FAIRFAX COUNTY PLANNING COMMISSION
LAND USE PROCESS REVIEW COMMITTEE
WEDNESDAY, MAY 9, 2018

PRESENT: James T. Migliaccio, Lee District, Chairman
Ellen J. Hurley, Braddock District
John C. Ulfelder, Dranesville District
John A. Carter, Hunter Mill District
Peter F. Murphy, Springfield District
James R. Hart, Commissioner At-Large
Timothy J. Sargeant, Commissioner At-Large

ABSENT: None

OTHERS: Phillip A. Niedzielski-Eichner, Providence District
Mary D. Cortina, Commissioner At-Large
Kimberly Bassarab, Assistant Director, Planning Commission
Inna Kangarloo, Senior Deputy Clerk, Planning Commission
Barbara Byron, Director, Office of Community Revitalization
Kevin Guinaw, Zoning Evaluation Division (ZED),
Department of Planning and Zoning (DPZ)
Andrew Hushour, Zoning Administration Division, DPZ
Casey Judge, ZED, DPZ
Donald Elliott, Clarion Associates, LLC
Tim Richards, Clarion Associates, LLC
Lisa Steiner, Clarion Associates, LLC
Tereq Wafaie, Clarion Associates, LLC

ATTACHMENTS:
A. Zoning Ordinance Structure Options Presentation
B. Zoning Ordinance Structure Options Report

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Chairman James T. Migliaccio called the meeting to order at 7:32 p.m. in the Board Auditorium, 12000 Government Center Parkway, Fairfax, Virginia, 22035.

//

Barbara Byron, Director, Office of Community Revitalization, indicated that the purpose of the meeting was to brief the Commission on the proposed restructuring of the Zoning Ordinance. She added that staff was in the process of conducting outreach meetings to engage the community, legal, and industry representatives and receive their input in the process. Ms. Byron said that the next meeting with the Commission was planned to be held in the Fall of 2018 to provide additional information as the project moves further. She said that the consulting firm Clarion Associates, LLC was awarded the contract and was closely working with the Department of Planning and Zoning staff as well as the Office of the County Attorney to complete the project.

Donald Elliott, Clarion Associates, LLC, made a presentation on Zoning Ordinance Options and Trends wherein he covered the following topics:

- Weakness of current Zoning Ordinance structure;
- Examples from other jurisdictions;
- Recommended Zoning Ordinance structure; and
- Zoning Ordinance trends.

A discussion ensued between Barbara Byron, Office of Community Revitalization; Donald Elliott, Clarion Associates LLC; and the Commission members regarding the following:

- Accessibility of the reformatted Zoning Ordinance on a variety of platforms and devices;
- Inclusion of subdivision regulations;
- Clarity and length of language;
- Community outreach channels;
- Examples of projects in other jurisdictions; and
- Community education tools.

//

Chairman Migliaccio announced that the next Committee meeting would be held on May 16, 2018 with the topics of the Site-Specific Plan Amendment Process and the proposed 2018 Zoning Ordinance Amendment Work Program.

//

The meeting was adjourned at 9:17 p.m.
James T. Migliaccio, Chairman

An audio recording of this meeting is available in the Planning Commission Office, 12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Minutes by: Inna Kangarloo

Approved: May 16, 2018

John W. Cooper, Clerk to the
Fairfax County Planning Commission

Zoning Ordinance Structure Options and Trends

May 2018

ZMOD

CLARION

ATTACHMENT A

Today's discussion

- **Weakness of current Zoning Ordinance structure**
- **Examples from other jurisdictions**
- **Recommended Zoning Ordinance structure**
- **Zoning Ordinance trends**
- **Questions & discussion**

Clarion

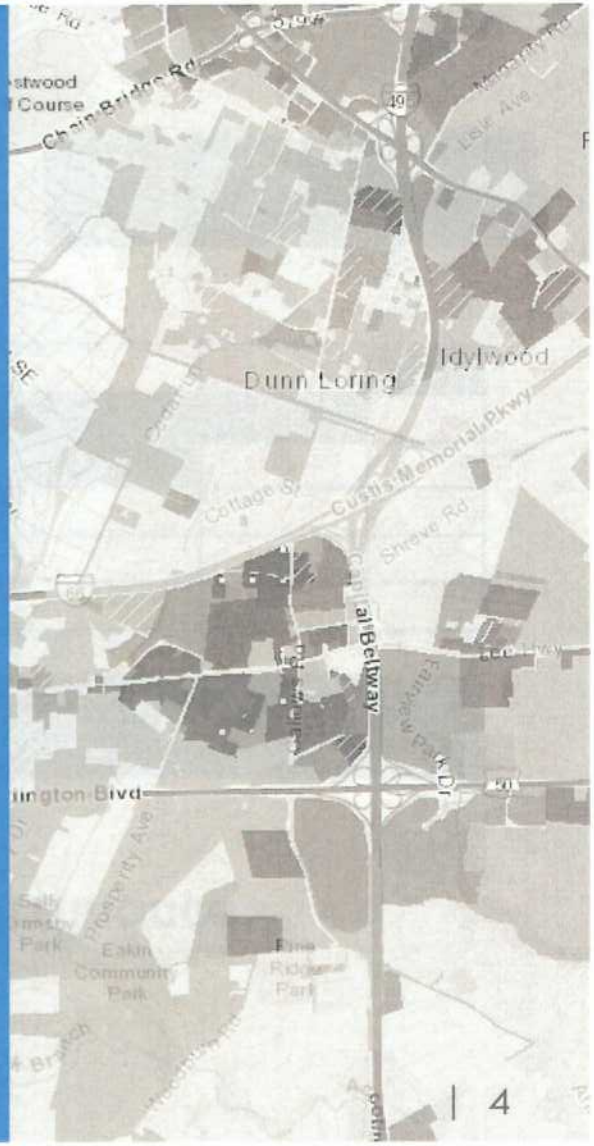
Phase 1 (now)

- Improve format and structure of the Zoning Ordinance
- Categorize and modernize land use

Phase 1 Tasks	2018				2019		
1. Project Initiation							
2. Initial Round of Public Outreach/Feedback							
3. Determine the Revised Zoning Ordinance Structure							
4. Update Land Uses							
5. Modernize the Zoning Ordinance Structure and Format							
6. Outreach/Engagement							
7. Adoption							

Phase 2 (later) -- additional updates to the Zoning Ordinance

Fairfax County's Current Zoning Ordinance Structure



Current Zoning Ordinance

Articles

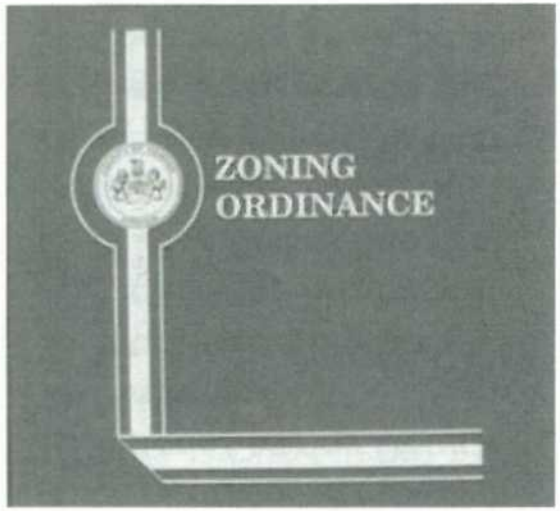
1. The Constitution of the Ordinance
2. General Regulations
3. Residential District Regulations
4. Commercial District Regulations
5. Industrial District Regulations
6. Planned Development District Regulations
7. Overlay District Regulations
8. Special Permits
9. Special Exceptions
10. Accessory Uses, Accessory Services Uses and Home Occupations
11. Off-Street Parking and Loading, Private Streets
12. Signs
13. Landscaping and Screening
14. Performance Standards
15. Nonconformities
16. Development Plans
17. Site Plans
18. Administration, Amendments, Violations and Penalties
19. Boards, Commissions, Committees
20. Ordinance Structure, Interpretations and Definitions

Appendices

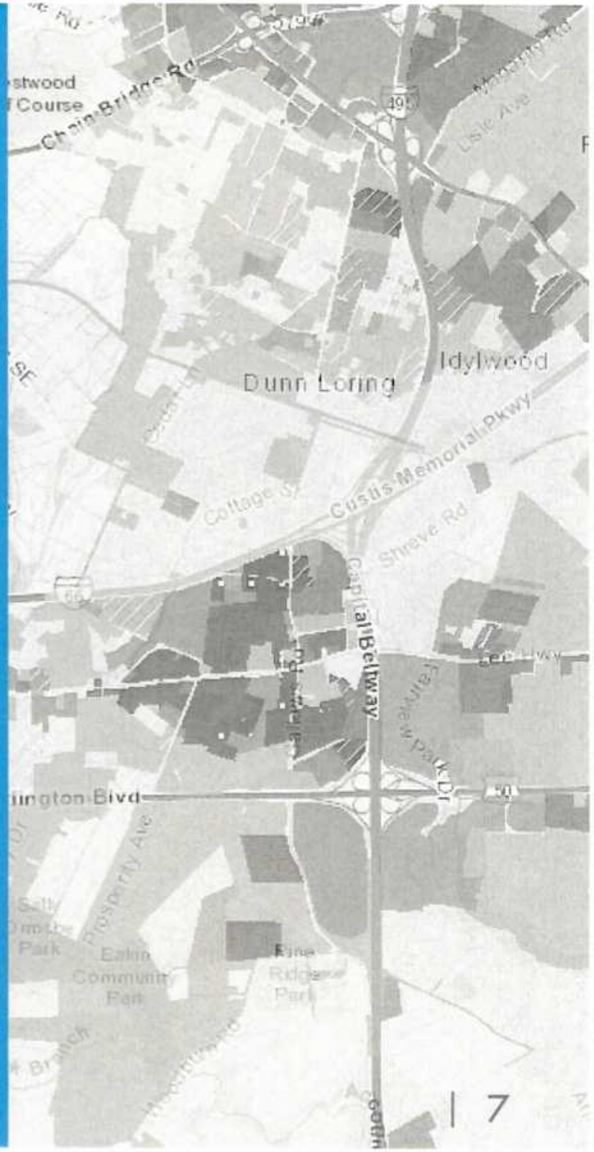
1. Historic Overlay Districts
2. Illustrations
3. Enabling Legislation
4. [Deleted by Amendment]
5. Fairfax County Board of Supervisors' Policy on Accessory Dwelling Units
6. [Deleted by Amendment]
7. Commercial Revitalization Districts
8. Listing of Roadways by Function Classification

Weaknesses of the current structure

- Scattered and duplicative information
- Unnecessary length
- Not many graphics or tables
- Repetitive lists of land uses
- Challenging navigation due to separate PDF articles
- Poor formatting of headers, footers, and subheadings

