

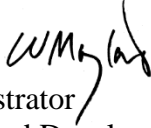



County of Fairfax, Virginia


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

DATE: June 7, 2023

TO: Planning Commission

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SUBJECT: Parking Reimagined Work Session

On behalf of the project team, we are providing the Planning Commission with additional information related to Parking Reimagined in advance of the Planning Commission work session scheduled for June 22, 2023, at 7:30 p.m. This information focuses on the changes being proposed since the Board authorization to advertise public hearings in March 2023.

This project was initiated in August 2021 and staff has presented project topics and status updates to the Planning Commission on four separate occasions. Additionally, we have held over 100 project meetings with various community groups, including 17 public open house meetings. The draft tiered framework proposal was first released to the public in March of 2022, draft parking rates with footnotes explaining the rationale for changes was released in July 2022, and the entire draft rewrite of Article 6 with the tiered framework, updated parking, loading and new bicycle parking rates was released in November 2022.

On March 21, 2023, the Board authorized advertisement of public hearings on this amendment and public hearings were scheduled before the Planning Commission on April 19, 2023, and before the Board on June 6, 2023. However, on March 23, 2023, the Virginia Supreme Court issued an opinion in *Berry vs. Board of Supervisors* declaring the County's 2021 Zoning Ordinance, adopted in March 2021 and commonly referred to as zMOD, void *ab initio*. Since the proposed parking amendment was based on the zMOD Ordinance, the scheduled public hearings were placed on hold and not advertised. On May 9, 2023, following public hearings held by the



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Planning Commission and the Board, the Board voted to readopt the 2021 Zoning Ordinance as amended through March 22, 2023.

Based on input from the Board of Supervisors, the Planning Commission, and the community, the team has continued to revise the proposed text. Key changes proposed in each subsection are laid out below (as compared to the current ordinance) and the draft text is provided in Attachment 1 with changes noted in strikethrough and underline from the March Authorization draft. Notable changes from the March authorization are specifically identified below and are summarized in Attachment 2.

6100.1 Applicability.

- Removes the discretionary authority that permitted the Director of Land Development Services (Director) to determine parking for planned districts.
- Increase flexibility to evaluate individual sites by allowing administrative adjustments to parking requirements to accommodate placement of electric vehicle parking infrastructure, or to meet parking lot landscaping requirements, which will aid legally established substandard lots that currently do not meet landscaping requirements.
- Permits changes or expansion of a use without requiring additional parking unless the proposed change in use or expansion requires parking the higher of more than 10 percent of the available parking on the site or an increase of more than 10 spaces.
- Defines when a parking tabulation must be submitted and expands the categories of uses where tabulations, and thus additional parking, are not required with changes in use for existing buildings.
- A **notable change** since the March Board authorization has been the addition of a requirement to provide a tabulation of required bicycle parking spaces.

6100.2 Off-Street Parking Standards, Layout and Design. This subsection primarily focuses on parking lot design.

- Requires dedicated pedestrian routes through surface parking lots for new development or redevelopment of existing lots that require more than 50 parking spaces (new provision). The pedestrian route must connect the primary building entrance to an abutting pedestrian facility. This will provide safer walking access for patrons parking onsite as well as for pedestrians and bicyclists accessing the site from abutting sidewalks.
- Expands the use of tandem parking, which allows two vehicles to park one behind the other. Tandem parking would now be allowed for two spaces assigned to a single multifamily dwelling unit, for parking of company vehicles, and for valet parking. Other tandem parking proposals could be allowed subject to Director review and approval.

6100.3 Calculation of Off-Street Parking. General guidance and methodology for calculating the amount of required parking is provided in this section to support the minimum parking requirements defined in subsection 6100.4.

- Proposes revised rounding guidance to round down when a calculation of required parking results in a fraction.
- Proposes no parking requirement for accessory outdoor dining or for temporary seasonal display and sales areas.

