County of Fairfax, Virginia
Planning Commission Meeting
February 4, 2026
Planning Commission Action

RZ/FDP-2025-DR-00013 – SPRING HILL LAND, LLC
(Dranesville District)

PLANNING COMMISSION RECOMMENDATIONS:
On February 4, 2026, the Planning Commission voted 10-0 (Commissioners Thomas and Wang were absent from the meeting) to recommend to the Board of Supervisors approval of the following actions:

- RZ-2025-DR-00013 and its associated Conceptual Development Plan, subject to the execution of proffers consistent with those dated January 20, 2026; and

- Waiver of the private street maximum length of 600 feet in Zoning Ordinance Section 5107.3.A(3).

In a related action, the Planning Commission voted 10-0 (Commissioners Thomas and Wang were absent from the meeting) to approve FDP-2025-DR-00013.

ATTACHED DOCUMENTS:
Proffers dated January 20, 2026

CD

DRAFT PROFFERS

SPRING HILL LAND, LLC

RZ 2025-DR-00013

January 20, 2026

Pursuant to Section 15.2-2303(A) of the Code of Virginia, 1950, as amended, and subsection 8100.2.D of the Zoning Ordinance of Fairfax County 2021, as amended and effective as of May 10, 2023 (hereinafter referred to as the "Zoning Ordinance"), SPRING HILL LAND LLC, for and on behalf of itself, the property owners, and their successors and/or assigns (hereinafter collectively referred to as the "Applicant"), in RZ 2025-DR-00013 filed on property identified as Fairfax County 2025 Tax Map 29-1 ((4)) 1, 2, and 3 and 29-1 ((1)) 45 (hereinafter referred to as the "Application Property") hereby proffers the following, provided that the Fairfax County Board of Supervisors (the "Board") approves a rezoning of the Application Property to the PDH-3 District. Upon approval of the rezoning, these proffers will replace and supersede any previous proffers approved on the Application Property. In the event this rezoning is denied by the Board, these proffers and conditions will immediately be null and void.

DEVELOPMENT PLAN

1. Conceptual/Final Development Plan. Subject to the provisions of subsection 8100.2.E.(1) and (2) of the Zoning Ordinance, the Application Property must be developed in substantial conformance with the Conceptual/Final Development Plan, prepared by Bowman Consulting Group, Ltd. dated May 16, 2025 as revised through January 16, 2026 (the "CDP/FDP"), and as further modified by these proffers. The Conceptual Development Plan (CDP) represents the points of access and accompanying pedestrian and vehicular circulation routes through the Application Property; the maximum number and type of dwelling units; the general location and arrangement of buildings; and maximum building heights. The remaining elements are Final Development Plan (FDP) elements.

2. Minor Modifications. Minor modifications to the CDP/FDP may be permitted as determined by the Zoning Administrator in accordance with subsection 8100.5.A.(1) of the Zoning Ordinance.

3. Minor Variations. Minor variations to these proffered conditions and the CDP/FDP may be approved in accordance with the provisions of subsection 8100.5.A.(2) of the Zoning Ordinance.

PROPOSED DEVELOPMENT

4. Use. The Application Property will be developed with up to 14 single-family detached dwelling units as shown on the CDP/FDP and any accessory uses that are permitted or require a special permit or special exception approval.

5. Density Credit. All density attributable to land area dedicated from the Application Property as designated on the CDP/FDP and/or conveyed at no cost to the Board or any other public entity pursuant to these proffers, or as may be required at subdivision plan, will be subject to the provisions of subsection 5100.2.E.(5)(c) of the Zoning Ordinance and is hereby reserved to the Application Property.

6. Architectural Survey. Prior to the approval of a demolition permit for the existing residential buildings on the Application Property, the Applicant will conduct a Phase I Architectural Survey for the existing residential buildings according to the Virginia Department of Historic Resources' *Guidelines for Conducting Historic Resources Survey in Virginia*, as revised in 2017 and produce a Phase I Survey Report. The Phase I Survey Report will focus on the cultural association of the Application Property to the historic African American community of Odrick's Corner, with review and consultation by staff from the Heritage Resources Branch of the Department of Planning and Development (HRB-DPD). The final report will be submitted digitally to HRB-DPD and the Virginia Room of the Fairfax County Library System.

