

Board of Supervisors Land Use Policy Committee

December 8, 2020

Electronic

Board of Supervisors (Board) Members participated:

Jeff McKay, Chairman
Penelope Gross, Mason District (Vice Chairman)
James Walkinshaw, Braddock District
John Foust, Dranesville District
Walter Alcorn, Hunter Mill District
Rodney Lusk, Lee District
Dan Storck, Mount Vernon District
Dalia Palchik, Providence District
Pat Herrity, Springfield District
Kathy Smith, Sully District (Committee Chair)

The Land Use Policy Committee (Committee) meeting was called to order at 1:30 p.m.

Without objection, the summary of the October 27, 2020 Committee meeting was accepted.

Abandoned Shopping Cart Ordinance:

Jack Weyant, Director, Department of Code Compliance, presented existing state law enabling the County to adopt an abandoned shopping cart ordinance and discussed benefits, detriments, enforcement protocols, and staff recommendation.

Discussion ensued regarding the limitations of the existing state law provisions and potential legislative improvements, as well as the difficulties for the County in the implementation of the provisions. The consensus of the Committee was an Ordinance should be adopted, one that will work as well as possible for the county given the limitations established by the current legislation. The management of their shopping carts should be the responsibility of the stores and avoidance of being cited for a violation an ordinance should provide an incentive for stores to better manage them. The Committee directed staff to draft an ordinance for consideration, but only include provisions for enforcement action against the store and not include fines of individuals in possession of a cart that has been removed from the store property.

Resource Protection Area (RPA) Planting Density Requirements:

John Friedman, Engineer IV, Site Code Research and Development Branch, Land Development Services (LDS) presented proposed Public Facilities Manual (PFM) amendments regarding Resource Preservation Area (RPA) planting density requirements that the Board had requested be prepared. The PFM amendments are to be paired with an amendment to the Chesapeake Bay

Preservation Ordinance consolidating all RPA planting density requirements in the PFM. Mr. Friedman reviewed the development and vetting of the amendments for the Board and presented the planting requirements. At the request of Supervisor Herrity, staff will provide the Board with any comments received from industry on the proposed requirements. In summary:

- 1) Planting densities from the ordinance and the PFM will be consolidated in the PFM;
- 2) Planting densities were developed in co-ordination with the Urban Forest Management and Stormwater Planning Divisions of the Department of Public Works (DPWES);
- 3) Planting densities are based on experience and monitoring data from DPWES stream restoration and reforestation projects; and
- 4) Additional planting options using smaller sized trees combined with the reduced number of shrubs proposed will result in significant cost savings. The projected authorization of the public hearings is Spring 2021.

Fairfax County Confederate Names Inventory Report:

History Commission representatives were Anne Stuntz, Chair, History Commission, and Barbara Naef, Chair, Confederate Names Committee. Staff were Leanna O'Donnell, Planning Division Director, Department of Planning and Development (DPD), Denice Dressel, Heritage Resources Planner, Planning Division, DPD, Barbara Byron, Director, DPD, Tom Biesiadny, Director, Fairfax County Department of Transportation (FDOT), and Paul Fernandez, Manager, Site and Technical Services, Permitting and Code Administration Division, LDS.

Ms. Stuntz presented the Confederate Names Inventory Report, completed by the History Commission in response to the June 23, 2020 Board request for a full inventory of Confederate street names, monuments, and public places in Fairfax County. The Commission acknowledged the support of county staff: Matthew Knox, intern in the Hunter Mill District Office, Denice Dressel, DPD, Chris Barbuschak, Virginia Room of the Library System, and Dr. Elizabeth, Crowell, Archaeology and Collections Branch Manager, Park Authority.

Ms. Stuntz reported that the Confederate Names Inventory Report was the culmination of a 5-month process to create a comprehensive list and history of places in Fairfax County named after individuals who held military or governmental responsibilities under the authority of the Confederate States of America between 1861-1865 from a list of over 26,000 streets, shopping centers, subdivisions, streams, civic associations, community centers, and landmarks in the County, cross-matched to 650 well-known Confederate officers, leaders, and other locally well-known Confederates. While conducting research, the Commission found that a number of matches were those of families that had lived in the county for generations that may have had family members who served in the Confederacy. Many of these family names predate the Civil War. Out of the approximately 26,500 assets that the History Commission examined, 157 assets were identified as bearing confirmed Confederate associated names. The report includes the background research on all the assets considered by the Commission and other appendices.

