

**TYSONS ZONING ORDINANCE AMENDMENT
AS RECOMMENDED BY THE
FAIRFAX COUNTY PLANNING COMMISSION ON MAY 27, 2010**

STAFF NOTE: *The Planning Commission recommended changes from that presented in the March 23, 2010 Staff Report are identified in bold, italics and underline.*

1 **Amend Article 6, Planned Development District Regulations, by adding a NEW**
2 **PART 5, PTC, Planned Tysons Corner Urban District, as follows:**

3
4 PART 5 6-500 PTC PLANNED TYSONS CORNER URBAN DISTRICT

5
6 6-501 Purpose and Intent

7
8 The PTC District is established for the Tysons Corner Urban Center as defined
9 in the adopted comprehensive plan to implement the mix of uses, densities and
10 intensities under the redevelopment option set forth in the adopted
11 comprehensive plan. The PTC District regulations are designed to provide the
12 necessary flexibility to transform the designated Tysons Corner Urban Center
13 area from a suburban office park and activity center into an urban, mixed-use,
14 transit, bicycle and pedestrian oriented community to promote high standards
15 in urban design, layout and construction and to otherwise implement the stated
16 purpose and intent of this Ordinance. To create mixed-use downtowns near
17 mass transit, higher development intensities are to occur within approximately
18 one half (½) mile of the four Metrorail Station entrances, identified as Transit
19 Oriented Development (TOD) Districts in the adopted comprehensive plan.
20 The remaining areas, the Non-Transit Oriented Development (Non-TOD)
21 Districts, are to be developed into lively urban neighborhoods that include an
22 appropriate mix of uses, densities and intensities that are compatible to
23 adjacent communities. In both TOD and Non-TOD Districts, development
24 should be designed in an integrated manner that will enhance the urban
25 character. Smaller, freestanding structures are generally discouraged and shall
26 only be considered when such use is designed in an urban form that creates or
27 enhances an appropriate street edge and implements the stated purpose and
28 intent of the district.

29 To be granted this zoning district, the applicant shall demonstrate the
30 development furthers the vision of the Tysons Corner Urban Center, as
31 identified in the adopted comprehensive plan, by meeting, at a minimum, the
32 following objectives.
33

- 1 1. Contribute to a tiered intensity of development having the highest
2 intensities located closest to the transit stations and provide the mix
3 of residential, office and commercial uses necessary to achieve a
4 vibrant, urban environment.
- 5
- 6 2. Contribute to the network of open space and urban parks, to include
7 stream valley parks, pocket parks, common greens, civic plazas and
8 athletic fields for the workers and residents of Tysons.
- 9
- 10 3. Promote environmental stewardship by implementing green building
11 design; efficient, renewable and sustainable energy practices;
12 incorporating low impact development strategies, such as innovative
13 stormwater management and green roofs; and achieving the tree
14 canopy goals for Tysons.
- 15
- 16 4. Further the implementation of the urban grid of streets and the
17 described street hierarchy for Tysons.
- 18
- 19 5. Reduce the amount of single occupant vehicle trips by limiting the
20 amount of provided parking, encouraging shared parking
21 arrangements among uses, permitting the inclusion of managed
22 tandem parking spaces, and implementing various Transportation
23 Demand Management strategies, such as transit subsidies, carpool
24 and vanpool services, employee shuttles, car-sharing programs and
25 bicycle accommodations.
- 26
- 27 6. Contribute to the necessary public facilities to support the projected
28 job and population growth, including schools, fire and police
29 services, a library, public utilities, and an arts center.
- 30
- 31 7. Contribute to the specified streetscape and apply the urban design
32 guidelines specified for build-to lines, building articulation,
33 fenestration, ground floor transparency and parking design to create
34 an integrated urban, pedestrian-friendly environment.
- 35
- 36 8. Implement the workforce and affordable housing policies for Tysons
37 to provide housing to various income levels.

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39 To these ends, a development proposal within the Tysons Corner Urban
40 Center that utilizes the redevelopment option as set forth in the adopted
41 comprehensive plan shall only be considered by the Board in conjunction with
42 a rezoning application to this district. Such rezoning to and development under
43 this district will be permitted only in accordance with development plans
44 prepared and approved in accordance with this Part and the provisions of
45 Article 16.

1 6-502 Permitted Uses

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3 The following uses shall be permitted subject to the approval of a final
4 development plan prepared in accordance and the provisions of Article 16, and
5 subject to the use limitations set forth in Sect. 505 below.

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7 1. Accessory uses and home occupations as permitted by Article 10.
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9 2. Affordable dwelling unit developments.
- 10
11 3. Automated teller machines.
- 12
13 4. Business service and supply service establishments.
- 14
15 5. Commercial and industrial uses of special impact (Category 5), limited to:
- 16
17 A. Amusement arcades
- 18
19 B. Car washes
- 20
21 C. Drive-in financial institutions
- 22
23 D. Drive-through pharmacies
- 24
25 E. Fast food restaurants
- 26
27 F. Funeral chapels
- 28
29 G. Industrial/flex
- 30
31 H. Pawnshops
- 32
33 I. Mini-warehousing establishments
- 34
35 J. Quick-service food stores
- 36
37 K. Retail sales establishments-large, when located in a multiple story
38 structure designed to contain at least one or more other permitted uses
- 39
40 L. Service stations
- 41
42 M. Service station/mini-marts
- 43
44 N. Vehicle light service establishments
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- 1 O. Vehicle sale, rental and ancillary service establishments
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- 3 6. Commercial recreation uses (Group 5), limited to:
- 4
- 5 A. Billiard and pool halls
- 6
- 7 B. Bowling alleys
- 8
- 9 C. Commercial swimming pools, tennis courts and similar courts
- 10
- 11 D. Dance halls
- 12
- 13 E. Health clubs
- 14
- 15 F. Indoor archery ranges, fencing and other similar indoor recreational
- 16 uses
- 17
- 18 G. Miniature golf course
- 19
- 20 H. Skating facilities
- 21
- 22 I. Any other similar commercial recreation use
- 23
- 24 7. Community uses (Group 4).
- 25
- 26 8. Contractor's offices and shops.
- 27
- 28 9. Dwellings, including multiple family, single family attached and detached.
- 29
- 30 10. Eating establishments.
- 31
- 32 11. Establishments for printing, production, processing, assembly,
- 33 manufacturing, compounding, preparation, cleaning, servicing, testing, or
- 34 repair of materials, goods or products and associated retail sales; however,
- 35 bulk storage of flammable materials for resale, and those particular heavy
- 36 industrial uses set forth in Par. 13 of Sect. 9-501 shall not be permitted.
- 37
- 38 12. Establishments for scientific research, development and training where
- 39 assembly, integration and testing of products in a completely enclosed
- 40 building is incidental to the principal use of scientific research,
- 41 development and training.
- 42
- 43 13. Exposition halls and facilities to house cultural or civic events or conventions
- 44 of political, industrial, fraternal or similar associations.
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- 46 14. Financial institutions.

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15. Garment cleaning establishments.
16. Hotels, motels.
17. Institutional uses (Group 3).
18. Kennels (indoors).
19. Light public utility uses (Category 1).
20. New vehicle storage.
21. Offices.
22. Parking, commercial off-street, as a principal use.
23. Personal service establishments.
24. Public uses.
25. Quasi-public uses (Category 3), limited to:
 - A. Alternate uses of public facilities
 - B. Child care centers and nursery schools
 - C. Churches, chapels, temples, synagogues and other such places of worship with a child care center, nursery school, or private school of general or special education
 - D. Colleges, universities
 - E. Conference centers and retreat houses, operated by a religious or nonprofit organization
 - F. Congregate living facilities
 - G. Cultural centers, museums and similar facilities

- 1 H. Dormitories, fraternity/sorority houses, rooming/boarding houses, or
2 other residence halls providing off-campus residence for more than
3 four (4) unrelated persons who are students, faculty members, or
4 otherwise affiliated with an institution of higher learning
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6 I. Independent living facilities
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8 J. Medical care facilities
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10 K. Private clubs and public benefit associations
11
12 L. Private schools of general education
13
14 M. Private schools of special education
15
16 N. Quasi-public parks, playgrounds, athletic fields and related facilities
17
18 26. Repair service establishments.
19
20 27. Retail sales establishments.
21
22 28. Theatres.
23
24 29. Transportation facilities (Category 4), limited to:
25
26 A. Bus or railroad stations
27
28 B. Electrically-powered regional rail transit facilities
29
30 C. Regional non-rail transit facilities
31
32 30. Vehicle transportation service establishments.
33
34 31. Veterinary hospitals.
35
36 32. Legally established uses existing at the time of rezoning to the PTC District,
37 limited by the provisions of Sect. 505 below.
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39 6-503 Special Permit Uses
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41 1. For specific Group uses, regulations and standards, refer to Article 8.
42
43 2. Group 8 – Temporary Uses
44
45 3. Group 9 – Uses Requiring Special Regulation, limited to:
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1 A. Home professional offices

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3 B. Accessory dwelling units

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5 6-504 Special Exception Uses

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7 1. Subject to the use limitations presented in Sect. 505 below, any use
 8 presented in Sect. 502 above as a Group or Category use may be permitted
 9 with the approval of a special exception when such use is not specifically
 10 designated on an approved final development plan.

11

12 2. The following uses shall only be permitted with the approval of a special
 13 exception:

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15 A. Category 3 – Quasi-Public Uses, limited to:

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17 (1) Sports arenas, stadiums

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19 B. Category 4 – Transportation Facilities, limited to:

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21 (1) Heliports

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23 (2) Helistops

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25 C. Category 6 – Miscellaneous Provisions Requiring Board of
 26 Supervisors' Approval, limited to:

27

28 (1) Increase in parking in the PTC District

29

30 (2) Increase in FAR in the PTC District

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32 6-505 Use Limitations

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34 1. All development shall conform to the standards set forth in Part 1 of
 35 Article 16 and the objectives set forth in Sect. 501 above.

36

37 2. It is encouraged that the final development plan be submitted and
 38 approved concurrently with the conceptual development plan for all or a
 39 portion of the proposed development. The proposed development shall
 40 provide integrated site and building designs primarily incorporating a mix
 41 of uses within multiple story structures that will complement existing and
 42 planned development by incorporating high standards of urban design;
 43 shall be in accordance with any specific urban design concept and
 44 streetscape plans for the area including the provision of convenient and
 45 accessible pedestrian walkways and connections, all as set forth in the

1 adopted comprehensive plan. To ensure consistency with the urban design
 2 guidelines for the Tysons Corner Urban Center, detailed streetscape,
 3 landscaping and building design plans, to include the location and height
 4 of rooftop features and amenities and the designation of the build-to lines,
 5 a phasing plan, if applicable, and a parking plan shall all accompany an
 6 application for a rezoning to the PTC District pursuant to Part 5 of Article
 7 16.

