

PROPOSED DEVELOPMENT CONDITIONS

SE 2016-DR-011

~~January 19, 2017~~

~~January 18, 2017~~

~~January 11, 2017~~

~~November 29, 2016~~

If it is the intent of the Board of Supervisors to approve SE 2016-DR-011 located at 7072 Idylwood Road, Tax Map 40-1 ((1)) 12 to permit a waiver of the minimum lot width requirement pursuant to Sect. 9-610 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions.
3. This Special Exception is subject to the provisions of Chapter 101, the Subdivision Ordinance, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception Plat (SE Plat) titled "7072 Idylwood Road Special Exception Plat," prepared by Walter L. Phillips, Inc., consisting of six sheets dated ~~October 11, 2016~~ January 10, 2017, and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. New dwelling units on the Application Property shall be constructed in accordance with one of the following programs, or an alternative third-party certification as approved by the Environmental and Development Review Branch of the Department of Planning and Zoning ("DPZ"). Selection of one of the following certification methods, or a DPZ-approved alternative, shall be within the Applicant's sole discretion at time of subdivision plan submission.
 - a. Certification in accordance with the Earth Craft Home Program as demonstrated through documentation provided to DPWES and DPZ prior to the issuance of a RUP for each dwelling;
 - b. Certification in accordance with the 2015 National Green Building Standard (NGBS) using the ENERGY STAR® Qualified Homes path for energy performance as demonstrated through documentation submitted to DPWES and DPZ from a home energy rater certified through Home

Innovation Research Labs that demonstrates that the dwelling unit has attained the certification prior to issuance of a RUP for each dwelling.

5. Stormwater Management

- a. Prior to first submission of the Subdivision Plan, the applicant shall conduct a geotechnical investigation to the satisfaction of DPWES to demonstrate that the proposed detention and Best Management Practices (BMP) facilities shown on the SE Plat are feasible and that detention requirements will be met pursuant to the Public Facilities Manual (PFM).
- b. Prior to approval of the Subdivision Plan, the applicant shall demonstrate how BMP measures will be provided to the satisfaction of DPWES.
- c. Prior to issuance of a Residential Use Permit (RUP) for either lot, the applicant shall construct the bioretention facilities on the subject lot.
- d. Prior to approval of the Subdivision Plan, adequate outfall shall be demonstrated in accordance with the PFM, as determined by DPWES.
- e. If a modification of the PFM to permit the proposed facilities on individual lots as shown on the SE Plat is not granted by DPWES and facilities that are in substantial conformance with the SE Plat cannot be provided, then a Special Exception Amendment (SEA) shall be filed to provide water quantity and quality control measures in accordance with the PFM as determined by DPWES. Prior to record plat approval, residential covenants shall be recorded in the County Land Records which disclose to the existing and all subsequent property owners the maintenance obligations of the bioretention facilities.
- e.f. As stated in the Stormwater Management Narrative on page 5 of the SE Plat, water quality and quantity measures shall be met without purchasing offsite nutrient credits.

6. Tree Preservation and Landscaping: The following landscaping procedures shall be followed to assure adequate tree preservation.

- A. Tree Preservation: A Tree Preservation plan shall be submitted for review and approval as part of the first and all subsequent subdivision plan submissions. The preservation plan shall be prepared by a professional with experience in the preparation of tree preservation plans, such as a Certified Arborist or Registered Consulting Arborist, and shall be subject to the review and approval of the Urban Forest Management Division, DPWES. The tree preservation plan shall consist of a tree survey that includes the location, species, size, crown spread and

condition rating percentage of all trees 12 inches in diameter and greater located within the first 25 feet of the undisturbed area from the limits of clearing and grading and the first 10 feet from the limits of clearing in the disturbed area shown on the SE Plan for the entire site.

The tree preservation plan shall provide for the preservation of those areas shown for tree preservation, those areas outside of the limits of clearing and grading shown on the SE Plan and those additional areas in which trees can be preserved as a result of final engineering. The condition analysis ratings shall be prepared using methods outlined in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture. Specific tree preservation activities that will maximize the survivability of any tree identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the plan.