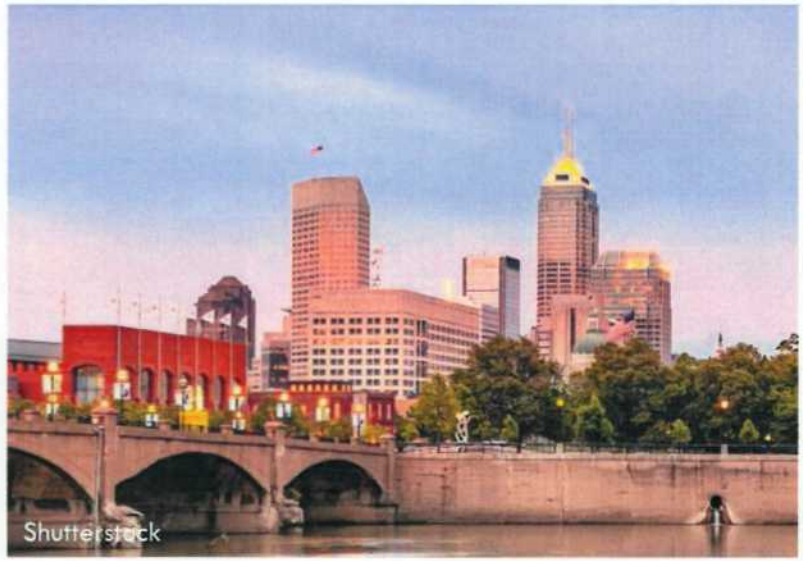


Examples from Other Jurisdictions



Indianapolis, Indiana

- General Provisions
- Subdivision Regulations
- Zone Districts
- Permitted Uses & Use-Specific Standards
- Development Standards



Indianapolis, Indiana

Strengths

- Only 5 articles – easy navigation
- All district-related and all use-related information consolidated into single chapters
- All building/lot dimensional standards in one place
- Fairly graphic rich
- Easy to update as Microsoft Word document

Weaknesses

- Structure could be viewed as over-simplified
- Lengthy (600 pages)

Norfolk, Virginia

- General Provisions
- Administration
- Zoning Districts
- Performance Standards
- Development Standards
- Nonconformities
- Enforcement
- Definitions and Rules of Measurement
- Legacy Development Approvals

Norfolk, Virginia

Strengths

- Related information consolidated
- All development standards compiled into one article
- Good use of tables to summarize complex information
- MadCap Flare software program allows user-friendly format while allowing staff to update the document
  https://www.norfolk.gov/index.aspx?NID=3910

Weaknesses

- Not as graphic-rich as other ordinances
- Over 800 pages – due to page formatting with wide margins

Philadelphia, Pennsylvania

- General Provisions
- Definitions
- Administration and Procedures
- Base Zoning Districts
- Overlay Zoning Districts
- Use Regulations
- Development Standards
- Parking and Loading
- Signs
- Historic Preservation

Philadelphia, Pennsylvania

Strengths

- 400 pages
- Nonconformities and enforcement grouped with other procedures
- Parking and sign controls in separate chapter because they are often relevant to projects that change land uses without significant redevelopment
- Helpful summary tables: procedures, dimensional requirements, uses
- Very graphic-rich
- Good use of flowcharts to describe procedural steps

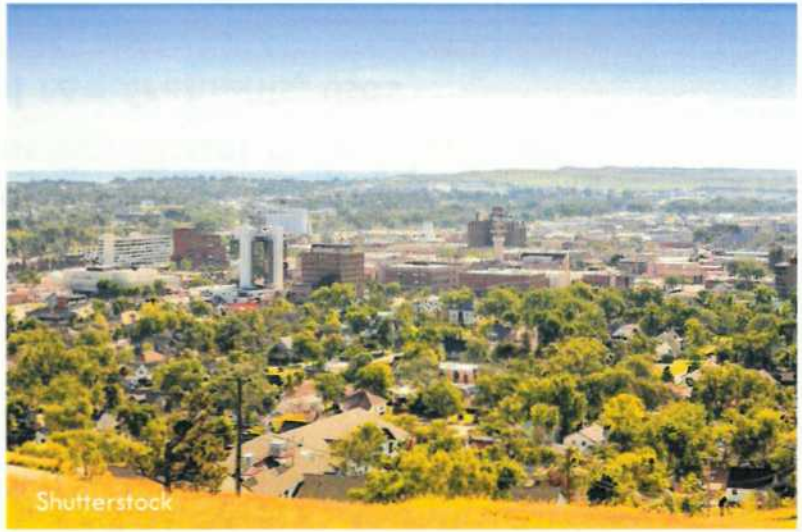
Weaknesses

- Definitions located at the beginning of the document

Prince George's County, Maryland

- General Provisions
- Definitions and Interpretation
- Administration
- Zones and Zone Regulations
- Permitted Use Regulations
- Development Standards
- Nonconformities
- Enforcement
- Activity Center Boundaries

+ Plus separate subdivision regulations



Prince George's County, Maryland

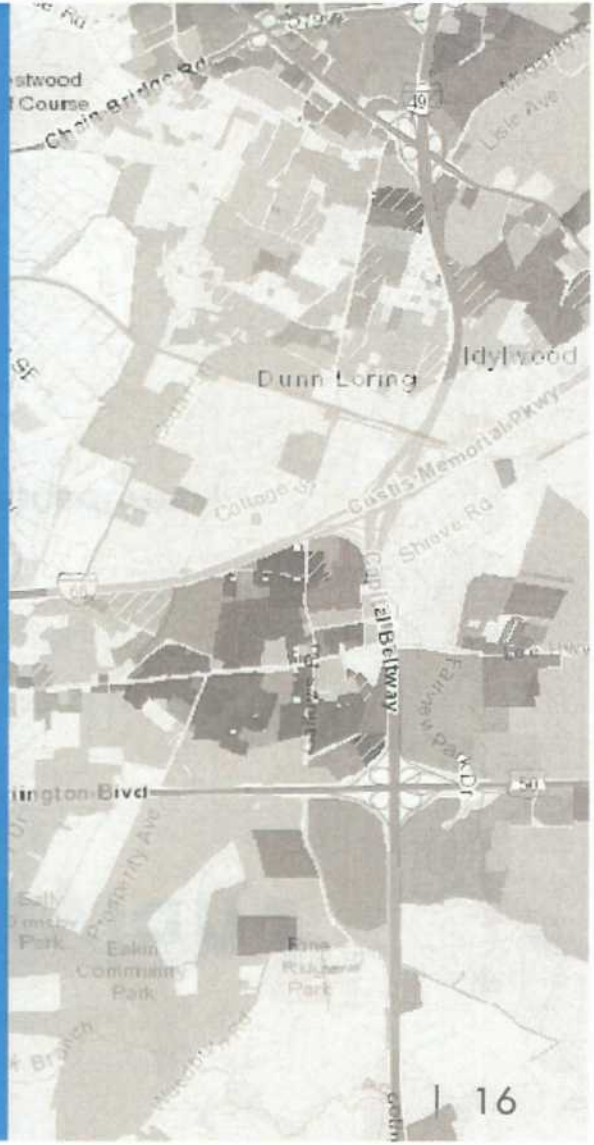
Strengths

- All development standards in one article
- Helpful flowcharts and summary tables

Weaknesses

- Nonconformities and enforcement separated from other procedures
- Not as graphic rich as some other examples
- Zoning and subdivision split into different documents
- Zoning ordinance is over 600 pages

Currently Proposed Structure for Fairfax County



Currently proposed structure for Fairfax County*

1. General Provisions
2. Zoning Districts
3. Overlay Districts
4. Use Regulations
5. Development Standards
6. Parking and Loading Standards
7. Sign Standards
8. Procedures and Enforcement
9. Definitions

Wikimedia Commons

*This structure may change if a more logical structure is identified through the process

Currently proposed structure for Fairfax County*

1. **General Provisions**
   - Authority
   - Applicability
   - Grandfathering
   - Severability
   - Enabling legislation

2. **Zoning Districts**

   For each of the existing zoning districts:
   - Purpose statement
   - Summary of key dimensional standards
   - Standards unique to that district
   - Cross-references to use regulations and other Zoning Ordinance standards

3. **Overlay Districts**
   - Historic
   - Natural Resources
   - Airport Noise
   - Water Supply Protection
   - Commercial Revitalization

4. **Use Regulations**
   - Land use tables summarizing permitted, Special Exception, and Special Permit uses; where and how they are permitted
   - Land use tables for accessory and temporary uses
   - Use-specific standards
   - Highway Corridor Overlay

*This structure may change if a more logical structure is identified through the process

Currently proposed structure for Fairfax County*

5. **Development Standards**
   - Lot and building dimensions
   - Landscaping
   - Lighting
   - Floodplains
   - Affordable Housing
   - Vibration

6. **Parking and Loading Standards**
   - Parking and loading amount standards
   - Parking and loading design requirements

7. **Sign Standards**
   - Sign regulations
   - Sign Control Overlay District standards

8. **Procedures and Enforcement**
   - Review and decision-making bodies
   - Summary table of Zoning Ordinance procedures for review and approval of proposed development
   - Procedures
   - Summary table of submission requirements
   - Application-specific review and approval procedures
   - Nonconformities
   - Enforcement, violations, and penalties

9. **Definitions**
   - Definitions of terms

*This structure may change if a more logical structure is identified through the process

Land use regulations: land use table

Uses would be organized in single land use table summarizing permitted, Special Exception, and Special Permit uses, and a separate table for accessory and temporary uses, with consolidations and updates, as appropriate

Table 3.2-1
Permitted Use Table

EXAMPLE

P = Permitted
C = Conditional use
A = Accessory to primary use

T = Temporary use
V = Permitted if structure vacant for 10 years or more

ZONE DISTRICT	RESIDENTIAL						MIXED-USE										NON-RESIDENTIAL					USE SPECIFIC STANDARD
										MU-OA			MU-TOD									
Land Use	R-R	R-1	R-2	R-3	R-4	R-MH	MU-N	MU-OI	MU-C	Main Street	General	MU-FB	Core	Edge	MU-R	MU-A	AD	APZ	I-1	I-2	POS	
RESIDENTIAL USES																						3.3.2.A
Household Living																						
Dwelling, multifamily			P	P	P		P	P	P	P	P	P	P	P	P	P						3.3.2.F
Dwelling, single-family attached (townhouse)			P	P	P		P		P	P	P	P	P	P	P	P						3.3.2.G
Dwelling, single-family detached	P	P	P	P	P				P	P	P				P							3.3.2.H
Dwelling, two-family (duplex)		C	P	P	P								P	P	P	C						3.3.2.I
Manufactured housing	P	P	P			P																3.3.2.J
Group Living																						
Congregate living facility								C	C													
Continuing care retirement facility			P	P	P			P	P	P	P	P	P	P	P	P						3.3.2.K
Dormitory, fraternity, or sorority house					P			P							P	P						

