

**FAIRFAX COUNTY
BOARD OF SUPERVISORS
May 16, 2017**

AGENDA

9:30	Done	Presentations
10:00	Done	Board Appointments to Citizen Boards, Authorities, Commissions, and Advisory Groups
10:10	Done	Presentation of the History Commission Annual Report
10:20	Done	Items Presented by the County Executive

**ADMINISTRATIVE
ITEMS**

1	Approved	Authorization to Advertise a Public Hearing on Amendments to the Code of the County of Fairfax, Chapter 82, Motor Vehicles and Traffic
2	Approved	Authorization to Advertise a Public Hearing to Lease County-Owned Property at 4100 Chain Bridge Road to Southwestern Bell Mobile Services, LLC (Providence District)
3	Approved	Authorization to Advertise Public Hearings on a Proposed Zoning Ordinance Amendment Re: Planned Residential Mixed Use (PRM) District – Use Limitations for Submission of Final Development Plan
4	Approved	Extension of Review Period for 2232 Application (Dranesville District)
5	Approved	Approval of Traffic Calming Measures as Part of the Residential Traffic Administration Program (Mason District)
6	Approved as Revised	Authorization to Advertise Public Hearings on a Proposed Zoning Ordinance Amendment Re: Small Cell Facilities
7	Approved	Authorization to Advertise Public Hearings on a Proposed Zoning Ordinance Amendment Re: Public Facilities and Modifications to Existing Telecommunications Facilities

**ACTION
ITEMS**

1	Approved as Revised	Endorsement of the Recommended List of Potential Improvements for Consideration for the Transform I-66 Outside the Beltway Project (Braddock, Hunter Mill, Providence, Springfield and Sully Districts)
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**FAIRFAX COUNTY
BOARD OF SUPERVISORS
May 16, 2017**

**ACTION
ITEMS
(Continued)**

2	Approved	Approval of Resolution Regarding I-66 Express Lanes Access Points East of U. S. Route 50 (Providence and Hunter Mill Districts)
10:30	Done	Matters Presented by Board Members
11:20	Held	Closed Session

**PUBLIC
HEARINGS**

3:30	Approved	Public Hearing on SE 2016-SU-022 (COPT Stonecroft, LLC) (Sully District)
3:30	Approved	Public Hearing on SE 2017-DR-002 (BDC Dulles Corporate, LLC) (Dranesville District)
3:30	Approved	Public Hearing on SEA 87-P-041 (Chantilly Auto Care Center, LLC) (Springfield District)
4:00	Deferred to 6/20/2017 at 3:30 p.m.	Public Hearing on Proposed Modifications to the Comprehensive Plan Amendment Process
4:00	Deferred to 9/12/2017 at 4:00 p.m.	Public Hearing on the Acquisition of Certain Land Rights Necessary for the Construction of Sunrise Valley Dr Walkway – River Birch Rd to Legacy Circle (Dranesville District)

REVISED



Fairfax County, Virginia ***BOARD OF SUPERVISORS*** ***AGENDA***

Tuesday
May 16, 2017

9:30 a.m.

PRESENTATIONS

- PROCLAMATION – To designate May 2017 as Older Americans and Adult Abuse Prevention Month in Fairfax County. Requested by Supervisor Herrity.
- CERTIFICATE – To recognize Brendan Grammes, Aaron Howell, Tyler Matheny and Thomas Mukai for winning the Virginia High School League 6A state wrestling championships. Requested by Supervisors Cook, Foust and Herrity.
- CERTIFICATE – To recognize Melanie Pincus of McLean High School for being named the Virginia Journalist of the Year by the Virginia Association of Journalism Teachers and Advisers. Requested by Supervisor Foust.
- CERTIFICATE – To recognize the McLean High School Gymnastics Team for winning the Virginia High School League 6A state championship. Requested by Supervisor Foust.
- CERTIFICATE – To recognize Danielle Suh of Westfield High School for winning the Virginia High School League Girls Golf Individual Open Championship. Requested by Supervisor Smith.

— more —

Board Agenda Item
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- CERTIFICATE – To recognize the Westfield High School Football Team for winning the Virginia High School League 6A state championship. Requested by Supervisor Smith.
- PROCLAMATION – To designate June 19-25, 2017, as Fairfax County Sheriff's Office Week in Fairfax County. Requested by Supervisor McKay.
- PROCLAMATION – To designate May 2017 as Lyme Disease Awareness Month and a proclamation to designate June 2017 Fight the Bite Awareness Month in Fairfax County. Requested by Chairman Bulova and Supervisor Herrity.
- PROCLAMATION – To designate May 21-27, 2017, as Public Works Week in Fairfax County. Requested by Chairman Bulova.

STAFF:

Tony Castrilli, Director, Office of Public Affairs
Bill Miller, Office of Public Affairs

Board Agenda Item
May 16, 2017

10:00 a.m.

Board Appointments to Citizen Boards, Authorities, Commissions, and Advisory Groups

ENCLOSED DOCUMENTS:

Attachment 1: Appointments to be heard May 16, 2017
(An updated list will be distributed at the Board meeting.)

STAFF:

Catherine A. Chianese, Assistant County Executive and Clerk to the Board of Supervisors

FINAL COPY

APPOINTMENTS TO BE HEARD MAY 16, 2017
(ENCOMPASSING VACANCIES PROJECTED THROUGH MAY 31, 2017)
 (Unless otherwise noted, members are eligible for reappointment)

A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE
(1 year)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Christopher Moeller; appointed 3/16 by Storck) Term exp. 1/17 <i>Resigned</i>	Mount Vernon District Representative		Storck	Mount Vernon

ADVISORY SOCIAL SERVICES BOARD
(4 years – limited to 2 full consecutive terms)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Heather Scott; appointed 4/16 by Cook) Term exp. 9/17 <i>Resigned</i>	Braddock District Representative	Karen Darley	Cook	Braddock
VACANT (Formerly held by Virginia L. Peters; appointed 10/14 by Hyland) Term exp. 9/16 <i>Resigned</i>	Mount Vernon District Representative		Storck	Mount Vernon

AFFORDABLE DWELLING UNIT ADVISORY BOARD (4 years)
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<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Richard Rose (Appointed 7/97-4/01 by Hanley; 9/05-5/06 by Connolly; 6/13 by Bulova) Term exp. 5/17	Builder (Multi- Family) Representative		By Any Supervisor	At-Large
James Scanlon (Appointed 6/93- 6/13) by Bulova Term exp. 5/17	Engineer/Architect/ Planner #1 Representative	James Scanlon (Bulova)	By Any Supervisor	At-Large
Mark Drake (Appointed 2/09-5/12 by McKay) Term exp. 5/16	Engineer/Architect/ Planner #2 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by James Francis Carey; appointed 2/95-5/02 by Hanley; 5/06 by Connolly) Term exp. 5/10 <i>Resigned</i>	Lending Institution Representative		By Any Supervisor	At-Large

AIRPORTS ADVISORY COMMITTEE (3 years)
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<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Edward Robichaud (Appointed 2/11-1/14 by Hudgins) Term exp. 1/17	Hunter Mill District Representative		Hudgins	Hunter Mill
VACANT (Formerly held by Robert A. Peter; appointed 2/09-1/13 by Smyth) Term exp. 1/16 <i>Resigned</i>	Providence District Representative		L. Smyth	Providence

ANIMAL SERVICES ADVISORY COMMISSION (2 years)

[Note: In addition to attendance at Commission meetings, members shall volunteer at least 24 hours per year in some capacity for the Animal Services Division.]

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Barbara Hyde; appointed 9/13-9/14 by Gross) Term exp. 2/16 <i>Resigned</i>	Mason District Representative		Gross	Mason

ARCHITECTURAL REVIEW BOARD (3 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (John Boland; appointed 2/91-9/95 by Dix; 7/01 by Mendelsohn; 9/04- 9/07 by DuBois; 9/10-9/13 by Foust) Term exp. 9/16 <i>Resigned</i>	Attorney Representative		By Any Supervisor	At-Large

ATHLETIC COUNCIL (2 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
William C. Horrigan (Appointed 6/15 by Foust) Term exp. 3/17	Dranesville District Principal Representative	William C. Horrigan	Foust	Dranesville
Gregory Beckwith (Appointed 7/13-4/15 by Foust) Term exp. 3/17	Dranesville District Alternate Representative	Gregory Beckwith	Foust	Dranesville

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ATHLETIC COUNCIL (2 years)
 continued

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Harold Leff (Appointed 3/93-2/99 by Dix; 2/01-3/15 by Hudgins) Term exp. 3/17	Hunter Mill District Principal Representative		Hudgins	Hunter Mill
James R. Elder (Appointed 7/07-3/15 by Hudgins) Term exp. 3/17	Hunter Mill District Alternate Representative		Hudgins	Hunter Mill
Terry Adams (Appointed 11/11-7/13 by Gross) Term exp. 6/15	Mason District Alternate Representative		Gross	Mason
VACANT (Formerly held by Keith Salisbury; appointed 2/15 by Hyland) Term exp. 3/17 <i>Resigned</i>	Mount Vernon District Alternate Representative		Storck	Mount Vernon
Ralph Wills (Appointed 10/00-3/15 by Frey) Term exp. 3/17	Sully District Alternate Representative	Mark Abbott	K. Smith	Sully

**BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE
(1 year)**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Judith Fogel; appointed 6/12-5/15 by Gross) Term exp. 6/16 <i>Resigned</i>	Mason District Representative		Gross	Mason
VACANT (Formerly held by Brett Kenney; appointed 10/13-9/15 by Hyland) Term exp. 6/16 <i>Resigned</i>	Mount Vernon District Representative		Storck	Mount Vernon

BOARD OF BUILDING AND FIRE PREVENTION CODE APPEALS (4 years)

(No official, technical assistant, inspector or other employee of the DPWES, DPZ,
or FR shall serve as a member of the board.)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Susan Kim Harris; appointed 5/09-2/11 by Hudgins) Term exp. 2/15 <i>Resigned</i>	Alternate #4 Representative		By Any Supervisor	At-Large
David A. Beale (Appointed 1/10-2/13 by Bulova) Term exp. 2/17	Design Professional #3 Representative		By Any Supervisor	At-Large

**CHESAPEAKE BAY PRESERVATION ORDINANCE
EXCEPTION REVIEW COMMITTEE (4 years)**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Stephen Kirby; appointed 12/03-1/08 by Kauffman; 9/11 by McKay) Term exp. 9/15 <i>Resigned</i>	Lee District Representative		McKay	Lee
VACANT (Formerly held by Brian Loo; appointed 7/12 by Smyth) Term exp. 9/15 <i>Resigned</i>	Providence District Representative		L. Smyth	Providence
VACANT (Formerly held by David Schnare; appointed 12/08 by McConnell; 11/10- 9/15 by Herrity) Term exp. 9/19 <i>Resigned</i>	Springfield District Representative		Herrity	Springfield

CHILD CARE ADVISORY COUNCIL (2 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Eric Rardin; appointed 4/13 by Hyland) Term exp. 9/15 <i>Resigned</i>	Mount Vernon District Representative		Storck	Mount Vernon

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CHILD CARE ADVISORY COUNCIL (2 years)
 continued

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Hugh Mac Cannon; appointed 12/09-9/14 by Herrity) Term exp. 9/16 <i>Resigned</i>	Springfield District Representative		Herrity	Springfield
Gita D'Souza Kumar (Appointed 7/12-3/15 by Frey) Term exp. 2/17	Sully District Representative		K. Smith	Sully

COMMISSION ON AGING (2 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Catherine S. Cole (Appointed 9/16 by Bulova) Term exp. 5/17	At-Large Chairman's Representative	Catherine S. Cole	Bulova	At-Large Chairman's
Michael Perel (Appointed 7/16 by Cook) Term exp. 5/17	Braddock District Representative	Michael Perel	Cook	Braddock
Kay Larmer (Appointed 1/12-7/15 by Foust) Term exp. 5/17	Dranesville District Representative	Kay Larmer	Foust	Dranesville
Joseph Heastie (Appointed 2/05-6/15 by L. Smyth) Term exp. 5/17	Providence District Representative	Joseph Heastie	L. Smyth	Providence
Thomas Bash (Appointed 5/11-7/15 by Herrity) Term exp. 5/17	Springfield District Representative		Herrity	Springfield

<p align="center">COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION (4 years)</p>
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<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Susan V. Infeld; appointed 9/15 by Hudgins) Term exp. 1/17 <i>Resigned</i>	At-Large Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Benjamin Gibson; appointed 4/11 by McKay) Term exp. 1/15 <i>Resigned</i>	Lee District Representative		McKay	Lee
VACANT (Formerly held by Adrienne M. Walters; appointed 3/14 By L. Smyth) Term exp. 1/17 <i>Resigned</i>	Providence District Representative		L. Smyth	Providence
VACANT (Formerly held by William Stephens; appointed 9/02-1/03 by McConnell; 1/07-1/11 by Herrity) Term exp. 1/15 <i>Resigned</i>	Springfield District Representative		Herrity	Springfield
Rosalind Gold (Appointed 12/05 by Gross; 11/10-2/13 by Hudgins) Term exp. 1/17	Religious Community Representative		By Any Supervisor	At-Large

COMMUNITY ACTION ADVISORY BOARD (CAAB)
(3 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Rodney Scott; appointed 3/11-2/14 by Hudgins) Term exp. 2/17 <i>Resigned</i>	Hunter Mill District Representative		Hudgins	Hunter Mill

CONFIRMATIONS NEEDED:

- Mr. Hasan Alkurdi as the Head Start Principal Fairfax County Representative
- Ms. Verena Y. Sample as the Central Target Area #1 Representative
- Mr. Abdalla M. Abdalla as the Central Target Area #2 Representative
- Ms. Dipti Pidikiti-Smith as the South Target Area #3 Representative

**DULLES RAIL TRANSPORTATION IMPROVEMENT
DISTRICT ADVISORY BOARD, PHASE II**
(4 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Robert J. Elliott; appointed 4/13-1/16 by Bulova) Term exp. 1/20 <i>Resigned</i>	BOS At-Large #4 Representative	Michael R. F. Rocks (Bulova)	By Any Supervisor	At-Large

ECONOMIC ADVISORY COMMISSION (3 years)

CONFIRMATIONS NEEDED:

- Mr. Phillip A. Niedzielski-Eichner as the At-Large #10 Representative
- Mr. David Diaz as the as the At-Large #11 Representative

ENGINEERING STANDARDS REVIEW COMMITTEE (3 years)

CONFIRMATION NEEDED:

- Mr. Robert Kohnke as the Northern Virginia Soil and Water Conservation District Representative

FAIRFAX AREA DISABILITY SERVICES BOARD

(3 years- limited to 2 full consecutive terms per MOU, after initial term)

[NOTE: Persons may be reappointed after being off for 3 years. State Code requires that membership in the local disabilities board include at least 30 percent representation by individuals with physical, visual or hearing disabilities or their family members. For this 15-member board, the minimum number of representation would be 5.

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Jacqueline Browne (Appointed 9/08- 12/11 by Gross) Term exp. 11/14	Mason District Representative		Gross	Mason

FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD**(3 years – limited to 3 full terms)**

[NOTE: In accordance with *Virginia Code* Section 37.2-501, "prior to making appointments, the governing body shall disclose the names of those persons being considered for appointment." Members can be reappointed after 1 year break from initial 3 full terms, VA Code 37.2-502.

