

DRAFT – November 29, 2006
Proposed Zoning Ordinance Amendment

This proposed Zoning Ordinance amendment is based on the Zoning Ordinance in effect as of January 8, 2007 and there may be other proposed amendments which may affect some of the numbering, order or text arrangement of the paragraphs or sections set forth in this amendment. In such event, any necessary renumbering or editorial revisions caused by the adoption of any Zoning Ordinance amendments will be administratively incorporated by the Clerk in the printed version of this amendment following Board adoption.

1 **Amend Article 6, PRC Planned Residential Community District, Part 3, PRC Planned**
 2 **Residential Community District, as follows:**

3
 4 - **Amend Sect. 6-301, Purpose and Intent, by revising the lead-in paragraph to**
 5 **read as follows:**

6
 7 The PRC District is established to permit the development of planned communities
 8 on a minimum of 750 contiguous acres of land, which at the time of the initial
 9 rezoning to establish a PRC District is owned and/or ~~under one ownership or~~
 10 controlled by a single individual or entity. Such planned communities shall be
 11 permitted only in accordance with a comprehensive plan, which plan, when
 12 approved, shall constitute a part of the adopted comprehensive plan of the County
 13 and shall be subject to review and revision from time to time.

14 The PRC District regulations are designed to permit a greater amount of
 15 flexibility to a developer of a planned community by removing many of the
 16 restrictions of conventional zoning. This flexibility is intended to provide an
 17 opportunity and incentive to the developer to achieve excellence in physical, social
 18 and economic planning. To be granted this zoning district, the developer must
 19 demonstrate the achievement of the following specific objectives throughout all of
 20 his planning, design and development.

21
 22 - **Amend Sect. 6-308, Maximum Density, by revising Par. 2 to read as follows:**

- 23
 24 1. The overall density for a PRC District shall not exceed thirteen (13) persons
 25 per acre of gross residential and associated commercial areas.
 26
 27 2. In computing density, a factor of ~~3.5~~ 3.0 persons shall be used per single
 28 family detached dwelling; ~~3.0~~ 2.7 persons per single family attached dwelling;
 29 ~~2.5 persons per garden apartment multiple family dwelling;~~ and ~~2.0~~ 2.1
 30 persons per elevator apartment multiple family dwelling. ~~Such factors shall~~
 31 ~~be reviewed at least once every three (3) years. Within three (3) years~~
 32 ~~following the commencement of residential construction within a PRC~~
 33 ~~community, such factors shall be reviewed and, for that community, shall~~
 34 ~~become fixed for the purpose of calculating the permitted number of dwelling~~
 35 ~~units.~~
 36

1 3. Residential densities in a PRC District shall be designated low, medium and
2 high on the approved development plan.

3
4 A. Low: The overall density within the entire area of a PRC District that is
5 designated for low density shall not exceed 3.8 persons per acre of gross
6 residential area. Further, the density in any one low density area shall
7 not exceed five (5) dwelling units per acre.

8
9 B. Medium: The overall density within the entire area of a PRC District
10 that is designated for medium density shall not exceed 14 persons per
11 acre of gross residential area. Further, the density in any one medium
12 density area shall not exceed twenty (20) dwelling units per acre.

13
14 C. High: The overall density within the entire area of a PRC District that is
15 designated for high density shall not exceed 60 persons per acre of gross
16 residential area. Further, the density in any one high density area shall
17 not exceed fifty (50) dwelling units per acre.

18
19 For the purposes of this district, density area shall mean a development unit
20 within an area designated on the approved development plan for low, medium
21 or high density.

22
23 4. In computing average density on any development plan, subsequent PRC plan
24 or final plat of a part of a PRC District, any excess in land area over that
25 required to support an average density of thirteen (13) persons per acre in any
26 final plat previously recorded may be included. As each plan and subsequent
27 final plat is submitted, the overall density of all areas shown on recorded final
28 plats within the PRC District shall be recomputed so that the average density
29 within the recorded plats of sections of the PRC District shall never at any
30 time in the history of the development exceed a density of thirteen (13)
31 persons.

32
33 5. The provisions of Paragraphs 1 and 4 above shall not apply to affordable and
34 market rate dwelling units which comprise the increased density pursuant to
35 Part 8 of Article 2.

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37
38 **Amend Article 16, Development Plans, Part 2, Procedures For Review and Approval**
39 **of A PRC District, as follows:**

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41 - **Amend Sect. 16-201, Comprehensive Plan Approval, by revising Paragraphs 1**
42 **and 10 to read as follows:**

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44 1. A PRC District may only be established in an area designated on the adopted
45 comprehensive plan for a planned residential community. Therefore, before
46 the initial establishment of a PRC District, the applicant shall propose an
47 amendment to the adopted comprehensive plan to permit a planned residential
48 community, which shall contain not less than 750 contiguous acres ~~under one~~
49 ownership or owned and/or controlled by a single individual or entity.

