

**FAIRFAX COUNTY
BOARD OF SUPERVISORS
FEBRUARY 8, 2011**

AGENDA

9:30	Done	Presentations
10:30	Done	Presentation on Ending Homelessness in the Fairfax-Falls Church Community- Snapshot 2010
10:45	Report Accepted	Report on General Assembly Activities
11:00	Done	Items Presented by the County Executive

**ADMINISTRATIVE
ITEMS**

1	Approved	Extension of Review Periods for 2232 Review Applications (Dranesville, Providence, and Sully Districts)
2	Approved	Authorization to Advertise Public Hearings on Proposed Amendments to Chapter 112 (Zoning Ordinance) Re: Zoning Fees
3	Approved	Streets into the Secondary System (Dranesville and Sully Districts)
4	Approved	Approval of Traffic Calming Measures as Part of the Residential Traffic Administration Program (Providence District)
5	Approved	Authorization to Advertise Public Hearings on Proposed Amendments to Chapters 2 (Property Under County Control), 61 (Building Provisions), 101 (Subdivision Ordinance), 104 (Erosion and Sedimentation Control), and 112 (Zoning Ordinance Re: Adjustment of the Fees Charged by Land Development Services for Plan Review, Permits, and Inspection Services
6	Pulled	Approval of Supplemental Appropriation Resolution AS 11110 for the Office of Emergency Management to Accept Department of Homeland Security Urban Areas Security Initiative Subgrant Awards from the Government of the District of Columbia Homeland Security and Emergency Management Agency

ACTION ITEMS

1	Approved	Approval of a Parking Reduction for Mosaic District – Phase I Development of the Merrifield Town Center (Providence District)
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**FAIRFAX COUNTY
BOARD OF SUPERVISORS
FEBRUARY 8, 2011**

ACTION ITEMS

(continued)

- | | | |
|---|-----------------|--|
| 2 | Approved | Adoption of the Little Rocky Run/Johnny Moore Creek Watershed Management Plan (Sully and Springfield Districts) and the Accotink Creek Watershed Management Plan (Hunter Mill, Providence, Mason, Braddock, Lee, and Mount Vernon Districts) |
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**INFORMATION
ITEMS**

- | | | |
|-------|--------------|---|
| 1 | Noted | Planning Commission Action on Application 2232-B09-31, T-Mobile Northeast, L.L.C. (Braddock District) |
| 11:30 | Done | Matters Presented by Board Members |
| 12:20 | Done | Closed Session |

PUBLIC HEARINGS

- | | | |
|------|--|---|
| 3:30 | Approved | Board Decision on SE 2010-MA-020 (Higher Horizons Day Care Center, Inc.) (Mason District) |
| 3:30 | Approved | Public Hearing on PCA 2005-PR-041 (Eskridge (E & A) LLC) (Providence District) |
| 3:30 | Public hearing deferred to 2/22/11 at 3:30 p.m. | Public Hearing on SE 2010-LE-017 (Iskalo CBR LLC) (Lee District) |
| 3:30 | Public hearing deferred to 3/8/11 at 3:30 p.m. | Public Hearing on SE 2009-MA-026 (Gossom Family Limited Partnership I, RLLLP) (Mason District) |
| 3:30 | Approved | Public Hearing on SEA 85-D-033-03 (Virginia Electric and Power Company D/B/A Dominion Virginia Power) (Dranesville District) |
| 4:00 | Approved | Public Hearing on Proposed Plan Amendment (PA) S10-IV-FS1, Located North of Old Keene Mill Road and West of Amherst Avenue (Lee District) |



Fairfax County, Virginia
BOARD OF SUPERVISORS
AGENDA

Tuesday
February 8, 2011

9:30 a.m.

PRESENTATIONS

1. **RECOGNITIONS:**

- RESOLUTION – To recognize Vincent Bollon for his years of service to Fairfax County. Requested by Supervisor Hyland.
- RESOLUTION – To recognize Mike Pallone for his years of involvement and service in the Lee District and Fairfax County. Requested by Supervisor McKay.
- CERTIFICATE – To recognize Dr. Gloria Addo-Ayensu and the Fairfax County Health Department for their selection by the Robert Wood Johnson Foundation — in collaboration with the University of Wisconsin Population Health Institute — of Fairfax County as the healthiest county in Virginia. Requested by Supervisor Hudgins.
- RESOLUTION – To recognize Gerald L. “Jerry” Gordon for his selection as the 2010 Business Person of the Year by Virginia Business magazine. Requested by Chairman Bulova.
- CERTIFICATE – To recognize Rodney Lusk for his years of service on the Planning Commission. Requested by Supervisor McKay.

— more —

Board Agenda Item
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2. DESIGNATIONS:

- PROCLAMATION – To designate February 20-26, 2011, as Engineers Week in Fairfax County. Requested by Chairman Bulova.

STAFF:

Merni Fitzgerald, Director, Office of Public Affairs
Bill Miller, Office of Public Affairs

Board Agenda Item
February 8, 2011

10:30 a.m.

Presentation on Ending Homelessness in the Fairfax-Falls Church Community-
Snapshot 2010

PRESENTED BY:

Michael O'Reilly, Chairman, Governing Board of the Partnership to Prevent and End Homelessness

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10:45 a.m.

Report on General Assembly Activities

ENCLOSED DOCUMENTS:

None. Materials to be distributed to the Board of Supervisors on February 8, 2011

PRESENTED BY:

Supervisor Jeff McKay, Chairman, Board of Supervisor's Legislative Committee
Anthony H. Griffin, County Executive

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Board Agenda Item
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11:00 a.m.

Items Presented by the County Executive

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Board Agenda Item
February 8, 2011

ADMINISTRATIVE – 1

Extension of Review Periods for 2232 Review Applications (Dranesville, Providence, and Sully Districts)

ISSUE:

Extension of the review periods for specific 2232 Review applications to ensure compliance with the review requirements of *Section 15.2-2232* of the *Code of Virginia*.

RECOMMENDATION:

The County Executive recommends that the Board extend the review periods for the following applications: application FS-P10-64 to April 21, 2011; application 2232-D10-24 to August 7, 2011; and application 2232-Y10-22 to August 14, 2011.

TIMING:

Board action is required on February 8, 2011, to extend the review periods of the applications noted above before their expirations.

BACKGROUND:

Subsection B of *Section 15.2-2232* of the *Code of Virginia* states: "Failure of the commission to act within sixty days of a submission, unless the time is extended by the governing body, shall be deemed approval." Subsection F of *Section 15.2-2232* of the *Code of Virginia* states: "Failure of the commission to act on any such application for a telecommunications facility under subsection A submitted on or after July 1, 1998, within ninety days of such submission shall be deemed approval of the application by the commission unless the governing body has authorized an extension of time for consideration or the applicant has agreed to an extension of time. The governing body may extend the time required for action by the local commission by no more than sixty additional days."

The Board should extend the review period for application FS-P10-64 which was accepted for review by the Department of Planning and Zoning on November 22, 2010. This application is for a telecommunications facility, and thus is subject to the State Code provision that the Board may extend the time required for the Planning Commission to act on this application by no more than sixty additional days.

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The Board should extend the review period for applications 2232-D10-24 and 2232-Y10-22 which were accepted for review by the Department of Planning and Zoning (DPZ) between December 9, 2010, and December 16, 2010. These applications are for public facilities, and thus are not subject to the State Code provision for extending the review period by no more than sixty additional days.

The review periods for the following applications should be extended:

- | | |
|-------------|--|
| 2232-Y10-22 | Upper Occoquan Sewage Authority
Sewer line replacement
Cub Run and Braddock Road
Sully District |
| 2232-D10-24 | Fairfax County Dept. of Public Works and Environmental Services
McLean Government Center and Police station expansion
1437 Balls Hill Road
Dranesville District |
| FS-P10-64 | T-Mobile Northeast
Antenna collocation on existing tower
I-66 and Nutley Street
Providence District |

The need for the full time of these extensions may not be necessary, and is not intended to set a date for final action.

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

None

STAFF:

Robert A. Stalzer, Deputy County Executive
Fred R. Selden, Acting Director, Department of Planning and Zoning (DPZ)
Chris B. Caperton, Planning Division, DPZ
Sandi M. Beaulieu, Planning Division, DPZ

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ADMINISTRATIVE - 2

Authorization to Advertise Public Hearings on Proposed Amendments to Chapter 112
(Zoning Ordinance) Re: Zoning Fees

ISSUE:

Board authorization to advertise public hearings on a proposed Zoning Ordinance amendment to increase filing fees for zoning applications and zoning compliance letters by approximately 3.1% with a minimum increase of \$5.00.

RECOMMENDATION:

The County Executive recommends that the Board authorize the advertisement of the proposed amendment to the Zoning Ordinance as set forth in the Staff Report dated February 8, 2011.

TIMING:

Board action is requested on February 8, 2011, to provide sufficient time to advertise public hearings on March 2, 2011, before the Planning Commission and on March 29, 2011, at 3:00 p.m., before the Board. The amendments shall become effective at 12:01 a.m. on July 1, 2011.

BACKGROUND:

The proposed amendment increases the filing fees for the various types of zoning applications and compliance letters which are set forth in Section 18-106 of the Zoning Ordinance. The amendment is on the 2010 Priority 1 Zoning Ordinance Amendment Work Program and is in response to a Board directive to review fees on a two year cycle to better keep up with escalating costs and avoid having to impose the large scale fee increases experienced in 2009 (FY 2010).

Staff is proposing a modest increase of approximately 3.1%, rounded to the nearest \$5.00 increment, for most zoning application fees including, variances, special permits, special exceptions, rezonings, comprehensive sign plans, PRC Plans and amendments thereto, based on the Consumer Price Index (CPI) for Urban Wage Earners & Clerical Workers in the Washington-Baltimore area for the 12 month period beginning in March, 2009, which tracks inflation and other costs in this region. This is the same index used by the Department of Public Works and Environmental Services (DPWES) to support its proposed increase in land development fees. In addition, fees for certain zoning

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compliance letters, modifications to the affordable dwelling unit program, interpretations of approved zoning applications and deferral of public hearings for affidavit related errors are proposed to increase by approximately 3.1%. Fees for non-residential use permits, sign permits and zoning compliance letters for single family dwellings, which currently range from \$50 to \$100, will increase by a minimum of \$5.00, which is slightly more than 3.1%. At this time, no new fees are proposed, and the proposed fee increase will not affect either the zoning appeal fee, which was recently reduced by the Board from \$2455 to \$600, or the \$50 fee for a Home Occupation Permit, which already represents close to 100% cost recovery.

The proposed fee increase of approximately 3.1% with a minimum increase of \$5.00, which will recover approximately 75% to 78% of the administrative costs associated with the processing of zoning applications and permits, is in conformance with Sect. 15.2-2286 (A)(6) of the Code of Virginia which gives localities the authority to collect fees "...to cover the cost of making inspections, issuing permits, advertising of notices and other expenses incident to the administration of a zoning ordinance or to the filing or processing of any appeal or amendment thereto."

On July 14, 2010, staff from DPWES and the Department of Planning and Zoning (DPZ) met with industry representatives from NVBIA, NAIOP and ESI to discuss the proposed increases to both land development and zoning fees. No major issues with the proposed increase to zoning fees were identified. In September of 2010 staff also presented the proposed fee increase to the Planning Commission's Land Use Process Review Committee as part of an update to the Committee regarding the fees established for interpretations of approved zoning applications and deferral of public hearings for affidavit related errors.

REGULATORY IMPACT:

The proposed amendment does not revise the regulations or requirements for land development.

FISCAL IMPACT:

The proposed amendment will increase the cost to applicants filing the various zoning and permit applications by 3.1% and will assist in achieving a recovery of approximately 75% to 78% of the administrative costs associated with processing such applications over the next two years. It is anticipated that the proposed fee increase will generate an additional \$73,160 over the FY 2012 Budget Year revenue projection of \$2,360,027. If approved by the Board, the additional revenue will be included as part of the Add-On process.

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ENCLOSED DOCUMENTS:

Attachment 1 – Resolution
Attachment 2 – Staff Report

STAFF:

Robert A. Stalzer, Deputy County Executive
Fred Selden, Acting Director, Department of Planning and Zoning (DPZ)
Eileen M. McLane, Zoning Administrator, DPZ
Barbara Berlin, Director, Zoning Evaluation Division (ZED), DPZ
Leslie B. Johnson, Senior Deputy Zoning Administrator, DPZ
Regina M. Coyle, Assistant Director, ZED, DPZ

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RESOLUTION

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center Building, Fairfax, Virginia, on February 8, 2011, at which meeting a quorum was present, the following resolution was adopted:

WHEREAS, § 15.2-2286 (A)(6) of the Code of Virginia provides for the collection of fees to cover the cost of making inspections, issuing permits, advertising notices and other expenses incidental to the administration of a zoning ordinance or to the filing or processing of any appeal or amendment thereto; and

WHEREAS, the current application fees set forth in the Zoning Ordinance were last increased on July 1, 2009 and recover approximately 75% of the administrative costs associated with the processing of zoning compliance letters and applications, such as for sign permits, variances, special permits, special exceptions, rezonings and amendments thereto; and

WHEREAS, the Board of Supervisors directed staff to evaluate fees on a more regular basis of at least every two years in order to maintain the level of cost recovery of approximately 75% and avoid the large increases imposed in 2009 for most application fees, and

WHEREAS, staff believes a modest increase of approximately 3.1% based on the Consumer Price Index (CPI) for Urban Wage Earners & Clerical Workers in the Washington-Baltimore area for the 12 month period beginning in March, 2009, with a minimum increase of \$5.00, is necessary to maintain the cost recovery rate at or near the 75% level over the next two year period, and

WHEREAS, the public necessity, convenience, general welfare, and good zoning practice require consideration of the proposed revision to Chapter 112 (Zoning Ordinance) of the County Code.

NOW THEREFORE BE IT RESOLVED, for the foregoing reasons and as further set forth in the Staff Report, that the Board of Supervisors authorizes the advertisement of the proposed Zoning Ordinance amendment as recommended by staff.

A Copy Teste:

Nancy Vehrs
Clerk to the Board of Supervisors



**FAIRFAX
COUNTY**

STAFF REPORT

V I R G I N I A

PROPOSED ZONING ORDINANCE AMENDMENT

Zoning Fees

PUBLIC HEARING DATES

Planning Commission March 2, 2011 at 8:15 p.m.

Board of Supervisors March 29, 2011 at 3:00 p.m.

**PREPARED BY
ZONING ADMINISTRATION DIVISION
DEPARTMENT OF PLANNING AND ZONING
703-324-1314**

February 8, 2011

LBJ and RMC



Americans With Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call 703-324-1334 or TTY 711 (Virginia Relay Center).

STAFF COMMENT

The proposed amendment increases the filing fees for zoning applications and compliance letters which are set forth in Section 18-106 of the Zoning Ordinance. The amendment is on the 2010 Priority 1 Zoning Ordinance Amendment Work Program and is in response to a Board directive to review fees on a two year cycle to better keep up with escalating costs and avoid the type of dramatic increases as was experienced with the zoning fee amendment adopted in 2009 (FY 2010). In response to this directive, the Department of Planning and Zoning is proposing a modest increase in most zoning fees of approximately 3.1% rounded to the nearest \$5.00 increment, with a minimum increase of \$5.00, based on the Consumer Price Index (CPI) for Urban Wage Earners & Clerical Workers in the Washington-Baltimore area for the 12 month period beginning in March, 2009. This is the same index used by the Department of Public Works and Environmental Services (DPWES) for their proposed increase in land development fees which is a companion amendment. At this time, no new fees are proposed, and the proposed fee increase will not affect either the zoning appeal fee, which was recently reduced by the Board from \$2455 to \$600 or the \$50 fee for a Home Occupation Permit, which already represents close to 100% cost recovery.

Zoning fees were previously increased in 2005 (FY 2006) to achieve a 50% cost recovery and in 2009 (FY 2010) to achieve approximately a 75% cost recovery. The proposed fee increase of 3.1% will recover approximately 75% to 78% of the administrative costs associated with the processing of zoning applications and permits. It is noted that while employee salaries have remained constant since July 2009, there has been an increase of approximately 7% in the cost of fringe benefits. Anticipating that costs will continue to increase by the time fees are again reviewed in conjunction with the FY 2014 Budget, the modest increase proposed will help to maintain the cost recovery rate at or near the 75% level over this next two year period.

The fee increase in 2009 was found to fall within a comparable range of the fees charged by neighboring jurisdictions and staff believes the proposed increase of 3.1% remains comparable with these jurisdictions. The chart included in Attachment A provides a snapshot comparison of zoning application and permit fees for the surveyed jurisdictions. The proposed fee increase is also in conformance with Sect. 15.2-2286 (A)(6) of the Code of Virginia which gives localities the authority to collect fees "...to cover the cost of making inspections, issuing permits, advertising of notices and other expenses incident to the administration of a zoning ordinance or to the filing or processing of any appeal or amendment thereto." A fee increase of 3.1% with a minimum increase of \$5.00 which recovers approximately 75% to 78% of the administrative costs associated with the processing of zoning applications and permits, would meet the standards set forth in the Code of Virginia. It is anticipated that the proposed fee increase will generate an additional \$73,160 over the FY 2012 Budget Year revenue projection of \$2,360,027.

Staff recommends adoption of the proposed amendment to the Zoning Ordinance as set forth below, with an effective date of 12:01 A.M., on July 1, 2011 and that:

- The revised fees shall be applicable to any zoning application filed subsequent to the effective date of the amendment; and
- Zoning applications which were filed but not accepted prior to the effective date of this amendment and that are in compliance with the applicable submission requirements shall be grandfathered from this amendment.

PROPOSED AMENDMENT

This proposed Zoning Ordinance amendment is based on the Zoning Ordinance in effect as of February 8, 2010 and there may be other proposed amendments which may affect some of the numbering, order or text arrangement of the paragraphs or sections set forth in this amendment, which other amendments may be adopted prior to action on this amendment. In such event, any necessary renumbering or editorial revisions caused by the adoption of any Zoning Ordinance amendments by the Board of Supervisors prior to the date of adoption of this amendment will be administratively incorporated by the Clerk in the printed version of this amendment following Board adoption.

Amend Article 18, Administration, Amendments, Violations and Penalties, Part 1, Administration, Sect. 18-106, Application and Zoning Compliance Letter Fees, to read as follows:

All appeals and applications as provided for in this Ordinance and requests for zoning compliance letters shall be accompanied by a filing fee in the amount to be determined by the following paragraphs unless otherwise waived by the Board for good cause shown; except that no fee shall be required where the applicant is the County of Fairfax or any agency, authority, commission or other body specifically created by the County, State or Federal Government. All fees shall be made payable to the County of Fairfax. Receipts therefore shall be issued in duplicate, one (1) copy of which receipt shall be maintained on file with the Department of Planning and Zoning.

1. Application for a variance, appeal, special permit or special exception:

Application for a variance

- Residential minimum yard variance; maximum fence height variance in residential districts; modification of location regulations or use limitations for residential accessory structures or uses; modification of grade or increase in building height for single family detached dwellings \$ ~~885~~ 910
- All other variances \$ ~~7935~~ 8180

Appeal under Sections 18-204 and 18-301 \$600

Application for a:

Group 1 special permit \$ ~~15885~~ 16375

Group 2 special permit \$ ~~15885~~ 16375

Group 3 special permit	
<ul style="list-style-type: none"> • Churches, chapels, temples, synagogues and other such places of worship with a child care center, nursery school or private school which has an enrollment of 100 or more students daily 	\$ 40695 <u>11025</u>
<ul style="list-style-type: none"> • All other uses 	\$ 4065 <u>1100</u>
Group 4 special permit	\$ 3960 <u>4085</u>
Group 5 special permit	\$ 15885 <u>16375</u>
Group 6 special permit	\$ 15885 <u>16375</u>
Group 7 special permit	\$ 15885 <u>16375</u>
Group 8 special permit	
<ul style="list-style-type: none"> • Temporary portable storage containers approved by the Zoning Administrator 	\$0
<ul style="list-style-type: none"> • All other uses approved by the Zoning Administrator 	\$ 200 <u>205</u>
<ul style="list-style-type: none"> • Temporary portable storage containers approved by the BZA 	\$0
<ul style="list-style-type: none"> • All other uses approved by the BZA 	\$ 15885 <u>16375</u>
Group 9 special permit	
<ul style="list-style-type: none"> • Open air produce stand 	\$ 1755 <u>1810</u>
<ul style="list-style-type: none"> • Accessory dwelling unit 	\$ 420 <u>435</u>
<ul style="list-style-type: none"> • Modification to minimum yard requirements for R-C lots 	\$ 480 <u>185</u>
<ul style="list-style-type: none"> • Modification to the limitations on the keeping of animals; error in building location; reduction of certain yard requirements on a single family dwelling lot; modification of minimum yard requirements for certain existing structures and uses; certain additions to an existing single family detached dwelling when the existing dwelling extends into a minimum required yard by more than fifty (50) percent and/or is closer than five (5) feet to a lot line; noise barriers on a single residential lot; increase in fence and/or wall height in any front yard on a single family dwelling lot; modification of grade for single family detached dwellings 	\$ 885 <u>910</u>
<ul style="list-style-type: none"> • Reduction of certain yard requirements on all other uses, increase in fence and/or wall height in any front yard on all other uses 	\$ 7935 <u>8180</u>
<ul style="list-style-type: none"> • All other uses 	\$ 15885 <u>16375</u>

Application for a:

Category 1 special exception	\$ 15885 <u>16375</u>
Category 2 special exception	\$ 15885 <u>16375</u>
Category 3 special exception	
<ul style="list-style-type: none"> • Child care centers, nursery schools and private schools which have an enrollment of less than 100 students daily, churches, chapels, temples, synagogues and other such places of worship with a child care center, nursery school or private school which has an enrollment of less than 100 students daily 	\$ 4065 <u>1100</u>
<ul style="list-style-type: none"> • Churches, chapels, temples, synagogues and other such places of worship with a child care center, nursery school or private school which has an enrollment of 100 or more students daily 	\$ 40695 <u>11025</u>
<ul style="list-style-type: none"> • All other uses 	\$ 15885 <u>16375</u>
Category 4 special exception	\$ 15885 <u>16375</u>
Category 5 special exception	\$ 15885 <u>16375</u>
Category 6 special exception	
<ul style="list-style-type: none"> • Reduction of yard requirements for the reconsideration of certain single family detached dwellings that are destroyed by casualty 	\$0
<ul style="list-style-type: none"> • Modification of minimum yard requirements for certain existing structures and uses; modification of grade for single family detached dwellings 	\$ 885 <u>910</u>
<ul style="list-style-type: none"> • Modification of shape factor limitations 	\$ 7935 <u>8180</u>
<ul style="list-style-type: none"> • Waiver of minimum lot width requirements in a residential district 	\$ 7935 <u>8180</u>
<ul style="list-style-type: none"> • All other uses 	\$ 15885 <u>16375</u>
Amendment to a pending application for a special permit, variance or special exception	10 percent of the prevailing application fee
Application for an extension of a special permit or special exception	1/8 prevailing fee
Application to amend a previously approved and current valid variance	Prevailing fee for a new application
Application to amend a previously approved and currently valid special permit or special exception with no new construction	½ prevailing fee
Application to amend a previously approved and currently valid special permit or special exception with new construction	Prevailing fee for new application

Amendment to a previously approved and currently valid special permit or special exception for a reduction of certain yard requirements or an increase in fence and/or wall height in any front yard on a single family dwelling lot \$ ~~885~~ 910

Amendment to a previously approved and currently valid special permit or special exception for a reduction of certain yard requirements or an increase in fence and/or wall height in any front yard on all other uses \$ ~~7935~~ 8180

All other amendments to a previously approved and currently valid special permit or special exception

- With no new construction ½ prevailing fee
- With new construction Prevailing fee for new application

Note: Additional fees may be required for certain special permit and special exception uses to pay for the cost of regular inspections to determine compliance with performance standards. Such fees shall be established at the time the special permit or special exception application is approved.

When one application is filed by one applicant for two (2) or more special permit uses on the same lot, only one filing fee shall be required. Such fee shall be the highest of the fee required for the individual uses. This shall also apply to an application for two (2) or more special exceptions or two (2) or more variances filed by one applicant on the same lot.

The fee for an amendment to a pending application for a special permit, variance, or special exception is only applicable when the amendment request results in a change in land area, change in use or other substantial revision.

2. Application for an amendment to the Zoning Map:

District Requested	Filing Fee
All R Districts	\$26460 plus \$555 per acre <u>\$27280 plus \$570 per acre</u>
All C, I and Overlay Districts	\$26460 plus \$885 per acre <u>\$27280 plus \$910 per acre</u>
PRC District	\$26460 plus \$885 per acre <u>\$27280 plus \$910 per acre</u>
<ul style="list-style-type: none"> • Application with concurrent filing of a PRC plan 	\$26460 plus \$1305 per acre <u>\$27280 plus \$1345 per acre</u>

<ul style="list-style-type: none"> • PRC plan 	\$13230 plus \$420 per acre <u>\$13640 plus \$435 per acre</u>
PDH, PDC, PRM and PTC Districts	
<ul style="list-style-type: none"> • Application with conceptual development plan 	\$26460 plus \$885 per acre <u>\$27280 plus \$910 per acre</u>
<ul style="list-style-type: none"> • Application with concurrent filing of conceptual and final development plans 	\$26460 plus \$1305 per acre <u>\$27280 plus \$1345 per acre</u>
<ul style="list-style-type: none"> • Final development plan 	\$13230 plus \$420 per acre <u>\$13640 plus \$435 per acre</u>
Amendment to a pending application for an amendment to the Zoning Map in all Districts	\$ 4410- 4545 plus applicable per acre fee for acreage affected by the amendment
Amendment to a pending application for a final development plan or development plan amendment or PRC plan	\$ 4005 <u>4130</u>
Amendment to a previously approved proffered condition, development plan, final development plan, conceptual development plan, PRC plan or concurrent conceptual/final development plan for a reduction of certain yard requirements on a single family dwelling lot or an increase in fence and/or wall height on a single family dwelling lot	\$ 885 <u>910</u>
Amendment to a previously approved proffered condition, development plan, final development plan, conceptual development plan, PRC plan or concurrent conceptual/final development plan for a reduction of certain yard requirements on all other uses or an increase in fence and/or wall height on all other uses	\$ 7935 <u>8180</u>
All other amendments to a previously approved development plan, proffered condition, conceptual development plan, final development plan, PRC plan or concurrent conceptual/final development plan	

- With new construction \$ ~~13230~~ 13640 plus applicable per acre fee for acreage affected by the amendment
- With no new construction \$ ~~13230~~-13640

Note: For purpose of computing acreage fees, any portion of an acre shall be counted as an acre.

The fee for an amendment to a pending application is only applicable when the amendment request results in a change in land area, change in use or other substantial revision.

3. Comprehensive sign plan: \$ ~~8010~~ 8260

Amendment to a comprehensive sign plan: \$ ~~4005~~ 4130

4. Refund of fees for withdrawal of applications shall be in accordance with the provisions of Sections 112, 208 and 308. There shall be no refund of fees for applications that have been dismissed in accordance with the provisions of Sections 113 and 209.

5. Fees for home occupations, sign permits and site plans shall be as specified in Articles 10, 12 and 17, respectively.

6. Zoning compliance letter:

Single family: \$ ~~440~~ 115 for each lot requested

All other uses: \$ ~~340~~ 320 for each lot requested

7. Modification to the requirements of the Affordable Dwelling Unit Program:
\$ ~~2670~~-2755

8. Non-Residential Use Permit: \$ ~~65~~-70

9. Interpretation of approved zoning applications: \$ ~~500~~-520

10. Public hearing deferrals after public notice has been given under Sect. 110 above and which are related solely to affidavit errors:

Planning Commission: \$ ~~250~~ 260 plus cost of actual advertising, not to exceed \$1000

Board of Supervisors: \$ ~~250~~ 260 plus cost of actual advertising, not to exceed \$1000

Amend Article 12, Signs, Part 3, Administration, Section 12-302, Permit Application, by revising the second paragraph to read as follows:

The application for a sign permit shall be filed with the Zoning Administrator on forms furnished by the County. The application shall contain the identification and address of the property on which the sign is to be erected; the name and address of the sign owner and of the sign erector; drawings showing the design, dimensions and location on the building/site of the sign; and such other pertinent information as the Zoning Administrator may require to ensure compliance with the provisions of this Ordinance and other applicable ordinances of the County.

The application for a permit shall be accompanied by a filing fee made payable to the County of Fairfax in the amount of ninety-five dollars (~~\$90~~ 95).

Attachment A

COMPARISON OF ZONING FEES WITH OTHER JURISDICTIONS

Application Type	Fairfax Co. Proposed	Loudoun Co. March 2009 Revised Jan 2011	Prince William Co. July 1, 2010	Arlington Co. July 1, 2010	Montgomery Co. March 2010
Rezoning- Residential	\$27,280 + \$570/acre	\$35,605 + \$180/acre >200 acres	\$5,680 + \$162.50/acre	\$12,205 – \$28,455 (District/Size Dependent)	Base Fee \$5,000-\$10,000 + \$0.20-\$0.25/sq.ft
Rezoning – Commercial	\$27,280 + \$910/acre	\$27,720 + \$140/acre >200 acres	\$5,680 + \$115 to \$202/acre	\$12,205 – \$28,455 (District/Size Dependent)	Base Fee \$5,000-\$10,000 + \$0.20-\$0.25/sq.ft of development
Rezoning - P District	\$27,280 + \$570/acre	\$35,605 + \$180/acre >200 acres	\$7,581 + \$225/acre	\$12,205 – \$28,455 (District/Size Dependent)	Base Fee \$5,000-\$10,000 + \$0.20-\$0.25/sq.ft of development
Proffered Condition Amendment	\$13,640 + \$570-\$910/acre	Res: \$26,230; Other: 20,575	Minor: \$3,622.50 Other: New RZ fee		
Variance	Res: \$910 Other: \$8,180	\$805	\$331.20	\$3,350 (1 st) + \$670 (Each additional)	Res: \$800 Other: \$3,000
Special Exception (Service Station)	\$16,375	\$15,750	\$8,694	\$10,379	\$13,750
Special Permit (Place of Worship)	\$1,100 \$11,025 w/school	\$15,750 (SE)	\$1,738		\$6,875
Intrepretations of Approved Zonings	\$520	\$690	\$492.66	\$596	
Sign Permit	\$95	\$235	\$51.75 + \$1.28/sq.ft.	\$107 + \$1.25/sq.ft >100 sq.ft.	\$280 - \$451 based on zone
Compliance Letters	Res:\$115 Other:\$320	\$485	\$347.76	\$329	Res: \$110 Other: \$210
Non-RUP (Occup.Permit)	\$70	\$70	\$69.35	\$220 - \$548 Based on gfa	\$440-\$860 Based on gfa

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ADMINISTRATIVE – 3

Streets into the Secondary System (Dranesville and Sully Districts)

ISSUE:

Board approval of streets to be accepted into the State Secondary System.

RECOMMENDATION:

The County Executive recommends that the street(s) listed below be added to the State Secondary System.

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Cascades Estate Lots Section 12-B	Dranesville	Sinegar Place (Route 10382)
		Peacock Hill Way
		Hearth Court
		Antrim Court
		Seneca Road (Route 602) (Additional Right-of-Way (ROW) Only)
		Seneca Road (Route 602) (Additional ROW Only)
Westfields Parcel 33A (Phase 1 & 2)	Sully	Old Lee Road (Route 661) (Additional ROW Only)
		Conference Center Drive (Route 8461) (Additional ROW Only)

TIMING:

Routine.

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BACKGROUND:

Inspection has been made of these streets, and they are recommended for acceptance into the State Secondary System.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment 1 – Street Acceptance Forms

STAFF:

Robert A. Stalzer, Deputy County Executive

James W. Patteson, Director, Department of Public Works and Environmental Services (DPWES)

Michelle Brickner, Deputy Director, DPWES, Land Development Services

Street Acceptance Form For Board Of Supervisors Resolution - June 2005

FAIRFAX COUNTY BOARD OF SUPERVISORS FAIRFAX, VA Pursuant to the request to inspect certain streets in the subdivisions as described, the Virginia Department of Transportation has made inspections, and recommends that same be included in the secondary system.		VIRGINIA DEPARTMENT OF TRANSPORTATION - OFFICE OF THE ENGINEERING MANAGER, FAIRFAX, VIRGINIA REQUEST TO THE ENGINEERING MANAGER, FOR INCLUSION OF CERTAIN SUBDIVISION STREETS INTO THE STATE OF VIRGINIA SECONDARY ROAD SYSTEM.	
		PLAN NUMBER: 7668-SD-02	
		SUBDIVISION PLAT NAME: Cascades Estate Lots Section 12-B	
		COUNTY MAGISTERIAL DISTRICT: Dranesville	
ENGINEERING MANAGER: D.A. Purvis BY: <u>Nadia Alphonse</u>		FOR OFFICIAL USE ONLY DATE OF VDOT INSPECTION APPROVAL: <u>11/08/2010</u>	
STREET NAME	LOCATION		LENGTH MILE
	FROM	TO	
Sinegar Place (Route 10382)	Existing Sinegar Place (Route 10382) - 1,112' NE CL Woolington Road (Route 10320)	123' NE to Fairfax/Loudoun County Line	0.02
Peacock Hill Way	CL Sinegar Place (Route 10382) - 1,453' NE CL Woolington Road (Route 10320)	443' E to End of Cul-de-Sac	0.08
Hearth Court	CL Sinegar Place (Route 10382) - 801 NE CL Peacock Hill Way	455' SE to End of Cul-de-Sac	0.09
Antrim Court	CL Sinegar Place (Route 10382) - 495' NE CL Hearth Court	472' SE to End of Cul-de-Sac	0.09
Seneca Road (Route 602) (Additional Right-of-Way Only)	1,048' N CL Woolington Road (Route 10320)	2,263' NE to Section Line	0.0
Seneca Road (Route 602) (Additional Right-of-Way Only)	40' NE CL Stonehouse Place (Route 7596)	549' N to Section Line	0.0
NOTES:			TOTALS:
Seneca Road: 2,918' of 6' Asphalt Trail on West Side to be maintained by Fairfax County			0.28

Street Acceptance Form For Board Of Supervisors Resolution - June 2005

<p>FAIRFAX COUNTY BOARD OF SUPERVISORS FAIRFAX, VA</p> <p>Pursuant to the request to inspect certain streets in the subdivisions as described, the Virginia Department of Transportation has made inspections, and recommends that same be included in the secondary system.</p>	<p>VIRGINIA DEPARTMENT OF TRANSPORTATION - OFFICE OF THE ENGINEERING MANAGER, FAIRFAX, VIRGINIA</p> <p>REQUEST TO THE ENGINEERING MANAGER, FOR INCLUSION OF CERTAIN SUBDIVISION STREETS INTO THE STATE OF VIRGINIA SECONDARY ROAD SYSTEM.</p>
<p>PLAN NUMBER: 6178-SP-77</p>	
<p>SUBDIVISION PLAT NAME: Westfields Parcel 33A (Phase 1 & 2)</p>	
<p>COUNTY MAGISTERIAL DISTRICT: Sully</p>	
<p>ENGINEERING MANAGER: D.A. Purvis</p> <p>BY: <u>Nadia Aphensy</u></p>	<p>FOR OFFICIAL USE ONLY</p> <p>DATE OF VDOT INSPECTION APPROVAL: <u>11/04/2010</u></p>

STREET NAME	LOCATION		LENGTH MILE
	FROM	TO	
Old Lee Road (Route 661) (Additional Right-of-Way Only)	590' NE CL Stonecroft Boulevard (Route 8460)	450' NE to Section Line	0.0
Conference Center Drive (Route 8461) (Additional Right-of-Way Only)	790' NE CL Stonecroft Boulevard (Route 8460)	335' NE to Section Line	0.0
NOTES:			TOTALS:

Old Lee Road: 450' of 8' Asphalt Trail on South Side to be maintained by Fairfax County (outside the right-of-way)

Conference Center Drive: 200' of 8' Asphalt Trail on North Side be maintained by Fairfax County (outside the right-of-way)

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ADMINISTRATIVE - 4

Approval of Traffic Calming Measures as Part of the Residential Traffic Administration Program (Providence District)

ISSUE:

Board endorsement of traffic calming measures as part of the Residential Traffic Administration Program (RTAP).

RECOMMENDATION:

The County Executive recommends that the Board endorse traffic calming measures for Fenwick Road, Lawrence Drive, Rogers Drive, Stuart Drive and Elmwood Drive (Attachment I), consisting of the following:

- One speed hump on Lawrence Drive (Providence District)
- One speed hump on Rogers Drive (Providence District)
- One speed hump on Stuart Drive (Providence District)
- One multi-way stop at the intersection of Rogers Drive and Elmwood Drive (Providence District)
- One multi-way stop at the intersection of Lawrence Drive and Fenwick Road (Providence District)

In addition, the County Executive recommends that the Fairfax County Department of Transportation (FCDOT) be requested to schedule the installation of the approved measures as soon as possible.

TIMING:

Board action is requested on February 8, 2011.

BACKGROUND:

As part of the R-TAP, roads are reviewed for traffic calming when requested by a Board member on behalf of a homeowners or civic association. Traffic calming employs the use of physical devices such as speed humps, speed tables, raised pedestrian crosswalks, chokers, median islands, or traffic circles to reduce the speed of traffic on a residential street. Staff performed engineering studies documenting the attainment of qualifying criteria for Fenwick Road, Lawrence Drive, Rogers Drive, Stuart Drive and Elmwood Drive. A task force was formed with the community to develop a traffic

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calming plan to reduce the speed of traffic. Once a plan for all the roads under review was adopted and approved by staff, the plan was submitted for approval to residents of the ballot area in the adjacent community. On December 22, 2010, the Department of Transportation received written verification from the local supervisor confirming community support for the referenced traffic calming plan.

FISCAL IMPACT:

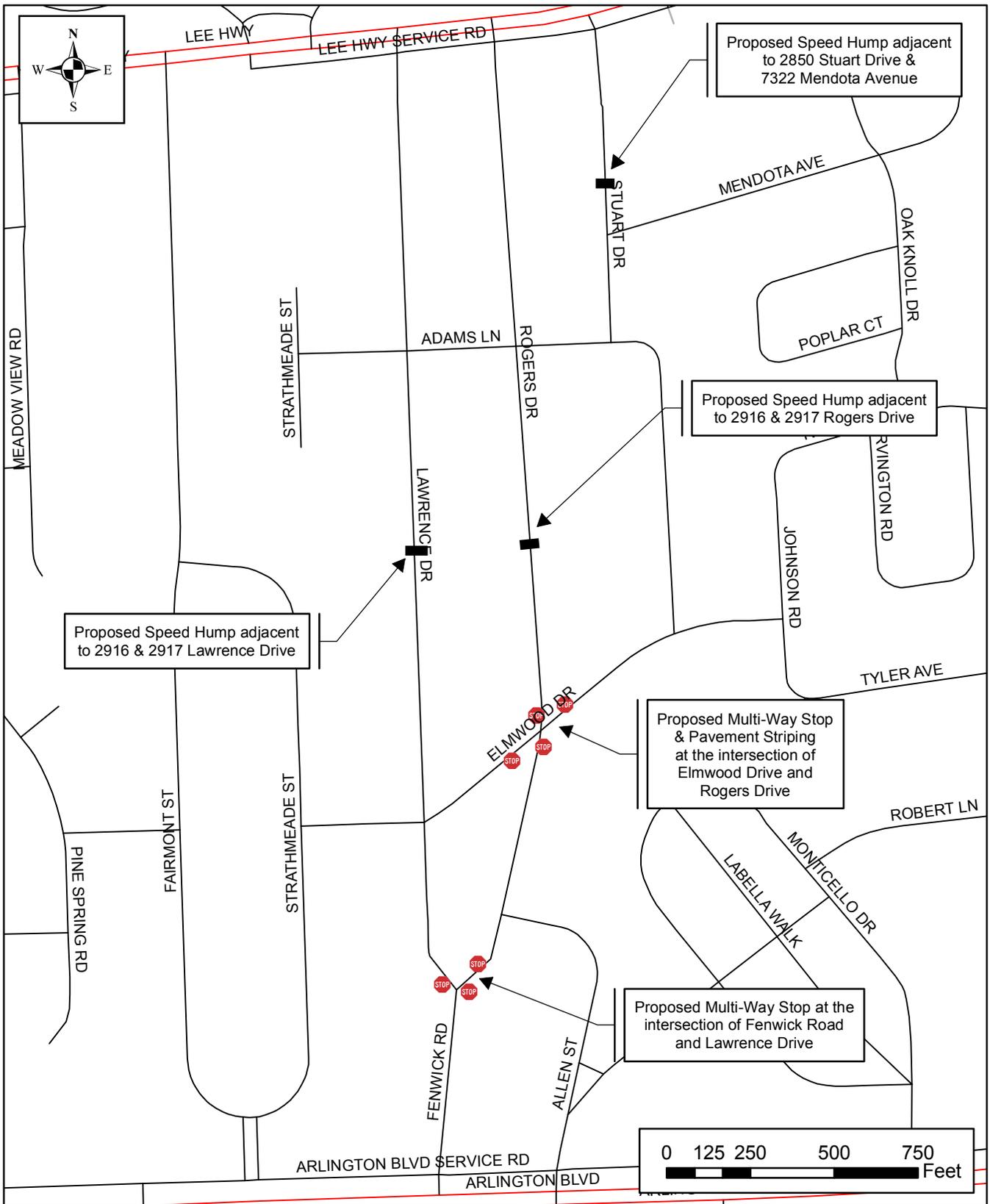
The estimated cost of \$26,000 for traffic calming measures is to be paid out of the VDOT secondary road construction budget.

