

## ATTACHMENT C

### **ADMINISTRATIVE REGULATIONS 4.1**

(Note: the italicized section will not be incorporated into 4.1, but is included here as a Summary of the actual 4.1 changes that follow. For the following forms, I've included only the changed sections of the forms).

#### *SUMMARY OF CHANGES TO 4.1*

*The following is a brief summary description of the proposed changes to the Administrative Regulations 4.1, followed by the specific language changes to be incorporated into the document. The TDR-related items proposed to be included in "Administrative Regulation 4.1" focus on site plan submittals and checklists as part of a site plan application and include:*

- *Section 2. Plan Submittal*
- *Section 4. Phased Development Site Plan Specifications*
- *Section 6. Final Site Plan Specifications*
- *Section 7. Advertising*
- *Final Site Plan Specification Form*
- *Site Plan Submittal Checklist*
- *TDR Checklist*

***SUMMARY:*** *The changes proposed to the "Administrative Regulation 4.1". The first change includes in "Section 2. Plan Submittal", a new sub-paragraph, "O". The new sub-paragraph "O. Transfer of Development Rights" would describe TDRs and the use of TDRs through the site plan process.*

*The second addition to "Administrative Regulation 4.1" is in "Section 4. Phased Development Site Plan Specifications". A new sub-paragraph, "J" is proposed. The new subparagraph "J" would describe the submittal information required for the use of TDRs. This would include the request for detailed information on the sending and receiving properties, how the density and/or development rights was calculated, and other information such as consent forms from property owners.*

*The third proposed change to "Administrative Regulation 4.1" is in "Section 6. Final Site Plan Specifications". A new sub-paragraph #15 under sub-paragraph J. Additional Filing Information is proposed and would require data in addition to the existing data required for Final Site Plan Specifications in Section 6., subsections A through subsection I, for both the sending and receiving sites. The additional data should indicate what type of density and/or development rights is proposed to be transferred and how the density and/or development rights were calculated. A table should be included that separates density and/or development rights on the sending and receiving sites and how each was calculated. In addition, consent from all property owners on both sending and receiving sites should be included.*

*The fourth proposed change to "Administrative Regulation 4.1" is in "Section 7. Advertising". Additional wording is proposed to refer to the proposed Zoning Ordinance changes discussed above. The proposed ZO changes would allow the County Board to initiate on their own motion a public hearing for site plans or major site plan amendments that include TDRs as part of the application.*

*The fifth proposed area of change to "Administrative Regulation 4.1" is in the "Final Site Plan Specification Form". A new item number 20 ("20. Transfer of Development Rights") would request the applicant to submit the "Attachment \_\_\_ Transfer of Development Rights Site Plan Specification Forms". The new form would request information for both the sending and receiving sites and how the density and/or development rights were calculated. The form would require consent forms for property owners and also a model covenant deed.*

*The sixth proposed area of change to "Administrative Regulation 4.1" is in the "Site Plan Submittal Checklist". A new sub-paragraph, "15.O." is proposed. The new sub-paragraph "O. Transfer of Development Rights" would require indication if a site plan submittal proposes to use TDRs. The new subsection would also refer to the attachment at the end of the Administrative Regulations - a new "Transfer of Development Rights Checklist".*

*The seventh proposed area of change to "Administrative Regulation 4.1" is the addition of the "Transfer of Development Rights Checklist" following the Leed Scorecard. The TDR Checklist makes a list of the information required for both sending and receiving sites in "Section 6. Final Site Plan Specifications", discussed above.*

PROPOSED 4.1 TEXT CHANGES (underlined):

**Administrative Regulations 4.1**

\* \* \*

**Section 2. Plan Submittal**

\* \* \*

- O. Transfer of Development Rights (TDRs). An application for a site plan may include the dedication of density or other rights to develop, as determined by the County Board, from one or more parcels that are not the subject of a particular site plan application to one or more parcels of property that are the subject of a site plan application for purposes of, among others, open space, historic preservation, affordable housing, community recreation, and/or community facilities (See the Arlington County Zoning Ordinance, Section 36. H. Site Plan Approvals). The appropriateness of the dedicated density or other development rights at the proposed location, and whether the dedication is consistent with the Zoning Ordinance, approved land use policies and plans, and the public health, safety and welfare generally will be considered in the use of TDRs in a site plan.

\* \* \*

**Section 4. Phased Development Site Plan Specifications**

\* \* \*

- J. If the use of TDRs is proposed, additional data required (in addition to all of Section 4 and the Phased Development Site Plan Specifications Form) includes ATTACHMENT \_\_\_\_\_, TRANSFER OF DEVELOPMENT RIGHTS SITE PLAN SPECIFICATION FORM. The form requests information for both sending and receiving sites for TDRs. The data shall be provided by the applicant. *This data will be used in the public hearing notices. Use of incorrect data may require re-advertising of the public notice and deferral of the scheduled public hearing. (see attached forms).* The information should indicate:
1. what type of density and/or development rights transfer is proposed;
  2. Either
    - a. Certification of the sending site or

- b. how the density and/or development rights were calculated.

