



PLANNING & DEVELOPMENT

Community Presentation

Braddock District Council
January 2024



Topics For Discussion



1. Comprehensive Plan

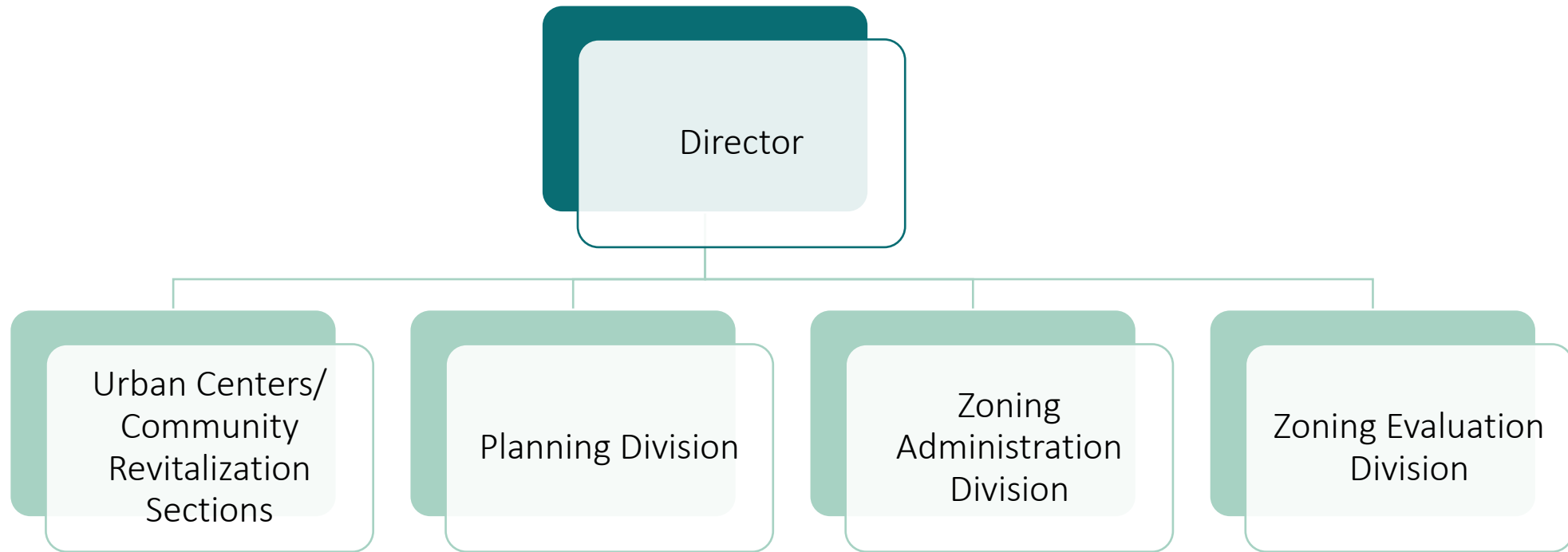


2: Zoning Ordinance



3: Code Compliance

Department of Planning and Development



<https://www.fairfaxcounty.gov/planning-development/>

Comprehensive Planning vs Zoning Ordinance

Comprehensive Plan

- Guide – Recommendations
- Provides general policies regarding
 - Land use
 - Housing
 - Transportation
 - Public facilities
 - Environmental protections
 - Heritage resources
 - Parks

Zoning Ordinance

- Law – Regulations
- Implements the Plan
- Identifies uses and standards
- Intensity/Density
- Bulk standards
 - Setbacks
 - Height
 - Open space