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Gary Ambrose (Appointed 3/13-6/14 by Bulova) Term exp. 6/17	At-Large #3 Representative	Gary Ambrose (Bulova) <i>(Will be confirmed on June 20, 2017)</i>	By Any Supervisor	At-Large
Willard K. Garnes (Appointed 11/12-7/14 by Bulova) Term exp. 6/17	At-Large #4 Representative	Willard K. Garnes (Bulova) <i>(Will be confirmed on June 20, 2017)</i>	By Any Supervisor	At-Large
Katherine C. Kehoe (Appointed 6/15 by Foust) Term exp. 6/17	Dranesville District Representative	Jennifer Adeli <i>(Will be confirmed on June 20, 2017)</i>	Foust	Dranesville
VACANT (Formerly held by Jeffrey M. Wisoff; appointed 6/13-6/14 by Smyth) Term exp. 6/17 <i>Resigned</i>	Providence District Representative		L. Smyth	Providence
Lori Stillman (Appointed 10/05 by McConnell; 6/08-6/14 by Herrity) Term exp. 6/17 <i>(Not eligible for reappointment need 1 year break)</i>	Springfield District Representative		Herrity	Springfield

HEALTH SYSTEMS AGENCY BOARD
(3 years - limited to 2 full terms, may be reappointed after 1 year lapse)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Phil Tobey; appointed 6/11-5/14 by Hudgins) Term exp. 6/17 <i>Resigned</i>	Consumer #2 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Ananth Thyagarajan; Appointed 7/15 by Bulova) Term exp. 6/18 <i>Resigned</i>	Provider #1 Representative		By Any Supervisor	At-Large

HISTORY COMMISSION (3 years)

[NOTE: The Commission shall include at least one member who is a resident from each supervisor district.] Current Membership:

Braddock - 3	Lee - 2	Providence - 1
Dranesville - 2	Mason - 0	Springfield - 2
Hunter Mill - 3	Mt. Vernon - 2	Sully - 2

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Naomi D. Zeavin; appointed 1/95 by Trapnell; 1/96-11/13 by Gross) Term exp. 12/16 <i>Mason District Resident Resigned</i>	Historian #1 Representative		By Any Supervisor	At-Large

HUMAN SERVICES COUNCIL (4 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Jack Dobbyn; appointed 2/13 by Hyland) Term exp. 7/16 <i>Resigned</i>	Mount Vernon District #1 Representative		Storck	Mount Vernon

**JUVENILE AND DOMESTIC RELATIONS COURT CITIZENS ADVISORY COUNCIL
(2 years)**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
John W. Herold (Appointed 11/13- 1/15 by Bulova) Term exp. 1/17	At-Large Chairman's Representative		Bulova	At-Large Chairman's

OVERSIGHT COMMITTEE ON DRINKING AND DRIVING (3 years)

***On May 2, 2017, the Board of Supervisors authorized the renaming of this committee
to the Oversight Committee on Distracted and Impaired Driving.
Appointments are to be made at a later date.**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by William Uehling; appointed 3/10-7/12 by Bulova) Term exp. 6/15 <i>Resigned</i>	Braddock District Representative		Cook	Braddock

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OVERSIGHT COMMITTEE ON DRINKING AND DRIVING (3 years)
continued

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Amy K. Reif; appointed 8/09-6/12 by Foust) Term exp. 6/15 <i>Resigned</i>	Dranesville District Representative		Foust	Dranesville
VACANT (Formerly held by Adam Parnes; appointed 9/03-6/12 by Hudgins) Term exp. 6/15 <i>Resigned</i>	Hunter Mill District Representative		Hudgins	Hunter Mill
VACANT (Formerly held by Jeffrey Levy; Appointed 7/02-6/13 by Hyland) Term exp. 6/16 <i>Resigned</i>	Mount Vernon District Representative		Storck	Mount Vernon
VACANT (Formerly held by Tina Montgomery; appointed 9/10-6/11 by Smyth) Term exp. 6/14 <i>Resigned</i>	Providence District Representative		L. Smyth	Providence

POLICE OFFICERS RETIREMENT SYSTEM BOARD OF TRUSTEES (4 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Stephen Gallagher; appointed 7/10-5/14 by Bulova) Term exp. 6/18 <i>Resigned</i>	Citizen At-Large #3 Representative	James E. Bitner (Bulova)	By Any Supervisor	At-Large

REDEVELOPMENT AND HOUSING AUTHORITY (4 years)
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<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Helen C. Kyle (Appointed 5/00-3/01 by Hanley; 4/05 by Connolly; 4/09-6/13 by Bulova) Term exp. 4/17	At-Large #2 Representative		Bulova	At-Large
Matthew J. Bell (Appointed 2/15 by Hyland) Term exp. 4/17	Mount Vernon District	Matthew J. Bell	Storck	Mount Vernon

ROAD VIEWERS BOARD (1 year)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Joseph Bunnell; appointed 9/05-12/06 by McConnell; 2/08- 11/13 by Herrity) Term exp. 12/14 <i>Resigned</i>	At-Large #1 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Stephen E. Still; appointed 6/06-12/11 by Smyth) Term exp. 12/12 <i>Resigned</i>	At-Large #4 Representative		By Any Supervisor	At-Large

<p align="center">SMALL BUSINESS COMMISSION, FAIRFAX COUNTY (3 years)</p>
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<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Beatrice Malone; appointed 11/05-11/14 by Hudgins) Term exp. 12/17 <i>Deceased</i>	Hunter Mill District Representative		Hudgins	Hunter Mill

<p align="center">SOUTHGATE COMMUNITY CENTER ADVISORY COUNCIL (2 years)</p>
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<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Ram Singh; appointed 5/06-3/16 by Hudgins) Term exp. 3/18 <i>Resigned</i>	Fairfax County #6 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Linda Diamond; appointed 3/07-4/13 by Hudgins) Term exp. 3/15 <i>Resigned</i>	Fairfax County #8 Representative		By Any Supervisor	At-Large

CONFIRMATION NEEDED:

- Ms. Syazana Durrani as the Reston Association #1 Representative

TENANT LANDLORD COMMISSION (3 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Michael Congleton; appointed 7/13-2/17 by Herrity) Term exp. 1/20 <i>Resigned</i>	Citizen Member #1 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Sally D. Liff; appointed 8/04-1/11 by Smyth) Term exp. 1/14 <i>Deceased</i>	Condo Owner Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Kevin Denton; appointed 4/10&1/11 by Smyth) Term exp. 1/14 <i>Resigned</i>	Tenant Member #3 Representative		By Any Supervisor	At-Large

TRAILS AND SIDEWALKS COMMITTEE (2 years)

CONFIRMATION NEEDED:

- Mr. Chris Maimone as the Washington Area Bicyclist Association Representative

**TYSONS TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD
(2 YEARS)**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Cory Scott (Appointed 1/16 by L. Smyth) Term exp. 2/17	Commercial or Retail Ownership Representative #2		By Any Supervisor	At-Large
VACANT (Formerly held by Molly Peacock; appointed 2/13-1/15 by L. Smyth) Term exp. 2/17 <i>Resigned</i>	Providence District Representative #2		L. Smyth	Providence

WETLANDS BOARD (5 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Deana M. Crumbling (Appointed 1/14 by Bulova) Term exp. 7/16	Alternate #1 Representative		By Any Supervisor	At-Large

Board Agenda Item
May 16, 2017

10:10 a.m.

Presentation of the History Commission Annual Report

ENCLOSED DOCUMENTS:

Attachment 1: History Commission's 2016 Annual Report

PRESENTED BY:

Carole Herrick, Chairman of the Fairfax County History Commission

Fairfax County History Commission Annual Report 2016



*The Armorial Bearings and Supporters of
THOMAS 6TH LORD FAIRFAX
as recorded at the College of Arms, London*

Windsor Herald and Registrar

Fairfax County History Commission

Mailing Address:

Fairfax County History Commission
10360 North Street
Fairfax, Virginia 22030

Telephone: (703) 293-6383

www.fairfaxcounty.gov/histcomm

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CHAIRMAN'S REPORT

It is with great pleasure that the Fairfax County History Commission submits its annual report for the year 2016. As you will see from the committee reports, the commission had another outstanding year in preserving and promoting the county's past. Several commissioners gave lectures or presentations before various groups, many of which included newer residents within the county, seniors, and school age children. This is possibly the most productive manner in which to make citizens aware of, appreciate, and learn about the history of the county in which they live.

Perhaps the most significant happening for the commission regarded its financial operations, since money spent is public funds. The financial arrangement of the commission with the county changed. Starting January 1, 2016, all funds of the Fairfax County History Commission are now maintained through Fairfax County's financial system, FOCUS, and administered by staff of the Department of Planning and Zoning and the Fairfax County Park Authority.

Longtime History Commissioner, Jack Hiller, unexpectedly passed in February 2016. Jack, a member of the commission starting in 1981, organized and headed the Fairfax County Historical Marker Program, which began in 1998. Under his leadership 45 markers were installed and dedicated throughout the county. The commission is fortunate to have Debbie Robison take on the responsibilities as chair of this program with the assistance of Mary Lipsey. Under their leadership three new roadside markers were erected and dedicated: The Pines (Mason District), Original Mount Vernon High School (Mount Vernon District), and Copperthite Racetrack (Springfield District). An additional tabletop marker was installed and dedicated at Riverbend Park commemorating the area's role during the War of 1812 (Dranesville District). In addition the commission refurbished the Cross Farmhouse (Sully District) and Ivakota Farm (Springfield) markers.

The History Conference Committee, headed by Lynne Garvey-Hodge, delivered yet another outstanding event. This was the twelfth year for the conference, which this year was titled "Fairfax County's Founding Fathers-The Masons are Coming! The Masons are Coming!" At the conference three authors were presented awards for their contributions to the history of the county. Ed Wenzel received the Ross Netherton Award for *A Chronology of the Civil War in Fairfax County, Part 1*, Gregory P. Wilson was given the Nan Netherton Award for writing *Private John S. Mosby, First Virginia Cavalry-Picketing Fairfax County Before Becoming the Confederate's Gray Ghost*, and the Edith Moore Sprouse Award went to Robyn Carter for her *Post WW2 History of Springfield, Virginia and the Crestwood Construction Corporation*.

Robert Beach and Elise Murray represented the commission on the Community Technical Advisory Committee (CTAC) which oversees the Resident Curator Program for historic properties. The committee launched its program by accepting curator applications for the rehabilitation and maintenance of Ellmore Farm (located within the Floris Historic District) and Turner Farm (located on Georgetown Pike in Great Falls).

Gretchen Bulova and Mary Lipsey represent the History Commission on the county's committee for the 275th anniversary celebration of Fairfax County's founding. This is a year-long commemoration with the main event taking place on June 17, 2017. A sub-committee of history commissioners was created to put together a booth with displays for the event. The sub-committee also began indexing all of the oral

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histories dispersed throughout the county and putting them into one list so that citizens know where to obtain them.

As usual, the commission listened to presentations by several individuals/organizations seeking advice, requesting financial assistance, and providing commissioners information. This year such presentations included demolition of the American Press Institute building and the potential development of the Floris Historic District. The commission also updated its bylaws, revised the Fairfax County Inventory of Historic Sites and expanded the Langley Fork Historic Overlay District to include the Mackall/Hall House.

The history commissioners appreciate Fairfax County's Board of Supervisors continued efforts in supporting the History Commission's mission. Thank you.

Carole L. Herrick

2016 Fairfax County History Commission

Carole L. Herrick, Chair
 Anne Stuntz, Vice-Chair
 Steve Sherman, Secretary
 Phyllis Walker Ford, Treasurer

Anne Barnes	Robert E. Beach
Gretchen Bulova	Glenn Fatzinger
Jack Hiller	Lynne Garvey-Hodge
Michael Irwin	Mary Lipsey
Sallie Lyons	Esther W. McCullough
Elise Ruff Murray	Barbara Naef
Debbie Robison	Page Shelp
Jordan Tannenbaum	Naomi S. Zeavin

OVERVIEW

The Fairfax County Board of Supervisors officially created the commission in 1969. It grew out of the Landmarks Preservation Committee established in 1965. There are 20 members. The commission meets on the first Wednesday of each month. All meetings are open to the public. An independent contractor prepares minutes. In addition to the regular meetings, members put in many volunteer hours each month on the commission's committees.

The commission carries out the Board of Supervisors' mandate in various ways:

- The commission maintains the Fairfax County Inventory of Historic Sites, which included 367 sites at the end of 2016.
- The commission advises the Board of Supervisors and appropriate agencies on matters involving the history of the county in the following ways:
 - Works closely with the Department of Planning and Zoning; the Architectural Review Board; the Park Authority, especially the Cultural Resource Management and Protection programs; and the Fairfax County Public Library system, especially the Virginia Room.
 - Proposes and monitors Historic Overlay Districts. A member of the commission, Elise Ruff Murray, serves in an ex officio capacity on the Architectural Review Board.
 - The commission is consulted on development or demolition of old or historic structures, whether on the Fairfax County Inventory of Historic Sites or not.
 - Advises the State Review Board and Historic Resources Board about historic and cultural sites recommended for inclusion on the National Register.
 - Participates in matters under Section 106 of the National Historic Preservation Act, which requires federal agencies to take into account the effects of their undertakings on historic properties, particularly with regard to Fort Belvoir and cell phone tower applications. Sallie Lyons is representing the commission in the Section 106 review process for the Route One improvements at Fort Belvoir.
- In order to generally promote the public interest in all matters bearing on the history of Fairfax County, the commission:
 - Cooperates with the Fairfax County Public Schools, Northern Virginia Community College and George Mason University in local history activities.
 - Provides advice and assistance to local historical societies, churches and citizens' groups on matters of historic preservation.
 - Assists in negotiations for preservation easements.
 - Pays special attention to the possibilities for tax incentives for preserving historic properties.
 - Promotes the establishment of volunteer citizen special interest groups.
 - Attends meetings, conferences and seminars for continuing education.
 - Participates with other state, national and local organizations in joint programs. Carole Herrick represents Fairfax County on the War of 1812 Bicentennial Commemoration Planning Committee for the region—Maryland, D.C. and Northern Virginia. Gretchen Bulova chairs the county's 275th anniversary steering committee. In addition, Mary Lipsey serves on the steering committee.
 - Acts as a liaison with public and private historical agencies in the county and on the state and national levels.
 - Supports and encourages activities at all educational levels that will stimulate interest in the archeological and historical background of Fairfax County.
 - Supports oral history programs in Fairfax County.

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- Supports the collections of the Virginia Room of the City of Fairfax Regional Library and the preservation of materials held therein. The commission makes an annual grant to the Virginia Room for preservation and research materials.
- Supports the Park Authority Cultural Resources Management and Protection programs (CRMP) that include the county archaeology program. The commission makes grants to the Cultural Resource Management Branch for interns and consultants to perform archeological and architectural surveys as needed.
- Specific programs to promote the public interest in all matters bearing on history in Fairfax County include:
 - Fairfax County's Historical Marker Program that marks appropriate historical sites throughout the county.
 - Awards programs to honor achievements in Fairfax County history and historic preservation.
 - Annual History Conference to educate county citizens about Fairfax County history.
 - Compiles and makes available to the public a list of local historians willing to speak on a variety of topics related to the history of Fairfax County.
 - Provides a juror for the annual Fairfax County Exceptional Design Award.
- Since 1969 the commission has contributed the following to the county:
 - Completed a program to index, abstract and microfiche early Circuit Court Records.
 - Prompted the creation of the Fairfax County Records Management Program.
 - Initiated the establishment of the County Archaeology program.
 - Published three books on Fairfax County history.
 - Prepared property identification maps and a census of Fairfax County in 1860.

COMMEMORATION OF THE FOUNDING OF FAIRFAX COUNTY

2017 marks the 275th anniversary of the founding of Fairfax County. The county was formed from the northern part of Prince William County and named for Thomas Lord Fairfax, the 6th Lord Fairfax of Cameron. To commemorate this anniversary, Chairman of the Board of Supervisors, Sharon Bulova, formed a steering committee. Two members of the History Commission serve on this steering committee along with representatives from Visit Fairfax, the Park Authority, the City of Fairfax, the Sheriff's Department (also celebrating their 275th anniversary), and local history organizations. Together, this committee is planning a series of history-related events throughout the county in 2017. The signature event for the 275th Commemoration is a history fair planned for June 17th on the grounds of the historic Fairfax County Courthouse.

The History Commission's 275th committee is contributing to the commemoration with two initiatives – the compilation of oral histories taken of citizens of Fairfax County and the annual History Conference. Members of this committee include Carole Herrick (chair), Anne Stuntz, Phyllis Walker Ford, Steve Sherman, and Lynne Garvey-Hodge.