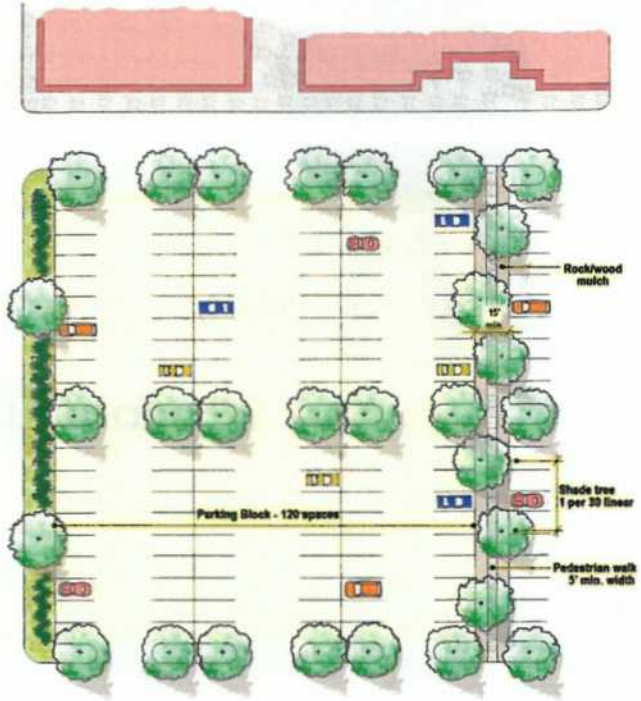
Land use regulations: use-specific standards

- Standards applicable to permitted, Special Permit and Special Exception uses
  - Based on content from several sections of current ordinance
  - With modifications - zMOD process

- Standards for accessory uses
  - Based on content from Article 10 of current ordinance
  - Plus use limitations from various zoning districts
  - With modifications approved - zMOD process

Development standards

- **Lot and Building Dimensional Standards**
- **Landscaping and Screening**
- **Lighting**
- **Floodplains**
- **Affordable Housing**



Dimensional standards table

- **Including lots and buildings dimensions, required open space, and area-specific standards and exceptions**

TABLE 3-6
SUMMARY OF COMMERCIAL/MIXED-USE DIMENSIONAL STANDARDS

EXAMPLE

	GW	CO	LI	CC	MU
PROJECT STANDARDS					
Maximum density	16 du/ac			16 du/ac	14 du/ac
Maximum Floor Area Ratio (FAR)		1.0			
LOT STANDARDS					
Minimum lot area	none	none	10,500 sf	3,500 sf	none
Minimum lot frontage	none	none	50 ft.	none	none
Maximum lot coverage	60%			70% [1]	60%
Minimum open space					10% of GFA
SETBACKS					
Front yard setback (minimum)	20 ft.	15 ft.	15 ft.	10 ft. [1]	20 ft.

Benefits of the currently proposed structure

- Consolidates 27 different articles and appendices into 9 articles covering broader topics to make the ordinance easier to use, navigate, and maintain
- Maintains most overlay districts in a separate article to highlight key areas where additional standards apply
- Locates all use-specific standards into one article to improve user-friendliness
- Keeps parking standards and sign regulations separate from other development standards, because they often apply to changes of use even if significant redevelopment is not occurring

Benefits of the currently proposed structure (cont.)

- Consolidates tables to reduce repetition and the unintentional inconsistencies that arise over time
- Consolidates all other development standards, such as development intensity, landscaping, lighting, floodplains, and affordable housing
- Integrates relevant information from appendices into the ordinance
- Revised structure to make it more intuitive and easier to find frequently used information
- Groups topics to promote more consistent amendments

Changes will be noted

- All changes made to the Zoning Ordinance with be noted in extensive footnotes
- All existing Zoning Ordinance information that is carried forward can be located easily in the new structure
- Materials that are deleted as repetitive will also be noted in footnotes

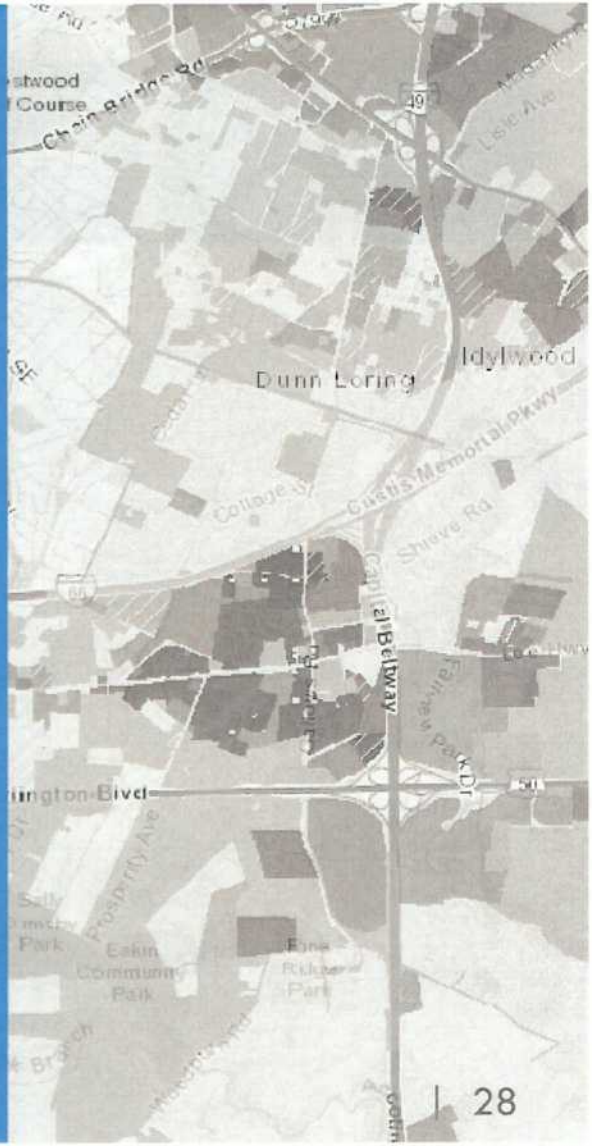
Questions
& Discussion

COUNTY OF FAIRFAX 1742 VIRGINIA

CLARION

zMOD

Zoning Trends Generally



The BIG picture

When communities update their documents, they often strive for:

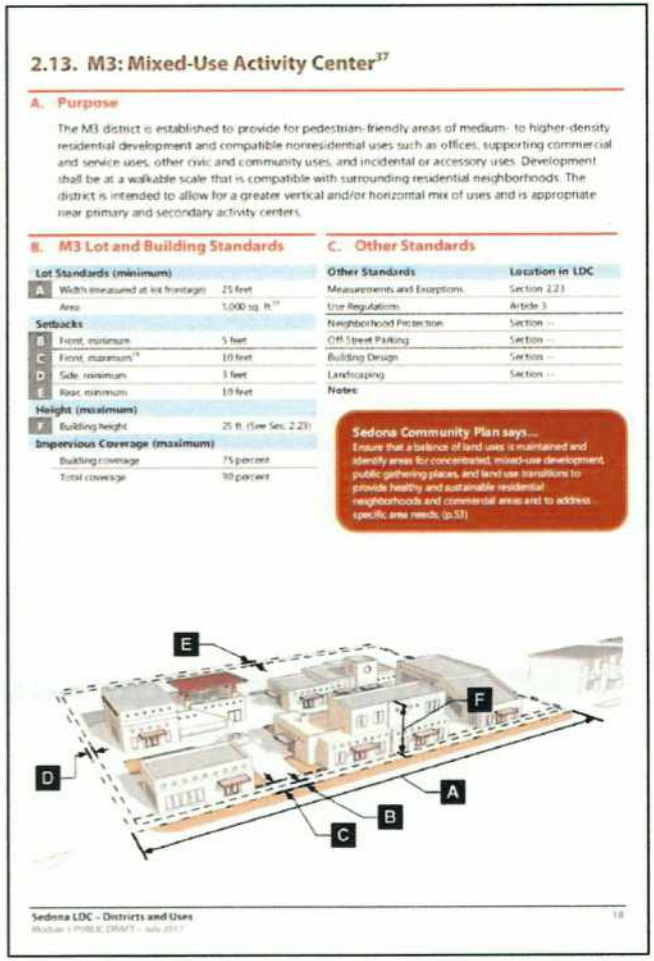
1. Closer alignment with the Comprehensive Plan
2. Simpler structure
3. Broader use categories
4. More and better graphics
5. Online / interactive document

More graphics (examples)

Table 030.1: Table of Allowed Uses

P = permitted by right S = special use permit required Blank = use prohibited

Use Category	Proposed Districts → Use Type	RR	RL	RM1	RM2	RH	RT	M1	M2	M3 (NEW)	CO	RE	I1	I2	IN (NEW)	HP	Use-Specific Standards	Required Parking[160]
Residential Uses																		
Household Living	Dwelling, live-work (new)					P	P	P	P	P	P	P	P	P			070.030.030(c)(2)	1 per dwelling unit
	Dwelling, multifamily[161]				P	P	P	P	P	P	P	P					070.030.030(c)(1)	2 per dwelling unit, plus 1 guest space per each 5 dwelling units[162]
	Dwelling, townhouse[163]				S P	P	P	P	P	P	P	P				S	070.030.030(c)(1)	1.5 per dwelling unit, plus 1 guest space per each 5 dwelling units
	Dwelling, single-family detached	P	P	P	P	P	P	P	P		P	P				S	070.030.030(c)(1)	1 per dwelling unit
	Dwelling, two-family[164]		S	S P	P	P	P	P	P		P					S	070.030.030(c)(1)	1.5 per dwelling unit
	Mobile home park						S	S	S		P						070.030.030(c)(3)	1 per dwelling unit
	Accessory dwelling unit	P	P	P	P	P	P	P	P		P	P				S	070.030.040(d)(1)	1 per unit[165]
Group Living	Convalescent or nursing home							P	P		P	P			P			1 per 3 beds



2.13. M3: Mixed-Use Activity Center[37]

A. Purpose

The M3 district is established to provide for pedestrian-friendly areas of medium- to higher-density residential development and compatible nonresidential uses such as offices, supporting commercial and service uses, other civic and community uses, and incidental or accessory uses. Development shall be at a walkable scale that is compatible with surrounding residential neighborhoods. The district is intended to allow for a greater vertical and/or horizontal mix of uses and is appropriate near primary and secondary activity centers.

