
Sull-E Newsletter



A message from Kathy Smith

Below you will find information from the Board of Supervisors' meeting that took place on Tuesday, July 31, 2018. The full meeting [agenda and board package](#) are available online. You can also watch a [video](#) of the meeting online on the county's website.

Sincerely,

Kathy

Presentations



The Board of Supervisors recognized the jurisdictions, agencies, organizations, and entities for their service during and subsequent to three simultaneous fires on May 2 in Fairfax County. Requested by Chairman Bulova and Supervisor Kathy Smith.

Administrative Items

Supervisor Gross made a motion to approve Administrative Items 1-13, with the exception of Administrative Item 9 which was withdrawn. After discussion on Administrative Item 6, the motion carried by unanimous vote.

Administrative - 4

Authorization to Advertise a Public Hearing on the County and Schools' FY 2018 Carryover Review to Amend the Appropriation Level in the FY 2019 Revised Budget Plan

Fairfax County Executive Bryan J. Hill presented his recommendations for use of Fiscal Year (FY) 2018 carryover funds to the Board of Supervisors. Carryover is the process by which certain unspent or unencumbered funds for commitments to pay for goods and services at the end of one fiscal year are reappropriated to the next fiscal year. FY 2018 ended on June 30, 2018.

The FY 2018 carryover balance, after funding prior year obligations and associated reserves, is \$58.16 million, which is approximately 1.4 percent of the county's total General Fund budget. Hill's recommended allocation:

- **\$47.66 million to be allocated in the carryover package as follows:**
 - \$34.89 million for funding county reserves and infrastructure needs based on county policy.
 - \$6.03 million to support infrastructure needs at county facilities, including emergency repairs in the event of major systems failures, infrastructure replacement and upgrades at county facilities, space realignment and reconfiguration projects to maximize owned space. Also included are renovations and improvements to comply with the Americans with Disabilities Act (ADA).
 - \$2.42 million for new and continuing information technology (IT) projects.
 - \$0.50 million to expand the capacity of the Artemis House domestic violence shelter.
 - \$1.03 million for other requirements such as increasing the capacity of the [School-Age Child Care](#) (SACC) Program, extending the hours of the [Rec-Pac](#) Program and providing forestry services to address hazardous trees in county parks. In addition, at no net cost to the county, 26 positions are added to address increasing public assistance caseloads, eight positions are added to address increasing caseloads in Adult and Aging programs and eight

- positions to enhance the [TARGET](#) Program that identifies vehicles that are not properly registered.
- \$2.79 million in reserves associated with disbursement increases funded in the carryover package.
 - Other adjustments with no net impact to the General Fund includes \$2 million to replenish the [Economic Development Support Fund](#) funded with debt service balances.
 - \$10.50 million to be held in reserve to address critical one-time requirements and funding needs. When added to the \$0.12 million held in reserve as part of the [2019 Adopted Budget Plan](#), a total of \$10.62 million is available for the Board of Supervisors' consideration as part of the carryover process.

Next steps: Tuesday, September 25 is the next regularly scheduled [meeting of the Board of Supervisors](#), which will include public hearings on the carryover recommendations and a vote on the FY 2018 Carryover Budget Package.

[2018 Carryover Budget Package](#)

Action Items

Action - 6

Approval of a Plain Language Explanation for the 2018 Bond Referendum for Public Safety Facilities

Supervisor Cook made a motion to approve the plain language explanation and authorized staff to translate it, post it online, and print sufficient copies to make it

available at County absentee voting sites and polling places. The motion carried by unanimous vote.

On June 19, 2018, the Board of Supervisors adopted a resolution asking the Fairfax County Circuit Court to order a referendum on November 6, 2018, on the question whether the County should be authorized to issue general obligation bonds for public safety improvements.

Action - 19

Approval of a Memorandum of Understanding Between the Fairfax County Public Schools and the Fairfax County Police Department For the School Liaison Commander and the School Resource Officer Program

Chairman Bulova made a motion to authorize the Chief of Police to sign the Memorandum of Understanding (MOU) between the Fairfax County Public Schools (FCPS) and the Fairfax County Police Department (FCPD). The motion carried by unanimous vote.

