



APPLICATION ACCEPTED: August 21, 2009
PLANNING COMMISSION: January 7, 2010
BOARD OF SUPERVISORS: To be determined

County of Fairfax, Virginia

December 23, 2009

STAFF REPORT

SPECIAL EXCEPTION APPLICATION SEA 80-S-103-03

SPRINGFIELD DISTRICT

APPLICANT: FLO TV Inc.

ZONING: R-C, WS

PARCEL(S): 77-3 ((1)) 1A

ACREAGE: 5.44 acres

PLAN MAP: Residential; .1-.2 du/ac

SE CATEGORY: Category 1; Use 8: Mobile and land based telecommunication facility

PROPOSAL: Amend SEA 80-S-103-02, previously approved for a telecommunication facility and associated equipment, to permit the relocation of two (2) satellite dishes and site modifications.

STAFF RECOMMENDATIONS:

Staff recommends approval of SEA 80-S-103-03 subject to the proposed development conditions in Appendix 1.

Staff recommends approval of a modification of the transitional screening requirement and waiver of the barrier requirements along all property boundaries in favor of that shown on the SEA plat.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

Christopher M. DeManche

It should be further noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Supervisors.

The approval of this special exception amendment does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.

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Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Exception Amendment

SEA 80-S-103-03

Applicant: FLO TV INC.
Accepted: 08/21/2009
Proposed: AMEND SE 80-S-103 PREVIOUSLY APPROVED FOR TELECOMMUNICATION FACILITY TO PERMIT SITE MODIFICATIONS

Area: 5.44 AC OF LAND; DISTRICT - SPRINGFIELD

Zoning Dist Sect: 03-0C04

Art 9 Group and Use: 1-08

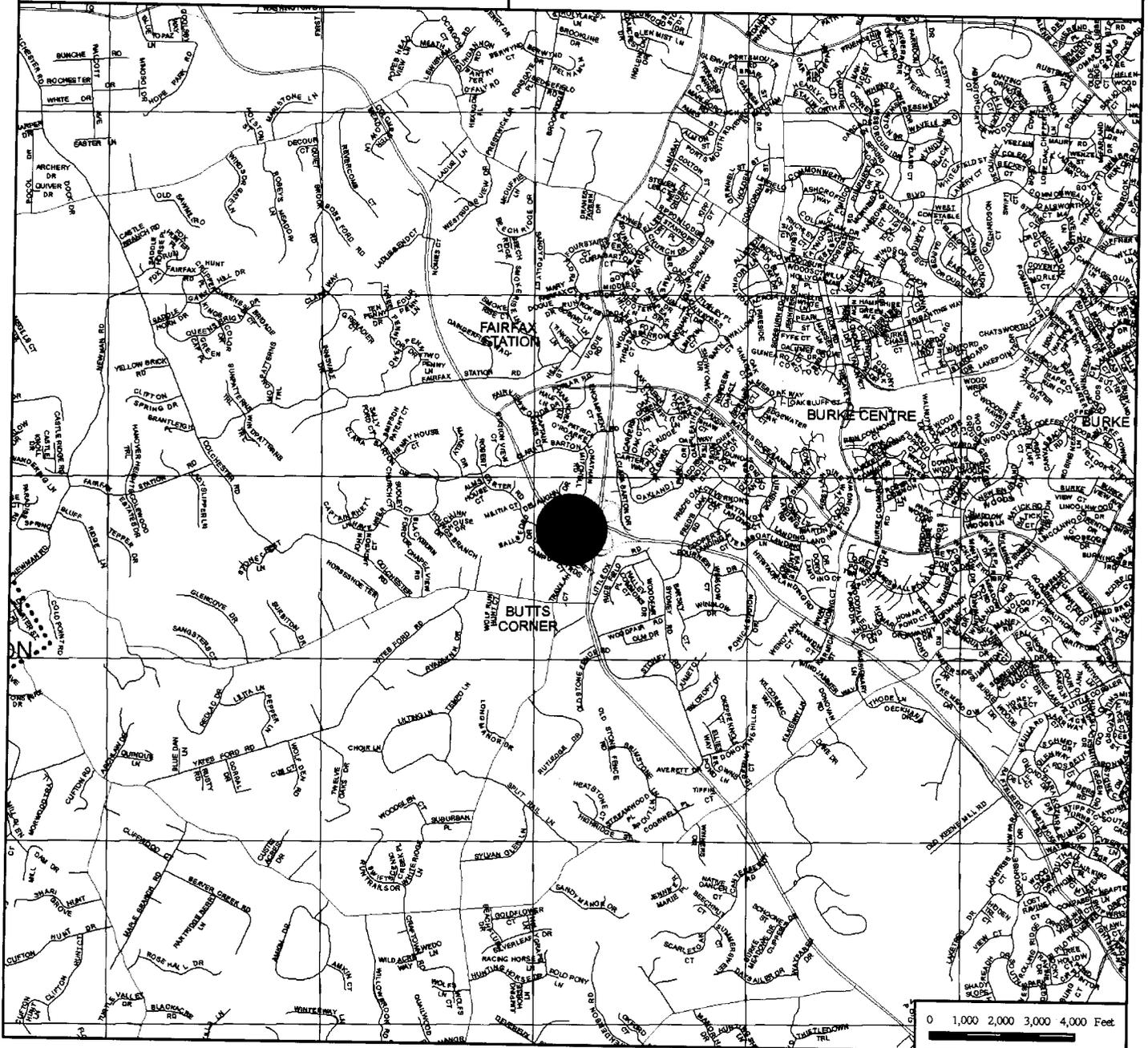
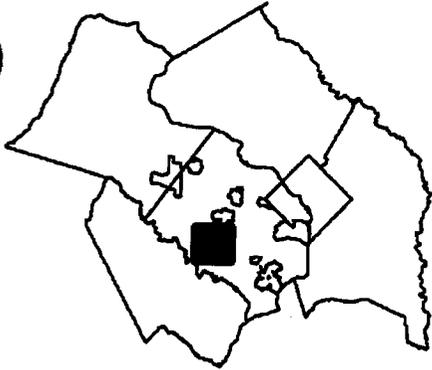
Located: 6199 OLD ARRINGTON LANE

Zoning: R- C

Plan Area: 3,

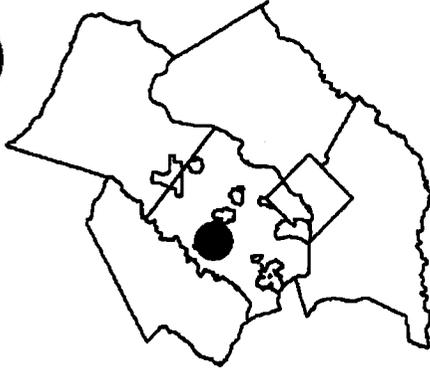
Overlay Dist: WS

Map Ref Num: 077-3- /01/ /0001A



Special Exception Amendment

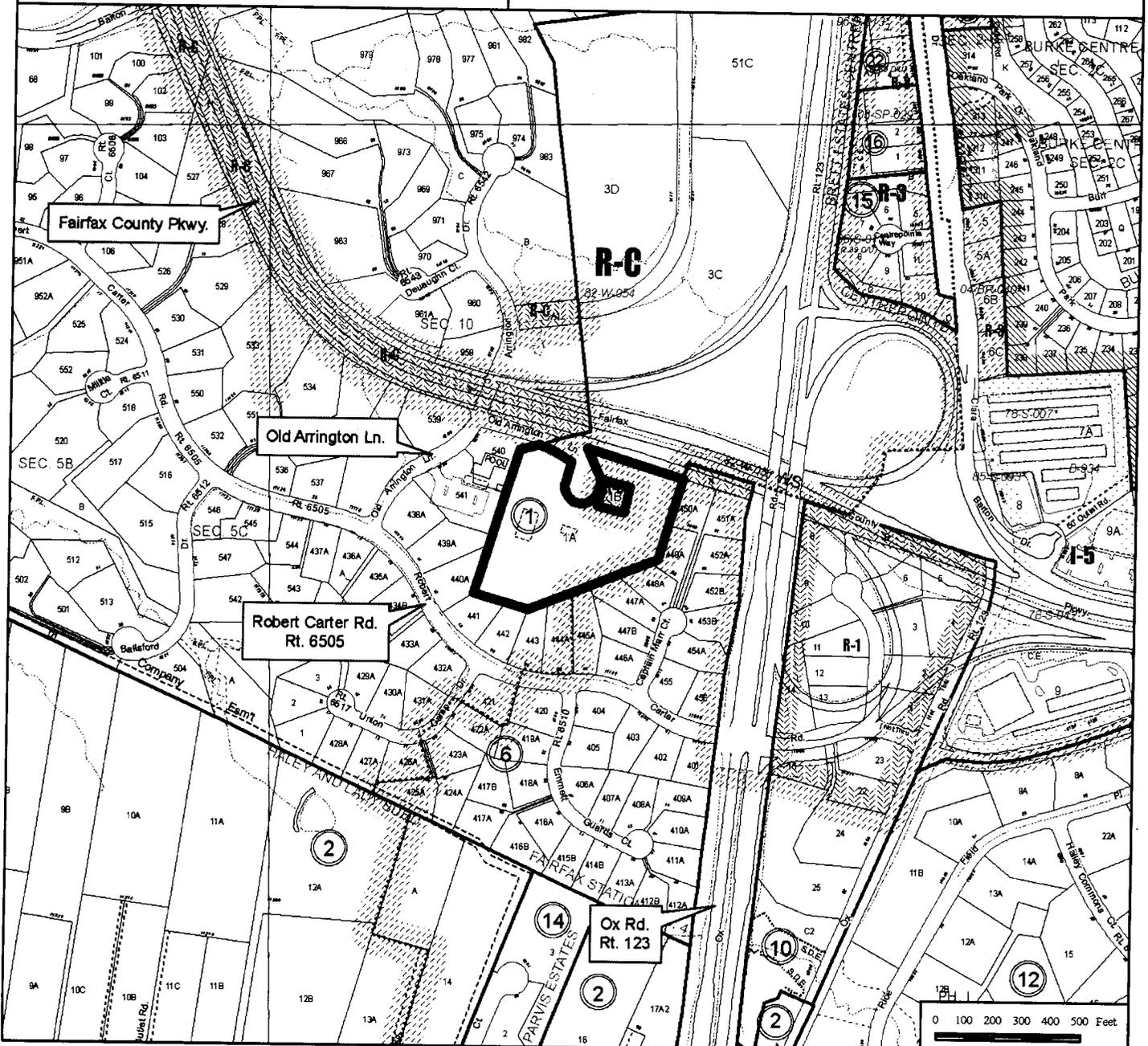
SEA 80-S-103-03



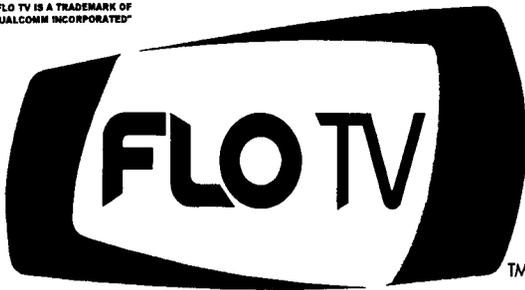
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Located: 6199 OLD ARRINGTON LANE
Zoning: R- C
Plan Area: 3,
Overlay Dist: WS
Map Ref Num: 077-3- /01/ /0001A



"FLO TV IS A TRADEMARK OF QUALCOMM INCORPORATED"



live mobile tv

5775 MOREHOUSE DRIVE
SAN DIEGO, CALIFORNIA 92121

SITE NAME: FAIRFAX STATION
SITE NUMBER: WAS-007
SITE ADDRESS: 6199 OLD ARRINGTON LANE
FAIRFAX STATION, VIRGINIA
22039

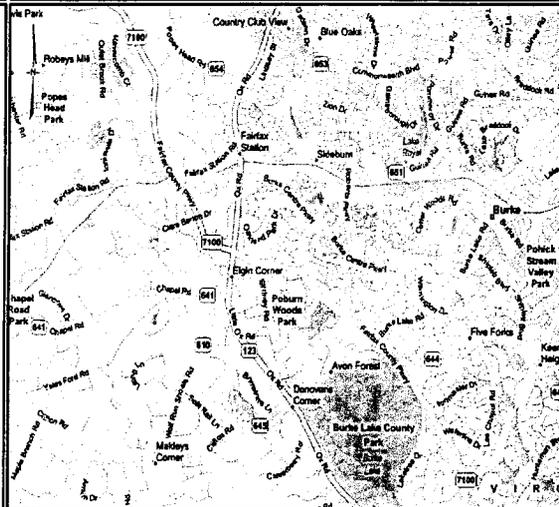
SITE TYPE: EXISTING 495' GUYED TOWER
LATITUDE: N 38°47'16.2"
LONGITUDE: W 77°19'46.3"