7. VDOT Evaluation. Changes to the CDP/FDP may be permitted in response to the review of subdivision plans by the Virginia Department of Transportation (VDOT) as necessary without requiring approval of a PCA or an amendment to the CDP/FDP provided such modifications are approved by the Zoning Administrator in consultation with other applicable agencies as determined by the Zoning Administrator and are in substantial conformance with the CDP/FDP and these proffers.

BUILDING DESIGN

8. Architecture. The architectural design of the dwelling units will be in substantial conformance with the bulk, mass, character, and quality of materials as represented by the elevations in the CDP/FDP. The Applicant will provide the final architectural design for the Proposed Development to the Dranesville District Supervisor's office for review and comment prior to the issuance of building permits for the proposed development.

9. Sustainable Design. The Applicant will select one of the following programs, within its sole discretion, at the time of first subdivision plan submission and will concurrently notify the Environmental Branch (EB) of the DPD of the program selection.

   A. EarthCraft. Certification in accordance with the EarthCraft House Program as demonstrated through documentation provided to LDS and DPD prior to the issuance of a residential use permit (RUP) for each dwelling unit. If certification is still in process at time of RUP issuance, the Applicant must provide documentation from the EarthCraft project manager demonstrating that the project has been registered, completed final inspection, and has met the requirements to attain EarthCraft certification prior to RUP issuance for each dwelling unit. The Applicant must provide documentation to LDS and DPD demonstrating that certification for the dwelling unit has been attained prior to final bond release; or

B. NGBS. Certification in accordance with the most current version of National Green Building Standard (NGBS), using the ENERGY STAR® Qualified Homes path for energy performance, as demonstrated through documentation submitted to LDS and DPD from a home energy rater certified through the Home Innovation Research Labs that demonstrates that the dwelling unit has attained the certification prior to the issuance of the RUP for each dwelling; or

C. Alternative Program. The Applicant may utilize an equivalent alternative program selected in consultation with and approved by the Environmental Branch of DPD prior to subdivision plan approval.

10. EV Charging. The Applicant will offer initial purchasers of all residential units the option, at the purchasers' cost, to install the required electrical panels for electric vehicle ready charging, which means the provision of space, conduit banks, conduits, and access points allowing for the installation of an electric vehicle charging station in the future, and does not include the installation of transformers, switches, wiring, or charging.

ENVIRONMENTAL

11. Interior Noise Attenuation. The Applicant must incorporate mitigation measures consistent with the sound attenuation recommendations in the Wormald Development Environmental/Transportation Noise Report prepared by Miller, Beam & Paganelli, Inc. dated December 17, 2025 to ensure that interior noise in dwelling units will not be in excess of DNL 45 dBA. If mitigation measures are required, then site and building plans for each building/unit that is subject to noise mitigation must depict the final noise contours as determined by the noise study; measures that will be incorporated must be included on site/building plans.

12. Exterior Noise Attenuation. The Applicant must incorporate mitigation measures consistent with the sound attenuation recommendations in the Wormald Development Environmental/Transportation Noise Report prepared by Miller, Beam & Paganelli, Inc. dated December 17, 2025 to ensure that outdoor recreation areas on individual lots, within the cul de sac open space area, and within the northern open space area will not exceed DNL 65 dBA. To that end, a solid 6-to-7 foot high fence with no gaps or openings at the bottom or between panels will be installed in the location as generally shown on the CDP/FDP. The fence will be constructed with muted, earth-tone colored composite materials. If additional mitigation measures are required, then the Applicant will depict the noise contours and the recommended mitigation measures on the associated subdivision and building plan.

13. Refined Acoustical Analysis. A refined acoustical analysis, to include a Building Shell and Barrier analysis will be submitted at the time of subdivision plan submission to LDS for review and approval, and distributed to the Public Facilities and Development Review Branch (PFDRB) of DPD for review and approval. Mitigation measures appropriate to reduce indoor noise for residential units to no more than DNL 45 dBA and outdoor recreation areas to DNL 65 dBA on individual lots, within the cul de sac open space area, and within the northern open space area, consistent with the sound attenuation recommendations in the refined analysis, must be incorporated into the proposed

development. All residential units will be outside of the DNL 75 dBA noise contour. The noise contours of DNL 65 dBA and greater affecting residential units must be shown on the subdivision plan and will be identified on the building plans.

