



# *Fairfax County, Virginia*

## **BOARD OF SUPERVISORS**

### **DRAFT AGENDA**

**Tuesday**  
**January 28, 2014**

*Note: This draft agenda is produced two weeks prior to the Board Meeting and is subject to change. A final agenda is available for review in the Office of the Clerk to the Board and at <http://www.fairfaxcounty.gov/government/board/meetings/> by the Friday prior to each Tuesday meeting.*

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9:30 Presentations  
10:30 Appointments  
10:40 Items Presented by the County Executive  
10:50 Matters Presented by Board Members  
11:40 Closed Session

3:30 p.m. Decision Only on Proposed Area Plans Review Nominations 09-IV-IMV and 09-IV-15MV, Located Northwest of Richmond Highway, and Northeast Huntington Avenue (Mount Vernon District)

3:30 p.m. Public Hearing on RZ 2013-SU-010 - CHRISTOPHER LAND, L.L.C., RZ Appl. to rezone from R-1 and WS to PDH-2 and WS to permit residential development with an overall density of 1.89 du/ac and approval of the conceptual development plans. Located at 13865 Walney Park Dr., Chantilly, 20151, on approx. 3.7 ac. of land. Comp. Plan Rec: 1-2 du/ac. Sully District. Tax Map 44-4 ((1)) 18.

4:00 p.m. Decision Only on RZ 2013-MV-001/FDP 2013-MV-001 - A&R HUNTINGTON METRO LLC, RZ and FDP Appls. to rezone from C-5 to PRM to permit mixed use development with an overall Floor Area Ratio (FAR) of 3.0, approval of the conceptual and final development plans, waiver of minimum district size and waiver #25678-WPFM-001-1, to permit the location of underground storm water management facilities in a residential area. Located at 2338, 2340, 2342, and 2344 Glendale Ter. and 2317 Huntington Ave., Alexandria, 22303, on approx. 1.04 ac. of land. Comp. Plan Rec: Option for transit oriented mixed use with up to 3.0 FAR. Mt. Vernon District. Tax Map 83-1 ((8)) 92A, 92B, 93A, 93B and 94A.

4:00 p.m. Public hearing on the matter of adoption of Chapter 124 (Stormwater Management Ordinance), repeal of Chapters 105 (Pollution of State Waters) and 106 (Storm Drainage), and proposed amendments to Chapters 101 (Subdivision Ordinance), 104 (Erosion and Sedimentation Control), 112 (Zoning Ordinance), 118 (Chesapeake Bay Preservation Ordinance), and Appendix Q (Land Development Services Fees) of The Code of the County of Fairfax, Virginia. Pursuant to authority granted by Virginia Code Sections 15.2-107, 15.2-2204, 15.2-2241(A)(9), 15.2-2286(A)(6), Virginia Administrative Code Sections 4VAC50-60-820, 4VAC50-60-825, and 4VAC50-60-830, the amendments propose to implement fees charged under Chapter 124 for Chesapeake Bay Act Land-