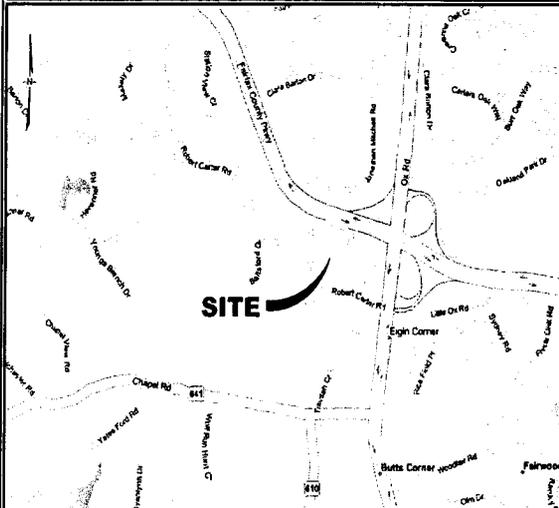
SITE INFORMATION

SITE NAME: FAIRFAX STATION
SITE NUMBER: WAS-007
SITE ADDRESS: 6199 OLD ARRINGTON LANE
FAIRFAX STATION, VIRGINIA 22039
JURISDICTION: FAIRFAX COUNTY, VIRGINIA
MAPK: 077301 0001A
TAX DISTRICT: 8T000
DISTRICT NAME: SPRINGFIELD TRANSPORTATION
LAND USE CODE: RADIO & TELEVISION
PARCEL SIZE: 5.4356 AC.
ZONING: RC
SITE COORDINATES: N 38° 47' 16.2" (NAD 83)
W 77° 19' 46.3" (NAD 83)
GROUND ELEVATION: 443± (NAVD 88)
STRUCTURE TYPE: GUYED TOWER
STRUCTURE HEIGHT: 495± AGL (TOP OF GUYED TOWER)
ANTENNA RAD CENTER: 439'-0"± AGL (PERMANENT)
PROPERTY OWNERS NAME: PAXON COMMUNICATIONS OF WASHINGTON 66, INC.
PROPERTY OWNERS ADDRESS: 601 CLEARWATER PARK ROAD
WEST PALM BEACH, FLORIDA 33401
LANDLORD NAME: AMERICAN TOWER CORPORATION
SITE#: 19034
LANDLORD ADDRESS: 1215 SOUTH MOUNTAIN ROAD
JOPPA, MARYLAND 21088
(860)996-7951
APPLICANT: FLO TV, INC.
5775 MOREHOUSE DRIVE
SAN DIEGO, CALIFORNIA 92121
AGENT: WIRELESS FACILITIES, INC.
10705 MALAGUENA LANE, NE
ALBUQUERQUE, NEW MEXICO 87111
ENGINEER: CMX
10480 LITTLE PATUXENT PARKWAY, SUITE 1000
COLUMBIA, MARYLAND 21044

AREA MAP



LOCATION MAP



INDEX OF DRAWINGS

SHEET NO.	SHEET DESCRIPTION
T-1	TITLE SHEET
S-1	SPECIAL EXCEPTION PLAT
S-2	COMPOUND PLAN
S-3	ELEVATION

SCHEDULE OF REVISIONS

NO.	DATE	DESCRIPTION OF CHANGES
1	12-03-09	REV. PER COUNTY COMMENTS (ZDS)
2	07-24-09	REV. PER COUNTY COMMENTS (ZDS)
3	06-01-09	REV. PER COUNTY COMMENTS (ZDS)
4	02-13-09	ISSUED FOR ZONING (ZDS)
5	01-06-09	ISSUED FOR BOX REVIEW (ZDS)

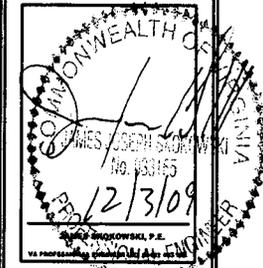
DRAWN BY: MTG
CHECKED BY:
SCALE: NOTED
JOB NO.: 08034507

TITLE SHEET

DRAWING SHEET:
T-1

FAIRFAX STATION
WAS-007
6199 OLD ARRINGTON LANE
FAIRFAX STATION, VIRGINIA
22039

SHEET NO. 1 OF 4



PROJECT DESCRIPTION

1. NEW SATELLITE DISHES AND ALL ASSOCIATED PARTS TO BE INSTALLED.

APPLICABLE CODES

BUILDING CODE: IBC 2006
ELECTRICAL CODE: NEC 2002
FIRE SAFETY CODE: IFC 2003
USE GROUP: U (UTILITY)
CONSTRUCTION TYPE: II-B

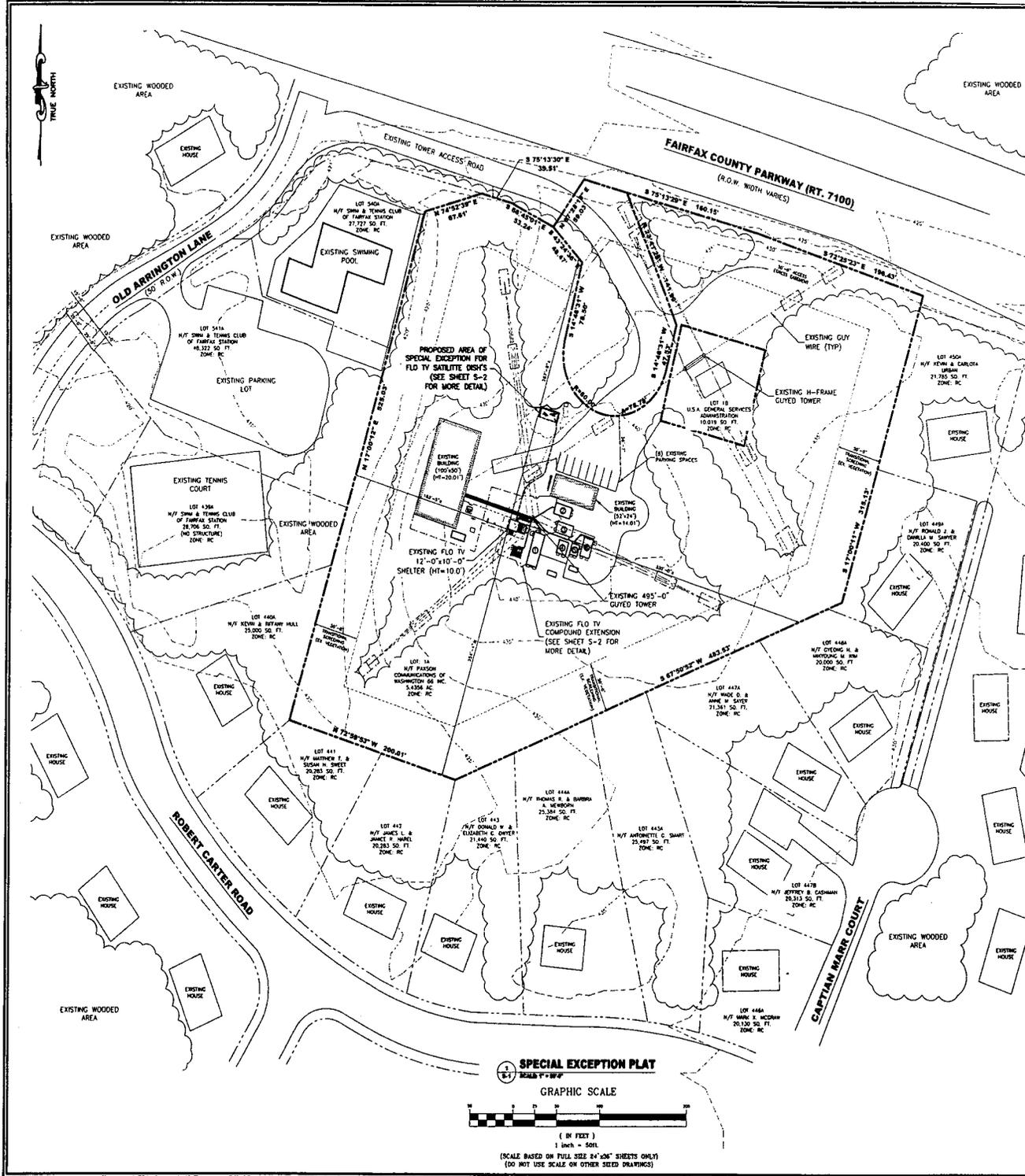
SCALE

THE DRAWING SCALES SHOWN IN THIS SET REPRESENT THE CORRECT SCALE ONLY WHEN THESE DRAWINGS ARE PRINTED IN A 24" x 36" FORMAT. IF THIS DRAWING SET IS NOT 24" x 36", THIS SET IS NOT TO SCALE.

DRIVING DIRECTIONS

HEADING FROM 11440 COMMERCE PARK DRIVE, VA.: TURN RIGHT ONTO SUNRISE VALLEY DR. THEN TURN LEFT ONTO SR-602 SOUTH. NEXT KEEP STRAIGHT ONTO SR-604. THEN TURN RIGHT ONTO LEE HWY. TAKE RAMP RIGHT AND FOLLOW SIGNS FOR SR-7100 SOUTH. TAKE RAMP RIGHT FOR OX ROAD SOUTH. THEN KEEP STRAIGHT ONTO ROBERT CARTER RD. FINALLY TURN RIGHT ONTO OLD ARRINGTON LN.

RECEIVED
Department of Planning & Zoning
DEC 04 2009
Zoning Evaluation Division



GENERAL NOTES:

1. THIS SITE IS LOCATED ON TAX MAP 77-3-001 PARCEL 1A, FAIRFAX COUNTY, VIRGINIA. THE STREET ADDRESS IS 6199 OLD ARRINGTON LANE, FAIRFAX STATION, VIRGINIA 22039
2. THE PROPERTY OWNER IS:
PARSON COMMUNICATIONS OF WASHINGTON - 86, INC.
801 CLEARWATER PARK ROAD
WEST PALM BEACH, FLORIDA 33401
3. THE APPLICANT IS:
FLD TV
5775 BROADHOUSE DRIVE
SAN DIEGO, CALIFORNIA 92121
4. THE PROPERTY IS ZONED R-C AND CONTAINS APPROXIMATELY 5.43 ACRES.
5. BOUNDARY INFORMATION WAS TAKEN FROM EXISTING SPECIAL EXCEPTIONS PLAT DATED 4-15-1998.
6. PER SECTION 9-104 OF THE ZONING ORDINANCE, A CATEGORY 1 SPECIAL EXCEPTION USE SHALL NOT HAVE TO COMPLY WITH LOT SIZE REQUIREMENTS OR THE BULK REGULATIONS SET FORTH WITHIN R-C ZONING DISTRICT.
7. THERE ARE NO ADDITIONAL, REQUIRED OR PROPOSED PARKING SPACES ASSOCIATED WITH THIS FACILITY.
8. THERE ARE NO PUBLIC SANITARY SEWER AND WATER FACILITIES PROPOSED FOR THE PROPOSED ADDITIONS OR ANY EXISTING STRUCTURES.
9. THE PROPOSED ADDITIONS WILL BE ACCESSED FROM OLD ARRINGTON LANE AND THE EXISTING PARKING SPACES.
10. THE FLOOR AREA RATION (FAR) REQUIREMENT, WHICH IS PART OF THE BULK REGULATIONS, IS NOT APPLICABLE AS PER SECTION 9-104 OF THE FAIRFAX COUNTY ZONING ORDINANCE.
11. THE TOPOGRAPHY SHOWN WAS OBTAINED FROM THE FAIRFAX COUNTY, VIRGINIA WEBSITE.
12. THIS PROPERTY HAS NO FLOODPLAIN AS DESIGNATED BY FEDERAL INSURANCE ADMINISTRATION OF FAIRFAX COUNTY.
13. THE PROPERTY HAS NO IDENTIFIED ENVIRONMENTAL QUALITY CORRIDOR, NOR ANY DELINEATED RESOURCE PROTECTION AREAS AS DESIGNATED WITHIN THE CHESAPEAKE BAY PROTECTION AREA MAPS PREPARED THROUGH THE FAIRFAX COUNTY OFFICE OF COMPREHENSIVE PLANNING.
14. THE PROPOSED USE IS LOCATED ON THE ABOVE REFERENCED PROPERTY, THERE ARE NO EXISTING EASEMENTS GREATER THAN 25 FEET WIDTH THERE IN.
15. THERE ARE NO REQUIRED TRAILS AS PER THE FAIRFAX COUNTY COMPREHENSIVE TRAIL PLAN.
16. THERE ARE NO KNOWN GRAVES, OBJECTS OR STRUCTURES MARKING A PLACE OF BURIAL OR SITE.
17. THIS TELECOMMUNICATIONS FACILITY WILL BE IN CONTINUOUS OPERATION. THE FACILITY WILL BE UNMANNED AND WILL REQUIRE ONE OR TWO VISITS PER MONTH FOR MAINTENANCE PURPOSES.
18. EXISTING TREE COVER TO ACT AS TRANSITIONAL SCREENING, AS WELL AS NEW BOARD ON BOARD FENCE AROUND PROPOSED SATELLITE DISH INSTALLATION.

