



County of Fairfax, Virginia

MEMORANDUM

APPLICABLE ZONING PROVISIONS FOR ELECTRIC VEHICLE CHARGING STATIONS

July 12, 2013

Electric vehicle charging stations may be deemed a permitted accessory use serving another principal use, such as an office park, industrial park, institutional use, shopping center, retail sales establishment, or multiple family development, when the following conditions are met:

1. The charging station is located in a parking structure or parking lot that serves a principal use. The charging station shall not result in the reduction of parking spaces to less than what is required to serve the principal use.
2. The charging station shall be located so as not to interfere with any vehicular or pedestrian circulation or block any fire lanes or access into the site.
3. Signs promoting or advertising the electric charging station shall not be permitted on the charging station or on the lot. However, small directional signs not exceeding 2 sq. ft. in size and located no closer than 5 feet to any lot line shall be permitted.
4. When located in a parking lot or on the top level of a parking structure that is open to the sky, no canopy or any type of roofed structure shall be associated with the electric charging station.
5. Any outdoor lighting associated with an electric charging station shall be full cut-off and consistent in color and design with the other existing light poles and/or outdoor lighting.

The number of charging stations that may be permitted as an accessory use may vary from site to site based on, but not limited to, the size of the lot, size of the principal structure(s), type(s) of principal use(s) served, and visibility from off-site.

An electric vehicle charging station that does not comply with the above criteria is considered a principal use and is deemed an automobile-oriented use under the Zoning Ordinance. Automobile-oriented uses are defined in Article 20 of the Zoning Ordinance as follows:

AUTOMOBILE-ORIENTED USE: Any use of land not otherwise defined which provides a service directly to a motor vehicle, or which provides goods or services to the occupants of a motor vehicle while seated therein.

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Automobile-oriented uses are permitted by right in the C-8 District when located in a shopping center and are subject to use limitations contained in Sect. 4-805 of the Zoning Ordinance. Automobile-oriented uses are also permitted by right in the PDH, PDC and PRC Districts when depicted on an approved development plan. Automobile-oriented uses that do not meet the use limitations contained in Sect. 4-805 require special exception approval by the Board of Supervisors (Board) in the C-8 District. In addition, automobile-oriented uses are permitted with special exception approval by the Board in the C-5, C-6, C-7 and C-9 Districts. Information pertaining to the special exception process is available from the Zoning Evaluation Division at 703-324-1290 or at <http://www.fairfaxcounty.gov/dpz/zoning/development/>.

Any proposal for a specific location of an accessory electric vehicle charging station that is proposed to serve a principal use must be submitted to the Ordinance Administration Branch of the Zoning Administration Division at the address or facsimile number on this letterhead or by email at ordadmin@fairfaxcounty.gov. Proposals must include a letter of consent from the property owner, architectural/building plans for the electric vehicle charging station, a site plan showing the proposed location of the electric vehicle charging station and the number of parking spaces, if any, the electric vehicle charging station will utilize.

All electric vehicle charging stations, whether permitted as an accessory or a principal use, may be subject to electrical and/or building permit approval and may require site plan approval if there is more than 250 square feet of land disturbing activity. The issuance of a Non-Residential Use Permit (Non-RUP) shall be required prior to the establishment of any electric vehicle charging station. Information pertaining to electrical and building permits is available from the Department of Public Works and Environmental Services (DPWES) at 703-222-0801 (option 1). Site plan information is available from DPWES at 703-324-1575, and Non-RUP information is available from the Zoning Permit Review Branch at 703-222-1082.