

**FAIRFAX COUNTY PLANNING COMMISSION
POLICY AND PROCEDURES COMMITTEE
THURSDAY, MARCH 2, 2006**

COMMITTEE MEMBERS PRESENT:

Walter A. Alcorn, At-Large
John R. Byers, Mount Vernon District
Janet R. Hall, Mason District
Suzanne F. Harsel, Braddock District
James R. Hart, at-Large
Nancy Hopkins, Dranesville District
Kenneth Lawrence, Providence District
Laurie Frost Wilson, At-Large

COMMITTEE MEMBER ABSENT:

Rodney Lusk, Lee District

OTHER PLANNING COMMISSION MEMBERS PRESENT:

Frank A. de la Fe, Hunter Mill District

STAFF PRESENT:

James Zook, Director, Department of Planning and Zoning (DPZ)
William Shoup, Zoning Administrator, DPZ
Lorrie Kirst, Deputy Zoning Administrator, Zoning Administration Division (ZAD),
DPZ
Paige Mathes, Senior Assistant to the Zoning Administrator, ZAD, DPZ
Barbara J. Lippa, Executive Director, Planning Commission Office
Linda B. Rodeffer, Clerk, Planning Commission Office

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Planning Commission Vice-Chairman John R. Byers constituted the meeting at 7:30 p.m. in the Board Conference Room at 12000 Government Center Parkway, Fairfax, Virginia, pursuant to Section 4-102 of the Commission's *Bylaws & Procedures*, and indicated that the first order of business was to elect a committee chairman.

Commissioner Alcorn MOVED TO NOMINATE JANET R. HALL AS CHAIRMAN OF THE 2006 POLICY AND PROCEDURES COMMITTEE.

The motion was seconded by Commissioner Hart and carried unanimously with Commissioner Harsel abstaining. Vice Chairman Byers then turned the chair over to Commissioner Janet R. Hall, Chairman.

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Chairman Hall noted that the first item for review was approval of minutes.

Commissioner Alcorn MOVED THAT THE POLICY AND PROCEDURES COMMITTEE MINUTES OF NOVEMBER 16, 2005 AND FEBRUARY 1, 2006 BE APPROVED.

Commissioner Lawrence SECONDED THE MOTION WHICH CARRIED UNANIMOUSLY.

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Chairman Hall announced that the Committee would be briefed on the proposed 2006 Zoning Ordinance Amendment Work Program. (A copy of the Work Program is in the date file.)

Commissioner Alcorn recommended that item number 6 on the Priority 2 list, concerning the number of clients allowed per day in conjunction with a home occupation use, be looked at in terms of transportation demand management (TDM) strategies. William Shoup, Zoning Administrator, Department of Planning and Zoning (DPZ), said since it was a Priority 2 item, it had not yet been considered. After a brief discussion, Commissioner Hart pointed out that this item did not include special permit uses for dentists, accountants, and other professional occupations where the number of clients allowed was specified in development conditions. Commissioner Alcorn reiterated his recommendation that item number 6 be looked at more broadly in terms of telecommuting and other TDM measures.

Commissioner Hart noted that a review of adult video stores was on the Priority 1 list of amendments requiring further study by staff. He said a recently published letter to the editor of the *Connection Newspaper* had expressed concern that no action had been taken on this issue. Chairman Hall commented that an adult video store was located in the Baileys Crossroads area and she had never received a complaint about it.

Responding to a question from Commissioner Harsel, Lorrie Kirst, Deputy Zoning Administrator, Zoning Administration Division, DPZ, said that piano teachers were an exception to home occupation uses. Mr. Shoup pointed out that the limit on the number of piano students was no more than four at any one time and no more than eight in a day. In response to a question from Commissioner Byers, Mr. Shoup said that hairdressing was a special exception use.

Commissioner Byers said he had one item he would like moved from Priority 2 to Priority 1, number 56, on page 16, concerning a revision to the Woodlawn Historic Overlay District to accommodate a proposal for a hotel with a height in excess of 35 feet. He made his request because Marriott Hotel, in response to Base Realignment and Closure (BRAC) changes, intended to build two hotels with conference centers across the street from and adjacent to the Woodlawn mansion.

In response to a question from Commissioner Byers, Mr. Shoup said that item 2, Priority 1, concerning carport enclosures/popups, had been deferred indefinitely in 2004 and was one of about 15 amendments identified as a potential Ordinance amendment. Responding to another question from Commissioner Byers, Mr. Shoup said under certain circumstances, such as a corner lot on a major thoroughfare, a six-foot fence was permitted.

Mr. Zook responded to a question from Commissioner Byers about the feasibility of item 15, Priority 1, concerning photograph submission requirements.

Commissioner Byers suggested that when item number 16, Priority 1, concerning Planned Development Districts (Infill Study), was considered it include a review of the minimum allowable distance between single family homes.

At Commissioner Byers' request, Ms. Kirst defined workforce housing, addressed in item number 5 on the Priority 1 list, as housing for persons with a higher income level than those who qualified for affordable housing which was intended for persons with very low or no income. She said although the two were distinct, sometimes the terms were used interchangeably and noted that workforce housing was not defined in the Ordinance. Commissioner Alcorn said he had been appointed to a High Rise Affordability Task Force and one of the recommendations was going to be to define workforce housing. Commissioner Harsel pointed out that the Housing and Community Development (HCD) definition of affordable housing was different than the Zoning Ordinance definition. Ms. Kirst responded that HCD implemented a variety of programs, some of which were designed for a very low income range and that affordable housing, as defined in the Zoning Ordinance, was for those within a very narrow band of income.