Disturbing Activities, VSMP Permit maintenance and modifications, amendments to the fees charged under Chapter 101, Art. 2, Sec. 101-2-9 (Subdivision Ordinance), Chapter 104, Art. 1, Sec. 104-1-3 (Erosion and Sedimentation Control), and Chapter 112, Art. 17, Part 1, Sec. 17-109 (Zoning Ordinance) of the County Code for the review of plans, processing of permits, and performing site inspections. The new ordinance and proposed amendments implement the Virginia Stormwater Management Act (§62.1-44.15:24, et seq.) and associated regulations, the Virginia Erosion and Sediment Control Law (§62.1-44.15:51, et seq.) and associated regulations, and the Virginia Chesapeake Bay Preservation Act (§62.1-44.15:67, et seq.) and associated regulations. The proposed Stormwater Management Ordinance includes the following: 1) General Provisions including: Purpose and Administration, Definitions, Areas of Applicability, Exemptions, Right of Entry, Severability, Applicability of and Conflicts with Other Laws and Regulations, Time Limits on Applicability of Approved Design Criteria, Grandfathering, Chesapeake Bay Preservation Act Land-Disturbing Activity; 2) General Administrative Criteria for Regulated Land-Disturbing Activities including: Applicability, Permit Required, Annual Standards and Specifications for State Agencies, Federal Entities, and Other Specified Entities, Security for Performance, Monitoring, Reports, Investigations, and Inspections, Stormwater Pollution Prevention Plan Requirements, Stormwater Management Plans, Pollution Prevention Plans, Stormwater Management Plan Review, Long-term Maintenance of Permanent Stormwater Management Facilities, Construction Record Drawings; 3) Fees including: General, Exemptions, Fees for Coverage Under the General Permit for Discharges of Stormwater from Construction Activities and Permits for Chesapeake Bay Preservation Act Land-Disturbing Activities, Fees for the Modification or Transfer of Registration Statements for the General Permit for Discharges of Stormwater from Construction Activities, State Permit Maintenance Fees; 4) Technical Criteria for Regulated Land-Disturbing Activities including: Applicability, Water Quality Design Criteria Requirements, Water Quality Compliance, Water Quantity, Offsite Compliance Options, Design Storms and Hydrologic Methods, Stormwater Harvesting, Linear Development Projects, Comprehensive Stormwater Management Plans; 5) Technical Criteria for Regulated Land-Disturbing Activities for Grandfathered Projects and Projects Subject to Time Limits on Applicability of Approved Design Criteria including: Definitions, Applicability, General, Water Quality, Stream Channel Erosion, Flooding, Regional (watershed-wide) Stormwater Management Plans; 6) Exceptions; 7) Appeals including: Right to Administrative Review, Hearings, Appeals of Final Orders; 8) Violations and Penalties including: General Provisions, Criminal Violations and Penalties, Civil Penalties; and 9) Illicit Discharges to the Storm Sewer System and State Waters including: Purpose, Responsibilities of the Director, Illicit Discharges to the Storm Sewer System and State Waters, Standards for Inspection of Industrial and Commercial Property Discharging to the County's Storm Sewer System. The proposed amendment to the Subdivision Ordinance adds requirements of the Stormwater Management Ordinance to the minimum requirements for new subdivisions. The proposed amendment to the Zoning Ordinance adds of the Stormwater Management Ordinance to the minimum requirements for site plans. The proposed amendments to the Erosion and Sedimentation Control Ordinance update the regulatory citations, definitions, administrative requirements, and conservation standards consistent with the Virginia Erosion and Sediment Control Law, re-enacted in 2013, and associated regulations. The proposed amendments also explicitly designate the Director of DPWES as responsible for administering the ordinance, incorporate a general right of entry provision for enforcement of the ordinance separate from the existing provisions for inspection related to permits, and incorporate variance provisions. The proposed amendments to the Chesapeake Bay Preservation Ordinance eliminate stormwater management requirements duplicated in the proposed Stormwater Management Ordinance and clarify that enforcement of provisions relating to requirements for erosion and sediment control be conducted under provisions of the Erosion and Sediment Control Act. In addition, the Chesapeake Bay Exception Review Committee is being eliminated. The review and approval of the types of exception requests currently handled by the committee is to be transferred to the Board of Supervisors. The proposed amendments to Appendix Q incorporate fees for: Coverage Under the General Permit for Discharges of Stormwater from

Construction Activities (\$308) and Permits for Chesapeake Bay Preservation Act Land-Disturbing Activities (\$308); Modification or Transfer of Registration Statements for the General Permit for Discharges of Stormwater from Construction Activities (\$200 - \$700 depending on disturbed acreage); Annual Permit Maintenance Fees (\$20 - \$1,400 depending on disturbed acreage); Modifications/Waivers/Exceptions (\$710); and Review and Inspection of Stormwater Management and BMP facilities (\$500 - \$3,200 by type of facility) with a maximum cumulative total of \$7,500. Fees for state permits will be paid directly to the state.