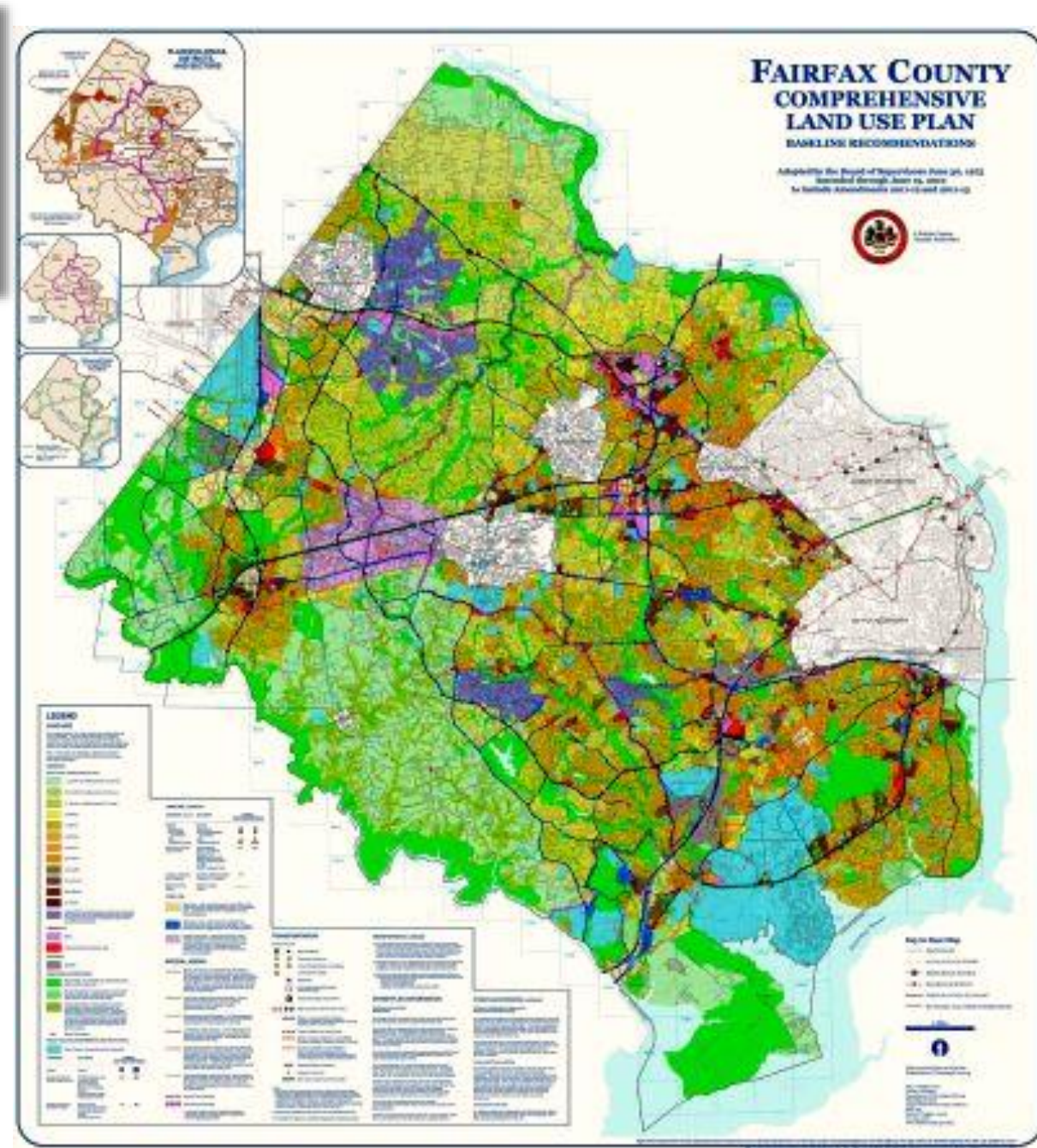
Proposals to rezone property are evaluated for conformance with the Comprehensive Plan

