

PROPOSED DEVELOPMENT CONDITIONS**SEA 01-M-038-02****March 20, 2015**

If it is the intent of the Board of Supervisors to approve SEA 01-M-038-02 located at Tax Map 60-3 ((24)) 9B (7212 Early Street) previously approved for a land based telecommunications facility (monopole) to permit additional antennae and equipment cabinets pursuant to Sect. 3-304 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions. Previously approved conditions or those with minor modifications are marked with an asterisk (*):

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land.*
2. This Special Exception Amendment is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Special Exception Amendment plat approved with the application, as qualified by these development conditions. The owner or a designee may apply for a Special Exception Amendment (SEA) without applying for a Special Permit Amendment (SPA) provided that the SEA is not deemed to impact the SPA.*
3. This Special Exception Amendment is subject to the provisions of Article 17, Site Plans, as may be determined by DPWES. Any plan submitted pursuant to this special exception shall be in conformance with the approved Special Exception Amendment plat entitled "Broyhill Crest Recreation Club, Site Number W1196.1", prepared by KCI Technologies, Inc. dated October 6, 2014. Minor modifications to the approved Special Exception plat may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. The monopole shall be limited to a maximum height of one hundred and fifty (150) feet. The maximum number of telecommunication carriers who may co-locate shall be five (5). The number of antennae shall be limited to a maximum of fifteen (15) at the 137 foot through the 147 foot levels of the monopole, twenty four (24) antennae which may be installed between the 117 foot and 127 foot levels of the monopole, plus an additional twenty four (24) antennae which may be installed between the 107 foot and 117 foot levels of the monopole, provided that all antennae are directional or panel no larger than 96 inches in height, 12 inches in width and 8 inches in depth and are subject to all required reviews. In addition, the compound may include equipment cabinets, electric panels,

telephone panels and other improvements. Proposed equipment cabinets shall have a maximum height of 12 feet and shall be located within the existing telecommunications compound as shown on the SEA plat. The monopole and all associated equipment cabinets, panels and equipment shall be enclosed by an eight (8) foot tall chain link fence with wood siding and shall be planted on all sides with evergreen trees with minimum 6 to 8 feet in planting height as reviewed and approved by UFM to help screen the compound area.

5. Vehicle and utility access to the telecommunication facility shall be co-located to avoid additional tree removal, as determined by UFM.
6. The monopole shall be constructed to resemble an evergreen tree as shown on Sheet C-02 of the Special Exception Amendment plat, as determined by the Department of Public Works and Environmental Services (DPWES).*
7. The monopole shall not be lighted, illuminated nor have signal lights unless required by the Federal Aviation Administration (FAA), the Federal Communications Commission (FCC), or the County.*
8. In order to ensure conformance with applicable safety standards, the Fairfax County Department of Information technology (DIT) shall have the option to conduct monitoring of radiation emissions as deemed necessary by the DIT. In the event that the monitoring indicates that the radiation levels exceed the amounts deemed appropriate by the applicable standards, any and all necessary actions determined necessary and approved by DIT shall be taken immediately to comply with accepted standards and agreements and to reduce radiation emissions to meet with the applicable standards.*
9. The monopole and accessory facilities shall be subject to periodic inspections by DPWES. In any additions, changes or modifications are made to the monopole or to related facilities, the Director shall have the authority to require proof, through the submission of engineering and structural data, that the addition, change or modification conforms to all structural and all other requirements of the Virginia Uniform Statewide Building Code (VUSBC). In the event that the results of any monitoring indicate alterations or damage exists to the approved equipment or structures in excess of the extent deemed acceptable by applicable codes and standards, immediate action shall be taken, as deemed necessary and approved by DPWES and DIT, to comply with the applicable codes and agreements.*

10. Available space on the monopole and for equipment structures shall be made available for lease for telecommunications purposes to other telecommunications operators, including but not limited to Fairfax County, subject to reasonable industry-standard lease terms and fair market rent.*
11. The monopole, related equipment structures and, to the extent reasonably practical, the subterranean support structures for the monopole shall be dismantled upon the discontinuation of the telecommunications facility on the subject property.*
12. The parking lot shall be required and re-striped subject to the approval of DPWES.*
13. Tree Preservation: The applicant shall submit a Tree Preservation Plan and Narrative as part of the first and all subsequent site plan submissions. The preservation plan and narrative shall be prepared by a Certified Arborist or a Registered Consulting Arborist, and shall be subject to the review and approval of UFMD.

The tree preservation plan shall include a tree inventory that identifies the location, species, critical root zone, size, crown spread and condition analysis percentage rating for individual trees located within the tree save area living or dead with trunks 8 inches in diameter and greater (measured at 4 ½ - feet from the base of the trunk or as otherwise allowed in the latest edition of the Guide for Plan Appraisal published by the International Society of Arboriculture), and 35 feet outside of the proposed limits of clearing and grading.

The tree preservation plan shall provide for the preservation of those areas shown for tree preservation, those areas outside of the limits of disturbance shown on the special permit amendment and those additional areas in which trees can be preserved as a result of final engineering. The tree preservation plan and narrative shall include all items specified in PFM 12-0507 and 12-0509. Specific tree preservation activities that will maximize the survivability of any tree identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, compost tea, Cambistat, radial mulching, and others as necessary, shall be included in the plan.