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FAIRFAX COUNTY RESIDENT CURATOR PROGRAM

In June of 2015, Robert Beach and Elise Ruff Murray representing the History Commission joined the Residence Curator Community Technical Advisory Committee to work with two members of the Architectural Review Board, one member of the Park Authority Board, and the County Staff Work Team consisting of the Resident Curator Project Manager with representatives from Facilities Management, Risk Management, the Department of Finance, the Department of Planning and Zoning, and the Park Authority to outline the purpose and scope of the team, the deliverables for the Resident Curator Program development and implementation, and an approximate timeline for implementation of a resident curator program in Fairfax County.

The committee completed their work on April 25, 2016, and the RCP moved into the implementation phase, with the recommended pilot properties moving forward for advertisement to the public, and implementation of the pilot program now underway.

Program and Property Marketing

Marketing materials were created for the Resident Curator program, including an attractive logo which incorporates an iconic architectural element from Fairfax County's Turner Farmhouse, a promotional video by Channel 16, and a rack card with program information for distribution. RCP signs were installed at the first three selected pilot properties: Ellmore Farmhouse at Frying Pan Park in Herndon, Turner Farm in Great Falls, and Stempson House in Lorton.

Application packets were drafted for the three pilot properties. The RCP web page was updated with supporting documents and online applications for all three properties. Advertisements were placed on national historic property websites as well as in the local real estate market through other website advertising. Websites have generated more than 11,000 total views.

Open houses were held at Ellmore Farmhouse on September 24, 2016, and at Turner Farm on October 15, 2016. Stempson House has been available for viewing by appointment only due to busy construction in the Laurel Hill area and limited parking on-site. Ellmore Farmhouse was a sparsely attended open house, with one proposal received, which is currently under review. Turner Farm's open house had approximately 50 attendees. Three applications were received, which are currently under review. Applications for Stempson House are still being received at the time of this writing.

Application Review Procedure

The Application Review Procedure is a three-step process consisting of an initial administrative review for completeness, a financial review, and a selection review. The financial review of each application will be conducted by the Department of Finance to determine proposal viability and ability to meet the program goals for the property. Once an application is through the financial review process, the successful applications' proposed uses and proposed public benefits will be posted online for public review. Applicants will be asked to present their proposals to the evaluation team in a public meeting forum.

The five-person application evaluation team is made up of the chair, the Resident Curator Program Manager; a representative from FCPA Real Estate Services; a representative from FCPA Cultural Management; the FCPA Historic Preservation Manager (a historic architect, or person with historic architectural knowledge); and a representative from a relevant county board such as the Architectural Review Board, Fairfax County History Commission, etc. This team will use the criteria developed by the RCP project development team to evaluate the applications based on the following criteria: proposed reuse of the property; scope and nature of public benefit/public access element; proposed rehabilitation plan; experience and qualifications of the curator; financial capability of the curator; and overall proposal presentation and organization. The evaluation team will make their recommendation to the Park Authority Board and Board of Supervisors.

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Next Steps for Implementation:

The Historic Structures Report (HSR) for Lahey Lost Valley in Vienna is in final stages and the property will be the next one advertised for an open house in 2017. Three additional FCPA properties, Ash Grove in Vienna, Hannah P. Clark/Enyedi House in Colchester, and John and Margaret White Gardens in Annandale, are in the queue to have historic structure reports completed as well, and it is anticipated that these sites will be advertised in the upcoming fiscal year.

Robert Beach (chair), Gretchen Bulova, Michael Irwin and Barbara Naef have served on the commission's Resident Curator Program Committee since 2011.

TWELFTH ANNUAL HISTORY CONFERENCE

Fairfax County's Founding Fathers –

Part II: The Masons are Coming! The Masons are Coming!

A windy, brisk November 12, 2016 greeted the 12th Annual Fairfax County History Conference that was seven hours long. Over 110 guests were educated and illuminated with Founding Father history at the Stacy C. Sherwood Community Center in Fairfax, Virginia. The conference was dedicated to two phenomenal Fairfax County historians and archaeologists who graced the historical landscape of Fairfax County for decades: Jack L. Hiller and C. K. Gailey. The families of both were presented with Conference Dedication awards in memory of those outstanding community volunteers. Congressman Gerry Connolly addressed the conference, as did Fairfax County Chairman Sharon Bulova. They took part in presenting the Fairfax County Annual History Awards for in-depth research, writing and publishing of significant works reflecting the history of Fairfax County.

Guests included authors and exhibitors, including the Burke Historical Society, the Bull Run Civil War Round Table, Prince William County, authors Chuck Mauro, Chuck Mills, Carole Herrick, and many, many others.

- Jack L. Hiller's daughter Libby Settlemeyer launched the conference with a reading of her father's essay, "About George Mason" – the perfect positioning for the presentations that followed.
- Scott Stroh, Executive Director at Gunston Hall, gave an impassioned talk describing how the Virginia Declaration of Rights was a cornerstone of the earliest Founding Fathers' documents.
- Mark A. Tabbert, Director of Collections at the George Washington Masonic National Association, reviewed aspects of John Hancock, Paul Revere, George Washington and Benjamin Franklin's lives and contributions to America as Freemasons.
- Janis Harless gave a riveting re-enactment performance of Ann (Nancy) Eilbeck Mason.
- Author Terry Dunn discussed George Mason's difficult struggle over slave ownership.
- Brad Krueger (National Park Service) described the many phases of the Mason family's occupancy of Theodore Roosevelt Island, as well as the archaeological work currently planned for the park.

The second year of a new tradition, a "Drop & Swap" book table, facilitated the donating and trading of dozens of historical books by attendees. The table contained 36 books at the beginning of the conference and was reduced to six by the conference close.

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Committee members who coordinated the year-long planning efforts for the conference included Lynne Garvey-Hodge, chair, Anne Barnes, Barbara Naef, Sallie Lyons, Phyllis Walker Ford, Esther McCullough, Mary Lipsey, Naomi Zeavin and Mike Irwin, along with Liz Crowell, Fairfax County Park Authority, Susan Gray, City of Fairfax, and Jenée Lindner, local historian. The event photographer was Nancy Olds.

The 2017 conference will be on Saturday, November 11, 2017, again at the Stacy C. Sherwood Community Center, with a focus on Fairfax County's 275th anniversary.

AWARDS PROGRAMS

The Fairfax County History Commission maintains awards programs to honor research and achievements in Fairfax County history and historic preservation:

- **Heritage Awareness Awards:** Established in 1995, this program is designed to stimulate and reward original research in Fairfax County history using standard social, political and economic sources in written narrative form, a nomination to the National Register of Historic Places or a video documentary.
- **Recognition Awards:** To recognize contributions of individuals and groups to the preservation of history in Fairfax County.

These programs are open to the public. A full description of the programs, along with rules and requirements can be found on the commission's website.
(www.fairfaxcounty.gov/histcomm/awardsprogram.htm)

The following Fairfax Heritage Awards were presented at the November 12, 2016 Fairfax County History Conference:

- **The Ross Netherton Award** was presented to **Ed Wenzel** for his monumentally well-researched, impeccably detailed, chronologically accurate and meticulously crafted 584-page tome entitled ***Chronology of the Civil War in Fairfax County, Part I***; supported with a 192-page index prepared by Mr. Wenzel, Charles A. Balch, Steve Hull and David Mudrick, (members of the Award-winning Bull Run Civil War Round Table). These books provide an in-depth look at the Civil War action, military events, photographs, maps and literally a day-by-day diary of the events as they unfolded in Fairfax County. Mr. Wenzel received a \$1,000 prize for his fine work.
- **The Nan Netherton Award** was presented to **Gregory P. Wilson** for his 161-page, carefully-crafted, well-researched manuscript entitled ***Private John S. Mosby, First Virginia Cavalry – Picketing Fairfax County before Becoming the Confederacy's "Gray Ghost"***. The manuscript details a portion of the history of Civil War Confederate guerrilla fighter, John S. Mosby, during his time of military service in Fairfax County. An excellent support to the Wenzel compendium, Mr. Wilson has taken a slice of time from Mosby's life that few other authors have covered in such detail. With a focus on Mosby's presence solely in Fairfax County, he provides future generations with a clear picture of the key events occurring within the county during Mosby's early days serving in the Confederacy – which laid the foundation for his later military successes. With over 215 footnotes, bibliography and a timeline chronology of Civil War events in Fairfax County, Mr. Wilson has gifted the historian, citizen, student and newcomer with a fascinating lens through which a more complete understanding of John Singleton Mosby can be seen. Mr. Wilson received a \$500 prize for his good work.

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- **The Edith Moore Sprouse Award** was presented *in absentia* to **Robyn Carter** for her writing, research and compilation of a unique historic era in the history of Fairfax County: the early 1950's through the 1960's. Using the post-World War II population boom in Fairfax County as a backdrop, Ms. Carter's work, ***Post WW2 History of Springfield, Virginia and the Crestwood Construction Corporation***, chronicles the era's earliest days of residential construction through Edward Ravenel Carr's and E. Carl Hengen's activities in this section of the county. Mr. Carr sold the land for the Crestwood and Crestwood Park subdivisions and as the developer was on the architectural committee. Mr. Hengen was one of the central figures at the helm of Crestwood Construction Corporation that designed and built what would become a template of a "planned community", including a 2,300-acre tract of woods and fields, 5,000 homes, four schools, a shopping center and houses of worship, named "Crestwood". With this 213-page manuscript, footnoted throughout, and supporting bibliography, Ms. Carter has provided Fairfax County with a look into the "tipping point" of geographic, cultural, demographic, economic and educational changes that bear the earliest semblance to the county as we know it today. Awards Committee Chair Lynne Garvey-Hodge presented Ms. Carter's award at her home on December 1, 2016. Ms. Carter received a \$100 prize for her work.

The Awards Committee included Steve Sherman, Elise Ruff Murray, Naomi Zeavin and Lynne Garvey-Hodge, chair.

CULTURAL RESOURCE MANAGEMENT AND PROTECTION BRANCH GRANTS

The commission provides grants to the Park Authority Cultural Resource Management and Protection Branch (CRMP). Over the years, the grants have funded a variety of things including data entry, archival supplies and interns. The most recent grant funded an intern who converted old catalog codes into a new integrated system. He was able to convert approximately 80% of the old catalogs into the new catalog using an automated computer script. In addition, he assisted with integrated pest management, housekeeping and creation of accreditation files.

PUBLICATIONS

The History Commission has three projects remaining: reprinting *Beginning at a White Oak*; an update and reprint of *Mount Air*; and publishing *Fairfax County in 1860: A Collective Biography*.

WEBSITE

In addition to providing History Commission members' contact information, the History Commission's web page describes the various programs the commission offers to promote interest in local history extending from pre-history to the recent past. The History Commission's Publication Grant encourages the sharing of local history research. The Awards Programs recognize individuals and groups for their efforts in researching or promoting history. Procedures and application forms for the Publication Grant and the Awards Programs are available online. Promotional information on the annual Fairfax County History Conference is placed on the website as it becomes available each year.

In addition, a historical resources page provides information on property owners in 1860, lists of Board of Supervisors members, and links to the Fairfax County Inventory of Historic Sites and to a database of Fairfax County historical markers. The website serves as an easy, up to date and readily available tool for anyone interested in our county's history. Debbie Robison manages the website. The webmaster is Greg Chase with the Department of Planning and Zoning. (www.fairfaxcounty.gov/histcomm/)

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BUDGET
Fairfax County History Commission
Income and Expenses
FY 2016, Estimated FY 2017 and Actual First Half FY 2017

	<u>FY 2016</u>	<u>Estimated FY 2017</u>	<u>First Half FY 2017</u>
Beginning Balance July 1	\$32,170	\$47,195	\$47,195
Revenues:			
Fairfax County	\$21,013	\$21,013	\$21,013
Interest Earned	1	—	—
Total, Revenues	<u>\$21,014</u>	<u>\$21,013</u>	<u>\$21,013</u>
Total Available	\$53,183	\$68,208	\$68,208
Operating Expenses	\$ 5,989	\$30,000	\$11,117
Accruals for the preservation and publications programs	—	\$38,208	—
Ending Balance June 30	<u>\$47,195</u>		

Between January and May 2016, the History Commission's finances were shifted to FOCUS, Fairfax County's financial system. Funds of the Fairfax County History Commission are now maintained through FOCUS, and administered by staff of the Department of Planning and Zoning and the Fairfax County Park Authority.

Because of this change, \$12,228 in funds from the commission's savings account was combined into the main account. These funds are committed to two projects: Pulte's Lorton marker proffer and publishing *Fairfax County in 1860*. The transferred funds were not treated as income, but rather as contra expenses to relevant expense category. The net effect was an apparent decrease in operating expenses by that amount: \$5,989 net operating expense + \$12,228 = \$18,217 in actual net operating expenses. The detail of these transactions and the rest of the commission's carry-over funds are included in the annual financial statement turned in to the budget office each year.

Major expenditures in FY 2016 were minutes recording and transcription, archaeology grants and the history conference. Unspent funds from previous years have been committed to historical markers and their maintenance, the county's 275th anniversary commemoration, publications, and preservation and oral history programs.

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HISTORICAL MARKERS

Fairfax County's Historical Marker Program began in January 1998 when the History Commission approved a design and agreed to fund a distinctive historical roadside marker for Fairfax County. While this marker is generally modeled after Virginia's roadside markers, by state code it must have a distinctive appearance. With colors derived from George Washington's Fairfax Militia uniform, these buff and blue roadside markers emblazoned with the Fairfax County seal, stand ten feet from ground level.

In the eighteen years the program has existed, 58 historical roadside markers (including six state markers) have been approved for installation by the History Commission. Many requests for historical markers are initiated by the public, which provides for approximately one half of the funding. Some markers, including those requested by developers, are funded entirely by the requesting party. All requests are reviewed by a committee for historical accuracy and editorial continuity before being submitted to the entire commission for approval.

During the 2012 calendar year, the commission agreed to limit the funding of historical markers to the equivalent cost of two markers per year due to budget restraints. The current cost of fabricating a marker is \$2,110.

Three markers were approved in 2016: Original Mount Vernon High School, Sydenstricker Schoolhouse, and McAtee's Tavern. The Original Mount Vernon High School marker was fully funded by alumni. The marker conveys the history of the school, which was built using funding from the Depression-era Federal Public Works Administration. The Sydenstricker Schoolhouse marker, funded in part with proffer funds, conveys the history of the last public one-room schoolhouse built in Fairfax County. It was subsequently owned by the Upper Pohick Community League and used for local community meetings and events. The McAtee's Tavern marker replaces the Mitchell/Weeks House marker with newly discovered information about the use of the building as a tavern soon after construction of the Little River Turnpike. Serving on the Marker Committee are Debbie Robison (present chair), Anne Barnes, Michael Irwin, Mary Lipsey, Esther McCullough, Elise Ruff Murray, and Page Shelp. Jack Hiller was the chairman of the marker committee until his death in early 2016.

ETHNIC/ORAL HISTORY

The Ethnic Committee was formed in the fall of 1997 in response to the increasing demographic diversity of Fairfax County's population. The one hundred languages spoken within schools show the diversity of the population. It has been estimated that in less than fifty years the county's white population will drop below 50 percent. The committee set as a goal to explore the ways in which more ethnic segments might be encouraged to record their experiences and community history since their arrival in Northern Virginia.

In 2004, at the suggestion of then-Chairman Connolly, the commission formed a subcommittee of the Ethnic Committee to create a program for recording and presenting oral history in Fairfax County. The Oral History subcommittee offers support to groups in Fairfax County seeking to record and collect oral histories. In cooperation with the staff of the Virginia Room, a project is being developed to encourage community groups to collect oral history in their districts. The Virginia Room will serve as a repository for the oral history offerings.

The members of this committee are Esther McCullough (chair), Naomi Zeavin, Anne Barnes, Sallie Lyons, Lynne Garvey Hodge, Anne Stuntz and Phyllis Walker Ford.

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INVENTORY OF HISTORIC SITES

The Fairfax County Inventory of Historic Sites is one of the History Commission's longest standing responsibilities. It serves as both an honorific and a planning tool. The Comprehensive Plan includes the Inventory sites in the Heritage Resources section of each Planning District.

The Comprehensive Plan Amendment for 2015 to update the Inventory tables, references to Inventory sites in the text and other technical correction came before the Board of Supervisors on September 20, 2016.

