



# Town of Fairfax Multi-Family Residential Objective Design and Development Standards

September 28, 2028 **DRAFT**

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**els**  
architecture+  
urban design  
schemata  
workshop

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# Quick Code Guide for Developments Less Than Three Acres

The following graphic is intended as a summary guide. Please refer to the Town of Fairfax's permit procedures and application standards for all necessary information.

1
Determine your Maximum Zoning Envelope<sup>1</sup>

<b>Identify your zone</b>		
	a. Select from allowed uses	Chapter 2 of the zone
	b. Comply with building placement standards	Chapter 3 of the zone
	c. Comply with building form and height standards	Chapter 3 of the zone
	d. Comply with parking standards	Chapter 3 of the zone
	e. Select your private frontage type	Chapter 5 of the zone
	f. Comply with building massing standards	Chapter 3 of the zone

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<sup>1</sup>Developments that propose multiple design sites shall apply this process for each design site.

2
Connect Building Site to Adjacent Streetscape

<b>Apply your private frontage type</b>	Site Design Standards	Chapter 4
	Building Frontage standards	Chapter 5

3
Scale and Materiality

<b>Identify your architectural standards,</b>	Select materials	Chapter 5
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# Quick Code Guide for Developments Less Than Three Acres (Continued)

## 4

### Proceed to Approval Process

<b>If adjustments are needed</b>	Meet the required findings to be eligible for the adjustment to the standard(s)	Chapter 1
<b>Identify your approval procedure</b>	Comply with the procedure standards	Chapter 1

# Quick Code Guide for Developments Over Three Acres

The following graphic is intended as a summary guide. Please refer to the Town of Fairfax's permit procedures and application standards for all necessary information.

1 Design your Walkable Neighborhood Plan (WNP)		
Identify your WNP design process	Comply with the standards	Chapter 6
Prepare WNP	Comply with the standards	Chapter 6
2 Determine your Maximum Zoning Envelope <sup>1</sup>		
Identify your zone		
	a. Select from allowed uses	Chapter 2 of the zone
	b. Comply with building placement standards	Chapter 3 of the zone
	c. Comply with building form and height standards	Chapter 3 of the zone
	d. Comply with parking standards	Chapter 3 of the zone
	e. Select your private frontage type	Chapter 5 of the zone
	f. Comply with building massing standards	Chapter 3 of the zone
<sup>1</sup> Developments that propose multiple design sites shall apply this process for each design site.		
3 Connect Building Site to Adjacent Streetscape		
Apply your private frontage typ	Site Design Standards	Chapter 4
	Building Frontage standards	Chapter 5



# Quick Code Guide for Developments Over Three Acres (Continued)

4 Scale and Materiality		
<b>Identify your architectural standards,</b>	Select your materials	Chapter 5

5 Proceed to Approval Process		
<b>If adjustments are proposed</b>	Meet the required findings to be eligible for the adjustment to the standard(s)	Chapter 1
<b>Identify your approval procedure</b>	Comply with the procedure standards	Chapter 1

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# Preamble

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## Sections:

P-1A	Creating a Place-Based Foundation for Zoning
P-1B	Guiding Principles
P-1C	A Hybrid Approach for Fairfax

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## P-1A Creating a Place-Based Foundation for Zoning

The "Multifamily Residential Objective Design and Development Standards", shall hereafter be referred to as the Form-Based Code or "FBC". The FBC implements Fairfax's General Plan vision through the application of zones and standards that reflect a context-specific approach based upon Fairfax's distinct walkable development patterns. These patterns are described as walkable because of their interconnected streets and blocks; variety of housing choices; and proximity to services, shopping and/or transit. The FBC addresses the walkable development patterns, existing or intended, through standards consistent with Fairfax's General Plan.

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## P-1B Guiding Principles

The FBC is guided by the following principles in implementing the Fairfax General Plan:

1. Across Fairfax, the FBC:
  - A. Provides clear and effective development standards that allow for streamlined review processes and the predictable production of housing;
  - B. Supports a diversity of housing choices appropriate to their location;
  - C. Ensures appropriately-scaled infill development;
  - D. Reinforces and enhances community design and character in support of the community's vision with: a variety of neighborhoods; main street areas as the cultural and commercial heart of the community; and neighborhoods with centers along pleasant and convenient corridors that interconnect Fairfax;
  - E. Removes barriers to revitalization and reinvestment through clear, objective, and context-sensitive standards;
  - F. Ensures that each building plays a role in creating a better whole, not just a good building; and
  - G. Promotes development patterns that support safe, effective, and multi-modal transportation options for all users and help reduce greenhouse gas emissions.
1. Within community cores, the FBC:
  - A. Reinforces the main street as a cultural and commercial destination accommodating appropriately-scaled infill housing, mixed-use, and cultural development compatible with existing historic buildings; and
  - B. Facilitates transitions from single-use areas to mixed-use employment centers that are compatible with adjacent residential neighborhoods and public access.

2. Within residential neighborhoods in core, suburban, and edge contexts, the FBC:
  - A. Protects the character of established neighborhoods and builds upon and reinforces the unique physical characteristics of Fairfax's walkable neighborhoods;
  - B. Supports new walkable neighborhood patterns through new networks of well-designed multi-modal streets that are safe for pedestrians and cyclists; and
  - C. Promotes neighborhoods with quality housing and diverse, context-sensitive housing choices.
3. Along corridors within core, suburban, and edge contexts, the FBC:
  - A. Promotes a variety of housing choices;
  - B. Promotes small local businesses as an important part of Fairfax's economy;
  - C. Promotes incremental infill and revitalization;
  - D. Reinforces neighborhood main streets as centers to continue as vibrant social and commercial focal points, with services and amenities for the surrounding neighborhoods located within a safe, comfortable walking distance of homes;
  - E. Balances pedestrian comfort and place-making with traffic efficiency; and
  - F. Promotes and accommodates high-quality community design.

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## P-1C

### A Hybrid Approach for Fairfax

In zoning, a *hybrid* zoning code brings together the zoning and operating systems of form-based zoning and conventional, use-based zoning to address the unique qualities of all context types that make up a community. Form-based zoning is applied to Walkable Contexts, and conventional, use-based zoning is applied to Natural and Auto-Oriented Suburban Contexts.

This hybrid approach directs development and uses within each context type to thrive with standards that respond to the unique needs and community objectives of each context. For example, a neighborhood main street is regulated through form-based zoning with the intention that the standards will generate walkable development. Standards generate buildings that are scaled to the pedestrian and to existing and future neighboring buildings, and are placed to shape a public realm for pedestrians. Uses are regulated but are a lower priority than the overall physical environment and public realm that the uses occupy.

A suburban strip mall is regulated through conventional, use-based zoning with the intention that the standards will generate Auto-Oriented Suburban development. Standards control uses, overall heights and intensities with less priority as to their exact placement on a design site or how each building shapes the public realm. In cases where the intent is to transform Auto-Oriented Suburban development (e.g., retrofit of suburban strip mall) to walkable development, form-based zoning best implements those transformations.

The addition of this FBC to Fairfax's zoning code makes the zoning code a hybrid code which only governs multi-family residential uses. In this hybrid approach, the FBC is applied only to multi-family development, with commercial development zoning remaining within the current Town of Fairfax planning code.

# Chapter 1: Introduction and Administration

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## Sections:

x.01.010	Purpose
x.01.020	Applicability
x.01.030	Relationship to Fairfax General Plan
x.01.040	Relationship to Fairfax Zoning Code
x.01.050	Procedures
x.01.060	Adjustments to Standards

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## x.01.010 Purpose

This Form-Based Code (FBC) sets forth the standards for neighborhood design, building form, and residential uses within form-based zones. These standards reflect the community's vision for implementing the intent of the Fairfax General Plan to facilitate housing production and specifically infill housing production, through development that reinforces the highly valued character and scale of Fairfax's walkable centers, neighborhoods, and corridors.

This Chapter is also intended to establish procedures for applications eligible for streamlined review consistent with State law (i.e., Senate Bill 35) and for reviewing applications under the Housing Accountability Act. The Town of Fairfax is responding to State mandates and including application procedures in the FBC that are compliant with State law but reflect the unique conditions and procedures within the Fairfax. The intent of Senate Bill 35 and the Housing Accountability Act is to facilitate and expedite the construction of housing through the application of objective standards and, with Senate Bill 35, ministerial and streamlined approval procedures. These procedures shall be used in conjunction with the objective standards contained in this FBC as applicable.

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## x.01.020 Applicability

1. **Rules for Construction of Language.** The following general rules for construction of language apply to the text of this FBC:
  - A. **Tenses and Numbers.** Words used in the present tense include the future, words used in the singular include the plural, and the plural includes the singular, unless the context clearly indicates the contrary.
  - B. **Applicable.** The applicable standards of this FBC apply so as to not require stating the phrase "and all applicable standards" throughout this FBC.
  - C. **Conjunctions.** Unless the context clearly indicates otherwise, the following conjunctions shall be interpreted as follows:
    - (1) "And" indicates that all connected items or provisions apply;
    - (2) "Or" indicates that the connected items or provisions may apply; and
    - (3) "Either/or" indicates that the connected items or provisions apply singly but not in combination.

2. In areas subject to this FBC, the standards in this FBC prevail unless stated otherwise.
3. This FBC applies to proposed development as identified in Table A (Applicability).

<b>Table x.01.020.A: Applicability</b>			
<b>Development Type</b>	<b>Housing Accountability Act (HAA) Applies<sup>1</sup></b>	<b>Senate Bill 330 Applies<sup>1</sup></b>	<b>Senate Bill 35 Applies<sup>2</sup></b>
<b>Single-Unit House</b>	No	No	No
<b>Transitional Housing</b>	Yes	Yes	See Multi-Family Housing (2 or more residential units)
<b>Supportive Housing</b>	Yes	Yes	
<b>Emergency Shelter</b>	Yes	Yes	
<b>Farmworker Housing</b>	Yes	Yes	
<b>Multi-Family Housing (2 or more residential units)</b>			
Affordable	Yes	Yes	Yes
Market Rate <sup>3</sup>	Yes	Yes	No
<b>Mixed-Use Development (at least 2/3 of square footage designated for residential units)</b>			
Affordable	Yes	Yes	Yes
Market Rate <sup>3</sup>	Yes	Yes	No
<b>Other Development</b>			
Non-Mixed-Use <sup>4</sup>	No	No	No
Non-Residential	No	No	No

<sup>1</sup> See Government Code §65589.5 for additional eligibility criteria and specific protections by development type.

<sup>2</sup> See Government Code §65913.4(a) for additional eligibility criteria (e.g., site standards, affordability provisions, and labor provisions).

<sup>3</sup> "Market Rate" refers to projects that do not contain the minimum percentage of affordable housing units to be eligible for Senate Bill 35 streamlining. See Footnote 2.

<sup>4</sup> Less than 2/3 of square footage designated for residential units.

4. As required by Table A (Applicability), the standards in this FBC apply to all proposed development and improvements within form-based zones (zones) as identified below.

**A. General**

- (1) Selected the allowed massing, setbacks and form based code based on the frontage width of you property.
- (2) Uses
  - (a) Comply with Chapter 2 (Zones); and
  - (b) Residential use types not listed in Chapter 2 (Zones) are not allowed in that zone.
  - (c) Non-residential uses to conform to the Town of Fairfax Zoning.
- (3) New buildings and their improvements are subject to Fairfax's local standards for Fire Safety and Building Safety.
- (4) Fairfax's standards for Accessory Dwelling Units (ADU) and Junior Accessory Dwelling Units (JADU) apply.

- (5) **Site Standards.** Chapter 4 (General to Design Sites)
- (6) **Screening.** The standards of Section x.04.020 (Screening) apply to the following:
  - (a) All new development; and
  - (b) Improvements to existing development.
- (7) **Landscaping and Tree Standards.** The standards of Section x.04.030 (Landscaping and Lighting) apply to the following:
  - (a) New primary building(s); and/or
  - (b) Site improvements to existing development.
- (8) **Parking and Loading.** The standards of Section x.04.040 (Parking and Loading) apply to the following:
  - (a) New development;
  - (b) Changes in land use; and/or
  - (c) Changes in intensity of buildings or structures made after the effective date of this FBC that cause an increase or decrease of 25 percent or greater in:
    - i. Gross floor area;
    - ii. Seating capacity;
    - iii. Units; and/or
    - iv. Parking spaces.
- (9) **Slope Standards.** The standards of Section x.04.050 (Slope Standards) and [Section x.05.080 \(Location of Bonus Height/Floor Area on Sloped Design Sites\)](#) apply to portions of design sites with grades of six percent or more.
- (10) **Public Frontage Standards.** The standards of Section x.04.060 (Public Frontage Standards) apply to existing and proposed streets, in any of the following situations:
  - (a) New primary building(s);
  - (b) Addition(s) over 50 percent of the existing floor area of primary building;
  - (c) Facade renovation(s) to primary building along front or side street; and/or
  - (d) New block(s).

- B. **Building Area Standards.** The standards of Chapter 3 (Buildable Area Standards) apply to the following:
- (1) New buildings (except public safety buildings); and
  - (2) Additions (except public safety buildings).
- C. **Private Frontage Type Standards.** The standards of Chapter 5 (Frontage Types and Materials) apply to the following:
- (1) New buildings;
  - (2) Building facade renovation facing a street or civic space (except public safety buildings);
  - (3) Private property improvement along front or side street; and
  - (4) Modification of pedestrian entrance(s) along front or side street.
- D. **Walkable Community Design**
- (1) **New Development.** New development on a design site of at least three acres or at least 700 feet long or deep is required to be designed in compliance with [Chapter 6 \(Specific to Large Sites\)](#).
  - (2) **Blocks and Streets**
    - (a) Development sites larger than three acres or at least 700 feet long or deep shall be divided into new blocks in compliance with [Subsection x.06.020.6](#).
    - (b) New streets are required to form blocks in compliance with [Table x.06.020.A \(Block Size Standards\)](#).
    - (c) When designing a new street or retrofitting an existing street, the standards in Chapter 12 of the Fairfax Municipal Code (Fairfax Street Standards) apply.
  - (3) **Design Sites**
    - (a) New buildings are required to be designed in compliance with the design site width and depth standards of the zone.
    - (b) This FBC does not require the recordation of design site lines. The design site width and depth standards are for the purpose of consistently achieving pedestrian-oriented and scaled buildings.
  - (4) **Civic Space Type Standards.** Development sites larger than three acres are required to create new civic space(s) in compliance with the standards of [Chapter 6 \(Specific to Large Sites\)](#) and Chapter 12.36 of the Fairfax Municipal Code (General to Civic Space).
- E. **Street Standards.** The standards of Chapter 12 of the Fairfax Municipal Code (Fairfax Street Standards) apply to the following:
- (1) The construction of a new street and/or when an application for a Walkable Neighborhood Plan (WNP) is proposed.
  - (2) Existing street(s):
    - (a) Improvement or modification to curb return, pedestrian crossing, landscaping, or sidewalk;
    - (b) Improvement or modification to on-street parking, or lane striping; and/or



- (c) Improvement or modification to right-of-way.
  - (d) **Nonconforming Situations.** The standards of Chapter 17.016 of the Fairfax Municipal Code (Fairfax Nonconforming Situations Standards) apply to all nonconforming situations.
- F. **Procedures.** Applications for development are to be processed in compliance with the procedures identified in Section x.01.050 (Procedures). Requests for administrative relief are to be processed in compliance with the procedures in Section x.01.050 (Procedures) and the required findings in Section x.01.060 (Adjustments to Standards).

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### x.01.030 Relationship to Fairfax General Plan

This FBC implements Fairfax's General Plan vision through a palette of form-based zones described in Chapter 2 (Establishment of Zones). This FBC is applied to walkable environments, existing or new. Walkable is described as an environment that is pedestrian-oriented in nature, with a variety of housing choices, where bicycling and walking are viable daily options because services, retail, or restaurants are within 2,000 linear feet of most residences in the development.

**x.01.040 Relationship to Fairfax Zoning Code**

This FBC has been integrated with Chapter 17 (Fairfax Zoning Code) as identified in Table A.

Table x.01.040.A: Relationship to Article xxx (Fairfax Zoning Code)		
Article xxx (Fairfax Zoning Code)		Title x (FBC)
Division	Description	Status
<a href="#">17</a>	Use Standards	<a href="#">xxx</a>
<a href="#">xx</a>	Site Development Standards	
	<a href="#">xx Off-Street Parking and Loading</a>	<a href="#">17.052</a>
	<a href="#">xx Sign Standards</a>	<a href="#">17.064</a>
	<a href="#">xx Access Management Standards</a>	<a href="#">17.056</a>
	<a href="#">xx Landscaping and Tree Standards</a>	<a href="#">Chapter 17</a>
	<a href="#">xx Public Frontage Standards</a>	<a href="#">Chapter 17</a>
	<a href="#">xx Screening and Buffering Standards</a>	<a href="#">Chapter 17</a>
	<a href="#">xx Floodplain Management Standards</a>	<a href="#">17.068</a>
	<a href="#">xx Neighborhood Open Space Standards</a>	<a href="#">Chapter 17</a>
<a href="#">xx</a>	Administration	<a href="#">Chapter 17</a>
<a href="#">xx</a>	Review and Approval Procedures	<a href="#">Chapter 17</a>
<a href="#">xx</a>	Definitions	<a href="#">17.008</a>

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**x.01.050 Procedures**

**1. Procedures for Applications Filed Under Senate Bill 35**

**A. Applicability**

- (1) This Section applies to housing development projects applying for approval under Government Code §65913.4 and replaces the Fairfax's procedures for reviewing multifamily residential discretionary applications.
- (2) This Section shall remain in effect for the same period as Senate Bill 35 provisions contained in Government Code §65913.4. Unless Senate Bill 35 provisions are extended by the State Legislature, this Section shall remain in effect only until January 1, 2026, and as of that date is repealed.
- (3) The California Environmental Quality Act (CEQA) does not apply to projects eligible under Senate Bill 35.
- (4) The Department of Housing and Community Development is charged with developing guidelines for implementing Senate Bill 35. These procedures may change if required by changes in those guidelines or in Government Code §65913.4.

**B. Definitions.** Terms defined in Government Code §65913.4 shall apply to this Section and shall control in the event of a conflict between definitions in this FBC and definitions in Government Code §65913.4.

**C. Application Filing**

**D. Preliminary Application Filing.** An applicant shall file a notice of intent to submit a Senate Bill 35 application in the form of a preliminary application consistent with Government Code §65941.1.

- (a) **Form.** A preliminary application shall be filed on a form provided by the Fairfax with the required fee. If the Town of Fairfax has not prepared a form, a preliminary application shall be filed on the standardized form adopted by the California Department of Housing and Community Development.
- (b) **Timeline.** Within 180 calendar days after submitting a preliminary application, an applicant shall submit a full Senate Bill 35 application, provided scoping consultation has concluded consistent with Subsection (c), below.

(c) **Scoping Consultation**

- i. Upon receipt of the preliminary application, the Town of Fairfax shall contact the Native American Heritage Commission for assistance in identifying any California Native American tribe that should be noticed. The Fairfax shall provide a formal notice of the applicant's intent to submit a full application to each required California Native American tribe within 30 days of preliminary application submittal. The formal notice shall be consistent with Government Code §65913.4(b).
  - ii. If, within 30 days of receipt of the formal notice, any California Native American tribe that was formally noticed accepts the invitation to engage in scoping consultation, the Town of Fairfax shall commence scoping consultation within 30 days of receiving that response.
  - iii. Scoping consultation shall be conducted consistent with Government Code §65913.4(b). If, after scoping consultation is concluded, a development is not eligible for Senate Bill 35 streamlining, the Town of Fairfax shall provide written documentation as required by Government Code §65913.4(b) to the applicant and any California Native American tribe that is a party to that scoping consultation.
- (1) **Full Application.** If the development remains eligible to apply under Senate Bill 35 after scoping consultation consistent with Government Code §65913.4(b) has concluded, an applicant may file a full Senate Bill 35 application on a form provided by the Town of Fairfax with the required fee.
- E. **Completeness Review.** The Town of Fairfax shall review an application for compliance consistent with [Subsection 1.E](#); there shall be no separate or additional timeframe for completeness review. Only the items necessary to determine compliance with the provisions contained in Government Code §65913.4(a) shall be required.
- F. **Compliance Review**
- (1) **Scope of Review.** The Department of Planning and Building Services scope of review is limited to all of the provisions contained in Government Code §65913.4(a) and the objective standards in effect at the time of preliminary application submittal.
  - (2) **Review Timeframes and Department of Planning and Building Services**
    - (a) **Consistency Review.** The Department of Planning and Building Services shall determine if the application complies with all of the provisions contained in Government Code §65913.4(a) and applicable objective standards within the following timeframes:
      - i. Within 60 calendar days of application submittal for applications that include 150 or fewer housing units.
      - ii. Within 90 calendar days of application submittal for applications that include 151 or more housing units.
    - (b) **Design Review or Public Oversight.** Any design review or public oversight (i.e., Planning Commission review) to determine if the application complies with all of the provisions contained in Government Code §65913.4(a) and applicable objective standards shall occur within the following timeframes:
      - i. Within 90 calendar days of application submittal for applications that include 150 or fewer housing units.

- ii. Within 180 calendar days of application submittal for applications that include 151 or more housing units.

(3) **Compliance Determination**

- (a) **Compliant Application.** If the application complies with all of the provisions contained in Government Code §65913.4(a) and all applicable objective standards, the Town of Fairfax shall complete any design review or public oversight and any subdivision approval within the timeframes listed in [Subsection 1.E](#). Only objective design and subdivision standards may be applied. See [Subsection 1.F](#).
- (b) **Non-Compliant Application.** If the application does not comply with all of the provisions contained in Government Code §65913.4(a) and all applicable objective standards, the Department of Planning and Building Services shall make the following determination:
  - i. If the application does not comply with all of the provisions contained in Government Code §65913.4(a) and all applicable objective standards, the Planning Commission shall provide the applicant with written documentation of which standards the development conflicts with and an explanation of the reasons the development conflicts with each standard.
  - ii. Resubmitted Application. If the project was found to be non-compliant, the applicant may resubmit the application for Senate Bill 35 streamlining, and the Town of Fairfax shall review it for compliance with all of the provisions contained in Government Code §65913.4(a) and all applicable objective standards subject to the same timelines in Subsection (2) above.
  - iii. Project Ineligible. If the project is ineligible for Senate Bill 35 streamlined processing, the applicant may elect to submit an application for the applicable discretionary approval.

G. **Decision on Project**

- (1) **Project Approval and Findings.** The Department of Planning and Building Services shall approve the application if the Planning Commission finds that the proposed development is compliant with all of the provisions contained in Government Code §65913.4(a) and all applicable objective standards, including objective subdivision standards.
- (2) **Conditions of Approval.** The Department of Planning and Building Services may impose conditions of approval provided those conditions of approval are objective and broadly applicable to development within the Town of Fairfax.

H. **Post-decision Procedures**

- (1) **Subsequent Permits.** Any necessary subsequent permits shall be issued on a ministerial basis subject to applicable objective standards. If a public improvement is necessary to implement a development subject to this Section, and that public improvement is located on land owned by the Town of Fairfax, the Department of Planning and Building Services shall process any approvals needed as required by Government Code §65913.4(h)(3).
- (2) **Post-Approval Modifications**
  - (a) **Post-Approval Modification Request.** An applicant or the Town of Fairfax may request a modification to an approved development if that request is made prior to the issuance of the final building permit.

- (b) **Applicability of Objective Standards to Modifications.** The Department of Planning and Building Services shall only apply objective standards in effect when the original application was submitted, except that objective standards adopted after the date of original submittal may be applied in any of the following instances:
- i. The total number of residential units or total square footage of construction changes by 15 percent or more; or
  - ii. The total number of residential units or total square footage of construction changes by five percent or more, and it is necessary to subject the development to an objective standard beyond those in effect when the application was submitted in order to mitigate or avoid a specific adverse impact upon public health or safety, for which there is no feasible alternative method to satisfactorily mitigate or avoid.
  - iii. Objective building standards contained in Title 24 may be applied to all modifications.
- (c) **Post-Approval Modification Review Timeframe and Decision.** The Department of Planning and Building Services shall determine if the modification is consistent with objective planning standards and issue a decision on the applicant's modification request within 60 days after submittal unless design review is required, in which case a decision shall be made within 90 days.
- (3) **Expiration.** An application approved consistent with this Section shall remain valid for three years; however, an application approval shall not expire if the development includes public investment in housing affordability, beyond tax credits, where 50 percent of the units are affordable to households making at or below 80 percent of the area median income consistent with Government Code §65913.4(f).
- (4) **Extension.** At the discretion of the Department of Planning and Building Services, a one-year extension may be granted consistent with Government Code §65913.4(f)(3).

## 2. Procedures for applications filed consistent with the Housing Accountability Act

### A. Applicability

- (1) This Section applies to housing development projects as defined by Government Code §65589.5(h)(2).
- (2) This Section shall remain in effect for the same period as provisions contained in the Government Code §65589.5 (Housing Accountability Act). Any provisions that are not extended by the State Legislature shall be repealed as of the date those provisions in the Housing Accountability Act are deemed null and void.

- B. **Definitions.** Terms defined in Government Code §65589.5 shall apply to this Section and shall control in the event of a conflict between definitions in this FBC and definitions in Government Code §65589.5.

### C. Application Filing

- (1) **Preliminary Application Filing (Optional).** An applicant may file a preliminary application consistent with Government Code §65941.1.
  - (a) A preliminary application shall be filed on a form provided by the The Town of Fairfax with the required fee. If the Town of Fairfax has not prepared a form, a preliminary application shall be filed on the standardized form adopted by the California Department of Housing and Community Development.
  - (b) Within 180 calendar days after submitting a preliminary application, an applicant shall submit a full application for the housing development.
- (2) **Full Application.** An applicant may file a full application for a housing development without filing a preliminary application. The full application shall be filed on a form provided by the Town of Fairfax with the required fee.

- D. **Conflicting Procedures.** This Section provides additional procedures that shall be followed for applicable projects. If conflicts occur between the Town of Fairfax's procedures and the procedures of this Section, this Section shall control.

### E. Compliance Review

#### (1) Scope of Review

- (a) **Housing Development with a Preliminary Application Submittal.** A housing development for which a preliminary application was submitted shall only be subject to the ordinances, policies, and standards adopted and in effect when the preliminary application is submitted, except in the following circumstances:
  - i. A fee, charge, or other monetary exaction increase resulting from an automatic annual adjustment based on an independently published cost index that is referenced in the ordinance or resolution establishing the fee or monetary exaction.
  - ii. A preponderance of the evidence in the record establishes that subjecting the housing development to an ordinance, policy, or standard beyond those in effect when the preliminary application was submitted is necessary to mitigate or avoid a specific, adverse impact upon the public health or safety, and there is no feasible alternative method to satisfactorily mitigate or avoid the adverse impact.

- iii. Subjecting the housing development to an ordinance, policy, standard, or any other measure, beyond those in effect when the preliminary application was submitted is necessary to avoid or substantially lessen an impact consistent with CEQA.
  - iv. The housing development has not commenced construction within 2.5 years following the date of the housing development's final approval (as defined in Government Code §65589.5(o)(1)(D)).
  - v. The number of residential units or square footage of construction proposed changes by 20 percent or more, exclusive of any increase resulting from a density bonus, incentive, concession, waiver, or similar provision.
- (b) **Housing Development without a Preliminary Application Submittal.** A housing development shall be subject to objective standards in effect when the application was deemed complete.
- (2) **Review Timeframes**
- (a) Applications for housing development containing 150 or fewer units shall be reviewed for compliance with applicable objective standards within 30 calendar days of being deemed complete.
  - (b) Applications for housing development containing more than 150 units shall be reviewed for compliance with applicable objective standards within 60 calendar days of being deemed complete.
  - (c) **Review Authority.** The Department of Planning and Building Services shall be the Review Authority consistent with the The Town of Fairfax's procedures for the full application; however, if the Planning and Building Services Director is not the Review Authority, the Director may serve as the Review Authority, if necessary, to comply with Review Timelines described in [Subsection 2.F](#).
- (3) **Compliance Determination**
- (a) The Department of Planning and Building Services shall identify the specific standard(s) that the project does not comply with and provide an explanation of the reason(s) why the housing development is considered to be inconsistent or non-compliant with identified provisions and shall provide the written determination to the applicant.
  - (b) A housing development is considered in compliance with this FBC, and shall not require a Zoning Map Amendment, if the housing development complies with objective General Plan standards but the zoning for the housing development site is inconsistent with the General Plan.
- (4) **Limited Hearings/Meetings.** If a housing development complies with applicable objective standards, the Town of Fairfax shall not conduct more than five public hearings (including continuances), workshops, or similar meetings after the full application is complete in connection with the approval of the housing development consistent with Government Code §65905.5. Meetings required by CEQA are exempt from the limit.



**F. Findings and Decision****(1) Findings**

- (a) If the proposed housing development complies with applicable objective General Plan, zoning, and subdivision standards and criteria, including design review standards, the Department of Planning and Building Services may only deny the housing development or conditionally approve the housing development at a lower density if the Department of Planning and Building Services makes written findings supported by a preponderance of the evidence in the record that:
  - i. The housing development would have a specific, adverse impact upon the public health or safety unless the housing development is denied or conditionally approved at a lower density. A "specific, adverse impact" means a "significant, quantifiable, direct, and unavoidable impact, based on identified written public health or safety standards, policies, or conditions as they existed on the date that the project was deemed complete"; and
  - ii. There is no feasible method to satisfactorily mitigate or avoid the adverse impact other than the denial of the housing development or conditional approval of the housing development at a lower density.
- (b) If the housing development includes 20 percent of units affordable to very low or low-income households, 100 percent of units affordable or moderate or middle income households, or an emergency shelter, the Department of Planning and Building Services shall approve the housing development unless the Department of Planning and Building Services makes written findings supported by a preponderance of the evidence in the record, as to at least one of the findings in Government Code §65589.5(d).

**(2) Decision Timeframes.** The Department of Planning and Building Services shall approve or deny the housing development within the following applicable period:

- (a) 90 days from Environmental Impact Report certification;
- (b) 60 days from Environmental Impact Report certification for an affordable housing development consistent with Government Code §65950(a)(3);
- (c) 60 days from adoption of a Negative Declaration; or
- (d) 60 days from determination of CEQA exemption.

**G. Post-Decision Procedures.** Post-decision procedures for the required permit (full application) shall be followed provided those procedures do not conflict with applicable Government Code sections for housing developments (i.e., Housing Accountability Act, Government Code §65589.5).

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**x.01.060 Adjustments to Standards**

1. **Purpose.** This Section is intended to allow for minor deviations from certain standards in this FBC for specific situations because of the prescriptive nature of the standards.
2. **Applicability.** This Section applies to developments subject to Section x.01.050 (Procedures). The Department of Planning and Building Services may grant an Adjustment for only the standards identified in [Table A \(Adjustments to Standards\)](#).
3. **Procedures.** Adjustment requests shall be reviewed and processed as follows:
  - A. If the development for which an Adjustment is requested is being processed consistent with Section x.01.050 (Procedures), the Adjustment shall be processed concurrently and consistent with the applicable procedures in Section x.01.050 (Procedures); or
  - B. If the development for which an Adjustment is requested is not being processed consistent with Section x.01.050 (Procedures), the procedures in Section 17.044.020 (Fairfax's Process) shall apply to the Adjustment request.

