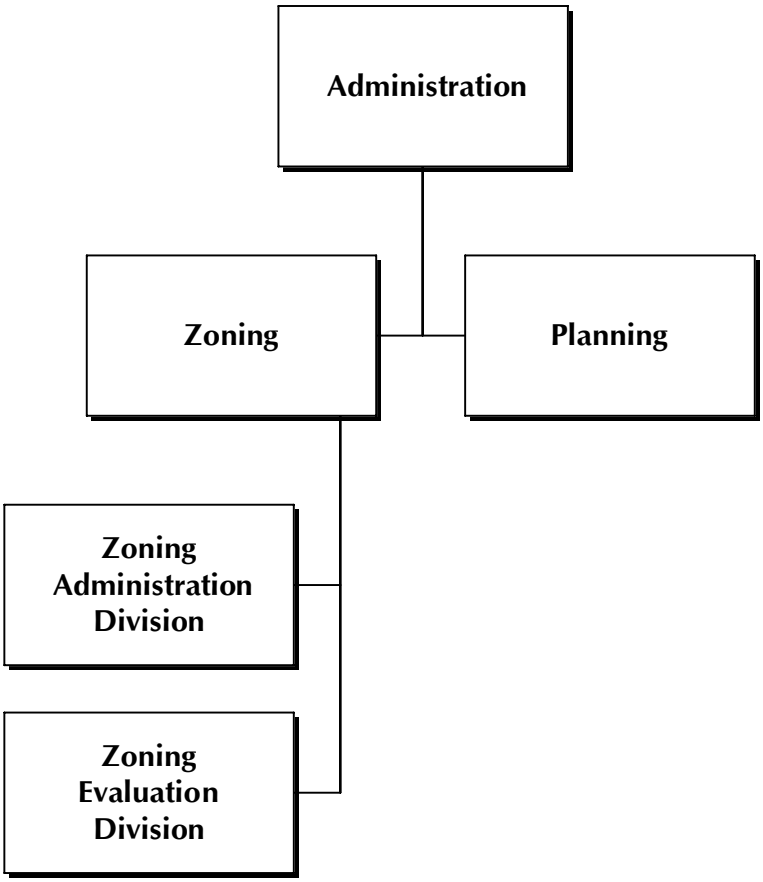
# Department of Planning and Zoning




## Mission

To provide proposals, advice and assistance to those who make decisions to enhance the County's natural and man-made environments for present and future generations.

## Focus

The Department of Planning and Zoning (DPZ) is comprised of three primary divisions, including the Zoning Administration Division, Zoning Evaluation Division, and the Planning Division. In addition, there is an Administration Section, which handles the daily responsibilities for human resources, payroll, purchasing, budgeting and information technology. The primary purpose of the department is to provide proposals, advice and assistance on land use, development review and zoning issues to those who make decisions on such issues in Fairfax County.

The Zoning Evaluation Division (ZED) is charged with processing all zoning applications submitted to the County, and formulating recommendations to the approving bodies. All land use development proposals and applications are subject to approval by the Board of Supervisors, following a recommendation by the Planning Commission or by the Board of Zoning Appeals. In addition, ZED responds to requests for proffer and development condition interpretations, to requests from residents and community groups concerning zoning, and to requests for litigation support from the County Attorney. ZED also maintains the Zoning Applications Process System (ZAPS) component of the County's Land Development System (LDS) database, which provides zoning-related information to the public, as well as to internal County users.

# Department of Planning and Zoning

The primary purpose and function of the Zoning Administration Division (ZAD) is to enforce, maintain and administer the provisions of the Fairfax County Zoning and Noise Ordinances as well as the Virginia Uniform Statewide Building Code, Part III, also known as the Property Maintenance Code. This is accomplished through, but not limited to, the following activities: investigating and processing alleged violations of the Ordinances and Codes, including litigation when appropriate; analysis and drafting of requested amendments to the Zoning Ordinance; providing interpretations of the Zoning Ordinance; responding to appeals of various Zoning Ordinance determinations; and processing permit applications such as Building Permits, Non-Residential Use Permits and Home Occupation Permits.

The Planning Division maintains the County's Comprehensive Plan and processes all suggested and required amendments to the Plan text and map; evaluates land use and development proposals for conformity with the Comprehensive Plan and measures related environmental, development and public facility impacts; prepares various planning and policy studies which explore development, land use, environmental and public facility issues, and offers recommendations for future direction; and assists in the development of the County's Capital Improvement Program.

Some of the significant challenges that the department has identified and will be responding to over the coming years include:

- The County provides services to a dynamic community. The aging of the County, both physically and demographically, must be addressed in planning for the future. There is an increasing need for revitalization efforts, for neighborhood involvement in maintaining the community, and for services and housing needs related to the aging population.

- The County is confronted with a dwindling supply of vacant residential land and with the need to make basic policy decisions concerning how and where additional growth can be accommodated, where redevelopment should occur in a fashion that ensures land use compatibility; and how the necessary infrastructure, public facilities and services will be provided to support that growth.

- The County recognizes the importance of reducing reliance on the automobile through the creation of mixed use centers. It is important that the department continues to focus its planning and zoning activities in a manner that ensures that the County will grow gracefully, will manage growth in a way that is attractive and effective, will respect the environment and the integrity of existing development, and will provide for the future needs of the population.

**THINKING STRATEGICALLY**

Strategic issues for the department include:

- Encourage public participation in resolution of planning and zoning issues and applications;
- Identify environmental resources and potential impacts in order to protect these resources;
- Identify planning and zoning issues and gather technical information and offer expert recommendations on these issues;
- Ensure compatibility of land uses through consistent interpretation of the Zoning Ordinance and Comprehensive Plan; and
- Participate in regional planning efforts with bodies such as the Metropolitan Washington Council of Governments and Northern Virginia Regional Planning Commission.

- The County will continue to experience an increased multicultural diversification of the population. This will require new strategies to ensure that all residents in Fairfax County have their quality of life needs considered and that they are able to participate in planning and zoning activities.

