



Fairfax County, Virginia

BOARD OF SUPERVISORS

DRAFT AGENDA

Monday
May 21, 2007

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.

- 9:30 Presentations
- 10:00 Appointments
- 10:00 Items Presented by the County Executive
- 10:30 Matters Presented by Board Members
- 11:20 Closed Session

3:30 p.m. Public Hearing on PCA 1998-DR-049-04 (Hampstead Village LLC) PCA Appl. to amend the proffers for RZ 1998-DR-049 previously approved for residential development at a density of 5.92 dwelling units per acre (du/ac) to permit the resubdivision of a single lot into 2 lots (Lots 8A and 9A) as originally approved pursuant to RZ 1998-DR-049 resulting in an overall density of 5.96 dwelling units per acre (du/ac). Located on the S. side of Addington Dr. and E. of Evans Farm Dr. on approx. 15,648 sq. ft. of land zoned PDH-5. Comp. Plan Rec: 3-4 and 5-8 du/ac. Dranesville District. Tax Map 30-1 ((30)) 8A and 9A.

3:30 p.m. Public Hearing on RZ 2006-PR-012 (CB Companies, LLC) RZ Appl. to rezone from R-1 to R-3 to permit residential development at a density of 2.0 dwelling units per acre (du/ac). Located in the S.E. quadrant of the intersection of Providence St. and Helena Dr. on approx. 1.00 ac. of land. Comp. Plan Rec: 2-3 du/ac. Providence District. Tax Map 39-4 ((1)) 219.

4:00 p.m. A public hearing on the matter of amendment to Chapter 61, Article 1, Section 61-1-3 (d) (1) (A) 2 c: (Building Provisions) of *The Code of the County of Fairfax, Virginia* (County Code). The proposed amendment revises Section 61-1-3 (d) (1) (A) 2 c: Fees of the County Code to incorporate a \$0 fee for casualty permits that allow for repair, replacement, or re-construction of a residential, commercial, or industrial structure that is damaged as the result of a catastrophic event. The proposed amendment provides that (1) the catastrophic event must be proposed by the County Executive and approved by the Board of Supervisors, and such determination must be in compliance with the notice and hearing requirements of Va. Code Ann. § 15.2-2204; (2) any such declaration must clearly delineate the geographic area and/or a range of dates during which the disaster occurred; (3) such catastrophic events are limited to natural disasters or acts of civil disturbance, but does not include situations caused by intentional acts or negligence by the property owner or his agent; (4) additionally, to be eligible for a casualty permit, a destroyed or damaged structure must

have been lawfully established and compliant with all applicable County and State Codes, it must have been in a habitable condition and lawfully occupied immediately prior to the casualty; (5) reconstruction or repair shall be limited to the damaged property to reconstruct the structure to its condition prior to the casualty; (6) the casualty permit must be obtained within six months of the declared catastrophic event unless the eligibility period is extended by the County Executive and the Board.

4:00 p.m. A public hearing on the matter of amendment to Chapter 61 (Building Provisions) of *The Code of the County of Fairfax, Virginia* (County Code). The proposed amendment will add the term "addition" to Chapter 61 of the County Code. The proposed definition will limit the amount and type of demolition and/or new construction that is allowed without being subject to the inspection and permitting requirements for new construction. Specifically, the proposed definition will be defined as any new construction that neither exceeds a certain percentage (a range of 75% through 150% will be considered) of the existing gross floor area of the above grade finished area nor results in the demolition of more than a certain percentage (a range of 25% through 50% will be considered) of the existing above grade gross floor area as defined by the ANSI Z765-2003 standard. The proposed amendment further provides that construction that exceeds either of these percentages shall be deemed construction of a new house, shall be subject to all applicable codes and ordinances required for a new house, including utilities, and shall require the issuance of a new Residential Use Permit.

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, as follows: (1) Add a new retail sales establishment-large use which is defined as any establishment containing [80,000 to 120,000] square feet or more of gross floor area wherein the primary occupation is the sale of merchandise for the consumption by the immediate purchaser. (2) Allow retail sales establishments-large by right in the PDC and PRC Districts when depicted on an approved final development plan or development plan and in the C-6, C-7, C-8 and C-9 Districts when such use is located within a building that contains a minimum of [from 500,000 to 1,000,000] square feet of gross floor area with at least six principal uses that are connected by party walls, partitions or similar structural members to form one continuous structure. (3) Retail sales establishments-large that do not meet the limitations in Par. 2 above may be allowed in the C-6, C-7, C-8, C-9, PDC and PRC Districts with special exception approval by the Board of Supervisors and subject to the following additional standards: (a) The Board shall determine that such use will be compatible with and not adversely impact adjacent properties and the local area road system; (b) The Board shall determine that parking is provided and designed in such a manner as to minimize impacts on adjacent properties; (c) Such use shall be designed so that pedestrian circulation is coordinated on-site and on adjacent properties, (d) Such use shall be designed to provide safe and convenient access and to minimize any potential conflicts between service and delivery vehicles, passenger vehicles and pedestrian traffic, and to minimize noise and outdoor lighting impacts from the use on adjacent properties; (e) Structures shall be designed to protect the character of the neighborhood through the use of architectural and site design methods; (f) All outdoor service, storage and display, with the exception of outdoor seating, shall be fully screened with solid fences, walls, berms, evergreen hedges or a fence, wall, berm and/or landscaping combination; and (g) All signs shall be in scale and harmony with the development and shall be located and sized so as to ensure convenience to the visitor, user or occupant while not adding to street clutter or detracting from the character of the surrounding properties. (4) Revise the retail sales establishment definition to allow the sale of bulk items provided that the primary occupation of a retail sales establishment is the sale of merchandise for the use or consumption by the immediate purchaser. 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. A public hearing on the matter of amendments to the Public Facilities Manual (PFM). The amendments revise the PFM to increase the minimum offset from the face of curb to the closest part of the fire hydrant from 14 inches to 18 inches and eliminate the requirement to install the end cap inside drop sanitary connections. The amendments require a sidewalk on both sides of the street in subdivisions containing lots averaging less than 25,001 square feet and require a sidewalk on both sides of cul de sacs serving less than 6 lots within these subdivisions; require a sidewalk on one side of the street in subdivisions containing lots averaging 25,001 square feet up to 52,000 square feet; and require a sidewalk along the subdivision boundary when the subdivision is in proximity to a school that is included in the County's capital improvement program. Editorial adjustments to a fire code reference are also proposed.

4:30 p.m. A public hearing on the matter of amendments to Chapter 118 (Chesapeake Bay Preservation Ordinance) of *The Code of the County of Fairfax, Virginia* (County Code). The proposed amendments address issues related to: consistency with the Chesapeake Bay Preservation Area Designation and Management Regulations (9 VAC 10-20 et seq.). The proposed amendments include the following provisions: 1) Require that plans for nonexempt roads or driveways in Resource Protection Areas (RPAs) be reviewed in conjunction with a site plan, subdivision plan, or other plan of development approval; 2) List land disturbance in an RPA as an activity requiring a Water Quality Impact Assessment (WQIA); 3) List all of the required conditions for public utilities, railroads, public roads and facilities exemptions; 4) Delete storm sewers from the list of exempt facilities; 5) Add a cross-reference in § 118-6-9 to the minimum required findings in § 118-6-6; 6) Permit WQIAs for allowed uses in RPAs to be submitted as part of site plans, subdivision plans, and grading plans; and 7) Increase the required number of plats to be submitted with exception requests requiring a public hearing from 10 to 14.

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.