

PROPOSED AMENDMENT

This proposed Zoning Ordinance amendment is based on the Zoning Ordinance in effect as of March 23, 2010 and there may be other proposed amendments which may affect some of the numbering, order or text arrangement of the paragraphs or sections set forth in this amendment, which other amendments may be adopted prior to action on this amendment. In such event, any necessary renumbering or editorial revisions caused by the adoption of any Zoning Ordinance amendments by the Board of Supervisors prior to the date of adoption of this amendment will be administratively incorporated by the Clerk in the printed version of this amendment following Board adoption.

STAFF NOTE: *All of proposed Part 5 of Article 6 is new text, although it has not been underlined to facilitate easier reading.*

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 for the Tysons Corner Urban Center. The PTC District
12 regulations are designed to provide the necessary flexibility to transform the
13 designated 1700 acre area from a suburban office park and activity center into
14 an urban, mixed-use, transit, bicycle and pedestrian oriented community to
15 promote high standards in urban design, layout and construction and to
16 otherwise implement the stated purpose and intent of this Ordinance. To create
17 mixed-use downtowns near mass transit, higher development intensities are to
18 occur within one half (1/2) mile of the four Metrorail stations, identified as
19 Transit Oriented Development (TOD) Districts in the adopted comprehensive
20 plan. The remaining areas, the Non-Transit Oriented Development (Non-
21 TODs) Districts, are to be developed into lively urban neighborhoods that
22 include an appropriate mix of uses, densities and intensities that are compatible
23 to 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.

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1 To be granted this zoning district, the applicant shall demonstrate the
2 development furthers the vision of the Tysons Corner Urban Center, as
3 identified in the adopted comprehensive plan, by meeting, at a minimum, the
4 following objectives.

- 5
6 1. Contribute to a tiered intensity of development having the highest
7 intensities located closest to the transit stations and provide the mix
8 of residential, office and commercial uses necessary to achieve a
9 vibrant, urban environment.
- 10
11 2. Provide the network of open space and urban parks, to include stream
12 valley parks, pocket parks, common greens, civic plazas and athletic
13 fields for the workers and residents of Tysons.
- 14
15 3. Promote environmental stewardship by implementing green building
16 design and incorporating low impact development strategies, such as
17 innovative stormwater management and green roofs, and achieving
18 the tree canopy goals for Tysons.
- 19
20 4. Further the implementation of the urban grid of streets and the
21 described street hierarchy for Tysons.
- 22
23 5. Reduce the amount of single occupant vehicle trips by limiting the
24 amount of provided parking and implementing various Transportation
25 Demand Management strategies, such as transit subsidies, carpool
26 and vanpool services, employee shuttles, car-sharing programs and
27 bicycle accommodations.
- 28
29 6. Provide the necessary public facilities to support the projected job
30 and population growth, including schools, fire and police services, a
31 library, public utilities, and an arts center.
- 32
33 7. Construct the specified streetscape and apply the urban design
34 guidelines specified for build-to lines, building articulation,
35 fenestration, ground floor transparency and parking design to create
36 an integrated urban, pedestrian-friendly environment.
- 37
38 8. Implement the workforce and affordable housing policies for Tysons
39 to provide housing to various income levels.
- 40

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

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1 prepared and approved in accordance with this Part and the provisions of
2 Article 16.

3
4 **6-502 Permitted Uses**

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

- 9
10 1. Accessory uses and home occupations as permitted by Article 10.
11
12 2. Affordable dwelling unit developments.
13
14 3. Automated teller machines.
15
16 4. Business service and supply service establishments.
17
18 5. Commercial and industrial uses of special impact (Category 5), limited to:
19
20 A. Amusement arcades
21
22 B. Car washes
23
24 C. Drive-in financial institutions
25
26 D. Drive-through pharmacies
27
28 E. Fast food restaurants
29
30 F. Funeral chapels
31
32 G. Industrial/flex
33
34 H. Pawnshops
35
36 I. Mini-warehousing establishments
37
38 J. Quick-service food stores
39
40 K. Retail sales establishments-large, when located in a multiple story
41 structure designed to contain at least one or more other permitted uses
42
43 L. Service stations
44
45 M. Service station/mini-marts