- A **notable change** since the March authorization was a new subsection to provide clarity on calculating the number of required spaces when the parking requirement is based on employees.

6100.4 Minimum Required Off-Street Parking and Stacking Spaces. This subsection contains the minimum parking requirements for all uses and the stacking space requirements for drive-through uses. Staff retained the current table format and evaluated the parking needs for each use in the Ordinance, based on review of County and national surveys of parking demand and information provided by Nelson-Nygaard, the project’s consultant. In general, rates were standardized so similar uses have the same parking requirement based primarily on building square footage, which is known at all stages of the building and permitting process. Most uses include a range of parking rates for the Board’s consideration.

- Proposes converting most employee-based rates to square footage-based rates and eliminating other variables such as company vehicles and occupancy load which create difficulties in assessing required parking. To address where using the building square footage alone would result in a parking supply out of proportion to need, an employee rate is available as an option.
- Proposes to simplify and lower the parking requirement for shopping centers and office buildings.
- **Notable changes** since the March authorization are:
 - Minor updates to some rates.
 - An updated comparison of the current and proposed rates with notes provided in Attachment 3. The proposed rates were originally released to the public in July 2022 with footnotes explaining the rationale for proposed changes.
 - A comparison of select rates with similar rates with neighboring jurisdictions is also provided in Attachment 4.

6100.5 Tiered Framework and PTC District – Off-Street Parking Requirement. This subsection creates parking tiers that align with specific development areas defined in the Comprehensive Plan, and adjusts the base minimum parking requirement in those tiers by specific percentages as outlined below:

- **Base Rate.** These are the baseline parking rates for all uses in the County. These rates will be the basis from which minimum requirements are adjusted as proposed in the sections below.
- **Suburban Centers.** These areas include the Dulles Suburban Center, Fairfax Center, and Merrifield Suburban Center as defined by the Comprehensive Plan. The minimum parking requirement proposed for nonresidential and multifamily uses is 90 percent of the base rate. The remaining residential parking rates are the same as the base rate for those uses.
- **Revitalization Areas.** This tier includes properties located within areas defined or designated as Commercial Business Centers (CBCs), Commercial Revitalization Areas (CRAs) or Commercial Revitalization Districts (CRDs), the urban core of the Fairfax Center Suburban Center (which includes Fair Oaks Mall and Fairfax Corner), and the suburban neighborhoods located between the CBCs in the Richmond Highway corridor. The minimum parking requirement proposed for nonresidential and multifamily uses is 80 percent of the base rate. This is consistent, for nonresidential uses, with the current zoning ordinance language that

permits a 20 percent reduction for many of these areas. The remaining residential parking rates are the same as the base rate for those uses.

- A **notable change** since the March authorization is to base the multifamily rate in the Revitalization Areas on dwelling units instead of bedrooms.
- **Transit Station Area/Tysons Urban Center (nonresidential).** This tier includes properties located within all designated Transit Station Areas (TSA) and the Tysons Urban Center. The minimum parking requirement proposed for nonresidential uses is 70 percent of the base rate. Currently, most nonresidential uses in these areas permit a 20 percent reduction. Residential rates are discussed under a separate bullet below.
- **Transit Oriented Development (nonresidential).** This tier includes properties located within a Transit Oriented Development (TOD) or Transit Development
- District, as defined by the comprehensive plan and typically within ¼ mile radius from the Metro station platform. The minimum parking requirement proposed for nonresidential uses is 60 percent of the base rates. Residential rates are discussed under a separate bullet below.
- **Planned Tysons Corner (PTC) District (nonresidential).** This tier includes properties zoned to the PTC District within the Tysons Urban Center and non-PTC properties located in a TOD that opt into the PTC rate. As permitted in the PTC District today, most uses would have no minimum parking requirement and would be subject to a maximum number of spaces. Revisions are proposed to provide better clarity on the opt-in provisions for PTC and Transit Oriented Development areas. Residential rates are discussed under a separate bullet below.
 - A **notable change** since the March authorization is a minor update to the hotel maximum parking requirement to be consistent with the expectation that the maximum rate be 110 percent of the base rate in non-TOD areas.
- **Residential rates for Transit Station Areas/Tysons Urban Center, Transit Oriented Development, and PTC District.** In these areas, lower minimum rates for most residential uses are proposed, recognizing that higher density development areas have a lower parking demand because of the availability of multimodal transport and proximity to a variety of amenities. The minimum parking requirement proposed for single-family type units is per unit, and lower than the County-wide base rate. For multifamily developments, analysis shows that a requirement based on the number of bedrooms is a more accurate assessment of parking demand, as is found in the current Ordinance for the PTC District. Thus, a bedroom measure for multifamily is proposed.
 - A **notable change** since the March authorization is an update to the maximum multifamily rate to keep the previous proposed maximum despite the change to bedroom-based rate.

