

FAIRFAX COUNTY



ZONING ORDINANCE MODERNIZATION PROJECT

DRAFT

SUMMARY OF PROPOSED CHANGES TO DISTRICTS

AUGUST 9, 2019

Introduction

This document summarizes the proposed changes to the Fairfax County Zoning Ordinance included in the attached Zoning Districts draft. The previously released Use Regulations draft included a considerable number of substantive edits; however, the proposed changes to the zoning districts articles are more limited. Below is a summary of the significant proposed changes; more detailed descriptions of the changes can be found in footnotes in the attached draft. This draft was developed over several months through the combined work of Clarion Associates and Fairfax County zMOD staff.

Background

Since early 2018, Clarion Associates has been assisting Fairfax County with the zMOD project. The goals of this project are to modernize the County's Zoning Ordinance, to make the regulations easier for the public, stakeholders, and property owners to understand, and to remove inconsistencies, gaps, and ambiguities that have found their way into the Ordinance over the years. Public outreach meetings have been conducted by Clarion Associates and County staff throughout the process and will continue. Between January and May of 2018, a new structure for the Zoning Ordinance regulations was established. From September 2018 through May of 2019, updated use regulations were released in installments. A [Consolidated Draft of the Fairfax County Use Regulations](#) (new Article 4), dated July 1, 2019, reflects the changes recommended as a result of extensive public and stakeholder review. During the upcoming fall and winter, Clarion and staff will continue to revise the remaining articles of the Zoning Ordinance and will release these drafts in installments.

Proposed Changes to Districts

Specific zoning district regulations are currently found in Articles 3, 4, 5, 6, and 7, and Appendices 1 and 7 of the Zoning Ordinance. Regulations that apply generally to all zoning districts such as density/intensity calculations, open space, and bulk regulations, or that apply specifically to P Districts are currently found in Articles 2 and 16. This draft consolidates those regulations into a new Article 2 – *Zoning Districts*, and Article 3 – *Overlay and Commercial Revitalization Districts*. This partial draft of Article 9 – *Definitions* includes those definitions relevant to these new Articles 2 and 3. Except for the significant visual changes to the district content as discussed below, the bulk of the work on this draft consisted of clerical edits and

minor clarifications. As with previous drafts, many of the edits involved replacing legalese (e.g., heretofore and wherein) with more common terminology that is easily understood. Throughout the draft, placeholders within brackets are used to indicate a future cross-reference to current regulations. (For example, [reference to relocated Sect. X-XXX].) As the draft Zoning Ordinance is modified over the next several months, these cross-references will be populated with hyperlinked text leading directly to those standards.

Although most of the changes proposed with this draft are minor, a few more substantive edits are proposed as summarized below:

- ❖ **New Tables and Illustrations.** One of the most significant changes is the inclusion of new tables and graphics throughout the document to augment the text. Each of the residential, commercial, and industrial zoning districts includes aerial and street view photographs of the intended character of that district, a table summarizing key lot and building dimensional standards (e.g., building height and setbacks) in that district, and an illustration to demonstrate the dimensional standards. Except as discussed below, the standards themselves were not revised but are presented differently using a more visual approach. It should be noted that dimensional standards, to include permitted extensions into setbacks, will be part of a forthcoming draft of new Article 5 – *Development Standards*. In addition, some of the current graphics are used as placeholders, but new illustrations will be developed and included in a future draft.

- ❖ **Setbacks.** In this draft, references to “minimum required yards” are now renamed to the well understood and commonly used term, “setbacks.” This does not change that the term is used to indicate how far structures must be located from rights-of-way and lot lines. The draft includes two changes to setbacks. One relates to the rear setback for **corner lots** with single family detached dwellings in the R-E through R-8 Districts. Corner lots need to provide the minimum front setback adjacent to both streets, but in the referenced districts, the rear setback can take the dimension of the side setback. For instance, in the R-2 District, a corner lot is required to provide a 35-foot front setback from the lot lines which abut each street, and a 15-foot setback from the lot lines which abut both adjoining lots, in lieu of providing a 25-foot setback from the rear lot line. Older residential developments are experiencing redevelopment where older homes are replaced with new homes that are built to maximize the building envelope, leaving limited usable rear yard area. Staff has received comments about this setback provision, noting that the additional lot width required for a corner lot as compared to an interior lot more than off-sets the additional front setback requirement. The attached draft now requires that a 25-foot rear setback be provided.

The other change relates to **angle of bulk plane** (ABP), which is an older methodology that was used to determine setbacks based on the height of the building. The requirement is expressed as a formula, minimum required yard = effective building height x tangent (angle). This provision has historically been difficult to understand and use for staff, engineers, and citizens. During the initial outreach for the zMOD project, comments were made that this provision is confusing and should be simplified. In the attached draft, the formula and the terms angle of bulk plane and effective

building height are deleted and translated into tables that essentially capture the same setbacks relative to height without reliance on the formula. In developing the tables, the minimum setbacks were carried forward, and the current angles were used to determine the setbacks relative to height. In some instances, the table approach and rounding result in minor adjustments to the setbacks. In reviewing the current ABP requirements, it was found that some of the current standards do not actually result in a requirement for additional setback for the maximum building height, and in these and similar instances, the ABP requirement has been deleted. While the proposed tables carry forward the ABP concept in a more user-friendly manner, the concept of determining setbacks based on building height could be reviewed as part of a future amendment.

❖ **Stacked Townhouse Dwellings.** In the Use Regulations draft, a new use was created for stacked townhouse dwellings. With the allowance of a new dwelling type, building dimensional standards for this use have been developed in the residential zoning districts. While the proposal aligns the setbacks of stacked townhouses with single family attached dwellings, due to the stacked design, a larger building height has been proposed. In the R-12, R-16, and R-20 Districts, the maximum height of stacked townhouses is 60 feet. In Affordable Dwelling Unit Developments, in the R-5 through R-20 Districts, the maximum building height varies by zoning district from 50 to 60 feet.

❖ **Planned Districts.**

- **Comparison to Conventional District.** The current bulk regulations and landscaping and screening provisions for a P District that require them to generally conform to the most similar conventional zoning district (Par. 1 of Sect. 16-102) has not been included in the proposed draft. Flexibility is allowed with planned developments in order to achieve high standards in layout and design, and comparison with a conventional zoning district has not proven to be useful or appropriate. The general standards for planned developments require conformance with the comprehensive plan and consideration of surrounding development, which staff evaluates on a case by case basis. Therefore, the additional standard is not necessary.
- **PDH Density Bonus.** The density bonuses allowed in the PDH District for design features, historic preservation, or proposed development at a lower density than the current zoning district have not been carried forward. These density bonus provisions have not been used recently and are less applicable to the smaller developments typical of more recent applications.
- **PDH Secondary Use Limitations.** The secondary use limitations have been updated based on the proposed use classification system. In addition, the current requirement that secondary uses of a commercial nature be designed to serve primarily the needs of the residents of the planned development has been revised to require secondary uses in the commercial classification to be designed as an integrated component of the development. This shifts the focus to design and layout, instead of whether a particular use may draw from the wider community. The land area devoted to commercial uses would continue to be limited by the maximum number of square feet allowed per dwelling unit.

- ❖ **Historic Overlay Districts (HODs).** The HOD standards located in both Article 7 and Appendix 1 have been consolidated and integrated into the new Article 3 – Overlay Districts. As a part of this integration, the districts were reorganized, and much of the content was consolidated rather than repeatedly listing the same information. In the Use Regulations draft, a new use was created for Alternative Use of Historic Buildings. This use has been added as a permitted special exception use throughout the HODs. Additional revisions to this subsection, such as the inclusion of the Secretary of the Interior Standards as review standards, may be made in consultation with the Architectural Review Board, and future revisions are anticipated after development of new design guidelines.

- ❖ **Commercial Revitalization Districts (CRDs).** As with the HODs, Article 7 and Appendix 7 containing the CRDs and associated standards have been integrated into the new Article 3 - Overlay Districts. Similar reorganization and streamlining efforts also occurred in this subsection. The proposed substantive changes are outlined below:
 - **Building Height.** Under current regulations, increased flexibility is included in the standards that apply to CRDs in order to encourage redevelopment. The proposed draft expands this flexibility to maximum building height in the same manner as it applies to setback requirements. While setbacks are specified in the underlying zoning district, a lesser front setback is permitted if the adopted comprehensive plan specifies such. The proposed draft would also allow an increase in the building height permitted in the underlying zoning district if specified in the adopted comprehensive plan.
 - **Parking Reduction.** While this change has not been proposed in the draft, expanding an administrative reduction in parking for non-residential uses to all CRDs rather than only the Richmond Highway CRD is under discussion.
 - **Interior Parking Lot Landscaping.** Under today’s standards, interior parking lot landscaping in CRDs is only required when a proposed expansion or enlargement of an existing development involves 20 or more parking spaces. In an attempt to further revitalization efforts, the draft proposes to require interior parking lot landscaping when the resultant parking lot contains 20 or more parking spots, which is the same standard that applies to non-CRD districts.

- ❖ **Airport Noise Overlay District.** The uses listed in the noise compatibility table have been updated to correspond with the use tables in the Use Regulations draft (new Article 4). Accessory and temporary uses were not carried forward as the noise level standards would be based on the principal use. New uses were assigned the levels for the most similar use, and consolidated uses did result in some changes. For instance, theaters are currently not allowed in any of the impact areas, but they have been consolidated with other indoor recreation uses which are allowed with acoustical treatment measures.

Next Steps

- Clarion Associates will return in October 2019 for another round of public meetings to present the Fairfax County Districts and to answer additional questions.

- Fairfax County staff members are available to answer questions and receive feedback on all released documents (DPDzMODComments@fairfaxcounty.gov).
- Work will continue throughout 2019 to develop a complete draft of the reorganized Zoning Ordinance, with continued outreach along the way.

Questions?

If you have questions or comments about any aspect of the zMOD project, please e-mail zMOD staff at DPDzMODComments@fairfaxcounty.gov or visit the project website at <https://www.fairfaxcounty.gov/planning-development/zmod>.

If you would like to receive e-mail updates about the project, please visit that website and click “Add Me to the zMOD E-Mail List.” You may also follow us at <https://www.facebook.com/fairfaxcountyzoning/>



Z M O D

Zoning Districts – Public DRAFT

August 9, 2019

CLARION

Table of Contents

Article 2: Zoning Districts	15
2100. Zoning Districts and Boundaries	15
1. Zoning Districts	15
2. Zoning Map	16
3. Zoning of Entire Jurisdictional Area	16
4. Zoning District Boundaries	16
2101. Interpretation of District Regulations	17
1. Purpose Statements	17
2. Lot Size Requirements	17
3. Bulk Regulations	18
4. Maximum Density	18
5. Open Space	21
6. Affordable Dwelling Unit Developments	22
2102. Residential Zoning Districts	23
1. R-A Rural Agricultural District	24
2. R-C Residential-Conservation District	27
3. R-E Residential-Estate District	30
4. R-1 Residential District, One Dwelling Unit/Acre	33
5. R-2 Residential District, Two Dwelling Units/Acre	36
6. R-3 Residential District, Three Dwelling Units/Acre	40
7. R-4 Residential District, Four Dwelling Units/Acre	44
8. R-5 Residential District, Five Dwelling Units/Acre	49
9. R-8 Residential District, Eight Dwelling Units/Acre	54
10. R-12 Residential District, Twelve Dwelling Units/Acre	59
11. R-16 Residential District, Sixteen Dwelling Units/Acre	64
12. R-20 Residential District, Twenty Dwelling Units/Acre	69
13. R-30 Residential District, Thirty Dwelling Units/Acre	74
14. R-MHP Residential District, Manufactured Home Park	79
2103. Commercial Zoning Districts	83
1. C-1 Low-Rise Office Transitional District	84
2. C-2 Limited Office District	86
3. C-3 Office District	88
4. C-4 High Intensity Office District	91
5. C-5 Neighborhood Commercial Retail	94
6. C-6 Community Retail Commercial District	96
7. C-7 Regional Retail Commercial District	99

8.	C-8 Highway Commercial District	102
2104.	Industrial Zoning Districts.....	105
1.	I-1 Industrial Institutional District.....	106
2.	I-2 Low Intensity Industrial District.....	109
3.	I-3 Light Intensity Industrial District	112
4.	I-4 Medium Intensity Industrial District.....	115
5.	I-5 General Industrial District.....	118
6.	I-6 Heavy Industrial District	121
2105.	Planned Districts	124
2.	PDH Planned Development Housing District.....	126
3.	PRC Planned Residential Community District.....	130
4.	PDC Planned Development Commercial District.....	134
5.	PRM Planned Residential Mixed-Use District.....	138
6.	PTC Planned Tysons Corner Urban District.....	142
7.	PCC Planned Continuing Care Facility District	148
Article 3:	Overlay and Commercial Revitalization Districts	151
1.	Purpose.....	151
2.	Establishment of Overlay Districts.....	151
3.	District Boundaries	151
4.	Permitted Uses, Special Exception Uses, and Special Permit Uses	151
5.	Additional Regulations and Standards	151
3101.	Historic Overlay Districts	151
1.	Purpose.....	151
2.	Districts.....	152
3.	District Boundaries	153
4.	Establishment of Districts.....	153
5.	Administration of Historic Overlay District Regulations.....	155
6.	Permitted, Special Exception, and Special Permit Uses	162
7.	Use Standards.....	162
8.	Bull Run Stone Bridge Historic Overlay District	163
9.	Centreville Historic Overlay District.....	163
10.	Colvin Run Mill Historic Overlay District.....	164
11.	Dranesville Tavern Historic Overlay District	165
12.	Huntley Historic Overlay District	165
13.	Lake Anne Village Center Historic Overlay District.....	166
14.	Langley Fork Historic Overlay District.....	167
15.	Mount Air Historic Overlay District	167
16.	Pohick Church Historic Overlay District.....	168
17.	Robey’s Mill Historic Overlay District	168

18. St. Mary’s Church Historic Overlay District.....	169
19. Sully Historic Overlay District	170
20. Woodlawn Historic Overlay District	171
3102. Commercial Revitalization Districts.....	172
1. Purpose.....	172
2. Districts.....	172
3. Standards Applicable to All Commercial Revitalization Districts.....	172
3103. Other Overlay Districts.....	178
1. Natural Resource Overlay District	178
2. Airport Noise Impact Overlay District.....	178
3. Sign Control Overlay District.....	186
4. Highway Corridor Overlay District	186
5. Water Supply Protection Overlay District	187
Article 9: Definitions.....	189
9100. Terms of Measurement	189
9101. All Other Terms Defined	195

Article 2: Zoning Districts¹

2100. Zoning Districts and Boundaries²

1. Zoning Districts³

The unincorporated territory of the County of Fairfax is divided into the zoning districts presented in this Article and shown in Table 2100.1 below.⁴

TABLE 2100.1: Zoning Districts Established

ac = acres du = dwelling units

District Name	Sect.	District Name	Sect.		
Residential Districts		Industrial Districts			
R-A	Rural Agricultural	2102.1	I-1	Industrial Institution	2104.1
R-C	Residential Conservation	2102.2	I-2	Industrial Research	2104.2
R-E	Residential Estate	2102.3	I-3	Light Intensity Industrial	2104.3
R-1	Residential, One Du/Ac	2102.4	I-4	Medium Intensity Industrial	2104.4
R-2	Residential, Two Du/Ac	2102.5	I-5	General Industrial	2104.5
R-3	Residential, Three Du/Ac	2102.6	I-6	Heavy Industrial	2104.6
R-4	Residential, Four Du/Ac	2102.7	Planned Development Districts		
R-5	Residential, Five Du/Ac	2102.8	PDH	Planned Development Housing	2105.2
R-8	Residential, Eight Du/Ac	2102.9	PRC	Planned Residential Community	2105.3
R-12	Residential, Twelve Du/Ac	2102.10	PDC	Planned Development Commercial	2105.4
R-16	Residential, Sixteen Du/Ac	2102.11	PRM	Planned Residential Mixed-Use	2105.5
R-20	Residential, Twenty Du/Ac	2102.12	PTC	Planned Tysons Corner Urban	2105.6
R-30	Residential, Thirty Du/Ac	2102.13	PCC	Planned Continuing Care Facility	2105.7
R-MHP	Residential, Manufactured Home Park	2102.14			
Commercial Districts					
C-1	Low-Rise Office Transitional	2103.1			
C-2	Limited Office	2103.2			
C-3	Office	2103.3			
C-4	High Intensity Office	2103.4			
C-5	Neighborhood Retail Commercial	2103.5			
C-6	Community Retail Commercial	2103.6			
C-7	Regional Retail Commercial	2103.7			
C-8	Highway Commercial	2103.8			

¹ Most of the text has been edited for clarity and readability; however, content changes are footnoted throughout.

² From Part 2, 2-200.

³ From Sect. 2-201.

⁴ Revised from “articles 3 through 7” and did not carry forward “which Articles may be referenced as the Schedule of Regulations.” The table is new, provided to summarize the list of established districts in Fairfax County and includes hyperlinked cross-references to individual zoning districts.

2. Zoning Map⁵

The location and boundaries of the zoning districts established by this Ordinance are as indicated on the map entitled “Official Zoning Map, Fairfax County, Virginia,” derived from the authoritative data source.⁶ A copy of the official Zoning Map is on file in the Office of the Zoning Administrator, and it may be kept in either hardcopy or digital form. This map is hereby incorporated as a part of this Ordinance.

3. Zoning of Entire Jurisdictional Area⁷

- A.** It is the intent of this Ordinance that the entire unincorporated area of the County of Fairfax, including all land, water areas, and waterways be included in the districts established by this Ordinance. Any area on the Official Zoning Map that is not shown in a specific zoning district is zoned to the R-C District.
- B.** Unless otherwise specifically designated, all water areas, waterways, alleys, roads, streets, highways, railroads, and other rights-of-way are deemed to be in the same zoning district as the immediately abutting property. Unless otherwise specifically designated, where the center line of any water areas, waterways, or rights-of-way serves as a zoning district boundary, the zoning of each area is deemed to be the same as that of the abutting property up to the center line.

4. Zoning District Boundaries⁸

If uncertainties exist with respect to the intended boundaries of the individual zoning districts as shown on the Official Zoning Map, the following rules apply:

- A.** Where zoning district boundaries are indicated as approximately following the center lines of streets, alleys, railroads, or waterways, the center lines are the zoning district boundaries, and where zoning district boundaries are indicated as approximately following the lines of lots or other parcels of record, the lot or parcel lines are the zoning district boundaries.
- B.** Any zoning district boundary shown extended to or into any body of water bounding the County is deemed to extend straight to the County boundary.
- C.** Where uncertainties continue to exist or where further interpretation is required beyond that presented above, the Zoning Administrator will make a determination in accordance with the provisions of [reference to relocated Sect. 18-103]. Any person aggrieved by the Zoning Administrator’s decision may appeal that decision as described in [reference to relocated Sect. 18-301].

⁵ From Sect. 2-202. A reference to the GIS authoritative data source is added, and the reference to sections sheets as well as repetitive language are deleted.

⁶ A link to the online Zoning Map will be inserted.

⁷ From Sect. 2-203.

⁸ From Sect. 2-204. Outdated provisions relating to scaling a map are not carried forward.

2101. Interpretation of District Regulations⁹

1. Purpose Statements¹⁰

Each zoning district has a specific purpose and intent expressed in a purpose statement. However, zoning districts are not created to fulfill a singular stated purpose. Each zoning district is also established to promote the general health, safety, and welfare of Fairfax County and to implement the stated purpose and intent of this Ordinance.

2. Lot Size Requirements¹¹

- A.** In this Ordinance, lot size requirements may be expressed in terms of:
- (1)** Minimum lot area;
 - (2)** Minimum lot width; and
 - (3)** Minimum district size, which is only applicable for proposed rezonings.
- B.** In the R-C, R-E, R-1, R-2, R-3, and R-4 Districts, minimum lot area and lot width requirements are presented for conventional subdivision lots and cluster subdivision lots that may be allowed in accordance with the provisions of [*reference to relocated Sections 2-421 and 9-615*], as applicable. In the R-2, R-3, R-4, R-5, R-8, R-12, R-16, R-20, and R-30 Districts, minimum lot area and lot width requirements are also presented for affordable dwelling unit developments.
- C.** No parcel may be rezoned to a given district unless it meets the applicable minimum district size, except:¹²
- (1)** By the Board acting on its own motion; or
 - (2)** As a part of a rezoning or special exception, by the provisions of [*reference to relocated Sect. 9-610*].
- D.** All uses are subject to the lot size requirements specified for a given district. In the R-C, R-E, R-1, R-2, R-3, and R-4 Districts, non-residential uses are controlled by the provisions presented for conventional subdivision lots, either the average or minimum lot area, whichever is greater. However, when minimum requirements are specified for specific uses elsewhere in this Ordinance, those minimum requirements will apply.
- E.** Except for transmission lines in the public right-of-way or easements totaling less than 25 feet in width, no land area that is encumbered by any covenant, easement, or interest that would permit the establishment of power distribution facilities, including high power transmission lines, ground transformer stations, and natural gas, petroleum, or other transmission pipelines is considered in the computation of minimum lot area or minimum district size.

⁹ From Part 3, 2-300. The use standards (permitted, special permit, special exception, and use limitations) addressed by current Sections 2-302, 2-303, 2-304, and 2-305 were not included in this Article. Those standards were relocated to Article 4: *Use Regulations* and revised as noted. Parts 4 through 11 of the current Article 2 were not included in this Article. Those standards will be addressed in the new Article 5: Development Standards.

¹⁰ From Sect. 2-301. Each district was revised to include a “purpose” statement instead of a “purpose and intent” statement. Revised this sentence for clarity and to remove passive language. Added the last sentence to apply broadly to all districts.

¹¹ From Sect. 2-306. Did not carry forward Par. 3 of Sect. 2-306 because it is unnecessary and confusing, except as indicated in 2.A with “may be” (not all districts have a minimum district size).

¹² Par. 4A and 4B of Sect. 2-306 are not carried forward.

3. Bulk Regulations¹³

- A.** In this Ordinance, bulk regulations are expressed in terms of:¹⁴
- (1)** Maximum building height;
 - (2)** Minimum setbacks; and
 - (3)** Maximum floor area ratio.
- B.** Except as may be qualified by the provisions of this Ordinance, no structure or part of a structure may be built, moved, used, occupied, or arranged for use on a lot that does not meet all minimum bulk regulations presented for the zoning district in which it is located.
- C.** Maximum building height applies to all structures in the zoning district except those structures or appurtenances listed in [reference to relocated Sect. 506], unless a lower maximum height is established for a given use elsewhere in this Ordinance.
- D.** Minimum setbacks are subject to the following:
- (1)** Minimum setbacks are specified for each zoning district, except as may be further qualified by other provisions of this Ordinance.
 - (2)** Minimum setbacks apply to all buildings and structures as they relate to the lot lines and public streets.
 - (3)** For single family attached dwellings, minimum side setbacks do not apply to interior units; however, minimum setback requirements for freestanding accessory structures are included in [reference to Article 4].¹⁵
 - (4)** In the case of single family detached dwellings without individual lots, groups of single family attached or stacked townhouse dwellings or multiple family structures, the minimum distance between structures may not be less than the sum of the minimum setbacks for the individual structures, determined as if a lot line were located between the structures drawn perpendicular to the shortest line between them.
- E.** Maximum floor area ratio is established in accordance with the definition of “Floor Area Ratio” presented in Section 9100.

4. Maximum Density¹⁶

- A.** The maximum density specified for a given zoning district may not be exceeded, except as permitted by the provisions of [reference to relocated Sect. 2-405], [reference to relocated Part 8 of Article 2], or [reference to relocated Part 9 of Article 8 (Article 4)]. Maximum density means the number of dwelling units per acre, except in the PRC District where it means the number of persons per acre.

¹³ From current Sect. 2-307. “Minimum yard requirements” were revised to “setbacks” throughout.

¹⁴ The term angle of bulk plane and the related term effective building height have been deleted throughout and the concept incorporated into tables in the setbacks section of each applicable district. See the cover memo for additional discussion of this change.

¹⁵ The reference to setback requirements for freestanding accessory structures on single family attached lots is new.

¹⁶ From current Sect. 2-308.

B. Density Penalty

- (1) Maximum density is calculated on the gross area of the lot, except when 30 percent or more of the area of the lot is comprised of any or all the following features:
 - (a) Floodplains, and adjacent slopes in excess of 15 percent grade as measured from the floodplain until a minimum 50-foot wide plateau occurs such that a principal structure could be constructed;
 - (b) Quarries;
 - (c) Marine clays; and
 - (d) Existing water bodies, unless a water body is a proposed integral design component of an open space system for a development, in which case total density credit is calculated including the area of the water body.
- (2) When 30 percent or more of the area of the lot is comprised of any or all of the features in subsections B(1) through (4) above, then 50 percent of the maximum permitted density is calculated for that area. The 50 percent density limitation applies, although that area may be used for open space, parks, schools, rights-of-way, utility easements, or other uses as may be presented in the following subsections. The density penalty of this subsection does not apply in the PRC District or to floor area ratio.

Example: Density Penalty Calculations	
Site Area	38.28 ac
A. Floodplains and adjacent steep slopes	18.3 ac
B. No quarries exist on site	n/a
C. Areas of marine clays	12.2 ac
D. No bodies of water exist outside the floodplain	
Site area consisting of A-D above	30.5
Percent of site consisting of A-D above	79.7%
Percent of site consisting of A-D above that is in excess of 30%	49.7%
Zoning District: R-2, maximum density 2 du/ac:	
49.7% of 38.28 = 19.02 @ 50% (1 du/ac) = 19.02	
50.3% of 38.28 = 19.26 @ 100% (2 du/ac) = 38.53	
19.02 + 38.53 = 57.54 = 57 total dwelling units allowed	

C. Density or Floor Area Ratio Credit

- (1) Except in the PRC District, in cases where area within a lot is in a major utility easement or right-of-way acquired after the August 14, 1978, no density or floor area ratio credit may be calculated on such area; except that such credit may be allowed by the Board, by the

approval of a special exception pursuant to [reference to relocated Part 6 of Article 9], for major utility easements granted after the August 14, 1978, when the grantee of the easement is the Board, or an authority or other governmental organization appointed by the Board. For the purpose of this subsection, a major utility easement or right-of-way is one having a width of 25 feet or more that is located entirely outside of a right-of-way.

- (2)** In cases where an area within a lot is needed by the County for a public park, school site, other public facility site, mass transit facility or street improvement, or public street right-of-way,¹⁷ density or floor area ratio credit is calculated on that area severed for those purposes in accordance with the following:
- (a)** There is approval of density or floor area ratio credit prior to the recordation of the dedication or conveyance among the County's land records by:
- 1.** The Board in approving a rezoning or special exception application when dedication or conveyance is part of the application;
 - 2.** The Director in approving a subdivision plat in accordance with Chapter 101 of The Code, or a site plan in accordance with [reference to relocated Article 17] of this Ordinance, when dedication or conveyance is part of the subdivision plat or site plan; or
 - 3.** The County Executive or designee when the dedication or conveyance is not proposed as part of the approval of a rezoning, special exception, subdivision plat, or site plan.
- (b)** Such approval must be based upon the following:
- 1.** The area to be dedicated or conveyed is necessary for the public facility site or use, and is suitable in location, size, shape, condition, and topography;
 - 2.** The area to be dedicated or conveyed, except for the area dedicated for public streets other than major thoroughfares, is in accordance with the adopted comprehensive plan. Where the proposed public facility site or use requires approval under Section 15.2-2232 of the Code of Virginia, such approval must be obtained prior to the granting of any credit; and
 - 3.** The area to be dedicated or conveyed will be deeded to the County, and the dedication or conveyance will not be made in exchange for monetary compensation.
- (c)** Prior to the dedication or conveyance, a plat of dedication showing the land area to be severed, the resultant lot, and its appropriate density or floor area ratio allocation must be submitted to and approved by the Director. That plat and an irrevocable dedication or conveyance to the County must be recorded among the land records of the County. Following such recording, any reallocation of the density or floor area ratio credit requires the submission to and approval by the Director of a revised plat, which must also be recorded among the land records of the County. Density or floor area ratio credit approved after February 28, 1995, and in accordance with this subsection runs in perpetuity with the land remaining. Density or floor area ratio credit approved prior to February 28, 1995 was approved for that one time and does not apply to any future

¹⁷ Did not carry forward “and there are no encumbrances to the title to that area that would interfere with its use” since that is a separate requirement outside of the land use ordinance.

development that is not consistent with the development approved at the time of the granting of the credit.

5. Open Space¹⁸

- A.** The open space requirements for any given district are minimums, and the required open space must be located on the same lot as the primary use, unless otherwise specifically required elsewhere in this Ordinance. Open space requirements are generally presented as a percent of the gross area of the lot.
- B.** No part of required open space may later be reduced below the minimum requirements of this Ordinance or used in any manner contrary to this Ordinance. Open space may not be disturbed in any manner without the approval of the Director.
- C.** Calculation of open space area is based on the following rules:
 - (1)** In cases where the balance of land not contained in lots and streets is needed by the County for parks, recreational areas, or stream valleys, and is suitable in location, size, shape, condition, and topography for the needed purposes as determined by the Director, then such land must be deeded to the County for such purpose. This land is referred to as dedicated open space and is given full credit in satisfying the open space requirement for a given district.
 - (2)** In cases where a given area within a lot is needed by the County for a school site, 50 percent of the required area is given credit for satisfying the open space requirement of the district in which located.
 - (3)** In cases where the balance of land not contained in lots and streets is not needed by the County for those purposes set forth in subsections (1) and (2) above, then the Director may approve the conveyance of those lands to a nonprofit organization as provided for in [reference to relocated Part 7]. Such land is referred to as common open space and is given full credit in satisfying the open space requirement for a given district.
 - (4)** In cluster subdivisions, at least 75 percent of the minimum required open space or one acre, whichever is less, must be provided as a contiguous area of open space with no dimension less than 50 feet. For cluster subdivisions in which the required open space will approximate five acres in area, the open space must generally be so located and have dimension and topography to be usable open space. Deviations from this provision may be permitted:
 - (a)** For cluster subdivisions in the R-C, R-E, and R-1 Districts when the Board approves a waiver of open space requirements as a special exception or with appropriate proffered conditions; or
 - (b)** For cluster subdivisions in the R-3 and R-4 Districts that have a district size of two acres to less than three and one-half acres, when the Board finds that the deviation will further the intent of the Ordinance, the adopted comprehensive plan, and other adopted policies.

¹⁸ From current Sect. 2-309, revised for clarity and to update cross-references. Article 2, Part 7 will be relocated to the new Article 5: Development Standards. Although the computation of open space standards was brought forward in this draft, they may be relocated to the development standards in Article 5 with a subsequent draft.

- (c) However, no deviation from this provision is permitted for cluster subdivisions in the R-2 District, or in cluster subdivisions in the R-3 and R-4 Districts that have a minimum district size of three and one-half acres or greater.
- (5) Fifty percent of the area that lies within a major utility easement or right-of-way may be calculated as open space, but only if the remaining rights of the easement or right-of-way is dedicated for recreational or open space use. However, lands that lie within a major utility easement or right-of-way may not constitute more than 30 percent of the total land area needed to satisfy the open space requirement for a given district. For the purpose of this subsection, a major utility easement or right-of-way is one having a width of 25 feet or more that is located entirely outside a street right-of-way.
- (6) Open space credit may not be given for lands that are included in or reserved for the right-of-way of any street, for any mass transit facility, or for any public facility except as qualified above.
- (7) In the administration of these provisions, the Director has the authority to determine whether lands qualify as open space and whether those lands are common open space, dedicated open space, landscaped open space, or recreational open space.
- (8) The Board may waive the open space requirement presented for a given zoning district in accordance with the provisions of [*reference to relocated Sect. 9-612*].
- (9) Any area required for interior parking lot landscaping must not comprise more than 25 percent of the total required open space.¹⁹

6. Affordable Dwelling Unit Developments²⁰

In the R-2, R-3, R-4, R-5, R-8, R-12, R-16, R-20, and R-30 Districts and Planned²¹ Districts, affordable dwelling unit developments may be required in accordance with the provisions of [*reference to relocated Part 8*]. Affordable dwelling unit developments are subject to the provisions of [*reference to relocated Part 8*] and the minimum lot size requirements and bulk regulations set forth for affordable dwelling unit developments in the respective zoning districts. Unless expressly stated otherwise, all other provisions of the respective zoning districts are applicable to those developments.

¹⁹ Relocated from the definition of open space.

²⁰ From current Sect. 2-310. Part 8 will be located in the new Article 5: Development Standards.

²¹ Clarified planned districts instead of "P."

2102. Residential Zoning Districts

This section 2102 includes the standards related to the Residential zoning districts established in Fairfax County.

1. R-A Rural Agricultural District²²

A. Purpose²³

The R-A District is established to provide for lands within the County used for agriculture and to generally distinguish such lands from conventional single family residential districts. The intent of the R-A District is to protect agricultural land from urban development.

Figure 2102.1: R-A District Aerial Example



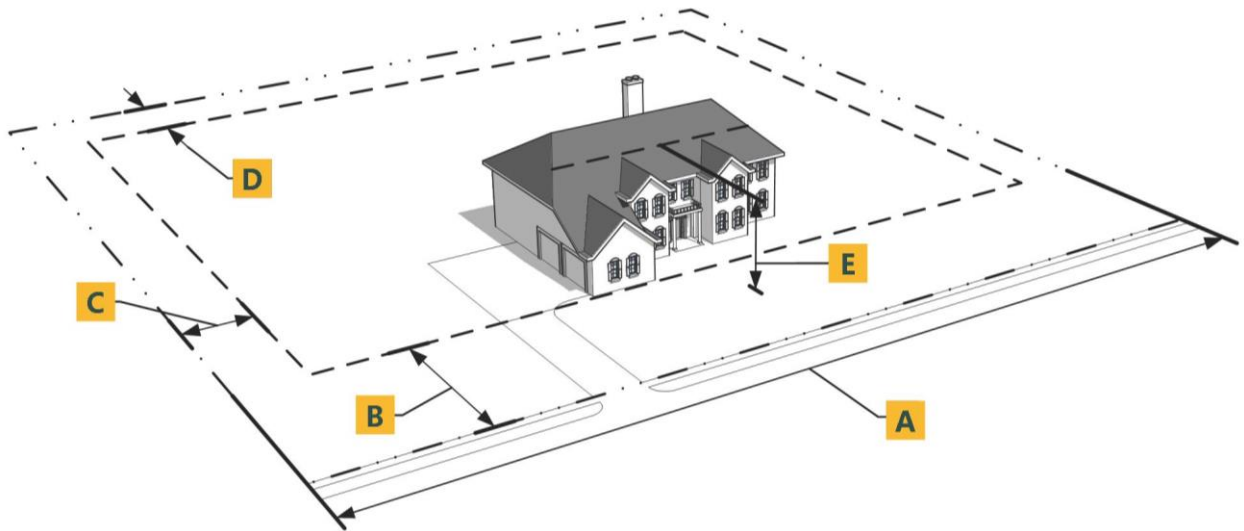
²² Carried forward from Sect. 3-A00, with changes as noted.

²³ Carries forward Sect. 3-A01.

B. R-A Lot and Building Dimensional Standards

TABLE 2102.1: R-A Lot and Building Standards		
	Single family dwellings and manufactured homes	Other uses
Density, maximum		0.2 du or manufactured homes/ac
Open space, minimum		No requirement
Lot area, minimum		5 acres
A Lot width, minimum [1]		200 feet
B Front setback, minimum	60 feet	See Table 2102.1a below ²⁴
C Side setback, minimum	50 feet	See Table 2102.1a below
D Rear setback, minimum	50 feet	See Table 2102.1a below
E Building height, maximum [2]	35 feet	60 feet
Floor area ratio, maximum	No requirement	0.15 for public uses; 0.10 for uses other than residential or public
Notes:		
[1] Lot width may be modified in accordance with 2101.2.C and [reference to relocated 9-610].		
[2] Building height measurement depends on roof type as defined by Section 9102.		

Figure 2102.2: R-A District Lot and Building Dimensional Standards



²⁴ Replaced 60 degree angle of bulk plane with new table with the same minimum setbacks as for a dwelling.

Table 2102.1a: R-A Setback Relative to Height		
Other uses		
Building height, maximum (feet) [1]	Front setback, minimum (feet)	Side and Rear setback, minimum (feet)
30	60	50
35	60	54
40	62	62
45	71	71
50	80	80
55	88	88
60	97	97

Notes:

[1] Maximum height of the portion of the building with the specified minimum setback

C. Reference to Other Standards

General regulations that may qualify or supplement the regulations above	[TBD – based on new zMOD structure]
Off-street parking, loading and private street requirements	
Signs	
Uses and developments that are subject to site plan provisions	

2. R-C Residential-Conservation District²⁵

A. Purpose²⁶

The R-C District is established to protect water courses, stream valleys, marshes, forest cover in watersheds, aquifer recharge areas, rare ecological areas, and areas of natural scenic vistas; and to minimize impervious surface and to protect the quality of water in public water supply watersheds by encouraging open areas for agriculture and large lot single family subdivisions.

Figure 2102.3: R-C District Aerial Example



²⁵ Carried forward from Sect. 3-C00, with changes as noted.

²⁶ Carried forward from Sect. 3-C01.

B. R-C Lot and Building Dimensional Standards

TABLE 2102.2: R-C Lot and Building Standards					
		Conventional		Cluster	
District size, minimum		No requirement		50 acres	
Density, maximum		1 du/5 ac		Approved by special exception: 0.22 du/ac If the result of a proffered rezoning from a district that allows a density of less than 1 du/5 acres: 0.20 du/ac	
Open space, minimum		No requirement		50 percent of the gross area	
Lot area, minimum		5 acres		36,000 square feet	
		Interior	Corner	Interior	Corner
A	Lot width, minimum	200 feet [1]	200 feet [1]	Adjacent to a major thoroughfare: 200 feet; adjacent to a local or collector street: no requirement	Adjacent to a major thoroughfare: 200 feet; adjacent to a local or collector street: 125 feet
		Single family dwellings		Other uses	
		Conventional	Cluster		
B	Front setback, minimum [2]	40 feet		See Table 2102.2a below ²⁷	
C	Side setback, minimum [2]	20 feet		Setback equal to building height, but not less than 20 feet	
D	Rear setback, minimum [2]	25 feet		Setback equal to building height, but not less than 25 feet	
E	Building height, maximum [3]	35 feet or 40 feet [4]		60 feet	
Floor area ratio, maximum		No requirement		0.15 for public uses; 0.10 for uses other than residential or public	
Notes:					
[1] Except for cluster subdivisions, lot width may be modified in accordance with 2101.2.C and [reference to relocated 9-610].					
[2] Except for buildings taller than 35 feet, which require a 50-foot setback.					
[3] Building height measured depends on roof type as defined by Section 9102.					
[4] 40 feet is permitted if a minimum setback of 50 feet is maintained from all lot lines.					

²⁷ Replaced angle of bulk plane (50 degrees for front) with new table; for side and rear replaced 45 degrees with statement that setback equals the building height.

Figure 2102.4: R-C District Lot and Building Dimensional Standards

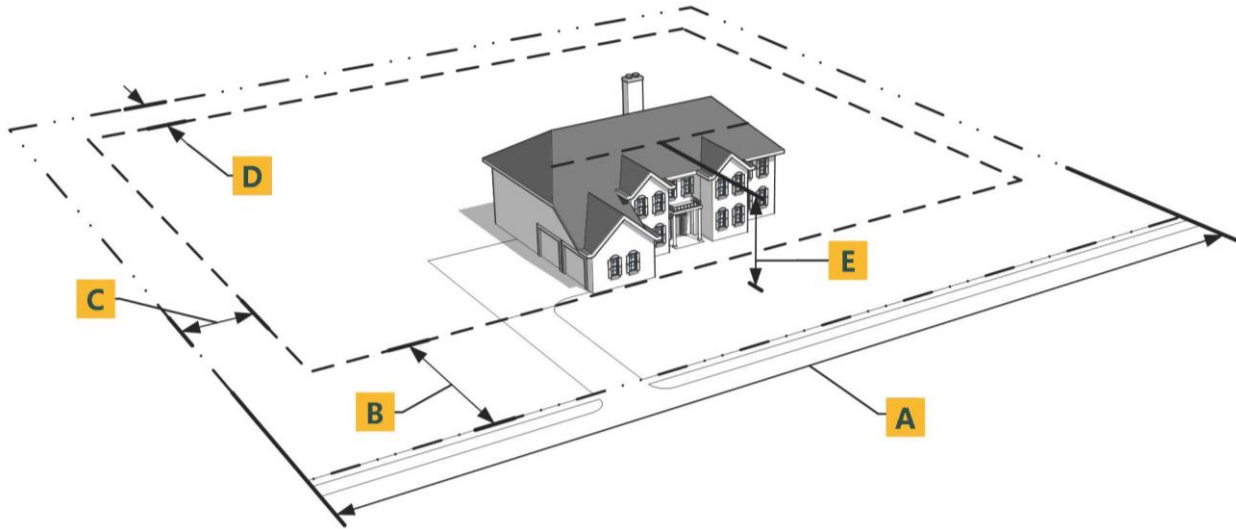


Table 2102.2a: R-C Setback Relative to Height

Other uses	
Building height, maximum (feet) [1]	Front setback, minimum (feet)
35	40
40	43
45	49
50	55
55	61
60	67

Notes:

[1] Maximum height of the portion of the building with the specified minimum setback

C. Reference to Other Standards

General regulations that may qualify or supplement the regulations above	[TBD – based on new zMOD structure]
Off-street parking, loading and private street requirements	
Signs	
Landscaping and screening requirements	
Uses and developments that are subject to site plan provisions	

3. R-E Residential-Estate District²⁸

A. Purpose²⁹

The R-E District is established to provide for single family detached dwellings on large lots and to allow other uses that are compatible with the open and rural character of the district.

Figure 2102.5: R-E District Aerial Example



²⁸ Carried forward from Sect. 3-E00, with changes as noted.

²⁹ Carried forward from Sect. 3-E01.

B. R-E Lot and Building Dimensional Standards

TABLE 2102.3: R-E Lot and Building Standards					
		Conventional		Cluster	
District size, minimum		No requirement		20 acres	
Density, maximum		0.5 du/ac		Approved by special exception: 0.55 du/ac If result of a proffered rezoning from a district that allows a density of less than one du/two acres: 0.5 du/ac	
Open space, minimum		No requirement		30 percent of the gross area	
Lot area, minimum		75,000 SF		52,000 SF	
A	Lot width, minimum	Interior	Corner	Interior	Corner
		200 feet [1]	225 feet [1]	No requirement	175 feet
Single family dwellings					
		Single family dwellings		Other uses	
		Conventional	Cluster		
B	Front setback, minimum	50 feet	30 feet [2]	See Table 21022.3a below ³⁰	
C	Side setback, minimum [2]	20 feet	15 feet (total minimum 40 feet)	Setback equal to building height, but not less than 20 feet	
D	Rear setback, minimum [2]	25 feet		Setback equal to building height, but not less than 25 feet	
E	Building height, maximum [3]	35 feet or 40 feet [4]		60 feet	
Floor area ratio, maximum		No requirement		0.20 for public uses; 0.15 for uses other than residential or public	
Notes:					
[1] Except for cluster subdivisions, lot width may be modified in accordance with 2101.2.C and [reference to relocated 9-610].					
[2] Except for buildings taller than 35 feet, which require a 50-foot setback.					
[3] Building height measurement depends on roof type as defined Section 9102.					
[4] 40 feet is permitted if a minimum setback of 50 feet is maintained from all lot lines.					