- B. Tree Preservation Walk-Through: The Applicant shall retain the services of a certified arborist or Registered Consulting Arborist, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the walk-through meeting. During the tree-preservation walk-through meeting, the Applicant's Certified Arborist or Registered Consulting Arborist shall walk the limits of clearing and grading with an UFMD, DPWES, representative to determine where adjustments to the clearing limits can be made, if any, to increase the area of tree preservation and/or to increase the survivability of trees at the edge of the limits of clearing and grading, and such adjustment shall be implemented. Trees that are identified as dead or dying may be removed as part of the clearing operation. Any tree that is so designated shall be removed using a chain saw and such removal shall be accomplished in a manner that avoids damage to surrounding trees and associated understory vegetation. If a stump must be removed, this shall be done using a stump-grinding machine in a manner causing as little disturbance as possible to adjacent trees and associated understory vegetation and soil conditions.
- C. Limits of Clearing and Grading: The limits of clearing and grading shall be strictly adhered to as shown on the SE Plan, subject to allowances specified in these development conditions and for the installation of utilities and/or trails as determined necessary by the Director of DPWES, as described herein. If it is determined necessary to install utilities and/or trails in areas protected by the limits of clearing and grading as shown on the SE Plan, they shall be located in the least disruptive manner necessary as determined by the UFMD, DPWES. A replanting plan shall be developed and implemented, subject to approval by the UFMD, DPWES, for any areas protected by the limits of clearing and grading that must be disturbed for such trails or utilities.
- D. Tree Preservation Fencing: All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fence. Tree protection fencing in the form of four (4) foot high, fourteen (14) gauge welded wire attached

to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart or, super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees shall be erected at the limits of clearing and grading as shown on the demolition, and phase I & II erosion and sediment control sheets, as may be modified by the "Root Pruning" condition below.

All tree protection fencing shall be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing shall be performed under the direct supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three (3) days prior to the commencement of any clearing, grading or demolition activities, but subsequent to the installation of the tree protection devices, the UFMD, DPWES, shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by the UFMD, DPWES.

- E. Root Pruning: The Applicant shall root prune, as needed to comply with the tree preservation requirements of these development conditions. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the submitted plan. The details for these treatments shall be reviewed and approved by the UFMD, DPWES, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:
- Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches.
 - Root pruning shall take place prior to any clearing and grading, or demolition of structures.
 - Root pruning shall be conducted with the supervision of a certified arborist.
 - An UFMD, DPWES, representative shall be informed when all root pruning and tree protection fence installation is complete.
- F. Site Monitoring: During any clearing or tree/vegetation/structure removal on the Applicant Property, a representative of the Applicant shall be present to monitor the process and ensure that the activities are conducted as per specific development conditions and as approved by the UFMD. The Applicant shall retain the services of a Certified Arborist or Registered Consulting Arborist to monitor all construction and demolition work adjacent to any vegetation to be preserved, tree preservation efforts and landscape installation, in order to ensure conformance with all tree preservation and landscaping development conditions, and UFMD approvals. The monitoring schedule shall be described and detailed

in the Landscaping and Tree Preservation Plan, and reviewed and approved by the UFMD, DPWES.

7. A statement shall be included in the deed of conveyance for proposed Lots 1 and 2 that states that both properties are governed by a Special Exception. A copy of the approved SE Plat and associated development conditions shall also be attached to included in the any deed of conveyance.
8. ~~As shown on the SE Plat, the right-of-way dedication along the subject property's Idylwood Road frontage, shall be offered on the project's subdivision plan. Prior to or concurrent with subdivision plan approval, the Applicant shall dedicate, in fee simple, the proposed right-of-way dedication area on Idylwood Road to the Board of Supervisors of Fairfax County.~~
9. The asphalt walk shall be constructed in consultation with and to the satisfaction of VDOT.
10. The proposed driveway may be relocated in consultation with VDOT and FCDOT to provide acceptable transitions to the existing sidewalk on the adjacent property. In addition, notwithstanding what is shown on the plat, the applicant shall have the flexibility to reduce the width of the apron of the driveway at the time of subdivision plan, subject to approval by VDOT, FCDOT, and DPWES. in consultation with FCDOT.
11. In consultation with VDOT, appropriate drainage facilities will be provided along the Idylwood Road frontage in order to prevent ponding.
12. As shown on the SE Plat, the Buildable Area Schematics shall be honored to prevent any land disturbances or structures / uses outside of these areas. Information regarding the buildable area for each lot along with the restrictions shall be provided in the initial deeds of conveyance. All subsequent plans, including building permits, shall reflect the buildable areas as shown on the SE plat.
13. Within ~~six (6)~~ eight (8) months of approval of the application, a deed of vacation will be recorded among the Fairfax County land records to vacate an existing thirty (30) foot outlet road recorded in Deed Book B-12 at Page 407 among the Fairfax County land records. Said vacation shall be recorded subject to receipt of signatures from all beneficiaries. If all required signatures are not obtained, the outlet road shall not be required to be vacated. If the outlet road is not vacated, it shall not be improved by the Applicant nor used for vehicular access.
14. Subject to receipt of permission from the property owners, the Applicant shall remove gravel from those properties identified among the Fairfax County tax assessment records as 40-1 ((9)) 1, 2, 3 and 4. Upon removal of the gravel, the area shall be graded and seeded. Should one or more property owners refuse to

grant permission to enter the property, this will not preclude removal of gravel, grading and seeding on those properties whose owners do grant permission. Said removal of gravel, grading and reseeding shall take place concurrent with development of the application property.

15. The two homes constructed on the property shall be generally compatible with the surrounding community with regard to architecture and building materials.

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 Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

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