



Zoning Ordinance Modernization

Z M O D

Lunch and Learn – Accessory Structures and
Other Residential Changes

September 8, 2021

Accessory Structures and Uses



Freestanding Accessory Structures

- Consolidates “sheds” and all other freestanding accessory structures
- Deletes 200 SF maximum shed size

Up to 8.5 Feet

Anywhere in the side or rear yard



Greater than 8.5 feet to 12 Feet

5-foot setback from side and rear



Greater than 12 Feet

Must meet side setback and distance in height from rear



Enclosed Freestanding Accessory Structures

New regulations apply to enclosed freestanding accessory structures on lots 36,000 SF in size or less with single-family dwellings:

- Maximum height is 20 feet
- Cumulative maximum size of all enclosed accessory structures on a lot is limited to 50% of the size of the principal structure

**These limitations may be exceeded with special permit approval*



Decks and Patios

Decks and patios that encroach into setbacks are now permitted to:

- Encroach into any side or rear yard if at grade (8 inches or less)
- Have lattice (private screens) below the deck for a deck of any height
- Have lattice up to 8.5 feet in height above the deck extending from two sides of the dwelling
- Include deck elements (such as pergolas, trellises, and overhanging planters) up to 8.5 feet in height and 3 feet wide



Other Accessory Structure and Extension Standards



Carports



Flags and Flagpoles



Shipping Containers

Other Accessory Structure and Extension Standards – cont'd

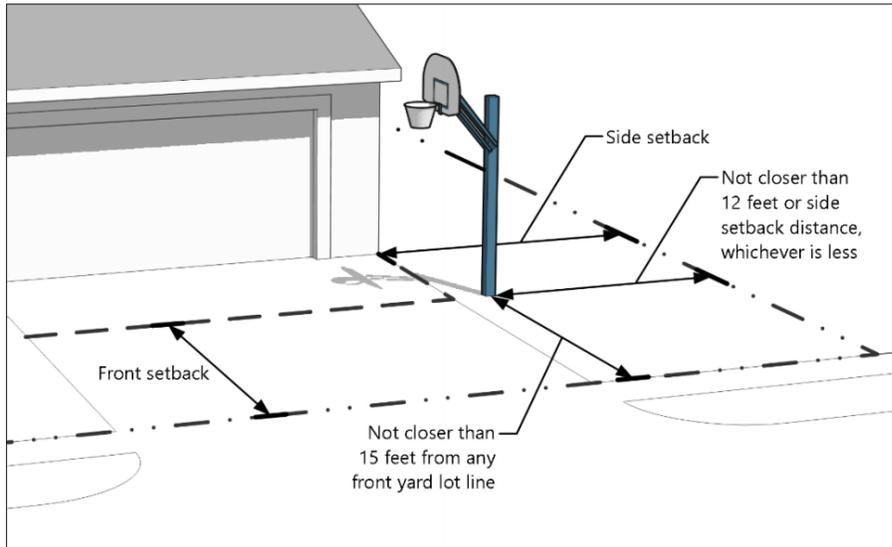
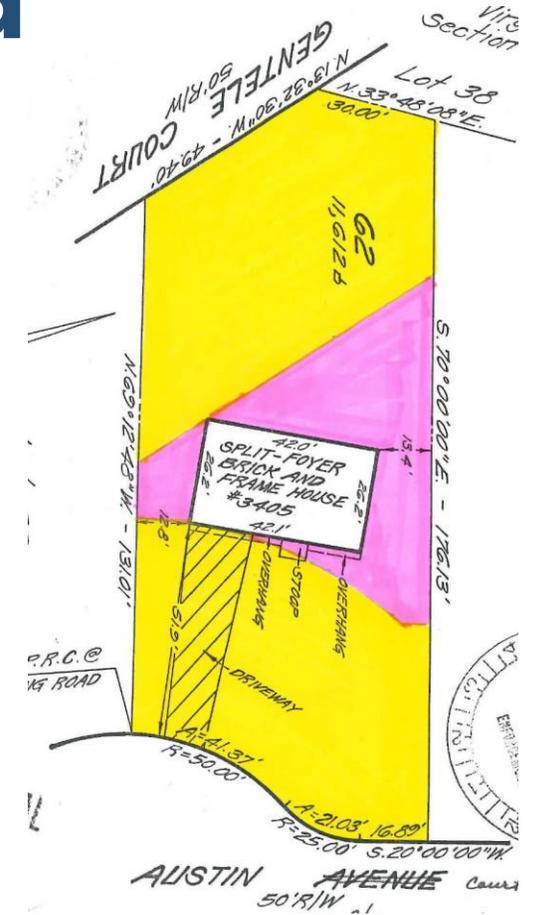