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- 1
- 2 N. Vehicle light service establishments
- 3
- 4 O. Vehicle sale, rental and ancillary service establishments
- 5
- 6 6. Commercial recreation uses (Group 5), limited to:
- 7
- 8 A. Billiard and pool halls
- 9
- 10 B. Bowling alleys
- 11
- 12 C. Commercial swimming pools, tennis courts and similar courts
- 13
- 14 D. Dance halls
- 15
- 16 E. Health clubs
- 17
- 18 F. Indoor archery ranges, fencing and other similar indoor recreational
- 19 uses
- 20
- 21 G. Miniature golf course
- 22
- 23 H. Skating facilities
- 24
- 25 I. Any other similar commercial recreation use
- 26
- 27 7. Community uses (Group 4).
- 28
- 29 8. Contractor's offices and shops.
- 30
- 31 9. Dwellings, including multiple family, single family attached and detached.
- 32
- 33 10. Eating establishments.
- 34
- 35 11. Establishments for printing, production, processing, assembly,
- 36 manufacturing, compounding, preparation, cleaning, servicing, testing, or
- 37 repair of materials, goods or products and associated retail sales; however,
- 38 bulk storage of flammable materials for resale, and those particular heavy
- 39 industrial uses set forth in Par. 13 of Sect. 9-501 shall not be permitted.
- 40
- 41 12. Establishments for scientific research, development and training where
- 42 assembly, integration and testing of products in a completely enclosed
- 43 building is incidental to the principal use of scientific research,
- 44 development and training.
- 45

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- 1 13. Exposition halls and facilities to house cultural or civic events or conventions
2 of political, industrial, fraternal or similar associations.
- 3
- 4 14. Financial institutions.
- 5
- 6 15. Garment cleaning establishments.
- 7
- 8 16. Hotels, motels.
- 9
- 10 17. Institutional uses (Group 3).
- 11
- 12 18. Kennels (indoors).
- 13
- 14 19. Light public utility uses (Category 1).
- 15
- 16 20. New vehicle storage.
- 17
- 18 21. Offices.
- 19
- 20 22. Parking, commercial off-street, as a principal use.
- 21
- 22 23. Personal service establishments.
- 23
- 24 24. Public uses.
- 25
- 26 25. Quasi-public uses (Category 3), limited to:
27
 - 28 A. Alternate uses of public facilities
 - 29
 - 30 B. Child care centers and nursery schools
 - 31
 - 32 C. Churches, chapels, temples, synagogues and other such places of
33 worship with a child care center, nursery school, or private school of
34 general or special education
 - 35
 - 36 D. Colleges, universities
 - 37
 - 38 E. Conference centers and retreat houses, operated by a religious or
39 nonprofit organization
 - 40
 - 41 F. Congregate living facilities
 - 42
 - 43 G. Cultural centers, museums and similar facilities
 - 44

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- 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
5
- 6 I. Independent living facilities
7
- 8 J. Medical care facilities
9
- 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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6-503 Special Permit Uses

1. For specific Group uses, regulations and standards, refer to Article 8.
2. Group 8 – Temporary Uses
3. Group 9 – Uses Requiring Special Regulation, limited to:
 - A. Home professional offices
 - B. Accessory dwelling units

6-504 Special Exception Uses

1. Subject to the use limitations presented in Sect. 505 below, any use presented in Sect. 502 above as a Group or Category use may be permitted with the approval of a special exception when such use is not specifically designated on an approved final development plan.
2. The following uses shall only be permitted with the approval of a special exception:
 - A. Category 3 – Quasi-Public Uses, limited to:
 - (1) Sports arenas, stadiums
 - B. Category 4 – Transportation Facilities, limited to:
 - (1) Heliports
 - (2) Helistops

6-505 Use Limitations

1. All development shall conform to the standards set forth in Part 1 of Article 16 and the objectives set forth in Sect. 501 above.
2. A final development plan shall be submitted and approved concurrently with the conceptual development plan for the proposed development. The conceptual and final development plan shall specify the uses and gross floor area for the proposed development; shall provide integrated site and building designs incorporating a mix of uses primarily within multiple story structures that will complement existing and planned development by incorporating high standards of urban design; shall be in accordance

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1 with any specific urban design concept and streetscape plans for the area
2 including the provision of convenient and accessible pedestrian walkways
3 and connections, all as set forth in the adopted comprehensive plan. To
4 ensure consistency with the urban design guidelines for the Tysons Corner
5 Urban Center, submission of detailed streetscape, landscaping and
6 building design plans, to include the location and height of rooftop
7 features and amenities, a parking plan, and a phasing plan, if applicable,
8 shall accompany an application for a rezoning to the PTC District
9 pursuant to Part 5 of Article 16.

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

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

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

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

30
31 5. Notwithstanding the definition of gross floor area, any cellar space with
32 structural headroom of six (6) feet, six (6) inches or more shall be counted
33 as part of the gross floor area and shall be included in the calculation of
34 the floor area ratio.