ENCLOSED DOCUMENTS:

Attachment I: Traffic Calming Plan for Fenwick Road, Lawrence Drive, Rogers Drive, Stuart Drive and Elmwood Drive

STAFF:

Robert A. Stalzer, Deputy County Executive
Katharine D. Ichter, Director, Fairfax County Department of Transportation (FCDOT)
Eric M. Teitelman, Chief, Capital Projects and Operations Division, FCDOT
Selby J. Thannikary, Chief, Traffic Operations Section, FCDOT
William P. Harrell, Transportation Planner, FCDOT



Proposed Speed Hump adjacent to 2916 & 2917 Lawrence Drive

Proposed Speed Hump adjacent to 2850 Stuart Drive & 7322 Mendota Avenue

Proposed Speed Hump adjacent to 2916 & 2917 Rogers Drive

Proposed Multi-Way Stop & Pavement Striping at the intersection of Elmwood Drive and Rogers Drive

Proposed Multi-Way Stop at the intersection of Fenwick Road and Lawrence Drive



**Fairfax County Department of Transportation
 Residential Traffic Administration Program (RTAP)
 TRAFFIC CALMING PLAN
 FENWICK ROAD, LAWRENCE DRIVE, ROGERS DRIVE,
 STUART DRIVE & ELMWOOD DRIVE**



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ADMINISTRATIVE - 5

Authorization to Advertise Public Hearings on Proposed Amendments to Chapters 2 (Property Under County Control), 61 (Building Provisions), 101 (Subdivision Ordinance), 104 (Erosion and Sedimentation Control), and 112 (Zoning Ordinance) Re: Adjustment of the Fees Charged by Land Development Services for Plan Review, Permits, and Inspection Services

ISSUE:

Adjustments to the fees charged for plan review, permits and inspection services to maintain the current level of cost recovery and more accurately reflect and cover the cost of providing services.

RECOMMENDATION:

The County Executive recommends that the Board authorize the advertisement of the proposed amendments to the *Code of the County of Fairfax, Virginia* (County Code), as set forth in the staff report dated February 8, 2011.

TIMING:

The Board is requested to take action on February 8, 2011, to provide sufficient time to advertise public hearings on March 2, 2011, before the Planning Commission and on March 29, 2011 at 3:00 p.m., before the Board. The amendments shall become effective at 12:01 a.m. on July 1, 2011.

BACKGROUND:

The Department of Public Works and Environmental Services (DPWES) is proposing to adjust the fees charged by Land Development Services (LDS). LDS fees were last increased in 2009 (FY 2010) and prior to that date in 2005 (FY 2006). At the time of the last fee adjustment in 2009, the Board asked LDS to review fees on a two-year cycle and make any adjustments to the fees incrementally to avoid the large adjustments that were needed in both 2009 and 2005. The Board's request was based on feedback received from industry representatives from the Northern Virginia Building Industry Association (NVBIA), the National Association of Industrial and Office Properties (NAIOP), and the Engineers & Surveyors Institute (ESI) regarding the negative impacts to land development projects caused by large and unpredictable fee increases.

The fees charged for reviewing plans, processing permits and making inspections are based on the actual costs of delivering the regulatory services. Over the past two years, LDS has experienced a reduction in revenue due to fewer construction plan submissions, fewer applications for new residential and commercial buildings and a moderate decline in applications related to residential and commercial projects. In response to its declining revenue and workload, LDS has taken aggressive steps to reduce its costs through personnel re-assignments, elimination of limited term positions and through holding positions vacant. However, the cost of doing business has risen slightly with inflation. In addition, despite efforts to balance its revenue and costs, LDS is still not meeting its targeted recovery rate of 90%. As a result, LDS staff is proposing a modest fee increase to the majority of its fees. Regulatory initiatives are also being proposed to simplify and standardize how fees are determined, improving LDS's efficiency and streamlining the process for applicants. A summary of the proposed amendments is below.

SUMMARY OF AMENDMENTS:

The primary impact of the proposed amendments is to generally increase the fees for site and subdivision plan review and inspections, and the building code fees except those fees bulleted below. The proposed fees are contained in Attachment A. In addition, the proposed amendments include regulatory initiatives that, if adopted, would eliminate the common errors and time-consuming tasks involved in calculating fees making the LDS fee process simpler and more efficient. The proposed amendments are described below.

Proposed Fee Adjustments Provide a More Regular and Predictable Adjustment in the Land Development Fees

The proposed fee amendments adjust the land development fees by an across-the-board increase in direct proportion to the increase in the Consumer Price Index (CPI) for Urban Wage Earners & Clerical Workers in the Washington-Baltimore area for the 12 month period beginning in March, 2009. The proposed fee increases will account for inflation that has increased LDS's costs for providing these services. In addition, since the proposed fees will be in effect for at least two years, the increase will assist LDS in not falling further below its targeted recovery rate of 90%. In general, the fees will increase by 3.1% with some fees increasing by up to 3.8% due to rounding, with the following exceptions:

- The base permit fee, the plan resubmission fee, the fee for failure to obtain a building permit prior to beginning work (non-permitted work), and the fee for each discipline (electrical, mechanical, etc.) taking part in a team inspection, should the inspection not involve all disciplines, will increase from \$85 to an even \$90 (a

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5.9% increase). The higher increase is justified in this case by the actual costs of providing these services.

- The re-inspection permit fee increases from \$83 to match the base fee of \$90 (an 8.4% increase) based on the actual cost to provide this service.
- The calculation of the review fee for site and subdivision plans is being restructured to separate first and second submission fees, to increase the maximum fee charged for first and second submissions combined from \$11,130 to \$12,900 for subdivisions, and to apply a charge for substitute sheets inserted into first submission plans.
- Permit fees remain constant, due to rounding, for an amendment to a permit, multiple permits, permits requiring no inspections, permits for interior alterations to an existing building, permits for an addition or exterior alterations to an existing residential structure (class R-3, R-4 and R-5 structures), and permits for accessory structures on a residential property (class R-3, R-4 and R-5 structures).
- Permit fees for amusement devices and carnival rides remain constant in accordance with the Virginia Amusement Device Regulations.
- Permit fees for household appliances, home improvement contractor licenses and vertical transportation remain constant because the existing fees adequately cover the actual costs to provide these services.
- Fire Marshal fees (pass through fees collected by LDS for the Fire Marshal) are not being adjusted at this time. The Fire Marshal fees were last adjusted in 2009 (FY 2010).
- Fees for parking reductions requiring Board approval are being restructured. The current fees are divided into four tiers based on the number of parking spaces required. These fees are being increased by 3.1%. The break points between the tiers are being increased by 100 parking spaces which will allow more reductions to be processed within the lower tiers. In addition, separate categories for parking reductions based on proximity to a mass transit station and Transportation Demand Management Programs are being created with the fees set at the minimum tier because the review is unrelated to the number of parking spaces required.
- Pursuant to the current regulations, no fee is charged to review a recycling plan; to repair, replace, or otherwise re-construct a residential, commercial or industrial

structure damaged as the result of a catastrophic event; or to install solar energy equipment, replace defective sprinkler heads or construct radiation fallout or blast shelters.

Proposed Fee Adjustments Simplify and Standardize How Fees are Determined, Improving LDS's Efficiency

With less staff available for reviewing plans, processing permits and making site and building inspections, it has become increasingly important to find ways to provide services more efficiently. The proposed amendments incorporate the following initiatives that simplify and standardize how fees are determined making the fee process easier and more efficient for LDS customers and staff.

1) Standardize the review fee calculation related to site and subdivision plans:

The proposed amendment standardizes the review fees related to site and subdivision plans by charging a separate fee for first and second submissions. Separating the review fees will help developers manage their cash flow by allowing them to pay less money up-front. It also gives developers an opportunity to reduce their costs when submitting quality plans that require only one plan submission. Under the proposed amendments, a charge is being assessed for substitute sheets inserted into first submission site and subdivision plans; and the maximum fee assessed for first and second submissions combined increases from \$11,130 to \$12,900 for subdivisions.

2) Simplify the review fee calculation related to subdivision plans:

In the past, the amount of time required to review a subdivision plan was closely dependent on the size of the project; therefore, review fees were based on the project size with an allowance to subtract out the first hectare (2.5 acres). Subtracting out a hectare on smaller subdivision projects made sense because in the past smaller projects generally had fewer improvements to review and therefore took less time. Due to the complexity of all projects, this is no longer the case. The proposed amendment simplifies the fee calculation by removing the hectare component thereby eliminating a common error involved in calculating this fee.

3) Standardize the site inspection fee calculation related to bond extensions and reductions:

When a developer requests an extension of his performance bond, an inspection fee is charged based on the proposed linear footage of utility lines and total

disturbed site acreage. The proposed amendment codifies current practice by clarifying that the site inspection fee accompanying bond extensions shall be calculated based on one-half of the site's disturbed area for those projects that have reduced their disturbed area by at least one-half. The proposed 50 percent reduction of the disturbed area shown on the original performance agreement applies to projects with a current agreement and a performance bond in good standing.

4) Convert metric units of measurements into their English equivalents:

The design community is not using metric measurements in plan submission and VDOT no longer publishes metric design standards. Revising the fee schedules to convert the metric units of measurement into their English equivalents makes calculating fees much easier and more accurate for both county staff and LDS's customers. The metric units are being retained in the computer system, since metric can be utilized on a case-by-case basis for submission of new plans based on previously approved metric plans.

5) Relocate the site and building fee schedules into a single table:

Currently, the site and building fees are incorporated in Chapters 2, 61, 101, 104 and 112 of the Code. The proposed amendment relocates the fees into a single source, as Appendix Q to the Code, for ease of reference. The new LDS Fee Schedule is included as Attachment A.

Proposed Fee Adjustments are Comparable with Neighboring Jurisdictions' Site and Building Development Fees

The proposed fee increases would result in fees generally comparable to neighboring jurisdictions. The table in Attachment C of the staff report compares the current fees charged by Loudoun, Prince William and Arlington Counties, the Cities of Alexandria, Falls Church, Manassas and Fairfax with Fairfax County's current site fees and with the proposed fee increases. The table in Attachment D of the staff report compares the current fees charged by Loudoun, Prince William, Arlington and Montgomery Counties, the Cities of Alexandria and Fairfax with Fairfax County's current building fees and with the proposed fee increases. Although it is difficult to precisely compare fees of these jurisdictions due to the type and level of review and inspection provided by each jurisdiction, the comparison does reveal that Fairfax County's current site-related fees for plan review and inspection fall more in the middle range for the region. Current building-related fees for both commercial and residential development are on the low end of the range as shown on the fee comparison chart in Attachment D of the staff

report. Even with the proposed site and building fee increases, Fairfax County's fees would remain comparable with neighboring jurisdictions' site and building development fees.

Proposed Fee Adjustments are Generally Supported by Industry Representatives

On July 14, 2010, staff met with industry representatives from NVBIA, NAIOP and ESI to discuss the proposed amendments and any expectations from industry. At that time, the land development community supported the proposed amendments subject to the following considerations. Staff's responses are provided in italics.

- a. Consider allowing up-front meetings, prior to first submission, to pre-review plans. *Staff supports up-front meetings and encourages applicants to arrange meetings to discuss important issues prior to plan submission.*
- b. Consider amending the fees related to best management practices (BMP) to include a separate, lower fee for certain innovative BMP's. *This suggestion will be evaluated by staff and with stakeholders as part of our review of the pending changes to the State's Stormwater Regulations.*
- c. Consider providing training to better equip applicants to get through the site plan and subdivision plan review process on first submission. *Staff will explore opportunities to provide additional training to industry as part of our continuing process evaluations.*

REGULATORY IMPACT:

The proposed fee amendments are in response to the Board's directive, at the request of industry, for biannual fee updates and incremental adjustments to the land development fees to minimize the impacts of fee increases on land development projects. The proposed amendment adjusts the fees charged by LDS for plan review, permits and inspection services in line with the CPI and accommodates an increase in LDS's costs for providing these services. In general, the fees will increase by 3.1%, with some fees increasing by up to 3.8% due to rounding, except for the Fire Marshal fees and the fees for household appliance permits, home improvement contractor licenses, vertical transportation permits and permits for amusement devices and carnival rides, which are not being adjusted. In addition, smaller miscellaneous permit fees remain constant due to rounding.

The base permit fee, the plan resubmission fee, the fee for failure to obtain a building permit prior to beginning work (non-permitted work), and the fee for each discipline (electrical, mechanical, etc.) taking part in a team inspection, should the inspection not

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involve all disciplines, will increase from \$85 to an even \$90 (a 5.9% increase). The re-inspection permit fee increases from \$83 to match the base fee of \$90 (an 8.4% increase). The higher increase is justified in these cases by the actual costs of providing these services. Although the fees for parking reductions are increasing by 3.1%, the restructuring of these fees will result in fewer reduction requests falling into the higher fee categories. All fees, if approved, shall become effective on July 1, 2011. Refer to Appendix A of the Staff Report for a copy of the proposed LDS Fee Schedule.

The proposed regulatory initiatives simplify and standardize how fees are determined, making the fee calculations easier and more accurate for both County staff and LDS's customers by:

- Charging a separate review fee for first and second submissions related to site and subdivision plans. Under the proposed amendments, a charge is being assessed for substitute sheets inserted into first submission site and subdivision plans; and the maximum fee assessed for first and second submissions combined increases from \$11,130 to \$12,900 for subdivisions.
- Removing the first hectare (2.5 acre) component thereby eliminating the common error involved in calculating the review fee for site and subdivision plans.
- Clarifying that the site inspection fee calculation related to bond extension and reduction requests shall be based on the site's disturbed area at the time of the bond extension or reduction. The proposed change applies to projects with an active and current agreement and a performance bond in good standing. A maximum 50 percent reduction of the disturbed acreage shown on the original performance agreement is permitted.
- Converting the metric units of measurements into their English equivalents.
- Relocating the site and building fee schedules into a single source, as Appendix Q of the Code, for ease of reference.

FISCAL IMPACT:

If adopted by the Board, it is anticipated that the proposed fee adjustments will generate increased revenue of approximately \$560,000 in FY 2012. This revenue estimate is based on the FY 2011 revenue of \$18 million and assumes that workload remains constant in FY 2012. Any reduction in plan and permit activity may have a negative impact on the projected revenue. Staff in LDS will work in close coordination with the Department of Management and Budget to monitor these trends.

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If approved by the Board, the additional revenue will be included in the FY 2012 budget as part of the FY 2012 Add-On process.

ENCLOSED DOCUMENTS:

Attachment I- Resolution
Attachment II- Staff Report

STAFF:

Robert A. Stalzer, Deputy County Executive
James Patteson, Director, Department of Public Works and Environmental Services (DPWES)
Eileen McLane, Zoning Administrator, Department of Planning and Zoning
Michelle Brickner, Director, Land Development Services, DPWES

RESOLUTION

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center Building, Fairfax, Virginia, on February 8, 2011, at which meeting a quorum was present and the following resolution was adopted:

WHEREAS, Sections 15.2-2286(A)(6), 15.2-2241(9), 36-105(A), and/or 10.1-562(I) of the *Code of Virginia* (Code) provides for the collection of fees to cover the cost of review of subdivision, site and building plans, issuing permits, making inspections, advertising of notices and other expenses incidental to the administration of these activities or to the filing or processing of any appeal or amendment thereto; and

WHEREAS, the current fees charged by Land Development Services (LDS), Department of Public Works and Environmental Services (DPWES), related to plan review, permitting, and inspections, as set forth in Chapters 2 (Property Under County Control), 61 (Building Provisions), 101 (Subdivision Ordinance), 104 (Erosion and Sediment Control Ordinance) and 112 (Zoning Ordinance) of the County Code do not fully recover the costs incurred by staff of LDS involved in these activities; and

WHEREAS, adjusting the fees charged by LDS based on the Consumer Price Index and restructuring certain fees would maintain the current level of cost recovery and more accurately reflect and cover the cost of providing services; and the fees would be comparable with neighboring jurisdictions' site and building development fees for comparable work; and

WHEREAS, converting the metric units of measurement used to calculate certain fees into their English equivalents, making adjustments in the methodology for determining certain fees, relocating the fees into a single appendix of the Code would simplify and standardize how fees are calculated allowing staff and the regulated community easier use and access to the applicable fees; and

WHEREAS, the public necessity, convenience, general welfare, and good practice require consideration of the proposed LDS fee schedule and revisions to Chapters 2, 61, 101, 104 and 112 of the County Code; and

NOW THEREFORE BE IT RESOLVED, for the foregoing reasons and as further set forth in the Staff Report, the Board of Supervisors authorize the advertisement of the proposed amendments as recommended by staff.

A Copy Teste:

Nancy Vehrs
Clerk to the Board of Supervisors

DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES

STAFF REPORT

- PROPOSED COUNTY CODE AMENDMENT
- PROPOSED PFM AMENDMENT
- APPEAL OF DECISION
- WAIVER REQUEST

Proposed Amendments to Chapters 2 (Property under County Control), 61 (Building Provisions), 101 (Subdivision Ordinance), 104 (Erosion and Sedimentation Control), and 112 (Zoning Ordinance) of the *Code of the County of Fairfax, Virginia RE: Adjustment of the Fees Charged by Land Development Services for Plan Review, Permits, and Inspection Services.*

Authorization to Advertise February 8, 2011

Planning Commission Hearing March 2, 2011, at 8:15 p.m.

Board of Supervisors Hearing March 29, 2011, at 3:00 p.m.

Prepared by: Jan Leavitt
Code Analysis
(703) 324-1780

STAFF REPORT

A. Issue:

Adjustments to the fees charged by Land Development Services for plan review, permits and inspection services to maintain the current level of cost recovery and more accurately reflect and cover the cost of providing services.

B. Recommended Action:

Staff recommends that the Board of Supervisors adopt the proposed amendments to the Code as advertised with an effective date of 12:01 a.m. on July 1, 2011.

C. Timing:

Board of Supervisors' authorization to advertise – February 8, 2011
Planning Commission Public Hearing – March 2, 2011
Board of Supervisors Public Hearing – March 29, 2011

D. Source:

Department of Public Works and Environmental Services (DPWES)

E. Coordination:

The proposed amendments were prepared by DPWES and coordinated with the Department of Management and Budget (DMB), Department of Planning and Zoning (DPZ) and the Office of the County Attorney.

F. Background:

The Department of Public Works and Environmental Services (DPWES) is proposing to adjust the fees charged by Land Development Services (LDS). LDS fees were last increased in 2009 (FY 2010) and prior to that date in 2005 (FY 2006). At the time of the last fee adjustment in 2009, the Board asked LDS to review fees on a two-year cycle and make any adjustments to the fees incrementally to avoid the large adjustments that were needed in both 2009 and 2005. The Board's request was based on feedback received from industry representatives from the Northern Virginia Building Industry Association (NVBIA), the National Association of Industrial and Office Properties (NAIOP), and the Engineers & Surveyors Institute (ESI) regarding the negative impacts to land development projects caused by large and unpredictable fee increases.

The fees charged for reviewing plans, processing permits and making inspections are based on the actual cost of delivering the regulatory services. Over the past two years, LDS has experienced a reduction in revenue due to fewer construction plan submissions, fewer applications for new residential and commercial buildings and a moderate decline in applications related to residential and commercial projects. In response to its declining revenue and workload, LDS has taken aggressive steps to reduce its costs through personnel re-assignments, elimination of limited term positions and through holding positions vacant. However, the cost of doing business has risen slightly with inflation. In addition, despite efforts to balance its revenue and costs, LDS is still not meeting its' targeted recovery rate of 90%. As a result, LDS staff is proposing a modest fee increase to the majority of its fees. Regulatory initiatives are also being proposed to simplify and standardize how fees are determined, improving LDS's efficiency and streamlining the process for applicants. A summary of the proposed amendments is below.

G. Proposed Amendments:

The primary impact of the proposed amendments is to generally increase the fees for site and subdivision plan review and inspections, and the building code fees except the Fire Marshal fees and those fees bulleted below. The proposed fees are contained in Attachment A. In addition, the proposed amendments include regulatory initiatives that, if adopted, would eliminate the common errors and time-consuming tasks involved in calculating fees making the LDS fee process simpler and more efficient. The proposed amendments are described below.

Proposed Fee Adjustments Provide a More Regular and Predictable Adjustment in the Land Development Fees

The proposed fee amendments adjust the land development fees by an across-the-board increase in direct proportion to the increase in the Consumer Price Index (CPI) for Urban Wage Earners & Clerical Workers in the Washington-Baltimore area for the 12 month period beginning in March, 2009. The proposed fee increases will account for inflation that has increased LDS's costs for providing these services. In addition, since the proposed fees will be in effect for at least two years, the increase will assist LDS in not falling further below its targeted recovery rate of 90%. In general, the fees will increase by 3.1% with some fees increasing by up to 3.8% due to rounding, with the following exceptions:

- The base permit fee, the plan resubmission fee, the fee for failure to obtain a building permit prior to beginning work (non-permitted work), and the fee for each discipline (electrical, mechanical, etc.) taking part in a team inspection, should the inspection not involve all disciplines, will

increase from \$85 to an even \$90 (a 5.9% increase). The higher increase is justified in this case by the actual costs of providing these services.

- The re-inspection permit fee increases from \$83 to match the base fee of \$90 (an 8.4% increase) based on the actual cost to provide this service.
- The calculation of the review fee for site and subdivision plans is being restructured to separate first and second submission fees, to increase the maximum fee charged for first and second submissions combined from \$11,130 to \$12,900 for subdivisions, and to apply a charge for substitute sheets inserted into first submission plans.
- Permit fees remain constant, due to rounding, for an amendment to a permit, multiple permits, permits requiring no inspections, permits for interior alterations to an existing building, permits for an addition or exterior alterations to an existing residential structure (class R-3, R-4 and R-5 structures), and permits for accessory structures on a residential property (class R-3, R-4 and R-5 structures).
- Permit fees for amusement devices and carnival rides remain constant in accordance with the Virginia Amusement Device Regulations.
- Permit fees for household appliances, home improvement contractor licenses and vertical transportation remain constant because the excising fees adequately cover the actual costs to provide these services.
- Fire Marshal fees (pass through fees collected by LDS for the Fire Marshal) are not being adjusted at this time. The Fire Marshal fees were last adjusted in 2009 (FY2010).
- Fees for parking reductions requiring Board approval are being restructured. The current fees are divided into four tiers based on the number of parking spaces required. These fees are being increased by 3.1%. The break points between the tiers are being increased by 100 parking spaces which will allow more reductions to be processed within the lower tiers. In addition, separate categories for parking reductions based on proximity to a mass transit station and Transportation Demand Management Programs are being created with the fees set at the minimum tier because the review is unrelated to the number of parking spaces required.
- Pursuant to the current regulations, no fee is charged to review a recycling plan; to repair, replace, or otherwise re-construct a residential, commercial or industrial structure damaged as the result of a catastrophic event; or to install solar energy equipment, replace defective sprinkler heads or construct radiation fallout or blast shelters.

Proposed Fee Adjustments Simplify and Standardize How Fees are Determined, Improving LDS's Efficiency

With less staff available for reviewing plans, processing permits and making site and building inspections, it has become increasingly important to find ways to provide services more efficiently. The proposed amendments incorporate the following initiatives that simplify and standardize how fees are determined making the fee process easier and more efficient for LDS customers and staff.

- 1) Standardize the review fee calculation related to site and subdivision plans:

The proposed amendment standardizes the review fees related to site and subdivision plans by charging a separate fee for first and second submissions. Separating the review fees will help developers manage their cash flow by allowing them to pay less money up-front. It also gives developers an opportunity to reduce their costs when submitting quality plans that require only one plan submission. Under the proposed amendments, a charge is being assessed for substitute sheets inserted into first submission site and subdivision plans; and the maximum fee assessed for first and second submissions combined increases from \$11,130 to \$12,900 for subdivisions.

- 2) Simplify the review fee calculation related to subdivision plans:

In the past, the amount of time required to review a subdivision plan was closely dependent on the size of the project; therefore, review fees were based on the project size with an allowance to subtract out the first hectare (2.5 acres). Subtracting out a hectare on smaller subdivision projects made sense because in the past smaller projects generally had fewer improvements to review and therefore took less time. Due to the complexity of all projects, this is no longer the case. The proposed amendment simplifies the fee calculation by removing the hectare component thereby eliminating a common error involved in calculating this fee.

- 3) Standardize the site inspection fee calculation related to bond extensions and reductions:

When a developer requests an extension of his performance bond, an inspection fee is charged based on the proposed linear footage of utility lines and total disturbed site acreage. The proposed amendment codifies current practice by clarifying that the site inspection fee accompanying bond extensions shall be calculated based on one-half of the site's disturbed area for those projects that have reduced their disturbed area by at least one-half. The proposed 50 percent reduction of the disturbed area

shown on the original performance agreement applies to projects with a current agreement and a performance bond in good standing.

- 4) Convert metric units of measurements into their English equivalents:
The design community is not using metric measurements in plan submission and VDOT no longer publishes metric design standards. Revising the fee schedules to convert the metric units of measurement into their English equivalents makes calculating fees much easier and more accurate for both county staff and LDS's customers. The metric units are being retained in the computer system, since metric can be utilized on a case-by-case basis for submission of new plans based on previously approved metric plans.

- 5) Relocate the site and building fee schedules into a single table:

Currently, the site and building fees are incorporated in Chapters 2, 61, 101, 104 and 112 of the Code. The proposed amendment relocates the fees into a single source, as Appendix Q to the Code, for ease of reference. The new LDS Fee Schedule is included as Attachment A.

Proposed Fee Adjustments are Comparable with Neighboring Jurisdictions' Site and Building Development Fees

The proposed fee increases would result in fees generally comparable to neighboring jurisdictions. The table in Attachment C compares the current fees charged by Loudoun, Prince William and Arlington Counties, the Cities of Alexandria, Falls Church, Manassas and Fairfax with Fairfax County's current site fees and with the proposed fee increases. The table in Attachment D compares the current fees charged by Loudoun, Prince William, Arlington and Montgomery Counties, the Cities of Alexandria and Fairfax with Fairfax County's current building fees and with the proposed fee increases. Although it is difficult to precisely compare fees of these jurisdictions due to the type and level of review and inspection provided by each jurisdiction, the comparison does reveal that Fairfax County's current site-related fees for plan review and inspection fall more in the middle range for the region. Current building-related fees for both commercial and residential development are on the low end of the range as shown on the fee comparison chart in Attachment D. Even with the proposed site and building fee increases, Fairfax County's fees would remain comparable with neighboring jurisdictions' site and building development fees.

Proposed Fee Adjustments are Generally Supported by Industry Representatives

On July 14, 2010, staff met with industry representatives from NVBIA, NAIOP and ESI to discuss the proposed amendments and any expectations from

industry. At that time, the land development community supported the proposed amendments subject to the following considerations. Staff's responses are provided in italics.

- a. Consider allowing up-front meetings, prior to first submission, to pre-review plans. *Staff supports up-front meetings and encourages applicants to arrange meetings to discuss important issues prior to plan submission.*
- b. Consider amending the fees related to best management practices (BMP) to include a separate, lower fee for certain innovative BMP's. *This suggestion will be evaluated by staff and with stakeholders as part of our review of the pending changes to the State's Stormwater Regulations.*
- c. Consider providing training to better equip applicants to get through the site plan and subdivision plan review process on first submission. *Staff will explore opportunities to provide additional training to industry as part of our continuing process evaluations.*

H. Summary of Amendments:

The proposed fee amendments are in response to the Board's directive, at the request of industry, for biannual fee updates and incremental adjustments to the land development fees to minimize the impacts of fee increases on land development projects. The proposed amendment adjusts the fees charged by LDS for plan review, permits and inspection services in line with the CPI and accommodates an increase in LDS's costs for providing these services. In general, the fees will increase by 3.1%, with some fees increasing by up to 3.8% due to rounding, except for the Fire Marshal fees and the fees for household appliance permits, home improvement contractor licenses, vertical transportation permits and permits for amusement devices and carnival rides, which are not being adjusted. Smaller miscellaneous permit fees will also remain constant due to rounding.

The base permit fee, the plan resubmission fee, the fee for failure to obtain a building permit prior to beginning work (non-permitted work), and the fee for each discipline (electrical, mechanical, etc.) taking part in a team inspection, should the inspection not involve all disciplines, will increase from \$85 to an even \$90 (a 5.9% increase). The re-inspection permit fee increases from \$83 to match the base fee of \$90 (an 8.4% increase). The higher increase is justified in these case by the actual costs of providing these services. Although the fees for parking reductions are increasing by 3.1%, the restructuring of these fees will result in fewer reduction requests falling into the higher fee categories. All fees, if approved, shall become effective on July 1, 2011. Refer to Appendix A for a copy of the proposed LDS Fee Schedule.

Regulatory initiatives are also being proposed to simplify and standardize how fees are determined, improving LDS's efficiency and streamlining the process for applicants.

I. Attachments:

Attachment A	Proposed LDS Fee Schedule (Appendix Q of the Code)
Attachment B1 thru B5	Proposed Amendments to Chapters 2, 61, 101, 104 and 112
Attachment C	Fee Comparison Chart - Site Improvements
Attachment D	Fees Comparison Chart - Residential and Commercial Buildings

Appendix Q - Land Development Services Fee Schedule

This fee schedule establishes the fees charged, by Land Development Services, Department of Public Works and Environmental Services and the Fire Marshal, for building and site development activities pursuant to the authority granted by §§ 15.2-2241(9), 15.2-2286(A)(6), 10.1-562(I) and 36-105(A) of the *Code of Virginia* and Chapters 2 (Property Under County Control), 61 (Building Provisions), 64 (Mechanical Provisions), 65 (Plumbing and Gas Provisions), 66 (Electrical Provisions), 101 (Subdivision Ordinance), 104 (Erosion and Sediment Control Ordinance) and 112 (Zoning Ordinance) of the *Code of the County of Fairfax, Virginia* (the Code).

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I. BUILDING DEVELOPMENT FEES

The following building development fees to cover the cost of reviewing plans, issuing permits, performing inspections, licensing home improvement contractors and other expenses incidental to the enforcement of the Uniform Statewide Building Code (USBC) and Chapters 61, 64, 65 and 66 of the Code are hereby adopted:

A: STANDARD FEES	
Listed below are standard fees that apply to building, mechanical, electrical, plumbing, fire alarm, fire suppression and fire lane permits. The fees shall apply provided all of the applicable conditions set forth in § 61-1-3 of the Code are met.	
1. Base fee: The minimum fee charged for any permit. A reduced fee shall apply as noted below.	\$90.00
2. Reduced fees: <ul style="list-style-type: none"> • Multiple permits, per unit • Fee for permits requiring no inspections • Casualty Permits 	\$30.00 \$30.00 \$0.00
3. After-hours inspection fee for each 30 minute period or fraction thereof	\$196.00
4. Amendment of permit	\$30.00, the fee for any equipment added, or the fee for any additional work involved, whichever fee is greater
5. Annual permit fee	Base Fee
6. Asbestos removal/abatement	Base Fee
7. Re-inspection fee	Base Fee
8. Team inspections <ul style="list-style-type: none"> • Fee if all disciplines (i.e. building, electrical, plumbing, mechanical and/or the Fire Marshal) are involved in inspections • Fee paid for each discipline taking part in the inspection, should the inspections not involve all disciplines 	\$412.00 \$90.00
9. Modular residential units, including manufactured homes	50% of the regular permit fee
10. Non-permitted work	\$90.00
11. Permit extensions: Permit authorizing construction of: <ul style="list-style-type: none"> • Interior alteration to an existing building • An addition(s) or exterior alteration(s) to an existing residential structure (R-3, R-4 and R-5 construction) • An accessory structure(s) on a residential property (R-3, R-4 and R-5 construction) • A new structure (other than noted above) • An addition(s) to a non-residential structure 	\$30.00 \$30.00 \$30.00 \$196.00 \$196.00
12. Replacement of defective sprinkler heads	\$0.00
13. Radiation, fallout or blast shelter	\$0.00
14. Solar Energy	\$0.00

B. BUILDING PERMIT AND OTHER FEES

(A) New Buildings, Additions or Enlargements: The fee for construction of a new building, or an addition or an enlargement to an existing building shall be based on the following:

1. Except as noted in subsection 2 below, the fee for the construction of a new building, an addition or an enlargement shall be based on the area (as determined by the exterior dimension) of all floors, including basements or cellars and horizontally projected roof areas, for the following types of construction as defined in the USBC in effect, and specified in Table I below.

2. New single family detached dwellings and townhouses: The fee for construction of a new single family detached dwelling or townhouse shall be based on Table I, or as determined by the permit applicant, on Table IIA for a new single family detached dwelling or Table IIB for a new townhouse. The square footage area reflected in Table IIA and Table IIB is to be calculated pursuant to American National Standard Institute, Inc. (ANSI) Standard Z765-2003 or its equivalent and based on the total area of the building's finished floor areas.

TABLE I

	COMMERCIAL FEE	RESIDENTIAL FEE
Type A, and IB, per square foot	\$0.175	\$0.175
Type IIA, IIIA and IV, per square foot	\$0.137	\$0.137
Type IIB, IIIB and VA, per square foot	\$0.137	\$0.093
Type VB, per square foot	\$0.137	\$0.093

**TABLE IIA
SINGLE FAMILY DETACHED DWELLINGS**

SFD A:	1 to 3,849 square feet	\$460.00
SFD B:	3,850 to 5,949 square feet	\$690.00
SFD C:	5,950 to 8,399 square feet	\$960.00
SFD D:	8,400 to 13,999 square feet	\$1,400.00
SFD E:	14,000 to 20,000 square feet	\$2,370.00
	Above 20,000 square feet	Use Table I

**TABLE IIB
TOWNHOUSES**

TH A:	1 to 2,249 square feet	\$237.00
TH B:	2,250 to 3,749 square feet	\$376.00
TH C:	3,750 + square feet	\$613.00

(B) Plan Resubmissions: A fee per plan review discipline (i.e. building, electrical, mechanical or plumbing) may be assessed for each resubmission of plans.

<ul style="list-style-type: none"> For all new commercial buildings and additions to existing commercial buildings 	\$165.00
<ul style="list-style-type: none"> For all new residential buildings and additions to existing residential buildings 	\$90.00
<ul style="list-style-type: none"> For each resubmission of plans for alterations to existing commercial buildings 	\$90.00

(C) New Structure: The fee for erection or installation of structures other than buildings (e.g. signs, retaining walls, canopies)

<ul style="list-style-type: none"> For structures accessory to R-3, R-4 and R-5 construction 	1.96% of the estimated cost of work
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<ul style="list-style-type: none"> For other structures 	3.3% of the estimated cost of work
<i>(D) Basement Finishing (R-3, R-4 and R-5 construction)</i>	Base Fee
<i>(E) Demolition:</i>	
<ul style="list-style-type: none"> Entire Structure: The fee for a permit to demolish a structure Partial Demolition for renovation: The fee for a permit to partially demolish a structure in preparation for renovation 	Base fee 1.96% of the estimated cost of demolition
<i>(F) Filing Fees for Permit Application and Plans Examination (does not apply to Fire Prevention Division fees for fire alarm, fire suppression and fire lane permits): To allow for permit application processing and plan examination in the event a building permit is not issued, the following fees shall be paid prior to plan review for such a permit.</i>	
<ul style="list-style-type: none"> For non-walk-through single-family residential projects For all commercial work, apartment buildings, garden apartments, and high rise residential buildings For walk-through residential projects 	50% of the permit fee 35% of the permit fee 100% of the permit fee
<i>(G) Home Improvements: See applicable fees for new buildings, additions, enlargements, repairs and alterations.</i>	
<i>(H) Modular Furniture: The fee for the installation of modular furniture per floor or portion thereof when:</i>	
<ul style="list-style-type: none"> The estimated cost of construction is \$10,000 or more The estimated cost of construction is less than \$10,000 with a minimum fee of \$144.00 	\$330.00 3.3% of the estimated cost of construction
<i>(I) Partitions:</i>	
<i>(J) Removal and Relocation: The fee shall be based on a percentage of the cost of moving, plus a percentage of the cost of all work necessary to place the building or structure in its completed condition in the new location.</i>	
1.96% of the cost of moving + 1.96% of the cost of work	
<i>(K) Repairs and Alterations: The fees for repairs and alterations of any building or structure where there is no addition or enlargement:</i>	
<ul style="list-style-type: none"> For commercial work For residential work (R-3, R-4, R-5 construction) 	3.3% of the estimated cost of work 1.96% of the estimated cost of work
<i>(L) Roof Repairs, New Roof Structures, Re-siding: Fees for repairs and alterations apply</i>	
<i>(M) Swimming Pool: The fee for a building permit to construct a swimming pool.</i>	\$129.00
<i>(N) Temporary Structures:</i>	
<i>(O) Tenant Layouts:</i>	
Except for those tenant layouts shown on the originally approved plans for a new building, separate building permits shall be required for each tenant layout. The fee shall be based on a percentage of the estimated cost of work. A minimum construction cost of \$15,000 shall be used to determine the permit fee. If the permittee is able to prove through verifiable cost data that the cost of construction is less than \$15,000, the permit fee shall be prorated accordingly. In no case, shall the permit fee be less than \$330.00.	
Fee per plan review discipline for each resubmission of plans for alterations to	\$90.00

existing commercial buildings	
(P) Home Improvement Contractor License Fees:	
All contractor application and license fees are charged per individual for a sole proprietorship, per general partner for a partnership, or per corporate officer for a corporation.	
<ul style="list-style-type: none"> • Application processing fee • Fee of license issuance • Fee to renew expired license, in addition to license renewal fee* • Fee to renew license • Fee to maintain license in inactive state 	\$84.00 \$52.00 \$50.00 \$69.00 \$25.00
*The fee to renew expired license. The Building Official or his designee has the authority to waive the penalty fee when the failure to renew a license is due to circumstances beyond the control of the licensee.	