Figure x.01.060.1: Process for Developments Eligible for Senate Bill 35 Streamlining with 150 units or Fewer (Government Code §65913.4)

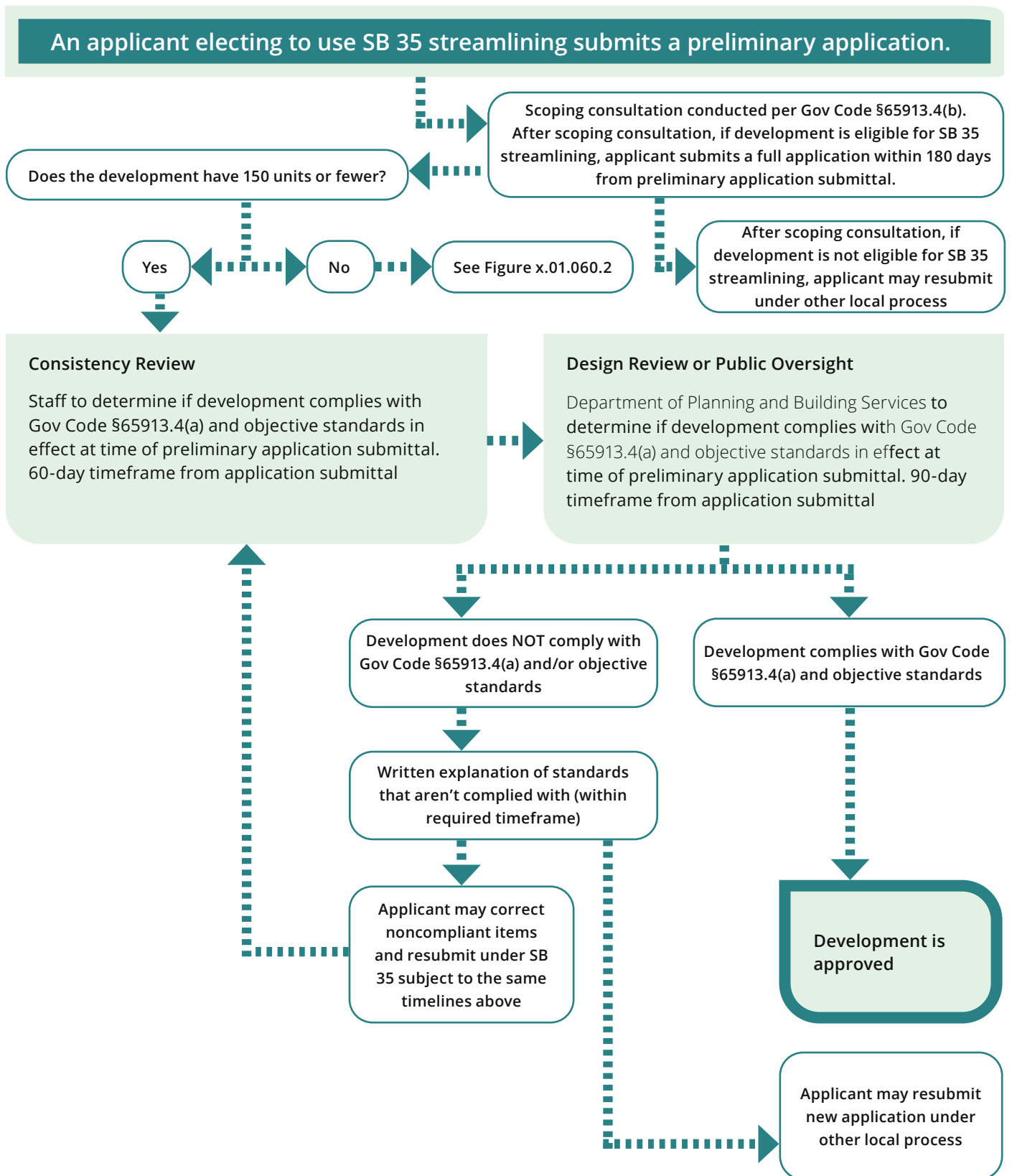


Figure x.01.060.2: Process for Developments Eligible for Senate Bill 35 Streamlining with 151 units or More (Government Code §65913.4)

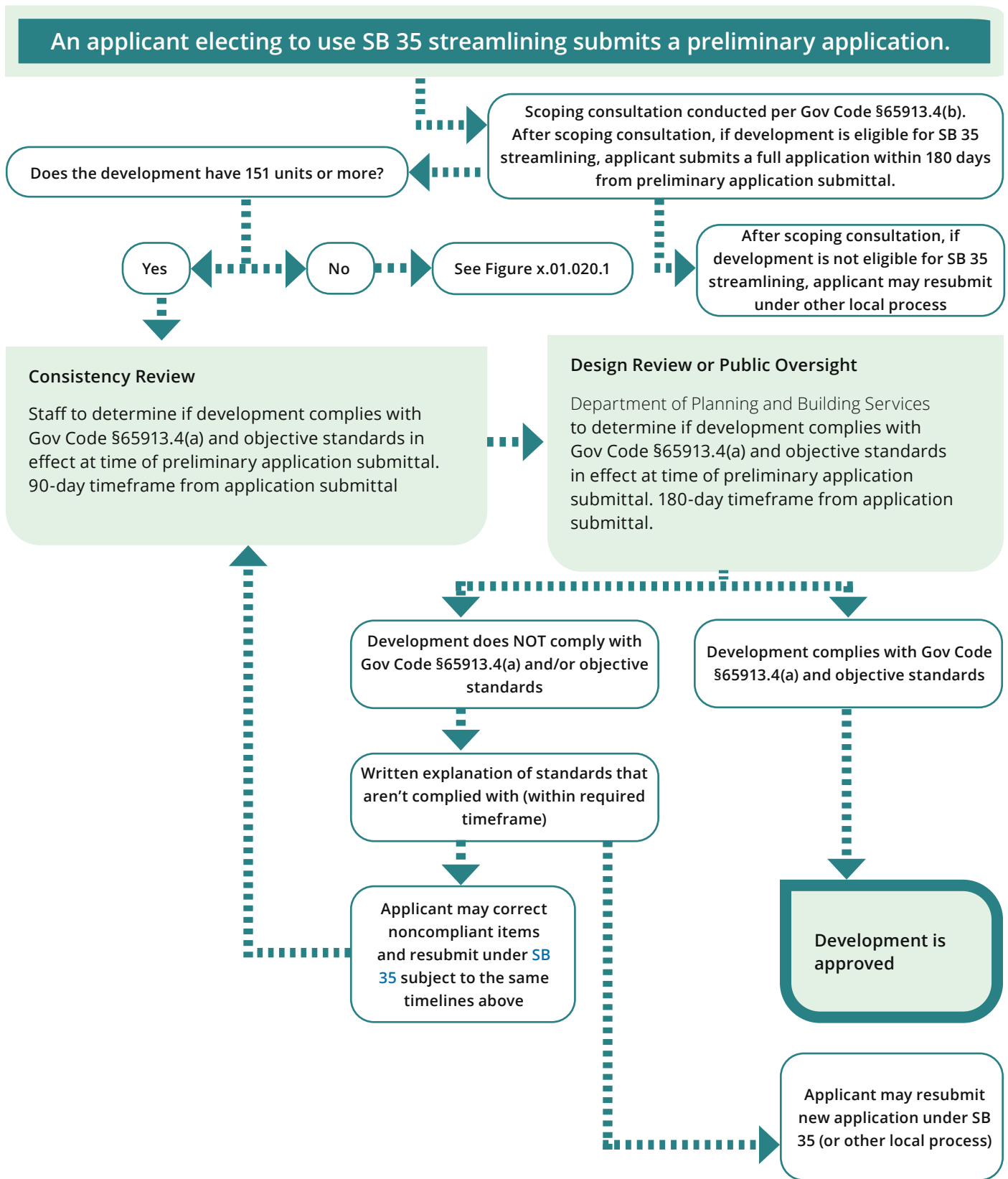
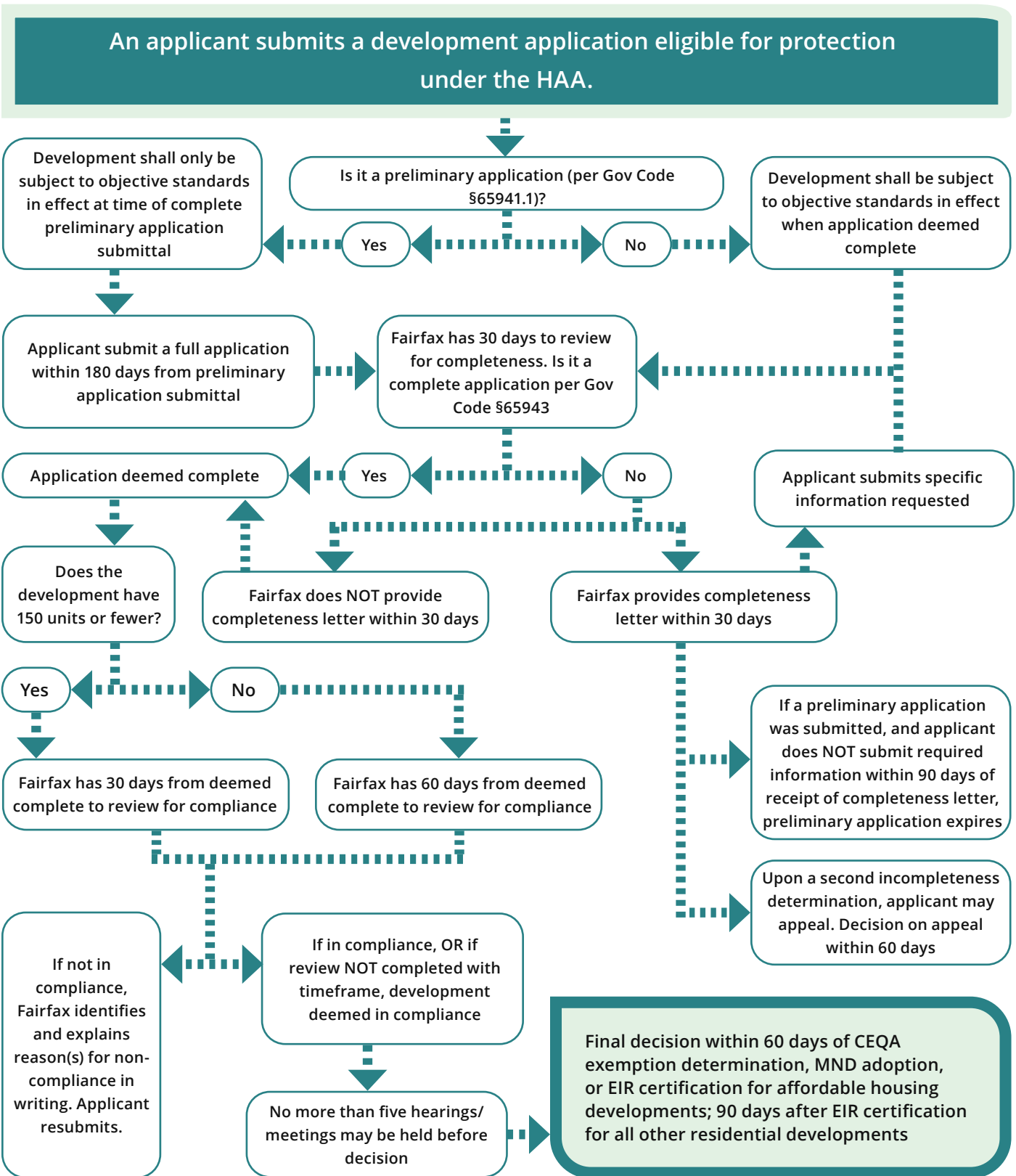


Figure x.01.060.3: Process for Developments Eligible for Housing Accountability Act (HAA) Protection (Government Code §65589.5)



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Table x.01.060.A: Adjustments to Standards			
Administrative Relief Type for Design Sites with Less Than 6% Slope	Required Findings	Allowed Administrative Relief	Reference to Standard
<b>1. Design Site Dimensions</b>			
a. <b>Depth or Width</b> Decrease in the minimum required or maximum allowed	i. An existing tree, rock outcrop, and/or utility infrastructure prevents compliance with the standard.	Up to 10% of the standard	Subsection 4 of the zone in Chapter 3
	ii. An existing or new design site can be developed consistent with the intent of the zone as described in Chapter 2.		
<b>2. Building Setbacks</b>			
a. <b>Front, Side Street, Side or Rear</b> Increase or decrease in the minimum to maximum required setback for a primary building and/or wing(s)	i. An existing tree, rock outcrop, and/or utility infrastructure prevents compliance with the standard.	Up to 25% of the standard	Subsection 4 of the zone in Chapter 3
	ii. An existing or new design site can be developed consistent with the intent of the zone as described in Chapter 2.		
b. <b>Facade within Facade Zone</b> Reduction of the minimum amount of facade required within or abutting the facade zone	i. An existing tree, rock outcrop, and/or utility infrastructure prevents compliance with the standard.	Up to 25% of the standard	Subsection 4 of the zone in Chapter 3.
	ii. An existing or new design site can be developed consistent with the intent of the zone as described in Chapter 2.		
	iii. The horizontal unbuilt area resulting from this adjustment is landscaped per the standards in Section x.04.030 (Landscaping and Lighting).		

Standards for private frontage still apply [See Chapter 5 (Specific to Private Frontages)], and any adjustment shall not preclude the application of a private frontage type.



**Table x.01.060.A: Adjustments to Standards (Continued)**

Administrative Relief Type for Design Sites with Less Than 6% Slope	Required Findings	Allowed Administrative Relief	Reference to Standard
<b>3. Parking Location</b>			
a. <b>Front or Side Street Setback</b> Reduction in the required parking setback	i. An existing tree, rock outcrop, and/or utility infrastructure prevents compliance with the standard.	Up to 10% of the standard when the required setback is 20' or more.	Subsection 5 of the zone in Chapter 3
	ii. An existing or new design site can be developed consistent with the intent of the zone as described in Chapter 2.	Up to 20% of the standard when the required setback is less than 20'.	
	iii. The driveway complies with the zone standards.		
	iv. The ground floor space remains habitable in compliance with the zone standards.		

Standards for private frontage still apply [See Chapter 5 (Specific to Private Frontages)], and any adjustment shall not preclude the application of a private frontage type.

**Table x.01.060.A: Adjustments to Standards (Continued)**

Administrative Relief Type for Design Sites Over 6% Slope	Required Findings	Allowed Administrative Relief	Reference to Standard
<b>4. Design Site Dimensions</b>			
<p>a. <b>Depth</b> Increase or decrease in minimum to maximum design site depth</p>	<p>i. Existing slope exceeds 15% grade for over 50% of design site depth.</p> <hr/> <p>ii. An existing or new design site can be developed consistent with the intent of the zone as described in Chapter 2.</p>	<p>20% max. of the standard</p>	<p>Subsection 4 of the zone in Chapter 3</p>
<p>b. <b>Width</b> Increase or decrease in minimum to maximum design site width</p>	<p>i. Existing slope exceeds 15% grade for over 25% of design site width.</p> <hr/> <p>ii. An existing or new design site can be developed consistent with the intent of the zone as described in Chapter 2.</p>	<p>10% max. of the standard</p>	<p>Subsection 4 of the zone in Chapter 3</p>
<b>5. Building Setbacks</b>			
<p>a. <b>Front, Side Street, Side or Rear</b> Increase or decrease in minimum to maximum required setback areas for primary building and/or wing(s)</p>	<p>i. Existing slope exceeds 15% grade.</p> <hr/> <p>ii. An existing tree, rock outcrop, and/or utility infrastructure prevents compliance with the standard.</p> <hr/> <p>iii. An existing or new design site can be developed consistent with the intent of the zone as described in Chapter 2.</p>	<p>Reduction in the minimum setback up to within 5' of the design site line. Where side street setback is 5' minimum, reduction in the minimum setback up to within 3' of the design site line.</p>	<p>Subsection 4 of the zone in Chapter 3</p>

Standards for private frontage still apply [See Chapter 5 (Specific to Private Frontages)], and any adjustment shall not preclude the application of a private frontage type.

**Table x.01.060.A: Adjustments to Standards (Continued)**

<b>Administrative Relief Type for Design Sites Over 6% Slope</b>	<b>Required Findings</b>	<b>Allowed Administrative Relief</b>	<b>Reference to Standard</b>
<b>6. Site Grading</b>			
a. <b>Retaining Wall (Height)</b> Increase in maximum retaining wall height or length	i. Existing slopes exceed 15% grade. <hr/> ii. The retaining wall or series of retaining walls cannot be seen from the street or adjacent property. <hr/> iii. All retaining walls not within the building footprint are less than 50' in total length.	Increase in retaining wall height up to 8' along side or rear design site line(s), except that within the building footprint, increase up to 12' in height	Subsection x.04.050.5
<b>7. Block Face and Perimeter</b>			
a. <b>Increase in maximum length</b>	i. Existing slopes exceed 15% grade, resulting in new street(s) that exceed maximum allowed grade, preventing compliance with the standards. <hr/> ii. The subject block(s) include a Passage in compliance with <a href="#">Subsection x.06.040.13 (Passage)</a> . <hr/> iii. The block(s) complies with the Town of Fairfax roadway standards.	Up to 20% of the standard	<a href="#">Table x.06.020.A (Block Size Standards)</a>

Standards for private frontage still apply [See Chapter 7 (Specific to Private Frontages)], and any adjustment shall not preclude the application of a private frontage type.

**Table x.01.060.A: Adjustments to Standards (Continued)**

Administrative Relief Type for Design Sites Over 6% Slope	Required Findings	Allowed Administrative Relief	Reference to Standard
<b>8. Parking Location</b>			
<p>a. <b>Front or Side Street Setback</b> Reduction in a required parking setback.</p>	<p>One or more of the following techniques are applied, as allowed by this Section:</p> <ul style="list-style-type: none"> <li>i. Surface/Podium/Stacked: Parking under primary building is enclosed and access is only from one side of the design site for design sites 150' or less in width. Habitable space, in compliance with Subsection 3 of the zone, is between the front of the building and the parking spaces. The parking garage access is not greater than 9' in width.</li> <li>ii. Tandem Parking: For parking areas with less than 10 spaces, tandem parking spaces may be arranged in a series of up to 5 beginning at the front design site line.</li> <li>iii. Subterranean Parking: Parking spaces are located below the adjacent finished grade of the building up to the design site line(s).</li> <li>iv. Parking Court(s): For parking areas with up to 12 spaces, a parking court may be located within 10' of the adjacent primary building facade. The parking court is in compliance with Subsection x.04.050.3.A(2).</li> <li>v. Stacked Parking System: Parking spaces are arranged in a system that provides up to 3 spaces in the horizontal area of one space. The garage access is not greater than 9' in width.</li> </ul>	<p>Reduction in the front and/or side street parking setback up to 25' behind the primary building facade.</p> <hr/> <p>Reduction in the front setback to 10' and in the side street setback to 3' for a maximum length of 65' along either the front or side street facade of the primary building.</p> <p>The habitable space standard does not apply to the portion of the primary building facade accommodating a parking court.</p> <hr/> <p>Reduction in the front and/or side street setback to be the same as the primary building setback.</p> <p>Reduction in the minimum habitable space depth to 25'.</p>	<p>Subsection 6 of the zone</p>

Standards for private frontage still apply [See Chapter 7 (Specific to Private Frontages)], and any adjustment shall not preclude the application of a private frontage type.

# Chapter 2: Zones

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## Sections:

x.02.010	Purpose
x.02.020	Zones Established
x.02.030	Sub-Zones
x.02.040	Zone Map
x.02.050	Residential Use Standards
x.02.060	T3 Suburban Neighborhood (T3SN)
x.02.070	T4 Suburban Neighborhood.Small (T4SN.S)
x.02.080	T4 Suburban Main Street.Small (T4SMS.S)

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### x.02.010 Purpose

This Chapter establishes the palette of form-based zones ("zones") to implement the Fairfax General Plan, . The zones are for the purpose of generating and supporting the variety and physical character of existing and new walkable environments. This Chapter also provides the zone standards to implement the Town of Fairfax General Plan to generate and support the variety of physical character of the intended development.

This provides the standards for residential uses in each zone to implement the intent described in x.02.020 (Zones). Refer to the Fairfax municipal code zoning requirements for commercial uses.

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### x.02.020 Zones Established

This Section identifies the zones, based on the intended physical form and character of the Town of Fairfax built environment. These zones focus on mixed-use, walkable environments and range in function and intensity from primarily residential areas with a mix of lower intensity building types (T3 Suburban Neighborhood), to moderate intensity neighborhoods (T4 Suburban Neighborhood.Small), and moderate-intensity centers (T4 Suburban Main Street.Small).

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## x.02.030 Sub-Zones

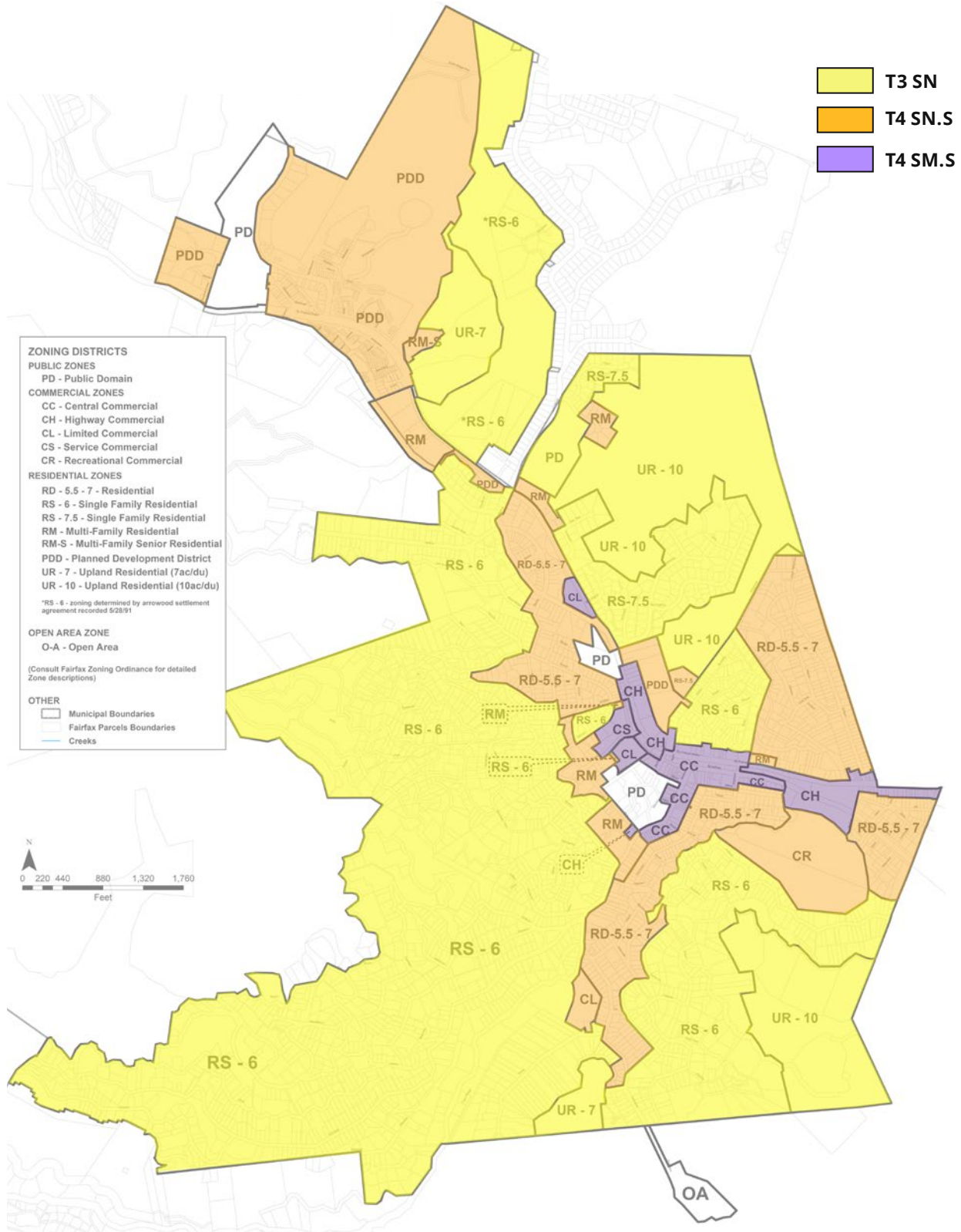
1. Sub-zones are slight variations of the base zone (e.g., T4 Suburban Neighborhood.Small), are design site-specific, and mapped on Figure x.02.050.A (Fairfax Zone Map). The FBC includes two types of sub-zones:
  - A. **Open.** The open sub-zone is applied for either or both of the following purposes:
    - (1) To allow more uses than the base zone allows in specific areas but within the same form and character of the base zone (e.g., T4 Suburban Neighborhood.Small), except that sometimes additional frontages and signage are allowed within the same form and character of the base zone; and/or
    - (2) To more easily allow certain uses that are already allowed in the base zone. In this way, the open sub-zone can provide additional flexibility to design sites located at or near intersections that function or are intended to function as a neighborhood node of non-residential uses.
  - B. **Limited.** The limited sub-zone is applied for either or both of the following purposes:
    - (1) To allow less uses than the base zone allows in specific areas, within the same form and character of the base zone; and/or
    - (2) To further restrict certain uses already allowed in the base zone for specific areas.
2. [Table x.04.030.A \(Uses\)](#) identifies the sub-zones and its standards for the particular uses.

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## x.02.040 Zone Map

1. The zones established in this Section are mapped on [Figure x.02.020.A \(Fairfax Zone Map\)](#). When any of these zones are applied, the Zone Map shall be updated to reflect such changes.

Figure x.02.040.A: Fairfax Zone Map



**x.02.050 Residential Use Standards**

Table x.02.050.A (Uses) identifies the following for each zone: the allowed residential uses ("P") and the residential uses that are not allowed ("X"). In addition, as required, specific use-standards are identified.

**x.02.050A Residential Use Table**

	T3	T4	
	SN	SN.S	SMS.S
<b>Residential Uses <sup>1</sup></b>			
Dwelling	P	P	P <sup>3</sup>
Group Living-Assisted	P <sup>2</sup>	P <sup>2</sup>	P <sup>3</sup>
Group Living-General	P <sup>2</sup>	P <sup>2</sup>	P <sup>3</sup>
Group Living-Independent	P <sup>2</sup>	P <sup>2</sup>	P <sup>3</sup>
Live/Work	X	X	P
Missing Middle Housing	P	P	P
Single-Unit Housing	P	X	X

<sup>1</sup> For commercial uses, see the commercial use table in the Town of Fairfax zoning

<sup>2</sup> Max. 1,500 sf per building

<sup>3</sup> Not allowed on the ground floor within 30' of the sidewalk





General note: the illustrations above are intended to provide a brief overview of the zone and are descriptive in nature.

**1. Intent**

A walkable neighborhood environment of small-to-medium footprint, low-to-moderate-intensity housing choices, supporting and within short walking distance of neighborhood-serving retail and services.

The following are generally appropriate form elements in the zone.

House-Scale Buildings	Up to 2.5 Stories without Bonus; Up to
Primarily Detached Buildings	3 Stories with Bonus
Small-to-Medium Building Footprint	
Small-to-Medium Front Setbacks	
Small-to-Medium Side Setbacks	

**2. Affordable Housing Incentives**

Along with State bonuses that apply, If a project proposal includes 25% or more affordable housing units, the project may utilize the T4 SN.S zone guidelines.

## x.02.070 T4 Suburban Neighborhood.Small (T4SN.S)



*General note: the illustrations above are intended to provide a brief overview of the zone and are descriptive in nature.*

### 1. Intent

A walkable neighborhood environment of small-to-medium footprint, moderate-intensity housing choices, supporting and within short walking distance of neighborhood-serving retail and services.

The following are generally appropriate form elements in the zone.

House-Scale Buildings

Primarily Detached Buildings

Small-to-Medium Building Footprint

Small-to-Medium Front Setbacks

Small-to-Medium Side Setbacks

Up to 2.5 Stories without Bonus; up to

3 Stories with Bonus

### 2. Affordable Housing Incentives

Along with State bonuses that apply, if a project proposal includes 25% or more affordable housing units, the project may decrease the front setback by 5 feet.



## x.02.080 T4 Suburban Main Street.Small (T4SMS.S)



*General note: the illustrations above are intended to provide a brief overview of the zone and are descriptive in nature.*

### 1. Intent

A walkable, vibrant district of small-to-medium footprint, moderate intensity, mixed-use buildings and housing choices, supporting neighborhood-serving ground floor retail, food and services.

The following are generally appropriate form elements in the zone.

Primarily House-Scale Buildings

Primarily Attached Buildings

Small-to-Medium Building Footprint

None-to-Small Front Setbacks

None-to-Small Side Setbacks

Up to 2.5 Stories without Bonus; up to

3 Stories with Bonus

### 2. Affordable Housing Incentives

No additional incentive is provide above the allotted State bonus program.

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# Chapter 3: Buildable Area Standards

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## Sections:

x.03.010	Purpose
x.03.020	Organization of Buildable Area Standards
x.03.030	Buildable Area Standards for the T3 Suburban Neighborhood (T3SN)
x.03.040	Buildable Area Standards for the T4 Suburban Neighborhood.Small (T4SN.S)
x.03.050	Buildable Area Standards for the T4 Suburban Main Street.Small (T4SMS.S)

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## x.03.010 Purpose

The Buildable Area Standards define the volume and placement of buildings in relation to the zone they are located. These standards include building setbacks, height requirements, and slope design for each of the three zone categories. These standards are designed so the volume and placement of new construction preserves the fine-grain scale of development that defines much of Fairfax today.

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## x.03.020 Organizational of Buildable Area Standards

The standards in this chapter are organized by the following zones:

- T3 Suburban Neighborhood
- T4 Suburban Neighborhood Small
- T4 Suburban Main Street

The criteria for each zone is organized as follows:

- Determination of Frontage Designation
- Design Site Size
- Allowable Building Height and Slope Design Standards
- Setbacks
- Encroachments
- Site Subdivision
- Site Access

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x.03.030 T3 Suburban Neighborhood (T3SN)



Figure x.03.030.1: Primary Frontage Determination

### 1. Site Frontage Determination

As exemplified in Figure x.03.030.1, Fairfax's unique geography and development pattern has created a multitude of a-typical parcel geometries. So that setbacks, garage access and other requirements can be applied, frontages have been categorized into the following designations:

- Primary Frontage - The Primary Frontage is the portion of a parcel that faces the public street that is more commonly used by adjacent properties for the front entrance of the residence.
- Secondary Frontage - For parcels that have two or more street frontages, the Secondary Frontage is the one that is less commonly used by adjacent properties for the front entrance. In the case that both streets are used for entrances, the frontage that is longer shall be the Secondary Frontage.
- Interior Frontage - The Interior Frontage is the portion of a parcel that fronts directly onto another parcel and does not face a street.
- Rear Frontage - The Rear Frontage is the portion of a parcel that faces onto another parcel, an alley, or a street that is opposite of the properties Primary Frontage.
- "Design" Designation - This is applied when a frontage must be created internal to the legal parcel either due to the absence or minimal length of the condition (such as a flag lot), or if the design subdivision of the parcel is mandated by these design standards.

**2. Design Site Size -Up to 75' Design Site Modules**

To preserve the granular scale and character of the existing detached single family home neighborhoods, the T3 SN zone requires that sites with a street frontage greater than 75' shall be divided into no less than two Design Sites. If more detached units are desired, the parcels must be subdivided into smaller design sites. Parcels of at least 3 acres or over 700' of combined length are required to include civic space and new street(s) per Chapter x (Specific to Large Sites). Each design site must express a unique aesthetic as further detailed in chapter 5.

Figures x.03.030.2 and Figures x.03.030.3 demonstrate a typical scale of development pattern found in the areas zoned T3 SN. Figure x.03.030.4 demonstrates various ways in which a 75' parcel could be configured.



Figure x.03.030.2: Existing Development Pattern in T3 SN Neighborhoods

A. Design Site Size Criteria		
Primary Frontage Length	25' min.	75' max.
Interior & Side Street Frontage	50' min.	150' max.
Rear Frontage Length	25' min.	150' max. <sup>1</sup>
Design Site Repetition	Up to 4 consecutive lot widths allowed <sup>2</sup>	

<sup>1</sup>Rear frontage may vary from the Primary Frontage

<sup>2</sup>A break in the repetition of a design site width must be made by either a change of site width of no less than 10', or a park or courtyard of 40' in width, or street.



Figure x.03.030.3: Existing Development Pattern in T3 SN Neighborhoods

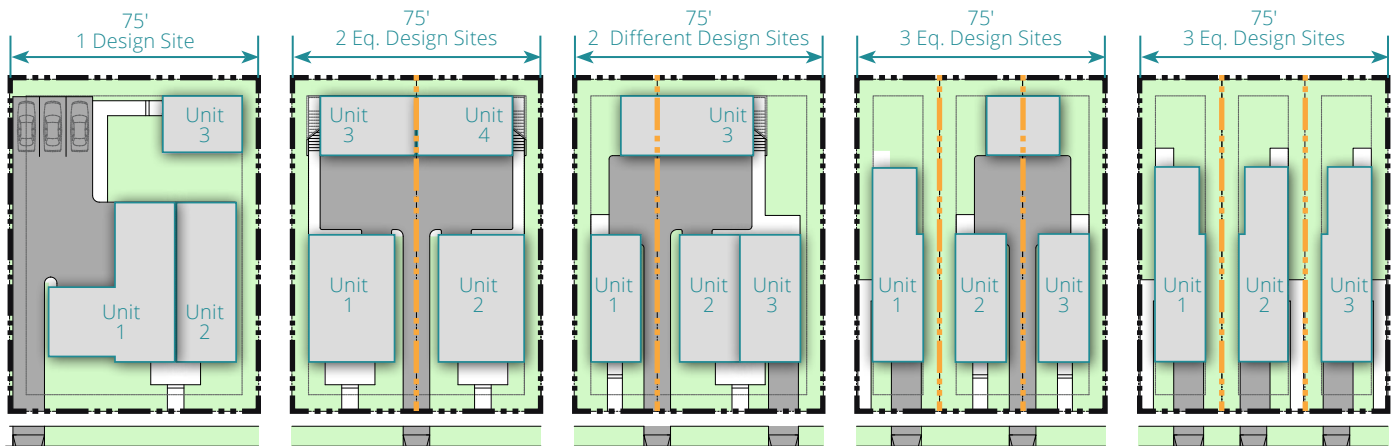


Figure x.03.030.4: Example of 75' Design Site Modulation



### 3. Allowable Building Height and Slope Design Standards

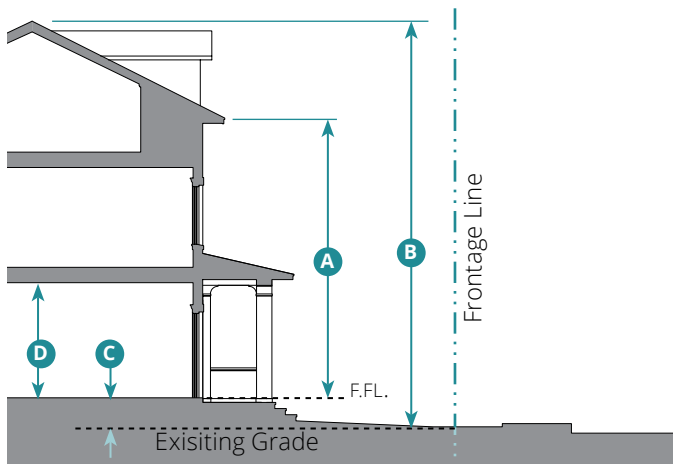
Overall building height limits in the T3-SN zone vary from the 25' Base height to 35' with the density bonus. The building height criteria are designed to keep eaves and parapets at a lower height than the roof ridge. This will emphasize a more human building scale.

To determine how the height limits are applied to the vertical building envelope, height must be measured both at

the perimeter of the building and at points internal to perimeter such as the roof ridge, or other vertical elements. The following methods shall be used to determine building height (see figure x.03.030.6) :

- Building height measured at the building perimeter is the vertical distance from the grade to the highest point of the structure above that location.
- Building height measured interior to the structure is measured from the top of roof to an imaginary line connecting the two opposite perimeter walls. Figure x.03.030.6 illustrates the two conditions.

Encroachments to these height limits are discussed in section x.03.030.5.



#### A. Building Height Criteria

Height	Base:	With Bonus
<b>Primary Building<sup>3</sup></b>		
Stories	2.5 max.	3 max.
To Highest Eave/Parapet	22' max.	35' max. <b>A</b>
Overall	30' max.	35' max. <b>B</b>
Ground Floor Finish Level		
Residential	6" min. <sup>4</sup>	<b>C</b>
Non-Residential	Not Allowed	
Ground Floor Ceiling		
Residential	9' min.	<b>D</b>
<b>Accessory Structure(s)<sup>5</sup></b>		
	1 max.	

<sup>3</sup>See Chapter 5 (Specific to Massing) for refinements to massing and height standards.

<sup>4</sup>Common entries may be set at grade in compliance with local and federal accessibility standards.

<sup>5</sup>Shall be in compliance with Fairfax municipal code Chapter 17.048.

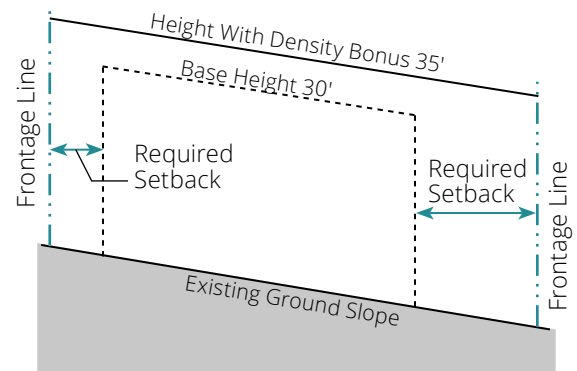


Figure x.03.030.5: Allowable Building Height on a Slope

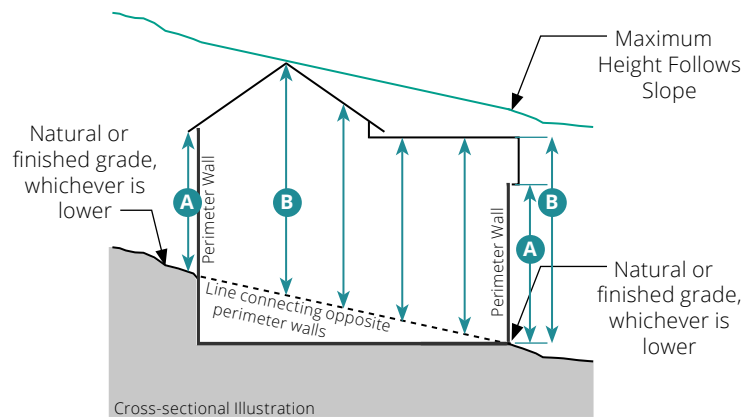
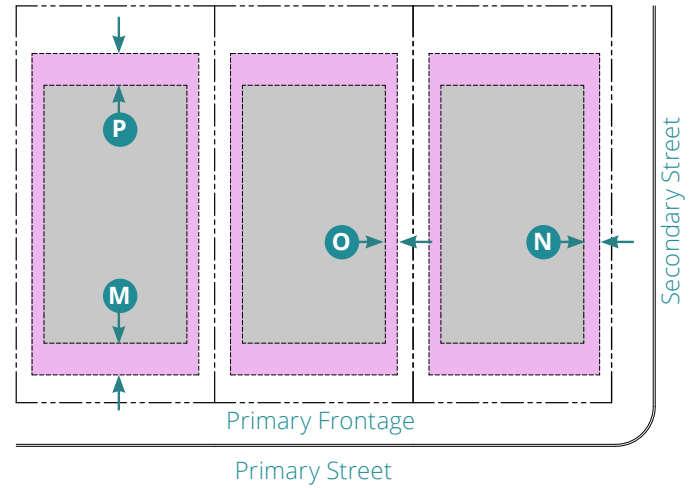
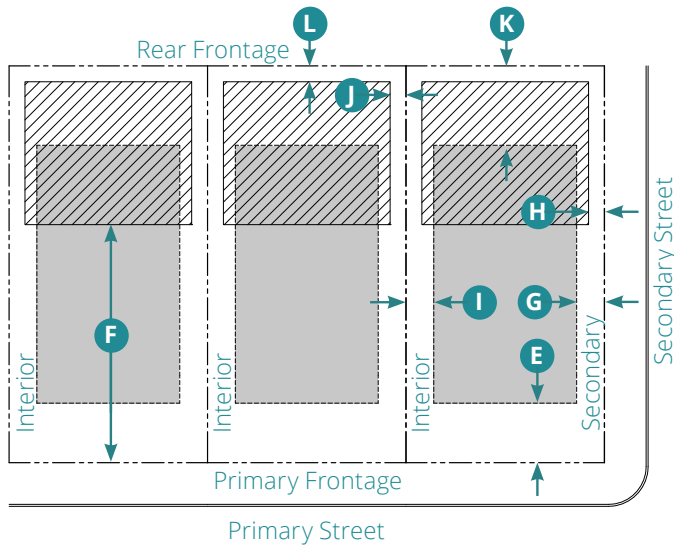


Figure x.03.030.6: Measuring Building Height



**Key**

- Primary Building zone
- ▨ Accessory Building Zone

**Key**

- Primary Building zone
- Front Frontage zone

**4. Setbacks<sup>3</sup>**

**Setback (Distance from Frontage Site Lines)<sup>8</sup>**

Primary Frontage		
Primary Building Zone	15' min.	<b>E</b>
Accessory Building Zone	60' min.	<b>F</b>
Secondary Frontage		
Primary Building Zone	5' & 7' min. <sup>6</sup>	<b>G</b>
Accessory Building Zone	4' min.	<b>H</b>
Interior Frontage		
Primary Building Zone	5' & 7' min. <sup>6</sup>	<b>I</b>
Accessory Building Zone	4' min. <sup>7</sup>	<b>J</b>
Rear Frontage		
Primary Building Zone	20' min.	<b>K</b>
Accessory Building Zone	4' min. <sup>7</sup>	<b>L</b>

<sup>6</sup> Primary Buildings with no more than one unit may utilize a interior and secondary frontage setback of 5', otherwise 7' is required.