- The County embraces technological advances, such as the Internet, which enable responses that are tailored to the needs of residents in a climate of increasing expectations for service delivery and efficient use of staff resources.

- The Department of Planning and Zoning believes in the future and in the ability to make a positive difference. The department is preparing itself to adapt to a rapidly changing environment that supports and meets the needs of Fairfax County's present and future residents.

- The Department of Planning and Zoning will continue to meet staffing challenges presented by changes in the Zoning Ordinance affecting variances and special permits, provisions of the affordable housing initiative, protection of historic and environmental resources, the Dulles Rail Initiative, Tysons Corner Urban Center Study, effectively planning for development in transit station areas, community business and suburban centers, the transformation of the former District of Columbia Correctional Facilities at Lorton, and a host of other challenges which now exist or will occur in the coming year by dedicating staff to address planning requirements for each project.

## Budget and Staff Resources

| Agency Summary | | |
|---|---|---|
| **Category** | **FY 2007 Actual** | **FY 2008 Adopted Budget Plan** |
| Authorized Positions/Staff Years | | |
| Regular | 145/ 145 | 145/ 145 |
| Expenditures: | | |
| Personnel Services | $8,817,922 | $9,996,311 |
| Operating Expenses | 1,191,435 | 1,081,952 |
| Capital Equipment | 15,018 | 0 |
| **Total Expenditures** | **$10,024,375** | **$11,078,263** |
| Income: | | |
| Zoning/Miscellaneous Fees | $1,487,951 | $1,481,744 |
| Comprehensive Plan Sales | 1,288 | 3,000 |
| Copy Machine Revenue | 16,399 | 11,866 |
| **Total Income** | **$1,505,638** | **$1,496,610** |
| **Net Cost to the County** | **$8,518,737** | **$9,581,653** |

## SUMMARY OF ALL AGENCY LOBS
## (FY 2008 Adopted Budget Data)

| Number | LOB Title | Net LOB Cost | Number of Positions | LOB SYE |
|---|---|---|---|---|
| 35-01 | Land Use and Public Facilities Planning | $2,940,925 | 37 | 37.0 |
| 35-02 | Zoning Application Evaluation and Interpretation | $1,934,492 | 40 | 40.0 |
| 35-03 | Zoning Ordinance Implementation and Enforcement | $4,030,606 | 60 | 60.0 |
| 35-04 | Departmental Management, Administration and Information Technology Support | $675,630 | 8 | 8.0 |
| **TOTAL** | | **$9,581,653** | **145** | **145.0** |

# LOBS SUMMARY

# 35-01: Land Use and Public Facilities Planning

| Fund/Agency: 001/35 | Department of Planning and Zoning |
|---|---|
| LOB #: 35-01 | Land Use and Public Facilities Planning |
| Personnel Services | $2,731,597 |
| Operating Expenses | $212,628 |
| Recovered Costs | $0 |
| Capital Equipment | $0 |
| **Total LOB Cost:** | $2,944,225 |
| Federal Revenue | $0 |
| State Revenue | $0 |
| User Fee Revenue | $3,300 |
| Other Revenue | $0 |
| **Total Revenue:** | $3,300 |
| **Net LOB Cost:** | $2,940,925 |
| | |
| Positions/SYE involved in the delivery of this LOB | 37 / 37.0 |

## ▶ LOB Summary

**Comprehensive Plan Management**

To prepare and maintain the Comprehensive Plan for the physical development of Fairfax County and the protection of natural and cultural resources. Staff is responsible for: conducting cyclical Plan Review Processes and major long-range land use studies for areas such as Tysons Corner and Laurel Hill. Other current work is in response to the relocation of at least 16,000 Department of Defense employees to Fairfax County as the result of the Fort Belvoir 2005 Base Relocation and Closure decision. Staff is undertaking a multi-phased program involving analysis of transportation and land use impacts and community input to prepare recommendations for mitigation. In addition staff is currently developing Comprehensive Plan guidance and coordination for the Baileys Crossroads, Annandale and Springfield revitalization areas.

Additional activities include coordinating Plan Amendments for both small and major developments such as the Springfield Mall, special projects, policy review and analysis of issue areas such as transit oriented development, workforce housing, revitalization areas, evaluating Plan implementation items; providing technical and administrative expertise to citizen task forces; participating in regional programs for long-range forecasting of employment; undertaking historic preservation planning activities; and conducting research and analyses related to litigation.

Plan implementation efforts have also focused on the management and coordination of a variety of activities associated with the planning and development of the former DC-operated Lorton prison. The Laurel Hill area comprises nearly 2,000 acres that are designated for control and use by the Park Authority, the Board of Supervisors, and the Lorton Arts Foundation. Staff activities have included nominating the site for the National Register of Historic Places, stabilizing and maintaining buildings for future adaptive reuse, mitigating environmental problems, demolishing unusable buildings, and coordinating the work of the county stakeholders with a vested interest in Laurel Hill, including Parks, Public Works, Fire and Public Safety, Solid Waste, the Board of Supervisors, Facilities Management, Transportation, and Planning and Zoning. Staff is also responsible for public outreach and communication to the adjoining neighborhoods and civic groups. Current and future tasks at Laurel Hill include hiring and managing a Master Developer to prepare a development and fiscal plan for the 80-acre adaptive reuse site (former Central Max facility), assessing and making recommendations for the historic Laurel Hill House, coordinating the stabilization and maintenance activities at the adaptive reuse site, documenting and securing artifacts from the prison, and working with the local community to communicate progress and challenges related to the reuse of the site.