C: MECHANICAL PERMIT FEES	
(A) Mechanical Equipment Installation Fees:	1.96% of the contract value less the value of listed equipment
The permit fee for installation, repair, or replacement of all mechanical equipment installed in buildings other than within individual residences. This fee is in addition to the equipment fees listed below in this section.	
1. Automotive Lift	\$98.00
2. Boilers:	
<ul style="list-style-type: none"> • Hot water heating to 200 MBH <ul style="list-style-type: none"> ○ For each additional 100 MBH or fraction thereof • Hot water storage tank • Hot water supply to 500 MBH <ul style="list-style-type: none"> ○ For each additional 500 MBH or fraction thereof • Low-pressure steam to 200 MBH <ul style="list-style-type: none"> ○ For each additional 100 MBH • Indirect hot water heater • Miniature • Power <ul style="list-style-type: none"> ○ Plus per boiler hp 	\$93.85 \$14.45 \$93.85 \$93.85 \$14.45 \$93.85 \$14.45 \$93.85 \$117.50 \$117.50 \$1.75
3. Crematorium	\$142.00
4. Dumbwaiters	See Vertical Transportation
5. Elevators	See Vertical Transportation
6. Ductwork	1.96% of the total contract value
7. Expansion tank	\$93.85
8. Escalator	See Vertical Transportation
9. Furnaces:	
<ul style="list-style-type: none"> • Central heating up to 200 MBH <ul style="list-style-type: none"> ○ Each additional 100 MBH or fraction thereof 	\$38.15 \$10.45

<ul style="list-style-type: none"> • Duct-furnace up to 200 MBH <ul style="list-style-type: none"> ○ Each additional 100 MBH or fraction thereof 	\$23.70 \$10.45
<ul style="list-style-type: none"> Oil and solid fuel furnace up to 220 MBH input <ul style="list-style-type: none"> ○ Each additional 100 MBH or fraction thereof 	\$38.15 \$10.45
<ul style="list-style-type: none"> • Electric furnace up to 30 KW <ul style="list-style-type: none"> ○ Each additional 30 KWS or fraction there of 	\$38.15 \$5.40
10. Halon system	Base fee
11. Heat pump: <ul style="list-style-type: none"> • Up to 5 tons <ul style="list-style-type: none"> ○ Each additional ton • Auxiliary heat up to 100 MBH <ul style="list-style-type: none"> ○ Each additional 100 MBH • Incremental heating and air conditioning units per unit. This fee applies to heating and air conditioning units installed with boilers chillers and water towers in a building. 	\$47.45 \$1.75 \$38.15 \$5.40 \$11.00
12. Incinerator: <ul style="list-style-type: none"> • Per 100 lbs. per hour burning rate or fraction thereof 	\$47.45
13. Manlift	See Vertical Transportation
14. Oil burner (conversion to or replacement of oil burner): <ul style="list-style-type: none"> • Light oils – No. 1, 2 or 4 • Heavy oils – No. 5 or 6 	\$47.45 \$57.75
15. Piping of equipment: The fee for piping of equipment for use groups other than R-3, R-4, and R-5.	1.96% total contract value
16. Porch lift, handicapped/wheel chair lift, hand elevator	See Vertical Transportation
17. Prefab chimney	\$23.70
18. Prefab fireplace, with or without prefab chimney	\$23.70
19. Pump, circulating	\$47.45
20. Range hood fire protection system: Range hood only is charged as ductwork.	Base fee
21. Refrigeration (including but not limited to chillers, air conditioning units and cooling towers): <ul style="list-style-type: none"> • Refrigeration and refrigeration cycle of air conditioning systems up to 5 tons <ul style="list-style-type: none"> ○ Each additional refrigeration ton or fraction thereof 	\$47.45 \$1.75
22. Sidewalk elevators	See Vertical Transportation
23. Space heater	See Unit Heater
24. Tanks (Above ground or underground tanks for hazardous or non-hazardous liquids, oil gas and propane): <ul style="list-style-type: none"> • Commercial • Residential (R-3, R-4 and R-5 occupancies) • Unfired pressure vessel (Air compressor receiving tank) 	Base fee Base fee \$93.85
25. Unit heater: <ul style="list-style-type: none"> • Gas and oil up to 500 MBH input <ul style="list-style-type: none"> ○ For each additional 100 MBH input or fraction thereof • Electrical up to 147 KW 	\$23.70 \$5.50 \$23.70

1. Electrical service size:	
• 0-149 amps	\$196.00
• 150-399 amps	\$206.00
• 400 amps	\$284.00
• More than 400 amps-Use itemized fees in (B) below	See note
The fee for a permit amendment for additional equipment.	\$31.00
<i>(B) Electrical Equipment Installation Fees:</i>	
1. Appliances, residential: Includes direct-wired appliances installed in dwelling units such as air cleaners, attic fans, central vacuums, dishwashers, disposals, clothes dryers, ovens, ranges or stoves, trash compactors and water heaters:	
• First appliance	\$10.45
○ Each additional appliance	\$5.50
Receptacles for individual appliances installed in lieu of the appliance shall be charged at the same rate as if the appliance were installed.	
2. Circuits, new (Extensions are counted as circuits), each	\$1.75
3. Control wiring: Wiring less than 50 volts when penetrating fire rated assemblies, smoke barriers and non-combustible plenums (e.g. telephone wiring, television wiring, burglary/security systems, fire alarm systems, etc.)	Base Fee
4. Dental chairs	\$10.45
5. Electrical equipment rated by kilowatts (KW) to include space, baseboard and central heat, and commercial cooking units, water heaters, dishwashers, dryers, etc.:	
• 0 to 4 KW	\$14.45
○ Each additional unit in this range	\$5.50
• 4 to 6 KW	\$17.50
○ Each additional unit in this range	\$10.45
• 6 to 8 KW	\$22.00
○ Each additional unit in this range	\$14.45
• 8 to 10 KW	\$27.50
○ Each additional unit in this range	\$17.50
• 10 to 14 KW	\$32.00
○ Each additional unit in this range	\$22.00
• 14 to 20 KW	\$35.75
○ Each additional unit in this range	\$27.50
• 20 to 25 KW	\$40.20
○ Each additional unit in this range	\$32.00
• Over 25 KW	\$44.25
○ Each additional unit in this range	\$35.75
6. Fan coil units	\$5.50
7. Fixtures, switches and receptacles, etc.:	
• First 10 or fraction thereof	\$10.45
○ Each additional 10 or fraction thereof	\$7.05
8. Gasoline pumps: Submerged	Fee shall be the same as for motors

9. Gasoline island pumps or dispensers:	
<ul style="list-style-type: none"> • First ○ Each additional, each 	<p>\$10.45 \$7.05</p>
10. Generators:	
<ul style="list-style-type: none"> • 0 to 5 KW • Over 5 to 25 KW • Over 25 to 35 KW • Over 35 to 50 KW • Over 50 KW 	<p>\$23.70 \$29.15 \$38.15 \$46.40 \$71.15</p>
11. Heating and air conditioning – gas and oil:	
<ul style="list-style-type: none"> • Residential furnace – gas/oil or air conditioning <ul style="list-style-type: none"> ○ First unit ○ Each additional unit • Commercial furnace 	<p>14.45 \$5.50 See motors</p>
12. Motors and electrical equipment rated horsepower (hp) to include commercial heating, cooling and ventilating equipment. On package equipment, such as pumps and commercial air handlers, fans, compressors and disposals, each motor shall be charged separately:	
<ul style="list-style-type: none"> • 1/8 horsepower or less • Over 1/8 to 1 hp <ul style="list-style-type: none"> ○ First ○ Each additional motor • Over 1 to 5 hp <ul style="list-style-type: none"> ○ First ○ Each additional motor • Over 5 to 10 hp <ul style="list-style-type: none"> ○ First ○ Each additional motor • Over 10 to 20 hp <ul style="list-style-type: none"> ○ First ○ Each additional motor • Over 20 to 30 hp <ul style="list-style-type: none"> ○ First ○ Each additional motor • Over 30 to 40 hp <ul style="list-style-type: none"> ○ First ○ Each additional motor • Over 40 to 50 hp <ul style="list-style-type: none"> ○ First ○ Each additional motor • Over 50 hp <ul style="list-style-type: none"> ○ First ○ Each additional motor 	<p>Charged as fixtures \$14.45 \$5.50 \$17.50 \$5.50 \$23.85 \$10.45 \$29.15 \$14.45 \$33.50 \$17.50 \$43.60 \$29.15 \$51.70 \$37.45 \$62.00 \$47.45</p>

13. Parking lot lighting:	
<ul style="list-style-type: none"> • First pole ○ Each additional 	<p>\$10.45 \$5.50</p>
14. Services: New or replacement, subservices, subpanels, submeters or meters for separate occupancies:	
<ul style="list-style-type: none"> ○ 0 to 800 amp ○ Over 800 amp 	<p>\$48.70 \$71.15</p>
<ul style="list-style-type: none"> • Temporary service on structures for construction of temporary or permanent service ○ 0 to 800 amp ○ Over 800 amp 	<p>\$48.70 \$71.15</p>
Circuits, fixtures, receptacles and equipment to be charged for under the circuit fixture and motor schedule	
15. Signs:	
<ul style="list-style-type: none"> • Fluorescent, each sign <ul style="list-style-type: none"> ○ 1 to 4 tubes ○ Each additional 4 tubes or fraction thereof 	<p>\$14.45 \$10.45</p>
<ul style="list-style-type: none"> • Incandescent, each sign 	\$14.45
<ul style="list-style-type: none"> • Neon, each sign <ul style="list-style-type: none"> ○ First transformer ○ Each additional transformer 	<p>\$14.45 \$5.50</p>
16. Swimming pools, annual inspections fees:	
<ul style="list-style-type: none"> • Includes two inspections <p>Fee must be paid before inspections will be performed. Additional inspections will require payment of re-inspection fee.</p>	\$129.00
17. Temporary wiring:	
<ul style="list-style-type: none"> • Tree sales, produce stands, fireworks stands, tent sales and other temporary non-amusement activities 	Base fee
<ul style="list-style-type: none"> • Carnivals, fairs, circuses and other temporary amusement activities 	\$165.00
18. Transformers, UPS and step down transformers:	
<ul style="list-style-type: none"> • 0 to 10 KVA <ul style="list-style-type: none"> ○ Each additional transformer in this range 	<p>\$14.45 \$10.45</p>
<ul style="list-style-type: none"> • Over 10 to 50 KVA <ul style="list-style-type: none"> ○ Each additional transformer in this range 	<p>\$17.50 \$14.45</p>
<ul style="list-style-type: none"> • Over 50 to 75 KVA <ul style="list-style-type: none"> ○ Each additional transformer in this range 	<p>\$29.15 \$23.70</p>
<ul style="list-style-type: none"> • Over 75 to 200 KVA <ul style="list-style-type: none"> ○ Each additional transformer in this range 	<p>\$43.60 \$33.50</p>
<ul style="list-style-type: none"> • Over 200 KVA <ul style="list-style-type: none"> ○ Each additional transformer in this range 	<p>\$55.50 \$47.00</p>
19. Unit heaters	\$5.50
20. UPS System:	Fee shall be the same as transformers by KVA rating
21. Welders	\$6.20
22. X-ray machines	\$6.20

E: PLUMBING PERMIT FEES

(A) Plumbing and Gasfitting Equipment Installation Fees:

1. New plumbing systems in new buildings, existing unplumbed buildings, or portions thereof, changes in existing systems	\$47.45
• Plus, for each fixture, each appliance, each appurtenance, including sill cock, and for each area-way drain, floor drain and roof drain	\$7.05
2. Setting or replacing fixtures without changes in existing system	\$47.45
• Plus, for each fixture	\$5.50
3. Sewer, new, replacement or repair	\$47.45
4. Sewer tapping	\$47.45
5. Sewage ejector pump	\$7.05
6. Sump pump	\$7.05
7. Swimming pool, public and semipublic	Fixture, appliance and appurtenance fee apply
8. Water service, new, replacement or repair	\$47.45

F: HOUSEHOLD APPLIANCE PERMIT FEES

(A) Household Appliance Fees:

• Base permit fee, which includes the first appliance	\$50.00
○ Plus, additional appliances added on the same permit, each	\$12.00

G: VERTICAL TRANSPORTATION PERMIT FEES

(A) Mechanical Equipment Installation Fees: The permit fee for installation, repair, or replacement of all mechanical equipment installed in buildings other than within individual residences.

1.96% of the contract value less the value of the equipment listed below

This fee is in addition to the equipment fees listed below in this section.

1. Commercial (new or replacement):	
• Chair/platform lifts	\$142.00
• Dumbwaiters/material lifts	
○ Hand-operated	\$142.00
○ Power-driven	\$142.00
• Elevators	
○ Construction	\$306.00
○ Freight, plus floor charge	\$289.00
○ Passenger, plus floor charge	\$289.00
• Escalators, per floor/moving walks	\$497.00
• Man lifts	\$146.00
○ Hand-driven	\$113.00

Floor charge: Fee charged for each floor in the building where a passenger or freight elevator is installed. This charge shall be computed and added to the cost of the first piece of equipment only.	\$47.00
Alterations or repairs shall be charged at a percentage of the estimated cost of repairs, with a minimum fee of \$135.00.	1.5% of the estimated cost of repairs
2. Residential, new or replacement	
• Chair/platform lifts	\$142.00
• Dumbwaiters	
○ Hand-operated	\$142.00
○ Power-driven	\$142.00
• Private residence elevators	\$306.00
<i>(B) Periodic Mechanical Inspection Fee:</i> All vertical transportation equipment, other than that which is installed within individual residences, and other than conveyors, requires an annual certificate of compliance. For an annual certificate of compliance, the annual fee payable by the owner of the building to the County of Fairfax on or before the expiration of the certificate shall be as follows:	
• Chair/platform lifts	\$146.00
• Dumbwaiters/material lifts	
○ Hand-operated	\$122.00
○ Power-driven	\$134.00
• Elevators	
○ Construction	\$266.00
○ Freight, plus floor charge	\$266.00
○ Passenger, plus floor charge	\$266.00
• Escalators, per floor/moving walks	\$146.00
• Man lifts	\$146.00
• Sidewalk elevators	
○ Hand-driven	\$113.00
○ Power-driven	\$150.00
Floor charge: Fee charged for each floor in the building where a passenger or freight elevator is installed. This charge shall be computed and added to the cost of the first piece of equipment only.	\$47.00
Freight and passenger elevator tests: The following fees apply to freight and passenger elevator tests which are not performed in conjunction with regularly scheduled periodic inspections:	
• Temporary inspection	\$246.00
• Temporary inspection (extension)	\$115.00
• Governor test	\$296.00
• Load test	\$445.00
• Speed test	\$296.00
• Static pressure/hydraulic	\$296.00
• Fire and smoke test	\$213.00

H: FIRE PREVENTION DIVISION (FIRE MARSHAL) FEES

<p><i>(A) Plan Review Fees:</i> Fees for all plan review are based on an hourly charge calculated on the quarter hour or part thereof, per reviewer. Fees are due upon completion of the plan review process.</p>	\$128.00 hour
<p><i>(B) Acceptance Testing and Inspection Fees:</i> Fees are based on an hourly charge calculated on the quarter hour or part thereof, per inspector. Fees for fire protection equipment and systems performance tests and inspections, other equipment and systems performance tests and inspections, occupancy or preoccupancy inspections, fire lanes and required retesting or reinspections shall be imposed per hour calculated on the quarter hour or part thereof, per required inspector.</p>	\$128.00 hour
<p><i>(C) Reinspection Fees:</i> Reinspection fees shall be based on the hours reserved to perform the test and will be charged per hour calculated on the quarter hour or part thereof, per required inspector. The following matrix is to serve as a guideline in determining when a reinspection fee is required for acceptance testing and retesting. A minimum notice of 24 hours (one full business day) for test cancellation is required. The fee is charged when an inspection is not cancelled in time to save an unnecessary trip by inspectors.</p>	\$128.00 hour

REINSPECTION FEES

CIRCUMSTANCE	CONDITION	INSPECTED	REINSPECTION FEE
Cancelled or rescheduled off site more than 24 hours prior to appointment	N/A	No	No
Cancelled or rescheduled off site less than 24 hours prior to appointment	N/A	No	Yes
Contractor shows, others do not or inspectors arrive, no one on site	Cannot test	No	Yes
Cancelled while inspectors on site; test not started	Not Ready	No	Yes
Regular inspection, test started, test not completed	Not Ready or Failure due to fault of contractor	Yes	Yes
Regular inspection, test started, test not completed	Failed, but not due to fault of contractor	Yes	No
Regular inspection, test completed	Substantially ready with minor deficiencies	Yes	No
Regular inspection, test completed	No punch list, sticker issued	Yes	No
Final inspection	Deficient	Yes	Yes

(D) Plan Reviews and Inspections Performed Outside Business Hours: Plan reviews and inspections may be performed outside business hours upon request at the sole discretion of the fire official. Fees for these plan reviews and inspections shall be assessed at twice the rate listed in (A), (B),

and (C) above. Fees shall be assessed in 30 minute increments.

I: AMUSEMENT DEVICE PERMIT FEES

The permit fee for each amusement device or carnival ride shall be as follows:

• Kiddie ride	\$25.00
• Circular ride or flat-ride less than 20 feet in height	\$35.00
• Spectacular ride that cannot be inspected as a curcular ride or flat-ride due to complexity or height.	\$55.00
• Roller coaster that exceeds 30 feet in height	\$150.00

II. SITE DEVELOPMENT FEES

The following site development fees to cover the cost of reviewing site and subdivision plans and related documents; processing site and subdivision plan agreements; making inspections of required site improvements; permitting any work or construction on any land dedicated or proposed for dedication to public use; and other fees incidental to the administration of these activities pursuant to Chapters 2, 101, 104 and 112 of the Code and any fees paid to the County upon submission of any request for a waiver, exception, and modification of the County Ordinances, are hereby adopted:

A: PLAN AND DOCUMENT REVIEW FEES	
The following fees are due upon submission to the County of the following plans and documents. The Fire Prevention Division review fees are listed in Part D.	
<i>(A) Plats:</i>	
1. Easement plat, per submission 2. Preliminary subdivision plat: <ul style="list-style-type: none"> • Initial Submission <ul style="list-style-type: none"> ○ Less than 10 lots <ul style="list-style-type: none"> ▪ Plus, fee per lot or division of land including outlots and parcels ○ 10 lots or more <ul style="list-style-type: none"> ▪ Plus, fee per lot or division of land including outlots and parcels • Redate (reapproval): fee for reapproval of a previously approved preliminary plat submitted to the County for approval during the validity period of the preliminary plat, each. • Resubmissions, per submission • Revisions, per submission 	\$350.00 \$3,400.00 \$64.00 \$5,535.00 \$64.00 \$690.00 25% of the original fee 25% of the original fee
3. Record (final) subdivision plat: <ul style="list-style-type: none"> • Initial Submission <ul style="list-style-type: none"> ○ Plus, fee per lot or division of land including outlots and parcels • Resubmission Fee, per submission • Redate (reapproval): fee for reapproval of a previously approved final plat that has expired, per submission 	\$590.00 \$30.00 \$300.00 \$515.00
<i>(B) Subdivision Plans, Site Plans, and Site Plans for Public Improvements Only:</i>	
The following schedule shall be used to tabulate the fees for review of subdivision and site plans, and site plans for public improvements only.	
1. Base Fee: <ul style="list-style-type: none"> • Subdivision Plan <ul style="list-style-type: none"> ○ 1st submission ○ Plus, fee per disturbed acre or any fraction thereof 	\$4,700.00 \$860.00

<ul style="list-style-type: none"> • Site Plan <ul style="list-style-type: none"> ○ 1st submission ○ Plus, fee per disturbed area or any fraction thereof • Site plans for public improvements only including sanitary sewer, trail, sidewalk, storm sewer, channel improvements, waterline, and/or road construction pursuant to Chapter 2 of the Code. <ul style="list-style-type: none"> ○ 1st submission ○ Plus, per linear foot or fraction thereof, of each improvement 	<p>\$7,100.00 \$860.00</p> <p>\$3,425.00 \$1.18</p>
<p>2. Fees in addition to base fees:</p> <ul style="list-style-type: none"> • Additional plan review, as a result of an approved zoning action associated with the proposed construction to include the following, with a maximum cumulative fee of \$3,370.00 <ul style="list-style-type: none"> ○ Sites subject to rezoning ○ Sites subject to special exception ○ Sites subject to special permit ○ Sites subject to variance • Review resulting from site conditions and proposed improvements <ul style="list-style-type: none"> ○ BMP facility, for each facility serving the site (on or off-site) ○ Floodplain area (existing and proposed) ○ Natural drainageway (non-floodplain watersheds) ○ Problem soils (area with soil types A or B, per the official map adopted by the Board or as deemed by the Director) ○ Stormwater management facility, for each facility serving the site (on or off-site) 	<p>\$1,980.00 \$1,390.00 \$1,390.00 \$1,030.00</p> <p>\$2,280.00 \$695.00 \$695.00 \$1,030.00 \$855.00</p>
<p>3. Resubmissions:</p> <ul style="list-style-type: none"> • 2nd submission base fee: fee tabulated at 50% of the first submission fee assessed in accordance with (B1) and (B2) above. <ul style="list-style-type: none"> ○ Plus, additional fees charged in accordance (B1) and (B2) above for changes in the amount of disturbed area, zoning action, site conditions, and/or proposed improvements from that indicated on the first submission. <p>The maximum combined first and second submission base fees:</p> <ul style="list-style-type: none"> ○ For subdivision plans ○ For site plans <ul style="list-style-type: none"> • Resubmission site and subdivision plan after 2nd submission, per submission (does not apply to site plans with public improvements only) • 2nd submission fee for site plans with public improvements only, per submission • Resubmissions after 2nd submission for site plans with public improvements only, per submission: fee tabulated at 50% of the first submission fee in accordance with (B1) and (B2) above. 	<p>50% of the original fee</p> <p>Tabulated fee</p> <p>\$12,900.00 \$46,040.00</p> <p>\$4,545.00</p> <p>\$0.00</p> <p>50% of the original fee</p>
<p>4. Revisions:</p> <ul style="list-style-type: none"> • Fee, per submission <ul style="list-style-type: none"> ○ Plus, additional fees charged in accordance with (B1) and (B2) above for changes in the disturbed area, zoning action, site conditions, and/or proposed improvements from that indicated on the original plan. 	<p>\$1,030.00</p> <p>Tabulated Fee</p>
<p>5. Plan extensions (redate), per request</p>	<p>\$1,390.00</p>

<i>(C) Minor Site Plans and Grading Plans:</i>	
1. Minor Site Plans, per submission	\$2,775.00
2. Grading plans for building permits on existing lots within a subdivision currently bonded with the County:	
• 1 st submission, first lot	\$1,030.00
○ Each additional lot within the same subdivision submitted within the same plan set	\$855.00
• Resubmissions and revisions, first lot	\$350.00
○ Each additional lot within the same subdivision submitted within the same plan set	\$180.00
3. Grading plans for building permits on existing lots that are not within a subdivision currently bonded with the County and parcels with lots of 5 acres or more:	
• 1 st submission, per infill lot	\$1,640.00
• Resubmissions and revisions, per infill lot	\$660.00
4. Rough grading plan (RGP) and filling parcels:	
• 1 st submission, per division of land or disturbed acre, or fraction thereof, whichever amount is greater, not to exceed \$11,860.00	\$642.00
• Resubmissions and revisions, per submission	25% of the original fee
<i>(D) Processing of Studies, Soils Reports and Other Plans:</i>	
1. Studies:	
• Drainage study, per submission (non-floodplain watersheds)	\$1,590.00
• Floodplain study	
○ Per submission, per linear foot of baseline or fraction thereof	\$2.25
○ Plus, fee per road crossing and per dam, not to exceed a total fee of \$9,105.00, per submission	\$495.00
• Parking study	
○ Parking tabulation for change in use, per submission	\$795.00
○ Parking redesignation plan, per submission	\$795.00
○ Administrative parking reduction for churches, chapels, temples, synagogues and other such places of worship with child care center, nursery school or private school of general or special education, per submission	\$795.00
○ Parking reduction based on hourly parking accumulation characteristics or hourly parking accumulation characteristics in combination with other factors when the required spaces are:	
▪ Under 225 spaces	\$2,280.00
▪ 225 to 350 spaces	\$3,960.00
▪ 351 to 599 spaces	\$6,330.00
▪ 600 spaces or more	\$13,260.00
○ Parking reduction based on proximity to a mass transit station	\$2,280.00
○ Parking reduction based on a Transportation Demand Management Program	\$2,280.00
• Recycling study: When the plan or study is submitted to the County for the sole purpose of placing recycling containers on a commercial or industrial site, as required by the Fairfax County Business Implementation Recycling Plan, per submission.	\$0.00

<ul style="list-style-type: none"> • Water Quality Fees* <ul style="list-style-type: none"> ○ Resource Protection Area (RPA) Boundary Delineations and Resource Management Area (RMA) Boundary Delineations <ul style="list-style-type: none"> ▪ Non-bonded lots, existing lots and acreage, rough grading and filling parcels, and parcels with lots of 5 acres or more not within a subdivision or site plan development currently bonded with the County, per submission ▪ Bonded lots: lots in conjunction with multiple construction within a subdivision currently bonded with the County, per submission: <ul style="list-style-type: none"> ○ Projects with 150 linear feet or less of baseline ○ Projects with greater than 150 linear feet of baseline <ul style="list-style-type: none"> ▪ Plus, fee per linear foot of baseline or fraction thereof, in excess of 150 linear feet ○ Water Quality Impact Assessments (WQIA) <ul style="list-style-type: none"> ▪ Non-bonded lots: existing lots and acreage, rough grading and filling parcels, and parcels with lots of 5 acres or more not within a subdivision or site plan development currently bonded with the County, per submission ▪ Bonded lots: lots in conjunction with multiple construction within a subdivision or site plan currently bonded with the County, per submission <p>*In the event that a RPA and RMA Boundary Delineation and a WQIA are submitted simultaneously, only one fee shall be required and such fee shall be the higher of the fees required for the individual studies.</p>	<p>\$340.00</p> <p>\$340.00</p> <p>\$340.00</p> <p>\$0.78</p> <p>\$350.00</p> <p>\$1,340.00</p>
<p>2. Soils Reports:</p> <ul style="list-style-type: none"> • Bonded lots: lots in conjunction with multiple constructions in a newly bonded subdivision development <ul style="list-style-type: none"> ○ 1st submission, per lot ○ Resubmissions and revisions, per submission • Non-bonded lots: existing lots and acreage, rough grading and filling parcels, and parcels with lots of 5 acres of more, not within a subdivision or site plan development currently bonded with the County, per submission <ul style="list-style-type: none"> ○ 1st submission, per lot, not to exceed \$3,555.00 ○ Resubmissions and revisions, per submission 	<p>\$2,775.00</p> <p>\$910.00</p> <p>\$1,785.00</p> <p>\$910.00</p>
<p>3. Other Plans:</p> <ul style="list-style-type: none"> • As-built plans <ul style="list-style-type: none"> ○ Sanitary Sewer, per submission ○ Site and subdivision, per submission • Debris landfill design plan <ul style="list-style-type: none"> ○ Base fee, per submission ○ Plus, per acres • Debris landfill permit, semi-annual, each permit • Environmental Site Assessment: <ul style="list-style-type: none"> ○ 1st submission ○ Resubmissions and revisions, per submission 	<p>\$515.00</p> <p>\$350.00</p> <p>\$1,090.00</p> <p>\$72.00</p> <p>\$2,380.00</p> <p>\$2,580.00</p> <p>\$910.00</p>

<ul style="list-style-type: none"> • Photometric or Sports Illumination Plan, fee per submission when such plan is not submitted as part of a required site plan submission 	\$715.00
<ul style="list-style-type: none"> • Tree removal permit, each permit 	\$180.00
<i>(E) Miscellaneous fees:</i>	
<ul style="list-style-type: none"> • Sheet substitution (insert): fee paid prior to plan approval of any insert sheet to a study, report or plan 	\$88.00
<ul style="list-style-type: none"> • Lot Validation Application 	\$360.00

B. BONDING AND AGREEMENT FEES

The following fees shall be paid upon submission to the County of agreement packages.

<i>(A) Agreement Package Processing Fee, per agreement package:</i>	
<ul style="list-style-type: none"> • Security value exceeding \$10,000 	\$1,995.00
<ul style="list-style-type: none"> • Security value of \$10,000 or less 	\$275.00
<i>(B) Agreement Extensions, Replacements and Reductions:</i>	
<ul style="list-style-type: none"> • Agreement extensions 	\$800.00
<ul style="list-style-type: none"> • Replacement agreement: There shall be no replacement agreement fee if the rating for the corporate surety has fallen to a "B" level according to the A.M. Best Key Rating Guide and the replacement request is submitted to and approved by the Director prior to the expiration date of the agreement. 	\$1,425.00
<ul style="list-style-type: none"> • Agreement security reductions in support of an agreement 	\$1,355.00
<ul style="list-style-type: none"> • Agreement extension and reduction submitted simultaneously 	\$1,355.00
Also see Part C, Site Inspection Fees, for inspection fee for agreement extensions.	

C. SITE INSPECTION FEES

Unless otherwise noted, the following fees shall be paid at the time of bonding, or prior to issuance of a construction permit for land disturbing activity, whichever occurs first. The Fire Prevention inspection fees are listed in Part D.

<i>(A) Base Fee:</i> Per disturbed acre per agreement month, with a minimum of \$1,305.00 and a maximum of \$23,475.00	\$37.50
<i>(B) Fees in Addition to the Base Fee:</i>	
<i>1. Public Utility Fees:</i>	
<ul style="list-style-type: none"> • Storm drainage <ul style="list-style-type: none"> ○ Base fee for first 100 linear feet ○ Plus, fee for each additional linear foot or fraction thereof 	\$1,510.00 \$3.25
<ul style="list-style-type: none"> • Stormwater management ponds <ul style="list-style-type: none"> ○ Embankment less than or equal to 6 feet high ○ Embankment greater than 6 feet high 	\$1,505.00 \$3,000.00
<ul style="list-style-type: none"> • Dedicated streets <ul style="list-style-type: none"> ○ For first 100 linear feet ○ Plus, fee for each additional linear foot or fraction thereof 	\$2,110.00 \$8.80

<ul style="list-style-type: none"> • Private streets <ul style="list-style-type: none"> ○ For the first 100 linear feet ○ Plus, fee for each additional linear foot or fraction thereof • Other paved area, per square yard or fraction thereof <ul style="list-style-type: none"> ○ Driveway entrances, for each entrance ○ Pedestrian walkways/trails <ul style="list-style-type: none"> ▪ For the first 100 linear feet ▪ Plus, fee for each additional linear foot or fraction thereof • Sanitary sewer systems <ul style="list-style-type: none"> ○ Base fee for first 100 linear feet of main ○ Plus, fee for each additional linear foot or fraction thereof 	<p>\$1,712.00 \$7.05</p> <p>\$1.55 \$158.00</p> <p>\$362.00 \$1.80</p> <p>\$2,104.00 \$6.80</p>
<p>2 Other Bonded and Proffered Work: fee is based on a percentage of the bonded amount</p>	
<ul style="list-style-type: none"> • Cast in place culverts <ul style="list-style-type: none"> ○ Percentage of bonded amount up to \$50,000 <ul style="list-style-type: none"> ▪ Plus, percentage of the bonded amount greater than \$50,000 but less than or equal to \$200,000 ▪ Plus, percentage of bonded amount greater than \$200,000 ○ All other work <ul style="list-style-type: none"> ▪ Percentage of bonded amount up to \$50,000 ▪ Plus, percentage of bonded amount greater than \$50,000 	<p>14.50%</p> <p>7.15%</p> <p>2.99%</p> <p>14.50%</p> <p>2.99%</p>
<p>3. Inspection Fee for Agreement Extensions: per disturbed acre*, per agreement month</p> <p>*When the amount of disturbed site area has been reduced to less than one-half of the original amount and the developer's agreement has not expired, a one-time fifty percent reduction of the original disturbed area is permitted.</p>	
	\$37.50
<p>4. Inspection following a stop work order: each, payable at next bonding action</p>	
	\$600.00
<p>5. Inspection following a violation: each inspection, payable at next bonding action</p>	
	\$300.00

D. FIRE PREVENTION DIVISION (FIRE MARSHAL) FEES

The following Fire Prevention Division fees shall be paid for the review and inspection of the following plans and plats. Plan review fees are due upon submission to the County of such plans and plats except that fees for plans submitted directly to the Fire Prevention Division shall be due upon completion of the plan review process or within 120 days of plan submission, whichever comes first. Inspection fees are due upon completion of the inspection.

Site plans Site plan revisions Site plan extensions Rough grading plans As-built site and subdivision plans Plats	Subdivision plans Site plans for public improvements only Revisions and reapprovals to subdivision plans and site plans for public improvements only
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(A) <i>Plan Review fees:</i> Fees are based on an hourly charge calculated on the quarter hour or part thereof, per reviewer.	\$128.00 hour
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(B) <i>Testing and Inspection Fees:</i> Fees are based on an hourly charge calculated on the quarter hour or part thereof, per inspector.	\$128.00 hour
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E. SITE PERMIT FEES

Before a permit is issued for any work or construction on any land dedicated or proposed for dedication to public use, the following fees shall be paid to the County. A separate utility permit is required for each of the following types of surface work, overhead installations or underground installations:

<i>(A) Surface work:</i>	
<ul style="list-style-type: none"> • Private entrances by homeowner • Private property being developed for sale by subdivision (i.e. land developer) • Drainage structures • Steps, sidewalks, curb and gutter, etc. 	\$300.00 \$300.00 \$300.00 \$300.00
<i>(B) Overhead installations:</i>	
<ul style="list-style-type: none"> • Crossings • Poles • Guys and anchors • Streetlights 	\$300.00 \$300.00 \$300.00 \$300.00
<i>(C) Underground installations:</i>	
<ul style="list-style-type: none"> • Crossings • Parallel installations, any length on one permit • Emergency permits or permits for repairs of existing facilities • Valve boxes • Manholes (construction, reconstruction, adjust when on existing line) • Test holes • Fire hydrants, installed on existing line • Service connections 	\$460.00 \$460.00 \$300.00 \$300.00 \$300.00 \$300.00 \$300.00 \$300.00

F. WAIVER, EXCEPTION, MODIFICATION AND EXEMPTION FEES

Fees in accordance with the table below shall be paid to the County upon submission of any request for a waiver, exception, and modification of the County Ordinances, including but not limited to the Chesapeake Bay Preservation Ordinance (Chapter 118), the Subdivision Ordinance (Chapter 101), the Zoning Ordinance (Chapter 112) and the Public Facilities Manual (PFM). The fee assessed shall be based on the Ordinance requirement and the type of plan submitted pursuant to Chapter 101, 112 or 104 of the Code.

Resource Protection Area (RPA) Applications

County Ordinance	Fee		
	Pursuant to Chapter 101	Pursuant to Chapter 112	Pursuant to Chapter 104
<i>1. Chapter 118-5-1(a): Exemption</i>	No fee	No fee	No fee
<i>2. Chapter 118-5-1(b): Exemption</i> Reconstruction of structures destroyed/damaged by casualty, if such reconstruction is otherwise permitted by law and as long as the structure is reconstructed in the same location and creates no more impervious area than existed with the prior structure.			
<i>3. Chapter 118-5-2: Exemption for public utilities</i>			
<i>4. Chapter 118-5-3(a): Exemption</i> Water wells, site amenities for passive recreation, historic preservation, and archeological activities located within an RPA.			
<i>5. Chapter 118-5-3(b): Exemption for less than 2500 sf. disturbance in RMA.</i>			
<i>6. Chapter 118-5-3(c): Exemption</i>			
<i>7. Chapter 118-5-4(a): Waiver</i> Loss of buildable area in RPA for lots recorded prior to 10/01/89 with no encroachment into the seaward 50 feet of the RPA buffer area.	\$710.00	\$165.00	
<i>8. Chapter 118-5-4(b): Waiver</i> Loss of buildable area in RPA for lots recorded between 10/01/89 and 11/18/03 for houses located within the RPA, with no encroachment into the seaward 50 feet of the RPA buffer area.			
<i>9. Chapter 118-5-5(a): Exception</i> Waiver of the performance criteria for minor additions to principal structures established as of 7/01/93. No accessory structures or uses.			
<i>10. Chapter 118-5-5(b): Exception</i> Waive of the performance criteria for minor additions to principal structures established between 7/01/93 and 11/18/03 and located within the RPA. No accessory structures or uses.			
<i>11. Chapter 118-6-7: Exception</i> Loss of buildable area in RPA for lots recorded prior to 1/18/03 that does not meet the requirements of 118-5-4. A Public Hearing is			

required. (see note 4)			
12. <i>Chapter 118-6-8: Exception</i> Construction of accessory structures and uses to principal structures that were established as of 7/1/93 and do not result in the creation of 1,000 sq. ft. of additional impervious area within RPA that exceeds 2 percent of the lot area up to maximum 2,500 sq. ft., whichever is greater. A Public Hearing is required. (see note 4)		\$710.00	\$165.00
13. <i>Chapter 118-6-9: General Exception</i> General exception for construction in an RPA. A Public Hearing is required. (see note 4)	\$710.00	\$710.00	\$165.00
Best Management Practices (BMP) and Stormwater Management (SWM) Applications (see note 5)			
County Ordinance	Fee		
	Pursuant to Chapter 101	Pursuant to Chapter 112	Pursuant to Chapter 104
1. <i>PFM 6-0402.4: SWM/BMP Modification:</i> to use an innovative water quality or detention facility	No fee	No fee	No fee
2. <i>Chapter 118-3-2(f)8: BMP Exemption</i> for maintenance, alteration, use or improvement to an existing structure or use that does not degrade water quality.	No fee	No fee	No fee
3. <i>Chapter 118-3-2(f)5, PFM 6-0401.2: BMP waiver</i> for site and subdivision plans	\$710.00	\$710.00	
4. <i>Chapter 112-7-808(1), PFM 6-0401.1: BMP waiver</i> for sites located in the Water Supply Overlay District			
5. <i>PFM 6-0301.3 General SWM Waiver</i>			
6. <i>PFM 6-0303.8 SWM Modification</i> to locate an underground detention facility on a residential development. Must be approved by the Board in conjunction with a rezoning or special exception application.			
7. <i>PFM 6-1603.4: SWM Waiver</i> of the dam breach analysis for dams <70 acres, <15 feet high and <25 acre-feet of storage.			
8. <i>PFM 6-1600: SWM Waiver of the dam standards.</i>			
9. <i>Chapter 118-3-2(f)7, PFM 6-0401.2: BMP Waiver</i> due to constraints of a single lot grading plan.			\$165.00
10. <i>Chapter 101-2-2(12), PFM 6-1307, PFM 6-0303.9: SWM Modification</i> to locate a detention facility on an individual residential lot.	\$710.00		

(C) General Applications	
County Ordinance	Fee
<p><i>1. General Waiver:</i> Except as noted otherwise in this section, the fee associated with a request for a waiver, exception, or modification of the requirements of the County's Ordinances, including but not limited to the Subdivision Ordinance, Zoning Ordinance and the Public Facilities Manual.</p>	\$710.00
<p><i>2. Chapter 101-2-2: Public Street Frontage Waiver</i> Fee for a waiver of the public street frontage requirement. A Public Hearing is required (see note 4)</p>	\$1,995.00
<p><i>3. Minor Adjustment of Property Lines:</i> Fee for a waiver associated with the minor adjustment of property lines.</p>	\$253.00
<p>Notes:</p> <ol style="list-style-type: none"> 1. CBPO waivers and exception requests submitted under §§ 118-5 and 118-6 require submission of a concurrent Water Quality Impact Assessment (WQIA) and application fee. 2. Water quality fees are not required for plans and permits reviewed under Chapter 104 for which fees have been paid in connection with the review and approval of WQIA's, RPA Boundary Delineations, RMA Boundary Delineations, and CBPO exceptions filed under Chapters 101 and 112 of the Code. 3. In no instance shall the total fee for all waivers, exceptions and modifications associated with a subdivision, site plan or minor site plan exceed \$2,845.00. CBPO waivers and exceptions associated with grading plans shall not exceed \$710.00. 4. An additional fee of \$355.00 shall be paid with the submission of an exception request when a public hearing is required under Article 6 of Chapter 118 of the Code. 5. A single fee of \$835.00 shall be paid when combined stormwater and BMP waivers are submitted simultaneously. 6. The cumulative fee for any modifications or waivers requested for the portion of a development in which affordable dwelling units are located, and which relate to typical street sections, sidewalks, and/or curb and gutter, shall not exceed \$710.00. 	

Case Review of Fees: In the event that, prior to plan approval for review fees or prior to bond release for inspection fees, the payor disputes the fee charged, he may request in writing to the Director a case review of costs incurred by the County. In the case where the review reveals that the fees paid exceed 100% of costs, then a refund of the difference shall be made. If the case review reveals that 100% of the costs incurred by the County exceed the fees paid, then the developer shall pay the difference to the County prior to plan approval for review fees, or prior to bond release for inspection fees.

**Proposed Amendment to Chapter 2
(Property Under County Control)
of
The Code of the County of Fairfax, Virginia**

1 **Amend Article 1, County Property, Section 2-1-4, Permit Fee Required For Work or**
2 **Construction on Public Property, by revising paragraph (a) to read as follows and deleting**
3 **subparagraphs (a)(1), (a)(2) and (a)(3).**

4
5 (a) Before a permit is issued for any work or construction on any land dedicated or proposed
6 for dedication to public use, the Board of Supervisors or the County, the person, firm or
7 corporation requesting the issuance of such permit shall pay to the County the applicable fees, at
8 such times and amounts in Appendix Q of the Code ~~fees noted below.~~

1
2 **Proposed Amendment to Chapter 61 (Building Provisions)**
3 **of**
4 **The Code of the County of Fairfax, Virginia**
5

6 **Amend Article 1 (Administration and Standards), Section 61-1-3, Fees, by revising**
7 **paragraph (d) and subparagraph (d)(1), Standard fees and administrative provisions, to**
8 **read as follows and deleting subparagraph (d)(2), Other fees.**
9

10 **Section 61-1-3. Fees.**
11

12 (a) No permit to begin work for new construction, alteration, removal, replacement,
13 demolition or installation of any building, structure or equipment, or any other building
14 operations which are regulated by the USBC, shall be issued until the fees prescribed in
15 paragraph (d) of this section have been paid; nor shall an amendment to a permit
16 necessitating an additional fee because of an increase in the size of the building, an increase
17 in the estimated cost of the work involved, or the installation of any additional equipment be
18 approved until the additional fees have been paid.
19

20 (b) All fees for permits required under the provisions of the USBC shall be paid prior to
21 issuance of the permit and prior to initiation of the work covered by such permits or as
22 required by the Building Official.
23

24 (c) A building permit shall be issued to construct, improve or alter the following:
25

- 26 1. Each single-family attached or detached dwelling.
- 27
- 28 2. Dwelling units and common interior areas in a multiple-family dwelling.
- 29
- 30 3. Each space within a strip shopping center, and each warehouse bay in a strip
31 warehouse.
- 32
- 33 4. Each unit and interior common area in a condominium office building.
- 34
- 35 5. Each commercial or residential structure not addressed above.
- 36

37 Separate electrical, mechanical, plumbing, fire alarm, fire suppression and fire lane permits
38 are required to install or alter electrical, mechanical, plumbing, fire alarm, fire suppression
39 and fire lane equipment in dwelling units, structures or areas of a structure for which a
40 separate building permit has been issued.
41

42 (d) ~~The following The fees to cover the cost of~~ for reviewing plans, issuing permits,
43 performing inspections, licensing home improvement contractors and other expenses
44 incidental to the enforcement of the USBC and Chapters 61, 64, 65 and 66 of the Code of the
45 County of Fairfax are listed in Appendix Q of this Code. are hereby adopted: Fees shall be
46 collected and paid in accordance with Appendix Q and the following provisions:

1
2 *(1) Standard fees and administrative provisions:*

3
4 ~~(A) Standard Fees (fees apply to building, electrical, mechanical, plumbing, fire~~
5 ~~alarm, fire suppression and fire lane permits):~~

6
7 1. ~~Base fee: \$85.00.~~ The base fee shall be the minimum fee for apply to any
8 permit for which the fee charged would otherwise be less than the base fee except
9 \$85.00. ~~A reduced permit fee shall apply~~ as noted below.

10
11 2. *Reduced fees (does not apply to Fire Prevention Division fees for fire alarm,*
12 *fire suppression and fire lane permits):*

13
14 a. ~~Multiple permits: A fee of \$30.00 per unit~~ Fees shall apply provided all of
15 the following conditions are met:

16
17 (1) The permit application is one of a group of ten or more applications
18 or a single application for ten or more units to be issued for the installation
19 of the same or similar fixtures, appliances, or minimal alterations in
20 existing dwellings on adjacent lots, in an existing multiple-family building
21 or an existing commercial structure; and

22
23 (2) Plan review is required by only one plan review discipline, i.e.,
24 building, electrical, mechanical or plumbing, prior to permit issuance; and

25
26 (3) Only one inspection per permit is required; and

27
28 (4) Inspections are scheduled for no fewer than ten permits or units on
29 the same day; and

30
31 (5) The request for the multiple permit fee shall be made in writing, and

32
33 (6) The fee for the permit would otherwise be the base fee.