³⁰ Replaced angle of bulk plane (55 degrees for front) with new table; replaced 45 degrees for side and rear with statement that setback equals building height.

Figure 2102.6: R-E District Lot and Building Dimensional Standards

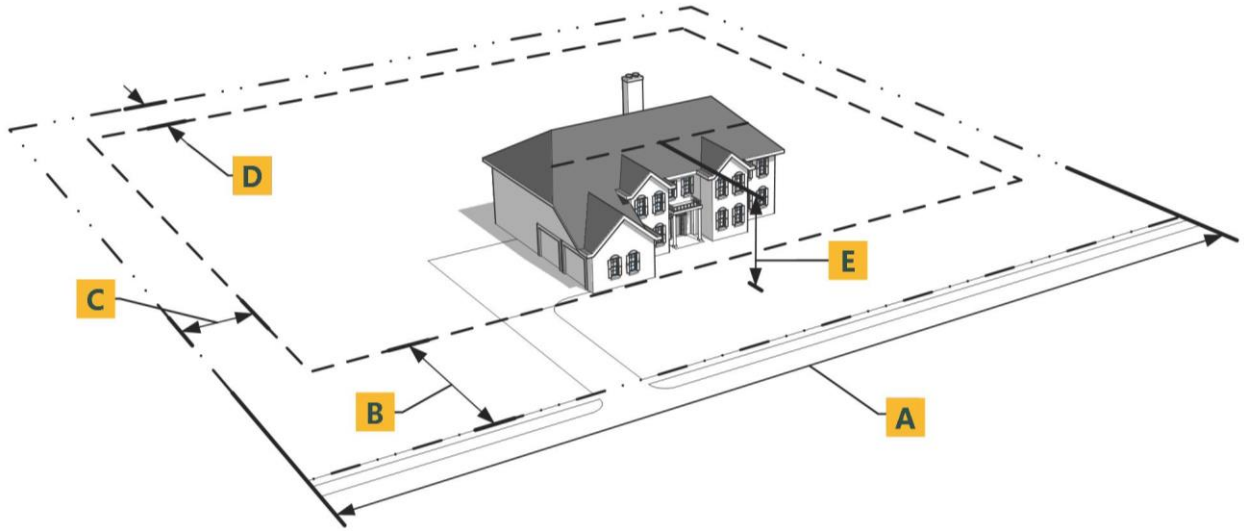


Table 2102.3a: R-E Setback Relative to Height

Other uses	
Building height, maximum (feet) [1]	Front setback, minimum (feet)
35	50
40	51
45	59
50	66
55	73
60	80

Notes:

[1] Maximum height of the portion of the building with the specified minimum setback

C. Reference to Other Standards

General regulations that may qualify or supplement the regulations above [TBD – based on new zMOD structure]

Shape factor limitations

Off-street parking, loading and private street requirements

Signs

Landscaping and screening requirements

Uses and developments that are subject to site plan provisions

4. R-1 Residential District, One Dwelling Unit/Acre³¹

A. Purpose³²

The R-1 District is established to provide for single family detached dwellings on large lots and to allow other uses that are compatible with the low-density residential character of the district.

Figure 2102.7: R-1 District Aerial Example



³¹ Carried forward from Sect. 3-100, with changes as noted.

³² Carried forward from Sect. 3-101.

B. R-1 Lot and Building Dimensional Standards

TABLE 2102.4: R-1 Lot and Building Standards					
		Conventional		Cluster	
	District size, minimum	No requirement		10 acres [1]	
	Density, maximum	1 du/ac		Approved by special exception: 1.1 du/ac If the result of a proffered rezoning from a district that allows a density of less than 1 du/acre: 1 du/ac	
	Open space, minimum	No requirement		30 percent of the gross area	
	Lot area, minimum	36,000 square feet		25,000 square feet	
A	Lot width, minimum	Interior	Corner	Interior	Corner
		150 feet [1]	175 feet [1]	No requirement	125 feet
		Single family dwellings		Other uses	
		Conventional	Cluster		
B	Front setback, minimum	40 feet	30 feet	See Table 21022.4a below ³³	
C	Side setback, minimum	20 feet	12 feet (total minimum 40 feet)	Setback equal to building height, but not less than 20 feet	
D	Rear setback, minimum	25 feet		Setback equal to building height, but not less than 25 feet	
E	Building height, maximum [2]	35 feet		60 feet	
	Floor area ratio, maximum	No requirement		0.20 for public uses; 0.15 for uses other than residential or public	
Notes:					
[1] District size and lot width may be modified in accordance with 2101.2.C and [reference to relocated 9-610]. ³⁴					
[2] Building height measured depends on roof type as defined by Section 9102.					

³³ Replaced angle of bulk plane (50 degrees for front, 45 degrees for side and rear) with new table.

³⁴ The modification of district size for a cluster subdivision may be shifted to the relocated Sect. 9-615 SE for cluster subdivisions.

Figure 2102.8: R-1 District Lot and Building Dimensional Standards

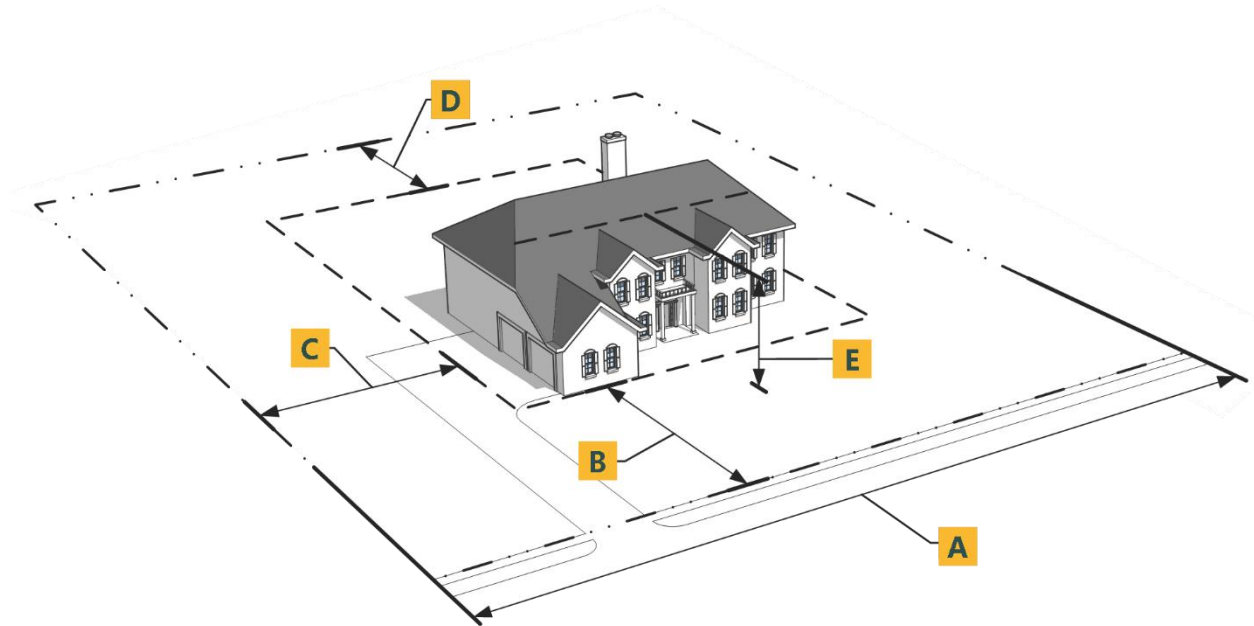


Table 2102.4a: R-1 Setback Relative to Height

Other uses	
Building height, maximum (feet) [1]	Front setback, minimum (feet)
35	40
40	43
45	49
50	55
55	61
60	67

Notes:

[1] Maximum height of the portion of the building with the specified minimum setback

C. Reference to Other Standards

General regulations that may qualify or supplement the regulations above	[TBD – based on new zMOD structure]
Shape factor limitations	
Off-street parking, loading and private street requirements	
Signs	
Landscaping and screening requirements	
Uses and developments that are subject to site plan provisions	

5. R-2 Residential District, Two Dwelling Units/Acre³⁵

A. Purpose³⁶

The R-2 District is established to provide for single family detached dwellings and affordable dwelling unit developments, and to allow other uses that are compatible with the low-density suburban character of the district.

Figure 2102.9: R-2 District Aerial Example



³⁵ Carried forward from Sect. 3-200, with changes as noted.

³⁶ Carried forward from Sect. 3-201. The specific densities are removed from the purpose statement.

B. R-2 Lot and Building Dimensional Standards

TABLE 2102.5: R-2 Lot and Building Standards					
		Conventional		Cluster	
	District size, minimum	No requirement		2 acres [1]	
	Density, maximum	2 du/ac		2 du/ac	
	Open space, minimum	No requirement		25 percent of the gross area	
	Lot area, average	18,000 square feet		No requirement	
	Lot area, minimum	15,000 square feet		13,000 or 15,000 square feet [1]	
		Single family dwellings		Other uses	
		Interior	Corner	Interior	Corner
A	Lot width, minimum	100 feet [2]	125 feet [2]	No requirement [1]	100 or 125 feet [1]
		Conventional	Cluster	Other uses	
B	Front setback, minimum	35 feet	25 feet	Setback equal to building height, but not less than 35 feet ³⁷	
C	Side setback, minimum	15 feet	8 feet (total minimum 24 feet)	See Table 2102.5a below	
D	Rear setback, minimum	25 feet		See Table 2102.5a below	
E	Building height, maximum [3]	35 feet		60 feet	
	Floor area ratio, maximum	No requirement		0.25 for public uses; 0.20 for uses other than residential or public	
Notes:					
[1] Any portion of a cluster subdivision lot that is: (a) located within 25 feet of the peripheral boundary of the cluster subdivision, and (b) any portion of a contiguous lot located outside the cluster subdivision’s peripheral boundary is zoned to a district that permits a maximum density of two du/ac or less, and is vacant or contains a single family detached dwelling, then the minimum lot area of the cluster subdivision lot is 15,000 square feet and the minimum lot width of the cluster subdivision lot is 100 feet for interior lots and 125 for corner lots. This does not apply if the contiguous development is zoned to the PDH-2 District, or to the R-2 District and is developed or approved for a cluster subdivision.					
[2] Lot width may be modified in accordance with 2101.2.C and [reference to relocated 9-610].					
[3] Building height measurement depends on roof type as defined by Section 9102.					

³⁷ Angle of bulk plane (45 degrees for front) replaced with statement that setback equals building height, and 40 degrees for side and rear replaced with new table.

Figure 2102.10: R-2 District Lot and Building Dimensional Standards

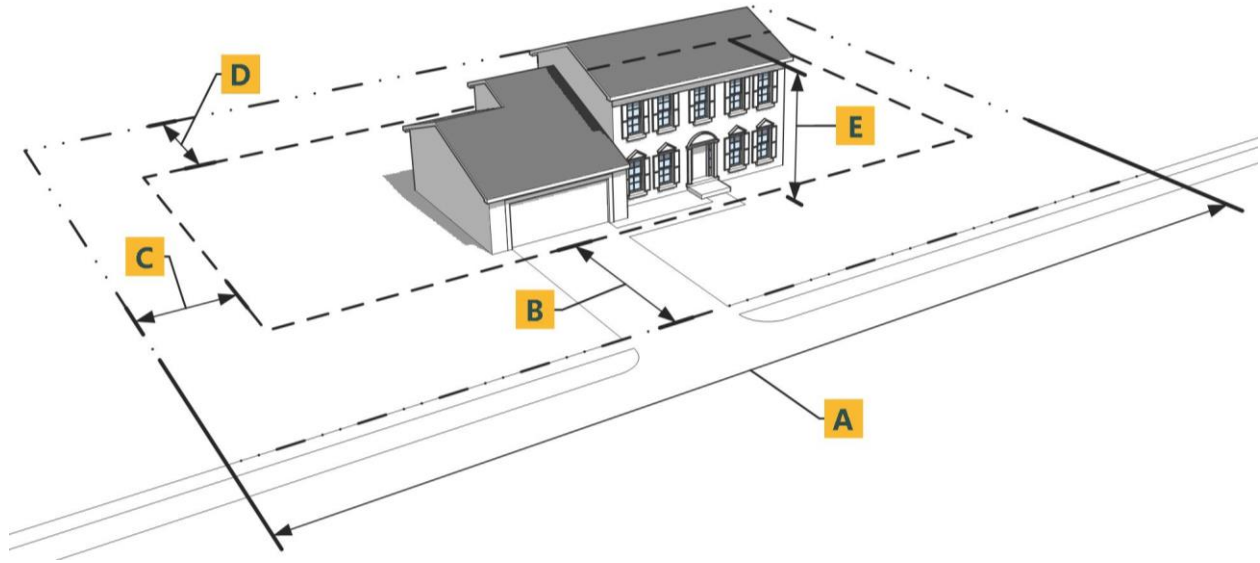


Table 2102.5a: R-2 Setback Relative to Height		
Other uses		
Building height, maximum (feet) [1]	Side setback, minimum (feet)	Rear setback, minimum (feet)
20	15	25
25	18	25
30	22	25
35	26	26
40	30	30
45	34	34
50	39	39
55	43	43
60	47	47

Notes:

[1] Maximum height of the portion of the building with the specified minimum setback

C. R-2 Lot and Building Dimensional Standards – Affordable Dwelling Unit Development³⁸

TABLE 2102.6: R-2 Lot and Building Standards – Affordable Dwelling Unit Development [1]

Density, maximum	2.4 du/ac				
	Single family detached				Single family attached ³⁹ [2]
	Conventional		Cluster		
Open space, minimum	No requirement		22 percent of the gross area [4]		200 sf per attached unit
Lot area, minimum	12,000 sf		10,400 sf [3]		None
	Interior	Corner	Interior	Corner	
Lot width, minimum	80 feet [5]	105 feet [5]	None [3]	80 feet [3]	14 feet
Front setback, minimum	30 feet		20 feet		5 feet ⁴⁰
Side setback, minimum	8 feet				10 feet
Rear setback, minimum	25 feet				20 feet
Building height, maximum [6]	35 feet				40 feet

Notes:

[1] Nonresidential structures provided within an affordable dwelling unit development are subject to the lot and building standards for non-affordable dwelling unit developments.

[2] The amount of single family attached dwelling units may not exceed 35 percent of the total number of dwelling units allowed within the development. Refer to Section 2101.3.D(3) for provisions that qualify minimum setback requirements for individual units in single family attached dwellings.⁴¹

[3] Any portion of a cluster subdivision lot that is: (a) located within 25 feet of the peripheral boundary of the cluster subdivision, and (b) any portion of a contiguous lot located outside the cluster subdivision’s peripheral boundary is zoned to a district that permits a maximum density of two du/ac or greater, and is vacant or contains a single family detached dwelling, then the minimum lot area of the cluster subdivision lot is 12,000 square feet and the minimum lot width of the cluster subdivision lot is 80 feet for interior lots and 105 feet for corner lots. This does not apply if the contiguous development is zoned to the PDH-2 District, or to the R-2 District and is developed or approved for a cluster subdivision.

[4] If development also contains attached dwelling units, the 200 square feet per attached dwelling unit must be provided within the required 22 percent general requirement.

[5] Lot width may be modified in accordance with 2101.2.C and [reference to relocated 9-610].

[6] Building height measurement depends on roof type as defined by Section 9102.

D. Reference to Other Standards

General regulations that may qualify or supplement the regulations above	[TBD – based on new zMOD structure]
Shape factor limitations	
Off-street parking, loading and private street requirements	
Signs	
Landscaping and screening requirements	
Uses and developments that are subject to site plan provisions	

³⁸ Did not carry forward Par. 7, Sect. 3-210: “Single family attached dwelling units shall be located so to minimize their impact on single family detached dwelling unit developments located adjacent to the ADU development.” Similar standards within other residential districts in the current Ordinance were also not carried forward.

³⁹ “Single family attached dwelling, ADU” and associated standards will be added to the Article 4 draft.

⁴⁰ Angle of bulk plane (ABP) deleted because the maximum height is allowed for the minimum side setback and close to the rear setback and the ABP at the minimum front setback is impractical.

⁴¹ First sentence carried forward from introductory paragraph of Sect. 3-210; second sentence carried forward from Par. 5 of Sect. 3-210.

6. R-3 Residential District, Three Dwelling Units/Acre⁴²

A. Purpose⁴³

The R-3 District is established to provide for single family detached dwellings and affordable dwelling unit developments, and to allow other uses that are compatible with the suburban residential character of the district.

Figure 2102.11: R-3 District Aerial Example



⁴² Carried forward from Sect. 3-300, with changes as noted.

⁴³ Carried forward from Sect. 3-301. The reference to specific densities is removed from the purpose statement.

B. R-3 Lot and Building Dimensional Standards

TABLE 2102.7: R-3 Lot and Building Standards					
		Conventional		Cluster	
	District size, minimum	No requirement		<p>Greater than 2 acres but less than 3.5 acres: subject to special exception approval</p> <p>3.5 acres or greater: subject to approval by the Director</p>	
	Open space, minimum	No requirement		25 percent of the gross area	
	Density, maximum	3 du/ac		<p>Approved by Director: 3 du/ac [1]</p> <p>Approved by special exception: 3 du/ac plus 1 bonus dwelling unit</p>	
	Lot area, average	11,500 square feet		No requirement	
	Lot area, minimum	10,500 square feet		8,500 square feet approved by the Director or by special exception [2]	
		Interior	Corner	Interior	Corner
A	Lot width, minimum	80 feet [3]	105 feet [3]	<p>Approved by Director or by special exception: No requirement [2]</p>	<p>Approved by Director or by special exception: 80 feet [2]</p>
Single family dwellings					
		Conventional	Cluster	Other uses	
B	Front setback, minimum	30 feet	20 feet	See Table 2102.7a below ⁴⁴	
C	Side setback, minimum	12 feet	8 feet (total minimum 20 feet)	See Table 2102.7a below	
D	Rear setback, minimum	25 feet		See Table 2102.7a below	
E	Building height, maximum [4]	35 feet		60 feet	
	Floor area ratio, maximum	No requirement		0.30 for public uses; 0.25 for uses other than residential or public	
Notes:					
[1] If approved by the Director or as a result of proffered rezoning that allows a permitted maximum density of less than 3 du/ac.					
[2] If any portion of a cluster subdivision lot is: (a) located within 25 feet of the peripheral boundary of the cluster subdivision, and (b) any portion of a contiguous lot located outside the cluster subdivision's peripheral boundary is zoned to a district that permits a maximum density of three du/ac or less, and is vacant or contains a single family detached dwelling, then the minimum lot area of the cluster subdivision lot is 10,500 square feet, and the minimum lot width of the cluster subdivision lot is 80 feet for interior lots and 105 for corner lots. This does not apply if the contiguous development is zoned to the PDH-3 District, or to the R-3 District and is developed or approved for a cluster subdivision.					
[3] Lot width may be modified in accordance with 2101.2.C and [reference to relocated 9-610].					
[4] Building height measurement depends on roof type as defined by Section 9102.					

⁴⁴ Angle of bulk plane (40 degrees for front, 35 degrees for side and rear) replaced with new table.

Figure 2102.12: R-3 District Lot and Building Dimensional Standards

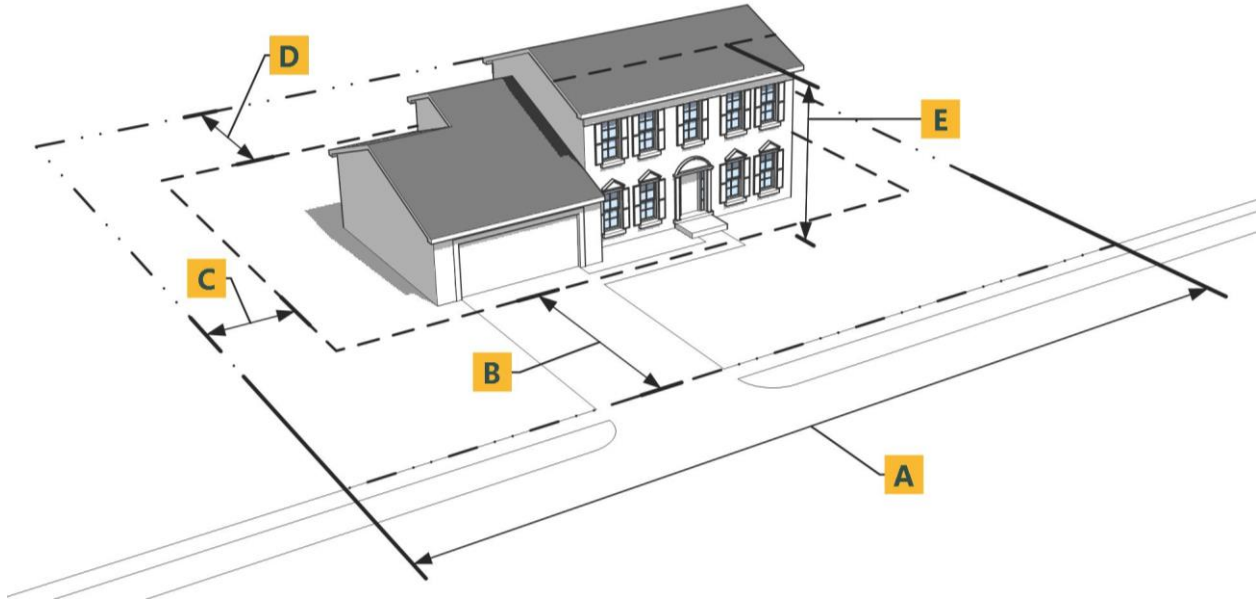


Table 2102.7a: R-3 Setback Relative to Height

Other uses			
Building height, maximum (feet) [1]	Front setback, minimum (feet)	Side setback, minimum (feet)	Rear setback, minimum (feet)
15	30	10	25
20	30	11	25
25	30	15	25
30	30	18	25
35	30	22	25
40	30	25	25
45	34	29	29
50	39	32	32
55	43	36	36
60	47	39	39

Notes:

[1] Maximum height of the portion of the building with the specified minimum setback

C. R-3 Lot and Building Dimensional Standards – Affordable Dwelling Unit Development

TABLE 2102.8: R-3 Lot and Building Standards – Affordable Dwelling Unit Development [1]

Density, maximum	3.6 du/ac				
	Single family detached		Single family attached		
	Conventional	Cluster		[2]	
Lot area, minimum	8,400 sf	6,800 sf [3]		None	
Open space, minimum	No requirement	22 percent of the gross area [4]		200 sf per attached unit	
	Interior	Corner	Interior	Corner	
Lot width, minimum	70 feet [5]	95 feet [5]	None [3]	70 feet [3]	14 feet
Front setback, minimum	30 feet		20 feet		5 feet ⁴⁵
Side setback, minimum			8 feet		10 feet
Rear setback, minimum			25 feet		20 feet
Building height, maximum [6]			35 feet		40 feet

Notes:

[1] Nonresidential structures provided within an affordable dwelling unit development are subject to the lot and building standards for non-affordable dwelling unit developments.

[2] The amount of single family attached dwelling units may not exceed 40 percent of the total number of dwelling units allowed within the development. Refer to Section 2101.3.D(3) for provisions that qualify minimum setback requirements for individual units in single family attached dwellings.⁴⁶

[3] Any portion of a cluster subdivision lot that is: (a) located within 25 feet of the peripheral boundary of the cluster subdivision, and (b) any portion of a contiguous lot located outside the cluster subdivision’s peripheral boundary is zoned to a district that permits a maximum density of three du/ac or less, and is vacant or contains a single family detached dwelling, then the minimum lot area of the cluster subdivision lot is 8,000 square feet and the minimum lot width of the cluster subdivision lot is 70 feet for interior lots and 95 feet for corner lots. This does not apply if the contiguous development is zoned to the PDH-3 District, or to the R-3 District and is developed or approved for a cluster subdivision.

[4] If development also contains attached dwelling units, the 200 square feet per attached dwelling unit must be provided within the required 22 percent general requirement.

[5] Lot width may be modified in accordance with 2101.2.C and [reference to relocated 9-610].

[6] Building height measurement depends on roof type as defined by Section 9102.

D. Reference to Other Standards

General regulations that may qualify or supplement the regulations above	[TBD – based on new zMOD structure]
Shape factor limitations	
Off-street parking, loading and private street requirements	
Signs	
Landscaping and screening requirements	
Uses and developments that are subject to site plan provisions	

⁴⁵ Angle of bulk plane (ABP) deleted because the maximum height is allowed for the minimum side setback and close to the rear setback and the ABP at the minimum front setback is impractical. A new ABP is not added for stacked townhouses.

⁴⁶ First sentence carried forward from introductory paragraph of Sect. 3-310; second sentence carried forward from Par. 5 of Sect. 3-310.

7. R-4 Residential District, Four Dwelling Units/Acre⁴⁷

A. Purpose⁴⁸

The R-4 District is established to provide for single family detached dwellings and affordable dwelling unit developments, and to allow other uses that are compatible with the medium-density residential character of the district.

Figure 2102.13: R-4 District Aerial Example



⁴⁷ Carried forward from Sect. 3-400, with changes as noted.

⁴⁸ Carried forward from Sect. 3-401. The reference to specific densities is removed from the purpose statement.

B. R-4 Lot and Building Dimensional Standards

TABLE 2102.9: R-4 Lot and Building Standards					
		Conventional		Cluster	
	District size, minimum	No requirement		<p>Greater than 2 acres but less than 3.5 acres: subject to special exception approval</p> <p>3.5 acres or greater: subject to approval by the Director</p>	
	Density, maximum	4 du/ac		<p>Approved by the Director: 4 du/ac [1]</p> <p>Approved by special exception: 4 du/ac plus one bonus dwelling unit</p>	
	Open space, minimum	No requirement		25 percent of the gross area	
	Lot area, average	8,800 square feet		No requirement	
	Lot area, minimum	8,400 square feet		6,000 square feet approved by the Director or by special exception [2]	
		Interior	Corner	Interior	Corner
A	Lot width, minimum	70 feet [3]	95 feet [3]	<p>Approved by Director or by special exception: No requirement [2]</p>	<p>Approved by Director or by special exception: 70 feet [2]</p>
Single family dwellings					
		Conventional	Cluster	Other uses	
B	Front setback, minimum	30 feet	20 feet	See Table 2102.9a below ⁴⁹	
C	Side setback, minimum	10 feet	8 feet	See Table 2102.9a below	
D	Rear setback, minimum	25 feet		See Table 2102.9a below	
E	Building height, maximum [4]	35 feet		60 feet	
	Floor area ratio, maximum	No requirement		0.35 for public uses; 0.30 for uses other than residential or public	
Notes:					
[1] If approved by the Director or as a result of proffered rezoning that allows a permitted maximum density of less than 4 du/ac.					
[2] Any portion of a cluster subdivision lot that is: (a) located within 25 feet of the peripheral boundary of the cluster subdivision, and (b) any portion of a contiguous lot located outside the cluster subdivision's peripheral boundary is zoned to a district that permits a maximum density of four du/ac or less, and is vacant or contains a single family detached dwelling, then the minimum lot area of the cluster subdivision lot is 8,000 square feet and the minimum lot width of the cluster subdivision lot is 70 feet for interior lots and 95 feet for corner lots. This does not apply if the contiguous development is zoned to the PDH-4 District, or to the R-4 District and is developed or approved for a cluster subdivision.					
[3] Lot width may be modified in accordance with 2101.2.C and [reference to relocated 9-610].					
[4] Building height measurement depends on roof type as defined by Section 9102.					

⁴⁹ Angle of bulk plane (35 degrees for front, 30 degrees for side and rear) replaced with new table.

Figure 2102.14: R-4 District Lot and Building Dimensional Standards

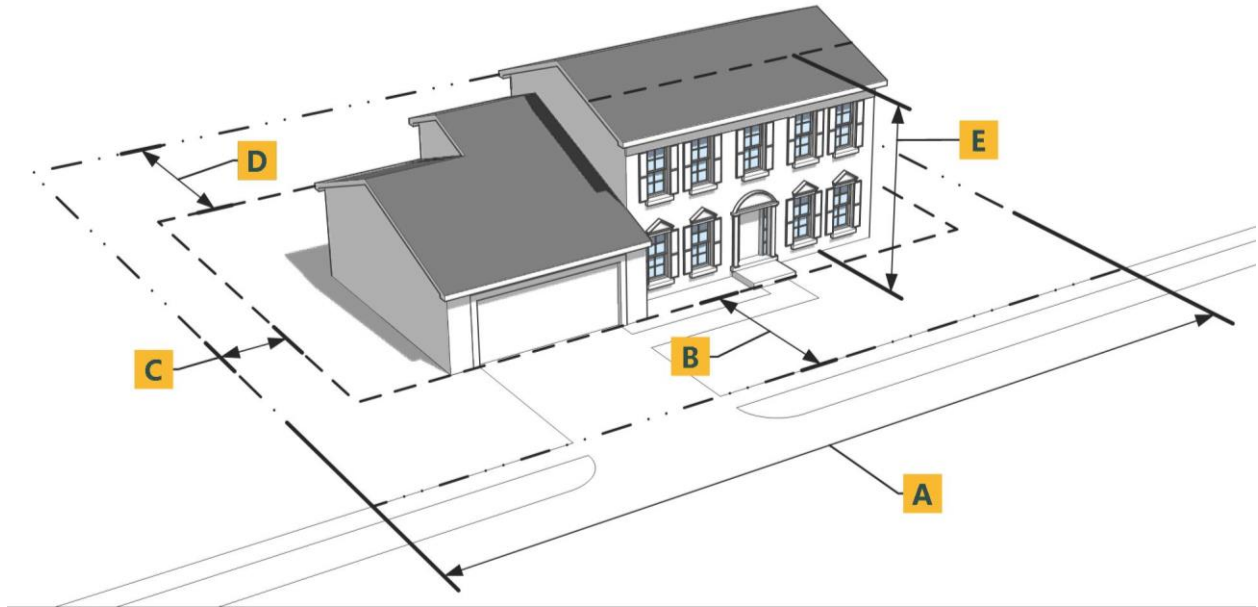


Table 2102.9a: R-4 Setback Relative to Height

Other uses			
Building height, maximum (feet) [1]	Front setback, minimum (feet)	Side setback, minimum (feet)	Rear setback, minimum (feet)
20	25	10	25
25	25	12	25
30	25	15	25
35	25	18	25
40	25	21	25
45	29	24	25
50	32	27	27
55	36	29	29
60	39	32	32

Notes:

[1] Maximum height of the portion of the building with the specified minimum setback

C. R-4 Lot and Building Dimensional Standards – Affordable Dwelling Unit Development

TABLE 2102.10: R-4 Lot and Building Standards – Affordable Dwelling Unit Development [1]

Density, maximum	4.8 du/ac				
	Single family detached				
	Conventional		Cluster		Single family attached [2]
Open space, minimum	No requirement		22 percent of the gross area [4]		
Lot area, minimum	6,720 sf		4,800 sf [3]		None
	Interior	Corner	Interior	Corner	
Lot width, minimum	56 feet [5]	76 feet [5]	No requirement [3]	56 feet [3]	14 feet
Front setback, minimum	24 feet		16 feet		5 feet ⁵⁰
Side setback, minimum			8 feet		10 feet
Rear setback, minimum			25 feet		20 feet
Building height, maximum [6]			35 feet		40 feet

Notes:

[1] Nonresidential structures provided within an affordable dwelling unit development are subject to the lot and building standards for non-affordable dwelling unit developments.

[2] The amount of single family attached dwelling units may not exceed 45 percent of the total number of dwelling units allowed within the development. Refer to Section 2101.3.D(3) for provisions that qualify minimum setback requirements for individual units in single family attached dwellings.⁵¹

[3] Any portion of a cluster subdivision lot that is: (a) located within 25 feet of the peripheral boundary of the cluster subdivision, and (b) any portion of a contiguous lot located outside the cluster subdivision’s peripheral boundary is zoned to a district that permits a maximum density of three du/ac or less, and is vacant or contains a single family detached dwelling, then the minimum lot area of the cluster subdivision lot is 6,720 square feet and the minimum lot width of the cluster subdivision lot is 56 feet for interior lots and 76 feet for corner lots. This does not apply if the contiguous development is zoned to the PDH-4 District, or to the R-4 District and is developed or approved for a cluster subdivision.

[4] If development also contains attached dwelling units, the 200 square feet per attached dwelling unit must be provided within the required 22 percent general requirement.

[5] Lot width may be modified in accordance with 2101.2.C and [reference to relocated 9-610].

[6] Building height measurement depends on roof type as defined by Section 9102.

⁵⁰ Angle of bulk plane (ABP) deleted because the maximum height is allowed for the minimum side setback and close to the rear setback and the ABP at the minimum front setback is impractical. A new ABP is not added for stacked townhouses.

⁵¹ First sentence carried forward from introductory paragraph of Sect. 3-410; second sentence carried forward from Par. 5 of Sect. 3-410.

D. Reference to Other Standards

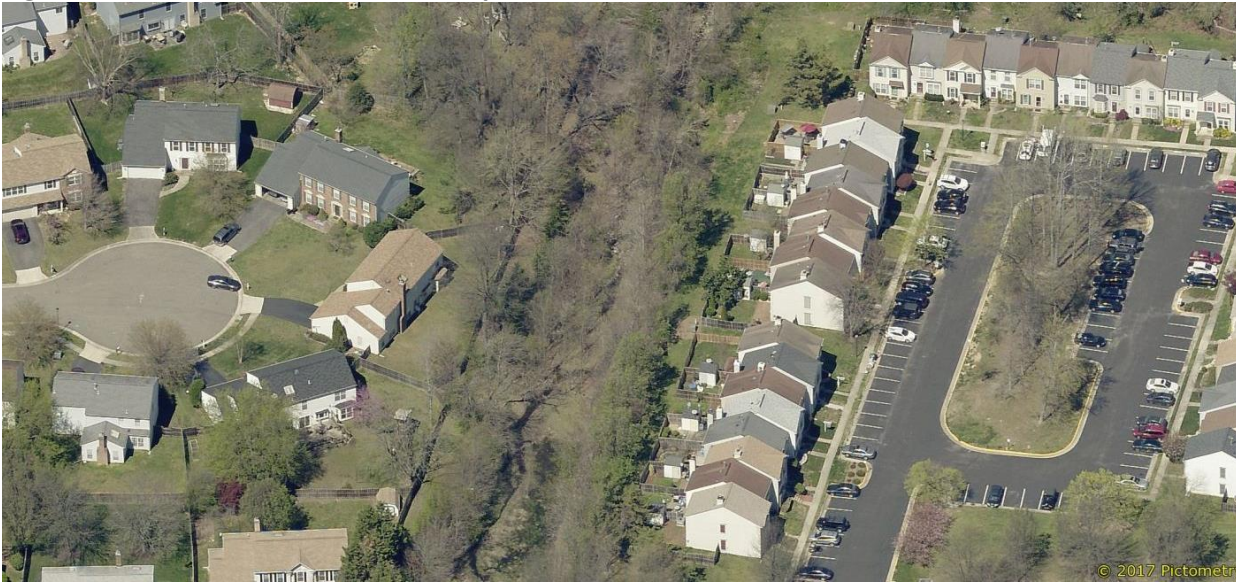
General regulations that may qualify or supplement the regulations above	[TBD – based on new zMOD structure]
Shape factor limitations	
Off-street parking, loading and private street requirements	
Signs	
Landscaping and screening requirements	
Uses and developments that are subject to site plan provisions	

8. R-5 Residential District, Five Dwelling Units/Acre⁵²

A. Purpose⁵³

The R-5 District is established to provide for a mixture of single family residential dwelling types and affordable dwelling unit developments at medium densities, and to allow other uses that are compatible with the medium-density residential character of the district.

Figure 2102.15: R-5 District Aerial Example



⁵² Carried forward from Sect. 3-500, with changes as noted.

⁵³ Carried forward from Sect. 3-501, with specific densities removed.

B. R-5 Lot and Building Dimensional Standards

TABLE 2102.11: R-5 Lot and Building Standards [1]							
		Single family detached		Single family attached	Other uses		
District size, minimum [2]		4 acres		4 acres	4 acres		
Density, maximum		5 du/ac		5 du/ac	5 du/ac		
Open space, minimum		25 percent of the gross area					
Lot area, minimum		5,000 sf		No requirement	14,000 sf		
A	Lot width, minimum [2]	Interior	Corner	18 feet	Interior	Corner	
		50 feet	70 feet		75 feet	100 feet	
B	Front setback, minimum	20 feet		5 feet ⁵⁴	See Table 2102.11a below ⁵⁵		
C	Side setback, minimum	8 feet		10 feet	See Table 2102.11a below		
D	Rear setback, minimum	25 feet		20 feet	See Table 2102.11a below		
Privacy yard, minimum		Not required		200 sf per lot	Not required		
E	Building height, maximum [3]	35 feet		35 feet	65 feet		
Floor area ratio, maximum		No requirement		No requirement	0.35 for all uses other than residential		
Notes:							
[1] Refer to <i>[reference to relocated Part 3 of Article 13]</i> for provisions that may qualify the setback requirements. Refer to Section 2101.3.D(3) for provisions that qualify the setback requirements for individual units in single family attached dwellings. Setback requirements may be waived by the Board in accordance with the provisions of <i>[reference to relocated Sect. 9-613]</i> .							
[2] District size and lot width may be modified in accordance with 2101.2.C and <i>[reference to relocated 9-610]</i> .							
[3] Building height measurement depends on roof type as defined by Section 9102.							

⁵⁴ Angle of bulk plane (ABP) deleted because the maximum height is allowed for the minimum side and rear setbacks and the ABP at the minimum front setback is impractical.

⁵⁵ Angle of bulk plane (30 degrees for front, 25 degrees for side and rear) replaced with new table.

Figure 2102.16: R-5 District Lot and Building Dimensional Standards

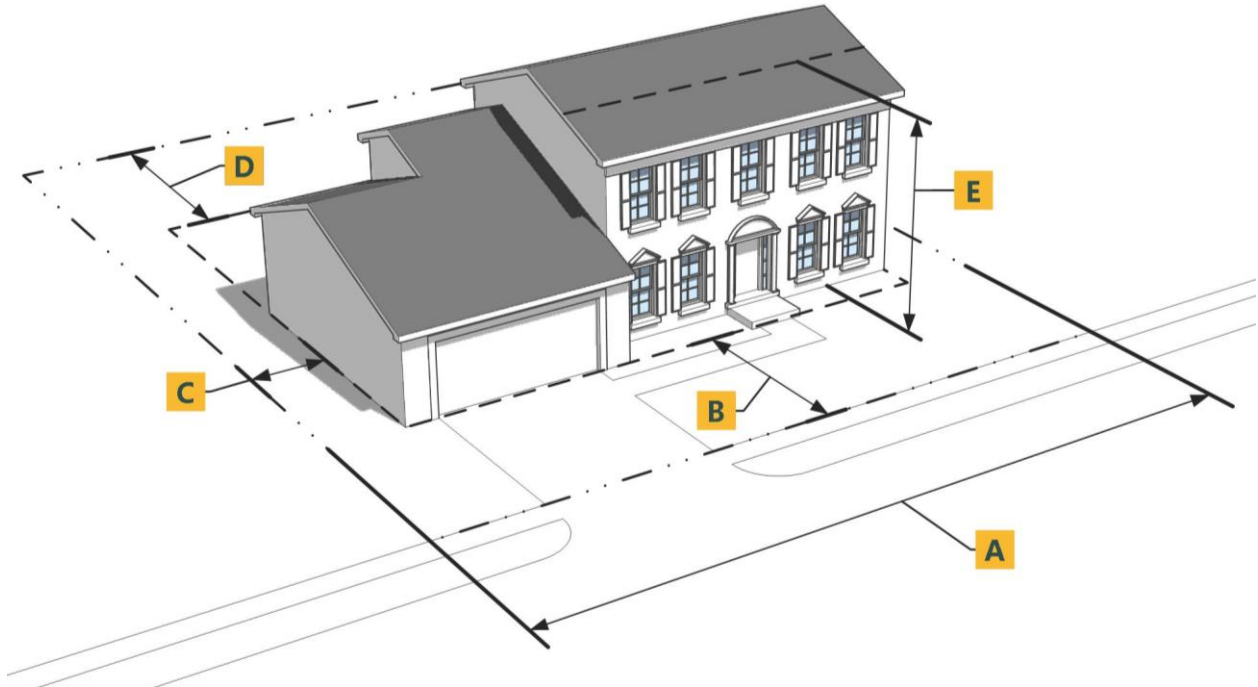


Figure 2102.17: R-5 District Lot and Building Dimensional Standards

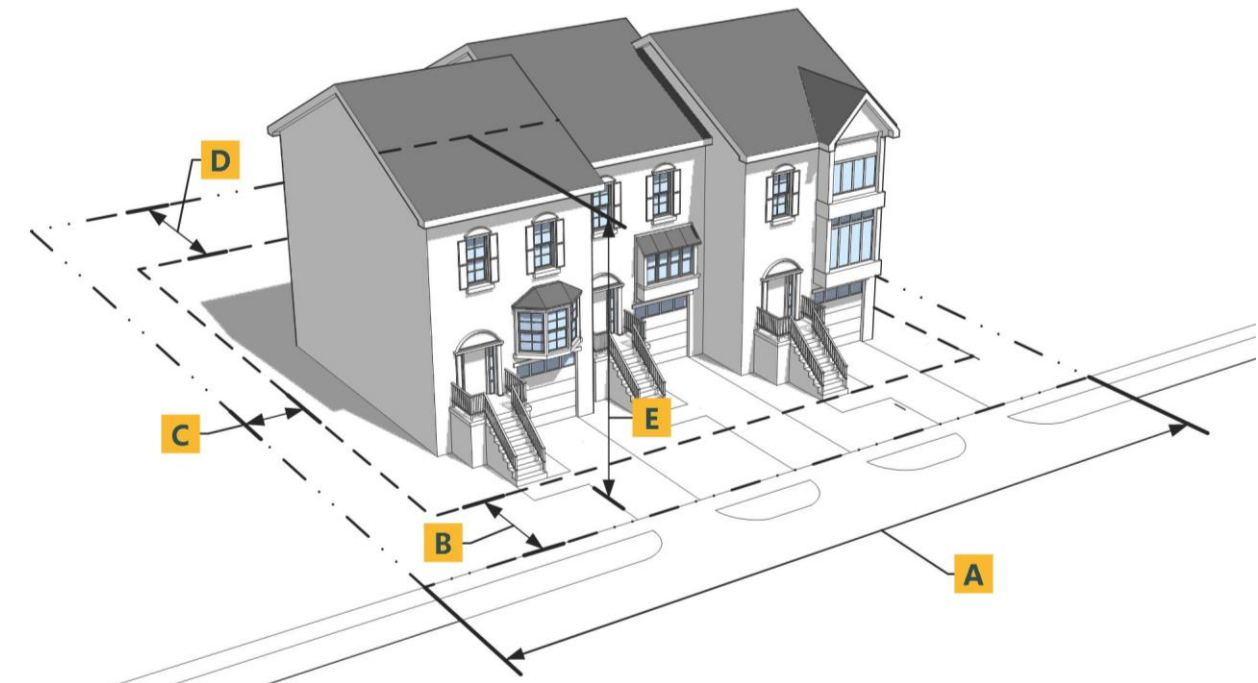


Table 2102.11a: R-5 Setback Relative to Height

Other uses			
Building height, maximum (feet) [1]	Front setback, minimum (feet)	Side setback, minimum (feet)	Rear setback, minimum (feet)
25	20	10	25
30	20	12	25
35	20	14	25
40	21	17	25
45	24	19	25
50	27	21	25
55	29	24	25
60	32	26	26
65	35	28	28

Notes:

[1] Maximum height of the portion of the building with the specified minimum setback

C. R-5 Lot and Building Dimensional Standards – Affordable Dwelling Unit Development⁵⁶

TABLE 2102.12: R-5 Lot and Building Standards – Affordable Dwelling Unit Development [1] [2] [3]

	Single family detached	Single family attached and stacked townhouses	Multifamily dwellings
Density, maximum	6 du/ac	6 du/ac	6 du/ac
Open space, minimum	20 percent of the gross area		
Lot area, minimum	4,000 sf	No requirement	No requirement
Lot width, minimum [4]	Interior	14 feet	No requirement
	Corner		
	40 feet	56 feet	
Front setback, minimum	16 feet	5 feet ⁵⁷	20 feet
Side setback, minimum	8 feet	8 feet	See Table 2102.12a below ⁵⁸
Rear setback, minimum	20 feet	16 feet	25 feet ⁵⁹
Building height, maximum [5]	35 feet	Attached	50 feet
		Stacked	
		40 feet	

⁵⁶ “Stacked townhouse, ADU” and “Multifamily, ADU” and associated standards will be added to the Article 4 draft.