<sup>7</sup> Accessory Buildings below 16' in building height require a 4' setback in the accessory building zone, any portion of the building above 16' in height must be setback an additional 3'.

<sup>8</sup> Buildings must conform with required Town of Fairfax waterways setback § 17.040.040 as well as within the Town of Fairfax ridgeline scenic corridor as defined in § 17.060.030.

**5. Encroachments**

**Encroachments into Minimum Setbacks**

Encroachment Type	Primary <b>M</b>	Secnd. <b>N</b>	Interior <b>O</b>	Rear <b>P</b>
Architectural Features <sup>8</sup>	4' max.	4' max.	3' max.	8' max.
Private Frontages	8' max.	2' max.	N/A	N/A
Patio Covers	X	X	3' max.	8' max.
Stairs/Ramps <sup>9</sup>	4' max.	4' max.	3' max.	8' max.

Ramps providing ADA or FHA visitability are allowed within setbacks but shall not encroach within public ROWs.

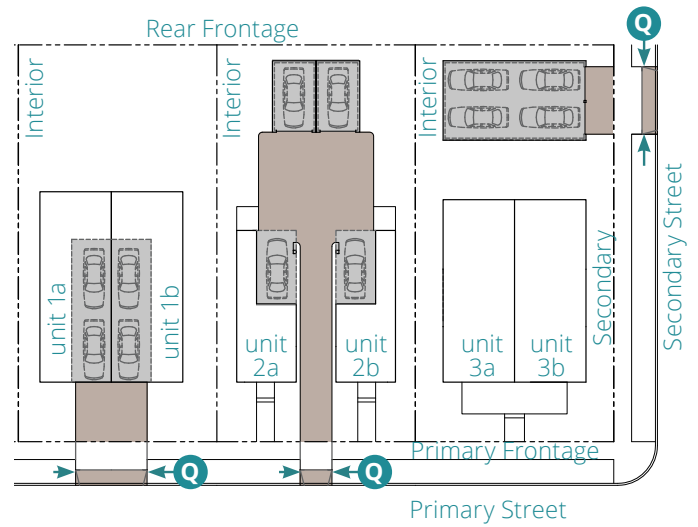
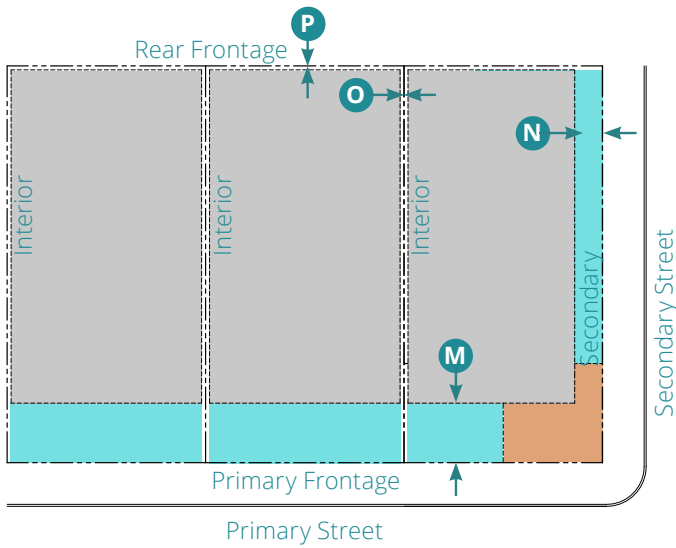
Fences, hedges, and other screen devices are allowed within setbacks as identified in [Section x.05.020 \(Screening\)](#).

<sup>8</sup> Bay windows that project beyond the Primary Building Zone are not allowed to be more than 8' in length.

<sup>9</sup> Stairs that are part of a private frontage may encroach into the setback an additional 3' beyond the allowed encroachment of the private frontage but not into the public ROW.

**Prohibited Encroachments**

Encroachments are not allowed within a street ROW, alley ROW, or across a separately owned parcel line.



**Key**

- Parking permitted (covered parking must comply with setbacks)
- Uncovered parking permitted where average site slope exceeds 20%
- Parking prohibited with 25' of a street corner

**6. Parking**

Unit Type	Vehicular Spaces <sup>10</sup>	Bike Spaces <sup>11</sup>
Studio	1 min. per unit	1 min. per unit
1 or More Bedrooms	2 min. per unit	2 min. per unit
<b>Setback (Distance from Frontage Line)<sup>12, 13, 14</sup></b>		
Primary	15' min.	<span style="border: 1px solid black; border-radius: 50%; padding: 2px;">M</span>
Secondary	7' min.	<span style="border: 1px solid black; border-radius: 50%; padding: 2px;">N</span>
Interior	1' min.	<span style="border: 1px solid black; border-radius: 50%; padding: 2px;">O</span>
Rear	1' min.	<span style="border: 1px solid black; border-radius: 50%; padding: 2px;">P</span>
<b>Driveway &amp; Curb Cut</b>	<b>10' / 18' max.</b> per 50' of frontage	<span style="border: 1px solid black; border-radius: 50%; padding: 2px;">Q</span>

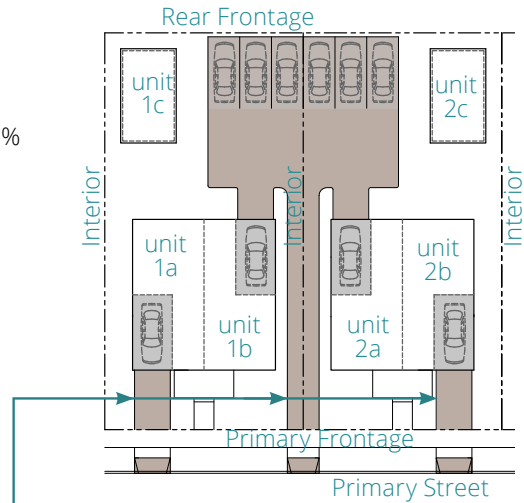
<sup>10</sup> See Subsection x.04.040.5 for additional standards.

<sup>11</sup> See Subsection x.04.040.3 for additional standards.

<sup>12</sup> Where the average site slope is less than 20%, driveways and curb cuts serving one unit may be a max. width of 10' and a max. width of 18' if serving two or more units. Where the average site slope is greater than 20%, side-by-side parking uncovered parking is permitted in the primary setback for a unit if the total driveway width is less than half of the total frontage. Parking may tuck under compliant building massing.

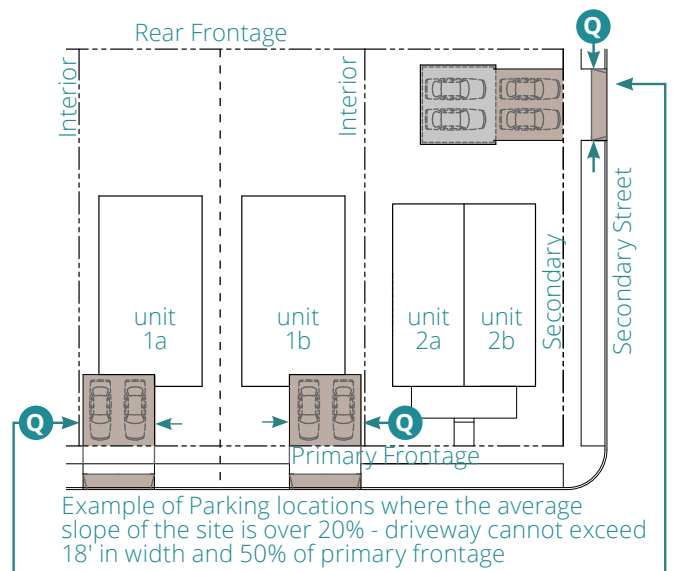
<sup>13</sup> Primary frontage access not allowed on corner design sites with an average slope less than 10%.

<sup>14</sup> Bike parking must be in compliance with pedestrian and vehicular access standards.

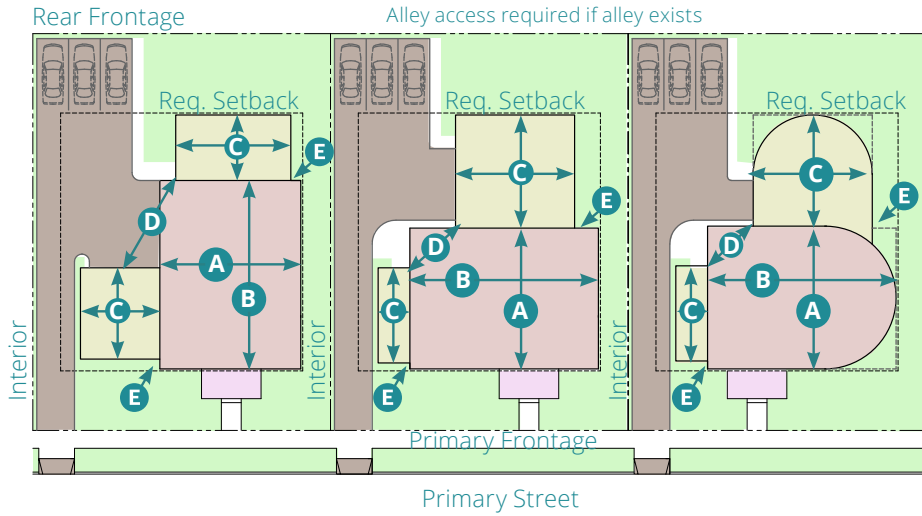


Example of:

- Combined driveways less than 18' per 50' of frontage
- Shared driveway across a frontage line



Example of Parking locations where the average slope of the site is over 20% - driveway cannot exceed 18' in width and 50% of primary frontage



Alternate building geometries including circular and angular forms may be used within the limits of overall max. dimensions afforded to Primary Bldg. massing.

**Key**

- Frontage Site Line
- Primary Building Zone
- Primary Bldg. Main Body
- Primary Bldg. Wing

**7. Primary Building Massing**

**Main Body<sup>4</sup>**

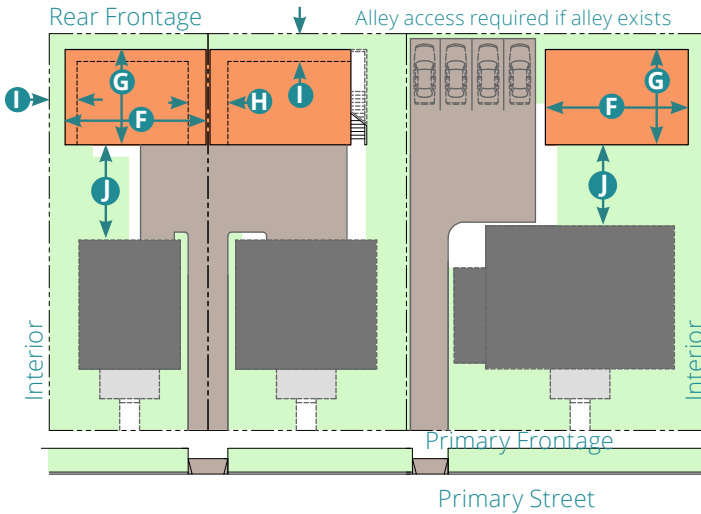
Width	36' max.	<b>A</b>
Depth	48' max.	<b>B</b>

**Wing(s)<sup>4</sup>**

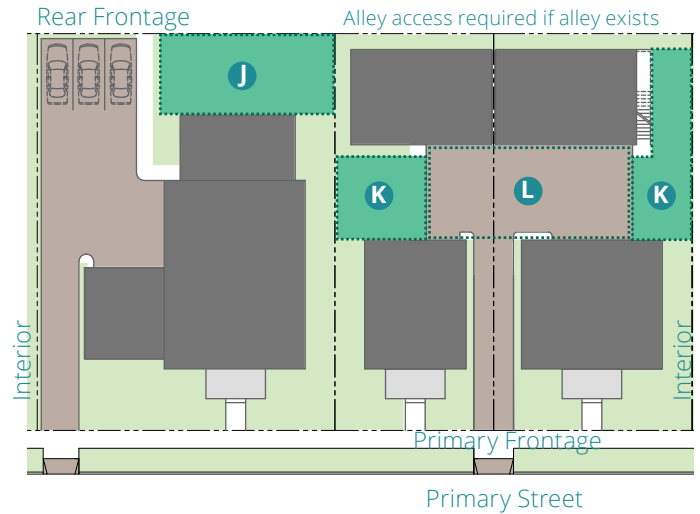
Width and Depth	30' max.	<b>C</b>
Separation between Wings	8' min.	<b>D</b>
Offset from Main Body	2' min.	<b>E</b>

<sup>4</sup>Facades shall be designed in compliance with Chapter 5 (Specific to Architectural Design).

The T3 SN Zone area requires a clear hierarchy in building massing between the primary and accessory buildings. Massing of the Primary Building's Main Body may be rotated 90 degrees depending what works best for the site. Only one Primary building is allowed per design site (which may include multiple units within) and one accessory building is allowed if the required distances between structures is met, along with the private open space requirements.



- Key**
- Frontage Site Line
  - Primary Building Zone
  - Accessory Buildings
  - Primary Building



- Key**
- Frontage Site Line
  - Primary Building Zone
  - Open Space
  - Buildings

**8. Accessory Building Massing**

**Grade Level**

Width	36' max.	F
Depth	24' max.	G

**Upper Level**

Separation from other Accessory Bldgs.	10' min. at upper level	H
Setback from Rear and interior Frontage Lines	4' below 16' in height and 7' above 16' in height	I
Separation from Primary Bldg.	15' min. or more depending on vehicle access requirements	J

Facades shall be designed in compliance with [Chapter 8 \(Specific to Architectural Design\)](#).

<sup>3</sup> Only if includes JADU (Junior Accessory Dwelling Unit)

<sup>4</sup> In compliance with [Subsection 5](#) of the zone

<sup>5</sup> Height is limited to 1 story less than Primary Building and 10' less to highest eave/parapet unless unit is located above parking.

**9. Shared Open Space**

**Common Area Open Space**

Area	100 sf min per 1,000 sf of design site area	K
Min. Dimension	at least 15' in one direction and no less than 10' in any other direction	

**Other Requirements:**

Driveways do not count toward open space.

Required private open space shall be located behind the main body of the building.

A driveway area framed by both Primary and Accessory buildings must use a concrete or brick paver system or integral colored concrete

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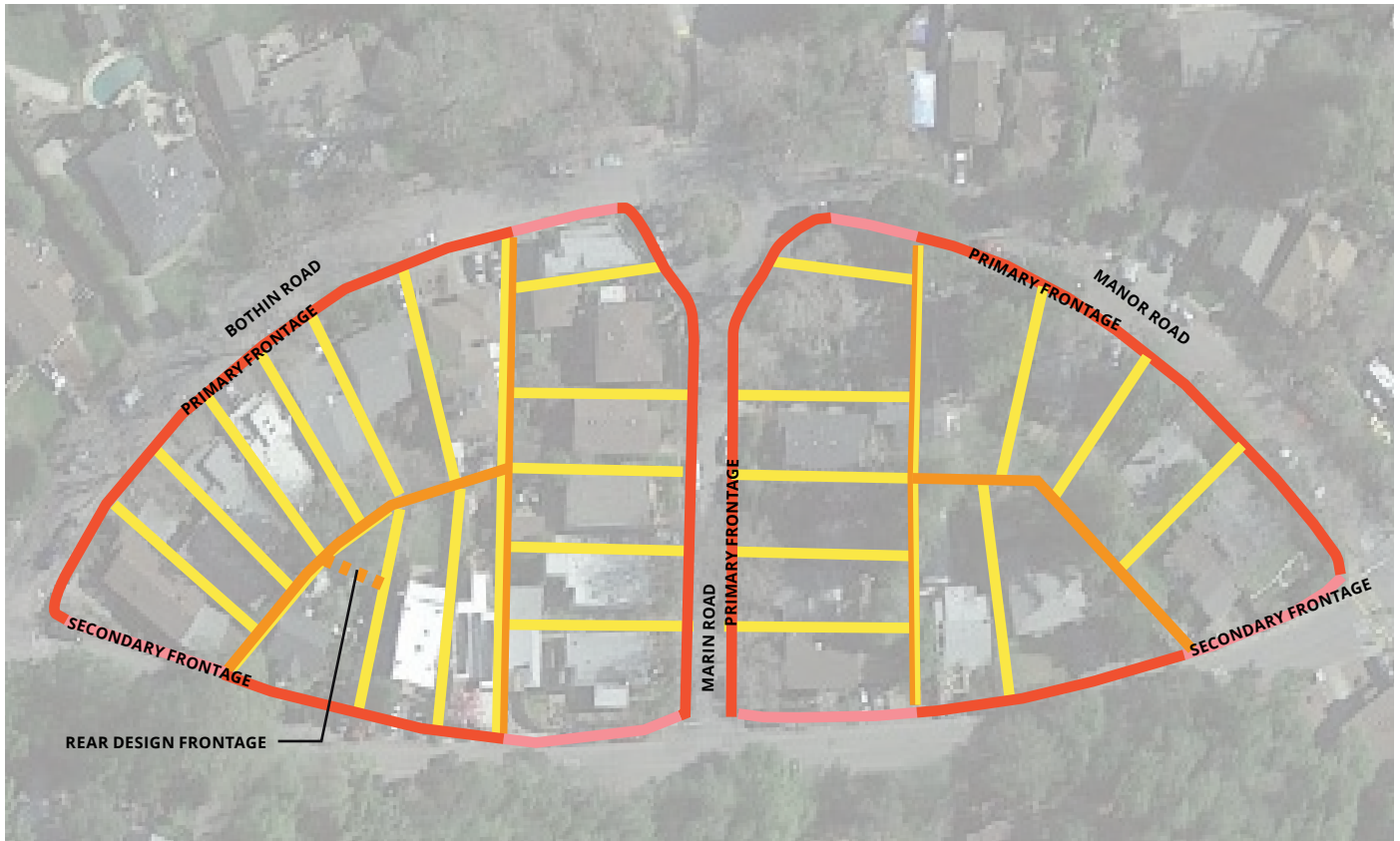


Figure x.03.040.1: Primary Frontage Determination

### 1. Site Frontage Determination

As exemplified in Figure x.03.040.1, Fairfax's unique geography and development pattern has created a multitude of a-typical parcel geometries. So that setbacks, garage access and other requirements can be applied, frontages have been categorized into the following designations:

- Primary Frontage - The Primary Frontage is the portion of a parcel that faces the public street that is more commonly used by adjacent properties for the front entrance of the residence.
- Secondary Frontage - For parcels that have two or more street frontages, the Secondary Frontage is the one that is less commonly used by adjacent properties for the front entrance. In the case that both streets are used for entrances, the frontage that is longer shall be the Secondary Frontage.
- Interior Frontage - The Interior Frontage is the portion of a parcel that fronts directly onto another parcel and does not face a street.
- Rear Frontage - The Rear Frontage is the portion of a parcel that faces onto another parcel, an alley, or a street that is opposite of the properties Primary Frontage.
- "Design" Designation - This is applied when a frontage must be created internal to the legal parcel either due to the absence or minimal length of the condition (such as a flag lot), or if the design subdivision of the parcel is mandated



**2. Design Site Size - Up to 150' design modules**

The T4-SN zone Standards focus on Design Site Modules between 75' and 150' in length. Projects within the T4 SN zone that have a Primary Frontage length of less than 75' must use the standards expressed in the T3 SN zone with the following modifications:

- T4 Zoned sites using the T3 SN Standards may reduce the Primary frontage setback by 5' for both the Primary and Accessory Building Zones.
- T4 Zoned sites using the T3 SN Standards may utilize the T4 SN Building Height Criteria.

T4-SN allows up to a 150' Primary Frontage length before a parcel must be subdivided in to multiple design sites. Development patterns vary significantly throughout the zone vary significantly from small single family homes, duplexes, large townhome developments to large inward looking apartment complexes sur-

rounded by surface parking. These standards require development to be oriented towards the street and reinforce pedestrian connectivity. These standards also restrict the scale of the buildings to a max. main body building length of 68' to ensure fine grain development patterns. Each design site must express a unique aesthetic as further detailed in chapter 5.

Figures x.03.030.2 depicts some of the different types of development in the T4 SN zone.

Figure x.03.030.3 demonstrate different examples of 100' and 150' Design Site modulations.

**A. Design Site Size Criteria**

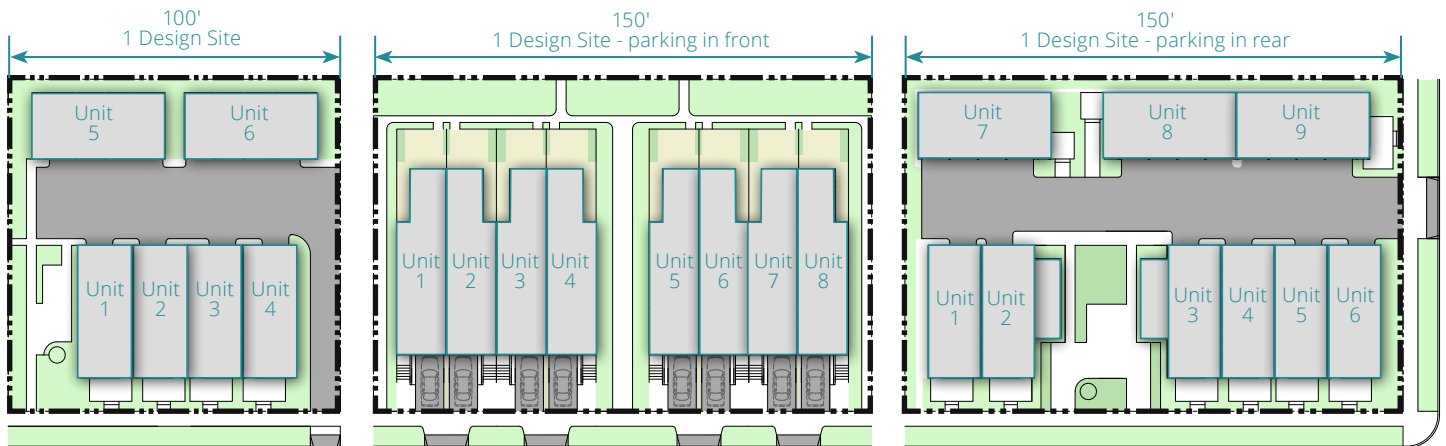
Primary Frontage Length	75' min.	150' max.
Interior & Side Street Frontage	50' min.	150' max.
Rear Frontage Length	50' min.	200' max. <sup>1</sup>
Design Site Repetition	Up to 3 consecutive lot widths allowed <sup>2</sup>	

<sup>1</sup>Rear frontage may vary from the Primary Frontage

<sup>2</sup>A break in the repetition of a design site width must be made by either a design site with a alternate unit layout, a park or courtyard of 40' in min. width, or street.



**Figure x.03.040.2: Existing Development Pattern in T4 SN Neighborhoods**



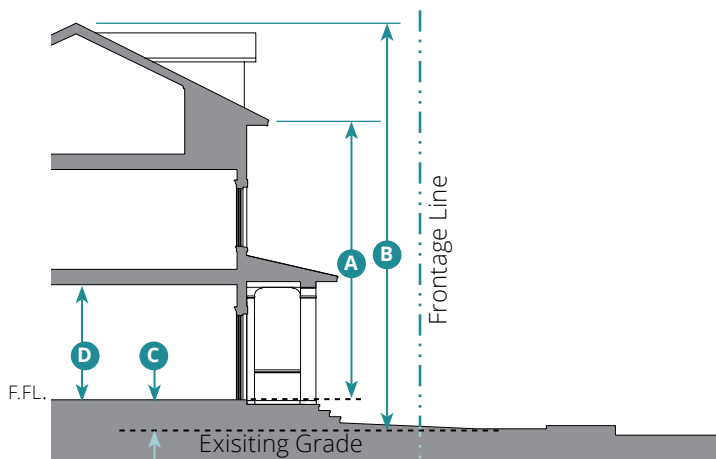
**Figure x.03.040.3: Examples of 100' and 150' Design Site Modulation**



### 3. Allowable Building Height and Slope Design Standards

Overall building height limits in the T4-SN zone vary from the 30' Base height to 40' with the density bonus. The building height criteria will allow tuck under parking, two levels of residential space, and vertical dimension allowing a sloped roof and or roof top mechanical units.

To determine how the height limits are applied to the vertical building envelope, height must be measured both at



#### A. Building Height Criteria

Height	Base:	With Bonus	
<b>Primary Building<sup>3</sup></b>			
Stories	2.5 max.	3 max.	
To Highest Eave/Parapet	22' max.	30' max.	<b>A</b>
Overall	30' max.	40' max.	<b>B</b>
Ground Floor Finish Level			
Residential	6" min. <sup>4</sup>		<b>C</b>
Non-Residential	Not Allowed		
Ground Floor Ceiling			
Residential	9' min.		<b>D</b>

#### Accessory Structure(s)<sup>5</sup> 3 max.

<sup>3</sup>See Chapter 5 (Specific to Massing) for refinements to massing and height standards.

<sup>4</sup>Common entries may be set at grade in compliance with local and federal accessibility standards.

<sup>5</sup>Shall be in compliance with Fairfax municipal code Chapter 17.048.

the perimeter of the building and at points internal to perimeter such as the roof ridge, or other vertical elements. The following methods shall be used to determine building height (see figure x.03.040.4) :

- Building height measured at the building perimeter is the vertical distance from the grade to the highest point of the structure above that location.
- Building height measured interior to the structure is measured from the top of roof to an imaginary line connecting the two opposite perimeter walls. Figure x.03.040.5 illustrates the two conditions.

Encroachments to these height limits are discussed in section x.03.040.5.

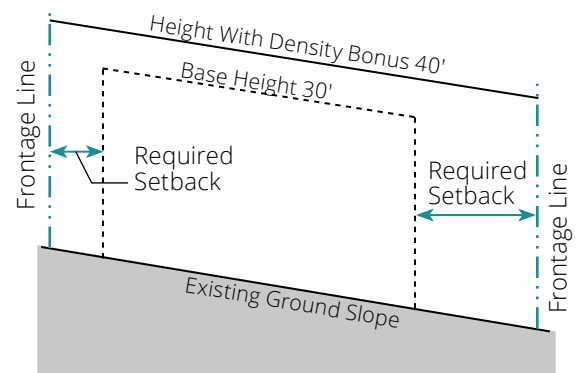


Figure x.03.040.4: Allowable Building Height on a Slope

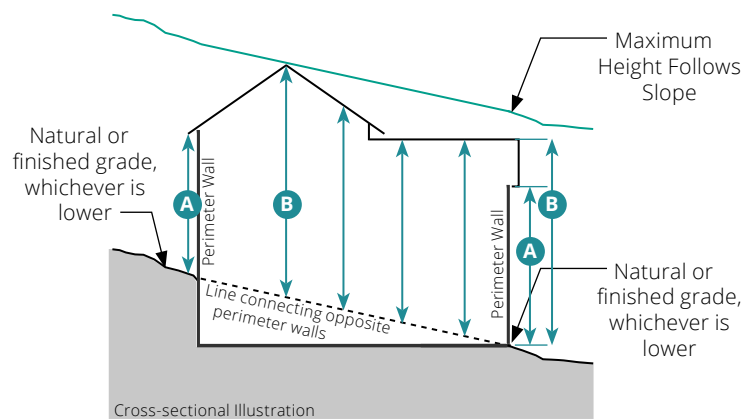
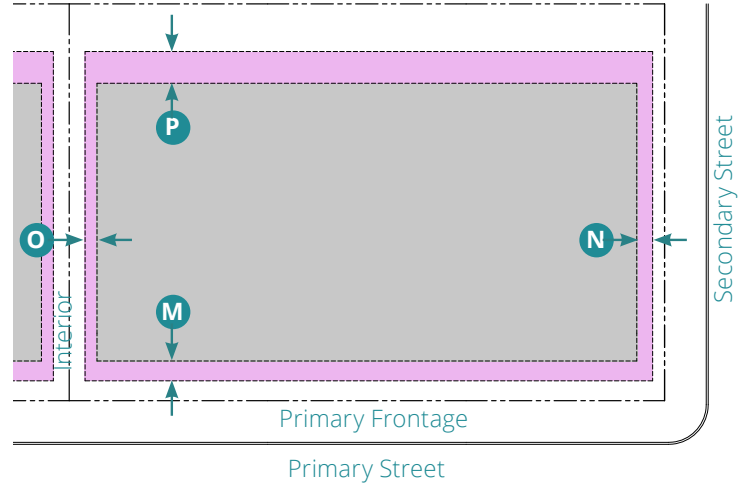
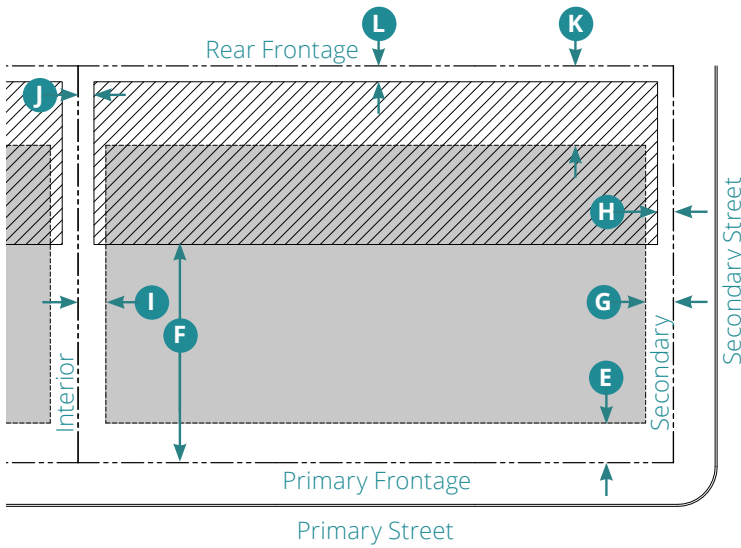


Figure x.03.040.5: Measuring Building Height



**Key**

- Primary Building zone
- ▨ Accessory Building Zone

**Key**

- Primary Building zone
- Front Facade zone

**4. Setbacks<sup>3</sup>**

**Setback (Distance from Frontage Site Lines)<sup>8</sup>**

Primary Frontage		
Primary Building Zone	10' min.	<b>E</b>
Accessory Building Zone	55' min.	<b>F</b>
Secondary Frontage		
Primary Building Zone	5' & 7' min. <sup>6</sup>	<b>G</b>
Accessory Building Zone	4' min. <sup>7</sup>	<b>H</b>
Interior Frontage		
Primary Building Zone	5' & 7' min. <sup>6</sup>	<b>I</b>
Accessory Building Zone	4' min. <sup>7</sup>	<b>J</b>
Rear Frontage		
Primary Building Zone	20' min.	<b>K</b>
Accessory Building Zone	4' min. <sup>7</sup>	<b>L</b>

<sup>6</sup> Primary Buildings with no more than one unit may utilize a interior and secondary frontage setback of 5', otherwise 7' is required.

<sup>7</sup> Accessory Buildings below 16' in building height require a 4' setback in the accessory building zone, any portion of the building above 16' in height must be setback an additional 3'.

<sup>8</sup> Buildings must conform with required Town of Fairfax waterways setback § 17.040.040 as well as within the Town of Fairfax ridgeline scenic corridor as defined in § 17.060.030.

**5. Encroachments**

**Encroachments into Minimum Setbacks**

Encroachment Type	Primary <b>M</b>	Secnd. <b>N</b>	Interior <b>O</b>	Rear <b>P</b>
Architectural Features <sup>8</sup>	4' max.	4' max.	3' max.	8' max.
Private Frontages	7' max.	2' max.	N/A	N/A
Patio Covers	X	X	3' max.	8' max.
Stairs/Ramps <sup>9</sup>	4' max.	4' max.	3' max.	8' max.

Ramps providing ADA or FHA visitability are allowed within setbacks but shall not encroach within public ROWs.

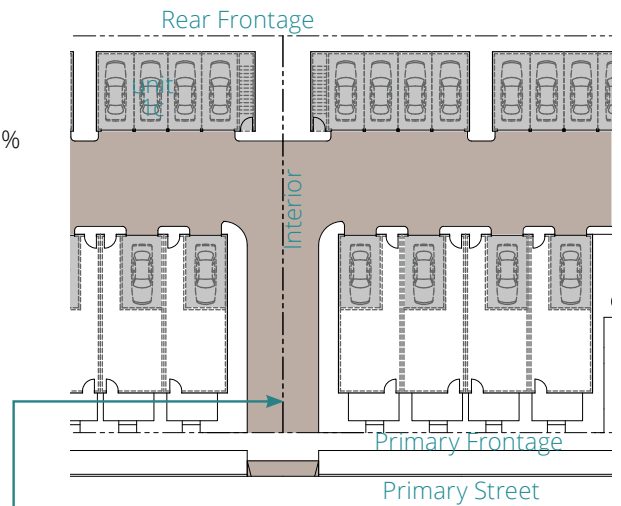
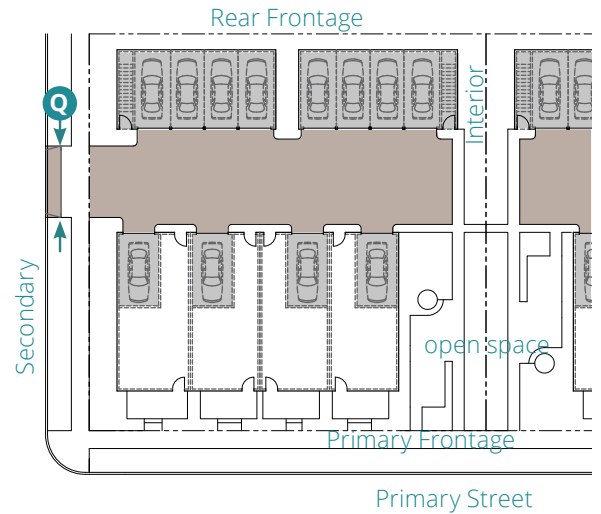
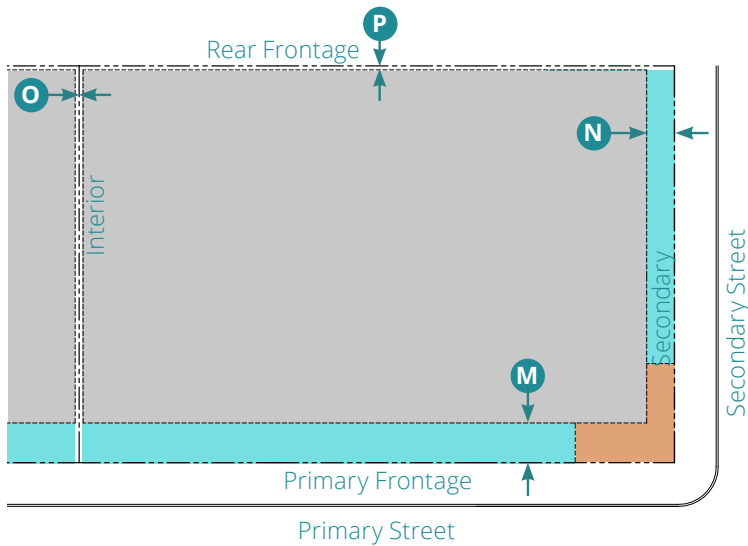
Fences, hedges, and other screen devices are allowed within setbacks as identified in Section x.04.020 (Screening).

<sup>8</sup> Bay windows that project beyond the Primary Building Zone are not allowed to be more than 8' in length.

<sup>9</sup> Stairs that are part of a private frontage may encroach into the setback an additional 3' beyond the allowed encroachment of the private frontage but not into the public ROW.

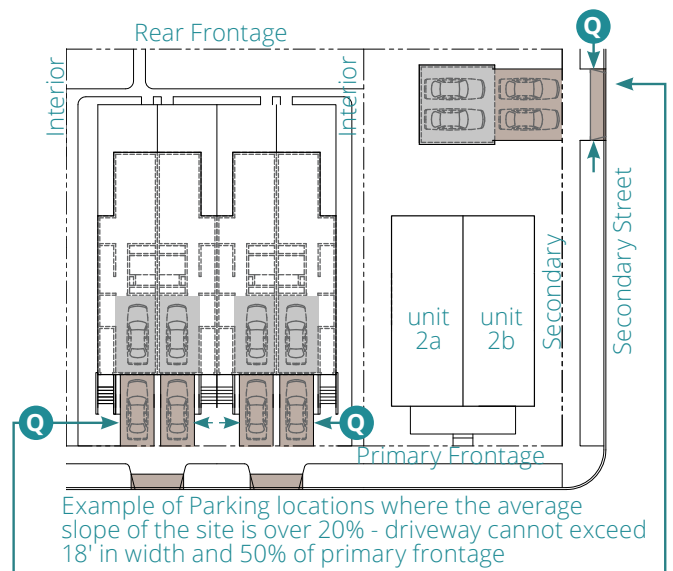
**Prohibited Encroachments**

Encroachments are not allowed within a street ROW, alley ROW, or across a separately owned parcel line.



