



# **TOWN OF FAIRFAX**

## **STAFF REPORT**

### **June 18, 2020**

**TO:** Planning Commission

**FROM:** Ben Berto, Director of Planning and Building Services

**SUBJECT:** Digitized version of ridgeline development map

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#### **BACKGROUND**

Staff continues to digitize the baseline maps from 1974 referred to in Title 17 of the Fairfax Municipal Code (Zoning), and clarify the references to such maps. In 2019, for example, your Commission recommended adoption of digitized versions of landslide hazard maps as part of amendments to the Hill Area Residential Development (HRD) etc. code chapters. These digitized diagrams were subsequently adopted by the Town Council.

#### **DISCUSSION**

Zoning Ordinance Chapter 17.60, Ridgeline Development, refers in § 17.060.020 Definitions and §17.060.030(A) General Requirements to “Visual Resources Map No. 9”.

No map by this name is to be found in the Zoning Ordinance. Neither is such an entitled map located in either the Town’s current 2010-2030 General Plan (adopted in 2012) or the prior (1974) General Plan. The current General Plan does show Figure S-1 “Map of Visual Resources” dating from 1974 that shows “Ridgeline Scenic Corridors” (see Attachment A). Staff believes this “Visual Resources” map is intended to be the one to which the Zoning Ridgeline Development sections refer.

There are several reasons why staff recommends that the 1974 map should be replaced. The first is the afore-mentioned disparity in the titles of the map.

The second is that the paper map is 46 years old, and covers a lot more area than the municipal boundaries of the Town. Staff has superimposed the Town boundaries on the Visual Resources map so that the relative area of interest to the Town (the area within its boundaries) can be readily seen (see Attachment B). The paper map (and others of its era) were very good documents for their time, and still function in providing useful background data.

However, in order for the Visual Resources map to be truly useful, it needs to be translated into a digitized and georeferenced document. Planning’s GIS specialist has done this in the map entitled “Visual Resources Map No 9” (see Attachment C). This map has been georeferenced to MarinMap’s lidar GIS data, and very accurately identifies actual topographic features such as ridges, drainages, etc. Different GIS layers can also be accessed to provide

features such as property boundaries, streets, and the map's "Ridgeline Scenic Corridors" to actual properties.

## **RECOMMENDATION**

Staff recommends that the Planning Commission adopt the attached Resolution No. 2020-05 (Attachment D), which recommends that the Town Council adopt the digitized version of "Fairfax Visual Resources Map No. 9" as the official map for zoning ordinance reference purposes.

## **ATTACHMENTS**

Attachment A – 2010-2030 General Plan Visual Resources map

Attachment B – 1974 Visual Resources map with Town boundaries superimposed

Attachment C – Digitized Fairfax Visual Resources Map No.9








Attachment D – Resolution 2020-05 recommending Town Council adoption of digitized Fairfax Visual Resources Map No. 9

Attachment E - Zoning Title 17 Chapter 17.60



# RESOURCES

## LEGEND

-  RIDGELINE SCENIC CORRIDORS
-  VISUALLY SIGNIFICANT AREAS
-  SCENIC
-  C CONIFER-HARDWOOD VEGETATION
-  STREAM COURSES
-  VIEWS AND VISTA POINTS
-  GATEWAYS

CE:

WMRT FIELD INSPECTION

FAIRFAX OPEN SPACE CITIZENS COMMITTEE REPORT 1973

APPROVED BY THE TOWN OF FAIRFAX PLANNING COMMISSION ON SEPTEMBER 18, 1974.