⁵⁷ Angle of bulk plane deleted for single family attached, consistent with non-ADU developments. A new ABP is not added for stacked townhouses.

⁵⁸ ABP replaced with new table for multifamily side setback.

⁵⁹ ABP (25 degrees for front and rear) deleted because the maximum height is allowed at the minimum rear setback, and the maximum height would be allowed with a front setback of 23 feet.

Notes:

- [1] Affordable dwelling unit developments may consist of single family detached and attached dwelling units. Multifamily dwelling units are also permitted, but the number of multifamily dwelling units may not exceed 50 percent of the total number of dwelling units allowed within the development.
- [2] Nonresidential structures provided within an affordable dwelling unit development are subject to the lot and building standards for non-affordable dwelling unit developments.
- [3] Refer to [reference to relocated Part 3 of Article 13] for provisions that may qualify the setback requirements. Refer to Section 2101.3.D(3) for provisions that qualify the setback requirements for individual units in single family attached dwellings. Setback requirements may be waived by the Board in accordance with the provisions of [reference to relocated Sect. 9-613].
- [4] Lot width may be modified in accordance with 2101.2.C and [reference to relocated 9-610].
- [5] Building height measurement depends on roof type as defined by section 9102.

Table 2102.12a: R-5 ADU Setback Relative to Height

Multifamily	
Building height, maximum (feet) [1]	Side setback, minimum (feet)
25	10
30	12
35	14
40	17
45	19
50	21

Notes:

- [1] Maximum height of the portion of the building with the specified minimum setback

D. Reference to Other Standards

Provisions that may qualify or supplement the regulations presented above, including the shape factor limitations contained in [reference to relocated Sect. 2-401] [TBD – based on new zMOD structure]

Shape factor limitations may be modified by the Board in accordance with the provisions of [reference to relocated Sect. 9-626].

Off-street parking, loading and private street requirements

Signs

Landscaping and screening requirements

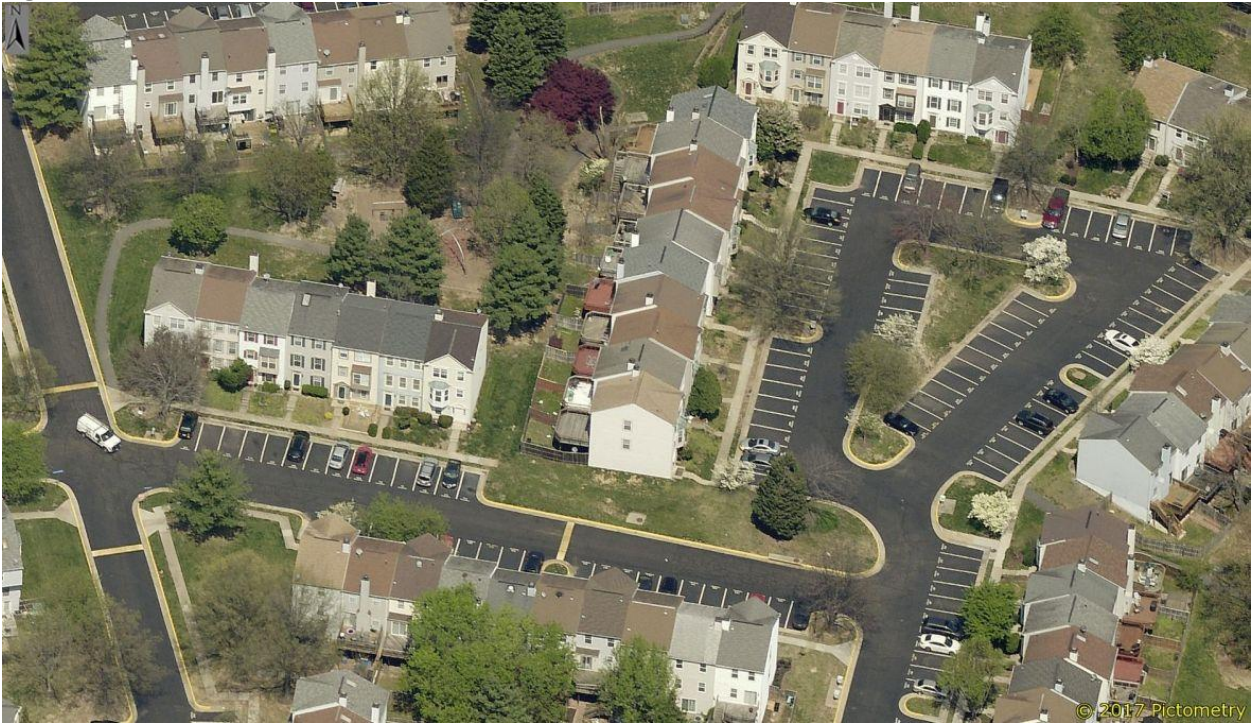
Uses and developments that are subject to site plan provisions

9. R-8 Residential District, Eight Dwelling Units/Acre⁶⁰

A. Purpose⁶¹

The R-8 District is established to provide for a mixture of single family residential dwelling types and affordable dwelling unit developments at medium densities, and to allow other uses that are compatible with the residential character of the district.

Figure 2102.18: R-8 District Aerial Example



⁶⁰ Carried forward from Sect. 3-800, with changes as noted.

⁶¹ Carried forward from Sect. 3-801 with specific densities removed.

B. R-8 Lot and Building Dimensional Standards

TABLE 2102.13: R-8 Lot and Building Standards [1]							
		Single family detached		Single family attached	Other uses		
District size, minimum [2]		5 acres		5 acres	5 acres		
Density, maximum		8 du/ac		8 du/ac	n/a		
Open space, minimum		20 percent of the gross area					
Lot area, minimum		5,000 sf		No requirement	12,000 sf		
A	Lot width, minimum [2]	Interior	Corner	18 feet	Interior	Corner	
		50 feet	70 feet		75 feet	100 feet	
B	Front setback, minimum	30° bulk plane; not less than 20 feet		5 feet ⁶²	See Table 2102.13a below ⁶³		
C	Side setback, minimum	8 feet		10 feet	See Table 2102.13a below		
D	Rear setback, minimum	25 feet		20 feet	See Table 2102.13a below		
Privacy yard, minimum		Not required		200 sf per lot	Not required		
E	Building height, maximum [3]	35 feet		35 feet	65 feet		
Floor area ratio, maximum		No requirement		No requirement	0.55 for all uses other than residential		
Notes:							
[1] Refer to [reference to relocated Part 3 of Article 13] for provisions that may qualify the setback requirements. Refer to Section 2101.3.D(3) for provisions that qualify the setback requirements for individual units in single family attached dwellings. Setback requirements may be waived by the Board in accordance with the provisions of [reference to relocated Sect. 9-613].							
[2] District size and lot width may be modified in accordance with 2101.2.C and [reference to relocated 9-610].							
[3] Building height measurement depends on roof type as defined by Section 9102.							

⁶² Angle of bulk plane (ABP) deleted because the maximum height is allowed for the minimum side and rear setbacks and the ABP at the minimum front setback is impractical.

⁶³ ABP for Other uses replaced with new table.

Figure 2102.19: R-8 District Lot and Building Dimensional Standards

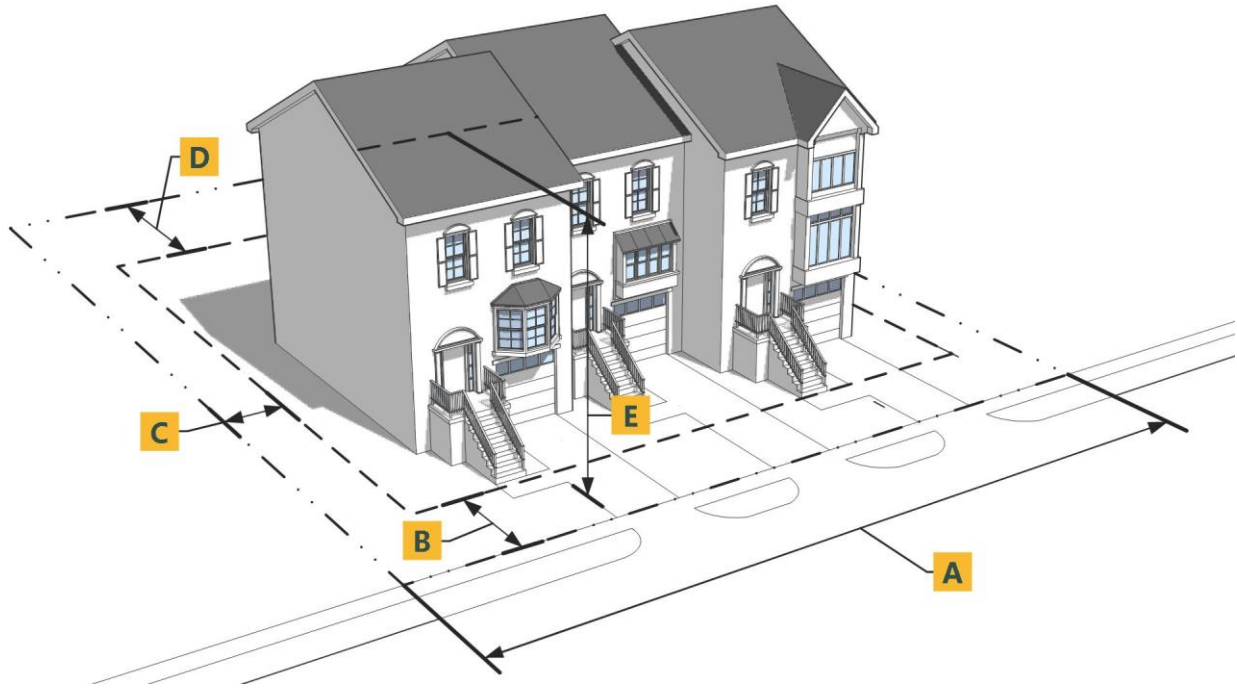


Table 2102.13a: R-8 Setback Relative to Height

Other uses			
Building height, maximum (feet) [1]	Front setback, minimum (feet)	Side setback, minimum (feet)	Rear setback, minimum (feet)
25	20	10	25
30	20	12	25
35	20	14	25
40	21	17	25
45	24	19	25
50	27	21	25
55	29	24	25
60	32	26	26
65	35	28	28

Notes:

[1] Maximum height of the portion of the building with the specified minimum setback

C. R-8 Lot and Building Dimensional Standards – Affordable Dwelling Unit Development

TABLE 2102.14: R-8 Lot and Building Standards – Affordable Dwelling Unit Development [1] [2] [3]				
	Single family detached	Single family attached and stacked townhouses		Multifamily dwellings
Density, maximum	9.6 du/ac	9.6 du/ac		9.6 du/ac
Open space, minimum	16 percent of the gross area			
Lot area, minimum	4,000 sf	No requirement		No requirement
Lot width, minimum [4]	Interior	Corner	14 feet	No requirement
	40 feet	56 feet		
Front setback, minimum	16 feet	5 feet ⁶⁴		20 feet
Side setback, minimum	8 feet	8 feet		See Table 2102.14a below
Rear setback, minimum	20 feet	16 feet		25 feet ⁶⁵
Building height, maximum [5]	35 feet	Attached	Stacked	50 feet
		40 feet	50 feet	

Notes:
 [1] Affordable dwelling unit developments may consist of single family detached and attached dwelling units. Multifamily dwelling units are also permitted, but the number of multifamily dwelling units may not exceed 50 percent of the total number of dwelling units allowed within the development.
 [2] Nonresidential structures provided within an affordable dwelling unit development are subject to the lot and building standards for non-affordable dwelling unit developments.
 [3] Refer to [reference to relocated Part 3 of Article 13] for provisions that may qualify the setback requirements. Refer to Section 2101.3.D(3) for provisions that qualify the setback requirements for individual units in single family attached dwellings. Setback requirements may be waived by the Board in accordance with the provisions of [reference to relocated Sect. 9-613].
 [4] Lot width may be modified in accordance with 2101.2.C and [reference to relocated 9-610].
 [5] Building height measurement depends on roof type as defined by Section 9102.

Table 2102.14a: R-8 ADU Setback Relative to Height	
Multifamily	
Building height, maximum (feet) [1]	Side setback, minimum (feet)
25	10
30	12
35	14
40	17
45	19

⁶⁴ ABP deleted for single family attached, consistent with non-ADU developments.

⁶⁵ ABP (25 degrees for front and rear) deleted because the maximum height is allowed at the minimum rear setback, and the maximum height would be allowed with a front setback of 23 feet. The ABP for the side setback is replaced with a new table.

Notes:

[1] Maximum height of the portion of the building with the specified minimum setback

D. Reference to Other Standards

Provisions that may qualify or supplement the regulations presented above, including the shape factor limitations contained in <i>[reference to relocated Sect. 2-401]</i>	[TBD – based on new zMOD structure]
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------

Shape factor limitations may be modified by the Board in accordance with the provisions of *[reference to relocated Sect. 9-626]*.

Off-street parking, loading and private street requirements

Signs

Landscaping and screening requirements

Uses and developments that are subject to site plan provisions

10. R-12 Residential District, Twelve Dwelling Units/Acre⁶⁶

A. Purpose⁶⁷

The R-12 District is established to provide for a range of residential dwelling unit types and affordable dwelling units at medium densities and to allow other uses that are compatible with the residential character of the district.

Figure 2102.20: R-12 District Aerial Example



⁶⁶ Carried forward from Sect. 3-1200, with changes as noted.

⁶⁷ Carried forward from Sect. 3-1201, with specific densities removed.

B. R-12 Lot and Building Dimensional Standards

TABLE 2102.15: R-12 Lot and Building Standards [1]					
	Single family attached and stacked townhouses⁶⁸		Multifamily dwellings	Other uses	
District size, minimum [2]	4 acres		4 acres	4 acres	
Density, maximum	12 du/ac		12 du/ac	n/a	
Open space, minimum			25 percent of the gross area		
Lot area, minimum	No requirement		No requirement	10,000 sf	
A Lot width, minimum [2]	18 feet		No requirement	Interior 75 feet	Corner 100 feet
B Front setback, minimum	5 feet ⁶⁹		See Table 2102.15a below ⁷⁰		
C Side setback, minimum	10 feet		See Table 2102.15a below		
D Rear setback, minimum	20 feet		See Table 2102.15a below		
Privacy yard, minimum	Not required		n/a	n/a	
E Building height, maximum [3]	Attached 35 feet	Stacked 60 feet	65 feet	65 feet	
Floor area ratio, maximum	No requirement		No requirement	0.70 for all uses other than residential	

Notes:
 [1] Refer to [reference to relocated Part 3 of Article 13] for provisions that may qualify the setback requirements. Refer to Section 2101.3.D(3) for provisions that qualify the setback requirements for individual units in single family attached dwellings. Setback requirements may be waived by the Board in accordance with the provisions of [reference to relocated Sect. 9-613].
 [2] District size and lot width may be modified in accordance with 2101.2.C and [reference to relocated 9-610].
 [3] Building height measurement depends on roof type as defined by Section 9102.

⁶⁸ Lot and building standards for this new use are added.

⁶⁹ Angle of bulk plane (ABP) deleted because the maximum height for single family attached is allowed for the minimum side and rear setbacks and the ABP at the minimum front setback is impractical.

⁷⁰ Angle of bulk plane for multifamily and nonresidential uses replaced with new table.

Figure 2102.21: R-12 District Lot and Building Dimensional Standards

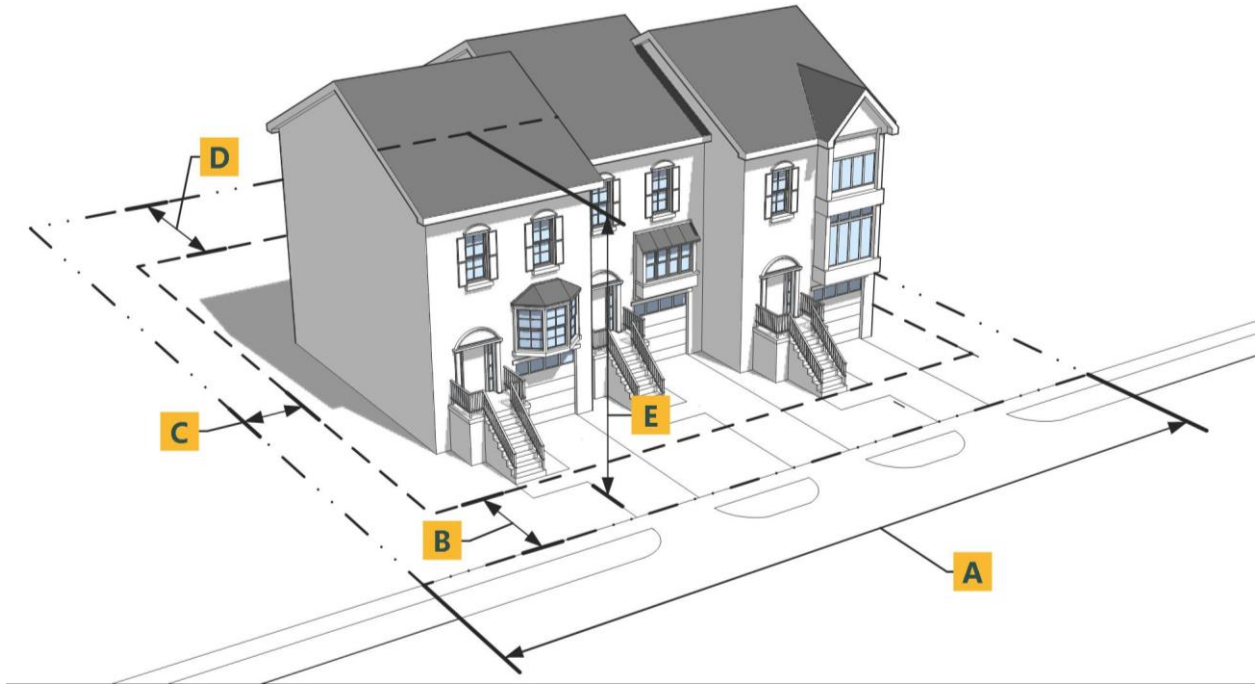


Table 2102.15a: R-12 Setback Relative to Height

Multifamily and other uses			
Building height, maximum (feet) [1]	Front setback, minimum (feet)	Side setback, minimum (feet)	Rear setback, minimum (feet)
25	20	10	25
30	20	12	25
35	20	14	25
40	20	17	25
45	20	19	25
50	21	21	25
55	24	24	25
60	26	26	26
65	28	28	28

Notes:

[1] Maximum height of the portion of the building with the specified minimum setback

C. R-12 Lot and Building Dimensional Standards – Affordable Dwelling Unit Development⁷¹

TABLE 2102.16: R-12 Lot and Building Standards – Affordable Dwelling Unit Development [1] [2] [3]			
	Single family attached and stacked townhouses		Multifamily dwellings
Density, maximum	14.4 du/ac		14.4 du/ac
Open space, minimum	20 percent of the gross area		
Lot area, minimum	No requirement		No requirement
Lot width, minimum [4]	14 feet		No requirement
Front setback, minimum	5 feet ⁷²		See Table 2102.16a below ⁷³
Side setback, minimum	8 feet		See Table 2102.16a below
Rear setback, minimum	16 feet		See Table 2102.16a below
Building height, maximum [5]	Attached 40 feet	Stacked 60 feet	65 feet

Notes:
 [1] Affordable dwelling unit developments may consist of single family attached and multifamily dwelling units.
 [2] Nonresidential structures provided within an affordable dwelling unit development are subject to the lot and building standards for non-affordable dwelling unit developments.
 [3] Refer to Section 2101.3.D(3) for provisions that qualify the setback requirements for individual units in single family attached dwellings. Setback requirements may be waived by the Board in accordance with the provisions of [reference to relocated Sect. 9-613].
 [4] Lot width may be modified in accordance with 2101.2.C and [reference to relocated 9-610].
 [5] Building height measurement depends on roof type as defined by Section 9102.

Table 2102.16a: R-12 ADU Setback Relative to Height			
Multifamily			
Building height, maximum (feet) [1]	Front setback, minimum (feet)	Side setback, minimum (feet)	Rear setback, minimum (feet)
40	20	10	25
45	20	11	25
50	21	12	25
55	24	14	25
60	26	15	26
65	28	16	28

Notes:

[1] Maximum height of the portion of the building with the specified minimum setback

⁷² Angle of bulk plane deleted for single family attached, consistent with non-ADU developments.

⁷³ Angle of bulk plane for multifamily replaced with new table.

D. Reference to Other Standards

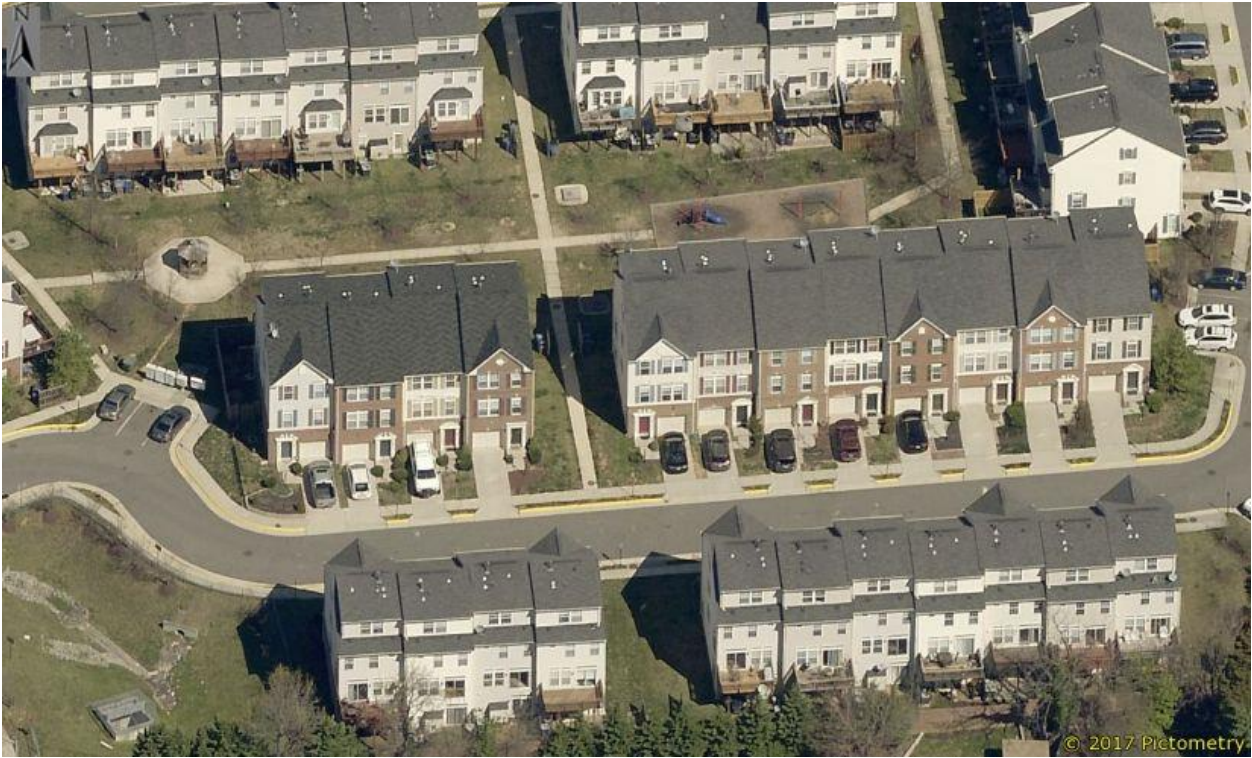
Provisions that may qualify or supplement the regulations presented above	[TBD – based on new zMOD structure]
Off-street parking, loading and private street requirements	
Signs	
Landscaping and screening requirements	
Uses and developments that are subject to site plan provisions	

11. R-16 Residential District, Sixteen Dwelling Units/Acre⁷⁴

A. Purpose⁷⁵

The R-16 District is established to provide for a range of residential dwelling types and affordable dwelling units at medium to high densities, and to allow other uses that are compatible with the residential character of the district.

Figure 2102.22: R-16 District Aerial Example



⁷⁴ Carried forward from Sect. 3-1600, with changes as noted.

⁷⁵ Carried forward from Sect. 3-1601 with specific densities removed.

B. R-16 Lot and Building Dimensional Standards

TABLE 2102.17: R-16 Lot and Building Standards [1]					
	Single family attached and stacked townhouses		Multifamily dwellings	Other uses	
District size, minimum [2]	4 acres		4 acres	4 acres	
Density, maximum	16 du/ac		16 du/ac	n/a	
Open space, minimum	30 percent of the gross area				
Lot area, minimum	No requirement		No requirement	10,000 sf	
A Lot width, minimum [2]	18 feet		No requirement	Interior 75 feet	Corner 100 feet
B Front setback, minimum	5 feet ⁷⁶		See Table 2102.17a below ⁷⁷		
C Side setback, minimum	10 feet		See Table 2102.17a below		
D Rear setback, minimum	20 feet		See Table 2102.17a below		
Privacy yard, minimum	Not required		Not required	Not required	
E Building height, maximum [3]	Attached 35 feet	Stacked 60 feet	65 feet	65 feet	
Floor area ratio, maximum	No requirement		No requirement	0.70 for all uses other than residential	
Notes:					
[1] Refer to [reference to relocated Part 3 of Article 13] for provisions that may qualify the setback requirements. Refer to Section 2101.3.D(3)2101.3.D(3) for provisions that qualify the setback requirements for individual units in single family attached dwellings. Setback requirements may be waived by the Board in accordance with the provisions of [reference to relocated Sect. 9-613].					
[2] District size and lot width may be modified in accordance with 2101.2.C and [reference to relocated 9-610].					
[3] Building height measurement depends on roof type as defined by Section 9102.					

⁷⁶ Angle of bulk plane (ABP) deleted because the maximum height is allowed for the minimum side and rear setbacks and the ABP at the minimum front setback is impractical.

⁷⁷ Angle of bulk plane for multifamily and nonresidential replaced with new table.

Figure 2102.23: R-16 District Lot and Building Dimensional Standards

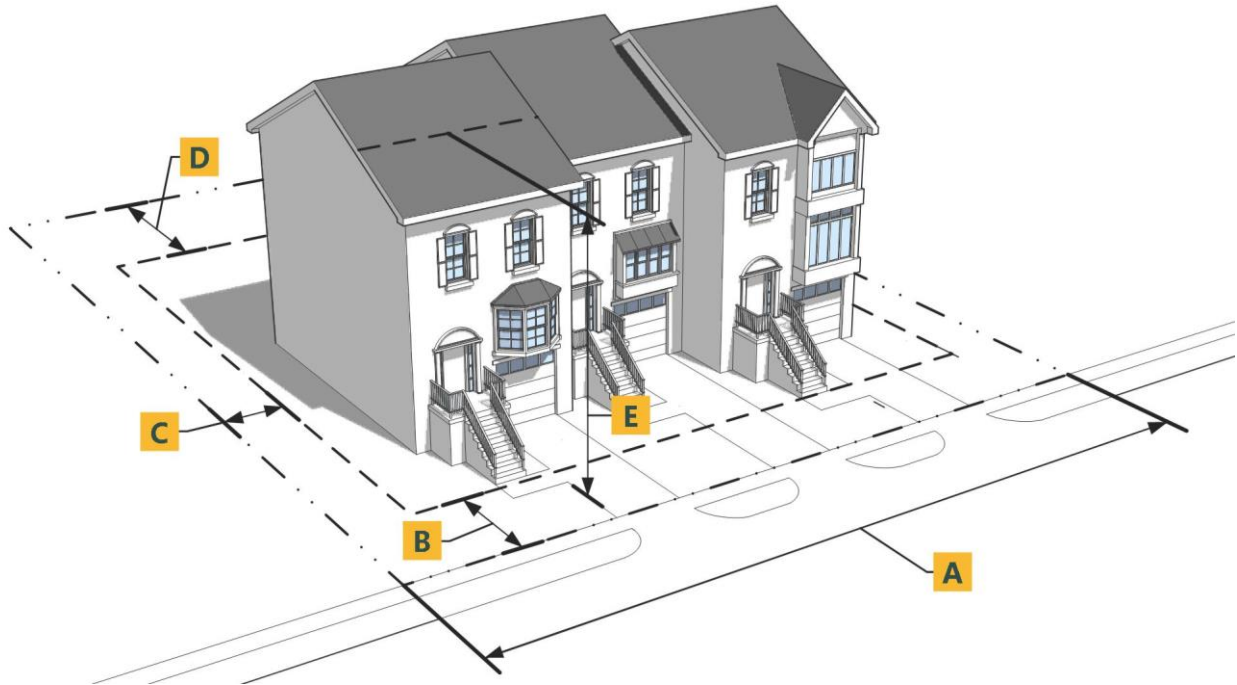


Table 2102.17a: R-16 Setback Relative to Height

Multifamily and other uses			
Building height, maximum (feet) [1]	Front setback, minimum (feet)	Side setback, minimum (feet)	Rear setback, minimum (feet)
25	20	10	25
30	20	12	25
35	20	14	25
40	20	17	25
45	20	19	25
50	21	21	25
55	24	24	25
60	26	26	26
65	28	28	28

Notes:

[1] Maximum height of the portion of the building with the specified minimum setback

95	42	42	42
100	45	45	45

105	47	47	47
110	49	49	49
115	52	52	52
120	54	54	54
125	56	56	56
130	59	59	59
135	61	61	61
140	63	63	63
145	66	66	66
150	68	68	68

Notes:

[1] Maximum height of the portion of the building with the specified minimum setback

C. R-16 Lot and Building Dimensional Standards – Affordable Dwelling Unit Development

TABLE 2102.18: R-16 Lot and Building Standards – Affordable Dwelling Unit Development [1] [2] [3]

	Single family attached and stacked townhouses	Multifamily dwellings				
Density, maximum	19.2 du/ac	19.2 du/ac				
Open space, minimum	24 percent of the gross area					
Lot area, minimum	No requirement	No requirement				
Lot width, minimum [4]	14 feet	No requirement				
Front setback, minimum	5 feet ⁷⁸	See Table 2102.18a below ⁷⁹				
Side setback, minimum	8 feet	See Table 2102.18a below				
Rear setback, minimum	16 feet	See Table 2102.18a below				
Building height, maximum [5]	<table border="1"> <tr> <th>Attached</th> <th>Stacked</th> </tr> <tr> <td>40 feet</td> <td>60 feet</td> </tr> </table>	Attached	Stacked	40 feet	60 feet	65 feet
Attached	Stacked					
40 feet	60 feet					

Notes:

- [1] Affordable dwelling unit developments may consist of single family attached and multifamily dwelling units.
- [2] Nonresidential structures provided within an affordable dwelling unit development are subject to the lot and building standards for non-affordable dwelling unit developments.
- [3] The setback requirements apply to single-family attached units as they relate to peripheral lot lines, streets, and other buildings, but do not apply to individual dwelling units within a building. Refer to [reference to relocated Part 3 of Article 13] for additional provisions that may qualify the setback requirements. Refer to Section 2101.3.D(3) for provisions that qualify the setback requirements for individual units in single family attached dwellings. Setback requirements may be waived by the Board in accordance with the provisions of [reference to relocated Sect. 9-613].
- [4] Lot width may be modified in accordance with 2101.2.C and [reference to relocated 9-610].
- [5] Building height measurement depends on roof type as defined by Section 9102.

Table 2102.18a: R-16 ADU Setback Relative to Height

Multifamily

⁷⁸ Angle of bulk plane deleted for single family attached, consistent with non-ADU developments.

⁷⁹ Angle of bulk plane for multifamily replaced with new table.

Building height, maximum (feet) [1]	Front setback, minimum (feet)	Side setback, minimum (feet)	Rear setback, minimum (feet)
40	20	10	25
45	20	11	25
50	21	12	25
55	24	14	25
60	26	15	26
65	28	16	28

Notes:

[1] Maximum height of the portion of the building with the specified minimum setback.

95	42	42	42
100	45	45	45
105	47	47	47
110	49	49	49
115	52	52	52
120	54	54	54
125	56	56	56
130	59	59	59
135	61	61	61
140	63	63	63
145	66	66	66
150	68	68	68

Notes:

[1] Maximum height of the portion of the building with the specified minimum setback

D. Reference to Other Standards

Provisions that may qualify or supplement the regulations presented above, including the shape factor limitations contained in *[reference to relocated Sect. 2-401]* [TBD – based on new zMOD structure]

Shape factor limitations may be modified by the Board in accordance with the provisions of *[reference to relocated Sect. 9-626]*

Off-street parking, loading and private street requirements

Signs

Landscaping and screening requirements

Uses and developments that are subject to site plan provisions

12. R-20 Residential District, Twenty Dwelling Units/Acre⁸⁰

A. Purpose⁸¹

The R-20 District is established to provide for a mixture of residential dwelling types and affordable dwelling units at higher densities, and to allow other uses that are compatible with the residential character of the district.

Figure 2102.24: R-20 District Aerial Example



⁸⁰ Carried forward from Sect. 3-2000, with changes as noted.

⁸¹ Carried forward from Sect. 3-2001, with the specific densities removed.

B. R-20 Lot and Building Dimensional Standards

TABLE 2102.19: R-20 Lot and Building Standards [1]					
	Single family attached and stacked townhouses		Multifamily dwellings	Other uses	
District size, minimum [2]	4 acres		4 acres	4 acres	
Density, maximum	20 du/ac		20 du/ac	n/a	
Open space, minimum	30 percent of the gross area				
Lot area, minimum	No requirement		No requirement	10,000 sf	
A Lot width, minimum [2]	18 feet		No requirement	Interior	Corner
				75 feet	100 feet
B Front setback, minimum	5 feet ⁸²		See Table 210219a below ⁸³		
C Side setback, minimum	10 feet		See Table 210219a below		
D Rear setback, minimum	20 feet		See Table 210219a below		
Privacy yard, minimum	Not required		Not required	Not required	
E Building height, maximum [3]	Attached	Stacked	90 feet	90 feet	
	35 feet	60 feet			
Floor area ratio, maximum	No requirement		No requirement	0.70 for all uses other than residential	
Notes:					
[1] Refer to [reference to relocated Part 3 of Article 13] for additional provisions that may qualify the setback requirements. Refer to Section 2101.3.D(3) for provisions that qualify the setback requirements for individual units in single family attached dwellings. Setback requirements may be waived by the Board in accordance with the provisions of [reference to relocated Sect. 9-613].					
[2] District size and lot width may be modified in accordance with 2101.2.C and [reference to relocated 9-610].					
[3] Building height measurement depends on roof type as defined by Section 9102.					

⁸² Angle of bulk plane (ABP) deleted because the maximum height for single family attached is allowed for the minimum side and rear setbacks and the ABP at the minimum front setback is impractical.

⁸³ Angle of bulk plane for multifamily and other uses replaced with new table.

Figure 2102.25: R-20 District Lot and Building Dimensional Standards



Table 2102.19a: R-20 Setback Relative to Height

Multifamily and other uses			
Building height, maximum (feet) [1]	Front setback, minimum (feet)	Side setback, minimum (feet)	Rear setback, minimum (feet)
25	20	10	25
30	20	12	25
35	20	14	25
40	20	17	25
45	20	19	25
50	21	21	25
55	24	24	25
60	26	26	26
65	28	28	28
70	31	31	31
75	33	33	33
80	35	35	35
85	38	38	38
90	40	40	40

Notes:

[1] Maximum height of the portion of the building with the specified minimum setback

C. R-20 Lot and Building Dimensional Standards – Affordable Dwelling Unit Development

TABLE 2102.20: R-20 Lot and Building Standards – Affordable Dwelling Unit Development [1] [2] [3]							
		Single family attached and stacked townhouses	Multifamily dwellings				
	Density, maximum	24 du/ac	24 du/ac				
	Open space, minimum	20 percent of the gross area					
	Lot area, minimum	No requirement	No requirement				
A	Lot width, minimum [4]	14 feet	No requirement				
B	Front setback, minimum	5 feet ⁸⁴	See Table 2102.20a below ⁸⁵				
C	Side setback, minimum	8 feet	See Table 2102.20a below				
D	Rear setback, minimum	16 feet	See Table 2102.20a below				
E	Building height, maximum [5]	<table border="1"> <thead> <tr> <th>Attached</th> <th>Stacked</th> </tr> </thead> <tbody> <tr> <td>40 feet</td> <td>60 feet</td> </tr> </tbody> </table>	Attached	Stacked	40 feet	60 feet	90 feet
Attached	Stacked						
40 feet	60 feet						

Notes:
 [1] Affordable dwelling unit developments may consist of single family attached and multifamily dwelling units.
 [2] Nonresidential structures provided within an affordable dwelling unit development are subject to the lot and building standards for non-affordable dwelling unit developments.
 [3] Refer to [reference to relocated Part 3 of Article 13] for additional provisions that may qualify the setback requirements. Refer to Section 2101.3.D(3) for provisions that qualify the setback requirements for individual units in single family attached dwellings. Setback requirements may be waived by the Board in accordance with the provisions of [reference to relocated Sect. 9-613].
 [4] Lot width may be modified in accordance with 2101.2.C and [reference to relocated 9-610].
 [5] Building height measurement depends on roof type as defined by Section 9102.

Table 2102.20a: R-20 ADU Setback Relative to Height			
Multifamily			
Building height, maximum (feet) [1]	Front setback, minimum (feet)	Side setback, minimum (feet)	Rear setback, minimum (feet)
40	15	10	20
45	15	11	20
50	17	12	20
55	19	14	20
60	20	15	20
65	22	16	22
70	24	18	24
75	26	19	26
80	28	20	28
85	29	22	29
90	31	23	31

⁸⁴ Angle of bulk plane deleted for single family attached, consistent with non-ADU developments.

⁸⁵ Angle of bulk plane for multifamily replaced with new table.

Notes:

[1] Maximum height of the portion of the building with the specified minimum setback.

D. Reference to Other Standards

Provisions that may qualify or supplement the regulations presented above, including the shape factor limitations contained in <i>[reference to relocated Sect. 2-401]</i>	[TBD – based on new zMOD structure]
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Shape factor limitations may be modified by the Board in accordance with the provisions of *[reference to relocated Sect. 9-626]*.

Off-street parking, loading and private street requirements

Signs

Landscaping and screening requirements

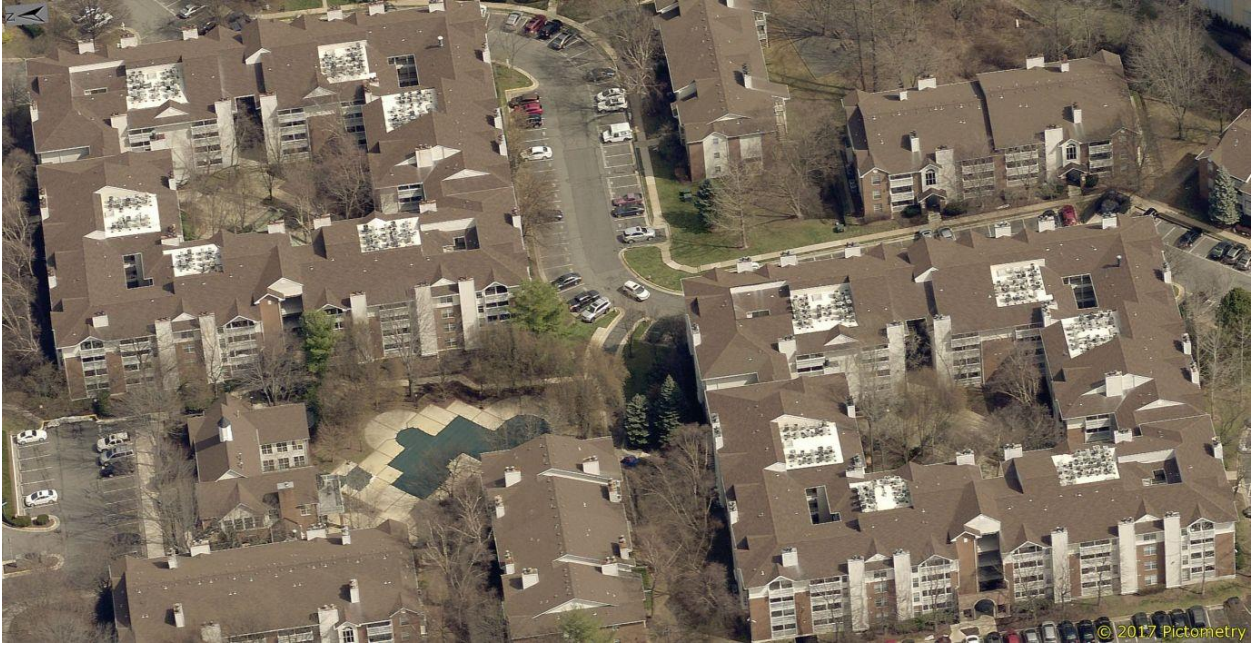
Uses and developments that are subject to site plan provisions

13. R-30 Residential District, Thirty Dwelling Units/Acre⁸⁶

A. Purpose⁸⁷

The R-30 District is established to provide for high density residential and affordable dwelling units, and to allow other uses that are compatible with the residential character of the district.