14. Tree Preservation Walk-Through: The applicant shall retain the services of a certified arborist or Registered Consulting Arborist, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the walk-through meeting. During the tree-preservation walk-through meeting, the

Applicant's certified arborist or landscape architect shall walk the limits of clearing and grading with an UFMD, DPWES, representative to determine where adjustments to clearing and grading can be made to increase the area of tree preservation and/or to increase the survivability of trees at the edge of the limits of clearing and grading, and such adjustment shall be implemented. Trees that are identified as dead or dying may be removed as part of the clearing operation. Any tree that is so designated shall be removed using a chain saw and such removal shall be accomplished in a manner that avoids damage to surrounding trees and associated understory vegetation. If a stump must be removed, this shall be done using a stump-grinding machine in a manner causing as little disturbance as possible to adjacent trees and associated understory vegetation and soil conditions.

15. Limits of Clearing and Grading: The Applicant shall conform strictly to the limits of clearing and grading as shown on the Special Exception Plat, subject to allowances specified in these proffered conditions and for the installation of utilities and/or trails as determined necessary by the Director of DPWES, as described herein.
16. Tree Preservation Fencing: All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fence. Tree protection fencing in the form of four (4) foot high, fourteen (14) gauge welded wire attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart or, super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees shall be erected at the limits of clearing and grading as shown on the demolition, and phase I & II erosion and sediment control sheets, as may be modified by the "Root Pruning" condition below.

All tree protection fencing shall be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree preservation fencing shall be performed under the supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three (3) days prior to the commencement of any clearing, grading or demolition activities, but subsequent to the installation of the tree protection devices, the UFMD, DPWES, shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no

grading or construction activities shall occur until the fencing is installed correctly, as determined by the UFMD, DPWES.

17. Tree Appraisal: The applicant shall retain a professional arborist with experience in plant appraisal, to determine the replacement value of all trees 8 inches in diameter or greater located on the Application Property that are shown to be saved on the tree Preservation Plan. These trees and their value shall be identified on the Tree Preservation Plan at the time of the first submission of the respective site plan (s). The replacement value shall take into consideration the age, size and condition of these trees and shall be determined by the so-called "Trunk Formula Method" contained in the latest edition of the Guide for Plan Appraisal published by the International Society of Arboriculture, subject to review and approval by UFMD.

At the time of the respective site plan approvals, the Applicant shall post a cash bond or a letter of credit payable to the County of Fairfax to ensure preservation and/or replacement of the trees for which a tree value has been determined in accordance with the paragraph above (the "Bonded Trees") that die or are dying due to unauthorized construction activities. The letter of credit or cash deposit shall be equal to 50% of the replacement value of the Bonded Trees. At any time prior to final bond release for the improvements on the Application Property constructed adjacent to the respective tree save areas, should any Bonded Trees die, be removed, or are determined to be dying by UFMD due to unauthorized construction activities, the Applicant shall replace such trees as its expense. The replacement trees shall be of equivalent size, species and/ or canopy cover as approved by UFMD. In addition to this replacement obligation, the Applicant shall also make a payment equal to the value of any Bonded Tree that is dead or dying or improperly removed due to unauthorized construction activity. This payment shall be determined based on the Trunk Formula Method and paid to a fund established by the County for furtherance of tree preservation objectives. Upon release of the bond for the improvements on the Application Property constructed adjacent to the respective tree save areas, any amount remaining in the tree bonds required by this condition shall be returned/released to the Applicant.

18. Root Pruning: The Applicant shall root prune, as needed to comply with the tree preservation requirements of these development conditions. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the site plan submission. The details for these treatments shall be reviewed and approved by the UFMD, DPWES, accomplished in a manner that

protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:

- a. Prior to root pruning the applicant shall utilize a supersonic air tool to remove the soil within the LOD to expose the critical root zone.
 - b. Any root greater than 1" in diameter shall be cleanly cut by hand tools only.
 - c. Root pruning shall be conducted with the supervision of a certified arborist.
 - d. An UFMD, DPWES, representative shall be informed when all root pruning and tree protection fence installation is complete.
19. Site Monitoring: During any clearing or tree/ vegetation/ structure removal on the Applicant Property, a representative of the Applicant shall be present to monitor the process and ensure that the activities are conducted as conditioned and as approved by the UFMD. The Applicant shall retain the services of a certified arborist or Registered Consulting Arborist to monitor all construction and demolition work and tree preservation efforts in order to ensure conformance with all tree preservation development conditions, and UFMD approvals. The monitoring schedule shall be described and detailed in the Landscaping and Tree Preservation Plan, and reviewed and approved by the UFMD, DPWES.
20. Equipment Support: The proposed compound equipment shall be supported by posts and/ or piers as needed for cabinet/ generator. Each post shall be located to avoid the loss of major tree roots to the greatest extent possible.

The above-proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception Amendment shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception amendment shall automatically expire, without notice, thirty (30) months after the date of approval unless at least one of the uses has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception amendment. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.