

APPROVED DEVELOPMENT CONDITIONS

SE 2016-HM-020

February 9, 2017

The Board of Supervisors approved SE 2015-HM-020 located at Tax Map 17-3 ((8)) 2A part and 17-3 ((8))(3A) 2A part, for electrically-powered regional rail transit facilities pursuant to Sect. 9-405 of the Fairfax County Zoning Ordinance. The Board of Supervisors conditioned its approval by requiring conformance with the following development conditions:

1. This special exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This special exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions.
3. Any plan submitted pursuant to the special exception shall be in substantial conformance with the approved SE Plat/Public Facilities Plan entitled "Reston Town Center Station – South" as prepared by Dewberry and consisting of nine sheets dated May 23, 2016, and revised through January 18, 2017. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. A copy of the development conditions approved by the Board of Supervisors shall be included in all relevant plans, as determined by the Department of General Services (DGS) and/or the Metropolitan Washington Airports Authority (MWAA).
5. Certification from DGS and/or MWAA shall be provided to the Department of Planning and Zoning that the project conforms to these special exception conditions prior to the issuance of a Non-Residential Use Permit (Non-RUP). Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
6. Stormwater management plans shall be reviewed and approved by the Department of Environmental Quality (DEQ), which assumed responsibility from the Virginia Department of Conservation and Resources for the Virginia Stormwater Management Act, Virginia Erosion and Sediment Control Act, and Chesapeake Bay Preservation Act and shall also be based on the Cooperative Agreement dated July 19, 2007 between the County and MWAA. The stricter of the State or Fairfax County standards shall be applied by the State reviewing authority.

7. Erosion and Sediment control plans shall be implemented as determined by DEQ. The stricter of the State or Fairfax County standards shall be applied by the State reviewing authority.
8. Subject to the standards and approval of the Virginia Department of Transportation, Fairfax County Department of Transportation, the Washington Metropolitan Area Transit Authority, and MWAA, pedestrian access may be provided by the applicants or by others from the subject property to connect to the adjacent properties, and landscaping may be relocated or removed to accommodate such access, without the need for an amendment to the special exception.

This approval, contingent on the above noted conditions, shall not relieve the applicants from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicants shall be responsible for obtaining the required Non-Residential Use Permit through established procedures, and this special exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.