Figure 2102.26: R-30 District Aerial Example



⁸⁶ Carried forward from Sect. 3-3000, with changes as noted.

⁸⁷ Carried forward from Sect. 3-3001 with specific densities removed.

B. R-30 Lot and Building Dimensional Standards

TABLE 2102.21: R-30 Lot and Building Standards [1]				
		Stacked townhouses and multifamily dwellings	Other uses	
	District size, minimum [2]	3 acres	3 acres	
	Density, maximum	30 du/ac	n/a	
	Open space, minimum	40 percent of the gross area		
	Lot area, minimum	No requirement	10,000 sf	
A	Lot width, minimum [2]	No requirement	Interior 75 feet	Corner 100 feet
B	Front setback, minimum	See Table 2102.21a below ⁸⁸		
C	Side setback, minimum	See Table 2102.21a below		
D	Rear setback, minimum	See Table 2102.21a below		
	Privacy yard, minimum	Not required	Not required	
E	Building height, maximum [3]	150 feet, subject to increase as permitted by the Board in accordance with the provisions of [reference to relocated Sect. 9-607]		
	Floor area ratio, maximum	No requirement	1.0 for all uses other than residential	
Notes:				
[1] Refer to [reference to relocated Part 3 of Article 13] for provisions that may qualify the setback requirements. Refer to Section 2101.3.D(3) for provisions that qualify the setback requirements for individual units in single family attached dwellings. Setback requirements may be waived by the Board in accordance with the provisions of [reference to relocated Sect. 9-613].				
[2] District size and lot width may be modified in accordance with 2101.2.C and [reference to relocated 9-610].				
[3] Building height measurement depends on roof type as defined by Section 9102.				

⁸⁸ Angle of bulk plane replaced with new table.

Figure 2102.27: R-30 District Lot and Building Dimensional Standards

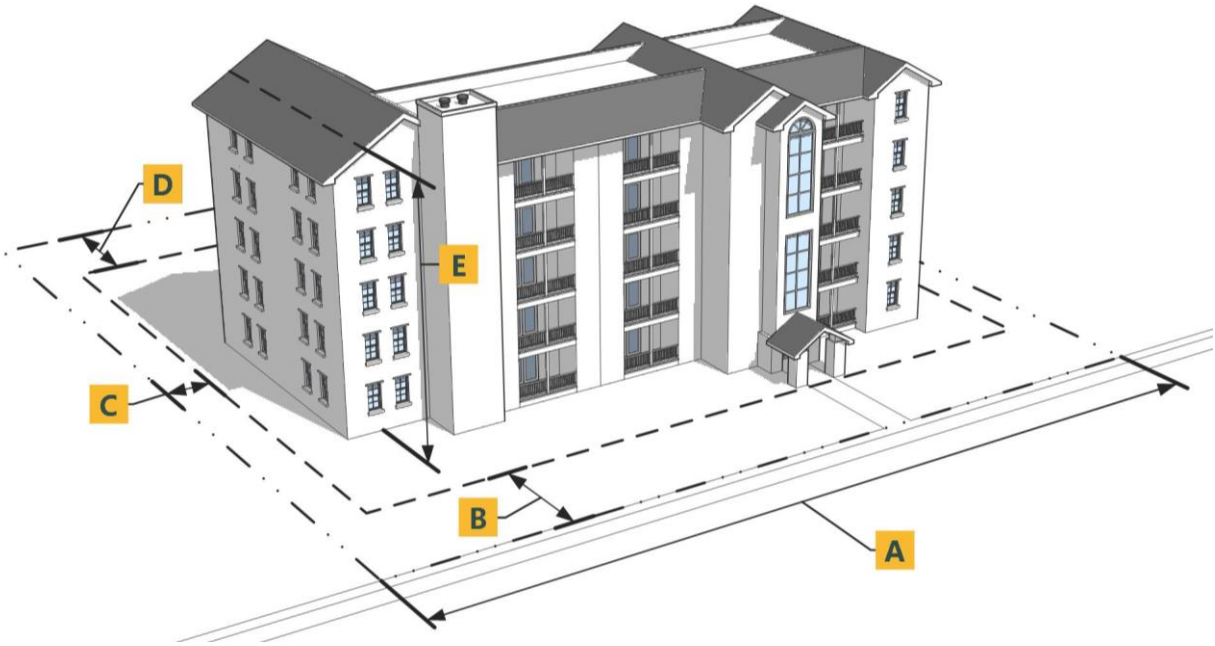


Table 2102.21a: R-30 Setback Relative to Height

Building height, maximum (feet) [1]	Front setback, minimum (feet)	Side setback, minimum (feet)	Rear setback, minimum (feet)
25	20	10	25
30	20	12	25
35	20	14	25
40	20	17	25
45	20	19	25
50	21	21	25
55	24	24	25
60	26	26	26
65	28	28	28
70	31	31	31
75	33	33	33
80	35	35	35
85	38	38	38
90	40	40	40
95	42	42	42
100	45	45	45
105	47	47	47

Maximum Building Height (feet)	Front Setback (feet)	Side Setback (feet)	Rear Setback (feet)
110	49	49	49
115	52	52	52
120	54	54	54
125	56	56	56
130	59	59	59
135	61	61	61
140	63	63	63
145	66	66	66
150	68	68	68

Notes:

[1] Maximum height of the portion of the building with the specified minimum setback

C. R-30 Lot and Building Dimensional Standards – Affordable Dwelling Unit Development

Stacked townhouses and multifamily dwellings	
Density, maximum	36 du/ac
Open space, minimum	26 percent of the gross area
Lot area, minimum	No requirement
A Lot width, minimum [4]	No requirement
B Front setback, minimum	See Table 2102.22a below ⁸⁹
C Side setback, minimum	See Table 2102.22a below
D Rear setback, minimum	See Table 2102.22a below
E Building height, maximum [5]	150 feet, subject to increase as permitted by the Board in accordance with the provisions of [reference to relocated Sect. 9-607]

Notes:

[1] Affordable dwelling unit developments must consist of multifamily dwelling units.

[2] Nonresidential structures provided within an affordable dwelling unit development are subject to the lot and building standards for non-affordable dwelling unit developments.

[3] Refer to [reference to relocated Part 3 of Article 13] for provisions that may qualify the setback requirements. Refer to Section 2101.3.D(3) for provisions that qualify the setback requirements for individual units in single family attached dwellings. Setback requirements may be waived by the Board in accordance with the provisions of [reference to relocated Sect. 9-613].

[4] Lot width may be modified in accordance with 2101.2.C and [reference to relocated 9-610].

[5] Building height measurement depends on roof type as defined by Section 9102.

⁸⁹ Angle of bulk plane replaced with new table.

Table 2102.22a: R-30 ADU Setback Relative to Height

Stacked townhouses and multifamily			
Building height, maximum (feet) [1]	Front setback, minimum (feet)	Side setback, minimum (feet)	Rear setback, minimum (feet)
40	15	10	15
45	15	11	15
50	17	12	15
55	19	14	15
60	20	15	15
65	22	16	16
70	24	18	18
75	26	19	19
80	28	20	20
85	29	22	22
90	31	23	23
95	33	24	24
100	35	26	26
105	37	27	27
110	39	28	28
115	40	30	30
120	42	31	31
125	44	32	32
130	46	34	34
135	48	35	35
140	49	36	36
145	51	38	38
150	53	39	39

Notes:

[1] Maximum height of the portion of the building with the specified minimum setback

D. Reference to Other Standards

Provisions that may qualify or supplement the regulations presented above, including the shape factor limitations contained in *[reference to relocated Sect. 2-401]* [TBD – based on new zMOD structure]

Shape factor limitations may be modified by the Board in accordance with the provisions of *[reference to relocated Sect. 9-626]*.

Off-street parking, loading and private street requirements

Signs

Landscaping and screening requirements

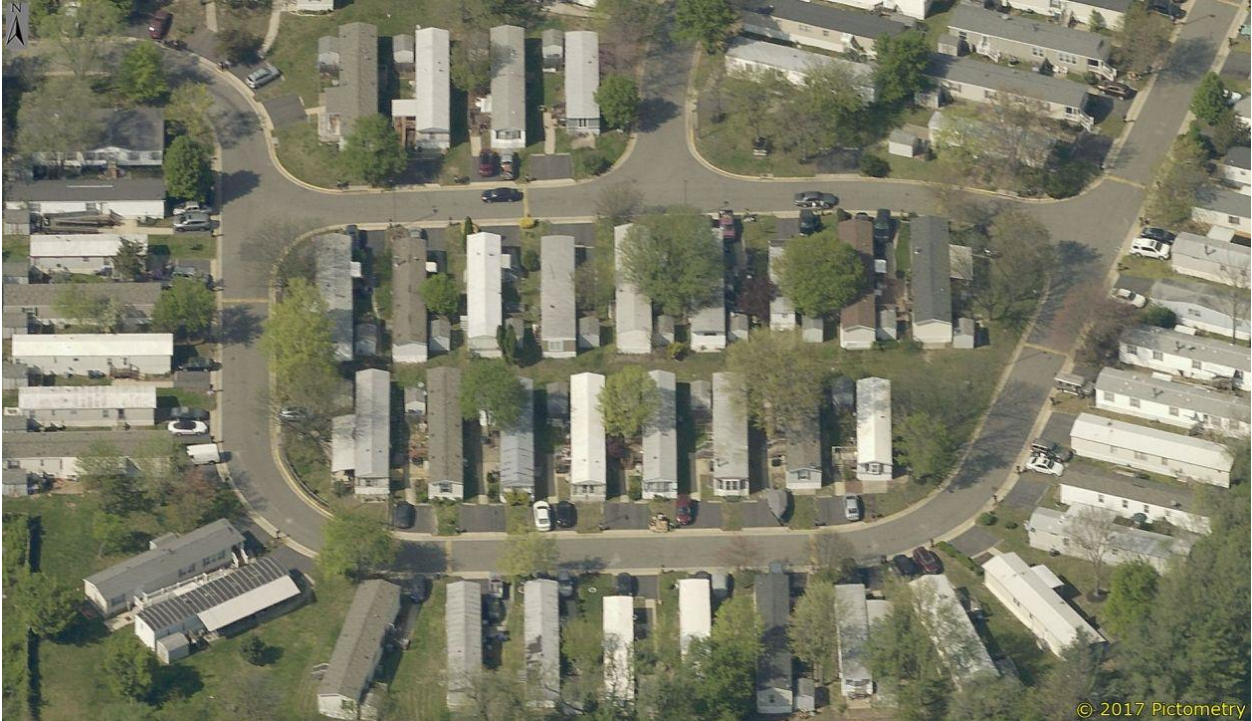
Uses and developments that are subject to site plan provisions

14. R-MHP Residential District, Manufactured Home Park⁹⁰

A. Purpose⁹¹

The R-MHP District is established to provide for manufactured home parks and to allow other uses that are compatible with the residential character of the district.

Figure 2102.28: R-MHP District Aerial Example



⁹⁰ Carried forward from Sect. 3-M00, renamed “manufactured home park” from “mobile home park.”

⁹¹ Carried forward from Sect. 3-M01, revised to reference manufactured homes instead of mobile homes, consistent with the updated use definition in new Article 4.

B. R-MHP Lot and Building Dimensional Standards

TABLE 2102.23: R-MHP Lot and Building Standards [1]						
	Manufactured home	Single family detached		Other uses		
District size, minimum [2]	15 acres	15 acres		15 acres		
Density, maximum	6 manufactured homes per acre	6 du/ac		n/a		
Open space, minimum	20 percent of the gross area					
Lot area, average	4,000 sf	No requirement		No requirement		
Lot area, minimum	No requirement	5,000 sf		10,000 sf		
A Lot width, minimum [2]	Mobile Home Park	Mobile Home Lot	Interior	Corner	Interior	Corner
	70 feet	No dimension less than 50 feet	50 feet	70 feet	75 feet	100 feet
B Front setback, minimum	35 feet from front line of manufactured home park		See Table 2102.23a below, but not less than ¼ the width of the right-of-way of the abutting street ⁹²			
C Side setback, minimum	25 feet from side line of the manufactured home park		8 feet	See Table 2102.23a below		
D Rear setback, minimum	25 feet from rear line of the manufactured home park		25 feet	See Table 2102.23a below		
Distance between manufactured homes and other buildings, minimum	15 feet		n/a	n/a		
Distance between manufactured homes and public street, minimum	35 feet		n/a	n/a		
Distance between manufactured homes and private street or common open area within the park, minimum	10 feet		n/a	n/a		
E Building height, maximum [3]	35 feet		35 feet		90 feet	
Floor area ratio, maximum	No requirement		No requirement		0.50 for all uses other than residential	
Notes:						
[1] Refer to [reference to relocated Part 3 of Article 13] for provisions that may qualify the setback requirements. Setback requirements may be waived by the Board in accordance with the provisions of [reference to relocated Sect. 9-613].						
[2] District size and lot width may be modified in accordance with 2101.2.C and [reference to relocated 9-610].						
[3] Building height measurement depends on roof type as defined by Section 9102.						

⁹² Angle of bulk plane replaced with new table.

Figure 2102.29: R-MHP District Lot and Building Dimensional Standards

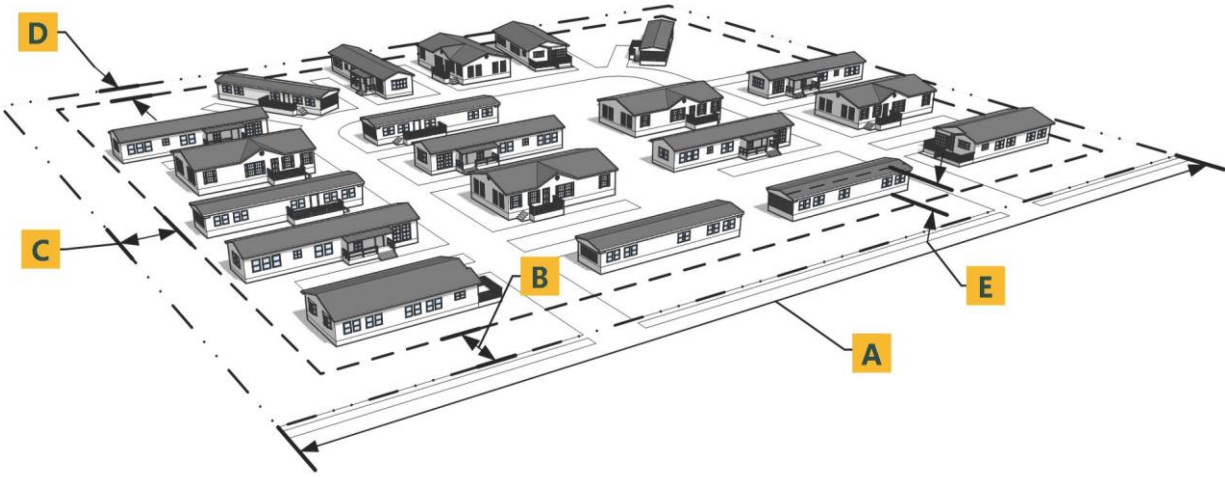


Table 2102.23a: R-MHP Setback Relative to Height

Other uses			
Building height, maximum (feet) [1]	Front setback, minimum (feet)	Side setback, minimum (feet)	Rear setback, minimum (feet)
25	14	10	25
30	15	12	25
35	18	14	25
40	21	17	25
45	24	19	25
50	27	21	25
55	29	24	25
60	32	26	26
65	35	28	28
70	38	31	31
75	41	33	33
80	44	35	35
85	47	38	38
90	50	40	40
Single family detached			
Building height, maximum (feet) [1]	Front setback, minimum (feet)		
25	14		
30	15		
35	18		

Notes:

[1] Maximum height of the portion of the building with the specified minimum setback

C. Reference to Other Standards

Provisions that may qualify or supplement the regulations presented above, including the shape factor limitations contained in [reference to relocated Sect. 2-401] [TBD – based on new zMOD structure]

Shape factor limitations may be modified by the Board in accordance with the provisions of [reference to relocated Sect. 9-626]

Off-street parking, loading and private street requirements
Signs

Landscaping and screening requirements

Uses and developments that are subject to site plan provisions

2103. Commercial Zoning Districts

This section 2103 includes the standards related to the commercial Districts established in Fairfax County.

1. C-1 Low-Rise Office Transitional District⁹³

A. Purpose⁹⁴

The C-1 District is established to provide areas for non-retail commercial uses such as offices, financial institutions, and other similar uses. The C-1 District is intended to provide for those types of uses in a low-intensity manner so that they are compatible with and serve as a transition to adjacent single family detached dwellings.

Figure 2103.1: C-1 District Aerial Example



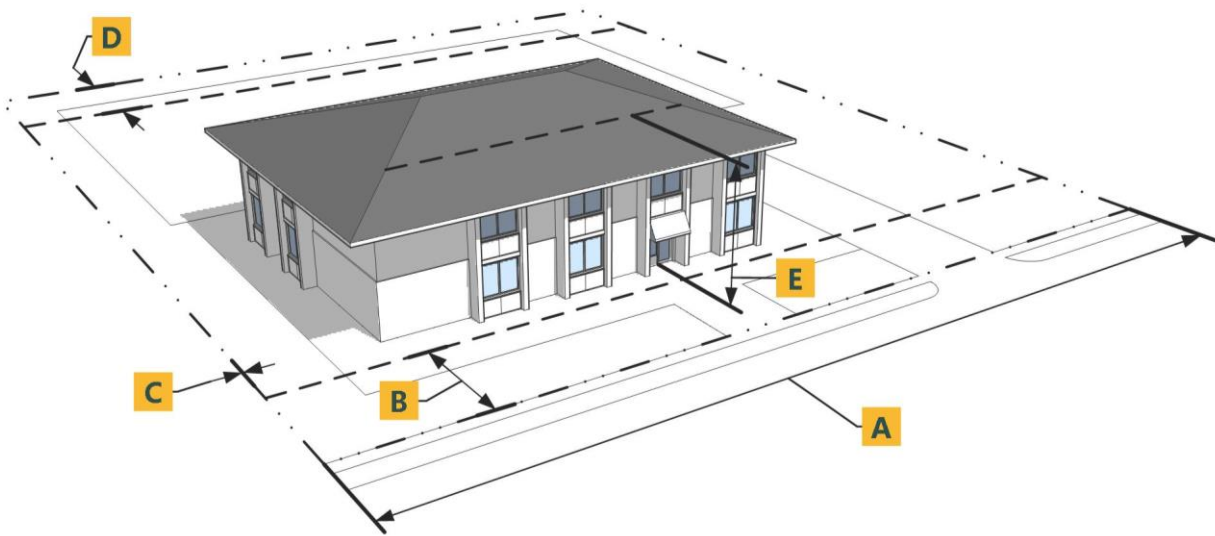
⁹³ Carried forward from Sect. 4-100.

⁹⁴ Carried forward from Sect. 4-101 with minor revisions.

B. C-1 Lot and Building Dimensional Standards

TABLE 2103.1: C-1 Lot and Building Standards [1]		
	Lot area, minimum [2]	20,000 sq. ft.
A	Lot width, minimum [2]	100 feet
	Landscaped open space, minimum	50 percent of the gross area
B	Front setback, minimum	Setback equal to building height ⁹⁵
C	Side setback, minimum	No requirement
D	Rear setback, minimum	25 feet
E	Building height, maximum [3]	35 feet
	Floor area ratio, maximum	0.25
Notes:		
[1] Refer to [reference to relocated Part 3 of Article 13] for provisions that may qualify the setback requirements.		
[2] Lot area and lot width may be modified in accordance with 2101.2.C and [reference to relocated 9-610].		
[3] Building height measurement depends on roof type as defined by Section 9102.		

Figure 2103.2: C-1 District Lot and Building Dimensional Standards



C. Reference to Other Standards

Provisions that may qualify or supplement the regulations presented above	[TBD – based on new zMOD structure]
Off-street parking, loading and private street requirements	
Signs	
Landscaping and screening requirements	
Uses and developments that are subject to site plan provisions	

⁹⁵ Angle of bulk plane (45 degrees) standard expressed as setback equal to height.

2. C-2 Limited Office District⁹⁶

A. Purpose⁹⁷

The C-2 District is established to provide areas where predominantly non-retail commercial uses may be located such as offices, financial institutions, and other similar uses. The C-2 District is intended to provide for those types of uses in a low-intensity manner so they can serve as a transition between higher intensity uses and residential uses.

Figure 2103.3: C-2 District Aerial Example



⁹⁶ Carried forward from Sect. 4-200.

⁹⁷ Carried forward from Sect. 4-201, with minor editorial revisions.

B. C-2 Lot and Building Dimensional Standards

TABLE 2103.2: C-2 Lot and Building Standards [1]		
	Lot area, minimum [2]	20,000 sq. ft.
A	Lot width, minimum [2]	100 feet
	Landscaped open space, minimum	30 percent of the gross area
B	Front setback, minimum	25 feet ⁹⁸
C	Side setback, minimum	No requirement
D	Rear setback, minimum	25 feet
E	Building height, maximum [3]	40 feet
	Floor area ratio, maximum	0.50
Notes:		
[1] Refer to [reference to relocated Part 3 of Article 13] for provisions that may qualify the setback requirements.		
[2] Lot area and lot width may be modified in accordance with 2101.2.C and [reference to relocated 9-610].		
[3] Building height measurement depends on roof type as defined by Section 9102.		

Figure 2103.4: C-2 District Lot and Building Dimensional Standards



C. Reference to Other Standards

Provisions that may qualify or supplement the regulations presented above	[TBD – based on new zMOD structure]
Off-street parking, loading and private street requirements	
Signs	
Landscaping and screening requirements	
Uses and developments that are subject to site plan provisions	

⁹⁸ Angle of bulk plane (30 degrees) deleted because maximum height exceeded at 25 ft setback.

3. C-3 Office District⁹⁹

A. Purpose¹⁰⁰

The C-3 District is established to provide areas where predominantly non-retail commercial uses, primarily including offices, financial institutions, and other related and supporting uses are located.

Figure 2103.5: C-3 District Aerial Example



⁹⁹ Carried forward from Sect. 4-300.

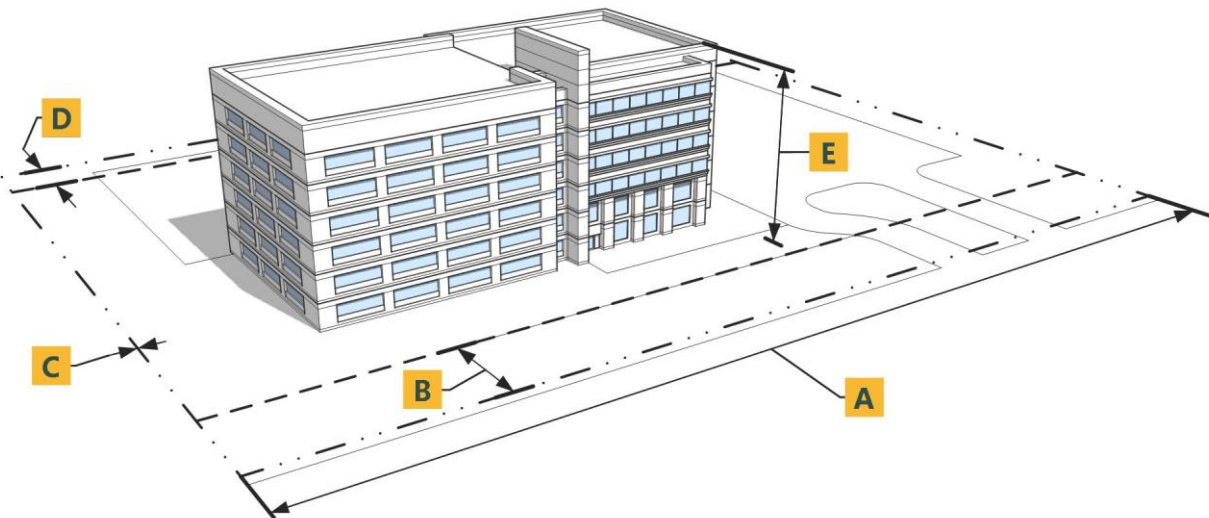
¹⁰⁰ Carried forward from Sect. 4-301.

B. C-3 Lot and Building Dimensional Standards

TABLE 2103.3: C-3 Lot and Building Standards [1]		
	Lot area, minimum [2]	20,000 sq. ft.
A	Lot width, minimum [2]	100 feet
	Landscaped open space, minimum	15 percent of the gross area
B	Front setback, minimum	40 feet ¹⁰¹
C	Side setback, minimum	No requirement
D	Rear setback, minimum	See Table 2103.3a below ¹⁰²
E	Building height, maximum [3]	90 feet
	Floor area ratio, maximum	1.0

Notes:
 [1] Refer to [reference to relocated Part 3 of Article 13] for provisions that may qualify the setback requirements.
 [2] Lot area and lot width may be modified in accordance with 2101.2.C and [reference to relocated 9-610].
 [3] Building height measurement depends on roof type as defined by Section 9102 and may be increased by the Board in accordance with the provisions of [reference to relocated Sect. 9-607].

Figure 2103.6: C-3 District Lot and Building Dimensional Standards



¹⁰¹ Angle of bulk plane (25 degrees) deleted because the maximum height of 90 would be allowed with a 42-foot setback which is an insignificant difference.

¹⁰² Angle of bulk plane (20 degrees) replaced with table.

Table 2103.3a: C-3 Setback Relative to Height

Building height, maximum (feet) [1]	Rear setback, minimum (feet)
70	25
75	26
80	28
85	29
90	31

Notes:

[1] Maximum height of the portion of the building with the specified minimum setback

C. Reference to Other Standards

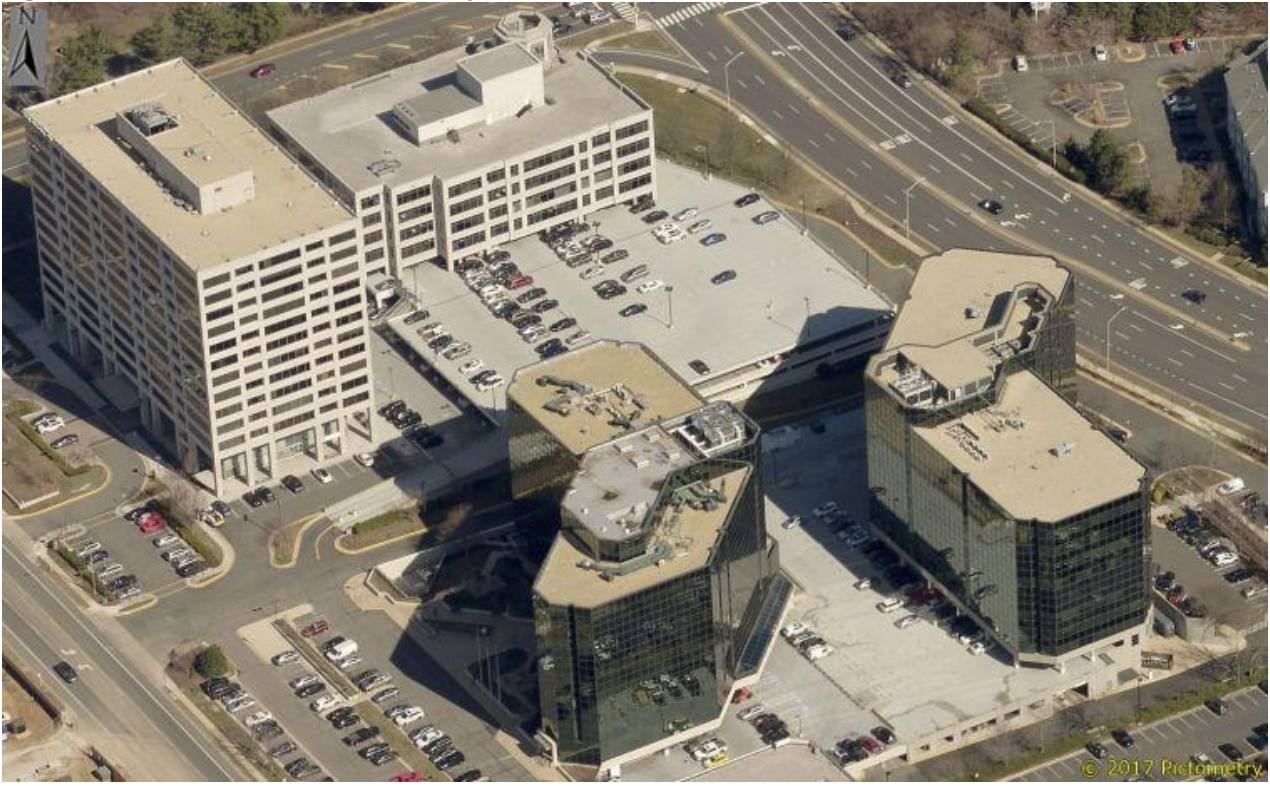
Provisions that may qualify or supplement the regulations presented above	[TBD – based on new zMOD structure]
Off-street parking, loading and private street requirements	
Signs	
Landscaping and screening requirements	
Uses and developments that are subject to site plan provisions	

4. C-4 High Intensity Office District¹⁰³

A. Purpose¹⁰⁴

The C-4 District is established to provide areas of high-intensity development of predominantly non-retail commercial uses, including offices, financial institutions, and other nonresidential uses.

Figure 2103.7: C-4 District Aerial Example



¹⁰³ Carried forward from Sect. 4-400.

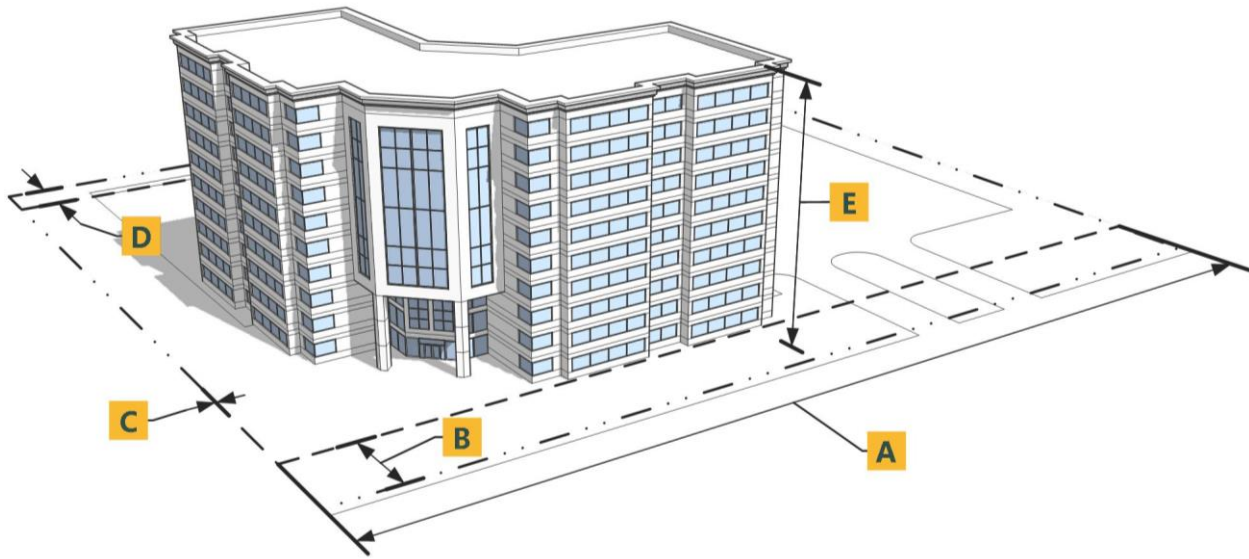
¹⁰⁴ Carried forward from Sect. 4-401.

B. C-4 Lot and Building Dimensional Standards

TABLE 2103.4: C-4 Lot and Building Standards [1]		
	Lot area, minimum [2]	40,000 sq. ft.
A	Lot width, minimum [2]	200 feet
	Landscaped open space, minimum	15 percent of the gross area
B	Front setback, minimum	See Table 2103.4a below ¹⁰⁵
C	Side setback, minimum	No requirement
D	Rear setback, minimum	See Table 2103.4a below
E	Building height, maximum [3]	120 feet
	Floor area ratio, maximum	1.65

Notes:
 [1] Refer to [reference to relocated Part 3 of Article 13] for provisions that may qualify the setback requirements.
 [2] Lot area and lot width may be modified in accordance with 2101.2.C and [reference to relocated 9-610].
 [3] Building height measurement depends on roof type as defined by Section 9102 and may be increased by the Board in accordance with the provisions of [reference to relocated Sect. 9-607].

Figure 2103.8: C-4 District Lot and Building Dimensional Standards



¹⁰⁵ Angle of bulk plane (25 degrees front, 20 degrees rear) replaced with table.

Table 2103.4a: C-4 Setback Relative to Height		
Building height, maximum (feet) [1]	Front setback, minimum (feet)	Rear setback, minimum (feet)
70	40	25
75	40	26
80	40	28
85	40	29
90	40	31
95	42	33
100	45	35
105	47	37
110	49	39
115	52	40
120	54	42

Notes:

[1] Maximum height of the portion of the building with the specified minimum setback

C. Reference to Other Standards

Provisions that may qualify or supplement the regulations presented above	[TBD – based on new zMOD structure]
Off-street parking, loading and private street requirements	
Signs	
Landscaping and screening requirements	
Uses and developments that are subject to site plan provisions	

5. C-5 Neighborhood Commercial Retail¹⁰⁶

A. Purpose¹⁰⁷

The C-5 District is established to provide for neighborhood-oriented convenience shopping. Typical uses include retail commercial, such as grocery stores, drug stores, small specialty shops, and business and personal service establishments, with a limited number of small professional offices and other similar uses. The C-5 District is intended to accommodate development in compact centers. Development should incorporate safe multimodal access and pedestrian circulation and should be architecturally compatible with the neighborhood in which they are located. Development in the C-5 District is not intended to attract substantial trade from outside the neighborhood.

Figure 2103.9: C-5 District Aerial Example



¹⁰⁶ Carried forward from Sect. 4-500.

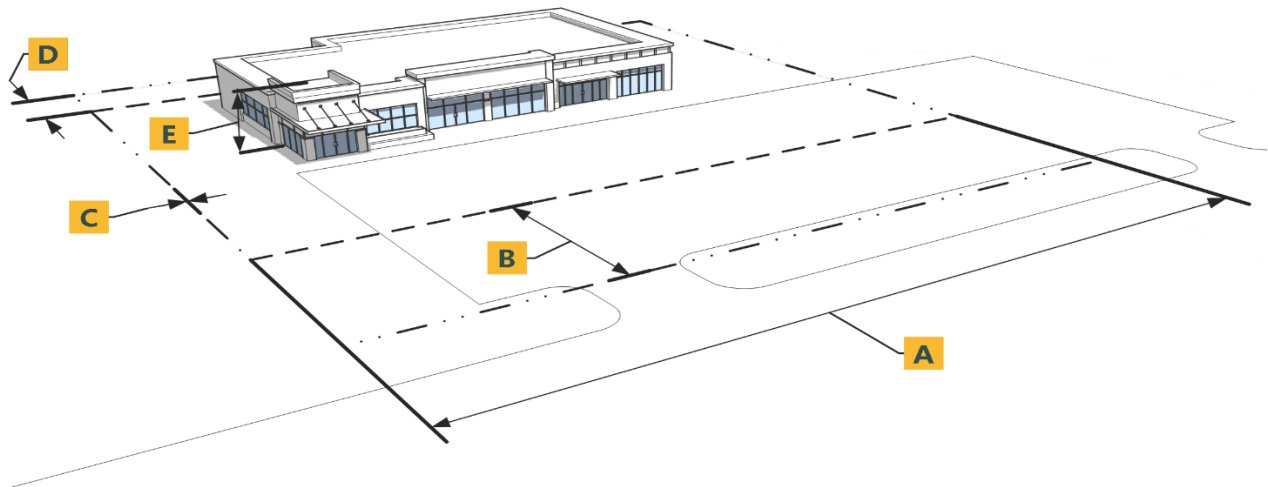
¹⁰⁷ Carried forward from Sect. 4-501, with minor editorial revisions.

B. C-5 Lot and Building Dimensional Standards

TABLE 2103.5: C-5 Lot and Building Standards [1]		
	Lot area, minimum [2]	40,000 sq. ft.
A	Lot width, minimum [2]	200 feet
	Landscaped open space, minimum	20 percent of the gross area
B	Front setback, minimum	40 feet ¹⁰⁸
C	Side setback, minimum	No requirement
D	Rear setback, minimum	20 feet
E	Building height, maximum [3]	40 feet
	Floor area ratio, maximum	0.30

Notes:
 [1] Refer to [reference to relocated Part 3 of Article 13] for provisions that may qualify the setback requirements.
 [2] Lot area and lot width may be modified in accordance with 2101.2.C and [reference to relocated 9-610].
 [3] Building height measurement depends on roof type as defined by Section 9102.

Figure 2103.10: C-5 District Lot and Building Dimensional Standards¹⁰⁹



C. Reference to Other Standards

Provisions that may qualify or supplement the regulations presented above	[TBD – based on new zMOD structure]
Off-street parking, loading and private street requirements	
Signs	
Landscaping and screening requirements	
Uses and developments that are subject to site plan provisions	

¹⁰⁸ Angle of bulk plane deleted because at 45 degrees the maximum height is allowed at the minimum setback.

¹⁰⁹ Graphics throughout will be revised to more accurately represent building height.

6. C-6 Community Retail Commercial District¹¹⁰

A. Purpose¹¹¹

The C-6 District is established to provide locations for retail commercial and service uses that are oriented to serve multiple neighborhoods within the community, with typical uses similar to those allowed in the C-5 District, and more intense commercial uses. Development within the district should be encouraged in compact centers with coordinated development that is planned to maximize comparison and one-stop shopping, to minimize traffic congestion, and to incorporate safe multimodal and pedestrian circulation.

Figure 2103.11: C-6 District Aerial Example



¹¹⁰ Carried forward from Sect. 4-600.

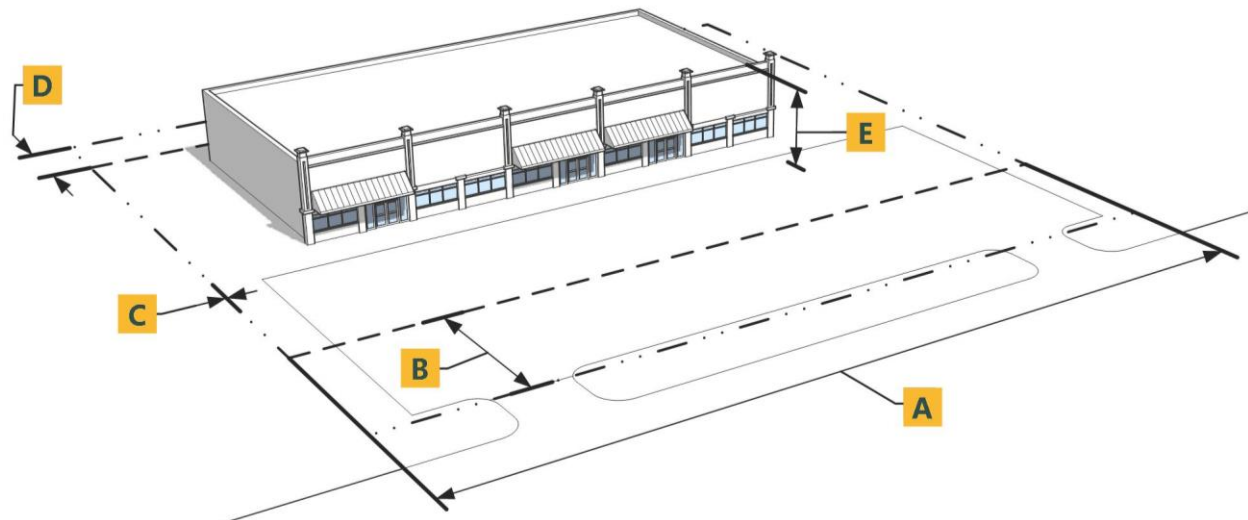
¹¹¹ Carried forward from Sect. 4-601 but without references to specific types of uses, development of one quadrant of an intersection, and the specific sizes. The reference to safe multimodal circulation is new.

B. C-6 Lot and Building Dimensional Standards

TABLE 2103.6: C-6 Lot and Building Standards [1]		
	Lot area, minimum [2]	40,000 sq. ft.
A	Lot width, minimum [2]	200 feet
	Landscaped open space, minimum	15 percent of the gross area
B	Front setback, minimum	40 feet ¹¹²
C	Side setback, minimum	No requirement
D	Rear setback, minimum	20 feet
E	Building height, maximum [3]	40 feet
	Floor area ratio, maximum	0.40 [4]

Notes:
 [1] Refer to [reference to relocated Part 3 of Article 13] for provisions that may qualify the setback requirements.
 [2] Lot area and lot width may be modified in accordance with 2101.2.C and [reference to relocated 9-610].
 [3] Building height measurement depends on roof type as defined by Section 9102 and may be increased by the Board in accordance with the provisions of [reference to relocated Sect. 9-607].
 [4] An increase to 0.50 FAR may be permitted by the Board in accordance with the provisions of [reference to relocated Sect. 9-618].

Figure 2103.12: C-6 District Lot and Building Dimensional Standards



¹¹² Angle of bulk plane deleted because at 45 degrees the maximum height is allowed at the minimum setback.

C. Reference to Other Standards

Provisions that may qualify or supplement the regulations presented above	[TBD – based on new zMOD structure]
Off-street parking, loading and private street requirements	
Signs	
Landscaping and screening requirements	
Uses and developments that are subject to site plan provisions	

7. C-7 Regional Retail Commercial District¹¹³

A. Purpose¹¹⁴

The C-7 District is established to provide locations for a full range of retail commercial and service uses that are oriented to serve a regional market area. Areas in the C-7 District should be located adjacent to major transportation facilities, and development within the district should be encouraged in centers that are planned as a unit. Development in the C-7 District should incorporate walkable and safe multimodal design.

Figure 2103.13: C-7 District Aerial Example



¹¹³ Carried forward from Sect. 4-700.

