

**FAIRFAX COUNTY PLANNING COMMISSION  
LAND USE PROCESS REVIEW COMMITTEE  
WEDNESDAY, JANUARY 17, 2018**

PRESENT: James T. Migliaccio, Lee District, Chairman  
Ellen J. Hurley, Braddock District  
John C. Ulfelder, Dranesville District  
Earl L. Flanagan, Mount Vernon District  
Phillip A. Niedzielski-Eichner, Providence District  
Peter F. Murphy, Springfield District  
James R. Hart, Commissioner At-Large

ABSENT: None

OTHERS: John A. Carter, Hunter Mill District  
Julie M. Strandlie, Mason District  
Mary D. Cortina, Commissioner At-Large  
Timothy J. Sargeant, Commissioner At-Large  
John W. Cooper, Clerk, Planning Commission  
Inna Kangarloo, Senior Deputy Clerk, Planning Commission  
Sarah Hensley, Office of the County Attorney  
Leslie Johnson, Director, Zoning Administration Division (ZAD), Department of  
Planning and Zoning (DPZ)  
Lily Yegazu, ZAD, DPZ  
Donna Pesto, ZAD, DPZ

ATTACHMENT:

- A. Proposed Short-Term Lodging Provisions in Rental Multiple Family Dwelling Unit  
Developments – Draft Strawman

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Chairman James T. Migliaccio called the meeting to order at 8:39 p.m. in the Board Conference Room, 12000 Government Center Parkway, Fairfax, Virginia, 22035.

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Lily Yegazu, Zoning Administration Division, Department of Planning and Zoning, indicated that the proposal for the Short-Term Lodging Zoning Ordinance Amendment included two models for the short-term lodging operators of the multi-family dwelling units:

- Larger percentage of the leased units in the new construction for a period not to exceed two years; and
- Smaller percentage of the leased units in the existing multi-family dwellings that may be allowed permanently or on the full-time basis.

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Ms. Yegazu provided an overview of the minimum requirements and limitations for the multi-family dwelling units and aggregate unit operators.

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Donna Pesto, Zoning Administration Division, Department of Planning and Zoning, stated that the portion of the amendment regarding the aggregate unit operators would be reviewed during the Board of Supervisors Development Process Review Committee meeting scheduled for January 30, 2018.


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The meeting was adjourned at 9:34 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: March 14, 2018



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

DRAFT STRAWMAN – Land Use Process Review Committee, January 17, 2018  
 ZONING ORDINANCE AMENDMENT FOR SHORT-TERM LODGING IN RENTAL  
 MULTIPLE FAMILY DWELLING UNIT DEVELOPMENTS

**PROPOSED SHORT-TERM LODGING PROVISIONS IN RENTAL MULTIPLE  
 FAMILY DWELLING UNIT DEVELOPMENTS**

*(All proposed provisions under this section are new, but are not underlined for ease of reading.)*

Short-term lodging is permitted in multiple family dwelling unit developments subject to the following:

**Permitted Short-Term Lodging Use in a Rental Multiple Family Dwelling Unit  
 Development with Property Management**

*[In the event that the Board does not want to permit this use, this entire section will be deleted.]*

1. In any rental multiple family dwelling unit development located in a Transit Station Area, as defined in the Comprehensive Plan, the Board may approve in conjunction with a Rezoning Application or as a Special Exception, short-term lodging use in a rental multiple family dwelling unit development subject to the following limitations:
  - A. The Board may approve, in conjunction with a Rezoning Application, rental of a maximum of **fifty (50)** percent of the units in any multiple family dwelling unit rental building, as short-term lodging in new multiple family dwelling unit developments during the lease-up period for a period not to exceed **two (2)** years.  
*[To be advertised to allow the Board to adopt a provision from 2 years to 5 years and rental of 50% to 100% of the units.]*
  - B. The Board may approve a rezoning, amendment to a rezoning, or special exception to allow short-term lodging not to exceed a maximum of **ten (10)** percent of the total unit count in existing multiple family dwelling unit rental buildings.  
*[To be advertised to allow the Board to adopt a provision from 5% to 10% of the total unit count in existing multiple family dwelling unit rental buildings to be used as short-term lodging.]*
2. Any multiple family dwelling unit offered for short-term lodging under the provisions of this chapter must meet the following minimum requirements:
  - A. All advertisements for short-term lodging must state whether a designated off-street parking space is available to the lodger during the term of the short-term lodging contract. If no off-street parking is provided, all advertisements must specify where lodgers are authorized to park.
  - B. The following life safety measures must be provided in any building where short-term lodging is offered:
    - i. Interconnected smoke detectors and carbon monoxide detectors, where applicable, must be installed in the units and corridors where short-term lodging is provided,

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MULTIPLE FAMILY DWELLING UNIT DEVELOPMENTS

- 1           ii. A multi-purpose fire extinguisher must be installed in each unit used for short-  
2           term lodging,  
3  
4           iii. Low level exit signs must be installed in all areas used for short-term lodging, and  
5  
6           iv. A diagram depicting two evacuation routes must be posted on or immediately  
7           adjacent to every required egress door from each unit used for short-term lodging  
8  
9       C. The provisions of this Ordinance do not abrogate, nullify, or replace any private  
10       regulations applicable to the dwelling unit or development in which located. It is wholly  
11       the responsibility of the Operator to determine whether the dwelling or development is  
12       subject to any regulations outside this Ordinance, including but not limited to, regulations  
13       imposed by a condominium, cooperative, common interest community, property owners'  
14       association, mortgage lender, or insurance provider. County staff will not review private  
15       regulations or agreements to determine their applicability to a particular dwelling or  
16       development.  
17  
18   3. Limitations:  
19  
20       A. The Aggregate Unit Operator must keep a record of all overnight lodgers, and the records  
21       must be available upon request to any County official, employee or agent.  
22  
23       B. The Aggregate Unit Operator must comply with all applicable federal, state, and local  
24       laws, ordinances and regulations. Operators must remit a Transient Occupancy Tax  
25       (TOT), and must obtain a Business, Professional and Occupational License (BPOL), if  
26       applicable, under the provisions of Chapter 4 of the Code of Fairfax County.  
27  
28   4. Hosting of commercial or group activities, events, or other gatherings, within the units  
29       offered for short-term lodging is prohibited. Such activities, events or other gatherings  
30       include, but are not limited to, luncheons, group meetings, educational events, recreational  
31       events, tours, chef provided meals, reunions, banquets, house concerts, parties, weddings,  
32       meetings, charitable fund raising, and commercial or advertising activities, regardless of  
33       whether there is any form of compensation (direct or indirect) for the activity, event, or  
34       gathering.  
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