34
35 A re-inspection fee of ~~\$83.00~~ may be assessed for each unit for which an
36 inspection is rejected and a re-inspection performed.

37
38 b. ~~Fee for p~~Permits requiring no inspections: ~~A~~ This fee of \$30.00 per permit
39 shall apply to those permits for which no individual inspections are required to
40 be performed pursuant to policies and guidelines issued by the Building
41 Official.

42
43 c. *Casualty Permits:* ~~The fee for~~ There shall be no fee or permits to repair,
44 replace, or otherwise re-construct a residential, commercial, or industrial
45 structure damaged as the result of a catastrophic event ~~shall be \$0.00~~, subject
46 to the following provisions:

1
2 (1) The declaration of a catastrophic event must have been proposed by
3 the County Executive and must have been approved by the Board. Such
4 declaration shall be subject to the notice and hearing requirements of Va.
5 Code Ann. § 15.2-2204 and any amendments thereto.
6

7 (2) The scope of the event shall be clearly delineated by means of the
8 affected geographic area and/or a range of dates during which the disaster
9 occurred;
10

11 (3) For purposes of this section, catastrophic events are limited to those
12 resulting from natural causes such as floods, hurricanes, earthquakes, or
13 other such "Acts of God," damage that results from an act or acts of
14 terrorism, war, riot, or other such civil disturbance, and may also include
15 situations where the destruction or damage from such causes was
16 exacerbated by human agency, such as, for example, the construction of
17 bridges, dams, or other such public works projects, but shall not include
18 situations caused by the intentional acts or negligence of the owner or his
19 agent.
20

21 (4) Destroyed or damaged structures must have been lawfully established
22 pursuant to a valid building permit, Residential Use Permit, or Non-
23 Residential Use Permit, and compliant with applicable County ordinances
24 and State codes;
25

26 (5) Destroyed or damaged structures must have been in a habitable
27 condition or otherwise lawfully used or occupied immediately prior to the
28 casualty;
29

30 (6) The casualty permit shall be limited to the reconstruction of or repair
31 to the property that is damaged by the event and shall not be transferable
32 to another property impacted by the event and further shall only be used to
33 reconstruct the structure to its condition prior to the casualty event rather
34 than used to construct an expansion, addition, or substantial renovation;
35

36 (7) The permit for the reconstruction or repair must be obtained within
37 six months of the declaration of the catastrophic event. In the event that
38 the scope of the catastrophe is of such a scope that the issuance of permits
39 to all affected structures is impractical in such a time frame, the Board
40 may, with approval from the County Executive, extend this period for an
41 additional six months.
42

43 3. All fees for permits issued on a base fee or reduced fee basis shall be paid in
44 full at the time of permit application.
45

1 4. *After-hours inspection fee (does not apply to Fire Prevention Division fees for*
2 *fire alarm, fire suppression and fire lane permits):* A fee of ~~\$190.00~~ shall be
3 charged for each thirty minute period, or fraction thereof, of inspection time
4 requested to take place after regular working hours. Any such inspection(s) shall
5 be authorized by the County and the fee paid prior to the inspection. This fee shall
6 be in addition to the fee for the required permit which authorizes performance of
7 the work.

8
9 5. *Amendment of permit:* ~~This fee is to amend a permit application after creation~~
10 ~~of the permit record shall be \$30.00, the fee for any equipment added or the fee~~
11 ~~for any additional work involved, whichever fee is greater.~~ Before a final
12 inspection is approved, the appropriate fee shall be paid and a permit must be
13 issued for all work performed which is not authorized by the original permit.

14
15 6. *Annual permit fee:*

16
17 a. The fee for an annual permit which authorizes the performance of specified
18 work for a 12-month period shall be the base fee.

19
20 b. The fees for any separate permits required pursuant to the policies and
21 guidelines of an annual permit shall be as required by Appendix Q of the Code
22 ~~the fee schedule~~. The policies and guidelines for an annual permit may
23 provide for the issuance of specific separate permits at the reduced fee.

24
25 7. *Asbestos removal/abatement:* The fee for a permit to remove or abate asbestos
26 from a structure shall be as prescribed in Appendix Q ~~the base fee~~.

27
28 8. *Demolition:* In the case of demolition of an entire structure, a signature bond in
29 the amount of \$1,000.00 for residential structures and \$5,000.00 for commercial
30 structures shall be posted. The bond shall remain in effect until the demolition
31 permit has received an approved final inspection.

32
33 ~~(B) Administrative provisions:~~

34
35 ~~91.~~ *Expiration of permit applications:* An application for a permit for any
36 proposed work shall be deemed to have been abandoned and expired six months
37 after the date of filing, unless the applicant has diligently sought to resolve any
38 problems that are delaying issuance of the permit or the permit has been issued.
39 The burden of proof that the applicant has diligently sought to resolve any
40 problems that are delaying issuance of a permit shall be on the permit applicant,
41 owner of the property or other person affected by such determination of the
42 Building Official. Filing fees for expired permit applications are not refundable.

43
44 The Building Official or his designee shall grant one or more extensions of time
45 for additional periods if there is reasonable justification.

46

1 102. Fee payment credits: All permit fees paid at the time of permit application
2 shall be credited toward the full cost of the permit when the permit is issued.
3

4 113. Fee transfers: Permit fees are not transferable.
5

6 12. Household appliance fees: Permanently wired or plumbed appliances may be
7 installed in an existing dwelling using a household appliance permit, provided the
8 capacity of the electrical panel or gas service is not exceeded and the electrical
9 circuitry, gas piping and plumbing is existing. A household appliance permit may
10 also be used when a permit is required for the replacement of a listed appliance
11 provided the above criteria are met.
12

13 **PERMIT REQUIRED FOR NEW INSTALLATIONS ONLY**

14 Air cleaner/filter
15 Air conditioning condensing unit
16 Bathtub
17 Clothes dryer, gas/electric
18 Dehumidifier
19 Disposal
20 Fan, attic
21 Fan, ceiling
22 Fan, exhaust
23 Furnace, electric
24 Heat pump
25 Hose bib
26 Humidifier
27 Ice maker
28 Laundry tub
29 Lighting Fixtures
30 Oven, gas/electric
31 Pressure reducing valve
32 Shower
33 Sink
34 Smoke detector (wired-in) – no fee
35 Solar energy equipment – no fee
36 Stove, gas/electric
37 Sump pump
38 Toilet
39 Trash compactor
40 Water heater, electric/gas/oil
41 Water treatment equipment
42

43 Permits are required for the replacement of the fixtures and appliances listed
44 above if the installation requires a change to: 1) duct systems; 2) plumbing
45 supply, drain waste or vent piping; 3) electrical circuits; 4) appliance vent system;
46 or 4) gas piping.

1 **PERMITS REQUIRED FOR BOTH NEW AND REPLACEMENT**
2 **INSTALLATIONS**

- 3
4 Centralized air-conditioning systems
5 Clothes dryers, gas
6 Furnace, gas/oil
7 Gas logs
8 Gas/oil
9 Gas stove/heater
10 Oven, gas
11 Prefabricated chimney
12 Prefabricated fireplace
13 Water heater, gas/oil
14 Wood stove/heater
15

16 134. Modular residential units, including manufactured homes: Fifty percent of
17 the regular permit fee shall be imposed on residential units constructed and
18 installed under the Virginia Industrialized Building Safety Regulations or the
19 Virginia Manufactured Home Safety Regulations.
20

21 145. Non-permitted work:

22
23 *Failure to obtain a permit prior to beginning work:* An additional fee of ~~\$85.00~~
24 shall be assessed for those permits obtained pursuant to a written directive or
25 order from the Building Official or designee for failure to obtain a permit required
26 by the USBC. This fee shall be in addition to any permit fees normally required
27 and shall be assessed to defray the costs associated with administration and
28 enforcement of the USBC.
29

30 156. Permit extensions: Upon written application of the permittee prior to the
31 expiration of the permit, the Building Official or his designee may extend the
32 permit for up to one year from the date of expiration of the permit. No fees shall
33 be charged for the first permit extension allowed by the USBC and the Code of
34 the County of Fairfax. Additional requests for permit extensions must be
35 accompanied by the processing fees ~~noted below~~ in Appendix Q of the Code.
36

37 ~~Permit authorizing construction of:~~

- 38
39 interior alteration to an existing building — \$ 30.00
40
41 an addition(s) or exterior alteration(s) to an existing residential structure
42 (R-3, R-4, and R-5) — \$ 30.00
43
44 an accessory structure(s) on a residential
45 property (R-3, R-4, and R-5) — \$ 30.00
46

1 ~~a new structure (other than noted above) — \$190.00~~
2 ~~an addition(s) to a non-residential structure — \$190.00~~

3
4 Separate fees shall not be charged for extending mechanical, plumbing, electrical,
5 fire alarm, fire suppression or fire lane permits associated with a request for the
6 extension of a building permit.

7
8 168. Re-inspection fee (does not apply to Fire Prevention Division fees for fire
9 alarm, fire suppression and fire lane permits): A re-inspection fee of ~~\$83.00~~ may
10 be assessed for each additional inspection that is required to be made because a
11 scheduled inspection is rejected for one or more of the following reasons: 1) the
12 work is not installed in accordance with applicable codes; 2) the work is not ready
13 for inspection; or 3) access to the work to be inspected is not provided. A re-
14 inspection fee may also be assessed for each inspection performed pursuant to a
15 stop work order.

16
17 17. Refunds: In the case of a suspension, revocation or expiration of a permit or
18 the expiration of a permit application, the permittee, upon written request within 6
19 months after such suspension, revocation or expiration, may receive a refund for
20 the amount of work the County has not performed. The amount of the refund shall
21 be determined as follows:

22
23 - All plan examination and permit processing fees shall be deducted from the
24 original permit fee.

25
26 - All costs that may have been imposed on the permit holder under the
27 requirements of the USBC and the Code of the County of Fairfax shall be
28 deducted from the original permit fee.

29
30 - The amount of work that has received an approved inspection by the County
31 shall be determined and a proportionate share shall be deducted from the
32 original permit fee. Any excess fee for the uncompleted work shall be
33 returned to the permit holder. No refunds will be issued for base or reduced
34 fee permits.

35
36 18. Replacement of defective sprinkler heads: No fee shall be charged for a fire
37 suppression permit to replace sprinkler heads determined to be defective by the
38 Fairfax County Fire Marshal pursuant to the Virginia Statewide Fire Prevention
39 Code.

40
41 19. Shelters: No fee shall be charged for a building permit for a radiation fallout
42 or blast shelter constructed on land occupied for residential purposes by not more
43 than two families, for use as shelter only and constructed in accordance with one
44 of the shelter types or designs approved by the Federal Emergency Management
45 Agency.

1 2010. Solar energy: No permit fee shall be charged to install solar energy
2 equipment, although a permit is required for such installations and the permit
3 holder is subject to the re-inspection fee.
4

5 219. Team inspections: A fee shall be paid for each inspection involving an
6 application for a change in use, change in occupant or other special request which
7 requires inspection by one or more of the following disciplines: Building,
8 Electrical, Plumbing, Mechanical and/or the Fire Marshal. ~~If all disciplines~~
9 ~~mentioned above are involved in inspections, the fee shall be \$400.00. Should the~~
10 ~~inspections not involve all disciplines, a fee of \$83.00 shall be paid for each~~
11 ~~discipline taking part in the inspection.~~ These fees are not credited toward the cost
12 of permits. If the inspection is canceled 24 hours in advance by the applicant, and
13 not conducted, the fee is refundable upon application in writing to the Building
14 Official within three months of the date of payment.
15

16 22. Tenant layouts: Except for those tenant layouts shown on the originally
17 approved plans for a new building, separate building permits shall be required for
18 each tenant layout, ~~at a rate of 3.2% of the estimated cost of the work.~~ The fee
19 shall be based on a percentage of the estimated cost of the work. A fee per plan
20 review discipline. (i.e., building, electrical, mechanical or plumbing) may be
21 assessed for each resubmission of plans for alterations to existing commercial
22 buildings.
23

24 23. Removal and Relocation: The permit fee for the removal of a building or
25 structure from one lot to another or to a new location in the County shall be based
26 on ~~calculated at the rate of 1.9% of the cost of moving plus 1.9% of and~~ the cost
27 of all work necessary to place the building or structure in its completed condition
28 in the new location. In addition to a building permit to construct the foundation at
29 the new location, a separate building permit is required to demolish any
30 foundation at the original location.
31

32 24. Temporary Structures: The fee for temporary structures includes ing, but is
33 not limited to tents, produce stands and sales office trailers. Sheeting and shoring
34 are not considered temporary structures for the purpose of determining fees.
35

36 25. Partitions: A permit fee shall be paid ~~The fee~~ for the erection of partitions
37 (metal studs only) in unoccupied space in a previously unoccupied commercial
38 structure, pending approval of tenant layout plans.

**Proposed Amendment to Chapter 101
(Subdivision Ordinance)
of
The Code of the County of Fairfax, Virginia**

1 **Amend Article 2, Subdivision Application Procedures and Approval Process, Section 101-2-9,**
2 **Fees, by revising paragraph (a) to read as follows and deleting subparagraphs (a)(1) thru (a)(7).**
3

4 (a) The subdivider shall pay to the County the ~~following fees~~ applicable fees, at such times
5 and amounts in Appendix Q of the Code. ~~The applicable fees for those plats, plans, studies and reports~~
6 ~~submitted in English measurements shall be based on a conversion from English to metric units as~~
7 ~~defined in the Metric Conversion Table contained in the Public Facilities Manual.~~
8
9

**Proposed Amendment to Chapter 104
(Erosion and Sedimentation Control Ordinance)
of
The Code of the County of Fairfax, Virginia**

1 **Amend Article 1, Purpose and Administration, Section 104-1-3, Plan review and approval,**
2 **by revising paragraph (d) to read as follows and deleting subparagraphs (d)(1) thru**
3 **(d)(10).**
4

5 (d) No permit to engage in any land-disturbing activity shall be issued nor shall any
6 conservation plan for such land-disturbing activity be approved until the applicable fees, at such
7 times and amounts in Appendix Q of the Code, following fees have been paid to the County:

**Proposed Amendment to Chapter 112 (Zoning Ordinance)
of
The Code of the County of Fairfax, Virginia**

This proposed Zoning Ordinance Amendment is based on the Zoning Ordinance in effect as of February 8, 2011 and there may be other proposed amendments which may affect some numbering, order or text arrangement of the paragraphs or sections set forth in this amendment, which other amendments may be adopted prior to action on this amendment. In such event, any necessary renumbering or editorial revisions caused by the adoption of any Zoning Ordinance amendments by the Board of Supervisors prior to the date of adoption of this amendment will be administratively incorporated by the Clerk in the printed version of this amendment following Board adoption.

Amend Article 17, Site Plans, Part 1, General Requirements, Sect. 17-109, Fees, by revising the introductory paragraph to read as follows and deleting Paragraphs 1 through 7.

Applicable fees, at such times and amounts as stated ~~below~~ in Appendix Q of the Code, shall be paid to the County for the examination and approval of site plans, minor site plans, and other required studies and reports, the inspection of all required improvements shown on such plans, and the processing of site plan or minor site plan agreements. ~~The applicable fees for those site plans, studies and reports submitted in English measurements shall be based on a conversion from English units to metric as defined in the Metric Conversion Table contained in the Public Facilities Manual.~~

Site Fee Comparisons

SITE REVIEW FEE COMPARISON 2010	Fairfax (current)	Fairfax (proposed 1st only and combined)	Arlington County (enterprise)	Prince William (See note below)	Loudoun	City of Alexandria	City of Falls Church	City of Manassas	City of Fairfax
Residential									
SF Attached (192 lotsm 8.53 acres)	\$21,900	\$14,496/\$21,744	\$30,339	\$53,880	\$10,018	\$98,000	\$10,600	\$13,925	\$31,550
SF Attached and Detached (49/63 lots, 30.56 acres)	\$46,040	\$33,382/\$46,040	\$21,619	\$31,640	\$7,618	\$58,000	\$6,600	\$26,079	\$19,550
SF Detached (40 lots, 69.17 acres)	\$11,130	\$12,900/\$12,900	\$13,771	\$17,064	\$5,458	\$22,000	\$3,000	\$50,109	\$8,750
Commerical (base fee only)									
25,000 sq ft building D.A. = 2 acres	\$9,210	\$8,820/\$13,230	\$15,661	\$6,004	\$4,990	\$6,000	\$4,050	\$3,436	\$6,600
50,000 sq ft building D.A = 5 acres	\$17,670	\$11,486/\$17,229	\$21,911	\$11,504	\$5,275	\$9,000	\$6,500	\$3,485	\$6,600
200,000 sq ft building D.A. = 10 acres	\$26,130	\$15,700/\$23,550	\$59,411	\$31,864	\$5,750	\$27,000	\$16,000	\$7,270	\$6,600
Note: As part of their FY2012 budget process, Prince William County staff will be proposing a 12 percent, across the board, increase in both the site and building fees.									

Building Fee Comparisons

Building Type	Fairfax (Current)	Fairfax (Proposed)	Arlington (enterprise)	Alexandria	Loudoun	Prince William (See note below)	Montgomery (enterprise)
100,000 SF New Office	\$17,000 (assumes type I const)	\$17,527	\$112,680	\$136,030	\$95,150	\$22,820	\$236,220
200,000 SF New Condo	\$34,000 (assumes type I const)	\$35,054	\$213,600	\$217,830	\$170,290	\$48,150	\$236,220
50,000 SF Office Alt.	\$18,000 (assumes \$45/sf)	\$18,558	\$38,560	\$13,680	\$22,500	\$20,760	\$58,000
3,000 SF New SFD	\$270	\$278	\$7,010	\$2,490	\$1,267	\$417	\$2,115
800 SF SFD Alt	1.9% of Est Cost (Assumes \$30/sf) \$456	\$470	\$670	\$550	\$176	\$145	\$350

Note: As part of their FY2012 budget process, Prince William County staff will be proposing a 12 percent, across the board, increase in both the site and building fees.

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ADMINISTRATIVE – 6

Approval of Supplemental Appropriation Resolution AS 11110 for the Office of Emergency Management to Accept Department of Homeland Security Urban Areas Security Initiative Subgrant Awards from the Government of the District of Columbia Homeland Security and Emergency Management Agency

ISSUE:

Board approval of Supplemental Appropriation Resolution AS 11110 in the amount of \$4,693,120 for the Office of Emergency Management to accept Department of Homeland Security (DHS) FY 2009 and FY 2010 Urban Areas Security Initiative (UASI) subgrant awards from the State Administrative Agency (SAA). These funds are made available by DHS through the District of Columbia, which is serving as the SAA. DHS provides financial assistance to address the unique planning, training, equipment, and exercise needs of high-threat, high-density urban areas to assist them in building an enhanced and sustainable capacity to prevent, respond to, and recover from acts of terrorism. The grant period for the FY 2009 subgrant award is retroactive from August 1, 2009 through September 30, 2011. The grant period for the FY 2010 subgrant awards is retroactive from August 1, 2010 through September 30, 2012. No Local Cash Match is required.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors approve Supplemental Appropriation Resolution AS 11110 in the amount of \$4,693,120. These funds will be used to enhance security and overall preparedness by implementing the projects summarized in Attachment 1.

TIMING:

Board Approval is requested on February 8, 2011.

BACKGROUND:

The Homeland Security Grant Program (HSGP) provides Urban Areas Security Initiative (UASI) funds from the Department of Homeland Security (DHS) as financial assistance to high risk urban areas, as defined in legislation, in order to address the unique planning, equipment, training, and exercise needs of those areas. These funds can also be used to build or sustain an enhanced capacity to prevent, respond to, and recover from acts of terrorism. These funds, however, may not be used to supplant ongoing, routine public safety activities, the hiring of staff for operational activities, or the

Board Agenda Item
February 8, 2011

construction and/or renovation of facilities. Fairfax County is one of 12 jurisdictions that currently comprise the National Capital Region (NCR) as defined in the HSGP guidelines.

The UASI funding allocations are determined by a formula based on credible threat, presence of critical infrastructure, vulnerability, population and other relevant criteria. Grant awards are made to the identified urban area authorities through State Administrative Agencies (SAA). The NCR process for allocation of the UASI funds included the development of concept papers that were vetted and endorsed by the Metropolitan Washington Council of Governments (MWCOG) Regional Emergency Support Function (RESF) committees, review of proposals by the Chief Administrative Officers (CAO) committee, preparation and submission of project proposals and application documents by the RESFs, prioritization of proposals by the CAOs and ultimately the development of funding recommendations by the CAOs. The Senior Policy Group (SPG) then renewed and recommended proposals and forwarded selected proposals to the SAA for awards.

Funded projects are typically regional in nature with benefits to multiple jurisdictions. In order to effectively implement these projects, a single jurisdiction is being identified to act as a recipient of a subgrant award to handle all of the financial management, audit, procurement and payment provision of the subgrant award and grant program. The Office of Emergency Management is expected to act as subgrantee for these funds and will administer these regional projects. A listing of all the subgrant awards being requested for acceptance is attached. Individual awards are also attached to support requested acceptance. The creation of two new grant positions will be required to manage these regional initiatives.

FISCAL IMPACT:

Grant funding in the amount of \$4,693,120 is available in the DHS UASI grant funds through the District of Columbia. These funds will be used to enhance capabilities within the region. Budget appropriation will be requested in Fund 102, Federal/State Grant Fund as part of the *FY 2011 Third Quarter Review*. Indirect costs are recoverable from some of these awards. No Local Cash Match is required.

CREATION OF NEW POSITIONS:

The FY 2009 and FY 2010 Metropolitan Medical Response System funds will be used to support 2/2.0 SYE new grant positions. The County has no obligation to fund these positions when the FY 2010 grant period ends.

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ENCLOSED DOCUMENTS:

Attachment 1 – Grant Award Summary

Attachment 2 – Grant Award Documents

Attachment 3 – Supplemental Appropriation Resolution AS 11110

STAFF:

Robert Stalzer, Deputy County Executive

David McKernan, Coordinator, Office of Emergency Management

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Project Title	Program Year	Award Amount	Award Status	Award Type	Implementing County Agency	Program Manager	Positions	Begin Date	End Date
FY 2009 and FY 2010 UASI AWARDS									
1 Metropolitan Medical Response System (MMRS) - NoVA ERS Sustainment (VA 5%)	FY2009	1,756,000.00	Received	Continuation	Office of Emergency Management	Jon White	2.0 SYE	8/1/2009	9/31/2011
2 Metropolitan Medical Response System (MMRS) - NoVA ERS Sustainment (VA 5%)	FY2010	1,800,000.00	Received	Continuation	Office of Emergency Management	Jon White	0.0 SYE	8/1/2010	9/31/2012
3 Patient Tracking - VA	FY2010	1,137,120.00	Received	Continuation	Office of Emergency Management	Jon White	0.0 SYE	8/1/2010	9/31/2012
Total:		4,693,120.00					2.0 SYE		

Project Synopsis
To enhance local incident management's ability to coordinate and respond to a mass casualty event during the first crucial hours until significant external resources arrive and become operational.
To enhance local incident management's ability to coordinate and respond to a mass casualty event during the first crucial hours until significant external resources arrive and become operational. FY10 is a continuation of the FY09 program.
This project will enhance local incident management's ability to coordinate and respond to a mass casualty event during critical hours until significant external resources arrive and become operations. This new system will be used to distribute patients to the available hospitals.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Homeland Security and Emergency Management Agency

Vincent C. Gray
Mayor



Millicent W. West
Interim Director

January 7, 2011

Mr. Anthony Griffin
County Executive
Fairfax County Government
12000 Government Center Parkway
Fairfax, VA 22035

Dear Mr. Griffin:

I am pleased to send your FY09 Urban Areas Security Initiative (UASI) subgrant. Through this agreement, the Fairfax County Office of Emergency Management has been awarded the following subgrant:

- Project Title: Metropolitan Medical Response System (MMRS) - NoVA ERS Sustainment (VA 5%)
- Amount: \$1,756,000
- Project ID: 9UASI531-07 (please include this ID in correspondence with our office)
- CFDA No.: 97.067

The subgrant period of performance is August 1, 2009–September 30, 2011. You may request reimbursement for items procured during this period, consistent with the project intent. As a reminder, organizations that spend more than \$500,000 in DHS funds during a fiscal year are subject to an independent audit per OMB Circular A-133. If you are subject to this audit, we will contact you to obtain a copy of the report.

Included in this package of particular importance is the Certification of Compliance, for your signature. It certifies that you have read and understand Federal and SAA terms and conditions associated with accepting the grant.

Please review and sign the necessary attached documents and return them to my office by January 21, 2011. If you have questions regarding this award, please contact Tim Fitzsimmons at timothy.fitzsimmons@dc.gov or 202.727.6155.

Sincerely,

Millicent W. West
Interim Director

2720 Martin Luther King Jr. Avenue, S.W., 2nd Fl., Washington, DC 20052 (202) 727-6161 Fax (202) 715-7288

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Homeland Security and Emergency Management Agency

Vincent C. Gray
Mayor



Millicent W. West
Interim Director

January 6, 2011

Mr. Anthony Griffin
County Executive
Fairfax County Government
12000 Government Center Parkway
Fairfax, VA 22035

Dear Mr. Griffin:

I am pleased to send your FY10 Urban Areas Security Initiative (UASI) subgrant. Through this agreement, the Fairfax County Office of Emergency Management has been awarded the following subgrant:

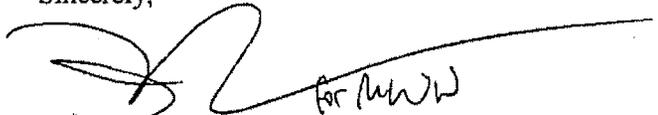
- Project Title: Metropolitan Medical Response System (MMRS) - VA (VA 5%)
- Amount: \$1,800,000
- Project ID: 10UASI531-07 (please include this ID in correspondence with our office)
- CFDA No.: 97.067

The subgrant period of performance is August 1, 2010–September 30, 2012. You may request reimbursement for items procured during this period, consistent with the project intent. As a reminder, organizations that spend more than \$500,000 in DHS funds during a fiscal year are subject to an independent audit per OMB Circular A-133. If you are subject to this audit, we will contact you to obtain a copy of the report.

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Please review and sign the necessary attached documents and return them to my office by January 20, 2011. If you have questions regarding this award, please contact Tim Fitzsimmons at timothy.fitzsimmons@dc.gov or 202.727.6155.

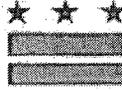
Sincerely,


Millicent W. West
Interim Director

2720 Martin Luther King Jr. Avenue, SE, 2nd Fl., Washington, DC 20032 (202) 727-6161 Fax (202) 715-7288

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Homeland Security and Emergency Management Agency

Vincent C. Gray
Mayor



Millicent W. West
Interim Director

January 6, 2011

Mr. Anthony Griffin
County Executive
Fairfax County Government
12000 Government Center Parkway
Fairfax, VA 22035

Dear Mr. Griffin:

I am pleased to send your FY10 Urban Areas Security Initiative (UASI) subgrant. Through this agreement, the Fairfax County Office of Emergency Management has been awarded the following subgrant:

- Project Title: Patient Tracking - VA
- Amount: \$1,137,120
- Project ID: 10UASI531-08 (please include this ID in correspondence with our office)
- CFDA No.: 97.067

The subgrant period of performance is August 1, 2010–September 30, 2012. You may request reimbursement for items procured during this period, consistent with the project intent. As a reminder, organizations that spend more than \$500,000 in DHS funds during a fiscal year are subject to an independent audit per OMB Circular A-133. If you are subject to this audit, we will contact you to obtain a copy of the report.

Included in this package of particular importance is the Certification of Compliance, for your signature. It certifies that you have read and understand Federal and SAA terms and conditions associated with accepting the grant.

Please review and sign the necessary attached documents and return them to my office by January 20, 2011. If you have questions regarding this award, please contact Tim Fitzsimmons at timothy.fitzsimmons@dc.gov or 202.727.6155.

Sincerely,



Millicent W. West
Interim Director

3720 Martin Luther King Jr. Avenue, SE, 2nd FL, Washington, DC 20032 (202) 727-6161 Fax (202) 715-7288

SUPPLEMENTAL APPROPRIATION RESOLUTION AS 11110

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at 12000 Government Center Parkway, Fairfax Virginia on February 8, 2011, at which a quorum was present and voting, the following resolution was adopted:

BE IT RESOLVED by the Board of Supervisors of Fairfax County, Virginia, that in addition to appropriations made previously for FY 2011, the following supplemental appropriation is authorized and the Fiscal Planning Resolution is amended accordingly:

Appropriate to:

Agency: 93, Office of Emergency Management \$4,693,120
Fund: 102, Federal/State Grant Fund

Grant: 02917G, Urban Areas Security Initiative Grant

Reduce Appropriation to:

Agency: 87, Unclassified Administrative Expenses \$4,693,120
Fund: 102, Federal/State Grant Fund

Grant: 87107G, Unclassified Administrative Expenses

Source of Funds: U.S. Department of Homeland Security, \$4,693,120

A Copy - Teste:

Nancy Vehrs
Clerk to the Board of Supervisors

ACTION – 1

Approval of a Parking Reduction for Mosaic District – Phase I Development of the Merrifield Town Center (Providence District)

ISSUE:

Board approval of a 24.0 percent reduction or 621 fewer parking spaces in required parking for Mosaic District – Phase I Development of the Merrifield Town Center, Tax Map # 49-3 ((1)) 80E (portion of), 81A, 82A, and 82B, further identified as Parcels A, B, and D in RZ 2005-PR-041 (Merrifield Mixed Use, LLC), Providence District.

RECOMMENDATION:

The County Executive recommends that the Board approve a parking reduction of 24.0 percent or 621 fewer parking spaces in required parking for Mosaic District – Phase I Development of the Merrifield Town Center, pursuant to paragraph 4(B), Section 11-102 of Chapter 112 (Zoning Ordinance) of *The Code of the County of Fairfax, Virginia*, based on an analysis of the parking requirements for each use on the site and a parking reduction study, on condition that:

1. A minimum of 1,970 parking spaces must be maintained on site at all times.
2. The uses permitted per this parking reduction are:
 - 280,640 gross square feet (GSF) of shopping center retail uses [Parcels A, B, and D]
 - 40,100 GSF of movie theatre uses with 1,800 seats [Parcel D]
 - 65,000 GSF of office uses [Parcel A]
 - 100,000 GSF of hotel uses with 150 guest rooms and 2,000 GSF of meeting/banquet facilities with 140 seats [Parcel A]
 - 43,400 GSF of eating establishment (restaurant) uses [Parcels A, B, and D] with:
 - 1,302 indoor seats (977 table seats, 325 counter seats, and 217 employees)
 - 400 outdoor seats (400 table seats and 67 employees) during the months of January through November

Any additional uses must be parked at code and these uses must not exceed the approved F.A.R.

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3. Outdoor seating for the eating establishment uses in Condition #2 is permitted during the month of December provided the total number of indoor and outdoor seats is no more than 1,302 and there is a total of no more than 217 employees.
4. Implementation of the Transportation Demand Management (TDM) program proffered in conjunction with the approval of RZ 2005-PR-041 (Merrifield Mixed Use, LLC).
5. The current owners, their successors or assigns of the parcels identified as Fairfax County Tax Map No. 49-3 ((1)) 80E (portion of), 81A, 82A, and 82B, further identified as Parcels A, B, and D in RZ 2005-PR-041 (Merrifield Mixed Use, LLC), shall submit a parking space utilization study for review and approval by the Board at any time in the future that the Zoning Administrator so requests. Following review of that study, or if a study is not submitted within 90 days after being requested, the Board may rescind this parking reduction or require alternative measures to satisfy parking needs, which may include requiring all uses to comply with the full parking space requirements as specified in Article 11 of the Zoning Ordinance.
6. All parking utilization studies prepared in response to a request by the Zoning Administrator shall be based on applicable requirements of *The Code of the County of Fairfax, Virginia*, and the Zoning Ordinance in effect at the time of said parking utilization study submission.
7. Shared parking with any additional use(s) shall not be permitted without the submission of a new parking study prepared in accordance with the applicable requirements of the Zoning Ordinance and shall be subject to the Board's approval.
8. All parking provided shall be in accordance with the applicable requirements of Article 11 of the Zoning Ordinance and the Fairfax County Public Facilities Manual, including the provisions referencing the Americans with Disabilities Act (ADA).
9. No parking spaces required to meet the shared parking requirements for the parking reduction conditions shall be restricted or reserved except for those required to meet the parking requirements of the Americans with Disabilities Act (ADA) or dedicated for carpools and vanpools as part of the TDM program.
10. The conditions of approval of this parking reduction shall be recorded in the Fairfax County land records in a form acceptable to the County Attorney.

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TIMING:

Board action is requested on February 8, 2011.

BACKGROUND:

Mosaic District – Phase I (Parcels A, B, and D) is an 11.9 acre site, zoned PDC, that is a part of the Merrifield Town Center mixed use development. The site is located in the “Merrifield Commercial Revitalization Area” and within ¾ miles from the Dunn Loring-Merrifield metrorail station. The site is on the south side of Lee Highway (Route 29), east of Eskridge Road, and is generally bisected by the future Strawberry Lane extension (east-west) and future Festival Drive (north-south). The site is governed by the approved rezoning associated with the 31.4 acre Merrifield Town Center development, RZ 2005-PR-041, approved by the Board on October 15, 2007.

Proffer V.3 permits future parking reductions or shared parking agreements pursuant to Article 11 of the Zoning Ordinance and as may be approved by the Board. Proffer V.5 indicates that the applicant may provide parallel parking spaces along Festival Street, North Street, Strawberry Lane and South Theatre Drive and may restrict those spaces that are not required to satisfy minimum parking requirements. Proffer IX requires establishment of a Transportation Demand Management (TDM) program to encourage the use of transit Metrorail and bus, other multiple occupant vehicle commuting modes, walking, biking and tele-working by employees, customers and residents who work and/or live in the buildings located on the property. The TDM Plan goal was to reduce residential trips by a minimum of 7% in Phase I (Pre-shuttle Phase) and 30% at Phase 4 (Post-shuttle Phase). Office trips would be reduced by a minimum of 9% in Phase I (Pre-build out) and 30% in Phase 2 (Post-build out).

The proposed Mosaic District – Phase I Development consists of 280,640 GSF of shopping center retail uses; 40,100 GSF of movie theatre uses with 1,800 seats; 65,000 GSF of office uses; 100,000 GSF of hotel uses with 150 guest rooms and 2,000 GSF of meeting/banquet facilities with 140 seats; 43,400 GSF of eating establishment (restaurant uses) with 1,302 indoor seats (977 indoor table seats, 325 indoor counter seats, and 217 indoor employees) and 400 outdoor seats (400 table seats and 67 employees).

It has been determined that, under the Zoning Ordinance, the Code requirements for this development would be 2,591 parking spaces. The applicant is seeking a 24.0% reduction, or 621 fewer parking spaces, resulting in a minimum of 1,970 parking spaces to support the proposed uses. The parking study contains a ULI analysis to support the reduction request. The 1,970 parking spaces are sufficient to support the proposed uses provided the 400 outdoor restaurant seats are not used during the month of December when the annual peak parking demand occurs. Conditions restricting the

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outdoor restaurant seating during the month of December are proposed. The staff supports the applicant's request for a 24.0 percent parking reduction subject to the conditions listed above and compliance with all proffers associated with this site.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment I – Parking reduction request (Revised January 20, 2011), from Kevin R. Fellin, Senior Associate, Wells and Associates.

STAFF:

Robert A. Stalzer, Deputy County Executive

James W. Patteson, Director, Department of Public Works and Environmental Services (DPWES)

Michelle A. Brickner, Director, Land Development Services, DPWES



0561-PKS-001-1

WELLS + ASSOCIATES

MEMORANDUM

TO: John Friedman, P.E.
Code Analysis Division
Fairfax County Department of Public Works & Environmental Services

FROM: Kevin R. Fellin, P.E.

SUBJECT: Parking Reduction – Addendum

RE: RZ 2005-PR-041; Mosaic District – Phase I
Fairfax County, Virginia

DATE: January 20, 2011

Introduction

The purpose of this memo is to clarify the results presented in the Parking Reduction study dated June 11, 2010. The subject mixed-use site [Tax Map 49-3 ((1)) 80E (Portion of), 81A, 82A, 82B] would be developed as part of a mix of uses on an approximate 11.9-acre property zoned Planned Development Commercial (PDC). The Mosaic District is located in the “Merrifield Commercial Revitalization Area” within ¾ miles from the Dunn Loring-Merrifield metrorail station. Specifically, the subject site is located on the south side of Lee Highway (Route 29), east of Eskridge Road, and is generally bisected by the future Strawberry Lane extension (east-west) and future Festival Drive (north-south) in the Providence Magisterial District.

This memorandum continues to evaluate a plan submitted on June 7, 2010 with the following uses identified by parcel:

- 280,640 GSF shopping center retail uses; [Parcels A, B, and D]
 - 40,100 GSF movie theatre (1,800 seats); [Parcel D]
 - 65,000 GSF office uses; [Parcel A]
 - 100,000 GSF hotel (150 guest rooms) with 2,000 GSF of meeting/banquet facilities (140 seats); [Parcel A]
 - 43,400 GSF of eating establishment (restaurant uses) [Parcels A, B, and D]
 - 1,702 indoor seats (977 indoor table seats, 400 outdoor seats, 325 indoor counter seats)
 - 284 employees (217 indoor employees, 67 outdoor employees)
-

As reflected on Table 1 and based on a strict application of the Zoning Ordinance, the uses stated above would require 2,591 parking spaces to accommodate the parking demand associated with all proposed Phase I uses. It should be noted that the proposal would only permit the 400 outdoor restaurant seats and corresponding 67 employees during the months of January through November and they would not be permitted during the identified peak design month of December.

Non-Residential Parking Reduction (Peak Month of December). The proposed parking reduction request includes the seasonal 400 outdoor table seats and 67 additional employees to develop the 2,591 required parking spaces by code. As a result of this restriction, the 400 outdoor seasonal seats and 67 employees were excluded from the ULI model in development of the peak month analysis. Based on the ULI model, the peak design month of December would require 1,970 parking spaces which is effectively 621 fewer parking spaces, or approximately a 24.0% reduction, for all the shopping center uses, movie theatre use, office uses, hotel uses, and restaurant uses for the site (see Table 2 and Figure 1).

Shared Parking with Seasonal Restaurant Tables Seats/ Employees from January through November excluding December. For comparative purposes and in the interest in conservatism, the weekday month-by-month estimated parking demand results shown on Figure 2 were evaluated for an entire year based on when the seasonal outdoor restaurant table seats and corresponding employees would, and would not be available. From January (including late December) through November it was assumed all seasonal outdoor restaurant table seats and seasonal restaurant employees would be available for use and for only three (3) peak weeks in December (ULI model peak) would they be offline. Under a minimum parking supply of 1,970 parking spaces, the minimum parking demand would be met for every month of the year as proposed.

As shown in the June 7, 2010 parking study, if the code requirement for the proposed non-residential uses was restricted to just December, when the outdoor restaurant seating is not permitted, then only 2,457 parking spaces would be required by code. Based on the Shared Parking study dated June 11, 2011, a minimum of 1,970 parking spaces required during the peak month of December is 487 fewer parking spaces [approximately 20.0% (or 19.8%) reduction] for the shopping center uses, movie theatre use, office uses, hotel uses, and restaurant uses for the site.

Table 1
Mosaic District
Zoning Ordinance Code Parking Requirement - Parcels A, B, and D (1)

Use	Amount	Unit (2)	Fairfax County Zoning Ordinance	Required Parking Spaces (3)		
				Total	Visitor	Employee
Shopping Center	280,640 GSF		4.8 spaces/1,000 GFA	1,348	1,078	270
Theatre	1,800 seats 40,100 GSF		0.3 spaces/seat for seats over 2,000 4.8 spaces/1,000 GFA	193	183	10
Office > 50,000 GSF	65,000 GSF		3.0 spaces/1,000 GFA	195	15	180
Restaurant/Eating Establishment (4)	43,400 GSF					
	977 Table Seats (indoor)		1 space/4 table seats	245	245	0
	325 Counter Seats (indoor)		1 space/2 counter seats	163	163	0
	217 Employees (indoor)		1 space/2 employees	109	0	109
	400 Table Seats (outdoor) 67 Employees (outdoor)		1 space/4 table seats 1 space/2 employees	100 34	100 0	0 34
				651	508	143
Hotel	150 Rooms 100,000 GSF		1.08 spaces/room	162	130	32
Hotel Conference Space	140 Persons 2,000 GSF (5)		0.3 spaces/person	42	42	0
			Total	2,591	1,956	635

Note(s):

- (1) Based on the Fairfax County Zoning Ordinance Code Requirements.
- (2) GSF = Gross Square Feet (GSF).
- (3) The required parking spaces for each use is separated into "Visitor" or "Employee" spaces per ULI for its input requirement into the ULI 2nd Edition Shared Parking model.
- (4) Includes 400 seasonal outdoor restaurant tables seats and 67 seasonal employees that would serve them.
- (5) Hotel conference space is included in the total hotel space of 100,000 GSF.

