

CHAPTER 711: PROCEDURES – SECTIONS 11.10.06, 11.10.07, AND 11.06.09

7.0911.10 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 ~~to urban zoning districts~~ 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.

A.B. **Planned Development-Transit Related Center/Urban Mixed Use (UT/UM (PD-TRC)) Zoning District.** Concept Development Plans for applications in the UT/UM PD-TRC Zoning District must be prepared according to Section 11.10.04 and include the following:

1. Delineation of required ~~subareas and the relationship between development in these areas~~ Inner Core Subarea, Outer Core Subarea, Transit-Designed Supportive Area, and proposed land bay.
1. The type and scale ~~Location~~ of proposed uses including:
2. Depiction of general ~~location~~ by building and uses category for each subarea and arrangement of principal proposed uses; land bay.
3. Tabulation of proposed minimum ~~A table or tables that provide:~~
 - a. Total gross floor area;
 - a. Minimum and maximum gross floor area ratio and square footage of development;
 - a.b. Tabulation of residential unit type Floor Area Ratio (FAR) for each use category by subarea and quantity; land bay;
 - b.c. Tabulation of the ~~The~~ minimum and maximum height, in feet and stories, of all buildings; for each subarea and land bay;
 - e.d. Tabulation of the minimum ~~Total~~ area and type of open space areas, i.e., plaza, square, green or park, and on-site amenities for each subarea and land bay; and
 - e. 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:
 - a. Pedestrian, bicycle, and vehicle facilities.
 - b. Existing and future bus stops;
 - c. Metrorail stations; and
 - d. Off-street parking and loading spaces, including structured parking.
6. Site and building design to include:
 - a. Typical streetscape design, including cross-sections that show pedestrian facilities.
 - b. Location and design of focal points within each subdistrict.
 - c. Architectural sketches of typical proposed structures, including lighting fixtures and signs.
 - d. Cross sections of proposed building.
- 3.7. 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:
 - a. Total gross floor area and land area;
 - b. Minimum and maximum gross floor area and FAR for each use category by land bay;
 - c. Minimum and maximum height, in feet and stories, of all buildings for each land bay; and
 - d. 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:
 - a. Pedestrian, bicycle, and vehicle facilities;
 - b. Existing and future bus stops;
 - c. Metrorail stations; and
 - d. Off-street parking and loading spaces, including structured parking.
- 4.5. Site and building designs to include:
 - ~~b. Depiction of the integration of the built and open space environment;~~
 - ~~c. Comprehensive pedestrian, bicycle, and vehicle network showing:
 - ~~1. Integration and connections between the uses;~~
 - ~~2. Planned or existing transit stops and transit parking; and~~
 - ~~3. Internal and external pedestrian, bicycle, and vehicle networks;~~~~
 - ~~d. Depiction of pedestrian streetscape design;~~
 - ~~a. Location of off-street parking and loading spaces, including structured parking; cross-sections that show pedestrian facilities;~~
 - ~~e. Location of bus stops;~~
 - ~~f. Location and design of focal points within the district;~~
 - ~~b. Architectural sketches, if available, of typical proposed structures, including lighting fixtures and signs; and~~
 - ~~c. Cross-sections of proposed buildings to evaluate the streetscape and skyline with relation to adjacent development.~~
2. A table that provides:
 - ~~a. Total floor area, floor area for each use type, and total floor area ratio in each land bay and subarea;~~
 - ~~b. Total number of dwelling units by type;~~
 - ~~c. Total residential units and units per acre by subarea; and~~
 - ~~d. Total area in open space, including recreational open space provided and the amount required.~~
- 5.6. When the development is to be constructed in phases, a development schedule showing the anticipated order of construction of such phases.