**Environmental Planning and Development Review**

To evaluate land use and environmental issues, review zoning applications and other development proposals and implement processes to encourage environmentally sound decisions about the use of land. Staff conducts environmental policy studies; participates in regional efforts to meet Chesapeake Bay Preservation Ordinance requirements and federal standards for ozone attainment levels and to develop policies on various environmental matters such as aviation noise abatement stream protection and sustainable "green building" design and construction; provides technical and administrative expertise to the Environmental Quality Advisory Council (EQAC), the Wetlands Board and the Airports Advisory Committee; and prepares comments on Environmental Impact Statements submitted for state and federal projects including evaluation of plans at Dulles International Airport, George Mason University and BRAC related activities at Fort Belvoir and the Engineering Proving Grounds site. Staff reviews development proposals and selectively provides comments to neighboring jurisdictions as part of the interjurisdictional review process. Staff supports and provides service to the County Executive's Environmental Coordinating Committee and its efforts concerning the Cool County Program Initiative, Watershed Management Plans, Air Quality Management Plan, Tree Action Soil Survey Update, Ecological Data Management Project, and Occoquan Basin Study Task Force Implementation Plan in support of the Board of Supervisors' Environmental Agenda and Environmental Implementation Plan.

**Public Facilities Planning**
To develop and maintain a long-range program and plan for meeting the County's public facility needs and to review requests for new and expanded public facility, telecommunications, and utility proposals. Staff reviews all public capital proposals including those proposed by the wireless telecommunications industry for general conformance with the Comprehensive Plan under the County's 2232 Review process; evaluates and recommends suitable sites for new public facilities and telecommunication facility proposals; promotes facility planning and the efficient use of funds through alternative site and impact analyses; reviews major special studies and major Plan amendments for public facility needs and impacts; evaluates proposed expansions to the County's Approved Sewer Service Area (ASSA); assist County agencies such as Fire and Rescue and Libraries with the development of service area estimates and location standards; evaluates and comments on the Federal Capital Improvements Program (CIP); assist in the preparation of the County's five-year CIP that includes priorities and funding strategies for a wide range of capital projects maintains the Countywide Trails Plan and inventory of existing trails; coordinates the activities of the Countywide Non-motorized Transportation Committee; reviews preliminary plans and waiver requests for trails; develops and maintains the Countywide Trails element of the Comprehensive Plan; and coordinates and oversees the Exceptional Design Award Program.

These activities in this Line of Business support the agency's strategic plan initiatives which are to:

- Maintain safe and caring communities through major planning studies such as Tysons Corner, Laurel Hill, and revitalization, development review and public facility planning activities;
- Build livable spaces through support of mixed use development in the Comprehensive Plan;
- Connect people and places through transit oriented development policies and the Countywide Trails Program;
- Maintain healthy economies through workforce housing policies and the CIP; and
- Practice environmental stewardship through sustainable "green" building and stream protection policies.

**Funding Sources:** General Fund, with partial revenue offsets from Wetland Permits and Comprehensive Plan sales.

## ► Method of Service Provision

**Comprehensive Plan Management**
Service is provided directly by County employees, via written and oral communication. Staff manages and updates the Comprehensive Plan through the following activities: 1) a cyclical Comprehensive Plan Review Process; 2) Out-of-Turn Plan Amendments; and 3) planning studies of major areas within the County (e.g. Tysons Corner, the Franconia-Springfield CBC and Transit Station Area and revitalization areas). The activities listed above result in planning and land use recommendations for consideration by the Planning Commission and the Board of Supervisors (BOS). Other activities include: 4) providing technical and administrative support to BOS appointed task forces; and 5) preparing requests for managing consultant services and 6) providing planning and land use information to the general public and business community through written materials,

presentations, and responses to inquiries. Implementation activities for the reuse of the Laurel Hill area are also provided by staff.

The staff also conducts policy studies on such topics as workforce housing and revitalization. In response to BOS requests, staff researches, analyzes, and makes recommendations to the Planning Commission and BOS on Plan implementation tools such as historic overlay districts, impact fees, and special tax districts. Staff also reviews proposed Zoning Ordinance Amendments, such as the workforce dwellings and historic overlay districts for Plan implications. In addition, staff provides planned land use data for new parcels to the Department of Systems Management for Human Services for use in their population and housing forecasting program updates, a critical component in developing long-range forecasts of population and households for Fairfax County; reports to BOS on proposed boundary adjustments with adjacent jurisdictions (e.g. Falls Church, Fairfax City and Vienna); provides research support to the County Attorneys' Office on land use-related litigation; and administers historic preservation programs and activities. Staff also provides data (primarily land use and employment forecasts) and other support for regional and state planning efforts conducted under the auspices of groups like the Metropolitan Washington Council of Governments (COG); the Transportation Coordinating Council of Northern Virginia (TCC) and the Virginia Department of Rail and Public Transportation (DRPT).

**Environmental Planning and Development Review**

Environmental planning and development review services are provided directly by County Planning Staff. Staff conducts and completes environmental policy studies and programs to meet state and federal requirements and provides environmental information and analysis to the Board. Staff prepares land use reports regarding conformance with the Comprehensive Plan and environmental assessments of development proposals; reports regarding conformance with the Plan and environmental impacts of proposed 2232 Review actions. Staff provides some technical and administrative support to the EQAC, the Wetlands Board, and the Airports Advisory Committee. Staff provides technical review of Wetlands applications; administers and enforces the Wetlands Zoning Ordinance (Chapter 116 of the County Code); provides technical review of applications for Agricultural and Forestal Districts; provides land use and environmental assessments for proposed Plan Amendments as part of Plan Review Process; prepares staff reports and recommendations for Out-of-Turn Plan Amendments. Responds to inquiries from the Board and the general public; supports the County Attorney's Office in land use related litigation and coordinates comments to neighboring jurisdictions as part of the interjurisdictional review process.

**Public Facilities Planning**

Public Facilities Planning Services are provided directly by County Planning Staff. Staff annually reviews, and develops a staff recommendation for Planning Commission consideration, approximately 105 proposed public facility, utility, and telecommunication proposals for conformance with the County's Comprehensive Plan as part of the 2232 Review process; provides detailed analysis of potential future sites for public facilities and evaluations of specific locational suitability; monitors and coordinates necessary revisions to the Comprehensive Plan related to public facility and trail requirements and locational standards; prepares Plan Amendments related to Public Facility and utility and telecommunications issues; assists in the development of the County's five year CIP; researches County properties and comments on potential facility use, reuse, or disposal; reviews, coordinates and processes requests for the expansion of the County's Approved Sewer Service Area; reviews and analyzes federal and state facility proposals for local need and impact; participates on major plan studies to determine public facility requirements and impacts; coordinates the review of proposed street vacations and abandonments; reviews preliminary site

plans for trail plan requirements; reviews trail waiver requests from developers; develops and maintains the Countywide Trails Plan and an inventory of existing Countywide trails; coordinates the activities of the Countywide Non-motorized Transportation Committee; oversees the County's Exceptional Design Award Program; responds to inquiries from staff, citizens, and private firms.