Wells + Associates, Inc.
McLean, Virginia

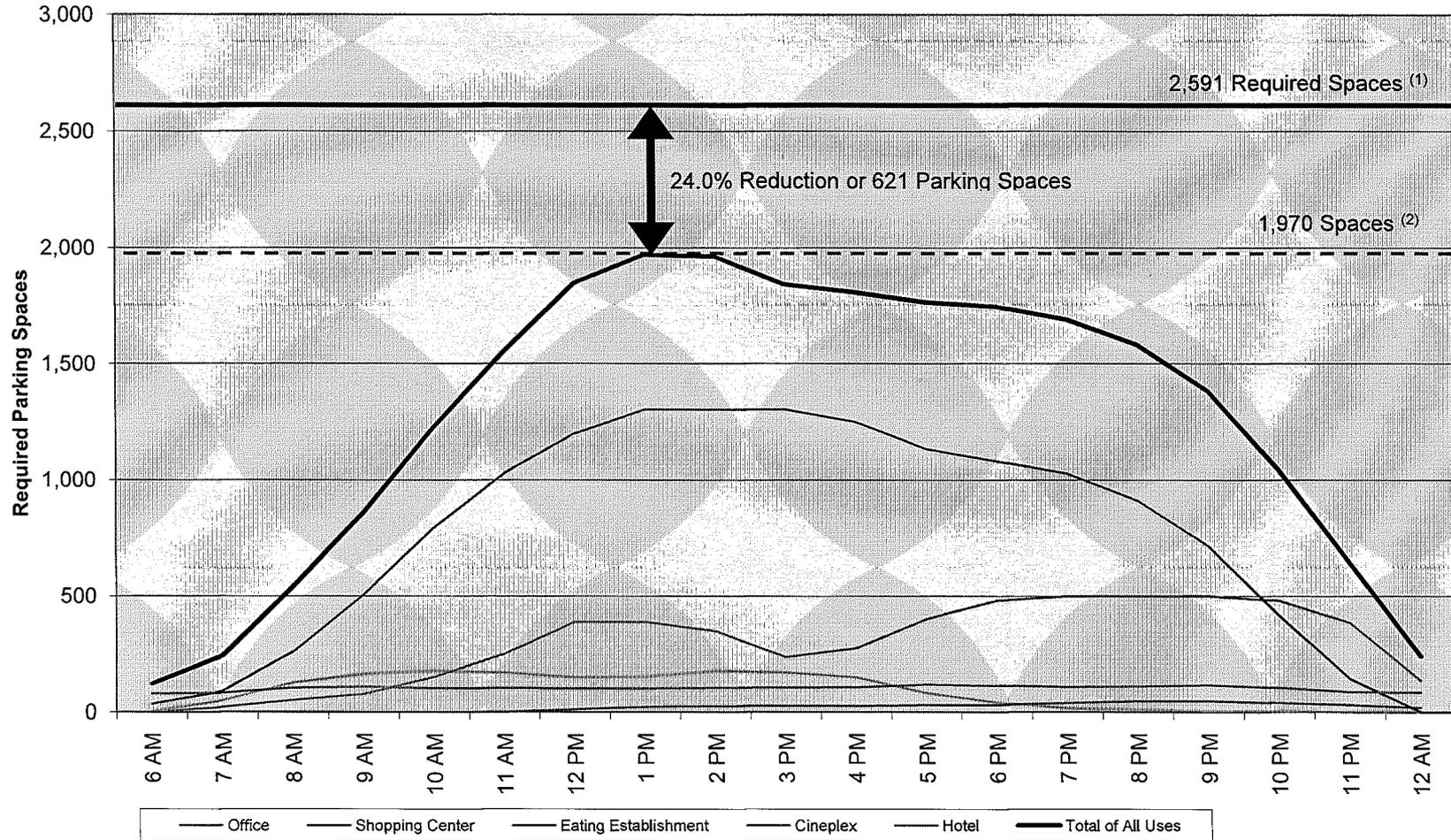
Table 2
Mosaic District
Parking Reduction Request

Fairfax County Zoning Ordinance	Minimum Parking Requirement	Parking Space Reduction from Base Code Requirement	% Reduction from Base Code Requirement
Base Code Requirement ⁽¹⁾ - includes seasonal restaurant outdoor table seats and employees that serve them	2,591	0	0%
Parking Reduction Request - excludes seasonal restaurant outdoor table seats and employees that serve them ⁽²⁾ - ULI 2 nd Ed. Shared Parking ⁽³⁾ - with mode adjustments ⁽⁴⁾ - with non-captive adjustments ⁽⁵⁾	1,970	621	24.0%

Note(s):

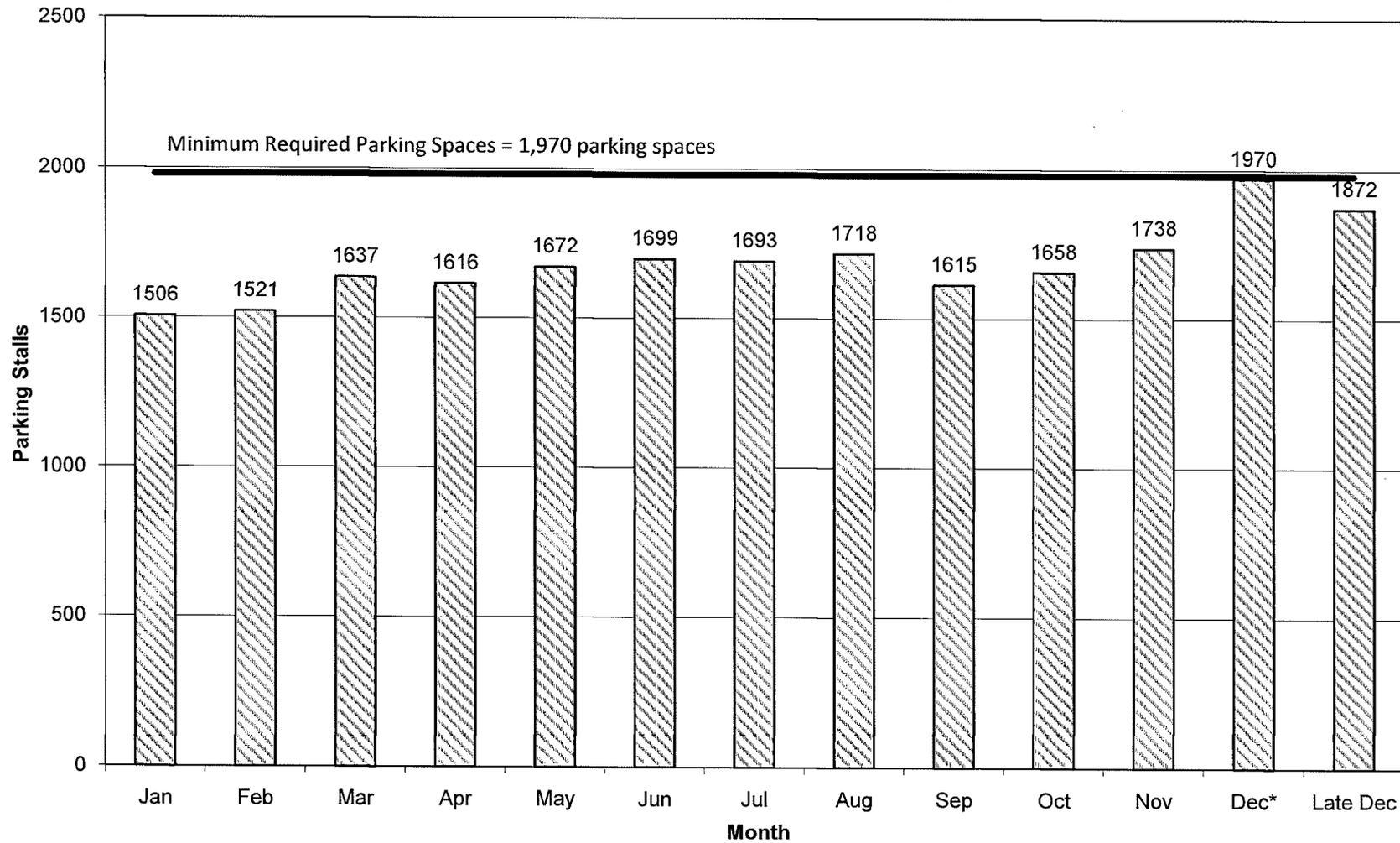
- (1) Based on the Fairfax County rates without shared parking or parking adjustments for all uses including seasonal outdoor restaurant table seats/employees.
- (2) Evaluates the 20th – highest hour design period for the minimum required parking supply in December when the seasonal restaurant outdoor table seats and associated employees would not be in use during the peak month of December.
- (3) Based on Fairfax County rates and ULI 2nd Edition Shared Parking model.
- (4) Includes a 9% mode adjustment for the office use and a 5% mode adjustment for retail store tenants, hotel guests, and retail/hotel employees.
- (5) Includes a 3% non-captive ratio for the retail, theatre, and restaurant patrons based on the adjacent residential, office, retail, and industrial uses.

Figure 1
Weekday Estimated Peak Hour Demand - December



(1) Required spaces based on Fairfax County Zoning Ordinance parking rates. (Including seasonal outdoor table seats and corresponding employees)
 (2) Required spaces based on Fairfax County Zoning Ordinance parking rates and by applying ULI methodologies and adjustments. (Excluding seasonal outdoor table seats and corresponding employees)

Figure 2: Weekday Month-by-Month Estimated Parking Demand
 (includes mode/captive market adjustments and seasonal restaurant table seats with seasonal restaurant employees except where noted)



* This three (3) week period represents little to no outdoor restaurant table seats or employees to serve those seats.

Parking Reduction Request

The code requirement for all the proposed non-residential uses is 2,591 parking spaces including the seasonal restaurant seats/employees. A non-residential parking reduction of **621 fewer parking spaces, or approximately 24.0%**, is requested on behalf of the shopping center uses, movie theatre use, office uses, hotel uses, and restaurant uses for the site. The proposal would provide a minimum of 1,970 parking spaces to support the proposed non-residential uses at build out in both surface spaces and structured garages with the 400 seasonal outdoor restaurant table seats/67 employees only permitted from January through November. Based on final design and layout of the garage space, the applicant would reserve the right to provide additional parking spaces beyond the requested required minimum. Any additional uses would be parked to code and these uses would not exceed the approved F.A.R.

In order to permit a reduction in the number of parking spaces, a parking reduction is hereby requested on behalf of the Mosaic District – Phase I.

Article 11, Section 102.4 provides for the requested reduction in the number of non-residential parking spaces.

Please contact me with any questions and/or comments you might have and thank you again for your assistance on this important project.

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February 8, 2011

ACTION – 2

Adoption of the Little Rocky Run/Johnny Moore Creek Watershed Management Plan (Sully and Springfield Districts) and the Accotink Creek Watershed Management Plan (Hunter Mill, Providence, Mason, Braddock, Lee, and Mount Vernon Districts)

ISSUE:

- The adoption of the Little Rocky Run/Johnny Moore Creek Watershed Management Plan.
- The adoption of the Accotink Creek Watershed Management Plan.

RECOMMENDATION:

The County Executive recommends that the Board adopt the Little Rocky Run - Johnny Moore Creek Watershed Management Plan and the Accotink Creek Watershed Management Plan.

TIMING:

Routine. Board Action is requested on February 8, 2011.

BACKGROUND:

The Board of Supervisor's environmental agenda, *Environmental Excellence for Fairfax County—A 20-Year Vision*, adopted in 2004, identifies the preparation of watershed management plans as a statement of commitment to the stormwater management program. The watershed management planning process has been supported by the Board of Supervisors since its inception in 2003.

The environmental plan provides insight and a vision for the implementation of the watershed management plans. The Little Rocky Run/Johnny Moore Creek Watershed Management Plan and the Accotink Creek Watershed Management Plan is helping to fulfill the vision identified by the Board.

Since the late 1970s, the County has utilized watershed management plans to manage the planning, design, and implementation of stormwater control projects. The initial planning effort projected stormwater program needs until the year 2000.

Only 20 percent of the County's streams are in good to excellent biological health condition based on the stream monitoring conducted between 1999 and 2009. One of

the primary objectives of the watershed planning initiative is to improve these conditions. In addition, the watershed plan addresses Fairfax County's commitment to the Chesapeake Bay Program and the Cool Counties goals.

Starting with the Little Hunting Creek Watershed Management Plan, the County embarked on a watershed planning initiative that assessed watershed needs and proposed improvements for the next 25 years. The watershed planning process consists of 13 total plans. The County has completed and adopted 11 watershed plans between 2004 and January 2011. The Little Rocky Run/Johnny Moore Creek Watershed Management Plan and the Accotink Creek Watershed Management Plan are the final two watershed plans to be completed. The County's watershed planning initiative is a substantial step in the process of restoring and preserving the County's watersheds.

The County developed watershed management plans to help achieve the following aims:

1. Regulatory Compliance
These include County ordinances and policies, Virginia's Chesapeake Bay Initiatives and the federal Clean Water Act. The County has an individual Municipal Separate Storm Sewer System (MS4) Permit under the Virginia Pollutant Discharge Elimination System (VPDES). This permit requires the creation of watershed management plans to facilitate compliance with the Clean Water Act. In addition, by developing these plans, the County is doing its part to fulfill Virginia's commitment to the Chesapeake Bay 2000 Agreement to restore the ecological health of the Chesapeake Bay Watershed.
2. Good Stewardship of the County's Streams
Fairfax County developed watershed plans as an initial step to restore and protect the County's streams by identifying and addressing the specific cause of degradation. Applying a top-down approach (starting at the headwaters and working downstream) will both restore the stream quality by reducing the negative effects of excess stormwater at its source and ensure a sustainable stream environment. Watershed planning will also provide the framework to encourage and sustain community involvement in watershed issues.
3. Update to Watershed Management Plans
The original environmental baseline and subsequent master plan for flood control and drainage for Little Rocky Run/Johnny Moore Creek and Accotink Creek was completed in 1976 and 1975, respectively. The plans

recommended immediate and future projects to address many watershed issues through the year 2000. By updating the plans using newer monitoring data, advanced modeling techniques and promoting innovative technology, the County will have a better understanding of the issues for stormwater improvement projects for the next 25 years.

4. Chesapeake Bay Restoration

Virginia has signed agreements with other states and federal agencies to work toward restoring the Chesapeake Bay. The *Chesapeake 2000 Agreement* includes the goal of developing watershed plans for two-thirds of the Bay's watersheds by 2010. The County has done its part to meet this goal by developing 13 watershed management plans, which encompass all 30 watersheds for the entire jurisdiction.

However, the intent of the original Chesapeake Bay 2000 agreement has been superseded by the May 12, 2009 Presidential Executive Order (#13508) and the EPA's effort to develop a Total Maximum Daily Load (TMDL) or pollution diet for the Chesapeake Bay and its major tributaries, adopted December 2010. The TMDL will provide a regulatory framework and mandate for achieving specific reductions in pollutant loads for nitrogen, phosphorus and sediment. The targeted load reductions are not expected to be available for localities until the state's Phase II Watershed Implementation Plans (WIPs) are developed in the fall of 2011.

Although the County's watershed management plans will establish a series of projects and recommendations to achieve pollutant reductions, the plans were initiated between 2003 and 2007, well before development of the Bay TMDL started and thus are not using the TMDL reduction goals as endpoints. Currently, it appears that the preliminary reduction goals that are being developed as part of the TMDL will be greater than the reductions realized from these watershed plans if all projects in the plans were implemented. However, the plans provide a strong foundation and systematic approach for identifying and addressing sources of pollution in the County's watersheds. This will enable the County to achieve some degree of reductions of these TMDL pollutants in an effective and efficient manner.

Public Involvement

A consistent approach for public involvement was a key component of the planning process in support of the final watershed management plans. The plans were

supported by two levels of public involvement. The first level consisted of two meetings open to the public: the Introductory and Issues Scoping Forum, where residents were invited to learn about watershed issues and helped to identify areas of concern to their community, and the Draft Plan Forum, where Fairfax County staff presented the draft plan to the public followed by a 30-day comment period. The second level of public involvement was provided by the Watershed Advisory Group (WAG), which met five times over the course of the development process. The WAG was made up of local stakeholders who advised the planning team about community outreach opportunities, key issues affecting the watersheds and feedback on potential projects. Additionally, internal review of the draft plan was conducted by various County agencies.

Watershed Restoration Strategies

The Little Rocky Run/Johnny Moore Creek Watershed Management Plan and the Accotink Creek Watershed Management Plan offer a range of project options to reduce non-point source pollution and sediment in the streams, improve stream habitat and reduce stormwater runoff peak flows in the primary tributaries. These types of projects include:

- New/Retrofit Stormwater Management Ponds
- Stream Restoration Projects
- Area-Wide Drainage Improvements
- Culvert Retrofits
- New/Retrofit BMP/LID
- Flood Protection/Mitigation
- Outfall Improvements
- Non-Structural Projects/Programs
 - Buffer restoration
 - Education and Outreach
 - Rain Barrels
 - Street sweeping
 - Dump site cleanups

Little Rocky Run/Johnny Moore Creek Watershed Management Plan and the Accotink Creek Watershed Management Plan

The Little Rocky Run/Johnny Moore Creek Watershed Management Plan was prepared by the engineering firm AMEC Earth and Environmental, Inc. The plan provides for 73 structural and seven non-structural stormwater management and improvement projects within the watershed group. The Accotink Creek Watershed Management Plan was

prepared by the engineering firm KCI Technologies, Inc. The plan identifies 229 structural and 20 non-structural stormwater management and improvement projects.

Hydrologic, hydraulic and water quality models were created in order to quantify the benefits of the proposed projects in this plan. Based on these models, the complete implementation of the proposed structural projects would provide the following benefits to these watersheds:

- 1) Annual reductions in pollutant loads resulting in improved stream water quality: [total suspended sediments (TSS), total nitrogen (TN) and total phosphorus (TP)]

Watershed Plan	Land Area (mi ²)	Reduction (25-Year Plan)		
		TSS (ton/yr)	TN (lb/yr)	TP (lb/yr)
Little Rocky Run/Johnny Moore Creek	12.6	348 (40%)	2,374 (8%)	474 (11%)
Accotink Creek	51	3,149 (15.6%)	12,372 (5.7%)	3,242 (8.4%)

- 2) Reductions in peak stormwater discharges, resulting in reductions in house, road, and yard flooding and reductions in stream velocities and bank erosion

In addition to these benefits, implementation of these plans would also achieve many secondary, unquantified benefits such as significant habitat improvement, reduction of other types of pollutants not mentioned above, reduced maintenance of certain types of stormwater facilities, implementation of several non-structural programs as mentioned above, and educational opportunities for the residents of Fairfax County.

FISCAL IMPACT:

No direct fiscal impact will result from approval of the Little Rocky Run/Johnny Moore Creek Watershed Management Plan and the Accotink Creek Watershed Management Plan. Projects and other recommendations of the plans will be initiated and funded through the annual budget process. The total cost of complete implementation of the Little Rocky Run/Johnny Moore Creek Plan over 25 years is estimated at \$17.3 million. The total cost of complete implementation of the Accotink Creek Watershed Management Plan over 25 years is estimated at \$87 million. It is anticipated that projects will be primarily funded from Fund 125, Stormwater Services, as well as from Fund 316, Pro Rata Share Drainage Construction.

Board Agenda Item
February 8, 2011

ENCLOSED DOCUMENTS:

Attachment 1: Copy of the Little Rocky Run - Johnny Moore Creek Watershed Management Plan Executive Summary (the complete plan is available in the Clerk's office and online at <http://www.fairfaxcounty.gov/dpwes/watersheds>)

Attachment 2: Copy of the Accotink Creek Watershed Management Plan Executive Summary (the complete plan is available in the Clerk's office and online at <http://www.fairfaxcounty.gov/dpwes/watersheds>)

STAFF:

Robert A. Stalzer, Deputy County Executive

James W. Patteson, Director, Department of Public Works and Environmental Services (DPWES)

Randolph W. Bartlett, Deputy Director, DPWES

Executive Summary

The Little Rocky Run – Johnny Moore Creek Watershed Management Plan is a strategic plan that aims to protect and improve the water quality within the watershed over the next 25 years. Fairfax County's first set of watershed plans was completed in the 1970s. Land use has changed significantly since that time. Additionally, there have been many advances in technology and development in the field of stormwater management which have resulted in updates to stormwater policies and regulations. New plans were needed to reflect these changes and to plan for a future in which Fairfax County balances the needs of the environment coupled with a highly developed land area.

This watershed plan provides more targeted strategies for addressing stream health given current and future land uses and evolving regulations. It is one of several tools that enable the County to address program requirements and to improve and maintain watershed health.

Planning Process

The plan includes a prioritized 25-year list of proposed capital improvement projects in addition to non-structural programs and projects. The planning process, initiated by Fairfax County, for development of this watershed management plan included the participation and recommendations of a watershed advisory group.

The principal goals for public involvement were:

- Increase community awareness and understanding of stormwater management
- Provide meaningful participation options for a diversity of stakeholders
- Incorporate community ideas into the scope of the watershed plans
- Strive for community support for the final plans

The first step of the public involvement process was to host an Introductory and Issues Scoping Forum that was open to all residents. The primary purpose of this forum was to solicit informed input on the development of the watershed management plan. Other objectives were to explain the planning process to the community and develop an initial list of watershed issues and concerns.

After the forum, stakeholder groups were invited to be part of a Watershed Advisory Group (WAG) for each plan. These were comprised of local stakeholders who represented various interests (homeowners association (HOA) representatives, environmental groups, etc). The WAG advised County staff about community outreach opportunities, key issues affecting their watershed and potential project locations.

The County selected three overarching goals, or intended outcomes of the watershed management plans:

1. Improve and maintain watershed functions in Fairfax County, including water quality, habitat and hydrology
2. Protect human health, safety and property by reducing stormwater impacts
3. Involve stakeholders in the protection, maintenance and restoration of County watersheds.

Ten objectives were developed related to the three goals. Each objective may achieve one or more goals, and each goal may be achieved by one or more objectives. These ten objectives were grouped into five categories based on certain aspects of watershed management the objectives could influence:

1. **Hydrology** - healthy movement and distribution of water through the environment in a way that is protective of streams and human dwellings
2. **Habitat** - suitable environment for sustaining plants and animals
3. **Stream water quality** - general chemical and physical properties of surface waters
4. **Drinking water quality** - quality of water used for human consumption

5. **Stewardship** - the roles the County, other jurisdictions and members of the general public can play in caring for the environment

Since accomplishment of objectives cannot be directly measured, indicators that are able to detect changes in the watershed were developed. Indicators are used to assess the condition of the environment, as early-warning signals of changes in the environment and to diagnose causes of ecological problems. Each indicator was measured by one or more metrics. A metric is an analytical benchmark that responds in a predictable way to increasing human, climatic or other environmental stress. The indicators used by Fairfax County may be grouped into the following categories:

- **Watershed Impact Indicators** – Measure the extent that reversal or prevention of a particular watershed impact, sought by the goals and objectives, has been achieved (“What’s there now, and how is it doing?”).
- **Source Indicators** – Quantify the presence of a potential stressor or pollutant source (“Is there a problem, and what’s causing it?”).
- **Programmatic Indicators** –After the plans are adopted, these will assess outcomes of resource protection and restoration activities (“What’s the County doing about the problem, and how is it doing?”).

The indicator metric values were translated into scores, and objective, composite and overall composite scores were calculated for use in subwatershed ranking. Weighting factors were used when calculating composite scores to give more importance to certain indicators and objectives.

The composite scores were used to identify problem areas in the watershed and rank subwatersheds for management priority. Subwatersheds were further categorized based on which management opportunities were most likely to restore functions to the problem areas identified. The resulting data were then utilized to identify key issues and select projects that would achieve the watershed planning goals and objectives.

Hydrologic, hydraulic and pollutant load models were used to develop a baseline for existing conditions and to assess the impact of the projects proposed in the watershed management plan.

Watershed Conditions

The Little Rocky Run watershed encompasses 4,605 acres (7.2 square miles) and the Johnny Moore Creek watershed encompasses 3,374 acres (5.3 square miles). Both watersheds are located in the Piedmont physiographic province, a region characterized by gently rolling hills, deeply weathered bedrock and very little solid rock at the surface. The Little Rocky Run watershed is divided into three watershed management areas (WMAs): Little Rocky Run-Upper, Little Rocky Run-Lower and Little Rocky Run-Bull Run. Johnny Moore Creek watershed is similarly divided into two WMAs, Johnny Moore Creek and Johnny Moore-Bull Run. The WMAs are generally three to five square miles in size. The WMAs are further divided into subwatersheds, ranging in size from 100 to 300 acres. Subwatersheds represent the smallest modeling unit for watershed planning.

Both the Little Rocky Run-Bull Run WMA and the Johnny Moore-Bull Run WMA are small areas (less than 200 acres) that drain directly to Bull Run. Because these two WMAs are mostly protected with only a small percentage of low-density development and no projects are identified for these WMAs, they are not discussed further in the watershed management plan.

The entire Johnny Moore Creek watershed is located in the Resource-Conservation (R-C) District established by the Board of Supervisors to protect the Occoquan Reservoir. This area has a designated density of one dwelling unit per five acres. The portions of the Little Rocky Run watershed south of Compton Road and the area south of Braddock Road and east of Union Mill Road are in the R-C District. The Little Rocky Run watershed consists primarily of open space, residential development and roadways.

The water quality analysis is driven by land use and the results reflect the different levels of development and stormwater controls in place in the three WMAs. Johnny Moore Creek, with less impervious areas and more natural cover, contributes fewer pounds per year of the pollutants of concern than the WMAs in the Little Rocky Run watershed. This watershed is in relatively healthy condition and needs to be protected; even modest changes in land use should be addressed using stormwater controls.

The Little Rocky Run – Lower WMA is a non-homogenous management area. The lower portion of the watershed is primarily open space or part of the R-C District and therefore produces low levels of pollutants. The rest of the WMA contains significant medium- and high-density residential areas and therefore pollutant loading estimates increase.

The subwatersheds located in the Little Rocky Run – Upper WMA are producing relatively high pollutant loadings. The WMA is predominantly medium- to high-density residential and contains commercially zoned parcels as well. This WMA has undergone the most significant development over the past 10 years, owing to medium/high-density residential and commercial areas replacing open space and low-density residential areas.

Watershed Restoration Strategies

Strategies for restoration of the watershed were presented to the Watershed Advisory Group (WAG) and were condensed into categories:

- Stream/Buffer Restoration
- Pond Retrofits
- New Stormwater Management (SWM) Facilities – includes Low Impact Development (LID) Techniques, Ponds, Culvert Retrofits, Outfall Treatment
- Flooding Mitigation

The restoration strategies encompass many different project types. The following table provides a summary of project types for each restoration strategy.

Restoration Strategy	Project Type
Stream Restoration	Stream/Bank Stabilization Stream Realignment Pipe Outfall Stabilization
Pond Retrofits	Regrade pond to provide more storage Remove concrete trickle ditches Redesign pond to include micropools and wetland areas Redesign quantity-only ponds to provide water quality storage
New SWM Facilities	Bioretention areas Vegetated swales Green roofs Underground storage Manufactured BMPs Stormwater Ponds – extended detention dry ponds, wet ponds Constructed wetlands Tree box filters Rain barrel programs
Flooding Mitigation	Resize road crossing structures to convey design discharge Floodproof or purchase structures located in the floodplain

Non-structural projects are a group of projects that do not require traditional construction measures to be implemented and may be programmatic in nature. These projects include but are not limited to the following practices:

- Buffer restorations
- Rain barrel programs
- Dumpsite and obstruction removals
- Community outreach and public education
- Land conservation coordination projects
- Inspection and enforcement projects
- Street sweeping programs
- Recommendation of additional studies, surveys and assessments

In general, non-structural projects represent opportunities to proactively pursue stormwater issues that more traditional structural practices cannot address. The use of non-structural practices aids in fulfilling Fairfax County's MS4 permit requirements and environmental initiatives. The full potential of these projects will be realized through partnerships with County agencies, residents and other interested parties.

To identify projects, the subwatershed ranking results were used in combination with problem areas identified in the County's stream physical assessment, concerns identified by both the WAG and the public forum, and sites discovered during the field reconnaissance. A 'project universe' of nearly 150 candidate projects was compiled as a result of this analysis. Field investigation of the candidate projects was conducted in June 2009 to evaluate feasibility and to gather other data such as site conditions, site constraints and potential construction considerations. Following the field investigation, 82 projects were selected for further prioritization and ranking (Section 4.3). Some of the projects were combined into one project based on their cost and proximity.

The baseline ranking process consisted of setting values in five categories that, when scored according to the following weighting system, resulted in a preliminary project score. The five categories are described as:

1. Effect on Watershed Impact Indicators (30 percent)
2. Effect on Source Indicators (30 percent)
3. Location within Priority Subwatersheds (10 percent)
4. Sequencing (20 percent)
5. Implementability (10 percent)

The benefits of plan implementation were analyzed through the modeling. Projects in the 10-year implementation plan that could impact the stormwater runoff were modeled in the Storm Water Management Model (SWMM) hydrologic model to determine the magnitude of increased storage on discharge rates. These discharge changes were then input into the Hydrologic Engineering Center River Analysis System (HEC-RAS) hydraulic model to assess any changes to flooding elevations. The changes to flood elevations as a result of the projects were minimal. All project impacts on nitrogen, phosphorus and sediment pollutant loadings were modeled in the Spreadsheet Tool for Estimating Pollutant Load (STEPL).

The plan benefits are improved habitat, improved stream conditions and increased pollutant removal. The cost of the 10-year plan is approximately \$13 million and it is estimated that the 10-year implementation plan would remove 283 tons per year (33 percent) of sediment, 1,583 pounds per year (5 percent) of nitrogen and 317 pounds per year (8 percent) of phosphorus. The cost of the entire plan (10-year and 25-year implementation plans) is approximately \$17.3 million. The pollutant removal of the entire plan is estimated at 348 tons per year (40 percent) of sediment, 2,374 pounds per year (8 percent) of nitrogen and 474 pounds per year (11 percent) of phosphorus. In Little Rocky Run, pollutant loads are reduced below existing condition levels. In Johnny Moore Creek, the future land use changes are due to estate residential development. Because of private property constraints, it was difficult to fully address pollutant removal in these areas through the watershed management plan. As these properties are developed, on-site stormwater measures should be employed to control runoff and pollutant levels.

The following provisions address the funding and implementation of projects and programs in Fairfax County watershed plans. These provisions as recommended by the Board were developed for the Popes Head Creek Watershed Management Plan in February 2006 and have been applied to the Little Rocky Run – Johnny Moore Creek Watershed Management Plan:

- i. Projects and programs (both structural and non-structural) will first undergo appropriate review by County staff and the Board (please see iii below) prior to implementation. Board adoption of the Watershed Management Plan will not set into motion automatic implementation of projects, programs or initiatives that have not first been subject to sufficient scrutiny to ensure that the projects that are funded give the County the greatest environmental benefit for the cost.
- ii. Road projects not related to protection of streambeds or banks or water quality will not be funded out of the stormwater and watershed budget.
- iii. The Watershed Management Plan provides a conceptual master-list of structural capital projects and a list of potential non-structural projects for the watershed. Staff will, on a fiscal year basis, prepare and submit to the Board a detailed work plan to include a description of proposed projects and an explanation of their ranking, based on specific criteria. Criteria used to assemble this list will include, but are not limited to, cost-effectiveness as compared to alternative projects, a clear public benefit, a need to protect public or private lands from erosion or flooding, a need to meet a specific watershed or water quality goal, and ability to be implemented within the same fiscal year that funding is provided. Staff also intends to track the progress of implementation and report back to the Board periodically.
- iv. Each project on the annual list of structural projects will be evaluated using basic value-engineering cost effectiveness principles before implementation and the consideration of alternative structural and non-structural means for accomplishing the purposes of the project will be considered before implementation. This process will ensure the County's commitment to being a fiscally responsible public entity.
- v. Obstruction removal projects on private lands will be evaluated on a case-by-case basis for referral to the Zoning Administrator and/or County Attorney for action as public nuisances; and otherwise to determine appropriate cost-sharing by any parties responsible for the obstructions.
- vi. Stream restoration projects on private lands will be evaluated to determine means for cost-sharing by land owners directly responsible for degradation due to their land uses.

A master list of the projects follows. More detailed cost estimates were prepared for the 40 10-year implementation plan projects and these costs are provided on the following table. The rough cost estimates for the 33 25-year implementation plan projects and the 7 non-structural projects are not provided in the tables.

Priority Structural Projects (Ten Year Implementation Plan)				
Project #	Project Type	WMA	Location	Cost
JM9100	Stormwater Pond Retrofit	Johnny Moore Creek	7005 Union Mill Rd Clifton, VA 20124	\$ 200,000
JM9200	Stream Restoration	Johnny Moore Creek	13309 Balmoral Greens Av Clifton, VA 20124	\$ 770,000
JM9201	Stream Restoration	Johnny Moore Creek	13309 Balmoral Greens Av Clifton, VA 20124	\$ 420,000
JM9202	Stream Restoration	Johnny Moore Creek	7029 Union Mill Rd Clifton, VA 20124	\$ 320,000
JM9203	Stream Restoration	Johnny Moore Creek	13400 Compton Rd Clifton, VA 20124	\$ 770,000
JM9400	Culvert Retrofit	Johnny Moore Creek	13165 Compton Rd Clifton, VA 20124	\$ 120,000
JM9500	BMP/LID	Johnny Moore Creek	7051 Balmoral Forest Rd Clifton, VA 20124	\$ 120,000
LR9005	Regional Pond Group	Little Rocky Run - Lower	6351 Littlefield Ct Centreville, VA 20121	\$ 650,000
LR9010	Regional Pond Group	Little Rocky Run - Upper	5378 Harrow La Fairfax, VA 22030	\$ 350,000
LR9013	Regional Pond Group	Little Rocky Run - Lower	13600 Wildflower La Clifton, VA 20124	\$ 740,000
LR9100	Stormwater Pond Retrofit	Little Rocky Run - Lower	13943 Stonefield Dr Clifton, VA 20124	\$ 100,000
LR9102	Stormwater Pond Retrofit	Little Rocky Run - Lower	6579 Rockland Dr Clifton, VA 20124	\$ 220,000
LR9103	Stormwater Pond Retrofit Stream Restoration	Little Rocky Run - Lower	13815 Springstone Dr Clifton, VA 20124	\$ 560,000
LR9106	Stormwater Pond Retrofit	Little Rocky Run - Lower	13534 Union Village Ci Clifton, VA 20124	\$ 190,000
LR9109	Stormwater Pond Retrofit	Little Rocky Run - Upper	5064 Cavalier Woods La Clifton, VA 20124	\$ 40,000
LR9110	Stormwater Pond Retrofit	Little Rocky Run - Lower	13214 Kilby Landing Ct Clifton, VA 20124	\$ 120,000
LR9111	Stormwater Pond Retrofit	Little Rocky Run - Lower	13022 Cobble La Clifton, VA 20124	\$ 100,000
LR9114	Stormwater Pond Retrofit	Little Rocky Run - Upper	13114 Blue Willow Pl Clifton, VA 20124	\$ 60,000
LR9115	Stormwater Pond Retrofit	Little Rocky Run - Upper	5403 Willow Valley Rd Clifton, VA 20124	\$ 290,000
LR9117	Stormwater Pond Retrofit	Little Rocky Run - Upper	12837 Lee Hy Fairfax, VA 22030	\$ 40,000
LR9201	Stream Restoration	Little Rocky Run - Lower	14104 Sorrel Chase Ct Centreville, VA 20121	\$ 830,000
LR9202	Stream Restoration	Little Rocky Run - Lower	6419 Stonehaven Ct Clifton, VA 20124	\$ 820,000

Priority Structural Projects (Ten Year Implementation Plan)				
Project #	Project Type	WMA	Location	Cost
LR9203	Stream Restoration	Little Rocky Run - Lower	14100 Wood Rock Wy Centreville, VA 20121	\$ 310,000
LR9204	Stream Restoration	Little Rocky Run - Lower	5587A Rockpointe Dr Clifton, VA 20124	\$ 110,000
LR9205	Stream Restoration	Little Rocky Run - Upper	5217 Whisper Willow Dr Fairfax, VA 22030	\$ 510,000
LR9207	Stream Restoration	Little Rocky Run - Upper	5378 Ashleigh Rd Fairfax, VA 22030	\$ 650,000
LR9208	Stream Restoration	Little Rocky Run - Upper	5418 Ashleigh Rd Fairfax, VA 22030	\$ 800,000
LR9209	Stream Restoration	Little Rocky Run - Upper	12753 Ashleigh Ct Fairfax, VA 22030	\$ 380,000
LR9504	BMP/LID	Little Rocky Run - Lower	13916 Rock Brook Ct Clifton, VA 20124	\$ 80,000
LR9508	BMP/LID	Little Rocky Run - Lower	6612 Creek Run Dr Centreville, VA 20121	\$ 90,000
LR9509	BMP/LID	Little Rocky Run - Lower	6600 La Petite Pl Centreville, VA 20121	\$ 140,000
LR9510	BMP/LID	Little Rocky Run - Lower	14330 Green Trails Bv Centreville, VA 20121	\$ 260,000
LR9514	BMP/LID	Little Rocky Run - Lower	13611 Springstone Dr Clifton, VA 20124	\$ 100,000
LR9516	BMP/LID	Little Rocky Run - Lower	6001 Union Mill Rd Clifton, VA 20124	\$ 330,000
LR9521	BMP/LID	Little Rocky Run - Upper	13516 Canada Goose Ct Clifton, VA 20124	\$ 180,000
LR9522	BMP/LID	Little Rocky Run - Upper	13340 Leland Rd Centreville, VA 20121	\$ 220,000
LR9523	BMP/LID	Little Rocky Run - Upper	13006 Feldspar Ct Clifton, VA 20124	\$ 510,000
LR9524	BMP/LID	Little Rocky Run - Upper	5355 Ashleigh Rd Fairfax, VA 22030	\$ 210,000
LR9526	BMP/LID	Little Rocky Run - Upper	4864 Muddler Way Fairfax, VA 22030	\$ 130,000
LR9527	BMP/LID	Little Rocky Run - Upper	5400 Willow Springs School Rd Fairfax, VA 22030	\$ 130,000
				\$12,970,000

Long Term Structural Projects (25 Year Implementation Plan)			
Project #	Project Type	WMA	Location
JM9101	Stormwater Pond Retrofit	Johnny Moore Creek	6801 Union Mill Rd Clifton, VA 20124
JM9700	Outfall Improvement	Johnny Moore Creek	6301 Clifton Rd Clifton, VA 20124
LR9005B	BMP/LID	Little Rocky Run - Lower	13905 Green Trails Ct Centreville, VA 20121
LR9013A	Stream Restoration	Little Rocky Run - Lower	5733 Old Clifton Rd Clifton, VA 20124
LR9013B	BMP/LID	Little Rocky Run - Lower	13400 Braddock Road Clifton, VA 20124
LR9013C	New SWM	Little Rocky Run - Lower	13619 Orchard Dr Clifton, VA 20124
LR9101	Stormwater Pond Retrofit	Little Rocky Run - Lower	13909 Warm Spring Ct Clifton, VA 20124
LR9104	Stormwater Pond Retrofit	Little Rocky Run - Lower	13932 Preacher Chapman Pl Centreville, VA 20121
LR9105	Stormwater Pond Retrofit	Little Rocky Run - Lower	13801 Laura Ratcliff Ct Centreville, VA 20121
LR9107	Stormwater Pond Retrofit	Little Rocky Run - Upper	5901 Spruce Run Ct Centreville, VA 20121
LR9108	Stormwater Pond Retrofit	Little Rocky Run - Upper	13660 Forest Pond Ct Centreville, VA 20121
LR9112	Stormwater Pond Retrofit	Little Rocky Run - Upper	13270 Maple Creek La Centreville, VA 20120
LR9113	Stormwater Pond Retrofit	Little Rocky Run - Upper	5324 Sammie Kay La Centreville, VA 20120
LR9116	Stormwater Pond Retrofit	Little Rocky Run - Upper	5130 Myrtle Leaf Dr Fairfax, VA 22030
LR9200	Stream Restoration	Little Rocky Run - Lower	7014 Dalemar Dr Clifton, VA 20124
LR9206	Stream Restoration	Little Rocky Run - Upper	5112 Lincoln Dr Fairfax, VA 22030
LR9500	BMP/LID	Little Rocky Run - Lower	6901 Newby Hall Ct Clifton, VA 20124
LR9501	BMP/LID	Little Rocky Run - Lower	6818 Compton Heights Cr Clifton, VA 20124
LR9502	BMP/LID	Little Rocky Run - Lower	14024 Marblestone Dr Clifton, VA 20124
LR9503	BMP/LID	Little Rocky Run - Lower	14100 Rock Canyon Dr Centreville, VA 20121
LR9505	BMP/LID	Little Rocky Run - Lower	13933 Marblestone Dr Clifton, VA 20124
LR9506	BMP/LID	Little Rocky Run - Lower	6596 Creek Run Dr Centreville, VA 20121
LR9507	BMP/LID	Little Rocky Run - Lower	13930 South Springs Dr Clifton, VA 20124

Long Term Structural Projects (25 Year Implementation Plan)			
Project #	Project Type	WMA	Location
LR9512	BMP/LID	Little Rocky Run - Lower	13905 Springstone Dr Clifton, VA 20124
LR9513	BMP/LID	Little Rocky Run - Lower	13671 Wildflower La Clifton, VA 20124
LR9515	BMP/LID	Little Rocky Run - Lower	13609 Bridgeland La Clifton, VA 20124
LR9517	BMP/LID	Little Rocky Run - Lower	6021 Little Brook Ct Clifton, VA 20124
LR9518	BMP/LID	Little Rocky Run - Upper	13644 Barren Springs Ct Centreville, VA 20121
LR9519	BMP/LID	Little Rocky Run - Upper	5813 Rockdale Ct Centreville, VA 20121
LR9520	BMP/LID	Little Rocky Run - Upper	13660 Bayberry La Centreville, VA 20121
LR9525	BMP/LID	Little Rocky Run - Upper	4895 Annamohr Dr Fairfax, VA 22030
LR9600	Flood Protection/Mitigation	Little Rocky Run - Upper	5416 Arrowhead Park Dr Centreville, VA 20120
LR9700	Outfall Improvement	Little Rocky Run - Lower	6436 Battle Rock Dr Clifton, VA 20124

Non-Structural Projects			
Project #	Project Type	WMA	Location
JM8800	Buffer Restoration	Johnny Moore Creek	13309 Balmoral Greens Av Clifton, VA 20124
JM8801	Buffer Restoration	Johnny Moore Creek	7404 Union Ridge Rd Clifton, VA 20124
LR8800	Buffer Restoration	Little Rocky Run - Upper	12810 Westbrook Dr Fairfax, VA 22030
LR9010A	Buffer Restoration	Little Rocky Run - Upper	12524 Chronical Dr Fairfax, VA 22030
LR9800	Outreach/Education	Little Rocky Run - Lower	14123 Compton Valley Wy Centreville, VA 20121
LR9801	Outreach/Education	Little Rocky Run - Upper	Bent Tree Apartments Centreville, VA 20121
LR9802	Outreach/Education, Street Sweeping Program	Little Rocky Run - Upper	5702 Union Mill Rd Clifton, VA 20124

Executive Summary

The *Accotink Creek Watershed Management Plan* provides a summary of the existing and future conditions of the Accotink Creek watershed in Fairfax County, Virginia and presents a strategy for restoring and preserving its natural resources. The plan was initiated by Fairfax County as part of a multi-year, multi-objective program to preserve and restore the County's natural environment and aquatic resources, and is consistent with the Fairfax County Board of Supervisors' Environmental Agenda adopted in June 2004. It has been prepared as part of the process of compliance with state and federal laws and mandates, including Virginia's Chesapeake Bay Initiatives and the federal Clean Water Act.

