

Note: The remaining sections of Chapter 11: Procedures were considered at the Planning Commission’s August 30, 2022 Public Hearing.

CHAPTER 11: PROCEDURES

11.10 Zoning Amendments

11.10.06 Urban Policy Area Zoning Districts - Additional Requirements

Purpose. *To provide additional requirements for Zoning Map Amendments and Zoning Concept Plan Amendments in Urban Policy Area Zoning Districts.*

- A. **Applicability.** Zoning Map Amendments and Zoning Concept Plan Amendments to Urban Policy Area Zoning Districts will be processed subject to the requirements of this Section in addition to the requirements of Sections 11.10.01 or 11.10.05. Where there is a conflict, the provisions of this Section apply.
- B. **Planned Development-Transit Related Center (PD-TRC) Zoning District.** Concept Development Plans for applications in the PD-TRC Zoning District must be prepared according to Section 11.10.04 and include the following:
 1. Delineation of required Inner Core Subarea, Outer Core Subarea, Transit-Designed Supportive Area, and proposed land bay.
 2. Location of proposed uses by building and uses category for each subarea and land bay.
 3. A table or tables that provide:
 - i. Total gross floor area;
 - ii. Minimum and maximum gross floor area and Floor Area Ratio (FAR) for each use category by subarea and land bay;
 - iii. The minimum and maximum height, in feet and stories, of all buildings for each subarea and land bay;
 - iv. Total area of open space and on-site amenities for each subarea and land bay; and
 - v. Total number of dwelling units by type and density for each subarea and land bay.
 4. Location of open space and on-site amenities.
 5. Comprehensive pedestrian, bicycle, and vehicle network that shows:
 - i. Pedestrian, bicycle, and vehicle facilities.
 - ii. Existing and future bus stops;
 - iii. Metrorail stations; and
 - iv. Off-street parking and loading spaces, including structured parking.
 6. Site and building design to include:
 - i. Typical streetscape design, including cross-sections that show pedestrian facilities.
 - ii. Location and design of focal points within each subdistrict.
 - iii. Architectural sketches of typical proposed structures, including lighting fixtures and signs.
 - iv. Cross sections of proposed building.
 7. When the development is to be constructed in phases, a development schedule showing the anticipated order of construction of such phases.

- C. **Urban Employment (UE) Zoning District.** Concept Development Plans for applications in the UE Zoning District must be prepared according to Section 11.10.04 and include the following:
1. Location of proposed uses by building and use category for each land bay.
 2. A table or tables that provide:
 - i. Total gross floor area and land area;
 - ii. Minimum and maximum gross floor area and FAR for each use category by land bay;
 - iii. Minimum and maximum height, in feet and stories, of all buildings for each land bay; and
 - iv. Total area of open space and on-site amenities for each land bay.
 3. Location of open space and on-site amenities.
 4. Comprehensive pedestrian, bicycle, and vehicle network that shows:
 - i. Pedestrian, bicycle, and vehicle facilities;
 - ii. Existing and future bus stops;
 - iii. Metrorail stations; and
 - iv. Off-street parking and loading spaces, including structured parking.
 5. Site and building designs to include:
 - i. Typical streetscape design, including cross-sections that show pedestrian facilities;
 - ii. Architectural sketches of typical proposed structures, including lighting fixtures and signs; and
 - iii. Cross-sections of proposed buildings.
 6. When the development is to be constructed in phases, a development schedule showing the anticipated order of construction of such phases.

11.10.07 Planned Development-Mixed Use Business (PD-MUB) - Additional Requirements

Purpose. To provide additional requirements for Zoning Concept Plan Amendments within the Planned Development-Mixed Use Business (PD-MUB) Zoning District.

- D. **Applicability.** Zoning Concept Plan Amendments within the PD-MUB Zoning District will be processed subject to the requirements of this Section as they may supplement those of Section 11.10.05. Where there is a conflict, the provisions of this Section apply.
- E. **Concept Development Plan.** In addition to addressing the standards in Section 11.10.04, Concept Development Plans in an PD-MUB Zoning District must include a development program chart that depicts the proposed mix of uses to be provided upon full development, to include:
1. Total gross floor area;
 2. Minimum and maximum gross floor area for each use category and each land bay or block;
 3. Minimum and maximum heights of buildings in stories and feet for each land bay or block; and
 4. Total area of open space for each land bay or block.
- F. **Design Guidelines.** Design guidelines for PD-MUB Zoning District development must be provided for complete Zoning Concept Plan Amendment applications. The design guidelines must include:
1. General building location, articulation, and façade standards that accommodate pedestrians as the primary user, ensure a high quality appearance, and ensure compatibility between uses;
 2. General streetscaping and dimensional standards for the street network and block structure that efficiently utilize the land and interconnect multiple modes of transportation;

3. Standards in regard to the general size, location, purpose, and use of parks and open space that establish such uses as prominent features within the development; and
4. Standards establishing the general location and architectural treatment of parking structures within the development.

