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Proffers are voluntary and may change during the review of rezoning application. Final proffers must be signed by all owners and contract purchasers of the property subject to the rezoning application and must be submitted prior to the Board of Supervisors public hearing. Once a rezoning is approved, the proffers become part of the zoning on the property and remain in effect unless or until a subsequent amendment to the zoning is approved.

The staff coordinator evaluates the applicant's response to the issues raised and prepares a staff report outlining the issues and their resolution. A staff recommendation of approval or denial of the application is formulated. The staff report is published two weeks prior to the Planning Commission's public hearing on the application.

THE PUBLIC HEARING PROCESS

Rezoning applications in Fairfax County go through a two-step public hearing process. The first public hearing is before the Planning Commission, which makes an advisory recommendation to the Board of Supervisors. The second public hearing is then held by the Board of Supervisors, which makes the decision as to whether the rezoning application is approved or denied. Appeal of the decision of the Board may be filed in Circuit Court within 30 days of the decision.

Citizens have the opportunity to speak at the public hearings before the Planning Commission and Board of Supervisors on any rezoning application.

The public hearing process requires that legal notice be made to owners of property that is adjacent to or surrounding the property that is the subject of a pending rezoning application. These legal notices state the time and place of the public hearing. They are mailed to a minimum of 25 adjacent and/or surrounding property owners no later than 15 days prior to the public hearing.

Legal ads for Planning Commission and Board of Supervisors public hearings are placed in the Washington Times newspaper and the application property is posted with a notice sign at least 15 days prior to the public hearing.

Copies of the staff report for all rezoning application are available for inspection at public libraries near the application property, at Board of Supervisors' offices and at the Zoning Evaluation Division (DPZ) at 12055 Government Center Parkway, Suite 801, Fairfax, VA 22035.

WHAT HAPPENS AFTER A REZONING APPLICATION IS APPROVED?

After rezoning, all proposed development must go through the subdivision/site plan review process within the Department of Public Works and Environmental Services (DPWES) in order to get approval to begin construction. For information on this process, contact the Plan Control Section, DPWES, at 12055 Government Center Parkway, 5th Floor, Fairfax, VA 22035, call (703) 324-1548 or (703) 324-1730 or www.fairfaxcounty.gov/dpwes

ADDITIONAL INFORMATION

Zoning Evaluation Division, DPZ (703) 324-1290
12055 Government Center Parkway, Suite 801
Fairfax, VA 22035, www.fairfaxcounty.gov/dpz

- Rezoning process
- Information on approved or pending rezoning applications
- Filing rezoning applications
- Public hearing schedules
- Legal notification process

Zoning Administration Division, DPZ

- Non-residential Use Permits (703) 222-1082
- Zoning Ordinance Information/ Ordinance amendments (703) 324-1374
- Zoning Enforcement, sign permits, noise complaints, etc. (703) 324-1300

Planning Division, DPZ (703) 324-1210

- General planning information
- Comprehensive Plan

Planning Commission Office (703) 324-2865

- Public hearing agendas for Planning Commission meetings
- Sign-up to speak at Planning Commission public hearings

Clerk to the Board of Supervisors (703) 324-3151

- Public hearing agendas for Board of Supervisors' meetings
- Sign-up to speak at Board of Supervisors' public hearings



Americans with Disability Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA, call (703) 324-1334 or VA Relay TTY-711