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 9 3. All uses shall be designed to be harmonious with and not adversely affect
 10 the use or development of neighboring properties.

11
 12 4. When a use presented in Sect. 502 above as a Group or Category use is
 13 being considered for approval on a final development plan, the standards
 14 set forth in Articles 8 or 9 shall be used as a guide.

15 When a use presented in Sect. 502 above as a Group or Category use
 16 is being considered for approval as a special exception use, pursuant to
 17 Sect. 504 above, the use shall be subject to the provisions of Article 9 and
 18 the special permit standards of Article 8, if applicable, and the use
 19 limitations set forth in this Section. In the event a special exception or
 20 special permit standard conflicts with a use limitation of this Section, the
 21 use limitation of this Section shall apply. Provided that such use is in
 22 substantial conformance with the approved conceptual development plan
 23 and any imposed development conditions or proffered conditions and is
 24 not specifically precluded by the approved final development plan, no
 25 final development plan amendment shall be required.

26 All uses permitted pursuant to the approval of a final development
 27 plan shall be in substantial conformance with the approved final
 28 development plan as provided for in Sect. 16-403.

29 In either of the above, all Category 3 medical care facility uses shall
 30 be subject to the review procedures presented in Part 3 of Article 9.

31
 32 5. ***[Note – Planning Commission recommended Option 2 as set forth in the***
 33 ***March 23, 2010 Staff Report with the addition of the last phrase shown***
 34 ***in bold, italics and underline]*** Notwithstanding the definition of gross
 35 floor area, any cellar space shall be counted as part of the gross floor area
 36 and shall be included in the calculation of the floor area ratio, except that
 37 space used for mechanical equipment with structural headroom of less
 38 than six (6) feet, six (6) inches and that area that is specifically identified
 39 and used for storage and/or for accessory uses; ***and that area specifically***
 40 ***identified and used for primarily unmanned datacenter equipment.***

41
 42 6. The floor area for dwellings shall be determined in accordance with the
 43 gross floor area definition, as modified above; however, the following
 44 features associated with dwellings shall not be deemed gross floor area:
 45 balconies, porches, decks, breezeways, stoops and stairs which may be

1 roofed but which have at least one open side; or breezeways that may be
2 roofed but which have two (2) open ends. An open side or open end shall
3 have no more than fifty (50) percent of the total area between the side(s),
4 roof and floor enclosed with railings, walls, or architectural features.

5
6 7. All uses shall be conducted entirely within an enclosed building with no
7 outside storage, except those uses that by their nature must be conducted
8 outside a building. Outdoor display and outdoor seating associated with a
9 permitted use may be permitted when such areas are designated on an
10 approved final development plan.

11
12 8. It is intended that all uses and structures shall be designed in an integrated
13 manner. Small-scale structures containing one or more uses shall only be
14 permitted when the applicant has demonstrated that such development
15 meets the urban design guidelines set forth in the adopted comprehensive
16 plan. However, as part of a long-term phased development proposal and
17 to assist in maintaining the economic viability of the Tysons Corner Urban
18 Center, when proposed as an interim use, uses and/or structures that
19 legally exist at the time of the rezoning to the PTC District may be
20 continued, including any drive-through facility. New uses and/or
21 structures as interim uses may also be permitted, even though such interim
22 structures do not fully satisfy the urban design guidelines. All interim
23 uses shall be specifically identified on an approved conceptual
24 development plan, subject to the following:

25
26 A. The interim use and/or structure, the intended duration of the interim
27 use/structure, and how the interim use/structure fits into the phasing
28 plan shall be identified in the phasing plan. The applicant shall
29 demonstrate that the interim use and/or structure will not adversely
30 impact the ability to achieve the objectives set forth in Sect. 501
31 above.

32
33 B. For existing uses and structures, to the extent feasible, design
34 elements set forth in the urban design guidelines of the
35 comprehensive plan, such as enhanced streetscape and
36 improvements to pedestrian and vehicular access should be
37 provided. New uses and/or structures, to the extent feasible, shall be
38 designed in accordance with the urban design guidelines including
39 streetscape, build-to lines and building articulation.

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41 C. All off-street parking, loading and stacking spaces for existing uses,
42 shall be included as part of the parking plan pursuant to Sect. 509
43 below. Notwithstanding the provisions of Sect. 509, existing surface
44 parking may be retained, provided such parking is redesigned, to the
45 extent feasible, to minimize pedestrian conflicts by limiting the

1 number of curb cuts; to provide clearly identified pedestrian access
2 through the parking lot; and to provide appropriate interior and
3 perimeter landscaping and screening to minimize the potential
4 adverse impacts on adjacent property. Additionally, new interim
5 surface parking may be provided when the above-noted standards
6 are satisfied and when such surface parking is designed to orient
7 parking, loading and drive aisles to the rear and side of the structure.
8

9 D. In addition, the Board may impose such conditions and restrictions
10 as it deems necessary to assure that the interim use and/or structure
11 will be compatible with and will not adversely impact the ability to
12 achieve the goals and objectives set forth in the adopted
13 comprehensive plan.
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15 9. Service stations, service station/mini-marts and vehicle light service
16 establishments may be permitted when specifically identified on an
17 approved final development plan and in accordance with the following:
18

19 A. All vehicle repair and service shall occur within a completely enclosed
20 structure; and
21

22 B. There shall be no vehicle or tool rental and no outdoor storage or
23 display of goods offered for sale. In addition, no *wrecked, inoperative*
24 *or abandoned vehicles may be temporarily stored outdoors for a*
25 *period in excess of seventy-two (72) hours and there shall be no more*
26 *than two (2) such vehicles on site at any one time.*
27

28 10. Car washes, drive-in financial institutions, drive-through pharmacies or any
29 other use with a drive-through facility may only be permitted when
30 specifically identified on an approved final development plan and such use
31 including any drive-through facility and stacking spaces is located within a
32 multiple story building or parking structure.
33

34 11. Drive-through facilities other than those permitted under Paragraphs 8 and 10
35 above shall not be permitted.
36

37 12. Kennels and veterinary hospitals shall be located within a completely
38 enclosed building that is adequately soundproofed and constructed so that
39 there will be no emission of odor or noise detrimental to other property in the
40 area. In addition, the Health Department shall approve the construction and
41 operation of all veterinary hospitals prior to issuance of any Building Permit
42 or Non-Residential Use Permit.
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44 13. Vehicle transportation service establishments may be permitted in
45 accordance with the following:

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- A. The total number of company vehicles permitted on site at any given time shall not exceed five (5).
 - B. There shall be no maintenance or refueling of vehicles on site.
 - C. The use shall be subject to the transitional screening and barrier requirements as provided in Sect. 510 below.
14. Vehicle sale, rental and ancillary service establishments shall only be permitted when specifically identified on an approved final development plan and provided there shall be no outside display of vehicles. All vehicle storage shall occur within a parking garage or enclosed building, and any ancillary service establishment use shall occur within a completely enclosed structure.
15. New vehicle storage shall only be permitted when located within a parking structure as a temporary use and in accordance with the following:
- A. The owner shall demonstrate to the Zoning Administrator that existing parking spaces are available for new vehicle storage due to phasing of the development or tenant vacancies within the building. The Zoning Administrator shall review and determine if such use is in substantial conformance with the approved final development plan as provided for in Sect. 16-403 and the approved parking plan as provided in accordance with Sect. 509 below.
 - B. The layout of the new vehicle storage shall not hinder the internal vehicle circulation within the parking structure, and there shall be no mechanical parking lift devices or fencing associated with the new vehicle storage.
 - C. There shall be no signs identifying the use and/or the associated vehicle, sale, rental and ancillary service establishment.
16. A mini-warehousing establishment shall only be permitted when specifically identified on an approved final development plan and in accordance with the following:
- A. Loading and unloading areas shall be fully enclosed to minimize the potential for adverse impacts within the development or on adjacent property. All other activities associated with the use shall be conducted completely indoors in a multiple story structure.
 - B. The design of the storage structure shall be office-like in appearance

- 1 and harmonious in color and design with that of the surrounding
 2 development so to minimize any adverse visual impact.
 3
 4 C. No individual storage bay doors, storage items, or lighted hallways
 5 located along the lengths of the building facades shall be visible
 6 from the outside of the storage structure.
 7
 8 D. The site shall be designed to facilitate safe and efficient on-site
 9 circulation and parking.
 10
 11 E. There shall be no incidental parking or storage of trucks, trailers,
 12 and/or moving vans except for purposes of loading and unloading.
 13 There shall be no truck, trailer, and/or van rentals conducted from
 14 the site.
 15
 16 F. All signage shall be in scale and harmony with the surrounding
 17 development so as not to detract from the urban character of the
 18 area.
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 21 17. Contractor's offices and shops and all associated operations and activities,
 22 including storage of materials and company vehicles shall only be
 23 permitted when contained within a building or parking structure.
 24
 25 18. Signs shall be permitted in accordance with the provisions of Article 12
 26 and it is encouraged that the comprehensive sign plan option be utilized;
 27 however, in all instances, signs shall be harmonious in color and design
 28 throughout the development and shall not detract from the urban character.
 29
 30 19. All uses shall comply with the performance standards set forth in Article
 31 14.
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33 6-506 Lot Size Requirements

- 34
 35 1. Minimum District Size: Ten (10) acres, which may be waived by the
 36 Board if the development proposal is in conformance with the adopted
 37 comprehensive plan.
 38
 39 2. Minimum lot area: No requirement for each use or building.
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 41 3. Minimum lot width: No requirement for each use or building.
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45 6-507 Bulk Regulations

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2 1. Maximum building height and minimum yard requirements shall be
3 controlled by the standards set forth in Part 1 of Article 16.