## ▶ Mandate Information

The Wetlands Program (Virginia Code, Section 28.2-1300, Chapter 13), 2232 Review Process (Section 15.2-2232) and Comprehensive Planning (Section 15.2-2223) portions of this LOB are state mandated. The percentage of this LOB's resources utilized to satisfy the mandate is less than one percent for the Wetlands Program, approximately eight percent for the 2232 Review process, and approximately 31 percent for Comprehensive Planning. See page 41 of the January 2007 Mandate Study for specific sections of the Virginia Code applicable to these requirements. The remainder of funds allocated to this Line of Business is dedicated to providing environmental planning and development review; public facilities planning, data analysis and forecasting, and support to other agencies as required.

# 35-02: Zoning Application Evaluation and Interpretation

| *Fund/Agency: 001/35* | *Department of Planning and Zoning* |
|---|---|
| *LOB #: 35-02* | *Zoning Application Evaluation and Interpretation* |
| Personnel Services | $2,669,013 |
| Operating Expenses | $409,954 |
| Recovered Costs | $0 |
| Capital Equipment | $0 |
| **Total LOB Cost:** | $3,078,967 |
| Federal Revenue | $0 |
| State Revenue | $0 |
| User Fee Revenue | $1,144,475 |
| Other Revenue | $0 |
| **Total Revenue:** | $1,144,475 |
| **Net LOB Cost:** | $1,934,492 |
| | |
| Positions/SYE involved in the delivery of this LOB | 40 / 40.0 |

## ▶ LOB Summary

The focus of the Zoning Application Evaluation and Interpretation Line of Business is the zoning application – from the time the application is submitted and accepted, through the public hearing and decision process, to any subsequent interpretations of proffers or development conditions associated with the zoning application. Although Zoning Application Evaluation and Interpretation is defined as a single Line of Business, for purposes of the following description, it has been divided into three parts:

**Rezoning/Special Exception:** Accepts, reviews, analyzes, schedules, advertises and posts, coordinates staff responses, negotiates with applicants, writes staff reports, presents applications at public hearings, and responds to inquiries on all zoning applications including Rezonings (RZ),

Proffered Condition Amendments (PCA), Conceptual/Final Development Plan Amendments (CDP/FDP), Special Exceptions and Amendments (SE/ SEA), Comprehensive Sign Plans and Amendments (CSP/CSPA), and Agricultural & Forestal Districts and Amendments (A&F/AA), all of which are subject to a public hearing before the Planning Commission and, with the exception of CSPs, before the Board of Supervisors. Tracks all zoning applications through the Zoning Applications System (ZAPS) component of the County's Land Development System (LDS). Creates and maintains official zoning files. Provides litigation support, as required by the Office of the County Attorney; provides certified copies of zoning files; responds to FOIA requests.

**Special Permit/Variance:** Accepts, reviews, analyzes, schedules, advertises, coordinates staff responses, negotiates with applicants, writes staff reports, presents applications at public hearings, and responds to inquiries on zoning applications including Special Permits and Amendments (SP/SPA), Variance and Variance Amendments (VC/VCA) and to process appeals of decisions of the Zoning Administrator, all of which are subject to the public hearing process before the Board of Zoning Appeals (BZA). Provides all administrative and Clerk to the Board functions to support the BZA, including producing and maintaining resolutions, minutes, and official records. Prepares "Return of Records" for all court cases and provides litigation support, as required by the Office of the County Attorney.

**Proffer/Development Condition Interpretation:** Provides written and oral responses to inquiries regarding proffers and development conditions associated with approved zonings (all types) to requestors, including the development community, citizens, Board members and their staffs, County staff, and state and federal agencies. Processes requests for additional time for approved special exceptions. Coordinates zoning responses during the site plan/subdivision process with the Department of Public Works and Environmental Services (DPWES). Responds to inquiries regarding the impact of approved zoning cases on County and private sector projects.

**Strategic Plan Initiatives and Accomplishments:** Contributed to the BOS' priority of providing affordable housing through negotiating proffers for Affordable Dwelling Units, with a new emphasis on Workforce Housing Units, in order to provide more of these units in subsequent years. Continued to negotiate successful transit-oriented and other mixed use communities through the zoning process, such as Metro West/Fairlee, Tysons Corner Center, and Merrifield Town Center. (*Building Livable Spaces*) In order to enhance the customer experience, updated and simplified forms and instructions for rezoning, special exception, special permit, and variance applications, including posting them on the County's website. (*Connecting People and Places*) Processed rezonings and proffered condition amendments that resulted in approval of over 5,000 new housing units and over 7 million square feet of new non-residential space. (*Maintaining Healthy Economies*) Participated on the County's Development Process Review Initiative lead by DPWES in coordination with representatives of the development industry to develop recommendations and an implementation plan to improve the engineering phase of the land development process. (*Creating a Culture of Engagement*) Negotiated cash proffers of almost $9 million in one year for public improvements (transportation, schools, parks, affordable housing, fire & police), excluding, among others, formula-based contributions and more than $4 million to the Housing Trust Fund. Also negotiated in-kind contributions that included dedication of open space, stream restoration, and construction of major transportation improvements and athletic facilities. (*Exercising Corporate Stewardship*)