SHELTER LEGEND:

- ① EXISTING FAIRFAX COUNTY SHELTER (34'x13') (Ht=12.0')
- ② EXISTING AT&T SHELTER (20'x12') (Ht=12.0')
- ③ EXISTING NEXTEL SHELTER (20'x12') (Ht=12.0')
- ④ EXISTING SHELTER (14'x12') (Ht=12.0')
- ⑤ EXISTING SHELTER (12'x10') (Ht=12.0')
- ⑥ EXISTING SHELTER (20'x12') (Ht=12.0')

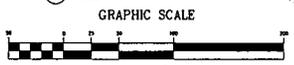
PROPERTY DETAILS:

AREA OF SUBJECT PROPERTY: 5.4356 AC.
 AREA OF DISTURBED SITE: 1,918.7 SQ. FT.
 AREA OF EXISTING STRUCTURES: 7,698 SQ. FT.
 AREA OF PROPOSED STRUCTURES: 405 SQ. FT.

UTILITY DETAILS:

CONNECTED TO PUBLIC WATER: NO
 CONNECTED TO PUBLIC SEWER: NO
 CONNECTED TO PUBLIC GAS: NO
 CONNECTED TO PUBLIC POWER: YES

SPECIAL EXCEPTION PLAT



(SCALE BASED ON FULL SIZE 24"X36" SHEETS ONLY)
 (DO NOT USE SCALE ON OTHER SIZED DRAWINGS)



SCHEDULE OF REVISIONS

NO.	DATE	DESCRIPTION OF CHANGES
1	07-06-09	ISSUED FOR 90% REVIEW (2003)
2	07-24-09	ISSUED FOR ZONING (2003)
3	07-24-09	REV. PER COUNTY COMMENTS (2003)
4	10-08-09	REV. PER COUNTY COMMENTS (2003)
5	11-03-09	REV. PER COUNTY COMMENTS (2003)

DRAWN BY: MFG
CHECKED BY:
SCALE: NOTED
JOB NO: 080345701

SPECIAL EXCEPTION PLAT

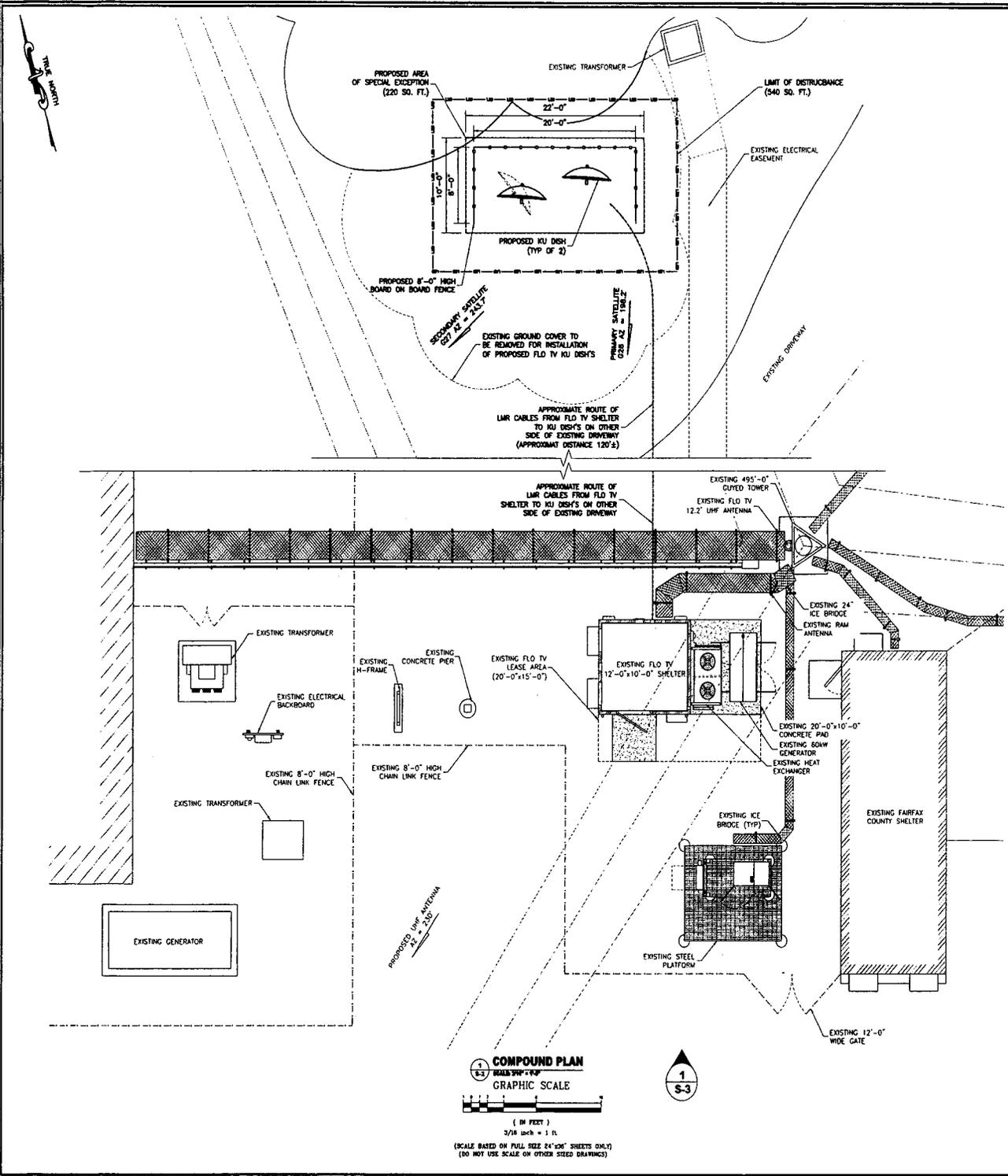
S-1

FAIRFAX STATION
WAS-007
6199 OLD ARRINGTON LANE
FAIRFAX STATION, VIRGINIA
22039

SHEET NO. 2 OF 4

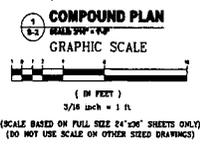
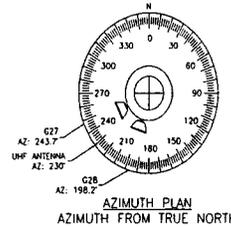


COMMONWEALTH OF VIRGINIA
 JAMES JOSEPH SKONOWSKI
 NO. 833163
 12/3/09
 PROFESSIONAL SEAL
 1-800-552-7001
 VIRGINIA LAW REQUIRES THREE WORKING DAYS NOTICE PRIOR TO ANY EARTH MOVING ACTIVITIES



GENERAL NOTES

1. THE CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE CODES, ORDINANCES, LAWS AND REGULATIONS OF ALL MUNICIPALITIES, UTILITY COMPANIES OR OTHER PUBLIC AUTHORITIES.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL PERMITS AND INSPECTIONS THAT MAY BE REQUIRED BY ANY FEDERAL, STATE, COUNTY OR MUNICIPAL AUTHORITIES.
3. THE CONTRACTOR SHALL NOTIFY THE CONSTRUCTION MANAGER, IN WRITING, OF ANY CONFLICTS, ERRORS OR OMISSIONS PRIOR TO THE SUBMISSION OF BIDS OR PERFORMANCE OF WORK. MINOR OMISSIONS OR ERRORS IN THE BID PROJECT IN ACCORDANCE WITH THE OVERALL INTENT OF THESE DRAWINGS.
4. THE CONTRACTOR SHALL BE PROTECTING ALL EXISTING SITE IMPROVEMENTS PRIOR TO COMMENCING CONSTRUCTION. THE CONTRACTOR SHALL REPAIR ANY DAMAGE CAUSED AS A RESULT OF CONSTRUCTION OF THIS FACILITY.
5. THE SCOPE OF WORK FOR THIS PROJECT SHALL INCLUDE PROVIDING ALL MATERIALS, EQUIPMENT AND LABOR REQUIRED TO COMPLETE THIS PROJECT. ALL EQUIPMENT SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.
6. THE CONTRACTOR SHALL VISIT THE PROJECT SITE PRIOR TO SUBMITTING A BID TO VERIFY THAT THE PROJECT CAN BE CONSTRUCTED IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.
7. THIS PLAN WAS PREPARED USING AN APPROVED PLAN ENTITLED SITE PLAN BY AMERICAN TOWER CORPORATION AND SHOULD NOT BE CONSTRUED AS AN ACCURATE SURVEY.
8. THE PROPOSED FACILITY WILL CAUSE ONLY A "DE MINIMIS" INCREASE IN STORMWATER RUNOFF. THEREFORE, NO DRAINAGE STRUCTURES ARE PROPOSED.
9. NO NOISE, SMOKE, DUST, OR ODOR WILL RESULT FROM THIS FACILITY.
10. THE FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION (THERE IS NO HANDICAP ACCESS REQUIRED).
11. THE FACILITY IS UNMANNED AND DOES NOT REQUIRE POTABLE WATER OR SANITARY SERVICE.
12. POWER TO THE FACILITY WILL BE MONITORED BY A SEPARATE METER.
13. CONTRACTOR SHALL VERIFY ANTENNA ELEVATION AND AZIMUTH WITH RF ENGINEERING PRIOR TO INSTALLATION.
14. MOUNTS AND ANTENNAS ARE DESIGNED TO MEET EA/TA-222-F AS PER IBC 2003 REQUIREMENTS.
15. ALL STRUCTURAL ELEMENTS SHALL BE NOT DIPPED GALVANIZED STEEL.
16. CONTRACTOR SHALL MAKE A UTILITY "ONE CALL" TO LOCATE ALL UTILITIES PRIOR TO EXCAVATING.
17. IF ANY PIPING EXISTS BENEATH THE SITE AREA, CONTRACTOR MUST LOCATE IT AND CONTACT OWNERS REPRESENTATIVE.
18. CONSTRUCTION TO COMMENCE UPON COMPLETION OF A PASSING STRUCTURAL ANALYSIS. STRUCTURAL ANALYSIS TO BE PERFORMED BY OTHERS.