Fairfax County has a long history of planning at the watershed scale. The County's first series of watershed plans was completed in the 1970s. Since that time, land use has changed significantly and there have been many advances in the fields of stormwater management and ecological restoration. These advances have been reflected in the countywide goals for the program, which are consistent across all County watershed plans. These include:

1. Improve and maintain watershed functions in Fairfax County, including hydrology, water quality, and habitat.
2. Protect human health, safety, and property by reducing stormwater impacts.
3. Involve stakeholders in the protection, maintenance and restoration of County watersheds.

Accotink Creek is approximately 52 square miles and is the second largest watershed in the County. It is a long, narrow watershed located in the center of the County and drains to Accotink Bay, and then into Gunston Cove and the Potomac River. To facilitate data management and promote local awareness of the streams, the watershed was subdivided into 16 Watershed Management Areas (WMAs) each approximately four square miles in size. These include seven major tributaries: Bear Branch, Crook Branch, Daniels Run, Hunters Branch, Long Branch Central, Long Branch North and Long Branch South. Because of long, narrow shape of the watershed, the remaining areas that drain directly to Accotink Creek mainstem were subdivided into eight WMAs: Mainstem 1 through 8. Finally, the area of land draining to tidewater was designated as the Potomac WMA.

The WMAs were further divided into subwatersheds with a target area of 100 to 300 acres. The subwatershed represents the smallest assessment unit for the watershed plan.

Approximately 11.7 square miles (23 percent) of the watershed are located in areas outside of the County jurisdiction and are not included in this plan. Because of this, the planning effort focused on only 14 of the 16 WMAs identified since the Potomac WMA is entirely within Fort Belvoir Military Reservation and the Daniels Run WMA is within the City of Fairfax.

Lake Accotink is located in the center of the watershed. It has a surface area of 68 acres and exerts significant influence on the drainage characteristics of the watershed.

Watershed Planning Process

The watershed planning process consisted of the following six steps:

1. Review and synthesis of previous studies and data compilation
2. Public involvement to gain input, provide education and build community support

3. Evaluation of current watershed conditions and evaluation of stormwater runoff and other impacts from present and ultimate development conditions
4. Development of non-structural and structural watershed improvement projects
5. Development of preliminary cost estimates, cost/benefit analysis and prioritization of capital projects
6. Adoption of the final watershed management plan by the Board of Supervisors

Previous Studies and Data Compilation

The 1970s watershed plans provided useful background information for land use changes, problems previously identified in the watershed and proposed solutions. The County's land use and parcel mapping data were used to determine the pattern of development. GIS layers were also used as the basis for developing watershed models. Indicators were used to determine the health of each subwatershed and determine the cause of any impairment. Monitoring results provided much of the data needed for the indicators, including information from the County's ongoing bioassessment program, the Stream Physical Assessment conducted in 2002 and water quality sampling results from the County stream monitoring programs and Virginia Department of Environmental Quality.

Public Involvement

The watershed plan development process was supported by two levels of public involvement. The first level consisted of two meetings open to the public: the Introductory and Issues Scoping Forum, held at West Springfield High School in October 2008, and the Draft Plan Review Workshop, held at Fairfax High School in September 2010. The second level of public involvement was provided by the Watershed Advisory Group (WAG), which met five times over the course of the process. The WAG was made up of local stakeholders who advised the planning team about community outreach opportunities, key issues affecting the watersheds and feedback on potential projects.

Existing Watershed Conditions

Current land-use mapping shows that the watershed is 87 percent developed, with 13 percent remaining as either open space (primarily along stream corridors) or water. The watershed is essentially built out with only four percent of the land use expected to change through redevelopment and conversion of open space to high-intensity commercial land use.

Overall, the watershed is 27 percent impervious. Imperviousness among the WMAs in the watershed ranges from three percent in the Potomac WMA to 41 percent impervious in the Long Branch North WMA. Imperviousness across the watershed is expected to increase by approximately 1.5 percent from future development.

Results of the 2002 Stream Physical Assessment ranked the watershed in the lower middle range of habitat quality when compared to other watersheds in the County. Ninety-one percent of stream channels were classified as unstable and experiencing severe bank erosion.

A set of measurable indicators was applied to develop a consistent project identification and prioritization process across the watershed. The indicators were grouped into the following categories:

- *Watershed Impact Indicators* – Measure the extent that reversal or prevention of a particular watershed impact, sought by the goals and objectives, has been achieved (“What’s there now, and how is it doing?”).
- *Source Indicators* – Quantify the presence of a potential stressor or pollutant source (“Is there a problem, and what’s causing it?”).
- *Programmatic Indicators* – After the plans are adopted, these will assess outcomes of resource protection and restoration activities (“What’s the County doing about the problem, and how is it doing?”).

The indicators were the key measures by which the condition of the watershed was assessed – comparing conditions at the subwatershed level and ranking them from best condition to worst. They provided a quantifiable method to determine why a particular subwatershed was in poor condition, whether from stream impacts, flooding, lack of buffers, forest, or wetlands, or high levels of stormwater pollution. This ranking helped to identify appropriate improvement projects and provided a method of measuring and prioritizing which projects would be most effective.

The subwatershed ranking analysis identified at least one impaired subwatershed in each of the 14 WMAs included in the analysis. Impairments included runoff impacts, flooding hazards, poor habitat health and water quality degradation. A majority of the subwatersheds in Daniels Run, Hunters Branch, Long Branch Central, Mainstem 4, Mainstem 5 and Mainstem 6 WMAs were in good condition. This is due to the influence of forested or undeveloped parcels, parks, golf courses and undeveloped areas within Fort Belvoir.

The remaining WMAs had a higher number of impaired subwatersheds. A subwatershed in the southwestern corner of the Long Branch North WMA was among the poorest quality overall due to low forest cover and high levels of impervious cover. Mainstem 3 had 11 of the lowest quality subwatersheds in the project and Mainstem 7 had six subwatersheds in industrial areas which scored poorly for water quality. Subwatersheds that scored poorly in the subwatershed ranking analysis were labeled as high priority subwatersheds because they represent the areas with the most need of restoration.

Watershed Restoration Strategies

Development of watershed restoration strategies involved two elements: determine where to prioritize restoration and preservation efforts and identify the specific practices and locations where improvements could be made.

The overall strategy for restoring and protecting the Accotink Creek watershed was developed with the assistance and input of the WAG. Group members contributed the following approaches for subwatershed prioritization:

- Preserve pristine areas from development or degradation
- Restore areas with limited impairment to expand wildlife populations
- Restore areas that are highly impaired due to specific and treatable factors

These recommendations highlight that targeting improvements only in the most impaired areas may not be the best watershed restoration method, and that other approaches to targeting improvements may work better. They also recognized that preventing impairments through preservation is more cost-effective than trying to restore an impaired system.

Specific restoration practices proposed for improvements were categorized as structural or non-structural. Structural practices are physical structures which are generally budgeted through the County's Capital Improvement Plan and involve engineering, design and construction. Non-structural practices are more programmatic in nature and usually focus on controlling stormwater runoff at the source.

Structural practices included:

- New Stormwater Management Ponds or Stormwater Pond Retrofits
- Stream Restoration
- Area-Wide Drainage Improvements
- Culvert Retrofits
- New BMP/LID or BMP/LID Retrofits
- Flood Protection Mitigation
- Outfall Improvements

Non-structural practices included:

- Buffer restoration
- Rain barrel and impervious disconnection programs
- Dumpsite and obstruction removals
- Community outreach and public education
- Land conservation coordination projects
- Inspection and enforcement projects
- Street sweeping programs
- Studies, surveys and assessments

To find potential project locations, a desktop assessment was first conducted to identify sites for structural projects. This initial assessment focused on sites for storage retrofits, which reduce or modify storm event peak flows, and onsite retrofits primarily to provide water quality improvements. Existing ponds and drainage areas above culverts were identified for storage retrofit. Onsite retrofit sites ranged from parking lots, rooftops, outfalls to inlets. Potential projects for stream restoration, flood mitigation and buffer restoration also were identified. In all, over 513 potential project sites were flagged for follow-up.

Non-structural projects were identified from field assessment of potential pollutant sources in a sampling of residential and commercial areas.

Candidate sites for stormwater retrofits and stream restoration were subsequently assessed in the field to identify any site constraints that would prevent improvements from being implemented or to note potential opportunities that would make improvements more likely to be successful. The result of the field assessment was either a rough concept for the improvement or a decision that the project was either not feasible or the constraints outweighed the potential benefits. Planning-level cost estimates were developed for the feasible projects and smaller projects were grouped together based on cost and location.

Prioritization, Benefits and Costs of Plan Implementation

Projects were prioritized for implementation using a score based upon the weighted average of the indicators and other factors: impact indicators (30 percent), source indicators (30 percent), location in a priority subwatershed (10 percent), upstream/downstream sequencing (20 percent)

and implementability (10 percent). Each project’s final score was used to determine whether the project fell into a high or low priority phase. Projects in the high priority phase would be constructed in the 0 to 10 year timeframe, and low priority projects in an 11 to 25 year timeframe.

This plan identified 120 high priority projects (subsequently called 10–year projects) for concept design and cost estimation. A project fact sheet was created for each of the high priority projects and provides a description of the project, benefits and constraints, a schematic design and a cost estimate, and can be found in Section 5. An additional 109 lower priority projects were identified for the 25-yr plan. These projects do not have individual project fact sheets, but information can be found under their individual WMA in Section 5. Finally, 20 non-structural projects were identified.

In order to assess the benefits of the Accotink Creek Watershed Management Plan, hydrologic, hydraulic and pollutant loading modeling was conducted for existing conditions and future conditions with and without the proposed projects. All projects were modeled for pollutant loading reductions. Only the 10-year projects were modeled for hydrologic and hydraulic benefits.

The benefits of the plan include eliminating the overtopping of at least one road crossing, reducing flooding potential, restoration of twelve miles of streams and one mile of stream buffers. Pollutant loads would be reduced by as much as 3,032 tons per year of sediment, 9,914 pounds per year of nitrogen and 2,758 pounds per year of phosphorus for the 10-yr implementation plan. The full 25-yr plan implementation would reduce pollutant loading by 3,149 tons per year of sediment, 12,376 pounds per year of nitrogen and 3,244 pounds per year of phosphorus. These benefits will help meet the County’s goals for water quality and stream improvements and provide a positive impact on the residents and conditions of the watersheds.

The total estimated cost for the structural projects for the 10-year plan is \$75 million. Full plan implementation of structural projects is \$87 million. All proposed projects are presented in the table below.

Table ES-1: Summary of Watershed Strategies

Priority Structural Projects (Ten Year Implementation Plan)				
Project #	Project Type	WMA	Location	Cost
AC9101	Stormwater Pond Retrofit	Mainstem 8	Village of Mount Air neighborhood	\$90,000
AC9102	Stormwater Pond Retrofit	Long Branch South	Intersection of Telegraph Rd and Fairfax County Pkwy	\$256,000
AC9105	Stormwater Pond Retrofit	Long Branch South	Pinewood Station neighborhood	\$168,000
AC9106	Stormwater Pond Retrofit	Long Branch South	Backlick Rd and Cinderbed Rd	\$195,000
AC9110	Stormwater Pond Retrofit	Long Branch South	Amberleigh neighborhood	\$227,000
AC9111	Stormwater Pond Retrofit	Long Branch South	Amberleigh neighborhood	\$75,000
AC9112	Stormwater Pond Retrofit	Long Branch South	Springfield Industrial Park	\$305,000
AC9113	Stormwater Pond Retrofit	Long Branch South	Springfield Industrial Park	\$161,000
AC9114	Stormwater Pond Retrofit	Long Branch South	Springfield Industrial Park	\$732,000

Priority Structural Projects (Ten Year Implementation Plan)				
Project #	Project Type	WMA	Location	Cost
AC9120	Stormwater Pond Retrofit	Long Branch South	Franconia/Springfield Metro	\$1,753,000
AC9123	Stormwater Pond Retrofit	Mainstem 7	Gateway 95 Business Park	\$62,000
AC9126	Stormwater Pond Retrofit	Mainstem 7	Alban Industrial Center	\$126,000
AC9133	Stormwater Pond Retrofit	Mainstem 6	Hunter Village neighborhood	\$107,000
AC9136	Stormwater Pond Retrofit	Mainstem 6	Kenwood Oaks neighborhood	\$111,000
AC9139	Stormwater Pond Retrofit	Mainstem 5	Westhaven neighborhood	\$63,000
AC9144	New Stormwater Pond	Long Branch Central	Lake Accotink Park	\$879,000
AC9147	New Stormwater Pond	Long Branch Central	Kings Park Shopping Ctr	\$248,000
AC9148	New Stormwater Pond	Long Branch Central	Long Branch Stream Valley Park	\$823,000
AC9161	Stormwater Pond Retrofit	Mainstem 3	Patriot Village neighborhood	\$86,000
AC9162	Stormwater Pond Retrofit	Mainstem 3	Patriot Village neighborhood	\$79,000
AC9172	New Stormwater Pond	Mainstem 2	End of Libeau Ln	\$989,000
AC9175	Stormwater Pond Retrofit	Crook Branch	Hunters Glen and Ridgelea Hills neighborhoods and Bethlehem Lutheran Church	\$211,000
AC9178	Stormwater Pond Retrofit	Mainstem 2	Prosperity Heights neighborhood	\$401,000
AC9181	Stormwater Pond Retrofit	Long Branch North	Prosperity Business Campus	\$249,000
AC9182	Stormwater Pond Retrofit	Bear Branch	Mantua Park	\$54,000
AC9183	New Stormwater Pond	Bear Branch	Kena Shriners Temple	\$274,000
AC9195	Stormwater Pond Retrofit	Mainstem 1	Oakton Village neighborhood	\$67,000
AC9196	Stormwater Pond Retrofit	Mainstem 1	Four Winds at Oakton Condominium	\$176,000
AC9199	Stormwater Pond Retrofit	Mainstem 1	Rosehaven Estates	\$64,000
AC9200	Stream Restoration	Mainstem 6	Downstream from Greeley Blvd / Hunter Village Park	\$643,000
AC9201	Stream Restoration	Mainstem 5	Accotink Stream Valley Park	\$707,000
AC9202	Stream Restoration	Mainstem 5	Charlestowne neighborhood	\$822,000
AC9203	Stream Restoration	Mainstem 5	Lake Accotink Park	\$193,000
AC9204	Stream Restoration	Mainstem 5	Lake Accotink Park	\$1,317,000
AC9205	Stream Restoration	Mainstem 4	Lake Accotink Park	\$1,343,000
AC9206	Stream Restoration	Mainstem 4	Kings Park neighborhood	\$875,000
AC9207	Stream Restoration	Mainstem 4	Kings Park	\$527,000
AC9208	Stream Restoration	Long Branch Central	Longbranch Falls Park	\$600,000
AC9209	Stream Restoration	Long Branch Central	Long Branch Stream Valley Park	\$1,476,000
AC9210	Stream Restoration	Mainstem 3	Wakefield Park neighborhood	\$1,441,000

Priority Structural Projects (Ten Year Implementation Plan)				
Project #	Project Type	WMA	Location	Cost
AC9211	Stream Restoration	Mainstem 3	Truro neighborhood	\$179,000
AC9212	Stream Restoration	Mainstem 3	Truro neighborhood	\$754,000
AC9213	Stream Restoration	Mainstem 3	Truro neighborhood	\$1,011,000
AC9214	Stream Restoration	Mainstem 3	Wakefield Park	\$621,000
AC9215	Stream Restoration	Mainstem 3	Mill Creek neighborhood	\$345,000
AC9216	Stream Restoration	Mainstem 3	Lafayette Forest neighborhood	\$811,000
AC9217	Stream Restoration	Mainstem 3	Lafayette Forest neighborhood	\$903,000
AC9218	Stream Restoration	Mainstem 3	Pleasant Ridge neighborhood	\$651,000
AC9219	Stream Restoration	Mainstem 2	Pine Ridge Park	\$1,664,000
AC9220	Stream Restoration	Crook Branch	Ridgelea Hills neighborhood	\$234,000
AC9221	Stream Restoration	Crook Branch	Mantua and Ridgelea Hills neighborhoods	\$1,801,000
AC9222	Stream Restoration	Crook Branch	Mantua Hills and Stockbridge neighborhoods	\$829,000
AC9223	Stream Restoration	Mainstem 2	Pine Ridge neighborhood	\$958,000
AC9224	Stream Restoration	Long Branch North	I-66 and Prosperity Ave	\$257,000
AC9225	Stream Restoration	Bear Branch	South Side Park	\$3,273,000
AC9226	Stream Restoration	Long Branch South	Windsor Estates	\$608,000
AC9227	Stream Restoration	Long Branch South	Windsor Estates	\$675,000
AC9229	Stream Restoration	Mainstem 4	Flag Run Park, Lake Accotink Park / I-495	\$1,383,000
AC9230	Stream Restoration	Mainstem 3	Wakefield Park	\$748,000
AC9231	Stream Restoration	Mainstem 3	Wakefield Park	\$781,000
AC9232	Stream Restoration	Mainstem 3	Wakefield Park	\$697,000
AC9233	Stream Restoration	Mainstem 3	Wakefield Park	\$703,000
AC9234	Stream Restoration	Long Branch North	Sutton Place and Mantua Woods neighborhoods	\$1,026,000
AC9235	Stream Restoration	Long Branch North	Sutton Place and Copeland Pond neighborhoods	\$1,035,000
AC9236	Stream Restoration	Long Branch North	Merrifield View neighborhood	\$1,016,000
AC9237	Stream Restoration	Long Branch North	Fairhill on the Boulevard neighborhood	\$624,000
AC9238	Stream Restoration	Long Branch North	Dunn Loring Woods neighborhood and Prosperity Business Campus	\$2,736,000
AC9239	Stream Restoration	Bear Branch	Covington / Villa Lee Park, Arrowhead Park	\$3,225,000
AC9240	Stream Restoration	Bear Branch	South Side Park neighborhood	\$2,241,000
AC9241	Stream Restoration	Hunters Branch	Stonehurst / Eakin Community Park	\$2,176,000
AC9242	Stream Restoration	Hunters Branch	Lee Hwy and Hermosa Dr	\$389,000

Priority Structural Projects (Ten Year Implementation Plan)				
Project #	Project Type	WMA	Location	Cost
AC9300	Area-Wide Drainage Improvements	Mainstem 7	Pohick Estates neighborhood	\$799,000
AC9301	Area-Wide Drainage Improvements	Long Branch South	Windsor Park	\$1,040,000
AC9302	Area-Wide Drainage Improvements	Mainstem 4	Ravensthorpe neighborhood	\$731,000
AC9303	Area-Wide Drainage Improvements	Mainstem 4	Kings Park neighborhood	\$1,475,000
AC9304	Area-Wide Drainage Improvements	Mainstem 3	Ravensthorpe Park and Bristow neighborhoods	\$1,681,000
AC9305	Area-Wide Drainage Improvements	Long Branch Central	Canterbury Woods neighborhood	\$1,647,000
AC9306	Area-Wide Drainage Improvements	Long Branch Central	Willow Woods neighborhood	\$757,000
AC9307	Area-Wide Drainage Improvements	Long Branch Central	Woodland Forest neighborhood	\$528,000
AC9308	Area-Wide Drainage Improvements	Long Branch Central	Canterbury Woods and Long Branch neighborhoods	\$358,000
AC9309	Area-Wide Drainage Improvements	Long Branch Central	Springbook Forest, Willow Woods and Woods of Ilda neighborhoods	\$1,117,000
AC9310	Area-Wide Drainage Improvements	Long Branch Central	Springbook Forest and Rutherford neighborhoods	\$1,885,000
AC9311	Area-Wide Drainage Improvements	Mainstem 3	Ramblewood neighborhood	\$422,000
AC9312	Area-Wide Drainage Improvements	Crook Branch	Westchester and Briars of Westchester neighborhoods	\$1,191,000
AC9313	Area-Wide Drainage Improvements	Crook Branch	Langhorne Acres neighborhood	\$718,000
AC9314	Area-Wide Drainage Improvements	Long Branch North	Dunn Loring Village neighborhood	\$467,000
AC9315	Area-Wide Drainage Improvements	Bear Branch	Hideaway Park neighborhood	\$283,000
AC9316	Area-Wide Drainage Improvements	Mainstem 1	Hawthorne Village Apts, Five Oaks Place and Cedar Grove Park neighborhoods	\$1,039,000
AC9400	Culvert Retrofit	Mainstem 4	Queensberry Ave	\$74,000
AC9401	Culvert Retrofit	Mainstem 4	I-495	\$84,000
AC9405	Culvert Retrofit	Long Branch Central	Old Forge Park	\$29,000
AC9406	Culvert Retrofit	Long Branch Central	Long Branch Park	\$84,000
AC9409	Culvert Retrofit	Mainstem 1	Oakton High School	\$65,000
AC9501	BMP/LID	Long Branch South	Newington Industrial Park	\$59,000
AC9502	BMP/LID	Long Branch South	Newington Rd	\$102,000
AC9503	BMP/LID	Long Branch South	Franconia/Springfield Metro	\$100,000
AC9505	BMP/LID	Long Branch South	Francis Scott Key Middle School	\$132,000
AC9506	BMP/LID	Long Branch South	Commercial Parking Lot	\$114,000

Priority Structural Projects (Ten Year Implementation Plan)				
Project #	Project Type	WMA	Location	Cost
AC9508	BMP/LID	Long Branch South	Robert E. Lee High School	\$176,000
AC9509	BMP/LID	Mainstem 7	Lockport Industrial Park	\$213,000
AC9510	BMP/LID	Mainstem 7	Lockport Industrial Park	\$723,000
AC9511	BMP/LID	Mainstem 7	Deer Park parking lot	\$63,000
AC9512	BMP/LID	Mainstem 7	HRM Automotive	\$106,000
AC9514	BMP/LID	Mainstem 6	Cardinal Forest Plaza	\$142,000
AC9515	BMP/LID	Mainstem 6	Old Keene Mill Shopping Center	\$204,000
AC9529	BMP/LID	Long Branch Central	Canterbury Woods Elementary School	\$44,000
AC9535	BMP/LID	Mainstem 3	Wakefield Chapel Estates	\$188,000
AC9538	BMP/LID	Mainstem 3	Northern Virginia Community College parking lot	\$388,000
AC9539	BMP/LID	Mainstem 3	Annandale Terrace Elementary School	\$118,000
AC9541	BMP/LID	Mainstem 3	Little River Shopping Center	\$100,000
AC9545	BMP/LID	Mainstem 2	Eakin Park and Byzantine Church parking lot	\$79,000
AC9546	BMP/LID	Crook Branch	Mantua Elementary School	\$109,000
AC9547	BMP/LID	Crook Branch	Providence Presbyterian Church and Pixie Ct	\$95,000
AC9548	BMP/LID	Crook Branch	Ridgelea Hills neighborhood	\$398,000
AC9550	BMP/LID	Long Branch North	Industry Lane and Lee Hwy	\$364,000
AC9551	BMP/LID	Long Branch North	Stenwood Elementary School	\$50,000
AC9553	BMP/LID	Hunters Branch	Pan Am Shopping Center	\$304,000
AC9558	BMP/LID	Mainstem 1	Mosby Woods Elementary School	\$100,000
AC9562	BMP/LID	Mainstem 1	AT&T office building	\$328,000
AC9600	Flood Protection/Mitigation	Long Branch South	Culvert under railroad behind Industrial Park	\$450,000
Total Cost				\$75,052,000

Long Term Structural Projects (25 Year Implementation Plan)			
Project #	Project Type	WMA	Location
AC9100	Stormwater Pond Retrofit	Mainstem 8	Landsdowne neighborhood
AC9103	Stormwater Pond Retrofit	Long Branch South	Gateway 95 Business Park
AC9104	Stormwater Pond Retrofit	Long Branch South	Shirley Industrial Complex
AC9107	Stormwater Pond Retrofit	Long Branch South	Landsdowne neighborhood
AC9108	Stormwater Pond Retrofit	Long Branch South	Amberleigh Park
AC9109	Stormwater Pond Retrofit	Long Branch South	Island Creek Park
AC9115	Stormwater Pond Retrofit	Long Branch South	Next to Assembly of God Church

Long Term Structural Projects (25 Year Implementation Plan)			
Project #	Project Type	WMA	Location
AC9116	Stormwater Pond Retrofit	Long Branch South	Devonshire Townhomes
AC9117	Stormwater Pond Retrofit	Long Branch South	Walker Lane Condo
AC9118	Stormwater Pond Retrofit	Long Branch South	Fleet Industrial Park
AC9119	Stormwater Pond Retrofit	Long Branch South	Behind Gilders St
AC9121	Stormwater Pond Retrofit	Long Branch South	Sunrise Assisted Living
AC9122	New Stormwater Pond	Long Branch South	I-95 and Franconia Rd Interchange
AC9124	Stormwater Pond Retrofit	Mainstem 7	Newington Commerce Center
AC9125	Stormwater Pond Retrofit	Mainstem 7	Terra Grande neighborhood
AC9127	Stormwater Pond Retrofit	Mainstem 7	Alban Industrial Center
AC9128	Stormwater Pond Retrofit	Mainstem 7	Terra Grande
AC9129	Stormwater Pond Retrofit	Mainstem 7	VA 95 Industrial Park
AC9130	New Stormwater Pond	Mainstem 7	Alban Road
AC9131	Stormwater Pond Retrofit	Mainstem 6	Bonniemill Acres neighborhood
AC9132	Stormwater Pond Retrofit	Mainstem 6	Shirley Springs neighborhood
AC9134	Stormwater Pond Retrofit	Mainstem 6	Rolling Forest neighborhood
AC9135	Stormwater Pond Retrofit	Mainstem 6	Bethnal Pl and Caton Woods Ct
AC9137	Stormwater Pond Retrofit	Mainstem 5	Behind Cilla Park Rd
AC9138	Stormwater Pond Retrofit	Mainstem 5	Toyota Dealership on Amherst Ave
AC9140	Stormwater Pond Retrofit	Mainstem 5	Brookfield Park
AC9141	Stormwater Pond Retrofit	Mainstem 5	Highland Business Park
AC9142	New Stormwater Pond	Mainstem 4	Behind Morrissette Dr
AC9145	New Stormwater Pond	Long Branch Central	Canterbury Woods Swim Club
AC9146	Stormwater Pond Retrofit	Long Branch Central	Woodland Forest neighborhood
AC9149	Stormwater Pond Retrofit	Long Branch Central	Dunleigh neighborhood
AC9150	Stormwater Pond Retrofit	Long Branch Central	Burke Professional Center
AC9151	Stormwater Pond Retrofit	Long Branch Central	Long Branch Swim and Racquet Club
AC9152	Stormwater Pond Retrofit	Long Branch Central	Chestnut Hills West neighborhood
AC9153	Stormwater Pond Retrofit	Long Branch Central	Behind Wrought Iron Ct
AC9154	Stormwater Pond Retrofit	Long Branch Central	Lee Meadows neighborhood
AC9155	New Stormwater Pond	Long Branch Central	Sweet Briar Forest neighborhood
AC9156	Stormwater Pond Retrofit	Long Branch Central	Korean Presbyterian Church
AC9157	Stormwater Pond Retrofit	Long Branch Central	George Mason Park
AC9158	Stormwater Pond Retrofit	Long Branch Central	Somerset South neighborhood
AC9159	New Stormwater Pond	Mainstem 3	Howery Field Park
AC9160	Stormwater Pond Retrofit	Mainstem 3	Chapel Lake
AC9165	Stormwater Pond Retrofit	Mainstem 3	Camelot Greens
AC9166	Stormwater Pond Retrofit	Mainstem 3	Lafayette Forest

Long Term Structural Projects (25 Year Implementation Plan)			
Project #	Project Type	WMA	Location
AC9167	Stormwater Pond Retrofit	Mainstem 3	Lafayette Park West
AC9168	Stormwater Pond Retrofit	Mainstem 3	Adams Walk
AC9169	Stormwater Pond Retrofit	Mainstem 3	Wachovia Building on Woodland Rd
AC9170	Stormwater Pond Retrofit	Mainstem 3	Lafayette Village
AC9171	Stormwater Pond Retrofit	Mainstem 2	Holmes Run Village neighborhood
AC9173	Stormwater Pond Retrofit	Mainstem 2	Silk Vision and Surgery Center
AC9174	Stormwater Pond Retrofit	Crook Branch	Greater Washington Jewish Community Foundation
AC9176	Stormwater Pond Retrofit	Crook Branch	Briars at Westchester neighborhood
AC9179	Stormwater Pond Retrofit	Long Branch North	Luther Jackson Middle School
AC9184	Stormwater Pond Retrofit	Bear Branch	Behind Barkley Gate Ln and Armistead Park neighborhood
AC9185	New Stormwater Pond	Bear Branch	Covington neighborhood
AC9186	New Stormwater Pond	Hunters Branch	Vienna Moose Lodge
AC9187	Stormwater Pond Retrofit	Mainstem 1	Behind Blake Park Ct
AC9188	Stormwater Pond Retrofit	Mainstem 1	Country Creek neighborhood
AC9189	New Stormwater Pond	Mainstem 1	East Blake Lane Park
AC9190	Stormwater Pond Retrofit	Mainstem 1	Behind Oakton Pond Ct
AC9191	Stormwater Pond Retrofit	Mainstem 1	Behind Cyrandall Pl
AC9192	Stormwater Pond Retrofit	Mainstem 1	Edgemoore neighborhood
AC9193	Stormwater Pond Retrofit	Mainstem 1	Oakdale Woods Ct
AC9194	Stormwater Pond Retrofit	Mainstem 1	Behind Miles Stone Ct
AC9197	Stormwater Pond Retrofit	Mainstem 1	Borge St and Oakton Meadows
AC9198	Stormwater Pond Retrofit	Mainstem 1	Silver Stone Ct and While Flint Ct
AC9402	Culvert Retrofit	Mainstem 4	Lake Accotink Park
AC9403	Culvert Retrofit	Mainstem 4	Lake Accotink Park
AC9404	Culvert Retrofit	Long Branch Central	Red Fox Dr
AC9407	Culvert Retrofit	Mainstem 3	Between Private Ln and Queen Elizabeth Blvd
AC9408	Culvert Retrofit	Bear Branch	South Side Park
AC9500	BMP/LID	Mainstem 8	Pohick Industrial Park
AC9504	BMP/LID	Long Branch South	Shopping area opposite Springfield Mall
AC9507	BMP/LID	Long Branch South	Springfield Mall
AC9513	BMP/LID	Mainstem 6	West Springfield Elementary School
AC9516	BMP/LID	Mainstem 5	Lee Valley Apts
AC9517	BMP/LID	Mainstem 5	Garfield Elementary School
AC9518	BMP/LID	Mainstem 5	Springfield United Methodist Church
AC9519	BMP/LID	Mainstem 5	Springfield Plaza
AC9520	BMP/LID	Mainstem 5	Springfield Plaza
AC9521	BMP/LID	Mainstem 5	Saint Bernadette Church and School
AC9522	BMP/LID	Mainstem 5	Grace Presbyterian Church
AC9523	BMP/LID	Mainstem 4	North Springfield Elementary School
AC9524	BMP/LID	Mainstem 4	Church of Jesus Christ and behind Rexford Ct
AC9525	BMP/LID	Mainstem 4	Tivoli Condominiums

Long Term Structural Projects (25 Year Implementation Plan)			
Project #	Project Type	WMA	Location
AC9526	BMP/LID	Mainstem 4	West Springfield Business Center
AC9527	BMP/LID	Mainstem 4	Kings Park Elementary School
AC9528	BMP/LID	Long Branch Central	Holy Spirit Catholic Church and Canterbury Woods Swim Club
AC9530	BMP/LID	Long Branch Central	Long Branch Swim and Racquet Club Parking Lot and St. Stephens United Methodist Church
AC9531	BMP/LID	Long Branch Central	Rutherford Area Swim Club
AC9532	BMP/LID	Long Branch Central	Rutherford Park
AC9533	BMP/LID	Long Branch Central	Rutherford Park
AC9534	BMP/LID	Mainstem 3	Annandale District Govt Center
AC9536	BMP/LID	Mainstem 3	Wakefield Forest Elementary School
AC9537	BMP/LID	Mainstem 3	Wakefield Chapel Park
AC9543	BMP/LID	Mainstem 2	Camelot Elementary School / Pine Ridge Park
AC9544	BMP/LID	Mainstem 2	Silk Vision and Surgery Center
AC9549	BMP/LID	Mainstem 2	Arlington Blvd & Williams Dr
AC9552	BMP/LID	Long Branch North	Thoreau Middle School and Stenwood Elementary School
AC9554	BMP/LID	Hunters Branch	Vienna Metro Station parking lot
AC9555	BMP/LID	Hunters Branch	Nottoway Park
AC9556	BMP/LID	Hunters Branch	Vienna Moose Lodge
AC9557	BMP/LID	Hunters Branch	Madison High School
AC9559	BMP/LID	Mainstem 1	End of Bickley Ct
AC9560	BMP/LID	Mainstem 1	Behind Courthouse Wood Ct
AC9561	BMP/LID	Mainstem 1	Vistas Condominiums
AC9700	Outfall Improvement	Mainstem 3	Wakefield Park
AC9701	Outfall Improvement	Mainstem 3	Wakefield Park
AC9702	Outfall Improvement	Mainstem 4	Lake Accotink Park

Non-Structural Projects			
Project #	Project Type	WMA	Location
AC9800	Buffer Restoration	Long Branch South	Intersection of Telegraph Rd and Fairfax County Pkwy
AC9801	Buffer Restoration	Long Branch South	Springfield Industrial Center
AC9802	Buffer Restoration	Mainstem 2	Accotink Stream Valley Park
AC9803	Buffer Restoration	Crook Branch	Upstream of Prosperity Ave / Lake Accotink Park
AC9804	Buffer Restoration	Crook Branch	Downstream of Prosperity Ave
AC9805	Buffer Restoration	Mainstem 2	Eakin Community Park
AC9806	Buffer Restoration	Long Branch North	Behind Amberley Ln
AC9900	Community Outreach/Public Education - Storm Drain Marking	Multiple	Watershed-wide
AC9902	Inspection/Enforcement Enhancement Project - Vehicle Maintenance	Multiple	Watershed-wide

Non-Structural Projects			
Project #	Project Type	WMA	Location
AC9903	Inspection/Enforcement Enhancement Project - Outdoor Materials Storage	Multiple	Watershed-wide
AC9904	Rain Barrels	Multiple	Watershed-wide
AC9906	Inspection/Enforcement Enhancement Project	Multiple	Watershed-wide
AC9907	Community Outreach/Public Education - Lawn Care Outreach	Multiple	Watershed-wide
AC9908	Inspection/Enforcement Enhancement Project - Dumpster Maintenance	Multiple	Watershed-wide
AC9909	Rain Barrels	Multiple	Watershed-wide
AC9910	Street Sweeping Program	Multiple	Watershed-wide
AC9913	Dumpsite/Obstruction Removal	Multiple	Watershed-wide
AC9914	Community Outreach/Public Education - Turf Management	Multiple	Watershed-wide
AC9935	Community Outreach/Public Education	Multiple	Watershed-wide
AC9936	Studies and Assessments – Floatables Control	Multiple	Watershed-wide

Board Agenda Item
February 8, 2011

INFORMATION - 1

Planning Commission Action on Application 2232-B09-31, T-Mobile Northeast, L.L.C.
(Braddock District)

On Wednesday, January 19, 2011, the Planning Commission voted unanimously (Commissioner Sargeant absent from the meeting) to approve 2232-B09-31.

The Commission noted that the application, as amended, met the criteria of character, location and extent, and was in conformance with Section 15.2-2232 of the *Code of Virginia*, as amended.

Application 2232-B09-31 sought approval to construct a telecommunications facility consisting of a 137-foot simulated evergreen tree monopole, with collocation for up to three service providers and related equipment, located at the Shurgard Storage Center facility, 5797-5801 Burke Centre Parkway, Burke. (Tax Map 77-1 ((1)) 74A). T-Mobile, with 9 panel antennas, and Verizon, with 12 antennas, will locate on the tree monopole when constructed and an unidentified carrier may locate in the future subject to a separate 2232 review action.

ENCLOSED DOCUMENTS:

Attachment 1: Verbatim excerpts

Attachment 2: Vicinity map

STAFF:

Robert A. Stalzer, Deputy County Executive

Fred R. Selden, Acting Director, Department of Planning and Zoning (DPZ)

Chris Caperton, Chief, Public Facilities Branch, Planning Division, DPZ

Barbara J. Lipka, Executive Director, Planning Commission Office

Planning Commission Meeting
January 19, 2011
Verbatim Excerpt

2232-B09-31 – T-MOBILE NORTHEAST, LLC

After the Close of the Public Hearing

Chairman Murphy: Public hearing is closed; recognize Ms. Harsel.

Commissioner Harsel: Thank you, Mr. Chairman, and thank you fellow Commissioners, but most of all, I thank you four – the four speakers that came out and sat through the first part of the meeting and stayed with us. Also, they did come to a meeting. They did come to -- one of them came to the balloon tests that we went to. This is always a hard thing when something new is introduced into an area. We used to think -- when people wanted to bring townhouses, we'd hear the complaints. And now we're down to mono-pines. But whatever it is, any change seems to bring something, you know, angst within this. I'm not saying it's good. And I'm not saying it's bad. I think if you didn't react to change, that's when I would get worried. The health issue has been raised. I'll be truthful with you. I have to side with those that say we may, you know, come down. But this is a very popular thing that's going around the country, around this area. In-house coverage, please! There is nothing worse than walking down the street and having someone on their front porch screaming into their cell phone because they don't hear -- they can't get it inside the house. Young people today are doing away with land lines. So this is -- you can call it "on the cusp of the industry coming". I understand the convention they just had in Las Vegas. We have no idea what's coming. And what's coming is going to demand more and more cells. And if we're -- as Mr. Murphy says, if you're out buying these things, we're going to have to provide service for you, and everything. I'm glad we have a device now that we can, maybe, start to get a handle on the health thing. I would say, I would join with Mr. Lawrence, but my "hobby horse" is not to hear -- not text in the cars. And they're going to fix that. My "hobby horse" is: Let's find a way -- remember when the television antennas came and they were all up on the roofs and everything? And how do they come now? Underground. They're the same thing. And I would like to see the industry start now, instead of inventing new things, where you pick up the telephone, you see the person on the other end. Heavens, you know, I'm not going to answer my phone 'til noon, 'til I have time to get dressed, and comb my hair if that's coming! But put your energy into finding a less obtrusive way to run these things. And that's very simply said. However, Mr. Chairman, that's neither here nor there. It's late. I appreciate all the Commissioners staying with me. I'm glad -- I bet you're glad that we only have Braddock cases once a year. But we're going to have more this year.

Chairman Murphy: Once every 25 years.

Commissioner Harsel: But it was worth it, wasn't it?

Chairman Murphy: Oh, it was an adventure.

Commissioner Hall: No.