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10. Additional land may be added to an ~~adopted~~ planned residential community if it represents a logical extension of the planned residential community under the adopted comprehensive plan and is adjacent thereto. Any addition of land to a planned residential community shown on the adopted comprehensive plan shall be subject to the same requirements and procedures as the original amendment except for the minimum requirement of 750 acres owned and/or controlled by a single individual or entity.

- **Amend Sect. 16-202, Rezoning to a PRC District, by revising Paragraphs 1 and 10 to read as follows**

1. Following Board approval of the comprehensive plan for a planned residential community, the Board may approve an application for rezoning to a PRC District subject to the provisions of this Part and Part 2 of Article 18. The initial rezoning to establish a PRC District shall contain a minimum land area of 750 contiguous acres ~~under one ownership or~~ owned and/or controlled by a single individual or entity.

10. Additional land may be added to a PRC District by a rezoning application if such land is included within the area of the adopted comprehensive plan, if it represents a logical extension of the area zoned PRC, and if it is adjacent thereto. Any addition of land to the PRC District shall be subject to the same requirements and procedures as the original application except for the minimum requirement of 750 acres owned and/or controlled by a single individual or entity.

- **Amend Sect. 16-203, PRC Plan Approval, to read as follows:**

1. Subsequent to the approval of a rezoning application, a PRC plan shall be required for those uses as set forth in Par. 2 below; ~~provided, however, that upon authorization by the Board, A PRC plan may be files with the Director concurrently with the filing of a rezoning application.~~ The Board may approve a PRC plan subject to the provisions of this Part and Sect. 18-110. Such PRC plan shall not be approved by the Board ~~Director~~ until the rezoning application and development plan have been approved by the Board. However, a PRC plan may be filed with and including in the processing of the rezoning application and development plan.

All PRC plans shall be in accordance with the approved rezoning and development plan, any conditions or modifications that may have been approved by the Board, the design standards of Sect. 102 above, the applicable objectives and regulations of the PRC District and the provisions of Sect. 303 below.

2. A PRC plan shall be required for all uses, except the following:

- 1 A. Single family detached dwellings, provided the general street and lot
2 layout are shown on the approved development plan.
3
4 B. Additions to existing single family attached or detached dwellings or
5 accessory structures related to such existing single family dwellings.
6
7 C. Additions to existing buildings or uses other than single family
8 dwellings, when such additions do not exceed 2000 square feet or ten
9 (10) percent of the gross floor area of the existing building or use,
10 whichever is less.
11
12 D. Additions or changes to non-structural site elements such as transitional
13 screening and parking and loading provided the area of such addition or
14 change does not exceed ten (10) percent of the existing area occupied by
15 such site element. Parking redesignation plans and parking tabulation
16 revisions shall also be exempt from the requirement for a PRC plan
17 regardless of the area of such change.
18
19 E. Minor accessory structures and uses in open space areas such as
20 benches, gazebos, playground equipment, and bus shelters.
21
22 F. Those special permit uses and special exception uses which do not
23 require a site plan as set forth in Article 8 or Article 9, respectively.
24
25 G. Any permitted use on a temporary basis for a period not to exceed one
26 (1) year.

27
28 Notwithstanding the above, a PRC plan shall not be required for
29 additions and alterations to provide an accessibility improvement.
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- 31 3. A PRC plan may be prepared and submitted for the entire planned
32 development at one time or for the various segments thereof, and each such
33 plan shall be submitted in ~~fifteen (15)~~ twenty-three (23) copies to the ~~Director~~
34 Zoning Administrator.
35
36 4. ~~Any person who submits a PRC plan shall submit written notices to:~~
37
38 A. ~~All owners of property abutting and immediately across the street from~~
39 ~~the subject property. Such notice shall include notice to owners of~~
40 ~~properties abutting and immediately across the street which lie in an~~
41 ~~adjoining county or municipality. If there are fewer than five (5)~~
42 ~~different owners of property abutting and immediately across the street~~
43 ~~from the subject property, then additional notices shall be sent to other~~
44 ~~property owners in the immediate vicinity so that notices are sent to~~
45 ~~different owners of not less than five (5) properties.~~
46
47 B. ~~Community wide citizens organizations, cluster organizations and~~
48 ~~associations of homeowners set forth on a list supplied by the Director.~~

1 ~~Such organizations and associations shall have indicated in writing to~~
2 ~~the Director an interest in receiving such notices.~~

3
4 ~~Such notice shall be sent to the last known address of the owner(s) as~~
5 ~~shown in the current real estate assessment files and shall be sent by certified~~
6 ~~mail, return receipt requested. All written notice required by this Paragraph~~
7 ~~shall include the information listed in Par. 5 below, other than the date posted,~~
8 ~~and shall state that: (1) any written comments shall be filed with the Director~~
9 ~~no later than forty four (44) days after the date of the PRC plan submission;~~
10 ~~(2) changes and corrections to the PRC plan may occur prior to approval; and~~
11 ~~(3) persons wishing to be notified of the approval of the plan should submit a~~
12 ~~written request to that effect to the County office identified in the notice.~~

