

# RESIDENT'S GUIDE TO THE FAIRFAX COUNTY ZONING ORDINANCE

## **WHAT IS THE ZONING ORDINANCE**

The Zoning Ordinance is intended to promote orderly and controlled development, and to create and maintain conditions under which people can exist in a safe, productive, and harmonious manner. The Ordinance establishes specific zoning districts (such as residential, commercial and industrial) and regulates the kinds of uses and structures that will be acceptable on particular lots. Within the residential districts, the Ordinance regulates the densities at which those uses can be developed (from low density housing, such as single family detached, to high density apartment dwellings), as well as setbacks, heights and parking. This is intended to ensure, among other things, compatibility with the surrounding area and provides for a healthy quality of life by protecting against the overcrowding of land, and undue density in relation to a community's infrastructure and facilities.

The more common Zoning Ordinance violations found in single family detached residential areas in Fairfax County are associated with the following zoning regulations:

## **LIMITATIONS ON THE NUMBER AND OCCUPANCY OF DWELLING UNITS**

With few exceptions, such as multiple family dwelling units, the Zoning Ordinance limits the number of dwelling units permitted on a lot to one. The Ordinance limits the occupancy of a dwelling unit to either: (A) one family consisting of one or more persons related by blood or marriage with any number of children and up to two roomers or boarders; (B) four unrelated persons; or (C) two single parents or guardians with not more than a total of six of their children. Under certain limited circumstances the Board of Zoning Appeals may approve an accessory dwelling unit in association with a single family detached dwelling unit.

## **OUTDOOR STORAGE**

Items stored outdoor must be located on the rear half of the lot, screened from the view from the first story window of any neighboring dwelling and the total storage area cannot exceed 100 square feet on most residential properties. Construction supplies and equipment may be kept on residential property if there is a valid building permit and work is in progress. Firewood is not deemed outdoor storage.

## **VEHICLES**

The Zoning Ordinance requires that any inoperable vehicle on a lot must be stored in an enclosed structure. If five or less inoperable vehicles are stored outside on a lot, the enforcement agent is the Fairfax County Police Department (Non-Emergency 703- 691-2131, TTY 711). If more than five inoperable vehicles are stored outside, the enforcement agent is the Zoning Enforcement Branch. The number of commercial vehicles that may be parked on residential property is limited to one. The parking of garbage trucks, tractor-trailer trucks, dump trucks, cement-mixer trucks, or construction equipment on residential property is prohibited.

## **PARKING ON THE GRASS**

For single family detached dwellings located on a lot of 36,000 square feet or less in the R-1 thru R-4 Districts all vehicle or trailer parking in the front yard must be on a surfaced area, however, temporary parking on an unsurfaced area for no more than 48 hours for loading, cleaning or repair is permitted. With few exceptions, in the R-1 and R-2 Districts no more than 25% and in the R-3 and R-4 Districts no more than 30% of the front yard may contain a surfaced area for a driveway and/or parking.

## **HOME BUSINESSES**

Certain businesses are permitted in a dwelling provided that there are no clients or customers; no signage; no display, storage or sale of stock in trade on the premises; and only one nonresident employee is allowed between 8AM to 5PM Monday-Friday. The one exception is a school of special education, such as a piano or dance class, wherein the class size can not exceed more than four pupils at any given time and not more than eight pupils in any one day.

*If you have questions regarding particular provisions of the Zoning Ordinance or you want to report a violation, call the Zoning Enforcement Branch of the Department of Planning and Zoning at 703-324-1300 or go online at [www.fairfaxcounty.gov/DPZ/eservices](http://www.fairfaxcounty.gov/DPZ/eservices) then click on zoning/noise complaint form..*