



# *Fairfax County, Virginia*

## **BOARD OF SUPERVISORS**

### **DRAFT AGENDA**

**Monday**  
**June 26, 2006**

*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, in regional libraries and at <http://www.fairfaxcounty.gov/gov/bos/bdagenda/schedule.htm> by the Friday prior to each Monday meeting.*

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- 8:00 Revitalization Policy Committee
- 9:30 Presentations
- 10:00 History Commission Annual Report
- 10:15 ONThank Awards
- 10:30 Appointments
- 10:30 Items Presented by the County Executive
- 11:00 Matters Presented by Board Members
- 11:50 Closed Session

3:00 p.m. Public Hearing on SEA 2002-MV-028 (Scott A. and Phyllis P. Crabtree) SEA Appl. under Sect(s). 2-904 of the Zoning Ordinance to amend SE 2002-MV-028 previously approved for residential use in a floodplain to permit a change in development conditions to clarify fill and elevations and associated conditions. Located at 8019 East Blvd. Dr. on approx. 1.34 ac. of land zoned R-2. Mt. Vernon District. Tax Map 102-2 ((1)) 35A. Also under consideration will be the applicant's request for an exception # 15043-WRPA-002-1 under Section 118-6-7 of Chapter 118 (Chesapeake Bay Preservation Ordinance) of the Code of the County of Fairfax for construction within the Resource Protection Area.

3:00 p.m. Public Hearing on RZ 2005-SP-019 (Midland Road LLC) RZ and FDP Appls. to rezone from I-5 to PRM to permit mixed use development with an overall Floor Area Ratio (FAR) of 1.20 and approval of the conceptual and final development plans. Located in the N.E. quadrant of the intersection of Lee Hwy. and Ridge Top Rd. on approx. 18.01 ac. of land. Comp. Plan Rec: Fairfax Center Area; option for residential/mixed use at 1.20 FAR at the overlay level. Springfield District. Tax Map 56-2 ((1)) 37.

3:00 p.m. A 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 # 04-III-1FC concerns approx. 35 ac. generally located at the northwest corner of Route 50 and Fair Ridge Drive (Tax Map 46-3 ((1)) 15A and 15B) in the Sully Supervisor District. The area is planned for office and public facilities at .15 FAR at the overlay level, with an option for hotel use up to .15 FAR. The Amendment will consider a mix of office, retail, public facilities and institutional use (church) up to .25 FAR. Recommendations relating to the transportation network

may also be modified. Copies of the proposed Amendment and staff report may be obtained from the Dept. of Planning & Zoning, 7th floor, Herrity Bldg. 12055 Government Center Pkwy., Fairfax, Virginia. Copies of the Planning Commission (PC) recommendation may be obtained from the PC, 12000 Government Center Pkwy., Suite 330, Fairfax, VA. . Any questions may be directed to the Planning Div. at 703-324-1380.

3:30 p.m. Public Hearing on SE 2005-PR-009 (Sunrise Assisted Living Limited Partnership) SE Appl. under Sect(s). 3-204 of the Zoning Ordinance to permit an independent living facility with 121 units at a density of 16.26 du/ac. Located at 10300 and 10322 Blake La. on approx. 7.44 ac. of land zoned R-2. Providence District. Tax Map 47-2 ((1)) 66, 67A and 70A.

3:30 p.m. Public Hearing on SE 2003-SP-035 (Robert N. Deangelis; Ronald A. & Leta G. Deangelis; George Hinnant, Trustee) SE Appl. under Sect(s). 3-104, 2-904, and 3-204 of the Zoning Ordinance to permit a plant nursery and uses in a floodplain. Located at 9401 Burke Rd. on approx. 21.84 ac. of land zoned R-1 and R-2. Springfield District. Tax Map 78-4 ((1)) 17A, 17B and 17C. Also under consideration will be the applicant's request for a Water Quality Exception #8450-WRPA-001-2 under Section 118-6-9 of the Chesapeake Bay Preservation Ordinance (CBPO) to permit encroachment within a Resource Protection Area (RPA) for the purpose of wetland restoration and disturbance of additional RPA in order to permit plant nursery uses including building and festival uses.