In addition, consent from all property owners on both sending and receiving sites should be included. A table should be included that separates density and/or development rights on the sending and receiving sites and how each was calculated.

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## **Section 6. Final Site Plan Specifications**

### J. Additional Filing Information

\* \* \*

If the use of TDRs is proposed, additional data required (in addition to all of Section 6 and the Final Site Plan Specifications Form) includes ATTACHMENT \_\_\_\_\_, TRANSFER OF DEVELOPMENT RIGHTS SITE PLAN SPECIFICATION FORM. The form requests information for both sending and receiving sites for TDRs. The data shall be provided by the applicant. *This data will be used in the public hearing notices. Use of incorrect data may require re-advertising of the public notice and deferral of the scheduled public hearing. (see attached forms).*

The information should indicate:

1. what type of density and/or development rights transfer is proposed;
2. Either
  - c. Certification of the sending site or
  - d. how the density and/or development rights were calculated

In addition, consent from all property owners on both sending and receiving sites should be included. A table should be included that separates density and/or development rights on the sending and receiving sites and how each was calculated.

15.

In addition, consent from all property owners on both sending and receiving sites should be included. A table should be included that separates density and/or development rights on the sending and receiving sites and how each was calculated

\* \* \*

## **Section 7. Advertising**

A Final Site Plan or a Major Site Plan Amendment, as specified in Section 36, Subsection H.2.a. and, if TDRs are part of the site plan application, Subsection H.5.a.1, of the Zoning Ordinance, which is accepted as complete by the Zoning Administrator, will be heard by the Planning Commission and the County Board following advertising and posting as specified in Section 36, Subsection I of the Zoning Ordinance.

(CHANGES TO FORMS OR NEW FORMS -underlined)

\* \* \*

**PHASED DEVELOPMENT SITE PLAN SPECIFICATION FORM  
(1 of 4)**

<b>STAFF ENTRY:</b>		
Assigned Site Plan Number	PDSP #	
PDSP Phase Number		
<b>APPLICANT ENTRY:</b>		
Project Title		
Project Location		
Parcel RPC Numbers		
<u><i>If TDR</i></u> <u><i>1) Parcel RPC Numbers for Sending and Receiving Sites</i></u>	<u><i>SENDING SITE</i></u>	<u><i>RECEIVING SITE</i></u>
<u><i>If TDR</i></u> <u><i>2) Complete Attachment TDR Site Plan Specification form</i></u>		
<b>PARCEL OWNERS:</b>	<u><i>SENDING SITE</i></u>	<u><i>RECEIVING SITE</i></u>

\* \* \*

**FINAL SITE PLAN SPECIFICATION FORM  
(1 of 9)**

<b>STAFF ENTRY:</b>		
Assigned Site Plan Number	SP #	
PDSP Phase Number		
<b>APPLICANT ENTRY:</b>		
Project Title		
Project Location		
Parcel RPC Numbers		
<u><i>If TDR</i></u> <u><i>1) Parcel RPC Numbers for Sending and Receiving Sites</i></u>	<u><i>SENDING SITE</i></u>	<u><i>RECEIVING SITE</i></u>
<u><i>If TDR</i></u>		

<i>2) Complete Attachment _____ TDR Site Plan Specification form</i>		
<b>PARCEL OWNERS:</b>	<u>SENDING SITE</u>	<u>RECEIVING SITE</u>