35
36 6. The floor area for dwellings shall be determined in accordance with the
37 gross floor area definition, as modified above; however, the following
38 features associated with dwellings shall not be deemed gross floor area:
39 balconies, porches, decks, breezeways, stoops and stairs which may be
40 roofed but which have at least one open side; or breezeways which may be
41 roofed but which have two (2) open ends. An open side or open end shall
42 have no more than fifty (50) percent of the total area between the side(s),
43 roof and floor enclosed with railings, walls, or architectural features.

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7. All uses shall be conducted entirely within an enclosed building with no outside storage, except those uses which by their nature must be conducted outside a building. Outdoor display and outdoor seating associated with a permitted use may be permitted when such areas are designated on an approved development plan.
8. It is intended that all uses and structures shall be designed in an integrated manner. Small scale structures containing one or more uses shall only be permitted when the applicant has demonstrated that such development meets the urban design guidelines set forth in the adopted comprehensive plan. However, as part of a long-term phased development proposal and to assist in maintaining the economic viability of the Tysons Corner Urban Center, when proposed as an interim use, uses and/or structures that are legally existing at the time of the rezoning to the PTC District may be continued, including any drive-through facility. New uses and/or structures as interim uses may also be permitted, even though such interim structures do not fully satisfy the urban design guidelines. All interim uses shall be specifically identified on an approved development plan, subject to the following:
 - A. The interim use and/or structure is identified in the phasing plan, as well as the timeframe of each phase of the proposed development and the intended duration of the interim use and/or structure. The applicant shall demonstrate that the interim use and/or structure will not adversely impact the ability to achieve the objectives set forth in Sect. 501 above.
 - B. For existing uses and structures, to the extent feasible, design elements set forth in the urban design guidelines of the comprehensive plan, such as enhanced streetscape and improvements to pedestrian and vehicular access should be provided. New uses and/or structures, to the extent feasible, shall be designed in accordance with the urban design guidelines including streetscape, build-to lines and building articulation.
 - C. All off-street parking, loading and stacking spaces for existing uses, shall be included as part of the parking plan pursuant to Sect. 509 below. Notwithstanding the provisions of Sect. 509, existing surface parking may be retained. Additionally, new surface parking may be provided when such surface parking is designed to minimize pedestrian conflicts by limiting the number of curb cuts; to orient parking, loading and drive aisles to the rear and side of the structure; and to provide appropriate landscaping and screening to minimize the potential adverse impacts on adjacent property.

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- D. In addition, the Board may impose such conditions and restrictions as it deems necessary to assure that the interim use and/or structure will be compatible with and will not adversely impact the ability to achieve the goals and objectives set forth in the adopted comprehensive plan.
9. Service stations, service station/mini-marts and vehicle light service establishments may be permitted when specifically identified on an approved development plan and in accordance with the following:
- A. All vehicle repair and service shall occur within a completely enclosed structure; and
- B. There shall be no vehicle or tool rental and no outdoor storage or display of goods offered for sale. In addition, no more than two (2) vehicles that are wrecked, inoperable or abandoned may be temporarily stored outdoors for a period in excess of seventy-two (72) hours, and in no event shall any one such vehicle be stored outdoors for a period exceeding seventy-two (72) hours.
10. Car washes, drive-in financial institutions, drive-through pharmacies or any other use with a drive-through facility may only be permitted when specifically identified on an approved development plan and such use including any drive-through facility and stacking spaces is located within a multiple story building or parking structure.
11. Drive-through facilities other than those permitted under Paragraphs 8 and 10 above shall not be permitted.
12. Kennels and veterinary hospitals shall be located within a completely enclosed building which is adequately soundproofed and constructed so that there will be no emission of odor or noise detrimental to other property in the area. In addition, the Health Department shall approve the construction and operation of all veterinary hospitals prior to issuance of any Building Permit or Non-Residential Use Permit.
13. Vehicle transportation service establishments may be permitted in accordance with the following:
- 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.