Figure 4102.3: Basketball Standard Setbacks

Basketball Standards



Solid Waste/Recycling Containers



Structures on Through Lots

Inoperative Vehicles

- **Carried forward:** Inoperative vehicles must be kept in an enclosed structure or completely screened from view
 - Per Ch. 110, screened from view means not visible at ground level from outside the property
- **New:** Any vehicles covered by a tarp are considered outdoor storage
 - For residential, this is limited to 100 SF, not in the front yard
- **New:** In residential areas, a maximum of two vehicles may be kept under a fitted vehicle cover specifically designed for this use



New “Green” Uses

Electric Vehicle Charging

- Accessory to a principal use
- When accessory to any residential development, limited to Level 1 or Level 2 chargers



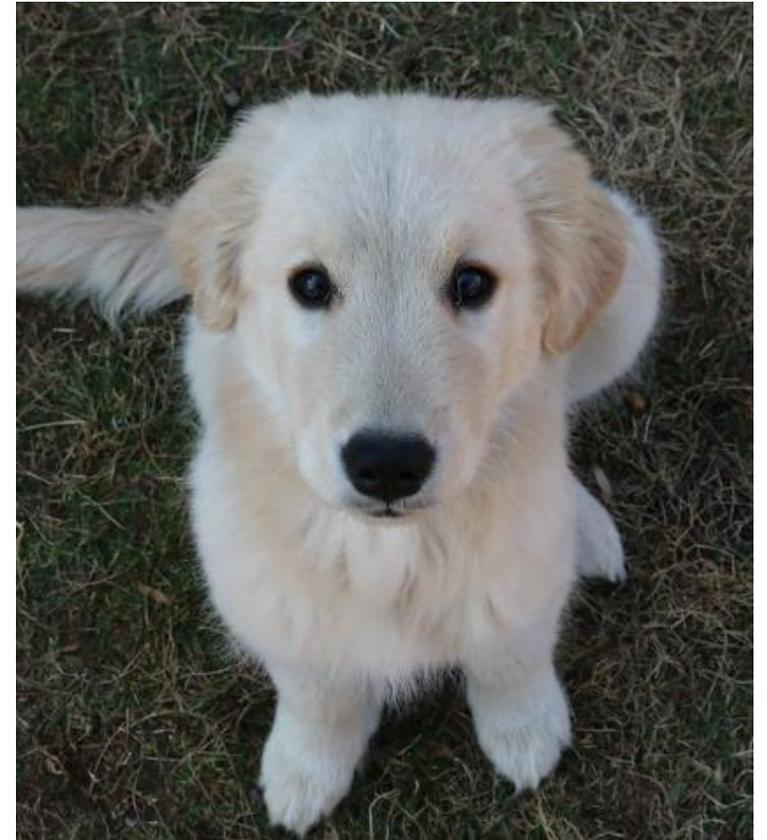
Solar Collection System

- Accessory solar primarily meeting on-site demands
- Roof-mounted can exceed maximum building height by five feet
- Ground-mounted are subject to freestanding accessory structure setbacks



Keeping of Animals

- Allows up to four companion animals to be sheltered/fed/watered for a fee (i.e. Rover, DogVacay, and Fetch)
- “Commonly accepted pets” definition deleted – Department of Animal Sheltering will determine whether animals are permitted or fall under wild/exotic per Ch. 41.1
- BZA cannot allow a rooster with SP
- Up to three dogs now allowed on 10,000 SF lots (previously required 12,500 SF)