FLO TV
five mobile tv
8775 HARBORVIEW DRIVE
SACRAMENTO, CALIFORNIA 95821

WFI
1840 MICHAEL FARADAY DRIVE, SUITE 240
RESTON, VIRGINIA 20190
PH (703) 563-7100

CMX
FORTY COLUMBIA CORPORATE CENTER
16480 LITTLE PATENTWAY PARKWAY SUITE 1000
COLUMBIA, MARYLAND 21044
PH (443) 367-0003 FAX (443) 367-0013
AMERICA • FLORIDA • MARYLAND • VIRGINIA • NEW JERSEY
NEW YORK • PENNSYLVANIA • TEXAS

SCHEDULE OF REVISIONS	
NO.	DESCRIPTION OF CHANGES
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DRAWN BY: MTG
CHECKED BY:
SCALE: NOTED
JOB NO: 080345701

COMPOUND PLAN

S-2

FAIRFAX STATION
WAS-007
6199 OLD ARRINGTON LANE
FAIRFAX STATION, VIRGINIA
22039

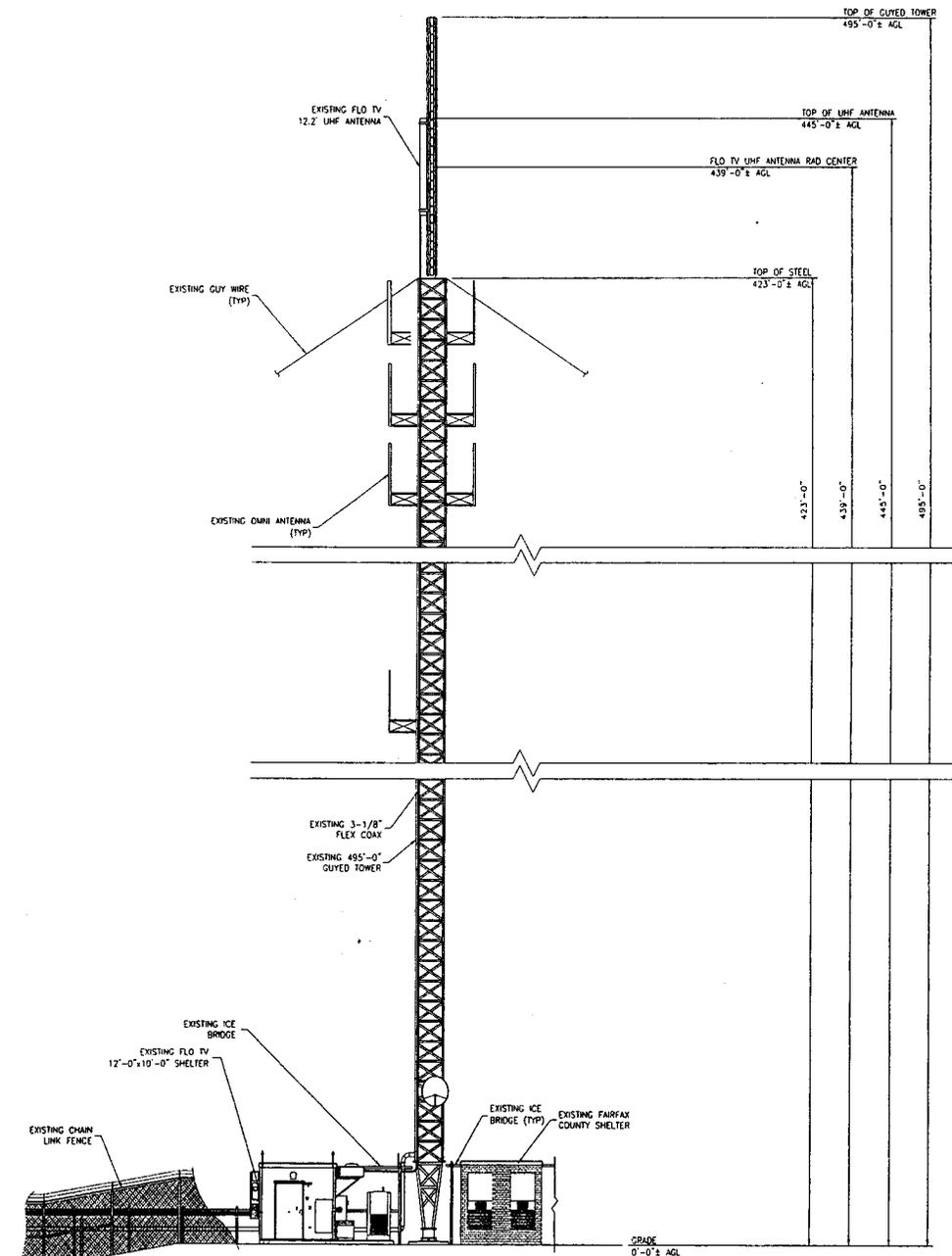
SHEET NO. 3 OF 4

DIG WITH CARE
CALL BEFORE YOU DIG
KEEP VIRGINIA SAFE

1-800-552-7001

VIRGINIA LAW REQUIRES
THREE WORKING DAYS NOTICE PRIOR
TO ANY EARTH MOVING ACTIVITIES

COMMONWEALTH OF VIRGINIA
JAMES JOSEPH SKOKOWSKI
No. 053166
12/3/09
JAMES SKOKOWSKI, P.E.
Professional Engineer
No. 053166



1 ELEVATION

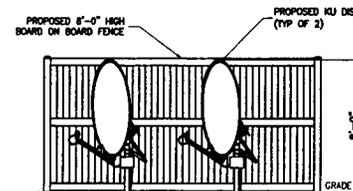
SCALE 1/8" = 1'-0"

GRAPHIC SCALE



(IN FEET)
1/8" inch = 1 FT.

(SCALE BASED ON FULL SIZE 24"x36" SHEETS ONLY)
(DO NOT USE SCALE ON OTHER SIZED DRAWINGS)



2 KU DISH ELEVATION

SCALE 1/4" = 1'-0"

GRAPHIC SCALE



(IN FEET)
1/4" inch = 1 FT.



1640 MICHAEL FARADAY DRIVE, SUITE 240
RESTON, VIRGINIA 20190
PH (703) 543-7100



FORTY COLUMBIA CORPORATE CENTER
10480 LITTLE PATENT PARKWAY
SUITE 1000
COLUMBIA, MARYLAND 21044
PH (443) 367-0003 FAX (443) 367-0013
ALABAMA - FLORIDA - MARYLAND - MICHIGAN - NEW JERSEY
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7	02-12-09	ISSUED FOR LOANING (ZDS)
8	01-06-09	ISSUED FOR 90% REVIEW (ZDS)

DRAWN BY: MTG
CHECKED BY:
SCALE: NOTED
JOB NO: 080345701

DRAWING TITLE:
ELEVATION

DRAWING SHEET:
S-3

FAIRFAX STATION
WAS-007
6199 OLD ARRINGTON LANE
FAIRFAX STATION, VIRGINIA
22039

SHEET NO. 4 OF 4



**A GLOSSARY OF TERMS FREQUENTLY
USED IN STAFF REPORTS WILL BE
FOUND AT THE BACK OF THIS REPORT**

DESCRIPTION OF THE APPLICATION

The applicant, FLO TV Inc., seeks to amend SEA 80-S-103-02, previously approved for a telecommunication facility and associated equipment, in order to permit the relocation of two (2) 1.8 meter satellite dishes from the existing 495 foot tall guyed tower (including all antennae) to a proposed ground compound. The subject satellite dishes were approved as part of feature shown application, FS-S08-101, pursuant to Va. Code Section 15.2-2232. The satellite dishes are mounted at heights of forty-five feet and twenty feet above grade. The proposed ground compound is located adjacent to the existing equipment compound at the base of the existing guyed tower. No changes are proposed to the existing equipment compound or its facilities as part of this application.

Hours & Employees:

The facility will operate 24 hours per day as an unstaffed facility; normal operations involve approximately one to two service trips per month per provider. Emergency situations may require more trips.

Waivers & Modifications:

Modification to the transitional screening requirement and waiver of the barrier requirements along all property boundaries.

LOCATION AND CHARACTER

The application area is 5.44 acres in area and is located at 6199 Old Arrington Lane near the intersection of Fairfax County Parkway and Route 123. There is an existing 495 foot tall guyed tower (including all antennae), equipment cabinets, and two buildings (one 5,000 square feet and the other 1,248 square feet). The remainder of the property is heavily wooded. Parcel 1B adjoining the application area is improved with two (2) 275 foot tall FAA towers. The subject property abuts single-family dwelling units along the eastern, western and southern boundaries.

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	Fairfax County Pkwy w/ residential located north of Pkwy	RC	Residential; .1-.2 du/ac
South/East/West	Single family dwellings	RC	Residential; .1-.2 du/ac

BACKGROUND

Application	Date	Use	Action
S-724-67	11/21/67	Radio broadcasting station with 380 foot tall tower	BZA Approved
SE 80-S-038	06/16/80	Satellite earth station	BOS Approved
SE 80-S-054	07/28/80	Addition of radio receiver on existing tower	BOS Approved
SE 80-S-103	03/31/91	Replace existing tower with like tower including radio/television and microwave facilities	BOS Approved
SEA 80-S-103		Radio/television, microwave facilities and satellite earth stations	Withdrawn
SEA 80-S-103-02	10/12/98	Replace existing 459 ft tower with 495 foot tall guyed tower	BOS Approved
FS-S08-101	02/12/2009	Telecommunication facility collocation	PC Approved

COMPREHENSIVE PLAN PROVISIONS (Appendix 5)**Plan Area:** III**Supervisor District:** Springfield**Planning District:** Pohick**Planning Sector:** Dominion Community Planning Sector (P5)**Plan Map:** Residential; .1-.2 du/ac

There is no site specific Plan text for this site; relevant excerpts from the Plan may be found in Appendix 5.

ANALYSIS**Special Exception Plan** (Copy at front of staff report)

Title of SE Plat: Fairfax Station WAS-007

Prepared By: CMX

Original and Revision Dates: January 6, 2009 as revised through December 3, 2009

The Special Exception Amendment Plat consists of four (4) sheets showing the following information:

SEA PLAT: FAIRFAX STATION		
Sheet #	Title	Description of Sheet
T-1	Title Sheet	Title sheet providing sheet index, area map, site information, project description and location map.
S-1	Special Exception Plat	Site layout with existing and proposed facilities identified.
S-2	Compound Plan	Details of existing equipment compound and proposed satellite dish compound.
S-3	Elevation	Details of existing guyed tower, satellite dish compound barrier height, satellite dish elevation, and tower equipment compound details.

Land Use/Environmental Analysis (Department of Planning and Zoning)

No land use or environmental issues were identified with this application.

Transportation Analysis (Fairfax County Department of Transportation)

No transportation issues were identified with this application.

Waivers/Modifications

- *Modification of the transitional screening requirement*

The applicant seeks reaffirmation of a modification of the transitional screening requirement along all property boundaries. The modification was previously approved as part of SEA 80-S-103-02. The subject property abuts residential parcels which possess mature landscaping in addition to on-site mature landscaping. Staff believes the reaffirmation of the requested modification is appropriate.

- *Waiver of the barrier requirement*

The applicant seeks reaffirmation of a waiver of the barrier requirement along all property boundaries. The waiver was previously approved as part of SEA 80-S-103-02. The presence of mature landscaping on the subject property and adjoining residential parcels provides sufficient buffering to continue minimizing the impact of the existing guyed tower and associated facilities. Staff believes the reaffirmation of the requested waiver is appropriate.

ZONING ORDINANCE PROVISIONS

General Special Exception Standards (Sect. 9-006)

General Standard #1 requires that the proposed use be in harmony with the adopted Comprehensive Plan. The Comprehensive Plan map shows the site planned for Residential (.1-.2 dwelling units per acre). This application is in harmony with the

Comprehensive Plan because the request is for a light public utility use permitted in the R-C District by special exception approval. Staff believes this standard has been met.

General Standard #2 requires the proposed use to be in harmony with the general purpose and intent of the applicable zoning district regulations. Section 3-C01 of the Zoning Ordinance states that the purpose of the R-C Zoning District is "to minimize impervious surface and to protect the quality of water in public water supply watersheds." The special exception amendment request is to relocate two existing 1.8 meter satellite dishes from the existing 495 foot tall guyed tower (including all antennae) to a proposed ground compound. The subject satellite dishes are proposed to be pipe mounted into the ground; therefore, no additional impervious surfaces are proposed with this application. Staff believes this standard has been satisfied.

General Standard #3 is used to evaluate special exception applications addressing the need to avoid adversely impacting the use or development of neighboring properties. The subject property includes mature vegetation and existing shelters to shield the proposed compound from adjoining residential units located along the eastern, western and southern boundaries. The area proposed for the ground compound housing the subject satellite dishes totals 160 square feet. The visual impact of the proposed compound is minimal on adjoining properties. Staff believes this standard has been satisfied.

General Standard #4 requires that pedestrian and vehicular traffic associated with the site be neither hazardous nor conflict with existing or anticipated traffic in the neighborhood. The proposed compound, like the existing telecommunication facility, would be unstaffed and would generate minimal traffic. There are no traffic impacts anticipated with this application. Staff believes this standard has been satisfied.