Comprehensive Plan

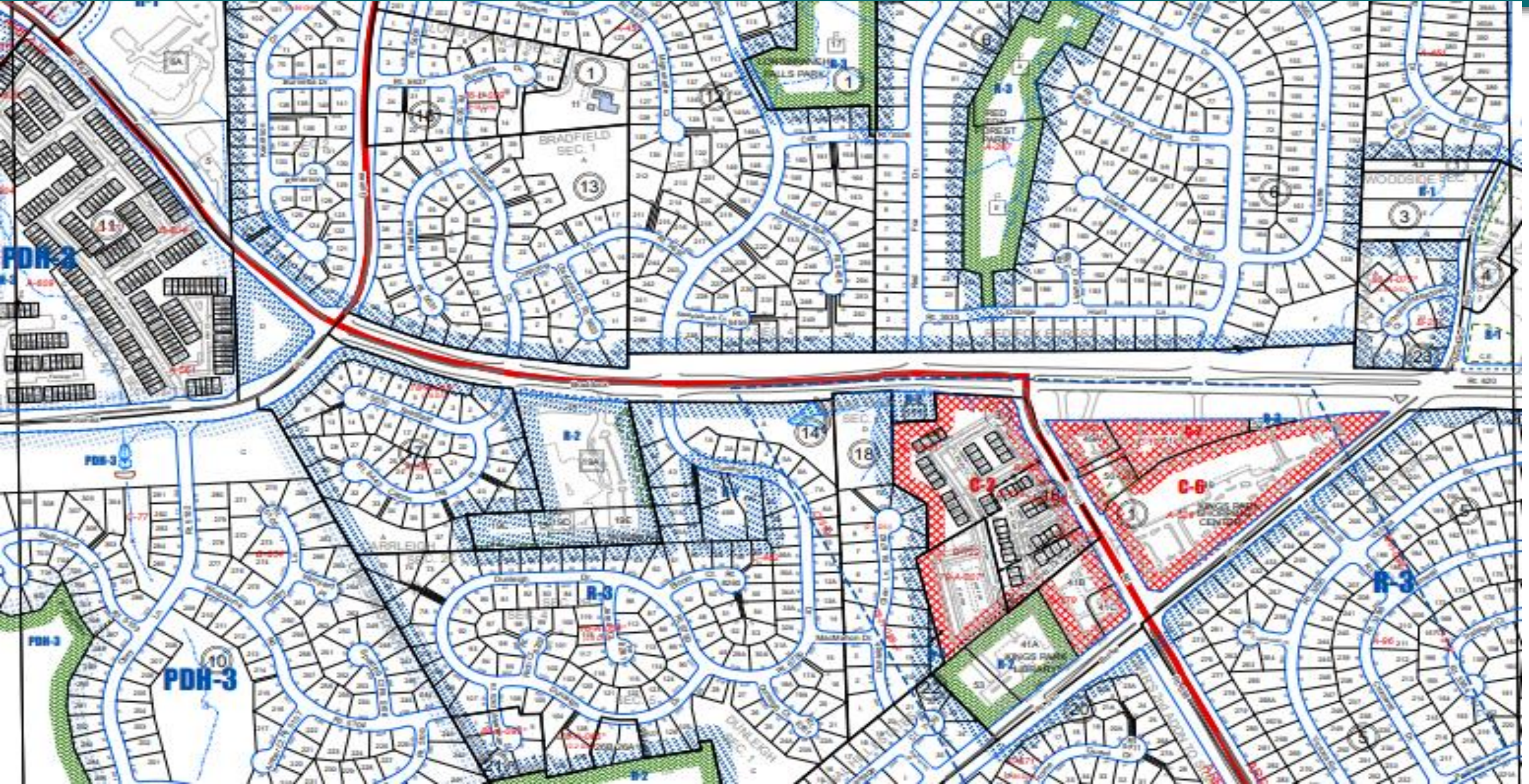
Sets forth community's vision

Required by the Code of Virginia

Contains recommendations and
is NOT law



What is Zoning?



Zoning Districts

Residential

(R-2, Residential, Two DU/AC)

Commercial

(C-8, Highway Commercial)

Industrial

(I-4, Medium Intensity Industrial)

Planned

(Planned Development Commercial)

Overlay

(Highway Corridor)

TABLE 4101.1: Use Table for Residential, Commercial, and Industrial Districts

P = permitted; SE = special exception; SP = special permit; blank cell = not allowed

A = allowed as accessory use only; A+ = permitted as an associated service use; AP = allowed with approval of administrative permit

Use	Residential Districts														Commercial Districts								Industrial Districts						Use-Specific Standards NOTE: General Standards also apply
	R-A	R-C	R-E	R-1	R-2	R-3	R-4	R-5	R-8	R-12	R-16	R-20	R-30	R-MHP	C-1	C-2	C-3	C-4	C-5	C-6	C-7	C-8	I-1	I-2	I-3	I-4	I-5	I-6	
Residence Hall			SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	4102.3.F	

PUBLIC, INSTITUTIONAL, AND COMMUNITY USES

Community, Cultural, and Educational Facilities: uses generally of a public, quasi-public, nonprofit, or charitable nature providing a local service (e.g., cultural, educational, recreational, counseling, training, religious) directly to people of the community

Adult Day Support Center				SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	P	P	P	P	P	P	P	P	P	P	P	P	P SE	P SE	P SE	P SE	P SE	P SE	4102.4.A			
Alternate Use of Public Facility		SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE		SE	SE	SE	SE	SE	4102.4.B			
Child Care Center				SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	P SE	P SE	P SE	P SE	P SE	P SE	4102.4.C 4102.1.G			
Club, Service Organization, or Community Center		SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	P	P	P	P							SE	SE	SE	SE	SE	SE	4102.4.D