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- 1 C. The use shall be subject to the transitional screening and barrier
2 requirements as provided in Sect. 510 below.
3
- 4 14. Vehicle sale, rental and ancillary service establishments shall only be
5 permitted when specifically identified on an approved final development plan
6 and provided there shall be no outside display of vehicles, all vehicle storage
7 shall occur within a parking garage or enclosed building, and any ancillary
8 service establishment use shall occur within a completely enclosed structure.
9
- 10 15. New vehicle storage shall only be permitted when located within a parking
11 structure as a temporary use and in accordance with the following:
12
- 13 A. The owner shall demonstrate to the Zoning Administrator that
14 existing parking spaces are available for new vehicle storage due to
15 phasing of the development or tenant vacancies within the building.
16 The Zoning Administrator shall review and determine if such use is
17 in substantial conformance with the approved final development plan
18 as provided for in Sect. 16-403 and the approved parking plan as
19 provided in accordance with Sect. 509 below.
20
- 21 B. The layout of the new vehicle storage shall not hinder the internal
22 vehicle circulation within the parking structure, and there shall be no
23 mechanical parking lift devices or fencing associated with the new
24 vehicle storage.
25
- 26 C. There shall be no signs identifying the use and/or the associated
27 vehicle, sale, rental and ancillary service establishment.
28
- 29 16. A mini-warehousing establishment shall only be permitted when
30 specifically identified on an approved development plan and in accordance
31 with the following:
32
- 33 A. Loading and unloading areas shall be fully enclosed to minimize the
34 potential for adverse impacts within the development or on adjacent
35 property. All other activities associated with the use shall be
36 conducted completely indoors in a multiple story structure.
37
- 38 B. The design of the storage structure shall be office-like in appearance
39 and harmonious in color and design with that of the surrounding
40 development so to minimize any adverse visual impact.
41
- 42 C. No individual storage bay door or storage items shall be visible from
43 the outside of the storage structure.
44
- 45 D. The site shall be designed to facilitate safe and efficient on-site

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1 set forth in the adopted comprehensive plan, and as determined by the Board.
 2 *(The advertised range is 3.0 to 6.0)*

3
 4 **6-508 Open Space**

- 5
 6 1. The amount of open space shall be determined by the Board in accordance
 7 with the adopted comprehensive plan recommendations for streetscape and
 8 urban park standards, including publicly accessible parks, and other open
 9 space elements such as courtyards, plazas, trails, outdoor recreational
 10 facilities, landscaped roof tops, courtyards on structures, green roofs, or any
 11 rooftop recreational facilities. Not more than one-half of the publicly
 12 accessible open space shall be accommodated above the street level.
 13
 14 2. In addition to Par. 1 above, there shall be a requirement to provide
 15 recreational facilities. The provision of such facilities shall be subject to the
 16 provisions of Sect. 16-404, however, recreational facilities, such as
 17 swimming pools, exercise rooms, or health clubs, which are located on
 18 rooftops, deck areas and/or areas within a building, may be used to fulfill this
 19 requirement. The requirement for providing recreational facilities shall be
 20 based on a minimum expenditure of \$1600 per dwelling unit for such
 21 facilities and either:
 22
 23 A. The facilities shall be provided on-site by the developer in
 24 substantial conformance with the approved final development plan,
 25 and/or
 26
 27 B. The Board may approve the provision of the facilities on land which
 28 is not part of the subject PTC District.

29
 30 Notwithstanding the above, in affordable dwelling unit developments, the
 31 requirement for a per dwelling unit expenditure shall not apply to affordable
 32 dwelling units.
 33

34 **6-509 Off-Street Parking and Loading**

- 35
 36 1. Notwithstanding the provisions of Article 11, the number of off-street
 37 parking and loading spaces provided for the development in the PTC District
 38 shall be established with the approval of a parking plan. The parking plan
 39 shall accompany an application for rezoning to the PTC District and shall
 40 identify how the proposed number of parking spaces addresses the parking
 41 goals of the Tysons Corner Urban Center as set for in the adopted
 42 comprehensive plan; and how the proposed number of loading spaces is
 43 adequate to serve the proposed development.

44 At a minimum, the parking plan shall identify the appropriate parking
 45 rates based on the distance(s) from the Metro Station; include the number and

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1 location of all off-street parking, loading, and stacking spaces, parking lot or
 2 garage layout; a justification of shared parking arrangements among uses
 3 when a reduction from the minimum parking requirements for such uses is
 4 proposed; and a statement regarding achievement of the TDM goals set forth
 5 in the adopted comprehensive plan. Where parking is to be provided in
 6 phases in accordance with a phased development proposal, the parking plan
 7 shall provide the information set forth above for each proposed phase. In
 8 addition, a parking plan shall be developed in accordance with the following:
 9

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

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

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

16 B. For uses not specifically listed above, the minimum parking space
 17 requirement set forth in Sections 11-103, 11-104, 11-105 and 11-106
 18 shall apply as follows:
 19

- 20
- 21 (1) In the TOD Districts, there shall be no minimum number of
 22 parking spaces required and the rates set forth in such Sections
 23 shall serve as the maximum number of parking spaces permitted.
 24
- 25 (2) In the Non-TOD Districts, the minimum number of parking
 26 spaces required shall be based on eighty-five percent (85%) of
 27 the specified rates set forth in such Sections and the maximum
 28 number of parking spaces permitted shall be based on one
 29 hundred ten percent (110%) of such specified parking rates.
 30

