

**ZONING ORDINANCE WORK PROGRAM (ZOWP)
PRIORITY 2**

The following abbreviations are used in this document:

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|---|---|
| ARB - Architectural Review Board | EIP - Environmental Improvement Program |
| BOS - Board of Supervisors | EAC - Fairfax County Economic Advisory Commission |
| BZA - Board of Zoning Appeals | HCAB - Fairfax County Health Care Advisory Board |
| BPR - Business Process Redesign | PC - Planning Commission |
| DPWES - Department of Public Works and Environmental Services | |

TOPIC	SOURCE (Year Item Added to Work Program)	KEEP ✓ ADD + REMOVE X	NOTES
ACCESSORY USES AND STRUCTURES			
1. Review the fence height allowed for substations and wireless facility approved with a special exception. (Former Topic 2)	Staff (2023)	X	Approved as part of ZO 112.2-2024-6
2. Consider adding standards for the review of accessory structures on residential lots larger than 36,000 square feet. (Former Topic 3)	Staff (2023)	✓	Staff reviews accessory structures for larger lots on a case-by-case basis to determine if they meet the provisions of subsection 4102.7.A . For lots under 36,000 square feet, accessory structures are limited to 50 percent of the gross floor area of the dwelling unit. Staff proposes to further study this issue to consider the establishment of specific use standards on the size of accessory structures for larger lots.

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GENERAL REGULATIONS			
3. Review the definition of gross floor area to consider including cellar space in all districts consistent with the PDC, PRM, and PTC Districts. (Former Topic 6)	Staff (2022)	✓	To provide consistency in the definition of gross floor area for all zoning districts staff recommends that this item be retained.
4. Use and Structure Regulations – Consider the following:			
A. Consider revising the maximum number of horses that may be maintained on a lot as an accessory use for keeping of animals . (Former Topic 10A)	No. Va. Soil & Water Conservation District (2009)	✓	Due to recent changes to the state code the Zoning Ordinance was updated for horses to be considered livestock on properties seven acres and larger without restrictions. Currently three horses per acre are permitted on sites between two and seven acres. Northern Va. Soil and Water Conservation District staff has advised staff that one horse per acre is a more appropriate number. Staff recommends that this item be retained.
B. Consider revising the permissions for personal service establishments to be allowed in the C-1 through C-4 Districts. (Former Topic 10B)	Staff (2023)	X	Approved as part of ZO 112.2-2024-6
C. Review the provisions for accessory retail sales with warehouse uses. (Former Topic 10C)	Staff (2023)	X	Approved as part of ZO 112.2-2024-6

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<p>D. Associated Service Use – Review the definition and permissions in subsection 4102.1.G for associated service uses and consider revisions to allow more of these types of uses by right with appropriate use standards.</p>	<p>Staff (2024 NEW)</p>	<p style="text-align: center;">+</p>	<p>Associated service uses are uses that are not allowed in a zoning district unless the use is designed to provide goods and services to occupants of the principal use and are part of an office or industrial complex. Associated service uses include restaurants, business service, convenience stores, and personal service in certain commercial and industrial districts.</p>
<p>E. Building Height – Review and clarify the definition of building height for single family dwellings.</p>	<p>Staff (2024 NEW)</p>	<p style="text-align: center;">+</p>	<p>The building height measurement should be clarified as it relates to structures with multiple roof lines.</p>
<p>F. Online Sales - Address how to permit online sales only in a commercial or industrial area, including online sale of vehicles.</p>	<p>Staff (2024 NEW)</p>	<p style="text-align: center;">+</p>	<p>The online sale of goods, including vehicles, has increased, and the Zoning Ordinance should be updated to reflect these unique uses.</p>
<p>G. Recycling Centers - Review use standards in subsection 4102.6.P related to outdoor storage.</p>	<p>Staff (2024 NEW)</p>	<p style="text-align: center;">+</p>	<p>Recycling centers prohibit outdoor storage; however, the use is limited to I-5 and I-6 Districts where storage yards are permitted by right. Review these provisions to determine if updates are warranted to clarify uses and appropriate standards.</p>