**Funding Sources:** General Fund, with partial revenue offsets from zoning application fees.

## ► Method of Service Provision

Conducts pre-application meetings; processes applications and waivers of submission requirements; accepts applications; generates and distributes GIS-based site maps; duplicates and distributes "packages" of new applications to reviewing agencies; schedules public hearings before the BOS, the PC, and the BZA; prepares newspaper ads and notices for public hearings; prepares and posts signs on property for public hearings per State requirements; pre-staffs and staffs applications; coordinates input of other reviewers; negotiates with applicants; prepares staff reports which analyze the applications and make recommendations; prints and distributes staff reports two weeks prior to BOS and PC public hearings and one week prior to BZA public hearings; prints and distributes addenda to the staff reports one week prior to BOS and PC public hearings; posts staff reports on the County's website; coordinates affidavits with the Office of the County Attorney; presents application and recommendation at public hearings before the BOS, PC, and BZA; tracks application through the ZAPS component of LDS; creates and maintains official zoning application files; responds to subsequent requests for interpretations of proffers or development conditions approved with the zoning applications; reviews and makes recommendations to the BOS concerning additional time requests for special exceptions; prepares all Zoning Ordinance amendments related to increases in zoning application fees; updates LDS to reflect new land uses created through Zoning Ordinance Amendments; tracks and files annual report with State of all cash proffers approved by the BOS each year; provides Planner-of-the-Day as principal resource for general zoning inquiries to the Division. Coordinates with the Office of the County Attorney and provides litigation support, including Return of Records for BZA applications, and responses to FOIA requests; provides certified copies of documents upon request; provides complete Clerk to the BZA staff support, including official minutes and resolutions.

Customers include, among others, elected and appointed County officials and staff, other County agencies, other governmental agencies, applicants and/or their agents, land use professionals (e.g., realtors, architects, engineers, planners, developers, attorneys) private citizens, and non-profit organizations.

Standard hours of operation are from 8:00 a.m. to 4:30 p.m. Overtime on an as-needed basis to complete staff reports in order to meet established deadlines for publication and distribution of staff reports; to attend public hearings; and to attend other zoning-related meetings held outside of standard hours of operation.

## ► Mandate Information

Sect. 15.2-2308 of the Code of Virginia mandates that every Virginia locality that has enacted a zoning ordinance shall establish a Board of Zoning Appeals. The percentage of this LOB's resources utilized to satisfy this mandate is approximately 20 percent. See page 40 of the January 2007 Mandate Study. The remainder of funds for this Line of Business is allocated to the rezoning/special exception evaluation process and to proffer/ development condition interpretation.

Seventy-seven percent of rezoning applications were scheduled for public hearing by the Planning Commission within five months of acceptance, and 60 percent of all special exceptions applications within four months of acceptance despite significant turnover in key, senior staff. Ninety-five percent of all applications were reviewed for acceptance within five working days, exceeding the division's goal of 85 percent for the second year in a row; reviewed 100 percent of the applications

within the Commercial Revitalization Districts (CRDs) within three working days; and, reviewed virtually all zoning applications within ten days. These performance measures may be negatively impacted in the future by the loss of senior staff and the relative inexperience of new staff; by changes to the application submission requirements which require more extensive research and review; and by the growing complexity of zoning applications.

# 35-03: Zoning Ordinance Implementation and Enforcement

| Fund/Agency: 001/35 | Department of Planning and Zoning |
|---|---|
| LOB #: 35-03 | Zoning Ordinance Implementation and Enforcement |
| Personnel Services | $3,935,448 |
| Operating Expenses | $432,127 |
| Recovered Costs | $0 |
| Capital Equipment | $0 |
| **Total LOB Cost:** | $4,367,575 |
| Federal Revenue | $0 |
| State Revenue | $0 |
| User Fee Revenue | $336,969 |
| Other Revenue | $0 |
| **Total Revenue:** | $336,969 |
| **Net LOB Cost:** | $4,030,606 |
| | |
| Positions/SYE involved in the delivery of this LOB | 60 / 60.0 |

## ► LOB Summary

**Zoning Interpretations, Amendments and Appeals**
Prepares and processes amendments to the Zoning and Noise Ordinances and other County Code regulations; updates and maintains the text of the Zoning Ordinance and files related to amendments; produces Zoning Ordinance supplements; issues Zoning Ordinance interpretations and provides both verbal and written responses to requests for a wide range of zoning information; prepares and processes zoning compliance letters; prepares and processes staff reports for appeals of Zoning Administrator determinations to the Board of Zoning Appeals (BZA); represents the Zoning Administrator at various public hearings and provides support in zoning matters under litigation

The Board adopted 2007 Zoning Ordinance Amendment Work Program (FY2008) identifies 31 amendments on the Priority 1 list. The Department's objective is to process 60 percent of the amendments on the Priority 1 list within an established time frame of 12 to 18 months. The processing rate is based on amendments that the Board has authorized for public hearings or determined that further action is not necessary. In Work Program year 2006 (FY 2007) 24 amendments were processed. Recent accomplishments include amendments to the Zoning Ordinance addressing the following: the Board's priority of providing affordable housing through the provision of workforce housing and amendments to the ADU Ordinance to better facilitate administration of the ADU Program; the establishment of a special exception to regulate Large Retail Sales Establishments or "Big Box" retail; and establishment of regulations regarding the placement of large portable storage units in residential districts. In addition to the processing of

over 24 Zoning Ordinance amendments, this LOB function processed 486 zoning compliance letters, responded to approximately 450 other written requests and was responsible for the preparation of Staff Reports and other correspondence on 65 appeals of zoning determinations. While these numbers have been fairly consistent with previous years, more complex information is often requested such as nonconforming and grandfathering status, which requires more time consuming research and coordination to respond. Other accomplishments include providing information pertaining to the Zoning Ordinance Work Program and staff reports of Appeals of Zoning Administrator determinations on the County's website in order to enhance the customer experience.

**Permit Review and Maintenance of Property Files**

Reviews and provides zoning approval for Building Permits and reviews and processes Non-Residential Use Permits (Non-RUPs), Home Occupation Permits, Temporary Special Permits, and administrative reductions of minimum yard requirements. The agency maintains permanent property records and files related to the administration of the Zoning Ordinance and other County Code provisions for use by DPZ, other County agencies and citizens. Provides general information to the public regarding Zoning Ordinance provisions and provides verbal and written responses to requests for information about file documents or other issues related to the application of the Zoning Ordinance. In addition, beginning in July of 2006, staff within the permit review function began processing as-built residential building height certifications.