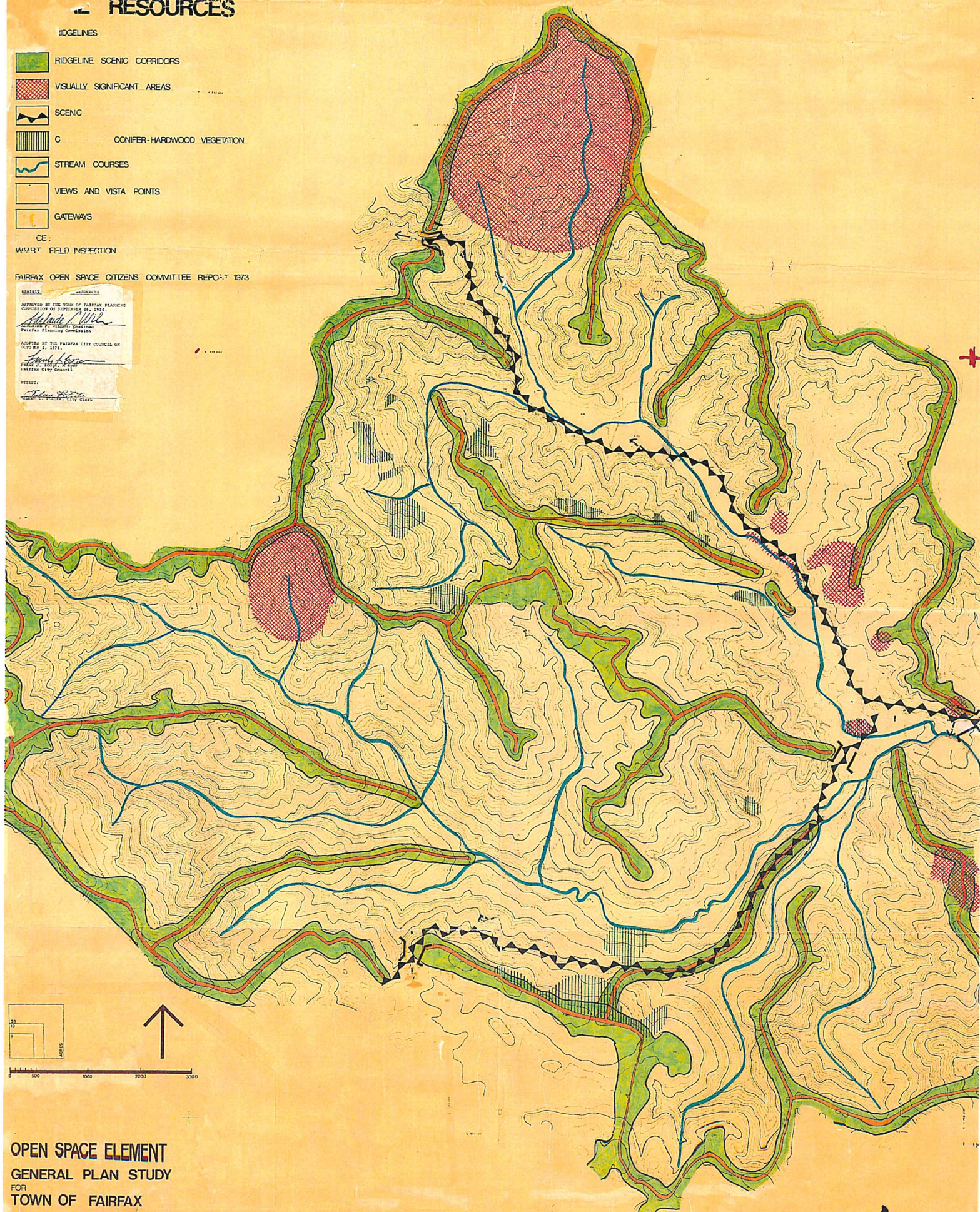
*[Signature]*  
 FAIRFAX PLANNING COMMISSION

APPROVED BY THE FAIRFAX CITY COUNCIL ON OCTOBER 1, 1974.

*[Signature]*  
 FAIRFAX CITY COUNCIL

ATTEST:

*[Signature]*  
 CLERK, FAIRFAX CITY CLERK

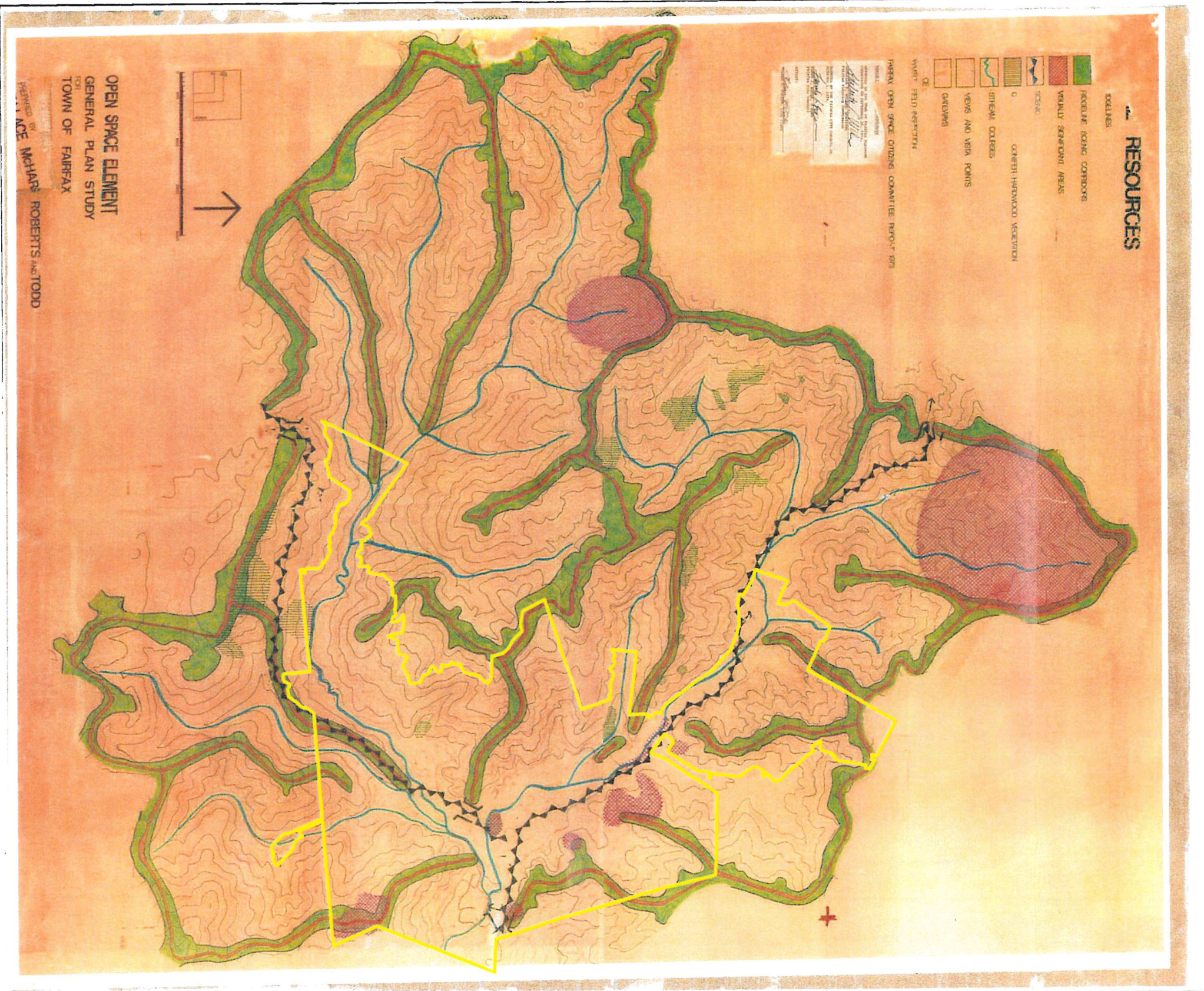


OPEN SPACE ELEMENT  
 GENERAL PLAN STUDY  
 FOR  
 TOWN OF FAIRFAX

PREPARED BY  
 MCHARS ROBERTS AND TODD

ATTACHMENT **A**

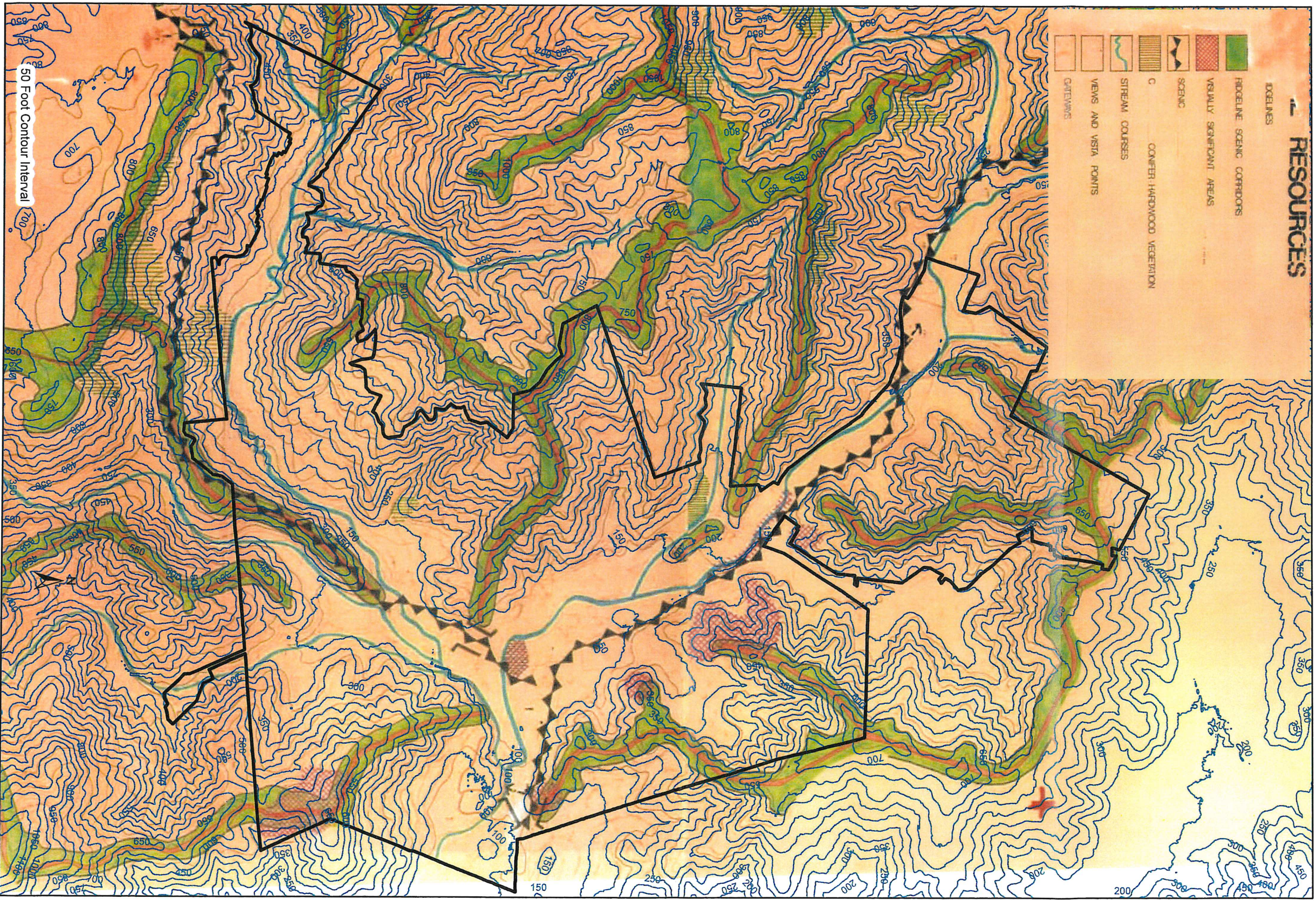






# Visual Resources Map No. 9

June 18, 2020





RESOLUTION NO. 2020-05

**A RESOLUTION OF THE PLANNING COMMISSION  
OF THE TOWN OF FAIRFAX RECOMMENDING THE TOWN COUNCIL  
ADOPT THE DIGITAL VERSION OF VISUAL RESOURCES MAP NO. 9  
AS THE OFFICIAL MAP FOR TITLE 17 ZONING CHAPTER 17.60**

**WHEREAS**, the Town of Fairfax Municipal Code Title 17 ("Zoning") Chapter 17.60 refers to "Visual Resources Map No. 9", and

**WHEREAS**, the Town has in the Open Space Element of its current (2010-2030) General Plan a map entitled "Visual Resources"; and

**WHEREAS**, the Town has the ability to incorporate a digitized, georeferenced version of the "Visual Resources" map for reference purposes with respect to Title 17 Zoning Chapter 17.60; and

**WHEREAS**, the Planning Commission recommends that the Town Council adopt as an official map for purposes of reference with respect to the provisions of Title 17 Zoning Chapter 17.60, entitled "Visual Resources Map No. 9".

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Commission of the Town of Fairfax hereby recommends that the Town Council adopt as the official reference map for Title 17 Chapter 17.60 the digitized map entitled "Visual Resources Map No. 9", herein attached to the staff report as **Attachment C**.