B. M3 Lot and Building Standards

Lot Standards (minimum)		
A	Width (measured at lot frontage)	25 feet
	Area	5,000 sq. ft.[37]
Setbacks		
B	Front, minimum	5 feet
C	Front, maximum[37]	10 feet
D	Side, minimum	3 feet
E	Rear, minimum	10 feet
Height (maximum)		
F	Building height	25 ft. (See Sec. 2.23)
Impervious Coverage (maximum)		
	Building coverage	75 percent
	Total coverage	90 percent

C. Other Standards

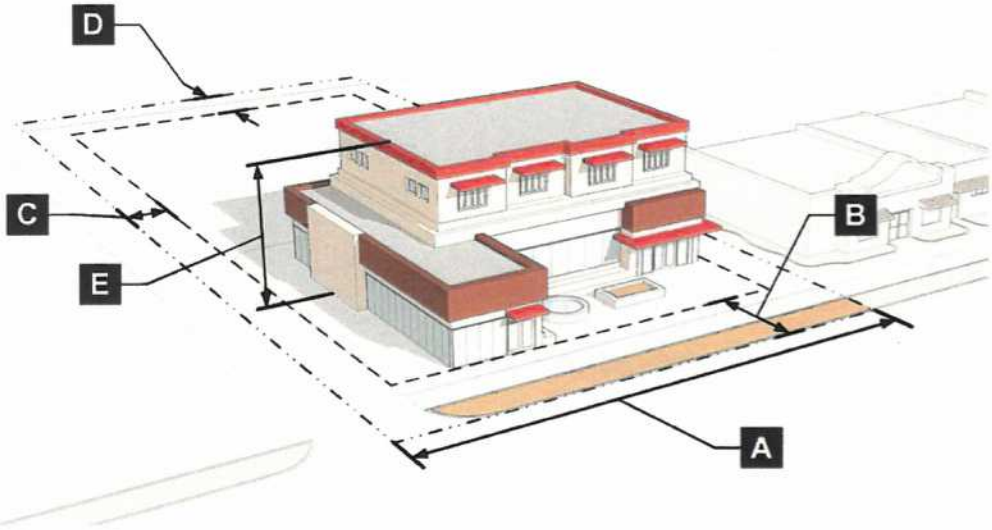
Other Standards	Location in LDC
Measurements and Exceptions	Section 2.23
Use Regulations	Article 3
Neighborhood Protection	Section --
Off-Street Parking	Section --
Building Design	Section --
Landscaping	Section --

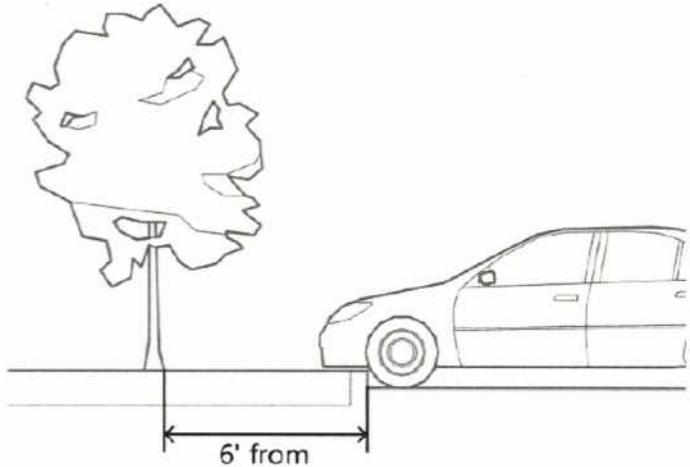
Notes:

Sedona Community Plan says...
Ensure that a balance of land uses is maintained and identify areas for concentrated, mixed-use development, public gathering places, and land use transitions to provide healthy and sustainable residential neighborhoods and commercial areas and to address specific area needs. (p.53)

Sedona LDC – Districts and Uses
Module 1 PUBLIC DRAFT – July 2017
18

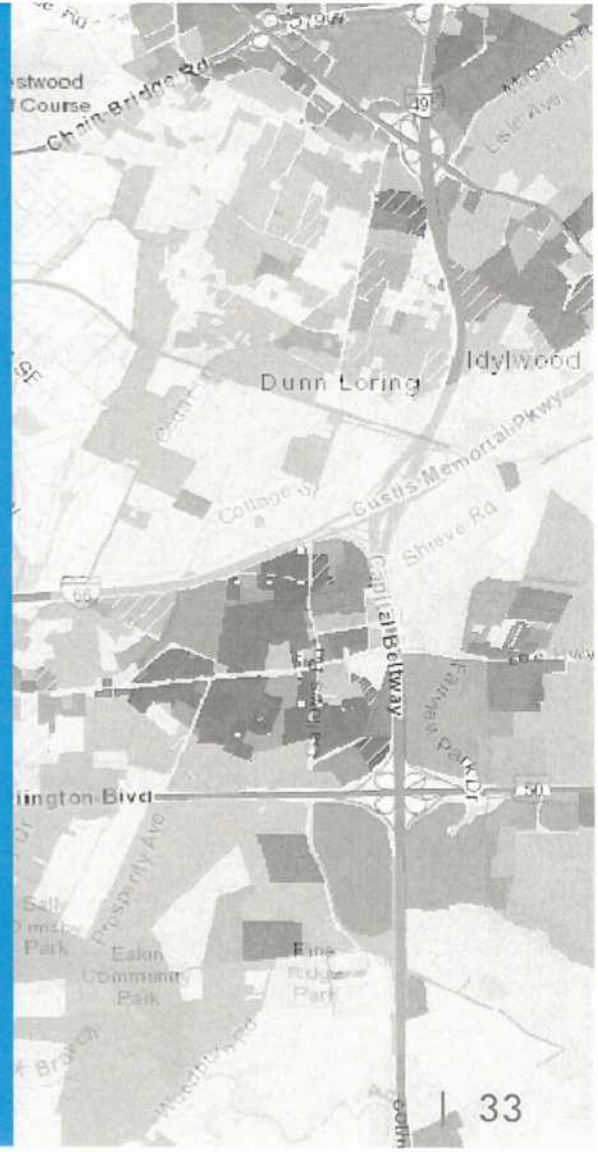
More graphics (examples)





Online access

Zoning Trends for Land Uses



Zoning trends for land uses

1. Defining broader and more flexible land uses
2. Addressing a mixed of uses
3. Addressing new uses
4. Continuing to focus on neighborhood compatibility

All proposed changes in use definitions, and where they are allowed as permitted, Special Exception, or Special Permit uses, will be footnoted and subject to citizen outreach and engagement

Defining broader/more flexible land uses

- The market will think up new uses faster than a community can add them to the Zoning Ordinance
- Broader uses allow for more streamlined decision-making
- Broader uses allow a "yes" to uses with similar impacts, without having to list each use

Defining broader/more flexible land uses

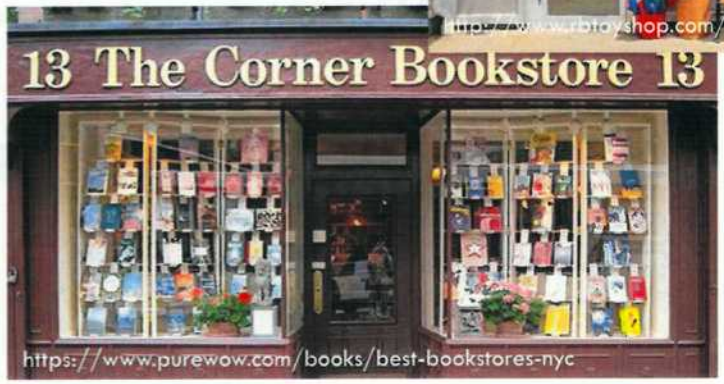
A better structure:

Use category
- example – **commercial**

Use subcategory
- example – **retail uses**

Use type
- example – **retail sales small**

NOTE: Many new ordinances focus on the scale of the use in order to improve the fit with different types of neighborhoods.



Trends in addressing mixes of uses

- Striving to improve walkability and reduce vehicle miles travelled
- Responding to synergy created by mixing uses
- Clarifying the intended predominant character of mixed use areas (e.g., residential vs. commercial)

Addressing new uses

- New uses often have unique impacts (think electric vehicle charging stations)
- Important to be proactive and send accurate signals to the market as to what new uses are now allowed

Current Zoning Ordinance Amendments

Approved amendments:

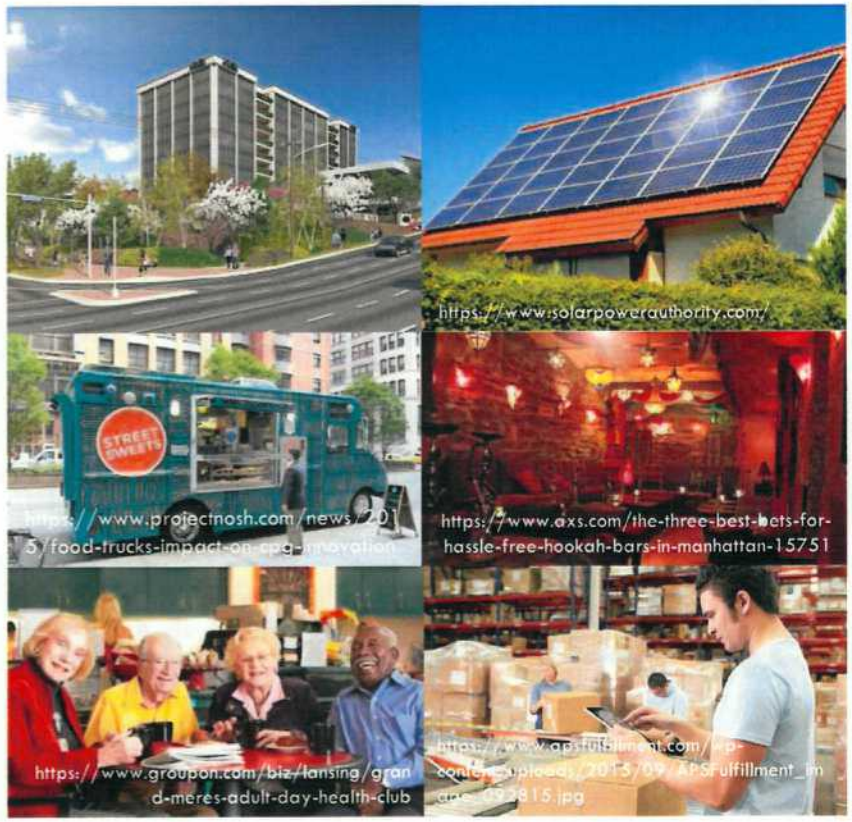
- Restaurants

In-process amendments:

- Short term lodging
- Farmers markets and community gardens / Agritourism
- Small-scale production and manufacturing in commercial districts
- Continuing care for aging residents

Addressing new uses – examples

- Housing
- Accessory uses
- Food & beverage
- Entertainment & events
- Institutional uses
- Others



Questions
& Discussion

COUNTY OF FAIRFAX 1742 VIRGINIA

CLARION

zMOD

ATTACHMENT B

CLARION

Clarion Associates
303.830.2890
621 17th Street, Suite 2250
Denver, CO 80293
www.clarionassociates.com

ZONING ORDINANCE STRUCTURE OPTIONS REPORT

TO: Fairfax County zMOD Team
FROM: Clarion Associates
DATE: April 25, 2018

This paper describes several different structures and approaches used in modern zoning ordinances. The options have significantly varying impacts on the length, complexity, and user-friendliness of the document, both to novices and regular users. Because the structure of a zoning ordinance must be robust – it must stand the test of time as trends in property development, use, and redevelopment evolve in unpredictable ways – it is very important that citizens, stakeholders, and appointed and elected officials have a sound understanding of the pros and cons of each option.