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5 2. Maximum floor area ratio (FAR):

6
7 **A. Within the TOD District up to one-fourth (1/4) mile from a Metrorail**
8 **Station entrance:**

9
10 **(1) For uses that generate the same or fewer AM and PM peak**
11 **hour vehicle trips than hotel use, such as residential or**
12 **neighborhood serving retail uses, based on the peak hour**
13 **vehicle trip generation rates specified in the most current**
14 **edition of the Institute of Traffic Engineers (ITE) Trip**
15 **Generation Report; and as determined by the Fairfax County**
16 **Department of Transportation (FCDOT) through either the**
17 **evaluation of a trip generation analysis or in conjunction with**
18 **the Transportation Impact Analysis (TIA) pursuant to Va.**
19 **Code §15.2222.1: No maximum FAR.**

20
21 **(2) For office and those uses that generate more AM and PM**
22 **peak hour vehicle trips than hotel use, based on the peak hour**
23 **vehicle trip generation rates specified in the most current**
24 **version of the Institute of Traffic Engineers (ITE) Trip**
25 **Generation Report, and as determined by the Fairfax County**
26 **Department of Transportation (FCDOT) through either the**
27 **evaluation of a trip generation analysis or in conjunction with**
28 **the Transportation Impact Analysis (TIA) pursuant to Va.**
29 **Code §15.2222.1: 2.5 FAR, exclusive of any bonus intensity**
30 **obtained for proffered public facilities and/or public**
31 **infrastructure, as set forth in the adopted comprehensive**
32 **plan; provided, however, an increase in FAR may be**
33 **permitted by the Board in accordance with the provisions of**
34 **Sect. 9-629.**

35
36 **B. Within the TOD District beyond one-fourth (1/4) mile from a**
37 **Metrorail Station entrance and the Non-TOD District: 2.5 FAR, or**
38 **as further qualified in the adopted comprehensive plan, exclusive of**
39 **the floor area for affordable and bonus market rate units provided in**
40 **accordance with Part 8 of Article 2; the floor area for proffered**
41 **bonus market rate units and/or bonus floor area, either of which is**
42 **associated with the provision of workforce dwelling units as**
43 **applicable; and, any bonus density or intensity obtained for proffered**
44 **public facilities and/or public infrastructure, all as set forth in the**
45 **adopted comprehensive plan.**

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1. The amount of open space, provided on-site or off-site including publicly accessible parks, and other open space elements such as courtyards, plazas, trails, outdoor recreational facilities, landscaped rooftops, courtyards on structures, green roofs, or any rooftop recreational facilities, shall be determined by the Board in accordance with the adopted comprehensive plan recommendations for streetscape and urban park standards. Not more than one-half of the publicly accessible open space shall be accommodated above the street level, ***unless otherwise modified by the Board for the purposes of accommodating active recreation facilities.***
 2. In addition to Par. 1 above, there shall be a requirement to provide recreational facilities. The provision of such facilities shall be subject to the provisions of Sect. 16-404, however, recreational facilities, such as swimming pools, exercise rooms, or health clubs, which are located on rooftops, deck areas and/or areas within a building, may be used to fulfill this requirement. The requirement for providing recreational facilities shall be based on a minimum expenditure of \$1600 per dwelling unit for such facilities and either:
 - A. The facilities shall be provided on-site by the developer in substantial conformance with the approved final development plan; and/or
 - B. The Board may approve the provision of the facilities on land that is not part of the subject PTC District.

28 Notwithstanding the above, in affordable dwelling unit developments, the
29 requirement for a per dwelling unit expenditure shall not apply to affordable
30 dwelling units.

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32 6-509 Off-Street Parking and Loading

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1. Notwithstanding the provisions of Article 11, the number of off-street parking and loading spaces provided for the development in the PTC District shall be established with the approval of a parking plan, which plan shall accompany an application for rezoning to the PTC District. At a minimum, the parking plan shall identify the appropriate parking rates as set forth below; and include the number and general location of all off-street parking, loading, and stacking spaces; the general location of all ingress/egress points to all parking facilities; a statement regarding how the proposed number of loading spaces is adequate to serve the proposed uses within the development; a justification of shared parking arrangements among uses when a reduction from the minimum parking requirements, if applicable, for such uses is proposed; a description of any planned valet parking, tandem

1 parking, and/or shuttle arrangements that will be implemented for the
 2 proposed use(s) and how such spaces or shuttles will be managed; and a
 3 statement regarding how the proposed number of parking spaces addresses
 4 the goals of the Tysons Corner Urban Center, particularly with regard to
 5 achievement of the TDM goals set forth in the adopted comprehensive plan.
 6 Where parking is to be provided in phases in accordance with a phased
 7 development proposal, the parking plan shall provide the information set
 8 forth above for each proposed phase. In addition, a parking plan shall be
 9 developed in accordance with the following, provided; however, the Board
 10 may reduce the minimum off-street parking requirements when it is
 11 demonstrated by the applicant and determined by the Board that such
 12 reduction is in furtherance of the goals of the Tysons Corner Urban Center:

13
 14 A. The amount of off-street parking for single family attached, multiple
 15 family, hotel/motel and office uses shall be based on the minimum
 16 (min.) and maximum (max.) spaces per unit or spaces per thousand
 17 (1000) square feet (sq. ft.) of gross floor area (gfa) as follows:
 18

19 Min. and Max. Off-Street Parking Spaces per Unit or Spaces per 1000 sq. ft. of GFA

<u>Use</u>	<u>Per Unit or 1000 square feet of gfa</u>	<u>< 1/8 mile to Metro Station Entrance* (TOD District)</u>		<u>1/8 - 1/4 mile to Metro Station Entrance* (TOD District)</u>		<u>>1/4 - 1/2 mile to Metro Station Entrance* (TOD District)</u>		<u>Non-TOD Districts</u>	
		<u>Min.</u>	<u>Max.</u>	<u>Min.</u>	<u>Max.</u>	<u>Min.</u>	<u>Max.</u>	<u>Min.</u>	<u>Max.</u>
<u>Single Family Attached</u>	<u>Space(s) per unit</u>	<u>1.75</u>	<u>2.2</u>	<u>1.75</u>	<u>2.2</u>	<u>2.0</u>	<u>2.5</u>	<u>2.0</u>	<u>2.7</u>
<u>Multiple Family:</u>									
<u>0-1 bedroom</u>		<u>1.0</u>	<u>1.3</u>	<u>1.0</u>	<u>1.3</u>	<u>1.1</u>	<u>1.4</u>	<u>1.1</u>	<u>1.4</u>
<u>2 bedroom</u>		<u>1.0</u>	<u>1.6</u>	<u>1.0</u>	<u>1.6</u>	<u>1.35</u>	<u>1.7</u>	<u>1.35</u>	<u>1.7</u>
<u>3+ bedroom</u>		<u>1.0</u>	<u>1.9</u>	<u>1.0</u>	<u>1.9</u>	<u>1.6</u>	<u>2.0</u>	<u>1.6</u>	<u>2.0</u>
<u>Hotel/Motel</u>		<u>none</u>	<u>1.0</u>	<u>none</u>	<u>1.0</u>	<u>none</u>	<u>1.5</u>	<u>.85</u>	<u>1.08</u>
<u>Office</u>	<u>Spaces per 1000 sq. ft. of gfa</u>	<u>none</u>	<u>1.6</u>	<u>none</u>	<u>2.0</u>	<u>none</u>	<u>2.2</u>	<u>2.0</u>	<u>2.4</u>

20 * As set forth in the adopted comprehensive plan

21
 22 B. For uses not specifically listed above, the minimum parking space
 23 requirement set forth in Sections 11-103, 11-104, 11-105 and 11-106
 24 shall apply as follows:

25
 26 (1) In the TOD Districts, there shall be no minimum number of
 27 parking spaces required and the rates set forth in such Sections

1 shall serve as the maximum number of parking spaces permitted.
 2 In a multiple story structure, the first 5,000 square feet of gross
 3 floor area located on the ground or street level for the following
 4 uses shall not be included in the calculation of required parking:
 5 retail, personal/business services, fast food restaurant, quick
 6 service food store and/or eating establishment.

7
 8 (2) In the Non-TOD Districts, the minimum number of parking
 9 spaces required shall be based on *seventy-five percent (75%)* of
 10 the specified rates set forth in such Sections and the maximum
 11 number of parking spaces permitted shall be based on one
 12 hundred ten percent (110%) of such specified parking rates.

13
 14 C. The applicant shall demonstrate to the Board's satisfaction that the
 15 number of off-street parking spaces is not in excess of the
 16 transportation demand management (TDM) goals identified in the
 17 adopted comprehensive plan and shall satisfy such TDM goals in a
 18 manner acceptable to the Department of Transportation.

19
 20 D. In a phased development proposal, the Board may approve the
 21 provision of parking for later phases of the development in an earlier
 22 phase when it is demonstrated that such additional parking in the
 23 early phase(s) is necessary due to construction requirements or in
 24 furtherance of the objectives of the adopted comprehensive plan.
 25 Additionally, when an existing use is proposed to be retained as an
 26 interim use, the parking accessory to such interim uses shall
 27 generally conform to the rates set forth above. In all cases set forth
 28 above, parking at the build-out phase of the development shall
 29 conform to the total number of spaces approved for the entire
 30 development.

31
 32 2. It is intended that a substantial portion of the provided parking and loading
 33 spaces should be provided in above and/or below grade parking structures.

34
 35 3. In determining the number of loading spaces provided, the provisions of Sect.
 36 11-203, Off-Street Loading, shall be used as a guide.

37
 38 4. Subsequent to an approved parking plan, no additional parking shall be
 39 required for a change in use, provided the mix of uses is in substantial
 40 conformance with the approved final development plan as provided for in
 41 Sect. 16-403.

42
 43 5. Parking approved by the Board pursuant to such parking plan may be
 44 provided on the lot that contains the use for which the parking is accessory or
 45 on a different lot from such use. When provided on a different lot that is not

1 under the same ownership as the lot that contains the use for which the
 2 parking is accessory, the applicant shall submit evidence that the right to use
 3 or develop such parking has been granted by such owner(s) to ensure the
 4 permanent availability of such spaces. Additionally, tandem, valet and
 5 shuttle parking may be permitted as part of an approved parking plan,
 6 pursuant to this Section.

7
 8 6-510 Additional Regulations

- 9
 10 1. A site plan or minor site plan may be filed concurrently with the filing of a
 11 rezoning, special exception or special permit; however, no such plan shall
 12 be approved by the Director until the rezoning, special exception or
 13 special permit application has been approved by the Board. This
 14 concurrent processing shall not relieve the applicant from complying with
 15 the provisions of any applicable ordinances, regulations, or adopted
 16 standards, and shall not prejudice the consideration of the application in
 17 any way.
 18 2. Refer to Article 16 for standards and development plan requirements for
 19 all planned developments.
 20
 21 3. Refer to Article 2, General Regulations, for provisions that may qualify or
 22 supplement the regulations presented above.
 23
 24 4. The landscaping and screening requirements of Article 13 shall apply as
 25 follows:
 26
 27 A. Part 1, General Provisions, shall be applicable.
 28
 29 B. Part 2, Parking Lot Landscaping, shall apply except where streetscape
 30 standards are set forth in the adopted comprehensive plan.
 31
 32 C. Part 3, Transitional Screening and Barriers, shall only apply at the
 33 peripheral boundary of the Tysons Corner Urban Center, as identified
 34 in the adopted comprehensive plan.
 35
 36

37 **Amend Article 2, General Regulations, as follows:**

- 38
 39 - **Amend Part 1, Scope of Regulations, Sect. 2-102, General Effect, by**
 40 **revising the introductory paragraph as follows:**

41
 42 No structure shall hereafter be erected and no existing structure shall be moved, altered,
 43 added to or enlarged, nor shall any land or structure be used or arranged to be used for
 44 any purpose other than is included among the uses listed in the following Articles as
 45 permitted in the zoning district in which the structure or land is located, nor shall any

1 land or structure be used in any manner contrary to any other requirements specified in
 2 this Ordinance. Notwithstanding the above, land located within the Tysons Corner
 3 Urban Center, as defined in the adopted comprehensive plan, wherein a development
 4 proposal utilizes the redevelopment option set forth in the adopted comprehensive plan,
 5 shall only be considered by the Board in conjunction with a rezoning application to the
 6 PTC District as set forth in Part 5 of Article 6.