Special Permits

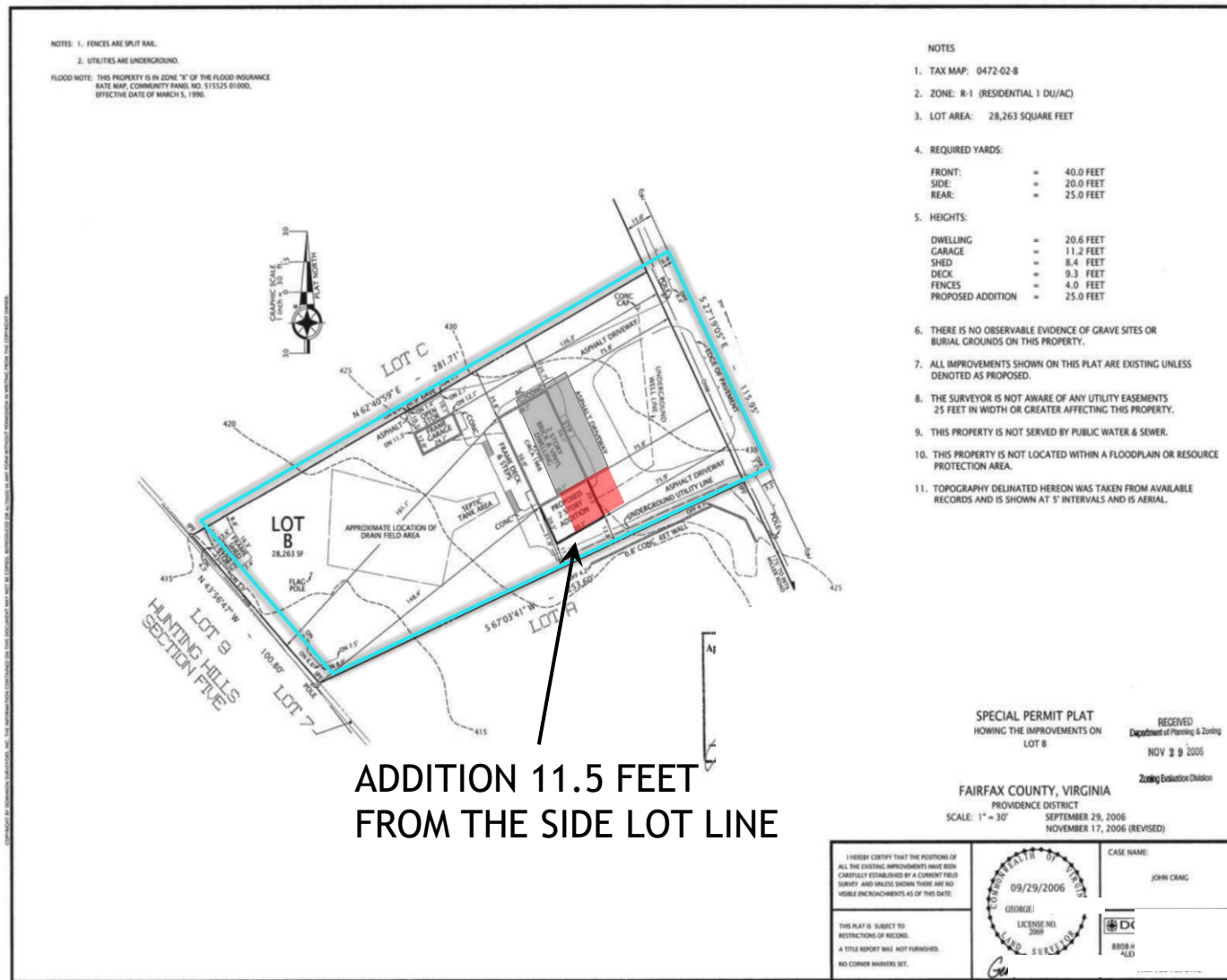
Special Exceptions

Application Types

Variances

