

URGENT ACTION NEEDED!!

In 2017, the Fairfax County Planning and Zoning staff embarked upon the Zoning Ordinance Modernization Project, (zMOD) a major initiative to modernize Fairfax County's 40-year-old Zoning Ordinance, intended to modernize permitted uses and regulations; make the Zoning Ordinance easier to understand; and create a streamlined, user-friendly document. The Zoning Ordinance regulates the use of land and structures that can be built to provide for the protection and enjoyment of properties, appropriate and compatible uses of properties, and serves to permit and provide for the orderly development and growth of the County.

A November 24, 2020 zMOD proposal presented to a committee of the Board of Supervisors includes "amendments to zoning laws by prioritizing proposed changes of county-wide significance," while avoiding the ordinary process of subjecting each of the proposed amendments to a separate process of public comment. Additionally, this Proposal includes many zoning ordinance amendments that would **significantly impact the physical appearance and quality of life in our community.**

There are several proposed changes to the present zoning laws that may include:

- The proposed zMOD regulations would **abolish the public hearing process** for accessory apartments (ALUs) in single-family dwellings. Currently, citizens are entitled to notification and an opportunity to be heard regarding proposed accessory apartments in their neighborhood, and mitigation of impacts on the neighbors and the local infrastructure from those uses, through development conditions and suggested modifications to any application.
- A proposed zMOD regulation would abolish the over 55/disabled criteria for accessory apartments (ALUs) in single-family lots. This could possibly create **increases in density** and create **impacts on parking** and infrastructure.
- Changes in the proposed ALU requirements will legalize currently illegal conversions of basements into separate dwelling units. Accessory dwelling units are currently only allowed in single-family detached homes in the County with special permit approval by the Board of Zoning Appeals and require an occupant of either the main house or the accessory unit to be over the age of 55 or to be a person with a disability. The proposed regulations would remove the age and disability requirement and update the size limitations from 35% of the size of the principal home to a maximum of 1,200 sq. ft. For accessory dwelling units located within a home, the proposal replaces the current special permit and public hearing process with an administrative approval. There is also concern that builders will start doing tear-downs and building homes that include ALUs as a way of attracting buyers.
- New zMOD proposals would allow up to **two home businesses on every single-family lot**, including businesses such as beauty parlors, barbershops, tailoring, repair shops, online sales, and home food production. This commercialization and intensification changes the character of single-family residential neighborhoods and invites additional traffic and annoyance for adjacent neighbors.
- A new zoning proposal would allow up to 12 sq. ft. of **multiple yard signs, advertising home-based businesses** to be placed on any single-family lot. This will cause visual clutter and detract from the residential character of single-family neighborhoods, making our residential areas look more like commercial areas.

- There are many questions about the enforcement of these new regulations. County residents already experience inadequate enforcement from some county agencies, and it would be up to local residents to monitor and report neighbors who don't adhere to newly created regulations.

If you are concerned about the proposed changes to the current zoning regulations, you can let your opinions be heard!

The planning Commission is holding a public hearing concerning zMOD on Thursday, January 28, 2021 at 7:30pm.

All persons wishing to present their views on these subjects may call the Planning Commission Office at 703-324-2865, or **register online at** <https://www.fairfaxcounty.gov/planningcommission/speaker> no later than 3:00pm the day of the meeting, to be placed on the Speakers List. Videos need to be submitted no later than 9:00am the day prior to the Planning Commission meeting. You also have the option of speaking by telephone at the meeting. In addition, written testimony and other submissions can be sent to the Planning Commission at 12000 Government Center Parkway, Suite 552, Fairfax, VA 22035 and or emailed to Plancom@fairfaxcounty.gov. You can also contact the Board of Supervisors at clerktothebos@fairfaxcounty.gov or Supervisor Rodney Lusk at LeeDist@fairfaxcounty.gov .