7
 8 - **Amend Part 4, Qualifying Lot and Yard Regulations, Sect. 2-412, Permitted**
 9 **Extensions into Minimum Required Yards, by revising the second lead-in**
 10 **paragraph as follows:**

11
 12 For lots in the PDH, PDC, PRC₂ ~~and~~ PRM and PTC Districts, the minimum required
 13 yard shall be deemed to be one-half of the distance of the yard that has been
 14 established by the location of the principal structure on a lot. In other districts where
 15 minimum yard requirements are determined by a specified distance between buildings,
 16 the lot lines shall be established by a line located between the buildings drawn at the
 17 mid-point and perpendicular to the shortest line between them.

18
 19 - **Amend Part 5, Qualifying Use, Structure Regulations, Sect. 2-514 Limitations on**
 20 **Mobile and Land Based Telecommunication Facilities, by revising paragraphs**
 21 **1A(2), 2C(3), 3A(1) and 5A(1) as follows:**

22
 23 1A(2) In all C districts, I-1, I-2, I-3, I-4, I-5, and I-6 Districts, and in the
 24 commercial areas of PDH, PDC, PRC₂ ~~and~~ PRM and PTC Districts.

25
 26 2C(3) In commercial or industrial districts; in commercial areas of PDH, PDC, PRC
 27 ~~and~~ PRM, and PTC Districts; in districts zoned for multiple family dwellings
 28 and residentially developed with buildings that are greater than thirty-five
 29 (35) feet in height; in any zoning district on lots containing: Group 3 special
 30 permit uses, except home child care facilities and group housekeeping units,
 31 Group 4, 5 or 6 special permit uses, Category 1, 2, 3 or 4 special exception
 32 uses, or Category 5 special exception uses of country clubs, golf clubs,
 33 commercial golf courses, golf driving ranges, miniature golf ancillary to golf
 34 driving ranges, baseball hitting and archery ranges, or kennels and veterinary
 35 hospitals ancillary to kennels; or in any zoning district on property owned or
 36 controlled by a public use or Fairfax County governmental unit, to include
 37 street right-of-ways, the following shall apply:

38
 39 3A(1) In all C districts, I-1, I-2, I-3, I-4, I-5 and I-6 Districts, and commercial areas
 40 of PDH, PDC, PRC₂ ~~and~~ PRM and PTC Districts.

41
 42 5A(1) In all C districts, I-1, I-2, I-3, I-4, I-5 and I-6 Districts, and in the commercial
 43 areas of PDH, PDC, PRC₂ ~~and~~ PRM and PTC Districts.

44
 45 **Amend Article 8, Special Permits, as follows:**

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- **Amend Part 3, Group 3 Institutional Uses, Sect. 8-302, Districts in Which Group 3 Uses May be Located, by adding the new PTC District entry to Par. 1 as follows:**

PDH, PDC, PRC, PTC Districts: All uses when represented on an approved development plan

- **Amend Part 4, Group 4 Community Uses, Sect. 8-402, Districts in Which Group 4 Uses May be Located, by adding the new PTC District entry to Par. 1 as follows:**

PDH, PDC, PRC, PTC Districts: All uses when represented on an approved development plan

- **Amend Part 5, Group 5 Commercial Recreation Uses, Sect. 8-502, Districts in Which Group 4 Uses May be Located, by adding the new PTC District entry to Par. 1 as follows:**

PTC District: Limited to uses 1, 2, 4, 5, 6, indoor archery ranges, fencing and other similar indoor recreational uses, 8, 9 and 10 when represented on an approved development plan

- **Amend Part 9, Group 9 Uses Requiring Special Regulation, Sect. 8-902, Districts in Which Group 9 Uses May be Located, by adding the new PTC District entry to Paragraphs 1 and 2 as follows:**

1. Group 9 uses may be allowed by right in the following districts:

PDH, PDC and PTC Districts: Limited to uses 3 and 10

2. Group 9 uses may be allowed by special permit in the following districts:

PTC District: Limited to uses 6 and 17

Amend Article 9, Special Exceptions, as follows:

- **Amend Part 3, Category 3 Quasi-Public Uses, Sect. 9-302, Districts in Which Category 3 Uses May be Located, by adding the new PTC District entry to Paragraphs 1 and 2 as follows:**

1. Category 3 uses may be permitted by right in the following districts:

PDH, PDC, PTC Districts: Limited to uses 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14 and 15 when represented on an approved development plan

2. Category 3 uses may be allowed by special exception in the following districts:

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PRM, PTC Districts: Limited to use 9

- **Amend Part 4, Category 4 Transportation Facilities, Sect. 9-402, Districts in Which Category 4 Uses May be Located, by adding the new PTC District entry to Paragraphs 1 and 2 as follows:**

1. Category 4 uses may be permitted by right in the following districts when represented on an approved development plan:

PRM, PTC Districts: Limited to uses 2, 6 and 7

2. Category 4 uses may be allowed by special exception in the following districts:

PRM, PTC Districts: Limited to uses 3 and 4

- **Amend Part 5, Category 5 Commercial and Industrial Uses of Special Impact, as follows:**

- **Sect. 9-502, Districts in Which Category 5 Uses May be Located, by adding the new PTC District entry to Par. 1 as follows:**

1. Category 5 uses may be permitted by right or as an accessory service use in the following districts:

PTC District: Limited to uses 1, 3, 6, 9, 10, 11, 12, 14, 16, 17, 18, 20, 21, 22, 23, 25, 29, 30, 33, 36, kennels (indoor) and 43 when represented on an approved development plan

- **Amend Sect. 9-505, Additional Standards for Automobile-Oriented Uses, Car Washes, Drive-In Financial Institutions, Drive-Through Pharmacies, Fast Food Restaurants, Quick-Service Food Stores, Service Stations and Service Stations/Mini-Marts, by adding a new Par. 7 as follows:**

7. In the PTC District, car washes, drive-in financial institutions, drive-through pharmacies, fast food restaurants, quick-service food stores, service stations and service stations/mini-marts may only be permitted in accordance with the provisions of Sect. 6-505.

- **Amend Sect. 9-514, Additional Standards for Mini-Warehousing Establishments, by adding a new Par. 4 as follows:**

4. In the PDC and PTC Districts, mini-warehousing establishments may only be permitted in accordance with the provisions of Sect. 6-206 and 6-505, as applicable.

- 1 - **Amend Sect. 9-518, Additional Standards for Vehicle Sale, Rental and**
 2 **Ancillary Service Establishments, by adding a new Par. 8 as follows:**

3
 4 8. In the PTC District, vehicle sale, rental and ancillary service establishments
 5 may only be permitted in accordance with the provisions of Sect. 6-505.

- 6
 7 - **Amend Sect. 9-533, Additional Standards for Retail Sales**
 8 **Establishments-Large, by revising the lead in paragraph and adding a**
 9 **new Par. 10 as follows:**

10 In the C-6, C-7, C-8, C-9, PDC, ~~and~~ PRC and PTC Districts, the Board may
 11 approve a special exception to allow a retail sales establishment containing
 12 80,000 square feet or more of gross floor area which is not otherwise
 13 permitted by right subject to the following standards:

14
 15 10. Notwithstanding Par. 8 above, in the PTC District outdoor activities
 16 shall be limited to outdoor seating.

- 17
 18 - **Amend Part 6, Category 6 Miscellaneous Provisions Requiring Board of**
 19 **Supervisors' Approval, as follows:**

- 20
 21 - **Add new Paragraphs 25 and 26 to Sect. 9-601 Category 6 Special**
 22 **Exception Uses, as follows:**

23
 24 25. Increase in parking in the PTC District

25
 26 **26. Increase in FAR in the PTC District**

- 27
 28 - **Add new Sect. 9-628, Provisions for Increase in Parking in the PTC District,**
 29 **as follows:**

30
 31 9-628 Provisions for Increase in Parking in the PTC District

32
 33 The Board may approve a special exception to allow an increase in parking in the
 34 PTC District above the parking maximums set forth in Part 5 of Article 6 when
 35 the applicant has demonstrated to the Board's satisfaction that the proposed uses
 36 cannot be adequately served by the combination of allowed parking, transit
 37 access, shared parking arrangements and similar factors, but shall only be
 38 approved in accordance with the following:

39
 40 1. Such increase in the number of parking spaces does not hinder or preclude
 41 the achievement of the Transportation Demand Management (TDM) goals
 42 for the subject property and/or the Tysons Corner Urban Center, as set forth
 43 in the adopted comprehensive plan, and
 44

- 1 2. The design of a parking structure necessitates the construction of additional
2 parking, or
- 3
- 4 3. The applicant is proposing a use with unique parking needs to justify an
5 increase in the parking rate, or
- 6
- 7 4. The need for an increase in parking is the result of a change in previously
8 approved shared parking, valet or shuttle arrangements, or
- 9
- 10 5. The applicant proposes a single phase development that will precede the
11 operation of mass transit opportunities, such as metro, circulator bus or
12 other features that are planned to serve the Tysons Corner Urban Center; or
- 13
- 14 6. Other circumstances whereby the proposed use(s) cannot be adequately
15 served by the number of parking spaces permitted by Part 5 of Article 6.

16
17 All off-street parking approved under this special exception may be administered
18 by an entity established to manage such additional parking, which may include
19 the imposition of parking fees, controlled access to such parking, and any other
20 operational management methods that are necessary to ensure satisfaction of the
21 TDM goals for the property and/or the Tysons Corner Urban Center.
22 Additionally, the Board may impose any conditions on the approval of a special
23 exception for an increase in parking in the PTC District, which may include the
24 establishment of a requirement that the need for such additional parking shall be
25 reevaluated within a specified period of time, based on changes in development
26 patterns, uses or other factors in and around the application property.

- 27
28
29 - *Add new Sect. 9-629, Provisions for Increase in FAR in the PTC District, as*
30 *follows:*

31
32 **9-629 Provisions for Increase in FAR in the PTC District**

33
34 **To encourage redevelopment near Metrorail Station areas at a high intensity**
35 **and ensure that the impacts of such redevelopment on the transportation**
36 **network is adequately addressed, the Board may approve, in conjunction with a**
37 **rezoning, a special exception to allow an increase in FAR in the PTC District,**
38 **as specified in Par. 2A(2) of Sect. 6-507, for property located within the TOD**
39 **District up to one quarter (1/4) mile of a Metrorail Station entrance.**

- 40
41 **1. Such special exception shall only be approved provided the proposed**
42 **development:**

43
44 **A. Facilitates transit oriented redevelopment in furtherance of the adopted**
45 **comprehensive plan, and**

46

1 B. Achieves, to the maximum extent feasible, the vehicle trip reduction
2 goals set forth in the adopted comprehensive plan, and

3
4 C. Fully meets all applicable areawide; districtwide and site specific
5 recommendations set forth in the adopted comprehensive plan; and

6
7 D. Exhibits excellence in urban design and building form as envisioned
8 in the adopted comprehensive plan.