In FY 2007, a total of 24,611 permit requests were reviewed and processed in addition to receiving over 15,000 phone inquiries and requests for information from the property records maintained in the Zoning Permit Review Branch. The vast majority of the permit reviews are conducted on a walk through basis at a public service counter. However, the staff time to process permit reviews continues to increase. On average it is typically taking 30 minutes to process a single permit request at the counter to ensure the quality and accuracy of the review. In addition, the number of permit requests that required additional research and/or evaluation because of proffered conditions or other types of development conditions and which cannot be completed on a walk through basis continues to increase. In addition, in FY 2007 staff implemented the Home Occupation Permit component of the Fairfax Inspection Database Online (FIDO) system. The Non-Residential Use Permit component of FIDO is currently being worked on for implementation in FY 2008 which will facilitate the sharing of information between enforcement agencies.

**Zoning and Property Maintenance Code Enforcement**

DPZ investigates complaints of alleged Zoning Ordinance, Noise Ordinance and Property Maintenance Code violations, which includes issuing Notices of Violation and initiating legal action, when required. Reviews and processes sign permit applications. As necessary, conducts inspections of properties subject to special permit, special exception, variance or rezoning approvals to assure compliance with the conditions for such approval. Responds to citizen inquiries and requests for information and meets with civic and business organizations on enforcement issues and activities.

This function has undergone significant change in the last year. Beginning in January 2007, the enforcement of the Virginia Uniform Building Code, Part III, also known as the Property Maintenance Code was transferred from the Health Department to Zoning Enforcement. Seven new positions, including five full time and two limited term positions were funded to staff this initiative. Staff assigned to the combined zoning enforcement and property maintenance positions are required to obtain state certification, which training has been ongoing during the past year. In May of 2007, three full time positions (one Chief Zoning Inspector, two inspectors and one Limited

Term AAII) were assigned to the newly formed interagency Enhanced Code Enforcement Strike Team. The inspectors assigned to this Strike Team effort included the more experienced zoning and property maintenance inspectors. Due to staff assigned/detailed to the Strike Team and resignations, Zoning Enforcement is currently in the process of filling six vacant positions. It is anticipated that the recent and soon to be hired staff will not be fully trained until mid winter 2008. From January 1 to September 15, 2007 Zoning Enforcement has experience an increase of 2,123 complaints over the same time period in 2006. While a portion of this increase (1,069 complaints) is attributable to the take over of the Property Maintenance Code, as well as to the press coverage given to the Strike Team, there is concern that until the new staff is fully trained, the overall efficiency of the Branch will be impacted for the first half of FY 2008. Zoning Enforcement staff also reviewed a total of 1,155 sign permits in FY 2007.

**Funding Sources**: Funding for the Zoning Ordinance Implementation and Enforcement LOB comes from the General Fund and is partially offset by revenues generated from specific permit and compliance letter fees.

## ► Method of Service Provision

**Zoning Interpretations, Amendments and Appeals**
This function is performed by County employees. The vast majority of services are provided through written correspondence or by telephone, and staff is available to meet with interested individuals and organizations regarding zoning issues. Generally, this service is provided 8:00 a.m. to 4:30 p.m., Monday through Friday. However, attendance at meetings of the various Boards, Commissions and Task Forces occurs beyond the standard hours of operation. This function has experienced a significant turnover of staff during the last year and the new hires tend to be less experienced than the staff they replaced. While training efforts are ongoing, it is anticipated that the ability of staff to respond to requests within established time frames may be impacted.

**Permit Review and Maintenance of Property Files**
This function is performed by County employees. The vast majority of the permit reviews are processed on a walk through basis in an over-the-counter operation providing quick service to the customers. Customer wait times have been increasing as it is typically taking on average 30 minutes per permit review to ensure quality and accuracy of the review. Other citizens are responded to by telephone or by written correspondence. This service is provided 8:00 a.m. to 4:30 p.m., Monday through Friday and the over-the-counter operation is staffed 8:00 a.m. to 4:00 p.m., Monday through Thursday and 9:15 a.m. to 4:00 p.m. on Friday.

**Zoning and Property Maintenance Code Enforcement**
Zoning enforcement is provided by County staff. Complaints are filed with the Zoning Enforcement Branch via calls, letters, e-mails, or personal visits from citizens, business owners, civic leaders, and Board of Supervisors staff. One of three supervising field inspectors oversee the enforcement actions for one of three defined geographic areas that may include up to three Magisterial districts with a staff of six to eight inspectors. The core hours of operation for the Branch are 8:00 a.m. to 4:30 p.m., Monday through Friday. Branch staff enhances their working hours to perform inspections and investigations outside of the core hours and days. Additionally, upon request, staff attends evening citizen association meetings to explain enforcement procedures and the types of complaints typically found within a specified areas. These types of meeting requests have been increasing, particularly as a result of the media attention given to the Strike Team. Both flex working hours and overtime are used to meet case load demands.

## ► Mandate Information

Sect. 15.2-2308 of the Code of Virginia mandates that every Virginia locality that has enacted a zoning ordinance shall establish a Board of Zoning Appeals (BZA). Sect. 15.2-2309 of the Code of Virginia mandates that the BZA hear and decide appeals from the decision of the Zoning Administrator in the administration or enforcement of the Zoning Ordinance. The percentage of the LOB's resources utilized to satisfy this mandate is approximately five percent. See the January 2007 Mandate Study, page 40 of 67. The remainder of funds allocated to this Line of Business is dedicated to providing zoning interpretations, amendments and appeals; permit review and maintenance of property files; and zoning and property maintenance code enforcement as required.

