

February 10, 1992

Mr. Jack Gwynn, President
Reston Community Association, Inc.
1801 Reston Parkway, 3rd Floor
Reston, Virginia 22090

RE: Interpretation of Par. F of Sect. 6-302

Dear Mr. Gwynn:

This is in response to your letter of October 21, 1991 requesting an interpretation of Par. F of Sect. 6-302, Permitted Uses. As you know, Par. F of Sect. 6-302 states, in part, that areas approved for industrial use in the adopted comprehensive plan of the planned community may be reclassified to one of the industrial districts. As I understand it, the question is whether or not this language precludes the rezoning of these industrial areas to a commercial district or another planned development district.

Consistent with the predominantly residential character of the PRC (formerly RPC) District, industrial uses have historically not been included among the permitted uses. The 1962 Zoning Ordinance amendment establishing the PRC District specifically excludes industrial uses by stating in Sect. 30-68.2(d)(1) "All uses permitted by right or by special permit in any district except ... industrial shall be permitted in the RPC District. The 1969 amendment, which established the various centers within the district does not mention industrial uses in general nor are industrial - type uses included among the permitted uses. Par. F was first included in the 1977 amendment which made major revisions to the RPC District regulations. At that time Par. F Stated:

- F. In those areas approved for industrial use on the adopted comprehensive plan of the planned community, all uses allowed in the I-I, I-S, I-P and I-L Districts shall be permitted subject to the provisions of those districts. Upon request for industrial use zoning such area shall be zoned I-I, I-S, I-P, or I-L

respectively. Industrial areas shall not be included in the RPC District nor be subject to the requirements thereof.

This language references industrial uses by industrial district and provides the corresponding industrial district for rezoning. In addition, it states that industrial areas shall not be included in the RPC District. With the adoption of the revised Zoning Ordinance in 1978, Par. F was revised to its current language. This revision deleted the reference to ceaseuses by district and changes the "shall" to "may" when suggesting rezoning. It remains clear that industrial uses are not to be included in the PRC District.

Based on this history, it is my position that the intent of Par. F is to exclude industrial uses rather than to prescribe which districts are available for rezoning. In addition, the current language states that areas approved for industrial uses "may" be reclassified. The use of "may" rather than "shall" suggests rezoning to an I District but does not preclude rezoning to a C District or another P District.

Therefore, it is my determination that the intent of Par. F is to exclude industrial uses from the PRC District but not to preclude rezoning of the industrial areas to a C District or another P District. Of course the proposed use(s) that prompt a rezoning request must be consistent with the Reston Master Plan and the County Comprehensive Plan.

I trust this adequately responds to your request. Should you have additional questions please feel free to contact Margaret Stehman at 246-1314.

Sincerely,

Jane W. Gwinn
Zoning Administrator