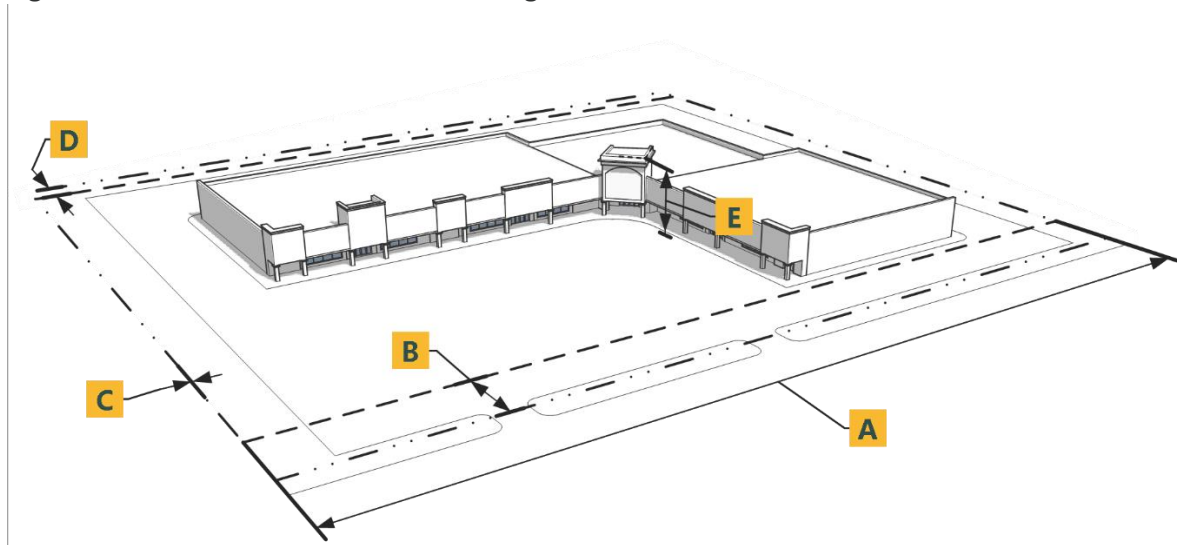
¹¹⁴ Carried forward from Sect. 4-701.

B. C-7 Lot and Building Dimensional Standards

TABLE 2103.7: C-7 Lot and Building Standards [1]		
	Lot area, minimum [2]	40,000 sq. ft.
A	Lot width, minimum [2]	200 feet
	Landscaped open space, minimum	15 percent of the gross area
B	Front setback, minimum	Setback equal to building height; not less than 40 feet ¹¹⁵
C	Side setback, minimum	No requirement
D	Rear setback, minimum	20 feet
E	Building height, maximum [3]	90 feet
	Floor area ratio, maximum	0.80 [4]

Notes:
 [1] Refer to [reference to relocated Part 3 of Article 13] for provisions that may qualify the setback requirements.
 [2] Lot area and lot width may be modified in accordance with 2101.2.C and [reference to relocated 9-610].
 [3] Building height measurement depends on roof type as defined by Section 9102 and may be increased by the Board in accordance with the provisions of [reference to relocated Sect. 9-607].
 [4] An increase to 1.0 FAR may be permitted by the Board in accordance with the provisions of [reference to relocated Sect. 9-618].

Figure 2103.14: C-7 District Lot and Building Dimensional Standards



¹¹⁵ Angle of bulk plane (45 degrees) replaced with statement that setback must equal building height.

C. Reference to Other Standards

Provisions that may qualify or supplement the regulations presented above	[TBD – based on new zMOD structure]
Off-street parking, loading and private street requirements	
Signs	
Landscaping and screening requirements	
Uses and developments that are subject to site plan provisions	

8. C-8 Highway Commercial District¹¹⁶

A. Purpose¹¹⁷

The C-8 District is established to provide locations on heavily traveled collector and arterial highways for commercial and service uses that are auto oriented or require large land areas and good access. The C-8 District is intended to accommodate uses in a manner that minimizes interference with through traffic movements and ensure a high standard in site design, layout, and landscaping. Allowed uses in the C-8 District are encouraged in concentrations.¹¹⁸

Figure 2103.15: C-8 District Aerial Example



¹¹⁶ Carried forward from Sect. 4-800.

¹¹⁷ Carried forward from Sect. 4-801, but without the reference to uses that "do not depend upon adjoining uses for reasons of comparison shopping or pedestrian trade"

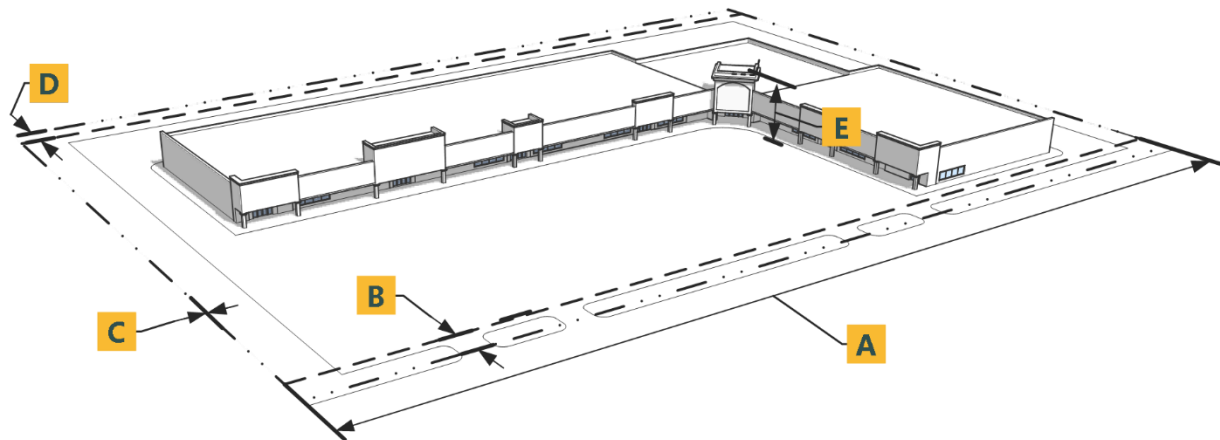
¹¹⁸ Did not carry forward "preferable separated by a minimum distance of three miles between each concentration." That is not how this district has developed over time.

B. C-8 Lot and Building Dimensional Standards

TABLE 2103.8: C-8 Lot and Building Standards [1]		
	Lot area, minimum [2]	40,000 sq. ft.
A	Lot width, minimum [2]	200 feet
	Landscaped open space, minimum	15 percent of the gross area
B	Front setback, minimum	40 feet ¹¹⁹
C	Side setback, minimum	No requirement
D	Rear setback, minimum	20 feet
E	Building height, maximum [3]	40 feet
	Floor area ratio, maximum	0.50 [4]

Notes:
 [1] Refer to [reference to relocated Part 3 of Article 13] for provisions that may qualify the setback requirements.
 [2] Lot area and lot width may be modified in accordance with 2101.2.C and [reference to relocated 9-610].
 [3] Building height measurement depends on roof type as defined by Section 9102 and may be increased by the Board in accordance with the provisions of [reference to relocated Sect. 9-607].
 [4] An increase to 0.70 FAR may be permitted by the Board in accordance with the provisions of [reference to relocated Sect. 9-618].

Figure 2103.16: C-8 District Lot and Building Dimensional Standards



¹¹⁹ Angle of bulk plane deleted because at 45 degrees the maximum height is allowed at the minimum setback.

C. Reference to Other Standards

Provisions that may qualify or supplement the regulations presented above	[TBD – based on new zMOD structure]
Off-street parking, loading and private street requirements	
Signs	
Landscaping and screening requirements	
Uses and developments that are subject to site plan provisions	

2104. Industrial Zoning Districts

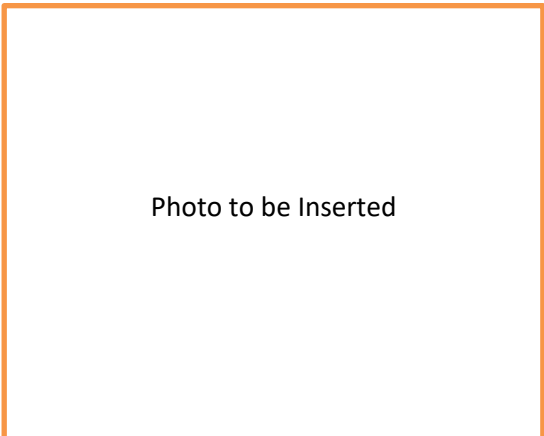
This section 2104 includes the standards related to the Industrial zoning districts established in Fairfax County.

1. I-I Industrial Institutional District¹²⁰

A. Purpose¹²¹

The I-I District is intended to provide for more intense office and office-related uses in a campus-like or institutional setting. Uses are generally limited to office uses and supporting nonresidential uses with enhanced site layout and building design quality.

Figure 2104.1: I-I District Aerial Example



¹²⁰ Carried forward from Sect. 5-100.

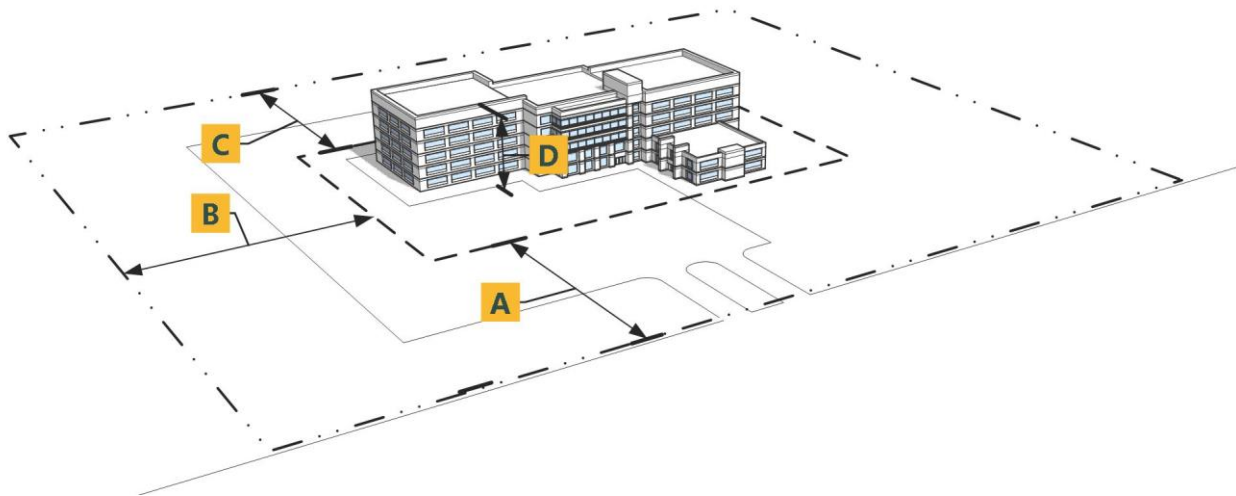
¹²¹ Replaces Sect. 5-101.

B. I-I Lot and Building Dimensional Standards

TABLE 2104.1: I-I Lot and Building Standards	
Lot area, minimum [1]	20 acres
Lot width, minimum [1]	No requirement
Landscaped open space, minimum	No requirement
A Front setback, minimum	320 feet from the center line of any street, or 200 feet from the lot line, whichever is greater [2]
B Side setback, minimum [2]	200 feet; none required abutting a railroad right-of-way
C Rear setback, minimum [2]	200 feet; none required abutting a railroad right-of-way
D Building height, maximum [3]	65 feet ¹²²
Lot coverage, maximum	30 percent
Floor area ratio, maximum	No requirement

Notes:
 [1] Lot area and lot width may be modified in accordance with 2101.2.C and [reference to relocated 9-610].
 [2] Unless a lesser distance is approved by the Board to facilitate the implementation of a proposed major street improvement.
 [3] Building height measurement depends on roof type as defined by Section 9102 and may be increased by the Board in accordance with the provisions of [reference to relocated Sect. 9-607].

Figure 2104.2: I-I District Lot and Building Dimensional Standards



¹²² The height increase to 75' for 25% of the roof area is deleted and instead the I-I District will be included with the other industrial districts for the SE for an increase in height with Sect. 9-607.

C. Reference to Other Standards

Off-street parking, loading and private street requirements

[TBD – based on new zMOD structure]

Uses and developments that are subject to site plan provisions

2. I-2 Low Intensity Industrial District¹²³

A. Purpose¹²⁴

The I-2 District is established to provide for areas for scientific research, development and training, offices, industrial flex, small-scale production, and manufacturing incidental and accessory to those types of uses. The I-2 District is designed to promote an industrial park atmosphere for the conduct of research-oriented activities and other similar uses. Development will incorporate enhanced building and site design, and performance standards in this district will ensure that development is compatible with surrounding uses.

Figure 2104.3: I-2 District Aerial Example



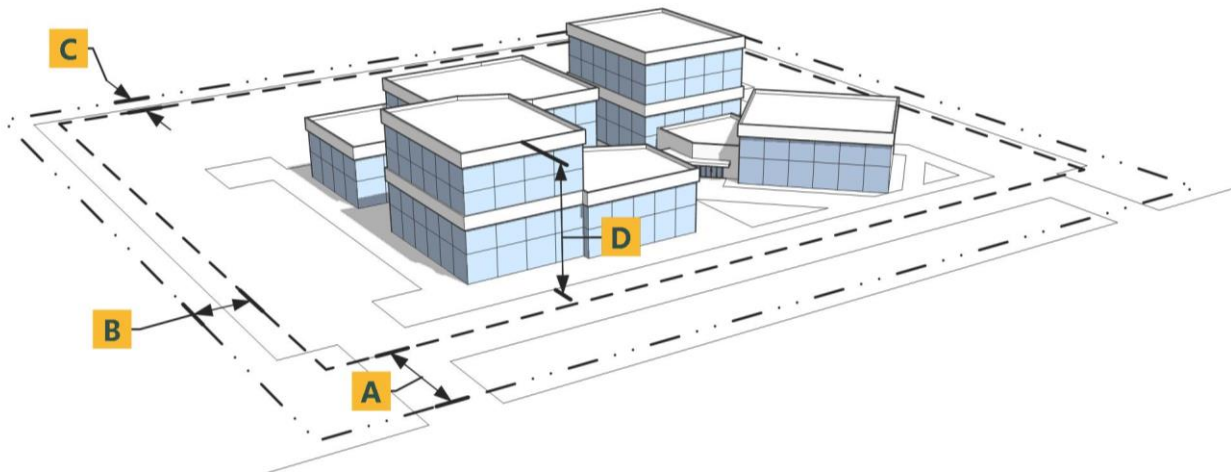
¹²³ Carried forward from Sect. 5-200. The name of the district has been revised from “industrial research” to “low intensity industrial” to reflect the use and development pattern of the district.

¹²⁴ Carried forward from Sect. 5-201. The references to industrial flex and small-scale production are new.

B. I-2 Lot and Building Dimensional Standards

TABLE 2104.2: I-2 Lot and Building Standards [1]	
District size, minimum [2]	10 acres
Lot area, minimum [2]	4 acres in a district of 10 acres; 3 acres in a district of 11-20 acres; 1 acre in a district larger than 20 acres
Lot width, minimum [2]	100 feet
Landscaped open space, minimum	20 percent of gross area
A Front setback, minimum	50 feet ¹²⁵
B Side setback, minimum	See Table 2104.2a below ¹²⁶ ; none required abutting railroad right-of-way
C Rear setback, minimum	See Table 2104.2a below; none required abutting railroad right-of-way
D Building height, maximum [3]	40 feet
Floor area ratio, maximum	0.25
Notes:	
[1] Refer to [reference to relocated Part 3 of Article 13] for provisions that may qualify the setback requirements.	
[2] District size, lot area, and lot width may be modified in accordance with 2101.2.C and [reference to relocated 9-610].	
[3] Building height measurement depends on roof type as defined by Section 9102 and may be increased by the Board in accordance with the provisions of [reference to relocated Sect. 9-607].	

Figure 2104.4: I-2 District Lot and Building Dimensional Standards



¹²⁵ Angle of bulk plane (50 degrees) deleted because the maximum height is exceeded at the minimum setback.

¹²⁶ Angle of bulk plane (50 degrees) replaced with new table with a minimum side and rear setback of 25 feet.

Table 2104.2a: I-2 Setback Relative to Height

Building height, maximum (feet) [1]	Side and Rear setback, minimum (feet)
25	25
30	31
35	37
40	43

Notes:

[1] Maximum height of the portion of the building with the specified minimum setback

C. Reference to Other Standards

Provisions that may qualify or supplement the regulations presented above	[TBD – based on new zMOD structure]
Off-street parking, loading and private street requirements	
Signs	
Landscaping and screening requirements	
Uses and developments that are subject to site plan provisions	

3. I-3 Light Intensity Industrial District¹²⁷

A. Purpose¹²⁸

The I-3 District is established to provide areas for scientific research, development and training, offices, light-intensity production of goods, and related supply and supporting nonresidential activities. This district is designed to provide for a broad spectrum of clean industries operating under enhanced performance standards.

Figure 2104.5: I-3 District Aerial Example



¹²⁷ Carried forward from Sect. 5-300.

¹²⁸ Carried forward from Sect. 5-301 with minor editorial revisions.

B. I-3 Lot and Building Dimensional Standards

TABLE 2104.3: I-3 Lot and Building Standards [1]	
Lot area, minimum [2]	40,000 sq. ft.
Lot width, minimum [2]	100 feet
Landscaped open space, minimum	15 percent of gross area
A Front setback, minimum	Setback equal to building height; not less than 40 feet ¹²⁹
B Side setback, minimum	Setback equal to building height; none required abutting railroad right-of-way
C Rear setback, minimum	Setback equal to building height; none required abutting railroad right-of-way
D Building height, maximum [3]	75 feet
Floor area ratio, maximum	0.40 [4]

Notes:

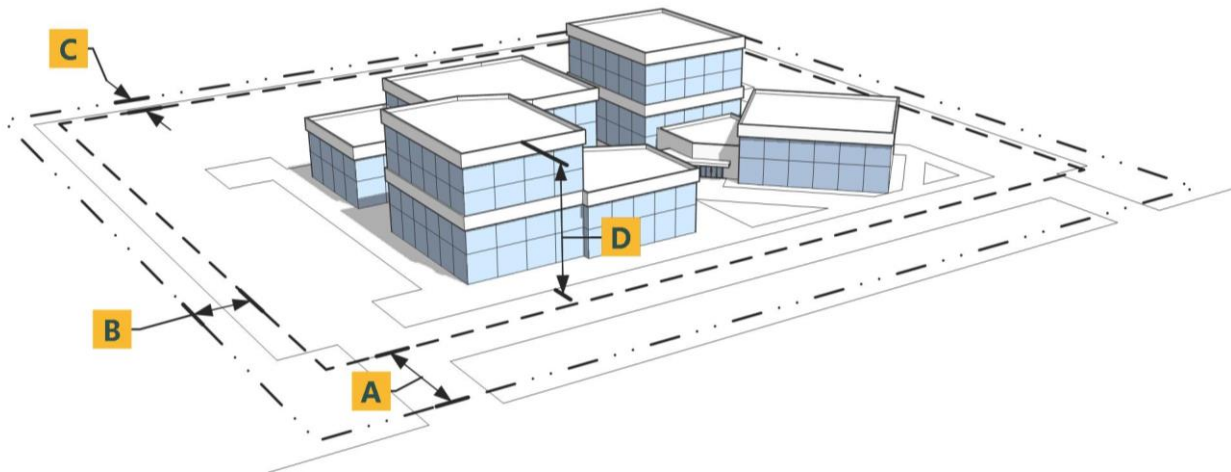
[1] Refer to [reference to relocated Part 3 of Article 13] for provisions that may qualify the setback requirements.

[2] Lot area and lot width may be modified in accordance with 2101.2.C and [reference to relocated 9-610].

[3] Building height measurement depends on roof type as defined by Section 9102 and may be increased by the Board in accordance with the provisions of [reference to relocated Sect. 9-607].

[4] An increase to 0.50 FAR may be permitted by the Board in accordance with the provisions of [reference to relocated Sect. 9-618].

Figure 2104.6: I-3 District Lot and Building Dimensional Standards



¹²⁹ Replaced angle of bulk plane (45 degrees) with statement that setback equals building height.

C. Reference to Other Standards

Provisions that may qualify or supplement the regulations presented above	[TBD – based on new zMOD structure]
---------------------------------------------------------------------------	-------------------------------------

Off-street parking, loading and private street requirements

Signs

Landscaping and screening requirements

Uses and developments that are subject to site plan provisions

4. I-4 Medium Intensity Industrial District¹³⁰

A. Purpose¹³¹

The I-4 District is established to provide areas for a wide range of industrial uses, including scientific research, development and training, offices, medium-intensity production of goods, and related supply and supporting nonresidential activities at a greater intensity of development than is allowed in the I-3 District.

Figure 2104.7: I-4 District Aerial Example



¹³⁰ Carried forward from Sect. 5-400.

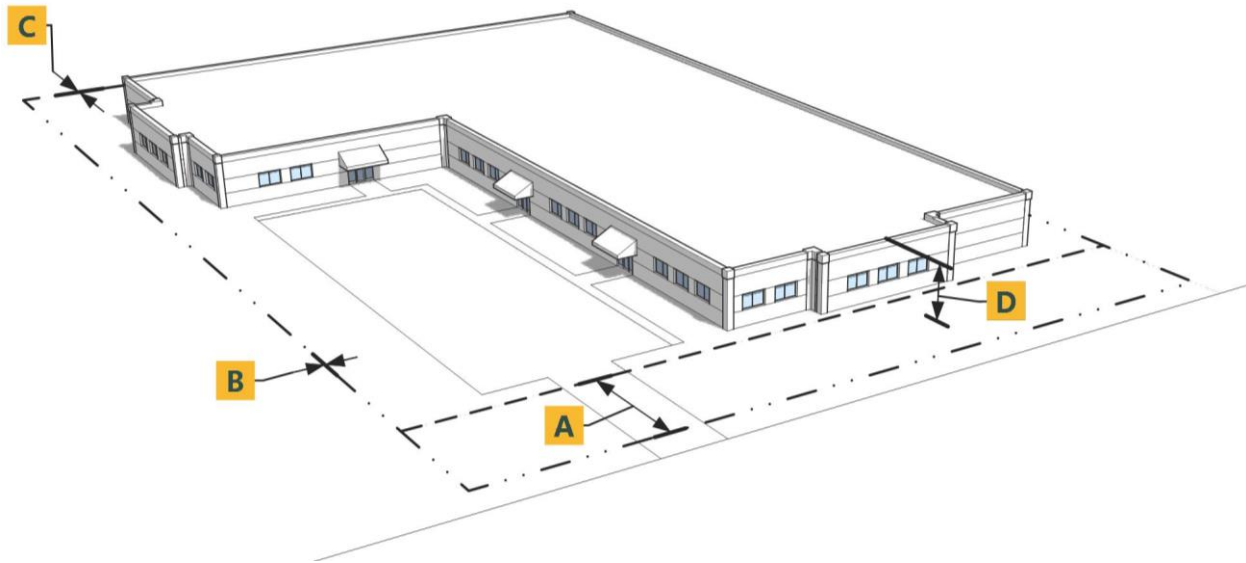
¹³¹ Carried forward from Sect. 5-401.

B. I-4 Lot and Building Dimensional Standards

TABLE 2104.4: I-4 Lot and Building Standards [1]	
Lot area, minimum [2]	20,000 sq. ft.
Lot width, minimum [2]	100 feet
Landscaped open space, minimum	15 percent of gross area
A Front setback, minimum	Setback equal to building height; not less than 40 feet ¹³²
B Side setback, minimum	No requirement
C Rear setback, minimum	No requirement
D Building height, maximum [3]	75 feet
Floor area ratio, maximum	0.50 [4]

Notes:
 [1] Refer to [reference to relocated Part 3 of Article 13] for provisions that may qualify the setback requirements.
 [2] Lot area and lot width may be modified in accordance with 2101.2.C and [reference to relocated 9-610].
 [3] Building height measurement depends on roof type as defined by Section 9102 and may be increased by the Board in accordance with the provisions of [reference to relocated Sect. 9-607].
 [4] An increase to 0.70 FAR may be permitted by the Board in accordance with the provisions of [reference to relocated Sect. 9-618].

Figure 2104.8: I-4 District Lot and Building Dimensional Standards



¹³² Replaced 45 degree angle of bulk plane with statement that setback equals the building height.

C. Reference to Other Standards

Provisions that may qualify or supplement the regulations presented above	[TBD – based on new zMOD structure]
Off-street parking, loading and private street requirements	
Signs	
Landscaping and screening requirements	
Uses and developments that are subject to site plan provisions	

5. I-5 General Industrial District¹³³

A. Purpose¹³⁴

The I-5 District is established to provide for a wide range of industrial and industrially-oriented commercial activities. Uses allowed in this district must operate under performance standards designed to minimize the impact of noise, smoke, glare, and other environmental pollutants on the industries within the district and on neighboring lands. Other nonresidential uses generally include those that provide services and supplies to industrial companies, engage in wholesale operations, and are associated with warehouse establishments.

Figure 2104.9: I-5 District Aerial Example



¹³³ Carried forward from Sect. 5-500.

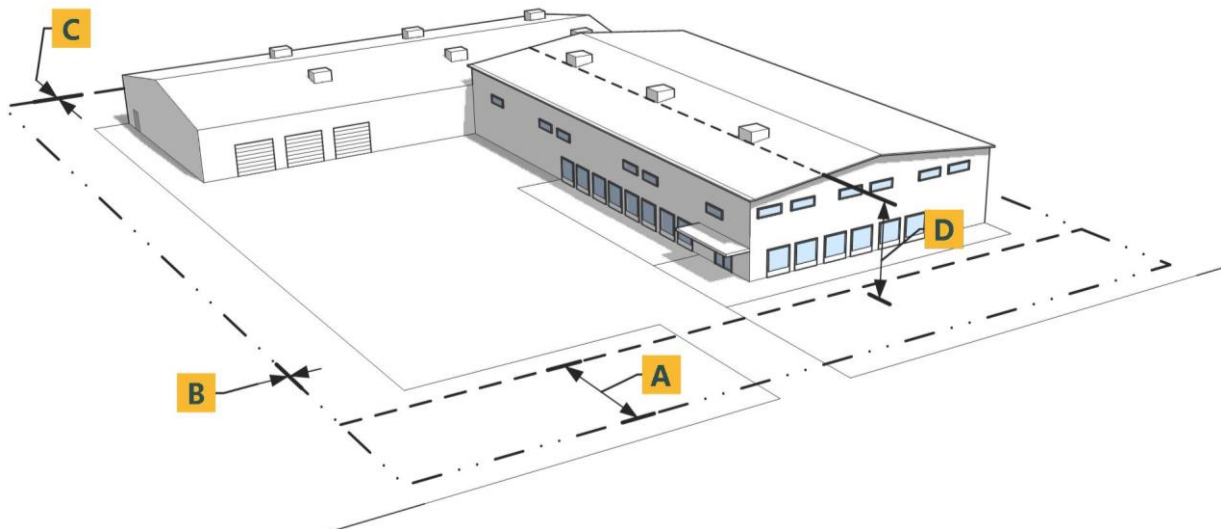
¹³⁴ Carried forward from Sect. 5-501 with minor editorial revisions.

B. I-5 Lot and Building Dimensional Standards

TABLE 2104.5: I-5 Lot and Building Standards [1]	
Lot area, minimum [2]	20,000 sq. ft.
Lot width, minimum [2]	100 feet
Landscaped open space, minimum	15 percent of gross area
A Front setback, minimum	Setback equal to building height; not less than 40 feet ¹³⁵
B Side setback, minimum	No requirement
C Rear setback, minimum	No requirement
D Building height, maximum [3]	75 feet
Floor area ratio, maximum	0.50 [4]

Notes:
 [1] Refer to [reference to relocated Part 3 of Article 13] for provisions that may qualify the setback requirements.
 [2] Lot area and lot width may be modified in accordance with 2101.2.C and [reference to relocated 9-610].
 [3] Building height measurement depends on roof type as defined by Section 9102 and may be increased by the Board in accordance with the provisions of [reference to relocated Sect. 9-607].
 [4] An increase to 1.0 FAR may be permitted by the Board in accordance with the provisions of [reference to relocated Sect. 9-618].

Figure 2104.10: I-5 District Lot and Building Dimensional Standards



¹³⁵ Replaced 45 degree angle of bulk plane with statement that setback equals the building height.

C. Reference to Other Standards

Provisions that may qualify or supplement the regulations presented above	[TBD – based on new zMOD structure]
Off-street parking, loading and private street requirements	
Signs	
Landscaping and screening requirements	
Uses and developments that are subject to site plan provisions	

6. I-6 Heavy Industrial District¹³⁶

A. Purpose¹³⁷

The I-6 District is established to provide for heavy industrial activities with minimum performance standards where those types of activities and uses may require that some noise, vibration and other environmental pollutants must be tolerated, and where the traffic to and from the district may be intensive. The I-6 District is intended for use by the largest manufacturing operations, heavy equipment, construction and fuel yards, major transportation terminals, and other basic industrial activities required in an urban economy.

Figure 2104.11: I-6 District Aerial Example



¹³⁶ Carried forward from Sect. 5-600.

¹³⁷ Carried forward from Sect. 5-601.

B. I-6 Lot and Building Dimensional Standards

TABLE 2104.6: I-6 Lot and Building Standards [1]	
Lot area, minimum [2]	20,000 sq. ft.
Lot width, minimum [2]	100 feet
Landscaped open space, minimum	10 percent of gross area
A Front setback, minimum	Setback equal to building height; not less than 40 feet ¹³⁸
B Side setback, minimum	No requirement
C Rear setback, minimum	No requirement
D Building height, maximum [3]	75 feet
Floor area ratio, maximum	0.50 [4]

Notes:

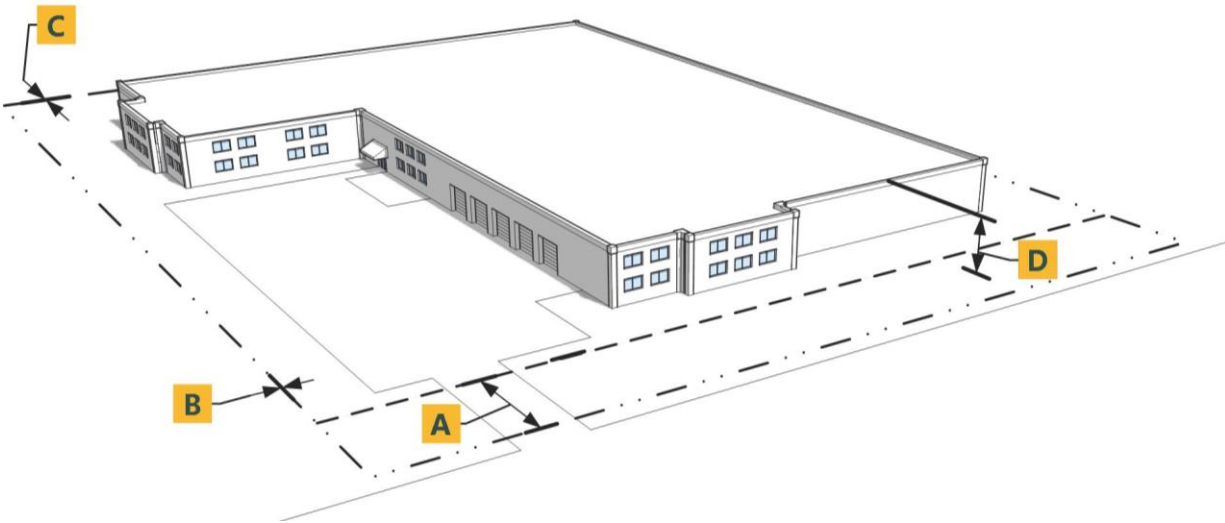
[1] Refer to [reference to relocated Part 3 of Article 13] for provisions that may qualify the setback requirements.

[2] Lot area and lot width may be modified in accordance with 2101.2.C and [reference to relocated 9-610].

[3] Building height measurement depends on roof type as defined by Section 9102 and may be increased by the Board in accordance with the provisions of [reference to relocated Sect. 9-607].

[4] An increase to 1.0 FAR may be permitted by the Board in accordance with the provisions of [reference to relocated Sect. 9-618].

Figure 2104.12: I-6 District Lot and Building Dimensional Standards



¹³⁸ Replaced 45 degree angle of bulk plane with statement that setback equals the building height.

C. Reference to Other Standards

Provisions that may qualify or supplement the regulations presented above	[TBD – based on new zMOD structure]
Off-street parking, loading and private street requirements	
Signs	
Landscaping and screening requirements	
Uses and developments that are subject to site plan provisions	

2105. Planned Districts

This section 2105 includes the standards related to the planned Districts established in Fairfax County.

A. Standards for All Planned Districts

(1) Lot Area and Width¹³⁹

No minimum requirement for each use or building.

(2) Building Height, Setbacks, and Floor Area Ratio¹⁴⁰

Controlled by the general and design standards for all planned developments as set forth below, except as expressly stated in the standards for a particular district.

(3) General Standards¹⁴¹

A rezoning application or development plan amendment application may only be approved for a planned development if the planned development satisfies the following general standards:

- (a)** The planned development must substantially conform to the adopted comprehensive plan with respect to type, character, intensity of use, and public facilities. Planned developments may not exceed the density or intensity permitted by the adopted comprehensive plan, including any permitted density or intensity bonus provisions.
- (b)** The planned development must be of such design that it will result in a development achieving the stated purpose and intent of the planned development district more than would development under a conventional zoning district.
- (c)** The planned development must efficiently use the available land and protect and preserve to the extent possible all scenic assets and natural features such as trees, streams, and topographic features.
- (d)** The planned development must be designed to prevent substantial injury to the use and value of existing surrounding development, and may not hinder, deter or impede development of surrounding undeveloped properties in accordance with the adopted comprehensive plan.
- (e)** The planned development must be located in an area in which transportation, police and fire protection, other public facilities, and public utilities, including sewerage, are or will be available and adequate for the uses proposed. The applicant may make provision for such facilities or utilities which are not presently available.
- (f)** The planned development must provide coordinated linkages among internal facilities and services as well as connections to major external facilities and services at a scale appropriate to the development.

(4) Design Standards¹⁴²

It is the intent to allow flexibility in the design of all planned developments. The following design standards apply in the review of rezoning applications, development plans,

¹³⁹ From the lot size requirements for each planned district in Article 6

¹⁴⁰ From the bulk regulations for each planned district in Article 6

¹⁴¹ From Sect. 16-101

¹⁴² From Sect. 16-102

conceptual development plans, final development plans, PRC plans, site plans and subdivision plats:¹⁴³

- (a)** Other than those regulations specifically set forth below for a particular planned district, the open space, off-street parking, loading, sign, and all other similar regulations set forth in this Ordinance have general application in all planned developments.
 - (b)** Streets and driveways must be designed to generally conform to the provisions set forth in this Ordinance and all other County ordinances and regulations controlling same, and where applicable, street systems must be designed to afford convenient access to mass transportation facilities. In addition, a network of trails and sidewalks must be coordinated to provide access to recreational amenities, open space, public facilities, vehicular access routes, and mass transportation facilities.
- (5)** The Board may modify the applicable standards of a planned district, except for the maximum density for the PDH District and the maximum floor area ratio for the PDC, PRM, PTC, and PCC Districts, if the strict application of the standard would frustrate the purpose for establishing the district, and if the modification would promote and comply with the general and design standards for planned developments above.¹⁴⁴

¹⁴³ Par. 1 of Sect. 16-102 for bulk regulations and screening to conform to the conventional district is not carried forward.

¹⁴⁴ Carries forward Par. 8 of Sect. 16-401

2. PDH Planned Development Housing District¹⁴⁵

A. Purpose¹⁴⁶

The PDH District is established to encourage innovative and creative design in the development of land for residential and other secondary uses. The district regulations are designed to insure ample provision and efficient use of open space; to encourage tree preservation and the protection of environmental features on the site; to promote high standards in the layout, design, and construction of residential development; to promote balanced developments of mixed housing types; to encourage the provision of dwellings within the means of families of low and moderate income; and otherwise to implement the stated purpose and intent of this Ordinance.

Rezoning to and development under this district will be permitted only in accordance with a development plan prepared and approved in accordance with the provisions of [*reference to relocated Article 16*].

Figure 2105.1: PDH District Aerial Example



¹⁴⁵ Carried forward from Sect. 6-100.

¹⁴⁶ Carried forward from Sect. 6-101. The reference to tree preservation and environmental features is new. The reference to advantageous construction techniques has been deleted.



Photo to be Inserted

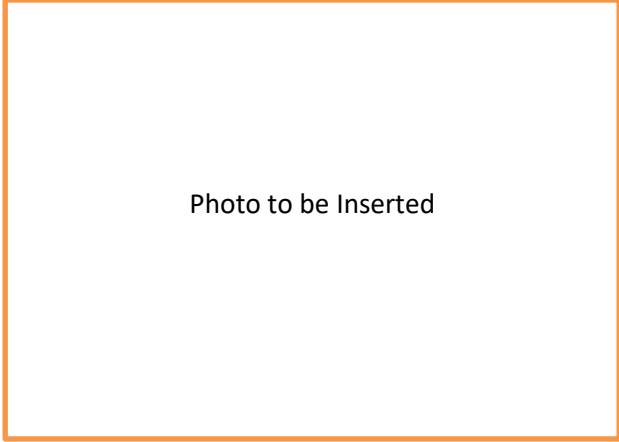


Photo to be Inserted

B. PDH Lot and Building Dimensional Standards

(1) District Size

Minimum: two acres.

(2) Privacy Yard

Minimum: 200 square feet for each single family attached dwelling unit unless waived by the Board in conjunction with the approval of a development plan.

(3) Density¹⁴⁷

(a) The PDH District is divided into subdistricts, with residential density limited to the following:

TABLE 2105.1: PDH Maximum Density [1]	
Subdistrict	Density
PDH-1	1 du/ac
PDH-2	2 du/ac
PDH-3	3 du/ac
PDH-4	4 du/ac
PDH-5	5 du/ac
PDH-8	8 du/ac
PDH-12	12 du/ac
PDH-16	16 du/ac
PDH-20	20 du/ac
PDH-30	30 du/ac
PDH-40	40 du/ac

Notes:

[1] The maximum density may be increased in accordance with the requirements for affordable dwelling units set forth in [reference to relocated Part 8 of Article 2] and does not include the bonus market rate units or bonus floor area associated with the provision of workforce dwelling units, as applicable.

¹⁴⁷ Then density bonus of Par. 2 of Sect. 6-109 has been deleted because it isn't being used. It is not useful for the smaller applications that are common today.

(4) Open Space

- (a) The following minimum amount of open space must be provided within each PDH subdistrict:

TABLE 2105.2: PDH Minimum Open Space		
Subdistrict	Open Space (% of the gross area)	Affordable Dwelling Unit Development Open Space (% of the gross area)
PDH-1	25	Not applicable
PDH-2	20	18
PDH-3	20	18
PDH-4	20	18
PDH-5	35	31
PDH-8	25	22
PDH-12	30	27
PDH-16	35	31
PDH-20	35	31
PDH-30	45	40
PDH-40	35	31

- (b) As part of the open space to be provided in accordance with subsection (a) above, there is a requirement to provide recreational facilities in all PDH Districts in conjunction with approval of a final development plan. Such facilities are subject to the provisions of [reference to relocated Sect. 16-404], and those requirements are based on a minimum expenditure of \$1,900 per dwelling unit (except affordable dwelling units) for the recreational facilities and either:
1. The facilities are provided on-site by the developer in substantial conformance with the approved final development plan; and/or
 2. The Board may approve facilities on land that is not part of the subject PDH District.

C. Additional Standards

(1) Secondary Uses¹⁴⁸

- (a) Secondary uses in the commercial classification are only permitted in a PDH District that has a minimum of 50 residential dwelling units, except that the Board, in conjunction with the approval of a conceptual development plan in order for further implementation of the adopted comprehensive plan, may modify this limitation for the following uses when located outdoors: outdoor commercial recreation, zoo or aquarium, and golf course or country club.
- (b) Secondary uses in the commercial classification, except outdoor commercial recreation, zoo or aquarium, golf course or country club, and offices, must be designed as an integrated component of the planned development where they are located, and such

¹⁴⁸ Carried forward from Par. 5 and 6 from Sect. 6-106. The uses have been updated based on the new uses and classification system.

uses must be designed to maintain and protect the residential character of the planned development and adjacent residential neighborhoods. To accomplish these purposes:¹⁴⁹

1. Commercial uses must be conducted within a completely enclosed building with no outside display except for outdoor seating provided in association with a restaurant or craft beverage production establishment and those uses that by their nature must be conducted outside a building.
2. When located within the same building as residential uses, commercial uses are limited to the first and second floors.¹⁵⁰
3. The maximum total land area, including at-grade off-street parking and loading areas, devoted to uses in the commercial classification, except outdoor commercial recreation, zoo or aquarium, and golf course or country club, is as follows:
 1. PDH-1, PDH-2, PDH-3, and PDH-4: 400 square feet of commercial/dwelling unit.
 2. PDH-5, PDH-8, PDH-12, PDH-16, and PDH-20: 300 square feet of commercial/dwelling unit.
 3. PDH-30 and PDH-40: 200 square feet of commercial/dwelling unit.

The Board may allow an increase in the commercial land area with the concurrent approval of a conceptual and final development plan that shows the layout, uses, and intensity of the commercial land area. In these instances, the land area devoted to commercial use may be based on the total number of dwelling units in the PDH Districts if the commercial land area does not exceed twice that which would have been permitted otherwise for the individual PDH District where the commercial land area is located.

4. Office uses may not exceed ten percent of the total gross floor area of all commercial uses in subsection 3 above.

D. Reference to Other Standards

Provisions that may qualify or supplement the regulations presented above, including the shape factor limitations contained in [<i>reference to relocated Sect. 2-401</i>]	[TBD – based on new zMOD structure]
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Standards and development plan requirements for all planned developments

¹⁴⁹ The standard that the commercial uses need to serve the residents of the district is revised to focus on the design and integration of the uses. The reference to outdoor seating is new.

¹⁵⁰ Revised from “lowest two floors” to clarify that basements and cellars would not count as one of the lowest floors.

3. PRC Planned Residential Community District¹⁵¹

A. Purpose¹⁵²

The PRC District is established to permit the development of planned communities on a minimum of 750 contiguous acres of land, which at the time of the initial rezoning to establish a PRC District is owned or controlled by a single individual or entity. Such planned communities are permitted only in accordance with a comprehensive plan, which when approved, constitutes a part of the adopted comprehensive plan of the County and is subject to review and revision from time to time.

The PRC District regulations are designed to permit a greater amount of flexibility to a developer of a planned community by removing many of the restrictions of conventional zoning. This flexibility is intended to provide an opportunity and incentive to the developer to achieve excellence in physical, social, and economic planning. To be granted this zoning district, the developer must demonstrate the achievement of the following specific objectives throughout the planning, design, and development.

- (1) A variety of housing types, employment opportunities, and commercial services to achieve a balanced community for families of all ages, sizes and levels of income.
- (2) An orderly and creative arrangement of all land uses with respect to each other and to the entire community.
- (3) A planned and integrated comprehensive transportation system providing for a separation of pedestrian and vehicular traffic, to include facilities such as mass transportation, roadways, bicycle or equestrian paths and pedestrian walkways.
- (4) The provision of cultural, educational, medical, and recreational facilities for all segments of the community.
- (5) The location of structures to take maximum advantage of the natural and manmade environment.
- (6) The provision of adequate and well-designed open space for the use of all residents.
- (7) The staging of development in a manner that can be accommodated by the timely provision of public utilities, facilities and services.

