



# FAIRFAX COUNTY PARK AUTHORITY



July 2023

## APPLYING FOR EASEMENTS ON PARKLAND

### All Applicants:

Fairfax County Park Authority (FCPA) provides an enduring park system that includes protecting natural resources, preserving cultural heritage, and offering inspiring recreational experiences to promote healthy lifestyles. The Easement Program is guided by FCPA **Policy 200 - Use of Parkland for Non-Park Purposes** and **Policy 210 – Easements** to protect parkland from adverse impacts. Applications are evaluated on a case-by-case basis and acceptance of an application for review does not guarantee approval of an easement. An application for an easement is subject to an extensive review process and will require remittance of fees that are separate from other county fees. FCPA fees are related to review, access, permanent easements, temporary easements, loss of trees, permits, agreements, and restoration of parkland. The fee structure is reviewed periodically and approved by FCPA. An Applicant is required to meet FCPA site specific restoration efforts that may include planting native trees, plants, and grasses, all of which are subject to a warranty period. FCPA requires the posting of cash monetary assurances to ensure work is performed in accordance with permit conditions. Monetary assurances are returned to the Applicant upon successful completion of work and restoration of parkland as determined by FCPA.

### Telecommunications or Wireless Carrier Applicants:

If a telecommunications compound or wireless facility requires electric, communication or other services for operation, an application for a utility easement or access easement will be required, subject to the above paragraph, separate from the license agreement for telecommunications facility. The utility easement will cover the land usage from the utility source to the facility in the compound. The Applicant is responsible for identifying utility sources, preliminary alignment, final alignment, allowable co-location among utility providers within an easement. Efforts will be made to process easement applications in coordination with license agreement development. Required plan information shall include a scaled engineering drawing that depicts existing park features, historic overlays, resource protected areas, access, utility alignments, etc. in relation to the proposed telecommunications features.

**Failure to provide proper plans or plats will delay review.** Information is available at <https://www.fairfaxcounty.gov/parks/easements-parkland> . Please call (703) 324-8511 if you need to reach the Easement Coordinator. The review process begins after the Applicant submits:

- A completed easement application form
- Site plan or project plan
- Remittance of Invoiced Fees (Payable to Fairfax County Park Authority).

**FAIRFAX COUNTY PARK AUTHORITY (FCPA)  
APPLICATION FOR EASEMENT**

**Applicant Information**

Name: _____	Date: _____
Company: _____	Phone: _____
Address: _____	E-Mail: _____
City: _____ State: ____ Zip: _____	

**Site Information**

Park Name: _____	Tax Map #: _____ - _____ - _____
Address: _____ _____	(Example: 078 3 001 0023B)
Easement Type(s): _____	

**Description of Proposed Easement, Access**

Include approximate dimensions of associated construction, staging, limits of disturbance, and overall size in square feet:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- 1) Have you read FCPA Policy 210 - Easements and do you understand the requirements as they apply to your request? \_\_\_\_\_ (Y/N)
- 2) Have you explored options other than an easement on FCPA owned property? \_\_\_\_\_ (Y/N)  
Please explain: \_\_\_\_\_
- 3) Have you reviewed environmental, historical, or visitor use impacts that may occur as the result of performing construction activity on FCPA owned property? \_\_\_\_\_ (Y/N)  
Please explain: \_\_\_\_\_
- 4) If there is any other circumstance, justification, or information which you believe may help guide the review of your application, please explain: \_\_\_\_\_

I hereby agree to abide to all conditions, expressed or implied, in FCPA Policy 210 - Easements. I agree that I will obtain a permit or easement prior to starting any construction or maintenance activity on FCPA land. I understand all fees and charges must be paid and all required monetary assurances must be posted before any permit or easement is issued or granted.

\_\_\_\_\_  
Applicant Signature                      Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

For FCPA Internal Use
Area #: ____ Email or Phone: _____

**REVIEW FEES**

<b>Line</b>	<b>Applicant</b>	<b>Category</b>	<b>Fee Schedule</b>	<b>Comments</b>
1	Residential Homeowner, Civic Association, Homeowners Association	Minor Review	\$545	
2	Residential Homeowner, Civic Association, Homeowners Association	Major Review	\$2,195	
3	All Other Applicants	Minor Review	\$680	
4	All Other Applicants	Major Review	\$4,000	
5	All Applicants	Professional Services Review	\$78.49 / staff hour <sup>1</sup>	<sup>1</sup> Number of hours to be estimated on a Project Basis
6	Fairfax County Agencies <sup>2</sup>	Minor Review	\$200	<sup>2</sup> Fees to be Invoiced and Remitted per IDT on Annual Basis, Fees not applicable when part of FCPA Capital Development Program
7	Fairfax County Agencies <sup>2</sup>	Notice of Work Review	\$2,000	<sup>2</sup> Fees to be Invoiced and Remitted per IDT on Annual Basis, Fees not applicable when part of FCPA Capital Development Program, Fee per project
8	Fairfax County Agencies <sup>2</sup>	Professional Services Review	\$78.49 / staff hour <sup>1</sup>	<sup>1</sup> Number of hours to be estimated on a Project Basis; <sup>2</sup> Fees to be Invoiced and Remitted per IDT on Annual Basis, Fees not applicable when part of FCPA Capital Development Program
9	Telecommunication Modification	Minor Review	\$685	For License Agreement Amendments, 6409, 2232, and Other Modifications.
10	Telecommunication Modification	Major Review	\$4,010	For License Agreement Amendments, 6409, 2232, and Other Modifications.