# 35-04: Departmental Management, Administration and Information Technology Support

| *Fund/Agency: 001/35* | *Department of Planning and Zoning* |
|---|---|
| *LOB #: 35-04* | *Departmental Management, Administration and Information Technology Support* |
| Personnel Services | $660,253 |
| Operating Expenses | $27,243 |
| Recovered Costs | $0 |
| Capital Equipment | $0 |
| **Total LOB Cost:** | $687,496 |
| Federal Revenue | $0 |
| State Revenue | $0 |
| User Fee Revenue | $11,866 |
| Other Revenue | $0 |
| **Total Revenue:** | $11,866 |
| **Net LOB Cost:** | $675,630 |
| | |
| Positions/SYE involved in the delivery of this LOB | 8 / 8.0 |

# Department of Planning and Zoning

## ► LOB Summary

**Department Focus and Coordination**
Provides leadership to Department staff on land use planning, zoning and policy administration. Establishes financial guidelines for budget preparation to achieve Department goals. Oversees the Department's annual work programs, special studies and projects requested by County boards, authorities, commissions, citizens and task forces. Provides guidance to the Department on management, policy, or personnel related issues. Interacts with offices of other local governments, participates in activities at the Washington Area Council of Local Governments and the Northern Virginia Planning District Commission. Participates in State legislative process as needed, and promotes business process improvements and customer public relations efforts. Interacts with Fairfax County Senior Management, the Board of Supervisors, the County Executive and other agencies on critical issues and facilitates action to avoid or resolve problems. Strives to maintain services valued by all Department clients - applicants and their representatives, citizens and elected, appointed and administrative officials. Identifies training requirements and provides training opportunities to enhance staff capabilities. Evaluates existing policies and procedures and makes revisions, as appropriate.

**Information Technology**
Provides Information Technology expertise, development, and services to DPZ on laptop/PC/Blackberry and file server platforms. Business applications being supported and developed include Fairfax Inspections Database Online (FIDO), Land Development System (LDS), Geographic Information Systems (GIS), Internet/Intranet and Department databases as well as individual and group training on hardware and software use. Manages Department IT resources including the operation of systems, oversight of development and projects, and support of the current business computing environment and applications. Serves as the Department Computer Security Administrator providing and coordinating access to secure county systems. Specifically provides support on over 200 computer workstations and networked printers and plotters, and inspection cameras. Develops new computer applications and capabilities using current and new technology to reduce staffing requirements for business processes. Performs long term IT planning developing policies, procedures, and strategies.

Recent accomplishments include the implementation of a new permit application component of the Fairfax Inspection Database Online (FIDO) system, which came online in March 2006. This system has facilitated coordination between reviewing agencies and improved the efficiency and adequacy of permit issuance. The Non-Residential Use Permit component of this system is currently being worked on for implementation in FY 2008. This component will facilitate the sharing of information between enforcement agencies. Additional components and enhancements are being pursued to fully utilize the capabilities of this system.

In order to enhance the customer experience, staff updates and simplifies forms and instructions for rezoning, special exception, special permit, and variance applications on the County's Web site.

Using the Geographic Information System (GIS), staff creates and updates digital mapping resources in support of the Comprehensive Land Use map.

**Administrative Services**
Provides accounting, purchasing, financial, budgetary, and human resource information, services and support to DPZ management and staff. Coordinates and reviews Division submissions for annual budget and finalizes the Department's annual and quarterly budget submissions. Prepares and submits grant and capital project information for the budget process. Prepares and processes financial and purchasing documents for the procurement of goods and services. Processes all personnel documents, reviews Department's Online Time Sheets and submissions. Provides information to DPZ staff on personnel related matters and ensures compliance with County policies and procedures.

Funding for the Departmental Management, Administration and IT Support LOB comes from the General Fund and is minimally offset by revenues generated from copier fees.

## ► Method of Service Provision

**Department Focus and Coordination**
The Director and the Senior Management Team are primarily responsible for this function. Department Staff provide support to the Director in ensuring that the service outlined above is carried out to best meet the needs of the County, Department, and County citizens.

**Information Technology**
Staff is responsible for the administration of DPZ's computer systems, long range planning, development and maintenance of systems applications, user support and management support on issues related to information technology. In addition, support is provided to county and inter-Departmental task forces and committees dealing with issues related to information technology. Staff continually looks for ways to further enhance the Department's customer service and commitment to quality service and products by automating current manual processes, improving the integration of systems with Geographic Information Systems (GIS) and the Internet/ Intranet and make information currently only on paper media available digitally. The Department is currently providing 24/7 Internet access to LDS, staff reports, comprehensive plan, Zoning Ordinance, zoning complaints, meeting agendas, etc., and exploring additional areas of the business to serve via the Internet (e.g. forms, permit applications for signs and home occupation, email addresses for questions; and up-to-date property plat & amended staff reports and meeting agendas).

**Administrative Services**
Staff is responsible for the administration and coordination of purchasing, financial, budgetary, and human resource information, services and support for DPZ. In addition, staff provides support to county and inter-Departmental task forces and committees dealing with issues related to personnel, accounting, purchasing and budget. This program area ensures that DPZ staff is provided the service outlined above to best meet their needs and meet the workload demands of the Department.

## ► Mandate Information

There is no federal or state mandate for this LOB, however staff identified in this LOB provide support to all departmental activities to include mandated functions.

## AGENCY PERFORMANCE MEASURES

**Objectives**

- To achieve a 90 percent rate of written responses to inquiries within 30 working days.
- To schedule 90 percent of accepted rezoning (RZ) applications for public hearing before the Planning Commission within five months, except when the applicant and Fairfax County agree to a longer time frame.
- To schedule 90 percent of accepted special exception (SE) applications for public hearing before the Planning Commission within four months, except when the applicant and Fairfax County agree to a longer time frame.
- To process at least 65 percent of Zoning compliance letters within 30 calendar days.
- To process 90 percent of all permits on a walk through basis within established time frames (does not include sign permits).
- To resolve 80 percent of all zoning/noise complaint cases within 60 calendar days.
- To review 85 percent of all zoning applications received for submission compliance within five working days.
- To review 100 percent of all zoning applications located within Commercial Revitalization Districts (CRDs) for submission compliance within 3 working days.
- To process 60 percent of the Zoning Ordinance amendments on the adopted Priority One Work Program (12 to 18 month program).
- To complete 100 percent of Special Land Use Studies within 18 months of Board authorization.
- To process 90 percent of proposed Comprehensive Plan Amendments within the following timeframes: Out-of-Turn Amendments within 8 months and APR nominations within the designated review cycle (typically 12 to 16 months).
- To review 85 percent of all 2232 Review applications within 90 days (application receipt to staff report release to Planning Commission), and 100 percent of all applications within 150 days except when the applicant and Fairfax County have agreed to a longer time frame.