Rezoning to and development under this district will be permitted only in accordance with a comprehensive plan and development plan prepared and approved in accordance with the provisions of [*reference to relocated Article 16*].

¹⁵¹ Carried forward from Sect. 6-300.

¹⁵² Carried forward from Sect. 6-301.

Figure 2105.2: PRC District Aerial Example



Photo to be Inserted



Photo to be Inserted

B. PRC Lot and Building Dimensional Standards

(1) District Size

Minimum: 750 acres.

(2) Privacy Yard

Minimum: 200 square feet for each single family attached dwelling unit unless waived by the Board in conjunction with the approval of a development plan.

(3) Setbacks

- (a) The location and arrangement of structures must not be detrimental to existing or prospective adjacent dwellings or to the existing or prospective development of the neighborhood.

- (b) No single family detached dwelling may be erected closer than 16 feet to any other single family dwelling unless a lesser distance is specifically identified on an approved development plan.
- (c) No single family detached or attached dwelling or accessory structure may be erected closer than 15 feet to any public street right-of-way line unless shown on an approved PRC plan.

(4) Density

- (a) The overall maximum density for a PRC District is 13 persons per acre of gross residential and associated commercial areas.
- (b) In computing density, the following factors are used: A factor of 3.0 persons per single family detached dwelling; 2.7 persons per single family attached dwelling; and 2.1 persons per multiple family dwelling.
- (c) Residential densities in a PRC District must be designated low, medium, and high on the approved development plan.
 1. Low: The maximum overall density within the entire area of a PRC District that is designated for low density is 3.8 persons per acre of gross residential area, and the maximum density in any one low density is five dwelling units per acre.
 2. Medium: The maximum overall density within the entire area of a PRC District that is designated for medium density is 14 persons per acre of gross residential area, and the maximum density in any one medium density area is 20 dwelling units per acre.
 3. High: The maximum overall density within the entire area of a PRC District that is designated for high density is 60 persons per acre of gross residential area, and the maximum density in any one high density area is 50 dwelling units per acre.

For the purposes of this district, density area means a development unit within an area designated on the approved development plan for low, medium, or high density.

- (d) In computing average density on any development plan, subsequent PRC plan or final plat of a part of a PRC District, any excess in land area over that required to support an average density of 13 persons per acre in any final plat previously recorded may be included. As each plan and subsequent final plat is submitted, the overall density of all areas shown on recorded final plats within the PRC District is recomputed so that the average density within the recorded plats of sections of the PRC District will never exceed a density of 13 persons.
- (e) The provisions of subsections (a),(b), and (c) above do not apply to affordable and market rate dwelling units that comprise the increased density pursuant to [reference to relocated Part 8 of Article 2] or to proffered bonus market rate units or bonus floor area associated with the provision of workforce dwelling units, as applicable.

(5) Open Space

Controlled by the provisions of [reference to relocated Part 7 of Article 2].

C. Additional Standards¹⁵³

- (a) In areas approved for low-density residential uses, no multifamily dwellings are allowed unless provided pursuant to [reference to relocated Part 8 of Article 2] and are specifically shown on the approved development plan.
- (b) Where commercial and residential uses are located in the same building, separate exterior entrances for the two uses must be provided.
- (c) In commercial centers, business, service, storage, and display of goods must be conducted within an entirely enclosed building, except for storage of rental trucks approved for a rental establishment and other uses that must be conducted outside a building.

D. Reference to Other Standards

Provisions that may qualify or supplement the regulations presented above, including the shape factor limitations contained in [reference to relocated Sect. 2-401]	[TBD – based on new zMOD structure]
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Standards and development plan requirements for all planned developments

¹⁵³ Carried forward from Par. 6 – 8 of Sect. 6-305. These standards may be relocated to the use standards in Article 4 in subsequent drafts.

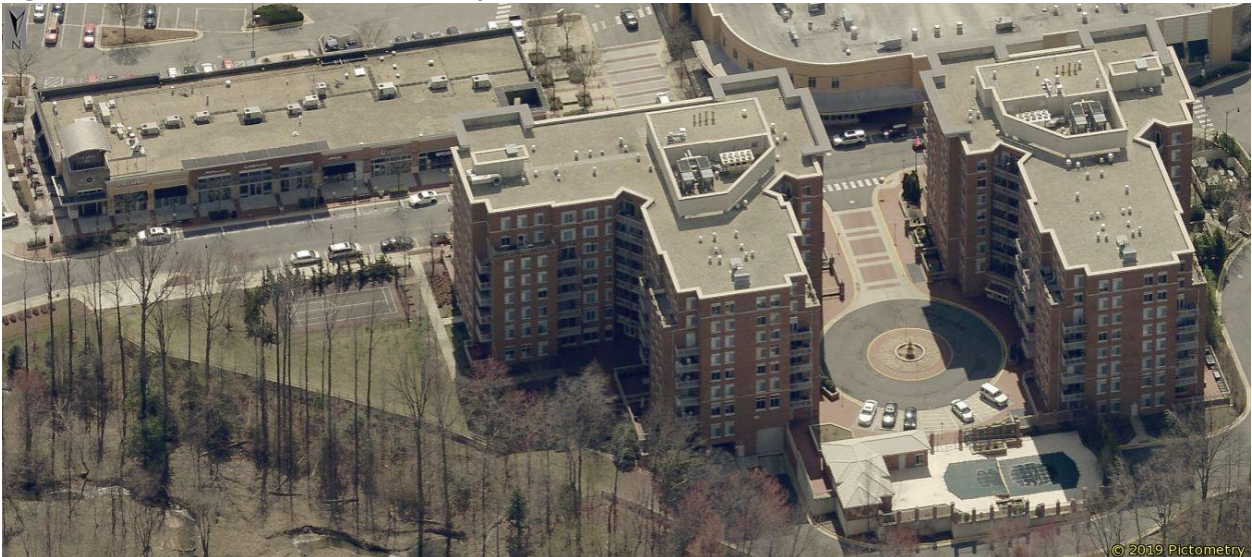
4. PDC Planned Development Commercial District¹⁵⁴

A. Purpose¹⁵⁵

The PDC District is established to encourage the innovative and creative design of commercial development. The district regulations are designed to accommodate preferred high density or intensity land uses that could produce detrimental effects on neighboring properties if not consistent with the recommendations of the adopted comprehensive plan and not strictly controlled as to location and design. The district regulations are further intended to insure high standards in the mix of uses, lay-out, design and construction of commercial developments; to include unique design elements and amenities; to encourage lot consolidation and the use of Transportation Demand Management techniques; and otherwise to implement the stated purpose and intent of this Ordinance.

Rezoning to and development under this district will be permitted only in accordance with a development plan prepared and approved in accordance with the provisions of [*reference to relocated Article 16*].

Figure 2105.3: PDC District Aerial Example



¹⁵⁴ Carried forward from Sect. 6-200.

¹⁵⁵ Carried forward from Sect. 6-201.




Photo to be Inserted




Photo to be Inserted

B. PDC Lot and Building Dimensional Standards

(1) District Size

No land may be classified in the PDC District unless the Board finds that the proposed development meets at least one of the following conditions:

- (a) The proposed development will yield a minimum of 100,000 square feet of gross floor area.
- (b) The proposed development will be a logical extension of an existing Planned District, in which case it must yield a minimum of 40,000 square feet of gross floor area.
- (c) The proposed development is located within an area designated as a Community Business Center, Commercial Revitalization Area or Transit Station Area in the adopted comprehensive plan or is in a Commercial Revitalization District and a final development plan is submitted and approved concurrently with the conceptual development plan for the proposed development. The conceptual and final development plan specify the uses and gross floor area for the proposed development and provide site and building designs that will complement existing and planned development by incorporating high standards of urban design, to include provision for any specific urban design plans in the comprehensive plan for the area and for safe and convenient pedestrian, bicycle and vehicular movement and access.

(2) Privacy Yard

Minimum: 200 square feet for each single family attached dwelling unit unless waived by the Board in conjunction with the approval of a development plan.

(3) Floor Area Ratio

- (a) The maximum floor area ratio is 2.5. The Board may approve an increase up to 5.0 for developments in a Commercial Revitalization District, Community Business Center Area, or Transit Station Area, and up to 3.0 in the McLean Commercial Revitalization District and Community Business Center, if the proposed development implements the site-specific density or intensity and other recommendations in the adopted comprehensive plan. The maximum floor area ratio permitted by this Part excludes:

1. The floor area for affordable and bonus market rate dwelling units provided in accordance with [*reference to relocated Part 8 of Article 2*]; and

2. The floor area for proffered bonus market rate units or bonus nonresidential floor area associated with the provision of workforce dwelling units, as applicable.
- (b) Cellar space must be counted as part of the gross floor area and included in the calculation of the floor area ratio for any rezoning to the PDC District approved by the Board after June 21, 2016, except when the cellar space:
1. Has a structural headroom of less than six feet, six inches and is specifically identified for mechanical equipment;
 2. Is specifically identified for storage or other uses that are accessory to the principal uses in the building;
 3. Is specifically identified as a loading space, including any associated travel way providing access to the space, as well as the loading dock used for the temporary loading and unloading of goods; or
 4. Is specifically identified to house an unmanned datacenter or other similar telecommunication or electronic equipment.

(4) Open Space

- (a) Minimum open space: 15 percent of the gross area.
- (b) In a PDC District development where dwelling units are proposed, as part of the open space to be provided in accordance with subsection (a) above, recreational facilities for the enjoyment of the residents of the dwelling units must be provided and shown on the final development plan. The required recreational facilities are subject to the provisions of [reference to relocated Sect. 16-404], and must be based on a minimum expenditure of \$1,900 per dwelling unit (except affordable dwelling units) and either:
1. The facilities are provided on-site by the developer in substantial conformance with the approved final development plan. In the administration of this provision, credit may be considered where there is a plan to provide common recreational facilities for the residents of the dwelling units and the occupants of the principal uses; or
 2. The Board may approve the provision of the facilities located on property that is not part of the subject PDC District.

C. Additional Standards

(1) Secondary Uses

- (a) Secondary uses are only permitted in a PDC District that contains one or more principal uses. Unless modified by the Board in conjunction with the approval of a conceptual development plan to implement the adopted comprehensive plan, the gross floor area is limited as follows:
1. The gross floor area of dwellings may not exceed 50 percent of the gross floor area of all principal uses in the development, except for floor area for affordable and market rate dwelling units that comprise the increased density pursuant to [reference to relocated Part 8 of Article 2]. The floor area for dwellings is determined in accordance with the gross floor area definition, except for the following features are not included:
 1. Balconies, porches, decks, breezeways, stoops, and stairs that may be covered but have at least one open side; and

2. Breezeways that may be covered but have two open ends.

For the purpose of this subsection, an open side or open end has no more than 50 percent of the total area between the side(s), roof, and floor enclosed with railings, walls, or architectural features.

2. The total gross floor area of all other secondary uses may not exceed 25 percent of the gross floor area of all principal uses in the development.

- (b)** Secondary uses must be designed to maintain and protect the character of adjacent properties.
- (c)** Secondary uses must be conducted entirely within an enclosed building, with no outside display except for outdoor seating provided in association with a craft beverage production establishment and uses that must be conducted outside a building.¹⁵⁶

(2) Parking

It is intended that a substantial portion of the required parking be provided in above or below grade parking structures.¹⁵⁷

D. Reference to Other Standards

Provisions that may qualify or supplement the regulations presented above, including the shape factor limitations contained in [<i>reference to relocated Sect. 2-401</i>]	[TBD – based on new zMOD structure]
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Standards and development plan requirements for all planned developments

¹⁵⁶ The reference to outdoor seating is new.

¹⁵⁷ Carries forward the last sentence of Par. 16 of Sect. 6-206. The remainder of that paragraph will be in the relocated Article 11 and/or procedures.

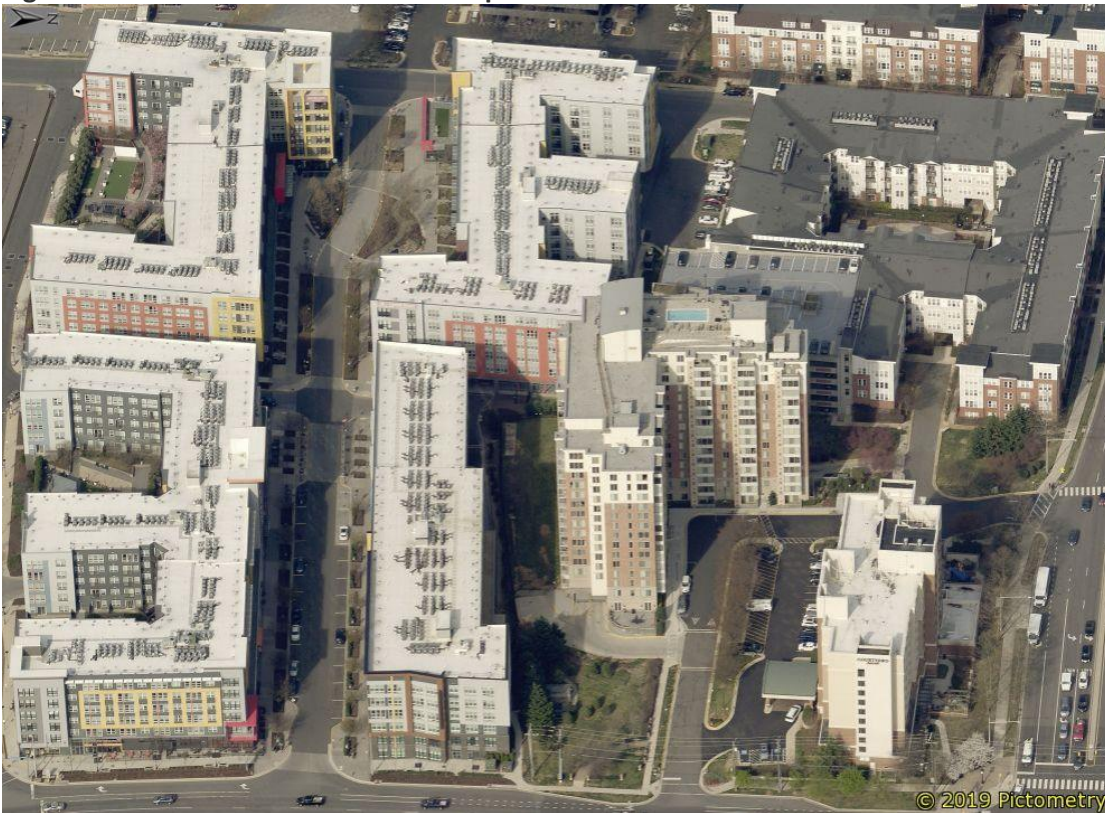
5. PRM Planned Residential Mixed-Use District¹⁵⁸

A. Purpose¹⁵⁹

The PRM District is established to provide for high density, multiple family residential development, generally with a minimum density of 40 dwelling units per acre, and for mixed use development consisting primarily of multiple family residential development, generally with a density of at least 20 dwelling units per acre, with secondary office or other commercial uses. PRM Districts should be located in those limited areas where high density residential or residential mixed use development is in accordance with the adopted comprehensive plan, such as within areas delineated as Transit Station Areas, Community Business Centers, Commercial Revitalization Areas and Urban and Suburban Centers as well as developments in Commercial Revitalization Districts. The PRM District regulations are designed to promote high standards in design and layout, to encourage compatibility among uses within the development and integration with adjacent developments, to encourage the use of Transportation Demand Management techniques, and to otherwise implement the stated purpose and intent of this Ordinance and the recommendations of the comprehensive plan.

Rezoning to and development under this district will be permitted only in accordance with development plans prepared and approved in accordance with the provisions of [reference to relocated Article 16].

Figure 2105.4: PRM District Aerial Example



¹⁵⁸ Carried forward from Sect. 6-400.

¹⁵⁹ Carried forward from Sect. 6-401.




Photo to be Inserted




Photo to be Inserted

B. PRM Lot and Building Dimensional Standards

(1) District Size

Minimum: Two acres.

(2) Privacy Yard

Minimum: 200 square feet for each single family attached dwelling unit unless waived by the Board in conjunction with the approval of a rezoning application or by the Planning Commission in conjunction with the approval of a final development plan amendment.

(3) Floor Area Ratio

- (a) The maximum floor area ratio is 3.0. In the McLean Commercial Revitalization District and Community Business Center, the Board may approve an increase up to 5.0 for developments in a Commercial Revitalization District, Community Business Center Area, or Transit Station Area if the proposed development implements the site-specific density or intensity and other recommendations in the adopted comprehensive plan.
- (b) The maximum floor area ratio permitted by this subsection does not include floor area for affordable and bonus market rate units provided in accordance with [*reference to relocated Part 8 of Article 2*] or floor area for proffered bonus market rate units or bonus floor area associated with the provision of workforce dwelling units, as applicable.
- (c) Cellar space is counted as part of the gross floor area and included in the calculation of the floor area ratio for any rezoning to the PRM District approved by the Board after June 21, 2016, except when the cellar space:
 - 1. Has a structural headroom of less than six feet, six inches and is specifically identified for mechanical equipment;
 - 2. Is specifically identified for storage or other uses that are accessory to the principal uses in the building;
 - 3. Is specifically identified as a loading space, including any associated travel way providing access to the space, as well as the loading dock used for the temporary loading and unloading of goods; or
 - 4. Is specifically identified to house an unmanned datacenter or other similar telecommunication or electronic equipment.

(4) Open Space

- (a) A minimum of 20 percent of the gross area must be landscaped open space, unless modified by the Board in accordance with the provisions of [*reference to relocated Sect. 9-612*]. No more than one-half of the minimum required landscaped open space is permitted above the street level unless otherwise modified by the Board.
- (b) Recreational facilities must be provided in conjunction with approval of a final development plan. The provision of recreational facilities is subject to the provisions of [*reference to relocated Sect. 16-404*]; however, recreational facilities, such as swimming pools, exercise rooms, or health clubs located on rooftops, deck areas, or areas within a building, may be used to fulfill this requirement. The requirement for providing recreational facilities is based on a minimum expenditure of \$1,900 per dwelling unit (except affordable dwelling units) for recreational facilities and either:
 - 1. The facilities will be provided on-site by the developer in substantial conformance with the approved final development plan; or
 - 2. The Board may approve facilities on land that is not part of the subject PRM District.

C. Additional Standards

(1) Principal Uses

The principal residential use must be multifamily dwellings. Single family attached dwellings may be allowed at the periphery of the development to provide a transition from the high-density development to adjacent lower density development.

(2) Secondary Uses

- (a) Secondary uses may be permitted only in a PRM District where at least 50 percent of the total gross floor area in the development is devoted to multifamily dwellings.
- (b) The floor area for dwellings will be determined in accordance with the gross floor area definition, except that the following features will not be deemed gross floor area:
 - 1. Balconies, porches, decks, breezeways, stoops, and stairs that may be roofed but that have at least one open side; or
 - 2. Breezeways that may be covered but that have two open ends.

For the purposes of this subsection, an open side or open end has no more than 50 percent of the total area between the side(s), roof, and floor enclosed with railings, walls, or architectural features.

(3) Parking

It is intended that a substantial portion of the required parking be provided in above or below grade parking structures.¹⁶⁰

¹⁶⁰ Carries forward the last sentence of Par. 9 of Sect. 6-406. The remainder of that paragraph will be in the relocated Article 11 and/or procedures.

D. Reference to Other Standards

Provisions that may qualify or supplement the regulations presented above	[TBD – based on new zMOD structure]
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Standards and development plan requirements for all planned developments

6. PTC Planned Tysons Corner Urban District¹⁶¹

A. Purpose¹⁶²

The PTC District is established for the Tysons Corner Urban Center as defined in the adopted comprehensive plan to implement the mix of uses, densities, and intensities under the redevelopment option set forth in the adopted comprehensive plan. The PTC District regulations are designed to provide the necessary flexibility to transform the designated Tysons Corner Urban Center area from a suburban office park and activity center into an urban, mixed-use, transit, bicycle, and pedestrian oriented community to promote high standards in urban design, layout, and construction.

To create mixed-use downtowns near mass transit, higher development intensities are to occur within approximately one-half mile of the four Metrorail Station entrances, identified as Transit Oriented Development (TOD) Districts in the adopted comprehensive plan. The remaining areas, the Non-Transit Oriented Development (Non-TOD) Districts, are to be developed into lively urban neighborhoods that include an appropriate mix of uses, densities, and intensities that are compatible to adjacent communities. In both TOD and Non-TOD Districts, development should be designed in an integrated manner that will enhance the urban character. Smaller, freestanding structures are generally discouraged and will only be considered when the proposed use is designed in an urban form that creates or enhances an appropriate street edge and implements the stated purpose and intent of the district.

To be granted this zoning district, the applicant must demonstrate the development furthers the vision of the Tysons Corner Urban Center, as identified in the adopted comprehensive plan, by meeting, at a minimum, the following objectives.

- (1) Contribute to a tiered intensity of development having the highest intensities located closest to the transit stations and provide the mix of residential, office and commercial uses necessary to achieve a vibrant, urban environment.
- (2) Contribute to the network of open space and urban parks, to include stream valley parks, pocket parks, common greens, civic plazas, and athletic fields for the workers and residents of Tysons.
- (3) Promote environmental stewardship by implementing green building design; using efficient, renewable, and sustainable energy practices; incorporating low impact development strategies, such as innovative stormwater management and green roofs; and achieving the tree canopy goals for Tysons.
- (4) Further the implementation of the urban grid of streets and the described street hierarchy for Tysons.
- (5) Reduce the amount of single occupant vehicle trips by limiting the amount of provided parking, encouraging shared parking arrangements among uses, permitting the inclusion of managed tandem parking spaces, and implementing various Transportation Demand Management strategies, such as transit subsidies, carpool and vanpool services, employee shuttles, car-sharing programs, and bicycle accommodations.

¹⁶¹ Carried forward from Sect. 6-500.

¹⁶² Carried forward from Sect. 6-501.

- (6) Contribute to the necessary public facilities to support the projected job and population growth, including schools, fire and police services, a library, public utilities, and an arts center.
- (7) Contribute to the specified streetscape and apply the urban design guidelines specified for build-to lines, building articulation, fenestration, ground floor transparency, and parking design to create an integrated urban, pedestrian-friendly environment.
- (8) Contribute to implementing the workforce and affordable housing policies for Tysons to provide housing to various income levels.

A development proposal within the Tysons Corner Urban Center that uses the redevelopment option as set forth in the adopted comprehensive plan will be considered by the Board only in conjunction with a rezoning application. Such rezoning to and development under this district will be permitted only in accordance with development plans prepared and approved in accordance with this Part and the provisions of [*reference to relocated Article 16*].

Figure 2105.5: PTC District Aerial Example¹⁶³



¹⁶³ Rendering will be updated with oblique aerial photography prior to adoption.




Photo to be Inserted




Photo to be Inserted

B. PTC Lot and Building Dimensional Standards

(1) District Size

The minimum PTC District size is ten acres, which may be waived by the Board if the development proposal is in conformance with the adopted comprehensive plan.

(2) Floor Area Ratio

(a) Maximum floor area ratio is as follows:

1. Within the TOD District up to one-fourth mile from a Metrorail Station entrance:
 1. **For office uses:** 2.5 FAR, exclusive of any bonus intensity obtained for proffered public facilities or public infrastructure, as set forth in the adopted comprehensive plan; however, an increase in FAR may be permitted by the Board in accordance with the provisions of [*reference to relocated Sect. 9-629*].
 2. **For residential and all other uses except office:** No maximum FAR when the proposed development is implementing the site-specific development guidelines and recommendations of the comprehensive plan, including design, mix of uses, and scale of the proposed development, and only when the appropriate measures are proposed or in place to adequately mitigate the anticipated transportation impacts of the proposed development.
2. Within the TOD District beyond one-fourth mile from a Metrorail Station entrance and the Non-TOD District: 2.5 FAR, or as further qualified in the adopted comprehensive plan, exclusive of the floor area for affordable and bonus market rate units provided in accordance with [*reference to relocated Part 8 of Article 2*]; the floor area for proffered bonus market rate units or bonus floor area associated with the provision of workforce dwelling units as applicable; and, any bonus density or intensity obtained for proffered public facilities or public infrastructure, all as set forth in the adopted comprehensive plan. However; for those properties within the TOD District beyond the one-fourth mile and proposed for residential mixed use development as defined in the adopted comprehensive plan, the FARs set forth in subsection 1 above may be applied provided that the applicant demonstrates to the Board's satisfaction that there is acceptable pedestrian access to the Metrorail Station; that the proposed FAR cannot be achieved with the inclusion of bonuses for affordable housing or public facilities; and that the property is adjacent to or

redeveloping in coordination with property that is located within one-fourth mile from a Metrorail Station entrance.

- (b)** Cellar space is counted as gross floor area and is included in the calculation of FAR, except when the cellar space:
- 1.** Has a structural headroom of less than six feet, six inches and is specifically identified for mechanical equipment;
 - 2.** Is specifically identified for storage or other uses that are accessory to the principal uses in the building;
 - 3.** Is specifically identified as a loading space, including any associated travel way providing access to the space, as well as the loading dock used for the temporary loading and unloading of goods; or
 - 4.** Is specifically identified to house an unmanned datacenter or other similar telecommunication or electronic equipment.
- (c)** The floor area for dwellings will be determined in accordance with the gross floor area definition, as modified above, except that the following features will not be deemed gross floor area:
- 1.** Balconies, porches, decks, breezeways, stoops, and stairs that may be roofed but that have at least one open side; or
 - 2.** Breezeways that may be covered but that have two open ends.

For the purposes of this subsection, an open side or open end has no more than 50 percent of the total area between the side(s), roof, and floor enclosed with railings, walls, or architectural features.

(3) Open Space

- (a)** The amount of open space, provided on-site or off-site, including publicly accessible parks and other open space elements such as courtyards, plazas, trails, outdoor recreational facilities, landscaped rooftops, courtyards on structures, green roofs, or any rooftop recreational facilities, will be determined by the Board in accordance with the adopted comprehensive plan recommendations for streetscape and urban park standards. Not more than one-half of the publicly accessible open space may be accommodated above the street level, unless otherwise modified by the Board for the purposes of accommodating active recreation facilities.
- (b)** Recreational facilities must be provided in conjunction with approval of a final development plan. Such facilities are subject to the provisions of [*reference to relocated Sect. 16-404*]; however, recreational facilities, such as swimming pools, exercise rooms, or health clubs located on rooftops, deck areas, or areas within a building may be used to fulfill this requirement. The requirement for providing recreational facilities will be based on a minimum expenditure of \$1,900 per dwelling unit (except affordable dwelling units) for recreational facilities and either:
- 1.** The facilities will be provided on-site by the developer in substantial conformance with the approved final development plan; or
 - 2.** The Board may approve the provision of the facilities on land that is not part of the subject PTC District.

C. Additional Standards

(1) Concurrent Applications

A site plan or minor site plan may be filed concurrently with the filing of a rezoning, special exception, or special permit; however, it may not be approved by the Director until the rezoning, special exception, or special permit application has been approved by the Board. This concurrent processing will not relieve the applicant from complying with the provisions of any applicable ordinances, regulations, or adopted standards, and will not prejudice the consideration of the application in any way.

(2) Off-Street Parking and Loading¹⁶⁴

- (a) It is intended that a substantial portion of the required parking be provided in above or below grade parking structures.
- (b) Additional off-street parking and loading requirements in the PTC District are included in [reference to relocated Sect. 6-509].

(3) Landscaping and Screening

The landscaping and screening requirements of [reference to relocated Article 13] will apply as follows:

- (a) [reference to relocated Part 1], General Provisions, are applicable.
- (b) [reference to relocated Part 2], Parking Lot Landscaping, do apply, except where streetscape standards are set forth in the adopted comprehensive plan.
- (c) [reference to relocated Part 3], Transitional Screening and Barriers, only apply at the peripheral boundary of the Tysons Corner Urban Center, as identified in the adopted comprehensive plan.

(4) Layout¹⁶⁵

All uses and structures must be designed in an integrated manner. Freestanding structures up to two stories in height that contain one or more uses are only permitted when the applicant has demonstrated that the development meets the urban design guidelines set forth in the adopted comprehensive plan.

(5) Interim Uses

As a part of a long-term phased development proposal and to assist in maintaining the economic viability of the Tysons Corner Urban Center, when proposed as an interim use, uses and structures that legally exist at the time of the rezoning to the PTC District may be continued, including any drive-through facility. New uses and structures as interim uses may also be permitted, even though such interim structures do not fully satisfy the urban design guidelines. All interim uses must be specifically identified on an approved conceptual development plan, subject to the following:

- (a) The interim use or structure, the intended duration of the interim use/structure, and how the interim use/structure fits into the phasing plan must be identified in the phasing plan. The applicant must demonstrate that the interim use or structure will not

¹⁶⁴ Carries forward the last sentence of Par. 2 of Sect. 6-509. Additional parking and loading standards of Sect. 6-509 will be relocated to the new article with other parking requirements.

¹⁶⁵ This brings forward Par. 8 of 6-505, except “small-scale” has been replaced with “freestanding structures up to two stories in height.”

adversely impact the ability to achieve the objectives set forth above in the Purpose of the PTC District.

- (b) For existing uses and structures, to the extent feasible, design elements set forth in the urban design guidelines of the adopted comprehensive plan, such as enhanced streetscape and improvements to pedestrian and vehicular access, should be provided. New uses or structures, to the extent feasible, must be designed in accordance with the urban design guidelines including streetscape, build-to lines, and building articulation.
- (c) All off-street parking, loading, and stacking spaces for existing uses must be included as a part of the parking plan in [reference to relocated Sect. 6-509]. Existing surface parking may be retained, provided such parking is redesigned, to the extent feasible, if it achieves the following:
 1. Minimizes pedestrian conflicts by limiting the number of curb cuts;
 2. Provides clearly identified pedestrian access through the parking lot; and
 3. Provides appropriate interior and perimeter landscaping and screening to minimize the potential adverse impacts on adjacent property.
- (d) New interim surface parking may be provided when the standards in subsection (5)(c) above are satisfied and when such surface parking is designed to orient parking, loading, and drive aisles to the rear and side of the structure.
- (e) The Board may impose such conditions and restrictions as it deems necessary to assure that the interim use or structure will be compatible with and will not adversely impact the ability to achieve the goals and objectives set forth in the adopted comprehensive plan.

D. Reference to Other Standards

Provisions that may qualify or supplement the regulations presented above	[TBD – based on new zMOD structure]
Standards and development plan requirements for all planned developments	

7. PCC Planned Continuing Care Facility District¹⁶⁶

A. Purpose¹⁶⁷

The PCC District provides for the development of a continuing care facility in furtherance of the provisions of Section 15.2-2223(C) of the Code of Virginia. A continuing care facility offers accommodation choices, medical care services, and assistance with activities of daily living in varying levels and combinations and includes full-time, on-site supervision and administration and may include other appropriate secondary uses. This district must provide for a mix of accommodation styles and services that allows opportunities to age-in-place within the development and facilitates movement between levels of support as care needs change, including, at a minimum, the provision of meals, recreational opportunities, health care services, and personal services. The district may be established in an area that is planned for institutional, residential, mixed use, or commercial development; or where the comprehensive plan guidance would otherwise permit the establishment of an independent living facility, assisted living facility, or other medical care facility.

Rezoning to and development under this district will be permitted only in accordance with a development plan prepared and approved in accordance with [reference to relocated Article 16].

Figure 2105.6: PCC District Aerial Example



¹⁶⁶ Carried forward from Sect. 6-600.

¹⁶⁷ Carried forward from Sect. 6-601.



Photo to be Inserted

B. PCC Lot and Building Dimensional Standards

(1) District Size

Minimum: Five acres, except where modified by the Board. In modifying the minimum district size, the Board should consider:

- (a) The pattern of development of adjacent parcels and the ability to integrate the proposed development into surrounding developments; and
- (b) The maximum height limits and other factors demonstrate that the proposed level of development on a lot of less than five acres furthers the purpose of this district and the recommendations in the adopted comprehensive plan.

(2) Building Height

Maximum, unless modified by the Board to better advance neighborhood compatibility:

- (a) 75 feet – for all developments that abut property zoned R-A, R-C, R-E, R-1, R-2, R-3, R-4, R-5, and R-8, or properties that are planned for a residential density of eight dwelling units per acre or less.
- (b) 100 feet – for all other developments.

(3) Setbacks

The setbacks are controlled by the standards in [*reference to relocated Part 1 of Article 16*], except that at all peripheral boundaries, the setbacks are:

- (a) 50 feet - where the development abuts or is across a street from an area planned for residential density of eight dwelling units per acre or less.
- (b) 30 feet - where the development abuts or is across a street from an area planned for residential density greater than eight dwelling units per acre, or any commercial, office or industrial use.

(4) Maximum Floor Area Ratio (FAR)

- (a) Maximum FAR is based on the land use recommendation in the comprehensive plan for a continuing care facility or on the land use recommendation for other uses, as modified in the table below, whichever is greater. In all cases, the gross floor area of any affordable dwelling units or workforce dwelling units is excluded from the maximum FAR in the table below:

TABLE 2105.3: PCC Maximum Floor Area Ratio		
Comprehensive Plan Land Use Recommendation	Comprehensive Plan Density/Intensity Recommendation (du/ac or FAR)	Maximum FAR for PCC District
Residential use when specified in terms of Dwelling Units Per Acre (du/ac)	≥ 1 du/ac to ≤ 2 du/ac	0.40
	> 2 du/ac to ≤ 5 du/ac	0.65
	> 5 du/ac to ≤ 12 du/ac	0.80
	>12 du/ac to ≤ 30 du/ac ¹⁶⁸	1.00
	> 30 du/ac	1.25
Institutional, office, retail, mixed use, residential, or any other use, excluding industrial, when specified in terms of Floor Area Ratio (FAR)	All intensity recommendations specified in FAR	Plan maximum plus 25 percent

- (b) Cellar space is counted as part of the gross floor area and must be included in the FAR calculation for any rezoning to the PCC District, except when the cellar space:
 1. Has a structural headroom of less than six feet, six inches and is specifically identified for mechanical equipment, an unmanned data center, or other similar telecommunication or electronic equipment;
 2. Is specifically identified for storage, a commercial kitchen, laundry facilities, or other uses that are accessory to the principal uses in the building; or
 3. Is specifically identified as a loading space or a loading dock used for the temporary loading and unloading of goods, including any associated travel way providing access to these spaces.

(5) Open Space

Minimum: 20 percent of the gross land area, except as may be modified by the Board when the modification would:

- (a) Further the intent of the Ordinance, comprehensive plan, or other design guidelines endorsed by the Board;
- (b) Result in a development that is harmonious with adjacent development; and
- (c) Satisfy the provisions of [reference to relocated Article 13].

C. Reference to Other Standards

Provisions that may qualify or supplement the regulations presented above	[TBD – based on new zMOD structure]
Off-street parking and loading, private streets	
Signs	
Landscaping and screening	
Standards and development plan requirements for all planned developments	

¹⁶⁸ Revised to correct a current gap between 12 and 16 du/ac.

Article 3: Overlay and Commercial Revitalization Districts¹⁶⁹

1. Purpose¹⁷⁰

The districts in this Article are established for the purpose of providing special regulations in designated areas of the County. These districts are in addition to, and will overlap and overlay, other applicable underlying zoning districts, so that any parcel of land lying in an overlay or commercial revitalization district will also lie in one or more underlying zoning districts established by this Ordinance in Section 2100.1.

2. Establishment of Overlay Districts¹⁷¹

The districts in this Article and amendments to those districts are established by the procedures set forth in [*reference to relocated Article 18*] for other zoning districts, unless otherwise qualified by the provisions of a particular district as set forth in this Article.

3. District Boundaries

The boundaries for the overlay and commercial revitalization districts are as established on the Official Zoning Map, except as further defined by the provisions of a particular overlay or revitalization district.

4. Permitted Uses, Special Exception Uses, and Special Permit Uses

All uses according to the underlying zoning district(s), except as expressly modified by an overlay or commercial revitalization district.

5. Additional Regulations and Standards

Lot size, bulk regulations, open space, and additional regulations are as specified in the underlying zoning district(s), except as expressly modified by an overlay or commercial revitalization district.

3101. Historic Overlay Districts¹⁷²

1. Purpose¹⁷³

Historic Overlay Districts are created to promote the general welfare, education, economic prosperity, and recreational pleasure of the public through the identification and preservation of those buildings, structures, neighborhoods, landscapes, places, and areas that have special historical, cultural, architectural, or archaeological significance as provided by Section 15.2-2306 of the Code of Virginia, as amended, and that have been officially designated by the Board. Regulations

¹⁶⁹ Currently Article 7.

¹⁷⁰ Carried forward from Sect. 7-101.

¹⁷¹ Carried forward from Sect. 7-102.

¹⁷² From Part 2, 7-200, revised as noted. Individual historic overlay districts from Appendix One were also integrated into this draft.

¹⁷³ Carried forward from 7-201, with revisions to consolidated purpose statements related to heritage resources.

within Historic Overlay Districts are intended to protect against destruction of or encroachment upon those areas, structures, and premises; to prevent creation of environmental influences adverse to those purposes; and to encourage uses that will lead to their continuance, conservation, and improvement in accordance with the following purposes:

- A.** To preserve and improve the quality of life for residents of the County by protecting and preserving familiar visual elements in the district.
- B.** To promote heritage tourism by protecting heritage resources for visitors to the County that may support local business and industry.
- C.** To promote the rehabilitation and upkeep of significant structures¹⁷⁴ and encourage appropriate land use planning and development that will enhance both the economic viability and historic character of the district.
- D.** To educate residents of the County about heritage resources and to foster a sense of appreciation¹⁷⁵ in this heritage.
- E.** To foster local heritage resource identification and preservation efforts and to encourage the nomination by their owners of qualified properties for listing on the National Register of Historic Places and the Virginia Landmarks Register.
- F.** To prevent the encroachment of new buildings or structures and additions or attachments to existing structures that are architecturally incongruous with the visual and historic character of the district.
- G.** To ensure that new development and structures within the district are appropriate.

2. Districts

The Historic Overlay Districts (HODs) are listed in the table below.

TABLE 3101.1: Historic Overlay Districts
Bull Run Stone Bridge Historic Overlay District
Centreville Historic Overlay District
Colvin Run Mill Historic Overlay District
Dranesville Tavern Historic Overlay District
Huntley Historic Overlay District
Lake Anne Village Center Historic Overlay District
Langley Fork Historic Overlay District
Mount Air Historic Overlay District
Pohick Church Historic Overlay District
Robey's Mill Historic Overlay District
St. Mary's Church Historic Overlay District
Sully Historic Overlay District
Woodlawn Historic Overlay District

¹⁷⁴ Did not carry forward “older” following “significant.”

¹⁷⁵ Revised from “pride” to “appreciation.”

3. District Boundaries

- A.** The boundaries of a Historic Overlay District are based on an analysis that determines and describes the characteristics of the area that is to be preserved and, in general, may be drawn to include a district or district core that includes:
- (1)** A property or properties in which historic events have occurred;
 - (2)** A property or properties that are themselves heritage resources or contain noted heritage resources;
 - (3)** A property or properties that have special cultural significance to the public; or
 - (4)** A property or properties that have been identified as having important archaeological significance.
- B.** Additional properties that are peripheral to a district core that may or may not possess significant historic merit on their own may be included as follows:
- (1)** A property or properties that are visually or historically related to the district core identified in subsection A above;
 - (2)** A property or properties that reflect the historic pattern of development of the district; or
 - (3)** A property or properties that relate to the social or economic character or architectural or archaeological interest of the district.
- C.** Lands closely related to and bearing upon the visual character of the district core and that contribute to the historic context of the district.

4. Establishment of Districts

- A.** To establish a Historic Overlay District, the Board must determine that the proposed district possesses historic, architectural, archaeological, or cultural significance. The property or properties comprising a Historic Overlay District must meet one or more of the following criteria:¹⁷⁶
- (1)** Have significant character or value as part of the development, heritage, or cultural characteristics of the County, State, or Nation.
 - (2)** Be the site of a significant historical event.
 - (3)** Be associated with a person or group of persons who influenced society.
 - (4)** Exemplify the cultural, economic, social, political, or historic heritage of the County or its communities.
 - (5)** Embody the distinctive characteristics of a type, period, or method of design or construction.
 - (6)** Represent the work of a master craftsman, architect, designer, or builder.
 - (7)** Represent a significant and distinguishable entity whose components may lack sufficient individual distinction.
 - (8)** Represent an established and familiar visual feature of the neighborhood, community or County due to its singular man-made or natural characteristics or features.
 - (9)** Have yielded, or may be likely to yield, archaeological information important in history or prehistory.

¹⁷⁶ Did not carry forward “possess high artistic values” as one of the criteria because it is too subjective.

B. A request to establish or amend a Historic Overlay District is subject to the provisions of [reference to relocated Part 2 of Article 18] and may be proposed by the following bodies:

- (1) Any group designated in [reference to relocated Sect. 18-201];
- (2) The Architectural Review Board (ARB), as established by the provisions of [reference to relocated Article 19]; or
- (3) The Fairfax County History Commission.

If the request is made by the ARB or the History Commission, it will be forwarded to the Planning Commission or the Board and, upon receipt, the Planning Commission or Board may initiate an amendment to the Ordinance.

C. The Department of Planning and Development, in cooperation with the ARB and the History Commission, must prepare and submit a report to the Planning Commission and Board evaluating the proposal to establish a Historic Overlay District. The report must identify the Historic Overlay District boundaries as well as the historic, architectural, archaeological, or cultural significance of buildings, structures, or sites to be protected, and describe present trends, conditions, and objectives for preservation. In addition, the report must include the following specific information:

- (1) An analysis of current conditions including: ownership; existing and planned land use; existing zoning; access; existing structures by period of construction, architectural style, and condition; and matters relating to site conditions, such as building location, location of yards and other open spaces, and existing or planned off-street parking.
- (2) A description of individual structures and premises of interest, with maps, photographs, and other data indicating the public importance of their preservation and the specific features to be preserved. Properties identified as historic, contributing, or non-contributing properties must all be identified in the report.
- (3) A description of existing structures, premises, and uses likely to have an adverse effect on the desired character of the district, including those near and visually related to the district, with maps, photographs, and other data indicating the reasons for the adverse effect.
- (4) An analysis of the extent and historic significance of identified archaeological sites including general location maps, photographs, and other data indicating the importance of each site.
- (5) The boundaries of the proposed Historic Overlay District and the location of the district or district core and all historic, contributing, and non-contributing properties will be shown on current Fairfax County Zoning Map Section Sheets at a scale of one inch equals five hundred feet (1" = 500'), with a listing of the related tax map reference numbers.
- (6) Recommendations concerning detailed regulations to be applied within the district to prevent changes that are architecturally incompatible with the buildings, structures, or sites to be preserved, which may include: permitted and prohibited principal and accessory uses and structures; use standards; bulk regulations; lot size requirements; performance standards; off-street parking and loading requirements; standards for signs, outdoor lighting, and landscaping and screening; and standards for the exterior character of buildings and sites that are visible from a public right-of-way, and for additions to or removal of existing buildings.