As of December 2016, the Inventory stood at 367 listings, including the addition below:

Addition to the Inventory of Historic Sites

2016

Site Name	Location/Vicinity	District	Date Added
Fort Belvoir Military Railroad Site	Fort Belvoir	Mount Vernon	11/2/2016

The current Inventory list along with its background, nomination forms and research guidelines are accessible to staff and the general public on the county website. An Inventory nomination form, instruction guide and example are also available. (www.fairfaxcounty.gov/dpz/historic/ih/) Laurie Turkawski, Heritage Resource Specialist, worked with the Tinner Hill community in Falls Church to prepare an example of a district nomination.

In August 2015, the commission's DPZ staff liaison, Laurie Turkawski who worked closely with the Inventory Committee departed to work in the Delaware State Historic Preservation Office. In April 2016, Stephanie Goodrich joined the DPZ staff as a Heritage Resources Planner and serves as the commission's new liaison.

Elise Ruff Murray (chair), Sallie Lyons, Barbara Naef, Debbie Robison and Anne Stuntz serve on the Inventory Committee, in cooperation with Stephanie Goodrich of DPZ.

SPEAKERS BUREAU

At the Board of Supervisors request, the commission compiled a list of people willing to speak on topics related to Fairfax County history. The resulting Speakers Bureau List includes a variety of countywide history topics with related speakers and contact information, including name, email address and phone number.

Members of the Fairfax County History Commission continue to be active in speaking before various civic, community and historic groups.

Anne Barnes presents talks on Fairfax County's historic Shiloh Baptist Church, Mason Neck, Virginia, to interested audiences.

Gretchen Bulova lectured to several community organizations and DAR chapters in 2016. Lectures included hands on demonstrations, information, and practical tips on preserving family photographs, digital images, family textiles, and documents.

Carol Herrick Besides authoring several books, Carole researches history and writes articles about historical sites and events for *Viva Tysons* magazine and other publications. She gives lectures on Northern Virginia, particularly the McLean area, and for many years has been part of the "Lifetime Learning Program" sponsored by the McLean Community Center.

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Lynne Garvey-Hodge re-enacts a number of key historical American women. Her signature character is Progressive Era Suffragist Mrs. Robert Walker. She performs for numerous community events, educational groups, Cox Cable Channel 10, Fairfax County Channel 16 and women's associations, traveling throughout Virginia to do so. Ms. Garvey-Hodge also performs two additional characters: Angelina Grimké an early 19th century abolitionist and Quaker women's rights activist from South Carolina; and from the Gilded Age and early days of America's railroad industry, Mrs. John Henry Devereux, wife of railroad magnate and Civil War general, John Henry Devereux. Lynne also speaks on the history and background of the historic Town of Clifton, and has researched, and authored a book, published by Arcadia Publishers in their Images of America Series, *Clifton*. Further, she speaks to local educational forums and civic organizations on "Women of the Progressive Era in Fairfax County," "The Lorton Reformatory and Progressive Era in Fairfax County," "Victorian Mourning Customs" and "Stories in Stone – Understanding Cemetery Iconography".

Mary Lipsey continues to provide presentations on a variety of topics related to the "Braddock's True Gold" project, local history, women's history and firsts in American history.

Sallie Lyons promotes preservation and archeological and historical research in the old town of Colchester, Old Colchester Park and Preserve, and Mason Neck, speaking frequently to groups and at the History Conference.

Debbie Robison made presentations on researching county history and discovering mills in Fairfax County.

Anne Stuntz speaks on the history of Vienna and its environs.

Phyllis Walker Ford speaks on the history of Franconia and Laurel Grove School.

Jordan Tannenbaum gives lectures on the federal Historic Preservation program in general and this past year gave a lecture on the National Historic Preservation Act of 1966 in Falls Church as part of the 50th Anniversary of the National Historic Preservation Act.

Naomi Zeavin speaks and shows history videos at the Rotary, schools, senior groups and Fairfax Museum on the Historic Mason District.

OUTREACH ACTIVITIES

Fairfax County History Commission members continue to be active in a variety of ways in the community. The following summary, though not a comprehensive list, highlights the wide variety of outreach activities performed by commission members.

Architect member, **Robert E. Beach**, AIA, LEED, AP, BD+C, designed the Turning Point Suffragist Memorial, which will be located in Occoquan Regional Park in Lorton and will pay tribute to the women who endured harsh imprisonment to secure voting rights for women and is continuing his activities in the development of the memorial plans. **Lynne Garvey-Hodge** serves on the committee for the project.

Gretchen Bulova serves as the Vice President (Planning and Resources) on the Virginia Association of Museum's (VAM) Board, and organized VAM's Advocacy Day for Virginia Museums in Richmond. She was recently appointed to the Citizens' Advisory Council on Furnishing and Interpreting the Executive Mansion.

Carole Herrick served as chair of "An Afternoon with the Madisons," a War of 1812 bicentennial event held at the McLean Community Center exactly 200 years to the day after the British invaded and burned the City of Washington. She portrayed Dolley Madison, Montpelier's John Douglas Hall represented James Madison, and Roger Mudd stepped in as the honorary chair. She was chair of "McLean Remembers the Civil War," an all-day event commemorating 150 years of the beginning of the Civil War,

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held at the McLean Community Center on October 22, 2011. She is a past and current president of the McLean Historical Society.

Lynne Garvey-Hodge serves on the Town of Clifton Historic Preservation Committee, which she initiated; she has served as chair of the Clifton Betterment Association's Clifton Oral History Project; and chaired the Clifton Community Woman's Club Spring Homes Tour in 2011 and her historic 1890s home on Blue Dan Lane was on their 2012 tour.

Lynne Garvey-Hodge and **Mary Lipsey** co-founded the non-profit Fairfax County Cemetery Preservation Association, Inc. in 2008, whose goal is to preserve and protect family cemeteries in Fairfax County. Both continue as directors and active members.

Sallie Lyons formed and incorporated the Friends of Fairfax County Archaeology and Cultural Resources, FOFA, supporting the Cultural Resource Management and Protection Branch of the Park Authority. **Barbara Naef** was among the charter members.

Sallie Lyons continues to promote preservation and archaeology in Colchester and provide *pro bono* graphic design through Lyonshare Studios for CRMP historical interpretive trailside displays. She is an active member of the Lorton Heritage Society, Preservation Virginia and the Northern Virginia Chapter of the Archaeological Society of Virginia.

Elise Ruff Murray serves as vice president of the Friends of the Virginia Room and as treasurer of the Historical Society of Fairfax County. A member of the Celebrate Fairfax Leadership Team, she coordinates the Fairfax History exhibit and prepares the History Commission and local history display.

Barbara Naef continues to participate in the Park Authority American Alliance of Museums (AAM) reaccreditation project, working as a volunteer consultant with staff of the Resource Management Division charged with this multi-year effort.

Debbie Robison continues to research local history and write articles about historical sites and events in Fairfax County. In addition, she regularly assists the public by answering research questions. She is a member of the Historic Centreville Society Board.

Anne Stuntz serves as the president of Historic Vienna, Inc. She is on the Sully Foundation, Historical Society of Fairfax County, Flint Hill Cemetery Association and Friends of the Virginia Room boards, and is secretary of the Fitzhugh Families in Virginia.

Phyllis Walker Ford serves as President of the board of directors for Laurel Grove School Association, the governing body of Laurel Grove School Museum. She also serves as Vice President-Education on the board of directors of Franconia Museum.

Jordan Tannenbaum gives lectures on the federal Historic Preservation program.

Naomi Zeavin served on the board of directors of the Capitol Hill Civil War Round Table.

BIOGRAPHICAL SKETCHES

A brief examination of the background of the Fairfax County History Commission reveals a wide and diverse variety of backgrounds that members bring to their work.

Anne M. Barnes—is a longtime Fairfax County resident who lives with her husband, Edward, on Mason Neck, Virginia. She received a BS in Criminal Law from Savannah State College and a MA in Government from Johns Hopkins University. She worked on an archeological project in South Carolina in the mid-1980s. She is a former Marine Corps Officer, U.S. Congressional staffer, American History teacher and is currently the Resource Director for a federal and strategic training center. She served as Vice Chairman of the History Commission in 2006-2008 and as Treasurer in 2010-2012. She is currently the chairman of the Bylaws and Budget Committees.

Robert E. Beach—after receiving his Bachelor of Architecture from Pratt Institute in New York in 1982, he practiced architecture in several notable New York City and Washington area architecture firms. In 1989, he started his own practice in Falls Church, which provides design services for historic architectural restorations at the local, state and national levels. Mr. Beach has served as the Architect member of the Commission since 2000, as Vice Chairman in 2004–2005, and as Chairman in 2006–2008, as the Chairman of the Fairfax County Resident Curator Program Committee and multiple times on behalf of the Commission as a juror for the Fairfax County Exceptional Design Awards. Professionally, Mr. Beach is a member of the American Institute of Architects (AIA), has served as a local Chapter Board member and represented the AIA Northern Virginia Chapter Board and at the State level as an AIA Virginia Director. He is also a Leadership in Energy and Environmental Design Accredited Professional (LEED, AP, BD+C) specializing in building design and construction and is a member of the United States Green Building Council (USGBC). Mr. Beach is a Georgetown University Architectural Thesis Advisor in the Real Estate and Urban Design Studies Graduate Program. In addition, he is a Boy Scouts of America Architecture and Aviation Merit Badge Counselor and is a licensed instrument rated private pilot who volunteers flight time for Angel Flights several times a year. On November 7th, 2014 Mr. Beach was presented with the Distinguished Achievement Award from the Virginia Society of the American Institute of Architects (AIA Virginia). On March 27, 2015, Mr. Beach was presented with the 2015 Pratt Institute Alumni Achievement Award. These two awards recognized Mr. Beach for the full body of his design work including the Turning Point Suffragist Memorial, which will honor the lives of the suffragists who worked for the passage of the 19th Amendment giving women the right to vote. Mr. Beach also served as a board advisor to the Science Museum of Virginia from the spring of 2011 until December 2015 for restoration of the National Register Listed Historic mid-century modern Rice House designed by Richard Neutra in Richmond, Virginia. Bob lives in Fairfax, Virginia.

Gretchen M. Bulova—from the Braddock District, brings a wealth of museum experience to the Commission. She holds a BA in Anthropology and a BA in Classical Studies from the College of William and Mary and an MA in Museum Studies from The George Washington University. Ms. Bulova is the Deputy Director for the Office of Historic Alexandria, Virginia and the Director of the Stabler-Leadbeater Apothecary Museum in Alexandria, Virginia. She specializes in the interpretation of late 18th-century material culture and lectures widely on a variety of topics related to Alexandria and Gadsby's Tavern and is active in the local museum community. Ms. Bulova is Vice-President for Planning and Resources for the Virginia Association of Museums Board, and is President of the Historic House Museums Consortium of Washington, DC. Ms. Bulova is committed to the preservation of local history and inspiring the next generation to love museums and our nation's rich heritage. Elected the Commission's Chairman in 2012, she served through 2014.

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Glenn Fatzinger—graduated from Lafayette College with a BA degree in History, and after serving as a US Army Officer, completed an MA degree in History from Penn State University where he held a graduate teaching assistantship in the Department of History. He later completed an Ed.D. Degree from George Washington University and AAS degrees in Business Management and Legal Assisting from Northern Virginia Community College (NOVA). Dr. Fatzinger’s federal government employment career included serving as a civilian historian for the US Air Force; a technical assistance specialist for the Economic Development Administration in the Department of Commerce; an education specialist with the Army Engineer School at Ft. Belvoir; and a writer-editor for the US Army Intelligence and Threat Analysis Center where he was awarded the Army Achievement Medal for Civilian Service. After retiring from the federal government, Dr. Fatzinger has taught business courses for more than 20 years at Marymount and Strayer Universities and is currently Adjunct Assistant Professor of History at the NOVA Alexandria Campus where he teaches Western Civilization and early American History. Dr. Fatzinger has had a wide range of civic experience. He represented the Mount Vernon District on the Fairfax County Park Authority for four years that included acquiring Civil War Fort Willard and the Grist Mill Park and building the indoor ice rink-swimming pool at the Mount Vernon Recreation Center. Dr. Fatzinger also served eight years on the NOVA College Board, including five as Board Chairman, and while on the Board, he co-founded the NOVA Educational Foundation that built the Ernst Center on the Annandale Campus and the Schlesinger Performing Arts Center on the Alexandria Campus. He was recently inducted into the NOVA Alumni Federation’s Hall of Fame for Outstanding Service to the College. In addition, Dr. Fatzinger is an accomplished musician who played 12 years in the Washington Redskins Marching Band and currently plays in the 80-piece NOVA Alexandria Campus Band and the Mount Vernon Community Band.

Phyllis Walker Ford—appointed in February 2009, earned a BA in Business Administration from Bluefield State College, Bluefield, West Virginia and a MBA from Trinity University, Washington, D.C., leading to sixteen years in the telecommunications industry. She served as the commission’s Secretary in 2010 and is currently Treasurer. Phyllis, a direct descendent of the family who donated land in 1881 for the Laurel Grove Colored School, a school to serve the African American children in the Franconia area, was instrumental in restoring the school, establishing a museum and searching out its history. She is President of the Laurel Grove School Association, the governing body of Laurel Grove School Museum. She serves as Vice President on the Franconia Museum Board of Directors. She is researching the history of African American families who were enslaved on properties in the Franconia Area and owned land in 1860. She is participating in “Cast the Net,” a \$150,000 grant project award from the Institute of Museum and Library Services. This multi-state museum project benefits African American museums and cultural organizations in Florida, Georgia, North Carolina and Virginia and aids in the development of sustainable statewide networks. Throughout the year, Phyllis presents talks on Historic Laurel Grove Colored School and Franconia local history to Scouting groups, civic associations, chamber of commerce members and other community groups or museums. In December of 2015, Hanna Freece, Curator at Mount Vernon notified Ms. Ford that she has ancestors who were enslaved on Dogue Run Farm. She has worked with Mount Vernon researchers to learn about Dick and Charity Jasper whose marriage at Dogue Run Farm was recognized by George Washington. The family remained on Dogue until freed by Mrs. Washington in 1801, 2 years after her husband’s death. It is documented that Dick and his son Morris returned to Mount Vernon in 1835 to work on Washington’s Tomb. Her research is continuing and connecting to others who were part of the enslaved community at Mount Vernon. The Mount Vernon Estate opened a new exhibit October 2016, “Lives Bound Together-Slavery at George Washington’s Mount Vernon”. At the end of the exhibit is a video of descendants of some of the Mount Vernon enslaved where Phyllis shares her thoughts on Dick and Charity Jasper.