TREE PRESERVATION

14. Tree Inventory and Condition Analysis. The Applicant must submit a Tree Inventory and Condition Analysis as part of the first and all subsequent subdivision plan submissions. The Tree Inventory and Condition Analysis must be prepared by a Certified Arborist or Registered Consulting Arborist ("Project Arborist") and must include elements of PFM 12-0307 deemed appropriate to the Application Property as determined by the Forest Conservation Branch ("FCON").

15. Tree Preservation Plan and Narrative. The Applicant must submit a Tree Preservation Plan and Narrative as part of the first and all subsequent subdivision plan submissions. The Tree Preservation Plan and Narrative must be prepared by the Project Arborist and must include elements of PFM 12-0309 deemed appropriate to the Application Property as determined by FCON.

16. Project Arborist/Pre-construction Meeting. Prior to the pre-construction meeting, the Applicant must have the approved limits of clearing and grading flagged with a continuous line of flagging. The Applicant must retain the services of an International Society of Arboriculture (ISA) Certified Arborist or Registered Consulting Arborist ("Project Arborist") to attend the pre-construction meeting to review the limits of clearing and grading with a FCON representative to determine where adjustments to the clearing limits can be made to increase the area of the tree preservation and/or to increase the survivability of trees at the limits of clearing and grading, without detriment to the proposed development. Such adjustments must be recorded by the Project Arborist and tree protection fencing must be implemented under the Project Arborist's supervision based on these adjustments.

17. Tree Protection Fencing. The Applicant must provide appropriate tree protection devices, based on site conditions and proposed construction activities as reviewed and approved by FCON. Tree protection fences must consist of four-foot-high welded wire attached to six-foot steel posts driven 18 inches into the ground and spaced no further than 10 feet apart; or the installation of super silt fence.

18. Tree Preservation Measures. Tree preservation measures must be clearly identified, labeled, and detailed on the Erosion and Sediment Control Plan sheets and Tree Preservation Plan and Narrative. Tree preservation measures may include, but are not limited to, the following: root pruning, crown pruning, mulching, watering, etc. Specifications must be provided on the plan detailing how preservation measures will be implemented. Tree preservation activities must be completed during implementation of Phase 1 of the Erosion and Sediment Control Plan.

19. Demolition. The demolition of all existing structures and site features within or adjacent to tree preservation areas must be accomplished in the least disruptive manner practical as

reviewed and approved by FCON. All tree protection fencing must be in place and verified by the Fairfax County inspector prior to commencement of demolition activities.

20. Site Monitoring. The Applicant's Project Arborist must be present on-site during initial implementation of the Phase 1 Erosion and Sediment Control Plan and monitor construction activities conducted within or adjacent to areas of trees to be preserved. Construction activities may include, but will not be limited to, clearing, root pruning, tree protection fence installation, vegetation/tree removal, and demolition activities. During implementation of Phase 2 Erosion and Sediment Control Plan, the Project Arborist must visit the site on a regular basis to continue monitoring tree preservation measures and ensure that all activities are conducted as identified in the approved Tree Preservation Plan and Narrative. Written reports must be submitted to FCON and the Site Development & Inspections Division (SDID) site inspector detailing said site visits. A monitoring schedule and Project Arborist reports must be described and detailed in the Tree Preservation Plan and Narrative.

21. Invasive Plant Species Management. Forested areas containing invasive plant species in quantities that threaten long-term health and survival of existing vegetation must be managed under an invasive plant species management plan to qualify for any 10-year canopy credit. At the time of subdivision plan submission, the Applicant must provide a management plan for review and approval by FCON. The plan must include the common and scientific names of the invasive species targeted for management, the designated management area, control and disposal methods, treatment timing and monitoring procedures, program duration, and any necessary reforestation efforts. The Applicant must monitor the managed areas for a period of one (1) year after issuance of the final RUP for the proposed development.