13 ~~Such notice shall be sent by certified mail return receipt requested and~~
14 ~~shall be postmarked no later than five (5) days after the date of the submission~~
15 ~~of the PRC plan and the white receipts for the certified mailings shall be~~
16 ~~submitted to the Director.~~

17 ~~A copy of such notice shall also be sent by the Director to the Board~~
18 ~~Member in whose district the subject property is located at the time of the plan~~
19 ~~submission.~~

20 ~~No PRC plan shall be approved earlier than forty (40) days after the~~
21 ~~postmark date on the white receipts for the certified mailings. Failure to meet~~
22 ~~the requirement for written notices to be sent by certified mail no later than~~
23 ~~five (5) days after the submission date shall extend the time period for action~~
24 ~~by the Director by an equivalent number of days from the postmark date of the~~
25 ~~certified mailings.~~

26
27 ~~5. In addition, a person who submits a PRC plan shall be responsible for posting~~
28 ~~the exterior boundary of the site. DPWES shall provide the applicant with a~~
29 ~~notice containing the following information to be posted:~~

30
31 ~~A. Notice that a PRC plan has been submitted for approval.~~

32
33 ~~B. Address and telephone number of the County office where a copy of the~~
34 ~~plan may be reviewed.~~

35
36 ~~C. PRC plan number.~~

37
38 ~~D. Description of use.~~

39
40 ~~E. Tax map reference number, street address and location of property.~~

41
42 ~~F. Date submitted.~~

43
44 ~~G. Date posted.~~

45
46 ~~H. Statement that the PRC plan is subject to approval forty five (45) days~~
47 ~~after the date of submission.~~

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1 Such posting shall be accomplished by the applicant no later than ten (10)
2 days after the date of PRC plan submission and an affidavit stating the date of
3 the posting shall be submitted to the Director. Failure to meet the ten (10) day
4 posting requirement shall extend the time period for action by the Director by
5 an equivalent number of days.
6

7 6. Upon determination by the Director that the content of the PRC plan is
8 complete in accordance with the requirements of Sect. 303 below, the plan
9 shall be submitted for review and comment to appropriate County departments
10 and agencies.
11

12 7. Any interested party may review the PRC plan and may provide written
13 comments to the Director no later than forty four (44) days after the plan
14 submission date.
15

16 8. The Director shall review the comments from the appropriate County
17 departments and agencies, and those that may be submitted by any interested
18 party and take action on the plan as provided for below no later than sixty (60)
19 days after the date when the plan was accepted as complete, except as
20 provided for in Paragraphs 4 and 5 above.
21

22 9. The Director shall determine whether the PRC plan meets the criteria of being
23 in substantial conformance with the approved rezoning and development plan,
24 and in accordance with the design standards of Sect. 102 above and the
25 applicable objectives and regulations of the PRC District. Upon a
26 determination that the plan does comply, the Director shall approve the plan.
27 Upon a determination that the plan does not comply, the Director shall
28 disapprove the plan.

29 In approving a PRC plan, the Director may establish such conditions and
30 may require such modifications as to assure compliance with the above
31 criteria.

32 In disapproving a PRC plan, the reasons for disapproval shall be
33 provided in writing on the plan or in a separate document.
34

35 10. Should an aggrieved party wish to appeal a decision of the Director for
36 approval, approval with conditions and/or modifications or disapproval of a
37 PRC plan, such appeal shall be filed in writing with the Planning Commission
38 no later than fourteen (14) days after the signature date of the written decision
39 of the Director. The appeal shall provide the basis for appeal and the rationale
40 for the appellant's position. The basis for appeal shall be that the PRC plan is
41 or is not in substantial conformance with the approved rezoning and
42 development plan, or in accordance with the design standards of Sect. 102
43 above or the applicable objectives or regulations of the PRC District. A copy
44 of the appeal shall be sent by the appellant to the applicant and the owner, if
45 different from the applicant.
46

47 11. Within thirty (30) days following receipt of the appeal, the Planning
48 Commission shall exercise one of the following options:
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1 A. ~~Schedule a date within sixty (60) days for consideration of the appeal on~~
2 ~~a finding that it satisfies the requirements set forth in Par. 10 above; or~~
3

4 B. ~~Dismiss the appeal on a finding that it does not satisfy the requirements~~
5 ~~set forth in Par. 10 above.~~
6

7 12. ~~In acting on an appeal, the Planning Commission shall determine whether the~~
8 ~~PRC plan is in substantial conformance with the approved rezoning and~~
9 ~~development plan, and in accordance with the design standards of Sect. 102~~
10 ~~above and the applicable objectives and regulations of the district. The~~
11 ~~Planning Commission may affirm or reverse, in whole or in part, or may~~
12 ~~modify the decision on appeal, to include the establishment of conditions~~
13 ~~and/or modifications to assure substantial conformance with the rezoning and~~
14 ~~development plan and accordance with the design standards of Sect. 102~~
15 ~~above, and the applicable objectives and regulations of the PRC District.~~
16

