

COMMERCIAL DISTRICT REGULATIONS

FAIRFAX COUNTY ZONING ORDINANCE

PART 8 4-800 C-8 HIGHWAY COMMERCIAL DISTRICT

4-801 Purpose and Intent

The C-8 District is established to provide locations on heavily traveled collector and arterial highways for those commercial and service uses which (a) are oriented to the automobile, or (b) are uses which may require large land areas and good access, and (c) do not depend upon adjoining uses for reasons of comparison shopping or pedestrian trade.

The regulations of this district are designed to accommodate such uses in a manner that will minimize interference with through traffic movements and insure a high standard in site layout, design and landscaping. Uses should be encouraged to group in preplanned concentrations, and where possible, a minimum distance of three (3) miles should be encouraged between such concentrations.

4-802 Permitted Uses

1. Accessory uses as permitted by Article 10.
2. Alternative Lending Institution, limited by the provisions of Sect. 805 below.
3. Automobile-oriented uses, limited by the provisions of Sect. 805 below.
4. Bowling alleys.
5. Business service and supply service establishments.
6. Carryout restaurants.
7. Churches, chapels, temples, synagogues and other such places of worship.
8. Colleges, universities.
9. Contractor's offices and shops.
10. Commercial swimming pools, tennis courts and similar courts, indoor.
11. Community clubs, centers and meeting halls.
12. Craft beverage production establishments, limited by the provisions of Sect. 805 below.
13. Cultural centers, museums.
14. Drive-in financial institutions, limited by the provisions of Sect. 805 below.
15. Drive-through pharmacy, limited by the provisions of Sect. 805 below.
16. Financial institutions.
17. Funeral homes.

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18. Garment cleaning establishments.
19. Health clubs.
20. Hotels, motels.
21. Indoor archery ranges, fencing and other similar indoor recreational uses.
22. Kennels, limited by the provisions of Sect. 805 below.
23. Miniature golf courses, indoor.
24. New vehicle storage, limited by the provisions of Sect. 805.
25. Offices, limited by the provisions of Sect. 805 below.
26. Parking, commercial off-street, as a principal use.
27. Personal service establishments.
28. Private clubs and public benefit associations.
29. Private schools of general education, private schools of special education.
30. Public uses.
31. Quasi-public athletic fields and related facilities, limited by the provisions of Sect. 805 below.
32. Quick-service food stores, limited by the provisions of Sect. 805 below.
33. Repair service establishments.
34. Restaurants.
35. Retail sales establishments.
36. Retail sales establishments-large, limited by the provisions of Sect. 805 below.
37. Skating facilities, indoor.
38. Small-scale production establishments, limited by the provisions of Sect. 805 below.
39. Telecommunication facilities.
40. Theatres.
41. Vehicle light service establishments, limited by the provisions of Sect. 805 below.

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42. Vehicle transportation service establishments, limited by the provisions of Sect. 805 below.
43. Veterinary hospitals, limited by the provisions of Sect. 805 below.
44. Wholesale trade establishments.
45. Wireless Facilities and associated support structures, subject to the provisions of Sections 2-514, 2-519, 2-520, or 2-522.

4-803 Special Permit Uses

For specific Group uses, regulations and standards, refer to Article 8.

1. Group 3 - Institutional Uses, limited to:
 - A. Churches, chapels, temples, synagogues and other such places of worship with a child care center or nursery school
 - B. Convents, monasteries, seminaries and nunneries
2. Group 4 - Community Uses, limited to:
 - A. Marinas, docks and boating facilities of a private, nonprofit nature
 - B. Swimming clubs and tennis clubs/courts
3. Group 5 - Commercial Recreation Uses, limited to:
 - A. Billiard and pool halls
 - B. Commercial recreation parks, including mechanical or motorized amusement rides/devices
 - C. Commercial swimming pools, tennis courts and similar courts, outdoor
 - D. Dance halls
 - E. Indoor firing ranges
 - F. Miniature golf courses, outdoor
 - G. Skating facilities, outdoor
 - H. Any other similar commercial recreational use
4. Group 8 - Temporary Uses.
5. Group 9 - Uses Requiring Special Regulation, limited to:

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- A. Auction establishments

4-804 Special Exception Uses

For specific Category uses, regulations and standards, refer to Article 9.