Example of:

- Shared driveway across a frontage line



Example of Parking locations where the average slope of the site is over 20% - driveway cannot exceed 18' in width and 50% of primary frontage

**Key**

- Parking permitted (covered parking must comply with setbacks)
- Uncovered parking permitted where average site slope exceeds 20%
- Parking prohibited with 25' of a street corner

**6. Parking**

Unit Type	Vehicular Spaces <sup>10</sup>	Bike Spaces <sup>11</sup>
Studio	1 min. per unit	1 min. per unit
1 or More Bedrooms	2 min. per unit	2 min. per unit
<b>Setback (Distance from Frontage Line)<sup>12, 13, 14</sup></b>		
Primary	15' min.	<b>M</b>
Secondary	7' min.	<b>N</b>
Interior	1' min.	<b>O</b>
Rear	1' min.	<b>P</b>
<b>Driveway &amp; Curb Cut</b>	<b>10' / 18' max.</b> per 50' of frontage	<b>Q</b>

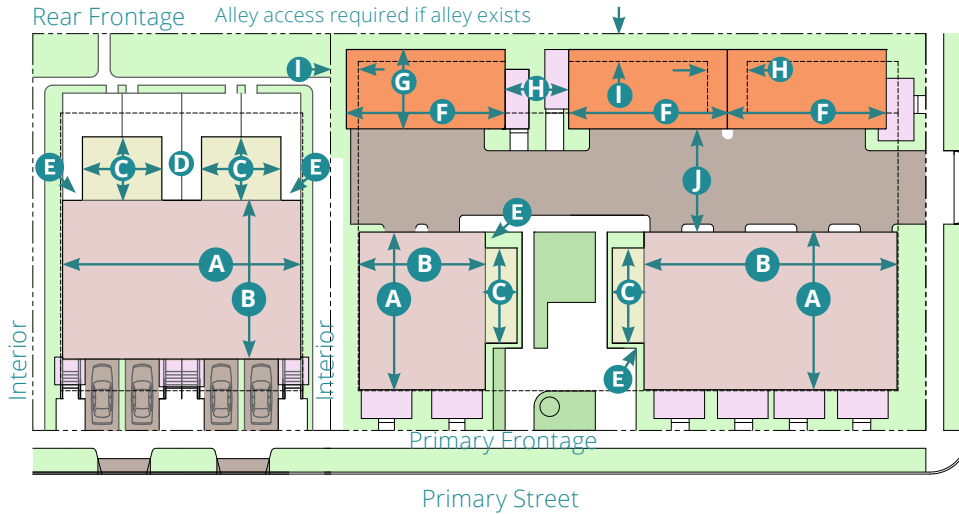
<sup>10</sup> See Subsection x.04.040.5 for additional standards.

<sup>11</sup> See Subsection x.04.040.3 for additional standards.

<sup>12</sup> Where the average site slope is less than 20%, driveways and curb cuts serving one unit may be a max. width of 10' and a max. width of 18' if serving two or more units. Where the average site slope is greater than 20%, side-by-side parking uncovered parking is permitted in the primary setback for a unit if the total driveway width is less than half of the total frontage. Parking may tuck under compliant building massing.

<sup>13</sup> Primary frontage access not allowed on corner design sites with an average slope less than 10%.

<sup>14</sup> Bike parking must be in compliance with pedestrian and vehicular access standards.



Alternate building geometries including circular and angular forms may be used within the limits of overall max. dimensions afforded to Primary Bldg. massing.

**Key**

- Frontage Site Line
- Primary Building Zone
- Primary Bldg. Main Body
- Primary Bldg. Wing
- Accessory Buildings
- Private Frontage

**7. Primary Building Massing**

Main Body <sup>4</sup>		
Width	68' max.	A
Depth	40' max.	B
Wing(s) <sup>4</sup>		
Width and Depth	30' max.	C
Separation between Wings	10' min.	D
Offset from Main Body	4' min.	E

<sup>4</sup>Facades shall be designed in compliance with Chapter 5 materials standards.

Massing of the Primary Building's Main Body may be rotated 90 degrees depending what works best for the site. For sites with over 75' of Primary Frontage in the T4 SN zone, one primary building per 40' of frontage is allowed. Up to two Accessory buildings are allowed per Primary building per design site as long as the required distances between structures is met, along with the private open space space requirements.

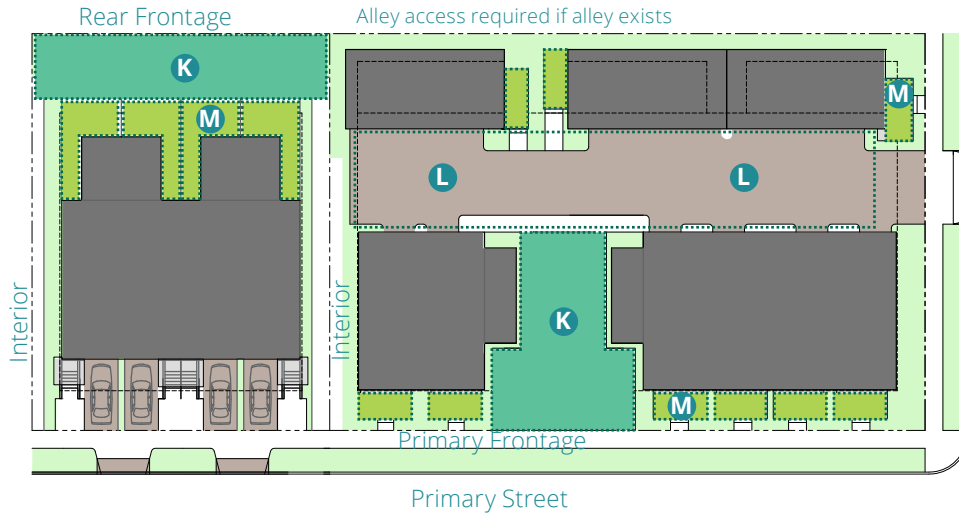
**8. Accessory Building Massing**

Grade Level		
Width	40' max.	F
Depth	24' max.	G
Upper Level		
Separation from other Accessory Bldgs.	10' min. at upper level	H
Setback from Rear and interior Frontage Lines	4' below 16' in height and 7' above 16' in height	I
Separation from Primary Bldg.	15' min. or more depending on vehicle access requirements	J

<sup>3</sup> Only if includes JADU (Junior Accessory Dwelling Unit)

<sup>4</sup> In compliance with Subsection 5 of the zone

<sup>5</sup> Height is limited to 1 story less than Primary Building and 10' less to highest eave/parapet unless unit is located above parking.



**Key**

----- Frontage Site Line	<b>K</b> Common Open Space
----- Primary Building Zone	<b>M</b> Private Open Space

**9. Shared Open Space**

**Common Area Open Space**

Area	100 sf min per 1,000 sf of design site area <b>K</b>
Min. Dimension	at least 15' in one direction and no less than 10' in any other direction

**Other Requirements:**

- Driveways do not count toward open space.
- Common area open space must not be further than 75' from any unit onsite.
- Common Area Open Space may not be subdivided into areas smaller than 750 square feet and can be no less than 15' in their smallest dimension.
- A driveway area framed by both Primary and Accessory buildings must use a concrete or brick paver system or integral colored concrete **L**

**10. Open Space specific to Unit**

**Common Area Open Space**

Area	-90 sf min per unit - <b>M</b>
Min. Dimension	6' min dimension. may include a porch, balcony, stoop (excluding stairs from area) or fenced back yard

**Other Requirements:**

- Driveways do not count toward open space.
- Required private open space shall be located behind the main body of the building.
- A driveway area framed by both Primary and Accessory buildings must use a concrete or brick paver system or integral colored concrete

## x.03.050 T4 Suburban Main Street (T4 SMS)



Figure x.03.050.1: Primary Frontage Determination

### 1. Site Frontage Determination

As exemplified in Figure x.03.040.1, Fairfax's historic downtown is comprised of a broad variety of parcel sizes from less than 2,500 sf to over 2 acres. So that setbacks, garage access and other requirements can be applied, frontages have been categorized into the following designations:

- **Primary Frontage** - The Primary Frontage is the portion of a parcel that faces the public street that is more commonly used by adjacent properties for the front entrance of the residence.
- **Secondary Frontage** - For parcels that have two or more street frontages, the Secondary Frontage is the one that is less commonly used by adjacent properties for the front entrance. In the case that both streets are used for entrances, the frontage that is longer shall be the Secondary Frontage.
- **Interior Frontage** - The Interior Frontage is the portion of a parcel that fronts directly onto another parcel and does not face a street.
- **Rear Frontage** - The Rear Frontage is the portion of a parcel that faces onto another parcel, an alley, or a street that is opposite of the properties Primary Frontage.
- **"Design" Designation** - This is applied when a frontage must be created internal to the legal parcel either due to the absence or minimal length of the condition (such as a flag lot), or if the design subdivision of the parcel is mandated



## 2. Design Site Size - Up to 100' Primary Frontage

The T4 SMS Standards are designed to create development that is compatible with the character of Downtown Fairfax's historic core. The core has a rich variety of buildings representing different styles, level of detail, and the time in which they were built. They are however unified by several urban design principles including (but not limited to):

- Buildings varies in width from 25' to 100'.
- Zero-Lot-Line development
- Storefronts are largely uninterrupted by curb cuts or parking.
- Parking is located on the street, alleys or is in district parking lots.
- Streets perpendicular to Sir Francis Drake and Broadway range from 300' to 400' apart off center.
- Block depth is typically less than 200' to an alley or street parallel to Broadway or Sir Francis Drake Blvd.

In contrast, commercial properties outside of the historic downtown developed with large parking lots and minimal pedestrian connectivity. These areas excel in ease and convenience for motorists, both valuable aspects for retail, but have also created barriers for pedestrians and discourage walking and cycling. These areas also have a more utilitarian and generic experience.

The T4 SMS Standards are designed to restore pedestrian connectivity along the edges and through these car-centric sites and preserve and enhance development in the historic core.

The Design Site Size for the T4 SMS Zone uses a maximum module of 124'. This is based on the width of two structured parking bays, which could play a role in some of the larger sites. Onsite parking and both indoor and outdoor circulation may span across a interior frontage site design line (as long as it is not a legal parcel line) serving both sides of the project.

Each design site must express a unique aesthetic as further detailed in chapter 5.



Figure x.03.040.2: Downtown Fairfax Historic Core

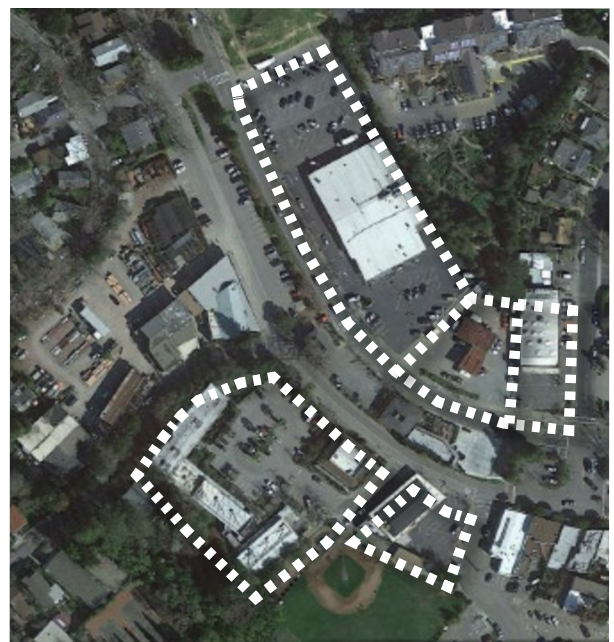


Figure x.03.040.3: Existing Vehicular-Oriented Commercial Development

2. Design Site Size Continued

A. Design Site Size Criteria		
Primary Frontage Length	20' min.	124' max.
Interior & Side Street Frontage	50' min.	250' max.
Rear Frontage Length	20' min.	150' max. <sup>1</sup>
Design Site Repetition	Up to 2 consecutive lot widths allowed <sup>2</sup>	

<sup>1</sup>Rear frontage may vary from the Primary Frontage

<sup>2</sup>A break in the repetition of a design site width must be made by either a design site with an alternate unit layout, a park or courtyard of 40' in min. width, or street.

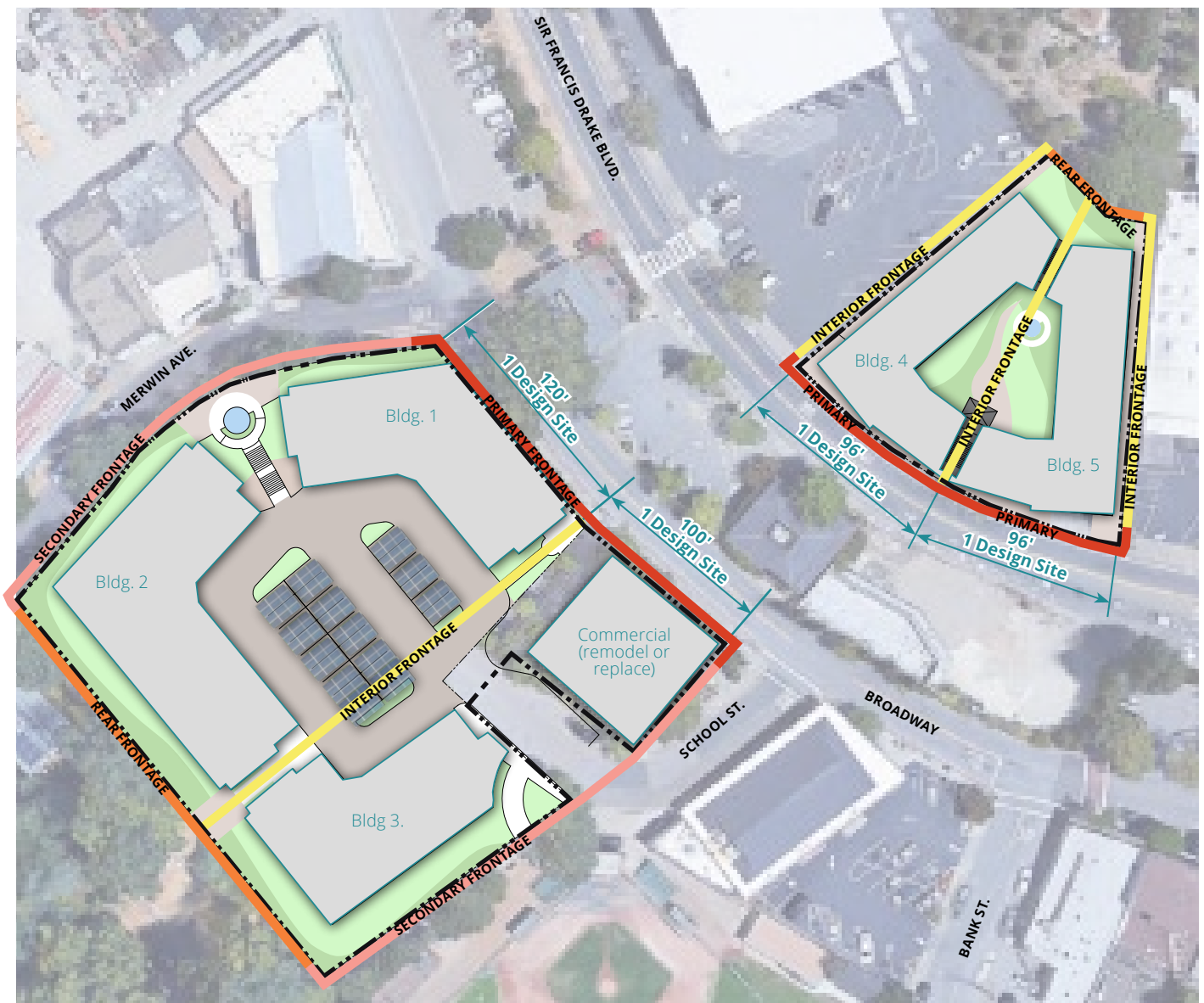


Figure x.03.040.4: Two site specific examples of possible site configurations using design site modules.

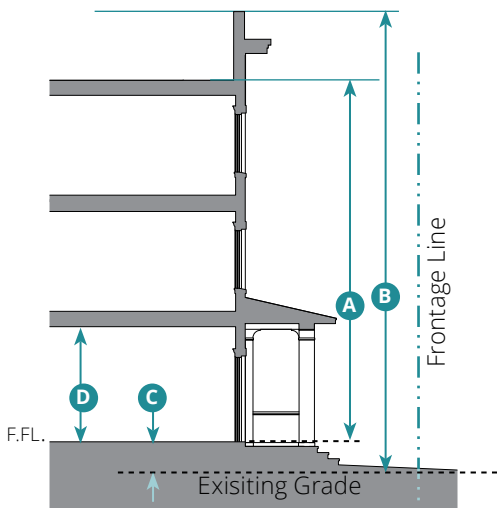


**3. Allowable Building Height and Slope Design Standards without retail uses.**

Overall building height limits in the T4-SMS zone vary from the 35' Base height to the 45' with the density bonus. The building height criteria will allow tuck under parking (half below and half above grade), three levels of residential space, and vertical dimension for a parapet to screen roof top mechanical units.

To determine how the height limits are applied to the vertical building envelope, height must be measured both at the perimeter of the building and at points internal to perimeter such as the roof ridge, or other vertical elements. The following methods shall be used to determine building height (see figure x.03.050.4) :

- Building height measured at the building perimeter is the vertical distance from the grade to the highest point of the structure above that location.
- Building height measured interior to the structure is measured from the top of roof to an imaginary line connecting the two opposite perimeter walls. Figure x.03.040.5 illustrates the two conditions.



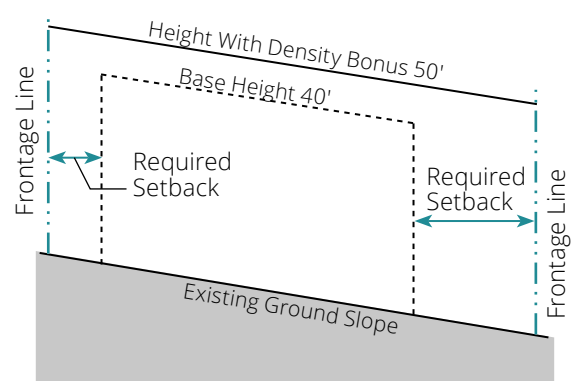
A. Building Height Criteria		
Height	Base:	With Bonus
<b>Primary Building<sup>3</sup></b>		
Stories	3 max.	4 max.
Top of Structure	35' max.	45' max. <b>A</b>
Overall	40' max.	50' max. <b>B</b>
Ground Floor Finish Level		
Residential	6" min. <sup>4</sup>	<b>C</b>
Non-Residential	Not Allowed	
Ground Floor Ceiling		
Residential	10' min.	<b>D</b>

**Accessory Structure(s)<sup>5</sup>** 1 max.

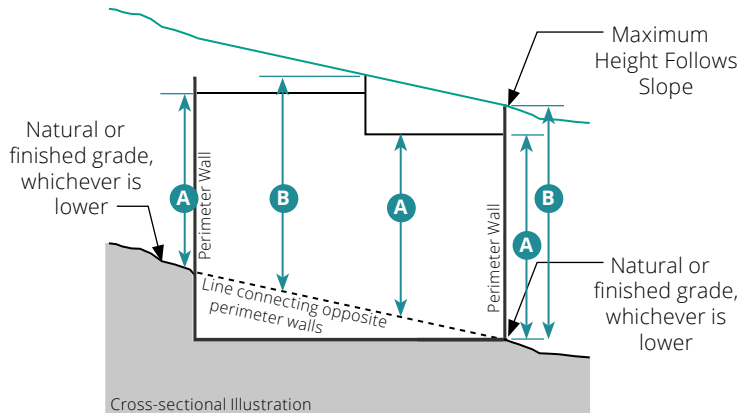
<sup>3</sup> See Chapter 5 (Specific to Massing) for refinements to massing and height standards.

<sup>4</sup> Common entries may be set at grade in compliance with local and federal accessibility standards.

<sup>5</sup> Shall be in compliance with Fairfax municipal code Chapter 17.048.



**Figure x.03.050.4: Allowable Building Height on a Slope**

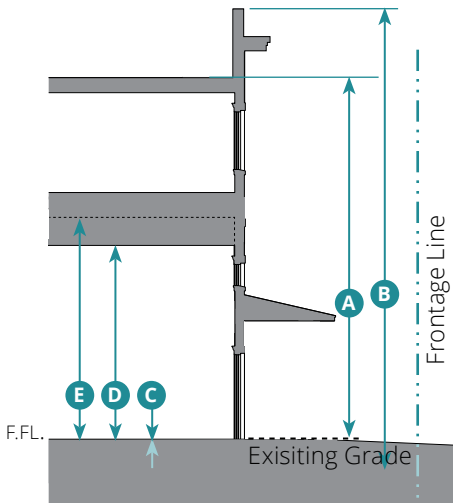


**Figure x.03.050.5: Measuring Building Height**

**3. Allowable Building Height and Slope Design Standards WITH grade level commercial uses.**

Commercial uses require different height criteria at the grade level than residential uses. Tenants often require a bottom of structure height of 15' so that mechanical, electrical, and plumbing can all be concealed above the ceiling without impacting the customer spaces. As a result, this higher level reduces the available height for residential uses.

Retail depths are required to be at least 30' deep with a 5' corridor beyond that for back of house services. In that depth, the retail height will eliminate the 2nd level residential units where the retail occurs. Beyond that area the residential units on the second floor may resume. These buildings will appear to be two stories at the retail street, and three stories behind the retail zone.



**B. Building Height Criteria for Residential over Retail**

Height	Base:	With Bonus	
<b>Primary Building<sup>3,6</sup></b>			
Stories	2 max.	3 max.	
Top of Structure	35' max.	45' max.	<b>A</b>
Overall	40' max.	50' max.	<b>B</b>
Ground Floor Finish Level			
Residential	6" min. <sup>4</sup>		
Non-Residential	Level with sidewalk per accessibility requirements		<b>C</b>
Ground Floor Commercial			
Bottom of Structure	13' min.		<b>D</b>
Commercial	15' min.		<b>E</b>

**Accessory Structure(s)<sup>5</sup>** -2 max. per design site

<sup>3</sup> See Chapter 5 (Specific to Massing) for refinements to massing and height standards.

<sup>6</sup> Ground level commercial uses require a tall first story, eliminating one level of residential where they occur.



**Figure x.03.050.5: Example of two and three story buildings with residential uses on the upper level**

**4. Setbacks<sup>3</sup>**

**Setback (Distance from Frontage Site Lines)<sup>8</sup>**

Primary Frontage			
Primary Building Zone	0' min. <sup>7</sup>		<b>E</b>
Accessory Building Zone	50' min.		<b>F</b>
Secondary Frontage			
Primary Building Zone	5' & 7' min. <sup>6</sup>		<b>G</b>
Accessory Building Zone	4' min. <sup>8</sup>		<b>H</b>
Interior Frontage			
Primary Building Zone	0' & 14' min. <sup>6</sup>		<b>I</b>
Accessory Building Zone	4' min. <sup>8</sup>		<b>J</b>
Rear Frontage			
Primary Building Zone	20' min.		<b>K</b>
Accessory Building Zone	4' min. <sup>8</sup>		<b>L</b>

<sup>6</sup> If the summary width of consecutive design sites exceeds 360' a 20' paseo through the block must be provided no closer than 100' the nearest secondary street. The paseo may serve as a interior frontage line.

<sup>7</sup> Primary building frontage must be setback to provide a min. 15' sidewalk is the existing sidewalk is less than that width.

<sup>8</sup> Accessory Buildings below 16' in building height require a 4' setback in the accessory building zone, any portion of the building above 16' in height must be setback an additional 3'.

<sup>8</sup> Buildings must conform with required Town of Fairfax waterways setback § 17.040.040 as well as within the Town of Fairfax ridgeline scenic corridor as defined in § 17.060.030.

**5. Encroachments**

**Encroachments into Minimum Setbacks**

Encroachment Type	Primary	Secnd.	Interior	Rear
	<b>M</b>	<b>N</b>	<b>O</b>	<b>P</b>
Architectural Features <sup>8</sup>	4' max.	4' max.	3' max.	8' max.
Private Frontages	X	X	N/A	N/A
Canopies	8' max.	8' max.	X	8' max.
Stairs/Ramps <sup>9</sup>	X	X.	X	8' max.

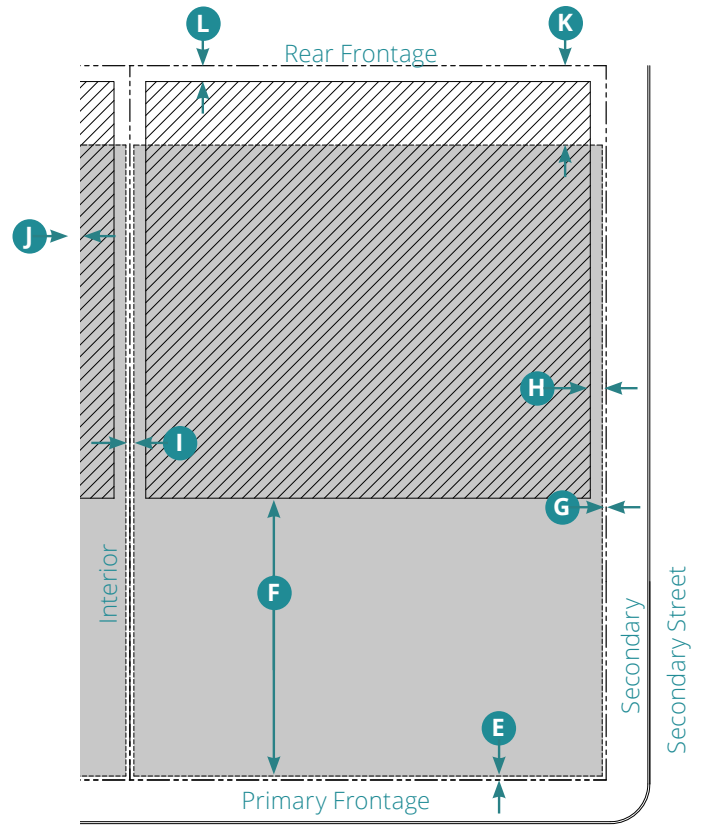
Ramps providing ADA or FHA visitability are allowed within setbacks but shall not encroach within public ROWs.

Fences, hedges, and other screen devices are allowed within setbacks as identified in Section x.04.020 (Screening).

<sup>8</sup> Bay windows that project beyond the Primary Building Zone are not allowed to be more than 8' in length and must provide at least a 12' clearance above the sidewalk.

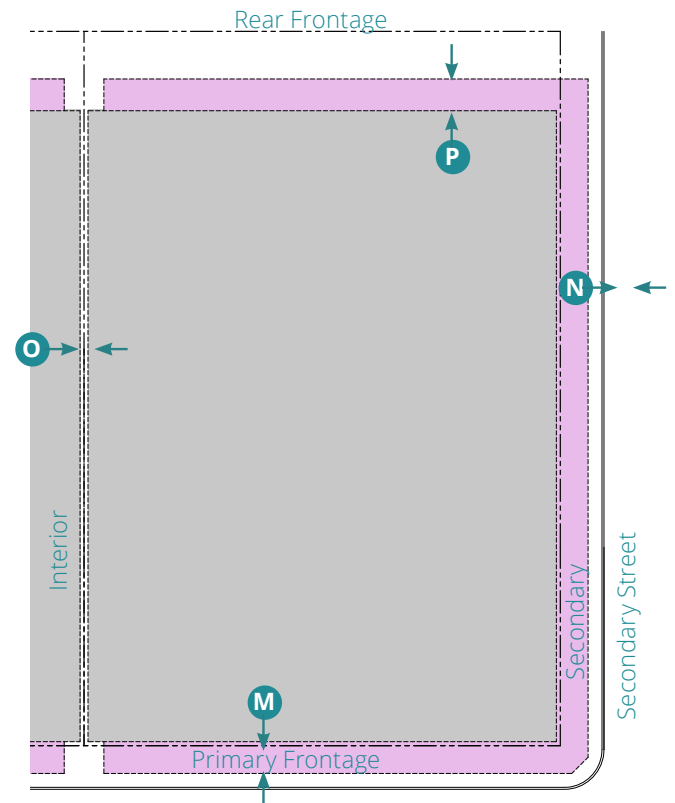
**Prohibited Encroachments**

Encroachments are not allowed within an alley ROW, or across a separately owned parcel line.



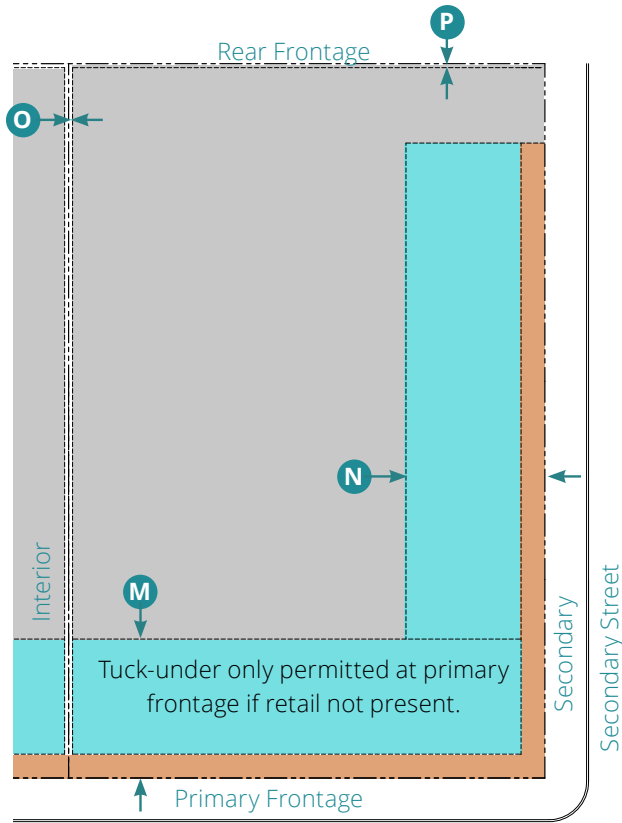
**Key**

■ Primary Building zone    ▨ Accessory Building Zone



**Key**

■ Primary Building zone    ■ Front Frontage zone



**Key**

- Surface, structured, underground and tuck-under parking permitted
- Underground, tuck-under parking permitted
- Underground parking permitted

**6. Parking**

Unit Type	Vehicular Spaces <sup>10</sup>	Bike Spaces <sup>11</sup>
Studio	1 min. per unit	1 min. per unit
1 or More Bedrooms	1 min. per unit	2 min. per unit

**Setback (Distance from Frontage Line)<sup>12, 13, 14</sup>**

Primary	30' min.	<b>M</b>
Secondary	30' min.	<b>N</b>
Interior	1' min.	<b>O</b>
Rear	1' min.	<b>P</b>

**Driveway & Curb Cut 10' / 18' max. per 50' of frontage **Q****

<sup>10</sup> See Subsection x.04.040.5 for additional standards.

<sup>11</sup> See Subsection x.04.040.3 for additional standards.

<sup>12</sup> Where the average site slope is less than 20%, driveways and curb cuts serving one unit may be a max. width of 10' and a max. width of 18' if serving two or more units. Where the average site slope is greater than 20%, side-by-side parking uncovered parking is permitted in the primary setback for a unit if the total driveway width is less than half of the total frontage. Parking may tuck under compliant building massing.

<sup>13</sup> Primary frontage access not allowed on corner design sites with an average slope less than 10%.

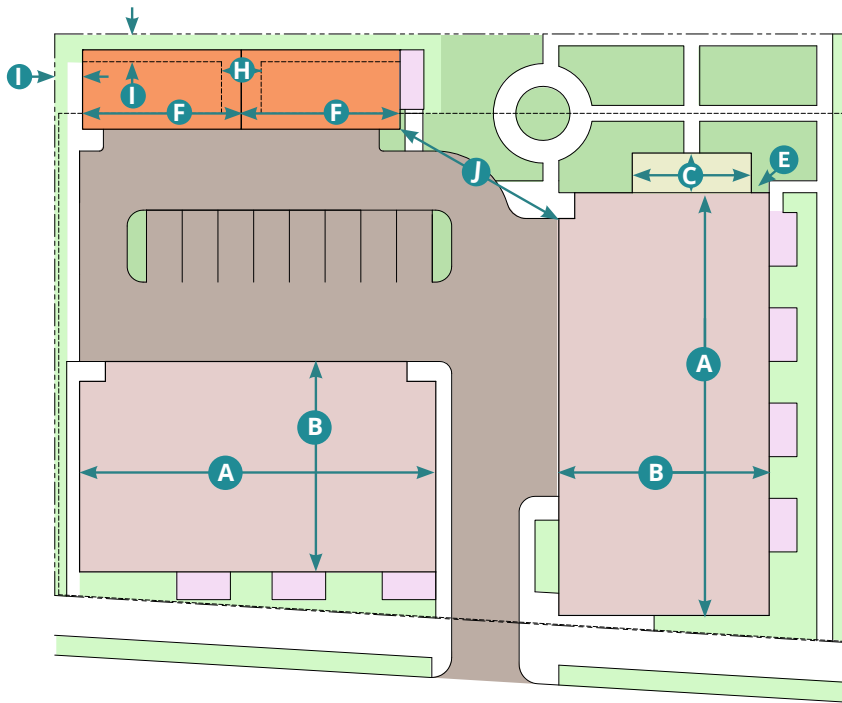
<sup>14</sup> Bike parking must be in compliance with pedestrian and vehicular access standards.



**Figure x.03.050.5: Example of upper level circulation encroaching over the sidewalk**



**Figure x.03.050.5: Example of residential development with tuck-under parking and elevated stoops**



Alternate building geometries including circular and angular forms may be used within the limits of overall max. dimensions afforded to Primary Bldg. massing.

**Key**

- Frontage Site Line
- Primary Building Zone
- Primary Bldg. Main Body
- Primary Bldg. Wing
- Accessory Buildings
- Private Frontage

**7. Primary Building Massing**

Main Body <sup>4</sup>		
Width	120' max.	A
Depth	60' max.	B
Wing(s) <sup>4</sup>		
Width and Depth	60' max.	C
Separation between Wings	28' min.	D
Offset from Main Body	4' min.	E

<sup>4</sup>Facades shall be designed in compliance with Chapter 5 materials standards.

Massing of the Primary Building's Main Body may be rotated 90 degrees depending what works best for the site. For sites with over 100' of Primary Frontage in the T4 SMS zone, up to two Accessory buildings are allowed per Primary building per design site as long as the required distances between structures is met, along with the private open space requirements.

**8. Accessory Building Massing**

Grade Level		
Width	40' max.	F
Depth	24' max.	G
Upper Level		
Separation from other Accessory Bldgs.	10' min. at upper level	H
Setback from Rear and interior Frontage Lines	4' below 16' in height and 7' above 16' in height	I
Separation from Primary Bldg.	15' min. or more depending on vehicle access requirements	J

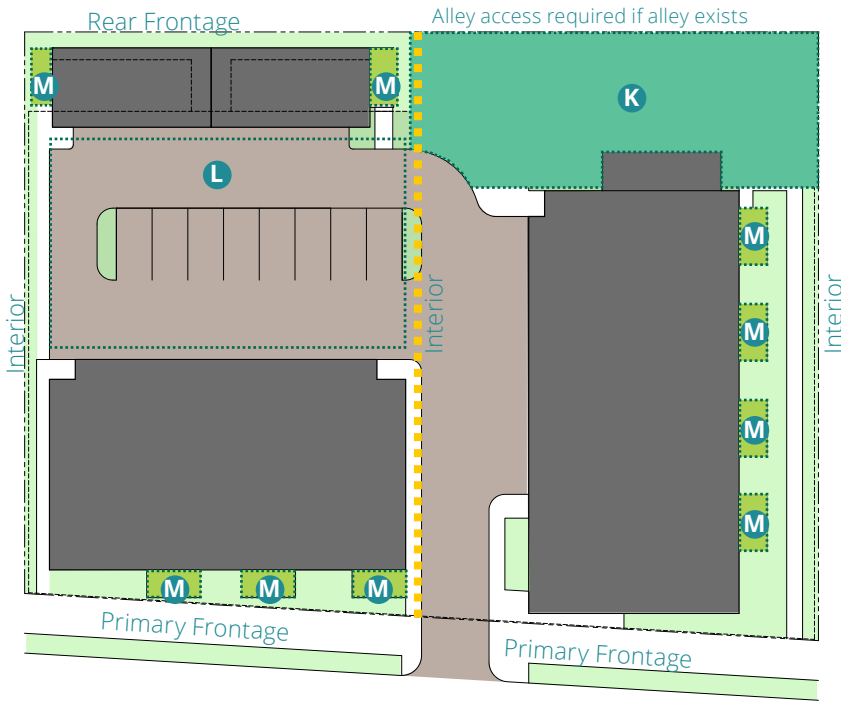
Facades shall be designed in compliance with Chapter 5 materials standards.