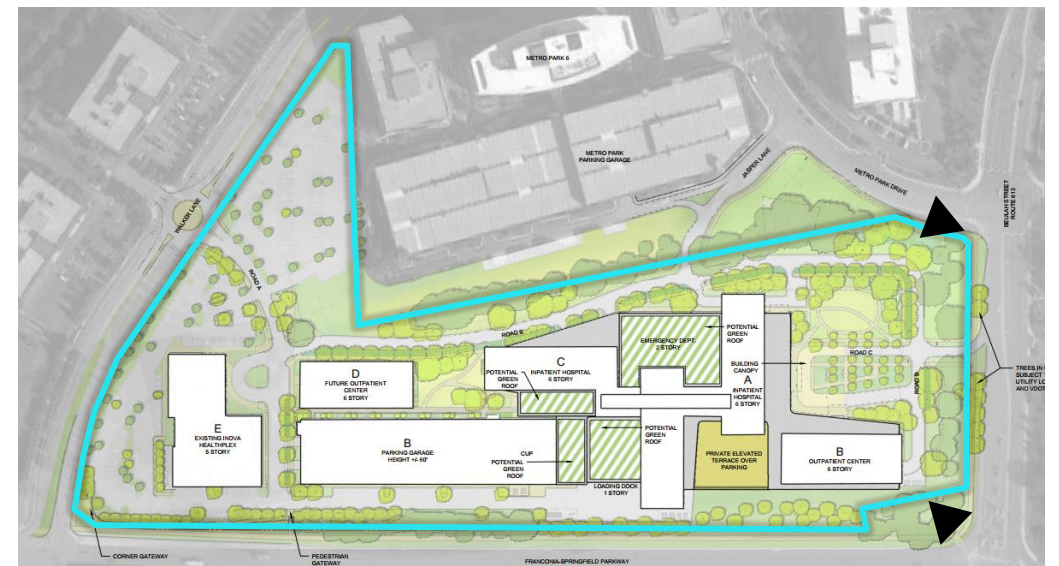
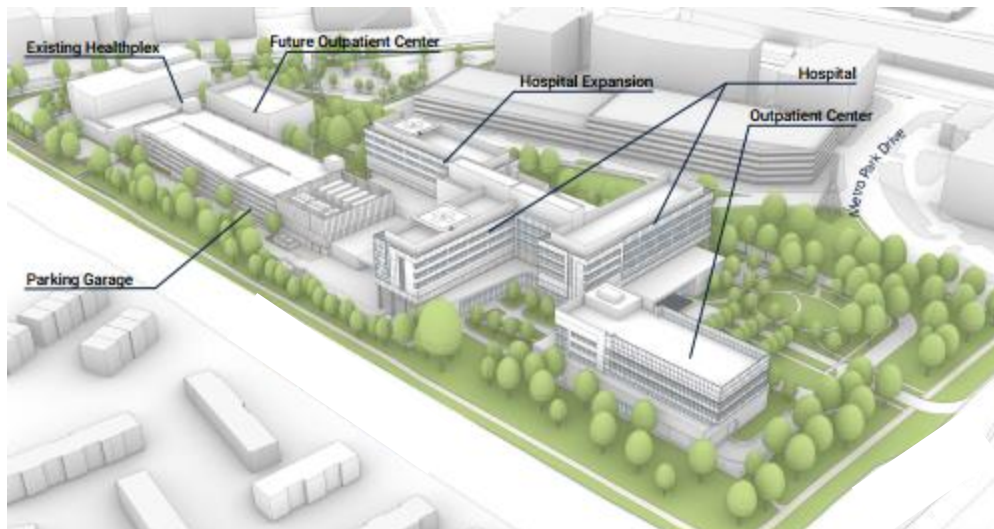
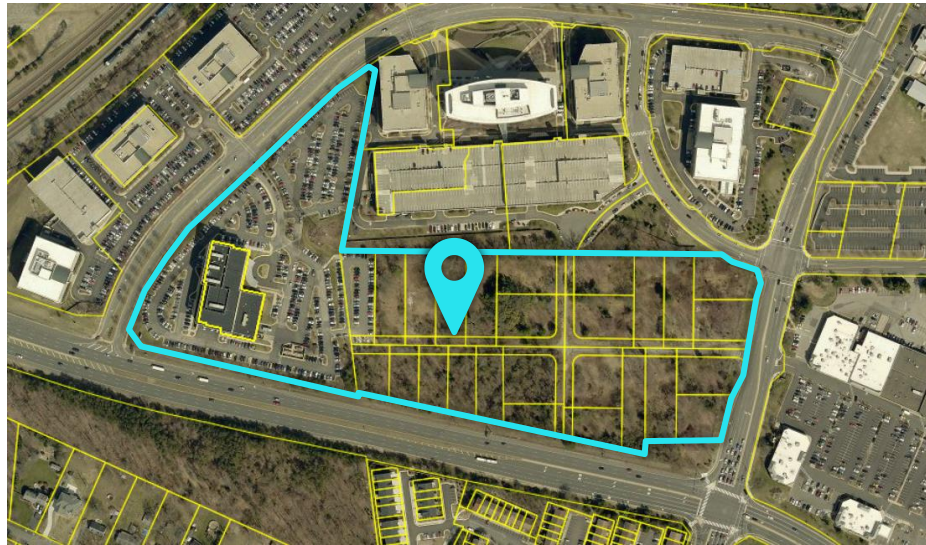
Rezoning

