virginia that necessitate a change to the Zoning Ordinance or other minor and editorial revisions that are limited in scope and more administrative in nature. **(Second Tier)**

- A. **(NEW)**. Clarify that murals along with other public art that are not used or designed to attract attention to any institution, organization, business, product, service, event, or location are not regulated as signs in accordance with past Zoning Administrator interpretations. (July 23, 2024, Land Use Policy Committee) **(Second Tier)**
- 11. Parking Rates (NEW)** – Consider new parking rates for accessible parking. (Accessible Parking Report July 2024) **(First Tier)**
- 12. Planned Districts (NEW)** – Review the additional standards for commercial uses in the Planned Development Housing District and the secondary use standards including percentage of residential uses, in the Planned Development Commercial District. In addition, consider requiring a metes and bound descriptions for partial Final Development Plans. (Former Priority 2 Topic 26) **(Second Tier)**
- 13. PRC Plan Exceptions** – Review the exceptions for when a PRC Plan or amendment to a PRC Plan may be required and consider expanding the types of minor improvements that would not require a PRC Plan submission, particularly as they relate to open space or community facilities. (Carryover from FY 2023/2024 Work Program Topic 11) **(Second Tier)**
- 14. Short-Term Pop-Up Events and Longer-Term Interim Uses** – Evaluate current zoning regulations for 21-day special event administrative permit uses and longer-term interim uses and consider ways to increase flexibility and remove unnecessary impediments and time limits. (Carryover from FY 2023/2024 Work Program Topic 1 and BOS Matter May 24, 2022) **(First Tier)**