9
10 2. The applicant shall identify each phase of the proposed development, the
11 anticipated order of construction and the anticipated completion date of
12 each phase of the development. Additionally, to the satisfaction of the
13 Board the applicant shall demonstrate the market feasibility of the
14 proposed development.

15
16 3. The location and amount of special exception floor area shall be allocated
17 on a per building basis, and to the extent possible, dispersed among the
18 buildings shown on the special exception plat. It is intended, unless good
19 cause is shown, that the total amount of the approved special exception
20 floor area not be allocated to a single building in a multi-building and/or
21 multi-phased development or be allocated solely within the initial phases of
22 the development. Additionally, if any one building is constructed without
23 utilizing any or all of its assigned special exception floor area, such unused
24 floor area shall be forfeited and shall not be transferred to another
25 building within the development absent a special exception amendment,
26 and if applicable, a proffered condition/conceptual development plan
27 amendment.

28
29 4. In addition to the submission of the special exception plat depicting the
30 location and allocation of the special exception floor area per building, the
31 applicant shall also submit the development plan associated with the PTC
32 District rezoning specifying the floor area per building without the special
33 exception floor area.

34
35 5. As part of the approval of the special exception, the Board may impose
36 such conditions it deems necessary to address the impacts of the increased
37 FAR as they relate to such factors as; site layout, building design, traffic
38 generation, parking and demand for public facilities.

39
40 6. Notwithstanding the provisions of Sect. 9-015, the special exception
41 allowing increased floor area shall automatically expire in whole or in
42 part, without notice, ten (10) years from the date of approval, or such other
43 timeframe as specified by the Board, unless final building inspections have
44 been approved for that floor area of the buildings subject to special
45 exception; or additional time is granted by the Board for any building
46 approved for special exception floor area, but has not received final

building inspection. The Board may approve a request for additional time, subject to the following:

A. A request is filed in writing with the Zoning Administrator prior to the expiration date. Such request shall specify the basis for the amount of additional time requested and shall include an explanation as to why all or a portion of the approved special exception floor area has not been constructed in accordance with the timeframe specified in the approval of the special exception.

B. The applicant specifies the amount of floor area and mix of uses currently constructed in the development including the amount of special exception floor area constructed per building; the total amount of proposed floor area including the special exception floor area per building to be constructed; and identifies each phase and anticipated order of the remaining development and the anticipated completion date. Additionally, the applicant demonstrates to the satisfaction of the Board the continued market feasibility of the proposal.

C. A statement detailing how the recommendations set forth in the adopted comprehensive plan including, but not limited to, the land use mix, the grid of streets, the amount of open space, including active recreation, parking ratios and Transportation Demand Management achievements proffered in conjunction with the rezoning and any amendments thereto, have been met.

D. If a request for additional time is timely filed, the special exception shall remain valid until the request for additional time is acted upon by the Board; however, during this period, the special exception floor area shall not be constructed.

Amend Article 11, Off-Street Parking and Loading, Private Streets, as follows:

- Amend Part 1, Off-Street Parking, Sect. 11-101, Applicability, by revising Par. 1 as follows:

1. Except as provided for in a Commercial Revitalization District, in any R, C or I district, all structures built and all uses established hereafter shall provide accessory off-street parking in accordance with the following regulations, and in ~~a P~~ the PDH, PDC, PRC and PRM ~~districts~~, the provisions of this Part shall have general application as determined by the Director. In the PTC District off-street parking shall be provided in accordance with Sect. 6-509 and Sect. 11-102 below shall have general application as determined by the Director.

Additionally, subject to the approval of a parking redesignation plan

1 pursuant to Par. 12 of Sect. 11-102, for an existing use located in the Tysons
 2 Corner Urban Center but not in the PTC District an owner may voluntarily
 3 elect to reduce the number of off-street parking spaces required pursuant to
 4 Sections 11-103, 11-104, 11-105 and 11-106 for the site to a number between
 5 what is currently approved for the site and the applicable minimum parking
 6 rate specified for the PTC District. However, this voluntary parking
 7 reduction is not an option if the currently approved number of parking spaces
 8 on the site is specified by a special permit, special exception or proffered
 9 condition.

10
 11 - **Amend Part 2, Off-Street Loading, Sect. 11-201, Applicability, by revising Par. 1**
 12 **as follows:**

- 13
 14 1. In any R, C or I district, all structures built and all uses established hereafter
 15 shall provide accessory off-street loading spaces in accordance with the
 16 following regulations. In ~~a~~ the PDH, PDC, PRC and PRM Districts, the
 17 provisions of this Part shall have general application as determined by the
 18 Director. In the PTC District off-street loading shall be provided in
 19 accordance with Sect. 6-509 and provisions of this Part shall be used as a
 20 guide. When an existing structure or use is expanded, accessory off-street
 21 loading spaces shall be provided in accordance with the following minimum
 22 requirements for the entire structure or use, as expanded or enlarged.

23
 24 **Amend Article 12, Signs, as follows:**

25
 26 - **Amend Part 2, Sign Regulations by Use and District, Sect. 12-210, Uses in P**
 27 **Districts, by revising Par. 2 and Par. 3 as follows:**

28
 29 The provisions set forth in the preceding Sections shall be applicable to signs
 30 accessory to uses in P districts. However, in keeping with the intent to allow flexibility
 31 in the design of planned developments, the following options may be applicable to
 32 signs in the P districts:

- 33
 34 1. As an alternative, signs may be permitted in a P district in accordance with a
 35 comprehensive plan of signage subject to approval of the Planning Commission
 36 following a public hearing conducted in accordance with the provisions of Sect.
 37 18-109. The comprehensive plan of signage shall show the location, size, height
 38 and extent of all proposed signs within the P district or section thereof, as well as
 39 the nature of the information to be displayed on the signs.
 40
 41 2. In addition, within a PRC District or the Tysons Corner Urban Center as
 42 designated in the adopted comprehensive plan, a plan for off-site directional
 43 signs which identify destinations or locations within the district or center such as
 44 commercial centers, residential areas, public uses or community facilities may be
 45 approved by the Planning Commission following a public hearing conducted in

1 accordance with Sect. 18-109; provided, however, that written notice to property
 2 owners and adjacent property owners shall not be required. The plan for off-site
 3 signs shall show the location, size, height and extent of all signs encompassed
 4 within the plan as well as the nature of the information to be displayed on each
 5 sign. All such signs shall be located within the PRC District or the Tysons
 6 Corner Urban Center, as applicable.

- 7
 8 3. Any application submitted pursuant to Par. 1 or 2 above may be made by any
 9 property owner, owner of an easement, lessee, contract purchaser or their agent
 10 or within the Tysons Corner Urban Center, an application pursuant to Par. 2
 11 above may be made by a public agency or County recognized redevelopment
 12 organization or authority. Such application shall be accompanied by a statement
 13 setting forth the names of the record owners of the properties upon which such
 14 signs are proposed to be located and a fee as set forth in Sect. 18-106. In the
 15 event an application pursuant to Par. 2 above is made within the Tysons Corner
 16 Urban Center to include property not zoned PTC, such directional signs shall not
 17 impact the amount or size of signage otherwise permitted on such property.

18 When such application requests permission to erect a sign on property
 19 owned by someone other than the applicant, then such application shall be
 20 accompanied by a written statement signed by the record owners of such
 21 properties which indicates their endorsement of the application.
 22

- 23 4. The above-cited signage options shall be in accordance with the standards for all
 24 planned developments as set forth in Part 1 of Article 16. All proposed signs
 25 shall be in scale and harmonious with the development and shall be so located
 26 and sized as to ensure convenience to the visitor, user or occupant of the
 27 development while not adding to street clutter or otherwise detracting from the
 28 planned unit nature of the development and the purposes of architectural and
 29 urban design elements.
 30

31 **Amend Article 13, Landscaping and Screening, as follows:**

32
 33 - **Amend Part 2, Parking Lot Landscaping, as follows:**

- 34
 35 - **Amend Sect. 13-202, Interior Parking Lot Landscaping, by adding a new**
 36 **Par. 8 as follows:**

37
 38 8. In the PTC District, interior parking lot landscaping shall be provided in
 39 accordance with the provisions of that district.

- 40
 41 - **Amend Sect. 13-203, Peripheral Parking Lot Landscaping, by adding a new**
 42 **Par. 5 as follows:**

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 44 5. In the PTC District, peripheral parking lot landscaping shall be provided in
 45 accordance with the provisions of that district.

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- **Amend Part 3, Transitional Screening and Barriers, Sect. 13-302, Transitional Screening and Barriers, General Requirements, by adding a new Par. 9 as follows:**

9. In the PTC District, transitional screening and barriers shall be provided in accordance with the provisions of that district.

Amend Article 16, Development Plans, as follows:

- **Amend Sect. 16-102 Design Standards, by revising Par. 1 as follows:**

1. In order to complement development on adjacent properties, at all peripheral boundaries of the ~~planned development district~~, PDH, PRM, PDC, PRC Districts the bulk regulations and landscaping and screening provisions shall generally conform to the provisions of that conventional zoning district which most closely characterizes the particular type of development under consideration. In the PTC District, such provisions shall only have general applicability and only at the periphery of the Tysons Corner Urban Center, as designated in the adopted comprehensive plan.

- **Amend Sect. 16-401, Conceptual Development Plan Approval, by revising Paragraphs 8 and 11 as follows:**

8. In approving a conceptual development plan, the Board may authorize a variance in the strict application of specific zoning district regulations whenever:

- A. Such strict application would inhibit or frustrate the purpose and intent for establishing such a zoning district; and
- B. Such variance would promote and comply with the standards set forth in Part 1 above.

In no case, however, shall the maximum density provisions under the PDH District and the maximum floor area ratio provisions under the PDC, ~~and PRM~~ and PTC Districts be varied or modified.