Special Permits



ADDITION 11.5 FEET FROM THE SIDE LOT LINE

Rezoning



Accessory Living Units

Topic	Standards
Age/Disability	No age/disability requirement
Size	Interior: Up to 800 SF or 40% of the dwelling, whichever is less (increased size with Special Permit); or entirety of basement/cellar existing as of 5/10/23 Detached: 1,200 SF (with Special Permit)
Approval Process	Interior: Administrative Permit if meet all standards; SP to modify size, access/entrance, or parking standards Detached: Special Permit
Size of Lot	Detached with 2+ acres
Owner-occupied	Yes - owner must live in the principal unit or in the ALU
Max # of People	Up to two bedrooms and two people in the ALU

Accessory Living Units

Topic	Standards
Parking	Interior by Administrative Permit: 1 additional space (total of 3 or 4 spaces) Detached: Determined by the BZA
Renewal	Initial renewal in 2 years, subsequent up to 5 years based on compliance
Entrances	Location on side or rear applies to new entrances Interior: Any proposed garage/carport must be located adjacent to any existing garage/carport and use the same driveway; modification of standards may be approved by SP

Home Based Businesses

Topic	Standards for HBB
Customers	AP: 4/time, 8/day with instructional uses only SP: determined by BZA (any HBB use except retail and production)
Employees	AP: 1 in SFD; 0 in all other dwellings SP: can request more employees or work hours
Size	AP: 400 SF SP: can request larger area
Parking	1 designated off-street parking space
Fee	AP: \$100; SP: \$435

Free Standing Accessory Structures

Up to 8.5 Feet
Anywhere in the
side or rear yard



**Greater than 8.5
feet to 12 Feet**
5-foot setback
from
side and rear



**Greater than 12
Feet**
Must meet side
setback and
distance in height
from rear



Free Standing Accessory Structures

New regulations apply to enclosed freestanding accessory structures on lots 36,000 SF in size or less with single-family dwellings:



- Maximum height is 20 feet
- Cumulative maximum size of all enclosed accessory structures on a lot is limited to 50% of the size of the principal structure

**These limitations may be exceeded with special permit approval*

Decks and Patios

Open decks and patios for detached homes

- Encroachments **based on height of deck/patio**
 - At grade (8 inches or less)
 - May encroach into any side or rear yard
 - Less than 4 feet in height
 - Front: 6 feet but not closer than 14 feet
 - Side: 5 feet but not closer than 5 feet
 - Rear: 20 feet but not closer than 5 feet
 - Greater than 4 feet
 - 12 feet into rear yard but no closer than 5 feet
- Lattice (privacy screens)
 - Permitted below the deck for a deck of any height
 - Up to 8.5 feet in height is permitted above the deck extending from two sides of the dwelling and may include features such as:
 - Pergolas
 - Trellises
 - Overhanging planters up to 8.5 feet in height and 3 feet wide



Group Residential Facility

Sect. 15.2-2291 of the Code of Virginia and The Zoning Ordinance

- Considered residential occupancy by a single household
- No conditions more restrictive than those imposed on residences may be imposed
- Population served
 - Eight mentally ill, intellectually disabled, or developmentally disabled persons
 - Eight persons who are aged, infirm, or disabled
 - Eight persons with disabilities
- Licensed by Department of Behavioral Health and Developmental Services (VDBHDS) or Department of Social Services (VDSS)

Resources

- **Zoning Ordinance**
<https://online.encodeplus.com/regs/fairfaxcounty-va/>
- **Fairfax County Planning & Development**
www.fairfaxcounty.gov/planning-development
- **Comprehensive Plan**
www.fairfaxcounty.gov/planning-development/comprehensive-plan/plan-areas
- **Mailing list**
www.fairfaxcounty.gov/maillinglist



ZAD: (703) 324-1314



ZAD: ordadmin@fairfaxcounty.gov



DEPARTMENT OF CODE COMPLIANCE

***January 17, 2024
Braddock District Council***



Department of Code Compliance (DCC) Overview

- Mission: to promote, protect and maintain a healthy and desirable living environment in Fairfax Co.
- Created in 2010 to combine multiple disciplines (enforcement of zoning, building, property maintenance)
- Except for signs in ROW, operates on a reactive complaint-basis



Fairfax County
Department of Code Compliance (DCC)
Who are we and what do we do?



What is compliance? How does it work?

Compliance means following the rules and regulations that apply to properties in the County. DCC responds to reports of code violations and prioritizes cases where there is danger to the health and safety of the public.