Ms. Naef then explained that the report includes the Commission's recommendation that the Board adopt a process to engage the public in an open dialogue through public meetings and community gatherings and that the resulting research from the Confederate Names Inventory project be placed in the Virginia Room of the Fairfax City Regional Library.

Ms. Naef then presented the History Commission's 2021 Initiative to develop an inventory of research materials on African American communities in Fairfax County, in collaboration with county African American organizations, and to work toward incorporating that information into the full county history.

Ms. Dressel then provided a brief overview of the processes adopted by Alexandria City and the City of Fairfax to address the Confederate symbols, memorials, and place names in their respective jurisdictions.

Supervisor Smith requested that staff provide more information on the process the Board would have to go through to change the names of the two primary roadways identified by the report, Lee Highway and Lee Jackson Memorial Highway, and report back to the Board in January. Tom Biesiadny, Director, FDOT provided a brief overview of the Commonwealth Transportation Board's process for the Board.

Supervisor Smith requested a memo to explain the existing County process for changing the name of a secondary road in a neighborhood. The memo should outline the process and answer questions such as whether a change in the street name would affect the property deed, how to handle address changes with USPS, and what other impacts there might be for citizens considering changing the name of a neighborhood road. The Supervisor would like the process laid out to educate citizens in a place that the Board can direct inquiries to. The Supervisor would like staff to return to the Board in January with more information. Paul Fernandez, LDS gave brief outline of the current process for the Board.

Supervisor Smith requested that information about changing the names of subdivisions, also be provided for the benefit of citizens interested in making those changes.

Supervisor Alcorn reiterated the request of Supervisor Smith for staff to coordinate with neighboring jurisdictions, such as Arlington, which are undertaking their own name change process for Lee Highway. Staff should come back to the Board with information on that process.

Supervisor Walkinshaw added that there should be a citizen-driven process to consider the highways, Lee Highway in particular, and possibly other significant secondary roads, and public facilities identified in the report.

Supervisor Palchik echoed prioritizing what is within the Board's control, the two major highways. The Supervisor recommended working with the Lee Highway Alliance in Arlington

County, making use of their website to coordinate with their work to rename Lee Highway. The Supervisor requested that when outlining the process for renaming the primary streets, staff should clarify the role of the BOS and the role of the public in the decision-making process. Supervisor Palchik also requested that the process include outreach specifically to the business community.

Chairman McKay asked for an internal process where staff, who intake new roads and road names, be provided with the information in the report, to avoid the Board approving a divisive name in the future. Supervisor Smith requested staff to report back to the Board with a response to Chairman McKay's request.

Supervisor Herrity recommended taking a bottom-up approach to any renaming efforts and having a robust community participation before moving forward. The Supervisor appreciated the process the City of Fairfax has taken, engaging with George Mason University and having a broad stakeholder group.

Supervisor Storck identified names of women leaders to be considered for future street names or renaming efforts, including Julia Ward Howe, Clara Barton, and many others. The Supervisor also commended the History Commission's African American initiative, mentioning the Board's own initiative in the historically African American community of Gum Springs.

Supervisor Lusk mentioned that he was surprised that Lee District only had 3 assets named for Confederates. Although there remains ambiguity concerning the origins of the naming of Lee District, the Supervisor would like to have a community conversation about the name of Lee District at the time of reapportionment and redistricting. Supervisor Smith requested that the earlier report about the history of the naming and renaming of the Magisterial Districts be distributed to all Board members.

Chairman McKay, along with Supervisors Smith, Alcorn, Walkinshaw, Palchik, Storck, and Lusk mentioned their appreciation for the work of the History Commission in completing the report.

The Committee meeting adjourned at 3:00 p.m.

The next Committee meeting is scheduled for February 2, 2021, at 1:30 p.m.