D. The report for a request to amend an existing Historic Overlay District may contain all or part of the information and requirements set forth above as deemed appropriate by the Department of Planning and Development in conjunction with the ARB and the History Commission.

- E. If the Board establishes a Historic Overlay District by adoption of an amendment to this Ordinance, its action must include a declaration that the buildings, structures, or sites to be preserved are of historical, architectural, archaeological, or cultural significance worthy of protection against destruction and encroachment. In taking this action, the Board will identify, where applicable, historic, contributing, and non-contributing properties. The Board’s action will amend the Zoning Map, and such action will also include adoption, in the manner provided by law.

5. Administration of Historic Overlay District Regulations

- (1) Once established, Historic Overlay Districts will be subject to [*reference to relocated administrative procedures*] for the enforcement of related regulations as provided in this Section.
- (2) As qualified below, all applications for rezoning, special exception, special permit, variance, site plans, subdivision plats, grading plans, and applications for sign permits, building permits, and any new utility distribution or transmission poles 50 feet or lower in height and their associated facilities, together known as a “utility facility application,” will be referred to the ARB for review, recommendation, or decision in accordance with the provisions of this Part.

Zoning Applications and Site, Subdivision, and Grading Plans:

- B. The ARB review and recommendation is required on applications for a rezoning, special exception, special permit, and variance applications, and for site plans, subdivision plats, and grading plans. This review must include consideration of the potential impact of the proposal on the historical, architectural, or archaeological significance of the district. In addition, the following should also be considered:
 - (1) The impact of the proposed use, regarding the intensity, density, or scale of development, on existing conditions in the district;
 - (2) Any change to the visual character of the district including views to and from historic, contributing, and non-contributing properties;
 - (3) The location of buildings or structures, streets or parking areas, and planting or landscape features;
 - (4) Any change to existing grades, drainage patterns, landscaping, or similar features as a result of permanent or temporary site construction activities; and
 - (5) Any change to non-structural site elements, such as vehicular access, yard requirements, or utility easements that may affect the historic character of the district.

Building Permits, Sign Permits, and Utility or Transmission Poles

- C. ARB review and approval is required prior to the issuance of building permits by the Director and approval of sign permits by the Zoning Administrator. The ARB may review and provide recommendation on utility facility applications, in accordance with the following:
 - (1) Building permits for the construction, reconstruction, or exterior rehabilitation, remodeling, alteration, or restoration of any building or structure in an Historic Overlay District, except as qualified in subsection D below;
 - (2) Building permits for the demolition or relocation of any building or structure in an Historic Overlay District;

- (3) Sign permits for the erection, alteration, refacing or relocation of any sign in an Historic Overlay District; and
 - (4) Zoning Permits or Zoning Approvals for utility facility applications located on, adjacent to, or visible from a major thoroughfare, scenic byway, road listed or determined to be eligible for listing in the National Register, or a contributing, non-contributing, or historic property in a Historic Overlay District. The ARB will recommend approval or denial of any application no later than 45 days after a complete application is filed and accepted by the Department of Planning and Development. If the recommendation is not rendered within that time, the Zoning Administrator may consider the recommendation of the ARB in making the final decision on the permit, provided that the recommendation is made within any applicable deadline under local, state, or federal law.
- D.** ARB review and approval is not required for the following, but Department of Planning and Development Heritage Resources staff review and approval may be required prior to issuance of building permits by the Director:
- (1) Building permits for the interior alteration of any building or structure;
 - (2) Building permits for additions to non-contributing buildings and structures or for accessory structures when the proposed development is neither adjacent to nor visible from:
 - (a) A contributing or historic property; or
 - (b) A major thoroughfare, scenic byway, or road listed or determined to be eligible for listing in the National Register;
 - (3) Building permits for re-roofing and re-siding of non-contributing buildings or structures, when the replacement roofing or siding is similar in color, material, and texture to that which is being replaced; or
 - (4) Individual building permits for signs previously approved by the ARB as part of a sign plan.
- E.** Approval authorizing issuance of a building permit or a sign permit by the ARB, or Board of Supervisors on appeal is valid for two years or for such longer period as may be deemed appropriate by the approving body from the date of approval, and will continue for the life of the building permit or sign permit. Approval of new utility or transmission poles and their associated facilities will remain valid unless subject to removal under *[reference to relocated Sect. 2-519]* or is otherwise required to be removed by state or federal law. However, if no building permit or sign permit has been issued within the approval period, the ARB may grant a one-year extension of the approval. The applicant must request the extension prior to the original expiration date, and the ARB must find that the proposed project and conditions within the Historic Overlay District are essentially the same as when the approval was first granted.
- F.** ARB procedures for the review of building permits, sign permits, and utility facility applications as required by section 3101.4.C.4 above, a must be in accordance with the following:
- (1) The applicant must forward to the ARB copies of the complete permit application;
 - (2) In reviewing applications, the ARB may only make requirements for the purpose of preventing development that is architecturally incompatible with the Historic Overlay District. The ARB will consider the following in determining the appropriateness of all applications:
 - (a) The exterior architectural features, including all signs, that are visible from a public right-of-way or contributing, non-contributing, or historic property;

- (b) The general design, size, arrangement, texture, material, color, and fenestration of the proposed building, structure, utility facility, or sign, and the relation of those factors to similar features of historic or contributing buildings or structures within the Historic Overlay District;
 - (c) The extent to which the building, structure, utility facility, or sign would be harmonious with or architecturally incompatible with historic, contributing, or contributing buildings or structures within the district; and
 - (d) The extent to which the building or structure will promote the general welfare of the County and all citizens by the preservation and protection of historic places and areas of historic significance in the County.
- (3) In reviewing an application for a building permit to demolish a building or structure, in whole or part, the ARB will review the circumstances and the condition of the structure in question and make its determination based on consideration of any of the following criteria:
- (a) The building or structure is of such architectural or historical interest that it contributes to the significance of the district, and its removal or alteration would be to the detriment of the public interest;
 - (b) The building or structure is of such old and unusual or uncommon design, texture, and material that it could not be reproduced or be reproduced only with great difficulty; or
 - (c) Retention of the building or structure and its specific architectural features helps preserve and protect the character of a historic place or area of historic interest in the County.
- (4) In reviewing an application for a building permit to relocate a building or structure, the ARB will make its determination based on the following:
- (a) The proposed relocation does not have a detrimental effect on the structural soundness of the building or structure;
 - (b) The proposed relocation does not have a detrimental effect on the historical aspects of other historic, contributing, or non-contributing properties in the Historic Overlay District;
 - (c) The proposed relocation provides new surroundings that would be consistent with the historical and architectural aspects of the structure or building;
 - (d) The building or structure contributes to the significance of the district, and its proposed relocation would therefore help preserve and protect a historic place or area of historic interest in the County; and
- (5) The ARB, on the basis of the information received from the applicant and from its general background and knowledge, and upon application of the appropriate criteria set forth in this subsection F and subsection H below, will approve, approve with modifications, or disapprove the application. If the ARB approves or approves with modification the application, it will authorize the Director to issue the building permit or the Zoning Administrator to approve the sign permit. If the ARB disapproves the application, it will so notify the applicant and the Director or the Zoning Administrator. With respect to utility facility permit applications, the ARB will make its recommendation of approval or disapproval to the Zoning Administrator, who will then decide whether to issue the permit based on the application as a whole and including the ARB's recommendation.

Submission Requirements:

- G.** All submission requirements are located in [*reference to new Article 8 on Administration and Procedures*].

Guidelines:

- H.** To facilitate the review of applications, the ARB will formulate and adopt guidelines for new construction, existing structures, and the exterior alteration of existing buildings, structures, and sites located within Historic Overlay Districts based on the standards below. The ARB may also formulate and adopt recommendations for the installation of new utility or transmission poles, or their associated facilities based solely on the standards below:
- (1)** A property should be used for its historic purpose or be adapted for a new use that requires minimal change to the defining characteristics of the building, its site, and the surrounding area.
 - (2)** The historic character of a property should be retained and preserved; the removal of historic materials or alteration of features and spaces that characterize a property should be avoided.
 - (3)** Changes that create a false sense of historical development should not be undertaken.
 - (4)** Most properties change over time and those changes that have acquired historic significance should be retained and preserved.
 - (5)** Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property should be preserved.
 - (6)** Deteriorated historic features should be repaired rather than replaced unless the severity of deterioration requires replacement of a distinctive feature; the new feature should match the old in design, color, texture, and other visual qualities, and, where possible, materials; replacement of missing features should be substantiated by documentary, physical, or pictorial evidence.
 - (7)** Harsh chemical or abrasive treatments that cause damage to historic materials should not be used; the surface cleaning of structures, if appropriate, should be undertaken using the gentlest means possible.
 - (8)** Significant archaeological resources affected by a project should be protected and preserved; if those resources must be disturbed, mitigation measures should be undertaken.
 - (9)** New additions, exterior alterations, or related new construction should not destroy historic materials that characterize the property; new work should be differentiated from the old and should be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environs.
 - (10)** New additions or related new construction should be undertaken so that if they are removed in the future, the essential form and integrity of the historic property and its environs would be unimpaired.
 - (11)** Site design, including the placement of structures, shaping of landforms, and use of plant materials should be undertaken so that the visual characteristics and physical integrity of a historic property and its environs is preserved and enhanced.
 - (12)** New construction associated with new development should be undertaken in a manner that is compatible and complimentary to the existing character of the historic district.

Appeals:

- I.** Any person aggrieved by any decision of the ARB may appeal that decision to the Board of Supervisors, provided the appeal specifies the grounds for appeal and is filed in writing with the Clerk to the Board within 30 days of the ARB's decision.
- J.** The Board will review the action of the ARB and will decide the appeal. The Board may affirm, reverse, or modify the decision of the ARB, and its determination will be forwarded to the Director.
- K.** Any person or persons jointly or severally aggrieved by any decision of the Board, or any officer, department, board or agency of the County, may appeal that decision to the Circuit Court of Fairfax County for review by filing a petition at law setting forth the alleged illegality of the action of the Board, provided the petition is filed within 30 days after the final decision is rendered by the Board. The filing of said petition will stay the decision of the Board pending the outcome of the appeal to the Court, except that the filing of the petition will not stay the decision of the Board if the decision denies the right to raze or demolish any building, or structure. The Court may reverse or modify the decision of the Board, in whole or in part, if it finds upon review that the decision is arbitrary and constitutes an abuse of discretion, or it may affirm the decision of the Board.
- L.** In addition to the right of appeal set forth in subsections I, J, and K above, the owner of a building or structure, the demolition of which is subject to the provisions of 3101.7 below, will be entitled to raze or demolish the building or structure, provided that:
 - (1)** The owner has applied to the ARB and Board for that right;
 - (2)** The owner has for the period of time set forth in the time schedule referenced below and at a price reasonably related to its fair market value, made a bona fide offer to sell the building or structure, and the land pertaining to the building or structure, to the County or to any department, officer, agency, board or government entity of the County, or political subdivision or agency of the County, that gives reasonable assurance that it is willing to preserve and restore the building or structure and the land pertaining to the building or structure; and
 - (3)** That no bona fide contract, binding upon all parties to that contract, will have been executed for the sale of that building or structure, and the land pertaining to that building or structure, prior to the expiration of the applicable time period set forth in the time schedule below. Any appeal that may be taken to the Court from the decision of the Board, whether instituted by the owner or by any other proper party, notwithstanding the provisions in this section relating to a stay of the decision appealed from, will not affect the right of the owner to make the bona fide offer to sell referred to above. No offer to sell will be made more than one year after a final decision by the Board, but thereafter the owner may renew the request to the Board to approve the razing or demolition of the building or structure. The time schedule for offers to sell are as defined in Section 15.2-2306 of the Code of Virginia.

Archaeological Survey Requirements:

To further the purpose and intent of the Historic Overlay Districts and to aid in the identification and protection of historic or archaeological resources located within or in the vicinity of any Historic Overlay District, the following is required:

- M.** The Fairfax County Park Authority must be consulted concerning a rezoning, development plan, special exception, special permit, or variance application on a property that may yield significant archaeological resources when the application involves 2,500 square feet or more of land

disturbing activity and is located wholly, partially within, or contiguous to a Historic Overlay District.

- N.** At the time of consultation with archaeologists from the Fairfax County Park Authority, the following information must be submitted on the Archaeological Survey Data Form provided by the County:
- (1)** Tax map, parcel number, street address, and Magisterial District of the site.
 - (2)** One copy of the current Fairfax County Zoning Section Sheet(s) at a scale of one-inch equals 500 feet, covering the area within at least a 500-foot radius of the proposed use, showing the existing zoning classification for all land appearing on the map. If more than one Zoning Section Sheet is required to cover the area, those sheets must be attached to create an intelligible map. The boundaries of the subject site must be outlined in red.
 - (3)** Description of the proposal to include type of application and proposed use, and a graphic drawn to scale showing the dimensions of all existing buildings and the distances of buildings from property lines.
- O.** The Fairfax County Park Authority will respond to the applicant in writing within 15 business days from the date of receipt of the required information set forth in subsection N above. The response will state the probability for the property to yield no, low, or medium-to-high archaeological resources, and whether a Phase I Archaeological Survey and report as outlined in subsections Q and R below will be required as part of the submission requirements for a rezoning, development plan, special exception, special permit, or variance application.
- P.** If the Fairfax County Park Authority determines that the application property has no potential to yield significant archaeological resources, the applicant will submit the Archaeological Survey Data Form with comments from the Fairfax County Park Authority in conjunction with the submission of the rezoning, development plan, special exception, special permit, or variance application.
- Q.** If the Fairfax County Park Authority determines that the application property has a low or medium-to-high probability to yield significant archaeological resources, the following will be required:
- (1)** A Phase I Archaeological Survey must be conducted by a qualified archaeological consultant meeting the Professional Qualification Standards established by the Secretary of the Interior and is subject to the following:
 - (a)** Suspected military sites: a walkover survey with shovel testing or remote sensing and ground truthing
 - (b)** Suspected cemetery sites: remote sensing and ground truthing
 - (c)** All other sites: A walkover survey with systematic shovel testing
 - (2)** The shovel testing requirements based on probability to yield significant archaeological resources are required as follows:
 - (a)** Low probability: Every 50 feet
 - (b)** Medium to high probability: Every 20 feet
 - (3)** The applicant will notify the Fairfax County Park Authority at least five working days prior to the time the field work is to be done.
 - (4)** A report of the survey results from subsection (1) above will be provided to the Fairfax County Park Authority prior to any rezoning, development plan, special exception, special

permit, or variance application acceptance. The report of the survey results must include the information contained in subsection R below along with the Archaeological Survey Data Form with comments from the Fairfax County Park Authority.

- R.** Two copies of the survey results for the Phase I Archaeological Survey will be provided to the Fairfax County Park Authority in a report that must include:
- (1)** Name and location of the project to include tax map number, street address, and Magisterial District.
 - (2)** Name, address, phone number, organizational affiliation, and professional qualifications of the person preparing the report.
 - (3)** One copy of a topographic map at a scale of one-inch equals 500 feet, covering the area within at least a 500-foot radius of the proposed use. The boundaries of the subject site must be outlined in red.
 - (4)** Project description to include the proposed use, the existing and proposed structures and parking, identification of the existing structures that are to remain, the limits of clearing and grading, and vehicular access into the site.
 - (5)** A concise history of the area surrounding the property to provide a historic context and a more specific history of the property. This history must include historic photographs, if available, and historic maps with the project area outlined.
 - (6)** Description of any previous archaeological studies that have been conducted in the vicinity of the project to include any archaeological studies contained in the Fairfax County Park Authority files.
 - (7)** A listing of all books, maps, manuscripts, websites, personal communication, and other resources cited in the study, including the title, author, date, place of publication, and publisher.
 - (8)** A site map illustrating the project boundaries and the boundaries of where all archaeological survey work was performed, location of all shovel tests where artifacts were found (positive shovel tests), location of all shovel tests where artifacts were not found (negative shovel tests), and the area where the archaeological survey work was conducted in either square feet or in acres.
 - (9)** Profile drawings of selected representative shovel test pits. One profile is required for each change of stratigraphy.
 - (10)** A written description of the survey findings must include:
 - (a)** The date of site work;
 - (b)** Staff involved in the site work, including professional certifications and college degrees;
 - (c)** Methodology used in the archaeological survey work;
 - (d)** The number of archaeological sites that were recorded according to the resource type (Native American, Civil War, etc.) with trinomial site numbers obtained from the Virginia Department of Historic Resources;
 - (e)** List of artifacts recovered;
 - (f)** If there were any areas of the application property that were not tested, an explanation as to why those areas were not tested; and
 - (g)** Identification of areas with the potential to contain intact archaeological resources.

- (11) Recommendations for additional archaeological work or recommendations that no further work is required must be made and those recommendations must be supported by archaeological evidence.
- (12) An Executive Summary statement that includes information from subsections (10)(a), (10)(b), (10)(d), and (10)(f) above, and the recommendations from subsection (11) above.
- S. When determined by the Fairfax County Park Authority that the report meets the submission requirements, the Fairfax County Park Authority will indicate that fact on the Archaeological Survey Data Form, and that Form will be submitted by the applicant in conjunction with the rezoning, development plan, special exception, special permit, or variance application.

6. Permitted, Special Exception, and Special Permit Uses

Within an adopted Historic Overlay District, all uses are permitted pursuant to the district regulations of the zoning district(s) in which that Historic Overlay District is located; except as may be expressly modified by the regulations adopted for a particular Historic Overlay District. The ARB will review and recommend on any application for a special exception or special permit use located in any Historic Overlay District. No use permitted by right, special exception, or special permit will be permitted where the operational characteristics of the use would tend to destroy, degrade, or encroach upon the character of the Historic Overlay District as established.

7. Use Standards

In addition to the use limitations presented for the zoning districts in which a Historic Overlay District is located, and the requirements set forth in subsection 3101.5 above, the following limitations apply:

- A. Signs are permitted in accordance with the provisions of *[reference to relocated Article 12]*, and in accordance with any additional provisions that may be adopted for a particular Historic Overlay District; provided, however, that no sign otherwise conforming as to structural type, size, design and location under the applicable provisions of *[reference to relocated Article 12]* will be permitted if the ARB finds the proposed sign to be architecturally incompatible with the historical, architectural, or cultural character of the Historic Overlay District. In addition, unless further restricted in the specific Historic Overlay District use standards, freestanding signs may not exceed ten feet in height.¹⁷⁷
- B. Off-street parking and loading requirements must be in accordance with the provisions of *[reference to relocated Article 11]* and any additional regulations that may be adopted for a particular Historic Overlay District, except that no off-street parking space will be located in any minimum required front yard without the specific approval of the ARB, BZA, Planning Commission, or Board for applications requiring final action by these bodies. The approval must be based on a finding that the proposed location would be compatible with the purpose and intent of the District, and additional landscaping for such parking spaces may be required to promote compatibility.
- C. In addition, and notwithstanding the provisions of *[reference to relocated Article 11]*, off-street parking and loading areas will be permitted and encouraged to locate on adjacent properties where it is determined that the parking or loading facilities would otherwise have an adverse effect on the appearance of the property or the district in general. Off-street parking and loading areas will be encouraged to locate facilities in interior parking lots, courts, or at other

¹⁷⁷ Last sentence is new.

appropriate locations that will be convenient for users, reduce interference with pedestrian and vehicular traffic, and generally promote public safety.

- D.** Development within a Historic Overlay District will be in general conformance with the policies and recommendations set forth in the adopted comprehensive plan.

8. Bull Run Stone Bridge Historic Overlay District¹⁷⁸

A. District-Specific Purpose

In addition to the purpose for Historic Overlay Districts as stated in subsection 3101.1, the Bull Run Stone Bridge Historic Overlay District is created to protect against destruction of the Bull Run Stone Bridge historic landmark.

B. Permitted, Special Exception, and Special Permit Uses

All uses permitted by right, special exception (including certain uses which may be approved as an Alternative Use of Historic Buildings), and special permit in the underlying zoning districts, except as follows:

- (1)** Residential dwellings are limited to single family detached units.
- (2)** Commercial uses are limited to those uses permitted by right, special permit, or special exception in the C-5 District.
- (3)** No industrial uses are permitted.

C. Additional Standards

All improvements, to include structures, signs, fences, street furniture, outdoor graphics, and public and private utilities, must be designed and installed to be compatible with the Bull Run Stone Bridge in terms of mass, scale, color and visual impact.

D. Building Height

Maximum: 35 feet.

9. Centreville Historic Overlay District¹⁷⁹

A. District-Specific Purpose

In addition to the purpose for Historic Overlay Districts as stated in subsection 3101.1, the Centreville Historic Overlay District is created to protect against destruction of the historic, archaeological, and architectural quality of the Centreville structures and landmarks.

¹⁷⁸ Carried forward from A1-500.

¹⁷⁹ Carried forward from A1-1300.

B. Permitted, Special Exception, and Special Permit Uses

All uses permitted by right, special exception (including certain uses which may be approved as an Alternative Use of Historic Buildings), and special permit in the underlying zoning districts, except as follows:

- (1) The following uses are not allowed: kennel, new vehicle storage, warehouse, and wholesale facility.
- (2) The following uses are allowed only on properties that are contiguous to Route 29: car wash, drive-through financial institution, drive-through pharmacy, restaurant with drive-through, vehicle fueling station, light vehicle repair and maintenance, vehicle transportation services, and other drive-through.

C. Additional Standards

Any new improvements, to include structures, signs, fences, street furniture, outdoor graphics, and public and private utilities must be designed and installed to be compatible with the historic landmarks. The location and arrangement of structures must not be detrimental to existing uses or prospective adjacent uses.

- (1) Any new improvements must be designed to be sensitive to archaeological resources, as well as the historical character of the area.
- (2) Any type of outdoor lighting is subject to the approval of the ARB.

D. Bulk Regulations

Maximum building height: 35 feet.

10. Colvin Run Mill Historic Overlay District¹⁸⁰

A. District-Specific Purpose

In addition to the purpose for Historic Overlay Districts as stated in subsection 3101.1, the Colvin Run Mill Historic Overlay District is created to protect against destruction of the Colvin Run Mill historic landmark.

B. Permitted, Special Exception, and Special Permit Uses

All uses permitted by right, special exception (including certain uses which may be approved as an Alternative Use of Historic Buildings), and special permit in the underlying zoning districts, except as follows:

- (1) Residential dwellings are limited to single family detached units.
- (2) Commercial uses within this district are permitted only on the Colvin Run Mill site and are limited to those uses deemed appropriate by the ARB.
- (3) No industrial uses are permitted.

¹⁸⁰ Carried forward from A1-600.

C. Additional Standards

All improvements, to include structures, signs, fences, street furniture, outdoor graphics, and public and private utilities, must be designed and installed to be compatible with the Colvin Run Mill Complex in terms of mass, scale, color and visual impact.

D. Building Height

Maximum: 35 feet.

11. Dranesville Tavern Historic Overlay District¹⁸¹

A. District-Specific Purpose

In addition to the purpose for Historic Overlay Districts as stated in subsection 3101.1, the Dranesville Tavern Historic Overlay District is created to protect against destruction of the Dranesville Tavern historic landmark.

B. Permitted, Special Exception, and Special Permit Uses

All uses permitted by right, special exception (including certain uses which may be approved as an Alternative Use of Historic Buildings), and special permit in the underlying zoning districts, except as follows:

- (1) Residential dwellings are limited to single family detached units.
- (2) Commercial uses within this district are limited to those uses deemed appropriate by the ARB on the Dranesville Tavern site.¹⁸²
- (3) No industrial uses are permitted.

C. Additional Standards

All improvements, to include structures, signs, fences, street furniture, outdoor graphics, and public and private utilities, must be designed and installed to be compatible with the Dranesville Tavern in terms of mass, scale, color and visual impact.

D. Building Height

Maximum: 35 feet.

12. Huntley Historic Overlay District¹⁸³

A. District-Specific Purpose

In addition to the purpose for Historic Overlay Districts as stated in subsection 3101.1, the Huntley Historic Overlay District is created to protect against destruction of the Huntley historic landmark.

¹⁸¹ Carried forward from A1-700.

¹⁸² The limitation of commercial uses to golf driving ranges and ancillary miniature golf is deleted because the previously existing use no longer exists. No commercial zoning is within the HOD.

¹⁸³ Carried forward from A1-800.

B. Permitted, Special Exception, and Special Permit Uses

All uses permitted by right, special permit, and special exception in the underlying zoning districts, except that no commercial or industrial uses are permitted. However, certain commercial and industrial uses may be permitted in any location if approved as an Alternative Use of Historic Buildings special exception.

C. Additional Limitations

- (1) All improvements, to include structures, signs, fences, street furniture, outdoor graphics, and public and private utilities, must be designed and installed to be compatible with Huntley in terms of mass, scale, height, color, type of material and visual impact.
- (2) Freestanding signs may not exceed five feet in height.

D. Building Height

Maximum: 35 feet.

13. Lake Anne Village Center Historic Overlay District¹⁸⁴

A. District-Specific Purpose

In addition to the purpose for Historic Overlay Districts as stated in subsection 3101.1, the Lake Anne Village Center Historic Overlay District is created to protect against destruction of the historic and architectural quality of the significant landmarks.

B. Permitted, Special Exception, and Special Permit Uses

All uses permitted by right, special exception (including certain uses which may be approved as an Alternative Use of Historic Buildings), and special permit for a Village Center in the PRC District.

C. Additional Standards

Any new improvements, to include structures, signs, fences, street furniture, outdoor graphics, and public and private utilities must be designed and installed as integral parts of the present village complex, and to be compatible with the original design. The location and arrangement of structures must not be detrimental to existing uses or prospective adjacent uses.

D. Building Height

Building height must be compatible with the intent of the district.¹⁸⁵

¹⁸⁴ Carried forward from A1-1100.

¹⁸⁵ May be eliminated with subsequent drafts as it is subjective.

14. Langley Fork Historic Overlay District¹⁸⁶

A. District-Specific Purpose

In addition to the purpose for Historic Overlay Districts as stated in subsection 3101.1, the Langley Fork Historic Overlay District is created to protect against destruction of the Langley Fork historic landmarks.

B. Permitted, Special Exception, and Special Permit Uses

All uses permitted by right, special exception (including certain uses which may be approved as an Alternative Use of Historic Buildings), and special permit in the underlying zoning districts, except as follows:

- (1) Residential dwellings are limited to single family detached units.
- (2) No additional commercial uses are permitted.
- (3) No industrial uses are permitted.

C. Additional Standards

- (1) All improvements, to include structures, signs, fences, street furniture, outdoor graphics, and public and private utilities, must be designed and installed to be compatible with the landmark structures.
- (2) Freestanding signs may not exceed five feet in height.

D. Building Height

Maximum: 35 feet.

15. Mount Air Historic Overlay District¹⁸⁷

A. District-Specific Purpose

In addition to the purpose for Historic Overlay Districts as stated in subsection 3101.1, the Mount Air Historic Overlay District is created to protect against destruction of the historic and archaeological integrity of the existing and potential heritage resources.

B. Additional Limitations

Any new improvements, to include structures, signs, fences, street furniture, outdoor graphics, and public and private utilities, must be designed and installed to be compatible with the historic landmark. The location and arrangement of structures must not be detrimental to existing uses or prospective adjacent uses.

C. Bulk Regulations

Maximum building height: 35 feet.

¹⁸⁶ Carried forward from A1-900.

¹⁸⁷ Carried forward from A1-1200.

16. Pohick Church Historic Overlay District¹⁸⁸

A. District-Specific Purpose

In addition to the purpose for Historic Overlay Districts as stated in subsection 3101.1, the Pohick Church Historic Overlay District is created to protect against destruction of the Pohick Church.

B. Permitted, Special Exception, and Special Permit Uses¹⁸⁹

All uses permitted by right, special exception (including certain uses which may be approved as an Alternative Use of Historic Buildings), and special permit in the underlying zoning districts, except as follows:

- (1) No multifamily dwelling units are permitted.
- (2) No vehicle fueling stations, vehicle service establishments, or restaurants with drive-through may be permitted.
- (3) No industrial uses are permitted.

C. Additional Standards

All improvements, including structures, signs, fences, street furniture, outdoor graphics, and public and private utilities, must be designed and installed to be compatible with the Pohick Church complex in terms of mass, scale, color, and visual impact.

D. Building Height

Maximum: 39.5 feet.

17. Robey's Mill Historic Overlay District¹⁹⁰

A. District-Specific Purpose

In addition to the purpose for Historic Overlay Districts as stated in subsection 3101.1, the Robey's Mill Historic Overlay District is created to protect against destruction of the Robey's Mill historic landmarks.

B. Permitted, Special Exception, and Special Permit Uses

All uses permitted by right, special exception (including certain uses which may be approved as an Alternative Use of Historic Buildings), and special permit in the underlying zoning districts, except as follows:

- (1) Residential dwellings are limited to single family detached units.

¹⁸⁸ Carried forward from A1-100.

¹⁸⁹ Revised for consistency with Article 4. The standard limiting commercial uses to local serving and tourist-oriented uses such as libraries, professional offices, craft shops, restaurants, and antique shops has been deleted, as it has been found to be problematic and vague. A reference to the new Alternative Use of Historic Buildings has been added to each HOD.

¹⁹⁰ Carried forward from A1-1000.

- (2) No commercial uses are permitted, except for the use of the mill itself.
- (3) No industrial uses are permitted.

C. Additional Standards

- (1) All improvements, to include structures, signs, fences, street furniture, outdoor graphics, and public and private utilities, must be designed and installed to be compatible with the landmark structures.
- (2) Freestanding signs may not exceed five feet in height.

D. Building Height

Maximum: 35 feet.

18. St. Mary's Church Historic Overlay District

A. District-Specific Purpose

In addition to the purpose for Historic Overlay Districts as stated in subsection 3101.1, the St. Mary's Church Historic Overlay District is created to protect against destruction of the St. Mary's Church historic landmark.

B. Permitted, Special Exception, and Special Permit Uses

All uses permitted by right, special exception (including certain uses which may be approved as an Alternative Use of Historic Buildings), and special permit in the underlying zoning districts, except as follows:

- (1) Commercial uses must be developed only as part of a shopping center.
- (2) Industrial uses must be developed only as part of a designed industrial park and are limited to those uses permitted by right, special exception, or special permit in the I-4 District.

C. Additional Standards

- (1) All improvements, to include structures, signs, fences, street furniture, outdoor graphics, and public and private utilities, must be designed and installed to be compatible with St. Mary's Church in terms of mass, scale, color and visual impact.
- (2) To the extent possible, existing tree cover must be preserved in that area south of the Southern Railroad.

D. Building Height

Maximum: 35 feet

19. Sully Historic Overlay District¹⁹¹

A. District-Specific Purpose

In addition to the purpose for Historic Overlay Districts as stated in subsection 3101.1, the Sully Historic Overlay District is created to protect against destruction of the Sully historic landmark, associated structures, and the cultural landscape. This district is uniquely located adjacent to Dulles International Airport. In recognition of the potential for industrial uses surrounding the historic property, Sully is currently the only Historic Overlay District that requires a 200-foot wide planted buffer around the historic property. In addition, the Sully Historic Overlay District was created to encompass land areas located within one-fourth mile of the Sully Property, making it one of the largest Historic Overlay Districts established by this Ordinance.

B. Permitted, Special Exception, and Special Permit Uses

All uses permitted by right, special exception (including certain uses which may be approved as an Alternative Use of Historic Buildings), and special permit in the underlying zoning districts, except as follows:

- (1) Industrial uses are limited to those uses permitted by right, special exception, or special permit in the I-4 District and outdoor storage in association with a warehousing establishment subject to the provisions of subsection C below.
- (2) Except as allowed by subsection 1 above, no commercial uses are permitted¹⁹².

C. Additional Standards

- (1) All improvements, to include structures, signs, fences, street furniture, outdoor graphics, and public and private utilities, must be designed and installed to be compatible with the Sully complex in terms of mass, scale, color and visual impact.
- (2) A planted buffer having a 200-foot minimum width must be provided along all lot lines that are contiguous to the Sully property, as defined by Tax Map Parcels 34-2 ((1)) 13 and 14. If the Park Authority acquires additional land area for the Sully property, the 200-foot wide planted buffer requirement is only applicable along those lot lines contiguous to the Tax Map Parcels identified above and may not be altered by the acquisition of additional land. The minimum planting must be in accordance with standards established by the ARB.
- (3) The Board of Supervisors may approve a special exception in accordance with the provisions of [reference to relocated Article 9] to allow outdoor storage in association with a warehousing establishment in the I-5 and I-6 Districts if the Board determines that the proposed storage would not be visible from the Sully complex or the approaches to the Sully complex and would not be incompatible with the purpose of this district. The Board may impose conditions regarding the size, location, and screening of the outdoor storage area to promote compatibility.

¹⁹¹ Carried forward from A1-300.

¹⁹² This may be revised in consultation with the Architectural Review Board.

D. Bulk Regulations

- (1) Maximum building height: 35 feet, subject to increase up to 60 feet as may be permitted by the Board in accordance with the provisions of [reference to relocated Sect. 9-607] and within 500 feet of the Sully Historic Overlay District perimeter boundary. The approval of a height increase may not permit the actual height of any building to exceed 65 feet as measured from grade to the top of any roof or rooftop structure.
- (2) Setback requirements: As specified in the underlying zoning districts, except structures developed on land contiguous to the Sully property, as defined by Tax Map Parcels 34-2 ((1)) 13 and 14, which must be located no closer than 200 feet to the Sully property line. Where that limitation would preclude permitted uses, the minimum setback and building location requirements will be as determined by the ARB. If the Park Authority acquires additional land area for the Sully property, the 200-foot minimum setback requirement are only applicable along those lot lines contiguous to the Tax Map Parcels identified above and must not be altered by the acquisition of additional land.

20. Woodlawn Historic Overlay District¹⁹³

A. District-Specific Purpose

In addition to the purpose for Historic Overlay Districts as stated in subsection 3101.1, the Woodlawn Historic Overlay District is created to protect against destruction of Woodlawn and the George Washington Grist Mill.

B. Permitted, Special Exception, and Special Permit Uses

All uses permitted by right, special exception (including certain uses which may be approved as an Alternative Use of Historic Buildings), and special permit in the underlying zoning districts, except as follows:

- (1) Residential dwellings south of Route 1 are limited to single family detached units.
- (2) Commercial uses are limited to offices and tourist-oriented uses, including but not limited to antique shops, craft shops, restaurants, hotels and motels. No service stations or restaurants with drive-through may be permitted.
- (3) No industrial uses are permitted.

C. Additional Standards

All improvements, to include structures, signs, fences, street furniture, outdoor graphics, and public and private utilities, must be designed and installed to be compatible with Woodlawn and George Washington Grist Mill in terms of mass, scale, color and visual impact.

D. Building Height

Maximum: 35 feet.

¹⁹³ Carried forward from A1-200.

3102. Commercial Revitalization Districts¹⁹⁴

1. Purpose

The Commercial Revitalization Districts (CRDs) are established to encourage economic development activities in the older commercial areas of the County in order to provide desirable employment and enlarge the tax base consistent with the provisions of Sections 15.2-200, 2283 and 2284 of the Code of Virginia, as amended. The districts are intended to enhance the older commercial areas of the County by providing for specific regulations that are designed to facilitate the continued viability and redevelopment of these areas. To that end, the districts are intended to provide for additional flexibilities for development and redevelopment in these areas while also providing for urban design measures such as streetscape and landscaping.

2. Districts

The Commercial Revitalization Districts (CRDs) are listed in the Table below.

Annandale Commercial Revitalization District
Bailey's Crossroads/Seven Corners Commercial Revitalization District
McLean Commercial Revitalization District
Richmond Highway Commercial Revitalization District
Springfield Commercial Revitalization District

3. Standards Applicable to All Commercial Revitalization Districts

A. Permitted Uses

All uses are allowed according to the underlying zoning district(s), except vehicle transportation services are not allowed by right in the CRDs.

B. Special Exception Uses¹⁹⁵

In addition to all uses permitted by special exception in the underlying zoning district regulations, the following uses, modifications, and waivers may be approved either as a special exception or in conjunction with a rezoning:

- (1) Vehicle transportation services in the C-6, C-7, and C-8 Districts;
- (2) Modification or waiver of the minimum lot size requirements, setback requirements, or minimum open space requirements;
- (3) Increase in the maximum building height or maximum permitted floor ratio, where allowed in the underlying zoning district regulations by special exception;
- (4) Increase in the amount of permitted office in accordance with subsection E(2) below; and

¹⁹⁴ From Part 10, Sect. 7-1000.

¹⁹⁵ Carried forward from Sect. 9-622 and the special exception uses for each CRD.

- (5) Modification or waiver of the standards for commercial revitalization districts set forth in this section.

C. Bulk Regulations

(1) Maximum Building Height

As specified in the underlying zoning district regulations, except that for land zoned C-6 or C-8, a maximum height of 50 feet is allowed by right. However, a greater height is permitted if the adopted comprehensive plan specifies a height greater than the height of the underlying zoning district.¹⁹⁶

(2) Setback Requirements

As specified in the underlying zoning district regulations, except:

- (a) The minimum front setback in any commercial district is 20 feet; however,
- (b) When the adopted comprehensive plan specifies a front setback that is equal to or less than the minimum front setback of the underlying zoning district, the minimum front setback must be in accordance with the comprehensive plan, and any plantings, streetscape treatments, or other amenities must also be provided in general accordance with the comprehensive plan.

D. Open Space

The open space requirement of the underlying zoning district regulations does not apply to an expansion or enlargement of an existing development, as defined in subsection E(1) below, if the expansion or enlargement does not decrease the amount of existing open space.

E. Additional Standards

- (1) For the purpose of this section, an expansion or enlargement of an existing development is an increase in the gross floor which is less than 100 percent of the total gross floor area of all existing buildings. A redevelopment is the total removal of all buildings on a lot and the construction of new buildings, or the addition of gross floor area that is equal to or more than 100 percent of the total gross floor area of all existing buildings on a lot. A new development is the construction of buildings on a vacant lot.
- (2) An office is permitted by-right in the C-8 District if the total gross floor area devoted to the office use does not exceed 85 percent of the maximum floor area permitted on the lot based on the maximum floor area ratio allowed. The maximum percentage of office may be increased to 100 percent in accordance with *[reference to special exception procedure]*.¹⁹⁷
- (3) **Parking**
The off-street parking, loading, and private street requirements of *[reference to relocated Article 11]* apply, except as set forth below:
 - (a) In the Richmond Highway CRD, the minimum off-street parking requirements for all non-residential uses may be reduced by 20 percent.
 - (b) In all other CRDS, the minimum off-street parking requirements for any non-residential uses may be reduced by up to 20 percent by the Board when it is demonstrated by the

¹⁹⁶ The standard allowing a greater height if specified in the adopted comprehensive plan is new.

¹⁹⁷ Carried forward from Par. 1B of Sect. 9-622 (pt) and Sections A7-102, A7-202, A7-302, A7-402, and A7-502.

applicant and determined by the Board that the reduction furthers the goals of the CRD as set forth in the adopted comprehensive plan . A request for this reduction in minimum off-street parking requirements may also be considered in conjunction with a rezoning or special exception application. The fee for a parking reduction established in [reference to relocated Sect. 17-109] is not applicable.¹⁹⁸

- (c) For a mixed-use development in a PDC or PRM District, the minimum off-street parking requirements for residential and non-residential uses may be reduced by the Board in accordance with [reference to relocated Article 11] and when it is demonstrated by the applicant and determined by the Board that the reduction furthers the recommendations of the adopted comprehensive plan for the area and that the reduction will not adversely affect the site or the adjacent area.
- (d) The provisions of [reference to relocated Par. 1 of Sect. 11-102] are applicable, except that where there are practical difficulties or if the public safety or public convenience would be better served by parking spaces being located on other than the same lot or other than on a lot contiguous to the use to which it is accessory, the Director, acting on a specific request for a non-residential use, may authorize an alternative location subject to conditions deemed to be appropriate and the following:
 1. The required spaces are subject to agreements or arrangements satisfactory to the Director that will ensure the permanent availability of those spaces; and
 2. The applicant must demonstrate to the Director’s satisfaction that the required spaces are generally located within 500 feet walking distance of a building entrance to the use that the space serves, or that the spaces will be provided off-site with access via a valet or shuttle service subject to agreements or arrangements approved by the Director that will ensure the operation of those services and that there will not be any adverse impacts on the site of the parking spaces or the adjacent area.

An alternative location that conforms with the above provisions may also be approved by the Board in accordance with [reference to special exception procedure].

- (e) The standard in [reference to relocated Par. 8 of Sect. 11-102] which requires off-street parking spaces that are located on the ground and open to the sky to be located no closer than ten feet to any front lot line does not apply in CRD Districts.

(4) Signs

The sign provisions of [reference to relocated Article 12] apply, except that lawfully existing on the effective date of this Ordinance or prior ordinances, that do not conform to the provisions of this Ordinance, and signs that are accessory to a nonconforming use, are deemed to be nonconforming signs and may remain. In accordance with [reference to relocated Paragraphs 1 and 5 of Sect. 12-107], nonconforming signs may not be enlarged or extended but may be removed and replaced with a sign that is reduced in height or sign area.

(5) Landscaping and Screening

The landscaping and screening requirements of [reference to relocated Article 13] apply, except as set forth below. When the following provisions provide for a determination with regard to the feasibility of meeting the requirements on a lot, the determination may be

¹⁹⁸ Allowing an administrative reduction for the other CRDs is under discussion.

made by either the Director in the approval of a minor site plan or site plan, or the Board in accordance with the provisions of [reference to special exception procedure].

- (a) The interior parking lot landscaping requirements of [reference to relocated Sect. 13-202] apply as follows:
 1. When a proposed expansion or enlargement of an existing development results in a parking lot containing 20 or more parking spaces, the interior parking lot landscaping requirements apply to the parking lot unless it is determined by the Director that it is not feasible to meet the requirement or that compliance with the requirement will adversely impact the required off-street parking.¹⁹⁹
 2. For redevelopments and new developments, the interior parking lot landscaping requirements apply.
- (b) The peripheral parking lot landscaping requirements of [reference to relocated Sect. 13-203] apply as follows:
 1. For expansions or enlargements of existing developments, the peripheral parking lot landscaping requirements of [reference to relocated Par. 1 of Sect. 13-203] concerning when a property line abuts land that is not the right-of-way of a street do not apply.
 2. For redevelopments or new developments, the requirements of [reference to relocated Par. 1 of Sect. 13-203] apply. However, where there are landscaping or design provisions in the adopted comprehensive plan that recommend a planting strip or other streetscape treatment with the same or lesser width or different plant materials than those required by [reference to relocated Sect. 13-203], then those standards in the adopted comprehensive plan apply
 3. For expansions or enlargements of existing developments, redevelopments, and new developments, the peripheral parking lot landscaping requirements of [reference to relocated Par. 2 of Sect. 13-203] concerning when the property line abuts the right-of-way of a street do not apply, but the following are required:
 1. A landscaping strip ten feet in width, which may not include any sidewalk, trail, or parallel utility easement, must be located on the lot where it abuts a street right-of-way line.
 2. If there are no existing or proposed overhead utility lines, there must be at least one large deciduous tree planted in the landscaping strip for each 30 feet of length, but the trees need not be installed at a spacing of one tree every 30 feet on center. If there are overhead utility lines, at least one small to medium deciduous tree must be planted in the landscaping strip for every 25 feet of length, but the trees need not be installed at a spacing of one tree every 25 feet on center. Trees planted in a landscaping strip beneath overhead utility lines must be of a shape and character to avoid interfering with the utility lines.
 3. All trees must be two and one-half to three inches in caliper at the time of planting.