<sup>3</sup>Only if includes JADU (Junior Accessory Dwelling Unit)

<sup>4</sup>In compliance with Subsection 5 of the zone

<sup>5</sup>Height is limited to 1 story less than Primary Building and 10' less to highest eave/parapet unless unit is located above parking.





**Key**

- Frontage Site Line
- Primary Building Zone
- K** Common Open Space
- M** Private Open Space

**9. Shared Open Space**

**Common Area Open Space**

Area	100 sf min per 1,000 sf of design site area <b>K</b>
Min. Dimension	at least 15' in one direction and no less than 10' in any other direction

**Other Requirements:**

- Driveways do not count toward open space.
- Common area open space must not be further than 75' from any unit onsite.
- Common Area Open Space may not be subdivided into areas smaller than 750 square feet and can be no less than 15' in their smallest dimension.
- A driveway area framed by both Primary and Accessory buildings must use a concrete or brick paver system or integral colored concrete **L**

**10. Open Space specific to Unit**

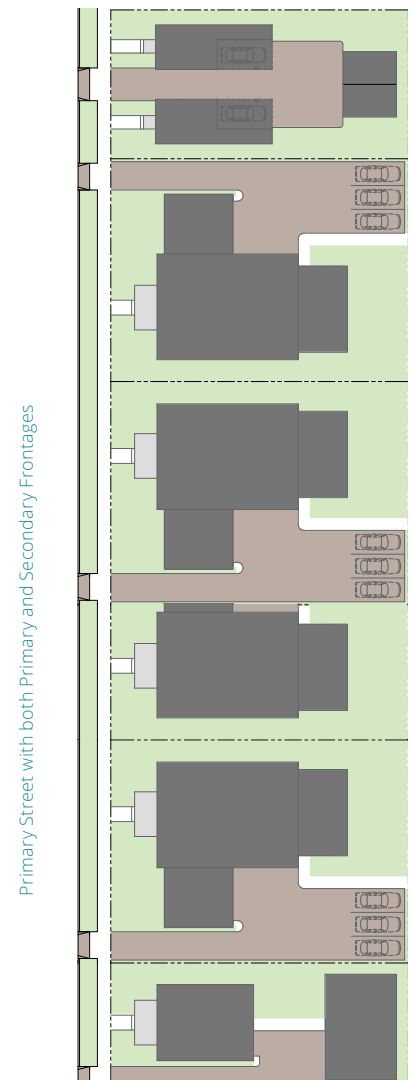
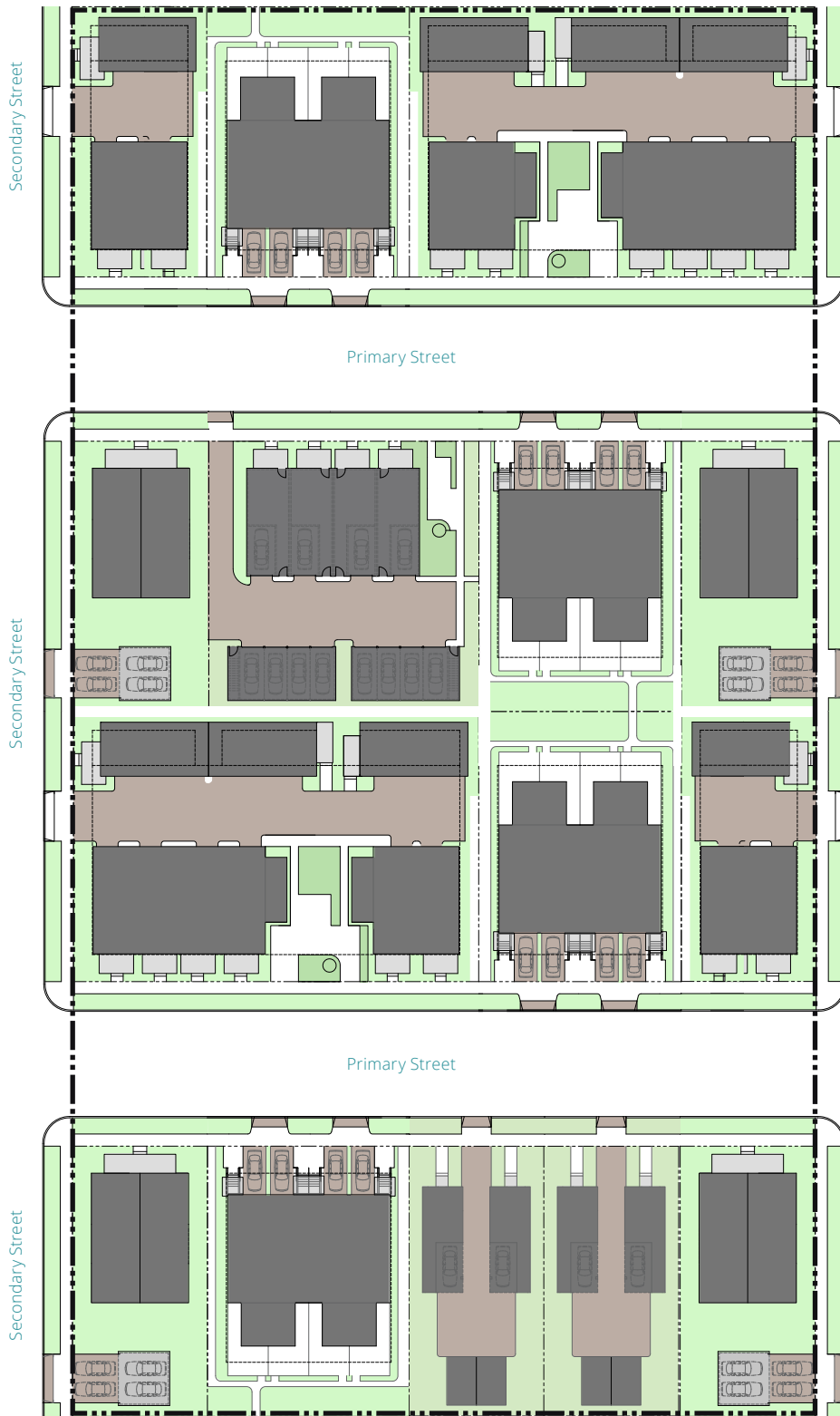
**Common Area Open Space**

Area	-90 sf min per unit- <b>M</b>
Min. Dimension	6' min dimension. may include a porch, balcony, stoop (excluding stairs from area) or fenced back yard

**Other Requirements:**

- Driveways do not count toward open space.
- Required private open space shall be located behind the main body of the building.
- A driveway area framed by both Primary and Accessory buildings must use a concrete or brick paver system or integral colored concrete

10. Design Site Assembly Example for larger Parcels



The T4 SN Zone is designed with minor variations from the T3 SN zone that allow attached housing (townhomes) up to 68' in building length. This incremental increase will allow the T4 SN and T3 SN to share streets and frontages blending seamlessly.

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# Chapter 4: General to Design Sites

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## Sections:

x.04.010	Purpose
x.04.020	Screening
x.04.030	Landscaping and Lighting
x.04.040	Parking and Loading
x.04.050	Slope Standards
x.04.060	Public Frontage Standards
x.04.070	Location of Bonus Height/Floor Area on Sloped Design Sites

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## x.04.010 Purpose

This Chapter provides standards to ensure that new development accomplishes the following:

1. Makes a positive contribution to the development pattern of the area;
2. New or altered structures are compatible with the design and use of existing structures on neighboring properties;
3. Respects the existing conditions of neighboring properties; and
4. Does not adversely affect neighboring properties, with "adversely affect" meaning to impact in a substantial, negative manner the habitability of these properties.

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## x.04.020 Screening

1. **Intent.** This Section provides standards for screening, fences, and walls for the protection of property, the enhancement of privacy, the attenuation of noise, and the improvement of the visual environment.
2. **Design Standards for Screening.** Except for wall- and ground-mounted equipment that is not visible from the public right-of-way or abutting design sites, all equipment shall comply with the following:
  - A. **Screening Height Maximums.** Screening shall not exceed the maximums identified in Table A (Maximum Screening Height).
  - B. **Screening Height Measurement.** Screening height shall be measured as the vertical distance between the finished grade at the base of the screen and the top edge of the screen material.

Table x.04.020.A: Maximum Screening Height					
Zone	Item	Maximum Height Allowed			
		Front	Side St.	Side	Rear
T3SN	Fences	3' max.	3' max.	8' max.	8' max.
	Free Standing Walls	3' max.	3' max.	8' max.	8' max.
	Landscaping <sup>1</sup>	4' max.	4' max.	No max.	No max.
T4SN.S	Fences	3' max.	3' max.	8' max.	8' max.
	Free Standing Walls	3' max.	3' max.	8' max.	8' max.
	Landscaping <sup>1</sup>	4' max.	4' max.	No max.	No max.
T4SMS.S	Fences	X	X	10' max.	10' max.
	Free Standing Walls	X	X	10' max.	10' max.
	Landscaping <sup>1</sup>	3' max.	3' max.	No max.	No max.

<sup>1</sup>Excludes trees

X = Not Allowed

3. **Courtyard Screening**

- A. Fences, walls and other screening installed to create a courtyard without a roof shall not exceed five feet in height and shall be set back a minimum of 10 feet from the front property line or back of sidewalk, whichever is the least.
- B. Landscaping installed in compliance with Section x.04.030 (Landscaping and Lighting).

4. **Screening on Retaining Walls.** The total height of screens and the retaining walls they are mounted on or attached to shall not exceed six feet.

5. **Mechanical Equipment Screening**

- A. The following mechanical equipment is exempt from screening:
  - (1) Free-standing or roof-mounted solar equipment; and
  - (2) Vents less than two feet in height.
- B. For new installation or relocation of existing mechanical equipment, the equipment shall be screened.
  - (1) **Roof-Mounted Equipment.** Building parapets or other architectural elements in the building’s architectural style shall screen roof-mounted equipment.
    - (a) New buildings shall be designed to provide a parapet or other architectural element that is as tall or taller than the highest point on any new mechanical equipment to be located on the roof of the building; and
    - (b) For existing buildings with no parapet less than two feet in height, mechanical equipment shall be surrounded on all sides by an opaque screen wall as tall as the highest point of the equipment. The wall shall be architecturally consistent with the building and match the existing building with paint, finish, and trim cap detail.
  - (2) **Wall- and Ground-Mounted Equipment**
    - (a) Equipment is not allowed between front or side street facades and the street.

- (b) All screen devices shall be as high as the highest point of the equipment being screened.
  - (c) Equipment and screening shall be in compliance with the setbacks of the zone.
  - (d) Screening shall be architecturally compatible and include matching paint, finish, and trim cap of the building.
6. **Temporary Fencing.** Temporary fencing may be used to provide security for approved special events, construction sites, or vacant structures and land, which cannot otherwise be secured. All temporary fencing shall be in compliance with the Town of Fairfax fence ordinance.
7. **Barbed Wire and Razor Wire.** Barbed wire and razor wire screening are not allowed.
8. **Safety.** Fences, walls, and other screening and landscaping, whether provided in compliance with the provisions of this Subsection or provided in addition to those provisions, are subject to review by the Traffic Engineer in the following areas to ensure that visibility is maintained:
- A. Within 10 feet of the point of intersection of:
    - (1) A vehicular access way or driveway and a street; and/or
    - (2) A vehicular access way or driveway and a sidewalk.
  - B. Within 20 feet of the point of intersection of two or more vehicular access ways, including driveways, alleys, or streets.
  - C. As used in this Subsection, "point of intersection" is measured from the face of curb or if none, from the edge of pavement.

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#### x.04.030 Landscaping and Lighting

- 1. **Intent.** This Section prescribes landscaping and lighting standards for protection and enhancement of the environmental and visual quality of the community, enhancement of privacy, and the control of dust.
- 2. **Required Landscaping.** The landscaping required by this Section shall be installed as part of the development or improvement(s) requiring the landscaping. Standards for landscaping in parking areas shall be in combination with Section x.04.040 (Parking and Loading).
  - A. Landscaping materials shall be integrated into the required setbacks, stream and wetland buffers, and design of the selected private frontage type(s).
  - B. Landscape materials shall be applied to the planting areas identified for public frontage type(s).
- 3. **Required Lighting**
  - A. Lighting shall be provided in compliance with the Town of Fairfax Site Lighting Standards.

#### 4. Design Standards

##### A. Allowed Landscaping Materials

- (1) Landscaping materials shall comply with the following:
  - (a) Shrubs, of at least one-gallon size;
  - (b) Ground cover instead of grass/turf; and/or
  - (c) Decorative nonliving landscaping materials including, but not limited to, sand, stone, gravel, wood or water may be used to satisfy a maximum of 25 percent of the required landscaping area.
- (2) Street trees, of at least 15-gallon size, double-staked, planted between the curb and the back of the sidewalk.

##### B. Species Selection

- (1) Native and drought tolerant species are required to meet the minimum standards, in conformance with MMWD Water Conservation Ordinance 414.
- (2) Landscape selection shall include native vegetation, applicable to Marin County, in compliance with Water Use Classification of Landscape Species (WUCOL IV).
- (3) Landscaping shall be in compliance with the Town of Fairfaxes Fire Department Standards.

##### C. Existing Vegetation. On-site trees of a caliper size of at least 8 inches shall be incorporated into the landscaping.

##### D. Retaining Walls

- (1) Retaining walls within the front and/or side street façade zone(s) or visible from the public sidewalk adjoining the design site shall:
  - (a) Not exceed four feet in height as measured to the adjacent finished grade or sidewalk whichever is nearest;
  - (b) Include a landscape planter in front of the wall. The planter shall be at least 18 inches deep measured perpendicular to the wall; and/or
  - (c) Be finished with allowable wall material(s).
- (2) Retaining walls along the interior design site line that are beyond the front and/or side street façade zone(s) shall:
  - (a) Not exceed three feet as measured to the adjacent finished grade;
  - (b) Include a landscape planter in front of the wall. The planter shall be at least three feet deep measured perpendicular to the wall; and/or
  - (c) Be finished with allowable wall material(s).
- (3) Retaining walls along the rear design site line that are beyond the front and/or side street façade zone(s) shall:
  - (a) Not exceed eight feet as measured to the adjacent finished grade;

- (b) If exposed, include a landscape planter in front of the wall. The planter shall be at least three feet deep measured perpendicular to the wall;
  - (c) Be finished with allowable wall material(s); and/or
  - (d) Not require landscaping or wall material finish(es) if within the building and not exposed.
- E. **Maintenance.** Required landscaping shall be maintained in a clean and healthy condition. This includes pruning, weeding, removal of litter, fertilizing, replacement of plants when necessary, and the appropriate watering of all landscaping.

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## x.04.040 Parking and Loading

1. **Intent.** This Section prescribes standards for motor vehicle and bicycle parking areas, loading and access drives, and standards for reducing motor vehicle trips per capita to and from development. These standards are intended to ensure that new development accomplishes the following:
  - A. Consistency with the intended physical character of walkable environments;
  - B. Provision of bicycle parking to increase bicycle trips and reduce motor vehicle trips per capita; and
  - C. Appropriately limits, screens, and landscapes motor vehicle parking areas to protect and enhance the environmental and visual quality of the community, enhance privacy, attenuate noise, and control dust.
2. **On-site parking.** On-site parking is allowed in all zones subject to the standards in this Section.
3. **Bicycle Parking Standards.** Bicycle parking shall be provided in compliance with the standards of the zone.
4. **General Vehicular Parking Standards**
  - A. **Sharing of On-Site Parking.** Sharing of parking between different uses and developments is allowed.
  - B. **Storage of Unregistered or Inoperable Motor Vehicles.** Automotive vehicles, trailers, or vehicles of any kind or type, requiring licenses that are without current license plates or are inoperable shall only be parked within completely enclosed buildings.
5. **Number of Motor Vehicle Parking Spaces Required**
  - A. **Required Spaces.** The minimum number of parking spaces required is listed in Subsection 6 of each zone in Chapter 3. In addition to the per-unit parking minimum, one additional space should be provided for every four units for visitor parking. For any use not addressed in Subsection 6, parking shall not exceed a ratio equivalent to the average peak parking occupancy rate for the most comparable use in the Institute of Transportation Engineers Parking Generation Manual.
  - B. **Required Number of Parking Spaces**

- (1) When calculating the required number of parking spaces, numbers shall be rounded down to the closest whole number.
- (2) Parking systems that stack individual vehicles are counted as three spaces for every horizontal space identified.
- (3) **Calculating Required Parking for a Mixed-Use Development.** For a building with residential and non-residential uses, shared parking shall be calculated as follows. The sum of the required parking for the two use types as stated in Subsection 6 of the zone shall be divided by the factor listed in Table A (Shared Parking Factor for Two Uses). The required number of parking spaces shall be rounded up to the closest whole number.

Table x.04.040.A: Shared Parking Factor for Two Uses				
	Residential	Lodging	Office	Retail
Residential	1.0	1.1	1.4	1.2
Lodging	1.1	1.0	1.7	1.3
Office	1.4	1.7	1.0	1.2
Retail	1.2	1.3	1.2	1.0

- C. **Exception in the Event of Changes of Use or Alterations to Existing Buildings or Structures.** If an existing building or structure is altered or existing land uses are changed, the existing number of parking spaces on a property may be retained, even if the resulting building, structure or land use would ordinarily be subject to a lower maximum parking allowance.
- 6. **Electric Vehicle Charging.** Electric vehicle charging facilities shall be provided in compliance with CA Green Standards Building Code, Title 24, Part 11.
- 7. **Traffic-Reducing Parking Standards**
  - A. **Carshare Parking Spaces**

- (1) Carshare parking spaces shall be provided in the amounts specified in Table B (Required Carshare Parking Spaces).

Table x.04.040.B: Required Carshare Parking Spaces	
Residential Uses	Carshare Parking Spaces Required
0-49 units	None
50-100 units	1
101 or more units	2 + 1 per additional 200 units
Office/Research & Development Uses	Carshare Parking Spaces Required
≤ 10,000 sf	None
> 10,000 sf	1 per 10,000 sf

- (2) The required carshare space(s) shall be made available, at no cost, to a carshare service for purposes of providing carshare services to its members. At the election of the property owner, the carshare spaces may be provided:
  - (a) On the design site; or
  - (b) On another off-street site within 1,000 feet of the design site.

- (3) Required carshare space or spaces shall be designed in a manner that will make the spaces accessible to non-resident subscribers from outside the building as well as building residents.
- (4) If it is demonstrated to the satisfaction of the Jurisdiction that no carshare service can make use of the dedicated carshare parking spaces, the spaces may be occupied by non-carshare vehicles; provided, however, that upon 90 days of advance written notice to the property owner from a carshare service, the property owner shall terminate any non-carsharing leases for such spaces and shall make the spaces available to the carshare service for its use of such spaces.

8. **Parking Spaces, Design and Layout**

A. **Access.** On-site parking areas shall be accessed per the following:

- (1) On-site parking shall be designed with an appropriate means of vehicular access to a street or to an alley to cause the least interference with traffic flow.
- (2) Ingress to and egress from parking spaces shall be from an on-site aisle or driveway, directly from the front, side street, public alley, or rear lane.
- (3) On-site loading space(s) is not required.

B. **Driveways**

- (1) Access to Driveways
  - (a) Driveway access to and from developments of two or fewer dwelling units onto public streets shall be where practical by forward motion of the vehicle; and
  - (b) Driveway access to and from developments of three or more dwelling units onto public streets shall be by forward motion of the vehicle.
- (2) Driveways shall extend to and include the area between the design site line and the edge of the street pavement.
- (3) The design and construction of all on-site parking access drives shall be in compliance with the Town of Fairfax zoning standards.

C. **Tandem Parking.** Tandem parking is allowed in all zones for all uses, subject to on-site management.

D. **Identification as to Purpose and Location.** On-site parking areas of four or more spaces shall include painted lines, wheel stops, or other methods of identifying individual parking spaces and loading areas, while distinguishing such spaces from aisle and other circulation features.

**E. Materials**

- (1) All on-site parking areas and driveways shall be surfaced only with materials identified in the Town of Fairfax development standards.
- (2) Parking area surfacing materials shall consist of the following materials, in compliance with the Town of Fairfax fire department requirements.
- (3) Parking area shall meet Town of Fairfax urban runoff pollution prevention program.

**F. Landscaping.** The landscaping standards identified in Table C (Required Parking Lot Landscaping) shall be applied with the standards of Subsection x.04.020 (Screening) and Subsection x.04.030 (Landscaping and Lighting).

- (1) Parking and loading areas shall be screened from adjacent residential zones by a six foot wall, fence, or evergreen.
- (2) Screening is not required when parking area(s) is adjacent to an alley.
- (3) Landscaping areas shall integrate stormwater management and water conservation features per the Town of Fairfax zoning.
- (4) For portions of parking areas covered by photo-voltaic solar collectors that also function as shade structures, the minimum standard for trees does not apply.

**G. Location**

- (1) Location of on-site parking is regulated by the required setbacks in Subsection 6 in Chapter 3 of the zone and the following:
  - (a) Parking lots with 11-20 spaces shall be separated at least by five feet from buildings to make room for a sidewalk, landscaping, and/or other planting between the building and the parking area;
  - (b) Parking lots with more than 20 spaces shall be separated by at least 12 feet from buildings to make room for a sidewalk, landscaping, and other planting between the building and the parking area; and
  - (c) The required separation may be eliminated to the rear of buildings in areas designed for unloading and loading of materials.



**Table x.04.040.C: Required Parking Lot Landscaping**

Number of Parking Spaces	Percent of Gross Parking Area Required to be Landscaped
10 or fewer	None
11 to 20	5' min. wide planter along property line
21 to 50	5%; 5' min. wide planter between every 5 spaces, property line, and building(s)
51 and over	10%; 5' min. wide planter between every 5 spaces, property line, and building(s)

**General Landscaping**

Required Border	6" high curb or equivalent
Border and Stormwater	Curb or equivalent shall include breaks every 4" to provide drainage to retention and filtration areas.
Car Overhangs	Shall be prevented by stops
Required Quantity	1 tree per every 10 parking spaces, beginning at 11 total spaces
Tree Well Size <sup>1</sup>	5' min. in any direction
Tree Can Size	15 gallon min.
Tree Box Size	20% of required trees shall be 24" min.
Tree Caliper	1" min.
Tree Height at Installation	7' min. vertical clearance
Tree Characteristics	High branching, broad headed, shading form
Location	Evenly spaced throughout parking lot to provide uniform shade

<sup>1</sup>Any vehicle overhang requires the minimum planter area width to be expanded by an equivalent dimension.

- H. **Size of Parking Lot.** Parking lots larger than 10,000 square feet in size shall be broken down into smaller parking areas with planted landscape areas with a minimum width of 15 feet between them to minimize the perceived scale of the total field of stalls.

**x.04.050 Slope Standards**

1. **Intent.** This Section provides the standards for development in all zones on design sites with sloped topography. For the purposes of this Section, sloped topography is any slope of six percent or more.
2. The standards in this Section supplement those in the Town of Fairfax Hill Area Residential Development Overlay Zone. If there is a conflict between any standards, the provisions of this Section supersede those of the Hill Area Residential Development Overlay Zone.
  - A. Table A (Amount of Sloped Areas Allowed to be Developed) identifies the amount of developable area for sloped portions of design sites. This, in combination with the standards in this Section and the maximum allowed building footprint shall be applied to the design of the sloped portions of design sites.
  - B. Developments subject to Chapter 6 (Specific to Large Sites) requiring new streets shall be in compliance with maximum grade standards in the Town of Fairfax street and pedestrian ways requirements.

**Table x.04.050.A: Amount of Sloped Areas Allowed to be Developed**

Portions of Design Site with Existing Slope	Design Site Size <sup>1</sup>		Development Site <sup>1,2</sup>	
	Width	Depth	Overall Size	
	up to 200'	up to 300'	1 to 3 acres	>3 acres
0–5.99%	—————	N/A —————	N/A	N/A
6–9.99%	—————	N/A —————	70% max.	70% max.
10–14.99%	—————	N/A —————	50% max.	25% max.
15–19.99%	—————	N/A —————	25% max.	5% max.
20–29.99%	—————	50% max. —————	10% max.	0% max.
> 30%	—————	0% max. —————	0% max.	0% max.

<sup>1</sup> In compliance with the setbacks of the zone, required on-site open space, this Section, and the maximum building footprint standards in Chapter 3.

<sup>2</sup> In compliance with required amount of civic space identified in [Subsection x.6.040.5](#).

**Key** N/A = Slope Protection Not Applicable  
 40% = Maximum Amount of Sloped Area(s) Available for Development

**3. Parking**

- A. **Parking Techniques.** As allowed in Table x.01.060.A (Adjustments to Standards), the following techniques may be applied individually or in combination:
- (1) Tandem Parking. Parking spaces are arranged in a series up to the maximum allowed in Table x.01.060.A (Adjustments to Standards).
  - (2) Parking Court(s). Parking spaces are clustered in a ‘U-shape’ in groupings of up to 12 covered or uncovered spaces or individual garages. The minimum width of the parking court is 24 feet measured parallel to the adjacent street/right-of-way. The maximum depth of the parking court is 50 feet measured perpendicular to the adjacent street/right-of-way. The parking court is accessed from the adjacent street/right-of-way and the maximum width of the entrance to the parking court is nine feet measured along the adjacent street/right-of-way.
  - (3) Podium Parking. Parking spaces are located in an at-grade garage under the rear and/or interior side of the building or under all of the building except for the required ground floor habitable space. The garage has occupiable space above the garage level. The podium is not visible or exposed along the front or side street building facades.
  - (4) Subterranean Parking. Parking spaces are located below the adjacent finished grade of the building.
  - (5) Stacked Parking System. Parking spaces are arranged in a system that provides two to three spaces in the horizontal area of one space. This type of system is within a podium parking garage.
- B. **Topography and Required Location of Parking.** Sloped topography can present issues with locating parking on a design site in compliance with Subsection 6 of the zone in Chapter 3. Table

x.01.060.A (Adjustments to Standards) identifies allowed administrative variations for issues arising from sloped topography, subject to required findings.

4. **Grading or Regrading of Design Sites.** When existing design site topography is proposed to be changed, grading shall not result in any of the following:
  - A. Creation of retaining walls or blank walls taller than four feet within required front or side street facade zones;
  - B. Retaining walls on side design site lines taller than three feet;
  - C. Retaining walls on rear design site lines not within the building footprint, taller than 10 feet;
  - D. Terraced design sites that result in a vertical difference of more than 4 feet between the adjacent right-of-way and the finished grade of the design site;
  - E. Grading beyond the building pad(s) and the required access drive(s);
  - F. Cut exceeding 16 feet in height from top to toe; or
  - G. Cut slope exceeding two horizontal to one vertical.
5. **Graded Slopes**
  - A. Graded slopes shall be screened from view under or behind buildings with landscaping or natural topographic features.
  - B. Graded slopes shall be revegetated with a mixture of grass seed or shrubs as identified by the USDA Soil Conservation Service or by the Town of Fairfax Slope Development Standards. Planting may be waived by the Town of Fairfax's Engineering Division for slopes that, due to the rock character of the material, will not support plant growth. See Table x.01.060.A (Adjustments to Standards).
6. **Drainage Facilities.** All proposed drainage facilities shall preserve major drainage channels in their natural state and be designed in such a manner as to minimize soil erosion and to otherwise preserve the public health, safety, and welfare.
7. **Administrative Relief.** Section x.01.060 (Adjustments to Standards) provides for administrative variations from the standards in this Section due to topographic constraints.

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## x.04.060 Public Frontage Standards

1. **Intent.** Public frontage types provide a coordinated approach to design standards for the area between each design site's private frontage(s) and the adjoining right-of-way or private driveway easement. Public frontage types consist of planters, walkways, curbs, planters, planting and lighting, as illustrated in Table A (Public Frontage Types Overview).
2. **Required Improvements.** The public frontage along the design site(s) shall be improved as follows:
  - A. **Infill Design Site.** For a development that consists of one design site within an existing block, the standards of this Section regarding street trees applies.
  - B. **Two or More Design Sites.** For a development that consists of two or more design sites that are less than half of the block face along an existing block, the standards of this Section regarding sidewalks and street trees apply.
  - C. **More Than Half of Existing Block.** For a development that consists of two or more design sites that are more than half of the block face along an existing block, all of the standards of this Section apply.
  - D. **New Block(s).** For a development that creates a new block or multiple blocks, all of the standards of this Section apply.
3. **Design Standards for Public Frontages.** Public frontages shall be designed and maintained in compliance with the following standards:
  - A. The required elements are identified in and shall be configured according to Table B (Public Frontage Assemblies) and in compliance with the Town of Fairfax road standards.
  - B. Planting and landscape selection shall consist of native vegetation that is applicable to Marin County, in compliance with Water Use Classification of Landscape Species (WUCOL IV).
4. **Allowed Public Frontage Types**
  - A. **Street.** The Street Frontage has raised curbs drained by inlets and sidewalks separated from vehicular lanes by individual or continuous planters. Landscaping consists of street trees of a single or alternating species aligned and with regular-spacing.
  - B. **Avenue/Boulevard.** The Avenue/Boulevard Frontage has raised curbs drained by inlets and wide sidewalks separated from the vehicular lanes by a continuous planter, with parking on both sides. Landscaping consists of single or double rows of a single or alternating tree species aligned and with regular spacing.
  - C. **Main Street.** The Main Street Frontage has raised curbs drained by inlets and very wide sidewalks along both sides separated from the vehicular lanes by individual tree wells with grates. Landscaping consists of a single tree species aligned and with regular spacing.

**Table x.04.060.A: Public Frontage Types Overview**

Table A (Public Frontage Types Overview) provides an overview of the allowed public frontage types in or abutting each zone.

Public Frontage Types	Specific Standards	T3	T4	
		SN	SN.S	SMS.S
Street	<a href="#">x.04.060.B.1</a>	P	P	X
Avenue/Boulevard	<a href="#">x.04.060.B.2</a>	X	X	P
Main Street	<a href="#">x.04.060.B.3</a>	X	X	P

**Key** P = Allowed X = Not Allowed

**Table x.04.060.B: Public Frontage Assemblies**

Table B (Public Frontage Assemblies) identifies the required elements and dimensions of each public frontage type.

	Street x.04.060.B.1	Avenue/Boulevard x.04.060.B.2	Main Street x.04.060.B.3
<b>Assembly.</b> The type and dimension of curbs, walkways, and planters.			
Total Width	A 11' min.	A 13' min.	A 16' min.
<b>Curb.</b> The detailing of the edge of the vehicular pavement, incorporating drainage.			
Type	Raised Curb	Raised Curb	Raised Curb
<b>Walkway.</b> The pavement dedicated exclusively to pedestrian activity.			
Type	Walkway	Walkway	Walkway
Width	6' min.	8' min.	12' min.
Note: the placement of curb ramps shall match the desired path of pedestrian travel. See Marin County Standard Plans for curb ramp design.			
<b>Planter.</b> The area that accommodates street trees and other landscaping.			
Arrangement	Regular	Regular	Regular
Types	Planting Strips	Planting Strips	Tree Wells (shall be located within walkway width)
Width	5' min.	5' min.	4' min.

**x.04.070 Location of Bonus Height/Floor Area on Sloped Design Sites**

1. **Intent.** This Section provides the standards for the location of additional height and/or floor area resulting from a density bonus on design sites with sloped topography. For the purposes of this Section, sloped topography is a slope of six percent or more.

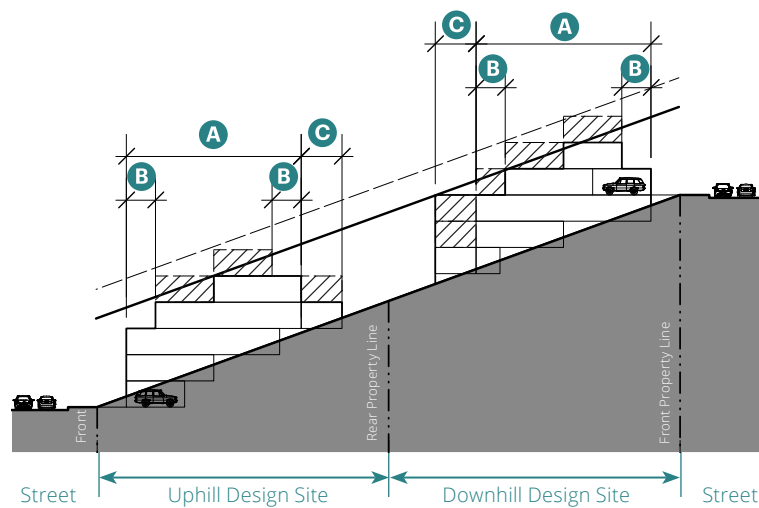
The standards in this Section supplement those in the Town of Fairfax Hill Residential Development Area Overlay Zone. If there is a conflict between any standards, the provisions of this Section supersede those of the Town of Fairfax Hill Residential Development Area Overlay Zone.

2. **Topography and Required Location of Bonus Height/Floor Area**

- A. Figure 1 (Allowed Location of Bonus Height/Floor Area from Front to Rear of a Sloped Design Site) and Figure 2 (Allowed Location of Bonus Height/Floor Area Across a Sloped Design Site) identify the allowed locations for additional height and/or floor area resulting from a density bonus on a sloped design site. This, in combination with the standards in Chapter 3 and the maximum allowed building footprint in Chapter 3 for a given zone shall be applied to the design of buildings on sloped design sites.

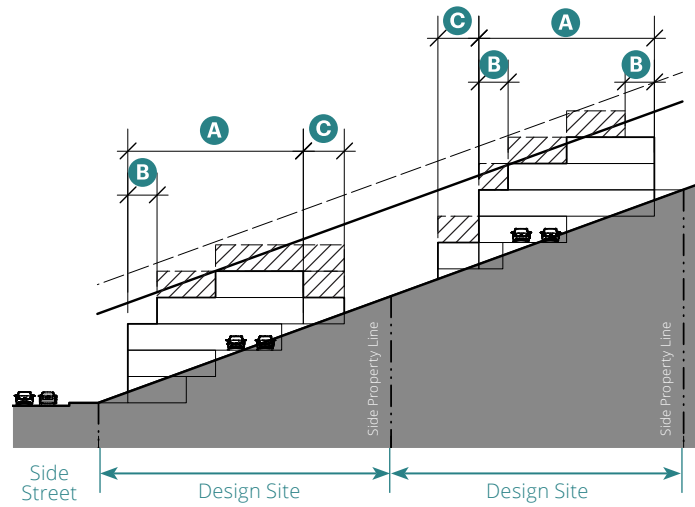
- B. Bonus height/floor area shall be located as identified in Figure 1, and Figure 2.

**Figure x.04.070.1: Allowed Location of Bonus Height/Floor Area from Front to Rear of a Sloped Design Site**



	Max. Height Allowed by Zone
	Max. Bonus Height Allowed by Zone
	Allowed Locations of Bonus Height/Floor Area
	Max. Size Allowed for primary building in Chapter 3 for each zone.
	10' min. Stepback (Front and Rear)
	Additional Story or Stories above Wing(s)

Figure x.04.070.2: Allowed Location of Bonus Height/Floor Area Across a Sloped Design Site



- Max. Height Allowed by Zone
- - Max. Bonus Height Allowed by Zone
- ▨ Allowed Locations of Bonus Height/Floor Area
- A** Max. Size Allowed for primary building in Chapter 3 for each zone.
- B** 10' min. Stepback (Sides)
- C** Additional Story or Stories above Wing(s)



# Chapter 5: Frontage Types and Materials

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## Sections:

x.05.010	Purpose
x.05.020	Private Frontage Types
x.05.030	Overview of Private Frontage Types
x.05.040	Porch
x.05.050	Dooryard
x.05.060	Stoop
x.05.070	Forecourt
x.05.080	Shopfront
x.05.090	Gallery
x.05.100	Materials

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## x.05.010 Purpose

This Chapter provides the standards for private frontages and building materials. Private frontages are the components of a building that provide the transition and interface between the public realm (street and sidewalk) and the private realm (setback or building) while materials will ensure a high level of quality and durability that is consistent with the existing built form in the Town of Fairfax.