17 4. Upon determination by the Zoning Administrator that the content of the PRC
18 plan is complete in accordance with the requirements of Sect. 303 below, the
19 plan shall be accepted and submitted for comment and review to appropriate
20 departments and agencies. Upon completion of such administrative review,
21 the plan shall be submitted to the Planning Commission.
22

23 5. The Planning Commission shall consider the PRC plan in accordance with the
24 standards set forth in Par. 1 above, and shall hold a public hearing thereon. In
25 the event the PRC plan is not filed with and included in the processing of the
26 rezoning application, the Planning Commission shall hold a public hearing no
27 later than six (6) months from the date the plan has been accepted.
28 Subsequent to the public hearing, the Commission shall transmit the PRC plan
29 to the Board with its recommendation to approve, approve with modifications
30 or disapprove.
31

32 6. The Board shall consider the PRC plan in accordance with the standards set
33 forth in Par. 1 above, and shall hold a public hearing thereon. The Board shall
34 approve, approve with modifications or disapprove the PRC plan.
35

36 7. Once the PRC plan has been approved, all subsequent approvals, uses and
37 structures shall be in substantial conformance with the approved PRC plan
38 and any development conditions associated with such approval.
39

40 138. Minor modifications to an approved rezoning and development plan may be
41 permitted in a PRC plan when it is determined by the Zoning Administrator
42 that such are in substantial conformance with the approved rezoning and
43 development plan and that such: are in response to issues of topography,
44 drainage, underground utilities, structural safety, layout, design, vehicular
45 circulation, or requirements of the Virginia Department of Transportation or
46 Fairfax County; or are accessory uses; or are accessory structures or minor
47 building additions as permitted by Par. 138A(7) or 138B(7) below.
48

1 A. For approved rezonings and development plans for all uses, other than
2 churches, chapels, temples, synagogues and other such places of worship
3 (hereinafter places of worship) and places of worship with a child care
4 center, nursery school or private school of general or special education,
5 the modifications shall, in no event:

6
7 (1) Permit a more intensive use than that approved pursuant to the
8 approved rezoning and development plan; or
9

10 (2) Result in an increased parking requirement, except for any
11 additional parking which may be required for any building
12 additions or modifications permitted under Par. ~~13-8A~~(7) below; or
13

14 (3) Permit additional uses other than those approved pursuant to the
15 approved rezoning and development plan, except that accessory
16 uses in accordance with this paragraph may be permitted; or
17

18 (4) Reduce the effectiveness of approved transitional screening,
19 buffering, landscaping or open space; or
20

21 (5) Permit changes to bulk, mass, orientation or location which
22 adversely impact the relationship of the development or part
23 thereof to adjacent property; or
24

25 (6) Result in an increase in the amount of clearing and/or grading for a
26 stormwater management facility, including any clearing and/or
27 grading associated with spillways, inlets, outfall pipes or
28 maintenance roads, that reduces non-stormwater management open
29 space, tree save and/or landscaping area on the lot; or
30

31 (7) Include the addition of any building or additions to buildings
32 except that accessory structures clearly subordinate to the use and
33 minor additions to buildings may be permitted, provided that the
34 sum total of all such structures or additions shall not exceed the
35 following:
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37 (a) five (5) percent of the approved gross floor area or 500
38 square feet of gross floor area, whichever is less, when the
39 total gross floor area shown on the approved development
40 plan is less than 50,000 square feet; or
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42 (b) one (1) percent of the approved gross floor area when the
43 total gross floor area shown on the approved development
44 plan is 50,000 square feet or more; or
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46 (c) 250 square feet of gross floor area of accessory storage
47 structure uses when the total gross floor area shown on the
48 approved development plan is 10,000 square feet or less; and
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(d) the maximum permitted density; or

(e) the maximum permitted FAR.

B. For approved rezonings and development plans for places of worship and places of worship with a child care center, nursery school or private school of general education, the modifications shall, in no event:

(1) Permit an expansion of the hours of operation from that approved pursuant to the approved rezoning and development plan; or

(2) Permit an increase in the number of seats, parking spaces or students, if applicable, which exceeds more than ten (10) percent of the amount approved pursuant to the rezoning and development plan; or

(3) Permit uses other than those approved pursuant to the rezoning and development plan, except that accessory uses in accordance with this paragraph may be permitted; or

(4) Reduce the effectiveness of approved transitional screening, buffering, and landscaping or open space; or

(5) Permit changes to bulk, mass, orientation or location which adversely impact the relationship of the development or part thereof to adjacent property; or

(6) Result in an increase in the amount of clearing and/or grading for a stormwater management facility, including any clearing and/or grading associated with spillways, inlets, outfall pipes or maintenance roads, that reduces non-stormwater management open space, tree save and/or landscaping area on the lot; or

(7) Include the addition of any building or additions to buildings except that accessory structures clearly subordinate to the use, and minor additions to buildings may be permitted, provided that:

(a) the sum total of all such structures or additions shall not exceed the greater of 500 square feet of gross floor area, or five (5) percent of the approved gross floor area up to a maximum of 2500 square feet of gross floor area; and

(b) the maximum permitted FAR for the zoning district shall not be exceeded.