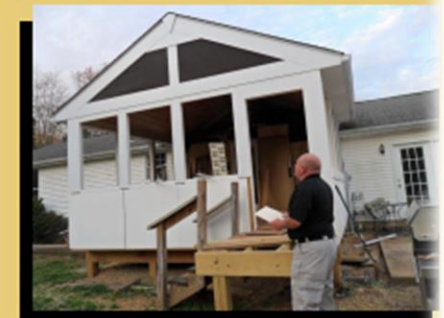
What rules should I know about?

DCC handles various code violations, such as: zoning; property maintenance & fire safety; construction without approval; tall grass; bamboo; noise; and illegal signs in the roadway.

What happens during an investigation?

Reports are received and assigned to investigators. If problems need to be fixed, we issue a "Notice of Violation," or NOV, which says what needs to be done by a deadline.

We work with the community to seek solutions and compliance. However, refusal to comply may result in legal actions.



Contact Us



We are here to help – if you have questions, want to make a report, or if you are the subject of enforcement and need to contact us. You can report problems online, reach us via email (codecompliance@fairfaxcounty.gov), phone (703-324-1300 / TTY 711), or visit us in person.

Fairfax County Department of Code Compliance
12055 Government Center Parkway Suite 1016, Fairfax, VA 22035



To request this information in an alternate format, contact the Department of Code Compliance.
This Fairfax County, VA Publication (published 2023) summarizes a few regulations. See relevant codes for specific requirements.

Rules we enforce

Zoning

Outdoor Storage in residential areas must not be in any front yard and can't exceed 100 sq. ft.



Rules we enforce

Zoning

Exceeding Occupancy Limits is often the result of unpermitted second kitchens or rental units.



Rules we enforce

Zoning

Buildings and structures can't exceed size limits or be placed in required yards and setbacks.



Rules we enforce

Property Maintenance

Failing and unsafe structures includes unmaintained exterior and interior features of a property



Rules we enforce

Property Maintenance

Hoarding is a disorder induced problem that creates unsafe and unsanitary living conditions



Before



After

Rules we enforce

Unpermitted Construction

Construction without permits is common, and these projects come in all shapes and sizes



Rules we enforce

Illegal Signs in the Right-of-Way

Illegal Sign Removal is DCC's only proactive inspection program, covering 99 roads throughout the County



Rules we enforce

Vegetation - Tall Grass & Bamboo

The Vegetation Ordinance requires properties under ½ acre to keep grass under 12 inches



