

**CHAPTER 17.090: RM-S MULTIPLE-FAMILY RESIDENTIAL – SENIOR -
RESIDENTIAL ZONE**

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§ 17.090.010 GENERALLY.

The RM-S residential zone is intended to create use and development standards for senior residential housing in a way that preserves and enhances its surroundings. No premises in the RM-S senior residential zone may be used for any purpose or in any manner, except as set forth in this chapter.

§ 17.090.020 PRINCIPAL PERMITTED USES AND STRUCTURES.

Permitted uses in the RM-S zone are multiple dwellings and apartments for the exclusive use and occupancy of seniors (not including any resident staff), at a density of not more than 10 dwelling units per acre, or as may otherwise established in the Fairfax General Plan.

§ 17.090.030 CONDITIONAL USES AND STRUCTURES.

There shall be no conditional uses or structures in the RM-S zone.

§ 17.090.040 ACCESSORY USES AND STRUCTURES.

Accessory uses and structures in the RM-S zone are as follows:

- (A) Cabanas, greenhouses, patios, lath houses, tool sheds, playhouses, barbecue pits, fences, walkways, hedges and similar improvements and appurtenances; and
- (B) Private garages, parking spaces, swimming pools, shared community rooms and bicycle storage facilities for the exclusive use of the residents of the premises and their guests.

§ 17.090.050 BUILDING SITE REQUIREMENTS.

Building site requirements in the RM-S zone are as follows.

(A) A use permit or hill area residential development permit (HRD) must be first secured for any use, occupancy or physical improvement of or on a building site failing to meet the following requirements:

- (1) Minimum area of 87,120 square feet, and a minimum width of 60 feet with a slope of 15 percent or less;

(2) The minimum building site area shall be increased by 600 square feet for each one percent increase in slope over ten percent to and including 15 percent, and the minimum width shall be increased by eight feet for each 600 square feet of additional area required, so that a building site having a slope of 15 percent shall have a minimum area of 10,500 square feet and a minimum width of 100 feet;

(3) Building sites having a slope of more than 15 percent shall increase in area above 10,500 square feet and a minimum width above 100 feet, at the rate of 1,200 square feet of area and five feet of width for each one percent increase in slope;

(4) No building site with an area of more than 130,680 square feet shall be permitted to be rezoned to the RM-S zone.

(B) Each building site containing three or more dwelling units shall contain not less than 300 square feet of open space for each dwelling unit. The open space shall conform to the following standards:

(1) None of the following shall be counted as a part of the open space required by this section: required yards or setbacks from a property line; separations required between buildings containing dwelling units; an access area or other space required by any other ordinance of the town, such as a building code or safety code (parking areas and driveways); any area less than ten feet in width; any area having a finished grade of more than ten percent;

(2) The following shall be counted as a part of the open space required by this section: patios and balconies with a minimum dimension of ten feet which serve individual dwelling units; courtyards or other open spaces, uncovered swimming pools, tennis courts and similar recreation areas;

(3) Any area or space which qualifies as a part of the open space required by this section shall continue to be counted as such if it is landscaped.

§ 17.090.060 HEIGHT REGULATIONS.

Height regulations in the RM-S zone are as follows:

(A) (1) Except as otherwise permitted by variance, no building or structure occupied by a principal use on a lot having a slope of ten percent or less shall exceed a height of 28.5 feet nor contain more than two stories.

(2) On lots having a slope in excess of ten percent, no building or structure occupied by a principal use and situated on the downhill side of the street upon which it has its primary frontage shall exceed 35 feet in height, and if situated on the uphill side of the street shall not exceed 28.5 feet in height nor contain more than three stories.

(B) Except as otherwise permitted by variance or by the provisions of § 17.052.020 of this title, no accessory building or structure on any lot shall exceed fifteen feet in height nor contain more than one story; provided that handrails required by the Uniform Building Code shall not be included in measuring height.

§ 17.090.070 YARDS.

Except as otherwise permitted by variance, each building site in the RM-S zone shall have yards as follows:

(A) A front and rear yard having a combined depth of not less than 40 feet, but neither yard having a depth of less than ten feet;

(B) Two side yards having a combined width of not less than 25 feet, but neither yard having a width of less than ten feet; and

(C) On all corner lots, all street frontage of any corner lot shall have a yard setback of ten feet.

§ 17.090.080 SIGNS.

No signs shall be established or maintained in the RM-S senior residential zone, except as authorized or allowed under the provisions of Chapter 17.064 of this title.

§ 17.090.090 OFF-STREET PARKING.

Off-street parking spaces and facilities in the RM-S zone shall be provided as required or allowed by the provisions of Chapter 17.052 of this title.

§ 17.090.100 TRAFFIC IMPACT PERMIT.

The provisions of the traffic impact permit, Chapter 17.056, are applicable to properties in the RM-S zone.

§ 17.090.110 VARIANCES.

The Planning Commission may require, as a condition of a variance approved and issued under the provisions of this section, a reduction of building height, lot coverage, floor area ratio, parking, or buildable area, or any combination thereof, when the reduction is found necessary to protect adjoining property from adverse or detrimental effect, or to prevent the variance from constituting a grant of special privilege.