11. Once a conceptual development plan has been approved, all subsequent approvals, uses and structures shall be in substantial conformance with the approved conceptual development plan and any development conditions associated with such approval. Should there be cause for amendment of the conceptual development plan or any portion thereof, such amendment shall be processed as a new submission; provided, however, that the Zoning Administrator may waive any submission requirement if such requirement is not necessary for an adequate review of the conceptual development plan amendment application. A conceptual development plan amendment application may be filed on a portion of the property subject to an approved conceptual development plan, upon a determination by the Zoning Administrator that the

1 amendment (a) would not adversely affect the use of the property subject to the
 2 conceptual development plan and conditions but not incorporated into the amendment
 3 application, (b) would not inhibit, adversely affect, or preclude in any manner the
 4 fulfillment of the conceptual development plan and conditions applicable to the area
 5 not incorporated into the amendment application, ~~and~~ (c) would not adversely affect
 6 the vehicular and pedestrian circulation, connectivity, landscaping and streetscape
 7 applicable to the area not incorporated into the amendment application, and (d) would
 8 not increase the overall approved density/intensity for the development, provided
 9 however, within the PTC District, for a multiple phased development, an increase in
 10 the intensity may be approved for any portion of such development, provided it does
 11 not adversely affect the intensity applicable to the area not incorporated into the
 12 amendment application. The portion of the conceptual development plan and
 13 previously approved conditions which are not subject to the amendment request shall
 14 remain in full force and effect.

15
 16 - **Amend Sect. 16-402, Final Development Plan Approval, by revising Par. 10D as**
 17 **follows:**

18
 19 10D A final development plan amendment application may be filed on a portion of the
 20 property subject to an approved final development plan, upon a determination by the
 21 Zoning Administrator that the amendment (a) would not adversely affect the use of
 22 the property subject to the final development plan and conditions but not
 23 incorporated into the amendment application, (b) would not inhibit, adversely affect,
 24 or preclude in any manner the fulfillment of the final development plan and
 25 conditions applicable to the area not incorporated into the amendment application,
 26 ~~and~~ (c) would not adversely affect the vehicular and pedestrian circulation,
 27 connectivity, landscaping and streetscape applicable to the area not incorporated into
 28 the amendment application, and (d) would not increase the overall approved
 29 density/intensity for the development. The portion of the final development plan and
 30 previously approved conditions which are not subject to the amendment request shall
 31 remain in full force and effect.

32
 33 - **Amend Sect. 16-403, Site Plan/Subdivision Plat Preparation, Building Permit,**
 34 **Residential Use Permit and Non-Residential Use Permit, by revising Paragraphs 1, 2**
 35 **and 4A(7)(d) as follows:**

36
 37 1. Separate site plans or subdivision plats shall be submitted for each section of the
 38 planned development in accordance with the approved final development plan. For
 39 development within the PTC District subject to a phasing plan, each site plan or
 40 subdivision plat shall provide a statement in tabular form indicating the amount of
 41 gross floor area, FAR and/or number of dwelling units approved for each specific
 42 phase and the overall development subject to the rezoning to the PTC District and
 43 shall also include the amount of gross floor area, FAR and/or number of dwelling
 44 units constructed within each phase and for the overall development as of the date of
 45 the submission of the site plan or subdivision plat.

- 1
2 2. Except in the PTC District, When a planned development is to be constructed in
3 sections, the total area of open space provided at any stage of development shall bear
4 substantially the same relationship to the total open space to be provided in the entire
5 planned development as the sections completed or under development bear to the
6 entire planned development.

7
8 4A(7)(d) the land area designated for commercial uses in the PDH District or the
9 maximum FAR provisions in the PDC, ~~and PRM~~ and PTC Districts; or

- 10
11 - **Amend Sect. 16-404, by revising the Section title as follows:**

12
13 **16-404 Required Recreational Facilities in PDH, Planned Development Housing,**
14 **PDC, Planned Development Commercial, ~~and PRM~~, Planned Residential**
15 **Mixed Use and PTC, Planned Tysons Corner Urban Districts**
16

17 STAFF NOTE: Given that a number of CDP and FDP submission requirements have
18 been modified and new requirements added for the PTC District, for ease of review, a
19 separate list of CDP and FDP requirements are set forth below for the new PTC
20 District and all such PTC submission requirements are shown with underlining

- 21
22 - **Amend Sect.16-501, Conceptual Development Plan, by moving the existing end**
23 **paragraph to the lead-in paragraph, and adding additional text to the lead-in**
24 **paragraph; add a new Par. 1, reletter existing Paragraphs 1 through 5 to**
25 **subparagraphs A through E, and renumber existing subparagraphs 1A through 1X to**
26 **subparagraphs 1A(1) through 1A(24); and add a new Par. 2, all to read as follows:**
27

28 In addition to those requirements set forth in Sect. 18-202 that shall accompany an
29 application for a rezoning, a conceptual development plan, certified by a professional
30 engineer, architect, landscape architect or land surveyor authorized to practice as such by
31 the State, including any resubmissions and supporting graphics, shall be filed with the
32 Zoning Administrator in twenty-three (23) copies and shall include the following
33 information. All maps or plans submitted as part of a conceptual development plan shall
34 be presented on a sheet having a maximum size of 24" x 36". If presented on more than
35 one (1) sheet, match lines shall clearly indicate where the several sheets join. One 8 ½" x
36 11" reduction of the conceptual development plan and supporting graphics shall also be
37 submitted. All submission requirements shall become the property of the County. The
38 sheet size and scale of a conceptual development plan may be modified by the Zoning
39 Administrator, based on the nature and/or size of the application. In addition, upon receipt
40 of a written request with justification, the Zoning Administrator may modify or waive the
41 Phase I Archaeological Survey requirement of Par. 5 above set forth below, if it is
42 determined that the requirement is clearly not necessary for the review of the application.
43 For a rezoning to the PDH, PDC and PRM Districts, Par. 1 shall apply and for a rezoning
44 to the PTC District, Par. 2 shall apply.
45

- 1 1. For a rezoning to the PDH, PDC and PRM Districts, the following shall accompany
2 such application:

3
4 Staff Note: All existing Paragraphs 1 through 5 are to be relettered to Paragraphs A
5 through E, all subparagraphs in new Par. 1A are renumbered to subparagraphs
6 1A(1) through 1A(24)

- 7
8 2. For a rezoning to the PTC District, the following shall accompany such application:

- 9
10 A. A plan, at a scale of not less than one inch equals one hundred feet (1" = 100'),
11 showing:

- 12
13 (1) A vicinity map at a scale of not less than one inch equals two thousand feet
14 (1" = 2000').
- 15
16 (2) A statement that confirms the ownership of the subject property, and the
17 nature of the applicant's interest in same.
- 18
19 (3) Existing topography and a statement indicating whether it is air survey or
20 field run, with a maximum contour interval of two (2) feet; except where
21 existing ground is on a slope of less than two (2) percent, then either one (1)
22 foot contours or spot elevations shall be provided where necessary, but not
23 more than fifty (50) feet apart in both directions.
- 24
25 (4) Scale and north arrow, with north, to the extent feasible, oriented to the top
26 of all drawings.
- 27
28 (5) The approximate location and arrangement of all proposed structures and
29 uses, including the proposed build-to lines, the distances of all structures
30 from the development boundaries and streets, the streetscape and landscape
31 treatments to be provided and the maximum height in feet of all structures
32 and penthouses.
- 33
34 (6) The on-site vehicular and pedestrian circulation system, including the
35 location and width of all streets, driveways, entrances to parking areas,
36 parking structures and loading areas, walkways, bicycle paths, and all trails
37 required by the adopted comprehensive plan. Connections with off-site
38 streets and trails that are existing or are required by the adopted
39 comprehensive plan, including the grid of streets and streetscape.
- 40
41 (7) All proposed open space areas and the approximate location of all proposed
42 community and public facilities.
- 43
44 (8) A statement in tabular form showing the number of parking spaces provided
45 and the number required by the provisions of Sect. 6-509.

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- (9) All proposed improvements to the public right(s)-of-way and delineation of the existing centerline of all streets abutting the property, including dimensions from the existing centerline to the edge of the pavement and to the edge of the right-of-way.
- (10) Approximate delineation of any floodplain designated by the Federal Emergency Management Agency, United States Geological Survey, or Fairfax County; the delineation of any Resource Protection Area; the delineation of any environmental quality corridor as defined in the adopted comprehensive plan; and the minimum distance of any existing and proposed structures from the floodplain, Resource Protection Area and/or environmental quality corridor.
- (11) A delineation of existing vegetation, to include existing vegetation to be preserved, and when there is 2500 square feet or more of land disturbing activity, an existing vegetation map.
- (12) Approximate location and estimated size of all proposed stormwater management facilities and a statement as to the type of facility proposed.
- (13) The location of all existing utility easements having a width of twenty-five (25) feet or more, and all major underground utility easements regardless of width.
- (14) A delineation of those general areas that have scenic assets or natural features deserving of protection and preservation, and a statement of how such will be accomplished.
- (15) Approximate delineation of any grave, object or structure marking a place of burial if known, and a statement indicating how the proposed development will impact the burial site.
- (16) A visual presentation, including plans and sections, of how adjacent and neighboring properties shall be protected from any adverse effects prompted by the proposed development, to include vehicular access plans, proposed measures of screening, and dimensions of all peripheral yards that will be provided.
- (17) A delineation of all existing structures, and an indication of their date of construction if known, and whether they will be retained or demolished.
- (18) A statement in tabular form setting forth the maximum gross floor area and FAR proposed for all uses, including the amount of density or floor area

1 applied for under the bonus provisions, and the calculations supporting the
2 specific development provisions giving rise to such bonus application.

3
4 (19) A statement in tabular form setting forth the minimum and maximum number
5 of dwelling units proposed by type, to include the density calculations based
6 on the provisions of Sect. 2-308, those units obtained by the use of bonus
7 provisions, and a breakdown of the approximate number of units by type and
8 the range of approximate lot sizes for single family detached dwellings.

9
10 (20) A statement in tabular form of the open space calculations by type, including
11 off-site open space and the area in developed recreational open space in
12 accordance with the adopted comprehensive plan and generally based on the
13 provisions of Sect. 2-309.

14
15 (21) A statement that the proposed development conforms to the provisions of all
16 applicable ordinances, regulations and adopted standards, or, if any waiver,
17 exception or variance is sought by the applicant, such shall be specifically
18 noted with the justification for such modification.

19 If the proposal includes the request for a waiver of the yard regulations
20 for yards abutting certain principal arterial highways and railroad tracks
21 pursuant to Sect. 2-414, a study showing projected noise impacts, proposed
22 mitigation measures and effectiveness of such measures shall be submitted.

23
24 B. As part of the statement of justification pursuant to Sect. 18-202, a listing of the
25 proposed special amenities within the planned development and an analysis
26 explaining the relationship of the planned development to the adopted
27 comprehensive plan of the County.

28
29 C. Five (5) copies of a map identifying classification of soil types at a scale of not less
30 than one inch equals five hundred feet (1" = 500'), based upon information available
31 on the County of Fairfax Soils Identification Maps.