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Carole Herrick—as a nationally ranked tennis player, Carole attended Los Angeles State College, where she received her BA in history. In 2012 she was inducted into the National Women’s Intercollegiate Tennis Hall of Fame. She served three terms on the Governing Board of the McLean Community Center, followed by four years as chair of Friends of the McLean Community Center, of which she continues as a board member. Currently Carole chairs the Fairfax County History Commission and is president of the McLean Historical Society, two organizations which help to identify, document, record, and preserve the county’s historic past. For several years, she chaired McLean & Great Falls Celebrate Virginia, an organization that sponsored large-scale signature events in connection with the history of the McLean area: the 400th anniversary of the founding of Jamestown, the 100th anniversary of McLean, the 150th anniversary of the beginning of the Civil War, and the 200th anniversary of the burning of America’s capital city on August 24, 1814, during which the Madison’s escaped into Fairfax County. Carole is a Dolley Madison re-enactor. During the later event she portrayed Dolley Madison, alongside Montpelier’s John Douglass Hall who represented President James Madison. Carole served on the Fairfax County 2007 Community Citizens Planning Committee and the Salona Task Force Committee. She has received numerous accolades that include The Heartbeat of Rotary and the Friend in Deed awards. She was honored in 2016 to be the honorary chair for the 50th anniversary of the Women’s Club of McLean. Carole is a highly regarded speaker and has written numerous articles for publication about the Northern Virginia area, along with authoring eight books: 1. *August 24, 1814: Washington in Flames*, 2. *Ambitious Failure: The Story of Chain Bridge the First Bridge Across the Potomac River*, 3. *Hickory Hill, McLean, Virginia: The Story of a House and Those Who Lived There*, 4. *A Chronological History of McLean, Virginia*, 5. *Yesterday, 100 Recollections of McLean and Great Falls, Virginia*, 6. *Yesterday, Volume II*, 7. *Images of America, McLean*, 8. *Legendary Locals, McLean*

Lynne Garvey-Hodge—has been a resident of Fairfax County for 32 years and has been a resident of Clifton, Virginia for 17 years, where she is active in preserving the historicity of Clifton. She has a BFA from the University of Colorado, majoring in art history, an MPA (Masters in Public Administration) with a major in Human Resources also from the University of Colorado and a MTS (Masters in Theological Studies) from Wesley Theological Seminary (where she completed her thesis on “Corporate Ethics”). She re-enacts Progressive Era Suffragist Mrs. Robert Walker; Angelina Grimké, an early 19th century, abolitionist and Quaker women’s rights activist from South Carolina; and from the Gilded Age and early days of America’s railroad industry, Mrs. John Henry Devereux (wife of railroad magnate and Civil War General John Henry Devereux). Ms. Garvey-Hodge has published a book for Arcadia Publishers' Images of America Series, *Clifton* in 2009. She is in her sixth consecutive term on the Commission. She served as chair in 2004 and 2005 and represented the Commission on the Exceptional Design Awards jury in 2005, 2006 and 2008. She spearheaded efforts to launch the First Annual Fairfax County History Conference in 2005 and has chaired the History Conference Committee since 2006. She currently is the chair of the Awards Committee and sits on the Ethnic/Oral History, Advocacy and Bylaws Committees. She is the co-founder and an officer of the Fairfax County Cemetery Preservation Association, Inc. Lynne is a member of the Bull Run Civil War Round Table, Historic Centreville Society, Clifton Community Woman’s Club, the Burke Historical Society and the Fairfax Station Railroad Museum.

Michael R. Irwin—has been a resident of Fairfax County for over 20 years. Born in Pennsylvania, he grew up with a deep interest in American History. In high school he was a volunteer with the Pennsylvania State Museum and Historical Commission working in the registrar’s office at the William Penn Memorial Museum in Harrisburg, and in college served an internship in the same office. He graduated from Dickinson College in Carlisle, Pa., with a BA in History (concentration in American History), a minor in Fine Arts History. Since moving to Virginia, he can often be found at the Smithsonian Institution or one of the other historic venues in the greater Washington area. His main interests are the World War II period, especially the war's impact on social structures on the home front and early American industrial history.

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Mary Lipsey—was born in Atlanta and raised in Fairfax County. She received a BA in History and Sociology from Mary Washington College (1972) and a Masters in Middle School Education from Virginia Tech (1989). In June 2003, she retired after 30 years of teaching seventh grade American History in the Fairfax County Public Schools. She has been a volunteer docent for the American History Museum of the Smithsonian since 1980 and for the National Archives since 2004. Her interest in local history has found outlets through co-authoring *Braddock's True Gold* and speaking to senior citizens groups. She has been a member of A Look Back at Braddock project that promotes historical events for the residents in Braddock District. As a member of the Commission, she serves on the Markers and History Conference Committees. She is a founder and former president of the non-profit Fairfax County Cemetery Preservation Association, Inc., whose goal is to preserve and protect family cemeteries in Fairfax County. Mary is also an active volunteer with her community and a local park. She has recently published *A Christmas Flight: Aviation Pioneer Dr. Christmas*.

Sallie Lyons—a native North Carolinian, she grew up in University Park, Maryland. She received an AB in Art History from Duke University, worked at the Library of Congress and held a teaching assistantship in anthropology as a graduate student at the University of Maryland. She did urban archaeological excavation in Winchester, the capital of Saxon England. She moved to Mount Vernon District in 1970, living on Brick Yard Point in Wellington Villa until moving to the old town of Colchester on Mason Neck in 1984. Living on two potential archeological sites made her keenly aware of history and preservation in the Mount Vernon area. She has spent over 25 years supporting preservation and research in Colchester, Mason Neck and Lorton. Partnered with her late husband, Gerald Lyons, she founded Lyonshare Studios, LLC, a technical computer graphics company that provides illustrative and word support for planning, preservation, publication and other technical fields. She was founder and president through 2015 of FOFA, the Friends of Fairfax County Archaeology and Cultural Resources, supporting the Cultural Resource Management and Protection Branch of the Fairfax County Park Authority. She is an active member of the Seeds of Independence Committee of Gunston Hall, the Northern Virginia Chapter of the Archaeological Society of Virginia, the Lorton Heritage Society, and several other local and state archaeology and history organizations.

Esther W. McCullough—grew up in Longview, Texas and received her Bachelor of Science in Clothing and Textiles from North Texas State University (now The University of North Texas). After moving to Fairfax County in 1996, she could not find information on the history of African-Americans in the area, so she created a brochure, “African-American Sites in Fairfax County before 1900.” She is the chair of the Ethnic and Oral History Committee and sits on the Marker Committee and the History Conference Committee. She served as the Secretary of the Commission from 2004–2007. She has led sessions on oral history at more than one History Conference. Scrapbooking memories and preserving history are two things that she treasures. She has led workshops for senior citizens in nursing homes using scrapbooking techniques. Esther volunteers throughout Fairfax County.

Elise Ruff Murray—grew up in Vienna, Virginia and now resides in Vienna again. She earned a BA in History from the University of Virginia and is interested in archaeology, history and preservation. Her interests have led her to serve as the Commission’s liaison with the Architectural Review Board since 1992. A member of the Commission since 1983, she served as Chairman in 1988–1989, worked on the Commission’s finances and budget submissions from 1986–2016, served as Treasurer from 1990–2005 and as Vice Chairman from 2009–2011. After working for a year and a half on an archaeology project in Northeastern Mississippi, she worked as an economic consultant advising on anti-trust and commercial litigation matters for over 20 years.

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Barbara M. Naef—has been a resident of Reston since 1968. She earned a BA in History from Duke University and a MA in American History from the University of Delaware. She retired in 2002 after 23 years working to preserve and interpret our county history at the Fairfax County Park Authority. She continues to work as a volunteer for the Park Authority, support various local history groups, and has been a docent at the Smithsonian Museum of American History for over twenty years. The Archaeologist Representative on the Commission, as Stewardship Manager in the Park Authority Resource Management Division, she became supervisor of the county archaeology program when it was transferred to the Park Authority in 1996. She serves on the Inventory of Historic Sites Committee, Budget Committee, the annual History Conference Planning and Implementation Committee and the Resident Curator Program Committee.

Debbie Robison—lives in Centreville and is a long-time resident of Fairfax County. She manages the historic preservation/restoration program for a local architectural and engineering firm. Ms. Robison holds a Bachelor of Science degree from VA Tech and a Historic Preservation Certificate from NOVA. She is active in Centreville historical matters. Her interest in researching local history has resulted in her authoring numerous articles about general aspects of northern Virginia’s past and the history of specific sites. To promote preservation and facilitate local history education, Ms. Robison hosts a website, www.novahistory.org. She served as the Commission’s Chairman 2009-2011.

Page S. Shelp—while originally from California, has lived in Fairfax County for most of her adult life, moving west from Falls Church and McLean to Great Falls. She received her Bachelor's degree in History and in Art History from Colorado Woman's College, her Secondary School Education Teaching credentials in history and in English at Mills College and her Master's degree from Georgetown University. She has taught history, but spent the greater part of her career (25 years) as the executive director of the McLean Community Center where she became especially interested in and involved with local history and the preservation of community institutions.

Steven Sherman—was born in Washington, D.C. and raised in Arlington, Virginia. He has lived in Northern Virginia for over 60 years, graduated from Wakefield High School in 1964 and attended Morris Harvey College in Charleston, West Virginia and Northern Virginia Community College in Annandale, Virginia, where he majored in Accounting and History. He is President/Broker of Sherman Properties, Inc., located in Franconia and has been in the real estate business for the past 40 years. Since 1984, he has owned the historic “Five Oaks Estates” manor house built in 1910 located off Blake Lane in Fairfax County. He is the former secretary of the Board of Directors of Celebrate Fairfax, served on the Board of Directors of the Franconia Museum for the past seven years and is a past president. Mr. Sherman served as the Commission’s secretary in 2011, served as Vice Chairman from 2012 through 2014, and is again the Commission’s Secretary.

Anne Stuntz—grew up in Vienna, Virginia and comes from a family of historians and genealogists. She has a degree in art history from Princeton University and an MBA from Columbia University. After a career in finance on Wall Street and in the City of London, Anne returned to her historic family home in Vienna with her husband and three sons, and is devoted to preserving the history of the area. She is president of Historic Vienna Inc. She is active with the Historical Society of Fairfax County, the Sully Foundation, Flint Hill Cemetery Association, Friends of the Virginia Room and the Fitzhugh Families of Virginia. She serves as Vice Chairman of the History Commission.

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Jordan Tannenbaum—grew up in Morristown, NJ but has lived in Fairfax County for the past 23 years. He earned a BA in History from Brandeis University in Waltham, MA, a JD from American University's Washington College of Law and is a member of the District of Columbia Bar. Following graduation from Brandeis, he began working for the U.S. Advisory Council on Historic Preservation (ACHP). After a decade with the Council, he changed careers and entered the fundraising field. His first job was with his undergraduate alma mater. Since then, Tannenbaum has held senior fundraising positions with Georgetown University, the Wharton School of the University of Pennsylvania and the Hillel Foundation. He is currently the Chief Development Officer for the U.S. Holocaust Memorial Museum. He also spent 27 years in the JAG Corps of the U.S. Army Reserve, retiring as a Lieutenant Colonel. His decorations include the Legion of Merit, the Meritorious Service Medal and four awards of the Army Commendation Medal. Tannenbaum is on the Advisory Board of the Army Historical Foundation and in July of 2016 was appointed by President Obama to the ACHP bringing his preservation career full circle. Jordan is on the History Conference and Awards Committees.

Naomi Zeavin—is a resident of Falls Church. She was born in New Britain, Connecticut and majored in Speech and Drama at Emerson College in Boston, Massachusetts. She conducts research and makes videos on local history, especially Mason District, African-Americans and the Civil War. A presidential advisor on the arts during the administration of President Ronald Reagan, she has been appointed to and served on numerous advisory boards, commissions and committees on the both the national and local level. She is president of U-R-Unique, a company of video productions. Ms. Zeavin restored a Jewish cemetery in her father's birthplace in Poland. On the commission, she served as Secretary from 2007 through 2009. Ms. Zeavin is listed in the Who's Who of American Politics. Ms. Zeavin is working with a movie scriptwriter for her published book *Carmen's Secret Diary: Aboard the USS Hornet (CV-12) in 1944*. Ms. Zeavin retired from the History Commission at the end of 2016.

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Board Agenda Item
May 16, 2017

10:20 a.m.

Items Presented by the County Executive

Board Agenda Item
May 16, 2017

ADMINISTRATIVE - 1

Authorization to Advertise a Public Hearing on Amendments to the Code of the County of Fairfax, Chapter 82, Motor Vehicles and Traffic

ISSUE:

Public Hearing on amendments to the Code of the County of Fairfax, Chapter 82, Motor Vehicles and Traffic, Section 82-1-6.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors authorize the advertisement of a public hearing on the proposed amendments to Chapter 82.

TIMING:

Authorization to advertise the proposed amendments on May 16, 2017; Board of Supervisors' public hearing scheduled for June 20, 2017, at 4:00 p.m.

BACKGROUND:

As a housekeeping measure to update Chapter 82, portions of Section 82-1-6 (Adoption of State Law) have been amended to reflect changes made to the *Code of Virginia* by the 2017 General Assembly. A summary of the changes as a result of the 2017 General Assembly amendments affecting Chapter 82 is provided in Attachment 2.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment 1 - Proposed Amendments to Chapter 82, Motor Vehicles and Traffic
Attachment 2 - Summary of 2017 General Assembly Amendments Affecting Chapter 82, Motor Vehicles and Traffic

STAFF:

David M. Rohrer, Deputy County Executive
Colonel Edwin C. Roessler Jr., Chief of Police

ASSIGNED COUNSEL:

Kimberly P. Baucom, Senior Assistant County Attorney

Proposed Amendments to
Chapter 82, Motor Vehicles and Traffic

Article 1. – In General.

Section 82-1-6. Adoption of State Law

Pursuant to the authority of Section 46.2-1313 of the Virginia Code, all provisions and requirements of the following sections of the Code of Virginia, as in effect on July 1, ~~2016~~ 2017, except those provisions and requirements the violation of which constitutes a felony, are hereby incorporated into the Fairfax County Code by reference, effective July 1, ~~2016~~ 2017.

18.2-266	<u>18.2-269</u>	46.2-203.1
18.2-266.1	18.2-270	46.2-218
18.2-267	18.2-270.01	46.2-300
18.2-268.1	18.2-270.1	46.2-301
18.2-268.2	18.2-271	<u>46.2-301.1</u>
<u>18.2-268.3</u>	18.2-271.1	46.2-302
<u>18.2-268.4</u>	<u>18.2-272</u>	46.2-329
18.2-268.5	46.2-100	46.2-334.001
18.2-268.6	46.2-102	46.2-341.20:5
<u>18.2-268.7</u>	46.2-104	<u>46.2-341.26:2</u>
18.2-268.8	46.2-108	<u>46.2-341.26:3</u>
<u>18.2-268.9</u>	46.2-109	<u>46.2-341.26:4</u>
18.2-268.10	46.2-110	<u>46.2-341.26:7</u>
18.2-268.11	46.2-111	<u>46.2-341.26:9</u>
18.2-268.12	46.2-112	<u>46.2-341.27</u>

<u>46.2-341.28</u>	46.2-716	46.2-822
46.2-346	46.2-724	46.2-823
46.2-349	46.2-730	46.2-824
46.2-357	46.2-800	46.2-825
46.2-371	46.2-801	46.2-826
46.2-373	<u>46.2-802</u>	46.2-827
46.2-376	46.2-803	46.2-828
46.2-379	<u>46.2-804</u>	46.2-828.2
46.2-380	46.2-805	46.2-829
46.2-391.01	46.2-806	46.2-830
<u>46.2-391.2</u>	46.2-807	46.2-831
46.2-391.3	46.2-808	46.2-832
<u>46.2-391.4</u>	46.2-808.1	46.2-833
46.2-392	46.2-810	46.2-833.1
46.2-393	46.2-811	46.2-834
46.2-398	46.2-812	46.2-835
46.2-602.3	46.2-814	46.2-836
46.2-613	46.2-816	46.2-837
46.2-616	46.2-817	46.2-838
46.2-617	46.2-818.1	46.2-839
46.2-618	46.2-819.4	46.2-841
46.2-704	46.2-820	46.2-842
46.2-715	46.2-821	46.2-842.1

46.2-844	46.2-868	46.2-889
46.2-845	46.2-868.1	46.2-890
46.2-846	46.2-869	46.2-891
46.2-848	46.2-870	46.2-892
46.2-849	46.2-871	46.2-893
46.2-850	46.2-872	46.2-894
46.2-851	46.2-873	46.2-895
46.2-852	46.2-874	46.2-896
46.2-853	46.2-876	46.2-897
46.2-854	46.2-877	46.2-898
46.2-855	46.2-878	46.2-899
46.2-856	46.2-878.1	46.2-900
46.2-857	<u>46.2-878.2</u>	46.2-902
46.2-858	46.2-878.3	46.2-903
46.2-859	46.2-879	46.2-905
46.2-860	46.2-880	46.2-906
46.2-861	46.2-882	46.2-908.1
46.2-862	46.2-883	46.2-909
46.2-863	46.2-884	46.2-910
46.2-864	46.2-885	46.2-911.1
46.2-865	46.2-886	46.2-912
46.2-865.1	46.2-887	46.2-914
46.2-866	46.2-888	46.2-915