¹⁹⁹ Revised to establish a threshold for compliance with interior parking lot landscaping for any parking area containing 20 spaces, instead of only an expansion of the parking area by 20 or more parking spaces, to be consistent with Par. 1 of Sec. 13-202.

4. Where there are landscaping or design provisions in the adopted comprehensive plan that recommend a planting strip or other streetscape treatment with the same or lesser width or different plant materials than set forth above, then the provisions of the adopted comprehensive plan apply.
 5. The above requirements may be modified or waived for expansions or enlargements of existing developments when it is determined that it is not feasible to meet these requirements on the lot.
- (c) The transitional screening and barrier requirements of [*reference to relocated Part 3 of Article 13*] apply as follows:
1. For new development and redevelopment, or for expansions or enlargements of existing developments, the transitional screening and barrier requirements apply. Where there are landscaping or design provisions in the adopted comprehensive plan that recommend a planting strip or other streetscape treatment with the same or lesser width, the same or lesser number of plantings, or different plant materials than required by [*reference to relocated Part 3*], then the provisions of the adopted comprehensive plan apply.
 2. When the peripheral planting requirements of subsection (b)3 above are required and provided in accordance with that subsection, they are deemed to meet the transitional screening requirement for that portion of the lot.
 3. In addition to the above and to the provisions of [*reference to relocated Sect. 13-304*], transitional screening may be modified or waived when a barrier is provided and the barrier consists of a wrought iron fence, a decorative brick or block wall, or a different treatment when it is determined that a different treatment would be more appropriate or reasonable due to compatibility with other alternative treatments prevalent in the district.
 4. For all of the above, the requirements may be modified or waived by the Board in accordance with [*reference to special exception procedure*].

F. Site Plans and Required Improvements

- (1) Improvements in accordance with [*reference to relocated Par. 3A and Par. 4 of Sect. 17-201*] which require the construction of service drives adjacent to a primary highway, and dedication and construction of widening for existing roads, existing roads on new alignments, and proposed roads, as indicated on the adopted comprehensive plan, are not required in conjunction with a minor site plan for the following:
 - (a) Additions to existing buildings on a lot when those additions do not exceed a total of 5,000 square feet of gross floor area and not more 100 percent of the gross floor area of the existing buildings.
 - (b) Any permitted use on a temporary basis for a period not to exceed two years from the date of approval. The Director may extend the approval for one additional two-year period.
 - (c) Additions and alterations to provide an accessibility improvement not otherwise exempt under [*reference to relocated Sect. 17-104*].

- (d) Uses that do not involve construction of gross floor area, such as tennis courts or storage yards, or modifications to existing uses that do not involve construction of gross floor area, such as changes to walkways, parking lots, or landscape plans.
 - (e) For uses subject to a minor site plan for other than as specified above or a site plan and upon request of the applicant, the Board, in accordance with the provisions of subsection 3.B above may modify or waive the required improvements of [*reference to relocated Paragraphs 1, 3A, 4, 5, and 14 of Sect. 17-201*].
 - (f) In addition, for a minor site plan or site plan, the required improvement for the construction of trails and walkways as set forth in [*reference to relocated Par. 2 of Sect. 17-201*] are applicable unless there is a conflict with the adopted comprehensive plan, in which case, the Director, in conjunction with the approval of a minor site plan or site plan, or the Board, in accordance with [*reference to special exception procedure*], may require the provision of trails or walkways in accordance with the adopted comprehensive plan.
- (2) A site plan or minor site plan may be filed concurrently with the filing of a rezoning, special exception, or special permit application, but may not be approved by the Director until the rezoning, special exception, or special permit application has been approved by the Board or BZA, respectively. This concurrent processing does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations, or adopted standards, and does not prejudice the consideration of the application.

3103. Other Overlay Districts

1. Natural Resource Overlay District²⁰⁰

A. Purpose²⁰¹

The Natural Resource Overlay District is created in recognition of the natural resources that exist in Fairfax County and in recognition that the sand and gravel industries and the related processing of these materials into concrete, asphalt, and other products have been a basic construction support industry for many years, providing a broad range of employment opportunities and contributing to the County's tax base. However, the Natural Resource Overlay District also recognizes that natural resource extraction operations constitute a significant potential impact on the pattern of development in areas nearby.

B. Special Permit Uses

Extraction activities require a special permit in accordance with *[reference to relocated Article 8]*.

2. Airport Noise Impact Overlay District²⁰²

A. Purpose

The Airport Noise Impact Overlay District is established for the general purpose of controlling conflicts between land uses and noise generated by aircraft and to protect the public health, safety, and welfare from the adverse impacts associated with excessive noise.

It is the intent of this overlay district to regulate land uses within designated existing or projected airport noise impact areas by requiring acoustical performance standards. Nothing within this section will be construed as altering building materials or construction methods from those that are specified in the Virginia Uniform Statewide Building Code.

B. District Boundaries

The Airport Noise Impact Overlay District boundaries are based on the potential post-year 2000 noise impact contours adopted by the Board, which are subject to periodic updating and amendment in accordance with the provisions of *[reference to relocated Part 2 of Article 18]*.

C. Establishment of Districts

- (1) For purposes of administering these regulations, there will be three Airport Noise Impact Areas:
 - (a) Greater than DNL 75 dBA
 - (b) DNL 70-75 dBA
 - (c) DNL 65-70 dBA

²⁰⁰ From Part 3, Sect. 7-300.

²⁰¹ Changed heading from “purpose and intent” to be consistent with other zoning districts. This also applies to the overlay districts that follow.

²⁰² From Part 4, Sect. 7-400.

- (2) The boundaries of each noise impact area will be established in accordance with the provisions of subsection B. The purpose of the establishment of three Airport Noise Impact Areas is to distinguish between the severity of the levels of noise impact so that appropriate uses and acoustical performance standards can be established to mitigate the adverse impacts of aircraft noise to protect the public health, safety, and welfare.

D. Administration

The Director is responsible for reviewing site plans, subdivision plats, and building permits to determine if the property to be developed is located in the Airport Noise Impact Overlay District; if so, the plan, plat, or permit must be so noted. Before any building permit may be approved in the district, it must satisfy sections E and F below.

E. Uses and Use Standards

Uses are permitted according to the underlying zoning district(s), except as qualified below. In addition to the use standards presented in *Article 4*, the following apply:

- (1) Uses within this district are permitted only in accordance with the Noise Compatibility Table in subsection G below.
- (2) In those instances where a proposed use is not listed in the table, the Director, using the table as a guide, will determine which use is most similar and which provisions of the table are applicable.
- (3) Where a structure contains different occupants or tenants, the more stringent requirements of the table apply, except where it is architecturally possible to achieve the interior noise levels specified in subsection F below for the area occupied by each occupant or tenant.
- (4) The table identifies the uses, the Airport Noise Impact Areas, and, where applicable, the respective interior noise level standards and acoustical treatment measures for each use in a given Impact Area. The following subsections explain how uses are designated and permitted:
 - (a) If a use is permitted in a given Impact Area without any interior noise level standard, it is represented on the table with a "P." If a given use is not permitted, it is represented with a "NP."
 - (b) Many uses are permitted in a given Impact Area, but only if acoustical treatment measures are provided to achieve a specified interior noise level standard for the entire structure. Such uses are represented on the table with a designation of "P1," "P2," or "P3," which corresponds with the three interior noise level standards presented in subsection F below.
 - (c) Many uses are represented on the table with a designation of "P1," "P2," or "P3," and are qualified with an asterisk (*). Such uses are permitted only if acoustical treatment measures are provided for those portions of the building that contain offices or other noise sensitive uses in accordance with one of three interior noise level standards presented in subsection F below.
- (5) In the greater than DNL 75 dBA Impact Area, dwellings are not permitted, except that new dwelling units and additions to existing dwelling units may be permitted provided that:
 - (a) The lot is located in an R district;
 - (b) The lot had final plat approval prior to July 26, 1982; and

- (c) The new dwelling unit or addition complies with the Interior Noise Level Standard P1 set forth in subsection F below.

F. Interior Noise Level Standards

- (1) The acoustical treatment requirements of this Section are to achieve the interior noise levels set forth below and will apply to the construction of new structures and the alteration or repair of existing structures with enclosed interior space as established under the Virginia Uniform Statewide Building Code (VUSBC).
- (2) Nothing within this section will be construed as altering building materials, construction methods, plan submission requirements, or inspection practices from those that are specified in VUSBC, and the acoustical treatments required must comply with the provisions of VUSBC.
- (3) There will be three different interior noise level standards as identified on the table. These standards are described as follows:
 - (a) **Interior Noise Level P1:** In the greater than DNL 75 dBA Impact Area, all structures or portions of structures as applicable will provide acoustical treatment measures that achieve an interior noise level not to exceed DNL 45 dBA. This standard must be met by one of the following:
 - 1. The use of roof and exterior wall assemblies that have a laboratory sound transmission class (STC) of at least 50, and doors and windows that have a laboratory STC of at least 42. The STC of construction assemblies will be determined by a certified sound testing laboratory; or
 - 2. A certification by an acoustical engineer that the construction practices or materials of the structure will achieve the specified interior noise level. The acoustical professional will submit relevant information to permit the Director to verify that the proposed measures will achieve the interior noise level standard.
 - (b) **Interior Noise Level Standard P2:** In the greater than DNL 75 dBA Impact Area, all structures or portions of structures as applicable will provide acoustical treatment measures that achieve an interior noise level not to exceed DNL 50 dBA. In the DNL 70-75 dBA Impact Area, all structures will provide acoustical treatment measures that achieve an interior noise level not to exceed DNL 45 dBA. This standard must be met by one of the following:
 - 1. The use of roof and exterior wall assemblies that have a laboratory sound transmission class (STC) of at least 45, and doors and windows that have a laboratory STC of at least 37. The STC of construction assemblies will be determined by a certified sound testing laboratory;
 - 2. A certification by an acoustical engineer that the construction practices or materials of the structure will achieve the specified interior noise level. The acoustical professional will submit relevant information to permit the Director to verify that the proposed measures will achieve the interior noise level standard; or
 - 3. A determination by the Director that the interior noise level standard is met based on the exterior or interior wall and roof assemblies and the location of the use in the structure.

(c) Interior Noise Level Standard P3: In the DNL 70-75 dBA Impact Area, all structures or portions of structures as applicable will provide acoustical treatment measures that achieve an interior noise level not to exceed DNL 50 dBA. In the DNL 65-70 dBA Impact Area, all structures will provide acoustical treatment measures that achieve an interior noise level not to exceed DNL 45 dBA. This standard must be met by one of the following:

1. The use of roof and exterior wall assemblies that have a laboratory sound transmission class (STC) of at least 39 and doors and windows that have a laboratory STC of at least 28. The STC of construction assemblies must be determined by a certified sound testing laboratory;
2. A certification by an acoustical engineer that the construction practices or materials of the structure will achieve the specified interior noise level. The acoustical professional will submit relevant information to permit the Director to verify that the proposed measures will achieve the interior noise level standard; or
3. A determination by the Director that the interior noise level standard is met based on the exterior or interior wall and roof assemblies and the location of the use in the structure.

G. Noise Compatibility Table

TABLE 3103.1: Noise Compatibility Table			
For KEY to table, refer to subsection 3103.2.E, <i>Use Limitations</i>			
Use ²⁰³	Noise Impact Areas (DNL dBA)		
	75+	70-75	65-70
AGRICULTURAL AND RELATED USES			
Agricultural Operation			
<i>Growing of crops</i>	P	P	P
<i>Livestock</i>	NP	P3*	P
<i>Residential use</i>	NP	P2	P3
Agritourism, Other ²⁰⁴			
Farm Winery, Limited Brewery, or Limited Distillery			
Stable, Riding or Boarding	NP	P3*	P
RESIDENTIAL USES			
Household Living			
<i>Additions to existing dwellings & new dwellings on certain existing lots</i>	P1	P2	P3
<i>All other new construction</i>	NP	P2	P3

²⁰³ The uses have been updated to be consistent with the proposed use names. The most similar use has been assigned to new uses. Accessory and temporary uses have not been included.

²⁰⁴ This is a placeholder. Agritourism and the noise compatibility standards for Farm Winery will be addressed in a separately pending amendment.

TABLE 3103.1: Noise Compatibility Table For KEY to table, refer to subsection 3103.2.E, <i>Use Limitations</i>			
Use ²⁰³	Noise Impact Areas (DNL dBA)		
	75+	70-75	65-70
Dwelling, Multifamily	See Above		
Dwelling, Single Family Attached			
Dwelling, Single Family Detached			
Dwelling, Stacked Townhouse			
Group Residential Facility			
Live-Work Development			
Manufactured Home	NP	NP	P3
Group Living			
Congregate Living Facility	NP	P2	P3
Group Household			
Religious Group Living			
Residence Hall			
PUBLIC, INSTITUTIONAL, AND COMMUNITY USES			
Community, Cultural, and Educational Facilities			
Alternate Uses of Public Facilities	<i>See most similar use</i>		
Child Care Center	NP	P2	P3
Club, Service Organization, or Community Center	NP	P2	P3
College or University	P1	P2	P3
<i>with residential facilities</i>	NP	P2	P3
Community Swim, Tennis, and Recreation Club	P	P	P
Convention or Conference Center	P2	P3	P
Cultural Facility or Museum	NP	P2	P3
Public Use	<i>See most similar use</i>		
Religious Assembly	NP	P2	P3
Religious Assembly with Private School, Specialized Instruction Center, or Child Care Center	NP	P2	P3
School, Private	NP	P2	P3
Specialized Instruction Center	NP	P2	P3
Funeral and Mortuary Services			
Cemetery	P2*	P3*	P
Crematory			
Funeral Home	P2	P3	P
Health Care			

TABLE 3103.1: Noise Compatibility Table			
For KEY to table, refer to subsection 3103.2.E, <i>Use Limitations</i>			
Use ²⁰³	Noise Impact Areas (DNL dBA)		
	75+	70-75	65-70
Adult Day Care Center	NP	P2	P3
Continuing Care Facility	NP	P2	P3
Independent Living Facility	NP	P2	P3
Medical Care Facility			
<i>Educational and residential</i>	NP	P2	P3
<i>Offices and research</i>	P2	P3	P
Transportation			
Transit Facilities	P2*	P3*	P
Utilities			
Utility Facility, Heavy	P2*	P3*	P
Utility Facility, Light			
COMMERCIAL USES			
Animal-Related Services			
Animal Shelter	NP	P3*	P
Kennel			
Pet Grooming Establishment			
Veterinary Hospital			
Food and Lodging			
Bed and Breakfast	P1	P2	P3
Catering	P2	P3	P
Hotel or Motel	P1	P2	P3
Restaurant	P2	P3	P
Restaurant, Carryout			
Restaurant with Drive-through			
Retreat Center	NP	P2	P3
Office and Financial Institutions			
Alternative Lending Institution	P2	P3	P
Drive-through Financial Institution			
Financial Institution			
Office			
Office in a Residential District	<i>See standards for dwellings</i>		
Personal and Business Services			
Business Service	P2	P3	P
Household Repair and Rental Service			

TABLE 3103.1: Noise Compatibility Table For KEY to table, refer to subsection 3103.2.E, <i>Use Limitations</i>			
Use ²⁰³	Noise Impact Areas (DNL dBA)		
	75+	70-75	65-70
Personal Service			
Recreation and Entertainment			
Banquet or Reception Hall	P2	P3	P
Campground	NP	NP	P
Commercial Recreation, Indoor	P2	P3	P
Commercial Recreation, Outdoor	P2*	P3*	P
Entertainment, Adult	P2	P3	P
Entertainment, Public	P2	P3	P
Golf Course or Country Club	P2*	P3*	P
Health and Exercise Facility, Large	P2	P3	P
Health and Exercise Facility, Small	P2	P3	P
Marina, Commercial or Private Noncommercial	P	P	P
Quasi-public Park, Playground, or Athletic Field	P2*	P3*	P
Smoking Lounge	P2	P3	P
Stadium or Arena	NP	NP	p ²⁰⁵
Zoo or Aquarium	NP	P3*	P
Retail Sales			
Convenience Store	P2	P3	P
Drive-through, Other	P	P	P
Drive-through Pharmacy	P2	P3	P
Drug Paraphernalia Establishment	P2	P3	P
Garden Center	P2*	P3*	P
Pawnshop	P2	P3	P
Retail Sales, General	P2	P3	P
Retail Sales, Large	P2	P3	P
Vehicle-Related Uses			
Car Wash	P	P	P
Commercial Off-street Parking	P	P	P
New Vehicle Storage	P2	P3	P
Truck Rental Establishment	P2*	P3*	P
Vehicle Fueling Station	P2*	P3*	P

²⁰⁵ Revised stadium or arena from NP to P in 65-70 for consistency with the Comprehensive Plan.

TABLE 3103.1: Noise Compatibility Table			
For KEY to table, refer to subsection 3103.2.E, <i>Use Limitations</i>			
Use ²⁰³	Noise Impact Areas (DNL dBA)		
	75+	70-75	65-70
Vehicle Repair and Maintenance, Heavy	P2*	P3*	P
Vehicle Repair and Maintenance, Light	P2*	P3*	P
Vehicle Sales, Service, and Rental	P2*	P3*	P
Vehicle Transportation Services	P2*	P3*	P
INDUSTRIAL USES			
Freight Movement, Warehousing, and Wholesale Distribution			
Data Center	P2*	P3*	P
Freight Distribution Hub			
Goods Distribution Hub			
Self-storage			
Warehouse			
Wholesale Facility			
Industrial Services and Extraction of Materials			
Building Materials Storage and Sales	P2*	P3*	P
Contractor's Office and Shop			
Extraction Activities			
Petroleum Products Storage Facility			
Specialized Equipment and Heavy Vehicle Sale, Rental, or Service			
Storage Yard			
Vehicle Storage or Impoundment Yard	P	P	P
Production of Goods			
Craft Beverage Production Establishment	P2*	P3*	P
Production or Processing			
Production or Processing, Heavy			
Small-scale Production Establishment			
Waste and Recycling Facilities			
Junkyard	P	P	P
Mixed Waste Reclamation Facility			
Recycling Center			
Solid Waste Disposal Facility			
OTHER USES			
Alternative Use of Historic Building	<i>See most similar use</i>		

3. Sign Control Overlay District²⁰⁶

A. Purpose

Sign Control Overlay Districts are established in furtherance of [*reference to relocated Sect. 12-101*] by restricting freestanding signs in the intensely developed commercial and industrial areas of the County where there is an increased need to reduce visual clutter, sight distance obstructions, interference with traffic control signals and mechanisms, and where the speed of traffic does not warrant the freestanding signs otherwise permitted by the provisions of [*reference to relocated Article 12*].

B. Administration and Standards

The administration and standards of this Sign Control Overlay District are as provided for in [*reference to relocated Article 12*].

4. Highway Corridor Overlay District²⁰⁷

A. Purpose

To further the purposes set forth in Sections 15.2-2200, 15.2-2283, 15.2-2284 and 15.2-1200 of Va. Code Ann., and to protect and promote the health, safety, and general welfare of the public by the prevention or reduction of traffic congestion or danger in the public and private streets, limitations are placed on certain automobile-oriented, fast service, or quick turn-over uses by the imposition of the Highway Corridor Overlay District.

B. District Boundaries

In lieu of a metes and bounds description, the District boundaries may be described by fixing the points of beginning and end in the centerline of a street and the distance on one or both sides from the centerline to which this district extends.

C. Establishment of Districts

The Board may apply the Highway Corridor Overlay District to the land along any street or highway upon concluding that:

- (1) A major purpose of the street or highway is to carry through traffic; and
 - (2) The construction or utilization of regulated uses would have an adverse impact on level of service; increase danger or congestion in the streets; impair the public health, safety, convenience, and welfare; or impede the maintenance or creation of a convenient, attractive, and harmonious community.
-

D. Use Standards

The following uses are subject to additional standards as contained in [Article 4, *Use Regulations*] when located in a Highway Corridor Overlay District:²⁰⁸

²⁰⁶ From Part 5, Sect. 7-500.

²⁰⁷ From Part 6, Sect. 7-600.

²⁰⁸ The uses in C(1) – (4) will be hyperlinked to their use standards in Article 4.

- (1) Drive-through financial institution;
- (2) Restaurant with drive-through;
- (3) Convenience store; and
- (4) Vehicle fueling station.

5. Water Supply Protection Overlay District²⁰⁹

A. Purpose

Water Supply Protection Overlay Districts are created for the purpose of promoting the public health, safety, and welfare through the protection of public water supplies from the danger of water pollution. Regulations within each overlay district are established to prevent water quality degradation due to pollutant loadings within the watersheds of public water supply reservoirs; to provide for specific review and approval of residential, commercial, industrial and other development proposals that may have adverse water quality impacts; to encourage land uses and activities that will be compatible with water quality protection; and to assure that structures and uses within each overlay district will be developed to serve the health, safety, and welfare objectives of preserving the environmental integrity of public water supply reservoirs.

B. District Boundaries

Water Supply Protection Overlay District boundaries must be drawn to include lands draining into a water supply reservoir.

C. Administration

The Director will be responsible for reviewing all proposed uses to determine if the property to be developed or used is located in the overlay district. If any proposed use is so located, then such use will be subject, as applicable, to the provisions of subsection D below.

D. Use Standards

In addition to the use standards applicable in the underlying zoning district(s), the following use standards will apply:

- (1) Any subdivision that is subject to the provisions of Chapter 101 of The Code or any use requiring the approval of a site plan in accordance with the provisions of [*reference to relocated Article 17*] will provide water quality control measures designed to reduce by one-half the projected phosphorus runoff pollution for the proposed use. Such water quality control measures or Best Management Practices (BMPs) will be reviewed, modified, waived or approved by the Director in accordance with the Public Facilities Manual. The requirement for BMPs may be modified or waived only where existing site characteristics make the provision impractical or unreasonable on-site, an alternative provision is not or cannot be accommodated off-site, and where it can be established that the modification or

²⁰⁹ From Part 8, Sect. 7-800.

waiver will not affect the achievement of the water quality goals for the public water supply watershed as set forth in the adopted comprehensive plan.

- (2)** Any warehouse, production or processing, or heavy production or processing establishment that generates, uses, stores, treats, or disposes of a hazardous or toxic material or waste, as set forth in Title 40, Code of Federal Regulations, Parts 116.4 and 261.30 et seq., must submit the following information with any application for a proposed development or use unless deemed unnecessary by the Director:²¹⁰
 - (a)** A listing of all toxic and hazardous materials and wastes that will be generated, used, stored, treated, or disposed of onsite;
 - (b)** A soils report describing the nature and characteristics of the soils covering the site;
 - (c)** A description of surface and groundwater characteristics of the site and the surrounding area within 300 feet of site boundaries; and
 - (d)** A description of all spill prevention, containment, and leakage control measures proposed by the applicant for all toxic and hazardous materials and wastes generated, used, stored, treated, or disposed of on the site.
- (3)** All required information will 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 may furnish a copy of the application and information to the Virginia Department of Environmental Quality and other appropriate agencies.

²¹⁰ Revised to reflect new use names.

Article 9: Definitions

9100. Terms of Measurement

Bulk Regulations

Regulations controlling the size of structures and the relationship of structures and uses to each other and to open areas and lot lines. Bulk regulations include provisions controlling (a) maximum building height, (b) maximum floor area ratio, and (c) setback requirements .

Density

The number of dwelling units per acre, except in the PRC District where it means the number of persons per acre.

Floor Area, Gross

The sum of the total horizontal areas of the several floors of all buildings on a lot, measured from the interior faces of exterior walls. Gross floor area includes basements; elevator shafts and stairwells at each story; floor space used for mechanical equipment with structural headroom of six feet, six inches or more; penthouses, except as qualified below; attic space, whether or not a floor has actually been laid, providing structural headroom of six feet, six inches or more; interior balconies; and mezzanines.

Gross floor area does not include cellars; outside balconies that do not exceed a projection of six feet beyond the exterior walls of the building; parking structures below or above grade; rooftop mechanical equipment; penthouses enclosing only mechanical equipment; or enclosed or structural walkways designed and used exclusively for pedestrian access between buildings or parking structures; and floor space created incidental to the replacement of an existing building façade.

Floor Area, Net

The sum of the total horizontal areas of the several floors of all buildings on a lot, measured from the interior faces of exterior walls and from the center line of walls separating two or more buildings. The term 'net floor area' will include outdoor display areas for the sale, rental and display of recreational vehicles, boats and boating equipment, trailers, horticultural items, farm or garden equipment and other similar products, but exclude areas designed for permanent uses such as toilets, utility closets, malls (whether or not they are enclosed), truck tunnels, enclosed parking areas, meters, rooftop mechanical structures, mechanical and equipment rooms, public and fire corridors, stairwells, elevators, escalators, and areas under a sloping ceiling where the headroom in 50 percent of that area is less than six feet, six inches. For purposes of determining off-street parking requirements, the term 'net floor area' will include cellars used exclusively for storage.

Floor Area Ratio

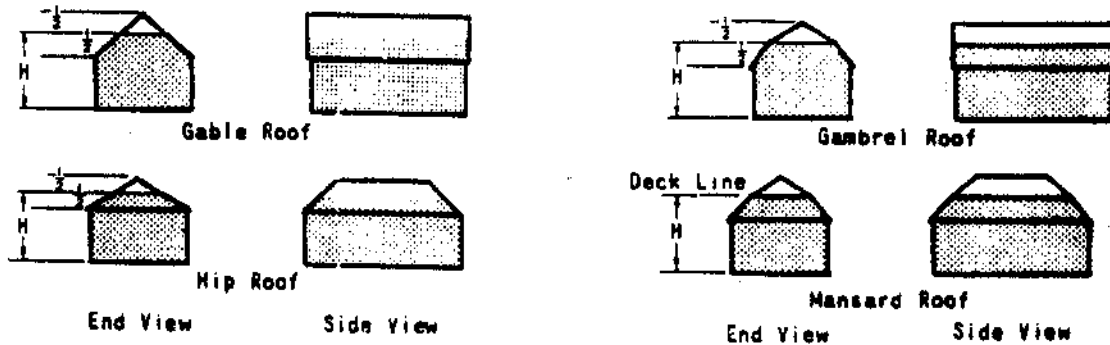
Determined by dividing the gross floor area of all buildings on a lot by the area of that lot.

Height, Building

The vertical distance to the highest point of the roof for flat roofs; to the deck line of mansard roofs; and to the average height between eaves and the ridge for gable, hip and gambrel roofs measured from the curb level if the building is not more than ten feet distant from the front lot line, or from the grade in all other cases.²¹¹

²¹¹ Illustration carried forward from Appendix 2 but will be updated prior to adoption.

A2-4

ILLUSTRATION 2**BUILDING HEIGHT****Lot**

For the purpose of this Ordinance, a parcel of land that is designated at the time of application for a special permit, a special exception, building permit, residential use permit, or non-residential use permit, as a tract all of which is to be used, developed, or built upon as a unit under single ownership. A parcel of land will be deemed to be a lot in accordance with this definition, regardless of whether or not the boundaries thereof coincide with the boundaries of lots or parcels as shown on any map of record.

Lot Area

The total horizontal area included within the lot lines of a lot.

Lot, Corner

A lot at the junction of and abutting on two or more intersecting streets when the interior angle of intersection does not exceed 135 degrees; provided, however, that when one of the intersecting streets is an interstate highway, the resultant lot is not be deemed a corner lot.²¹²

Lot Coverage

Determined by dividing that area of a lot that is occupied or covered by the total horizontal projected surface of all buildings, including covered porches and accessory buildings, by the gross area of that lot.

Lot, Interior

Any lot, including a through lot, other than a corner lot.

Lot Line²¹³

Any boundary line of a lot as defined in this Article . Where applicable, a lot line must coincide with a Street Line. Where a lot line is curved, all dimensions related to said lot line will be based on the chord of the arc.

Lot Line, Front

A street line that forms the boundary of a lot; or, in the case where a lot does not abut a street other than by its driveway, or is a through lot, that lot line that faces the principal entrance of the main building.

²¹² A new graphic of a corner lot, identifying the interior angle of intersection will be added.

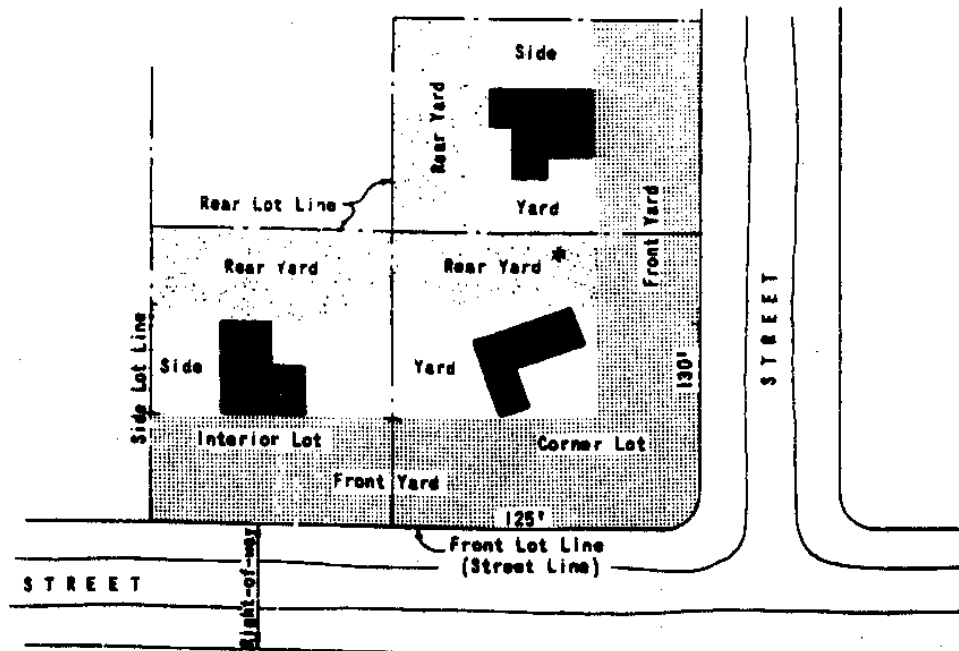
²¹³ Revisions to this definition are being considered as part of a separate pending amendment.

On a corner lot, the shorter street line will be deemed to be the front lot line, regardless of the location of the principal entrance or approach to the main building. (Reference Illustration 3 in Appendix 2)

Lot Line, Rear

That lot line that is most distant from, and is most nearly parallel with, the front lot line. If a rear lot line is less than ten feet in length, or if the lot comes to a point at the rear, the rear lot line is deemed to be a ten foot line parallel to the front lot line, lying wholly within the lot for the purpose of establishing the required minimum rear yard. (Reference Illustration 3 in Appendix 2)²¹⁴

ILLUSTRATION 3
LOT LINES AND YARDS



*For single family detached dwellings in the R-E through R-8 districts the minimum required rear yard on a corner lot may equal but shall not be less than the minimum side yard requirement for the district.

Lot Line, Side

A lot line that is neither a front lot line nor a rear lot line as defined Article. (Reference Illustration 3 in Appendix 2)

Lot, Outlot

Any lot, except as provided for under [reference to relocated Sect. 2-405], that does not comply with the current minimum lot width, lot area or shape factor requirements of the district in which located; or does not comply with the frontage provisions of Chapter 101 of The Code (Subdivision Ordinance).

Lot, Pipestem

A lot approved in accordance with the provisions of [reference to relocated Sect. 2-406] that does not abut a public street other than by its driveway that affords access to the lot.

²¹⁴ Illustration carried forward from Appendix 2 but will be updated prior to adoption. Reference to minimum required rear yard will be revised to match updated terminology.

Lot, Reverse Frontage

A residential through or corner lot, intentionally designed so that the front lot line faces a local street rather than facing a parallel major thoroughfare.

Lot Size Requirements

Restrictions on the dimensions of a lot, to include a specified zoning district size, lot area and lot width, all established to limit the minimum size and dimension of a lot in a given zoning district.

Lot, Through

An interior lot, but not a corner lot, abutting on two or more public streets, but not including an alley. For the purpose of this Ordinance, a through lot will be subject to the regulations of an interior lot.

Lot Width²¹⁵

The width of a lot along a line parallel to the front street line and lying at a distance from said street line equal to the required minimum front yard on said lot. In the case of a lot that has an area in excess of five acres, the width may be measured at any point where the minimum lot width is at least 200 feet, provided that the chosen point will also be where the front yard is established by location of the principal structure.

Open Space²¹⁶

The area of a lot intended to provide light and air, and is designed for scenic or recreational purposes. Open space must, in general, be available and accessible by the residents or occupants of the development. Open space may include features such as lawns, decorative planting, walkways, active and passive recreation areas, children's playgrounds, fountains, swimming pools, undisturbed natural areas, community gardens, wooded areas, water bodies, and those areas where landscaping and screening are required by the provisions of *[reference to relocated Article 13]*. Open space does not include driveways, parking lots, or other vehicular surfaces, any area occupied by a building, nor areas so located or so small as to have no substantial value for the purposes stated in this definition. Within a residential subdivision, open space is composed of only those areas not contained in individually owned lots. Open space includes and qualifies as landscaped open space, common open space, dedicated open space, and usable open space, all as defined in this Ordinance.

Open Space, Common

Open space that is designed and set aside for use and enjoyment by residents of a development. Common open space includes those areas not to be dedicated as public lands but are to remain in the ownership of a homeowners association or of a condominium in accordance with the provisions set forth in *[reference to relocated Part 7 of Article 2]*.

Open Space, Dedicated

Open space that is to be dedicated or conveyed to the County or an appropriate public agency, board, or body for public use as open space.

Open Space, Landscaped

Open space that is designed to enhance the development by providing landscaping features, screening for the benefit of the occupants or those in neighboring areas, or a general appearance of openness. Landscaped open space may include lawns, decorative plantings, flower beds, sidewalks/walkways, ornamental objects such as fountains, statues, and other similar natural or artificial objects, wooded areas, and water courses, which are designed and arranged to produce an aesthetically pleasing effect within

²¹⁵ Revisions to this definition are being considered as part of a separate pending amendment.

²¹⁶ Carried forward from recently adopted ordinance ZO-19-481, revised for clarity.

the development. Landscaped open space may be either common open space or dedicated open space as defined in this Ordinance.

Open Space, Usable

Open space that is designed for recreational purposes including such uses as athletic fields and courts, swimming pools, golf courses, playgrounds, boating docks, and walking, bicycle or bridle trails.

Shape Factor

A shape factor is designed to prevent the creation of irregularly shaped lots by providing a measurement by which the compactness and degree of regularity of the shape of a lot can be evaluated. Shape factor (SF) will be the non-dimensional ratio of the lot perimeter (P) squared, divided by the lot area (A), where P and A are derived from the same unit measurement. Typically the measurement will be provided in feet. The mathematical formula to determine the shape factor of a lot is $SF = (P^2/A)$.

Setback²¹⁷

The minimum distance a building or structure must be separated from the lot lines and public streets. Setbacks are specified as front, side, and rear, and are located within the corresponding yards.

Yard, Front²¹⁸

A yard extending across the full width of a lot and lying between the front lot line and the principal building.

- (1) On a corner lot, the two yards lying between the principal building and the intersecting streets are both be deemed to be front yards.
- (2) On a through lot, the two yards lying between the principal building and the two or more public streets are deemed to be front setbacks and will be controlled by the provisions for same, except as qualified in [*reference to relocated Sect. 2-413*] for residential lots having reverse frontage, and except in those instances where one of the public streets is an alley.
- (3) On a pipestem lot or a lot abutting a pipestem driveway, any yard contiguous to the pipestem driveway will be deemed to require a front setback and will be subject to the provisions of [*reference to relocated Sect. 2-416*].

Yard, Side

The yard between the side lot line of the lot and the principal building and extending from the front setback line to the rear setback line, or, in the absence of either a front or rear setback line, to the front or rear lot lines.

Yard, Rear

The yard extending across the full width of the lot and lying between the rear lot line of the lot and the principal building group. On a corner lot, the rear yard will be on the opposite side of the building from the front lot line, and extends from the front setback line on the one side to the opposite side lot line.

²¹⁷ New definition. The rear setback for corner lots in the R-E through R-8 Districts has been revised to no longer permit the rear setback to be equal to the minimum dimension of the side setback requirements of the district, and these standards may be relocated to the dimensional standards in the new Article 5: Development Standards with subsequent drafts.

²¹⁸ Qualifications ((1) through (3)) should be relocated to the dimensional standards in the new Article 5: Development Standards.

Street Line

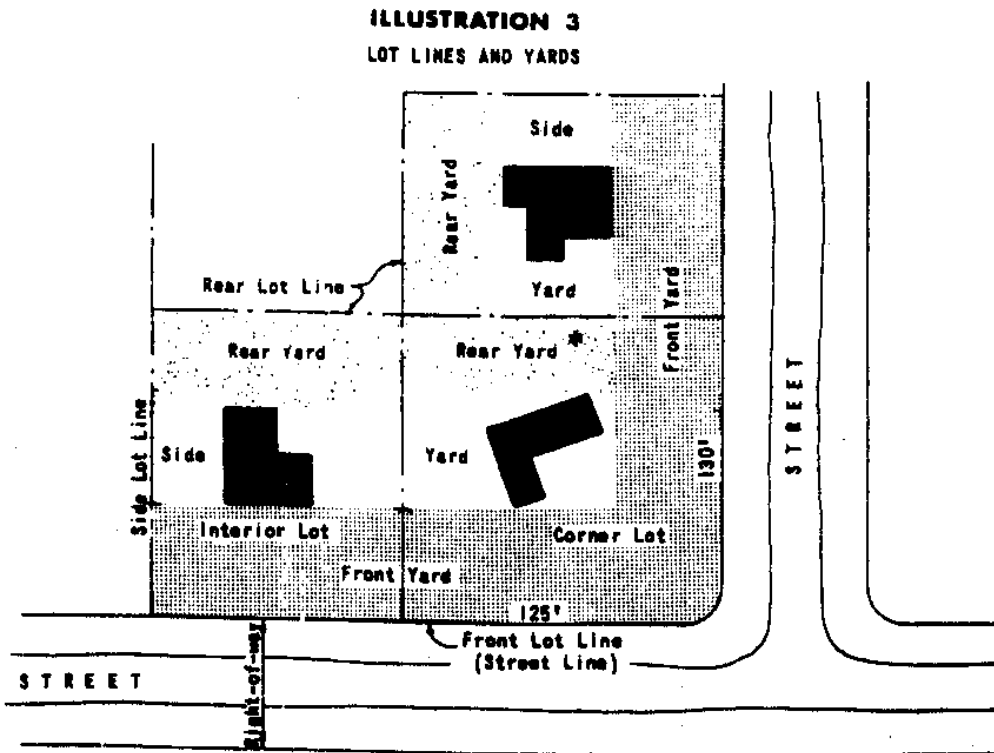
The dividing line between a street and a lot; same as a right-of-way line of a public street, or the curb line of a parking bay, travel lane or private street.

Yard²¹⁹

Any open space on the same lot with a building or building group lying between the building or building group and the nearest lot line, unobstructed from the ground upward and unoccupied except by specific uses and structures allowed in that open space by this Ordinance.

Yard, Privacy

A small area contiguous to a building and enclosed on at least two sides with either a wall or fence of six feet minimum height.²²⁰



*For single family detached dwellings in the R-E through R-8 districts the minimum required rear yard on a corner lot may equal but shall not be less than the minimum side yard requirement for the district.

²¹⁹ Did not carry forward second half of this definition: "On any lot which is occupied by an attached dwelling, no minimum required yard shall be occupied by any part of a vehicular travel way or parking space that is owned and maintained by a homeowner's association, condominium, or by the public. For the purpose of this Ordinance, there shall be a distinction between 'yard' and 'minimum yard required'. The minimum yard requirements set forth in this Ordinance represent that minimum distance which the principal building(s) shall be set back from the respective lot lines." This was combined with the new definitions for "setbacks."

²²⁰ Illustration carried forward from Appendix 2 but will be updated prior to adoption. Reference to minimum required rear yard will be revised to match updated terminology.

9101. All Other Terms Defined

Abut or Abutting²²¹

Bordering or touching, such as sharing a common lot line.

Basement

A portion of a building partly underground but having less than one-half ($\frac{1}{2}$) its clear height below the grade plane. For purposes of administering the floodplain regulations contained in [reference to relocated Part 9 of Article 2], a basement as defined in [reference to relocated Sect. 2-906].

Building

Any structure used or intended for supporting or sheltering any use or occupancy.

Building, Principal

A building in which is conducted the primary use of the lot on which it is situated.

Cellar

The portion of a building partly underground, having one-half ($\frac{1}{2}$) or more than one-half ($\frac{1}{2}$) of its clear height below the grade plane. For purposes of administering the floodplain regulations contained in [reference to relocated Part 9 of Article 2], a basement will include cellar as defined in [reference to relocated Sect. 2-906].

Phase I Archaeological Survey

An archaeological investigation conducted by a qualified archaeological consultant meeting the Professional Qualification Standards established by the Secretary of the Interior to locate and identify archaeological sites in a survey area; to estimate site size and boundaries of the archaeological site; to provide an explanation as to how the estimate was made; and to make recommendations for additional archaeological work or recommendations that no further work is required.

Planned Development²²²

Any lot under one ownership to be developed as a single entity and classified as a Planned (P) District.

Principal Building

A building in which the primary use of the lot on which the building is located is conducted.

Subdivision

The land subdivided as defined in Chapter 101 of The Code, The Subdivision Ordinance, and when appropriate to the context, the process of subdividing or resubdividing.

Subdivision, Cluster

An alternate means of subdividing a lot in the R-C, R-E, R-1, R-2, R-3, and R-4 Districts premised on the concept of reducing lot size requirements for the provision of common open space within the development, all in accordance with the provisions of [reference to relocated Sections 2-421 and 9-615] as applicable.

Subdivision, Conventional

The subdivision of a lot in the R-E, R-1, R-2, R-3, and R-4 Districts in accordance with the lot size requirements and bulk regulations specified in the district regulations.

²²¹ New definition.

²²² Revised to specify “planned” versus simply “P.”