6100.6 Adjustments to Minimum Required Off-Street Parking.

- This subsection has been significantly edited to redefine, consolidate, and provide new options for adjustments, or reductions, to a site's parking supply.
- In the current Zoning Ordinance and in the proposal, parking adjustments are divided between those which can be approved by the Board and those which can be approved by the Director.
- In the proposal, certain adjustments could be approved by the Director if specific submission criteria are met, after technical review and analysis by LDS staff.

- Under the current Ordinance, the Director can approve most shared parking adjustments. As proposed the Director continues to approve shared parking adjustments but they are now subject to the shared parking calculation contained in the draft text. The Board would approve shared parking adjustments that exceed the shared parking calculation.
- The current Ordinance permits reductions to be approved by the Board when in reasonable walking distance to transit station. The proposed tiered framework sets new rates for transit station areas. Staff proposes to add an ability for the Board or Director to approve transit-related adjustments when the property is located near the transit facility but outside an area subject to the tiered framework.
- Other current and new proposed adjustment options could be approved only by the Board, after technical review by staff.
- As is the case today, many adjustments will occur in conjunction with land use actions taken by the Board; these will be considered along with a public hearing on the associated land use proposal.
- **Notable changes** from the March authorization are:
 - A staff recommendation to limit the authority of the Director to approve certain adjustments up to 30 percent instead of the previously recommended 50 percent. There is still an option for the Board to consider a parking adjustment by the Director that ranges from 30 to 50 percent.
 - Standard shared parking adjustments as outlined in subsection 6100.6.B would still allow Director approval without limitation upon demonstration that shared parking will meet the technical requirements and operate effectively.
 - Reduced the number of adjustments that could be approved by the Director, moving those to Board approval, including adjustments for affordable housing and publicly accessible parking must now be approved by the Board.
 - Reinstate language requiring a determination of no adverse impact for a parking reduction, consistent with other provisions in the Zoning Ordinance.
 - A new provision is proposed to require a utilization study for an approved adjustment, when determined necessary by the County.

A summary of the proposed adjustment options is provided here:

- **Shared Parking.** When two or more uses are provided on a site, these uses may be able to share their parking supply. The proposal includes a detailed chart that identifies uses that can complement one another and share parking.
- **Transit Related.** The current Ordinance allows adjustments based on transit proximity. Where sites are served by transit but are outside of the tiered framework, adjustments may still be appropriate. Like the proposal for shared parking, the updated language provides a standard allowable transit adjustment of ten percent based on specific criteria. It also provides an option for an adjustment greater than ten percent if the minimum criteria expected in the standard reduction are met and the applicant can meet at least two additional criteria. The proposed text makes some refinements to enhance the connection of transit availability to the offset of auto parking demand. These options allow Director approval up to the adopted percentage.
- **Affordable Housing.** Professional research and analysis demonstrate two critical factors associated with affordable housing: the ability to build an affordable housing product is

affected by the cost of providing parking, and, in general, the level of auto ownership for people utilizing affordable housing is lower than for residents who live in market-rate housing. Therefore, the text proposes a parking adjustment option based on affordability criteria, such as Area Median Income (AMI).