32
33 D. A listing, if known, of all hazardous or toxic substances as set forth in Title 40, Code
34 of Federal Regulations Parts 116.4, 302.4, and 355; all hazardous waste as set forth
35 in Virginia Department of Environmental Quality Hazardous Waste Management
36 Regulations; and/or petroleum products as defined in Title 40, Code of Federal
37 Regulations Part 280; to be generated, utilized, stored, treated, and/or disposed of on
38 site and the size and contents of any existing or proposed storage tanks or containers.

39
40 E. Where applicable, any other information as may be required by the provisions of
41 Article 7, including the submission of the Archaeological Survey Data Form and a
42 Phase I Archaeological Survey to the Fairfax County Park Authority as may be
43 required pursuant to Sect. 7-210 for applications resulting in 2500 square feet or
44 more of land disturbing activity and where the application property is located wholly
45 or partially within or contiguous to a Historic Overlay District.

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- F. A statement as to whether any of the development is located within the TOD and/or Non-TOD Districts, and if within the TOD Districts, the delineation of the one eighth (1/8), one quarter (1/4) and one half (1/2) mile distance from the Metro Station entrance, as applicable, as set forth in the adopted comprehensive plan.
- G. A phasing plan, if applicable, which identifies each phase and the anticipated order of the proposed development. Such plan shall at a minimum specify for each phase of the development the location and the mix of uses, including interim uses; the streetscape and landscape treatments to be provided; the amount and location of all parking, stacking and loading spaces; the anticipated phasing for construction and a statement as to how each phase of development will provide the necessary infrastructure and on and off-site public improvements, such as parking, grid of streets and public facilities, necessary to achieve the redevelopment option set forth in the adopted comprehensive plan.
- H. A parking plan as set forth in Sect. 6-509.
- I. A shadow analysis demonstrating how projected shadows from the proposed development will affect adjacent buildings and properties in terms of the loss of received sunlight.
- J. Graphics and/or photo simulations that depict the proposed structures as viewed from adjacent sidewalks, streets, properties and other sensitive viewing areas.
- K. When an applicant elects to submit a final development plan concurrent with a conceptual development plan for either the entire planned development or for sections of the planned development, the following additional items shall be included on the plan required in Par. 2A, above, or shall accompany the application, as applicable:
- (1) Names and route number of boundary streets and the width of existing right(s)-of-way.
 - (2) The specific location and arrangement of all proposed uses and structures.
 - (3) The maximum height in feet, to include penthouses, of all buildings, and the estimated number of levels both above and below or partially below finished grade.
 - (4) The open space areas, to include any off-site open space, specifying the proposed treatment or improvement of all such areas and delineating those areas proposed for specific types of developed recreational facilities.
 - (5) A plan or statement showing how public utilities are, or will be, provided.

1
2 (6) Approximate location, estimated size of footprint in acres and type of all
3 proposed stormwater management facilities, including the full extent of side
4 slopes, embankments, spillways, dams, and approximate water surface
5 elevation for design storms, if applicable. In addition, a preliminary
6 stormwater management plan that includes information about the adequacy
7 of downstream drainage, including the sufficiency of capacity of any storm
8 drainage pipes and other conveyances into which stormwater runoff from the
9 site will be conveyed. When there is 2500 square feet or more of land
10 disturbing activity on the entire application property, in addition to the above,
11 the preliminary stormwater management plan shall include:

12
13 (a) A graphic depicting:

14
15 (i) The approximate footprint of the stormwater management facility
16 and, where applicable, the height of the dam embankment and the
17 location of the emergency spillway outlet for each stormwater
18 management facility.

19
20 (ii) The approximate on-site and off-site areas to be served by each
21 stormwater management facility, along with the acreage draining to
22 each facility.

23
24 (iii) A preliminary layout of all on-site drainage channels, outfalls and
25 pipes, including inlet and outlet pipes within the stormwater
26 management facility.

27
28 (iv) The approximate location or locations, if any, of any maintenance
29 access road or other means of access to the stormwater
30 management facility, and the identification of the types of surfaces
31 to be used for any such road.

32
33 (v) Proposed landscaping and tree preservation areas in and near the
34 stormwater management facility.

35
36 (vi) The approximate limits of clearing and grading on-site and off-site
37 for the stormwater management facility, storm drainage pipes,
38 spillways, access roads and outfalls, including energy dissipation,
39 storm drain outlet protection and/or stream bank stabilization
40 measures.

41
42 (b) A preliminary stormwater management narrative setting forth the
43 following:
44

- 1 (i) Description of how the detention and best management practice
2 requirements will be met.
3
- 4 (ii) The estimated area and volume of storage of the stormwater
5 management facility to meet stormwater detention and best
6 management practice requirements.
7
- 8 (iii) For each watercourse into which drainage from the property is
9 discharged, a description of the existing outfall conditions,
10 including any existing ponds or structures in the outfall area. The
11 outfall area shall include all land located between the point of
12 discharge from the property that is located farthest upstream, down
13 to the point where the drainage area of the receiving watercourse
14 exceeds 100 times the area of that portion of the property that
15 drains to it or to a floodplain that drains an area of at least 1 square
16 mile, whichever comes first.
17
- 18 (iv) Description of how the adequate outfall requirements of the Public
19 Facilities Manual will be satisfied.
20
- 21 (7) Detailed building design plans to include architectural sketches and/or
22 elevations of structures; information on the type, location and height of all
23 rooftop structures and features and the percent of roof area covered by such
24 structures; information on building materials and signs.
25
- 26 (8) A statement and graphic depiction of the types, sizes and locations of the
27 urban design amenities to be provided within the PTC District including
28 pedestrian linkages, plazas, courtyards, bicycle trails, outdoor recreation
29 facilities, ponds, fountains, public parks and any seating, lighting or special
30 paving.
31
- 32 (9) Detailed streetscape and landscape plans in accordance with the urban design
33 guidelines set forth and referenced in the adopted comprehensive plan.
34 Additionally, a landscape plan showing the limits of clearing, location and
35 design of all screening measures, if applicable, indicating the type and height
36 of such screening, and a delineation of existing vegetation, to include
37 existing vegetation to be preserved, and when there is 2500 square feet or
38 more of land disturbing activity, an existing vegetation map.
39
- 40 (10) A statement in tabular form that sets forth the amount of gross floor area,
41 FAR and/or number of dwelling units approved for the land area subject to
42 the rezoning to the PTC District and the amount of gross floor area, FAR
43 and/or number of dwelling units constructed as of the date of the submission
44 of the final development plan application, if applicable.
45

- 1 - **Amend Sect. 16-502, Final Development Plan, by moving the existing end paragraph**
 2 **to the lead-in paragraph, and adding additional text to the lead-in paragraph; adding**
 3 **a new Par. 1, reletter existing Paragraphs 1 through 8 to subparagraphs A through**
 4 **H, and renumber existing subparagraphs 1A through 1T to subparagraphs 1A(1)**
 5 **through 1A(20) and add a new Par. 2, all to read as follows:**
 6

7 A final development plan prepared in accordance with the approved conceptual
 8 development plan and certified by a professional engineer, architect, landscape architect or
 9 land surveyor authorized to practice as such by the State shall be filed with the Zoning
 10 Administrator in twenty-three (23) copies, including any resubmissions of the plan and
 11 supporting graphics. All maps, plans, sketches and illustrations submitted as part of a final
 12 development plan shall be presented on a sheet having a maximum size of 24" x 36". If
 13 presented on more than one (1) sheet, match lines shall clearly indicate where the several
 14 sheets join. One 8 ½" x 11" reduction of the final development plan and supporting
 15 graphics shall also be submitted. The sheet size and scale of a final development plan may
 16 be modified by the Zoning Administrator, based on the nature and/or size of the
 17 application. In addition, upon receipt of a written request with justification, the Zoning
 18 Administrator may modify or waive the Phase I Archaeological Survey requirement of Par.
 19 8 above set forth below, if it is determined that the requirement is clearly not necessary for
 20 the review of the application. All submission requirements shall become the property of
 21 the County. Such plan shall contain the following information:
 22

- 23 1. For a rezoning to the PDH, PDC and PRM Districts, the following shall accompany
 24 such application:
 25

26 Staff Note: All existing Paragraphs 1 through 8 are to be relettered to Paragraphs A
 27 through H, all subparagraphs in new Par. 1A are renumbered to subparagraphs
 28 1A(1) through 1A(20)

- 29
 30 2. For a rezoning to the PTC District, the following shall accompany such application:
 31

32 A. A plan, at a scale of not less than one inch equals one hundred feet (1" = 100'),
 33 showing:
 34

- 35 (1) A vicinity map at a scale of not less than one inch equals two thousand feet
 36 (1" = 2000').
 37
 38 (2) Bearings and distances of the perimeter property lines.
 39
 40 (3) Total area of property presented in square feet or acres.
 41
 42 (4) Scale and north arrow, with north, to the extent feasible, oriented to the top
 43 of all drawings.
 44

- 1 (5) Names and route numbers of boundary streets and the width of existing
2 right(s)-of-way. Any proposed improvements to the public right(s)-of-way
3 and delineation of the existing centerline of all streets abutting the property,
4 including dimensions from the existing centerline to the edge of the
5 pavement and to the edge of the right-of-way.
6
- 7 (6) Existing topography and a statement indicating whether it is air survey or
8 field run, with a maximum contour interval of two (2) feet; except where
9 existing ground is on a slope of less than two (2) percent, then either one
10 (1) foot contours or spot elevations shall be provided where necessary, but
11 not more than fifty (50) feet apart in both directions.
12
- 13 (7) The specific location and arrangement of all proposed uses and structures
14
- 15 (8) The maximum height in feet, to include penthouses, of all buildings, and
16 the number of floors both above and below or partially below finished
17 grade.
18
- 19 (9) The distances of all structures from the development boundaries and
20 streets.
21
- 22 (10) The on-site vehicular and pedestrian circulation system, including the
23 location and width of all streets, driveways, entrances to parking areas,
24 parking structures and loading areas, walkways, bicycle paths, and all trails
25 required by the adopted comprehensive plan. Connections with off-site
26 streets and trails that are existing or are required by the adopted
27 comprehensive plan, including the grid of streets and streetscape.
28
- 29 (11) The open space areas, to include any off-site open space, specifying the
30 proposed treatment or improvement of all such areas and delineating those
31 areas proposed for specific types of developed recreational facilities.
32
- 33 (12) Approximate delineation of any grave, object or structure marking a burial
34 site if known, and a statement indicating how the proposed development
35 will impact the burial site.
36
- 37 (13) A plan or statement showing how public utilities are, or will be, provided.
38
- 39 (14) Approximate location, estimated size of footprint in acres and type of all
40 proposed stormwater management facilities, including the full extent of
41 side slopes, embankments, spillways, dams, and approximate water surface
42 elevation for design storms, if applicable. In addition, a preliminary
43 stormwater management plan that includes information about the adequacy
44 of downstream drainage, including the sufficiency of capacity of any storm
45 drainage pipes and other conveyances into which stormwater runoff from

1 the site will be conveyed. When there is 2500 square feet or more of land
2 disturbing activity on the entire application property, in addition to the
3 above, the preliminary stormwater management plan shall include:
4

5 (a) A graphic depicting:
6

7 (i) The approximate footprint of the stormwater management facility
8 and, where applicable, the height of the dam embankment and the
9 location of the emergency spillway outlet for each stormwater
10 management facility.
11

12 (ii) The approximate on-site and off-site areas to be served by each
13 stormwater management facility, along with the acreage draining
14 to each facility.
15

16 (iii) A preliminary layout of all on-site drainage channels, outfalls and
17 pipes, including inlet and outlet pipes within the stormwater
18 management facility.
19

20 (iv) The approximate location or locations, if any, of any
21 maintenance access road or other means of access to the
22 stormwater management facility, and the identification of the
23 types of surfaces to be used for any such road.
24

25 (v) Proposed landscaping and tree preservation areas in and near the
26 stormwater management facility.
27

28 (vi) The approximate limits of clearing and grading on-site and off-
29 site for the stormwater management facility, storm drainage
30 pipes, spillways, access roads and outfalls, including energy
31 dissipation, storm drain outlet protection and/or stream bank
32 stabilization measures.
33

34 (b) A preliminary stormwater management narrative setting forth the
35 following:
36

37 (i) Description of how the detention and best management practice
38 requirements will be met.