3:30 p.m. Public Hearing on SEA 2004-MA-022 (Amerada Hess Corporation) SEA Appl. under Sect(s). 7-607 and 9-622 of the Zoning Ordinance to amend SE 2004-MA-022 previously approved to permit a quick service food store and service station in a Highway Corridor Overlay District to permit an increase in land area and waivers and modifications in the Commercial Revitalization District. Located at 7100 Little River Tnpk. on approx. 35,719 sq. ft. of land zoned C-6, CRD, HC and SC. Mason District. Tax Map 71-1 ((1)) 109 and portions Little River Tnpk. public right-of-way to be vacated and/or abandoned. (Approval of this application may enable the vacation and/or abandonment of portions of the public rights-of-way for Little River Tnpk. to proceed under Section 33.1-157 and 159 of the Code of Virginia).

3:30 p.m. A public hearing regarding the proposed abandonment of a portion of a dedicated right-of-way adjacent to Little River Turnpike (Route 236) containing 4,263 square feet, pursuant to Va. Code § 33.1-161. The road is located adjacent to Tax Map 71-1 ((1)) Parcel 109, and is described and shown on the metes and bounds schedule dated October 17, 2005, and plat dated October 10, 2005, both prepared by Burgess & Niple, Inc., 4160 Pleasant Valley Road, Chantilly, Virginia 20151, and on file in the Fairfax County Department of Transportation, 12055 Government Center Parkway, Suite 1034, Fairfax, Virginia 22035, Telephone Number 703-324-1135.

3:30 p.m. A public hearing regarding the adoption of amendments to *The Code of the County of Fairfax, Virginia*, Chapter 62, Fire Protection. Proposed administrative amendments to Chapter 62 include: deletion of the current document in its entirety and adoption of language to achieve format compatibility with the 2003 *International Fire Code*, as adopted by the Commonwealth of Virginia as the *Statewide Fire Prevention Code* (SFPC) on November 16, 2005; a change providing for the Fire Marshal (instead of the County Executive) to appoint the Deputy Fire Marshal; changes to the fee schedule to permit the Fire Marshal to recover certain costs, including new fees for re-inspections for noncompliance after the first follow-up, non-required inspections conducted at the request of a business or individual, home daycare inspections conducted on behalf of the Office for Children, state-license care facilities inspections, commercial cooking operations, and commercial fireworks display permits, with an increase in the required insurance coverage to \$5 million for commercial fireworks displays.

Technical amendments include: deletion of the provisions in Chapter 62 in favor of more extensive provisions already in the SFPC for Christmas trees, the storage, display, or repair of vehicles, tools, and equipment fueled by flammable liquids, the definition of fireworks, and model rocketry; removal of the exception in the SFPC that appears to permit the unattended parking of LPG-gas tank vehicles within 50 feet of a structure in commercial/residential areas; a new provision prohibiting the storage and use of outdoor cooking devices on patios/balconies of multifamily dwellings; a new provision requiring the labeling and number of keys required in key boxes to allow rapid entry as may be required; a new provision requiring that furniture/displays adjacent to a means of egress be secured; provisions regarding retail display and sale of permissible consumer fireworks were added to address certain provisions lost in the transition from the BOCA Fire Prevention Code to the International Fire Prevention Code; a provision that authorizes law enforcement officers other than Fire Marshals to seize illegal fireworks without arresting the person(s) possessing them; and the term "Fire Command Center" has been adopted to replace "Fire Control Room." Questions regarding the proposed amendments may be directed to the Office of the Fire Marshal at 703-246-4753.

4:00 p.m. A 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 #S05-III-FC1 concerns approx. 6.94 ac. generally located on Fair Ridge Dr., north of Lee Hwy (46-3((1))14C) in the Sully Supervisor District. The area is planned for residential use at 2 du/ac, office up to .15 FAR, or office up to .25 FAR. The amendment considers modifying the current Plan to allow assisted living, independent living and medical office within Fairfax Center Area, Sub Unit A-6, at an intensity up to 1.2 FAR on tax map parcel 46-3((1))14C. This could result in approximately 200 units of elderly housing. Recommendations relating to the transportation network may also be modified. Copies of the proposed Amendment and staff report may be obtained from the Dept. of Planning & Zoning, 7th floor, Herrity Bldg. 12055 Government Center Pkwy., Fairfax, Virginia. Copies of the Planning Commission (PC) recommendation may be obtained from the PC, 12000 Government Center Pkwy., Suite 330, Fairfax, VA. Persons desiring to speak on this proposed amendment at the public hearing should call 703-324-3151 to have their names placed on the speakers' list. Any questions may be directed to the Planning Div. at 703-324-1380. ADA: Reasonable accommodation is available upon 7 days advance notice; please call 703-324-1334 or TTY 711 (Virginia Relay Center).