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## x.05.020 Private Frontage Types

1. For projects in the T3 zone, multiple dwelling unit entries are to be included in a single frontage type.
2. For projects in the T4 zones, each dwelling unit shall have it's own frontage type.
3. Either of the porch frontage types should be at the main first-floor living level.
4. Each dwelling unit entrance shall have a frontage type of 90 square feet mininum. This can be achieved either with a porch or a landscaped front yard area.
5. Each building is required to include at least one private frontage type along the front street or adjacent civic space. Buildings with entries along a side street are required to include at least one private frontage type on those facades.
6. Private frontage types allowed in each zone are shown in Table A, x.05.030.
7. Each building may have multiple private frontage types in compliance with the allowed types shown in Table A, x.05.030.
8. Each private frontage type shall be located in compliance with the design site per Chapter 3.
9. Standards are stated for the front and side street facades of a design site.

10. In addition to the zone's standards, each private frontage is further refined through these standards to further calibrate the type for its context.
11. Certain types are only allowed in the open sub-zone (e.g., T4SN.S-O) or on a side street in the base zone (e.g., T4CMS) to implement the intended physical character.

### x.05.030 Overview of Private Frontage Types

Table A (Private Frontage Types Overview) provides a summary of the allowed private frontage types in each zone. See referenced Section(s) for standards.

**Table x.05.030.A: Private Frontage Types Overview**

Private Frontage Type	Specific Standards	T3	T4	
		SN	SN.S	SMS.S
Porch	x.05.040	P	P	P
Dooryard	x.05.050	P	P	O
Stoop	x.05.060	P	P	O
Forecourt	x.05.070	X	P	P
Shopfront	x.05.080	X	O	P
Gallery	x.05.090	X	X	P

**Key**      P = Allowed      O = Allowed Only in Open Sub-Zone or Side Street      X = Not Allowed

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## x.05.040 Porch



Example of a Porch



Example of a Porch

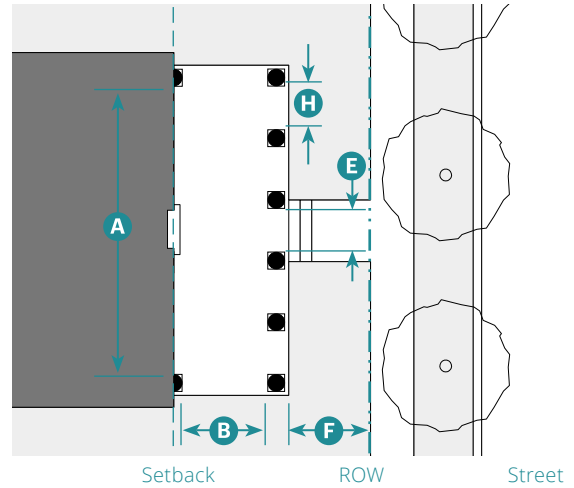
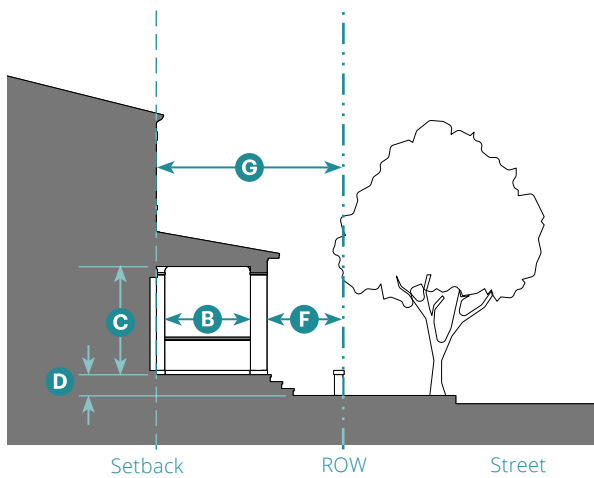


Example of a Porch

### 1. Description

A portion of the main facade, or the entire facade of the building is set back from the front design site line with a covered structure encroaching into the front setback. The resulting setback area may be defined by a fence or hedge to spatially maintain the edge of the street. The Porch may be one or two stories, is open on two to three sides, with all habitable space located behind the building setback line.

*General Note: Photos on this page are illustrative, not regulatory.*



**Key**

--- ROW/ Design Site Line      ..... Setback Line

2. Size		
Width, Clear	15' min. <sup>1</sup>	<b>A</b>
Depth, Clear	8' min.	<b>B</b>
Height, Clear	8' min.	<b>C</b>
Area	90 square feet per entry	
Stories	2 stories max.	
Finish Level	To match 1st floor level. <sup>2</sup>	<b>D</b>
Pedestrian Access	3' wide min.	<b>E</b>
Distance between Porch and Sidewalk	6' min.	<b>F</b>
Depth	15' min.	<b>G</b>

<sup>1</sup>Reduce to 8' min. if only serving one dwelling unit entrance.

<sup>2</sup>Common entries may be set at grade per local and federal accessibility standards.

**3. Miscellaneous**

Porch shall be open on two to three sides and have a roof. Clear glass may be installed between the porch columns. The Porch is allowed to encroach into the front and side street setbacks in compliance with Subsection 5 of the zone. Ramps are required to be integrated along the side of the building to connect with the Porch.



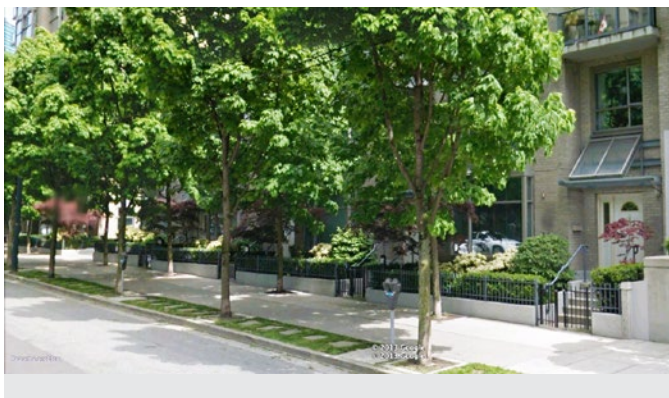
x.05.050 Dooryard



Example of a residential Dooryard



Example of a commercial Dooryard

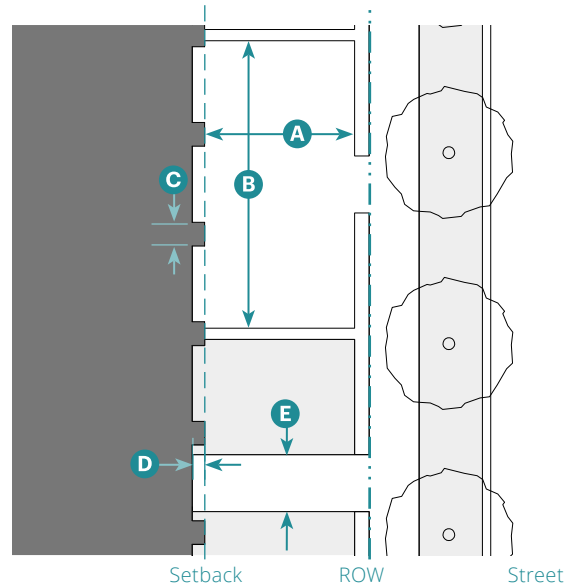
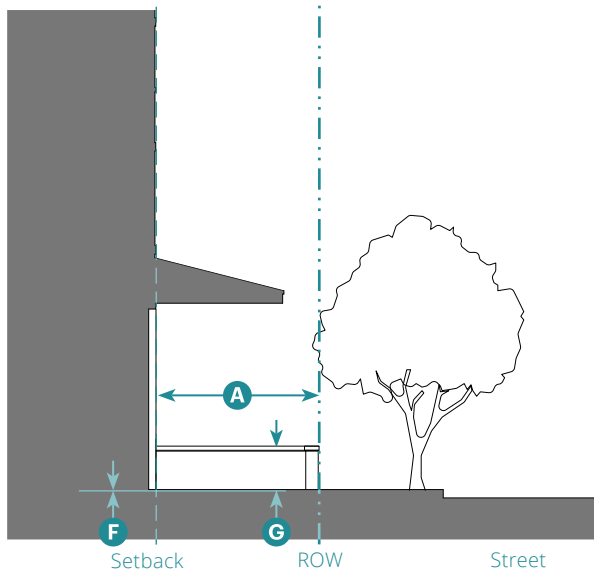


Example of a residential Dooryard

1. Description

The main facade of the building is set back from the front design site line, which is defined by a low wall or hedge, creating a small private area between the sidewalk and the facade. Each Dooryard is separated from adjacent Dooryards. The Dooryard may be raised or at grade.

General Note: Photos on this page are illustrative, not regulatory.



**Key**

--- ROW/ Design Site Line      - - - - - Setback Line

2. Size		
Depth, Clear	6' min.	<b>A</b>
Length	15' min.	<b>B</b>
Distance between Glazing	4' max.	<b>C</b>
Depth of Recessed Entries	3' max.	<b>D</b>
Pedestrian Access	3' wide min.	<b>E</b>
Finish Level above Sidewalk	12" max. <sup>1</sup>	<b>F</b>
Height of Dooryard Fence/Wall above Finish Level	36" max.	<b>G</b>

<sup>1</sup> Common entries may be set at grade per local and federal accessibility standards.

**3. Miscellaneous**

For live/work, retail, service, and restaurant uses, the Shopfront Frontage Type may be applied.

Each Dooryard shall provide access to only one ground floor entry.

The Dooryard is allowed to encroach into the front and side street setbacks in compliance with Subsection 5 of the zone.

Ramps are required to be integrated along the side of the building to connect with the Dooryard.



## x.05.060 Stoop



*Example of a Stoop with paired entries*



*Example of a Stoop*



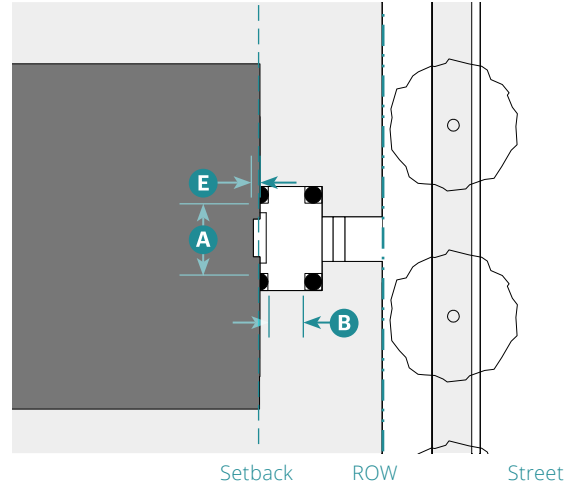
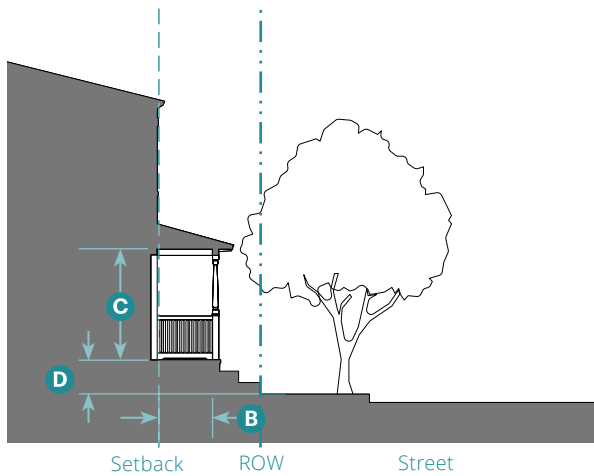
*Example of a Stoop*

### 1. Description

The main facade of the building is near the front design site line with steps to an elevated entry. The Stoop is elevated above the sidewalk to provide privacy along the sidewalk-facing rooms. Stairs or ramps from the Stoop may lead directly to the sidewalk or may be parallel to the sidewalk.

*General Note: Photos on this page are illustrative, not regulatory.*





**Key**

--- ROW/ Design Site Line      ..... Setback Line

2. Size		
Width, Clear	4' min.	<b>A</b>
Depth, Clear	3' min.	<b>B</b>
Height, Clear	8' min.	<b>C</b>
Stories	1 story max.	
Finish Level above Sidewalk	12" min.	<b>D</b>
Depth of Recessed Entries	8' max.	<b>E</b>

**3. Miscellaneous**

- Stairs may be perpendicular or parallel to the building facade.
- Entry doors shall be covered or recessed to provide shelter from the elements.
- Gates are not allowed.
- All doors shall face the street.
- The Stoop is allowed to encroach into the front and side street setbacks in compliance with Subsection 5 of the zone.
- Ramps are required to be integrated along the side of the building to connect with the Stoop.

x.05.070 Forecourt



Example of a Forecourt with Shopfronts



Example of a Forecourt with outdoor dining

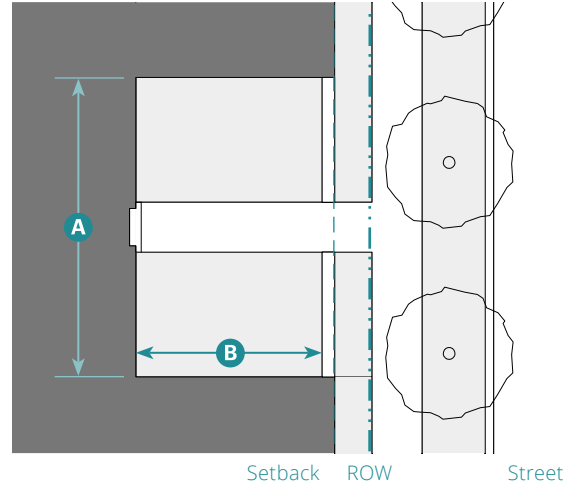
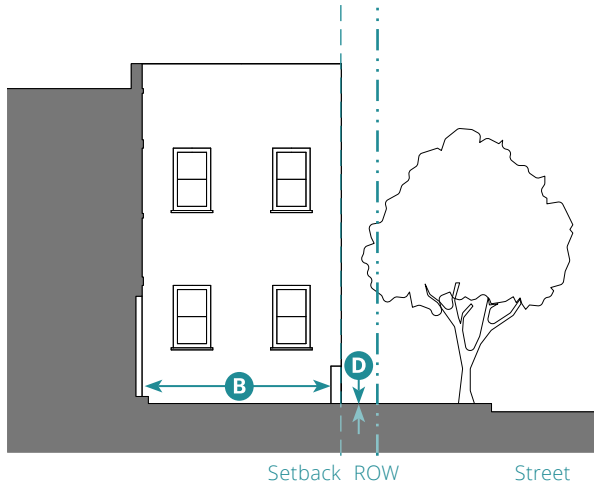


Example of Forecourt

1. Description

The main facade of the building is at or near the front design site line and a portion is set back, extending the public realm into the design site to create an entry court or shared garden space for housing, or an additional shopping or restaurant seating area within retail and service areas.

General Note: Photos on this page are illustrative, not regulatory.



**Key**

--- ROW/ Design Site Line      ..... Setback Line

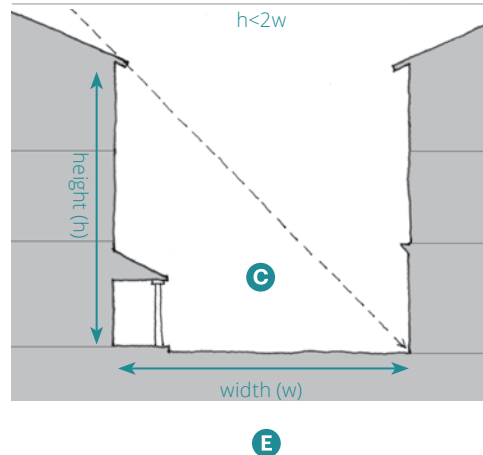
2. Size		
Width, Clear	15' min.	<b>A</b>
Depth, Clear	15' min.	<b>B</b>
Ratio, Height to Width	2:1 max.	<b>C</b>
Finish Level above Sidewalk	12" max.	<b>D</b>
Gallery frontages, awnings, balconies and porches may encroach into Forecourt on all sides.	Max 1/2 width of Forecourt	<b>E</b>

**3. Miscellaneous**

Forecourts may be utilized to group several entries at a common elevation in compliance with the zones' ground floor finish level standards.

The proportions and orientation of a Forecourt shall be in compliance with the diagram below for solar orientation and user comfort.

Ramps are required to be integrated along the side of the building to connect with the Forecourt.





x.05.080 Shopfront



Example of Shopfronts



Example of a Shopfront

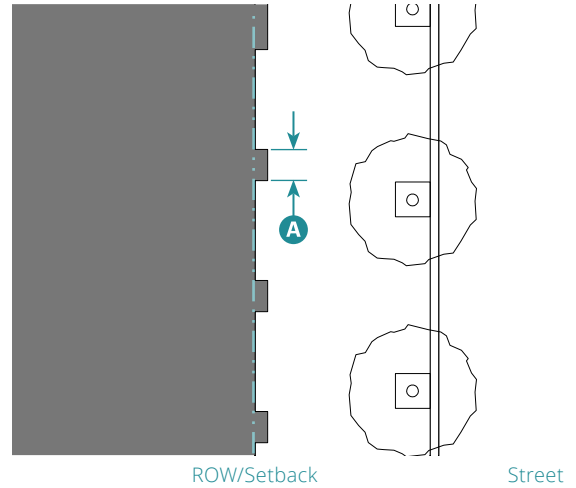
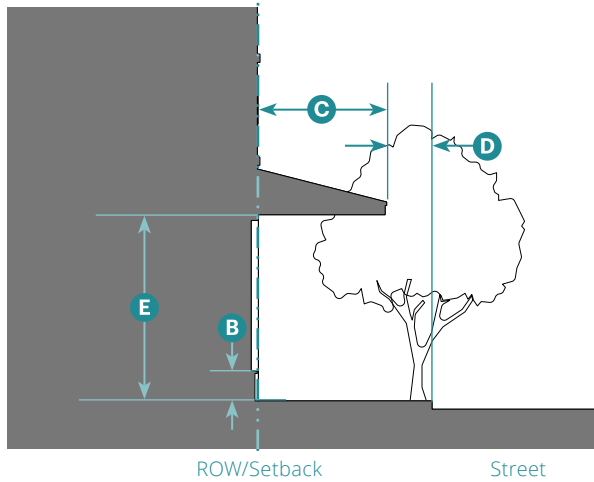


Example of a Shopfront

1. Description

The main facade of the building is at or near the front design site line with at-grade entrance from the sidewalk. The type is intended for service, retail, or restaurant use and includes substantial glazing between the Shopfront base and the ground floor ceiling. This type may include an awning that overlaps the sidewalk.

General Note: Photos on this page are illustrative, not regulatory.



**Key**

--- ROW/ Design Site Line      - - - - - Setback Line

**2. Size**

Distance between Glazing	2' max.	<b>A</b>
Ground Floor Glazing between Sidewalk and Finished Ceiling Height	75% min.	
Depth of Recessed Entries	5' max.	
Shopfront Base	6" min.; 24" max.	<b>B</b>

**3. Awning**

Depth	5' min.	<b>C</b>
Setback from Curb	2' min.	<b>D</b>
Height, Clear	8' min.	<b>E</b>

**4. Miscellaneous**

Decorative accordion-style doors/windows or other operable windows that allow the space to open to the street are allowed.

Ramps are required to be integrated along the side of the building to connect with the Shopfront.



x.05.090 Gallery



Source: Google Street View

Example of a two-story Gallery with an uncovered second story.



Example of a Gallery providing covered outdoor dining

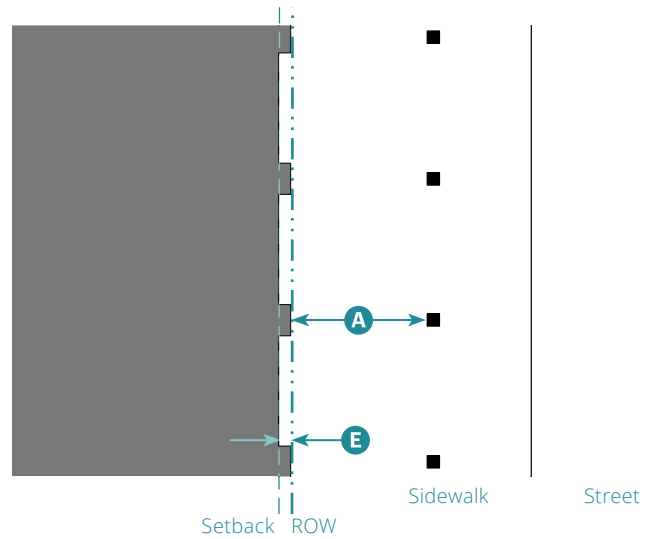
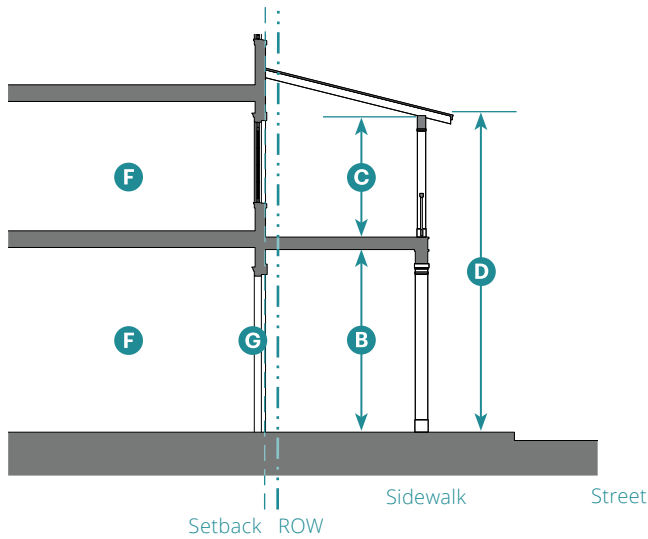


Example of a Gallery with shopfronts

1. Description

The main facade of the building is set back from the front design site line and an at-grade covered structure, articulated with colonnade or arches, overlaps the sidewalk. The type may be one or two stories. When used in nonresidential settings, the Shopfront Type is included; when used in residential settings, Stoops, Dooryards, and Forecourts may be included as allowed by the zone.

General Note: Photos on this page are illustrative, not regulatory.



**Key**

--- ROW/ Design Site Line      ..... Setback Line

2. Size		
Depth, Clear	8' min.	<b>A</b>
Ground Floor Height, Clear	12' min.	<b>B</b>
Upper Floor Height, Clear	9' min.	<b>C</b>
Height	2 stories max.	<b>D</b>
Gallery Setback from Public ROW	18" min. (clear)	<b>E</b>

**3. Miscellaneous**

- Habitable space **F**
- Galleries shall also follow the standards for the Shopfront Frontage (x.05.080). **G**
- Galleries shall have a consistent depth across the entire front and/or side street facade.
- Galleries are allowed to project over the sidewalk in the public ROW.
- The second story of the Gallery may be covered.
- Planting is not required. Lighting is required within the gallery in compliance with the Town of Fairfax lighting standards.
- Ramps are required to be integrated along the side of the building to connect with the Gallery, where applicable.

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## x.05.100 Materials

Exterior building materials should keep with the character and image of the Fairfax community. They should be selected based on their appropriateness in Fairfax as well as respond to the natural processes involved in the specific environment of Marin County. A unified character should be created with an appropriate amount of diversity in material and finish selection. Similarity can breed dull or boring structures, but too many diverse materials will weaken the elements of rhythm and repetition that help to unify structures.

1. Design and construct exterior building finishes that integrate structures into the natural landscape. Locate more massive materials (stone, rock) closer to grade, with lighter materials (glass) above.
2. Promote smooth architectural transitions between projects:
  - a. Use materials similar to off-site conditions.
  - b. Use indigenous materials.
  - c. Minimize sleek or formal materials inappropriate to rural communities.
3. Vary lines and materials; contrast with light, shade and texture and add color to create visual interest.
4. Express structural strength and substance through materials: expose framing materials, such as heavy timber, wood trusses and connection details.
5. Use at least two types of materials as part of the building façade. These materials should be natural in form and color and may include: brick, stone/rock/sandstone, stucco (in earth tones), wood, textured or color-tinted concrete, or pre-cast concrete. Alternative materials may be used upon review by the Department of Planning and Building.
6. Active Frontages in the T4 SN and T4 SMS zones shall be designed with high-quality materials that offer color, variety, wear resistance, and visual interest to the pedestrian.
  - Consider fine grained material modules and textures at Ground Floor façades to enhance the pedestrian realm and provide contrast to the upper levels.
  - Ground level facades shall be designed with higher quality materials that offer color, variety, wear-resistance, and visual interest to the pedestrian. Examples include wood, stone, tile masonry, brick or terracotta.
7. Storefront glazing shall be high quality with integrated doors, trim and hardware. Storefront glazing at ground floor active uses shall be transparent. Reflective glazing is not allowed except at spandrel panels. Where storefront is interrupted by structural elements or other elements, metal fascia shall be provided to conceal structural elements at storefront and to create an integrated visual appearance.
8. Materials selection should favor materials with inherent natural color. Where metal material are used the preference is for copper, anodized aluminum, weathered steel or zinc with a natural patina. Durable finishes that emulated these materials are acceptable. Matte finishes are preferred with the exception of special materials uses for trim and other architectural accents. Reflective materials, if any, should be used only in limited areas.
9. Material changes should occur when there is a change in volume and/or plane. Materials should wrap around to the sides of the building to promote a three-dimensional design. Material change should not occur on outside corners or along the same plane.
10. Variation in roofs, including color, should be used to break up large developments and provide a sense of scale. Roof forms, both sloped and otherwise, shall be designed to clearly delineate and terminate individual building tops.

11. To the maximum extent feasible, mechanical grilles and vents should be located on secondary facades; grilles should be integrated into facade design and should be architectural grade in material and finish.

Building materials should not be treated as a surface application, but should be integral to the building's architectural design. Acceptable materials are listed in Table x.05.130A :

Examples of exterior building materials that may be used upon specific approval of the Planning and Building Department include:

- Concrete roofing tile.
- Non-reflective metal siding.
- Faux brick, or exterior insulation and finish system (EIFS).

Prohibited exterior building materials include:

- Plain or split-faced concrete block.
- Specular surfaces.
- Shiny reflective metal panels.
- Composition roofing tile.
- Mirrored glazing.

All exterior materials/finishes shall be of high quality.

**Table x.05.100A Allowed Materials**

<b>Element</b>	<b>Allowed Materials</b>
<b>Wall</b>	
Wall Cladding	Shingle and lap siding, composite wood, wood, fiber cement, stone and stucco
<b>Base</b>	
Base or Foundation	Brick, concrete, stone, cast stone, stucco, composite wood, wood, fiber cement
<b>Roof and Roof Elements</b>	
Roofing	Asphalt shingles, wood shingles, standing seam metal, terracotta clay barrel tiles, slate
Rake and Eave	Composite wood, wood, stucco
Cornice	Composite wood, wood, stucco
Brackets	Composite wood, wood, fiberglass
Gutter	Metal ogee or half-round
<b>Windows, Bay Windows, and Entry Doors</b>	
Trim or Surround	Composite wood, wood, fiber cement
Entry Door	Wood, aluminum, fiberglass, composite
Window Frames	Wood, aluminum clad wood, aluminum, fiberglass
Glazing	Clear glass; shall not be tinted, mirrored, or colored
<b>Porches/Balconies</b>	
Columns	Composite wood, wood, fiberglass, metal
Railing	Composite wood, wood, metal, wrought iron
<b>Storefronts</b>	
Storefront	Composite wood, wood, metal
Storefront Base	Wood panels, brick, tile, fiber cement, stone, cast stone.

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# Chapter 6: Specific to Large Sites

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## Sections:

x.06.010	Purpose
x.06.020	General to Design of Large Sites
x.06.030	General to Open Spaces

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## **x.06.010** Purpose

This Chapter establishes standards for sites larger than 3 acres.

The large sites have an important impact to Fairfax. This chapter assists in the creation of community-oriented, resilient developments that provide more housing choices and density while preserving the natural environment.

1. Development subject to this Chapter is encouraged to create affordable, community-oriented housing with a mix of housing typologies on large sites.
2. Developments in compliance with this Section shall achieve the following goals:
  - A. Improve the built environment and human habitat;
  - B. Promote development patterns that support safe, effective, and multi-modal transportation options, including auto, pedestrian, bicycle, and transit;
  - C. Reduce SOV vehicle traffic and support transit by providing for a mixture of land uses, highly interconnected block and street network, and compact community form;
  - D. Generate new or reinforce existing neighborhoods with a variety of housing types to serve the needs of a culturally and socio-economically diverse population;
  - E. Generate pedestrian-oriented and scaled neighborhoods where the automobile is accommodated but does not dominate the streetscapes;
  - F. Reinforce the unique identity of the Town of Fairfax and build upon the local context, climate, and history; and
  - G. Generate design that suits specific topographical, environmental, site layout, and constraints unique to the design site.

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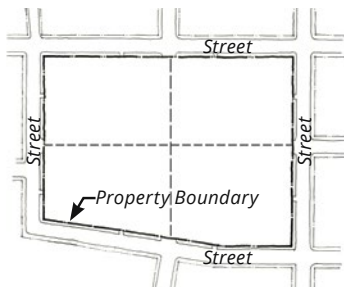
## x.06.020 General to Design of Large Sites

1. Developments of at least three acres shall be designed per the following standards:
  - A. Development parcels with slopes of less than 40%, see Figure 1 [Large Sites Plan Design Process Overview]; or
  - B. Development parcels with any slopes greater than 40%, discretionary review is required.
2. **Streets.** Streets are to be applied to create walkable neighborhoods with redundant routes for vehicular, bicycle, and pedestrian circulation.
  - A. New streets are required to meet the requirements in the Town of Fairfax road standards.
  - B. Required streets, indicated on the Site Development Regulating Plan may be adjusted from their identified location by up to 100' parallel in either direction.
  - C. Streets that pass from one zone to another may transition in their streetscape along the street edges. For example, while a street within a more intense zone (e.g., T4SMS) with retail shops may have wide sidewalks with trees in grates, it may transition to a narrower sidewalk with a planting strip within a less intense zone (e.g., T4SN) following Fairfax Street Standards and with lower intensity residential building types.
3. **External Connectivity**
  - A. The arrangement of streets shall provide for the alignment and continuation of existing or proposed streets into adjoining lands where the adjoining lands are undeveloped and intended for future development, or where the adjoining lands are undeveloped and include opportunities for such connections.
  - B. Street rights-of-way (ROWS) shall be extended to or along adjoining property boundaries to provide a roadway connection or street stub for development, in compliance with the Town of Fairfax road standards, for each direction (north, south, east, and west) in which development abuts vacant land.
  - C. Right-of-way stubs shall be identified and include a notation that all stubs are to connect with future streets on adjoining property and be designed to transition in compliance with the Town of Fairfax road standards.
  - D. New dead-end streets and cul-de-sacs are not allowed, except when the grade of the new street would exceed 15 percent.
4. Incentives for Affordable Housing
  - A. For developments that include 20% of overall units as affordable housing- set aside for moderate to lower income levels households, the following incentives are offered:
    - (1) Height: An additional story or 10' of height
    - (2) Parking: The required parking can be reduced by .25 spaces/DU for the overall development. The parking allocation is not tied to the dwelling unit and the affordable units shall be provided 1 parking space per DU.
  - B. If 30% of the units are affordable, then an additional incentive is offered:
    - (1) Civic Space: The required civic space can be reduced by 10%.

Figure x.06.020.1: Large Sites Plan Design Process Overview

**1 Blocks**

Divide development area to create smaller blocks and a network of interconnected streets, reference base zone standards.



**2 Streets/Civic Space**

A. Introduce new streets from the Town of Fairfax road standards.  
 B. Identify at least 10% of the development area as new civic space. 10% is calculated after subtracting street ROWs.



**3 Buildings**

Find the form based code for each site and identify the selected frontage types for each design site. See Subsection 3 of each zone and check Section x.06.030 (General to Open Spaces) for all standards.



- A** Cottage Court
- B** Neighborhood Townhouse
- C** Multiplex

## 5. Examples of Cluster Development

### A. Cottage Court



#### 1. Description

A group of up to nine small, detached, cottages arranged to define a shared court open to and visible from the street. The shared court is common open space and takes the place of a private rear setback, thus becoming an important community-enhancing element. The type is scaled to fit within low-to-moderate-intensity neighborhoods and in non-residential contexts.

#### 2. Zone Standards

Reference underlying zone for base development standards. The following standards supersede the zone specific standards.

Look at underlying zoning for block size standards

#### 3. Parking

Provide 1.5 parking spaces per dwelling unit. Only 1 parking space needs to be assigned to each dwelling unit, the 0.5 can be aggregated into a visitor parking pool on site. It is encouraged to locate all parking near the ROW in a shared parking area rather than associated with each unit.

#### 4. Open Space Requirements

Natural Open Space : min. 10% of total site area. Must include public access pedestrian trail through the open space.

Civic Space : 300 sf / DU

Private Open Space : min. 100 sf / DU

#### 5. Building Size



## B. Neighborhood Townhouse



### 1. Description

A small-sized, typically attached, vertically arranged building (up to four units side-by-side) with a rear setback. Each Neighborhood Townhouse consists of one unit. As allowed by the zone, the type may also be detached with minimal separations between buildings. The type is typically located within low-to-moderate-intensity neighborhoods.

### 2. Zone Standards

Reference underlying zone for base development standards. The following standards supersede the zone specific standards.

Look at underlying zoning for block size standards

### 3. Parking

Parking for sites within a 15-minute walkshed of Sir Francis Drake Boulevard can be parked at a ratio of 1 parking space per dwelling unit. All other sites should be parked at a ratio of 1.5 parking spaces per dwelling unit.

### 4. Open Space Requirements

Natural Open Space : min. 10% of total site area

Civic Space : 200 sf / DU

Private Open Space : min. 75 sf / DU

### C. Multiplex



#### 1. Description

A medium-to-large-sized, detached, House-Scale Building that consists of 5 to 18 side-by-side and/or stacked units, typically with one shared entry. This type is scaled to fit within moderate-intensity neighborhoods.

#### 2. Zone Standards

Reference underlying zone for base development standards. The following standards supersede the zone specific standards.

Look at underlying zoning for block size standards

#### 3. Parking

Parking for sites within a 15-minute walkshed of Sir Francis Drake Boulevard can be parked at a ratio of 1 parking space per dwelling unit. All other sites should be parked at a ratio of 1.5 parking spaces per dwelling unit.

#### 4. Open Space Requirements

Natural Open Space : min. 10% of total site area.

Civic Space : 300 sf / DU

Private Open Space : min. 50 sf / DU

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**x.06.030 General to Open Spaces**

1. Open spaces and civic space types in compliance with the following standards.
2. When hillsides are within the development, the hillside ridge(s) shall be the preferred location for civic and open space. In addition, if the downhill boundary of the site is wooded and the site is greater than 300' in depth, a setback of 50' should be provided to preserve the natural character visible from the downhill view.
3. Required civic and open space identified on the Zone Map or Site Development Regulating Plan may be adjusted from its identified location by up to 100' in any direction.
4. Calculate the required amount of civic space AFTER rights-of-way have been applied to the development area and then subtract the area of all rights-of-way from the total development area.
5. Public access and visibility is required along natural open spaces, and civic uses, including creeks and drainages and stormwater management areas, and shall be fronted by:
  - A. Single-loaded frontage streets (those with development on one side and open space on the other);
  - B. Bike and pedestrian paths; or
  - C. Other methods of frontage that provide similar access and visibility to the open space allowed in the zone. Such access may be provided through public easements or other similar methods.
6. **Amount of Civic Space Required.** As required by Subsection x.06.030.5-10, development design sites are required to set aside a minimum area of the design site as civic space. One or more civic spaces may be used to meet the required area.
7. **Building Frontage Along or Adjacent to a Civic Space.** The facades on building design sites attached to or across a street from a civic space shall be designed as a "front" on to the civic space, in compliance with the base zone.
8. **Civic Space Types Overview.** This Subsection identifies the allowed civic space types and standards for improvements to existing civic spaces and for construction of new civic spaces. Allowed open space types are as follows : natural open space, civic space, and private open space.



### 9. Natural Open Space



#### 1. Description

Natural Open Space is largely undisturbed and unprogrammed open space. Landscape is primarily native vegetation requiring a minimal amount of maintenance and care.

#### 2. General Character

Informal, dominated by natural vegetation and trees

Hardscape or dirt paths. Accessibility is required, and permeable materials are encouraged

Spatially undefined

#### 3. Size and Location

Size: min. 10% of total site

Shall front at least one street

#### 4. Typical Uses

Passive recreation

Walking/running

Children's exploration

Hiking

10. Civic Space



**1. Description**

Civic Space is open space that is accessible to the general public from the public right of way. It must be easily visible from the public right of way and be signed as publicly accessible.