Commissioner Harsel: Mr. Chairman, as I explained earlier, we can only look at this in the terms of character, location, and extent. As far as character, we do have trees around this. It's in the eye of the beholder, but putting a mono-pine here does keep it in character. The location is in an industrial area. Unfortunately, it's surrounded by residential. There is some commercial. I was surprised that the two daycare centers next door have not surfaced one way or the other. We did get an email today from someone who said they want it, but they live in Burke. They live in Burke Center down here. The extent, yes, I'm going to go on extent from the standpoint they have reduced it from 150 to 137 feet. That tries to bring it more level. We have some of these mono-pines that are, like, a mono-pine in the middle of the desert. You know it's there. This one, I think, will be fairly disguised. So therefore, Mr. Chairman, in accordance with *Virginia Code* Section 15.2-2232, as amended by staff, I MOVE THAT THE PLANNING COMMISSION FIND THE PROPOSAL BY T-MOBILE NORTHEAST AND VERIZON FOR A TELECOMMUNICATIONS FACILITY, WHICH IS a 137-FOOT TREE POLE, AT THE SHURGARD STORAGE, IN CONFORMANCE WITH THE PLAN, AND I RECOMMEND WE APPROVE SUCH APPLICATION.

Commissioner Hall: Second.

Chairman Murphy: Seconded by Ms Hall. Is there a discussion of the motion? All those in favor of the motion to approve 2232-B09-31, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

//

(The motion carried unanimously with Commissioner Sargeant absent from the meeting.)

JN

PLANNING DETERMINATION

Section 15.2 -2232 of the Code of Virginia



Number: 2232-B09-31

District: Braddock

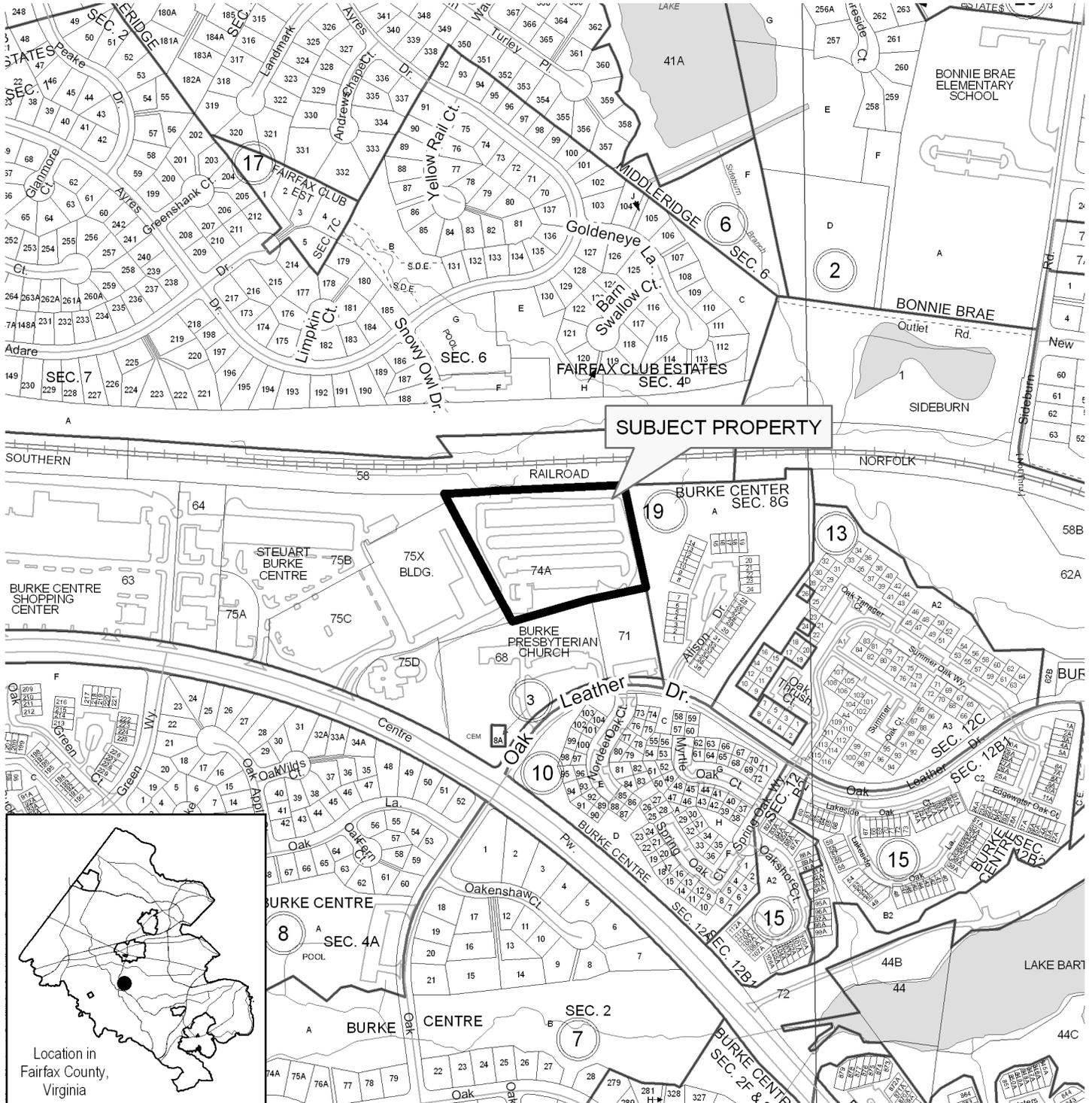
Acreage: 5.27 acres

Applicant: T-Mobile Northeast, L.L.C.

Subject Property: 77-1 ((1)) 74A

Planned Use: Industrial use

Proposed Use: telecommunications facility



500 FEET

PREPARED BY THE DEPARTMENT OF PLANNING AND ZONING
USING FAIRFAX COUNTY GIS



Board Agenda Item
February 8, 2011

11:30 a.m.

Matters Presented by Board Members

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12:20 p.m.

CLOSED SESSION:

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.2-3711(A) (1).
- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.2-3711(A) (3).
- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.2-3711(A) (7).
 - 1. *Jimmie D. Jenkins, Director, Fairfax County Department of Public Works and Environmental Services v. Raj Mehra and Urvashi Mehra*, Record No. 092272 (Va. Sup. Ct.) (Dranesville District)
 - 2. *FFW Enterprises v. Fairfax County, et al.*, Record No. 091883; *FFW Enterprises v. Fairfax County Economic Development Authority*, Record No. 091930 (Va. Sup. Ct.)
 - 3. *T-Mobile Northeast LLC v. Fairfax County, Virginia, and the Board of Supervisors of Fairfax County, Virginia*, Civil Action No. 1:10cv117 (E.D. Va.) (Dranesville District)
 - 4. *Tori Lakshia Day v. Russell B. Milam, et al.*, Case No. CL-2010-0015072 (Ffx. Co. Cir. Ct.)
 - 5. *Mary Getts Bland v. Fairfax County, Virginia*, Case No.1:10cv01030 (E.D. Va.)
 - 6. *Gary Pisner v. Board of Supervisors of Fairfax County, Virginia*, Record No. 213-10-4 (Va. Ct. App.) (Springfield District)
 - 7. *Stephen Weidman and Cynthia Weidman v. Board of Supervisors of Fairfax County, Virginia*, Case No. CL-2010-0018037 (Fx. Co. Cir. Ct.) (Providence District)

8. *Eileen M. McLane, Fairfax County Zoning Administrator v. Kyong H. Ock*, Case No. CL-2010-0003378 (Fx. Co. Cir. Ct.) (Mason District)
9. *Eileen M. McLane, Fairfax County Zoning Administrator v. Ruben Perez and Sonia M. Montecinos*, Case No. CL-2010-0001725 (Fx. Co. Cir. Ct.) (Mason District)
10. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Naomi E. Winkler*, Case No. CL-2010-0007025 (Fx. Co. Cir. Ct.) (Braddock District)
11. *Eileen M. McLane, Fairfax County Zoning Administrator v. Bahram Forouzanfar*, Case No. CL-2010-0009636 (Fx. Co. Cir. Ct.) (Mason District)
12. *Eileen M. McLane, Fairfax County Zoning Administrator v. Kevin M. Ferguson and C. Nicole Ferguson*, Case Nos. CL- 2010-0007746 and CL-2010-0012837 (Fx. Co. Cir. Ct.) (Mount Vernon District)
13. *Eileen M. McLane, Fairfax County Zoning Administrator v. Gertrude M. Jenkins*, Case No. CL-2010-0015885 (Fx. Co. Cir. Ct.) (Providence District)
14. *Eileen M. McLane, Fairfax County Zoning Administrator v. Tiffany Chau and Tom Bui*, Case No. CL-2010-0014135 (Fx. Co. Cir. Ct.) (Mason District)
15. *Eileen M. McLane, Fairfax County Zoning Administrator v. Jorge Berrios*, Case No. CL-2010-0016329 (Fx. Co. Cir. Ct.) (Lee District)
16. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Toetie Jones*, Case No. CL-2010-0010295 (Fx. Co. Cir. Ct.) (Braddock District)
17. *Eileen M. McLane, Fairfax County Zoning Administrator v. Harvey Ray Williams, Jr., and Jason Williams*, Case No. CL-2010-0017992 (Fx. Co. Cir. Ct.) (Braddock District)
18. *Eileen M. McLane, Fairfax County Zoning Administrator v. Vincent James Gioielli, II, and Susan M. Savage*, Case No. CL-2011-0000505 (Fx. Co. Cir. Ct.) (Dranesville District)
19. *Eileen M. McLane, Fairfax County Zoning Administrator v. Chang Ai Gregory*, Case No. CL-2011-0000625 (Fx. Co. Cir. Ct.) (Mason District)

Board Agenda Item
February 8, 2011

3:30 p.m.

Board Decision on SE 2010-MA-020 (Higher Horizons Day Care Center, Inc.) to Permit a Child Care Center and Nursery School with a Maximum Enrollment of 48 Students and Waivers and Modifications in a CRD, Located on approximately 13,160 Square Feet Zoned C-7, CRD, HC and SC, Mason District

The application property is located at 6201 Leesburg Pike, Tax Map 51-3 ((23)) Cpt. and C1pt.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, January 13, 2011, the Planning Commission voted unanimously (Commissioner Murphy not present for the votes) to recommend the following actions to the Board of Supervisors:

- Approval of SE 2010-MA-020, subject to the Development Conditions dated December 29, 2010, modified as follows:
 - Revise Condition 5 to read, “The total maximum daily enrollment is limited to 48 students between the ages of 6 weeks and 3 years old.”
 - Revise Condition 6 to read, “The maximum number of staff on site shall not exceed 12 at any one time.”
 - Revise Condition 7 to read, “The hours of operation shall be limited to 7:30 am to 5:00 p.m.”
 - Revise Condition 9 to read, “Parking areas shall not be used for recreational purposes.”
 - Add a new Development Condition to read, “Prior to the issuance of a non-RUP, the applicant shall provide a parking tabulation to ensure adequate parking on site.”
- Modification of the transitional screening yard and barrier requirements along the north, south, and east boundary lines in favor of that shown on the SE Plat.

ENCLOSED DOCUMENTS:

Attachment 1 - Verbatim

Staff Report previously furnished and available online at
<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4337609.PDF>

Board Agenda Item
February 8, 2011

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
William O'Donnell, Staff Coordinator, Zoning Evaluation Division, DPZ

SE 2010-MA-020 – HIGHER HORIZONS DAY CARE CENTER, INC.

After the Close of the Public Hearing

Vice Chairman Alcorn: Close the public hearing; recognize Commissioner Hall.

Commissioner Hall: Okay. We got the buttons working. Mr. Chairman, I move that the Planning Commission recommend - - oh boy, hold on. Right. I have - - okay. Thank you.

Commissioner Lawrence: Suspended motion.

Commissioner Hall: Okay.

Vice Chairman Alcorn: All right.

Commissioner Hall: I don't know if I trust you after that 2009 and 2010. Okay. Let me start again. I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF SE 2010-MA-020, SUBJECT TO THE DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE DATED DECEMBER 29, 2010, and as modified - -AND AS MODIFIED HERE. Okay. Condition Number 5 - - CONDITION NUMBER 5 WILL BE REPLACED WITH "THE TOTAL MAXIMUM DAILY ENROLLMENT IS LIMITED TO 48 - - between the ages - - THE STUDENTS BETWEEN THE AGES OF SIX WEEKS AND THREE YEARS OLD." CONDITION NUMBER 6 SHALL NOW READ: "THE MAXIMUM NUMBER OF STAFF SHALL NOT EXCEED 12 AT ANY ONE TIME ON SITE." Okay. CONDITION NUMBER 7, THE WORD "NORMAL" IS DELETED AND NOW READS: "THE HOURS OF OPERATION SHALL BE LIMITED TO 7:30 A.M. to 5,000 - - 5,000 - - TO 5:00 P.M." And last but not least, CONDITION NUMBER 9 WILL NOW READ: "PARKING AREAS SHALL NOT BE USED FOR RECREATIONAL PURPOSES." IN ADDITION, WE WILL ADD A NEW DEVELOPMENT CONDITION, WHICH READS: "PRIOR TO THE ISSUANCE OF A NON-RUP, THE APPLICANT SHALL PROVIDE A PARKING TABULATION TO ENSURE ADEQUATE PARKING ON SITE."

Vice Chairman Alcorn: Okay. The motion's been moved. Is there a second?

Commissioner de la Fe: Second.

Vice Chairman Alcorn: Seconded by Commissioner de la Fe. Any discussion on that motion?

Commissioner Lawrence: Question, Mr. Chairman, for clarification.

Vice Chairman Alcorn: Mr. Lawrence?

Commissioner Lawrence: The condition that says, we're only going to have so many staff on site at any one time, how will that be enforced? Will there be sign-in sheets? How will we know?

Commissioner Hall: I would believe that it would be like any other condition that it's called - - they would have time-in sheets or time cards, or it's like any other condition that we have.

Commissioner Lawrence: Thank you, Mr. Chairman.

Vice Chairman Alcorn: Any other discussion on the motion?

William O'Donnell, Zoning Evaluation Division, Department of Planning and Zoning: Commissioner Hall, I can kind of speak to that. If it becomes a problem - -

Vice Chairman Alcorn: Mr. O'Donnell.

Mr. O'Donnell: I'm sorry. This is William O'Donnell. If it is a problem, Zoning Enforcement has the ability to - - you know - - use that condition as a means to enforce, either if it's a parking problem or whatever the problem is. So.

Vice Chairman Alcorn: Okay. Any more discussion on the motion? All those in favor of recommending approval of SE 2010-MA-020, subject to the development conditions consistent with those found in the staff report and as modified by Commissioner Hall, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries. Commissioner Hall.

Commissioner Hall: Thank you, Mr. Chairman. I MOVE THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE MODIFICATION OF THE TRANSITIONAL SCREENING YARD AND BARRIER REQUIREMENTS ALONG THE NORTH, SOUTH, AND EAST BOUNDARY LINES, IN FAVOR OF THAT SHOWN ON THE SE PLAT.

Commissioner de la Fe: Second.

Vice Chairman Alcorn: Seconded by Commissioner de la Fe. Any discussion of that motion? All those in favor of recommending a modification of the transitional screening yard and barrier requirements along the north, south, and east boundary lines, in favor of that shown on the SE Plat, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries.

Commissioner Hall: Mr. Chairman, thank you very much, staff, Will - - hang in there. And I appreciate the work that the applicant and you'll be bringing extra services to people who need it in their neighborhood, which I think is a real plus. So, I thank you all. And now I'm going to say, good night, and I'm going to take my throat and leave. Thank you very much, Mr. Chairman.

Vice Chairman Alcorn: Thank you, Ms. Hall. Mr. Lawrence, before we go to - -

Commissioner Lawrence: Just a quick question for Transportation staff. Is there a statement somewhere on our Web site about who owns our roads?

Alan Kessler, Fairfax County Department of Transportation: My name is Alan Kessler with the Fairfax County Department of Transportation. I do not know exactly, basically it might be on the VDOT Web site.

Commissioner Lawrence: Could I ask that we - -?

Mr. Kessler: That's the first place I would look.

Commissioner Lawrence: Could I ask that we take a look at that? I think there are a number of people in the County who don't - - why would they know that we don't control our own roads? That the State controls them instead, except for maybe a couple hundred miles. Could we look into that? And maybe is there a way to publicize that by saying on the Web site, "We don't control the roads, the State does." Thank you, Mr. Chairman.

Vice Chairman Alcorn: Sure. Okay. Thank you.

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(The motions carried unanimously with Commissioner Murphy not present for the votes.)

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Board Agenda Item
February 8, 2011

3:30 p.m.

Public Hearing on PCA 2005-PR-041 (Eskridge (E & A) LLC) to Amend the Proffers, Conceptual and Final Development Plans for RZ 2005-PR-041 Previously Approved for Mixed Use Development to Permit Proffer and Site Modifications with an Overall Floor Area Ratio of 1.18, Located on Approximately 7.42 Acres Zoned PDC and HC, Providence District

The application property is located on the south side of Lee Highway, east of Eskridge Road and west of the terminus of Strawberry Lane, Tax Map 49-3 ((1)) 80E pt., 81A, 82A and 82B.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, January 13, 2011, the Planning Commission voted unanimously (Commissioners Hall and Murphy not present for the votes) to recommend the following actions to the Board of Supervisors:

- Approval of PCA 2005-PR-041, subject to the execution of proffers consistent with those dated January 10, 2011;
- Approval of CDPA 2005-PR-041, subject to the Development Conditions dated December 29, 2010;
- Modification of the private street limitations of Sect. 11-302 of the Fairfax County Zoning Ordinance;
- Modification of the transitional screening requirement and waiver of the barrier requirements to the south, east, and internal to the site, in favor of the treatments depicted on the CDPA/FDPA;
- Waiver of the 4-foot peripheral parking lot landscaping requirement north of parcel G, west of parcels C and E, and along the southern and eastern property lines;
- Waiver of the service drive along the Lee Highway frontage;
- Direct the Director of DPWES to approve modification of the parking geometric standards to allow for 75-degree angled parking spaces within parking structures;
- Approval of a modification to allow residential as a secondary use consisting of up to 76% of the principal uses in the PDC District, pursuant to Sect. 6-206 of the Fairfax County Zoning Ordinance;

Board Agenda Item
February 8, 2011

- Modification of Par. 3 of Sect. 18-201 of the Zoning Ordinance which would require the provision of further interparcel access in addition to that indicated on the CDPA/FDPA;
- Modification of Par. 4 of Sect. 17-201 of the Zoning Ordinance for dedication and construction of widening for existing roads, existing roads on new alignments, and proposed roads along Lee Highway, as indicated in the Comprehensive Plan or as required by the Director, to that shown on the CDPA/FDPA and as proffered;
- Modification of the materials for the proposed trail along Lee Highway shown in the Comprehensive Plan Trails Map to that shown on the CDPA/FDPA;
- Direct the Director of DPWES to approve a modification of the Public Facilities Manual (PFM) and Par. 12 of Sect. 11-102 of the Zoning Ordinance to allow for the projection, by no more than 4% of the stall area, of structural columns into parking stalls in parking structures; and
- Direct the Director of DPWES to waive the PFM on-site stormwater detention requirements, in favor of providing stormwater management off-site in the Merrifield Town Center vault.

The Commission voted 9-1 (Commissioner Harsel opposed; Commissioners Hall and Murphy not present for the votes) to recommend the following actions to the Board of Supervisors:

- Modification of the loading space requirements for multi-family dwelling units and office space in favor of that depicted on the CDPA/FDPA; and
- Approval of the waiver to locate underground facilities for all residential development, subject to Waiver # 0561-WPFM-002-3.

The Planning Commission voted unanimously (Commissioners Hall and Murphy not present for the vote) to approve FDPA 2005-PR-041, subject to the Development Conditions dated January 10, 2011.

ENCLOSED DOCUMENTS:

Attachment 1 - Verbatim

Staff Report previously furnished and available online at

<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdwf/4337857.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
William O'Donnell, Staff Coordinator, Zoning Evaluation Division, DPZ

PCA 2005-PR-041 – ESKRIDGE (E & A) LLC
FDPA 2005-PR-041 – ESKRIDGE (E & A) LLC

After the Close of the Public Hearing

Vice Chairman Alcorn: Close the public hearing; recognize Commissioner Lawrence for action on the case.

Commissioner Lawrence: Thank you, Mr. Chairman. I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE OF PCA 2005-PR-041, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED JANUARY 10TH, 2011.

Commissioner Sargeant: Second.

Vice Chairman Alcorn: Seconded by Commissioner Sargeant. Any discussion on that motion? All those in favor of recommending approval of PCA 2005-PR-041, subject to the execution of proffers consistent with those found - - or those dated January 10th, 2010, (*sic*) please say aye.

Commissioner de la Fe: 2011.

Commissioners: Aye.

Vice Chairman Alcorn: Oh, yes, 2011. Good catch.

Commissioner Hart: Mr. Chairman, I thought with the correction being made before it goes to the Board about what went wrong with the printing –

William O'Donnell, Zoning Evaluation Division, Department of Transportation: Yes.

Commissioner Lawrence: Left it as a friendly amendment.

Vice Chairman Alcorn: Let the record clarify without objection that that typo will be taken care of in the proffers; and it's 2011, not 2010. Okay, Mr. Lawrence.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE OF CDPA 2005-PR-041, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED DECEMBER 29TH, 2010.

Commissioner Sargeant: Second.

Vice Chairman Alcorn: Seconded by Commissioner Sargeant. Any discussion on that motion? All those in favor of recommending approval of CDPA 2005-PR-041, subject to the development conditions dated December 29th, 2010, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All those opposed? That motion carries. Commissioner Lawrence.

Commissioner Lawrence: I move - - I MOVE THAT THE PLANNING COMMISSION APPROVE OF FDPA 2005-PR-041, SUBJECT TO THE DEVELOPMENT CONDITIONS NOW DATED JANUARY 10TH, 2011.

Commissioner Sargeant: Second.

Vice Chairman Alcorn: Seconded by Commissioner Sargeant. Any discussion of the motion? All those in favor of - - of approving FDPA 2005-PR-041, subject to the development conditions dated January 10, 2011, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries. Commissioner Lawrence.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE PRIVATE STREET LIMITATIONS OF SECTION 11-302 OF THE FAIRFAX COUNTY ZONING ORDINANCE.

Commissioner Sargeant: Second.

Vice Chairman Alcorn: Seconded by Commissioner Sargeant. Any discussion on that motion? All those in favor of recommending to the Board approval of a modification of the private street limitations of Section 11-302 of the Fairfax County Zoning Ordinance, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries. Commissioner Lawrence.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE LOADING SPACE REQUIREMENTS FOR MULTI-FAMILY DWELLING UNITS AND OFFICE SPACE, IN FAVOR OF THAT DEPICTED ON THE CDPA/FDPA.

Commissioner Sargeant: Second.

Vice Chairman Alcorn: Seconded by Commissioner Sargeant. All those in favor of recommending to the Board of Supervisors approval of a modification of the loading space requirements for multi-family dwelling units and office space, in favor of that depicted on the CDPA/FDPA, please say aye.

Commissioners: Aye.

Commissioner Harsel: No.

Vice Chairman Alcorn: Commissioner Harsel votes "no."

Commissioner Harsel: That's right. These loading spaces, I'm voting "no."

Vice Chairman Alcorn: Okay, Commissioner Lawrence. Thank you, Commissioner Harsel.
Commissioner Lawrence.

Commissioner Lawrence: I've reached "four." Everyone, look out. I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE TRANSITIONAL SCREENING AND A WAIVER OF THE BARRIER REQUIREMENTS TO THE SOUTH, EAST, AND INTERNAL TO THE SITE, IN FAVOR OF THE TREATMENTS DEPICTED ON THE CDPA/FDPA.

Commissioner Sargeant: Second.

Vice Chairman Alcorn: Seconded by Commissioner Sargeant. All those - - Any discussion? All those in favor of recommending to the Board of Supervisors approval of a modification of the transitional screening and a waiver of the barrier requirements on the south, east, and internal to the site, in favor of the treatments depicted on the CDPA/FDPA, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries. Commissioner Lawrence.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE FOUR-FOOT PERIPHERAL PARKING LOT LANDSCAPING REQUIREMENT NORTH OF PARCEL G, WEST OF PARCEL C AND E, AND ALONG THE SOUTHERLY AND EASTERLY PROPERTY LINES.

Commissioner Sargeant: Second.

Vice Chairman Alcorn: Seconded by Commissioner Sargeant. All those - - Any discussion? All those in favor of the motion to recommend the Board of Supervisors approval of a waiver of

the four-foot peripheral parking lot landscaping requirement north of parcel G, west of parcel C and E, and along the southerly and easterly property lines, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries. Commissioner Lawrence.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE THE WAIVER TO LOCATE UNDERGROUND FACILITIES FOR ALL RESIDENTIAL DEVELOPMENT, SUBJECT TO WAIVER NUMBER 0561-WPFM-002-3.

Commissioner Sargeant: Second.

Vice Chairman Alcorn: Seconded by Commissioner Sargeant. Any discussion? All those in favor of recommending the Board of Supervisors' approval of the waiver to locate underground facilities for all residential development, subject to Waiver Number 0561-WPFM-002-3, please say aye.

Commissioners: Aye.

Commissioner Harsel: No.

Vice Chairman Alcorn: All opposed? The motion carries. Commissioner Harsel votes "no."
Commissioner Lawrence.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE SERVICE DRIVE ALONG THE LEE HIGHWAY FRONTAGE.

Commissioner Sargeant: Second.

Vice Chairman Alcorn: Seconded by Commissioner Sargeant. Any discussion of that motion? All those in favor of recommending approval of a waiver of the service drive along the Lee Highway frontage, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries. Commissioner Lawrence.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND THE BOARD OF SUPERVISORS TO DIRECT THE DIRECTOR OF DPWES TO APPROVE A MODIFICATION OF THE PARKING GEOMETRIC STANDARDS TO ALLOW FOR 75-DEGREE ANGLED PARKING SPACES WITHIN PARKING STRUCTURES.

Commissioner Sargeant: Second.

Vice Chairman Alcorn: Seconded by Commissioner Sargeant. Any discussion of that motion? All those in favor of recommending approval of a modification of the parking geometric standards to allow for 75-degree angled parking spaces within parking structures, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries. Commissioner Lawrence.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION TO ALLOW RESIDENTIAL AS A SECONDARY USE CONSISTING OF UP TO 76 PERCENT OF THE PRINCIPAL USES IN THE PDC DISTRICT, PURSUANT TO SECTION 6-206 OF THE FAIRFAX COUNTY ZONING ORDINANCE.

Commissioner Sargeant: Second.

Vice Chairman Alcorn: Seconded by Commissioner Sargeant. Any discussion of that motion? All those in favor of recommending approval to the Board of Supervisors of a modification to allow residential as a secondary use consisting of up to 76 percent of the principal uses in the PDC District, pursuant to Section 6-206 of the Fairfax County Zoning Ordinance, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries. Commissioner Lawrence.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF PARAGRAPH 3 OF SECTION 18-201 OF THE FAIRFAX COUNTY ZONING ORDINANCE, WHICH WOULD REQUIRE THE PROVISIONS OF FURTHER INTERPARCEL ACCESS IN ADDITION TO THAT INDICATED ON THE CDPA/FDPA.

Commissioner Sargeant: Second.

Vice Chairman Alcorn: Seconded by Commissioner Sargeant. Any discussion on that motion? All those in favor of recommending to the Board of Supervisors approval of a modification of Paragraph 3 of Section 18-201 of the Fairfax County Zoning Ordinance, which would require the provision of further interparcel access in addition to that indicated on the CDPA/FDPA, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries. Commissioner Lawrence.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF PARAGRAPH 4 OF SECTION 17-201 OF THE FAIRFAX COUNTY ZONING ORDINANCE FOR DEDICATION AND CONSTRUCTION OF WIDENING FOR EXISTING ROADS, EXISTING ROADS ON NEW ALIGNMENTS, AND PROPOSED ROADS ALONG LEE HIGHWAY, AS INDICATED IN THE COMPREHENSIVE PLAN OR AS REQUIRED BY THE DIRECTOR TO THAT SHOWN ON THE CDPA/FDPA AND AS PROFFERED.

Commissioner Sargeant: Second.

Vice Chairman Alcorn: Seconded by Commissioner Sargeant. All those approve - - all those - - Any discussion? All those in favor of approval of the motion as articulated by Commissioner Lawrence, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All those opposed? That motion carries. Commissioner Lawrence.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE MATERIALS FOR THE PROPOSED TRAIL ALONG LEE HIGHWAY SHOWN IN THE COMPREHENSIVE PLAN TRAILS MAP TO THAT SHOWN ON THE CDPA/FDPA.

Commissioner Sargeant: Second.

Vice Chairman Alcorn: Seconded by Commissioner Sargeant. Any discussion of that motion? All those in favor of recommending to the Board of Supervisors approval of a modification of the materials for the proposed trail along Lee Highway shown in the Comprehensive Plan Trails Map to that shown on the CDPA/FDPA, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries. Commissioner Lawrence. Two more.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND THE BOARD OF SUPERVISORS TO DIRECT THE DIRECTOR OF DPWES TO APPROVE A MODIFICATION OF THE PFM AND PARAGRAPH 12 OF SECTION 11-102 OF THE FAIRFAX COUNTY ZONING ORDINANCE TO ALLOW FOR THE PROJECTION BY NO MORE THAN FOUR PERCENT OF THE STALL AREA, OF STRUCTURAL COLUMNS INTO PARKING STALLS IN PARKING STRUCTURES.

Commissioner Sargeant: Second.

Vice Chairman Alcorn: Seconded by Commissioner Sargeant. Any discussion of that motion? All those in favor of the motion as articulated by Commissioner Lawrence, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries. And finally, Commissioner Lawrence.

Commissioners: No, no, no...

Vice Chairman Alcorn: No? Three more?

Commissioner de la Fe: Three more.

Vice Chairman Alcorn: Oh, just one more on our sheet. But, let's give it a whirl. Let's get this one.

Commissioner Sargeant: Mr. Chairman, there are two more staff recommendations after this.

Mr. O'Donnell: On the staff report, those are actually relevant to the Special Exception Amendment that was applicable to the Luther Jackson, which is not a part of this application and should not have been on the cover of the staff report. I apologize.

Vice Chairman Alcorn: Okay, finally, Mr. Lawrence.

Commissioner Lawrence: I'm going to get you. I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS DIRECT THE DIRECTOR OF DPWES TO WAIVE THE PFM ON-SITE STORMWATER DETENTION REQUIREMENTS, IN FAVOR OF PROVIDING STORMWATER MANAGEMENT OFF-SITE IN THE MERRIFIELD TOWN CENTER VAULT.

Commissioner Sargeant: And I thoroughly second. I really do.

Vice Chairman Alcorn: Seconded by Commissioner Sargeant. Any discussion of that motion? All those in favor of recommending to the Board of Supervisors that they direct the Department of DPWES (*sic*) to waive the PFM on-site stormwater detention requirements, in favor of providing stormwater management off-site - - off- site in the Merrifield Town Center Vault, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries. Commissioner Lawrence.

Commissioner Lawrence: Thank you, Mr. Chairman. I'd like to thank the applicant. We have obviously a continuing saga, but one which gets more exciting every time I have anything to do with it. It's really something. I'd like to thank staff. Mr. O'Donnell has been his usual unflappable and professional self. And I expect that Ms. Lewis probably already knows that Reynaldo scored a hat trick for Real Madrid against del Real. Uh huh, she already knew it. A complete professional, I must say. Thank you, Mr. Chairman.

Vice Chairman Alcorn: Yes, and just very quickly, I just want to note that we just had a lot of motions. This is redevelopment of an existing area, and I think we're going to see a lot more of this. We're going to see more cases like this where we have, you know, complicated situations that are very technical issues that we're going to be dealing with. So, welcome to our redevelopment world. No, I'm not looking at you, Commissioner de la Fe.

Commissioner Hart: Mr. Chairman?

Vice Chairman Alcorn: Yes, Mr. Hart.

Commissioner Hart: It's redevelopment of redevelopment. When I first came to Fairfax County, when I got out of school, I lived at Circle Towers for about a year. This was then a drive-in movie theater, if you can remember back to that. So, it's that redevelopment that's redeveloped.

Vice Chairman Alcorn: There we go.

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(The first through fourth motions carried unanimously with Commissioners Hall and Murphy not present for the votes.)

(The fifth motion carried by a vote of 9-1 with Commissioner Harsel opposed; Commissioners Hall and Murphy not present for the vote.)

(The sixth and seventh motions carried unanimously with Commissioners Hall and Murphy not present for the votes.)

(The eighth motion carried by a vote of 9-1 with Commissioner Harsel opposed; Commissioners Hall and Murphy not present for the vote.)

(The ninth through sixteenth motions carried unanimously with Commissioners Hall and Murphy not present for the votes.)

JN

Board Agenda Item
February 8, 2011

3:30 p.m.

Public Hearing on SE 2010-LE-017 (Iskalo CBR LLC) to Permit a Regional Non-Rail Transit Facility (Bus Maintenance Facility) Driveway for Uses in an I-District and Uses in a Floodplain, Located on Approximately 17.37 Acres Zoned I-6 and R-1, Lee District

The application property is located at 7901, 7909, 7915 and 7828 Cinder Bed Road, Tax Map 99-2 ((3)) 1, 2, 3A and 3B.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission public hearing was held on Thursday, January 13, 2011. The Commission deferred its decision to Wednesday, January 19, 2011 and then again to Thursday, February 3, 2011. The Commission's recommendation will be forwarded to the Board of Supervisors subsequent to that date.

ENCLOSED DOCUMENTS:

Attachment 1 - Verbatim (to be distributed under separate cover)

Staff Report previously furnished and available online at

<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdwf/4337803.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
St. Clair Williams, Staff Coordinator, Zoning Evaluation Division, DPZ

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Board Agenda Item
February 8, 2011

3:30 p.m.

Public Hearing on SE 2009-MA-026 (Gossom Family Limited Partnership I, RLLLP) to Permit Uses in a Floodplain, Located on Approximately 21,784 Square Feet Zoned R-4, Mason District

Also under the Board's Consideration will be the applicant's Resource Protection Area Encroachment Exception (RPA) Request # 25172-WRPA-001-2, accompanied by a Water Quality Impact Assessment # 25172-WQ-001-4 under Section 118-6-7 (Chesapeake Bay Preservation Ordinance) of Chapter 118 of the Code of the County of Fairfax to permit encroachment within an RPA to allow modifications to a single family detached dwelling unit.

The application property is located at 3404 Hockett Street, Tax Map 60-1 ((1)) 58A.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, January 13, 2011, the Planning Commission voted unanimously (Commissioner Murphy absent for the votes) to recommend the following actions to the Board of Supervisors:

- Approval of SE 2009-MA-026, subject to the Development Conditions dated December 29, 2010; and
- Approval of RPA Encroachment Exception 25172-WRPA-001-2, subject to the Development Conditions contained in Attachment A of Appendix 1 of the staff report.

ENCLOSED DOCUMENTS:

Attachment 1 - Verbatim

Staff Report previously furnished and available online at

<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4337621.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
William O'Donnell, Staff Coordinator, Zoning Evaluation Division, DPZ

SE 2009-MA-026 – GOSSOM FAMILY LIMITED PARTNERSHIP I, RLLLP

After the Close of the Public Hearing

Vice Chairman Alcorn: Close the public hearing; recognize Commissioner Hall.

Commissioner Hall: Just when you learn one system, they replace it with another one. And it will take awhile to get used to it. Very quickly, I don't think anyone of us are in favor of building on a floodplain. If this was a new application, it would not probably be receiving my support or the Mason District's support, but as you saw this is an existing dwelling unit. The neighbors have been waiting a very long time for somebody to do something with it to correct the problems and the applicant has stepped forward to do so. The application was reviewed by the Mason District Land Use Committee and it does receive their support. And after reviewing the application, I also am willing to support the application. So, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF SE 2010-MA-026 [sic], SUBJECT TO THE DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE DATED DECEMBER 29, 2010.

Commissioner Litzenberger: Second.

Cathy Lewis, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ): Commissioner Hall, is that 2009-MA-026? It should be.

Commissioner Hall: Well, let's just - -

Vice Chairman Alcorn: It is 2009 but not in the motion.

William O'Donnell, ZED, DPZ: Yes. It's 2009.

Commissioner Hall: I'm going to get you.

Mr. O'Donnell: I apologize.

Commissioner Hall: The other application is 2010. This one is 2009. That's correct.

Vice Chairman Alcorn: Okay. That motion's been made and clarified as 2009. Is there a second to the motion?

Commissioner Litzenberger: Second.

Vice Chairman Alcorn: Seconded by Commissioner Litzenberger. Any discussion on that motion? All those in favor of recommending approval of SE 2009-MA-026, subject to the proposed development conditions dated December 29, 2010, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All those opposed? That motion carries. Commissioner Hall.

Commissioner Hall: Thank you, Mr. Chairman. Finally, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF RPA ENCROACHMENT EXCEPTION NUMBER 25172-WRPA-001-2, SUBJECT TO THE DEVELOPMENT CONDITIONS CONTAINED IN ATTACHMENT A OF APPENDIX 1 OF THE STAFF REPORT.

Commissioner Litzenberger: Second.

Vice Chairman Alcorn: Seconded by Commissioner Litzenberger. Any discussion on that motion? All those in favor of recommending approval of the RPA Encroachment Exception, subject to development conditions in the staff report as articulated by Commissioner Hall, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries.

Commissioner Hall: Thank you, Mr. Chairman. I'm sure the neighbors who've been looking at this eyesore for many, many years will appreciate an improvement, and that's what we're hoping for. Thank you.

Vice Chairman Alcorn: Thank you. Thank you, Mr. Farrell.

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(The motions carried unanimously with Commissioner Murphy not present for the votes.)

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Board Agenda Item
February 8, 2011

3:30 p.m.

Public Hearing on SEA 85-D-033-03 (Virginia Electric and Power Company D/B/A Dominion Virginia Power) to Amend SE 85-D-033 Previously Approved for WMATA Facilities to Permit an Electric Substation and Modifications to Development Conditions, Located on Approximately 1.37 Acres Zoned R-1, Dranesville District

The application property is located on the west side of Dulles Access Road and north of Curtis Memorial Parkway – West Falls Church Rail Yard, Tax Map 40-3 ((1)) 86 pt.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, January 13, 2011, the Planning Commission voted 8-0-2 (Commissioners de la Fe and Hall abstaining; Commissioner Sargeant recused; Commissioner Murphy not present for the votes) to recommend the following actions to the Board of Supervisors:

- Approval of SEA 85-D-033-03, subject to the Development Conditions dated January 13, 2011;
- Modification of the transitional screening requirements and waiver of the barrier requirements, in favor of that shown on the SEA Plat;
- Waiver of the Comprehensive Plan trail requirement along Idylwood Road; and
- Approval of a deviation of the tree preservation target, in favor of that shown on the SEA Plat.

In a related action, the Planning Commission voted 8-0-2 (Commissioners de la Fe and Hall abstaining; Commissioner Sargeant recused; Commissioner Murphy not present for the vote) to approve 2232-D10-12. The Commission noted that the application satisfies the criteria of character, location, and extent, as set forth in Sect. 15.2-2232 of the *Code of Virginia* and is substantially in accord with the provisions of the Comprehensive Plan.

ENCLOSED DOCUMENTS:

Attachment 1 - Verbatim

Staff Report previously furnished and available online at
<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdwf/4335148.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
St. Clair Williams, Staff Coordinator, Zoning Evaluation Division, DPZ

2232-D10-12 – VIRGINIA ELECTRIC AND POWER COMPANY (VEPCO) D/B/A DOMINION VIRGINIA POWER
SEA 85-D-033-03 – VEPCO D/B/A DOMINION VIRGINIA POWER

Decision Only During Commission Matters
(Public Hearing held on December 9, 2010)

Commissioner Donahue: Thank you very much, Mr. Chairman. Also on December 9th, Mr. Chairman, we had a public hearing on 2232-D10-12 as well as the accompanying SEA, Virginia Electric and Power Company, i.e. the Reddfield Station. I will make a recommendation - - final recommendation on this before we're through this evening. But before making a recommendation on these applications, I'd like to engage staff in a short discussion - -

Vice Chairman Alcorn: Please.

Commissioner Donahue: - - to clarify some of the topics and conclusions in the staff report. This is an application that ultimately is about visual impact of a public use proposal on an adjacent residential neighborhood, transitional screening and barriers as well as sites, which by their very nature do not or can not accommodate the kind of degree of screening that the Zoning Ordinance suggests in Article 13. Now, a couple of things I want to talk about is as we talk about screening and barriers, both in the staff report as well as the comments coming from the applicant as well as the discussion through staff, the discussion took two tracks. Number one, why a site can't provide the 50 feet of unbroken strip of open space and screening required. And number two, when that can't happen, the special design techniques, architectural, and landscaping, and improvement screening, etcetera that might be proposed to make up for the lack of screening to mitigate the visual impact. And one of the things I want to ask staff is it's correct to say, I think that what I'm going call "elements," both these elements are required to justify waivers and modifications. In other words, the simple fact the site simply can't accommodate what the requirement calls for would not in itself be enough, certainly not in this case I think, to justify a screening waiver. Is that a correct statement?

St. Clair Williams, Zoning Evaluation Division, Department of Planning and Zoning: Commissioner Donahue, St. Clair Williams with the Department of Planning and Zoning. You are correct. It's not just the fact that for whatever reason they cannot meet the requirement. Since they can't meet the requirement, what are they doing alternatively to provide some level of screening and buffering?