1. Category 1 - Light Public Utility Uses.
2. Category 3 - Quasi-Public Uses, limited to:
 - A. Adult day care center
 - B. Alternate uses of public facilities
 - C. Child care centers and nursery schools
 - D. Churches, chapels, temples, synagogues and other such places of worship with a child care center or nursery school
 - E. Conference centers and retreat houses, operated by a religious or nonprofit organization
 - F. Dormitories, fraternity/sorority houses, rooming/boarding houses, or other residence halls
 - G. Medical care facilities
 - H. Quasi-public parks, playgrounds, athletic fields and related facilities
 - I. Sports arenas, stadiums as a principal use
3. Category 4 - Transportation Facilities, limited to:
 - A. Bus or railroad stations
 - B. Electrically-powered regional rail transit facilities
 - C. Helistops
 - D. Regional non-rail transit facilities
4. Category 5 - Commercial and Industrial Uses of Special Impact, limited to:
 - A. Automobile-oriented uses
 - B. Baseball hitting and archery ranges, outdoor
 - C. Car washes
 - D. Commercial off-street parking in Metro Station areas as a temporary use

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- E. Commercial recreation restaurants
- F. Drive-in financial institutions
- G. Drive-in motion picture theatres
- H. Drive-through pharmacy
- I. Golf courses, country clubs
- J. Golf driving ranges
- K. Marinas, docks and boating facilities, commercial
- L. Mini-warehousing establishments
- M. Offices
- N. Pawnshops
- O. Quick-service food stores
- P. Restaurants with drive-through
- Q. Retail sales establishments-large
- R. Service stations
- S. Service station/mini-marts
- T. Truck rental establishments
- U. Vehicle light service establishments
- V. Vehicle major service establishments
- W. Vehicle sale, rental and ancillary service establishments
- X. Establishments for scientific research and development to include assembly, integration and testing of experimental prototype products as an incidental use

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Use Limitations

1. Automobile-oriented uses, drive-in financial institutions, quick-service food stores and vehicle light service establishments are permitted by right in accordance with the following:
 - A. Automobile-oriented uses, drive-in financial institutions, and quick-service food stores are permitted by right when:

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- (1) Such use is located within a building of a shopping center, which building contains at least six (6) other uses which are not automobile-oriented uses, drive-in financial institutions, or quick-service food stores; and
 - (2) All uses within that building are connected by party walls or partitions to form one continuous structure.
- B. Vehicle light service establishments are permitted by right when located within the main structure of a regional shopping center.
- C. For all of the above, the shopping center and the building in which such automobile-oriented use, drive-in financial institution, quick-service food store or vehicle light service establishment is located must be subject to an approved unified site plan. In addition, vehicular access to the use must be provided only via the internal circulation system of the shopping center.

Automobile-oriented uses, drive-in financial institutions, quick-service food stores and vehicle light service establishments which do not meet the limitations set forth above may be allowed by special exception in accordance with the provisions of Article 9.

2. Outdoor storage and display areas shall be permitted only on the same lot with and ancillary to a permitted, special permit or special exception use.
3. Except for 500 square feet of accessory outdoor storage and display in accordance with Sect. 17-104, the outdoor area devoted to storage, loading and display of goods is limited to that area so designated on an approved site plan. For all uses the outdoor storage and display of goods is subject to Sect. 2-504 and is limited to goods that are customarily used outside such as fertilizers, peat moss, shrubbery and mulch; provided, however, that this is not be deemed to preclude outdoor storage by a contractor's office and shop or the outdoor storage or display of goods permitted to be sold at a service station or service station/mini-mart.
4. All outdoor storage and loading areas shall be enclosed by screening and all refuse shall be contained in completely enclosed facilities.
5. The outdoor storage or parking of construction equipment, construction vehicles, construction machinery or vehicles such as solid waste collection vehicles, dump trucks, cement mixers, tractors and/or trailers of tractor-trailer trucks shall not be permitted.
6. Any establishment involved with the sale or storage of fuel for sale shall be permitted only if the fuel is stored underground.
7. All uses shall comply with the performance standards set forth in Article 14.
8. Except where expressly waived by the Director because of existing physical constraints, site configuration or safety considerations which would preclude strict compliance:
 - A. On a corner lot, no curb cut shall be located closer than sixty (60) feet to the curb line extended of the intersecting street.