**2. General Character**

- Formal or informal with integral stormwater management capacity
- Primarily planted areas with paths to and between recreation areas and civic uses
- Spatially defined by tree-lined streets, adjacent buildings, or other natural features

**3. Size and Location**

- The civic space may be aggregated into one large open space or divided into several smaller spaces, but cannot be smaller than 2500sf with a min. depth of 30' in any direction.
- A public street is required on at least one side of the civic space.
- Facades on design sites attached to or across a street shall "front" on to the civic space.

**4. Typical Uses**

- Unstructured passive and active recreation
- Temporary commercial uses
- Playground
- Community gardens
- Hardscape plaza with adjacent retail use
- Ornamental garden



### 11. Private Open Space



#### 1. Description

Private Open Space is open space accessible to residents only. Must be located immediately adjacent to the dwelling unit, but can be aggregated to create a larger open space for households surrounding it.

#### 2. General Character

Formal, suburban

Hardscaped and planted area

Spatially defined by buildings, pedestrian paths and plantings

#### 3. Size and Location

Size: 250sf min. with no dimension less than 10'

Adjacent to dwelling unit

#### 4. Typical Uses

Active recreation such as frisbee, pickleball, crochet or badminton

Passive recreation such as picnics, sunbathing, and gardening

Dog park

# Chapter 7: Definitions

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## Sections:

x.07.010	Purpose
x.07.020	Definitions
x.07.030	Measurement Methods

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### x.07.010 Purpose

This section provides definitions for specialized terms and phrases used in this FBC. All other applicable definitions in Town of Fairfax Municipal Zoning Code) apply.

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### x.07.020 Definitions

#### A. Definitions

**Abutting.** Having a common property line or district boundary, or separated by a private or public street or easement.

**Access or Service Drive.** A public or private way of paving or right-of-way of not more than 30 feet affording means of access to property.

**Access Frontage or Service Road or Street.** A public or private street or right-of-way of not less than minimum standards as specified by the subdivision ordinance of the Town of Fairfax affording means of access to property.

**Accessory Dwelling Unit (ADU).** An attached or detached residential dwelling unit which provides complete living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation, which is located on the same parcel as a single-unit dwelling.

**Accessory Structure (syn. Accessory Building).** A structure physically detached from, secondary and incidental to, and commonly associated with a primary structure or use on the same site. Accessory structures normally associated with a residential use property include, but are not limited to: garages (unenclosed or enclosed) for the storage of automobiles (including incidental restoration and repair), personal recreational vehicles, and other personal property; studios; workshops; greenhouses (noncommercial); enclosed cabanas and pool houses; and storage sheds. Accessory structures normally associated with a non-residential use property include, but are not limited to: garages (unenclosed or enclosed) for the storage of automobiles and work related vehicles and equipment (including incidental restoration and repair); storage structures; workshops; and studios.

**Accessory Structure, Major (Major Accessory Structure).** An accessory structure with a footprint greater than 120 square feet.

**Accessory Structure, Minor (Minor Accessory Structure).** An accessory structure with a footprint of 120 square feet or less.

**Addition.** The enlargement of an improvement accomplished by appending a new improvement.

**Adjacent.** Sharing a common design site line, or having design site lines separated only by an alley.

**Adjacent Buildings.** Two or more buildings located upon adjacent design sites.

**Advisory Agency.** The Town of Fairfax staff member or Town of Fairfax policy-making or review authority responsible for acting on an application.

**Affordable to Low-Income or Very-Low-Income Households.** Being of a condition in which sales prices or rental rates for a housing development conform with the current affordable housing sales prices and rental rates established by resolution of the Town of Fairfax Affordable Housing Committee.

**Affordable Housing Development.** A residential development consisting of five or more units, not including any bonus units requested, in which

- a. At least 20 percent of the total units are affordable to low-income households;
- b. At least 10 percent of the total units are affordable to very-low-income households; or
- c. At least 50 percent of the total units are senior housing (Government Code §65915(b) and Civil Code §51.2 and §51.3).

**Agriculture.** The use of the land for purposes including farming, agriculture, horticulture, floriculture, viticulture, and the necessary accessory uses for packing, treating, or storing the produce, provided that any such accessory uses shall be secondary to that of normal agricultural activities. Does not include the raising of animals or fowl for commercial purposes, or sale of any products at retail on premises, unless otherwise specified.

**Alley.** A public or private way to be used primarily for vehicular access to the back or side of a design site of real property that otherwise abuts a street.

**Allowed.** Pertaining to hazardous materials, an instance in which the use of chemicals on a site is not regulated by this FBC.

**Allowed Use.** Uses that are allowed by right and are not subject to the conditions of approval, mandatory review periods, or expiration periods as required for Use Permits or Minor Use Permits.

**Alter.** To create physical change in the internal arrangement of rooms or the supporting members of a structure, or a change in the external appearance of any structure, not including painting.

**Ancillary Structure (syn. Ancillary Building).** See "Accessory Structure."

**Apartment, Efficiency.** A dwelling unit in a multi-unit building, consisting of not more than one habitable room, excluding the kitchen or kitchenette and sanitary facilities, of a total floor area of not more than 400 square feet.

**Applicant.** Any individual, firm, or any other entity that applies to the Town of Fairfax for the applicable permits to undertake any construction or development within the Town of Fairfax.

**Architectural Feature.** Exterior building element intended to provide ornamentation to the building massing including, but not limited to: eaves, cornices, bay windows, window and door surrounds, light fixtures, canopies, and balconies.

**Attached Building or Structure.** Any building or structure which is structurally a part of or has a common wall and/or continuous roof with a primary building or structure, except where such connection



is a breezeway or walkway incidental to and not a necessary part of the construction of the primary building.

**Average Slope.** The result of dividing the length of a slope by the difference in elevation at the top and bottom of the slope. See Section x.07.030 (Measurement Methods).

**Awning.** A roof or cover which projects from a wall of a building over a window or door, made of canvas, aluminum, or similar material, which may be fixed in place or be retractable.

## B. Definitions

**Base Flood Elevation.** As designated by Federal Emergency Management Agency (FEMA), the elevation of surface water resulting from a flood that has a one percent chance of equaling or exceeding that level in any given year.

**Basement.** A story whose floor is more than 12 inches, but not more than half of its story height below the average level of the adjoining finished grade (as distinguished from a "cellar," which is a story more than one-half below such level). A basement, when used as a dwelling, shall not be counted as a story for purposes of height measurement.

**Bathroom.** A room that contains all of the following features: a bathtub or shower, a washbowl, and a toilet.

**Bay.** Any division of a building between vertical lines or planes, especially the entire space included between two adjacent supports.

**Bay Window.** An architectural projection from the building cantilevered from the facade, consisting of one or more stories in height, containing at least 60 percent glass area.

**Bed & Breakfast (B&B).** A use of up to 10 sleeping units, where one unit equals one room, for the rental accommodation of transient guests on an overnight basis.

**Block.** An area of land separated from other areas by adjacent streets, railroads, rights-of-way, public areas, or the subdivision boundary.

**Block Face.** The aggregate of all the building facades on one side of a block. The block face provides the context for establishing architectural harmony.

**Block Length.** The horizontal distance from the right-of-way on one end of the block to the right-of-way on the other end along the same street.

**Block Perimeter.** The aggregate of all sides of a block bounded by the abutting rights-of-way.

**Block-Scale, Building.** A building that is individually as large as a block or individual buildings collectively arranged along a street to form a continuous facade as long as most or all of a block.

**Bonus.** See "Density Bonus."

**Building.** A structure consisting of one or more foundations, floors, walls, and roofs that surround an interior space, and may include exterior appurtenant structures including, but not limited to, porches and decks.

**Buildable Area.** The horizontal area in which a building is allowed to be constructed.

**Building Elevation.** The exterior wall of a building not adjacent to a public right-of-way, the front or side along a private street, or civic space.

**Building Entrance.** A point of pedestrian ingress and egress to the front of a building along the sidewalk of the street immediately adjacent to the building.

**Building, Existing.** See "Structure, Existing."

**Building Facade.** The exterior wall of a building adjacent to a street, the front or side along a private street, or civic space.

1. **Building Facade, Front.** The exterior wall of a building adjacent to a street or civic space.
2. **Building Facade, Side Street.** The exterior wall of a building adjacent to a side street.
3. **Building Facade, Interior Side.** The exterior wall of a building adjacent to the interior design site line(s).
4. **Building Facade, Rear.** The exterior wall of a building opposite the front.

**Building Form.** The overall shape and dimensions of a building.

**Building Frontage.** The facade(s) along the front and side street of the design site.

**Building Frontage, Principal.** The facade along the front of the design site, typically the narrower of sides and identified by an address.

**Building, Primary.** The building that serves as the focal point for all activities related to the principal use of the design site.

**Building, Setback.** See "Setback, Building."

**Building Type.** A structure defined by its combination of configuration, disposition, and function.

**By-Right, Approval.** Approval by administrative staff of certain uses, improvements, and developments not requiring further review and in compliance with all applicable standards.

## C. Definitions

**Carriage House.** A second permanent dwelling that is accessory to a primary dwelling on the same site. A carriage house provides complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, sanitation, and parking, and if attached to the primary dwelling, is provided exterior access separate from the primary dwelling.

**Carshare Parking Space.** A parking space required to be dedicated for current or future use by a carshare service through a deed restriction, condition of approval, or license agreement. Such deed restriction, condition of approval, or license agreement shall grant priority use to any carshare service that can make use of the space, although such spaces may be occupied by other vehicles so long as no carshare organization can make use of the dedicated carshare space(s).

**Ceiling Height, Ground Floor.** The height from finished floor to finished ceiling of primary rooms on the ground floor, not including secondary rooms which include, but are not limited to: bathrooms, closets, utility rooms, and storage spaces.

**Ceiling Height, Upper Floor(s).** The height from finished floor to finished ceiling of primary rooms on the floor(s) above the ground floor, not including secondary rooms which include, but are not limited to: bathrooms, closets, utility rooms, and storage spaces.

**Cellar.** That portion of a building between floor and ceiling which is wholly or partly below grade and so located that the vertical distance from grade to the floor below is equal to or greater than the vertical distance from grade to ceiling. A cellar shall not be counted as a story, for the purpose of height standards.

**Center.** Concentration of ground floor shopping, restaurants, and services, with additional offices and housing located above, within a Walkable Urban context.

**Chamfered Corner.** An external wall of a building joining two perpendicular exterior walls, typically at a symmetrical, 45 degree angle creating a beveled edge to the building rather than a 90 degree corner.

**Civic.** A term defining not-for-profit organizations that are dedicated to arts, culture, education, religious activities, recreation, government, transit, and public parking facilities.

**Civic Building.** A structure operated by governmental or not-for-profit organizations and limited to civic and related uses.

**Civic Space.** An outdoor area dedicated for public gathering and civic activities.

**Commercial.** A term defining service and retail uses collectively.

**Common Courtyard.** An entry court, forecourt, or courtyard shared by multiple residential units or commercial spaces.

**Common Open Space.** An entry court, forecourt, courtyard, or other on-site open space shared by multiple residential units or non-residential units.

**Common Space (syn. Common Area).** A portion of a development held in common and/or single ownership, is not reserved for the exclusive use or benefit of an individual tenant or owner, and is available for use by all persons who reside or work in the building or on the design site.

**Community Care Facility.** Residential care facilities for the elderly, alcoholism recovery, and homes for mentally disordered, handicapped, dependent, and neglected children.

**Community Center.** A multi-purpose meeting and recreational facility typically consisting of one or more meeting or multi-purpose rooms, kitchen, and/or outdoor barbecue facilities, that are available for use by various groups for such activities as meetings, parties, receptions, dances, etc.

**Community Garden (Use Type).** Land used for the cultivation by multiple users, of fruits, vegetables, plants, flowers, or herbs.

**Condominium.** An estate in real property consisting of an undivided interest in common in a portion of the property together with a separate interest in space called a unit, the boundaries of which are described on a recorded final map, design site map, or condominium plan. The condominium may be commercial, industrial, residential, or any combination. [[Civil Code §783, §1351\(f\)](#)].

**Condominium Conversion.** The conversion of an existing structure into separately owned commercial, industrial, or mixed-use units.

**Corner Element.** A physical distinction in a building at the corner of two streets or a street and public space.

**Corner Entry.** An entrance located on the corner of a building.

**Council.** The Town of Fairfax City Council.

**Courtyard (syn. Court).** An unroofed area that is completely or partially enclosed by walls or buildings on at least two sides and often shared by multiple residential units or non-residential units, not including off-street parking.

**Coverage**

1. **Coverage, Accessory Structures.** The sum of the footprint area of all structures on a design site.
2. **Coverage, Building.** The floor area of the largest story of a building divided by the total design site area.
3. **Coverage, Design Site.** The portion of the design site expressed as a percentage that is covered in buildings or other structures.

**Cul-de-sac.** A street which connects to another public street only at one end and is not planned for later extension.

**Crawl Space.** A shallow unfinished uninhabitable space beneath the floor or under the roof of a building, that provides access to utility, structural, and other building components not readily accessible from the habitable portions of the building.

#### D. Definitions

**Dangerous or Objectionable Elements.** Any land or building structure used or occupied in any manner so as to create any dangerous, injurious, noxious, or otherwise objectionable fire, explosive, or other hazard; noise or vibration, smoke, dust, odor, or other form of air pollution; heat, cold, dampness, electrical, or other disturbance; glare; liquid or solid refuse or wastes; or other substance, condition or elements in such manner or in such amount as to adversely affect the surrounding area or adjoining premises.

**Days.** Calendar days unless this FBC specifies otherwise.

**Dedication.** The transfer by a subdivider to a public entity of title to real property or an interest therein, or of an easement or right in real property, the transfer of facilities, the installation of improvements, or any combination of these.

**Defensible Space.** A public, private, or semi-private residential environment whose physical characteristics—building layout and site plan—function to allow inhabitants themselves to become key agents in ensuring their security.

**Density Bonus.** A density increase over the maximum allowable residential density of the zone. See [Town of Fairfax \(Government Code §x.xx.xxx\)](#) for types of bonuses.

**Department.** The Town of Fairfax's Department of Planning and Building.

**Depth, Ground-Floor Space.** The distance from the street-facing facade to the rear interior wall of the ground-floor space available to an allowed use.

**Depth-to-Height Ratio.** The relationship of the depth of a space measured perpendicular to a building divided by the average height of the buildings adjacent to the space.

**Design Site.** A portion of land within a parcel, delineated from other design sites and/or parcels to accommodate no more than one building type. The main purpose of a design site is to allow a parcel large enough to contain more than one building type to contain multiple building types while not requiring the legal subdivision of the parcel into additional parcels.

1. **Design Site, Corner.** A design site located at the intersection of two or more streets, where they intersect at an interior angle of not more than 175 degrees. If the intersection angle is more than 175 degrees, the design site is considered an interior design site.

2. **Design Site, Flag.** A design site not meeting minimum design site frontage standards and where access to a public or private street is provided by means of a long, narrow driveway between abutting design sites.
3. **Design Site, Interior.** A design site abutting only one street.
4. **Design Site, Through.** A design site with two or more frontage lines that do not intersect.

**Design Site Area.** The total square footage or acreage of horizontal area included within the design site lines.

**Design Site Coverage.** See "Coverage."

**Design Site Depth.** The horizontal distance between the front design site line and rear design site line of a design site measured perpendicular to the front design site line.

**Design Site Line.** The perimeter and geometry of a design site demarcating one design site from another.

1. **Design Site Line, Front.** One of the following:
  - a. The frontage line in the case of a design site having a single frontage line;
  - b. The shortest frontage line in the case of a corner design site with two frontage lines, neither of which are adjacent to a thoroughfare or a design site with independent frontage;
  - c. The frontage line generally perceived to be the front design site line in the case of a corner design site with three or more frontage lines, none of which are adjacent to a thoroughfare or a design site with independent frontage;
  - d. The frontage line adjacent to a thoroughfare in the case of a corner design site with two or more frontage lines, one of which is adjacent to a thoroughfare;
  - e. The frontage line adjacent to a design site with independent frontage in the case of a corner design site with two or more frontage lines, one of which is adjacent to a design site with independent frontage; or
  - f. The frontage line adjacent to the front design site line of an adjacent design site in the case of a through design site.
2. **Design Site Line, Rear.** That design site line opposite the front design site line.
3. **Design Site Line, Side.** Design site lines connecting the front and rear design site lines.

**Design Site Width.** The horizontal distance between the design site lines measured perpendicular to the front design site line.

**Detached.** Separate or unconnected.

**Development Site.** The parcel(s) or portion(s) thereof on which proposed structures and improvements are to be constructed.

**Diligently Pursued.** Continued with constant or appropriate effort.

**Director.** Director of Town of Fairfax Department of Planning and Building, an appointed representative.

**Display.** An item or arrangement of items indoors that is not attached to a window, door or wall.

**Disposition, Formal.** Composed in a formal arrangement, in a regular, classical, and typically symmetrical manner.

**Disposition, Informal.** Composed in an informal character with a mix of formal and natural characteristics.

**Disposition, Natural.** A preservation of the existing natural condition or a composition of elements arranged as they would appear in nature, with irregular shapes and asymmetry.

**Distance Between Entries.** The horizontal distance between entrances to a building or buildings, measured parallel to the facade.

**Driveway.** A vehicular lane within a design site, or shared between two design sites, usually leading to a garage, other parking, or loading area.

**Dwelling, Group Living (syn. Cohousing).** Dwellings designed for occupancy of groups living together and having a central dining facility.

**Dwelling, Multiple.** A building designed or used for three or more dwelling units.

**Dwelling, Second Unit.** A separate, complete housekeeping unit with a separate entrance, kitchen, sleeping area, and full bathroom facilities, which is an attached or detached extension to an existing single-unit structure.

**Dwelling Unit.** A room or group of internally connected rooms that have sleeping, cooking, eating, and sanitation facilities, but not more than one kitchen, which constitute an independent housekeeping unit, occupied by or intended for one household on a long-term basis.

**Dwelling Unit, Stacked.** A dwelling unit situated immediately above or below another dwelling unit.

## E. Definitions

**Elevated Ground Floor.** A ground floor situated above the grade plane of the adjacent sidewalk.

**Encroachment.** Any architectural feature, structure, or structural element—including, but not limited to, a gallery, fence, garden wall, porch, stoop, balcony, bay window, terrace, or deck—that breaks the plane of a vertical or horizontal regulatory limit by extending: into a setback, beyond the build-to-line into the public frontage, or above a height limit.

**Entry.** An opening, including, but not limited to, a door, passage, or gate, that allows access to a building.

1. **Entry, Primary.** The opening that allows access to a building directly from the sidewalk along the front facade.
2. **Entry, Service.** An entrance located toward or at the rear of the building intended for the delivery of goods and removal of refuse.

**Established Landscape.** The point in time at which plants have developed roots into the soil adjacent to the root ball.

**Establishment Period.** The first year after installing a plant in a landscape.

**Existing Structure.** For the purpose of defining an allowable space that can be converted to an accessory dwelling unit means within the four walls and roofline of any structure existing on or after [Month, Year](#) that can be made safely habitable in compliance with local building codes at the determination of the [Building Official](#) regardless of any noncompliance with this FBC.

**External Employees.** An employee who does not reside at his or her place of employment.

#### F. Definitions

**Facade.** See "Building Facade."

**Facade Zone.** The area between the minimum and maximum setback lines along the front of a design site and along the side street of a corner design site where the building facade is required to be placed. The zone standards identify the minimum amount of facade to be placed in the facade zone. See Section x.07.030 (Measurement Methods).

**Facility.** An improvement, structure, or building that is designed and used for a particular purpose.

**Fence.** A structure, made of wood, metal, masonry, or other material, typically used to screen, enclose, or divide open space for a setback or along a design site line.

**Finish Level, Ground Floor.** Height difference between the finished floor on the ground floor and the adjacent sidewalk. In the case of a terrace frontage that serves as the public right-of-way, the floor finish level is the height of the walk above the adjacent street. Standards for ground floor finish level for ground floor residential uses do not apply to ground floor lobbies and common areas in multi-unit buildings.

**Flex Space.** A room or group of internally connected rooms designed to accommodate an evolution of use over time in response to an evolving market demand. Typically designed to accommodate future commercial uses, while accommodating less intense short-term uses, including, but not limited to, residential or live/work, until the commercial demand has been established.

**Floorplate.** An area measurement in square feet of either the gross or the rentable floor area of a typical floor in a building.

**Floorplate, Commercial.** The square footage area measurement of a floorplate dedicated to commercial uses.

**Floorplate, Residential.** The square footage area measurement of a floorplate dedicated to residential uses.

**Flood Hazard.** The threat of overflow stormwaters having the capability to flood lands or improvements, transport or deposit debris, scour the surface soil, dislodge or damage structures, or erode the banks of channels.

**Floor Area.** The sum of the gross areas of all stories of a building, measured from the exterior faces of the exterior walls. The floor area shall include any building that has a roof and is enclosed so as to provide shelter from the elements on three or more sides.

**Floor to Lot Area Ratio.** The floor area of the building divided by the total design site area.

**Floor Coverage.** See "Coverage."

**Floorplate.** An area measurement in square feet of either the gross or the rentable floor area of a typical floor in a building.

**Floorplate, Commercial.** The square footage area measurement of a floorplate dedicated to commercial uses.

**Floorplate, Non-residential.** The square footage area measurement of a floorplate dedicated to non-residential uses.



**Floorplate, Residential.** The square footage area measurement of a floorplate dedicated to residential uses.

**Flow Rate.** The rate at which water flows through pipes and valves, measured in gallons per minute or cubic feet per second.

**Footprint Area.** The total square footage contained within a footprint.

**Footprint, Building.** The outline of the area of ground covered by the foundations of a building or structure.

**Form-Based Zone.** One of several zones mapped on the Zone Map. See Figure x.02.040.A (Town of Fairfax Zone Map).

**Freestanding Wall.** A wall that is separate from a building and supported by independent means.

**Front.** See "Design Site Line, Front."

**Front Loaded.** (Front Access). Design sites that provide vehicular access from the front of the design site.

**Frontage, Private.** The area between the building facade and the back of the sidewalk abutting a street (public or private) or public open space.

**Frontage, Public.** The area between the on-street parking and the back of the sidewalk.

**Frontage Line.** The design site line(s) of a design site fronting a street (public or private) or a civic space.

**Frontage Type.** A physical element configured to connect the building facade to the back of the sidewalk abutting a street or public open space depending on the intended physical character of the zone.

**Furniture Area.** An area of space that allows for the placement of furniture without restricting the movement of pedestrians.

## G. Definitions

**Gable.** A vertical wall in the shape of a triangle formed between the cornice or eave and the ridge of the roof.

**Garage.** A structure, or part thereof, used or intended to be used for the parking and storage of motor vehicles.

1. **Garage, Private.** A building or portion of a building, in which only motor vehicles used by the tenants of the building or buildings on the premises are stored or kept.
2. **Garage, Public.** A structure or portion thereof, other than a private garage, used for the storage, sale, hire, care, minor or major repair, or refinishing of self-propelled vehicles or trailers; except, that a structure or part thereof used only for storage or display of self-propelled passenger vehicles, but not for transients, and at which automobile fuels and oils are not sold and motor driven vehicles are not equipped, repaired, or hired, shall not be deemed to be a public garage

**Glazing.** Openings in a building in which glass is installed.

**Grade.** The finished ground level at any point along the exterior walls of a structure. Where walls are parallel to and within five feet of a sidewalk, alley or other public way, the level above ground shall be measured at the elevation of the sidewalk, alley or public way. Also see "Grade, Finished."

**Grade, Finished.** The final ground surface elevation after the completion of grading or other site preparation related to a proposed development that conforms to an approved Grading Permit or Building Permit. In cases where substantial fill is proposed, "finished grade" shall be established by the

Director consistent with design sites in the immediate vicinity and shall not be, nor have been artificially raised to gain additional building height. Also see "Grade."

**Grade, Pre-Development.** The grade of a design site prior to any site improvements related to the proposed development.

**Grading.** Earthwork performed to alter the natural contours of an area.

**Green Building Practices.** A whole-systems approach to the design, construction, and operation of buildings and structures that helps mitigate the environmental, economic, and social impacts of construction, demolition, and renovation. Green building practices including, but not limited to, those described in the LEED™ rating system recognize the relationship between natural and built environments and seek to minimize the use of energy, water, and other natural resources and provide a healthy, productive environment.

**Ground Floor.** The floor of a building located nearest to the level of the ground around the building.

**Gross Floor Area.** The total floor area inside the building envelope, including the external walls, but not including the roof.

**Ground Floor Ceiling Height.** Height from finished floor to finished ceiling of primary rooms on the ground floor, not including secondary rooms including, but not limited to: bathrooms, closets, utility rooms, and storage spaces.

**Gross Parking Area.** The total area of parking space and drive included on a design site.

**Gross Residential Acreage.** The total area, measured in acres, included within the design site lines of a residential development.

**Guest House.** A detached structure accessory to a single dwelling, accommodating living/sleeping quarters, but without kitchen or cooking facilities.

## H. Definitions

**Habitable Space.** The portion of a building that is suitable for human occupancy.

**Hardscape.** Paving, decks, patios, and other hard, non-porous surfaces.

### Height

1. **Height, Number of Stories.** The number of stories in a structure allowed above adjacent finished grade. See "Stories."
2. **Height, Overall.** The vertical distance between adjacent finished grade and the highest part of the structure directly above.
3. **Height, Highest Eave/parapet.** The vertical distance between adjacent finished grade and the highest eave or parapet of the building.
4. **Height, Above Grade.** See Chapter 3.

**Height Measurement on a Sloping Design Site.** This is addressed in Section x.07.030 (Measurement Methods).

**High Water-use or Non-drought-Tolerant Plant.** A plant that will require regular irrigation for adequate appearance, growth, and disease resistance.

**Historic Resource.** Any resource that has been designated as historic and listed in the historic resource inventory. See [Section x.xx.xxx \(Town of Fairfax Historic Resource Inventory\)](#).

**Historical Structure.** Any building or structure listed on or eligible for listing on the national, state, or local register of historic resources.

**Home Occupations.** Any use conducted entirely within a dwelling and conducted only by the inhabitants thereof, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof, and is not evidenced beyond the limits of the property by noise, light, smoke, odor, vibration, electrical interference, storage of material or equipment, abnormal human activity, vehicular traffic, or other exterior evidences.

**Hotel or Motel.** Any building or portion thereof containing six or more guest rooms used, designed, or intended to be used, let, or hired out to be occupied by transients.

**House.** See [Section x.06.050 \(House\)](#).

**House-Scale Building.** A building that is the size of a small-to-large house and detached from other buildings, typically ranging from 24 feet to as large as 80 feet overall, including wings.

#### I. Definitions

**Impervious.** The area of any surface that prevents the infiltration of water into the ground including, but not limited to, roads, parking areas, concrete, and buildings.

**Improved.** An area which has been paved or planted and is permanently maintained as such.

**Improvement.** The product of any modification to a site structure or building, not including maintenance or repairs.

**Infill.** The development of vacant land that was bypassed by earlier waves of development and is now largely surrounded by developed land.

**Irrigation Efficiency.** The measurement of the amount of water beneficially used divided by the amount of water applied. Irrigation efficiency is derived from measurements and estimates of irrigation system, characteristics, and management practices.

**Irrigated Landscape Area.** An entire design site less the building footprint, driveways, non-irrigated portions of parking lots, and other hardscape areas. Landscape areas encompass all portions of a development site to be improved with planting and irrigation. They include water bodies including, but not limited to, fountains, swimming pools, and ponds. Natural open spaces without irrigation systems are not included.

#### J. Definitions

*No specialized terms beginning with the letter J are defined at this time.*

#### K. Definitions

**Kitchen.** A room that is utilized for the preparation of food and contains a kitchen sink.

#### L. Definitions

**L-Shaped (syn. Ell).** A horizontal form for the main body of a building or a massing composition, also referred to as an "Ell" which is an extension at a right angle to the length of a building.

**Landing.** A level area at the top or bottom of a staircase or between one flight of stairs and another.

**Landscaping.** Flowers, shrubs, trees, or other decorative material of natural origin.

**LEED™ Rating System.** The most recent version of the Leadership in Energy and Environmental Design (LEED™) Commercial Green Building Rating System, or other related LEED™ rating system, approved by the U.S. Green Building Council.

**Limited Sub-Zones.** See [Section x.02.030 \(Sub-Zones\)](#).

**Lined Building.** A two-part building consisting of an exterior occupiable building specifically designed to mask the interior building, which consists of a parking structure, building with few windows, or a parking lot, from a frontage.

**Liner Building.** An occupiable structure specifically designed to mask a parking lot or a parking structure from a frontage.

**Listed Resource.** See "Historic Resource."

**Live/Work.** An integrated housing unit and working space, occupied and utilized by a single household in a structure, either single-unit dwelling or multiple-unit dwelling, that has been designed or structurally modified to accommodate joint residential occupancy and work activity, and which includes:

1. Complete kitchen space and sanitary facilities; and
2. Working space reserved for and regularly used by one or more occupants of the unit.

**Living Area.** The interior habitable area of a dwelling unit, including basements and attics, but not including garages or any accessory structure.

**Loading Dock(s).** A platform where cargo from vehicles can be loaded or unloaded.

**Loading Spaces, Off-street.** Permanently improved and maintained areas on the design site dedicated to loading and unloading of materials, equipment, and merchandise.

**Lodging.** See "Bed and Breakfast" or "Hotel or Motel."

**Lot.** See "Design Site."

**Low-Water-Use or Extra Drought-Tolerant Plant.** A plant that can survive without irrigation throughout the year once established, although supplemental water may be desirable during drought periods for improved appearance and disease resistance.

## M. Definitions

**Main Body.** The primary massing of a primary building.

**Main Facade.** The front facade of a building.

**Major.** Having a greater size, scope, effect, characteristic, or quality relative to the other corresponding sizes, scopes, effects, characteristics, or qualities; or being the greater of two or more.

**Maker Shopfront.** See [Section x.07.090 \(Maker Shopfront\)](#).

**Massing.** The overall shape or arrangement of the bulk or volume of a building and structures.

**Median.** A planted or paved area which separates two roadways or divides a portion of a road into two or more lanes.

**Minor.** Having a lesser size, scope, effect, characteristic, or quality relative to the average size, scope, effect, characteristic, or qualities; or being the lesser of two or more.

**Mixed-Use.** Multiple functions within the same building or the same general area through superimposition or within the same area through adjacency.

**Mobile Home.** A vehicle, other than a motor vehicle, designed and equipped to contain one or more dwelling units to be used without a permanent foundation, and which is in excess of 8 feet in width and in excess of 40 feet in length.

**Mobile Home Park.** Any site that is planned and improved to accommodate two or more mobile homes used for residential purposes; or any site on which two or more mobile home design sites are rented, leased, held out for rent or lease, or were formerly held out for rent or lease and later converted to a subdivision, cooperative, condominium, or other form of resident ownership, to accommodate mobile homes used for residential purposes.

**Moderate Water-Use or Semi-Drought-Tolerant Plant.** A plant that can survive throughout the year with occasional irrigation.

**Multi-Unit Building.** A residential, non-residential, or mixed-use building in which there exists three or more separate units with direct exterior access and in which there are appurtenant shared facilities. Distinguishing characteristics of a multi-tenant building or use may, but need not, include common ownership of the real property upon which the building or use is located, common wall construction, and multiple occupant use of a single structure.

## N. Definitions

**Neighborhood Center.** A walkable environment that provides a mix of civic, institutional, and/or commercial uses.

**New Construction.** Structures for which the "start of construction" commenced on or after the effective date of this FBC.

**New Use.** Any purpose for which land or premises, or a building or structure thereon, is improved, occupied, utilized, built, or constructed for said purpose, which has not before existed on said land or premises.

**Nonconforming Design Site.** A design site that was legally created before the effective date of this FBC and does not comply with the minimum area, depth, width, or other applicable standards of the zone it is located.

**Nonconforming Site Improvement.** A site improvement (e.g., fences, landscaping, parking, walls, etc.) that conformed to the standards of the previous zoning that lawfully existed before the effective date of this FBC and does not conform to the present standards of the zone in which it is located.

**Nonconforming Structure or Building.** A structure or building that lawfully existed before the effective date of this FBC and does not conform to the present standards of the zone in which it is located.

**Nonconforming Use.** A use of a building, structure, or site, or portion thereof, or a building, structure or facility itself, which was lawfully established and maintained but, because of the application of this FBC to it, does not conform to the present standards of the zone in which it is located.

**Non-Street Frontage.** Building facades that do not face a street or civic space.

## O. Definitions

**Off-Site Hazardous Materials Storage Facility.** A facility, as defined in California Health and Safety Code §25117.1, that accepts hazardous wastes that are generated at another location (off-site) and serves more than one producer of hazardous waste.

**Off-Street Parking.** The area(s) located on a design site available for temporary storage of passenger vehicles, including a public or private parking lot where parking is the principal use of the property.

**Open Space.** See "Civic Space."

**Open Space Easement.** See "Scenic Easement or Open Space Easement."

**Open Structure.** An accessory structure having a roof constructed of lattice or other roof material which allows light and air to pass through a minimum of 50 percent of the roof surface. Additionally, the sides of an open structure consist only of support posts and decorative or functional elements including, but not limited to, braces and railings such that light and air can pass through a minimum of 75 percent of each side. Open structures include but are not limited to trellises, trellis-like patio covers, and other shade structures. Play structures do not qualify as open structures, but are regulated as minor or major accessory structures.

**Open Sub-Zones.** See [Section x.02.030 \(Sub-Zones\)](#).

**Oriel Window (syn. Upper Story Bay Window).** A window that projects from the building facade or elevation, located on upper floors and may extend for multiple stories.

**Outdoor Storage Building.** A building used primarily for storage of goods and materials, and uninhabitable.

**Overhead Doors.** Doors constructed in horizontally hinged sections that are equipped with hardware that rolls the sections into an overhead position, clear of the opening.

## P. Definitions

**Parapet.** A low wall along the edge of a roof or the portion of a wall that extends above the roof line.

**Parcel (syn. Lot).** A portion of land separate from others and delineated or described as a single integral unit on a subdivision map or by other map approved in compliance with the Subdivision Map Act (§66410 et seq.).

**Parcel Line Adjustment.** A shift or rotation of an existing parcel line between four or fewer existing, adjoining parcels, where the land taken from one parcel is added to an adjoining parcel and where a greater number of parcels than originally existed are not created, as provided in Chapter 16 (Town of Fairfax Parcel Line Adjustment Standard).

**Parcel Map.** A map prepared for the purpose of dividing a legal parcel into four or fewer parcels and prepared in compliance with the provisions of this document and the Subdivision Map Act (§66410 et seq.) and in a manner to be recorded in the office of the County Recorder.

**Parcel, Nonconforming.** A legally created parcel which does not conform with current standards for area, width, frontage or other such standards for the zone in which the parcel is located because of annexation or amendments to the title.

**Park and Recreational Area, Public.** Include playgrounds, public gardens, outdoor sports grounds, indoor sports structures within a park area, tot lots, passive park areas, and other areas of use to the general public for recreation or outdoor diversions, not including commercial recreation facilities (see "Commercial Recreation Facility.")

**Parking Driveway Width.** The horizontal measurement of an access driveway to a parking area, measured perpendicular to the direction of travel.

**Parkway.** That portion of a public right-of-way located between the outermost curb-lane driving lane and the farthest edge of the right-of-way.

**Passageway.** A pathway unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.

**Passive Recreation.** See “Recreation, Passive.”

**Path of Travel.** A continuous, unobstructed way of pedestrian passage.

**Patio Cover.** A one story, roofed structure, not more than 12 feet in height above adjacent finished grade, used only for recreational and/or outdoor living purposes, that may be attached or detached as an accessory structure to the primary building.

**Pedestrian Shed.** An area centered on a destination including, but not limited to, a civic space, civic building, or main street. Its size is limited by an average distance that may be traversed at an easy walking pace in a given amount of time from its center to its edge, about 1,500 feet. Pedestrian sheds are used for planning Walkable Urban areas.

**Pedestrian Orientation.** A physical structure or place with design qualities and elements that contribute to an active, inviting, and pleasant place for pedestrians that typically includes most of the following elements:

1. Building facades that are highly articulated at the street level, with interesting uses of material, color, and architectural detailing, located directly behind the sidewalk;
2. Visibility into buildings at the street level;
3. A continuous sidewalk, with a minimum of intrusions into pedestrian right-of-way;
4. Continuity of building facades along the street with few interruptions in the progression of buildings and stores;
5. Signs oriented and scaled to the pedestrian rather than the motorist; and/or
6. Pedestrian orientation may also include: design amenities related to the street level including, but not limited to, awnings, paseos, and arcades; landscaping and street furniture.