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- 1 C. The applicant shall demonstrate to the Board's satisfaction that the
 2 number of off-street parking spaces is not in excess of the
 3 transportation demand management (TDM) goals identified in the
 4 adopted comprehensive plan and shall satisfy such TDM goals in a
 5 manner acceptable to the Department of Transportation.
 6
- 7 D. In a phased development proposal, the Board may approve the early
 8 provision of parking accessory to uses to be built in later phases of
 9 the development when it is demonstrated that such additional
 10 parking in the early phase(s) is necessary due to construction
 11 requirements or in furtherance of the objectives of the adopted
 12 comprehensive plan. Additionally, when an existing use is proposed
 13 to be retained as an interim use or if a new use is proposed as an
 14 interim use, the parking accessory to such interim uses shall
 15 generally conform to the rates set forth above. However, the Board
 16 may approve the retention of existing parking for an interim use. In
 17 all cases set forth above, parking at the build-out phase of the
 18 development shall conform to the total number of spaces approved
 19 for the entire development.
 20
- 21 2. It is intended that a substantial portion of the provided parking and loading
 22 spaces should be provided in above and/or below grade parking structures.
 23
- 24 3. In determining the number of loading spaces provided, the provisions of Sect.
 25 11-203, Off-Street Loading, shall be used as a guide.
 26
- 27 4. Subsequent to an approved parking plan, no additional parking shall be
 28 required for a change in use, provided the mix of uses is in substantial
 29 conformance with the approved final development plan as provided for in
 30 Sect. 16-403.
 31

32 **6-510 Additional Regulations**
 33

- 34 1. A site plan or minor site plan may be filed concurrently with the filing of a
 35 rezoning or special exception; however, no such plan shall be approved by
 36 the Director until the rezoning, special exception or special permit
 37 application has been approved by the Board. This concurrent processing
 38 shall not relieve the applicant from complying with the provisions of any
 39 applicable ordinances, regulations, or adopted standards, and shall not
 40 prejudice the consideration of the application in any way.
 41
- 42 2. Refer to Article 16 for standards and development plan requirements for
 43 all planned developments.
 44

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- 1 3. Refer to Article 2, General Regulations, for provisions which may qualify
2 or supplement the regulations presented above.
3
4 4. The landscaping and screening requirements of Article 13 shall apply as
5 follows:
6
7 A. Part 1, General Provisions, shall be applicable.
8
9 B. Part 2, Parking Lot Landscaping, shall apply except where streetscape
10 standards are set forth in the adopted comprehensive plan.
11
12 C. Part 3, Transitional Screening and Barriers, shall only apply at the
13 peripheral boundary of the Tysons Corner Urban Center, as identified
14 in the adopted comprehensive plan.
15

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

- 17
18 - **Amend Part 1, Scope of Regulations, Sect. 2-102, General Effect, by**
19 **revising the introductory paragraph as follows:**

20
21 No structure shall hereafter be erected and no existing structure shall be moved, altered,
22 added to or enlarged, nor shall any land or structure be used or arranged to be used for
23 any purpose other than is included among the uses listed in the following Articles as
24 permitted in the zoning district in which the structure or land is located, nor shall any
25 land or structure be used in any manner contrary to any other requirements specified in
26 this Ordinance. Notwithstanding the above, land located within the Tysons Corner
27 Urban Center, as defined in the adopted comprehensive plan, wherein a development
28 proposal utilizes the redevelopment option set forth in the adopted comprehensive plan,
29 shall only be considered by the Board in conjunction with a rezoning application to the
30 PTC District as set forth in Part 5 of Article 6.

- 31
32 - **Amend Part 4, Qualifying Lot and Yard Regulations, Sect. 2-412, Permitted**
33 **Extensions into Minimum Required Yards, by revising the second lead-in**
34 **paragraph as follows:**

35
36 For lots in the PDH, PDC, PRC, ~~and~~ PRM and PTC Districts, the minimum required
37 yard shall be deemed to be one-half of the distance of the yard that has been
38 established by the location of the principal structure on a lot. In other districts where
39 minimum yard requirements are determined by a specified distance between buildings,
40 the lot lines shall be established by a line located between the buildings drawn at the
41 mid-point and perpendicular to the shortest line between them.