LANDSCAPING

22. Landscape Plan. As part of the first and all subsequent subdivision plan submissions the Applicant must submit for review by FCON, a Site Landscape Plan (the "Landscape Plan") which shall be in general conformance with the Conceptual Landscape Plan shown on the CDP/FDP. The Landscape Plan shall include planting schedules, narratives, specifications, and details for general landscaping, street trees, irrigation information (if applicable), etc. to ensure the long-term viability of the vegetation materials. Any modifications in the final design must maintain a similar quality of landscaping as depicted in the Landscape Plan and the CDP/FDP, as determined by FCON.

    A. Sustainable Elements. The Landscape Plan and specifications must incorporate sustainable techniques that reduce maintenance needs and promote a cleaner, healthier environment. Sustainable methods may include:

        i. Reduce turf areas to minimize mowing. Mulched planting beds with grouped trees and vegetation should be incorporated to create a root zone environment that supports healthy tree and plant growth.

ii. Plant trees in strategic locations to enhance energy conservation for buildings, following the guideline outlined in Plate 4-12 of the Public Facilities Manual (PFM).

iii. Use a diverse selection of native and non-invasive plants to support native pollinators and minimize the need for supplemental watering, chemical fertilizers, salt, herbicides, and chemical pest or disease control.

iv. Sustainable landscape planting should consist of grouped plantings that include larger overstory trees, small understory trees, shrubs, and ground covers. Notwithstanding stipulations in the PFM, it is acceptable for the 10-year projected canopies of overstory trees to overlap with the canopies of understory trees, shrubs, native grasses, and groundcovers, mimicking a natural, multi-layered wooded environment.

B. Native Non-Invasive Species. The Applicant will use native non-invasive species throughout the proposed development, prioritizing predominately native or adapted species. The Applicant reserves the right, in consultation with and approval by FCON, to modify the exact species to be used, such as when plant materials are not available or have been deemed by FCON to no longer be appropriate.

C. Planting Quality. The Landscape Plan will align with the quality and quantity of plantings and materials shown on the CDP/FDP and may include additional shade trees and other plant materials as determined by the Applicant. The Applicant may modify the type and location of vegetation, as well as the design of public spaces, courtyard areas, streetscape improvements, and plantings, with approval from FCON and the Zoning Evaluation Division. These adjustments must remain in substantial conformance with the CDP/FDP. Modifications to plant type and placement may also made to avoid conflicts with utilities and other site engineering considerations.

23. Project Arborist. A certified project arborist must participate in the design of the landscape plan, and in the pre-installation meeting to ensure conformance with the proffered commitments.

24. Landscape Planting Pre-installation Meeting. Before installing any plants required by the approved Landscape Plan, the contractor or Applicant will coordinate an on-site pre-installation meeting with the landscape contractor, FCON, and SDID Site Inspections. Any proposed changes to planting locations, tree or shrub sizes, or species substitutions from the approved plan must be reviewed and approved by FCON before planting. Installing unapproved plants may require a landscape plan revision or the removal and replacement of non-compliant trees or shrubs before bond release.

25. Soil Remediation. Soil in all planting areas must be the subject of remedial action to restore planting areas to satisfy the cultural requirements of trees, shrubs and groundcovers specified in the Landscape Plan, with attention to deep soil aeration, the addition of organic matter throughout the soil profile to at least 12-18 inches, and the addition of organic matter

on top of the soil. Planting areas outside of privately owned lots not used for walking or outdoor activities should be considered for planting with native perennials to increase their habitat values and to avoid foot traffic and its attendant re-compaction of the amended soils. The Applicant will provide notes and details specifying how the soil will be restored for the establishment and long-term survival of landscape plants for review by FCON. Planting areas containing construction debris, rubble, compacted soil, or other unsuitable conditions for the establishment and long-term survival of landscape plants will undergo such remedial action.

RECREATION

26. Contribution. Prior to the issuance of the first RUP on the Application Property, the Applicant will contribute a sum equivalent to $893.00 per new resident generated by the single family detached units as determined by Fairfax County Park Authority (FCPA). Said contribution must be calculated using the actual number of units constructed. The contribution must be used for park and recreation improvements in the Dranesville District, as determined by FCPA in consultation with the Dranesville District Supervisor.

