



Fairfax County, Virginia

BOARD OF SUPERVISORS

DRAFT AGENDA

Tuesday
June 21, 2016

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.

- 9:00 Reception for the A. Heath Onthank Awardees, Reception Area of the J. Lambert Conference Center
- 9:30 Presentations
- 10:00 Presentation of the A. Heath Onthank Award
- 10:10 Presentation of the History Commission Annual Report
- 10:20 Board Appointments
- 10:30 Items Presented by the County Executive
- 10:40 Matters Presented by Board Members
- 11:30 Closed Session

3:30 p.m. Public hearing to receive citizen input on the proposed amendments to the *Code of the County of Fairfax*, Chapter 82, Motor Vehicles and Traffic, Section 82-1-6, Adoption of State Law, Section 82-6-38.1, Use of a protective helmet while operating a bicycle, and the repeal of Section 82-9-6, Playing on streets or highways, etc.

3:30 p.m. Public hearing on the matter of an amendment to Chapter 112 (the Zoning Ordinance) of the 1976 Code of the County of Fairfax, as follows: 1) Delete Paragraphs 3 and 4 of Sect. 2-514, thereby requiring special exception approval from the Board of Supervisors prior to the installation of any mobile and land based telecommunications monopole or tower; 2) Add a new telecommunications facility definition which states that such facilities process information through the use of telecommunication, including telegraph or telephone central offices and repeat stations. A telecommunication facility shall not include a mobile and land based telecommunication facility, a radio and television broadcasting tower facility, microwave facility or a satellite earth station; 3) Clarify that mobile and land based telecommunication facilities include those facilities that are subject to Sect. 2-514 of the Zoning Ordinance and Va. Code Sect. 15.2-2232, including monopoles and telecommunications towers; 4) Revise the cross references in Par. 5 of Sect. 2-514 to reflect the renumbered paragraphs that have resulted from the deletion of Paragraphs 3 and 4. For the convenience of the public, access to the full text will also be available for review at the County's website, www.fairfaxcounty.gov/dpz under the Zoning heading by clicking on Pending Zoning Ordinance Amendments.

3:30 p.m. Public Hearing on PCA 84-L-020-25/CDPA 84-L-020-06 - KINGSTOWNE M&N LP AND KINGSTOWNE TOWNE CENTER LP, PCA and CDPA Appl(s). to amend the proffers and conceptual development plan for RZ 84-L-020, previously approved for mixed-use development, to permit residential/mixed-use and associated modifications to proffers and site design at a density of 18.5 dwelling units per acre (du/ac). Located S. and E. of Kingstowne Village Pkwy., N. of Kingstowne Blvd., and W. of South Van Dorn St., on approx. 5.46 ac. of land zoned PDC, NR. Comp. Plan Rec: Mixed-Use. Lee District. Tax Map 91-2 ((1)) 36B and 36G (part).

4:00 p.m. Public hearing to amend Chapter 30 (Minimum Private School and Child Care Facility Standards) of *The Code of the County of Fairfax, Virginia*. The proposed amendments to Chapter 30, Article 3 include the following primary substantive changes to the ordinance:
The proposed amendment to Section 30-3-5 reduces the total number of non-resident children in care at any one time to four children effective July 1, 2016. Currently, this section allows the total number of non-resident children in care at any one time to not exceed five.
The proposed amendment to Section 30-3-2 includes the requirement for applicants and adult residents in the facility to annually disclose in a sworn statement whether he or she has committed any barrier offenses. The proposed amendment to Section 30-3-6(g) lowers the requirement for refrigerators used for perishable food to be maintained at a constant temperature of 41 degrees Fahrenheit or less to a constant temperature of 40 degrees of Fahrenheit.