General Standard #5 requires compliance with Article 13 which contains the screening and barrier provisions of the Zoning Ordinance. The application property is landscaped along each boundary line with mature trees, ensuring that adequate buffering is provided adjacent to residential units along the eastern, western and southern boundaries. Substantial yard distances are also provided along each boundary line to further mitigate the visual impacts of the facility and associated equipment on surrounding properties. Staff believes this standard has been satisfied.

General Standard #7 requires that adequate parking, loading and other facilities be provided in accordance with Article 11 of the Zoning Ordinance. This standard is not applicable. There are no parking requirements for telecommunication facilities.

General Standard #8 notes that signs are regulated by Article 12 of the Zoning Ordinance. No signage has been proposed with this application.

Standards for all Category 1 Uses (Sect. 9-104)

This application is not subject to the bulk requirements of the R-C Zoning District. However, this application satisfies the Standards for all Category 1 Uses as set forth in

Section 9-104 of the Zoning Ordinance. This section requires that there be no other alternative site available within a commercial or industrial zoning district within 500 feet of the proposed location. The proposed development shall be subject to Article 17, Site Plans. Staff believes this standard has been satisfied.

*Additional Standards for Mobile and Land Based Telecommunication Facilities
(Sect. 9-105)*

Standard 2 requires that except for a flag mounted on a flagpole as permitted under the provisions of Par. 2 of Sect. 12-203, no commercial advertising or signs shall be allowed on any monopole, tower, antenna, antenna support structure, or related equipment cabinet or structure. The applicant has not proposed any advertising or signs on the proposed ground compound or satellite dishes. A development condition has been included prohibiting signs on the entire site for the advertisement of the users of the telecommunication facility. Staff believes this standard has been satisfied.

Standard 5 requires that all antennas and related equipment cabinets or structures shall be removed within 120 days after such antennas or related equipment cabinets or structures are no longer in use. A development condition requiring conformance with this standard has been included. Staff believes that this standard has been satisfied.

Summary of Zoning Ordinance Provisions

All applicable standards have been satisfied with the proposed development conditions.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

Based upon the above analysis and with the adoption of the proposed development conditions, the special exception amendment is in harmony with the Comprehensive Plan and in conformance with all applicable Zoning Ordinance provisions.

Recommendations

Staff recommends approval of SEA 80-S-103-03, subject to the proposed development conditions contained in Appendix 1.

Staff recommends approval of a modification of the transitional screening requirement and waiver of the barrier requirements along all property boundaries in favor of that shown on the SEA plat.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

The approval of this special exception amendment does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Supervisors.

APPENDICES

1. Proposed Development Conditions
2. Affidavit
3. Statement of Justification
4. Approved Conditions & Plat (SEA 80-S-103-02)
5. Plan Citations
6. Applicable Zoning Ordinance Provisions Checklist
7. Glossary

PROPOSED DEVELOPMENT CONDITIONS**SEA 80-S-103-03****December 23, 2009**

If it is the intent of the Board of Supervisors to approve SEA 80-S-103-03 located at Tax Map 77-3 ((1)) 1A, previously approved for a telecommunications facility and related equipment, to permit the relocation of two (2) satellite dishes from an existing guyed tower to a ground compound pursuant to Sect. 3-104 of the Fairfax County Zoning Ordinance. Staff recommends that the Board condition the approval by requiring conformance with the following development conditions. These conditions supersede those approved with SEA 80-S-103-02, and all previous cases pertinent to this site; conditions carried over from previous approvals are marked with an asterisk (*).

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land.*
2. This Special Exception Amendment is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception amendment plat approved with the application, as qualified by these development conditions.
3. This Special Exception Amendment 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 amendment shall be in substantial conformance with the approved Special Exception Amendment Plat entitled "Fairfax Station WA-007," prepared by CMX and dated January 6, 2009, as revised through December 3, 2009, and these conditions. Minor modifications to the approved special exception amendment may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. A copy of this Special Exception Amendment SHALL BE POSTED in a conspicuous place on the property along with the Non-Residential Use Permit of the use and be made available to all Departments of the County of Fairfax during hours of operation of the permitted use.*
5. The maximum height of the tower structure shall be 415 feet: the maximum height including all antennae shall be 495 feet.*
6. A 24 hour security monitoring system shall be implemented and maintained, including but not restricted to closed circuit monitoring of guy wire anchors.*
7. The applicant/owner shall be responsible for the monitoring of radiation levels at the property lines of the application property. The monitoring shall take place at least once every six months, with the location of the testing as approved by the Fairfax County Health Department. All test results shall be submitted to the Fairfax County Health Department for its review. If at any time the Fairfax County Health Department finds that radiation levels emanating from the application property exceed Federal guidelines, the operation of the approved facilities shall be immediately discontinued and shall not recommence until it is demonstrated that the appropriate levels can be achieved and maintained.*

8. Subject to FAA approval, the approved tower shall be gray in color and have a non-reflective finish. Lighting of the tower shall be with FAA approved blinking lights. Nighttime strobe lights shall not be permitted on the approved tower.*
9. No signs shall be permitted for the advertisement of the users of the application property.*
10. To minimize the visual impact of the security fence on the adjacent residences, the security fence located around the tower guy wire anchors shall be of green vinyl coated chain link on all sides and shall be screened with vegetation on all sides except the side immediately facing the tower.*
11. The equipment compound housing ground mounted satellite dishes shall be enclosed by an eight foot high, board on board fence. The equipment compound located at the base of the guyed tower shall remain enclosed by an eight foot high, chain link fence. There shall be no outdoor storage of materials, equipment, or vehicles within the subject compounds.
12. All existing vegetation on the property is to be maintained in healthy condition and replaced as necessary, as determined by Urban Forest Management (UFM).
13. The telecommunication facility shall be operated as an unstaffed facility 24 hours a day, with the exception of periodic monthly maintenance inspections by each of the companies with installations.
14. Any component(s) of the telecommunication facility shall be removed within one hundred and twenty (120) days after such component(s) are no longer in use.

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 amendment 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.

SPECIAL EXCEPTION AFFIDAVIT

DATE: 6-17-09
 (enter date affidavit is notarized)

I, Janice Manley, do hereby state that I am an
 (enter name of applicant or authorized agent)

(check one) applicant
 applicant's authorized agent listed in Par. 1(a) below

in Application No.(s): _____
 (enter County-assigned application number(s), e.g. SE 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS and REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
WFI	10820 Nelle Ave NE Albuquerque, NM 87111	Agent for Applicant
FLCOTV	5775 Morehouse Drive San Diego, CA 92121	Applicant
ATC	116 Huntington Ave Boston, MA 02116	LESSEE
PARSON Comm.		TI TLE OWNER

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued on a "Special Exception Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

SPECIAL EXCEPTION AFFIDAVIT

DATE: 6-17-09
(enter date affidavit is notarized)

for Application No. (s): _____
(enter County-assigned application number(s))

1(b). The following constitutes a listing*** of the SHAREHOLDERS of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(NOTE: Include SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name and number, street, city, state, and zip code)
WFI - Corporate office
1840 Michael Faraday Suite 240
Reston, VA 20190

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial and last name)

Wholly owned by Burgundy Holdings Corporation.

(check if applicable) [] There is more corporation information and Par. 1(b) is continued on a "Special Exception Affidavit Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed. Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

SPECIAL EXCEPTION AFFIDAVIT

DATE: 6-17-09
(enter date affidavit is notarized)

for Application No. (s): _____
(enter County-assigned application number(s))

1(b). The following constitutes a listing*** of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(NOTE: Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS** herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name and number, street, city, state, and zip code)

AMERICAN TOWER CORPORATION
110 HUNTINGTON AVE.
BOSTON, MA 02116

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial and last name)

T. ROWE PRICE ASSOCIATES, INC. (BARTON, MD) 11.5%

(check if applicable) There is more corporation information and Par. 1(b) is continued on a "Special Exception Affidavit Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

SPECIAL EXCEPTION AFFIDAVIT

DATE: 6-17-09
(enter date affidavit is notarized)

for Application No. (s): _____
(enter County-assigned application number(s))

1(b). The following constitutes a listing*** of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(NOTE: Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS** herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name and number, street, city, state, and zip code)
ION MEDIA NETWORKS, INC. (FORMERLY PAXSON COMMUNICATIONS)
601 CLEARWATER PARK RD.
WEST PALM BEACH, FL 33401

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial and last name)

(PRIVATELY HELD COMPANY)

(check if applicable) There is more corporation information and Par. 1(b) is continued on a "Special Exception Affidavit Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed. Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.*

SPECIAL EXCEPTION AFFIDAVIT

DATE: 6-19-09
(enter date affidavit is notarized)

for Application No. (s):
(enter County-assigned application number(s))

1(b). The following constitutes a listing*** of the SHAREHOLDERS of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(NOTE: Include SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name and number, street, city, state, and zip code)

FLO TV, Inc.
5775 Morehouse Drive
San Diego, CA 92121

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial and last name)

FLO TV, Inc. is a privately held corporation. It's sole shareholder is Qualcomm Inc.

(check if applicable) There is more corporation information and Par. 1(b) is continued on a "Special Exception Affidavit Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed. Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

SPECIAL EXCEPTION AFFIDAVIT

DATE: 6-17-09
(enter date affidavit is notarized)

for Application No. (s): _____
(enter County-assigned application number(s))

1(d). One of the following boxes **must** be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on the line below.)

(check if applicable) There are more interests to be listed and Par. 2 is continued on a "Special Exception Attachment to Par. 2" form.

SPECIAL EXCEPTION AFFIDAVIT

DATE: 6-17-09
(enter date affidavit is notarized)

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

None

NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) There are more disclosures to be listed and Par. 3 is continued on a "Special Exception Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

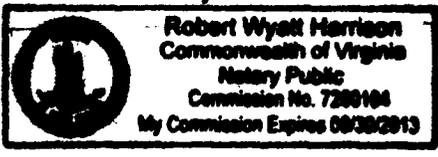
WITNESS the following signature: *Jamia Marley*
Jamie Marley
(check one) Applicant Applicant's Authorized Agent

(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 17 day of June, 2009, in the State/Comm. of Virginia, County/City of Fairfax.

Robert Wyatt Harrison
Notary Public

My commission expires: 09/30/2013



RECEIVED
Department of Planning & Zoning
AUG 20 2009
Zoning Evaluation Division

Letter of Authorization

SITE NO: 19034

SITE NAME: FAIRFAX STATION VA

**ADDRESS: 6199 Old Arrington Lane
Fairfax Station, VA 22039**

I, Paxson Communications of Washington-66, Inc., owner of the property located at the address identified above, do hereby authorize American Tower*, FLO TV Inc., its successors and assigns, ("FLO TV") and/or its agent, to act as my non-exclusive agent for the sole purpose of filing and consummating any land-use or building permit application(s) necessary to obtain approval of the applicable jurisdiction for FLO TV's installation of its antennas and related telecommunications equipment on the existing tower and property identified above. This installation shall not affect adjoining lands and will occur only within the area leased by American Tower*.

I understand that this application may be denied, modified or approved with conditions. The above authorization is limited to the acceptance by FLO TV only of conditions related to FLO TV's installation, provided that any such conditions of approval or modifications will be the sole responsibility of FLO TV.

The above authorization does not permit FLO TV to modify or alter any existing permit(s) and/or zoning or land-use conditions or impose any additional conditions unrelated to FLO TV's installation of telecommunications equipment without the prior written approval of the property owner.

Signature: *William L. Watson*
Print Name: WILLIAM L. WATSON
SECRETARY

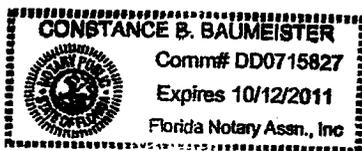
NOTARY BLOCK

State of Florida
County of Palm Beach

This instrument was acknowledged before me by WILLIAM WATSON, SECRETARY (Landowner), personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same.

WITNESS my hand and official seal, this 5th day of August, 2008.

NOTARY SEAL



Notary Public: Constance B. Baumeister
My Commission Expires: 10/12/2011

*American Tower as used herein is defined as American Towers, Inc. and any of its affiliates or subsidiaries.