The forgoing Resolution was duly passed and adopted at a regular meeting of the Planning Commission of the Town of Fairfax held in said Town on the 18th day of June 2020 by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Phil Green, Chair

Attest:

\_\_\_\_\_  
Ben Berto, Planning Director

## CHAPTER 17.060: RIDGELINE DEVELOPMENT

### Section

- 17.060.010 Purpose
- 17.060.020 Definitions
- 17.060.030 General requirements
- 17.060.040 Affected significant view corridors
- 17.060.050 Criteria for review of application
- 17.060.060 Application; procedures generally
- 17.060.070 Approval of design review application; required findings
- 17.060.080 Approval of application for exception; required findings
- 17.060.090 Time limits; extensions
- 17.060.100 Appeals
- 17.060.110 Enforcement

#### § 17.060.010 PURPOSE.

The purpose of this chapter is to conserve the general public welfare by conserving the existing scenic resources and the sense of community and/or neighborhood identity now afforded by the presence of the unurbanized open spaces on the ridge tops above the town by preserving them in an open and scenically attractive state.

(Prior Code, § 17.32.010) (Ord. 352, passed - -1973; Am. Ord. 476, passed - -1980)

#### § 17.060.020 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**ADJACENT RIDGE.** The portion of the ridgeline within 150 feet horizontal distance or 100 feet vertical distance from the subject structure, from which a line drawn perpendicular to the ridgeline strikes or passes over the subject structure. When a structure is built in a swale between two ridges, the higher ridge will determine the height of the structure.

**MAJOR RIDGES.** Those areas located on **Visual Resources Map No. 9.**

**RIDGELINE.** The uppermost line in elevation traversing a major ridge (chain of hills).

**RIDGELINE SCENIC CORRIDORS.** Those areas defined as community and/or neighborhood separators and visual resources providing community and/or neighborhood identity, further defined as the area on either side of the ridgeline within 150 feet horizontal distance measured at right angles to the ridgeline or 100 feet vertically of the major ridge, whichever is a greater area as located on **Visual Resources Map No. 9.**

**SIGNIFICANT VIEW CORRIDORS.** Identified by the Planning Commission as places from which the visual impact of development in a ridgeline scenic corridor could be significant and contrary to the purposes of this title.

**UTILITY LINES.** Public or private utility distribution and transmission lines.

(Prior Code, § 17.32.020) (Ord. 352, passed - -1973; Am. Ord. 476, passed - -1980; Am. Ord. 764, passed 2-1-2012)

§ 17.060.030 GENERAL REQUIREMENTS.

(A) No building, accessory building, or structure or modification thereof, shall be erected within ridgeline scenic corridors as defined on Visual Resources Map No. 9, except in either of the following circumstances:

(1) The applicant demonstrates to the staff that an accessory structure or addition will have no impact on significant views due to the proposed location of the structure in relation to existing improvements; and/or

(2) The Planning Commission approves a permit for building in the ridgeline scenic corridor.

(B) If buildings, accessory buildings or additions and modifications to them must be placed within the restricted area, they shall be designed and located to have the least impact on existing visual resources.

(Prior Code, § 17.32.030) (Ord. 352, passed - -1973; Am. Ord. 476, passed - -1980; Am. Ord. 500, passed - -1982; Am. Ord. 764, passed 2-1-2012)

§ 17.060.040 AFFECTED SIGNIFICANT VIEW CORRIDORS.

(A) (1) In considering an application for building in the restricted area, the Planning Commission will determine the significant view corridors which are affected by the project.

(2) Significant view corridors will be addressed by the applicant in the application using photographs and/or illustrations which demonstrate how the proposed project is seen from:

(a) Public gathering places and major roadways;

(b) Neighboring properties and neighborhood roadways; and

(c) Critical points within the subject property.

(B) (1) Public gathering places and major roadways will be considered significant view corridors unless the Planning Commission makes the specific finding that a given location is not significant for a project.

(2) Neighboring properties, neighborhood roadways and points within the subject property may be significant if the Planning Commission makes the finding that regulation of views from the point is necessary to protect the general public welfare, as defined in the purpose of this chapter.

(Prior Code, § 17.32.040) (Ord. 352, passed - -1973; Am. Ord. 476, passed - -1980; Am. Ord. 764, passed 2-1-2012)

§ 17.060.050 CRITERIA FOR REVIEW OF APPLICATION.

(A) The Planning Commission shall use the following criteria to review applications.

(B) These criteria must be complied with unless an exception is granted by the Planning Commission.

(1) Native planting shall be retained to provide screening and avoid abrupt changes in the natural, vegetative cover. Extensive tree pruning and tree removal around structures shall be avoided.

(2) Additional screening and cover shall be provided, with new planting compatible with existing vegetation and designed to break up silhouettes, reflections and large,



unnatural surfaces. If required as a condition of design review approval, a maintenance bond shall be posted for one year to ensure the vitality of essential landscaping.