# Department of Planning and Zoning

| Indicator | Prior Year Actuals FY 2006 Actual | Prior Year Actuals FY 2007 Estimate/Actual | Current Estimate FY 2008 | Future Estimate FY 2009 | LOB Reference Number |
|---|---|---|---|---|---|
| **Output:** | | | | | |
| Written responses to inquiries | 518 | 500 / 501 | 500 | 500 | 35-02 |
| RZ applications to be scheduled (1) | 139 | 150 / 134 | 134 | 134 | 35-02 |
| SE applications to be scheduled (2) | 62 | 70 / 68 | 68 | 68 | 35-02 |
| Zoning compliance letter requests processed | 486 | 500 / 562 | 525 | 525 | 35-03 |
| Permits (excluding sign permits) processed | 24,555 | 20,660 / 24,611 | 24,565 | 24,565 | 35-03 |
| Zoning/noise complaints resolved | 3,711 | 3,800 / 4,134 | 4,500 | 4,500 | 35-03 |
| Applications reviewed for submission compliance (all types) | 324 | 500 / 450 | 450 | 450 | 35-02 |
| CRD applications to be scheduled | 17 | 17 / 13 | 13 | 13 | 35-02 |
| Zoning Ordinance Amendments processed (3) | 10 | 17 / 24 | 12 | 15 | 35-03 |
| Special Land Use Studies completed | 2 | 5 / 3 | 6 | 4 | 35-01 |
| Comprehensive Plan Amendments completed (total) | 8 | 95 / 71 | 106 | 106 | 35-01 |
| Out-of-Turn Amendments completed | 8 | 15 / 4 | 6 | 6 | 35-01 |
| Annual Plan Review amendments completed | 0 | 80 / 67 | 100 | 100 | 35-01 |
| 2232 Review Cases processed | 96 | 75 / 144 | 100 | 100 | 35-01 |
| **Efficiency:** | | | | | |
| Staff hours per written response | 7 | 7 / 8 | 8 | 8 | 35-02 |
| Staff hours per zoning compliance letter | 10 | 8 / 7 | 8 | 8 | 35-03 |
| Staff hours per permit request (excluding sign permits) | 0.44 | 0.40 / 0.46 | 0.50 | 0.50 | 35-03 |
| Staff hours per zoning/ noise complaint filed | 7.93 | 8.10 / 7.86 | 8.00 | 8.00 | 35-03 |
| Staff hours per application submission amendment processed | 5 | 5 / 5 | 5 | 5 | 35-02 |
| Total staff hours spent on Zoning Ordinance Amendments | 9,960 | 9,000 / 11,016 | 10,000 | 10,000 | 35-03 |

# Department of Planning and Zoning

| Indicator | Prior Year Actuals FY 2006 Actual | Prior Year Actuals FY 2007 Estimate/Actual | Current Estimate FY 2008 | Future Estimate FY 2009 | LOB Reference Number |
|---|---|---|---|---|---|
| **Efficiency:** | | | | | |
| Staff hours per Special Land Use Study | 325 | 350 / 340 | 350 | 350 | 35-01 |
| Staff hours per Comprehensive Plan Amendment | 129 | 120 / 131 | 130 | 130 | 35-01 |
| Staff hours per 2232 Review Application | 52 | 60 / 50 | 55 | 55 | 35-01 |
| **Outcome:** | | | | | |
| Percent of written responses within 30 working days | 70% | 90% / 64% | 90% | 90% | 35-02 |
| Percent of RZ applications scheduled within 5 months | 77% | 90% / 78% | 90% | 90% | 35-02 |
| Percent of SE applications scheduled within 4 months | 60% | 90% / 65% | 90% | 90% | 35-02 |
| Percent of zoning compliance letters processed within 30 calendar days | 55% | 65% / 77% | 65% | 65% | 35-03 |
| Percent of permits (excluding sign permits) processed in time | 90% | 90% / 90% | 90% | 90% | 35-03 |
| Percent of complaints resolved within 60 calendar days (4) | 90% | 80% / 82% | 80% | 80% | 35-03 |
| Percent of zoning applications received for submission compliance reviewed within 5 working days | 95% | 85% / 79% | 85% | 85% | 35-02 |
| Percent of CRD applications reviewed within 3 days | 100% | 100% / 100% | 100% | 100% | 35-02 |
| Percent of Zoning Ordinance Amendments processed within established time frame | 32% | 58% / 55% | 60% | 60% | 35-03 |
| Percent of Special Land Use Studies processed within 18 months of Board authorization | 100% | 100% / 100% | 100% | 100% | 35-01 |
| Percent of proposed Out-of-Turn Plan Amendments processed within 8 months | 90% | 90% / 100% | 90% | 90% | 35-01 |
| Percent of APR nominations processed within the designated review cycle | 90% | 90% / 90% | 90% | 90% | 35-01 |
| Percent of 2232 Review cases reviewed within 90 days | 91% | 85% / 77% | 85% | 85% | 35-01 |
| Percent of 2232 Review cases reviewed within 150 days | 99% | 100% / 97% | 100% | 100% | 35-01 |

(1) All rezonings, including those where a longer time frame is agreed upon or where holidays/recesses occur.

(2) All special exceptions, including those where a longer time frame is agreed upon or where holidays/recesses occur.

(3) "Processed" means either Board authorization for advertisement or Board consideration and disposition within the adopted Zoning Ordinance Work Program timeframe (April to March), and total hours spent on amendments during that timeframe.

(4) It is recognized that, by their nature, a certain number of complaint cases cannot be resolved within the targeted time frame of 60 days due to factors beyond the control of DPZ such as zoning applications, appeals or litigations.