

**MEMORANDUM**

TO: Mayor and Town Council

FROM: Kelly O'Brien, AICP, CZA, Acting Deputy Director

CC: Michael D'Orazio, AICP, Acting Director of Planning & Zoning

DATE: January 26, 2022

SUBJECT: Council comments from 2x2 meetings on residential standards in Articles 3 and 4

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**Background:**

In December 2021, Planning and Zoning staff met with Town Council members, no more than two at a time, to review the latest drafts of *Article 3 - Uses and Use Specific Standards* as it relates to single-unit detached residential and *Article 4 - Development Standards - Single-Unit Detached Residential Uses*. The following is a summary of the comments related to single-unit residential standards and uses.

**Comments:**

**ARTICLE 3 - Uses and Use Specific Standards**

- Section 18-50 KEEPING OF CHICKENS
  - Councilmember Anderson suggests changing the title of the use to KEEPING OF FOWL and include fowl in definitions
  - Staff notes that Fairfax County also uses the term fowl, not just chickens.
  - Councilmember Springsteen asked what the number of chickens allowed was based on and if it is sufficient.
  - Staff noted the Town could choose to follow the formula used by Fairfax County in determining how many would be permitted.
    - *The number of domestic fowl kept on a given lot must not exceed the ratio of one bird unit per one acre, with a bird unit*

*identified as follows. Only fowl two months or older in age are counted towards these limits.*

*One bird unit is equivalent to 32 chickens or 16 ducks or 8 turkeys or 8 geese or 2 ostriches or emus*

- Following the County’s standards, the number allowed per zone based on the minimum lot size:
  - RS-10 (10,000 square feet) = 7 chickens
  - RS-12.5 (12,500 square feet) = 9 chickens
  - RS-16 (16,000 square feet) = 11 chickens
- Section 18-51 KEEPING OF DOMESTIC ANIMALS
  - Staff notes that exotic animals are covered in Chapter 3 of the Town Code, which should be included as a reference in the definition of “Domestic Animals”
- Section 18-52 KEEPING OF HONEYBEES
  - Councilmember Patel has concerns about allowing honeybees and would like to see the proposed regulations tightened or not allow the keeping of honeybees at all.

#### **ARTICLE 4 - Development Standards – Single-Unit Detached Residential Uses**

- Section 18-72 ACCESSORY STRUCTURES
  - Councilmember Patel would like to see a definition of accessory structure or give examples next to this section.
  - Councilmember Anderson prefers keeping definitions separate and not duplicating.
- Section 18-74 DRIVEWAYS AND OFF-STREET PARKING
  - Staff notes to add permeable concrete, asphalt, and pavers to list of allowed materials for driveways and parking areas.
  - Councilmember Somers requested to add a graphic showing a three-car garage and agrees with 18’ depth of driveway from garage entrance.
  - Staff notes to add a taper to driveway graphic at the transition from the 18’ from the entrance and the narrowed driveway.
- Section 18-75 EXTERIOR LIGHTING
  - Councilmember Potter would like to consider including standards for down lighting as well.
  - Councilmember Anderson wants to include the word “permanent” to separate from holiday lighting.
  - Staff notes to add language from non-residential lighting regarding holiday lighting.

- Section 18-78 PATIOS
  - Councilmember Springsteen wanted to know what other jurisdictions require for patio setbacks.
  - Staff presented the following information:
    - Fairfax City = 5 feet from any side (interior) or rear lot line
    - Fairfax County = 5 feet from any side or rear lot line for single-family; min. 2 feet for stacked or multi-family
    - Leesburg = 2 feet from side or rear property line
- Section 18-82 TREE CANOPY COVERAGE
  - Councilmember Springsteen asked to include 20% in 20 years. Staff has requested the correction for the next draft.