

COMMERCIAL DISTRICT REGULATIONS

PART 5 4-500 C-5 NEIGHBORHOOD RETAIL COMMERCIAL DISTRICT

4-501 Purpose and Intent

The C-5 District is established to provide locations for convenience shopping facilities in which those retail commercial uses shall predominate that have a neighborhood-oriented market of approximately 5000 persons, and which supply necessities that usually require frequent purchasing and with a minimum of consumer travel. Typical uses to be found in the Neighborhood Retail Commercial District include a food supermarket, drugstore, personal service establishments, small specialty shops, and a limited number of small professional offices.

Areas zoned for the C-5 District should be located so that their distributional pattern throughout the County reflects their neighborhood orientation. They should be designed to be an integral, homogeneous component of the neighborhoods they serve, oriented to pedestrian traffic as well as vehicular. The district should not be located in close proximity to other retail commercial uses.

Because of the nature and location of the Neighborhood Retail Commercial District, they should be encouraged to develop in compact centers under a unified design that is architecturally compatible with the neighborhood in which they are located. Further, such districts should not be so large or broad in scope of services as to attract substantial trade from outside the neighborhood. Generally, the ultimate size of a C-5 District in a given location in the County should not exceed an aggregate gross floor area of 100,000 square feet or an aggregate site size of ten (10) acres.

4-502 Permitted Uses

1. Accessory uses as permitted by Article 10.
2. Business service and supply service establishments.
3. Churches, chapels, temples, synagogues and other such places of worship.
4. Colleges, universities.
5. Commercial swimming pools, tennis courts and similar courts, indoor.
6. Community clubs, centers and meeting halls.
7. Cultural centers, museums.
8. Drive-in financial institutions, limited by the provisions of Sect. 505 below.
9. Drive-through pharmacy, limited by the provisions of Sect. 505 below.
10. Eating establishments.
11. Fast food restaurants, limited by the provisions of Sect. 505 below.
12. Financial institutions.

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13. Funeral chapels.
14. Garment cleaning establishments.
15. Health clubs.
16. Kennels, limited by the provisions of Sect. 505 below.
17. Mobile and land based telecommunication facilities, subject to the provisions of Sect. 2-514.
18. Offices, limited by the provisions of Sect. 505 below.
19. Parking, commercial off-street, as a principal use.
20. Personal service establishments.
21. Private clubs and public benefit associations.
22. Private schools of general education, private schools of special education.
23. Public uses.
24. Quasi-public athletic fields and related facilities, limited by the provisions of Sect. 505 below.
25. Quick-service food stores, limited by the provisions of Sect. 505 below.
26. Repair service establishments.
27. Retail sales establishments.
28. Telecommunication facilities.
29. Veterinary hospitals.

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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:

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- A. Community swimming pools and archery ranges
 - B. Marinas, docks and boating facilities of a private, nonprofit nature
 - C. Swimming clubs and tennis clubs/courts
 - D. Any other recreational or social use, operated by a nonprofit organization, where membership thereto is limited to residents of nearby residential areas
3. Group 5 - Commercial Recreation Uses, limited to:
- A. Billiard and pool halls
 - B. Commercial swimming pools, tennis courts and similar courts, outdoor
 - C. Indoor archery ranges, fencing and other similar indoor recreational uses
 - D. Miniature golf courses, indoor
 - E. Skating facilities, indoor
4. Group 8 - Temporary Uses.

