

**PRELIMINARY DISCUSSION
ZONING ORDINANCE AMENDMENT FOR TYSONS
OVERALL FRAMEWORK**

**Planning Commission's Tysons Corner Committee
November 12, 2009**

Below is the typical framework for zoning district regulations in the current Zoning Ordinance. The sections below list the preliminary ideas and possible alternatives staff is considering for developing the Tysons Zoning Ordinance Amendment.

PURPOSE AND INTENT

- Implement the vision for Tysons, as identified in Straw Man II for both the TOD and Non-TOD Districts
- Create an urban oriented planned development district for Tysons
- Require applicants within the geographic area of Tysons who choose the redevelopment option in Straw Man II to rezone to the Tysons Zoning District

PERMITTED USES, SPECIAL PERMIT USES, SPECIAL EXCEPTION USES

- Provide a range of more urban type uses
- As a guide, consider the permitted uses in the PRM and PDC Districts
- Provide flexibility to accommodate the mix of uses described in the Straw Man II
- Evaluate whether specific uses should be permitted in the TOD Districts and either limited, through imposition of use limitations, or prohibited in the Non-TOD Districts
- Provide that "light industrial uses" such as establishments for production and processing, manufacturing and large catering establishments and research laboratories are permitted, provided appropriate use limitations are provided
- Allow any Group or Category use (Special Permit or Special Exception Use) be permitted with the approval of a special exception when such use is not specifically designated on an approved final development plan, subject to certain use limitations

USE LIMITATIONS

- The use limitations in the PRM and PDC Districts can be used as a guide
- Create use limitations to put restrictions on certain uses depending on their location within TOD or Non-TOD Districts, such as drive-throughs and service stations
- Within the TOD, restrict residential development to multiple family dwellings. Single family attached dwellings may be allowed at the periphery of the TOD and in the Non-TOD areas to provide a transition from the high density development to adjacent lower density development

USE LIMITATIONS (Continued)

- Within Non-TOD areas, prohibit or limit single family detached dwellings
- Permit vehicle transportation service establishments that allow only a maximum of five vehicles on site at any one time and prohibit the maintenance and refueling of the vehicles
- Count cellar space towards Floor Area Ratio
- Include design/architectural limitations such as requiring minimum transparency percentage on the first floor, building step-back above second story, tower articulation and shadow studies. This could also be addressed through modifications to Article 16
- Encourage outdoor seating areas by requiring minimum percentage of area devoted to outdoor dining or other activity

LOT SIZE REQUIREMENTS

- These requirements which include minimum district size, lot area and lot width can be regulated based on:
 - No Requirement
 - OR
 - As specified in the Comprehensive Plan (Straw Man II)
 - OR
 - As an absolute #, with the ability of the Board to consider a lesser amount if the proposal can be considered as a logical extension of an existing P District or is in substantial conformance with the Comprehensive Plan

BULK REGULATIONS

- Building Height and Minimum Yards, similar to the lot size requirements, can be regulated based on:
 - No Requirement
 - OR
 - As specified in the Comprehensive Plan (Straw Man II)
 - OR
 - Controlled by the standards set forth in Part 1 of Article 16. (PRM and PDC District Language). Part 1 of Article 16 references conformance with the Comprehensive Plan

BULK REGULATIONS (Continued)

- Floor Area Ratio (FAR) is currently expressed in Conventional, PDC and PRM Districts as a maximum. There are a number of alternatives that are being discussed including:
 - No Requirement
 - OR
 - As provided in the Comprehensive Plan (Straw Man II)
 - OR
 - An absolute #, exclusive of bonuses for affordable/workforce housing and green building practices
- There is ongoing discussion concerning whether there should also be a minimum FAR specified.

PARKING

- Identify maximum parking rates, as specified in Straw Man II, but provide for the negotiation of parking rates, including the phasing of reduced rates over time, during the rezoning or site plan process
- OR
- Identify new parking minimums for the mix of uses anticipated in Tysons with special reductions permitted within Tysons based on hourly parking accumulation characteristics of the various uses and/or proximity to a mass transit station
- Require that a substantial portion of the required parking should be either below grade or wrapped by a building façade

OPEN SPACE

- On-site: Require an absolute % of the gross area be landscaped open space, unless modified by the Board

OR

As determined by the Board, in accordance with the Straw Man II recommendations for streetscape and publicly accessible urban parks

- Recreation Facilities Fee: Retain P District amount of \$1500 per dwelling unit to be used on site and/or off-site, if approved by the Board

SIGNAGE

- In accordance with Article 12, which allows any development in a P Districts to apply for a comprehensive sign plan in lieu of the standard sign requirements

OR

- Require a comprehensive sign plan

ADDITIONAL REGULATIONS/OTHER ITEMS TO CONSIDER

Review the other articles in the Zoning Ordinance to ensure there are no conflicts with the current regulations and Straw Man II:

Article 2, General Regulations

- Building Height Exemptions for Rooftop Structures
- Affordable Dwelling Unit/Workforce Housing regulations. It is anticipated that there will be modifications to the program requirements for the Tysons District
- Review telecommunication regulations to ensure the by-right installations are appropriate for Tysons

Article 10, Accessory Uses, Accessory Service Uses and Home Occupations

- Location of certain accessory structures, such as public art

Article 13, Landscaping and Screening

- Parking Lot Landscaping
- Transitional Screening and Barriers. Staff is evaluating whether these regulations should apply, especially in the TOD areas, or whether these issues would be addressed through urban design guidelines and requirements specified in Straw Man II
- Tree Conservation

Article 14, Performance Standards

- Noise Standards
- Outdoor Lighting Standards

Article 16, Development Plans

- Consider inclusion of more specific urban design standards, such as minimum transparency percentage on the first floor, building step-back above second story, tower articulation and shadow studies