

*(Also See General Provisions Amendment 15-17-1,
Property Under County Control Amendment 16-17-2,
Taxation and Finance Amendment 17-17-4,
Minimum Private School and Child Care Facility Standards Amendment 18-17-30,
Building Provisions Amendment 19-17-61,
Excavation and Utility Line Installation Amendment 20-17-63,
Individual Sewage Disposal Facilities Amendment 21-17-68.1,
Expedited Building Plan Review Amendment 22-17-71,
Subdivision Provisions Amendment 23-17-101,
Streets and Sidewalks Amendment 24-17-102,
Air Pollution Control Amendment 25-17-103,
Erosion and Sedimentation Control Amendment 26-17-104,
Problem Soils Amendment 27-17-107,
Expedited Land Development Review Amendment 28-17-117,
Chesapeake Bay Preservation Ordinance Amendment 29-17-118,
Grass or Lawn Area Amendment 30-17-119,
Tree Conservation Ordinance Amendment 31-17-122,
Stormwater Management Ordinance Amendment 32-17-124,
Flood Plains Amendment 33-17-A, and
Land Development Services Fee Schedule Amendment 34-17-Q,
adopted simultaneously on July 11, 2017.)*

ADOPTION OF AN AMENDMENT TO CHAPTER 112

(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, July 11, 2017, 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 (Zoning) of the 1976 Code of the County of Fairfax, Virginia, said amendment so adopted being in the words and figures following, to-wit:

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

Amend Chapter 112 (Zoning Ordinance), as follows:

Amend Article 20, Ordinance Structure, Interpretations and Definitions, Part 2, Interpretations, Sect. 20-200, Interpretations, by revising Par. 9 to read as follows:

For the purpose of this Ordinance, certain words and terms are to be interpreted as follows:

9. The terms 'Board of Supervisors', 'Planning Commission', 'Board of Zoning Appeals', 'County Executive', 'Director of Land Development Services', 'Zoning Administrator', 'Health Officer' and other similar offices shall mean the respective Boards, Commissions, and Officers of Fairfax County and/or their duly authorized agents. The use of the term 'Board' shall always mean the Board of Supervisors; the use of the abbreviation 'BZA' shall always mean the Board of Zoning Appeals; the use of the term 'Director' shall always mean the Director of Land Development Services or duly authorized agent; and the use of the abbreviation 'WMATA' shall always mean the Washington Metropolitan Area Transit Authority.

Amend Article 2, General Regulations, Part 8, Affordable Dwelling Unit Program, as follows:

- **Amend Sect. 2-803, Developments Exempt From the Affordable Dwelling Unit Program, by revising Par. 5 to read as follows:**

Notwithstanding the provisions of Sect. 802 above, the requirements of this Part shall not apply to the following:

5. Site plans filed and preliminary subdivision plats approved on or before July 31, 1990; provided such site plan is approved within twenty-four (24) months of the return of the initial submission to the applicant or agent, a building permit(s) for the structure(s) shown on the approved site plan is issued in accordance with Par. 1 of Sect. 17-110 of this Ordinance and provided further that the structure(s) is in fact constructed in accordance with such building permit(s); and provided such preliminary plat is approved and a final plat is approved and recorded in accordance with the provisions of Chapter 101 of The Code, Subdivision Ordinance.

Site plans filed or preliminary subdivision plats approved on or before July 31, 1990 for developments not exempt under Paragraphs 2, 3 or 4 above may, at the owner's option, be revised or resubmitted, as the case may be, in order to comply with the requirements of this Part. Such revision or resubmission shall be processed expeditiously by Land Development Services in accordance with the provisions of Par. 4 of Sect. 802 above:

- **Amend Sect. 2-814, Affordable Dwelling Unit Advisory Board, by revising Par. 1C(4) to read as follows:**

1. The Affordable Dwelling Unit (ADU) Advisory Board shall consist of nine (9) members appointed by the Board of Supervisors. Members shall be qualified as follows:

C. Four members shall consist of:

- (4) A representative from either the Fairfax County Land Development Services or the Department of Planning and Zoning.