Commissioner Donahue: Okay. Is the justification sufficient is the question that I saw actually in those words and also referred to throughout the staff report and the various communications. And sufficiency I think, tell me if you agree this case is established much more by those extra measures intended to replace screening that the applicant intends to do. The sufficiency is established much more by those than it is by the fact that the nature of the site simply can't accommodate the type of screening that is the requirement.

Mr. Williams: That is correct.

Commissioner Donahue: Okay. Now, there's going to be an 80-foot - - 85-foot high backbone out there. And we've discussed this a little bit. We've discussed it a little bit at the public hearing, but I'd like to go over it a little bit again. What sense do you have that the accommodation of on-site and probably more particularly off-site measures will hide or block out the view of the backbone from some or all of the homeowners in the area?

Mr. Williams: Well, of course with the - - excuse me - - the backbone structure being 85 feet in height is going to be difficult for any type of screening to block that structure. What we have looked at is working also the distance of this site to the residential properties. With that, that's good enough also help mitigate the view. There are already existing power line poles that are closer in distance to the residences than the proposed backbone, and actually with the distance the backbone will appear at a height to be the same height if not less than the existing power lines. Now the screening and barrier or wall that they're providing will help mitigate some of the other structures on the site, but again the backbone being 85 feet in height, there's not going to be much that can mitigate the view of that structure.

Commissioner Donahue: All right. The - - in both Article 13 and 9-006, which deals with this in different parts of the Ordinance, there are comments and - - and text that clearly show that ensuring we will avoid impairing real estate values and waivers and modifications that do not frustrate the purpose and intent of Article 13, one of which is to conserve properties and their values, the Code concerns itself very clearly and very much with those two aspects. Again, although this is a tricky thing to figure out, I understand that, I'm going to ask you to comment on the way this application and this proposal and this construction could affect those aspects because those are the things that those two articles concern themselves with and just so we know.

Mr. Williams: You know - - I mean I can't comment on how this proposal will affect property values. One of the things we looked at, as I mentioned earlier, there are - - there is an existing power line easement that runs between the proposed substation and the existing properties. There is existing power - - there are poles that are existing there. Based on the distance and the screen provided with this, staff felt that the impact is not going to be a significant impact compared to what's existing - - you know - - in that area already.

Commissioner Donahue: Okay. And I thank you. Unless we have some comments or questions from the Commission. Mr. Chairman, I think we do.

Commissioner Hart: Mr. Chairman?

Vice Chairman Alcorn: Mr. Hart, and then let's go to a motion.

Commissioner Hart: Yes. Thank you, Mr. Chairman. Before we go on the verbatim, I - - I did see the handout tonight and I - -

Commissioner Donahue: Excuse me. If I could say, there's one other person I'm going to want to talk to before we go on verbatim. So, go ahead.

Commissioner Hart: I did - - I was in a meeting at 7, so I didn't see it before now, but in looking at tonight's handout on new Development Condition 12 in the first sentence, I think we may be going a little further than we intended. And I thought that the point was that the applicant and the construction people not use McKay Street, not that McKay Street be closed during their activities. And I wondered if the first sentence of Development Condition 12 should be something like, "McKay Street shall not be used by the applicant and its contractors," rather than making it sound like the whole street should be shut down because I think we want the people who live there to be able to use it while they're constructing.

Mr. Williams: You're correct. The intent is not have McKay Street be closed; it's just to ensure that construction vehicles aren't using McKay Street. So, we can revise that language just to make that clear, but - -

Commissioner Hart: Yes. I think it should - - it shouldn't - - shall not be used by the applicant and its contractors or personnel, or something on that order.

Vice Chairman Alcorn: Good catch.

Commissioner Hart: Thank you.

Vice Chairman Alcorn: Good catch, Commissioner Hart. Commissioner Donahue.

Commissioner Donahue: Thank you, Mr. Chairman. Yes, counsel Lee Fifer here, if he can come on down, Mr. Chairman, and speak with him for a minute.

Lee Fifer, Esquire, with McGuire Woods LLP: Good evening. For the record, my name is Lee Fifer. I'm an attorney with McGuire Woods.

Commissioner Donahue: Thank you, Mr. Fifer. The same discussion - - little discussion that I just had with staff I have had one form or another with you on a number of occasions. Probably most recently e-mails we exchanged on 1-9 and 10, in which I asked you to comment on the type of initiatives that you will be willing and able to take, and why it is we should be able to justify modifications and waivers of requirements concerning screening. In the answer that you gave me was very similar to the things we've talked about for so long. You said that there are - - are issues with the site itself that make it very difficult to maintain some of the screening and barrier requirements. The fact that you got a 100 wide - - 100-foot wide electrical power easement where you can't put vegetation, I think you can't go anywhere in 15 feet of it or something of that type?

Mr. Fifer: Yes.

Commissioner Donahue: And the paragraph too says that a full screening procedure reasonable use, not necessarily the use but a reasonable use, and that if a particular design or landscaping or screening exercises can be taken that those waivers would be - - would probably be acceptable. I'm more interested, however, in what you can do to mitigate the problem than what we can't do because of the nature of the site. And you also indicated that the backbone will come down - - come down from 95 to 85 feet, you're going to be doing some extra landscaping. But I think most importantly what is going to be used to mitigate - - mitigate some of these problems are landscaping that is going to be done off your sites and on the sites of some of the residents that are going to have in effect this - - this structure in their backyard. Can you elaborate on those aspects a little bit to try to raise our comfort level with what's going to be happening here?

Mr. Fifer: I will - - I will be happy to try. Incidentally, we did increase the eight-foot screening wall to nine feet in addition to lowering the backbone so that - - that more solid physical screening occurs. What has been offered for the off-site landscaping is that Dominion will meet with each of the McKay Street and - - and other neighbors who have a view of this facility. And with them, Dominion's arborist will design a screening arrangement that is satisfactory to that particular landowner. It is necessarily a one-lot-at-a-time exercise. Dominion will then install that landscaping and for a five-year period guarantee its viability. You know of course that typical warranties from commercial nurseries are for one year for the health of a plant. Dominion is guaranteeing a five-year viability with the expectation of course that a landowner will do proper watering and - - and not run their lawnmowers into things and that sort of thing. But an unusual part about that if we have a severe storm that knocks down landscaping - - the screening during that time, Dominion will reconstitute it all at Dominion's expense. It - - it is true that Dominion cannot plant on its site because of the size of this parcel and the height limitations imposed by federal standards actually, any plant material underneath a high power electric line, they cannot plant trees that will grow to the normal heights that landscaped buffer would normally grow for under our standards in Fairfax County. But what they can do is - - is work with landowners off-site, and it is our expectation that if the landowner so chooses, certainly at ground level they can totally screen views, as a matter of their choice of how these screening occurs. Because the land on the far side of the high power easement - - electrical transmission line easement does slope up, it is very likely that second-story windows and that sort of thing cannot be screened, but on the ground the backyards of the people that back up to the stream that's adjacent to the transmission lines, if they so choose could have a green blanking out, if you will, of this facility, again at Dominion's expense and Dominion going the extra length of a five-year guarantee of viability.

Commissioner Donahue: Thank you. So, it is your feeling, which may be somewhat in opposition to the comments that I think we heard from staff a few minutes ago, and you and I have discussed this more than I have with them, that the majority of houses, with the exception of one or two that sit across the street and up high, actually black out or green out the backbone of this proposal completely? Do I hear you saying that correctly?

Mr. Fifer: That is possible.

Commissioner Donahue: Yes.

Mr. Fifer: Again, as a matter of the individual choice of the landowners.

Commissioner Donahue: Right.

Mr. Fifer: They may desire a more decorative appearance, but a total screen is - - is certainly possible.

Commissioner Donahue: Right. And I noticed in the latest conditions as well, you're willing to give a fairly long period of time to the landowners and residents to decide and discuss with you what type of landscaping and screening they may want.

Mr. Fifer: Yes, we are willing to do that, and that is an issue that arose after that condition was drafted. A number of things key into that. As you know, WMATA is doing certain work on the stream immediately behind the houses on McKay Street that will remove some of the existing buffer. They will be replanting their own buffer there, which will provide some benefit to the neighbors and - - and as a practical matter, when you add the 20 feet - - or, 25 feet of landscaping on the Dominion site that is being provided to the average width of the WMATA landscaping in what's called the triangle, you wound up getting the 50 feet of landscaping, but it is our expectation that won't be enough. So, the thought was that people - - homeowners will want to see what happens with WMATA and then what happens as clearing occurs on the site for Dominion, which isn't nearly as important as the clearing that WMATA must do in order to put its storm pond in. That is the most direct view of the McKay Street neighbors into the rail yard and exposes actually the substation site much more so than what Dominion will do. That's already programmed, we cannot stop that, that's going forward, you all have - - that's already been before the County. But, what Dominion is doing is absolutely everything it can do to address - - get - - get each landowner the ability to screen out the view of the backbone predominantly is what will be visible.

Commissioner Donahue: Right.

Mr. Fifer: The top of the backbone.

Commissioner Donahue: I want to encourage you very seriously to ensure that you work very closely with those - - those residents and those landowners as you have ensured me and within the conditions we seemed to have the wording required to do that because this neighborhood, quite frankly, has borne I think more than its share of the burden of getting Metro rail on the ground in Fairfax County and now out to Dulles Airport. And I think serious and significant and major concessions are due to them, not only in the landscaping and the ways we find to protect them from the views of this site, but also we've talked a little bit today about a path request that the neighbors have made. And I was very encouraged by your response with respect to that path request. I realize other things have to fall in line as well, but it would seem to me and I would

hope we would be able to give them back something for the burden they are taking on to get Metro Dulles.

Mr. Fifer: I'll be happy to say on behalf of Dominion for the record that Dominion is more than happy to work with its projected neighbors on a path to provide them pedestrian access to the West Falls Church Metro Station. We control only a part of that, but for the part that Dominion does control, they would be happy to cooperate.

Commissioner Donahue: Okay. Thank you very much.

Vice Chairman Alcorn: Okay. Any other discussion before we go on verbatim?

Commissioner Lawrence: Mr. Chairman?

Vice Chairman Alcorn: Yes, Commissioner Lawrence.

Commissioner Lawrence: Thank you, Mr. Chairman. Just - - just one question for Commissioner Donahue or - - or Attorney Fifer or whoever. As I recall it, the - - the thing we're looking at - - the - - the great big structure sits itself on an elevation as compared to many of the houses along there. Am I - - am I correct?

Mr. Fifer: Not - - not quite right. The site itself is elevated from where the houses are.

Commissioner Lawrence: Okay.

Mr. Fifer: You have the houses, you then have a stream, you have the 100-foot utility easement, and then you have a hill and this facility is at the top of that hill.

Commissioner Lawrence: All right. And here's my question then. With that in mind, the geometry of this situation is such that it's going to take vegetation of a certain height in order to be effective as a screen between the people in the backyards of those houses and the structure up on the hill. And do we know that those types of vegetation will in fact grow in that soil or will there be an arborist or other person available to help make sure that we are able to select the right kinds of vegetation?

Mr. Fifer: I would give you two comments to that. Number one, there are lovely big trees growing there now with - - with full mature heights in place, so every indication is that soil will bear that. Modern landscaping though works wonders with soil amendments, so it would be the expectation even if there were an issue that that can be addressed. I would also say that not only is height an issue, but the distance that landscaping is placed in reference to the point-of-view, a 10-foot evergreen positioned relatively close to a point-of-view screens an awful lot of the sky.

Commissioner Lawrence: I understand. The words you said about - - about enriching the soil or whatever, to help the things grow. Does our development condition - - will that development condition cover that, you think?

Commissioner Donahue: I - -

Commissioner Lawrence: If it turns out to be necessary.

Commissioner Donahue: Yes, I believe it will. The condition no matter what else happens, the condition I believe guarantees and assures that Dominion Virginia Power is on the hook for five years.

Mr. Fifer: Correct.

Commissioner Donahue: And that should be more than enough time to figure out if one particular plant doesn't grow in the particular soil or happens to plant the right plant.

Commissioner Lawrence: Okay, or give it the time to grow if that's - -?

Commissioner Donahue: Correct. Correct.

Commissioner Lawrence: Okay. Thank you very much, Mr. Chairman.

Vice Chairman Alcorn: Okay. Any other comments? Okay. We are now on verbatim.
Commissioner Donahue.

Commissioner Donahue: Thank you very much, Mr. Chairman. My comments will be extremely brief. We have here a public use that is I think essential to not only Fairfax County but eventually and before too long to the areas right around this station because there are going to be needs for electrical improvements and increases that are going to affect people on McKay Street and the immediate area. And therefore, this particular installation is going to serve those folks in this immediate area. Nevertheless, I'm going to repeat my comment concerning what has happened to this neighborhood over the last 20 or 30 years all in the interest of pushing the interest of rail which the County needs, no question about it. But I - - I try - - I would not be making this recommendation if I were not convinced of what Mr. Fifer said today, which is that an awful lot can be done, particularly with off-site, on residential property landscaping to do a lot to buffer the visual impact that we are going to have to deal with, with respect to this application. I trust Dominion Virginia Power will go ahead and made every possible effort to do that, and I think ultimately the efforts will be rewarded. And therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA 85-D-033-03, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JANUARY 13, 2011.

Commissioners Migliaccio and Lawrence: Second.

Vice Chairman Alcorn: Seconded by Commissioners Migliaccio and Lawrence. Any discussion on that motion? All those in favor of recommending that the Board of Supervisors approve SEA 85-D-033-03, subject to the development conditions dated January 13, 2011, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries.

Commissioners de la Fe and Hall: Abstain.

Vice Chairman Alcorn: Commissioners de la Fe and Hall abstain, not present for the public hearing. Commissioner Donahue.

Commissioner Donahue: Thank you, Mr. Chairman. I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE MODIFICATION OF THE TRANSITIONAL SCREENING AND THE WAIVER OF THE BARRIER REQUIREMENTS, IN FAVOR OF THAT SHOWN ON THE SEA PLAT.

Commissioners Migliaccio and Lawrence: Second.

Vice Chairman Alcorn: Seconded by Commissioners Migliaccio and Lawrence. Any discussion on that motion? All those in favor of recommending approval of the modification of the transitional screening and waiver of the barrier requirements, in favor of that shown on the SEA Plat, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries. Same abstentions. Commissioner Donahue.

Commissioner Donahue: Thank you, Mr. Chairman. I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE COMPREHENSIVE PLAN TRAIL REQUIREMENT ALONG IDYLWOOD ROAD.

Commissioners Migliaccio and Lawrence: Second.

Vice Chairman Alcorn: Seconded by Commissioners Migliaccio and Lawrence. Any discussion on that motion? All those in favor of recommending approval of the waiver of the Comprehensive Plan Trail Requirement along Idylwood Road, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries. Same abstentions. Commissioner Donahue.

Commissioner Donahue: And I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A DEVIATION OF THE TREE PRESERVATION TARGET, IN FAVOR OF THAT SHOWN ON THE GDP [sic].

Commissioners Migliaccio and Lawrence: Second.

Vice Chairman Alcorn: Seconded by Commissioners Migliaccio and Lawrence. Any discussion of that motion? All those in favor of recommending approval of a deviation of the tree preservation target, in favor of the development conditions and that shown on the SEA Plat, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries. Same abstentions. Commissioner Donahue.

Commissioner Donahue: Yes, I just realized I missed the 2232, but - -

Vice Chairman Alcorn: I was going to say, I think we have a 2232 as well.

Commissioner Donahue: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION FIND THAT THE FACILITY PROPOSED UNDER 2232-D10-12 SATISFIES THE CRITERIA OF LOCATION, CHARACTER, AND EXTENT AS SPECIFIED IN SECTION 15.2-2232 OF THE *CODE OF VIRGINIA*, AND IS SUBSTANTIALLY IN ACCORD WITH THE PROVISIONS OF THE COMPREHENSIVE PLAN.

Commissioners Migliaccio and Lawrence: Second.

Vice Chairman Alcorn: Seconded by Commissioners Migliaccio and Lawrence. Any discussion on that motion? All those in favor of finding that the facility proposed under 2232-D10-12 satisfies the criteria of location, character, and extent as specified in Section 15.2-2232 of the *Code of Virginia*, and is substantially in accord with the provisions of the Comprehensive Plan, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries. Same abstentions.

Commissioner Donahue: Thank you, Mr. Chairman. A lot of people deserve thanks for an awful lot of hard work; the one most clearly applicable, St. Clair Williams, who did a tremendous job on this application. And many more, but we have limited time and limited doughnuts so I can't mention

them all, but I do want to thank St. Clair for his efforts and the people who supported him. Thank you very much.

Vice Chairman Alcorn: Well - - and Mr. Donahue, I wanted to thank you. This was a very, very tough case and this is one where I think you put the sweat into it to make sure that it works, so thank you for all the work that you did on that as well.

Commissioner Donahue: Appreciate it.

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Commissioner Donahue: Mr. Chairman?

Vice Chairman Alcorn: Yes, Commissioner Donahue.

Commissioner Donahue: Pardon the interruption. It's been pointed out to me by my good friend Robin that there was an error in the motion to approve the SEA that we just made - - that I just made.

Vice Chairman Alcorn: Oh. Okay.

Commissioner Donahue: I'd like to spread the blame around, but I can't.

Vice Chairman Alcorn: All right. Let's go.

Commissioner Donahue: The last portion of the motion starting out with, finally I move the Planning Commission recommend to the Board of Supervisors, and it goes down to the GDP.

Vice Chairman Alcorn: GDP?

Commissioner Hall: You're about to make another one.

Commissioner Donahue: Yes, yes. That - - that should be replaced by - - that should be replaced by the following, staff recommends approval of a preservation target, in favor - -

Vice Chairman Alcorn: Mr. Donahue, excuse me. Let me - - let me - - let me ask, which case is this? I don't see it in the last case that we did.

Commissioner Donahue: This is SEA - -

Vice Chairman Alcorn: Okay.

Commissioner Donahue: - - 85-D-033-03.

Vice Chairman Alcorn: The one that we just finished.

Commissioner Donahue: Okay. Okay.

Robin Ransom, Assistant Director, Planning Commission Office: Chairman Alcorn?

Vice Chairman Alcorn: Yes.

Ms. Ransom: The - - the confusion arises because of how you restated the motion was correct, but the actual motion that Commissioner Donahue made referred to a GDP, and it is the SEA PLAT - -

Vice Chairman Alcorn: Yes.

Ms. Ransom: - - AND THE DEVELOPMENT CONDITIONS, so that's all we're SUBSTITUTING FOR THE WORDS, "GDP."

Vice Chairman Alcorn: Okay. Well, WITHOUT OBJECTION LET THE RECORD SHOW THAT IT IS THE SEA PLAT AND NOT THE GDP.

Commissioner Donahue: That's fine.

Vice Chairman Alcorn: WITHOUT OBJECTION. And - - there it is. Okay. Thank you, Mr. Donahue.

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(The motions carried by votes of 8-0-2 with Commissioner Sargeant recused himself; Commissioners de la Fe and Hall abstaining; Commissioner Murphy not present for the votes.)

KAD

Board Agenda Item
February 8, 2011

4:00 p.m.

Public Hearing on Proposed Plan Amendment (PA) S10-IV-FS1, Located North of Old Keene Mill Road and West of Amherst Avenue (Lee District)

ISSUE:

Plan Amendment (PA) S10-IV-FS1 proposes to amend the Comprehensive Plan guidance for a 1.6-acre subject area, located along Old Keene Mill Road. The subject area is part of the Springfield Community Business Center (CBC) and is designated by the Plan as part of Land Unit C in the Franconia-Springfield Area. As an option, the subject area is recommended for hotel use up to 110,000 square feet (SF). The nomination proposes to increase the maximum size of the hotel use from 110,000 SF to 120,000 SF.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission public hearing will be held on Thursday, February 3, 2011. The Commission's recommendation will be forwarded to the Board of Supervisors subsequent to that date.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors adopt PA S10-IV-FS1, as shown in the staff report, dated January 20, 2011 (Attachment I).

TIMING:

Planning Commission public hearing - February 3, 2011

Board of Supervisors' public hearing - February 8, 2011

BACKGROUND:

On October 19, 2010, the Fairfax County Board of Supervisors authorized PA S10-IV-FS1 for Tax Map parcels 80-4 ((9)) 4, 5, and 6, along the north side of Old Keene Mill Road adjacent to Veterans Bridge, where Amherst Avenue crosses Old Keene Mill Road. The 1.6 subject area consists of three contiguous parcels and is the former location of a restaurant and associated surface parking. The area is planned for office use with support retail use at an intensity of up to 0.50 floor-area ratio (FAR) with substantial parcel consolidation, as part of Land Unit C in the Springfield CBC in the Franconia-Springfield Area. The Plan also provides an option for the subject property

Board Agenda Item
February 8, 2011

for hotel use up to 110,000 SF with conditions related to access, streetscape, impervious surfaces, parks, and transportation. The option was adopted as part of the Base Realignment and Closure Area Plans Review (BRAC APR) process as BRAC APR 09-IV-4FS on August 3, 2009.

The Plan amendment proposes to increase the building size of the planned hotel use by 10,000 SF to a total of 120,000 SF. None of the conditions for redevelopment are proposed to change. Staff recommends that the Board of Supervisors adopt the proposed increase in square feet, as shown in Attachment I, Staff Report for PA S10-IV-FS1, dated January 20, 2011.

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

Attachment I: Staff Report for PA S10-IV-FS1

(available on line at:

<http://www.fairfaxcounty.gov/dpz/comprehensiveplan/planamendments.htm>

STAFF:

Fred R. Selden, Acting Director, Planning Division (PD), DPZ

Marianne R. Gardner, Chief, Policy and Plan Development Branch, PD, DPZ

Meghan D. Van Dam, Planner III, Policy and Plan Development Branch, PD, DPZ



PROPOSED COMPREHENSIVE PLAN AMENDMENT

ITEM: S10-IV-FS1
January 20, 2011

GENERAL LOCATION: Generally west of Amherst Avenue, north of Old Keene Mill Road, and south and east of Bland Street

SUPERVISOR DISTRICT: Lee

PLANNING AREA: Area IV

PLANNING DISTRICT: Springfield

SUB-DISTRICT DESIGNATION: Franconia-Springfield Area, Springfield Community Business Center, Land Unit C

PARCEL LOCATION: 80-4((9)) 4, 5 and 6

For additional information about this amendment call (703) 324-1380.

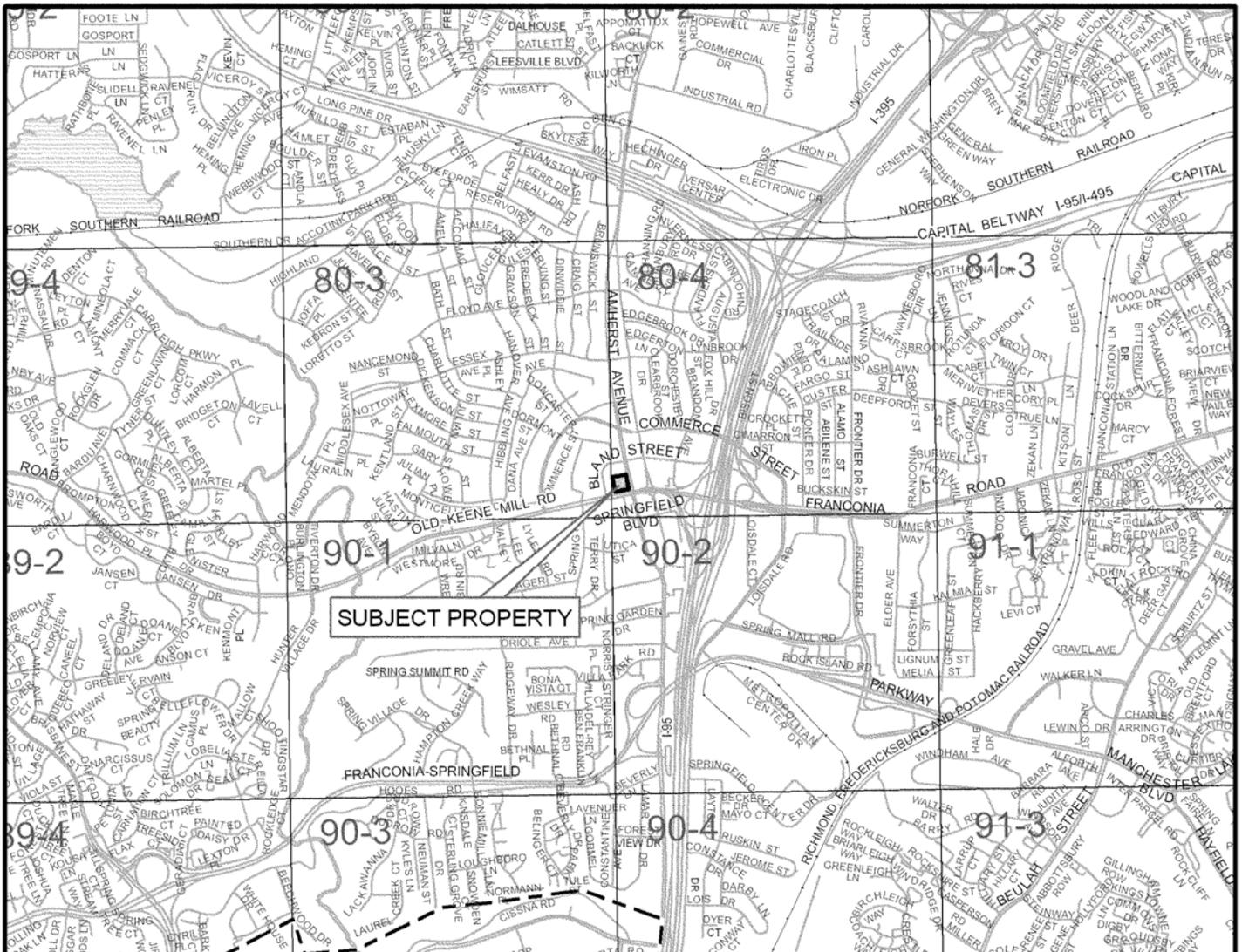
PLANNING COMMISSION PUBLIC HEARING: Thursday, February 3, 2011 @ 8:15 P.M.

BOARD OF SUPERVISORS PUBLIC HEARING: Tuesday, February 8, 2011 @ 4:00 P.M.

PLANNING STAFF DOES RECOMMEND THIS ITEM FOR PLAN AMENDMENT



Reasonable accommodation is available upon 7 days advance notice. For additional information about accommodation call (703) 324-1334.



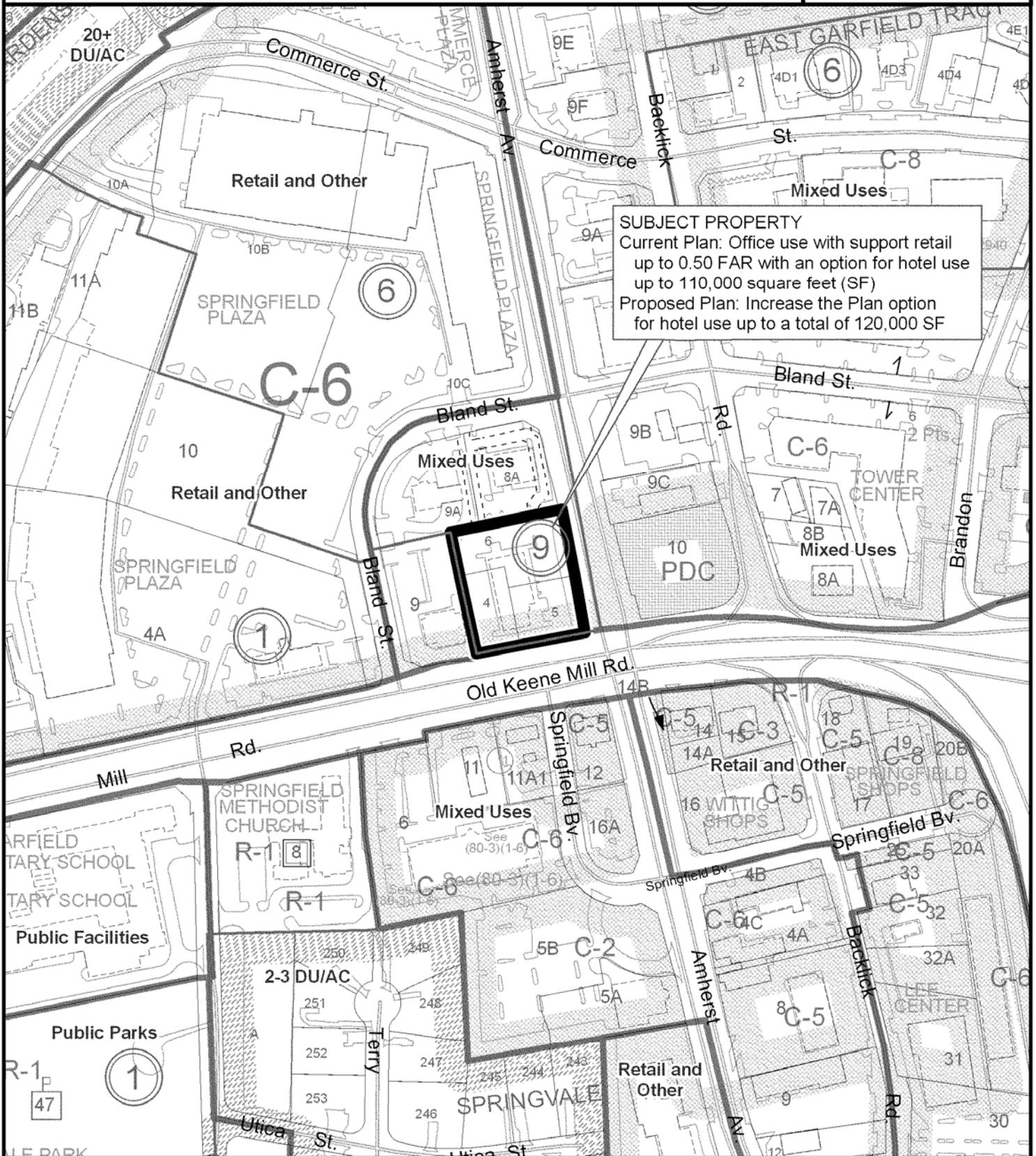
3000 FEET

PREPARED BY THE DEPARTMENT OF PLANNING AND ZONING USING FAIRFAX COUNTY GIS



CURRENT PLAN AND PROPOSED PLAN CHANGE
 PARCEL LOCATION MAP SHOWING CURRENT PLAN AND PROPOSED CHANGE FOR
 SUBJECT PROPERTIES AND CURRENT PLAN MAP FOR ADJACENT AREAS

ITEM: S10-IV-FS1
 January 20, 2011



300 FEET

PREPARED BY THE DEPARTMENT OF PLANNING AND ZONING USING FAIRFAX COUNTY GIS
 PARCEL INFORMATION CURRENT TO DECEMBER 2010



STAFF REPORT FOR PLAN AMENDMENT S10-IV-FS1

BACKGROUND

On October 19, 2010, the Fairfax County Board of Supervisors (Board) authorized Plan Amendment (PA) S10-IV-FS1 for Tax Map parcels 80-4 ((9)) 4, 5, and 6, along Old Keene Mill Road. The Comprehensive Plan designates the subject area as Land Unit C within the Franconia-Springfield Area (FSA). The subject area is part of the Springfield Community Business Center (CBC). The proposed Plan amendment requests a modification to a Plan option for the subject area to increase the amount of planned hotel use from 110,000 square feet (SF) to 120,000 SF. The conditions for redevelopment associated with this Plan option are not proposed to change. A pending rezoning and final development plan (RZ/FDP 2010-LE-013) application request the approval of a 6-story hotel use at 120,000 SF or 167 rooms on the subject area. The following staff report for the Plan amendment does not reflect a staff position on the merits of the rezoning/ final development plan application.

CHARACTER OF THE SITE

The approximately 1.6 acre subject area is located along the north side of Old Keene Mill Road, west of Amherst Avenue. The subject area consists of three contiguous parcels and is the former location of a restaurant and associated surface parking. The restaurant has been demolished, but the paved surface and minimal landscaping remain on the site. The subject area is planned at the baseline level for office use with support retail use at an intensity of up to 0.50 floor-area ratio (FAR) with substantial parcel consolidation. The Plan option for the subject property recommends hotel use up to 110,000 square feet (SF) with conditions related to access, streetscape, impervious surfaces, parks, and transportation. The three parcels that create the subject area are zoned C-6 and are located within the Commercial Revitalization (CRD), Sign Control, and Highway Corridor Overlay Districts. The CRD is an overlay district established to encourage economic development activities.

CHARACTER OF THE AREA

The existing uses surrounding the subject area are mainly commercial. The adjacent parcels, north and west of the subject property, are also part of Land Unit C and are developed with a Fed Ex Office and Wachovia Bank. These uses are located in individual buildings surrounded by surface parking. As with the subject area, the Plan recommends office use at an intensity of up to 0.50 FAR with substantial consolidation for these parcels. They are zoned C-6 and are located within the CRD overlay. East of the subject property, the Veterans' Bridge begins its rise over Old Keene Mill Road at the northeastern corner of the subject property and continues along its eastern edge of the property. The bridge creates a large, blank wall bordering the site and prohibits direct access onto Amherst Avenue.

A recently constructed Marriot hotel is located to the east of the subject property, east of the Veterans' Bridge. The hotel is located within the Springfield CBC in Land Unit A of the FSA. Land Unit A extends from Old Keene Mill Road, north to the Yates Village neighborhood, and east to Interstate-95. This land unit is planned for office, residential, hotel, and retail mixed-use at an overall intensity of up to 1.1 FAR and zoned C-4, C-6, C-8, and PDC within the CRD overlay. The parcel on which the hotel is located has specific Plan recommendations for this use up to 110,000 square feet. This level of development equates to an approximate intensity of 2.0 FAR. A gas station, vacant Long John Silvers restaurant, and a recently opened commuter parking lot are located to the south of the subject property, across Old Keene Mill Road. The property, which is part of the CBC, is within Land Unit D of the FSA and is planned for office and retail use at an intensity of up to 0.5 FAR and a commuter parking facility and zoned C-2, C-5, and C-6 within the CRD overlay.

PLANNING HISTORY

On May 20, 2002, the Board adopted PA S98-CW-1CP (B), which created the current base Plan recommendation for Land Unit C, as part of an area-wide amendment. The amendment evaluated the Plan guidance for the entire Springfield CBC, reconfirmed the CBC as the community business center for the area, and established Land Unit A as the core area of the CBC. The current Plan option for the hotel use up to 110,000 SF on the subject property was adopted by the Board on August 3, 2008. The amendment was adopted during the 2008 Base Realignment and Closure Area Plans Review (BRAC APR) cycle as BRAC APR 08-IV-4FS. The Board adopted another area-wide Plan amendment (PA S09-CW-3CP) on January 12, 2010, which added general guidance about urban design and transportation recommendations within the Franconia-Springfield Area.

ADOPTED COMPREHENSIVE PLAN TEXT

Fairfax County Comprehensive Plan, Area IV Volume, 2007 Edition, Franconia-Springfield Area and Fort Belvoir North Area, as amended through September 28, 2010, Land Use Recommendations, page 39:

"Land Unit C

Land Unit C is located west of Amherst Avenue, north of Old Keene Mill Road and south and east of Bland Street. The land unit is planned for office use with support retail up to 0.50 FAR with substantial parcel consolidation. High-quality architecture, landscape design, and pedestrian amenities should be provided. Shared parking is encouraged and should be shielded from view within the site.

As an option, Tax Map Parcels 80-4((9)) 4, 5 and 6 may be appropriate for hotel use up to 110,000 square feet. Access should be provided from Bland

Street and an inter-parcel access should be provided to the parcel to the west (Tax Map Parcel 80-3((1)) 9). Redevelopment should be considered for this intensity only if enhanced streetscape amenities that create a focal point and gateway to the CBC are provided. In addition, redevelopment is encouraged to meet the development criteria in the Overview section of this plan, recognizing that a hotel use may not have display windows or ground-floor retail use. The effects of impervious surface should be offset through mitigation measures, which may include the installation of rooftop vegetation and/or rain gardens. Particular attention should be paid to mitigating the need for urban parks and recreational facilities and shielding telecommunication facilities as stated in the Overview section as well as the Policy Plan guidance. Redevelopment also should accommodate, to the extent possible, and contribute to a pedestrian bridge that would facilitate the safe crossing of Old Keene Mill Road for transit users. Redevelopment should contribute to transportation improvements (i.e., road fund) and provide a shuttle service to the Joe Alexander Transportation Center and other nearby locations. Redevelopment also should participate in the future circulator system's management and operation, as described in the Overview section."

PROPOSED PLAN AMENDMENT

The proposed Plan amendment requests the consideration of a change to Plan option for hotel use, which would increase the amount of planned hotel use from 110,000 SF to 120,000 SF. The conditions for redevelopment associated with the option are not proposed to change.

ANALYSIS

Land Use

The Plan amendment proposes to increase the existing recommendation for hotel use from 110,000 SF to 120,000 SF. The amendment does not propose to change the type of land use nor any of the conditions related to redevelopment under the option. The intent of the original BRAC APR Plan amendment was to accommodate additional need for hotels in this area, which is proximate to Fort Belvoir North Area, formally known as the Engineer Proving Ground that has been redeveloped based on the 2005 BRAC actions. The final staff report for BRAC APR 08-IV-4FS, published in the June 24, 2009 BRAC APR staff report book states, "... (t)he BRAC-related Subject Areas Existing Conditions Report (Fairfax County DPZ, 2008) states that there are two hotels and one motel in currently located in the CBC, which include both limited and full-service facilities. Additional hotel use in the CBC may be an appropriate resource needed due the relocation of BRAC employees and contractors," on page 5 of 11. The proposed Plan amendment for increased square footage would continue to support this goal. Furthermore, an increase in square feet by 10,000 SF would allow the hotel use to remain similar in size and character to the existing hotel use, east of the Veterans' Bridge.

Revitalization

The subject property is part of the Springfield Community Revitalization District (CRD), and the area-wide Plan recommendations of the FSA reflect this designation. The recommendations promote the revitalization of commercial uses through the redevelopment of vacant and underutilized structures. The increase in size from 110,000 SF to 120,000 SF would facilitate the redevelopment of a vacant site and support revitalization goals. The current Plan also contains guidance about streetscape improvements within the redevelopment option, which is consistent with other past revitalization efforts in the CBC. Other efforts have included improvements to bus stops, benches, trash cans, street lights, as well as the construction of wider sidewalks, brick-paved crosswalks, and landscape areas. The Plan language about streetscaping is not proposed to change and should be maintained in the Plan.

Ancillary Comments

The adopted Plan option for hotel use addresses impacts to urban parks and recreation, transportation, and the environment through conditions for redevelopment. The Plan amendment proposes a minimal increase in the amount of planned hotel use and no changes to the adopted conditions. The proposed amendment does not warrant any changes to the adopted conditions. The conditions should be retained.

CONCLUSION

The subject property is considered blight on the CBC since the vacancy of the restaurant. Given the need to encourage redevelopment of the property, a Plan amendment to support implementation of the hotel use option by increasing the recommended amount of planned hotel use from 110,000 SF to 120,000 SF would be appropriate. The proposed increase in hotel square feet and the adopted conditions for redevelopment would continue to respond to the need of the BRAC actions, support revitalization efforts, and address impacts to parks, transportation, and the environment.

RECOMMENDATION

Staff recommends the Comprehensive Plan be modified as shown below to increase the maximum planned hotel use on the subject property under the option. Text proposed to be added is shown as underlined and text proposed to be deleted is shown with a ~~Strikethrough~~.

MODIFY: Fairfax County Comprehensive Plan, Area IV Volume, 2007 Edition, Franconia-Springfield Area and Fort Belvoir North Area, as amended through September 28, 2010, Land Use Recommendations, page 39:

“Land Unit C

Land Unit C is located west of Amherst Avenue, north of Old Keene Mill Road

and south and east of Bland Street. The land unit is planned for office use with support retail up to 0.50 FAR with substantial parcel consolidation. High-quality architecture, landscape design, and pedestrian amenities should be provided. Shared parking is encouraged and should be shielded from view within the site.

As an option, Tax Map Parcels 80-4((9)) 4, 5 and 6 may be appropriate for hotel use up to 120,000 ~~140,000~~ square feet. Access should be provided from Bland Street and an inter-parcel access should be provided to the parcel to the west (Tax Map Parcel 80-3((1)) 9). Redevelopment should be considered for this intensity only if enhanced streetscape amenities that create a focal point and gateway to the CBC are provided. In addition, redevelopment is encouraged to meet the development criteria in the Overview section of this plan, recognizing that a hotel use may not have display windows or ground-floor retail use. The effects of impervious surface should be offset through mitigation measures, which may include the installation of rooftop vegetation and/or rain gardens. Particular attention should be paid to mitigating the need for urban parks and recreational facilities and shielding telecommunication facilities as stated in the Overview section as well as the Policy Plan guidance. Redevelopment also should accommodate, to the extent possible, and contribute to a pedestrian bridge that would facilitate the safe crossing of Old Keene Mill Road for transit users. Redevelopment should contribute to transportation improvements (i.e., road fund) and provide a shuttle service to the Joe Alexander Transportation Center and other nearby locations. Redevelopment also should participate in the future circulator system's management and operation, as described in the Overview section."

THE PLAN MAP: The Comprehensive Plan Map will not change.

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