C. For all approved rezonings and development plans, any request for an addition shall require the provision of written notice by the requester in accordance with the following:

- 1 (1) the notice shall include the letter of request with all attachments as
2 submitted to the Zoning Administrator, a statement that the request
3 has been submitted, and where to call for additional information;
4 and
5
6 (2) the notice shall be sent to the last known address of the owners, as
7 shown in the real estate assessment files of the Department of Tax
8 Administration, of all property abutting and across the street from
9 the site, or portion thereof, which is the subject of the request, and
10 shall be delivered by hand or sent by certified mail, return receipt
11 requested.
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13 The request for an addition submitted to the Zoning Administrator shall
14 include: an affidavit from the requester affirming that the required notice
15 has been provided in accordance with the above; the date that the notice
16 was delivered or sent; the names and addresses of all persons notified;
17 and the Tax Map references for all parcels notified. No request for an
18 addition shall be considered by the Zoning Administrator unless the
19 affidavit has been provided in accordance with this paragraph.
20

21 When it is determined by the Zoning Administrator that a modification is not
22 in substantial conformance with the approved development plan, such
23 modification shall require the resubmission and amendment of the
24 development plan in accordance with Sect. 202 above.
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26 ~~149.~~ Notwithstanding Par. ~~138~~ above, any modification to provide an accessibility
27 improvement shall be permitted and shall not require approval of a
28 development plan amendment.
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30 ~~1510.~~ Once a PRC plan has been approved, any proposed amendment shall be
31 processed in the same manner as the original submission.
32

33 ~~16.~~ ~~Approval of a PRC plan shall be valid for three (3) years from the date of~~
34 ~~approval. However, when a site plan for all or a portion of the area is~~
35 ~~approved during that period, the approved PRC plan for the corresponding~~
36 ~~area shall remain valid for the life of the site plan.~~
37

38 ~~1711.~~ Preliminary site plans approved prior to December 6, 1994 and preliminary
39 site plans approved pursuant to the grandfather provisions for Zoning
40 Ordinance Amendment #94-263 shall be deemed to be approved PRC plans.
41 Additionally, PRC plans processed and approved prior to [effective date of
42 this amendment] shall be deemed to be approved PRC plans and shall be valid
43 for three (3) years from the date of approval. However, if a site plan for all or
44 a portion of the area is approved during that period, the approved PRC plan
45 for the corresponding area shall remain valid for the life of the site plan.
46

47 - **Amend Sect. 16-204, Site Plan/Subdivision Plat Preparation, by revising Par. 2**
48 **to read as follows:**
49

- 1 2. Minor modifications to the approved development plan or approved PRC plan
2 may be permitted in a site plan or subdivision plat in accordance with
3 Paragraphs ~~138~~ and ~~149~~ of Sect. 203 above. When it is determined by the
4 Zoning Administrator that a modification is not in substantial conformance
5 with the approved development plan or approved PRC plan, such modification
6 shall require the resubmission and amendment of the development plan or
7 PRC plan in accordance with the applicable procedures set forth above.
8

9 - **Amend Sect. 16-303, PRC Plan, to read as follows:**

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11 A PRC plan shall be filed with the ~~Director~~ Zoning Administrator in ~~fifteen (15)~~
12 twenty-three (23) copies, and shall include the information set forth below. A PRC
13 plan or portion thereof involving engineering, architecture, landscape architecture
14 or land surveying shall be respectively certified by an engineer, architect, landscape
15 architect or land surveyor authorized by the State to practice as such. All maps,
16 plans, sketches and illustrations submitted as part of a PRC plan shall be presented
17 on a sheet having a size of 24" x 36". If presented on more than one (1) sheet,
18 match lines shall clearly indicate where several sheets join. One 8 1/2" x 11"
19 reduction of the PRC plan and supporting graphics shall also be submitted. The
20 submission requirements for any amendment to an approved PRC plan shall be
21 those requirements deemed necessary for a review of such amendment as
22 determined by the ~~Director~~ Zoning Administrator. All submission requirements
23 shall become the property of the County.
24

- 25 1. A plan at a scale of not less than one inch equals one hundred feet (1" = 100')
26 showing:
27
28 A. A vicinity map at a scale of not less than one inch equals two thousand
29 feet (1" = 2000').
30
31 B. A boundary survey of the property, with an error of closure within the
32 limit of one (1) in twenty thousand (20,000) related to true meridian, and
33 showing the location and type of boundary evidence. The survey may
34 be related to the U.S.C. & G.S., State grid north, if the coordinates of
35 two (2) adjacent corners are shown. Such information may be obtained
36 from recorded plats in the case of lots and subdivisions recorded
37 subsequent to September 1, 1947.
38
39 C. Total area of the property.
40
41 D. Scale and north arrow.
42
43 E. Existing topography with a maximum contour interval of two (2) feet.
44
45 F. The general location and arrangement of all existing or proposed
46 buildings and uses on the site and, if known, on adjacent properties.
47