Line	Applicant	Category	Fee Schedule	Comments
11	Homeowner	Right of Entry License	\$80	
12	All Other Applicants	Right of Entry License	\$300	
13	Residential Homeowner, Civic Association, Homeowners Association	Construction Permit	\$2,745	
14	All Other Applicants	Construction Permit	\$3,825	
15	All Applicants	Agreements	\$545 - \$6,595	
16	Government Agencies, Utility Companies, Other	Maintenance Work Permit	\$325	
17	Government Agencies, Utility Companies, Other	Utility Work Permit	\$545	
18	Government Agencies, Utility Companies, Other	Land Use Permit	determined by formula, \$200 min	
19	All Applicants (Excluding Fairfax County Agencies in certain cases)	Permanent Easement	determined by formula, \$1.50 / SF min	
20	All Applicants (Excluding Fairfax County Agencies in certain cases)	Temporary Easement	from Temporary Easement Fee Table, \$0.50 / SF min	

18 Land Use - Temporary Material Storage, Lease Space: Land Use Rate = SF of space x \$0.10 x duration of lease (in months), min duration of 1 month

19 Permanent Easement Fee = (Assessed Value / SF) x (Total Area of Easement) = Cost / SF

20 Temporary Easement Fee Table

Assessed Value Ranges (per SF)	Average Value within Range (per SF)	Percentage Multiplier	Temporary Easement Cost (per SF)
Up to \$ 1.50	N/A	N/A	\$0.50
\$ 1.51 - \$ 2.50	\$2.00	\$0.40	\$0.80
\$ 2.51 - \$ 3.50	\$3.00	\$0.40	\$1.20
\$ 3.51 - \$4.50	\$4.00	\$0.40	\$1.60
\$ 4.51 - \$ 5.00	\$4.75	\$0.40	\$1.90
\$ 5.01 - \$ 7.00	\$6.00	\$0.40	\$2.40
\$7.01 and above	\$9.00 maximum	\$0.40	\$3.60 maximum

OTHER EASEMENT PROGRAM FEES

Line	Applicant	Category	Fee Schedule	Comments
21	All Applicants	Cash Monetary Assurance	\$5,000 Minimum	
22	All Applicants	Failure to Obtain Permit	\$2,500 (plus \$100/day of violation)	
23	All Applicants	Failure to Record Easement or Failure to Provide Recordation Information	\$1,000	
24	All Applicants	Failure to Plat in VCS83 Format	\$2,000	
25	All Applicants	Failure to Provide Electronic Files	\$2,000	CADD, GIS or PDF
26	All Applicants	Reseeding	\$5.00 / SY	
27	All Applicants	Mulching	\$5.00 / SY	
28	All Applicants	Sod	\$10.00 / SY	
29	All Applicants	Unauthorized Clearing	\$7.50 / SF	



## FAIRFAX COUNTY PARK AUTHORITY POLICY MANUAL

**Policy: 210** | **Title:** Easements

**Date Approved:** 2/22/2023

**Last reviewed:** 1/24/2018

**Objective:** Natural and Cultural Resources

Ensure the long-term protection, preservation and sustainability of natural, cultural, and park resources in accordance with adopted park standards and adherence to natural and cultural resource management guidelines, policies, and related plans.

**Purpose:** The Park Authority is committed to providing an enduring park system for present and future generations of the community. The Park Authority is pledged to protect holdings from activities that would threaten use as parkland but recognizes that non-park uses on parkland may be required in order to serve the greater public interest.

**Policy Statement:** The Park Authority shall consider use of easements for Park purposes and for Non-Park purposes.

- A. **Park Purposes:** Easements on non-park properties may be negotiated to protect or preserve sensitive resources or to provide recreational opportunities on land owned by others when land acquisition of land in free ownership is not an option. Easements on non-park properties for park purposes may be negotiated as part of rezoning or land development cases.
- B. **Non-Park Purposes:** The Park Authority may consider proposals for easements on park properties for non-park purposes subject to Policy 200 – Use of Parkland for Non-park Purposes.

The Park Authority shall consider requests for easements by outside parties for non-recreational uses of park lands under the following conditions:

1. When the land records allow for future easements per the deed of ownership;
2. Where the Park Authority has determined that the proposed facility is in the best interests of public stewardship;
3. When it has been determined that there is no feasible or prudent alternative to the use of parklands for the requested easement;
4. Impacts for the non-park use are minimized to the greatest extent practicable and impacts are mitigated at equal or greater natural, cultural,

## Policy 210 Easements (continued)

and/or recreational value, subject to Park Authority approval, and mitigation is included in the proposed project;

5. The easement is not restricted by deed or covenant;
6. The easement request is consistent with the provisions of the Fairfax County Comprehensive Plan.

The Park Authority shall require adequate compensation for the granting of easements on park property unless a prior agreement is already in place for the use of parklands for non-park purposes.

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### References:

1. Policy 200 – Use of Parkland for Non-park Purposes
2. Fairfax County Comprehensive Plan  
<https://www.fairfaxcounty.gov/planning-zoning/fairfax-county-comprehensive-plan/>

### Supporting Documentation:

1. Memorandum of Agreement between the Fairfax County Board of Supervisors and the Fairfax County Park Authority
2. Park Authority Natural Resource Management Plan  
<https://www.fairfaxcounty.gov/parks/sites/parks/files/assets/documents/naturalcultural/nrmp012914.pdf>
3. Cultural Resource Management Plan  
<https://www.fairfaxcounty.gov/parks/sites/parks/files/assets/documents/naturalcultural/crmpfinal.pdf>