4:00 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. **Plan Amendment #2016-I-A1** concerns approx. 11 ac. generally located at 7857 Heritage Drive, Annandale, on the west side of Heritage Drive between Commons Drive and Rectory Lane (Tax Map Parcels: 70-2((1))1D1, 2A and 2C) in the Braddock Supervisor District. The area is planned for a neighborhood and community serving retail center which includes an office component, with an option for mixed use up to 0.70 FAR with retail, office and residential uses. The Amendment will consider the development of the western portion of the site with 68 single-family attached dwellings and associated residential amenities, as well as the development of a community center on the property, improved pedestrian connectivity, and additional enhancements to the shopping center parking lot and plaza areas. Recommendations relating to the transportation network may also be modified. Copies of the staff report for this proposed amendment may be obtained from the Dept. of Planning & Zoning, 7th floor, Herry Bldg. 12055 Government Center Pkwy., Fairfax, Virginia, and can also be viewed on the Web at <http://www.fairfaxcounty.gov/dpz/comprehensiveplan/planamendments.htm>.

4:00 p.m. Public hearing on the acquisition of certain land rights necessary for the construction of Project AA1400093-13, Jones Branch Connector – Final Design (Providence District). This project consists of a connection between Route 123 and the I-495 Express Lane ramps and ultimately to Jones Branch Drive. The project involves the reconstruction and extension of Scotts Crossing Road across I-495 and tying to the existing Jones Branch Connector and Jones Branch Drive. The project will require widening of the existing I-495 Express Lane bridges over the I-495 outer loop (southbound) and design of new bridges spanning the I-495 inner loop (northbound) and Express Lanes. Plans and plats describing the work proposed to be done and the property interests to be acquired for this project are on file in the Land Acquisition Division of the Department of Public Works and Environmental Services, 12000 Government Center Parkway, Suite 449, Fairfax, Virginia 22035.

4:00 p.m. Public hearing on the matter of an amendment to Chapter 112 (the Zoning Ordinance) of the 1976 Code of the County of Fairfax, as follows: (1) In the Planned Development Commercial (PDC) District, delete the maximum Floor Area Ratio (FAR) of 1.5 and the enumerated criteria for

increases up to a maximum 2.5 FAR, and establish a maximum 2.5 FAR, except that in the PDC District and the Planned Residential Mixed Use (PRM) District, **OPTION 1** - permit up to a maximum 5.0 FAR when the property is located in a Transit Station Area (TSA), Commercial Revitalization District (CRD) or Community Business Center (CBC) *[map of areas included in staff report]* when in furtherance of the purpose and intent of the district and the comprehensive plan OR **OPTION 2** – permit up to a maximum 5.0 FAR for property located in a TSA and up to a maximum 4.0 FAR for property located in a CRD or CBC, and in both cases when in furtherance of the purpose and intent of the district and the comprehensive plan. (2) In the PDC and PRM Districts, add commercial recreation restaurants as a secondary use and allow vehicle sales and ancillary service establishments as a secondary use (in addition to vehicle rental, currently permitted), limited to indoor facilities only with no outside display or storage of vehicles and only when shown on an approved final development plan. In the PDC District, delete pre-construction Health Department review of kennels and veterinary hospitals, allow fast food restaurants with no drive-through facilities to locate in a residential building subject to final development plan approval; as an **OPTION** for consideration, increase the amount of gross floor area (GFA) for all secondary uses other than dwellings from 25% of the principal uses to 50% and eliminate the provision limiting fast food restaurants to 15% of GFA of the structure in which located; and change the references to “housing for the elderly” to independent living facilities and medical care facilities, limited to assisted living facilities and/or nursing facilities. In the PRM District, add kennels and veterinary hospitals as secondary uses, limited to indoor facilities only. (3) Require the inclusion of cellar space in the calculation of GFA (thus, in the calculation of FAR) for any rezoning to the PDC or PRM Districts approved after the date of this amendment and clarify the exclusions from GFA for cellar space used for loading, storage and other uses that are accessory to the principal use of the building, mechanical equipment and an unmanned datacenter or other similar telecommunications or electronic equipment. In the Planned Development Tysons Corner Urban District (PTC), clarify the exclusion of cellar space used for loading or unmanned telecommunication, mechanical or electronic equipment. (4) Clarify that the Board may approve parking reduction and/or parking relocation requests in the PDC and PRM Districts, pursuant to Article 11, as part of a rezoning or special exception application; clarify the current provisions of Article 11 for Board approval of parking reductions based on proximity to alternative means of public transportation, including a mass transit station, a designated TSA, a transportation facility (streetcar, bus rapid transit or express bus service) or a high frequency served bus stop; require that determinations regarding completion timeframe for a mass transit station or transportation facility include the funding status for the transportation project; clarify the Board’s authority to approve a parking reduction in conjunction with a rezoning to the PDC or PRM District in a CRD for mixed use developments that include residential and non-residential uses; allow the Board, in conjunction with a rezoning or special exception, or the Director, in conjunction with a site plan, to approve, with appropriate time limitations, a temporary reduction and/or relocation of the minimum required off-street parking for redevelopment of an existing property that includes the retention of some uses/structures and the elimination of some on-site parking, subject to demonstration by the applicant that adequate measures will be taken to ensure the continuation of safe and adequate utilization of the property; and require that a substantial portion of parking in the PDC District should be in above and/or below grade parking structures. (5) In the PRM District, modify the Purpose and Intent section to include CBCs, Commercial Revitalization Areas (CRAs) and CRDs as appropriate locations for the district, to encourage the use of Transportation Demand Management (TDM) and to further the implementation of the comprehensive plan and require that not more than half of the minimum required open space shall be permitted above street level, unless modified by the Board. (6) For commercial recreation restaurants, eliminate the additional standard that requires any person under 18 years of age to be accompanied by a parent or guardian. (7) Allow the Board to modify the minimum sight distance requirements on a corner lot in conjunction with a rezoning or special exception upon a clear demonstration that such reduction maintains safe and adequate vehicular/pedestrian movements at the intersection. (8) Allow the Board, in conjunction with a