- 1 G. The approximate height in feet of all buildings and number of floors of
2 all buildings other than single family dwellings on the site and, if
3 known, on adjacent properties.
4
- 5 H. The approximate distances of all structures from the development
6 boundaries as shown on the PRC plan and abutting streets.
7
- 8 I. The traffic circulation system showing the location of existing, platted
9 and proposed streets and easements including names and route numbers,
10 the approximate width and typical cross sections including acceleration,
11 deceleration and turn lanes, service drives, entrances to parking areas
12 and parking structures, the location and width of pedestrian walkways,
13 bicycle paths and/or bridle paths, and all trails required by the adopted
14 comprehensive plan.
15
- 16 J. The off-street parking and loading areas and structures with typical
17 space and aisle dimensions.
18
- 19 K. The open space areas, identifying the proposed general treatment or
20 improvement of all such areas, delineating those areas proposed for
21 recreational facilities and delineating any Resource Protection Area and
22 Resource Management Area.
23
- 24 L. Approximate delineation of any floodplain designated by the Federal
25 Insurance Administration, United States Geological Survey, or Fairfax
26 County.
27
- 28 M. General location and anticipated types of recreational facilities.
29
- 30 N. A plan or statement showing how public utilities are or will be provided.
31 In addition, the approximate location of existing and proposed storm and
32 sanitary sewer lines shall be shown.
33
- 34 O. Approximate location, estimated size of footprint in acres and type of all
35 proposed stormwater management facilities, including the full extent of
36 side slopes, embankments, spillways, dams and approximate water
37 surface elevation for design storms, if applicable. In addition, a
38 preliminary stormwater management plan that includes information
39 about the adequacy of downstream drainage, including the sufficiency of
40 capacity of any storm drainage pipes and other conveyances into which
41 stormwater runoff from the site will be conveyed. When there is 2500
42 square feet or more of land disturbing activity on the entire application
43 property, in addition to the above, the preliminary stormwater
44 management plan shall include:
45
- 46 (1) A graphic depicting:
47
- 48 (a) The approximate footprint of the stormwater management
49 facility and, where applicable, the height of the dam

1 embankment and the location of the emergency spillway
2 outlet for each stormwater management facility.
3

4 (b) The approximate on-site and off-site areas to be served by
5 each stormwater management facility, along with the acreage
6 draining to each facility.
7

8 (c) A preliminary layout of all on-site drainage channels, outfalls
9 and pipes, including inlet and outlet pipes within the
10 stormwater management facility.
11

12 (d) The approximate location or alternative locations, if any, of
13 any maintenance access road or other means of access to the
14 stormwater management facility, and the identification of the
15 types of surfaces to be used for any such road.
16

17 (e) Proposed landscaping and tree preservation areas in and near
18 the stormwater management facility.
19

20 (f) The approximate limits of clearing and grading on-site and
21 off-site for the stormwater management facility, storm
22 drainage pipes, spillways, access roads and outfalls,
23 including energy dissipation, storm drain outlet protection
24 and/or stream bank stabilization measures.
25

26 (2) A preliminary stormwater management narrative setting forth the
27 following:
28

29 (a) Description of how the detention and best management
30 practice requirements will be met.
31

32 (b) The estimated area and volume of storage of the stormwater
33 management facility to meet stormwater detention and best
34 management practice requirements.
35

36 (c) For each watercourse into which drainage from the property
37 is discharged, a description of the existing outfall conditions,
38 including any existing ponds or structures in the outfall area.
39 The outfall area shall include all land located between the
40 point of discharge from the property that is located farthest
41 upstream, down to the point where the drainage area of the
42 receiving watercourse exceeds 100 times the area of that
43 portion of the property that drains to it or to a floodplain that
44 drains an area of at least 1 square mile, whichever comes
45 first.
46

47 (d) Description of how the adequate outfall requirements of the
48 Public Facilities Manual will be satisfied.
49