5775 Morehouse Drive San Diego, CA 92121

RECEIVED
Department of Planning & Zoning

AUG 20 2009

Zoning Evaluation Division

Letter of Authorization

Application for Zoning and/or Building Permits

May 11, 2009

To Whom it May Concern:

FLO TV Incorporated ("FLO TV"), a Qualcomm company, has contracted with and authorizes Wireless Facilities, Inc., with a place of business at 6170 Cornerstone Ct. East, Suite 200, San Diego, CA 92121, to act as an agent on its behalf for the sole purpose of consummating any building and/or land-use applications for the purpose of constructing broadcast communications facilities. Please accept their signature in these cases.

This letter applies to applications within the calendar year 2009.

If you have any questions or concerns regarding this matter, please do not hesitate to contact our Legal Department at 858-845-8948.

Sincerely,

Carrie Plarski
Contracts Specialist
FLO TV Incorporated
858-658-2374

FLO TV Incorporated, a QUALCOMM Company

SEP 30 2009

Zoning Evaluation Division

Application for Special Exception
Statement of Justification1. Description of proposed use

FLO TV Inc., a wholly-owned subsidiary of QUALCOMM Incorporated, operates a nationwide multimedia network for wireless devices. Through its innovative FLO TV™ entertainment service, consumers can watch live, simulcast, and time-shifted full-length television programming on their mobile phones and devices wherever they go.

In this application, FLO TV proposes to relocate (2) 1.8m satellite dishes from the tower to the ground in the location shown on the enclosed site plans. The dishes will be pipe mounted and screened on three sides at the placement area and will utilize the existing shelters as screening in the front of the dishes as anything placed too close to the dishes will obscure the receipt of the transmission signal and will render the site useless. The installation on the tower of a UHF antenna and the two satellite dishes mentioned above, an equipment shelter, generator and ancillary equipment on the ground was previously submitted and approved through the 2232 process with Fairfax County and has been installed at the site in accordance to all approved permits. The Special Exception Application is needed to relocate the satellite dishes to the ground as the installation on the tower was allowed by right under the previous 2232 application. All materials at the site are typical normal equipment for wireless communications facilities.

The proposed installation is unmanned and will operate 24 hours per day, 7 days a week, and 365 days per year. Routine maintenance will be performed as necessary by a service technician driving a standard sized vehicle

The existing use of this property is an unmanned Telecommunications Facility that operates 24 hours per day, 7 days a week, and 365 days per year. The estimated number of patrons, clients, patients, pupils, etc. is not applicable. There will be one person for each Wireless Carrier represented at the site that will visit the site once a month for site inspection and routine maintenance. There will be no employees on duty at the site for any of the companies represented there and, as a result, there will be no impact on traffic.

The area that this site serves includes the Northern part of Virginia as well as the Southern part of Washington DC.

2. Requirement for Proposed Use

FLO TV is committed to working with local communities in siting and constructing its antenna facilities. Because of FLO TV's desire to be a good neighbor and establish long-term relationships with communities, FLO TV makes every effort to identify potential community concerns and incorporate all appropriate mitigation measures in the site selection process. The wireless communications system being developed by FLO TV has been designed utilizing sophisticated computer engineering models that simultaneously evaluate topography, population patterns, and land use concerns to identify specific geographic

regions to be serviced by the communications facilities in the network. As a result, a limited search area is identified by FLO TV's radiofrequency engineers as the necessary location for a communications facility to ensure the most complete coverage to the area. In general, FLO TV's network is different from the cellular, PCS, or SMR networks used by wireless carriers. FLO TV's transmitters have greater range, which reduces the number of sites necessary to provide coverage to a particular area. In addition, FLO TV's network does not require additional transmitters to handle an increasing number of users (referred to as "capacity"), unlike traditional wireless networks where network effectiveness is reduced as the number of users increases.

3. Anticipated Impacts on Adjoining Properties

FLO TV's proposed installation will not have any negative impact on adjoining properties, community facilities or services, such as schools, parks, or other amenities. The proposed installation is a co-location on an existing telecommunications tower, and as such will be a minimal extension of an existing use. As this use is not residential in nature, it will have no impact on the local school systems.

The proposed installation will have no impact on road congestion or safety as no on-site personnel are required for its operation. Once the applicant's equipment is installed it will be visited only for routine maintenance. The service technicians will drive a typical standard sized SUV type vehicle and utilize the existing parking spaces. Emergency repairs will be performed as needed but these requirements are rare.

There will be no impact on light and minimal impact on noise as the proposed installation will utilize existing light and the generator is only used in emergencies.

There are no known impacts on the environmental features of the site or the air and water quality and the visual impact will be nominal.

4. Alternative sites considered for the proposal

FLO TV's radiofrequency engineers have determined that a significant coverage gap exists in Fairfax County and therefore a facility is required to close that gap. In order to avoid constructing a new communications tower, FLO TV investigated existing communications facilities in the area to determine if co-location was possible. Candidates were evaluated based on several criteria, including coverage effectiveness, structural stability, site accessibility, and the ability of FLO TV to obtain a lease from the tower owner.

FLO TV determined that the existing communications facility on Old Arrington Lane was an ideal candidate to close significant gaps in its wireless coverage. Co-location at this facility would eliminate the need to construct a new telecommunications tower in the area. Therefore, FLO TV entered into a lease with the tower owner for the co-location of its equipment.



FAIRFAX COUNTY

OFFICE OF THE CLERK
BOARD OF SUPERVISORS
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035-0072

V I R G I N I A

Telephone: 703-324-3151

FAX: 703-324-3926

TTY: 703-324-3903

October 28, 1998

James R. Michal, Esquire
Jackson and Campbell, P.C.
1120 20th Street, N.W. - South Tower
Washington, D.C. 20036

RE: Special Exception Amendment
Number SEA 80-S-103-2

Dear Mr. Michal:

At a regular meeting of the Board of Supervisors held on October 12, 1998, the Board approved Special Exception Amendment Number SEA 80-S-103-2 in the name of American Tower Systems, L.P., and Fairfax County Department of Information Technology, located at Tax Map 77-3 ((1)) 1A (6199 Old Arrington Lane) for the replacement of existing radio/television broadcasting tower with a 495 foot tall radio/television broadcasting telecommunication and public safety communication tower pursuant to Section 3-401 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions which supersede all previous conditions on the subject property. An asterisk denotes conditions carried forward from SE 80-S-103:

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land.*
2. This Special Exception Amendment is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Special Exception Amendment Plat approved with the application, as qualified by these development conditions.*
3. This Special Exception Amendment is subject to the provisions of Article 17, Site Plans, as may be determined by the Department of Public Works and Environmental Services (DPW & ES). Any plan submitted pursuant to this Special Exception Amendment shall be in substantial conformance with the approved Special Exception Amendment Plat entitled "American Tower Systems - WVVI Tower, Old Arrington Lane" and prepared by Greenhorne & O'Mara, Inc. which is dated April 15, 1998, and these conditions.

Minor modifications to the approved Special Exception Amendment may be permitted pursuant to Paragraph 4 of Section 9-004 of the Zoning Ordinance.

4. A copy of this Special Exception Amendment SHALL BE POSTED in a conspicuous place on the property along with the Non-Residential Use Permit of the use and be made available to all Departments of the County of Fairfax during hours of operation of the permitted use.*
5. The maximum height of the tower structure shall be 415 feet; the maximum height including all antennae shall be 495 feet. Only those antennae depicted on the approved Special Exception Amendment Plat and described herein, may be mounted to the proposed tower:
 - Seven (7) Public Safety Communications whip antennae:
 - Two (2) television broadcasting antennae, to be mounted at the top of the tower, with a total height of 80 feet:
 - Nine (9) dish antennae:
 - One (1) radio broadcast antenna:
 - Forty five (45) telecommunication panel antennae:
 - Nineteen (19) telecommunication whip antennae:
 - Three (3) microwave antennae.

Only those accessory structures and equipment cabinets depicted on the approved Special Exception Plat and described herein, may be permitted on the subject property:

- The existing 5,000 sq. ft. broadcasting building and 1,248 sq. ft. building;
 - The existing satellite earth stations approved with SE 80-S-038;
 - One (1) existing equipment shelter measuring approximately 150 sq. ft.;
 - Four (4) proposed 12 foot by 26 foot equipment shelters;
 - Two (2) 240 sq. ft. platform/pads for equipment cabinets.
6. A 24 hour security monitoring system shall be implemented and maintained, including but not restricted to closed circuit monitoring of guy wire anchors.*

7. The applicant/owner shall be responsible for the monitoring of radiation levels at the property lines of the application property. The monitoring shall take place at least once every six months, with the location of the testing as approved by the Fairfax County Health Department. All test results shall be submitted to the Fairfax County Health Department for its review. If at any time the Fairfax County Health Department finds that radiation levels emanating from the application property exceed Federal guidelines, the operation of the approved facilities shall be immediately discontinued and shall not recommence until it is demonstrated that the appropriate levels can be achieved and maintained.
8. Subject to FAA approval, the approved tower shall be gray in color and have a non-reflective finish. Lighting of the tower shall be with FAA approved blinking lights. Nighttime strobe lights shall not be permitted on the approved tower.*
9. No signs shall be permitted for the advertisement of the users of the application property.*
10. To better buffer the adjacent residential uses from the existing and proposed uses on the subject property, the areas vacated by the existing tower guy wires that are located within the required 50 foot transitional screening yard shall be revegetated, as determined by the Urban Forestry Branch of the Department of Public Works and Environmental Services (DPWES). For every tree or shrub removed to accommodate the new guy wire anchors which face the existing residences, three (3) trees or shrubs shall be replanted on the site. Plant species selected for replanting shall be native to the area and well suited to the area to be replanted, as determined by the UFB of DPW&ES.
11. A copy of the Part 77 study, required of the applicant by the FAA, shall be submitted to the County after FAA review and prior to issuance of a building permit for construction of the tower.
12. The existing 380 foot high tower shall be removed within 60 days of construction of the 415 foot high tower.
13. To minimize the visual impact of the security fence on the adjacent residences, the security fence located around the new tower guy wire anchors shall be of green vinyl coated chain link on all sides and shall be screened with vegetation on all sides except the side immediately facing the tower, as determined by DPW&ES.

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 Amendment shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this Special Exception Amendment 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 Amendment. 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.

The Board also:

- **Modified the transitional screening requirements; and**
- **Waived the barrier requirement along all property boundaries in favor of that shown on the Special Exception Amendment Plat and as indicated in these conditions.**

If you have questions regarding the expiration of this Special Exception Amendment or filing a request for additional time they should be directed to the Zoning Evaluation Division in the Department of Planning and Zoning at 703-324-1290. The mailing address for the Zoning Evaluation Division is Suite 801, 12055 Government Center Parkway, Fairfax, Virginia 22035.