4:00 p.m. Public hearing on the matter of amendments to Chapters 6 (Storm Drainage), and 12 (Vegetation Preservation and Planting), of the Public Facilities Manual (PFM). The proposed amendments to the PFM are necessary to implement the proposed County Stormwater Management Ordinance and the Virginia Stormwater Management Program (VSMP) Permit Regulations (4VAC 50-60 et seq.). The proposed amendments include the following: 1) The extent of review of downstream drainage systems to determine adequacy is being replaced with a reference to the requirements in the Stormwater Management Ordinance; 2) The use of the critical shear stress method in determining adequacy is being eliminated; 3) The detention method used in demonstrating adequacy is being replaced with a reference to the detention method in the Stormwater Management Ordinance; 4) Specific water quality control criteria related to the Chesapeake Bay Preservation Ordinance is being removed from the PFM and replaced with a reference to the criteria in the Stormwater Management Ordinance; 5) The table of assigned phosphorus removal efficiencies is being deleted and replaced with a reference to state assigned values the use of which is mandatory under the VSMP Permit Regulations; 6) A separate section for each Best Management Practice (BMP) that is listed in the VSMP Permit Regulations is included in the PFM; sections for existing practices have been modified and new sections have been added. Restrictions on the use and location for each BMP are included; 7) Nineteen plates related to design standards and criteria for BMPs, standard BMP plan views, the critical shear stress method, and example problems are being deleted. Standard BMP plan views are included in the online Virginia BMP specifications; 8) Two alternatives are presented for maintenance of stormwater management facilities in residential areas. The first alternative is a continuation of current policy under which the County will maintain dry ponds, extended detention ponds, and regional wet ponds. All other types of BMPs will be maintained by Homeowner Associations (HOAs) or property owners. The second alternative expands County maintenance to the following: sheet flow to a vegetated filter or conserved open space; infiltration practices; bioretention; vegetated swales; wet swales (linear wetlands); filtering practices (e.g. sand filters); constructed wetlands; wet ponds; extended detention ponds; manufactured (proprietary) BMPs. Under the second alternative, HOAs or property owners will maintain the following: rooftop disconnections; soil compost amendment; reforestation; vegetated roof; rainwater harvesting; permeable pavement; 9) Additional amendments related to implementation of the Stormwater Management Ordinance are included.

4:30 p.m. SEA 2009-DR-008 - OAKCREST SCHOOL, SEA Appl. under Sect(s). 3-E04 of the Zoning Ordinance to amend SE 2009-DR-008 previously approved for a private school of general education to permit modifications to development conditions and site access with no increase in enrollment. Located on the S. side of Crowell Rd., approx. 1,200 ft. E. of its intersection with Hunter Mill Rd. and N. of Dulles Toll Rd. on approx. 22.67 ac. of land zoned R-E. Hunter Mill District. Tax Map 18-4 ((1)) 26C; 18-4 ((8)) A and 4.

4:30 p.m. Public hearing to consider proposed revisions to the Comprehensive Plan for Fairfax County, VA, in accordance with the Code of Virginia, Title 15.2, Chapter 22. Comprehensive Plan Amendment ST09-III-UP1(A) concerns approximately 1650 acres of land (inclusive of roads), generally located north and south of the Dulles Airport Access Road (DAAR) in the vicinity of Wiehle Avenue, Reston Parkway, the Fairfax County Parkway (State Route 286), and east of Centreville Road, that is currently described in the Plan as the Reston-Herndon Suburban Center. In addition, it