**Pedestrian-Oriented Businesses.** General commercial businesses that allow customers to park once and complete multiple transactions and visits on foot in a context that encourages people to walk instead of drive.

**Pedestrian-Oriented Use.** A land use that is intended to encourage walk-in customers and that generally does not limit the number of customers by requiring appointments or otherwise excluding the general public. A pedestrian oriented use provides spontaneous draw from sidewalk and street due to visual interest, high customer turnover, and/or social interaction.

**Planning Commission.** The Town of Fairfax’s Planning Commission, referred to in this FBC as the Planning Commission.

**Plot Plan.** A plan for an individual residential design site within an approved subdivision. At a minimum, the plot plan shows the design site property lines with metes and bounds; street address; driveways; grading; proposed locations for structures; public and private improvements (e.g., utility service laterals); retaining walls; trees; and measurements to locate these improvements within the design site.

**Podium.** A continuous projecting base or pedestal under a building often occupied by parking.

**Podium Top.** A flat, elevated and open area above a podium that can be used as common area.

**Porch.** A covered shelter projecting in front of the entrance of a building.



**Pre-Development Grade.** The grade of a design site prior to any site improvements related to the proposed development.

**Premises.** An area of land with its appurtenances and buildings which because of its unity of use may be regarded as the smallest conveyable unit.

**Primary Building.** See "Building, Primary."

**Primary Living Space.** A space within the primary building that is designed as a living room, dining room, or bedroom.

**Private Open Space.** The area required for each unit in some building types, provided as outdoor yard areas, patios, decks, and balconies, but excluding stairs, entrance decks, and/or landings. Does not include required setbacks.

**Private Street.** Any street not a public street.

**Public Property.** Any property publicly owned outside of the designated public right-of-way.

**Public Street.** A street for which the right-of-way is owned by or offered for dedication to the public and accepted by the Town of Fairfax.

#### Q. Definitions

*No specialized terms beginning with the letter Q are defined at this time.*

#### R. Definitions

**Rear.** Opposite of front.

**Rear-Loaded (syn. Rear Access).** Vehicular access from the rear of the design site.

**Recessed Entry.** An entrance to a building that is set back from the facade of the building.

**Reclassification of Land.** An amendment to this document, which changes the classification of any property from one zone to another zone provided for in compliance with this document.

**Recreation, Active.** Recreational pursuits usually performed with others and often requiring equipment which required physical alteration to the area in which they are performed. Such areas are intensively used, and include but are not limited to playgrounds; sport courts; baseball/softball and other field sports; and swimming pools.

**Recreational Area.** Areas of active play or recreation including, but not limited to, sports fields, school yards, picnic grounds, or other areas with intense foot traffic.

**Recreation, Passive.** Recreational pursuits involving existing natural resources which can be carried out with little alteration or disruption to the area in which they are performed. This includes, but is not limited to such activities as walking; hiking; bicycling; bird and animal watching; and picnicking.

**Recreation, Private, Noncommercial.** Recreation facilities operated by a nonprofit organization and open only to bona fide members of such nonprofit organization.

**Relocation.** The act or process of moving a structure or object from one property to another property or to a different location on the same property.

#### Renovation

1. A structural change to the foundation, roof, floor, or exterior of load-bearing walls of a facility, or the extension of an existing facility to increase its floor area.

2. Alteration of an existing facility including, but not limited to, significantly changing its function, even if such renovation does not include any structural change to the facility.
3. Remodeling of the building interior or exterior.

**Residential.** Premises used primarily for human habitation.

**Residential Development.** Any development that consists entirely of dwellings.

**Review Authority.** The individual or official Town of Fairfax body (Planning and Building Services Director ) identified by this FBC as having the responsibility and authority to review, and approve or deny the permit applications described in Chapter 1 (Administration).

**Right-of-Way (ROW).** Land dedicated to transportation purposes and/or use by the general public.

**Rooming and/or Boarding.** A dwelling or part thereof other than a hotel where meals and/or lodgings are provided, for compensation, for six or more persons unless otherwise specified, not transients.

**Runoff.** Water which is not absorbed by the soil to which it is applied. Runoff usually occurs when water is applied at too great a precipitation rate, when water is applied to saturated soils, or when water is applied to a steep slope.

## S. Definitions

**Scenic Easement or Open Space Easement.** An easement granted to the public whereby the owner relinquishes or limits the right to construct improvements on the land.

**Second Unit.** See "Dwelling, Second Unit."

**Semi-Public Use.** A use owned or operated by a non-profit organization, private institution, or foundation.

**Service Facilities.** On-site facilities that support grounds maintenance, landscaping, and minor repair service relative to a primary use.

**Setback.** The distance by which a structure, parking area, or other development feature is separated from a design site line, other structure, or development feature

1. **Setback, Front.** An area extending across the full width of the design site between the front design site line and the primary structure.
2. **Setback, Rear.** An area extending the full width of the design site between a rear design site line and the primary structure.
3. **Setback, Side.** An area between a side design site line and the primary structure extending between the front and rear setback.

**Setback, Building.** The mandatory clear distance between a design site line and a building.

**Setback, Parking.** The mandatory clear distance between a design site line and parking.

**Setback, Non-Street Frontage.** Any side or rear setback not contiguous to a public right-of-way. Such setback shall be measured laterally from the nearest part of that portion of a primary building facing said side or rear setback toward the nearest point of the design site line.

**Shared Parking.** Any parking spaces assigned to more than one user, where different persons utilizing the spaces are unlikely to need the spaces at the same time of day.

**Shopfront.** See [Section x.07.100 \(Shopfront\)](#).

**Shopfront Base.** A very low wall , that does not include glass, between the display window(s) of a shopfront and the adjacent sidewalk.

**Sidewalk.** A paved area along a street intended exclusively for pedestrian use and often installed between a street and design site frontages.

**Sign.** A structure, device, figure, display, message placard, or other contrivance, or any part thereof, situated outdoors or indoors, which is designed, constructed, intended, or used to advertise, or to provide information in the nature of advertising, to direct or attract attention to an object, person, institution, business, product, service, event, or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images.

**Single-Loaded, Building.** A building containing dwellings and/or commercial units without common hallways for access to the dwellings and/or units.

**Site Plan.** A base sheet that includes the basic information that will appear on all plans including, but not limited to, natural features, roads, buildings, or other structures to remain on-site.

**Special Architectural Elements.** Church spires; belfried cupolas and domes; monuments; corner or entry towers on residential units; and other similar architectural elements.

**Specific Plan.** See California Government Code §65450-65457.

**Stealth Design.** The effect of integrating an element including, but not limited to, a cellular antenna into a building that results in the element not being visible from adjacent public sidewalks and open space.

**Street, Front.** Street located along the front design site line of a parcel.

**Street, Side.** Street located along a design site line of a parcel that is not along the front design site line.

**Stoop.** See [Section x.07.070 \(Stoop\)](#).

**Storage.** Includes:

1. **Outdoor.** The storage of various materials outside of a structure other than fencing, either as an accessory or primary use.
2. **Self-Storage Facility.** A structure containing generally small, individual compartments, stalls, or lockers rented as individual storage spaces and characterized by low parking demand.

**Storefront.** The majority portion of a shopfront frontage that consists of the display window and/or entrance and its components, including windows, doors, transoms, and sill pane.

**Story.** The portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above, the space between the floor and the ceiling above. If the finished floor level directly above a basement or cellar is more than six feet above grade for more than 50 percent of the total perimeter, such basement or cellar shall be considered a story.

1. **Story, First.** The lowest story or the ground story of any building, the floor of which is not more than 12 inches below the average contact ground level at the exterior walls of the building.
2. **Story, Half (syn. Attic Story).** A conditioned space that rests primarily underneath the slope of the roof, usually having dormer windows. The half story is identified by the ".5" in the description of maximum height (e.g., 2.5). A half-story is considered a story when its top wall plates, on at least two opposite exterior walls, are four feet or more above the floor of such story.
3. **Story, Mezzanine.** A story which covers one-third or less of the area of the story directly underneath it. A mezzanine story shall be deemed a full story when it covers more than one-third of the area of the story directly underneath said mezzanine story.

**Street.** A public or permanent private thoroughfare which affords a primary means of access to design site(s).

1. **Street, Front.** Street located along the front design site line.
2. **Street, Side.** Street located along a design site line that is not the front design site line

**Street Frontage.** The lineal length of that portion of a design site abutting a street.

**Street Frontage, Principal.** The length of the property line of any one premise parallel to and along the public right-of-way which it borders and which is identified by an officially assigned street address.

**Street Tree.** A tree planted in open spaces, parkways, sidewalk areas, easements, streets, and rights-of-way.

**Supportive Housing.** See "Transitional Housing."

**Swimming Pool, Public or Private.** Any pool, pond, lake or open tank located within or outside of a building, and containing or normally capable of containing water to a depth at any point greater than 1.5 feet.

## T. Definitions

**Tandem Parking.** A parking space deep enough to allow two cars to park, one behind the other.

**Terrace.** See [Section x.07.110 \(Terrace\)](#).

**Transitional Housing.** Rental housing operated in compliance with program standards that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months. Includes supportive housing, shelters housing, and single room occupancy hotels and shelter housing.

**Transit Stop.** A location where buses stop to load and unload passengers. A transit stop may or may not include a shelter or a pullout.

**Turf.** A surface layer of earth containing mowed grass with its roots. Annual bluegrass, Kentucky bluegrass, perennial ryegrass, red fescue, and tall fescue are cool-season grasses. Bermudagrass, kikuyugrass, seashore paspalum, St. Augustinegrass, zoysiagrass, and buffalo grass are warm-season grasses.

## U. Definitions

**Understory.** The smaller trees and shrubs below the canopy of large trees.

**Unit.** See "Dwelling Unit."

**Upper Floor.** A floor in a building containing habitable space that is located above the ground floor.

**Usable Open Space.** Common or private open space, excluding the following:

1. Required front setbacks;
2. Areas devoted to parking, driveways, and maneuvering areas;
3. Open space at grade less than 10 feet in its minimum dimension; and
4. Patios, balconies, or decks less than five feet in their minimum dimension.

**Use.** The purpose for which land, premises, or structure thereon is designed, arranged, or intended, or for which it is or may be occupied or used.

**Use, Accessory.** A subordinate use of a building, structure, or design site that is customarily incidental to a principal use located on the same parcel.

**Use, Principal.** The main or primary use or uses conducted on a design site or located within a building or within a portion of a building which is separated structurally from other uses within the same building, not to include an accessory use as defined herein or a subordinate department of a main or primary use.

**Use, Temporary.** The use of land or premises or a building thereon for a limited period of time which does not change the character of the site, premises, or uses therein.

## V. Definitions

**Visitability.** A basic level of accessibility that enables persons with disabilities to visit others in their dwellings by providing at least one accessible means of egress/ingress for each residential unit.

## W. Definitions

**Walkable Neighborhood Center.** A Walkable Urban environment that provides a concentrated mix of civic, institutional, and/or commercial uses.

**Walkable Neighborhood Plan (WNP).** A development plan for creating Walkable Urban environments with a mix of housing, civic, retail, and service choices within a compact, walkable, and transit-ready environment. Walkable/Walkability. The condition when an area is highly interconnected to other areas and appeals to pedestrians for recreational walking or for walking to work, transit, errands, shopping, or restaurants.

**Walkway.** A paved way located on one or more design sites, used for pedestrian traffic, and used exclusively by the design site owner(s), their guests, and invitees.

**Wall Plane.** A vertical surface defined by the facades of buildings.

**Water Table, Architectural Feature.** A horizontal projecting string-course of masonry, molding, or a ledge placed so as to divert rainwater from a building.

**Width-to-Height Ratio.** The ratio of the horizontal size of a space measured perpendicularly to the vertical height of a building.

**Wing.** A structure of at least five feet in depth physically attached to, and secondary to, the main body of a primary building.

**X. Definitions**

*No specialized terms beginning with the letter Y are defined at this time.*

**Y. Definitions**

**Yard.** See "Setback."

**Z. Definitions**

**Zero Design Site Line.** A building or structure that is placed on the property line.

**Zone.** See "Transect Zone."

**Zone Map.** The zoning map(s) of the Town of Fairfax, California, together with all amendments.

**Zoning Administrator.** The duly designated and appointed zoning administrator of the Town of Fairfax.

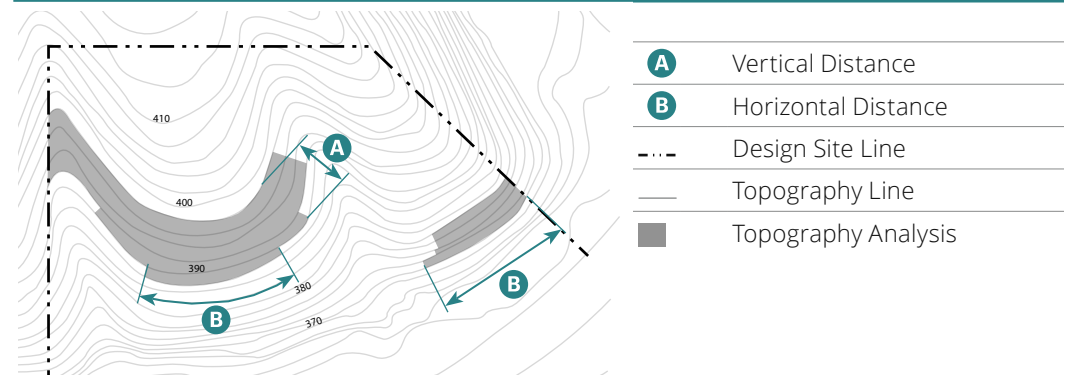
**Zoning Code.** The Zoning Code of the Town of Fairfax.

## x.07.030 Measurement Methods

### 1. Sloped and Steeply Sloped Design Sites

- A. **Applicability.** The standards of [Section x.05.050 \(Slope Standards\)](#) apply to sloped and steeply sloped design sites. Slope is measured by taking the vertical distance, or "rise", over the horizontal distance, or "run." The resulting fraction, or percentage, is the "slope" of the land. Sloped and steeply sloped design sites are those areas of land that exhibit the slopes of six percent and greater.
- B. **Methodology.** The following methodology shall be used to identify steep slopes protected in compliance with this [Chapter](#). An example of the methodology is shown in [Figure 1 \(Methodology for Defining Sloped and Steeply Sloped Design Sites\)](#).
- (1) **Steep Slope Determination.** To qualify as a steep slope, the slope shall be at least six percent with a 10-foot vertical drop over a 100-foot horizontal distance parallel to at least one common contour line. The horizontal measurement shall cross property lines to establish if a steep slope may exist on a design site (i.e., the 100-foot minimum width calculation shall cross a property line if necessary to achieve this minimum width).

**Figure x.07.030.1: Methodology for Defining Sloped and Steeply Sloped Design Sites**



- (2) **Area Calculation.** Step slope areas are calculated based on the square feet of qualifying steep slope on the design site as determined in [Subsection 1](#) above. There is no minimum square footage for each slope area.
- First, calculate the square footage of slopes 30 percent and greater. Determine the square footage of each area as well as the sum of the areas for the total site.
  - Second, calculate the square footage of slopes between 29 and 25 percent. Determine the square footage of each area as well as the sum of the areas for the total site.
  - Third, calculate the square footage of slopes between 24 and 20 percent. Determine the square footage of each area as well as the sum of the areas for the total site.
  - First, calculate the square footage of slopes between 15 percent and 19 percent. Determine the square footage of each area as well as the sum of the areas for the total site.
  - Second, calculate the square footage of slopes between 10 and 14 percent. Determine the square footage of each area as well as the sum of the areas for the total site.
  - Third, calculate the square footage of slopes between 6 and 9 percent. Determine the square footage of each area as well as the sum of the areas for the total site.

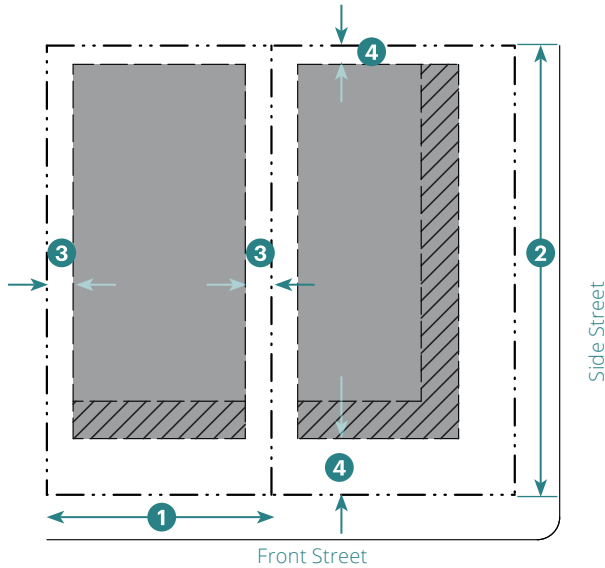


- (3) **Steep Slope Resource Area.** Based on the area calculations in [Subsection 2](#), above, [Table x.05.050.A \(Amount of Sloped Areas Allowed to be Developed\)](#) shows the percentage of slope area that shall be included in the resource protection area. The steep slope areas to be protected shall be included in the survey.
  - (4) **Sloping Design Site Height.** Design sites with slopes of six percent or more shall measure the maximum height of structures as set forth in the zone and measured vertically from ground level at the front setback line, or if no setback is required, at the center of the design site.
- C. **Average Slope.** The result of dividing the length of a slope by the difference in elevation at the top and bottom of the slope.
- (1) **Design Sites with Even Slope.** Average slope for design sites with relatively even slope across the site and small design sites is determined by using the following formula:
    - (a)  $S = ((T - B) \div \text{run}) \times 100$
    - (b) S = average slope
    - (c) T = elevation at top of slope
    - (d) B = elevation at bottom of slope
    - (e) Run = horizontal distance between the top and bottom elevations
  - (2) **Design Sites with Uneven Slope.** Average slope of design sites with an uneven slope across the site before grading is determined by using the following formula:
    - (a)  $S = (1.0029 \times I \times L) \div A$
    - (b) S = average slope
    - (c) I = contour interval in feet
    - (d) L = summation of length of the contour lines in scale feet
    - (e) A = area of the design site in acres.

## 2. Primary Building within Facade Zone

- A. **Applicability.** The facade zone standards apply to new primary buildings and their additions along the front and side street of a design site.
- B. **Methodology.** The required amount is expressed in the zone standards as a percentage. The percentage is calculated as follows through an example for the front facade zone. The same approach is to be applied to the side street, using the minimum front and rear building setbacks.
- (1) Identify the width of design site (e.g., 50 feet) and apply required front and side building setbacks (e.g., 5 feet and 5 feet).
  - (2) Subtract the horizontal length between each side setback and the adjacent side design site line from the total width of the design site. The result is the net buildable width of the design site (e.g., 40 feet).
  - (3) Multiply the required minimum percentage in the zone standards (e.g., 50 percent) by the net buildable width of the design site (e.g., 50 feet).
  - (4) The result is the minimum length, in feet, of building facade that shall be placed in or abutting the facade zone (e.g., 20 feet).
  - (5) See [Figure 2 \(Applying the Required Amount to the Facade Zone\)](#) for examples that are consistent with the intent of this standard.

Figure x.07.030.3: Determining the Required Amount Subject to the Facade Zone



**Example Calculation**

50'	Design Site Width
- 5'	Side Setback
- 5'	Side Setback
= 40'	Net Buildable Width
40'	Net Buildable Width
x Zone Standard (e.g., 50%)	
= 20'	Required In or Abutting the Facade Zone

- 1 Width of Design Site
- 2 Depth of Design Site
- 3 Setback to be Subtracted from Design Site Width
- 4 Setback to be Subtracted from Design Site Depth

3. **Measuring Building Types**

A. **Methodology.** Measurement of width and depth.

- (1) **Main Body.** The width and depth of the main body shall be measured as follows:
  - (a) The width shall be parallel to the front.
  - (b) The depth shall be perpendicular to the front.

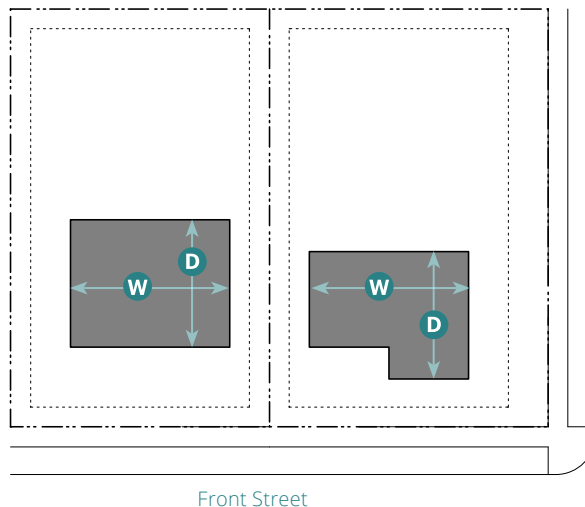
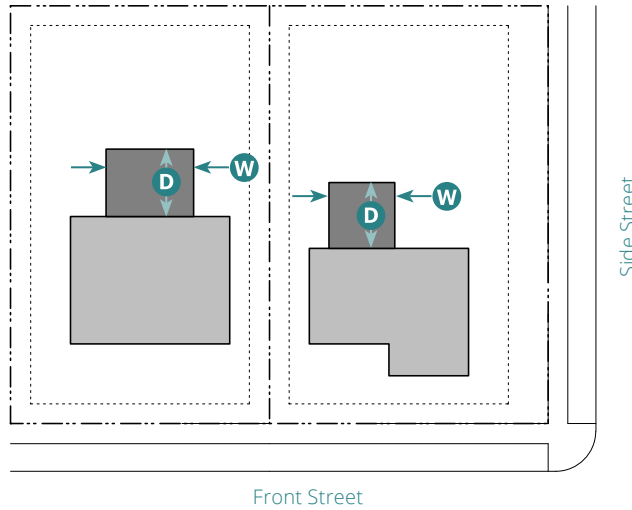


Figure x.07.030.4: Main Body

- W Width
- D Depth

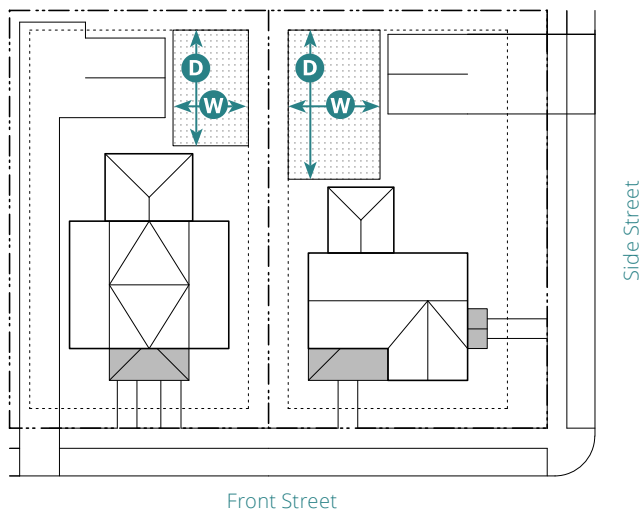
- (2) **Wings and Ancillary Structures.** The width and depth of wings and ancillary structures, shall be measured as follows:
  - (a) The width shall be the greater of the two dimensions of the footprint.
  - (b) The depth shall be the lesser of the two dimensions of the footprint.



**Figure x.07.030.5:**  
**Wings and Ancillary Structures**

- W** Width
- D** Depth

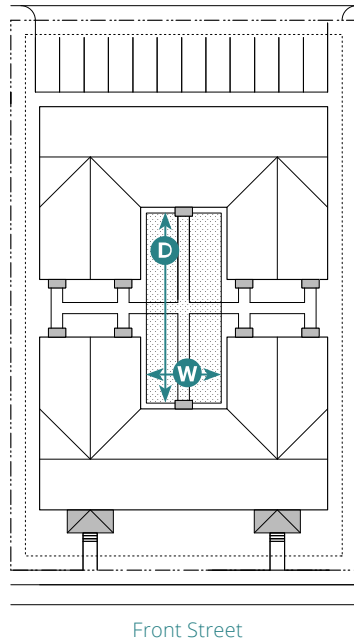
- (3) **Open Space(s).** The width and depth of open spaces shall be measured as follows:
  - (a) The width shall be parallel to the front
  - (b) The depth shall be perpendicular to the front.



**Figure x.07.030.6:**  
**Open Space(s)**

- W** Width
- D** Depth

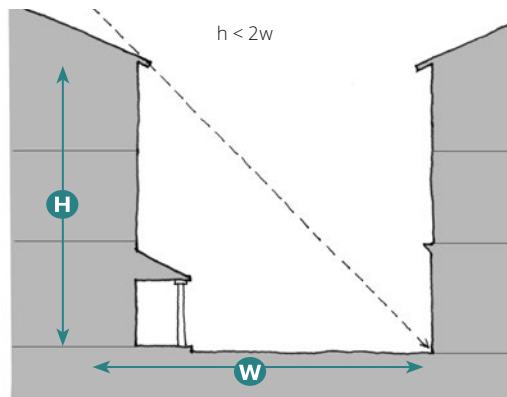
- (4) **Courtyard(s).** The width and depth of courtyards shall be measured as follows:
- (a) The width shall be parallel to the front; unless the courtyard is a secondary courtyard accessed directly from a side street.
  - (b) If a secondary courtyard is accessed directly from the side street, the width shall be parallel to the side street.
  - (c) The depth shall be perpendicular to the width.



**Figure x.07.030.7:**  
**Courtyard(s)**

- W** Width
- D** Depth

- (5) **Width-to-Height Ratio.** Measurement of width-to-height ratio and depth-to-height ratio of forecourts.
- (a) The width and depth of forecourts shall be measured per [Figure 8 \(Width-to-Height Ratio\)](#).
  - (b) The height of forecourts shall be a measurement of the vertical plane of the building that defines the forecourt.

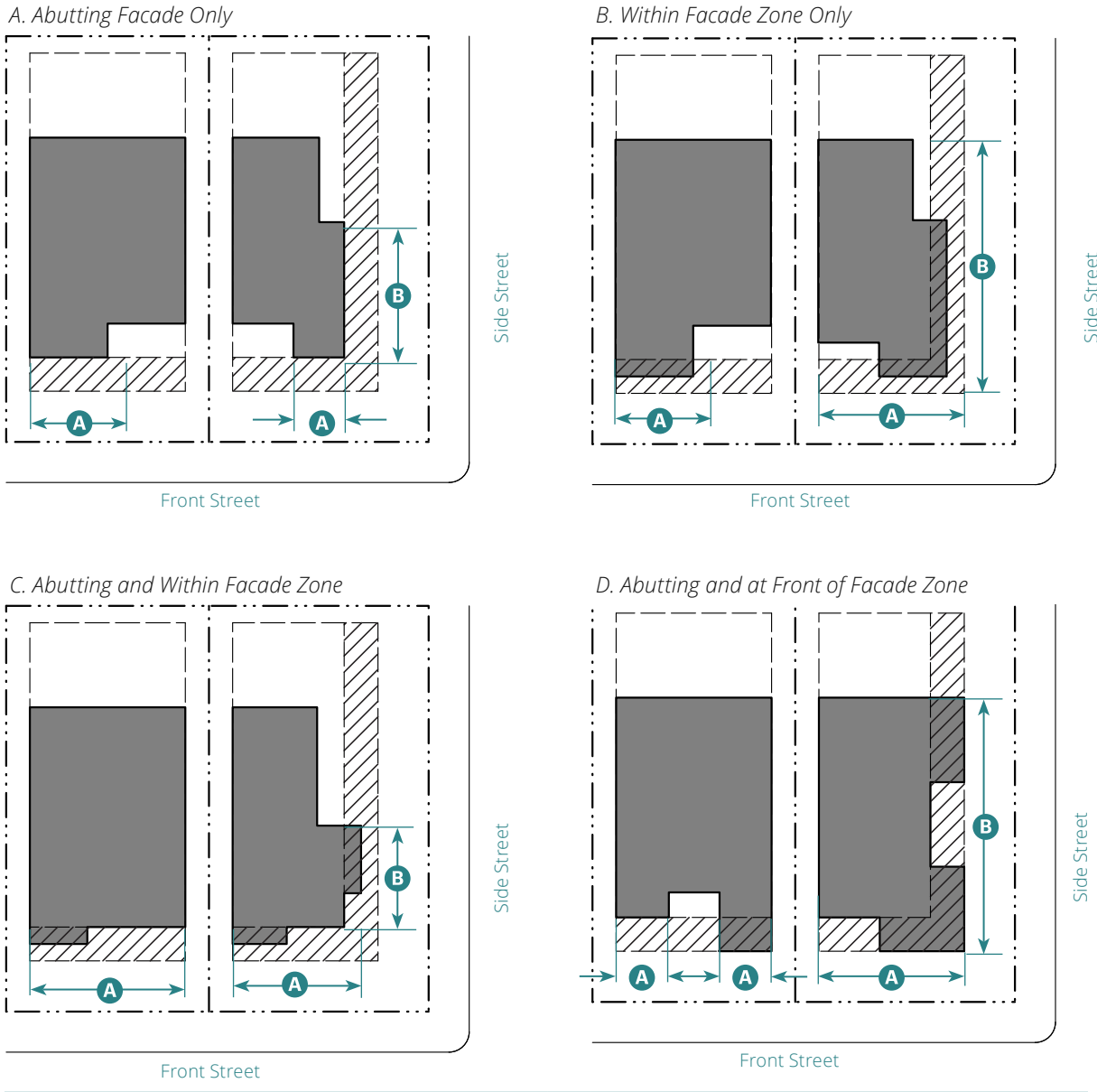




**Figure x.07.030.8:**  
**Width-to-Height Ratio**

- W** Width
- H** Height

- (6) **Highest Eave/Top of Parapet.**
- (a) **Height, Overall.** The vertical distance between adjacent finished grade and the highest part of the structure directly above.
  - (b) **Height, Top of Parapet.** The vertical distance between adjacent finished grade and the top of the parapet of the primary building.
  - (c) **Height, Highest Eave.** The vertical distance between adjacent finished grade and the highest eave of the primary building.
  - (d) **Highest Eave Measurement.** The measurement is to bottom of the eave assembly.
  - (e) **Eave.** The edge of the roof that overhangs the face of the adjoining wall. The bottom of the eave can range from exposed rafters to a finished horizontal surface.

**Figure x.07.030.2: Applying the Required Amount to the Facade Zone**



		Front Street	Side Street
	Facade Zone	50% min. <sup>1</sup>	50% min. <sup>1</sup>
	Buildable Area	<b>A</b>	<b>B</b>

<sup>1</sup>This is an example. See [Subsection 5](#) of the zone for the standard.



Figure x.07.030.9: Top of Parapet and Flat Roof

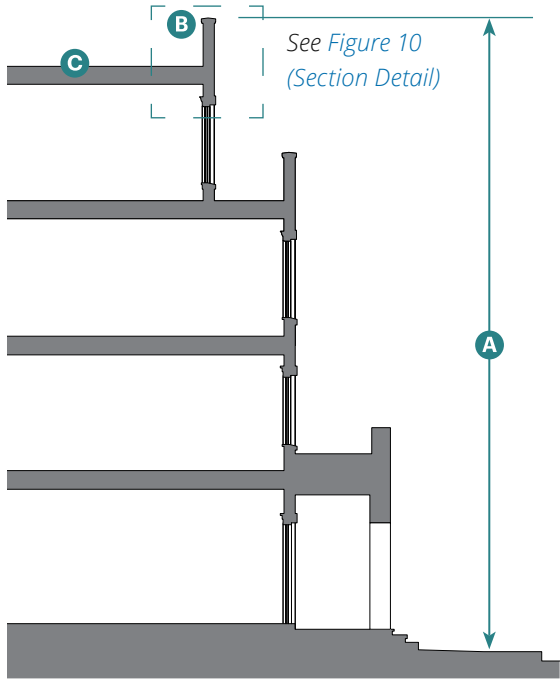


Figure x.07.030.10: Section Detail of Top of Parapet and Flat Roof

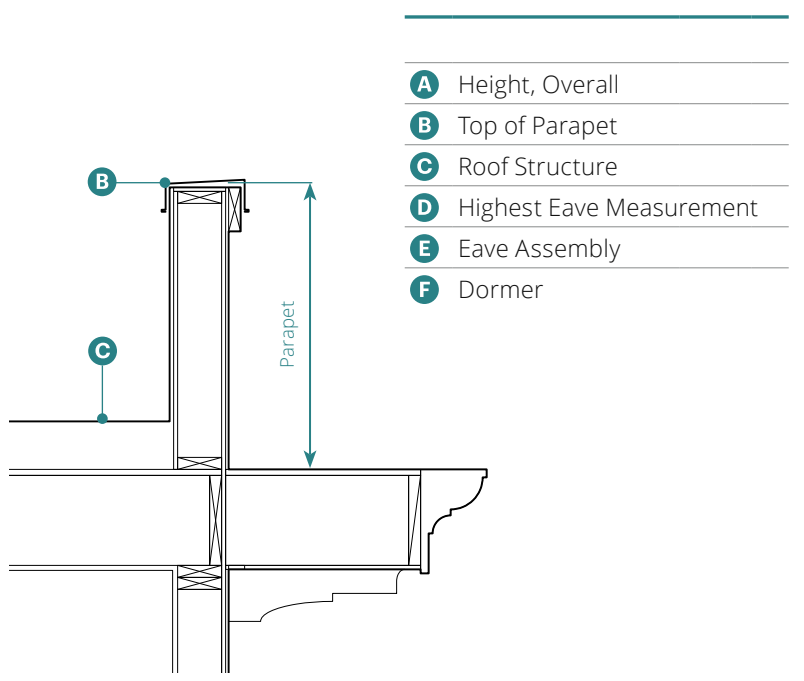


Figure x.07.030.11: Highest Eave for Pitched Roof

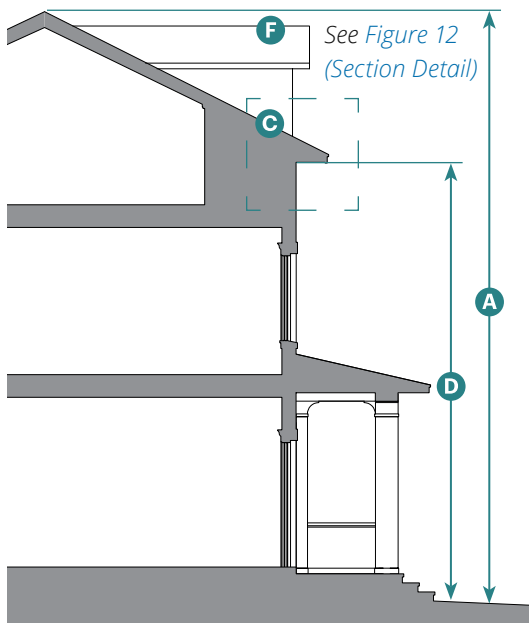
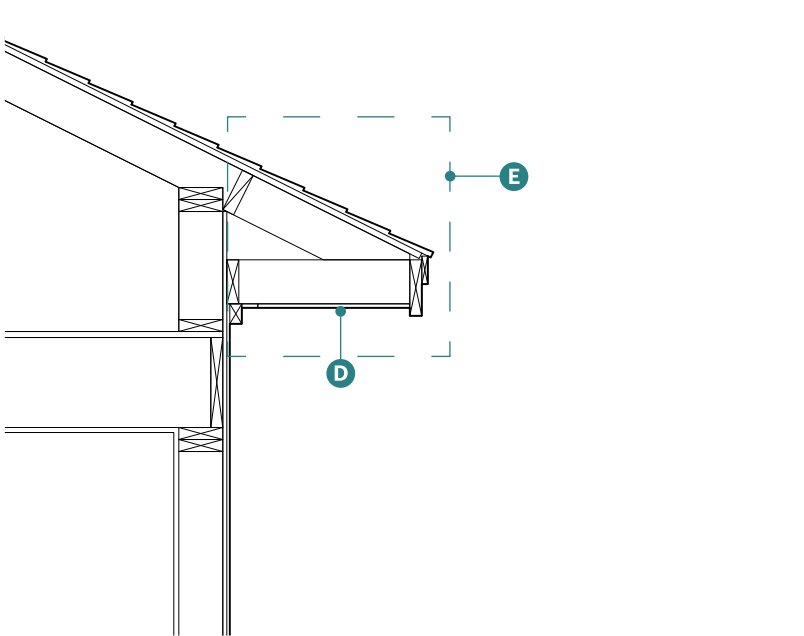


Figure x.07.030.12: Section Detail of Highest Eave for Pitched Roof



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