27. On-Site Recreation Facilities. Pursuant to subsection 2105.2.B.(4)(b) of the Zoning Ordinance, the Applicant must demonstrate to Fairfax County the expenditure of a minimum of $2,400.00 per market rate residential dwelling unit for recreational facilities on-site. If all of the funds are not expended on the Application Property, the Applicant must contribute the balance to FCPA for use at park sites in the vicinity of the Application Property in consultation with the Dranesville District Supervisor. Said contribution will be based on the actual number of dwelling units constructed on the Application Property.

TRANSPORTATION IMPROVEMENTS

28. Private Street. The private street shown on the CDP/FDP must be constructed of materials and depth of pavement consistent with the Public Facilities Manual standards for public streets.

29. Private Street Easement with Adjacent Property Owner. The Applicant will record that certain Easements Agreement dated September 30, 2025 between Spring Hill Land, LLC and the Trustees of the Charity Baptist Church prior to subdivision plan approval to provide access to the adjacent property as shown on the CDP/FDP.

30. Public Access Easement. The Applicant will record a public access easement in a form as reviewed and approved by the County Attorney over the private street and sidewalks located on the Application Property shown on the CDP/FDP prior to subdivision plan approval.

31. Road Improvements. The transportation improvements provided for in this proffer will be constructed with all required/applicable pavement transitions, as further qualified in these proffers and/or as determined at the time of subdivision plan showing these improvements. For purposes of proffers for the proposed development, the term “construct” will mean that the committed improvement is substantially complete and available for public use whether or not such improvement has been accepted by the Virginia Department of Transportation

("VDOT") for maintenance. The Applicant reserves the right, within its sole discretion, to combine construction of any of the transportation improvements described in these proffers into a single public improvement. All public street improvements must be designed and constructed in accordance with the VDOT Road Design Manual, as amended, and are subject to VDOT approval.

A. Spring Hill Road Improvements. Subject to VDOT and Fairfax County Department of Transportation (FCDOT) approval, the Applicant will construct, prior to the issuance of the last RUP for the proposed development, the following improvements within Spring Hill Road along the Application Property's frontage as shown on the CDP/FDP:

i. A north-bound left turn lane into the Application Property;

ii. A six-foot wide south-bound bicycle lane (including a curb-gutter pan); and

iii. A 5-foot-wide sidewalk and 4-foot-wide buffer panel between the sidewalk and relocated curb.

B. Curb Ramps. Prior to issuance of the first RUP for the proposed development, the Applicant will install CG-12 curb ramps within the Application Property where sidewalks meet roadways as generally shown on the CDP/FDP.

PEDESTRIAN AND BUS FACILITIES

32. Sidewalks. Prior to issuance of the first RUP for the proposed development, the Applicant will construct a five-foot wide sidewalk along both sides of the private street as shown on the CDP/FDP.

33. Sidewalk Extension and Bus Stop Improvements. Subject to VDOT approval, prior to issuance of the first RUP for the proposed development, the Applicant will construct an extension of the sidewalk from the Application Property to the existing bus stop #5670 location on Spring Hill Road and install a concrete landing pad, bench, trash receptacle, and bus shelter at the terminus as shown on the CDP/FDP.

34. Walking Paths. Prior to issuance of the first RUP for the proposed development, the Applicant will provide recreational walking paths as shown on Sheet 5 of the CDP/FDP. The path materials within the cul-de-sac and the northern park area may be permeable concrete, masonry, a combination thereof, or other permeable material, and shall meet ADA-accessible requirements.

35. Crosswalks and Crossings. Subject to VDOT approval, the Applicant will construct the following crosswalks and associated infrastructure, including required/applicable pavement transitions, within the right-of-way or, where indicated, on off-site private property, prior to issuance of the first RUP for the proposed development. The exact location and type of facilities will be subject to VDOT approval at time of subdivision plan approval for the Application Property.

A. Spring Hill Road Crosswalk. The Applicant will install a crosswalk with flashing beacons within the Spring Hill Road right-of-way across Spring Hill Road proximate to the intersection of Turning Leaf Lane and Spring Hill Road, as well as curb ramps, as shown on the CDP/FDP. The Applicant's obligation to construct the Spring Hill Road crosswalk shall be contingent upon the Applicant receiving all necessary permissions at reasonable cost from adjacent private property owners to construct the crosswalk, any required/applicable pavement transitions, and any required signal infrastructure on private property in the vicinity of the Spring Hill Road – Turning Leaf Lane intersection.