Commissioner Byers suggested that a new item be added to the Priority 2 list under "Administration" to allow flexibility in advertising a proposed amendment so that minor adjustments could be made without the need to readvertise. Mr. Zook said that was not a Zoning Ordinance issue and needed to be discussed with the County Attorney's Office. Chairman Hall requested Barbara Lipa, Executive Director of the Planning Commission, to schedule a meeting with the County Attorney's office to discuss this issue.

Commissioner Byers said that item 27 on the Priority 2 list needed to be clarified to state specifically what types of servicing would be allowed as an ancillary use for specialized vehicle sale, rental, and service establishments.

Responding to a question from Commissioner Byers about item number 51(f), Priority 2 list, allowing bells associated with places of worship to exceed the maximum allowable noise level of 55 dBA at residential property boundaries for limited specific time periods, Mr. Zook said this item had been suggested by a Board member and pointed out that it was difficult to define noise. Commissioner Byers noted, however, that this particular item only addressed bells associated with places of worship. Ms. Kirst said Commissioner Byers' point would be addressed when the item was under consideration.

In response to a question from Commissioner Byers about item number 13, Priority 1, concerning the provision of open space credit for innovative best management practices (BMPs), Mr. Zook said that the intent of this item was to encourage innovative BMPs and to discourage unattractive stormwater management ponds that did nothing but manage stormwater flow.

Responding to a question from Commissioner Lawrence, Ms. Kirst said although usable open space was a defined term in the Zoning Ordinance, it did not distinguish between usable and

unusable open space. She added that incentives were needed to get developers to provide expensive innovative designs, as a low impact development (LID) technique, such as a green roof.

After discussion about open space with pervious and impervious surfaces, Ms. Kirst said that staff was trying to do was to give incentives for desirable types of open space and disincentives for undesirable types. Mr. Zook pointed that in an urban setting, impervious open space, such as plazas, was usable open space and the same criteria would not apply for both urban and suburban areas, much like parking requirements could not be applied uniformly throughout the County.

In response to a question from Commissioner Harsel, Mr. Zook said the Board had asked staff to look at the parking Ordinance due to complaints about inadequate parking, but the Ordinance had not yet been amended.

COMMISSIONER BYERS MOVED THAT ITEM 56 ON THE PRIORITY 2 LIST, TO REVISE THE WOODLAWN HISTORIC OVERLAY DISTRICT TO ACCOMMODATE A PROPOSAL FOR A HOTEL WITH A HEIGHT IN EXCESS OF 35 FEET, BE MOVED TO THE PRIORITY 1 LIST.

Commissioner Alcorn seconded the motion which was carried unanimously.

Commissioner Wilson asked why number 57, on the Priority 2 list, to consider the establishment of an historic overlay district for the Lorton Correctional Facility (Laurel Hill), had been removed from the Priority 1 list. Mr. Zook replied that the item had been moved by the Board of Supervisors when a Memorandum of Agreement had been executed which would provide the necessary protection and allow the Architectural Review Board to review development within the historic district area. Mr. Zook explained that a measure of performance for DPZ was to accomplish 60 percent of the Zoning Ordinance Work Program and resources would have to be increased or the Priority 1 list decreased to exceed that goal. He also pointed out that when community meetings were held on a proposed amendment, review and assimilation of citizen input was time consuming. Chairman Hall suggested that Mr. Zook discuss this issue in more detail with Commissioner Wilson at a later date.

In response to a question from Chairman Hall, Mr. Shoup and Ms. Kirst explained that Carport Enclosures/Pop-Ups, item 2 on Priority 1, list would allow enclosing a carport or constructing a second story with special permit approval even though it would not meet current minimum yard requirements in effect today, as long as it had been in compliance with Ordinance requirements when originally constructed.

Responding to a question from Commissioner Harsel, Ms. Kirst said the Architectural Review Board made a recommendation on an application subject to its review of site, building, and subdivision plans.

Responding to a question from Commissioner Wilson, Mr. Shoup and Ms. Kirst said that all types of educational facilities would be considered when number 20 on the Priority 2 list, "Definitions and Interpretations" was reviewed. Responding to another question from Commissioner Wilson, Ms. Kirst said the amendment on service drives, found on the Priority 1 list, number 3, would have to be readvertised.

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Commissioner Alcorn MOVED THAT THE POLICY AND PROCEDURES COMMITTEE ENDORSE THE 2006 ZONING ORDINANCE AMENDMENT WORK PROGRAM AS SUBMITTED WITH THE FOLLOWING CHANGE:

ITEM 56 ON THE PRIORITY 2 LIST, TO REVISE THE WOODLAWN HISTORIC OVERLAY DISTRICT TO ACCOMMODATE A PROPOSAL FOR A HOTEL WITH A HEIGHT IN EXCESS OF 35 FEET, BE MOVED TO THE PRIORITY 1 LIST.

The motion was seconded and carried unanimously.

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The meeting was adjourned at 8:15 p.m.
Janet R. Hall, Chairman

For a verbatim record of this meeting, reference may be made to the audio recording which can be found in the Office of the Planning Commission of Fairfax County, Virginia.

Minutes by: Linda B. Rodeffer

Approved: September 20, 2006

Linda B. Rodeffer, Clerk
Fairfax County Planning Commission