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ATTACHMENT E

**TRANSFER OF DEVELOPMENT RIGHTS SITE PLAN SPECIFICATION FORM  
(1 OF 1)**

		<u>Sending Property</u>		<u>Receiving Property</u>			
	<u>PROPERTY OWNER:</u>	-	-	-	-		
	<u>Parcel RPC Numbers</u>	-	-	-	-		
	<u>DEVELOPER</u>	-	-	-	-		
	<u>APPLICATION BY:</u>	-	-	-	-		
	<u>ADDRESS:</u>	-	-	-	-		
	<u>DAYTIME PHONE:</u>	-	-	-	-		
	<u>EMAIL ADDRESS:</u>	-	-	-	-		
	<u>CONTACT:</u>	-	-	-	-		
	<u>PROJECT TITLE:</u>	-	-	-	-		
	<u>PROJECT LOCATION:</u>	-	-	-	-		
		<u>Sending Property</u>		<u>Receiving Property</u>		<u>TOTAL</u>	
		<u>Square Feet</u>	<u>Acres</u>	<u>Square Feet</u>	<u>Acres</u>	<u>Square Feet</u>	<u>Acres</u>
1	<u>A. Total Site Area</u>	-	-	-	-	-	-
	<u>B. Site Area in Existing Zoning Districts</u>	-	-	-	-	-	-
	<u>1. District</u>	-	-	-	-	-	-
	<u>2. District</u>	-	-	-	-	-	-
	<u>3. District</u>	-	-	-	-	-	-
	<u>4. District</u>	-	-	-	-	-	-
	<u>5. District</u>	-	-	-	-	-	-
	<u>C. GLUP Designation</u>						
	<u>1. District</u>						
	<u>2. District</u>						
	<u>3. District</u>						
	<u>4. District</u>						
	<u>5. District</u>						
2	<u>Floor Area Ratio (FAR)</u> <small>(GFA divided by site area for density purposes [for mixed use districts, the allocated site area])</small>			-	<u>FAR</u>	-	<u>FAR</u>
	<u>A. Office</u>	-	-	-	-	-	-
	<u>B. Commercial</u>	-	-	-	-	-	-
	<u>C. Hotel</u>	-	-	-	-	-	-
	<u>D. Residential</u>	-	-	-	-	-	-
	<u>E. Other (specify)</u>	-	-	-	-	-	-
	<u>Total</u>	-	-	-	-	-	-
		-	-	-	-	-	-

		<b>SENDING SITE</b>			<b>RECEIVING SITE</b>		
		<b>MAXIMUM</b>	<b>EXISTING</b>	<b>BALANCE</b>			
	-				-	-	-
3	Gross Floor Area	-	-	-	-	-	-
	A. Office	-	-	-	-	-	-
	B. Commercial	-	-	-	-	-	-
	C. Hotel	-	-	-	-	-	-
	D. Residential	-	-	-	-	-	-
	E. Other (specify)	-	-	-	-	-	-
4	Property Owner(s) Consent Forms	-	-	-	-	-	-
5	Model covenant form						

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**SITE PLAN SUBMITTAL CHECKLIST  
(8 of 8)**

	Applicant		Staff		Staff Notes
	Prelim.	Final	Prelim.	Final	
15. Additional filing information					
<u>O. Transfer of Development Rights</u>					
1. <u>TDR Site Plan Specification Form and</u> 2. <u>Certification of sending site and/or detailed description of density and calculations.</u>					
2. <u>Model covenant form</u>					

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**TRANSFER OF DEVELOPMENT RIGHTS CHECKLIST**

	<b>SENDING PROPERTY</b>		<b>RECEIVING PROPERTY</b>		<b>TOTAL</b>
	Square Feet	Acres	Square Feet	Acres	
<b><u>APPLICANT/DEVELOPER/ PROPERTY OWNER:</u></b>					

	<b><u>APPLICATION BY:</u></b>					
	<b><u>ADDRESS:</u></b>					
	<b><u>DAYTIME PHONE:</u></b>					
	<b><u>EMAIL ADDRESS:</u></b>					
	<b><u>CONTACT:</u></b>					
	<b><u>PROJECT TITLE:</u></b>					
	<b><u>PROJECT LOCATION:</u></b>					
1	<u>A. Total Site Area</u>					
	<u>B. Site Area in Existing Zoning Districts</u>					
	<u>1. District</u>					
	<u>2. District</u>					
	<u>3. District</u>					
	<u>4. District</u>					
	<u>5. District</u>					
	<u>C. Site Area in Proposed Zoning Districts</u>					
	<u>1. District</u>					
	<u>2. District</u>					
	<u>3. District</u>					
	<u>4. District</u>					
	<u>5. District</u>					
	<u>D. Site Area in TDR District</u>					
	<u>1. District</u>					
	<u>2. District</u>					
	<u>3. District</u>					
	<u>4. District</u>					
	<u>5. District</u>					
2	<u>Site Area Allocated for Density Purposes To:</u>					
	<u>A. Office</u>					
	<u>B. Commercial</u>					
	<u>C. Hotel</u>					
	<u>D. Residential</u>					
	<u>E. Other (specify)</u>					
3	<u>Floor Area Ratio (FAR)</u>				<u>FAR</u>	

	<u>(GFA divided by site area for density purposes [for mixed use districts, the allocated site area])</u>				
	<u>A. Office</u>				
	<u>B. Commercial</u>				
	<u>C. Hotel</u>				
	<u>D. Residential</u>				
	<u>E. Other (specify)</u>				
	<u>Total</u>				
4	<u>Dwelling Units Per Acre</u>				
5	<u>Hotel Rooms Per Acre</u>				
6	<u>Property Owner(s)</u> <u>Consent Forms</u>				