Rules we enforce

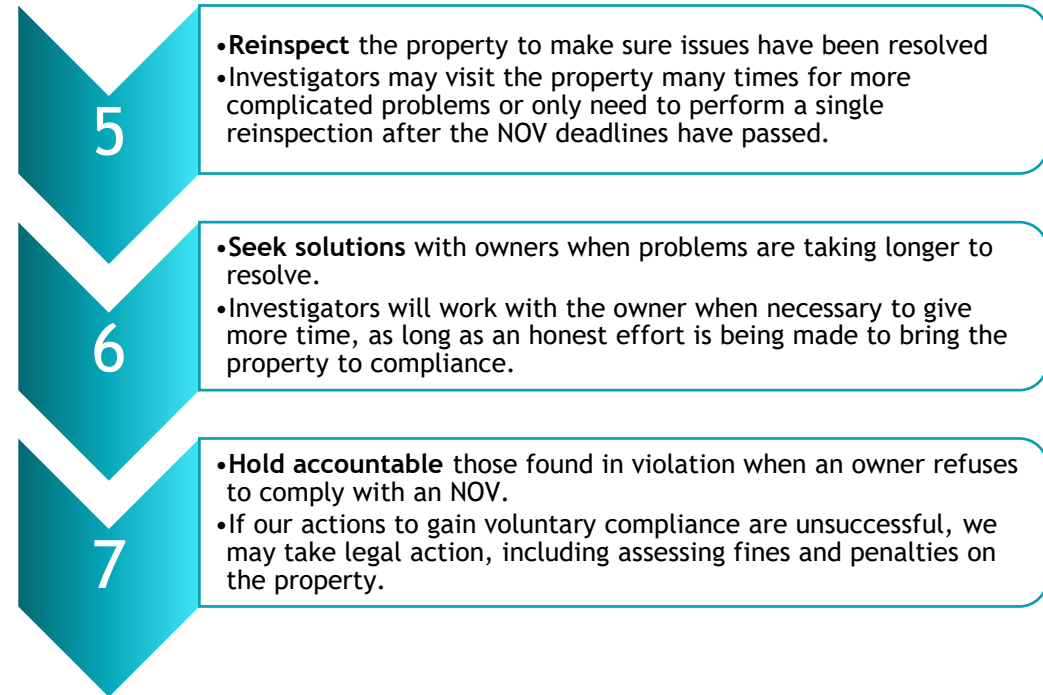
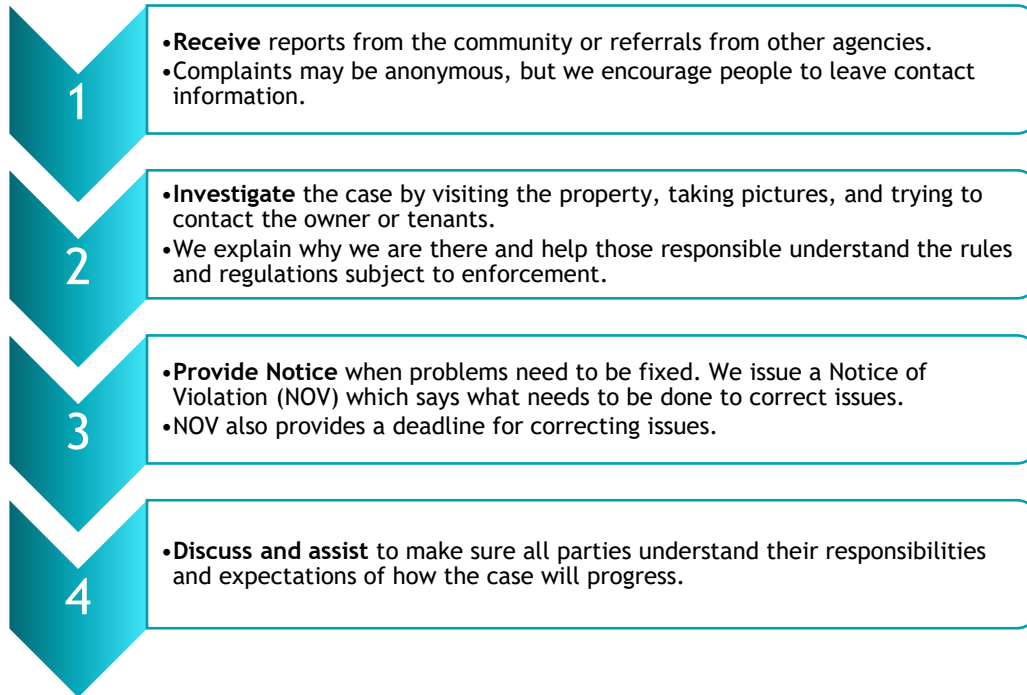
Vegetation - Tall Grass & Bamboo

Bamboo is prohibited from encroaching beyond property boundaries



What to expect from DCC

Steps to an Investigation



Trends and Initiatives

Equity and Inclusion



- **2024 Updated Equity Guiding Statement:** Through education, outreach, community partnerships, and seeking voluntary compliance, the Department of Code Compliance (DCC) will provide responsive enforcement actions and informational resources so that all members of the community may enjoy a healthy and desirable living environment.
- **Recognizing Challenges**
 - **Complaint-based enforcement** carries risks of discriminatory motivation and relies upon those who know how, or are willing, to submit complaints.
 - **Lack of knowledge** of local codes and ordinances that apply to properties in the County, and which may be difficult to understand.
 - **Reliance on agency partnerships** for subject matter expertise and authority means DCC has a culture of reactive vs. proactive engagement.
- **Establishing Goals and Opportunities**
 - Improve communications; Support staff training and development; and Evaluate casework with an equity lens

Trends and Initiatives

Communications & Public Engagement

- **Code Compliance Corner:** Monthly outreach “newsletter” available on our website and distributed to Board of Supervisors.

<https://www.fairfaxcounty.gov/code/news-and-information> Please share!

Proactive Engagement through larger Countywide events and targeted activities, using shared resources and County partnerships.

- **Updating existing materials and using new media**
 - Refreshing website to make content more accessible and easier to understand for all audiences. Concise, approachable messaging.
 - New look flyers and handouts
 - Logo(s), graphics, and language
- **Continuous assessment** and looking for public feedback to help guide our agency

Questions?

Contact:

Ben Aiken

Deputy Director

Fairfax County Department of Code Compliance

Direct 703-324-3807 or email benjamin.aiken@fairfaxcounty.gov

Cell 571-585-7690

12055 Government Center

Need to file a report?

Online using PLUS (QR)

Contact us at 703-324-1300

or email codecompliance@fairfaxcounty.gov