4:00 p.m. A public hearing on the matter of an amendment to Chapter 112 (the Zoning Ordinance) of the 1976 *Code of the County of Fairfax, Virginia*, as follows: (1) Clarifies references made to the Dulles International Airport Access Highway (DIAAH) and the Dulles Toll Road in Sections 2-414, 2-514, 2-516, 2-517, 9-401 and 13-304 of the Zoning Ordinance; (2) Makes a number of editorial revisions to the cluster provisions in order to provide clarification and consistency between provisions; (3) Revises Par. 7 of Sect. 2-421 to clarify that for cluster subdivisions in the R-C, R-E, R-1, R-2, R-3 and R-4 Districts that were approved by proffered rezoning by the Board prior to July 1, 2004, that: (a) Such subdivisions will continue to be subject to the proffered rezoning approval; (b) Amendments to such proffered rezonings for cluster subdivisions may be filed and considered in accordance with the provisions of Sect. 18-204 of the Zoning Ordinance, except that no amendment shall be filed or approved that permits the cluster subdivision to be enlarged, expanded, increased in density or relocated; and (c) Minor modifications to such cluster subdivisions may be permitted pursuant to Sect. 18-204 of the Zoning Ordinance; (4) Revises Par. 8 of Sect. 2-421 to clarify that for cluster subdivisions in the R-C, R-E, R-1, R-2, R-3 and R-4 Districts that were approved by the Board prior to July 1, 2004, that (a) Such cluster subdivisions that were established shall remain valid and the cluster subdivisions shall continue to be subject to the special exception approval and any development conditions imposed by such approval; (b) Amendments to such special exceptions for cluster subdivisions may be filed and considered in accordance with the provisions of Sections 9-014 and 9-614 of the Zoning

Ordinance ; and (c) Minor modifications to such cluster subdivisions may be permitted pursuant to Sect. 9-004; (5) Replaces references to Chapter 41 of the County Code (Animals and Fowls), which was repealed, with references to Chapter 41.1 of the County Code (Animal Control and Care); (6) Clarifies that accessory electrically-powered regional rail transit facilities located within the rights-of-way of the DIAAH, the combined DIAAH and Dulles Toll Road, or an interstate highway are not required to comply with lot size requirements, bulk regulations or open space requirements of the district in which located; (7) Replaces all references to “farmers’ markets” with “farmers markets”; (8) Corrects cross references to other paragraphs in Sections 8-004, 9-004, 16-203, 16-403 and 18-204; (9) Clarifies that basketball standards shall be no closer than 15 feet to the front lot line and 12 feet to the side lot line; (10) Incorporates accessory electrically-powered regional rail transit facilities into the mass transit facility and related street improvement definition, thereby allowing density credit to be given for the dedication of land to the County for such facilities; and (11) Clarifies that the maximum height limitation in the Richmond Highway Commercial Revitalization District is 50 feet, except in the Woodlawn Historic Overlay District where the maximum allowable height is 35 feet. Copies of the full text are on file and may be reviewed at the Office of the Clerk to the Board of Supervisors, 12000 Government Center Parkway, Suite 533, Fairfax, Virginia 22035. 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](http://www.fairfaxcounty.gov/dpz) under the Zoning heading by clicking on Pending Zoning Ordinance Amendments.