~~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:~~

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

3. Purpose. The type and scale of proposed uses including:

a. Depiction of general location and arrangement of principal proposed uses;

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

A. **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.

B. **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 and total area of development;

2. Tabulation of proposed minimumMinimum and maximum floor area ratio, gross floor area for each use type, category and total floor area ratio, each land bay or block;

2.3. Minimum and areamaximum heights of development buildings in stories and feet for each land bay; or block; and

b. TabulationTotal area of the minimum and maximum height, in feet and stories, of all buildings; and

4. Tabulation of the total open space provided for each land bay or block.

C. **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;

c. Standards in regard to the general size, location, purpose, and requireduse of parks and

3. Tabulation of the minimum area and type of open space areas, that establish such as plaza, square, green, or park, for each land bay, uses as prominent features within the development; and

4. SiteStandards establishing the general location and building designs to include:

a. Depiction of the integration of the built and open space environment;

b. Depiction of a comprehensive pedestrian, bicycle, and vehicle network showing:

1. Integration and connections between uses;

2. Planned or existing transit stops and architectural treatment of parking; and

3. Internal and external pedestrian, bicycle, and vehicle networks;

c. Depiction of the location and width of all streets, pedestrian walkways, and bicycle paths;

d. Depiction of pedestrian streetscape design;

e. Location of off-street parking and loading spaces, including structured parking;

f. Location of bus stops;

4. Architectural sketches, if available, of typical proposed structures, including lighting fixtures and signs; and within the development.

- ~~g. Cross sections of proposed buildings to evaluate the streetscape and skyline with relation to adjacent development.~~

~~When the development is to be constructed in phases, a development schedule showing the anticipated order of construction of such phases.~~

7.0911.10.09 Planned Unit Development (PUD) - Additional Requirements

~~Purpose.~~

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

- A. ~~Authority.~~ *By ordinance duly enacted by the Board of Supervisors, the rezoning of land* **Applicability.** *Zoning Map Amendments and Zoning Concept Plan Amendments to the PDPUD Zoning District may* **will** *be approved* **processed** *subject to the ~~procedures and considerations in requirements of this section as they may supplement these~~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 **PDPUD Zoning** District approval must include the following elements in addition to a Zoning Map Amendment application required by ~~Sections~~Section 11.10.01, 11.10.03, and 11.10.04:
 - 1. ~~PD Master Plan.~~ A PD Master Plan must include the following ~~required~~ elements. More than 1 required element may be combined onto a single map/plan sheet if each element is legible.
 - a. ~~Vicinity Map.~~
 - b. ~~Existing Conditions Map.~~
 - c. ~~General Layout Map delineating all zoning district and overlay zoning district boundaries.~~
 - d. ~~A Concept Development Plan meeting the requirements of Section 11.10.04.~~
 - e. ~~A Detailed Plan that specifies or depicts:~~
 - 1. ~~Each element of the development that is subject to a requested modification, including location, modified regulation section reference, new standard, and how the modification will be used in the design of a project;~~
 - a. ~~If a standard of this Ordinance is not listed as being modified, then the standard is considered applicable and must be adhered to. However, subsequent requests for alternative compliance may be submitted;~~
 - 2. ~~Maximum and minimum building heights;~~
 - 3. ~~Maximum and minimum yard setbacks for all structures and parking areas;~~
 - 4. ~~Locations of nonresidential and residential land uses.~~
 - 5. ~~Proposed maximum number of dwelling units by dwelling unit type for each PD subarea or land bay;~~
 - 6. ~~Proposed maximum square footage of multifamily residential floor area for each PD subarea or land bay; and~~
 - 7. ~~Proposed maximum square footage of nonresidential floor area for each PD subarea or land bay.~~
 - f. ~~Road and Block Plan, including road sections if Road Corridor Setbacks are modified.~~
 - g. ~~Number, size, and location of the uses listed in Section 2.07.C.7 if proposed.~~
 - h. ~~Pedestrian and Bicycle Network pursuant to Section 7.07.03.~~
 - i. ~~Parking Plan.~~