46.2-915.2	46.2-1003	46.2-1033
46.2-918	46.2-1004	46.2-1034
46.2-919	46.2-1010	46.2-1035
<u>46.2-919.1</u>	46.2-1011	46.2-1036
46.2-920	46.2-1012	46.2-1037
46.2-921	46.2-1013	46.2-1038
46.2-921.1	46.2-1014	46.2-1039
46.2-922	46.2-1015	46.2-1040
46.2-923	46.2-1016	46.2-1041
46.2-924	46.2-1017	46.2-1043
46.2-926	46.2-1018	46.2-1043.1
46.2-927	46.2-1019	46.2-1044
46.2-928	46.2-1020	46.2-1047
46.2-929	46.2-1021	46.2-1049
46.2-930	46.2-1022	46.2-1050
46.2-932	46.2-1023	46.2-1052
46.2-936	46.2-1024	46.2-1053
46.2-937	46.2-1025	46.2-1054
46.2-940	46.2-1026	46.2-1055
46.2-942	46.2-1027	46.2-1056
46.2-1001.1	46.2-1030	46.2-1057
46.2-1001	46.2-1031	46.2-1058
46.2-1002	46.2-1032	46.2-1059

46.2-1060	46.2-1088.1	46.2-1155
46.2-1061	46.2-1088.2	46.2-1156
46.2-1063	46.2-1088.5	46.2-1157
46.2-1064	46.2-1088.6	46.2-1158
46.2-1065	46.2-1090	46.2-1158.01
46.2-1066	46.2-1091	46.2-1158.02
46.2-1067	46.2-1092	46.2-1158.1
46.2-1068	46.2-1093	46.2-1172
46.2-1070	46.2-1102	46.2-1173
46.2-1071	46.2-1105	46.2-1218
46.2-1072	46.2-1110	46.2-1219.2
46.2-1076	46.2-1111	46.2-1234
46.2-1077	46.2-1112	46.2-1240
46.2-1077.01	46.2-1115	<u>46.2-1242</u>
46.2-1078	46.2-1116	46.2-1250
46.2-1078.1	46.2-1118	46.2-1309
46.2-1079	46.2-1120	46.2-1508.2
46.2-1080	46.2-1121	46.2-1552
46.2-1081	46.2-1130	46.2-1561
46.2-1082	46.2-1137	46.2-2812
46.2-1083	46.2-1150	46.2-2910
46.2-1084	46.2-1151	
46.2-1088	46.2-1154	

References to "highways of the state" contained in such provisions and requirements hereby adopted shall be deemed to refer to the streets, highways and other public ways within the County. Such provisions and requirements are hereby adopted, mutatis mutandis, and made a part of this chapter as fully as though set forth at length herein; and it shall be unlawful for any person, within the county, to violate or fail, neglect or refuse to comply with any provision of Title 46.2 or Title 18.2-266, 18.2-266.1, 18.2-267, 18.2-268.1 through 18.2-268.12, 18.2-269, 18.2-270, 18.2-270.01, 18.2-270.1, 18.2-271, 18.2-271.1 and 18.2-272 of the *Code of Virginia* which is adopted by this section; provided, that in no event shall the penalty imposed for the violation of any provision or requirement hereby adopted exceed the penalty imposed for a similar offense under Title 46.2 or Title 18.2-266, 18.2-266.1, 18.2-267, 18.2-268.1 through 18.2-268.12, 18.2-269, 18.2-270, 18.2-270.01, 18.2-271, 18.2-270.1, 18.2-271.1 and 18.2-272 of the *Code of Virginia*.

ATTACHMENT 2

SUMMARY OF 2017 GENERAL ASSEMBLY AMENDMENTS AND REPEAL AFFECTING CHAPTER 82

The information presented below summarizes changes to Title 18.2 and Title 46.2 of the *Code of Virginia*, portions of which are adopted by reference into Chapter 82 of the *Code of the County of Fairfax*.

Be it enacted by the General Assembly of Virginia:

An Act to amend and reenact [18.2-268.3](#), [18.2-268.4](#), [18.2-268.7](#), [18.2-268.9](#), [18.2-269](#), [18.2-272](#), [46.2-341.26:2](#), [46.2-341.26:3](#), [46.2-341.26:4](#), [46.2-341.26:7](#), [46.2-341.26:9](#), [46.2-341.27](#), [46.2-391.2](#), and [46.2-391.4](#), of the Code of Virginia, relating to DUI; implied consent; refusal of blood or breath tests. Eliminates the criminal penalties for refusing to submit to a blood test to determine the alcohol or drug content of a defendant's blood upon arrest for a DUI-related offense under the law on implied consent. The law also increases to a Class 1 misdemeanor the criminal penalty for refusing to submit to a breath test under the law on implied consent for an offense committed within 10 years of a prior offense of refusal or of another DUI-related offense. The law also extends to blood tests performed by the Division of Forensic Science pursuant to a search warrant the rebuttable presumption that a person is intoxicated based on the person's blood alcohol level demonstrated by such tests. The law also provides that an application for a search warrant to perform a blood test on a person suspected of committing a DUI-related offense shall be given priority over other matters pending before the judge or magistrate. Finally, the law establishes a rebuttable presumption applicable in a civil case for punitive damages for injuries caused by an intoxicated driver that a person who has consumed alcohol knew or should have known that his ability to drive was or would be impaired by such consumption.

An Act to amend and reenact § [46.2-341.28](#) of the Code of Virginia, relating to driving commercial vehicle while intoxicated; penalties. Upon conviction of a second offense within 10 years of a prior offense, if the person's blood alcohol level as indicated by the chemical test administered as provided in this article or by any other scientifically reliable chemical test performed on whole blood under circumstances reliably establishing the identity of the person who is the source of the blood and the accuracy of the results (i) was at least 0.15, but not more than 0.20, he shall be confined in jail for an additional mandatory minimum period of 10 days or (ii) was more than 0.20, he shall be confined for an additional mandatory minimum period of 20 days. In addition, such person shall be fined a mandatory minimum fine of \$500.

An Act to amend and reenact §§ [46.2-802](#) and [46.2-804](#) of the Code of Virginia, relating to driving on the right side of highways and special regulations applicable on highways for traffic; penalties. Provides that a violation of a highway sign where a driver has parked or stopped his vehicle on the shoulder of the highway in order to sleep or rest is a pre-payable offense unless such vehicle is parked or stopped in such manner as to impede or render dangerous the shoulder or other portion of the highway.

An Act to amend and reenact § [46.2-919.1](#) of the Code of Virginia, relating to use of wireless telecommunications devices by persons driving school buses. Use of wireless telecommunications devices by persons driving school buses. Allows school bus drivers to use, in addition to two-way radio devices, wireless telecommunications devices that are used hands free to communicate with school or public safety officials.

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ADMINISTRATIVE - 2

Authorization to Advertise a Public Hearing to Lease County-Owned Property at 4100 Chain Bridge Road to Southwestern Bell Mobile Services, LLC (Providence District)

ISSUE:

Authorization to advertise a public hearing to lease County-owned property to Southwestern Bell Mobile Services, LLC (AT&T) for the continuation of telecommunications services for public use on the roof of the Massey Building located at 4100 Chain Bridge Road.

RECOMMENDATION:

The County Executive recommends that the Board authorize staff to publish the advertisement of a public hearing to be held on June 20, 2017, at 4:00 p.m.

TIMING:

Board action is requested on May 16, 2017, to provide sufficient time to advertise the proposed public hearing June 20, 2017, at 4:00 p.m.

BACKGROUND:

The Board of Supervisors is the owner of the Massey Building, located at 4100 Chain Bridge Road (Massey), on a County-owned parcel identified as Tax Map Number 0574 01 0014. The property is currently improved with a twelve-story, 170,000 square foot building that is part of the Fairfax County Judicial Center (Courthouse) and it primarily operates as a public safety facility. AT&T occupies a portion of the roof of the Massey Building with a compound containing nine (9) antennas and two (2) equipment cabinets pursuant to a lease dated February 28, 1997 (Lease).

In anticipation of the demolition of Massey and the relocation of staff to a new public safety center, the Facilities Management Department sent written notice to AT&T in 2015 that the County wanted to exercise its right to terminate the Lease as of December 31, 2016. However, since the decision was made during the past year to postpone the demolition until the summer of 2019, the County has rescinded its request to AT&T to remove its equipment from the roof of Massey and has asked AT&T to continue to provide telecommunication services to the Courthouse.

The extension of the term requires the execution of a formal written agreement with AT&T that is approved by the Board. The extension revises the term of the Lease so that it ends on March 31, 2019; however, either party may terminate the agreement with thirty (30) days' notice. The payment of rent will continue as set forth in the Lease.

Virginia Code Ann. § 15.2-1800 requires a locality to hold a public hearing before it may lease its real property. Staff recommends that the Board authorize the staff to advertise

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a public hearing to lease County property to AT&T, which will ensure the stable provision of telecommunications services at the Courthouse.

FISCAL IMPACT:

The monopole lease will generate approximately \$32,000 per year. All revenue will be deposited in the general fund.

ENCLOSED DOCUMENTS:

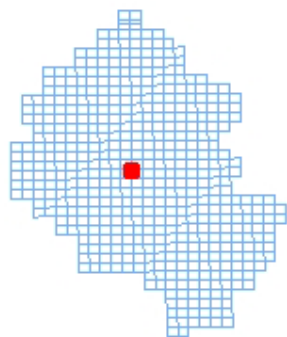
Attachment 1 – Location Map 0574 01 0014
Attachment 2 – Draft Lease Agreement

STAFF:

David J. Molchany, Deputy County Executive
José A. Comayagua, Jr., Director, Facilities Management Department
Wanda M. Gibson, Director, Department of Information Technology

ASSIGNED COUNSEL:

Daniel Robinson, Assistant County Attorney



Massey Building

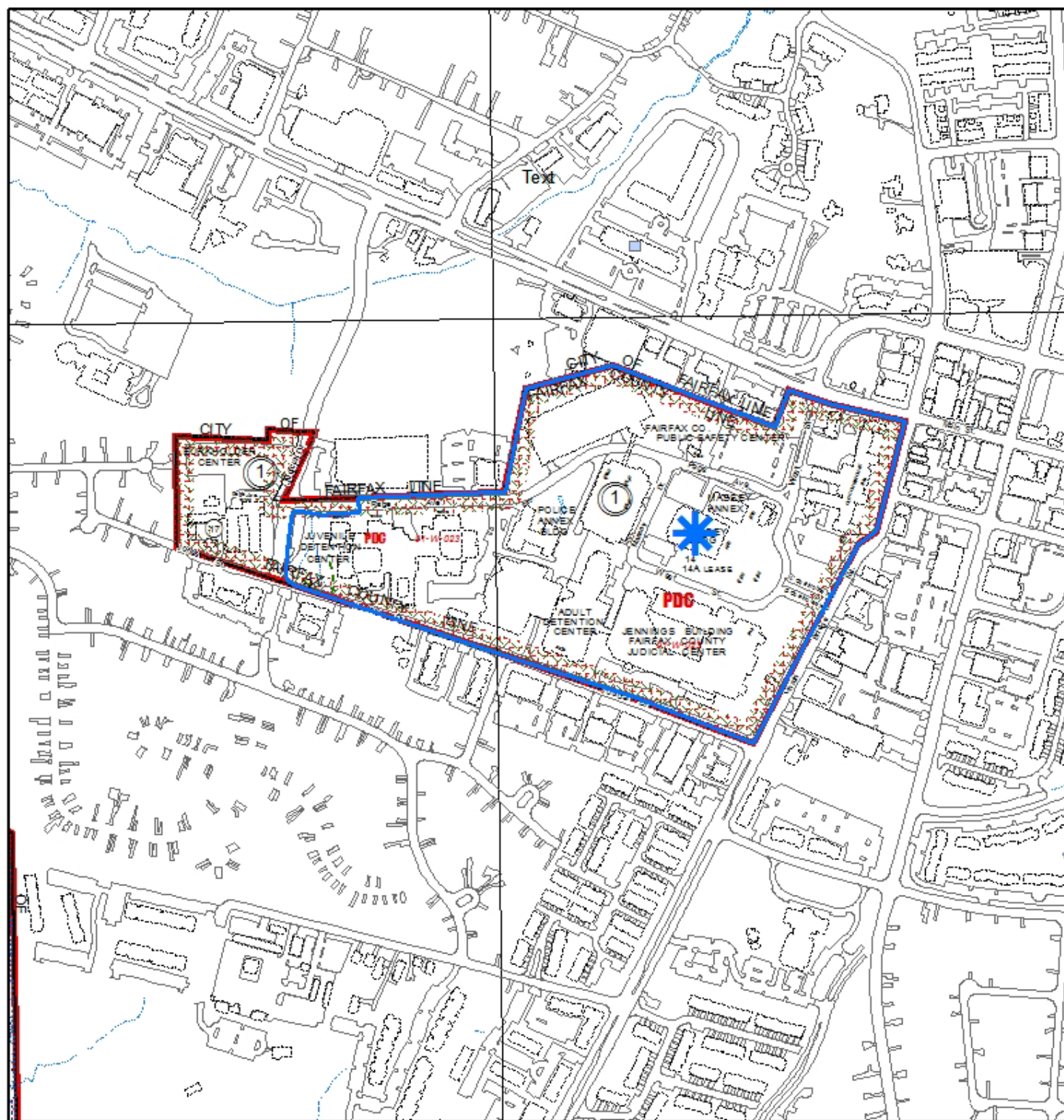
Fairfax Courthouse

Tax Map No. 0574 01 0014

Providence District



0 187.5 375 750 Feet



EXTENSION OF LEASE AGREEMENT
MASSEY BUILDING

THIS EXTENSION OF LEASE AGREEMENT, dated as of February ____, 2017, by and between the BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA (the "County") and WIRELESS PCS, INC. D/B/A AT&T WIRELESS SERVICES (the "Lessee") located at 15 East Midland Avenue, Paramus, New Jersey 07652.

RECITAL

Whereas, by Real Property Deed of Lease Agreement dated February 28, 1997 (the "Lease"), the County leased to Lessee space on the roof of the Massey Building located at 4100 Chain Bridge Road, Fairfax, Virginia (the "Building") and identified for reference purposes only as Tax Map No. 57-4 ((1)) 14 (the "Property"), for the installation of up to nine (9) panel antennas and ancillary telecommunications equipment;

Whereas, the County alerted Lessee via letters dated August 15, 2011 and February 13, 2012 that County intended to demolish the Building by December 31, 2015;

Whereas, the County subsequently postponed the date of demolition until summer 2019;

Whereas, the County has notified Lessee that the County would like AT&T to continue providing telecommunication services to the Property; and

Whereas, County and Lessee have agreed to extend the term of the Lease in the manner hereinafter set forth.

NOW, THEREFORE, for and in consideration of the covenants herein contained and other good and valuable considerations, the receipt and adequacy of which are confessed and acknowledged by each of the parties hereto, it is mutually agreed as follows:

1. Subject to the right to terminate set forth in Paragraph 10 (Default) of the Lease, the County and Lessee mutually agree to extend the term to March 31, 2019.
2. Except as expressly modified in this Extension of Lease Agreement, all the terms, covenants and conditions of the Lease, including Lessee's obligation to pay annual rent to County as set forth in Paragraph 3 (Term and Rent and Security Deposit) of the Lease, shall remain in full force and effect, shall be binding on the parties hereto, and are hereby ratified and affirmed.

IN WITNESS WHEREOF, the parties hereto have set their hand and seal the day and year first above written and declare this Extension of Lease Agreement to be binding on them, their respective successors and permitted assigns.

COUNTY:

BOARD OF SUPERVISORS FOR FAIRFAX
COUNTY, VIRGINIA

By: _____
David J. Molchany
Deputy County Executive

WIRELESS PCS, INC. D/B/A AT&T
WIRELESS SERVICES

By: _____

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ADMINISTRATIVE – 3

Authorization to Advertise Public Hearings on a Proposed Zoning Ordinance Amendment Re: Planned Residential Mixed Use (PRM) District – Use Limitations for Submission of Final Development Plan

ISSUE:

The proposed Zoning Ordinance Amendment will encourage, but not require, the concurrent filing of a Final Development Plan with the Conceptual Development Plan for a rezoning to the PRM District. This issue has been identified by staff as a needed revision to the PRM District to facilitate the submission of larger desirable consolidations of property for developments within areas planned for high density mixed use development.

RECOMMENDATION:

The County Executive recommends the authorization of the proposed amendment by adopting the resolution set forth in Attachment 1.