4:00 p.m. A public hearing on the matter of amendments to Chapter 7 of the Fairfax County Public Facilities Manual (PFM) and Articles 17 and 20 of Chapter 112 (Zoning Ordinance) of *The Code of the County of Fairfax, Virginia*. Pursuant to the authority granted by Virginia Code Section 15.2-2241 (LNMB Supp. 2005), the amendments include PFM revisions and revisions to the Zoning Ordinance. The amendments indicate that service drives are not required along Virginia byways, the Dulles Toll Road (Route 267), or interstate highways. The proposed amendments also clarify that the Board of Supervisors or the Director of the Department of Public Works and Environmental Services may waive the service drive requirements when certain provisions of the Zoning Ordinance are met. The proposed amendments also update the definition of a primary highway to include route numbers greater than 7000 as well as route numbers less than 600. The proposed PFM amendments also remove the requirements for streetlights along adopted Virginia byways except at road intersections and commercial entrances and to address safety issues. The proposed PFM amendments also include an editorial change, which adds Planned Residential Mixed Use (PRM) district under the planned development streetlight requirements

4:00 p.m. A public hearing regarding the adoption of an amendment to *The Code of the County of Fairfax, Virginia* (Fairfax County Code), which will be set forth in Appendix M to expand the Kingstowne Community Parking District (CPD). The proposed CPD expansion would encompass Castlewellan Drive, Greendale Village Drive from Scottswood Court to the cul-de-sac inclusive, and Horgan Court and prohibit the parking of watercraft, boat trailers, motor homes, and camping trailers, any other trailer or semi-trailer, regardless of whether such trailer or semi-trailer is attached to another vehicle; any vehicle with three or more axles; any vehicle that has a gross vehicle weight rating of 12,000 or more pounds except school buses used on a current and regular basis to transport students; any vehicle designed to transport 16 or more passengers including the driver, except school buses used on a current and regular basis to transport students; and any vehicle of any size that is being used in the transportation of hazardous materials as defined in Virginia Code § 46.2-341.4. No such Community Parking District shall apply to (i) any commercial vehicle when discharging passengers or when temporarily parked pursuant to the performance of work or service at a particular location or (ii) utility generators located on trailers and being used to power network facilities during a loss of commercial power or (iii) restricted vehicles temporarily parked on a public street within any such District for a maximum of 48 hours for the purpose of

loading, unloading, or preparing for a trip. Questions regarding this proposed amendment may be directed to the Fairfax County Department of Transportation at 703-324-1100. (Lee District)

4:30 p.m. A public hearing regarding the adoption of an amendment to *The Code of the County of Fairfax, Virginia* (Fairfax County Code), which will be set forth in Appendix M to establish the Woodgate Community Parking District (CPD). The proposed CPD establishment would encompass O'Day Drive from Stone Road to south of Woodgate Manor Circle at the northern boundary of parcel 54-3((2))47 and Woodgate Manor Circle from the north intersection of Woodgate Manor Circle and O'Day Drive to the southern intersection of Woodgate Manor Circle and O'Day Drive and prohibit the parking of watercraft, boat trailers, motor homes, and camping trailers, any other trailer or semi-trailer, regardless of whether such trailer or semi-trailer is attached to another vehicle; any vehicle with three or more axles; any vehicle that has a gross vehicle weight rating of 12,000 or more pounds except school buses used on a current and regular basis to transport students; any vehicle designed to transport 16 or more passengers including the driver, except school buses used on a current and regular basis to transport students; and any vehicle of any size that is being used in the transportation of hazardous materials as defined in Virginia Code § 46.2-341.4, Sully District. No such Community Parking District shall apply to (i) any commercial vehicle when discharging passengers or when temporarily parked pursuant to the performance of work or service at a particular location or (ii) utility generators located on trailers and being used to power network facilities during a loss of commercial power or (iii) restricted vehicles temporarily parked on a public street within any such District for a maximum of 48 hours for the purpose of loading, unloading, or preparing for a trip. Questions regarding this proposed amendment may be directed to the Fairfax County Department of Transportation at 703-324-1100. (Sully District)