11.10.09 Planned Unit Development (PUD) - Additional Requirements

Purpose. *The provisions of this Section establish special pro-cedures for approving a Planned Unit Development (PUD) Zoning District.*

- A. **Applicability.** Zoning Map Amendments and Zoning Concept Plan Amendments to the PUD Zoning District will be processed subject to the requirements of this Section in addition to the requirements of Section 11.10.01 or 11.10.05. Where there is a conflict, the provisions of this Section apply.
- B. **Application Requirements.** Any request for PUD Zoning District approval must include the following elements in addition to a Zoning Map Amendment application required by Section 11.10.01:
 1. **Statement of Justification.** The Statement of Justification must specifically address the following:
 - i. How the PUD Zoning District conforms with the Urban Policy Area or Suburban Policy Area Design Guidelines listed in Appendix A of the General Plan.
 - ii. How the PUD Zoning District conforms with the Place Type of the site.
 - iii. How the PUD Zoning District conforms with other applicable policies of the General Plan, including but not limited to Natural, Environmental, and Heritage Resources; Housing; Economic Development; and Fiscal Management and Public Infrastructure.
 - iv. How the PUD Zoning District conforms with the Purpose of the PUD District in Section 2.07.
 - v. How the PUD Zoning District is being used to achieve a higher quality of project design than could be accomplished through standard zoning districts.
 - vi. How the PUD Zoning District conforms with the 10 General Place Type Considerations listed in Appendix A of the General Plan.
 2. **PUD Master Plan.** A PUD Master Plan must include the following required elements.
 - i. **Development Standards.** Development standards including the following:
 1. **Dimensional Standards.** Minimums and maximums for the following dimensional standards: Lot size, width, and depth requirements. Front, side, and rear yard requirements. Floor area ratio. Lot coverage. Building height.
 2. **Uses.** The uses permitted within the PUD. Each use must be listed in the PUD Master Plan and designated as by right, Minor Special Exception, or Special Exception. Uses not listed are not permitted in the PUD.
 3. **Mix of Uses.** The mix of land uses by percentage. Residential uses in total number of dwelling units by type. Nonresidential uses in gross floor area by type.
 4. **Transitions.** Transition standards for uses within the PUD Zoning District and adjacent to another zoning district.
 5. **Open Space.** Minimum area of open space consistent with the Place Type.
 6. **Transportation.** Transportation and access standards for vehicles, transit riders, bicycles, and pedestrians.
 7. **Building Design.** Building design standards.
 8. **On-Site Amenities.** The scale and timing of on-site amenities to be provided.

- ii. **Concept Development Plan.** A Concept Development Plan (CDP) meeting the requirements of Section 11.10.04 and containing:
 - 1. A land use plan for each land bay or subarea detailing where the mix of uses are to be developed on site and within each building.
 - 2. A Phasing Plan, if more than 1 phase is contemplated.
 - 3. A Road and Block Plan.
 - 4. A Pedestrian and Bicycle Network Plan pursuant to Section 7.07.03 and PUD development standards.
 - iii. **Private Roads.** When a PUD Zoning District application includes a request to use private roads, the applicant must demonstrate how permission to use private roads will accomplish the purpose of the PUD Zoning District and produce development that is consistent with the Countywide Transportation Plan and applicable General Plan Place Types.
- C. **Factors for Consideration.** In addition to the Factors for Consideration provided in Section 11.10.01.D, the following will also be given reasonable consideration:
- 1. Conformance with the 10 General Place Type Considerations listed in Appendix A of the General Plan.
 - 2. Conformance with the Urban Policy Area or Suburban Policy Area Design Guidelines listed in Appendix A of the General Plan.
 - 3. Achieving a higher quality of project design than could be accomplished through the strict application of a standard zoning district.
- D. **PUD Master Plan Amendments.** Any amendment to an approved PUD Master Plan approved pursuant to Sections 2.07, 11.10.01, and this Section must follow the procedures below:
- 1. **Administrative Amendments.** In addition to the administrative changes to a Concept Development Plan permitted by Section 11.10.04.B, the Zoning Administrator may administratively approve PUD Master Plan amendments that propose any of the following alterations:
 - i. A relocation of a fence, wall, sign, or utility. Fences or walls required for transition areas or buffer yards may not be removed or relocated to an area that conflicts with the buffering requirement.
 - ii. An exchange of above ground stormwater control facilities of like size.
 - 1. The Zoning Administrator may not administratively approve the relocation of an above ground stormwater facility to a location closer than 50 feet from the boundary of the PUD District.
 - iii. An exchange of open space area, provided the exchanged properties are of like acreage, value, and utility and that no Tree Conservation Area, open space easement, or other protected open space area has been recorded with the Loudoun County Land Records for the requested exchanged properties.
 - iv. An adjustment to the location of transit facilities, provided the adjustment:
 - 1. Is acceptable to the Department of Transportation and Capital Infrastructure (DTCI); and
 - 2. Occurs prior to the recordation of any associated easements necessary for the transit facility.
 - v. Minor adjustments in location of building, parking, and open space areas. A minor adjustment is defined as a modification in orientation or distance to property line; however, the adjustment must not exceed 100 feet in distance from the approved location and must not be located any closer than 50 feet to the boundary of the PUD Zoning District.
 - 1. *Exception.* Where a building or parking area is shown on the approved Master Plan within 50 feet of a property line, the building or parking area adjustment is not permitted to be located any closer to the property line than as shown on the approved Master Plan.

vi. A transfer of nonresidential floor area, residential floor area, or residential dwelling units, from one land bay or area to another, not to exceed 5% of the total amount on the approved Master Plan for each standard.

1. An increase in residential floor area is not permitted to result in an increase in the number of dwelling units permitted.
2. **Updated PUD Master Plan.** Any requirement associated with a permitted change listed in subsection D.1 must be shown on an updated PUD Master Plan.
3. **Non-Administrative Amendments.** Any other amendment not listed in subsection D.1 is subject to the Zoning Concept Plan Amendment process specified in Section [11.10.05](#).

Draft 1/5/23