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

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

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

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

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

Amend Article 8, Special Permits, as follows:

- **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

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

4
 5 PRC, PTC Districts: All uses when represented on an approved development plan
 6

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

- 10
 11 1. Group 9 uses may be allowed by right in the following districts:

12 PRM, PTC Districts: Limited to use 3
 13

- 14
 15 2. Group 9 uses may be allowed by special permit in the following districts:

16 PDC, PTC Districts: Limited to uses 6 and 17
 17
 18

19 **Amend Article 9, Special Exceptions, as follows:**

- 20
 21 - **Amend Part 3, Category 3 Quasi-Public Uses, Sect. 9-302, Districts in Which**
 22 **Category 3 Uses May be Located, by adding the new PTC District entry to Par. 1**
 23 **and Par. 2 as follows:**

- 24
 25 1. Category 3 uses may be permitted by right or as an accessory service use in the
 26 following districts:

27 PDH, PDC, PTC Districts: Limited to uses 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14
 28 and 15 when represented on an approved development plan
 29

- 30
 31 2. Category 3 uses may be allowed by special exception in the following districts:

32 PRM, PTC Districts: Limited to use 9
 33
 34

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

- 38
 39 1. Category 4 uses may be permitted by right or as an accessory service use in the
 40 following districts:

41 PDH, PDC, PTC Districts: Limited to uses 2, 3, 4, 6 and 72
 42
 43

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- 1 2. Category 4 uses may be allowed by special exception in the following districts:
 2
 3 PRM, PTC Districts: Limited to use 3 and 4
 4
- 5 - **Amend Part 5, Category 5 Commercial and Industrial Uses of Special Impact, as**
 6 **follows:**
 7
- 8 - **Sect. 9-502, Districts in Which Category 5 Uses May be Located, by adding**
 9 **the new PTC District entry to Par. 1 as follows:**
 10
- 11 1. Category 5 uses may be permitted by right or as an accessory service use in
 12 the following districts:
 13
 14 PTC District: Limited to uses 1, 3, 6, 11, 12, 16, 20, 21, 23, 25, 29, 30, 33,
 15 36, 43
 16
- 17 - **Amend Sect. 9-505, Additional Standards for Automobile-Oriented Uses,**
 18 **Car Washes, Drive-In Financial Institutions, Drive-Through Pharmacies,**
 19 **Fast Food Restaurants, Quick-Service Food Stores, Service Stations and**
 20 **Service Stations/Mini-Marts, by adding a new Par. 7 as follows:**
 21
- 22 7. In the PTC District, car washes, drive-in financial institutions, drive-
 23 through pharmacies, fast food restaurants, quick-service food stores,
 24 service stations and service stations/mini-marts may only be permitted in
 25 accordance with the provisions of Sect. 6-505.
 26
- 27 - **Amend Sect. 9-514, Additional Standards for Mini-Warehousing**
 28 **Establishments, by adding a new Par. 4 as follows:**
 29
- 30 1. Storage units shall be primarily for dead storage and all storage shall be
 31 within a completely enclosed building.
 32
- 33 2. Loading docks shall not be permitted.
 34
- 35 3. There shall be no incidental parking or storage of trucks and/or moving
 36 vans except for purposes of loading and unloading or unless approved as a
 37 part of a truck rental establishment.
 38
- 39 4. In the PDC and PTC Districts, mini-warehousing establishments may only
 40 be permitted in accordance with the provisions of Sect. 2-206 and 6-505, as
 41 applicable.

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- 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 Part 5, 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 Article 11, Off-Street Parking and Loading, Private Streets, as follows:**

19

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

22

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

31

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

34

- 35 1. In any R, C or I district, all structures built and all uses established hereafter
 36 shall provide accessory off-street loading spaces in accordance with the
 37 following regulations. In ~~a~~the PDH, PDC, PRC and PRM Districts, the
 38 provisions of this Part shall have general application as determined by the
 39 Director. In the PTC District off-street loading shall be provided in
 40 accordance with Sect. 6-509 and provisions of this Part shall be used as a
 41 guide. When an existing structure or use is expanded, accessory off-street
 42 loading spaces shall be provided in accordance with the following minimum
 43 requirements for the entire structure or use, as expanded or enlarged.

44

- 45 **Amend Article 12, Signs, as follows:**

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

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

1. As an alternative, signs may be permitted in a P district in accordance with a comprehensive plan of signage subject to approval of the Planning Commission following a public hearing conducted in accordance with the provisions of Sect. 18-109. The comprehensive plan of signage shall show the location, size, height and extent of all proposed signs within the P district or section thereof, as well as the nature of the information to be displayed on the signs.
2. In addition, within a PRC District or the Tysons Corner Urban Center as designated in the adopted comprehensive plan, a plan for off-site directional signs which identify destinations or locations within the district or center such as commercial centers, residential areas, public uses or community facilities may be approved by the Planning Commission following a public hearing conducted in accordance with Sect. 18-109; provided, however, that written notice to property owners and adjacent property owners shall not be required. The plan for off-site signs shall show the location, size, height and extent of all signs encompassed within the plan as well as the nature of the information to be displayed on each sign. All such signs shall be located within the PRC District or the Tysons Corner Urban Center, as applicable.
3. Any application submitted pursuant to Par. 1 or 2 above may be made by any property owner, owner of an easement, lessee, contract purchaser or their agent or within the Tysons Corner Urban Center, an application pursuant to Par. 2 above may be made by a public agency or County recognized redevelopment organization or authority. Such application shall be accompanied by a statement setting forth the names of the record owners of the properties upon which such signs are proposed to be located and a fee as set forth in Sect. 18-106. In the event an application pursuant to Par. 2 above is made within the Tysons Corner Urban Center to include property not zoned PTC, such directional signs shall not impact the amount or size of signage otherwise permitted on such property.
 When such application requests permission to erect a sign on property owned by someone other than the applicant, then such application shall be accompanied by a written statement signed by the record owners of such properties which indicates their endorsement of the application.
4. The above-cited signage options shall be in accordance with the standards for all planned developments as set forth in Part 1 of Article 16. All proposed signs shall be in scale and harmonious with the development and shall be so located