- 1 P. The location of all existing utility easements having a width of
2 twenty-five (25) feet or more, and all major underground utility
3 easements regardless of width.
4
- 5 Q. Approximate delineation of any grave, object or structure marking a
6 burial site if known, and a statement indicating how the proposed
7 development will impact the burial site.
8
- 9 2. A statement in tabular form which sets forth the following data, when such
10 data is applicable to a given PRC plan:
11
- 12 A. Total number of dwelling units by type to include the corresponding
13 population totals and density type based on the computation factors set
14 forth in Sect. 6-308 and the maximum density provisions of Sect. 2-308.
15
- 16 B. Approximate total gross floor area and FAR for all uses other than
17 dwellings.
18
- 19 C. Approximate total area in open space.
20
- 21 D. A schedule showing the total number of parking and loading spaces
22 provided and the number required by the provisions of Article 11.
23
- 24 3. A map identifying classification of soil types at a scale of not less than one
25 inch equals five hundred feet (1" = 500'), based upon information available on
26 the County of Fairfax Soils Identification Maps.
27
- 28 4. A statement of the architectural concepts and typical bulk of the proposed
29 structures, and if available, schematic architectural sketches.
30
- 31 5. A statement of the landscaping concepts, proposed screening measures and
32 proposed tree cover indicating compliance with the tree cover provisions of
33 the Public Facilities Manual.
34
- 35 6. When the development is to be constructed in sections, a proposed sequence
36 of development schedule showing the order of construction of such sections,
37 and an approximate completion date for the construction of each section.
38
- 39 7. Identification of the necessity for floodplain studies, drainage studies, soil
40 reports and for easements and/or letters of permission for off-site construction.
41
- 42 8. Where applicable, any other information as may be required by the provisions
43 of Article 7.
44
45

46 **Amend Article 18, Administration, Amendments, Violations and Penalties, Part 1,**
47 **Administration, as follows:**
48

1 - **Amend Sect. 18-106, Application and Zoning Compliance Letter Fee, by**
 2 **deleting the PRC plan entry in Par. 6 and renumbering the subsequent**
 3 **paragraphs accordingly and adding a new PRC plan fee and**
 4

5 All appeals and applications as provided for in this Ordinance and requests for
 6 zoning compliance letters shall be accompanied by a filing fee in the amount to be
 7 determined by the following paragraphs unless otherwise waived by the Board for
 8 good cause shown; except that no fee shall be required where the applicant is the
 9 County of Fairfax or any agency, authority, commission or other body specifically
 10 created by the County, State or Federal Government. All fees shall be made
 11 payable to the County of Fairfax. Receipts therefore shall be issued in duplicate,
 12 one (1) copy of which receipt shall be maintained on file with the Department of
 13 Planning and Zoning.
 14

15 2. Application for an amendment to the Zoning Map:

District Requested	Filing Fee
All R Districts	\$8820 plus \$185 per acre
All C, I and Overlay Districts	\$8820 plus \$295 per acre
PRC District	\$8820 plus \$295 per acre
<u>PRC plan</u>	<u>\$4410 plus \$140 per acre</u>
<u>Application with concurrent filing of a</u>	<u>\$8820 plus \$435 per</u>
<u>PRC plan</u>	<u>acre</u>
PDH, PDC and PRM District	
Application with conceptual development plan	\$8820 plus \$295 per acre
Application with concurrent filing of conceptual and final development plans	\$8820 plus \$435 per acre
Final development plan	\$4410 plus \$140 per acre
Amendment to a pending application for an amendment to the Zoning Map	\$1470 plus applicable per acre fee for acreage affected by the amendment
Amendment to a pending application for a final development plan or development plan amendment <u>or PRC plan</u>	\$1335

1 Amendment to a previously approved \$295
2 proffered condition, development plan,
3 final development plan, conceptual development
4 plan, PRC plan or concurrent conceptual/final
5 development plan for a reduction of certain yard
6 requirements on a single family dwelling lot or an
7 increase in fence and/or wall height on a single
8 family lot
9

10 Amendment to a previously approved \$2645
11 proffered condition, development plan,
12 final development plan, conceptual development
13 plan, PRC plan or concurrent conceptual/final
14 development plan for a reduction of certain yard
15 requirements on all other uses or an increase in fence
16 and/or wall height on all other uses
17

18 All other amendments to a previously approved
19 development plan, proffered condition,
20 conceptual development plan, final development
21 plan, PRC plan or concurrent conceptual/final
22 development plan
23

24 With new construction \$4410 plus applicable per
25 acre fee for acreage
26 affected by the
27 amendment
28

29 With no new construction \$4410
30

31 **Note:** For purpose of computing acreage fees, any portion of an acre shall be
32 counted as an acre.
33

34 The fee for an amendment to a pending application is only applicable
35 when the amendment request results in a change in land area, change in
36 use or other substantial revision.
37

38 ~~6. PRC plan: \$4275 for each plan submission~~
39

40 - **Amend Sect. 18-110, Required Notice for Public Hearings, by revising**
41 **Paragraphs 2 and 4 to read as follows:**
42

43
44 No public hearing as required by the provisions of this Ordinance shall be held
45 unless documented evidence can be presented that the following notice
46 requirements have been satisfied.