4-504 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. Alternate uses of public facilities
 - B. Child care centers and nursery schools
 - C. Churches, chapels, temples, synagogues and other such places of worship with a child care center or nursery school
 - D. Conference centers and retreat houses, operated by a religious or nonprofit organization
 - E. Dormitories, fraternity/sorority houses, rooming/boarding houses, or other residence halls
 - F. Medical care facilities
 - G. Quasi-public parks, playgrounds, athletic fields and related facilities
- 3. Category 4 - Transportation Facilities, limited to:

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- A. Electrically-powered regional rail transit facilities
- B. 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
 - E. Drive-in financial institutions
 - F. Drive-through pharmacy
 - G. Fast food restaurants
 - H. Golf courses, country clubs
 - I. Golf driving ranges
 - J. Marinas, docks and boating facilities, commercial
 - K. Miniature golf courses ancillary to golf driving ranges
 - L. Offices
 - M. Quick-service food stores
 - N. Service stations
 - O. Service station/mini-marts
 - P. Truck rental establishments
 - Q. Vehicle light service establishments

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Use Limitations

- 1. Fast food restaurants, drive-in financial institutions and quick-service food stores shall be permitted by right in accordance with the following:
 - A. Fast food restaurants without any drive-through facilities shall be permitted by right:
 - (1) When located in a shopping center, and the fast food restaurant does not occupy (a) more than 1500 square feet of gross floor area and (b) more than

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thirty-five (35) percent of the gross floor area of the building in which located; or

- (2) When located in a shopping center of 25,000 square feet or more of gross floor area, the fast food restaurant may occupy more than 1500 square feet but not to exceed 2500 square feet of gross floor area, provided that the fast food restaurant does not occupy more than twenty-five (25) percent of the gross floor area of the building in which located.

B. Fast food restaurants, other than those permitted under Par. 1A above, drive-in financial institutions, and quick-service food stores shall be permitted by right when:

- (1) Such use is located within a building of a shopping center, which building contains at least six (6) other uses which are not fast food restaurants, other than those permitted by Par. 1A above, 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.

C. For all of the above, the shopping center and the building in which such drive-in financial institution, fast food restaurant, or quick-service food store is located shall be subject to an approved unified site plan. In addition, vehicular access to the use shall be provided only via the internal circulation system of the shopping center.

Drive-in financial institutions, fast food restaurants and quick-service food stores which do not meet the limitations set forth above may be allowed by special exception in accordance with the provisions of Article 9.

2. All business, service, storage, and display of goods shall be permitted only on the same lot with and ancillary to a permitted, special permit or special exception use. Except for 250 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 shall be limited to that area so designated on an approved site plan. The outdoor storage and display of all goods shall be subject to Sect. 2-504 and shall be limited to goods that are customarily used outside such as fertilizers, peat moss, shrubbery, mulch and those goods permitted to be sold at a service station or service station/mini-mart.
3. All refuse shall be contained in completely enclosed facilities.
4. No separate business establishment shall occupy more than 6000 square feet of gross floor area, except one drugstore or other store of general merchandise may occupy up to 30,000 square feet, and a food supermarket may occupy up to 30,000 square feet of gross floor area.
5. All uses shall comply with the performance standards set forth in Article 14.

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6. 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.
 - 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.
7. Offices shall be permitted only subject to the following:
 - A. The total gross floor area devoted to office shall not exceed thirty (30) 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 fifty (50) percent may be permitted by the Board in accordance with the provisions of Sect. 9-515.
8. 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.
9. Quasi-public athletic fields and related facilities shall be 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;

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- 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; and
 - G. There shall be a sign which identifies the athletic field as an interim use of the site. No such sign shall exceed thirty-two (32) square feet in area or be less than ten (10) square feet in area, exceed eight (8) feet in height or be located closer than five (5) feet to any street line.
10. Drive-through pharmacies shall be permitted by right (a) when located on a lot which is not abutting or not 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.
- In addition, signs shall be required to be posted in the vicinity of the stacking area stating the limitations on the use of the window service and/or drive-through lane. Such signs shall not exceed two (2) square feet in area or be located closer than five (5) feet to any lot line.

4-506 Lot Size Requirements

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

4-507 Bulk Regulations

- 1. Maximum building height: 40 feet
- 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
- 3. Maximum floor area ratio: 0.30
- 4. Refer to Sect. 13-301 for provisions that may qualify the minimum yard requirements set forth above.

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4-508 Open Space

20% of the gross area shall be landscaped open space

4-509 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.