

# SITE PLANS AND COMMUNITY BENEFITS

County Board - Planning Commission  
Worksession

# SITE PLANS AND COMMUNITY BENEFITS

- Purpose
  - To review underlying legal basis for site plans
  - What is the underlying legal basis for imposing conditions and negotiating conditions or “community benefits”
  - How does staff determine what conditions will be requested
  - What is the framework for balancing requests
  - Who does the negotiation
  - How are the county Board and Planning Commission Involved in the review

# SITE PLANS AND COMMUNITY BENEFITS

- Site Plans are a form of Special Exception
- A Special Exception is a well founded planning/zoning tool
- Special exceptions recognize that certain uses and densities might be appropriate but also have the potential for creating impacts on surrounding uses above and beyond that allowed by-right
- In such cases the County is permitted to impose conditions designed to mitigate those impacts

# SITE PLANS AND COMMUNITY BENEFITS

- The Arlington County Zoning Ordinance allows Site Plans in certain districts
- The State Code enables Special Exceptions and “incentive zoning”
- Arlington’s Site Plan is structured as incentive zoning

# INCENTIVE ZONING

- "Incentive zoning" means the use of bonuses in the form of increased project density or other benefits to a developer in return for the developer providing certain features, design elements, uses, services, or amenities desired by the locality, including but not limited to, site design incorporating principles of new urbanism and traditional neighborhood development, environmentally sustainable and energy-efficient building design, affordable housing creation and preservation, and historical preservation, as part of the development.

# PLANNING PROCESS



# SITE PLANS AND COMMUNITY BENEFITS

- When parameters are set forth within the district they can be approved by the County Board's approval of the Site Plan and are not required to refer to the standards set forth in Section 15.5.7 (setbacks, coverage, some parking)
- When not specified within the district or by reference to another Section, underlying zoning regulations can be modified by referring to the standards set forth in Section 15.5.7 and by providing the County Board with the rationale for modifying the use regulations including bonus density and height, and reductions in parking which must relate to a specific provision of 15.5.7

# STANDARDS FOR APPROVAL

- Section 15.5 sets forth 3 primary findings to be made in determining whether to approve a site plan
  - Substantially complies with the character of master plans, officially approved neighborhood plans or area development plans, and with the uses permitted
  - Functionally relates to other structures permitted in the district and will not be injurious or detrimental to the property or improvements in the neighborhood
  - Is so designed and located that the public health, safety and welfare will be promoted and protected

# STANDARDS FOR APPROVAL

- The Zoning Ordinance also sets forth the ability to designate conditions
- The County Board may designate such conditions that will in its opinion assure that improvement and development will
  - Comply with master plans and approved area plans
  - Functionally relates to other structures
  - Not be injurious to property or improvements in the neighborhood
  - Protect the public health, safety and welfare

# COMMUNITY BENEFITS

- The Zoning Ordinance does not refer to “community benefits” as a consideration in the approval of site plans with the exception of three districts
- The first goal of site plans is to implement the County’s GLUP and Sector Plans, and contribute to the County’s economic base
- Rosslyn, Crystal City and Clarendon do mention them and require them to be considered in determining maximum density
- The concept of “community benefits” has however become an expectation in site plans

# SITE PLAN STRUCTURE

- Sector Plans and implementing Ordinances are structured to tie desired physical improvements and features to particular sites in order to ensure they can be achieved through “incentive zoning”
- As the primary implementing ordinance, Site Plans are structured to provide an incentive to achieve the goals of the plan including these features