Amend Article 7, Overlay and Commercial Revitalization District Regulations, Part 8, Water Supply Protection Overlay District, Sect. 7-808, Use Limitations, by revising Par. 3 to read as follows:

In addition to the use limitations presented in the underlying zoning district(s), the following use limitations shall apply:

3. Such information shall be referred to Land Development Services for review in accordance with the provisions of Chapter 67.1 of The Code and other applicable laws and ordinances. When deemed appropriate, the Director of Land Development Services may furnish a copy of the application and information to the Virginia Department of Environmental Quality and other appropriate agencies.

Amend Article 11, Off-street Parking and Loading, Private Streets, Part 2, Off-street Loading, Sect. 11-202, General Provisions, by revising Par. 10 to read as follows:

10. All off-street loading areas shall comply with such geometric design standards as may be defined by Land Development Services; but in no event shall the required dimensions be less than fifteen (15) feet wide, twenty-five (25) feet long and fifteen (15) feet high, except that where one (1) such loading space has been provided, any additional loading space lying alongside, contiguous to, and not separated from such first loading space need not be wider than twelve (12) feet.

Amend Article 18, Administration, Amendments, Violations and Penalties, Part 1, Administration, Sect. 18-101, Enforcement of Ordinance, by revising Par. 2 to read as follows:

2. In the administration of the provisions of this Ordinance, the Zoning Administrator shall be assisted by the following officers, departments, committees, agencies and boards:
 - A. Land Development Services.
 - B. The boards, commissions, and committees as established in Article 19 or others as may be created by the Board.

- C. Such additional officers, departments, agencies, committees, and boards of the County, State and Federal governments as shall be specified and referred to under the various Sections of this Ordinance.

Amend Article 19, Boards, Commissions, Committees, as follows:

- **Amend Part 5, Tree Commission, Sect. 19-501, Purpose, to read as follows:**

The purpose of the Tree Commission shall be to provide advice to the Board of Supervisors, based on an annual reevaluation of the experience of the administration and implementation of the provisions set forth in Chapter 104 of The Code and Article 13 of this Ordinance relating to vegetation preservation and planting; to provide leadership in developing an understanding of the objectives and methods of tree conservation; and to assist the Urban Forestry Branch of the Department of Public Works and Environmental Services and Land Development Services in the development and maintenance of technical specifications and guidelines.

- **Amend Part 6, Geotechnical Review Board, as follows:**

- **Amend Sect. 19-601, Purpose, to read as follows:**

The purpose of the Geotechnical Review Board shall be to analyze soils reports and associated plans located within areas of problem soils and to give advice and recommendations to the Director of Land Development Services concerning these areas.

- **Amend Sect. 19-603, Membership, by revising Par. 3 to read as follows:**

- 3. Members of the GRB shall be compensated at the rate determined by the Board of Supervisors for work performed in connection with the review of projects assigned by the Director of Land Development Services.

- **Amend Sect. 19-604, Officers, to read as follows:**

The Director of Land Development Services shall serve as Secretary and shall be a non-voting member.

- **Amend Sect. 19-605, Meetings, to read as follows:**

Meetings shall be held at the request of the Director of Land Development Services.

- **Amend Sect. 19-606, Records, to read as follows:**

The records and soils reports for all meetings and correspondence for the GRB shall be maintained in the Office of the Director of the Department of Land Development Services.

- **Amend Sect. 19-607, Powers and Duties, to read as follows:**

The GRB shall review reports, plans and specifications submitted to the Director of Land Development Services in accordance with the provisions of Article 17 of this Ordinance, the Public Facilities Manual, and Chapters 101 and 107 of The Code. The GRB shall recommend approval, approval with modifications or disapproval of said plans and specifications, which recommendations shall not be binding upon the Director of Land Development Services. Its review shall be limited to geotechnical aspects and foundation design.

This amendment shall become effective on July 12, 2017 at 12:01 a.m.

GIVEN under my hand this 11th day of July, 2017.



CATHERINE A. CHIANESE
Clerk to the Board of Supervisors