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<p>H. Vehicle Sales – Review use standards in subsection 4102.5 and consider expanding permissions to allow vehicles sales as a special exception use in C-3, C-4, I-3, I-4, and I-5 Districts, consistent with permissions for vehicle rental.</p>	<p>Staff (2024 NEW)</p>	<p>+</p>	<p>Vehicles sales are limited to the C-6, C-7, and C-8 Districts by special exception or when shown on a development plan in the PDC, PRM and PTC Districts with restrictions on vehicle storage. Propose to consider expanding permissions by special exception.</p>
<p>5. Review the definition of a shopping center to include the first floor of a mixed-use building. (Former Topic 12)</p>	<p>Staff (2023)</p>	<p>X</p>	<p>Approved as part of ZO 112.2-2024-6</p>
<p>HOUSING</p>			
<p>6. In coordination with the Department of Housing and Community Development (HCD), consider the removal of the administrative requirements for ADUs related to resales, closing cost allowances, bedroom mix, income thresholds and other administrative provisions from the Zoning Ordinance and establish them as administrative guidelines approved and amended by the Redevelopment and Housing Authority (RHA). (Former Topic 14)</p>	<p>Staff (2023)</p>	<p>✓</p>	<p>Discussions have begun with HCD staff about moving administrative language out of the Zoning Ordinance and establishing separate guidelines for ADUs that will make it easier for RHA and HCD to update as necessary.</p>
<p>OPEN SPACE AND CLIMATE INITIATIVES</p>			
<p>7. Climate Action and Resiliency Initiatives - Consider zoning changes requiring greater setbacks for proposed construction in areas influenced by tidal flooding. In</p>	<p>BOS Environmental Committee/EAC</p>	<p>✓</p>	

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<p>addition, establish an advisory committee to, among other things, review standards and guidelines associated with special permit, special exception, and public uses in the R-C District; review maximum allowable floor area ratios; consider standards for total impervious cover and/or undisturbed open space and review combined impact of the facility footprint and total impervious surface cover to include parking; and review the Comprehensive Plan to determine if clearer guidance is needed for special permit, special exception, and public uses in the Occoquan watershed. (Former Topic 17)</p>	<p>(Tidal flooding setbacks – 2009; Advisory committee – 2013/moved to Priority 2 in 2014)</p>		<p>Staff recommends this item remain due to Board priorities related to climate initiatives.</p>
<p>8. Review of the open space provisions to include:</p>			
<p>A. Exempt either all or part of stormwater management dry pond facilities from the open space calculations. (Former Topic 18A)</p>	<p>Infill Study/EIP/ Staff (2001)</p>	<p>X</p>	<p>A) While stormwater dry ponds cannot be used for active open space, they continue to meet the definition of open space. B) The preference for innovative BMPs can be encouraged as part of rezoning applications. C) Open space as it relates to the Comprehensive Plan is not a Zoning</p>
<p>B. Provide open space credit for innovative BMPs but not for non-innovative BMPs. (Former Topic 18B)</p>	<p>Infill Study/EIP/ Staff (2001)</p>		
<p>C. Develop a consistent approach to open space as it relates to various existing and proposed elements of the Comprehensive Plan. (Former Topic 18C)</p>	<p>Infill Study/EIP/ Staff (2001)</p>		

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<p>D. Review the general open space provisions to clarify that open space credit is only intended for land that is dedicated or conveyed without monetary compensation. (Former Topic 18D)</p>	<p>Infill Study/EIP/Staff (1986)</p>		<p>Ordinance issue and can be addressed as part of the Policy Plan updates. D) Staff reviewed the open space credit provisions and do not feel additional clarification is needed.</p>
<p>OVERLAY DISTRICTS</p>			
<p>9A. Airport Protection Overlay District - Establish an Airport Protection Zoning Overlay District for Dulles International Airport, Ronald Reagan National Airport, and Davison Airfield regarding maximum structure height. (Former Topic 19)</p>	<p>General Assembly (1989)</p>	<p style="text-align: center;">✓</p>	<p>Additional research is required. Note: There is Comprehensive Plan guidance in the Area Plan Overview for Allowable Height of Structures in the Vicinity of Dulles Airport. 2017 Comprehensive Plan - Area Plan Overview (fairfaxcounty.gov)</p>
<p>9B. Review the additional standards of the Highway Corridor Overlay District and consider revisions or elimination of the district.</p>	<p>Staff (2024 NEW)</p>	<p style="text-align: center;">+</p>	<p>The additional standards for the Highway Corridor Overlay District are outdated and can be incorporated into the use standards for the specific use.</p>
<p>9C. Review the additional standards of the Sign Control Overlay District and consider revisions or elimination of the district.</p>	<p>Staff (2024 NEW)</p>	<p style="text-align: center;">+</p>	<p>With the recent updates to the sign regulations a review of the Sign Control Overlay District provisions is warranted to determine if provisions are still necessary.</p>