Part 1 of this memo analyzes the strengths, weaknesses, and opportunities of the current Fairfax County Zoning Ordinance structure. Part 2 presents the zoning ordinance structures used by several different communities, as well as a brief evaluation of the strengths and weaknesses of each. Part 3 presents our recommendation for a proposed Fairfax County Zoning Ordinance structure.

PART I: ANALYSIS OF CURRENT FAIRFAX COUNTY ZONING ORDINANCE STRUCTURE

Population: 1.142 million | Land Area: 406 square miles

Introduction

The current Fairfax County Zoning Ordinance was originally adopted in 1978 and has been amended regularly since then. The ordinance is available online and is maintained by the Zoning Administration Division. The articles are available through 27 separate PDF documents, each with bookmark navigation available in Adobe Acrobat or Reader. When the articles are compiled, the Zoning Ordinance is 1,112 pages long. The individual articles are searchable using the Adobe "find" tool. No single document containing the entire ordinance is provided on the County's website.

Structure

The current Fairfax County Zoning Ordinance is organized as follows:

ARTICLES

1. **The Constitution of the Ordinance**
2. **General Regulations**
3. **Residential District Regulations**
4. **Commercial District Regulations**
5. **Industrial District Regulations**
6. **Planned Development District Regulations**
7. **Overlay District Regulations**
8. **Special Permits**
9. **Special Exceptions**
10. **Accessory Uses, Accessory Services Uses and Home Occupations**
11. **Off-Street Parking and Loading, Private Streets**
12. **Signs**
13. **Landscaping and Screening**
14. **Performance Standards**
15. **Nonconformities**
16. **Development Plans**
17. **Site Plans**
18. **Administration, Amendments, Violations and Penalties**
19. **Boards, Commissions, Committees**
20. **Ordinance Structure, Interpretations and Definitions**

APPENDICES

1. **Historic Overlay District**
2. **Illustrations**
3. **Enabling Legislation**
4. **[Deleted by Amendment #89-186, Effective 7/31/1990]**
5. **Fairfax County Board of Supervisors' Policy on Accessory Dwelling Units**
6. **[Deleted by Amendment #89-171, Effective 3/14/1988, 12:01 AM]**
7. **Commercial Revitalization Districts**
8. **Listing of Roadways by Function Classification**

Strengths, Weaknesses, and Opportunities of Fairfax County's Zoning Ordinance Structure

The comments below reflect Clarion's independent analysis and the results of the online staff survey and public survey that were available in January and February of this year. Many survey respondents found the document to be cumbersome to use. The major concerns with the current ordinance include unclear organization, difficulty of navigation, scattered information, and the relative absence of tables or graphics. In general, effective land use regulations should be organized to emphasize easy access to frequently used information, and should reduce repetition by consolidating related information. Most newer zoning ordinances are also much shorter than the current Fairfax County document.

Strengths

The format of the current ordinance is described in Article 20 (the last article before the appendices). The current ordinance does a good job of "nesting" text consistently (i.e. grouping subsidiary regulations within the higher level regulations and topics to which they relate) and providing adequate white space on each page. For example, the various levels and sublevels of text are indented consistently below the higher level of text. The formatting and numbering also appear to be relatively consistent (although this is typically more difficult to sustain over time when the articles are housed in separate documents). The ordinance is easy to find on the web using Google or directly through the Fairfax County website. Making interpretations of the ordinance readily available to the public is a good practice, although communities increasingly make those available on their websites and not in the document itself, and it appears that only interpretations made before 1984 have been incorporated into the appendix of the current Fairfax County ordinance. The document is created in Microsoft Word and can be relatively easily maintained by staff without special training.

Weaknesses and Opportunities

Scattered Information

One of the most significant weaknesses of the Fairfax County Zoning Ordinance is the difficulty of easily identifying all of the regulations relevant to a specific question. As one survey respondent put it, "You have to look in too many places to figure it all out." As piecemeal changes have been made over time, more and more sections must be read to understand all of the regulations that may be applicable to a specific property. In particular, staff noted that the required site and building design standards, such as lighting, setbacks, or open space standards, are difficult to find throughout the ordinance. Because this information is scattered, some regulations appear to conflict, and it is sometimes unclear which regulation supersedes another. In addition, standards that are applicable to certain uses are found in several different articles. A large number of respondents stated that many important items are "hidden" in Article 2, General Provisions, and it is difficult for staff and the public to know which regulations may apply to their project.

Duplicative Information and Document Length

Related information is often not grouped together, which has led to duplication of important information throughout the document. For example, many of the procedures are found in separate articles. Because of this, information that is similar or identical among several different procedures (such as many of the sections in the Special Permit and Special Exception articles) is repeated. Repeating identical or similar information leads to a much longer ordinance and creates greater opportunity for internal inconsistencies to occur as amendments are made to one

paragraph of the ordinance but identical paragraphs in other articles may (unintentionally) not be updated to mirror those changes.

Graphics and Tables

The Fairfax County Zoning Ordinance incorporates only a few tables, and all of the ordinance graphics are located in the appendix rather than near the text to which they relate. Separating the ordinance text from the supporting graphics often defeats the purpose of the graphic. In addition, these graphics are of varying quality; some of the text associated with the graphics is difficult to read and the graphics are outdated. There are opportunities to use illustrations, flowcharts, and tables much more frequently throughout the ordinance to explain standards and to summarize detailed information. Summary tables of land uses, review procedures, and dimensional standards would greatly improve the user-friendliness of the document. Tables displaying the key regulations, such as height or setbacks, applicable to each zoning district would also be helpful.

Land Uses

Each zoning district section within Articles 3, 4, 5, and 6 includes numbered lists of permitted uses, uses permitted by Special Exception, and uses permitted by Special Permit. Rather than listing each of these uses over and over again in each zoning district chapter, newer zoning ordinances typically include a single table of allowed uses, with each row representing land use categories and specific uses, and columns representing each zoning district. Abbreviations in the table indicate what type of approval is needed for each use. This format allows a quick comparison of the allowable uses in each zoning district and reduces the potential for inconsistencies over time as uses are updated. Using a single consolidated table for permitted, special permit, and special exception uses eliminates the need to repeat the lists of similar or identical uses within separate district regulations, ensures consistent terminology, and significantly reduces the length and complexity of the regulations.

Navigation

The navigation of the current ordinance is a significant opportunity for improvement noted by survey respondents. The division of the ordinance into separate PDF documents for each article makes it cumbersome to navigate. Although the PDF documents have bookmark navigation available when the document is opened in Adobe Acrobat or Reader, this feature does not open automatically and many users may not know that it exists.

Many users of the ordinance search by key terms, and having the document separated into individual articles makes it very difficult to find all related information. While users can search for terms using the "find" tool in Adobe Acrobat or Reader, if they are not searching in the correct article they will be unable to find the applicable information.

Several public survey respondents noted they were using Google searches to find the information they needed. Unfortunately, there is little content control when relying on a Google search. For instance, if a non-County website has posted a PDF version of a portion of the Zoning Ordinance, that version might appear as the first result in a Google search. However, that may not be the most up-to-date version of the ordinance and may give the user incorrect information. Having the consolidated ordinance hosted on a website with its own internal search feature would provide better navigation of the official zoning document.

A sidebar containing a dynamic table of contents would greatly simplify navigation of the ordinance. These are used on all major ordinance publishing platforms, such as MuniCode, EnCode, and American Legal Publishing, as well as in many self-published ordinances. The sidebar allows users to navigate through all of the articles and sections with much greater ease than opening separate documents for each article. Most ordinance publishing platforms also allow users to search for terms in the entire ordinance or by a particular section and will highlight each instance where the search term is found.

Finally, while there are many cross-references throughout the Zoning Ordinance, these are not interactive cross-references; a user cannot click on the reference and be brought to the referenced section. Adding interactive cross-references is relatively simple to do in a Word document or many types of ordinance publishing software. Some ordinance publishing sites also have the ability to show a user a pop-up "preview" of the content of that cross-reference.

Format

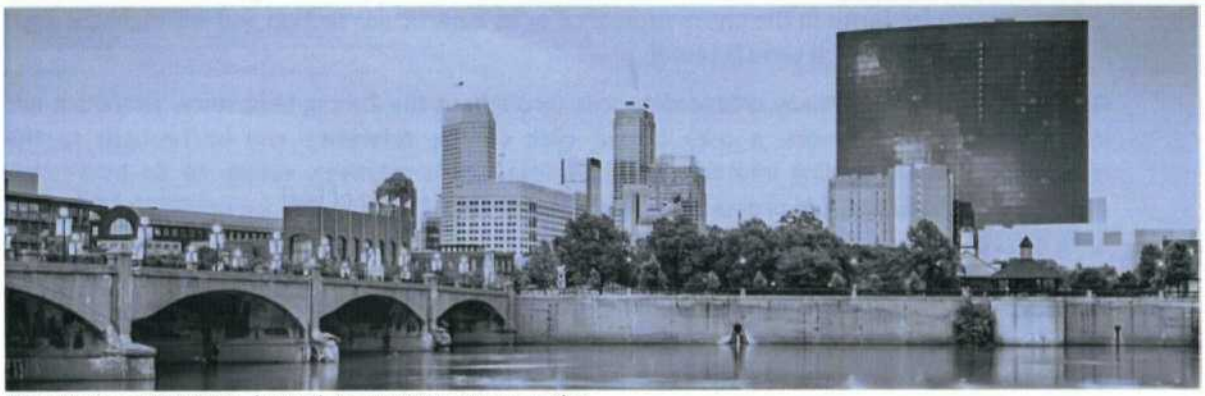
While the current document does a good job of nesting text into levels based on their level of importance, there are several simple formatting changes that could improve the ordinance. For example, the ordinance could make better use of subheadings. At present, only the higher level sections appear in the table of contents, and that title may not be indicative of the full content of the section. Reorganizing the ordinance will make the use of subheadings easier and more intuitive.

For example, in the Accessory Uses article, *Section 10-102 Permitted Accessory Uses* lists many different accessory uses, the majority of which have use limitations even though those are not located in *Section 10-103 Use Limitations*. In a reorganized ordinance, there could be a section for all Accessory Use Standards. The generally applicable use limitations for all accessory uses could be listed under a "General" subheading, each of the uses (like "fences" and "home childcare") could be placed under their own subheadings, and each subheading could list the limitations on that use.