B. Turning Leaf Lane Crosswalk. The Applicant will install a crosswalk across the entrance to Turning Leaf Lane and curb ramps as shown on the CDP/FDP. The Applicant's obligation to construct the Turning Leaf Lane crosswalk shown on the CDP/FDP shall be contingent upon the Applicant receiving all necessary permissions at reasonable cost from adjacent private property owners to construct the crosswalk, any required/applicable pavement transitions, and any required signal infrastructure on private property in the vicinity of the Spring Hill Road – Turning Leaf Lane intersection.

C. Dulles Access Road Crosswalk. The Applicant will install a crosswalk and curb ramps at the western crossing of the Spring Hill Road and Dulles Access Road On-Ramp intersection along with pedestrian signal infrastructure on both sides of the crosswalk as shown on the CDP/FDP.

D. Application Property Entrance. The Applicant will install appropriate VDOT CG-12 curb ramps within the Spring Hill Road ROW for pedestrians crossing the Application Property entrance.

AFFORDABLE HOUSING

36. Affordable Housing Contribution. Prior to the issuance of the first RUP on the Application Property, the Applicant will contribute to the Fairfax County Housing Trust Fund a sum equal to one-half of one percent (0.5%) of the anticipated sales price of all net new dwelling units constructed on the Application Property to assist Fairfax County in its goal of providing affordable dwellings. The contribution will be based on the aggregate sales price of all of the dwelling units, as if all of the units were sold at the time of the issuance of the first RUP, and on comparable sales of similar type units. The projected sales price will be determined by the Applicant in consultation with the Department of Housing and Community Development.

STORMWATER MANAGEMENT

37. Stormwater Management. Subject to the approval of LDS, the Applicant will implement Stormwater Management (SWM) and Best Management Practices (BMPs) to control the quantity and quality of stormwater runoff from the Application Property. The Applicant will provide stormwater management BMP facilities as shown on the CDP/FDP with the submitted subdivision plan. The Applicant will meet or exceed the minimum state and

Fairfax County requirements for stormwater quality by providing phosphorous removal BMPs and/or Manufactured Treatment Devices (MTDs). Stormwater detention facilities will be provided and designed to meet adequate outfall requirements for channel and flood protection in accordance with Chapter 124.1 of the Fairfax County Code. The Applicant will not purchase off-site nutrient credits to meet the stormwater management requirements.

38. Modifications to Facilities. The Applicant reserves the right to reconfigure the location and types of stormwater management measures, pursue additional and alternative stormwater management measures, or utilize new technologies of SWM to those shown on the CDP/FDP provided the same are in substantial conformance with the CDP/FDP as allowed by the Public Facilities Manual and Chapter 124 of the Fairfax County Code, or as agreed upon by the Director.

39. New Regulations. Should new stormwater management regulations be issued affecting the Application Property, the Applicant will have the right to accommodate necessary changes to its stormwater/BMP facility designs without the requirement of a PCA, an amendment to the CDP/FDP, or approval of any administrative modifications to the CDP/FDP or proffers, provided the facility designs substantially conform with the CDP/FDP.

PUBLIC SCHOOLS

40. Contribution. Prior to the issuance of the first RUP for the Application Property, the Applicant must contribute the amount of $14,956.00 per new student projected to be generated to the Board for the construction of capital improvements to the Fairfax County Public Schools (FCPS) to which the students generated by the residential units are scheduled to attend. The total amount of the contribution will be determined at time of subdivision plan submission based on the actual number of new dwelling units to be constructed on the Application Property. Following approval of this application and prior to the Applicant's submission of a subdivision plan, if Fairfax County should modify the ratio of students per unit or the amount of contribution per student, the Applicant must pay the modified contribution amount to reflect the then and current ratio and/or contribution. This contribution is not subject to the provisions of Proffer 48.

41. Notification. The Applicant must notify the FCPS Office of Facilities Planning Services when the subdivision plan is filed with Fairfax County.