Nonresidential Uses in Residential Districts



Alternative Use of Historic Buildings

- Incentivizes historic preservation by allowing appropriate adaptive reuse
- Replaces the “older structures” SP with a new SE for nonresidential uses at historic sites on the Fairfax County Inventory



Bloomfield (Holly Knoll) c. 1858

Club, Service Organization, or Community Center

- Consolidates certain previous special permit uses and special exception uses
 - Jewish Community Center (previous Category 3 special exception)
 - Mott Community Center (previous Group 4 special permit)
 - New standard for consideration of and conditions on non-member events in residential districts
- * Community swim, tennis, and recreation clubs will continue to be an SP



Food Trucks

Limited Additional Flexibility for Residential Areas



- Expanded to nonresidential uses in residential districts, such as pools and religious assemblies
- Must comply with other limits, e.g., max of 3 trucks for 4 hours
- Up to 12 times/year per location, or more with SE or SP approval

Other Changes to Residential Uses and Properties



Stacked Townhouse Dwelling



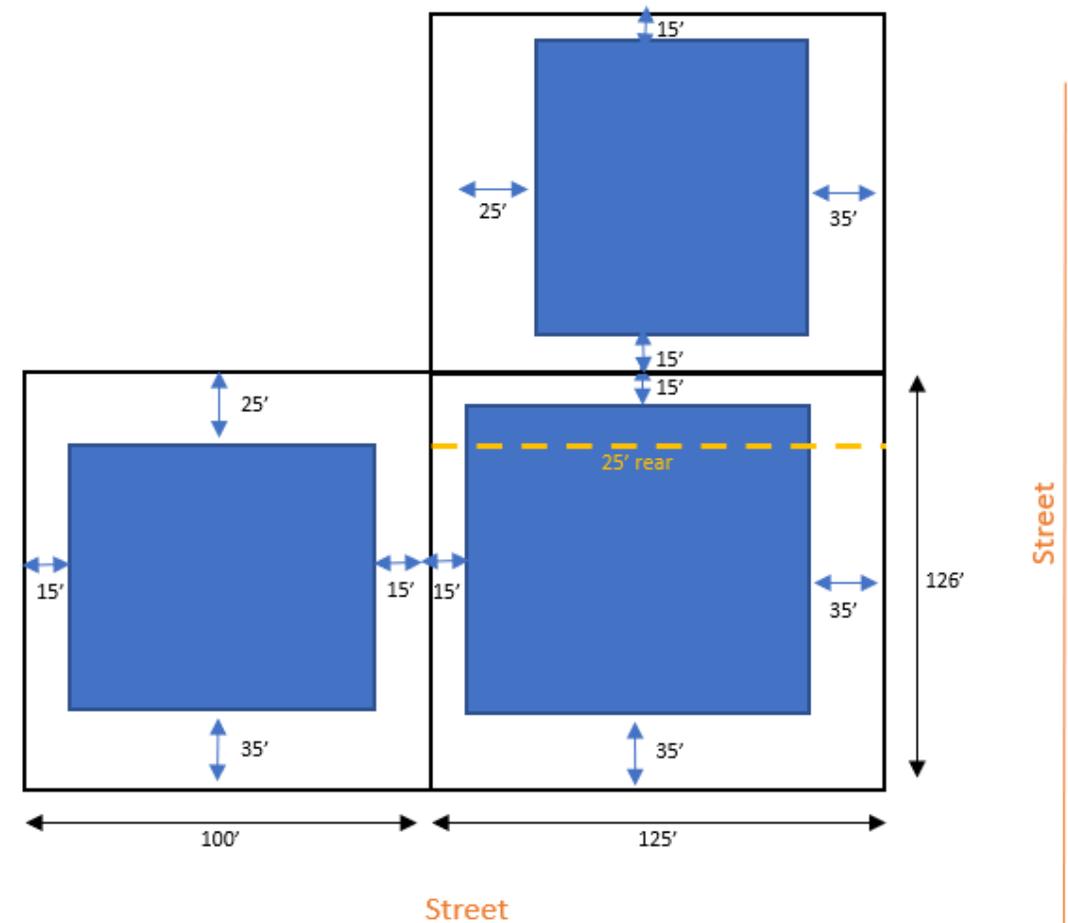
New dwelling unit type with own use name, definition, and standards