proposes to move plan recommendations for areas at the periphery of the eastern edge of the Reston-Herndon Suburban Center to the UP5 Reston Community Planning Sector section of the Plan. The Reston-Herndon Suburban Center is bounded on the north by Hidden Creek Golf Course, Baron Cameron Avenue and the Town of Herndon, on the northeast by Lake Fairfax Park, on the east by a Virginia Department of Transportation storage yard (on the north side of the DAAR) and by Hunter Mill Road on the south of the DAAR, on the south by Sunrise Valley Drive, Fox Mill Road and Frying Pan Road, on the west by Centreville Road (on the south side of the DAAR) and by Fairfax County Parkway (on the north side of the DAAR). The study area does not include any of the residential areas south of Sunrise Valley Drive that are within ½ mile of the Wiehle-Reston East or Herndon stations. The Reston-Herndon Suburban Center is located predominantly in the Hunter Mill Supervisor District, with a small area at the west end of the study area in the Dranesville Supervisor District. This area has been the subject of Phase 1 of the Reston Master Plan Special Study (RMPSS), a special planning study initiated to evaluate Plan guidance for the planned community of Reston. Phase 1 of the RMPSS has been conducted under the direction of County staff and a Reston Master Plan Special Study Task Force appointed by the Fairfax County Board of Supervisors. The Plan amendment for Phase 1 sets forth a community-wide Vision and Planning Principles for Reston, areawide recommendations for land use; urban design; transportation; urban parks, recreational facilities and cultural facilities; environmental stewardship; public facilities; and general guidance re: possible implementation of the Plan. The Plan amendment also contains district recommendations for the three Transit Station Areas (TSAs) that are proposed to replace the Reston-Herndon Suburban Center in the Comprehensive Plan and are focused around the new Metrorail stations located in Reston and are part of Metrorail's Silver Line (Wiehle-Reston East, Reston Town Center, and Herndon TSAs). Each TSA has a core area close to the Metrorail station that is referred to as a Transit Oriented Development (TOD) district. In addition, nine other districts are located within the TSAs and are identified as Non-TOD districts with one district having recommendations that encourage a more urban character in the north part of the Reston Town Center and eight districts having recommendations that plan for a continuation of the current and zoned uses and amounts of development. The Reston TSAs are planned for a complementary mix of office, residential, retail, service-oriented, institutional, civic and other uses. Land use categories include: Transit Station Mixed Use (office, residential hotel, retail, institutional and civic uses); Residential Mixed Use (new development is planned to be primarily residential use with ground floor retail, hotel and limited new office uses); Town Center Urban Core Mixed Use (office, residential, and hotel with supporting retail and service uses); Town Center North Mixed Use (residential use with office, hotel, civic, and support retail uses); Residential (residential with supporting retail); Public Facility (public uses such as library, school, police/fire station, performing arts center and recreation center); and, Major Open Space Amenity (larger open spaces such as local-serving parks and athletic fields). Other uses, such as educational and institutional uses are planned throughout the TSAs. The areas closest to the Metrorail stations should be developed with office space, new residences and other non-residential uses including hotels and ground-level retail uses in mixed use buildings. Areas outside the ¼ mile radius from the Metrorail stations should be redeveloped primarily with multifamily housing with ground level retail. The highest intensity is planned for areas adjacent to the three Metrorail stations and varies according to distance from the Metrorail Station and according to the planned character for each TOD district. The Planning Commission and the Board will consider Plan text that provides for the highest Floor Area Ratios (FARs) to apply to the commercial properties within ¼ mile of the Metrorail stations. The highest FAR range is 3.0-4.0 FAR in the TOD Subdistrict on the north side of the Reston Town Center station with lower FAR ranges of 2.0-3.0 FAR for the south side of the Reston Town Center station and the north side of the Wiehle-Reston East station and a range of 1.5-2.5 FAR for the south side of the Wiehle-Reston East station and the Herndon station. Also under consideration are development intensities of up to 1.5 FAR for selected areas that are designated as Residential Mixed Use areas and are located approximately ¼ to ½ mile from the Metro stations. Some areas within ½ mile of the Reston Town Center station, including the Town Center Urban Core