ASSOCIATIONS

42. Property Owners Association. A Property Owners Association ("OA") will be established to regulate use and provide standards for construction, maintenance, private street and entry driveway maintenance, and landscaping within the Application Property. Concurrently with the submission of the subdivision plan, not to include standalone dedication plats for infrastructure improvements, the Applicant will submit, for review and approval, a declaration of covenants, conditions, and restrictions, and related governance documents (together, the "OA Covenant"). The OA will be established and the associated OA Covenant will be recorded among the land records of Fairfax County prior to or concurrently with approval of the subdivision plan.

43. Property Owners Association Responsibilities. In addition to any other responsibilities of the OA set forth elsewhere in these proffers, the OA will own and maintain all common areas, open space, storm drainage and stormwater management easements and facilities not maintained by the County, all private streets on the Application Property, and all pedestrian connections on the Application Property located outside of public right-of-way and not otherwise maintained by the County or VDOT.

44. Parking and Garages. Garages must be designed to accommodate two (2) vehicles, and driveways must be a minimum of 18 feet in length. A covenant must be recorded on the single family detached dwelling units which provides that garages must only be used for a purpose that will not interfere with the parking of vehicles. Prior to entering into a contract of sale, initial purchasers must be advised of the use restriction, which must be included in the OA documents prepared in conjunction with the proposed development.

MISCELLANEOUS

45. Sanitary Sewer. At the time of or prior to subdivision plan submission, the Applicant will submit a site-specific sanitary sewer analysis. Should sanitary sewer upgrades be required to serve the additional flow generated by the proposed development, the Applicant will complete, submit and bond a public improvement plan for the sanitary sewer improvements. To the extent sanitary sewer improvements are constructed by the Applicant, the Applicant will seek reimbursement in accordance with the Department of Public Works and Environmental Services "Statement of Policy Regarding Sewage Disposal," as amended, as well as the Fairfax County Reimbursement Agreement for Enlarged Sewer Facilities and the Fairfax County Sanitary Sewer Reimbursement Summary.

46. Wells and Septic Systems. The Applicant will abandon any existing septic systems and wells located on the Application Property in accordance with permits issued by the Fairfax County Health Department prior to any grading or demolition of existing structures on the Subject Property.

47. Salt Management. Salt must be stored in a covered area and only applied to paved surfaces during freezing inclement weather. The company that maintains common open space will be directed not to sweep or shovel salt into landscape areas or stormwater management facilities and to properly dispose of the salt.

48. Escalation. All monetary contributions, except for the contribution associated with Public Schools, will escalate on a yearly basis from the base year of 2027 and change effective each January 1 thereafter, based on the Consumer Price Index as published by the Bureau of Labor Statistics, the U.S. Department of Labor for the Washington-Baltimore, MD-VA-DC-WV Consolidated Metropolitan Statistical Area (the "CPI"), as permitted by Va. Code Ann. Section 15.2-2303.3.

49. Due Diligence. Notwithstanding the foregoing, upon demonstration that despite diligent efforts or due to factors beyond an Applicant's control, such as, but not limited to, construction schedules, availability of financing, availability of materials, weather delays, and duration of approval process on market conditions, proffered improvements have been

delayed beyond the timeframes specified, the Zoning Administrator may agree to a later date for completion of such improvements without the necessity of a PCA or an amendment to the CDP/FDP.

50. Severability/Future Applications. Any portion of the Application Property may be the subject of a rezoning, special exception, special permit, variance, FDPA, PCA, or other zoning action without the joinder and/or consent of the applicant/owner(s) of the other land areas provided that such application compiles with the Zoning Ordinance. Previously approved proffered conditions or development conditions applicable to a particular portion of the Application Property that are not the subject of such an application must remain in full force and effect.

51. Successors and Assigns. These proffers will bind and inure to the benefit of the Applicant and its successors and assigns. Each reference to "Applicant" in this proffer statement will include within its meaning and will be binding upon the Applicant's successor(s) in interest and/or the owners from time to time of any portion of the Application Property during the period of their ownership. Once portions of the Application Property are sold or otherwise transferred, the associated proffers become the obligation of the purchaser or other transferee and will no longer be binding on the seller or other transferor.

52. Counterparts. These proffers may be executed in one or more counterparts, each of which when so executed and delivered will be deemed an original, and all of which taken together will constitute but one and the same instrument.

[SIGNATURES BEGIN ON FOLLOWING PAGES]