The purpose of this MOU is to establish a mutually beneficial framework so that both the FCPS and the FCPD can provide the safe learning environment for all members of the school community. The MOU clarifies the roles of key members in the program, the scope of responsibilities of the FCPS and FCPD, and addresses information exchange.

Public Hearings

Decision Only on a Proposed Zoning Ordinance Amendment Re: Short-Term Lodging Uses (Residential Owner/Renter Operated Dwelling Only) and a Proposed Amendment to Chapter 4 of the Fairfax County Code

Supervisor Kathy Smith made a motion to:

- Adopt the proposed Zoning Ordinance Amendment titled "Short-Term Lodging for Residential Owner/Renter Operated Dwellings Only," as set forth in the staff report dated March 20, 2018, with the following changes to proposed Section 10-105:
 - Add a new Paragraph 2. E to read as follows:
 - E. Have one designated parking space available for lodgers, which the Operator has the authority to reserve for Short-Term Lodging purposes.
 - Revise Paragraph 4. A to read as follows:
 - A. A dwelling or mobile home may be used for Short-Term Lodging for no more than 60 nights per calendar year.
 - Revise Paragraph 4. B to read as follows:
 - B. The maximum number of lodgers per night may not exceed six adults, except where the Virginia Uniform Statewide Building Code provides for a lower maximum occupancy.
 - Revise Paragraph 4. E to read as follows:
 - E. All advertisements for Short-Term Lodging, posted on any platform online or in any other format, must (1) include the Short-Term Lodging Permit Number and (2) identify the

location of the parking space required by Paragraph 2. E and any other available parking or public transportation options.

- 5. That regarding other provisions that included options or ranges under the scope of advertisement, for confirmation purposes, the amendment will also:
 - A. Include the Authorized Agent requirement set forth in Paragraph 3. D of Section 10-105.
 - B. Allow for only one rental contract per night, as set forth in Paragraph 4. C of Section 10-105.
 - C. Establish a Short-Term Lodging permit fee of \$200 for a two-year permit, as set forth in Paragraphs 5. A and 5. B of Section 10-105.
 - D. Reduce the Bed and Breakfast Special Exception fee, as set forth in Paragraph 1 of Section 18-106, to \$8,180.
- 6. That the effective date of these provisions is 12:01 a.m. on October 1, 2018, to allow time to finalize the necessary permit forms and database systems and to give Operators time to prepare for implementation of these provisions.
- Direct staff to include the permit application a statement from the Operator that the information provided on the permit is true and correct.
- Direct staff to explore the possibility of entering into an agreement with the major hosting platforms to remove non-compliant Operators from those platforms.
- Direct staff to report to the Development Process Committee in approximately eighteen months from the effective date of these amendments on the effectiveness of these amendments. Staff's report should address, at minimum:
 - 1. The number of Short-Term Lodging Permits issued and how that number compares to activity data provided by Host Compliance.

- 2. The amount of tax revenue received and how that number compares to the rental activity data provided by Host Compliance.
- 3. The number, nature, and disposition of complaints received related to Short-Term Lodging uses.
- 4. Whether there should be a special permit or special exception process to expand the Short-Term Lodging uses beyond what is provided for under these amended provisions.
- 5. Whether additional resources, enforcement mechanisms or protocols are needed to adequately address the permitting and enforcement of Short-Term Lodging uses.
- 6. Whether any privacy-related concerns or incidences have been reported to County staff.
- Adopt the changes recommended by Staff, as set forth in Attachment D to the Staff Report dated March 20, 2018, with an effective date of 12:01 a.m. on October 1, 2018

The motion carried by a vote of seven to three with Supervisor Herrity, Supervisor Cook, and Supervisor Smyth voting "NAY."

The rise in popularity of online hosting platforms such as AirBnB, Vacation Rental by Owner (VRBO), HomeAway, TripAdvisor, and FlipKey has encouraged many homeowners and renters to offer their homes for transient lodging. Individual rooms within a dwelling or entire dwellings are offered for a fee for periods of less than 30 days, and the search, booking, and fee collection components are typically handled by the hosting platform. This emergent economic model has presented regulatory challenges related to land use and other matters in many jurisdictions in Virginia and nationwide.