(3) Buildings, fences and structures shall be of materials and colors compatible with the surrounding area.

(4) Cuts, fills and retaining structures will be minimized.

(5) Roadways shall follow contours to also minimize cuts, fills and retaining structures. Disturbed areas shall be revegetated to harmonize with the surrounding environment, and retaining structures shall include planting or similar means, as necessary, to harmonize as well.

(6) No roads or streets shall be permitted to traverse a ridge.

(7) If exterior lighting is to be installed, it shall be of low-level intensity and low profile.

(8) (a) All utilities and cables shall be placed underground.

(b) Alternative energy sources, not including small residential rooftop solar energy systems, may be approved where their impacts are minimized. Small residential rooftop solar energy systems shall be subject to the review and approval procedures set forth in §§ 17.138.200 through 17.138.270. This provision supersedes § 17.044.020 of this title relating to public utilities.

(9) (a) All structures shall be located so that the roof does not extend above the ridgeline.

(b) No part of a building may exceed 35 feet to the adjacent grade.

(c) Where a ridge lot is too flat to allow placement of a roof of a building or structure down from the ridgeline, no part of the roof of the structure may extend more than 15 feet above the lowest elevation of the adjacent ridgeline.

(10) In order to minimize bulk and mass, long, unbroken rooflines and large, uninterrupted wall surfaces will be avoided.

(Prior Code, § 17.32.050) (Ord. 352, passed - -1973; Am. Ord. 476, passed - -1980; Am. Ord. 764, passed 2-1-2012; Am. Ord. 794, passed 10-7-2015)

#### § 17.060.060 APPLICATION; PROCEDURES GENERALLY.

(A) An application for a permit for building in the ridgeline scenic corridor shall be made in accordance with §§ 17.020.050 and 17.020.060 of this title.

(B) The Planning Commission may approve, modify, deny or continue an application for design review of development in a ridge line scenic corridor and exceptions in accordance with the procedures, including procedures governing notice of public hearings, as set forth herein.

(Prior Code, § 17.32.060) (Ord. 352, passed - -1973; Am. Ord. 476, passed - -1980; Am. Ord. 500, passed - -1982; Am. Ord. 628, passed - -1994; Am. Ord. 764, passed 2-1-2012)

#### § 17.060.070 APPROVAL OF DESIGN REVIEW APPLICATION; REQUIRED FINDINGS.

In approving an application for design review of a structure in a ridgeline scenic corridor, the Planning Commission must make the following findings:

(A) Other suitable building locations are not available on the site; and/or



(B) The visual impact of the proposed structure on significant view corridors has been minimized and the project substantially conforms to the criteria in § 17.060.040.  
(Prior Code, § 17.32.070) (Ord. 352, passed - -1973; Am. Ord. 476, passed - -1980; Am. Ord. 764, passed 2-1-2012)

#### § 17.060.080 APPROVAL OF APPLICATION FOR EXCEPTION; REQUIRED FINDINGS.

In approving an application for an exception, the Planning Commission must make the following findings:

- (A) The exception is the minimum necessary for use and enjoyment of the property;
  - (B) The exception is necessary due to a particular topographical feature or location of the property; and
  - (C) Granting the exception results in a project which meets the intent of § 17.060.070.
- (Prior Code, § 17.32.080) (Ord. 352, passed - -1973; Am. Ord. 476, passed - -1980; Am. Ord. 764, passed 2-1-2012)

#### § 17.060.090 TIME LIMITS; EXTENSIONS.

Notwithstanding any other provision of this chapter, any permit granted for building in the ridgeline scenic corridor shall comply with § 17.040.110 ("Permit Time Limits and Extensions") of Chapter 17.040 ("General Zone Regulations").  
(Ord. 837, passed 10-2-2019)

#### § 17.060.100 APPEALS.

Appeals shall be in accordance with the provisions in §§ 17.020.110 of this title.  
(Prior Code, § 17.32.100) (Ord. 352, passed - -1973; Am. Ord. 476, passed - -1980; Am. Ord. 764, passed 2-1-2012)

#### § 17.060.110 ENFORCEMENT.

Enforcement shall be in accordance with the provisions in § 17.020.130 of this title.  
(Prior Code, § 17.32.110) (Ord. 352, passed - -1973; Am. Ord. 476, passed - -1980)