Another simple formatting improvement would be the addition of dynamic headers and footers that automatically update and allow the reader to view exactly where they are in the document on each page.

PART 2: EXAMPLES OF OTHER LARGE COMMUNITY ZONING ORDINANCE STRUCTURES

Indianapolis-Marion County, Indiana



Population: 939,020 | Land Area: 403 square miles

Introduction

The City of Indianapolis and Marion County adopted a new Consolidated Zoning/Subdivision Ordinance in 2016. This brought all zoning and subdivision regulations into one ordinance, with subdivision controls as a discrete chapter in the ordinance. The document is accessed through a single online PDF document with bookmark navigation and interactive cross-references. The 641-page document is searchable, but searches cannot be limited to specific chapters or portions of the ordinance.

Structure

The structure of the Indianapolis-Marion County Consolidated Zoning/Subdivision Ordinance is listed below:

1. **General Provisions**
   - *Purpose, definitions, nonconformities, zoning review & approval procedures*
2. **Subdivision Regulations**
   - *Subdivision design and installation standards, review & approval procedures*
3. **Zoning Districts**
   - *Intent statements and regulations unique to each district*
4. **Permitted Uses & Use-Specific Standards**
   - *Introduction, use table, use-specific standards*
5. **Development Standards**
   - *Lot & building dimensions, access & connectivity, parking, landscaping & screening, lighting, design standards, signs, etc.*

Strengths and Weaknesses of Indianapolis' Ordinance

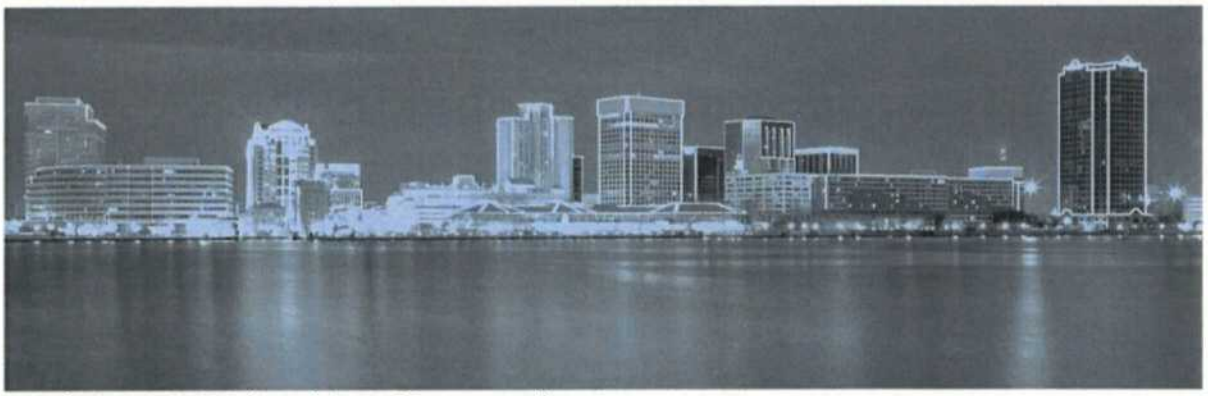
The Indianapolis-Marion County Consolidated Zoning/Subdivision Ordinance is composed of only five articles, which allows for easy navigation. Having all zoning district-related information consolidated in one article, and all use-related information consolidated in a single chapter, helps users find information

related to these topics quickly. It is also helpful to have all of the building and lot dimensional standards located in one part of the ordinance.

As a PDF document created through Microsoft Word, the ordinance can be easily updated by any member of the City staff and is easily maintained on the City's website. The document is graphic-rich, with illustrations throughout that describe definitions, measurements, district dimensional requirements, signs, and landscaping standards. Tables are used to summarize complex information, including permitted and conditional uses, dimensions, and parking requirements. Development standards are grouped together in one article and divided into eight sections: lot & building dimensions, access & connectivity, parking & loading, landscaping & screening, lighting, design standards, utilities, and sign regulations.

There are some weaknesses in this ordinance. The document is fairly lengthy at 600 pages, which is due in part to the inclusion of numerous graphics. Although the five article structure is simple, some communities might find it over-simplified. For example, development review and approval procedures are located within the Article 1: General Provisions, which might be difficult for a user to find. Some communities choose to list those procedures in a stand-alone article. Finally, Clarion typically recommends that definitions be located at the end of the ordinance in a separate article, where they do not interrupt the hierarchy of information for the majority of readers who do not need to consult specific definitions.

Norfolk, Virginia



Population: 246,393 | Land Area: 96 square miles

Introduction

The City of Norfolk adopted a new Zoning Ordinance in early 2018. This document does not include subdivision regulations, which are a separate chapter of the City Code. The zoning ordinance document can be accessed through either a single online PDF document with interactive cross-references, or an online site developed using MadCap Flare software. The 815-page document is searchable in both formats, but searches cannot be limited to specific chapters or portions of the document.

Structure

The Norfolk Zoning Ordinance is structured as follows:

1. **General Provisions**
   - *Authority, purpose, applicability, transitional provisions*
2. **Administration**
   - *Advisory and decision-making bodies, review procedures*
3. **Zoning Districts**
   - *Purposes and standards unique to each base and overlay district, summary use tables for residential, commercial, downtown, industrial, cultural conservation, and special purpose districts*
4. **Performance Standards**
   - *Use standards for principal, accessory, and temporary uses*
5. **Development Standards**
   - *Parking, landscaping, screening, open space, signs, lighting, form standards, neighborhood protection, accessory structures, resilience quotient*
6. **Nonconformities**
   - *Nonconforming uses, structures, lots, and site features*
7. **Enforcement**
   - *Violations, remedies, and penalties*
8. **Definitions and Rules of Measurement**
   - *Rules for interpretation and measurement, definitions*
9. **Legacy Development Approvals**
   - *Purpose, uses, and standards for previously approved planned developments*

Strengths and Weaknesses of Norfolk's Ordinance

The Norfolk Zoning Ordinance is well organized and related information is consolidated into nine articles. The document uses tables to summarize complex information. Use tables summarize permitted and conditional uses. However, instead of providing a consolidated use table showing all of the zoning districts, there are separate use tables for residential, commercial, downtown, industrial, cultural conservation, and special purpose districts. Although several different graphics are incorporated, the document is not as graphic-rich as some other zoning ordinances. The graphics provide examples of district purposes, various dimensional standards, parking, signs, landscaping, lighting, and form standards. The final article on Legacy Development Approvals illustrates one way to document important prior approvals (often of large master planned areas) that do not fit well into a new ordinance structure but need to be carried forward to avoid creating nonconformities. The City of Miami used a similar approach when structuring its 2010 citywide zoning ordinance update.

The Norfolk ordinance compiles all development standards into one article, which is organized into 12 different sections: parking & loading, landscaping, buffers, screening, open space, tree protection, signs, lighting, form, neighborhood protection, accessory structures, and a resilience quotient.

The document is currently available on two platforms, which gives users an option for navigating it. However, this practice may lead to additional work as amendments are passed and two separate ordinance platforms must be updated. While the PDF version will be easy for staff to maintain using the Microsoft Word document, City staff required training to use the MadCap Flare software program to keep the interactive version of the ordinance updated. MadCap Flare is a code hosting software program that is similar to MuniCode or other legal publishing sites, but with the added advantage that the City has the ability to directly edit the code itself.

The Zoning Ordinance is over 800 pages in length, which is fairly lengthy, but this is partly due to the page formatting, which provides lots of white space, wide margins, and nested text. The subdivision regulations are a separate document, which may make it more difficult to keep procedures, organization, and standards consistent between zoning and subdivision. The nonconformities and enforcement articles could potentially have been grouped under the administration article rather than keeping certain types of procedures separated from other common procedures. Finally, flowcharts illustrating the steps in each review and approval procedure would make the ordinance more user-friendly.

Philadelphia, Pennsylvania

Population: 1.568 million | Land Area: 142 square miles

Introduction

The City of Philadelphia adopted a new Zoning Code (which includes subdivision controls) in 2012. Rather than grouping base and overlay zoning districts in a single chapter, there are separate chapters for these two types of zoning districts. In addition, sign controls and parking standards are located in their own chapters rather than within a general development standards chapter. The document is accessed online through American Legal Publishing, which provides easy searches throughout the whole document or specific sections, a navigation pane, and the ability to easily send or cite hyperlinks to the various sections of the ordinance. The PDF version of the adopted ordinance is 408 pages long.

Structure

The Philadelphia Zoning Code is organized as follows:

1. **General Provisions**
   - *Purpose, authority, applicability, severability*
2. **Definitions**
   - *Rules of interpretation and measurement, definitions*
3. **Administration and Procedures**
   - *Reviewers and decision makers, procedures, nonconformities, enforcement*
4. **Base Zoning Districts**
   - *Purposes and specific regulations for each district*
5. **Overlay Zoning Districts**
   - *Purpose, boundaries, regulations for each overlay district*
6. **Use Regulations**
   - *Use categories, use tables, use-specific standards, accessory uses and structures*
7. **Development Standards**
   - *Dimensional standards, floor area bonuses, landscaping, fencing, lighting, subdivision standards*
8. **Parking and Loading**
   - *Parking ratios and standards, stacking, and loading requirements*
9. **Signs**
   - *Sign controls*
10. **Historic Preservation**
    - *Purpose, definitions, designation, regulations, maintenance*

Strengths and Weaknesses of Philadelphia's Ordinance

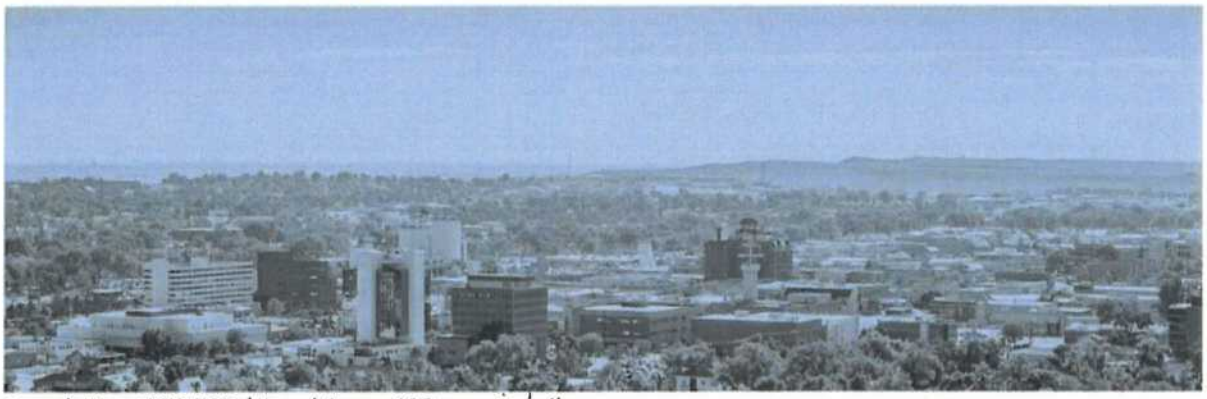
Philadelphia's zoning ordinance is divided into ten articles. This is one of the shortest large community ordinances that Clarion reviewed, despite the inclusion of many maps and graphics, because the information is well consolidated. One minor improvement that could be made is to relocate the definitions to the end of the document.