Sincerely,



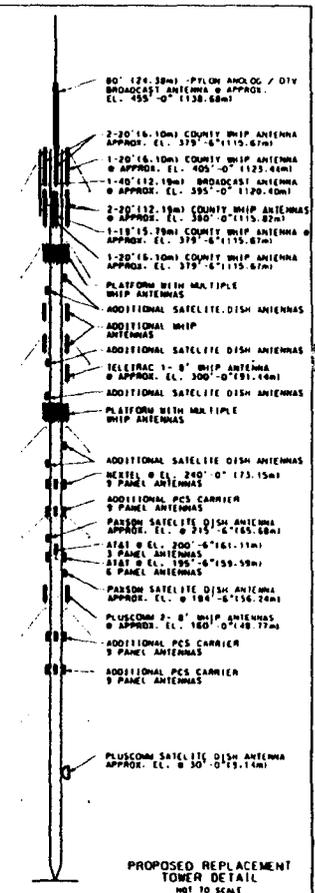
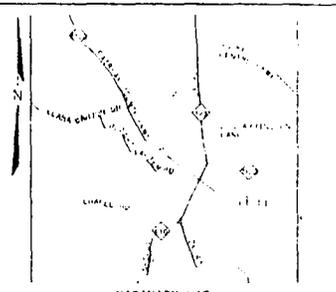
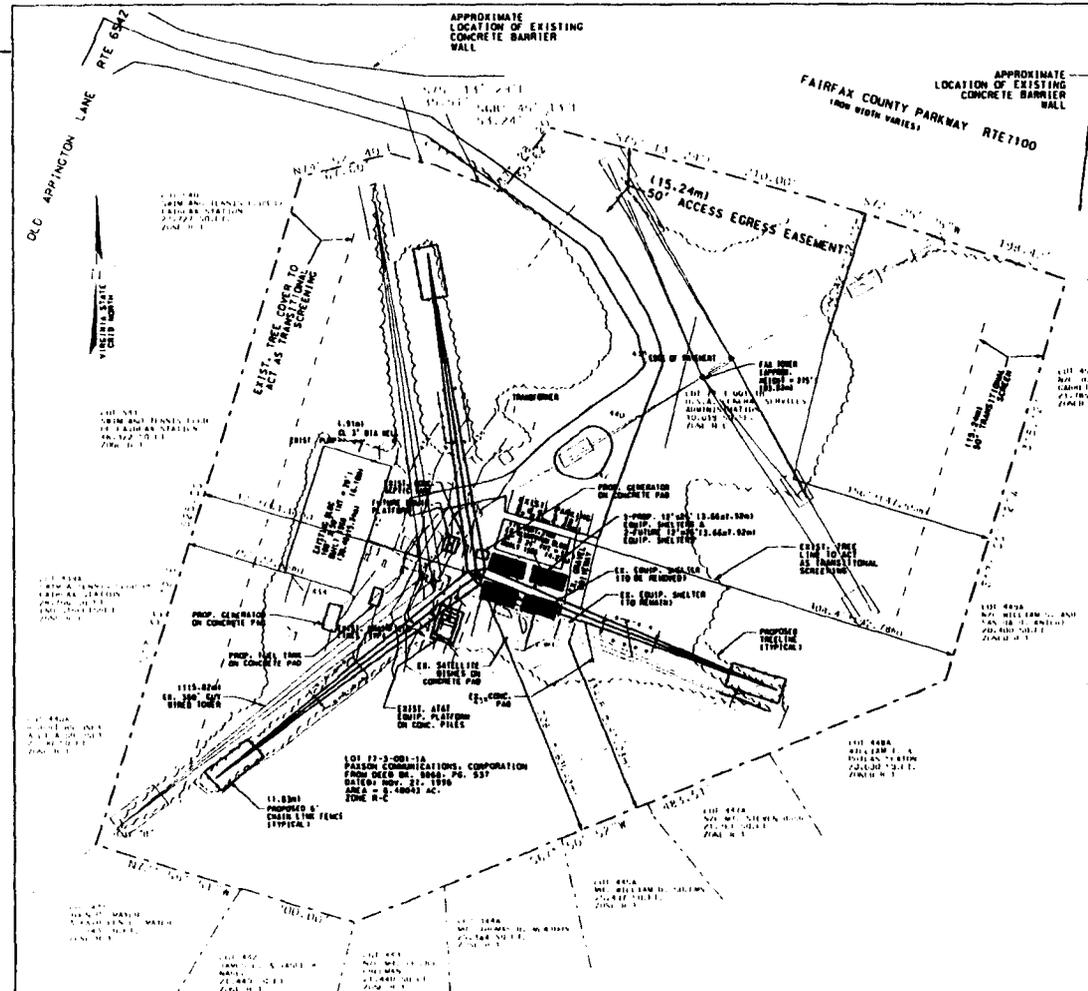
Nancy Vehrs
Clerk to the Board of Supervisors

NV/ns

SEA 80-S-103-2
October 28, 1998

5.

cc: Janet Coldsmith. Director, Real Estate Div., Dept. of Tax Administration
Michael R. Congleton. Deputy Zoning Administrator
Frank Jones, Assistant Chief, PPRB, DPZ
Audrey Clark, Chief, Inspection Svcs., BPRB, DPW&ES
Barbara A. Byron. Director. Zoning Evaluation Div., DPZ
Robert Moore, Trnsprt'n. Planning Div., Department of Transportation
Ellen Gallagher. Project Planning Section, Department of Transportation
Department of Public Works and Environmental Services
Frank Edwards Department of Highways, VDOT
Land Acqu. & Planning Div., Park Authority



GENERAL NOTES:

1. THE SITE IS DELINEATED BY THE MAP 11-3-001 PARCEL 1A, FAIRMAR COUNTY VA. THE STREET ADDRESS IS 6199 OLD ARRINGTON LANE, FAIRMAR STATION, VA. 22031
2. THE PROPERTY OWNER IS: PAXSON COMMUNICATIONS, CORPORATION 6199 OLD ARRINGTON LANE FAIRMAR STATION, VA. 22030
3. THE APPLICANT IS: AMERICAN TOWER SYSTEMS 8100 OLD ARRINGTON SUITE 203 MANASSAS, VA. 20108 THE CO-APPLICANT IS THE FAIRMAR COUNTY DEPARTMENT OF INFORMATION TECHNOLOGY.
4. THE PROPERTY IS ZONED R-C AND CONTAINS 6.40045 ACRES.
5. SURVEY INFORMATION HAS BEEN TAKEN FROM EXISTING COUNTY RECORDS. THE BOUNDARY RECORDS ARE RECORDED IN DEED BOOK 2088A - PAGE 337
6. THE PROPOSED IMPROVEMENTS INCLUDE THE FOLLOWING: REPLACEMENT OF THE EXISTING 300' x 119.82m [459' x 112.80m] OVERHEADS [INCLUDING ANTENNAS] ON WIND TOWER WITH A NEW 415' x 120.50m [405' x 118.00m] OVERHEAD [INCLUDING ANTENNAS] ON WIND TOWER. INSTALLATION OF FOUR 123' x 12' x 26' [12.66m x 3.66m] EQUIPMENT SHELTERS. THE REMOVAL OF ONE 111' x 11' x 20' [11.26m x 3.35m] EXISTING EQUIPMENT SHELTER AND THE INSTALLATION OF THREE 131' x 100' CONCRETE FOUND FOR EACH GENERATOR AND FUEL STORAGE.
7. PER SECTION 9-104 OF THE ZONING ORDINANCE, A CATEGORY 1 SPECIAL EXCEPTION IS REQUIRED. THE APPLICANT SHALL NOT HAVE TO COMPLY WITH LOT SIZE REQUIREMENTS OR THE MAX REGULATIONS SET FORTH WITHIN THE R-C ZONING DISTRICT.
8. THERE ARE NO ADDITIONAL REQUIREMENTS OR PROPOSED PARKING SPACES ASSOCIATED WITH THIS FACILITY.
9. THERE ARE NO PUBLIC SANITARY SEWER AND WATER FACILITIES PROPOSED FOR THE PROPOSED ADDITIONS ON ANY EXISTING STRUCTURES.
10. THE PROPOSED ADDITIONS WILL BE ACCESSED FROM OLD ARRINGTON LANE AND THE EXISTING PARKING SPACES.
11. THE FLOOD AREA RATIO (FAR) REQUIREMENT, WHICH IS PART OF THE MAX REGULATIONS, IS NOT APPLICABLE AS PER SECTION 9-104 OF THE FAIRMAR COUNTY ZONING ORDINANCE.
12. THE TOPOGRAPHY SHOWS A FIELD RUN BY GREENHORNE & O'MARA, INC. AT A 2'-FOOT 1'-61m CONTOUR INTERVAL ON APRIL 16, 1987
13. THIS PROPERTY HAS NO EASEMENTS AS DESIGNATED BY THE FEDERAL INSURANCE ADMINISTRATION OR FAIRMAR COUNTY.
14. THE PROPERTY HAS NO IDENTIFIED ENVIRONMENTAL QUALITY CONDITION, NOR ANY ENVIRONMENTAL PROTECTION AREA SITES, PASSAGE THROUGH THE FAIRMAR COUNTY OFFICE OF COMPREHENSIVE PLANNING.
15. THE PROPOSED TOWER IS LOCATED ON THE ADJACENT REFERENCED PROPERTY. THERE ARE NO EXISTING EASEMENTS GREATER THAN 25 FEET (7.62m) WIDTH THEREIN.
16. THERE ARE NO REQUIRED TRAILS AS PER THE FAIRMAR COUNTY COMPREHENSIVE TRAIL PLAN.
17. THERE ARE NO BURIAL GRAVES, OBJECTS OR STRUCTURES MARKING A PLACE OF BURIAL, UNDEAD.
18. TELECOMMUNICATIONS FACILITY WILL BE IN CONTINUOUS OPERATION. THE FACILITY WILL BE MAINTAINED AND WILL REQUIRE ONE TO TWO VISITS PER MONTH FOR MAINTENANCE PURPOSES.
19. EXISTING TREES TO BE CUT OR REMOVED WILL BE REPLACED WITH NEW TREES. EXISTING TREES TO BE CUT OR REMOVED WILL BE REPLACED WITH NEW TREES.

PROPOSED REPLACEMENT TOWER DETAIL NOT TO SCALE

NOTE: ALL ANTENNA DIMENSIONS ARE SHOWN FROM CENTER OF ANTENNA



HDR
Engineering, Inc.
1101 King Street
Suite 400
Arlington, VA 22214
703-518-8500

NO.	DATE	BY	REVISION

GREENHORNE & O'MARA, INC.
11211 MAPLES MILL ROAD, FAIRMAR, VIRGINIA 22030
(703) 385-9800

AMERICAN TOWER SYSTEMS
8100 OLD ARRINGTON LANE
SPRINGFIELD DISTRICT
FAIRMAR COUNTY, VIRGINIA

FAIRFAX COUNTY COMPREHENSIVE PLAN, 2007 Edition, AREA III Pohick Planning District, as amended through 1-26-2009, page 1, the Plan states:

POHICK PLANNING DISTRICT

OVERVIEW

The Pohick Planning District is located in the southwest portion of Fairfax County. It is bounded on the north by Braddock Road, on the east by Rolling Road, on the southeast by the District of Columbia Department of Corrections facility, and on the southwest by the Occoquan River, Bull Run, Centreville Road, Compton Road, and Union Mill Road.

FAIRFAX COUNTY COMPREHENSIVE PLAN, 2007 Edition, AREA III Pohick Planning District, as amended through 1-26-2009, page 2, the Plan states:

CONCEPT FOR FUTURE DEVELOPMENT

The planning guidance provided by the Concept for Future Development is one of the principal elements used in formulating Area Plan recommendations. The Concept and its associated land use guidance recommend the predominant use, character and intensity envisioned for land areas within each Planning District although within the Pohick Planning District, there may be land areas planned for a distinctly different land use than that envisioned by the Concept.

As envisioned in the Concept for Future Development, the Pohick Planning District includes both Suburban Neighborhoods and Low Density Residential Areas. Existing development in this district is generally consistent with the Concept.

The Low Density Residential portion of this Planning District generally includes the area west of Ox Road, with the exception of the North Hill subdivision located in the southwest quadrant of the Braddock Road and Ox Road intersection. In addition, the area east of Ox Road, west of the Fairfax County Parkway, and north of Burke Lake Road, is designated as a Low Density Residential Area.

9-006 General Standards

In addition to the specific standards set forth hereinafter with regard to particular special exception uses, all such uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular category or use, the Board shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance.

9-104 Standards for all Category 1 Uses

In addition to the general standards set forth in Sect. 006 above, all Category 1 special exception uses shall satisfy the following standards:

1. Category 1 special exception uses shall not have to comply with the lot size requirements or the bulk regulations set forth for the zoning district in which located.
2. No land or building in any district other than the I-5 and I-6 District shall be used for the 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.
3. If the proposed location of a Category 1 use is in an R district, there shall be a finding that there is no alternative site available for such use in a C or I district within 500 feet of the proposed location; except that in the case of electric transformer stations and telecommunication central offices, there shall be a finding that there is no alternative site available in a C or I district within a distance of one (1) mile, unless there is a substantial showing that it is impossible for satisfactory service to be rendered from an available location in such C or I district.
4. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.

9-105 Additional Standards for Mobile and Land Based Telecommunication Facilities

2. Except for a flag mounted on a flagpole as permitted under the provisions of Par. 2 of Sect. 12-203, no commercial advertising or signs shall be allowed on any monopole, tower, antenna, antenna support structure, or related equipment cabinet or structure.
5. All antennas and related equipment cabinets or structures shall be removed within 120 days after such antennas or related equipment cabinets or structures are no longer in use.

GLOSSARY

This Glossary is provided to assist the public in understanding the staff evaluation and analysis of development proposals. It should not be construed as representing legal definitions. Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan or Public Facilities Manual for additional information.