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1 and sized as to ensure convenience to the visitor, user or occupant of the
 2 development while not adding to street clutter or otherwise detracting from the
 3 planned unit nature of the development and the purposes of architectural and
 4 urban design elements.

5
 6 **Amend Article 13, Landscaping and Screening, as follows:**

7
 8 - **Amend Part 2, Parking Lot Landscaping, as follows:**

9
 10 - **Amend Sect. 13-202, Interior Parking Lot Landscaping, by adding a new**
 11 **Par. 8 as follows:**

12
 13 8. In the PTC District, interior parking lot landscaping shall be provided in
 14 accordance with the provisions of that district.

15
 16 - **Amend Sect. 13-203, Peripheral Parking Lot Landscaping, by adding a new**
 17 **Par. 5 as follows:**

18
 19 5. In the PTC District, peripheral parking lot landscaping shall be provided in
 20 accordance with the provisions of that district.

21
 22 - **Amend Part 3, Transitional Screening and Barriers, Sect. 13-302, Transitional**
 23 **Screening and Barriers, General Requirements, by adding a new Par. 9 as**
 24 **follows:**

25
 26 9. In the PTC District, transitional screening and barriers shall be provided in
 27 accordance with the provisions of that district.

28
 29 **Amend Article 16, Development Plans, as follows:**

30
 31 - **Amend Part 1, Sect. 16-102 Design Standards, by revising Par. 1 as follows:**

32
 33 1. In order to complement development on adjacent properties, at all peripheral
 34 boundaries of the ~~planned development district~~, PDH, PRM, PDC, PRC Districts
 35 the bulk regulations and landscaping and screening provisions shall generally
 36 conform to the provisions of that conventional zoning district which most closely
 37 characterizes the particular type of development under consideration. In the PTC
 38 District, such provisions shall only have general applicability and only at the
 39 periphery of the Tysons Corner Urban Center, as designated in the adopted
 40 comprehensive plan.

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1 - **Amend Part 4, Sect. 16-401, Conceptual Development Plan Approval, by revising**
 2 **Par. 8 as follows:**

3
 4 8. In approving a conceptual development plan, the Board may authorize a variance
 5 in the strict application of specific zoning district regulations whenever:

6
 7 A. Such strict application would inhibit or frustrate the purpose and intent for
 8 establishing such a zoning district; and

9
 10 B. Such variance would promote and comply with the standards set forth in
 11 Part 1 above.

12
 13 In no case, however, shall the maximum density provisions under the PDH
 14 District and the maximum floor area ratio provisions under the PDC, ~~and PRM~~
 15 and PTC Districts be varied or modified.

16
 17 - **Amend Part 4, Sect. 16-403, Site Plan/Subdivision Plat Preparation, Building**
 18 **Permit, Residential Use Permit and Non-Residential Use Permit, by revising Par.**
 19 **4A(7)(d) as follows:**

20
 21 4A(7) Include the addition of any building or additions to buildings except that
 22 accessory structures clearly subordinate to the use and minor additions to
 23 buildings may be permitted, provided that the sum total of all such structures or
 24 additions shall not exceed the following:

25
 26 (a) five (5) percent of the approved gross floor area or 500 square feet of
 27 gross floor area, whichever is less, when the total gross floor area shown
 28 on the approved final development plan is less than 50,000 square feet; or

29
 30 (b) one (1) percent of the approved gross floor area when the total gross floor
 31 area shown on the approved final development plan is 50,000 square feet
 32 or more; or

33
 34 (c) 250 square feet of gross floor area of accessory storage structure uses
 35 when the total gross floor area shown on the approved final development
 36 plan is 10,000 square feet or less; and

37
 38 (d) the land area designated for commercial uses in the PDH District or the
 39 maximum FAR provisions in the PDC, ~~and PRM~~ and PTC Districts; or

40
 41 (e) the maximum permitted density.

