



# County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

August 10, 2009

**TO:** All Applicants for Zoning Changes Including Rezoning, Special Exception, and Special Permit and Amendments to These Land Use Categories

**SUBJECT:** Updated Requirements Regarding Traffic Impact Analysis Submittals

## Procedural Changes

Beginning October 1, 2009, all Traffic Impact Analyses (TIA) required under State Chapter 527 regulations for rezoning applications (includes rezoning, proffer condition amendments, special exception applications and amendments, and special permit applications and amendments) shall be submitted to the Fairfax County Department of Transportation (FCDOT) concurrent with the initial filing of the application with the Fairfax County Department of Planning and Zoning (DPZ). At that time the TIA will be forwarded to the Virginia Department of Transportation (VDOT) to be reviewed for compliance with regulatory submission requirements associated with State Chapter 527 regulations. Upon a favorable determination by DPZ that the rezoning application satisfies the minimum submission requirements of the Fairfax County Zoning Ordinance, the application will be distributed for review however scheduling of public hearing dates will not occur until FCDOT and DPZ staffs are notified that the submitted TIA meets the applicable regulatory submission requirements. This change in procedure allows an earlier opportunity to review the traffic data anticipated with the pending rezoning application and identify potential deficiencies in the submitted TIA. The goal of this procedural change is to resolve any regulatory deficiencies in the TIA early in the process so that when public hearing dates are established for the rezoning application the focus can shift to addressing transportation needs identified during the application review.

## Elements of a TIA

According to provisions in the Virginia Code regarding rezoning applications, the Virginia Department of Transportation (VDOT) is to be provided with the following information in order to adequately review a TIA.

**Required proposal elements.** The package submitted by the locality to VDOT shall contain sufficient information and data so that VDOT may determine the location of the rezoning, its size, its impact on state-controlled highways, and methodology and assumptions used in the analysis of the impact. Submittal of an incomplete package shall be considered deficient in meeting the submission requirements of § 15.2-2222.1 of the Code of Virginia and shall be returned to the locality and the applicant, if applicable, identifying the deficiencies noted. A package submitted to VDOT shall contain the following items:

Fairfax County Department of Transportation  
4050 Legato Road, Suite 400  
Fairfax, VA 22033  
Phone: (703) 877-5600 TTY: 711  
Fax: (703) 877-5723  
[www.fairfaxcounty.gov/fcdot](http://www.fairfaxcounty.gov/fcdot)



1. A cover sheet containing:
  - a. Contact information for locality and developer (or owner), if applicable;
  - b. Rezoning location, highways adjacent to site, and parcel number or numbers;
  - c. Proposal summary with development name, size, and proposed zoning; and
  - d. A statement regarding the proposal's compliance with the comprehensive plan.
2. A traffic impact statement prepared in accordance with 24VAC30-155-60.
3. A concept plan of the proposed development.

### **Complete TIA**

The TIA must be prepared in accordance with State regulations discussed in 24VAC30-155-60. The Checklist comprising the basic requirements for a study is available from VDOT at [www.virginiadot.org/projects/chapter527/default.asp](http://www.virginiadot.org/projects/chapter527/default.asp) and bulleted as 'Traffic Impact Analysis checklist'. This should be used by the submitter to validate the content and completeness of data included in the analysis. If conformity with the requirements in 24VAC30-155-60 is not achieved, a determination of non-compliance is likely. This will require revision of the TIA and a restart of the process to determine compliance.

The regulatory guidance for review of a TIA clearly distinguishes between a process to determine whether a TIA complies with State regulations and a TIA review process to identify and make recommendations pertaining to transportation impacts associated with a proposed development. The procedural changes are intended to have VDOT clearly identify deficiencies in the TIA to be addressed by the applicant toward a determination that the study is complete. The Checklist included in the regulation is an effective means to easily outline deficiencies in the TIA. It is expected that VDOT will continue a practice to distinguish technical issues based on the Checklist from recommendations for transportation improvements with these procedural changes.

### **Procedural Changes - Process**

A flowchart depicting the compliance process is appended to this document.

1. Continuing with current practice, FCDOT staff will make a determination as to the need for a TIA for rezoning applications. Information adequate to make a determination will now be submitted directly to FCDOT prior to submission of a zoning application to DPZ. FCDOT will provide its determination to the applicant and DPZ.
2. The scoping process for a rezoning TIA is unchanged. All development proposals that require a scoping meeting under the State regulations will need to have that step completed prior to submittal of a study for review. The scoping document must be signed by all appropriate parties.

3. All rezoning TIAs will be submitted directly and solely to FCDOT. The applicant will confirm with TIA submittal that a rezoning application has been formally submitted to DPZ. FCDOT will notify DPZ when a TIA has been submitted.
4. The following information is to be provided with the rezoning TIA submittal. This is based on regulations promulgated with 24VAC30-155-40.
  - a. Development plan associated with rezoning submittal
  - b. Tax map defining location of property and roadways serving the rezoning property
  - c. Proposal summary including development name, size (acreage), proposed zoning, and proposed type of land uses including maximum number of residential units and/or building square footage
  - d. The Checklist demonstrating compliance with 24VAC30-155-60
  - e. A digital copy of the TIA without the appendices
  - f. Minutes from the formal scoping discussions shall be included in the appendix of the TIA
  - g. A completed LandTrack log-in form and the appropriate Chapter 527 fee check submitted directly to VDOT subsequent to transmittal of the TIA to VDOT by FCDOT
5. VDOT will review the TIA to determine if it complies with State regulations for submittals of studies and provide a response to FCDOT and the applicant. Once a compliance review is complete, a copy of the Checklist and/or a detailed listing of technical deficiencies are expected to be provided with the VDOT response. If the Checklist is used, specific details and additional deficiencies not outlined on the Checklist should be included in the report.
6. Revised rezoning TIAs will be submitted to FCDOT for transmittal to VDOT. Subsequent VDOT review(s) will follow the procedure outlined in (4.) above.
7. When no deficiencies are identified VDOT will notify FCDOT and the applicant. The TIA will be considered compliant with 24VAC30-155-60. Further review and analysis of transportation recommendations can continue.
8. The setting of public hearing dates for the rezoning application will not occur until VDOT confirms that the TIA is compliant with 24VAC30-155-60. A zoning application that meets the submission requirements outlined in the Zoning Ordinance will be forwarded for distribution, review, analysis, and comment during the period that VDOT is determining that the TIA is compliant with 24VAC30-155-60.

Letter to Industry  
August 10, 2009  
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**Feedback**

Any questions regarding these changes to the processing of TIAs should be directed to FCDOT, Site Analysis Section, by calling 703 877-5600.

Sincerely,

A handwritten signature in black ink, appearing to read "Katharine D. Ichter". The signature is fluid and cursive, with a large initial "K".

Katharine D. Ichter, P.E., Director  
Department of Transportation

cc: James Zook, Director, DPZ  
Regina Coyle, Director, Zoning Evaluation Division, DPZ  
Daniel Rathbone, Director, Transportation Planning Division, FCDOT

# REZONING PROCESS

