Planning Commission Work Session
Agenda Item 2.a.

Agenda Item: **Zoning Ordinance Text Amendment ZOTA #26-03 to amend Chapter 78 (ZONING), Article V (Planned Development Districts), by amending Section 78-50.8 (PD-TOC, Planned Development - Transit Oriented Core), Article VII (Use Regulations), Section 78-71.8 (Indoor Entertainment Use Category), and Article XVIII (Definitions), Section 78-180 (Definitions) to define casino related terms and establish land use provisions for casino establishments**

Meeting Date: May 4, 2026

Category: Public Hearings

Prepared by: David Stromberg, Zoning Administrator

Description:
This zoning ordinance text amendment (ZOTA) adds a definition for "Casino Gaming Establishment" that is consistent with the definition in the Code of Virginia. The draft language includes amendments to PD-TOC, Planned Development - Transit Oriented Core, that would allow a casino gaming establishment that is part of a mixed-use development, subject to approval of a development plan and special exception. The draft also includes provisions for specific uses that are to be included in a casino gaming establishment mixed-use development. Those uses include the following:

- A hotel with at least 225 guest rooms
- A minimum of 34,000 square feet of retail space
- A minimum of 11,000 square feet of conference or ballroom space
- A minimum of 20,000 square feet of retail grocery space

Background/Timing Impact:
This item was rescheduled from the April 27, 2026 agenda due to an error in the legal advertisement.

Senate Bill SB 756, an amendment to the Code of Virginia Title 58.1 (Taxation), Chapter 41 (Casino Gaming) has been passed by the Virginia General Assembly and would allow Tysons in Fairfax County as an eligible location for a Casino Gaming Establishment. At this time, it is unclear whether SB 756 will be signed, amended, or vetoed by the governor. It is also unclear how Code of Virginia provisions for Casino Gaming Establishments may be amended in future General Assembly sessions.

Timing Impact:
Amending the Zoning Ordinance now to define casino-related terms and establish land use provisions will prepare the town for casino-related legislation that may have direct or indirect impacts on land use within the town.

Fiscal Impact:
Unknown at this time.

Legal Impact:
If adopted, this zoning ordinance text amendment will be effective on and after its adoption.

Staff Recommendation/Next Steps:
A recommendation will be provided at the public hearing.

Attachments:
1. Draft Ordinance