# BASIC STRUCTURE



Bonus

Site Plan

3.8 FAR

By-right

.60 FAR

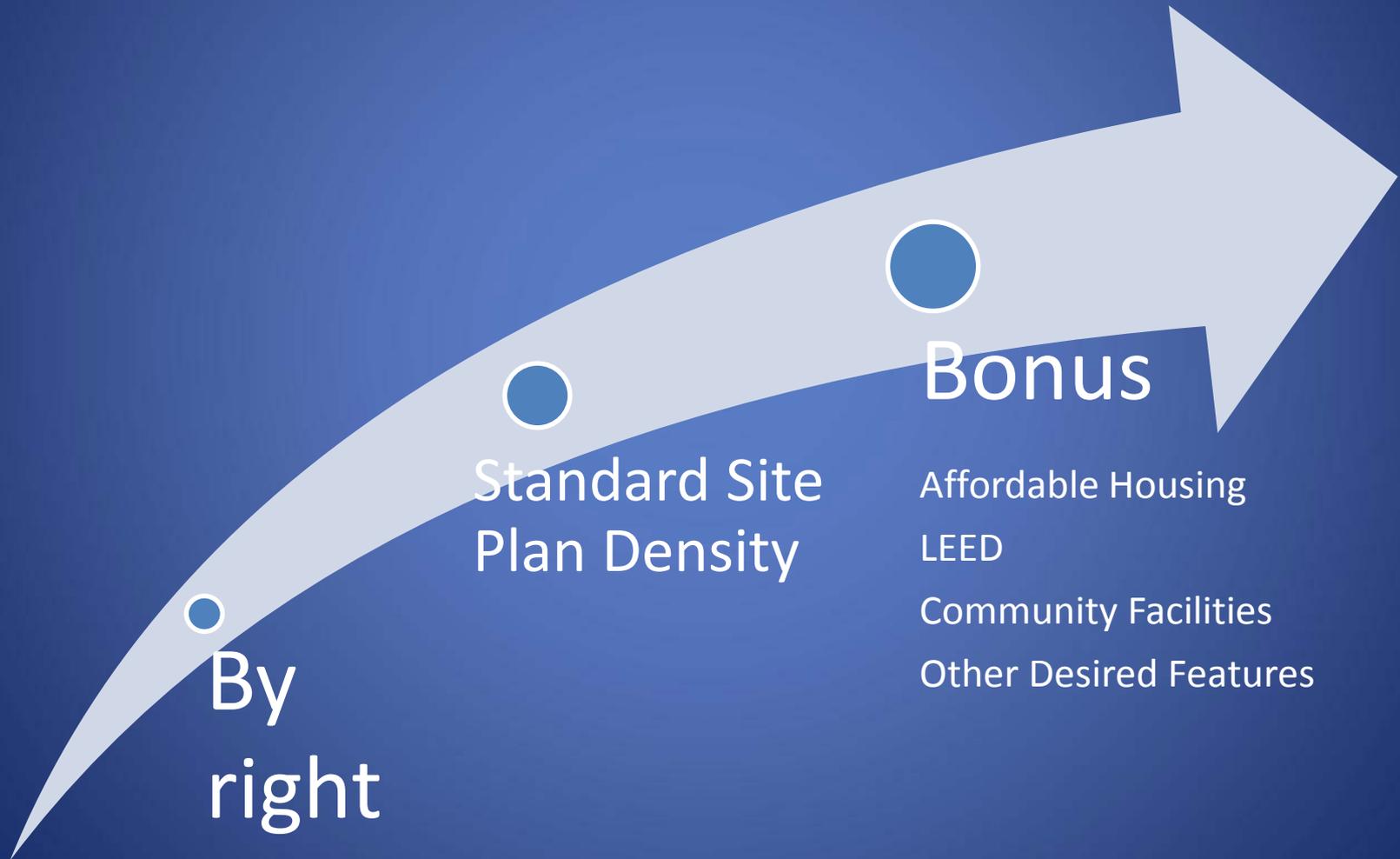
# COMMUNITY BENEFITS

- With some modest exceptions, conditions are directly tied to offsetting potential impacts of the proposed development or implementing adopted area plans with features shown on the site proposed to be developed
- While some extraordinary on-site requirements have been granted bonuses (black box theater) most are expected in return for achieving the maximum range of the density set forth in the district

# SITE PLAN STRUCTURE



# SITE PLAN STRUCTURE



By  
right

Standard Site  
Plan Density

Bonus

Affordable Housing

LEED

Community Facilities

Other Desired Features

# SITE PLAN – NO BONUS PROCESS

- Basic Site Plan – No bonuses
  - Apply Standard Site Plan Conditions
  - Comply with Affordable Housing Ordinance
  - Identify impacts to be mitigated
  - Identify on-site elements called for in adopted Sector or Area Plan with some negotiation
  - During the SPRC process additional impacts may be identified by the community or commissions and will be reviewed by the staff, County Manager, Planning Commission and County Board.

# SITE PLAN – BONUS PROCESS

- Site Plan – With Bonus (or Exemptions)
  - The applicant's proposed list of bonus requests is reviewed by the interdepartmental staff team for appropriateness under the Zoning Ordinance
  - The list is then reviewed with the Manager for approval
  - The Manager will brief the County Board
  - Once approved by the Manager they are negotiated by staff

# SITE PLAN – BONUS PROCESS

- The proposed bonus requests are reviewed with the SPRC for commission and community input
- Thru the SPRC process the Planning Commission can provide input on the appropriateness of the additional density, the relative priorities of the bonus proposal and how it complies with adopted plans and policies
- They are also reviewed by all the community thru the SPRC
- The County Board reviews and approves requests with input from commissions and community

# SITE PLAN - GLUP CHANGE PROCESS

- Since a GLUP change means a higher level of unplanned density, the impacts have not been anticipated under previous planning and therefore require more mitigation than under a normal Site Plan
- It provides more flexibility in determining whether the request is appropriate and what benefits or impact mitigation are provided in return
- Under the ADU Ordinance, affordable housing can be negotiated beyond the Ordinance.
- Staff uses a process similar to bonus density requests

# ROSSLYN AND CRYSTAL CITY PROCESS

- Staff gets an appraisal to determine the value of the additional density
- Staff develops a consolidated list of proposed community benefits based on the Sector Plan and infrastructure needs in Rosslyn
- Staff also evaluates on-site credits requested by the developer
- The list is reviewed and approved by the Manager for negotiation with the developer
- County Board, Planning Commission, SPRC and community review occurs similar to the site plan – bonus process.

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