TIMING:

Board action is requested on May 16, 2017, to provide sufficient time to advertise the proposed Planning Commission public hearing on June 21, 2017, at 8:15 p.m., and the proposed Board public hearing on July 11, 2017, at 4:00 p.m.

BACKGROUND:

Currently, all rezonings to the PRM District require the concurrent filing of a final development plan (FDP) with the conceptual development plan (CDP) for the entire area subject to the rezoning and the conceptual development plan (CDP). The PRM District is the only district that requires such a concurrent submission of the CDP and FDP, whereas concurrent filing is permitted at an applicant's discretion in the other Planned Development Districts. The concurrent filing requirement resulted from the desire to ensure that sufficient detail, including urban design elements, was provided to effectively evaluate applications and to ensure that the high standards in design and layout contemplated by the PRM District and the Comprehensive Plan for these areas would be met.

More recently, however, in certain mixed use areas, such as the transit station areas along the Silver Line Metro extension, larger consolidations for multi-building phased development are being proposed. While it is advantageous to have larger

consolidations rezoned under a single application, such multi-phased developments typically occur over longer term build-out periods and the designs shown on the FDP may not reflect changes in market conditions, or urban design practices desired at the time of actual development. To address developments with longer term build-out periods, and particularly those that include optional land uses in a given building, it is likely that amendments to the initial FDP will be required to address issues such as land uses and intensity, as well as specific urban design elements. It was specifically for these reasons that the Planned Tysons Corner Urban (PTC) District encourages but does not require filing a concurrent CDP and FDP.

The proposed amendment to Par. 2 of 6-406 will revise the Use Limitations for the PRM District to encourage the concurrent filing of a CDP/FDP, but it will allow an FDP to be filed on a portion of the application property subject to the rezoning and CDP. Staff believes these changes are desirable to permit the FDP review to occur within a timeframe that may be more closely related to the actual development of the buildings and property. This will benefit rezoning applicants by eliminating the need to provide building and site design details potentially years before the site will actually be developed, and then likely need an interpretation or an amendment to reflect the ultimate development.

The proposed amendment also makes an editorial revision to Par. 5 of 16-401 relating to Conceptual Development Plan approval to correct the numerical reference of the submission requirements referenced in this paragraph.

A more detailed discussion of the proposed amendment is set forth in the Staff Report enclosed as Attachment 2.

REGULATORY IMPACT:

This proposal will facilitate the implementation of the Comprehensive Plan recommendations for development in mixed use areas by allowing rezoning applicants to select the appropriate zoning district and CDP/FDP process that best suits the circumstance of the application, but it will still require submission of sufficient information to evaluate the proposal's conformance with all applicable regulations and guidelines.

FISCAL IMPACT:

None.

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ENCLOSED DOCUMENTS:

Attachment 1 – Resolution
Attachment 2 – Staff Report

STAFF:

Robert A. Stalzer, Deputy County Executive
Fred Selden, Director, Department of Planning and Zoning (DPZ)
Leslie B. Johnson, Zoning Administrator, DPZ

ASSIGNED COUNSEL:

Laura Gori, Senior Assistant County Attorney

RESOLUTION

At a regular meeting of the Board of Supervisors of Fairfax County, held in the Board Auditorium in the Government Center Building, Fairfax, Virginia, on May 16, 2017, at which meeting a quorum was present and voting, the following resolution was adopted:

WHEREAS, all rezonings to the Planned Residential Mixed Use (PRM) District require the submission of a Final Development Plan (FDP) for the entire area concurrent with the rezoning and the Conceptual Development Plan (CDP);

WHEREAS, concurrent filing is permitted at an applicant's discretion in the other Planned Development Districts;

WHEREAS, in certain mixed use areas, larger consolidations for multi-building phased development are being proposed and while it is advantageous to have these larger consolidations be rezoned under a single application, such multi-phased developments typically occur over longer term build-out periods and it is likely that amendments to the initial FDP will be required to address issues such as land uses and intensity, as well as specific urban design elements;

WHEREAS, the PRM District is the only district that requires such a concurrent submission of the CDP and FDP and amending Paragraph 2 of Section 6-406 of the Code of the County of Fairfax, Virginia, Chapter 112 (Zoning Ordinance), to encourage but not require the concurrent filing of an FDP on all or a portion of the development, similar to all other Planned Development Districts, will facilitate implementation of the recommendations of the Comprehensive Plan for these mixed use areas;

WHEREAS, making an editorial revision to Paragraph 5 of Section 16-401 relating to CDP approval is necessary to correct the numerical reference of the submission requirements referenced in this paragraph; and

WHEREAS, the public necessity, convenience, general welfare, and good zoning practice require consideration of the proposed revisions to Chapter 112 of the County Code.

NOW, THEREFORE, BE IT RESOLVED, for the foregoing reasons and as further set forth in the Staff Report, the Board of Supervisors authorizes the advertisement of the proposed Zoning Ordinance amendment as recommended by staff.

A Copy Teste:

Catherine A. Chianese
Clerk to the Board of Supervisors



**FAIRFAX
COUNTY**

STAFF REPORT

V I R G I N I A

PROPOSED ZONING ORDINANCE AMENDMENT

**Planned Residential Mixed Use District (PRM) – Use Limitations for
Submission of Final Development Plan**

PUBLIC HEARING DATES

Planning Commission June 21, 2017 at 8:15 p.m.

Board of Supervisors July 11, 2017 at 4:00 p.m.

**PREPARED BY
ZONING ADMINISTRATION DIVISION
DEPARTMENT OF PLANNING AND ZONING
703-324-1314**

May 16, 2017

LBJ



Americans With Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call 703-324-1334 or TTY 711 (Virginia Relay Center).

STAFF COMMENT

The proposed Zoning Ordinance Amendment is not currently on the 2016 Priority 1 Zoning Ordinance Amendment Work Program (ZOAWP), but it has been identified by staff as a needed revision to the Planned Residential Mixed Use (PRM) District to facilitate the submission of larger desirable consolidations of property for developments within areas planned for high density mixed use development.

Current Provisions and Background

Under the current PRM District regulations, all rezonings require the submission of a final development plan (FDP) for the entire area concurrent with the rezoning and the conceptual development plan (CDP). The PRM District is the only district that requires such a concurrent submission of the CDP and FDP, whereas concurrent filing is permitted at an applicant's discretion in the other Planned Development Districts.

When the PRM District was adopted in 2001, the intent was to establish a high density residential district that also permitted a mix of non-residential uses for locations designated for such uses and intensities in the adopted Comprehensive Plan. The PRM District was intended as the counterpart to the Planned Development Commercial (PDC) District, which is primarily for high intensity commercial/office uses, but also allows for secondary residential uses. The PRM District, with its minimum district size of only two acres, was intended to accommodate more urban scaled developments, and the thought at the time was that it would consist of one or two buildings on smaller sized parcels primarily in revitalization areas, community business centers and other mixed use activity centers.

As noted in the 2001 Staff Report accompanying the PRM District Amendment, the concurrent CDP/FDP requirement resulted from the desire to ensure that sufficient detail, including urban design elements, was provided to effectively evaluate applications and to ensure that the high standards in design and layout contemplated by the PRM District and the Comprehensive Plan for these areas would be met. The PRM District provisions currently require that the concurrent CDP/FDP illustrate the site and building designs, show integration with adjacent communities, incorporate high standards of urban design, and demonstrate conformance with any specific urban design concepts and streetscape plans set forth in the adopted Comprehensive Plan.

More recently, in certain mixed use areas, such as the transit station areas along the Silver Line Metro extension, as well as the proposed redevelopment of the Huntington Club Condominium in the Huntington Transit Station Area, larger consolidations for multi-building phased development are being proposed. While it is advantageous to have these larger consolidations be rezoned under a single application, such multi-phased developments typically occur over longer term build-out periods and the designs shown on the FDP may not reflect changes in market conditions, or urban design practices desired at the time of actual development. To address developments with longer term build-out periods, and particularly those that include optional

land uses in a given building, it is likely that amendments to the initial FDP will be required to address issues such as land uses and intensity, as well as specific urban design elements. It was specifically for these reasons that the Planned Tysons Corner Urban (PTC) District encourages but does not require filing a concurrent CDP and FDP.

Proposed Amendment

To address this issue with the larger, multi-phased PRM District developments, staff is proposing changes to Par. 2 of Sect. 6-406, Use Limitations, to encourage, but not require the concurrent filing of the CDP and FDP in the PRM District, consistent with how this issue is addressed in the PDC and PTC District. For any such rezoning application that provides only a CDP or a CDP with a partial FDP, the provisions will continue to require that, in addition to the provisions for development plans set forth in Article 16, an applicant must include sufficient detail on the CDP to demonstrate integration of the entire application property into adjacent communities and must demonstrate conformance with the guidelines set forth in the Comprehensive Plan for the entire application property.

Staff believes these changes are desirable to permit the FDP review to occur within a timeframe that may be more closely related to the actual development of the buildings and property. This will benefit rezoning applicants by eliminating the need to provide building and site design details potentially years before the site will actually be developed, and then likely need an interpretation or an amendment to reflect the ultimate development. The proposed changes will enable a developer to select the appropriate zoning district and CDP/FDP process that best suits the circumstance, but still requires that sufficient information be submitted to evaluate the proposal's conformance with all applicable regulations and guidelines. Staff notes that no changes are necessary to the Development Plan provisions of Article 16, nor to the application fee structure set forth in Article 18.

Staff is also recommending an editorial revision to Par. 5 of 16-401 to correct the numerical reference to the section location of the submission requirements for all P Districts except the PRC District that is referenced in this paragraph. The paragraph numbering for the submission requirements was changed when the PTC District was added to the Zoning Ordinance and revising this reference was inadvertently overlooked.

Conclusion

Staff believes the proposed change implements a more prudent approach to obtaining FDP level details for large-scale development proposals in the PRM District and, in the long run, will save both staff and the applicant time and money for review and costs associated with future revisions. As such, staff recommends approval of the proposed amendment with an effective date of 12:01 a.m. on the day following adoption.

PROPOSED AMENDMENT

This proposed Zoning Ordinance amendment is based on the Zoning Ordinance in effect as of May 16, 2017 and there may be other proposed amendments which may affect some of the numbering, order or text arrangement of the paragraphs or sections set forth in this amendment, which other amendments may be adopted prior to action on this amendment. In such event, any necessary renumbering or editorial revisions caused by the adoption of any Zoning Ordinance amendments by the Board of Supervisors prior to the date of adoption of this amendment will be administratively incorporated by the Clerk in the printed version of this amendment following Board adoption.

Amend Article 6, Planned Development District Regulations, by amending Part 4, 6-400 PRM Planned Residential Mixed Use District, Sect. 6-406, Use Limitations, by revising Par. 2 to read as follows:

2. It is encouraged that the ~~A~~ final development plan ~~shall~~ be submitted and approved concurrently with the conceptual development plan for all or a portion of the proposed development. The conceptual and final development plan shall specify the uses and gross floor area for the proposed development and shall provide site and building designs that will integrate with the adjacent communities and complement existing and planned development by incorporating high standards of urban design. The conceptual and final development plan shall also be in general accordance with any specific urban design concept and streetscape plans for the area including the provision of convenient and accessible pedestrian walkways and connections, all as set forth in the adopted comprehensive plan.

Amend Article 16, Development Plans, Part 4, 16-400 Procedures For Review and Approval Of All P Districts Except the PRC District, by amending Par. 5 of Sect. 16-401, Conceptual Development Plan Approval, to read as follows:

5. Subsequent to the public hearing, the Planning Commission shall transmit the conceptual development plan and application to the Board, together with its recommendations as to approval or disapproval. The Planning Commission transmittal shall contain specific recommendations on the submission requirements set forth in ~~Par. 1 through 5 of~~ Sect. 501 below.

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ADMINISTRATIVE – 4

Extension of Review Period for 2232 Application (Dranesville District)

ISSUE:

Extension of review period for 2232 application to ensure compliance with review requirements of *Section 15.2-2232* of the *Code of Virginia*.

RECOMMENDATION:

The County Executive recommends that the Board extend the review period for the following application: FS-D17-2

TIMING:

Board action is required May 16, 2017, to extend the review period of the application noted above before its expiration date.

BACKGROUND:

Subsection B of *Section 15.2-2232* of the *Code of Virginia* states: "Failure of the commission to act within 60 days of a submission, unless the time is extended by the governing body, shall be deemed approval." The need for the full time of an extension may not be necessary, and is not intended to set a date for final action.

The review period for the following application should be extended:

FS-D17-2	Fairfax County Public Schools Clearview Elementary School 12635 Builders Road Herndon, VA Dranesville District Accepted April 5, 2017 Extend to July 5, 2017
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FISCAL IMPACT:

None

Board Agenda Item
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ENCLOSED DOCUMENTS:

None

STAFF:

Robert A. Stalzer, Deputy County Executive

Fred R. Selden, Director, Department of Planning and Zoning, DPZ

Chris B. Caperton, Chief, Facilities Planning Branch, Planning Division, DPZ

Douglas W. Hansen, Senior Planner, Facilities Planning Branch, Planning Division, DPZ

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ADMINISTRATIVE - 5

Approval of Traffic Calming Measures as Part of the Residential Traffic Administration Program (Mason District)

ISSUE:

Board endorsement of Traffic Calming measures as part of the Residential Traffic Administration Program (RTAP).

RECOMMENDATION:

The County Executive recommends that the Board endorse the traffic calming plans for Magnolia Lane (Attachment I) and Elmdale Road (Attachment II):

- One speed hump on Magnolia Lane (Mason District)
- Three speed humps on Elmdale Road (Mason District)

In addition, the County Executive recommends that the Fairfax County Department of Transportation (FCDOT) be requested to schedule the installation of the approved traffic calming measures as soon as possible.

TIMING:

Board action is requested on May 16, 2017.

BACKGROUND:

As part of the RTAP, roads are reviewed for traffic calming when requested by a Board member on behalf of a homeowners' or civic association. Traffic calming employs the use of physical devices such as speed humps, speed tables, raised pedestrian crosswalks, chokers, median islands, traffic circles, or multi-way stop signs, to reduce the speed of traffic on a residential street. Staff performed engineering studies documenting the attainment of qualifying criteria. Staff worked with the local Supervisor's office and communities to determine the viability of the requested traffic calming measures to reduce the speed of traffic. Once the plan for the road under review is approved and adopted by staff that plan is then submitted for approval to residents of the ballot area in the adjacent community. On March 28, 2017, (Magnolia Lane, Mason District) and on April 5, 2017, (Elmdale Road, Mason District), FCDOT received verification from the local Supervisor's office confirming community support for the above referenced traffic calming plan.

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FISCAL IMPACT:

Funding in the amount of \$28,000 for the traffic calming measures associated with the Magnolia Lane and Elmdale Road projects is available in Fund 2G25-076-000, General Fund, under Job Number 40TTCP.

