Zoning #324

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ADOPTION OF AN AMENDMENT TO
CHAPTER 30 (ZONING)
OF THE 1961 CODE OF THE COUNTY
OF FAIRFAX, VIRGINIA, AS AMENDED

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Room in the Massey Building, at Fairfax, Virginia, on Monday, December 5, 1977, the Board after having first given notice of its intention so to do, in the manner prescribed by law, adopted an amendment to Chapter 30 (Zoning)(RPC District), of the 1961 Code of the County of Fairfax, Virginia, as amended, said amendment so adopted being in the words and figures following, to-wit:

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY:

Amend Chapter 30 (Zoning) Article II (Districts established), Section 30-2.2.2 (Schedule of Regulations) by deleting the RPC District in its entirety and substituting in lieu thereof the following:

EXHIBIT 6

RESIDENTIAL PLANNED COMMUNITY (RPC) DISTRICT

A. Purpose and Intent

The RPC District is established to permit the development of planned communities on a minimum of 750 contiguous acres of land under one ownership or control. Such planned communities shall be permitted only in accordance with a comprehensive plan, which plan, when approved, shall constitute a part of the adopted comprehensive plan of the County and shall be subject to review and revision from time to time.

The RPC 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 all of his 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 man-made 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 which can be accommodated by the timely provision of public utilities, facilities and services.

To these ends, rezoning to and development under this district will be permitted only in accordance with a comprehensive plan and development plan prepared and adopted in accordance with the provisions of Article 15.

limited to: miniature golf courses; swimming pool; and tennis facilities.

7. Culture and civic centers and exhibition halls.

8. Educational facilities.

9. Heliports

10. Hotels/motels, including necessary facilities to accommodate conventions and large meetings.

11. Offices

12. Retail establishments designed to serve the people using the center.

F. In those areas approved for industrial use on the adopted comprehensive plan of the planned community, all uses allowed in the I-I, I-S, I-P and I-L Districts shall be permitted subject to the provisions of those districts. Upon request for industrial use zoning such area shall be zoned I-I, I-S, I-P, or I-L respectively. Industrial areas shall not be included in the RPC District nor be subject to the requirements thereof.

G. Supplemental Regulation

1. Uses in a RPC District shall be permitted only in those areas as designated on the approved development plan, or in those areas as may be approved under Column 2 below.

2. The standards set forth in Section 30-7 will be used as a guide in considering all uses annotated above as a Group use. However, hospitals and institutions primarily for the purpose of providing intensive special care for drug, liquor, mental, psychotic, epileptic or feebleminded patients, or persons suffering from communicable diseases, and the like shall be subject to the review procedures of Section 30-7.2.5.1.4.1(f).

3. In areas approved for low density residential uses, no multi-family dwellings shall be allowed.

4. Where commercial and residential uses are located in the same building, there shall be separate exterior entrances for the two uses.

5. In all commercial centers, all business, service, storage and display of goods shall be conducted within a completely enclosed building, except those

particular uses which by their nature must be conducted outside a building.

6. Signs shall be permitted in accordance with the provisions of Section 30-16, and where there is an interpretation needed on the appropriate provisions that are applicable in a neighborhood convenience center, village center, town center or convention/conference center, such shall be made by the Zoning Administrator. Minor exceptions from the provisions of Section 30-16, may be permitted but only where such exceptions have been approved by the Board of Supervisors and are indicated on the approved preliminary site plan.

7. Every single-family dwelling shall have access to a public street or court, which may be over land owned by an association of homeowners.

Column 2 Special Permit Uses

The following uses shall be uses permitted by right in those areas as qualified when they are specifically designated on an approved development plan; otherwise they may be allowed in such qualified areas only as a special permit use upon approval of the Board of Supervisors.

1. All uses presented in Par. A, B, C, D and E in Column 1 above as a Group use.

2. Automobile laundries - Neighborhood Convenience, village, town and convention/conference centers.

3. Commercial recreation center - Village and town centers.

4. Drive-in laundries or drycleaners - Neighborhood convenience center.

5. Gasoline service stations - Neighborhood convenience center.

6. Home occupations - Residential.

7. Hotels, motels - Village and town center.

8. Offices - Neighborhood convenience center.

9. Open-air markets - Neighborhood convenience, village, town and convention/conference centers.

10. Open refreshment stands - Neighborhood convenience, village, town and convention/conference centers.

6. The Planning Commission shall transmit said plan to the Board, together with its recommendations as to approval, approval with modifications, or disapproval of said plan. The Planning Commission transmittal shall contain specific recommendations on the submission requirements set forth in Par. 5 through 11 of Section 30-15.5.2.below.

7. The Board shall consider the development plan in accordance with the adopted comprehensive plan and the RPC District regulations and objectives. and shall hold a public hearing thereon in accordance with the procedures contained in Section 15.1-493 of the Code of Virginia. The Board shall approve, approve with modifications or disapprove the development plan.

8. In approving a development plan, the Board may establish such conditions and may require such modifications as shall assure compliance with the standards and regulations of the district; and further, the Board may waive or modify subdivision and/or site plan requirements otherwise applicable to the development when such waiver or modification would be in conformance with said standards and regulations.

9. In the event that a development plan shall be disapproved by the Board, such action shall cause the owner to prepare a revised development plan.

10. Once a development plan has been approved, and there is cause for amendment of same or any portion thereof, such amendment shall be processed in like manner as the original submission and shall be subject to the requirements of Section 30-15.5.2.