39 (ii) The estimated area and volume of storage of the stormwater
40 management facility to meet stormwater detention and best
41 management practice requirements.
42

43 (iii) For each watercourse into which drainage from the property is
44 discharged, a description of the existing outfall conditions,
45 including any existing ponds or structures in the outfall area. The

1 outfall area shall include all land located between the point of
 2 discharge from the property that is located farthest upstream,
 3 down to the point where the drainage area of the receiving
 4 watercourse exceeds 100 times the area of that portion of the
 5 property that drains to it or to a floodplain that drains an area of at
 6 least 1 square mile, whichever comes first.

7
 8 (iv) Description of how the adequate outfall requirements of the
 9 Public Facilities Manual will be satisfied.

10
 11 (15) The location of all existing utility easements having a width of twenty-five
 12 (25) feet or more, and all major underground utility easements regardless of
 13 width.

14
 15 (16) Approximate delineation of any floodplain designated by the Federal
 16 Emergency Management Agency, United States Geological Survey, or
 17 Fairfax County, the delineation of any Resource Protection Area and
 18 Resource Management Area, and the approximate delineation of any
 19 environmental quality corridor as defined in the adopted comprehensive
 20 plan, and, if applicable, the distance of any existing and proposed structures
 21 from the floodplain, Resource Protection Area and Resource Management
 22 Area, or environmental quality corridor.

23
 24 B. A final statement in tabular form that sets forth the following data, when such
 25 data is applicable to a given development plan:

26
 27 (1) Total number of dwelling units by type.

28
 29 (2) Total floor area and floor area ratio for each type of use.

30
 31 (3) Total area in open space, including off-site open space.

32
 33 (4) Total area in developed recreational open space.

34
 35 (5) Total number of off-street parking and loading spaces provided and the
 36 number required by the provisions of Sect. 6-509.

37
 38 (6) Amount of density or floor area applied for under the bonus provisions, and
 39 the calculations supporting the specific development provisions giving rise to
 40 such bonus application.

41
 42 (7) Amount of gross floor area, FAR and/or number of dwelling units approved
 43 for the land area subject to the rezoning to the PTC District and the amount
 44 of gross floor area, FAR and/or number of dwelling units constructed as of
 45 the date of the submission of the final development plan application.

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- C. Five (5) copies of a map identifying classification of soil types of the application property at a scale of not less than one inch equals five hundred feet (1" = 500'), based upon information available on the County of Fairfax Soils Identification Maps.
 - D. A listing, if known, of all hazardous or toxic substances as set forth in Title 40, Code of Federal Regulations Parts 116.4, 302.4, and 355; all hazardous waste as set forth in Virginia Department of Environmental Quality Hazardous Waste Management Regulations; and/or petroleum products as defined in Title 40, Code of Federal Regulations Part 280; to be generated, utilized, stored, treated, and/or disposed of on site and the size and contents of any existing or proposed storage tanks or containers.
 - E. A statement that the proposed development conforms to the provisions of all applicable ordinances, regulations and adopted standards, or, if any waiver, exception or variance is sought by the applicant, such shall be specifically noted with the justification for such modification.
 - F. Detailed building design plans to include architectural sketches and/or elevations of structures; information on the type, location and height of all rooftop structures and features and the percent of roof area covered by such structures; information on building materials and signs.
 - G. A statement and graphic depiction of the types, sizes and locations of the urban design amenities to be provided within the PTC District including pedestrian linkages, plazas, courtyards, bicycle trails, outdoor recreation facilities, ponds, fountains, public parks and any seating, lighting or special paving.
 - H. Detailed streetscape and landscape plans in accordance with the urban design guidelines set forth and referenced in the adopted comprehensive plan. Additionally, a landscape plan showing the limits of clearing, location and design of all screening measures, if applicable, indicating the type and height of such screening, and a delineation of existing vegetation, to include existing vegetation to be preserved, and when there is 2500 square feet or more of land disturbing activity, an existing vegetation map.
 - I. When a final development plan is not submitted in conjunction with a conceptual development plan, an affidavit is required, as presented on an affidavit form approved by the Board of Supervisors and provided by the County, completed, signed by the applicant or the applicant's authorized agent and notarized, including a statement indicating whether or not a member of the Board or Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership in stock in a corporation owning such land, or through an interest in a partnership

1 owning such land. If the applicant's agent completes the application or affidavit
 2 on the applicant's behalf, a certified statement from the applicant must be
 3 submitted showing the agent's authorization to act in such capacity.

4
 5 J. Where applicable, any other information as may be required by the provisions of
 6 Article 7, including the submission of the Archaeological Survey Data Form and
 7 a Phase I Archaeological Survey to the Fairfax County Park Authority as may be
 8 required pursuant to Sect. 7-210 for applications resulting in 2500 square feet or
 9 more of land disturbing activity and where the application property is located
 10 wholly or partially within or contiguous to a Historic Overlay District.

11
 12 **Amend Article 18, Administration, Amendments, Violations and Penalties, as follows:**

13
 14 - **Amend Sect. 18-106, Application and Zoning Compliance Letter Fees, by revising the**
 15 **PDH, PDC and PRM District entry of Par. 2 as follows:**

16 PDH, PDC, ~~and~~ PRM and PTC Districts

17
 18 Application with conceptual development plan \$26460 plus \$885 per acre

19 Application with concurrent filing of \$26460 plus \$1305 per acre
 20 conceptual and final development plans

21 Final development plan \$13230 plus \$420 per acre

22
 23
 24 - **Amend Sect. 18-204, Proffered Condition Regulations by revising Par. 6 as follows:**

25
 26 6. Once conditions have been approved, and there is cause for an amendment which would
 27 not be in substantial conformance with the proffered conditions, or there is a request to
 28 proffer conditions on a parcel not currently the subject of a proffered condition, then an
 29 application shall be filed for an amendment. An amendment application may be filed on a
 30 portion of the property subject to proffered conditions, upon a determination by the Zoning
 31 Administrator that the amendment (a) would not adversely affect the use of the property
 32 subject to the proffered conditions but not incorporated into the amendment application,
 33 (b) would not inhibit, adversely affect, or preclude in any manner the fulfillment of the
 34 proffered conditions applicable to the area not incorporated into the amendment
 35 application, ~~and~~ (c) would not adversely affect the vehicular and pedestrian circulation,
 36 connectivity, landscaping and streetscape applicable to the area not incorporated into the
 37 amendment application, and (d) would not increase the overall approved density/intensity
 38 for the development-, provided however, within the PTC District, for a multiple phased
 39 development, an increase in the intensity may be approved for any portion of such
 40 development, provided it does not adversely affect the intensity applicable to the area not
 41 incorporated into the amendment application. Previously approved proffered conditions
 42 which are not subject to the amendment request shall remain in full force and effect. If the
 43 amendment concerns an approved generalized development plan, such application shall
 44
 45

1 include the submission requirements for a generalized development plan set forth in Sect.
2 202 above, except the Zoning Administrator may waive any submission requirement if
3 such requirement is not necessary for an adequate review of the generalized development
4 plan amendment application. Such amendment shall be the subject of public hearing in
5 accordance with the provisions of Sect. 205 below.
6

7 - **Amend Sect. 18-211, Limitation on Rehearing, by revising the following entry of Par.**
8 **3 as follows:**
9

10 3. The term 'general zoning classification' as used in this Section shall mean any one of
11 the following classifications:
12

- | | |
|---------------------|--|
| 13 Classification 1 | R-A through R-4 Districts and PDH-1 through PDH-4
14 Districts |
| 15 Classification 2 | R-5 through R-MHP Districts, PDH-5 through PDH-40
16 Districts and PRM District |
| 17 Classification 3 | All C Districts, and <u>PDC and PTC Districts</u> |
| 18 Classification 4 | All I Districts |
| 19 Classification 5 | PRC District |
| 20 Classification 6 | All Overlay Districts |
- 21
22
23
24
25

STAFF NOTE: The guidelines set forth below are not part of the Zoning Ordinance, but will serve as the guidelines for preparing the trip generation analysis for determining the applicable FAR for a use in the PTC District.

**GUIDELINES FOR VEHICLE TRIP GENERATION ANALYSIS
FOR REZONING APPLICATIONS TO THE TYSONS PTC DISTRICT
MAY 2010**

The following guidelines are to be used in determining the trip generation rates for uses within the Planned Tysons Corner Urban District:

For uses that generate the same or fewer AM and PM peak hour vehicle trips than hotel use: For hotel apply peak hour (of adjacent street traffic) vehicle trip generation rates as specified in Land Use Code 310, of the most current edition of the Institute of Transportation Engineers (ITE) Trip Generation Report. For other land uses, apply peak hour (of adjacent street traffic) or closest equivalent vehicle trip generation rates using the most recent edition of the ITE Trip Generation Report. For comparison purposes, the trip generation rates obtained from the ITE Trip Generation Report should be modified where necessary to have the same bases (typically per 1,000 square feet of development). In all cases, peak hour rates should be applied and the total (inbound and outbound) hotel rates in each of the A.M. and P.M. should not be exceeded; and the hotel inbound rate for the AM peak hour and the hotel outbound rate for the PM peak hour should not be exceeded when comparing the trip generation rates of other uses with the hotel use. Where appropriate, reductions to the ITE Trip Generation Report rates can be applied with supporting documentation and with approval by the Fairfax County Department of Transportation (FCDOT).

For uses that generate more AM and PM peak hour vehicle trips than hotel use: Apply the same procedure for comparison as specified above.