rezoning or special exception, or the Director, in conjunction with a site plan, to modify the transitional screening and barrier requirements along the Dulles International Airport Access Highway and the Dulles Toll Road. (9) In the PDC District, modify the Purpose and Intent section to accommodate high density land uses when consistent with the comprehensive plan, to insure high standards in the mix of uses, to include unique design elements and amenities, to encourage lot consolidation and use of TDM techniques. Revise the minimum district size provisions of the PDC District to add CRAs and TSAs for determining when land may be classified to the PDC District. (10) Specify that bulk regulations and landscaping and screening provisions of the conventional district that most closely characterizes the particular type of development under consideration shall have general applicability in a PRM and PDC District that is located in a TSA, CRD, CBC or CRA and only at the periphery of such TSA, CRD, CBC or CRA. (11) Clarify the provisions regarding reductions of yards in TSAs, CBCs and CRAs to specify that yards and other distances from lot lines may be reduced by the Board in conjunction with a rezoning or special exception or by the Director in conjunction with a site plan, in accordance with the specified yard/distance recommended in the adopted comprehensive plan for the area. (12) In Article 16, Development Plans, the Board can authorize a “variance” of the strict application of the strict application of specific zoning district regulations, except for maximum density or FAR provisions. The term “variance” is more typically related to an action taken by the Board of Zoning Appeals. To alleviate confusion, the amendment will change the term “variance” to “modification” in multiple locations in Article 16 and will delete the term “exception,” which is superfluous. For the convenience of the public, access to the full text will also be available for review at the County’s website, www.fairfaxcounty.gov/dpz under the Zoning heading by clicking on Pending Zoning Ordinance Amendments.

4:30 p.m. Joint Public Hearing on the Proposed Virginia Department of Transportation Six-Year Secondary System Construction Program for Fiscal Years 2017 through 2022 and FY 2017 Budget

5:00 p.m. Citizens and Businesses of Fairfax County are encouraged to present their views on issues of concern. The Board will hear public comment on any issue except: issues under litigation, issues which have been scheduled for public hearing before the Board (this date and future dates), personnel matters and/or comments regarding individuals. Each speaker may have up to three minutes and a maximum of 10 speakers will be heard. Speakers may address the Board only once during a six-month period.

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.

 Fairfax County is committed to nondiscrimination on the basis of disability in all county programs, services and activities and supports the Americans with Disabilities Act by making reasonable accommodations for persons with disabilities. Open captioning will be provided in the Board Auditorium. For sign language interpreters or other accommodations, please call the Clerk’s Office, 703-324-3151, TTY: 771, as soon as possible but no later than 48 hours before the public hearing. Assistive listening devices are available at the meeting.