

DEVELOPMENT CONDITIONS

SEA 94-Y-050

March 10, 2004

If it is the intent of the Board of Supervisors to approve SEA 94-Y-050 located at Tax Map 65-1 ((1)) 21 to amend a previously approved special exception for Light Public Utility pursuant to Sect. 9-100 of the Fairfax County Zoning Ordinance to permit a reduction in land area to 4.79 acres the staff recommends that the Board condition the approval by requiring conformance with the following development conditions, which supercede all previous conditions. Those conditions carried forward from the previously approved special exception are marked with an asterisk. Minor edits have been made to conform with current terminology. These edits have been underlined.

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. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception Amendment Plat entitled "Washington Gas Light Company", prepared by BC Consultants and dated September 29, 2003, and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. Evergreen tree plantings depicted on the SE plat shall meet PFM standards with respect to tree size.*
5. If not already done, to reduce off-site glare to nearby residential properties, the proposed and existing lights shall be equipped and/or retrofitted with sensors so that the lights will be actuated when employees are on site or when the perimeter security fence is breached.
6. New and replacement light fixtures shall meet the provisions of Part 9, Article 14.
7. The radio tower shall not exceed 120 feet in height.
8. There shall be no storage of materials or equipment, or for the repair or servicing of vehicles or equipment, or for the parking of vehicles except those needed by employees connected with the operation of the immediate facility.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself 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 had a Non-RUP issued for the new land area. 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.