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- 1 - Amend Part 4, Sect. 16-404, by revising the Section title as follows:

2
3 **Sect. 16-404 Required Recreational Facilities in PDH, Planned Development**
4 **Housing, PDC, Planned Development Commercial, ~~and~~ PRM,**
5 **Planned Residential Mixed Use and PTC, Planned Tysons Corner**
6 **Urban Districts**
7

8 ***STAFF NOTE: Given the comments received regarding the submission of a***
9 ***concurrent CDP/FDP for long term phased development***
10 ***proposals, staff is working on text that would set forth one set of***
11 ***submission requirements for the CDP/FDP plan for the initial***
12 ***rezoning, and a list of those elements of the development plan that***
13 ***could be subsequently amended through the FDPA process.***

- 14
15 - Amend Part 5, Sect.16-501, Conceptual Development Plan, by revising Par. 1S
16 and adding a new Par. 6 as follows:

17
18 1S. A statement setting forth the maximum gross floor area and FAR proposed for all
19 uses other than residential. In the PTC District, the statement shall include the
20 maximum gross floor area and FAR for all uses.

21
22 6. Notwithstanding the submission requirements set forth above, the following shall
23 accompany an application for a rezoning to the PTC District:

24
25 A. A statement as to whether any of the development is located within the
26 TOD and/or Non-TOD Districts, and if within the TOD Districts, the
27 delineation of the one eighth (1/8), one quarter (1/4) and one half (1/2) mile
28 distance from the Metro Station, as applicable, as set forth in the adopted
29 comprehensive plan.

30
31 B. A phasing plan which identifies each phase of the proposed development.
32 Such plan shall at a minimum specify for each phase of the development
33 the location and the mix of uses, including interim uses; the streetscape and
34 landscape treatments to be provided; the amount and location of all
35 parking, stacking and loading spaces; the anticipated timeline for
36 construction and shall include a statement as to how each phase of
37 development will provide the necessary infrastructure, i.e., parking, grid of
38 streets and public facilities necessary to achieve the redevelopment option
39 set forth in the adopted comprehensive plan.

40
41 C. A parking plan as set forth in Sect. 6-509.

42
43 D. A shadow analysis demonstrating how projected shadows from the
44 proposed development will affect adjacent buildings and properties in
45 terms of the loss of received sunlight.

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1 - **Amend Part 5, Sect. 16-502, Final Development Plan, by adding a new Par. 9 as**
 2 **follows:**

3
 4 9. Notwithstanding the submission requirements set forth above, the following shall
 5 accompany an application for a rezoning to the PTC District:

6
 7 A. Detailed building design plans to include architectural sketches and/or
 8 elevations of structures; information on the type, location and height of all
 9 rooftop structures and features and the percent of roof area covered by such
 10 structures; information on building materials, building-mounted lighting
 11 fixtures and signs; graphics and/or photo simulations that depict the
 12 proposed structures as viewed from adjacent properties.

13
 14 B. A statement and graphic depiction of the types, sizes and locations of the
 15 urban design amenities to be provided within PTC District including
 16 pedestrian linkages, plazas, courtyards, bicycle trails, outdoor recreation
 17 facilities, ponds, fountains, public parks and any seating, lighting or special
 18 paving.

19
 20 C. Detailed streetscape and landscaping plans in accordance with the urban
 21 design guidelines set forth in the adopted comprehensive plan.

22
 23 **Amend Article 18, Administration, Amendments, Violations and Penalties, as follows:**

24
 25 - **Amend Part 1, Administration, Sect. 18-106, Application and Zoning Compliance**
 26 **Letter Fees, by revising the PDH, PDC and PRM District entry of Par. 2 as**
 27 **follows:**

28
 29
 30 PDH, PDC, ~~and~~ PRM and PTC Districts

31		
32	Application with conceptual development plan	\$26460 plus \$885 per
33	acre	
34		
35	Application with concurrent filing of	\$26460 plus \$1305 per
36	acre	
37	conceptual and final development plans	
38		
39	Final development plan	
40	\$13230 plus \$420 per acre	

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1 - **Amend Part 2, Amendments, Sect. 18-211, Limitation on Rehearing, by revising**
2 **the following entry of Par. 3 as follows:**

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

6
7 Classification 1 R-A through R-4 Districts and PDH-1 through
8 PDH-4 Districts

9
10 Classification 2 R-5 through R-MHP Districts, PDH-5 through
11 PDH-40 Districts and PRM District

12
13 Classification 3 All C Districts, ~~and PDC~~ and PTC Districts

14
15 Classification 4 All I Districts

16
17 Classification 5 PRC District

18
19 Classification 6 All Overlay Districts