An Overview of the Fairfax County

REZONING PROCESS



Fairfax County
Department of Planning and Zoning
www.fairfaxcounty.gov/dpz

Zoning Evaluation Division
July 2005

THE NEED FOR REZONING

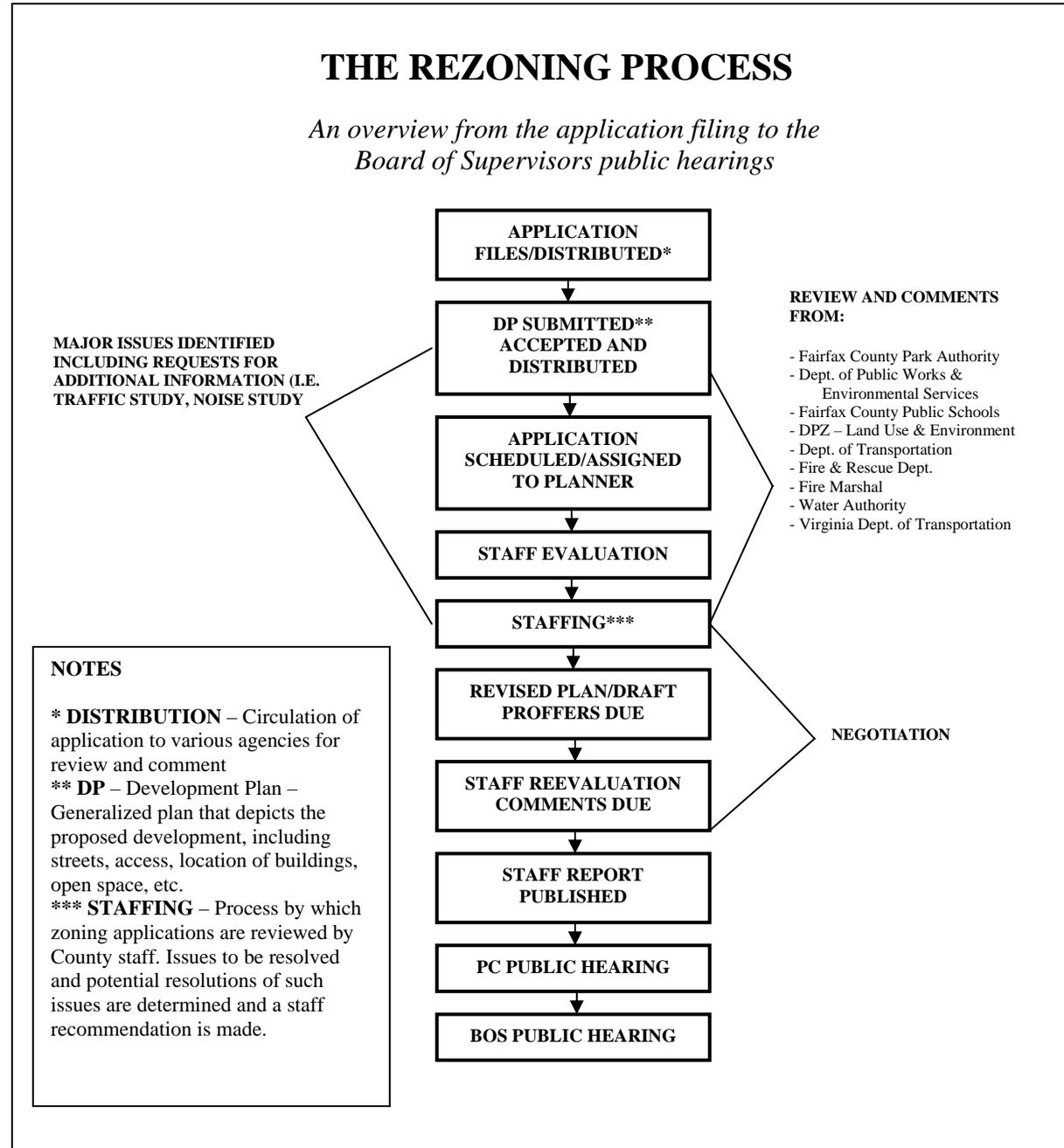
In a community such as Fairfax County, changes in patterns of development and land use occur continually: vacant land is developed as a residential subdivision, a retail center is built in a neighborhood, and a new office development is constructed along a major highway corridor.

To accomplish these proposed changes, it is sometimes necessary to change the zoning of land. The rezoning process consists of a detailed review and analysis of the proposal by staff, the Fairfax County Planning Commission (PC), and the Fairfax County Board of Supervisors (BOS).

The following is an overview of the rezoning process:

FILING A REZONING APPLICATION

Any owner or contract purchaser of land in Fairfax County may apply for a rezoning. The process begins by filing an application with the Zoning Evaluation Division (ZED) of the Department of Planning and Zoning (DPZ). An application must meet the submission requirements of the Zoning Ordinance, including submission of a development plan which depicts the general design and layout of the proposed development, a statement of justification describing the request and an affidavit describing the ownership and other interests in the property. A filing fee, based on the type of rezoning requested, must be paid at the time the application is filed. Rezoning application forms and information on filing fees are available from ZED.



REVIEW AND ANALYSIS OF REZONING APPLICATIONS

The adjacent table outlines the major steps taken by Fairfax County in reviewing, analyzing and approving a rezoning application. Once an application has met all submission requirements, it is assigned to a staff planner and it is given a Planning Commission public hearing date. Copies of the application are circulated to various agencies so they can provide input into the review process. The planner or “staff coordinator” is responsible for evaluating the application and coordinating staff comments, negotiating issues and their resolution with the applicant, writing the staff report on the application, and presenting the staff position at the public hearings.

Once an application has been reviewed by the various agencies, County staff meet to identify issues related to the application and potential of those issues in a work session known as “staffing.” At staffing, the rezoning application is reviewed for conformance to the Comprehensive Plan and compliance with the Zoning Ordinance. Development issues, including those regarding transportation and the environment, are identified and a staff recommendation on the application is developed. Staff meets with the applicant at various times throughout the rezoning process to negotiate a satisfactory resolution of the identified development issues. The applicant may submit specific commitments in writing known as “proffers” in order to resolve identified development related issues.

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