- A **notable change** from the March authorization is this option would now require Board approval.
- **Publicly Accessible Parking.** The current Ordinance allows parking adjustments based on the availability of nearby public and/or commercial parking lots. This language is simplified to allow adjustments for any publicly maintained parking, including on-street metered parking.
 - A **notable change** from the March authorization is this option would now require Board approval.
- **Public Benefit.** New language is proposed to provide the Board adjustment opportunities for sites that have historic designations or identified environmental benefits that may conflict with meeting the minimum parking requirements.
 - A **notable change** from the March authorization is this option would now require Board approval.
- **Other Parking Adjustments.** The proposed text retains the ability for the Board to adjust the total number of required parking spaces due to the unique characteristics of the site or use(s) on the site. As with other adjustments, these requests are subject to staff analysis and a determination that the proposed parking will be adequate for the site.

6101. Off-Street Loading. The proposed text would simplify and modernize the minimum loading requirements, which have not been significantly updated since 1978.

- Loading requirements are grouped by use categories, and the number of loading spaces required are generally reduced from the current Ordinance to reflect current practice and an analysis of frequently waived requirements. Currently, loading spaces are required for 29 different, specific land uses based on minimum gross floor area. The proposal requires loading spaces for most land uses but exempts the first 10,000 square feet of gross floor area.
- When a loading space is not required, an adequate receiving facility will generally be required. This could include a reserved parking space, pull off area, or other innovative concept, and is intended to accommodate smaller delivery vans and box trucks, utilized by companies such as Amazon, UPS and FedEx without blocking traffic or on-site parking spaces.
 - **Notable changes** since the March authorization are addition of language to clarify how to calculate loading spaces, and further limits to the adjustments that can be approved by the Director. A comparison of the current to the proposed requirements is provided in Attachment 5.

6102 Bicycle Parking Requirements. A new section has been added that establishes minimum standards for the types and location of bicycle parking spaces. This is a new initiative for the Zoning Ordinance. Currently, bicycle parking is usually negotiated as part of a zoning entitlement process but is not required for by-right developments.

- The proposed concept establishes the required number of bicycle parking spaces based on either a percentage of the baseline required auto parking spaces or simply by providing a minimum number of bicycle spaces.
- Importantly, minimum bicycle parking requirements increases as auto parking minimum requirements decrease within the tiered framework, reflecting enhanced feasibility of bicycle transportation in higher-density and -intensity areas.
 - **Notable changes** since the March authorization include increased bicycle parking requirements for multifamily dwellings, a proposed increase in the minimum percentage requirement for bicycle parking, a limiting an approval of an adjustment to the Board only and limiting facility location adjustments to approval by the Director after consultation with the Fairfax County Department of Transportation.

Related Changes. In addition to revisions to Article 6, the following additional related changes are proposed.

- New and modified language for parking-related definitions to improve clarity and consistency.
- A new provision which allows a minor variation for adding parking spaces to a development subject to a proffered plan. Currently, the addition of parking in those cases would typically require a proffered condition amendment and public hearing with the Planning Commission and Board of Supervisors. The minor variation process still requires Board review and approval of the proposal, but it will be considered as an administrative item has a shorter timeframe for action and a significantly lower application fee.

The following documents are provided for your review and consideration. We appreciate the opportunity to update and discuss the Parking Reimagined project with the Planning Commission at the work session.

Attachment 1 – Draft Text with Mark-Ups from March Authorization

Attachment 2 – Notable Changes from March Authorization

Attachment 3 – Parking Comparison with Notes

Attachment 4 – Jurisdictional Comparison of Select Rates

Attachment 5 – Loading Comparison with Notes

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