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<p>10. Historic Overlay Districts/Historic Structures:</p>			
<p>A. Laurel Hill – Establish Historic Overlay District (HOD) as anticipated by the 2001 Memorandum of Agreement (MOA) between Fairfax County and the federal government for the former Lorton Correctional Complex. (Former Topic #21A)</p>	<p>BOS/Staff (2002)</p>	<p>✓</p>	<p>Establishment of a HOD is anticipated as part of the MOA and staff recommends that this item be retained.</p>
<p>B. Require all demolition permits for structures listed on the County Inventory of Historic Places to be reviewed by the History Commission prior to the issuance of the permit. (Former Topic 21B)</p>	<p>History Commission (2005)</p>	<p>✓</p>	<p>The Planning Division’s heritage resource staff recommend that this item be retained.</p>
<p>PLANNED DEVELOPMENT DISTRICTS</p>			
<p>11. Consider the following revisions to the Planned Development Districts:</p>			
<p>A. Review minimum lot size and open space requirements, and density credit for RPAs, streams, and floodplains. (Former Topic 26)</p>	<p>Infill Study/EIP/ EAC/PC/Staff (2012)</p>	<p>X</p>	<p>Planned Districts require review and approval by the Board of Supervisors. Preserving the natural ecosystem including streams, RPAs, and floodplain are expected as part of the general standard for Planned Districts in subsection 2105.1.C(3). As part of</p>

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			<p>the review of the Planned District, the Board can determine if the proposed density and open space amenities are appropriate.</p>
<p>B. Review permitted secondary commercial uses in the PDH District and consider increasing number of commercial uses permitted; allow the Planning Commission to waive the 200-square-foot privacy yard for single family attached dwellings as part of FDP approvals; consider revising the 600-foot limit on private streets; and consider changes to the PRM/PDC Districts regulations related to mixed use developments. (Former Topic 26)</p>	<p>Infill Study/EIP/EAC/PC/Staff (2012/2017/2018)</p>	<p>X</p>	<ul style="list-style-type: none"> - Review of PDH and PDC additional standards for secondary uses is proposed to be moved to Priority 1 Work Program. - Waiver of the privacy yard requirement should be reviewed as part of the rezoning application and enabling authority would be required to permit the Planning Commission to waive Zoning Ordinance requirements. - The private street length was reviewed as part of zMOD by staff and it was determined no changes were appropriate.

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SHORT-TERM LODGING			
12. Consider the following revisions relating to Short-Term Lodging:			
<p>A. Commercially Operated – Consider changes that would permit new multifamily dwelling unit developments to provide units on a short-term basis for a limited percentage of the units and over a limited period of time during lease-up period; consider allowing multifamily buildings to offer a small percentage of the total unit count as short term rentals that are commercially managed. (Former Topic 27A)</p>	<p>BOS (2018/moved to Priority 2 in 2022)</p>	<p>X</p>	<p>Short-Term Lodging (STL) is currently allowed in Residential Districts and dwelling types if operated by the primary resident. Commercially operated short-term lodgings are permitted as hotels in specific Planned Districts with zoning approvals, allowing multifamily buildings to function as hotels temporarily. Staff recommends removing this topic as existing permissions address this need.</p>
<p>B. Consider specifically adding Short-Term Lodging to the types of violations that are subject to a 10-day versus 30-day timeline for filing an appeal application. (Former Topic 27B)</p>	<p>Staff/BZA (2023)</p>	<p>X</p>	<p>Approved as part of ZO 12.2-2024-6</p>
<p>C. Review of the Short-Term Lodging standards and consider an increase in the number of permitted nights.</p>	<p>Staff (2024 NEW)</p>	<p>+</p>	<p>Staff often receive comments from current and potential STL operators regarding the current 60-night limit per year. It is also a frequent topic at the General Assembly sessions,</p>

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			including potentially restricting local control of the use. Additionally, neighboring jurisdictions have higher limits or no limit at all. Therefore, staff recommends reevaluating the current STL standards to potentially increase the number of nights permitted per year.
SPECIAL EXCEPTIONS			
13. Light Utility Facility Uses – Consider revisions to strengthen the additional standards for these uses and add provisions to protect adjacent residential uses. (Former Topic 28)	Staff (2018)	X	As part of the data center amendment the Board requested a separate review of standards for substations. Proposed to be moved to Priority 1 Work Program.
FUTURE STUDIES AND REPORTS			
14. Conduct studies or prepare reports as follow-ups to approved amendments:			
A. Parking Reimagined – Department of Land Development Services and the Department of Planning and Development will monitor the effect of adopted changes to the parking requirements to include collection of relevant data to assess their		+	Parking Reimagined Follow-on Motion.

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<p>effect. The relevant data could include trends in provided parking, the number and types of requests and approvals for parking adjustments, operational effects on parking-related processes, experiences with the Transportation Demand Management program, and other relevant measures of effectiveness. Data collection should be designed to help evaluate whether further modifications to the Ordinance are warranted. While data will begin to accumulate from the effective date, a report to the Board should be provided approximately five years after the effective date but no later than December 31, 2029, to allow time to gauge significant, long-term effects of the adopted changes.</p>	<p>BOS (2023 NEW)</p>		