- Dwellings arranged in **vertical stacks of two units**
- Permissions aligned with MF; setbacks aligned with SFA (but taller heights permitted)
- Parking: 2.3 spaces/unit
- ADUs: Aligned with SFD and SFA

Rear Setbacks - Corner Lots

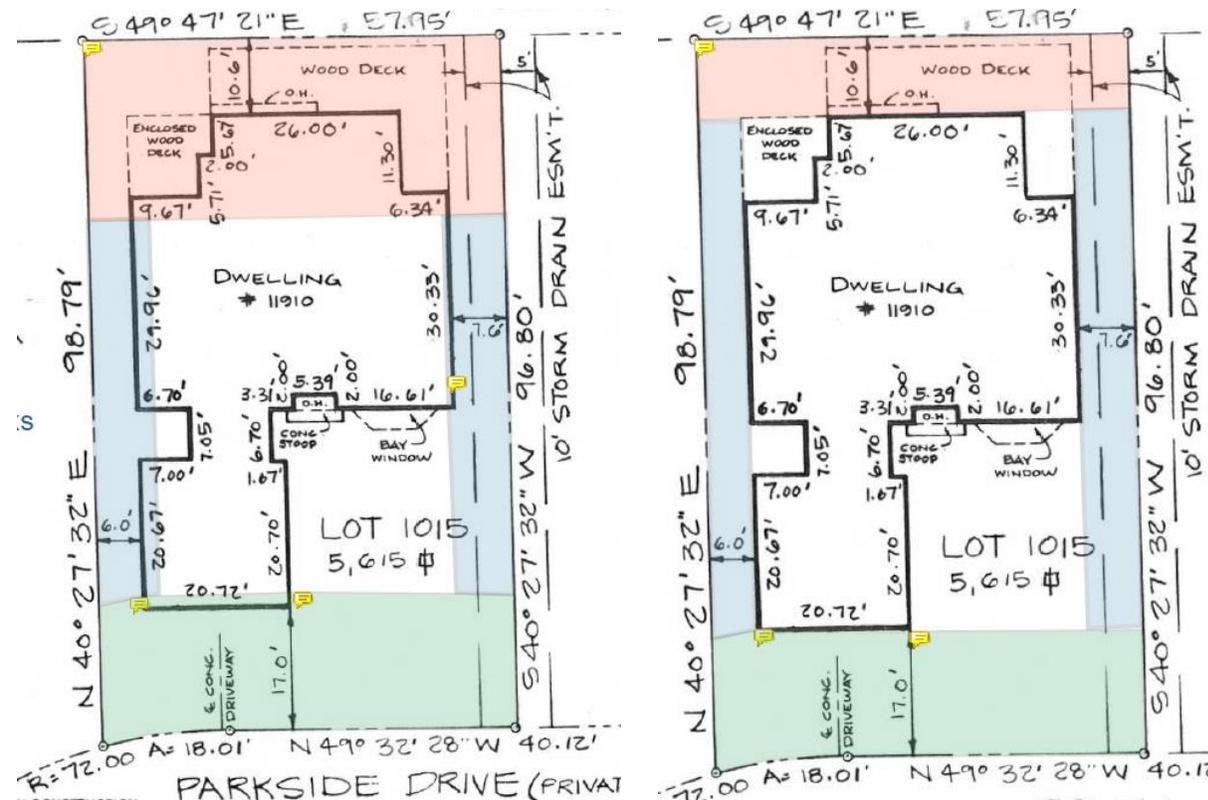
- No longer allowed to be the same dimension as the side
- Requires 25-foot setback for SFD in R-E through R-8 Districts
- Additional required lot width offsets setbacks