47 The subject of the public hearing need not be advertised in full, but may be
48 advertised by reference. Every such advertisement shall contain a descriptive

1 summary of the proposed action and shall contain a reference to the place or places
2 within the County where copies of the subject of public hearing may be examined.
3

4 2. Written Notice to Applicant/Appellant: For an application for amendment to
5 the Zoning Map, PRC plan, final development plan, special exception, special
6 permit, variance, or appeal as set forth in Part 3 of this Article, the hearing
7 body shall send written notice of the public hearing to the applicant/appellant.
8 Such written notice shall be sent by either first class or certified mail
9 postmarked a minimum of twenty (20) days before the day of the hearing.
10

11
12
13 4. Written Notice to Property Owners: Written notice to property owners and
14 adjacent property owners shall be sent in accordance with the following
15 provisions.
16

17 A. Application for a Zoning Map amendment which involves a change in
18 the zoning classification or a PRC plan or a final development plan:
19

20 (1) The applicant shall send written notice to the property owner(s) of
21 each parcel involved in the application; and
22

23 (2) The applicant shall send written notice to all owners of property
24 abutting and immediately across the street from the subject
25 property. Such notice shall include notice to owners of property
26 abutting and immediately across the street which lie in an
27 adjoining city or county. If such notice does not result in the
28 notification of twenty-five (25) different property owners, then
29 additional notices shall be sent to other property owners in the
30 immediate vicinity so that notices are sent to different owners of
31 not less than twenty-five (25) properties.
32

33 B. Application for a special exception:
34

35 (1) The applicant shall send written notice to the property owner(s), if
36 different from the applicant, of each parcel involved in the
37 application; and
38

39 (2) The applicant shall send written notice to all owners of property
40 abutting and immediately across the street from the subject
41 property. Such notice shall include notice to owners of properties
42 abutting and immediately across the street which lie in an
43 adjoining county or city. If such notice does not result in the
44 notification of twenty-five (25) different property owners, then
45 additional notices shall be sent to other property owners in the
46 immediate vicinity so that notices are sent to different owners of
47 not less than twenty-five (25) properties.
48

1 C. Application for special permit, variance, or appeal as provided in Part 3
2 of this Article:
3

4 (1) The applicant shall send written notice to the property owner(s), if
5 different from the applicant, of each parcel involved in the
6 application; and
7

8 (2) The applicant shall send written notice to all owners of property
9 abutting and immediately across the street from the subject
10 property. Such notice shall include notice to owners of properties
11 abutting and immediately across the street which lie in an
12 adjoining county or city. If such notice does not result in the
13 notification of ten (10) different property owners, then additional
14 notices shall be sent to other property owners in the immediate
15 vicinity so that notices are sent to different owners of not less than
16 ten (10) properties.
17

18 D. For all of the above, the following shall also apply; however in all
19 instances, the minimum number of written notices shall be sent as
20 required by Paragraphs 4A through 4C above:
21

22 (1) If the application property is an individual condominium or
23 cooperative unit within a condominium or cooperative building,
24 written notice shall be provided to:
25

26 (a) The condominium unit owners' association or proprietary
27 lessees' association; and
28

29 (b) Unit owners immediately abutting the application property or
30 on the same floor of the building as the application unit and
31 those unit owners immediately above and below the
32 application unit.
33

34 (2) When the application property is abutting or immediately across
35 the street from a condominium or cooperative property, written
36 notice shall be provided in accordance with the following:
37

38 (a) When the application property abuts or is immediately across
39 the street from open space or common ground of a
40 condominium or cooperative, the condominium unit owners'
41 association or proprietary lessees' association shall be
42 notified in lieu of the individual unit owners; and
43

44 (b) Where individual condominium or cooperative units or lots
45 abut or are immediately across the street from the application
46 property, written notice shall be sent to the owner of each
47 such unit.
48

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- E. For Zoning Map amendment applications, PRC plan, final development plan, special exception and special permit applications which propose a change in use or an increase greater than fifty (50) percent of the bulk or height of an existing or proposed building, but not including renewals of previously approved special exceptions or special permits, when the application property, or part thereof, is located within one-half mile of a boundary of an adjoining county or municipality of the Commonwealth, then in addition to the above, written notice shall also be given by the hearing body, or its representative, at least fifteen (15) days before the hearing to the chief administrative officer, or designee, of such adjoining county or municipality.

- F. In addition to the above, for an amendment application filed on a portion of a property subject to rezoning, PRC plan, final development plan, special exception or special permit approval, written notice shall be provided to all owners of property subject to the rezoning, final development plan, special exception or special permit approval unless the Zoning Administrator determines that such additional notice is not necessary as the proposed change is to one component or one lot which does not affect the rest of the development. Such written notice shall comply with the requirements of this Paragraph with regard to content and timeliness.

- G. For Zoning Map amendment, development plan, PRC plan, special exception and special permit applications when the application property, or part thereof, is located within 3000 feet of a boundary of a military base, military installation, military airport, excluding armories operated by the Virginia National Guard, or licensed public use airport, written notice shall also be given by the hearing body, or its representative, at least 10 days before the hearing to the commander of the military base, military installation, military airport, or owner of such public use airport. The notice shall advise the military commander or owner of such public use airport of the opportunity to submit comments or recommendations. For the purposes of this paragraph, military installations shall include, but not limited to, military camps, forts or bases. In addition, public use airports shall include those licensed airports contained on the list of public use airports that is maintained by the Virginia Department of Aviation.