- ~~j.—Open Space Plan pursuant to Section 7.02.~~
 - ~~k.—Tree Conservation Area, if proposed.~~
 - ~~l.—Location of major utilities and/or stormwater management facilities.~~
 - ~~m.—Phasing Plan, if more than 1 phase is contemplated.~~
 - ~~n.—An illustrative 3-dimensional model or digital rendering that shows building elevations, location of streets, and prominent site features. The 3-dimensional model must illustrate the potential massing and scale of the proposed development but will not be regulatory.~~
2. ~~**Road Corridor Setback Modifications.** When a PD District application includes a request to modify the Road Corridor Setbacks of Table 7.04.02.B, the request to modify the road corridor setbacks must also demonstrate conformance with the following:~~
- ~~a.—No parking between a structure and the road where the modification will apply.~~
 - ~~b.—Orientation of buildings to be located in reduced setbacks toward the road where the modification will apply.~~
 - ~~c.—Pedestrian-oriented design for the buildings to be located in reduced setbacks that achieves the following standards:
 - ~~1.—Front of the building oriented toward the road where the modification will apply;~~
 - ~~2.—First floor window/glass and building entry in building facades along roads or sidewalks;~~
 - ~~3.—High quality and variety of building materials; and~~
 - ~~4.—Architectural materials, features, and design are the same on each side of the building and incorporate articulated building facades.~~~~
 - ~~d.—Noise attenuation is or will be provided for noise sensitive uses.~~
 - ~~e.—The reduced setback is not less than the yard setback required by the underlying zoning district. If the yard setback is reduced with the PD District, then the Road Corridor Setback is not permitted to be less than the reduced yard setback.~~
 - ~~f.—The width and plantings of the required Road Corridor Buffer without modification.~~
 - ~~g.—The Pedestrian and Bicycle Network requirements of Section 7.07.03 without modification.~~
 - ~~h.—All bicycle and pedestrian facilities can be provided in conformance with the Countywide Transportation Plan and in accordance with VDOT standards without necessitating a VDOT waiver.~~
 - ~~i.—The entire road section at full build out as specified in the Countywide Transportation Plan can be accommodated.~~
 - ~~j.—Setbacks along arterial roads are not reduced by more than 75% of the required width.~~
1. **Statement of Justification.** The Statement of Justification must specifically address the following:
- ~~k.—How the PDPUD Zoning District conforms with the Urban Policy Area Design Guidelines of the General Plan for Urban Zoning Districts.~~
 - a. How the PD Zoning District conforms with or Suburban Policy Area Design Guidelines listed in Appendix A of the General Plan for Suburban Zoning Districts.
 - b. How the PDPUD Zoning District conforms with the corresponding Place Type identified in of the General Plan site.
 - c. How the PDPUD 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.
 - d. How the PDPUD Zoning District conforms with the Purpose of the PDPUD District in Section 2.07.

- e. How the **PDPUD** Zoning District is being used to achieve a higher quality of project design than could be accomplished through ~~the strict application of the base Urban or Suburban Zoning District(s)-standard zoning districts.~~
 - ~~1. Submission of a project design using the base zoning district standards with no modifications may be required to demonstrate that the proposed PD Zoning District achieves a higher quality design.~~
- f. How the **PDPUD** Zoning District conforms with the 10 General Place Type Considerations ~~for PD Zoning Districts~~ listed in Appendix A of the General Plan.

2. PUD Master Plan. A PUD Master Plan must include the following required elements.

a. 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.

b. 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.**

c. 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.**

~~C.D.~~ **PUD Master Plan Amendments.** Any amendment to an approved ~~PDPUD~~ Master Plan approved pursuant to Sections 2.07, 11.10.0201, and this ~~section~~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 ~~PDPUD~~ Master Plan amendments that propose any of the following alterations, ~~provided the alteration does not exceed the standards of the base zoning district:~~
 - ~~1. Any requirement associated with a permitted change must be shown on an updated PD Master Plan.~~
 - a. 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.
 - b. 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 ~~PDPUD~~ District.
 - c. 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.
 - d. An adjustment to the location of transit facilities ~~is permitted~~, 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.
 - e. 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 ~~PDPUD~~ 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.
 - f. A transfer of nonresidential floor area, residential floor area, or residential dwelling units, from one land bay or area to another, not to exceed ~~a 5% maximum~~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 ~~PDPUD~~ Master Plan.** Any requirement associated with a permitted change listed in ~~Section 11.10.09.C~~subsection D.1 must be shown on an updated ~~PDPUD~~ Master Plan.
3. **Non-Administrative Amendments.** Any other amendment not listed in ~~Sec. 11.10.09.C~~subsection D.1 is subject to the ~~rezoning~~Zoning Concept Plan Amendment process specified in Section 11.10.0205.

~~**Committed Timed Elements Extension.** Where a PD Zoning District approval specifies certain committed timed elements, the applicant may request an extension for up to 1 year, to be granted by the Zoning Administrator provided development within the PD Zoning District or in the vicinity has not created the need for the committed timed elements. This extension is permitted only 1 time for each committed timed element.~~