**New setback only applies to new construction; additions to existing homes can continue to use previous side setback dimension*



Setbacks – P Districts without Proffered Yards

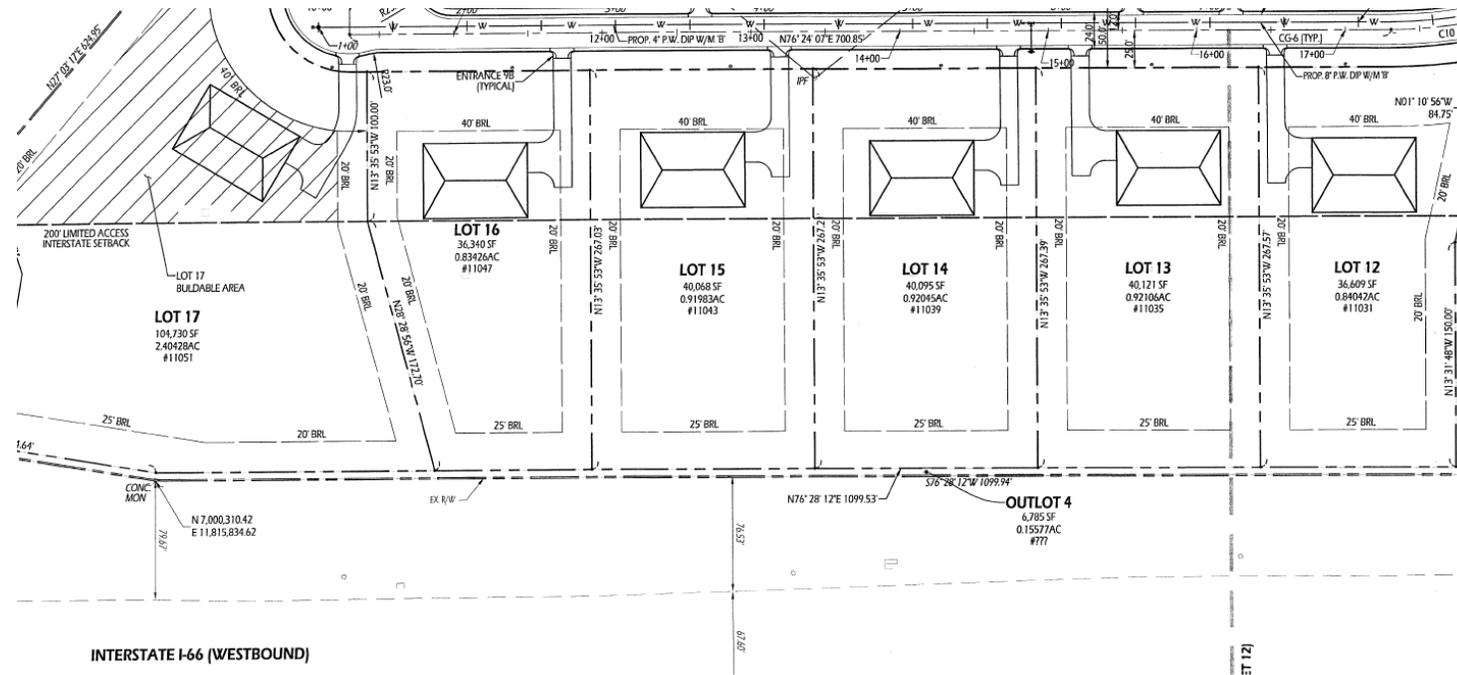
Instead of the setback for a single-family dwelling being the cluster provisions of the most similar conventional district, additions can be located the existing distance to the lot line, whichever is less



Setbacks from Interstates and Railroad Tracks

Removed the term “abutting,” meaning the 200-foot setback is now applied to all lots within the setback, not just those touching the ROW

Modifications may be approved by the Board, and the Zoning Administrator can modify the setback when meeting it would prevent development of the lot



Questions & Discussion