The administration and procedures article encompasses all types of procedures, including nonconformities and enforcement. While parking and sign controls are often included in an overall article on development standards, the City felt that giving these two topics their own chapters might be more intuitive for users who need to access that information. The remaining development standards are all grouped into one article that is divided into eight sections: dimensional standards, floor area bonuses, form & design, open space, landscaping, fencing, lighting, and subdivision standards.

This ordinance makes good use of graphics to illustrate definitions and rules of measurement to clarify the applicability of certain reviews, and to explain the limits on the expansion of nonconforming structures, the requirements for accessory structures, and the different types of required landscaping. Flowcharts are provided for each of the review and approval procedures, which is very user-friendly. The

ordinance also includes several boundary maps to clearly identify where different zoning standards apply. Helpful summary tables for procedures, dimensional tables, and uses are also provided. The use tables are divided by residential, commercial, industrial, and special purpose districts.

Prince George's County, Maryland



Population: 909,535 | Land Area: 499 square miles

Introduction

Prince George's County is currently nearing the end of its process of adopting a new Zoning Ordinance and Subdivision Regulations. The two documents will be separate subtitles of the Code of Ordinances, but they are being drafted concurrently. The Zoning Ordinance contains separate sections for zoning administration, nonconformities, and enforcement. Additionally, there is a separate chapter for unique types of controls that only apply in specific areas. The 664-page zoning ordinance document and the 144-page subdivision document are available for public review through a PDF document with interactive cross-references.

Structure

The Prince George's County Zoning Ordinance and Subdivision Regulations are structured as shown below:

1. **Zoning Ordinance**
    - General Provisions
        - *i. Authority, purpose, transitional provisions, severability*
    - Definitions and Interpretation
        - *i. Rules for Interpretation, measurement, interpretation of uses, definitions of terms*
    - Administration
        - i. *Advisory & decision-making bodies, standard review procedures, application-specific review procedures and decision standards*
    - Zones and Zone Regulations
        - *i. Base zone provisions, planned development zone provisions, overlay zones*
    - Permitted Use Regulations
        - *i. Principal, accessory, and temporary uses and standards*

- Development Standards
    - i. *Access and circulation, parking and loading, open space, landscaping, fences and walls, lighting, environmental protection, design standards, neighborhood compatibility standards, signage, green building standards and incentives*
- Nonconformities
    - *i. Nonconforming uses, structures, lots of record, signs, site features*
- Enforcement
    - *i. Violations, remedies, penalties*
- Activity Center Boundaries
    - *i. Boundaries of specific activity center planning areas*

2. Subdivision Regulations

- General Provisions
    - *i. Authority, purpose, severability*
- Subdivision Administration
    - *i. Advisory and decision-making bodies, review procedures, decision standards*
- Subdivision Standards
    - *i. Design, circulation, public facility, conservation subdivision standards*
- Chesapeake Bay Critical Area Standards
    - *i. Limitations*
- Enforcement
    - *i. Violations and penalties*
- Definitions
    - *i. Rules of construction, interpretation, measurement, and definitions*

Strengths and Weaknesses of Prince George's County's Ordinance

There are nine articles in the zoning ordinance and six in the subdivision regulations, and the structure of both documents is fairly similar. Even without including the subdivision regulations, the zoning ordinance is a fairly long document of over 600 pages, which is partly a reflection of the very wide variety of places (from very rural to very urban) in the county. The review draft is a PDF document that would be easily updated and maintained using Microsoft Word by County staff after adoption.

The structure of the ordinance is well consolidated and organized. In the zoning ordinance, nonconformities and enforcement provisions are kept separate from other procedures and administration, as they are in some of the other examples. However, all development standards (including parking and sign controls) are consolidated into one article. The development standards article includes 16 different sections including access & circulation, parking & loading, open space, landscaping, fences, lighting, environmental protection, form and design standards, compatibility standards, signage, and green building standards.

This ordinance is not as graphic-rich as some of the other examples, although there are graphics to illustrate the intended character of each zoning district, many dimensional standards, and some rules of measurement. The ordinance incorporates helpful flowcharts for each of the procedures, and tables are used to summarize permitted use, dimensional standards, and parking requirements. The use tables summarize all of the permitted and special exception uses and are divided into four different tables: one for rural, agricultural, and residential base zones, another for non-residential, transit-oriented/activity center, and other base zones, another for planned development zones, and another for overlay zones.

PART 3: PROPOSED STRUCTURE FOR FAIRFAX COUNTY

Based on Clarion's review of the Fairfax County Zoning Ordinance, Clarion recommends a structure that is most similar to the Philadelphia example above. We recommend splitting the base districts and overlay districts into two separate articles, as was done in Philadelphia. This will make the differentiation between the two types of controls more clear. We also recommend maintaining separate articles for signs and parking/loading controls, but consolidating all other development standards into one article. Signs and parking/loading are standards that are often referred to in the process of changing the use of a property even if significant redevelopment of the building and site is not needed to accommodate that change of use. In addition, we recommend consolidating all zoning-related definitions in their own article at the end of the ordinance, like the Norfolk ordinance, because we believe it is more useful at the end of the document and does not interrupt the flow of information for those users who do not need to read the definitions.

Below is an overview of our recommended structure and general content of a new Zoning Ordinance for Fairfax County. Each proposed section indicates some of the articles and sections from the current Zoning Ordinance that might be considered for integration into the proposed new articles and sections, either intact (but with updated and internally consistent language) or with modifications approved by the County as part of the zMOD process. Opportunities to integrate summary tables, similar to the other cities studied in this report, are also noted. Although not listed specifically in the structure outline, Clarion also recommends incorporating existing graphics from Appendix 2 Illustration, as well as additional graphics and flowcharts to improve user-friendliness.

In addition to restructuring the ordinance, it is also important that the navigation of the ordinance be improved. This could be as simple as creating a single PDF document that integrates content from all articles, and uses all of the available features of an interactive PDF such as clickable cross-references and bookmark navigation. Alternatively, the County could explore the various ordinance publishing software options that provide more detailed searching and navigation options.

Annotated Outline of Proposed Structure

1. **General Provisions**
    - *Authority*
    - *Applicability*
    - *Transition rules for pending applications*
    - *Severability*
    - *Content from Article 1 The Constitution of the Ordinance and Appendix 3 Enabling Legislation*

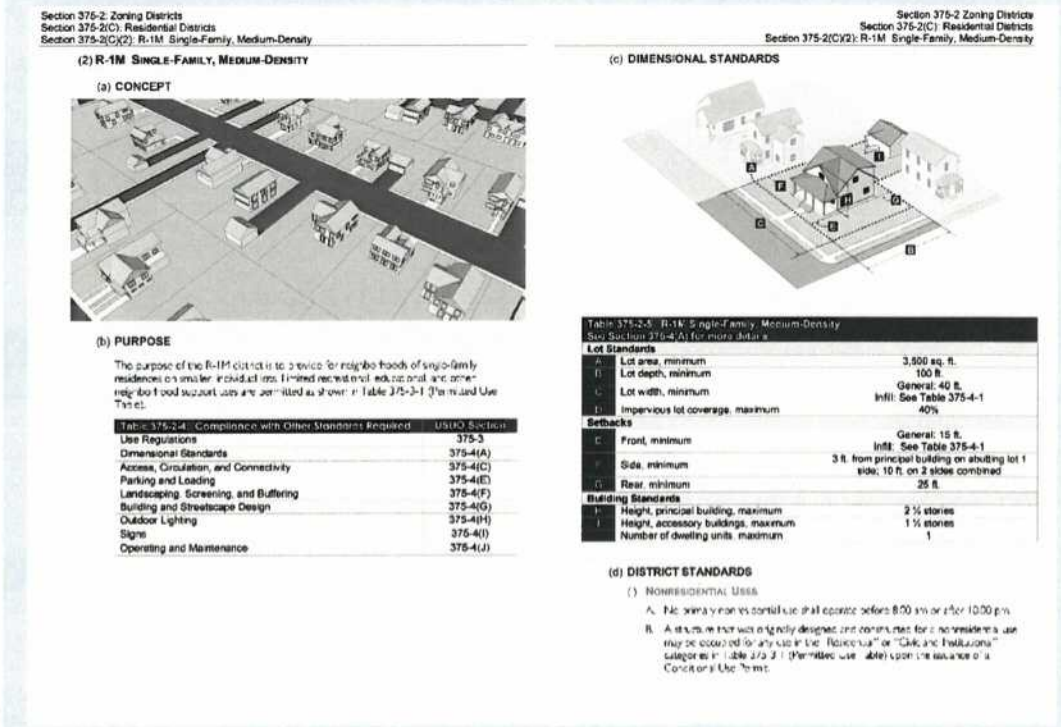
2. Zoning Districts

- This section would include a separate subsection for each of the existing zoning districts

R-A Rural Agricultural	C-1 Low-Rise Office Transitional
R-C Residential Conservation	C-2 Limited Office
R-E Residential Estate	C-3 Office
R-1 Residential 1 dwelling unit per acre	C-4 High Intensity Office
R-2 Residential 2 dwelling units per acre	C-5 Neighborhood Commercial Retail
R-3 Residential 3 dwelling units per acre	C-6 Community Retail Commercial
R-4 Residential 4 dwelling units per acre	C-7 Regional Retail Commercial
R-5 Residential 5 dwelling units per acre	C-8 Highway Commercial
R-8 Residential 8 dwelling units per acre	I-I Industrial Institutional
R-12 Residential 12 dwelling units per acre	I-2 Industrial Research
R-16 Residential 16 dwelling units per acre	I-3 Light Intensity Industrial
R-20 Residential 20 dwelling units per acre	I-4 Medium Intensity Industrial
R-30 Residential 30 dwelling units per acre	I-5 General Industrial
R-MHP Residential Mobile Home Park	I-6 Heavy Industrial
PDH Planned Development Housing	PDC Planned Development Commercial
PRC Planned Residential Community	PTC Planned Tyson's Corner Urban
PRM Planned Residential Mixed-Use	

- The current R-P Residential Preservation and I-1 Light Industrial Research zoning districts are not proposed to appear in this section, since no land has been zoned into those districts, and the County is considering deleting those districts during the zMOD process
- Each subsection would contain a purpose statement, a summary of key dimensional standards of the district, unique types of standards applicable only to that zoning district, and cross-references to use regulations in Article 4 and Development Standards in Article 5
- Key provisions of each zoning district would be summarized in a two-page spread for ease of reference. One example of a two-page spread from another community is shown below, and several other layouts are also available

Example two-page spread displaying district requirements from another community:



Section 375-2: Zoning Districts
Section 375-2(C): Residential Districts
Section 375-2(C)(2): R-1M Single-Family, Medium-Density

(2) R-1M SINGLE-FAMILY, MEDIUM-DENSITY

(a) CONCEPT

(b) PURPOSE

The purpose of the R-1M district is to provide for neighborhoods of single-family residences on smaller individual lots. Limited recreational, educational, and other neighborhood support uses are permitted as shown in Table 375-3-1 (Permitted Use Table).