4:30 p.m. A public hearing regarding the adoption of an amendment to *The Code of the County of Fairfax, Virginia* (Fairfax County Code), which will be set forth in Appendix M to establish the Second London Towne Community Parking District (CPD). The proposed CPD establishment would encompass Basingstoke Loop from Billingsgate Lane to cul-de-sac inclusive and Billingsgate Lane from Wycombe Street to Stone Road and prohibit the parking of watercraft, boat trailers, motor homes, and camping trailers, any other trailer or semitrailer, regardless of whether such trailer or semi-trailer is attached to another vehicle; any vehicle with three or more axles; any vehicle that has a gross vehicle weight rating of 12,000 or more pounds except school buses used on a current and regular basis to transport students; any vehicle designed to transport 16 or more passengers including the driver, except school buses used on a current and regular basis to transport students; and any vehicle of any size that is being used in the transportation of hazardous materials as defined in Virginia Code § 46.2-341.4, Sully District. No such Community Parking District shall apply to (i) any commercial vehicle when discharging passengers or when temporarily parked pursuant to the performance of work or service at a particular location or (ii) utility generators located on trailers and being used to power network facilities during a loss of commercial power or (iii) restricted vehicles temporarily parked on a public street within any such District for a maximum of 48 hours for the purpose of loading, unloading, or preparing for a trip. Questions regarding this proposed amendment may be directed to the Fairfax County Department of Transportation at 703-324-1100. (Sully District)

4:30 p.m. A public hearing to consider the proposed adoption of an ordinance amending Appendix G, of *The Code of the County of Fairfax, Virginia*, to expand the Robinson Residential Permit Parking District (RPPD), District 17. The proposed amendment will expand the District boundaries to include the following street block: Commonwealth Court (Route 5483) from Commonwealth Boulevard (Route 4801) to the end. Questions regarding this proposed amendment may be directed to the Department of Transportation at (703) 324-1100. (Braddock District)

4:30 p.m. A public hearing to consider abandonment of an unimproved section of right-of-way known as Lockheed Boulevard, containing 3.98042 acres, more or less, pursuant to Virginia Code § 33.1 — 157. The right-of-way is located on Tax Maps 92-3 and 92-4, and is described and shown on the metes and bounds schedule and plat prepared by Rice Associates, dated December 22, 2004, both of which are on file with the Fairfax County Department of Transportation, Suite 1034, 12055 Government Center Parkway, Fairfax, Virginia, 22035, Telephone Number 703-324-1135. (Lee District)

4:30 p.m. A public hearing on proposed amendments to *The Code of the County of Fairfax, Virginia*, Chapter 82 (Motor Vehicles and Traffic), Section 82-1-6, adoption of State law.

5:00 p.m. A public hearing on the matter of the proposed codified ordinance that will provide for a Trespass Towing Advisory Board. The State Code requires that prior to amending the Fairfax County towing ordinance that a towing advisory board be established.

5:00 p.m. A public hearing to consider the amendment of Chapter 41.1, sections 41.1-1-1 and 41.1-2-7 of the Fairfax County Code to delete existing text relating to dangerous and vicious dogs and to add misdemeanor penalties applicable to owners or custodians of dangerous dogs under specified circumstances.

5:00 p.m. Public Hearing on RZ 2004-SU-029 (NVP, Inc.) RZ Appl. to rezone from R-1 and WS to R-3 and WS to permit residential development at a density of 2.45 dwelling units per acre (du/ac). Located on the E. side of Wharton La. approx. 50 ft. S. of its intersection with Pickwick Rd. on approx. 3.68 ac. of land. Comp. Plan Rec: 2-3 du/ac. Sully District. Tax Map 54-4 ((1)) 23 and 54-4 ((4)) 3A.

5:00 p.m. Public Hearing on RZ 2005-MV-001 (Brookfield Ridge Road, LLC) RZ Appl. to rezone from R-1 to PDH-2 to permit residential development at a density of 1.82 dwelling units per acre (du/ac). Located S. of Ridge Creek Way, S.E. of its intersection with Shepherd Ridge Ct. on approx. 11.04 ac. of land. Comp. Plan Rec: 2-3 du/ac. Mt. Vernon District. Tax Map 89-4 ((1)) 56, 57A and 69.

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.

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Fairfax County is committed to a policy of nondiscrimination in all County programs, services and activities and will provide reasonable accommodations upon request. To request special accommodations call the Office of the Clerk to the Board, (703) 324-3151 (VOICE) or (703) 324-3903 (TTY). Please allow seven working days in advance of the event in order to make the necessary arrangements.