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- B. No curb cut, except on a service drive, shall be located closer than twenty (20) feet to a side or rear lot line, unless a common curb cut serves adjacent uses, and in no instance shall the distance between separate curb cuts serving adjacent land uses be less than forty (40) feet.
 - C. Except where frontage is on a service drive, a freestanding use shall have no more than two (2) curb cuts on any single right-of-way, and such curb cuts shall have a minimum distance of forty (40) feet between them.
9. Kennels and veterinary hospitals shall be permitted by right when located within a completely enclosed building which is adequately soundproofed and constructed so that there will be no emission of odor or noise detrimental to other property in the area. In addition, the Health Department shall approve the construction and operation of all veterinary hospitals prior to issuance of any Building Permit or Non-Residential Use Permit.
10. Offices shall be permitted only subject to the following:
- A. The total gross floor area devoted to office shall not exceed fifty (50) percent of the maximum floor area permitted on the lot in accordance with the maximum floor area ratio for the district; provided that an increase in office use up to seventy-five (75) percent may be permitted by the Board in accordance with the provisions of Sect. 9-515.
11. Quasi-public athletic fields and related facilities are permitted by right in accordance with the following:
- A. Such use is not specifically precluded or regulated by any applicable proffered condition, development condition, special permit or special exception condition;
 - B. Such use shall be permitted on an interim basis for a period not to exceed five (5) years, provided, however, that upon request by the property owner, subsequent extensions of up to five (5) years each may be approved by the Board;
 - C. No structure or field shall be located within 100 feet of any adjoining property which is in an R district;
 - D. The use of lighting or loudspeakers for the athletic field or facility shall not be permitted;
 - E. Notwithstanding the provisions of Article 13, transitional screening shall not be required unless determined necessary by the Director;
 - F. Parking to accommodate such use shall be provided on-site. In the event such use is to be located on-site with another use, the Director may allow existing off-street parking to serve such use provided the hours of operation of the two uses do not coincide.

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12. Drive-through pharmacies are permitted by right (a) when located on a lot that is not abutting or across a local or collector street from residentially zoned land, which land is either developed with dwellings or vacant; (b) when the lot is designed to minimize the potential for turning movement conflicts and to facilitate safe and efficient on-site circulation and parking; and (c) when there are adequate parking and stacking spaces for the use which are provided and located in such a manner as to facilitate safe and convenient vehicle and pedestrian access to all uses on the lot. Drive-through pharmacies which do not meet these limitations may be allowed by special exception in accordance with the provisions of Article 9.
13. Except in Commercial Revitalization Districts, vehicle transportation service establishments shall be permitted by right in accordance with the following:
 - A. The total number of company vehicles permitted on site at any given time shall not exceed five (5).
 - B. There shall be no maintenance of refueling or vehicles on site.
 - C. Notwithstanding the provisions of Par. 15 of the Transitional Screening and Barrier Matrix, the use shall be subject to the provisions of Par. 9 of the Matrix.

Vehicle transportation service establishments which are located within a Commercial Revitalization District may be allowed by special exception in accordance with the provisions of Sect. 9-622.

14. New vehicle storage is permitted by right in accordance with the following:
 - A. When located within a parking structure that is accessory to another use, and provided that the spaces devoted to a new vehicle storage are in excess of the minimum number of off-street parking spaces required in accordance with Article 11 for the use to which the structure is accessory. The owner shall submit a parking tabulation in accordance with Article 17 that demonstrates that such excess parking spaces are available for new vehicle storage.
 - B. The layout of the new vehicle storage shall not hinder the internal vehicle circulation within the parking structure, and there shall be no mechanical parking lift devices or fencing associated with the new vehicle storage.
 - C. No signs are allowed for the use or its associated vehicle, sale, rental and ancillary service establishment.
 - D. Notwithstanding the provisions of Article 13, transitional screening shall not be required.
15. Retail sales establishments-large shall be permitted by right in accordance with the following:

When such use is located within a building that contains a minimum of 1,000,000 square feet of gross floor area with at least six (6) principal uses all of which are

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connected by party walls, partitions or similar structural members to form one continuous structure.