Table 375-2-4: Compliance with Other Standards Required	USDO Section
Use Regulations	375-3
Dimensional Standards	375-4(A)
Access, Circulation, and Connectivity	375-4(C)
Parking and Loading	375-4(E)
Landscaping, Screening, and Buffering	375-4(F)
Building and Streetscape Design	375-4(G)
Outdoor Lighting	375-4(H)
Signs	375-4(I)
Operating and Maintenance	375-4(J)

Section 375-2 Zoning Districts
Section 375-2(C): Residential Districts
Section 375-2(C)(2): R-1M Single-Family, Medium-Density

(c) DIMENSIONAL STANDARDS

Table 375-2-5: R-1M: Single-Family, Medium-Density See Section 375-4(A) for more details		
Lot Standards		
A	Lot area, minimum	3,500 sq. ft.
B	Lot depth, minimum	100 ft.
C	Lot width, minimum	General: 40 ft. Infill: See Table 375-4-1
D	Impervious lot coverage, maximum	40%
Setbacks		
E	Front, minimum	General: 15 ft. Infill: See Table 375-4-1
F	Side, minimum	3 ft. from principal building on abutting lot 1 side; 10 ft. on 2 sides combined
G	Rear, minimum	25 ft.
Building Standards		
H	Height, principal building, maximum	2 ½ stories
I	Height, accessory buildings, maximum	1 ½ stories
	Number of dwelling units, maximum	1

(d) DISTRICT STANDARDS

(1) NONRESIDENTIAL USES

A. No [illegible] shall operate before 8:00 am or after 10:00 pm.

B. A structure that was originally designed and constructed for a nonresidential use may be occupied for any use in the "Residential" or "Civic and Institutional" categories in Table 375-3-1 (Permitted Use Table) upon the issuance of a Conditional Use Permit.

3. Overlay Districts

- Content from Article 7 and Appendices 1 and 7, Overlay and Commercial Revitalization District Regulations
  - *Historic Overlay District*
  - *Natural Resource Overlay District*
  - *Airport Noise Impact Overlay District*
  - *Water Supply Protection Overlay District*
  - *Commercial Revitalization Overlay District*
- The current Sign Control and Highway Corridor overlay district regulations would be integrated into area-specific controls within other chapters of the zoning ordinance, and would not appear as overlay districts

4. Permitted Use Regulations

- Introduction
  - *Including general use controls and an explanation of table abbreviations*
- Land Use Tables

- *Single table summarizing permitted, Special Exception, and Special Permit uses, and a separate table for accessory and temporary uses, indicating where the use is permitted and how it is permitted*

Example use table from another community:

Table 3.2-1
Permitted Use Table

P = Permitted
C = Conditional use
A = Accessory to primary use
T = Temporary use
V = Permitted if structure vacant for 10 years or more

ZONE DISTRICT	RESIDENTIAL						MIXED-USE										NON-RESIDENTIAL					USE SPECIFIC STANDARD
										MU-OA			MU-TOD									
Land Use	R-R	R-1	R-2	R-3	R-4	R-MH	MU-N	MU-OI	MU-C	Main Street	General	MU-FB	Core	Edge	MU-R	MU-A	AD	APZ	I-1	I-2	POS	
RESIDENTIAL USES																						3.3.2.A
Household Living																						
Dwelling, multifamily			P	P	P		P	P	P	P	P	P	P	P	P	P						3.3.2.F
Dwelling, single-family attached (townhouse)			P	P	P		P		P	P	P	P	P	P	P	P						3.3.2.G
Dwelling, single-family detached	P	P	P	P	P				P	P	P				P							3.3.2.H
Dwelling, two-family (duplex)		C	P	P	P								P	P	P	C						3.3.2.I
Manufactured housing	P	P	P			P																3.3.2.J
Group Living																						
Congregate living facility								C	C													
Continuing care retirement facility			P	P	P			P	P	P	P	P	P	P	P	P						3.3.2.K
Dormitory, fraternity, or sorority house					P			P							P	P						

- Use-Specific Standards
  - *Additional standards applicable to permitted, Special Permit and Special Exception uses, based on use-related content from Article 2, General Regulations, Article 8 Special Permits, Article 9 Special Exceptions, and elsewhere throughout the ordinance*
  - *Content from the current Highway Corridor overlay district*
  - *Additional standards for accessory uses, based on content from Article 10 Accessory Uses, Accessory Service Uses and Home Occupations, use limitations from various zoning districts, and Appendix 5 regarding Accessory Dwelling Units*

5. **Development Standards**
   - Lot and Building Dimensions
     - *Including lots and buildings dimensions, required open space, and area-specific standards and exceptions*
     - *Dimension-related content from Article 2 General Regulations*

Example dimensional table from another community:

TABLE 3-6
SUMMARY OF COMMERCIAL/MIXED-USE DIMENSIONAL STANDARDS

	GW	CO	LI	CC	MU
PROJECT STANDARDS					
Maximum density	16 du/ac			16 du/ac	14 du/ac
Maximum Floor Area Ratio (FAR)		1.0			
LOT STANDARDS					
Minimum lot area	none	none	10,500 sf	3,500 sf	none
Minimum lot frontage	none	none	50 ft.	none	none
Maximum lot coverage	60%			70% [1]	60%
Minimum open space					10% of GFA
SETBACKS					
Front yard setback (minimum)	20 ft.	15 ft.	15 ft.	10 ft. [1]	20 ft.

- Landscaping
  - *Content from Article 13 Landscaping and Screening*
- Lighting
  - *Content from Article 10 Accessory Uses and Structures and Article 14 Performance Standards*
- Floodplains
  - *Content from Article 2 Floodplain Regulations*
- Affordable Housing
  - *Content from Article 2 Affordable Dwelling Unit Program*
- Vibration
  - *Content from Article 14 Earthborn Vibration Standards*

6. Parking and Loading Standards

- Content from Article 11 Parking and Loading, Private Streets
- Parking requirements organized in a table that matches the new list of permitted, Special Exception, and Special Permit uses

Example parking summary table from another community:

Table 5.8-1: Number of Off-Street Parking Spaces Required: Schedule A		
Use Category	**Use**	**Number of Spaces Required**
Public, Institutional, and Civic Uses		
Community and Cultural Facilities	Civic building	1 per 300 SF GFA
	Club or lodge	1 per 300 SF GFA
	Community center	4 per 1,000 SF GFA
	Convention hall	1 per 6 persons maximum fire-rated capacity
	Country club	1 per 200 SF + 1 per every 4 persons of maximum outdoor facility capacity

7. **Sign Standards**
    - Content from Article 12 Signs
    - Content from the current Sign Control overlay district
8. **Procedures and Enforcement**
    - Introduction
    - Review and Decision-Making Bodies
        - *Content from Article 19 Boards, Commissions, Committees*
    - Summary Table of Zoning Ordinance Procedures

Example review procedure summary table from another community:

TABLE 2-1: SUMMARY OF REVIEW PROCEDURES
R = RECOMMENDATION D = DECISION A = APPEAL DECIDER <> = PUBLIC HEARING O = OPTIONAL M = MANDATORY

Procedure	Pre-Application Conference	Staff Review	Planning Commission	Town Council	NOTICE REQUIRED M = Mailed N = published (newspaper) P = Posted
Amendments					
Rezoning	O	R	<R>	<D>	M, N, P
Planned Unit Development	M	R	<R>	<D>	M, N, P
Code Text Amendment	O	R	<R>	<D>	N
Development Permits and Approvals					
Conditional Use Application	M	R	<D>	<A>	M, N, P
Site Plan Review, Administrative	O	D	<A>	<A>	
Site Plan Review, Minor	M	D	<A>	<A>	
Site Plan Review, Major	M	R	<D>	<A>	M, N, P
Major Modification to Approved Site Plan	O	R	<D>	<A>	

- General Procedures
    - *Including information common to many different procedures*
    - *Content from Article 18 Administration, Amendments, Violations and Penalties*
- Summary table of submittal requirements
- Application-Specific Procedures
    - *Including Site Plans, Special Exceptions, Special Permits, Development Plans, Amendments, and Administration*

    - *Content from Articles 8, 9, 16, 17, and 18*
- Nonconformities
    - *Content from Article 15 Nonconformities, with clarifications to improve understandability*
- Enforcement, Violations, and Penalties
    - *Content from Article 18 Administration, Amendments, Violations and Penalties*

9. **Definitions**
    - *Content from Article 20 Ordinance Structure, Interpretations, and Definitions*

Implications of Proposed Structure

Benefits of New Structure

The consolidation of zoning regulations into these nine articles will make the Fairfax County Zoning Ordinance easier to use, navigate, and maintain, and will promote more transparent and consistent decision-making by County staff. The document will highlight frequently used information where it can be easily referenced and will significantly reduce repetition by consolidating related information. The new Zoning Ordinance structure and format will include numerous tables, flowcharts, and other graphics to visually display information. The proposed structure will also make it easier to confirm that future amendments are consistent with existing ordinance language and are located in the portions of the ordinance that address similar regulations. For example, rather than needing to amend 11 articles and two appendices (as was needed for the recent Restaurants zoning amendment), only three articles (those addressing uses, procedures, and definitions) would likely need to be revised. Future amendments would be able to be more quickly integrated into the ordinance because fewer line changes would be required to implement an amendment.

Tradeoffs

The proposed structure does reflect some tradeoffs, however. First, the content of future amendments will need to be divided into separate sections addressing each relevant article of the zoning ordinance. For example, the addition of a new zoning district will require separate amendments to articles 2, 3, and 4, rather than just inserting a new district section. The addition of a new permitted, Special Exception, or Special Permit use will require amendments to the use table, use-specific standards (if applicable), the parking table, and possibly other portions of Article 5. While this will require a different approach to amendments, Clarion believes that this approach is worth the extra effort for some of these amendments to maintain a more intuitive, shorter, and more robust zoning ordinance. A second tradeoff is that readers who turn to the Article 2 zoning district chapter for the zone district in which their property is located will find that it does not list what uses are permitted. They will have to turn to Article 4 to answer those questions (but when they do, all related limitations and conditions will be readily available). However, over the past two decades almost every large community that has considered this tradeoff has concluded that the advantages of consolidation, internal consistency, and confidence that the reader has found all regulations related to a particular topic significantly outweigh the disadvantages.