are not planned for additional intensity. Non-TOD Districts are recommended by staff and the Task Force for varying intensities generally up to the FAR provided by existing zoning. All intensities listed as staff's recommendations in the Plan may be increased by varying amounts because of the bonus intensity that is allowed as an incentive for such things as the provision of affordable housing ( between 12%-20%) and land or space for public improvements or facilities (up to 25%) . The amount of bonus intensity may be compounded when multiple planning objectives are being achieved. In addition, the Plan allows for density credits for land dedication and for intensity to be moved from one land use category to another so long as the resulting development conforms to the goal of locating the highest intensities closest to transit and the development is consistent with the planned character and scale of the area. All of these provisions and incentives could allow for a development to be considered at up to a maximum intensity of 5.0 FAR under the staff and Task Force's recommendation. In addition, the Plan recommendations describe a maximum number of overall square feet of development planned for the planned TOD areas. The overall maximum number of square feet recommended in the Plan could be up to 30 million square feet of existing and new office uses and 24,500 existing and new residential dwelling units based on a 2030 planning horizon. Development under the Plan may be phased to transportation, trip reduction objectives, and public facilities/improvements. The proposed Plan amendment provides guidance for urban design, i.e., pedestrian circulation, streetscape design, a street grid and block pattern, build-to lines, building frontages, recommendations for bulk and massing, step-backs, building articulation, fenestration, and building heights, which will be tallest in the parts of the TOD districts closest to the Metrorail stations, moving outward to lower heights. The Plan amendment also calls for reductions in maximum parking throughout the TSAs and a variety of robust Transportation Demand Management tools to mitigate traffic impacts. The Plan amendment also identifies transportation recommendations for roadway improvements and new bicycle facilities within the TSAs. Amendments to the Countywide Transportation Plan are also under consideration as part of this amendment to reflect recommendations affecting the transportation network. The Countywide Transportation Plan amendments under consideration include, but are not limited to, the following roadway additions and deletions: the addition of a network of new local and collector streets to increase connectivity and to better accommodate pedestrians, bicyclists, transit vehicles and cars and the addition of a grade-separated interchange at Fairfax County Parkway and Sunrise Valley Drive. The current Reston-Herndon Suburban Center plan guidance includes recommendations pertaining to the Lake Fairfax Business Park and the adjacent residential subdivision, Equestrian Park. This amendment proposes to move these recommendations to the UP5 Reston Community Planning Sector section of the Area III volume of the Comprehensive Plan. The recommendations under consideration are contained in a staff report dated November 1, 2013. The document contains the recommendations of Fairfax County staff as well as alternatives to the staff recommendations as recommended by the Reston Master Plan Special Study Task Force. Where the staff recommendation differs from that of the Task Force and where alternatives are presented it is noted in the document and all recommendations are provided so as to provide the Planning Commission with the flexibility to choose among the recommendations or do less than what is presented. Copies of the staff report and any other supporting commentary or information can be obtained from the Dept. of Planning & Zoning, 7th floor, Herrity Bldg., 12055 Government Center Pkwy, Fairfax, VA, prior to the public hearing or by visiting the County's Web site at <http://www.fairfaxcounty.gov/dpz/comprehensiveplan/planamendments.htm> Copies of the Planning Commission (PC) recommendation may be obtained from the PC, 12000 Government Center Pkwy., Suite 330, Fairfax, VA. Any questions about the amendment may be directed to the Planning Division at 703-324-1380.

All persons wishing to present their views on these subjects may call the Office of the Clerk to the Board at 703-324-3151 to be placed on the Speakers List, or may appear and be heard. As required by law, copies of the full text of proposed ordinances, plans and amendments, as applicable, as well

as other documents relating to the aforementioned subjects, are on file and may be examined at the Office of the Clerk to the Board of Supervisors, Suite 533 of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia. For the convenience of the public, copies may also be distributed to the County's Regional and Community Public Libraries.

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