Retail sales establishments that do not meet the limitations set forth above may be allowed by special exception in accordance with the provisions of Article 9.

16. Alternative lending institutions shall be permitted by right in accordance with the following:
 - A. When such use is located on a lot that is not in a Commercial Revitalization District or a Commercial Revitalization Area; and
 - B. When such use is located in the building of a shopping center, with all uses within that building being connected by party walls or partitions to form one continuous structure; and
 - C. The shopping center is not located adjacent to or across a public right-of-way from land developed with any public use, place of worship, child care center, private school of general education, or quasi-public athletic fields and related facilities; and
 - D. The daily hours of operation for such uses shall be limited to between 8:00 AM and 6:00 PM; and
 - E. There shall be no storage and/or sale of automobiles permitted from the site.

17. Craft beverage production establishments are permitted by right in accordance with the following:
 - A. Production shall be limited to no more than 5,000 barrels of beer, or 5,000 gallons of distilled spirits, wine, cider, or mead annually.
 - B. Production activities and the area devoted to such activities shall be accessory to an on-site tasting room.
 - C. Parking must be provided in accordance with the requirements of Sect. 11-104 of the Zoning Ordinance.
 - D. Storage of materials used in the production process shall only be permitted within a completely enclosed structure.

18. Small-scale production establishments are permitted by right in accordance with the following:
 - A. The maximum size of an individual small-scale production establishment is 10,000 square feet of gross floor area. This maximum does not preclude the location of more than one establishment per lot.

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- B. The use may not include the bulk storage of flammable materials for resale.
- C. Storage of materials and production activities must be located within a completely enclosed structure. The emission of odor and noise must be mitigated through the provision of ventilation and soundproofing in accordance with all County and State standards.
- D. A small-scale production establishment may not include heavy industrial uses as listed in Par. 13 of Sect. 9-501.
- E. A small-scale production establishment must include accessory retail sales or another accessory component that provides direct interaction with the public. For food or beverage production, this requirement may be satisfied by an accessory carryout restaurant that is subordinate and incidental to the commercial production, and where the counter, customer waiting and seating areas do not exceed ten percent of the gross floor area of the establishment. This requirement may also be satisfied by a retail sales establishment or a restaurant or carryout restaurant that is established and parked as a separate principal use.
- F. Off-street parking must be provided for small-scale production establishments in accordance with the requirements of Sections 11-104 and 11-105 of the Zoning Ordinance as follows:
 - (1) When located within a shopping center: applicable shopping center rate; or
 - (2) When not located in a shopping center: rate for a manufacturing establishment, but with a minimum of one (1) space per 1,000 square feet of gross floor area.

4-806 Lot Size Requirements

- 1. Minimum lot area: 40,000 sq. ft.
- 2. Minimum lot width: 200 feet
- 3. The minimum lot size requirements presented in Par. 1 and 2 above may be waived by the Board in accordance with the provisions of Sect. 9-610.

4-807 Bulk Regulations

- 1. Maximum building height: 40 feet, subject to increase as may be permitted by the Board in accordance with the provisions of Sect. 9-607
- 2. Minimum yard requirements
 - A. Front yard: Controlled by a 45° angle of bulk plane, but not less than 40 feet
 - B. Side yard: No Requirement
 - C. Rear yard: 20 feet

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3. Maximum floor area ratio: 0.50, provided however an increase to 0.70 may be permitted by the Board in accordance with the provisions of Sect. 9-618
4. Refer to Sect. 13-301 for provisions that may qualify the minimum yard requirements set forth above.

4-808 Open Space

15% of the gross area shall be landscaped open space

4-809 Additional Regulations

1. Refer to Article 2, General Regulations, for provisions which may qualify or supplement the regulations presented above.
2. Refer to Article 11 for off-street parking, loading and private street requirements.
3. Refer to Article 12 for regulations on signs.
4. Refer to Article 13 for landscaping and screening requirements.
5. Refer to Article 17 for uses and developments which are subject to site plan provisions.

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PART 9 (Deleted by Amendment #18-469, Adopted January 23, 2018, Effective January 24, 2018, 12:01 AM)