ABANDONMENT: Refers to road or street abandonment, an action taken by the Board of Supervisors, usually through the public hearing process, to abolish the public's right-of-passage over a road or road right-of way. Upon abandonment, the right-of-way automatically reverts to the underlying fee owners. If the fee to the owner is unknown, Virginia law presumes that fee to the roadbed rests with the adjacent property owners if there is no evidence to the contrary.

ACCESSORY DWELLING UNIT (OR APARTMENT): A secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit. An accessory dwelling unit may be allowed if a special permit is granted by the Board of Zoning Appeals (BZA). Refer to Sect. 8-918 of the Zoning Ordinance.

AFFORDABLE DWELLING UNIT (ADU) DEVELOPMENT: Residential development to assist in the provision of affordable housing for persons of low and moderate income in accordance with the affordable dwelling unit program and in accordance with Zoning Ordinance regulations. Residential development which provides affordable dwelling units may result in a density bonus (see below) permitting the construction of additional housing units. See Part 8 of Article 2 of the Zoning Ordinance.

AGRICULTURAL AND FORESTAL DISTRICTS: A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

BARRIER: A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.

BEST MANAGEMENT PRACTICES (BMPs): Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by nonpoint sources in order to improve water quality.

BUFFER: Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screening.

CHESAPEAKE BAY PRESERVATION ORDINANCE: Regulations which the State has mandated must be adopted to protect the Chesapeake Bay and its tributaries. These regulations must be incorporated into the comprehensive plans, zoning ordinances and subdivision ordinances of the affected localities. Refer to Chesapeake Bay Preservation Act, Va. Code Section 10.1-2100 et seq and VR 173-02-01, Chesapeake Bay Preservation Area Designation and Management Regulations.

CLUSTER DEVELOPMENT: Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted by the applicable zoning district. See Sect. 2-421 and Sect. 9-615 of the Zoning Ordinance.

COUNTY 2232 REVIEW PROCESS: A public hearing process pursuant to Sect. 15.2-2232 (Formerly Sect. 15.1-456) of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.

dBA: The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dBA value describes a sound at a given instant, a maximum sound level or a steady state value. See also Ldn.

DENSITY: Number of dwelling units (du) divided by the gross acreage (ac) of a site being developed in residential use; or, the number of dwelling units per acre (du/ac) except in the PRC District when density refers to the number of persons per acre.

DENSITY BONUS: An increase in the density otherwise allowed in a given zoning district which may be granted under specific provisions of the Zoning Ordinance when a developer provides excess open space, recreation facilities, or affordable dwelling units (ADUs), etc.

DEVELOPMENT CONDITIONS: Terms or conditions imposed on a development by the Board of Supervisors (BOS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a "P" district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.

DEVELOPMENT PLAN: A graphic representation which depicts the nature and character of the development proposed for a specific land area; information such as topography, location and size of proposed structures, location of streets, trails, utilities, and storm drainage are generally included on a development plan. A development plan is a submission requirement for rezoning to the PRC District. A **GENERALIZED DEVELOPMENT PLAN (GDP)** is a submission requirement for a rezoning application for all conventional zoning districts other than a P District. A development plan submitted in connection with a special exception (SE) or special permit (SP) is generally referred to as an SE or SP plat. A **CONCEPTUAL DEVELOPMENT PLAN (CDP)** is a submission requirement when filing a rezoning application for a P District other than the PRC District; a CDP characterizes in a general way the planned development of the site. A **FINAL DEVELOPMENT PLAN (FDP)** is a submission requirement following the approval of a conceptual development plan and rezoning application for a P District other than the PRC District; an FDP further details the planned development of the site. See Article 16 of the Zoning Ordinance.

EASEMENT: A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, utility easement, construction easement, etc. Easements may be for public or private purposes.

ENVIRONMENTAL QUALITY CORRIDORS (EQCs): An open space system designed to link and preserve natural resource areas, provide passive recreation and protect wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete definition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Vol. 1 of the Comprehensive Plan.

ERODIBLE SOILS: Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and sediment are washed into nearby streams, thereby degrading water quality.

FLOODPLAIN: Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with environmental quality corridors. The 100 year floodplain drains 70 acres or more of land and has a one percent chance of flood occurrence in any given year.

FLOOR AREA RATIO (FAR): An expression of the amount of development intensity (typically, non-residential uses) on a specific parcel of land. FAR is determined by dividing the total square footage of gross floor area of buildings on a site by the total square footage of the site itself.

FUNCTIONAL CLASSIFICATION: A system for classifying roads in terms of the character of service that individual facilities are providing or are intended to provide, ranging from travel mobility to land access. Roadway system functional classification elements include Freeways or Expressways which are limited access highways, Other Principal (or Major) Arterials, Minor Arterials, Collector Streets, and Local Streets. Principal arterials are designed to accommodate travel; access to adjacent properties is discouraged. Minor arterials are designed to serve both through traffic and local trips. Collector roads and streets link local streets and properties with the arterial network. Local streets provide access to adjacent properties.

GEOTECHNICAL REVIEW: An engineering study of the geology and soils of a site which is submitted to determine the suitability of a site for development and recommends construction techniques designed to overcome development on problem soils, e.g., marine clay soils.

HYDROCARBON RUNOFF: Petroleum products, such as motor oil, gasoline or transmission fluid deposited by motor vehicles which are carried into the local storm sewer system with the stormwater runoff, and ultimately, into receiving streams; a major source of non-point source pollution. An oil-grit separator is a common hydrocarbon runoff reduction method.

IMPERVIOUS SURFACE: Any land area covered by buildings or paved with a hard surface such that water cannot seep through the surface into the ground.

INFILL: Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern or neighborhood.

INTENSITY: The magnitude of development usually measured in such terms as density, floor area ratio, building height, percentage of impervious surface, traffic generation, etc. Intensity is also based on a comparison of the development proposal against environmental constraints or other conditions which determine the carrying capacity of a specific land area to accommodate development without adverse impacts.

Ldn: Day night average sound level. It is the twenty-four hour average sound level expressed in A-weighted decibels; the measurement assigns a "penalty" to night time noise to account for night time sensitivity. Ldn represents the total noise environment which varies over time and correlates with the effects of noise on the public health, safety and welfare.

LEVEL OF SERVICE (LOS): An estimate of the effectiveness of a roadway to carry traffic, usually under anticipated peak traffic conditions. Level of Service efficiency is generally characterized by the letters A through F, with LOS-A describing free flow traffic conditions and LOS-F describing jammed or grid-lock conditions.

MARINE CLAY SOILS: Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.

OPEN SPACE: That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to provide light and air; open space may function as a buffer between land uses or for scenic, environmental, or recreational purposes.

OPEN SPACE EASEMENT: An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for some public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, upon request of the land owner, after evaluation under criteria established by the Board. See Open Space Land Act, Code of Virginia, Sections 10.1-1700, et seq.

P DISTRICT: A "P" district refers to land that is planned and/or developed as a Planned Development Housing (PDH) District, a Planned Development Commercial (PDC) District or a Planned Residential Community (PRC) District. The PDH, PDC and PRC Zoning Districts are established to encourage innovative and creative design for land development; to provide ample and efficient use of open space; to promote a balance in the mix of land uses, housing types, and intensity of development; and to allow maximum flexibility in order to achieve excellence in physical, social and economic planning and development of a site. Refer to Articles 6 and 16 of the Zoning Ordinance.

PROFFER: A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.2-2303 (formerly 15.1-491) of the Code of Virginia.

PUBLIC FACILITIES MANUAL (PFM): A technical text approved by the Board of Supervisors containing guidelines and standards which govern the design and construction of site improvements incorporating applicable Federal, State and County Codes, specific standards of the Virginia Department of Transportation and the County's Department of Public Works and Environmental Services.

RESOURCE MANAGEMENT AREA (RMA): That component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

RESOURCE PROTECTION AREA (RPA): That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

SITE PLAN: A detailed engineering plan, to scale, depicting the development of a parcel of land and containing all information required by Article 17 of the Zoning Ordinance. Generally, submission of a site plan to DPWES for review and approval is required for all residential, commercial and industrial development except for development of single family detached dwellings. The site plan is required to assure that development complies with the Zoning Ordinance.

SPECIAL EXCEPTION (SE) / SPECIAL PERMIT (SP): Uses, which by their nature, can have an undue impact upon or can be incompatible with other land uses and therefore need a site specific review. After review, such uses may be allowed to locate within given designated zoning districts if appropriate and only under special controls, limitations, and regulations. A special exception is subject to public hearings by the Planning Commission and Board of Supervisors with approval by the Board of Supervisors; a special permit requires a public hearing and approval by the Board of Zoning Appeals. Unlike proffers which are voluntary, the Board of Supervisors or BZA may impose reasonable conditions to assure, for example, compatibility and safety. See Article 8, Special Permits and Article 9, Special Exceptions, of the Zoning Ordinance.

STORMWATER MANAGEMENT: Engineering practices that are incorporated into the design of a development in order to mitigate or abate adverse water quantity and water quality impacts resulting from development. Stormwater management systems are designed to slow down or retain runoff to re-create, as nearly as possible, the pre-development flow conditions.

SUBDIVISION PLAT: The engineering plan for a subdivision of land submitted to DPWES for review and approved pursuant to Chapter 101 of the County Code.

TRANSPORTATION DEMAND MANAGEMENT (TDM): Actions taken to reduce single occupant vehicle automobile trips or actions taken to manage or reduce overall transportation demand in a particular area.

TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS: This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggered work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.

URBAN DESIGN: An aspect of urban or suburban planning that focuses on creating a desirable environment in which to live, work and play. A well-designed urban or suburban environment demonstrates the four generally accepted principles of design: clearly identifiable function for the area; easily understood order; distinctive identity; and visual appeal.

VACATION: Refers to vacation of street or road as an action taken by the Board of Supervisors in order to abolish the public's right-of-passage over a road or road right-of-way dedicated by a plat of subdivision. Upon vacation, title to the road right-of-way transfers by operation of law to the owner(s) of the adjacent properties within the subdivision from whence the road/road right-of-way originated.

VARIANCE: An application to the Board of Zoning Appeals which seeks relief from a specific zoning regulation such as lot width, building height, or minimum yard requirements, among others. A variance may only be granted by the Board of Zoning Appeals through the public hearing process and upon a finding by the BZA that the variance application meets the required Standards for a Variance set forth in Sect. 18-404 of the Zoning Ordinance.

WETLANDS: Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corps of Engineers

TIDAL WETLANDS: Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code: includes tidal shores and tidally influenced embayments, creeks, and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

Abbreviations Commonly Used in Staff Reports

A&F	Agricultural & Forestal District	PDH	Planned Development Housing
ADU	Affordable Dwelling Unit	PFM	Public Facilities Manual
ARB	Architectural Review Board	PRC	Planned Residential Community
BMP	Best Management Practices	RC	Residential-Conservation
BOS	Board of Supervisors	RE	Residential Estate
BZA	Board of Zoning Appeals	RMA	Resource Management Area
COG	Council of Governments	RPA	Resource Protection Area
CBC	Community Business Center	RUP	Residential Use Permit
CDP	Conceptual Development Plan	RZ	Rezoning
CRD	Commercial Revitalization District	SE	Special Exception
DOT	Department of Transportation	SEA	Special Exception Amendment
DP	Development Plan	SP	Special Permit
DPWES	Department of Public Works and Environmental Services	TDM	Transportation Demand Management
DPZ	Department of Planning and Zoning	TMA	Transportation Management Association
DU/AC	Dwelling Units Per Acre	TSA	Transit Station Area
EQC	Environmental Quality Corridor	TSM	Transportation System Management
FAR	Floor Area Ratio	UP & DD	Utilities Planning and Design Division, DPWES
FDP	Final Development Plan	VC	Variance
GDP	Generalized Development Plan	VDOT	Virginia Dept. of Transportation
GFA	Gross Floor Area	VPD	Vehicles Per Day
HC	Highway Corridor Overlay District	VPH	Vehicles per Hour
HCD	Housing and Community Development	WMATA	Washington Metropolitan Area Transit Authority
LOS	Level of Service	WS	Water Supply Protection Overlay District
Non-RUP	Non-Residential Use Permit	ZAD	Zoning Administration Division, DPZ
OSDS	Office of Site Development Services, DPWES	ZED	Zoning Evaluation Division, DPZ
PCA	Proffered Condition Amendment	ZPRB	Zoning Permit Review Branch
PD	Planning Division		
PDC	Planned Development Commercial		