ENCLOSED DOCUMENTS:

Attachment I: Traffic Calming Plan for Magnolia Lane

Attachment II: Traffic Calming Plan for Elmdale Road

STAFF:

Robert A. Stalzer, Deputy County Executive

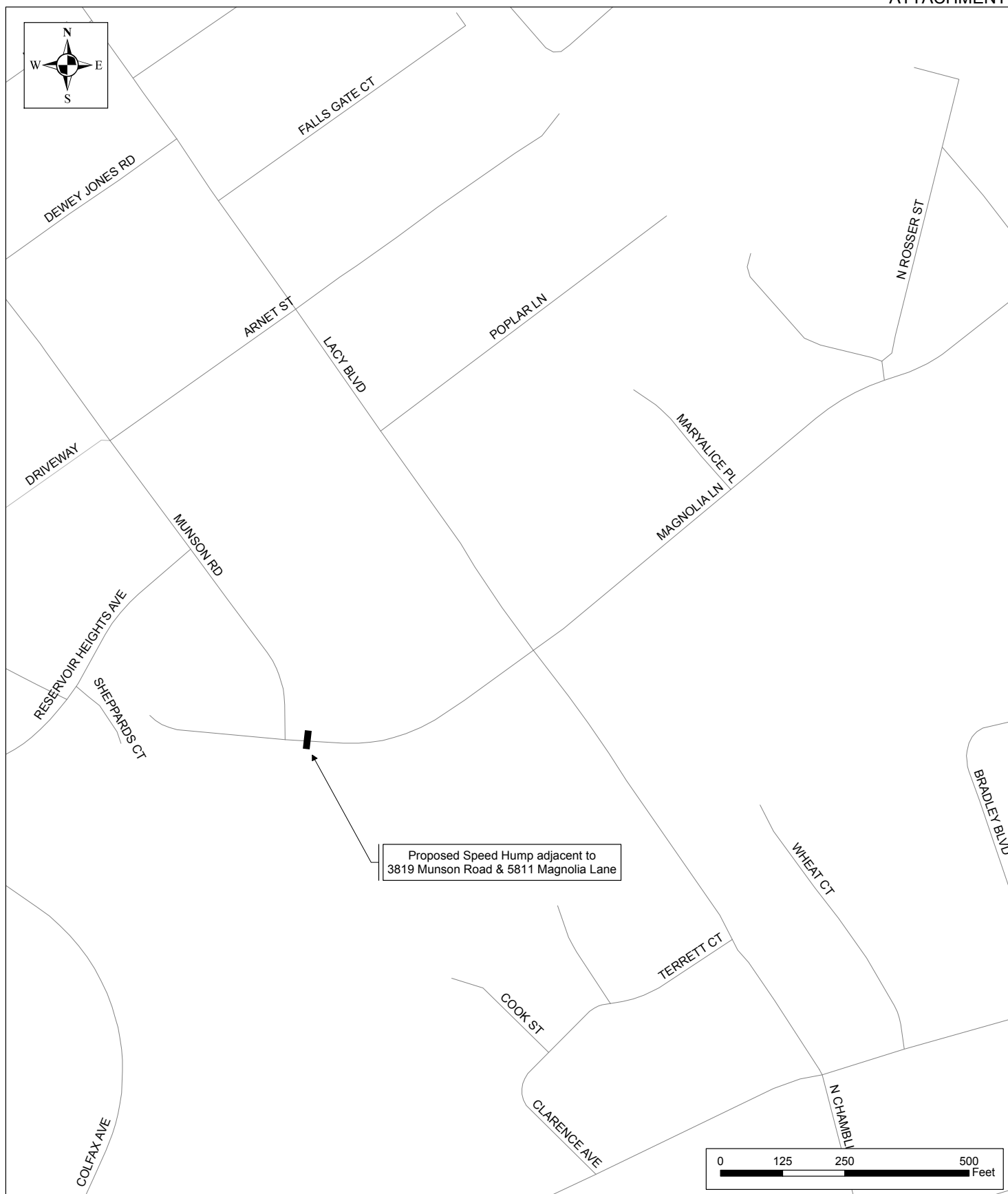
Tom Biesiadny, Director, Fairfax County Department of Transportation (FCDOT)

Eric Teitelman, Chief, Capital Projects and Traffic Engineering Division, FCDOT

Neil Freschman, Chief, Traffic Engineering Section, FCDOT

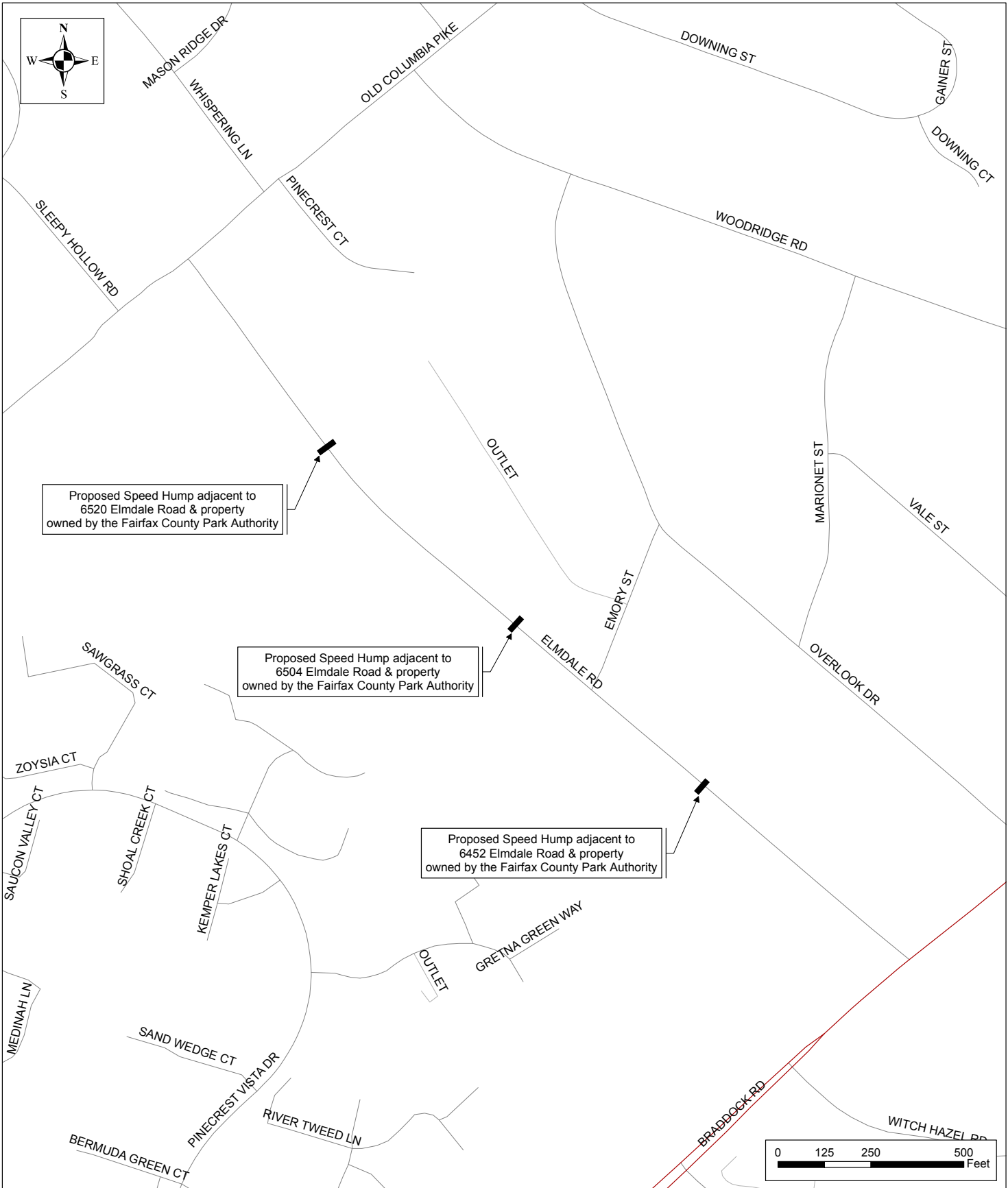
Steven K. Knudsen, Transportation Planner, Traffic Engineering Section, FCDOT

Paolo Belita, Transportation Planner, Traffic Engineering Section, FCDOT



Fairfax County Department of Transportation
 Residential Traffic Administration Program (RTAP)
PROPOSED TRAFFIC CALMING PLAN
MAGNOLIA LANE
 Mason District





Fairfax County Department of Transportation
Residential Traffic Administration Program (RTAP)
PROPOSED TRAFFIC CALMING PLAN
ELMDALE ROAD
Mason District



ADMINISTRATIVE – 6

Authorization to Advertise Public Hearings on a Proposed Zoning Ordinance
Amendment Re: Small Cell Facilities

ISSUE:

The proposed amendment is in response to Senate Bill 1282 which was adopted by the 2017 Virginia General Assembly with an effective date of July 1, 2017. This legislation allows localities to require Zoning Administrative approval of a zoning permit for the installation of a small cell facility by a wireless services provider or wireless services infrastructure provider on an existing structure and to charge reasonable fees for the processing of such permits. The proposed amendment would implement Senate Bill 1282.

RECOMMENDATION:

The County Executive recommends the authorization of the proposed amendment by adopting the resolution set forth in Attachment 1.

TIMING:

Board action is requested on May 16, 2017, to provide sufficient time to advertise the proposed Planning Commission public hearing on June 15, 2017 at 8:15 p.m., and the proposed Board public hearing on June 20, 2017, at 4:00 p.m.

BACKGROUND:

Senate Bill 1282 allows localities to require Zoning Administrative approval of a zoning permit for the installation of a small cell facility by a wireless services provider or wireless services infrastructure provider on an existing structure and to charge reasonable fees for the processing of such permits. The proposed amendment would implement Senate Bill 1282 by:

- Adding new small cell facility and wireless facility definitions and revising the mobile and land based telecommunications definition to clarify that mobile and land based telecommunication facilities are distinct from small cell facilities.
- Adding a new Sect. 2-519 pertaining to small cell facilities. This section:
 - (a) Includes pertinent definitions;

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- (b) Outlines the Zoning Administrator review process and submission requirements for small cell facility permits;
 - (c) Limits a single application to 35 permit requests;
 - (d) Includes reasons that the Zoning Administrator may use to deny a small cell facility permit request;
 - (e) Requires a small cell facility to be removed within 120 days after such facility is no longer in use; and
 - (f) States that micro-wireless facilities (a type of small cell facility) that do not exceed certain dimensions are not subject to the small cell facility permit requirement.
- Adds a new Par. 6 to Sect. 7-206 that stipulates that no small cell facility can be installed on any structure in a Historic Overlay District unless, at the time the applicant submits its application for a zoning permit, it can be demonstrated that approval was obtained from the Architectural Review Board as being architecturally compatible with the historical, architectural or cultural character of the Historic Overlay District; or the Director of the Department of Planning and Zoning has deemed that the facility is neither adjacent to nor visible from a major thoroughfare, historic byway, road listed or determined to be eligible for listing in the National Register, or a contributing or historic property.
- Revises the mobile and land based telecommunication provisions in Sect. 2-514 to:
 - (a) Provides clarity that when the cumulative volume of all antennas and associated equipment installed on an existing structure or on the ground adjacent to a structure exceeds the limitations contained in Sect. 2-519, or when such antennas and equipment are installed on a structure that is not already existing or approved for installation, the facility is a mobile and land based telecommunication facility and subject to Sect. 2-514.
 - (b) Par. 2 of Sect. 2-514 contains the provisions that allow antennas to be mounted on existing or replacement light or utility poles by right and without any special exception approval. Par. 2 would be revised to increase the maximum size of a pole mounted equipment cabinet from 28 to 32 cubic feet in volume. The increase in equipment size is proposed in response to Senate Bill 1282, which allows equipment cabinet associated with small cell facilities to not exceed 28 cubic feet in volume, and the size of the equipment cabinets allowed under Sect. 2-514 needs to be at least as large, if not larger, than the equipment cabinets allowed in conjunction with a small cell facility.

REGULATORY IMPACT:

The proposed Zoning Ordinance would require wireless services providers and wireless services infrastructure providers to obtain a permit from the Zoning Administrator for the installation of a small cell facility on an existing structure, including within rights-of-way. The Zoning Administrator must approve or deny the application within 60 days of receipt of a complete application and the 60-day review period may be extended an additional 30 days by the Zoning Administrator. The application is deemed approved if the Zoning Administrator fails to act within the initial 60 day period or an extended 30 day period. Small cell facilities would not be required to receive Planning Commission review under §15.2-2232 of the *Code of Virginia*.

FISCAL IMPACT:

The permit fee, as allowed by Senate Bill 1282, would be (1) \$100 each for up to five small cell facilities on a single application and (2) \$50 for each additional small cell facility on a single application. A single application may include up to 35 permit requests. Therefore, the application fee for 35 permit requests on a single application would be \$2,000. Small cell facilities are typically part of a network and it is anticipated that there will be multiple permit requests on a single application. It is estimated that there may be approximately 10 to 15 small cell applications containing multiple permit requests each year. However, it is likely that there will be applications with less than 35 permit requests and therefore, an application fee of less than \$2,000. Therefore, it is estimated that there may be \$15,000 to \$20,000 of revenue generated each year from the small cell facility permit fees. The new small cell facility permits can be processed using existing staff and resources.

ENCLOSED DOCUMENTS:

Attachment 1 – Resolution

Attachment 2 – Proposed Zoning Ordinance Amendment

STAFF:

Robert A. Stalzer, Deputy County Executive

Fred Selden, Director, Department of Planning and Zoning (DPZ)

Leslie B. Johnson, Zoning Administrator, DPZ

Lorrie Kirst, Senior Deputy Zoning Administrator, DPZ

ASSIGNED COUNSEL:

Laura S. Gori, Senior Assistant County Attorney

Attachment 1

RESOLUTION

At a regular meeting of the Board of Supervisors of Fairfax County, held in the Board Auditorium in the Government Center Building, Fairfax, Virginia, on May 16, 2017, at which meeting a quorum was present and voting, the following resolution was adopted:

WHEREAS, the 2017 Virginia General Assembly adopted Senate Bill 1282 with an effective date of July 1, 2017, and Senate Bill 1282 allows localities to require Zoning Administrative approval of a zoning permit for the installation of a small cell facility by a wireless services provider or wireless services infrastructure provider on an existing structure;

WHEREAS, Senate Bill 1282 further allows localities to charge a reasonable fee for the processing of small cell facility permit applications not to exceed \$100 each for up to five small cell facilities on a permit application, and \$50 for each additional small cell facility on a permit application;

WHEREAS, it may be appropriate to amend the Zoning Ordinance to require Zoning Administrator approval of a small cell facility permit with an application fee as permitted by Senate Bill 1282; and

WHEREAS, the public necessity, convenience, general welfare, and good zoning practice require consideration of the proposed revisions to Chapter 112 (Zoning Ordinance) of the County Code.

NOW, THEREFORE, BE IT RESOLVED, for the foregoing reasons and as further set forth in the Staff Report, the Board of Supervisors authorizes the advertisement of the proposed Zoning Ordinance amendment as recommended by staff.

A Copy Teste:

Catherine A. Chianese
Clerk to the Board of Supervisors



FAIRFAX
COUNTY

Attachment 2

STAFF REPORT

V I R G I N I A

PROPOSED ZONING ORDINANCE AMENDMENT

SMALL CELL FACILITIES

PUBLIC HEARING DATES

Planning Commission June 15, 2017 at 8:15 p.m.

Board of Supervisors June 20, 2017 at 4:00 p.m.

PREPARED BY
ZONING ADMINISTRATION DIVISION
DEPARTMENT OF PLANNING AND ZONING
703-324-1314

May 16, 2017

LK



Americans With Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call 703-324-1334 or TTY 711 (Virginia Relay Center).

STAFF COMMENT

ISSUE

The proposed amendment is in response to Senate Bill 1282 which was adopted by the 2017 Virginia General Assembly with an effective date of July 1, 2017. This legislation allows localities to require Zoning Administrative approval of a zoning permit for the installation of a small cell facility by a wireless services provider or wireless services infrastructure provider on an existing structure or a structure approved for installation and to charge reasonable fees for the processing of such permits. The proposed amendment would implement Senate Bill 1282.

BACKGROUND

Senate Bill 1282 allows localities to require Zoning Administrative approval of a zoning permit for the installation of a small cell facility by a wireless services provider or wireless services infrastructure provider on an existing structure and to charge reasonable fees for the processing of such permits. A copy of Senate Bill 1282 is enclosed as Attachment A. The proposed amendment would implement Senate Bill 1282 by:

- Adding new small cell facility and wireless facility definitions and revising the mobile and land based telecommunications definition and the telecommunications definition to clarify that those facilities are distinct from small cell facilities.
- Adding a new Sect. 2-519 pertaining to small cell facilities. This section:
 - (a) Includes pertinent definitions;
 - (b) Outlines the Zoning Administrator review process and submission requirements;
 - (c) Limits a single application to 35 permit requests;
 - (d) Includes reasons that the Zoning Administrator may use to deny a small cell facility permit request;
 - (e) Requires a small cell facility to be removed within 120 days after such facility is no longer in use; and
 - (f) States that micro-wireless facilities (a type of small cell facility) that do not exceed certain dimensions are not subject to the small cell facility permit requirement.
- Adds a new Par. 6 to Sect. 7-206 that stipulates that no small cell facility can be installed on any structure in a Historic Overlay District unless, at the time the applicant submits its application for a zoning permit, it can be demonstrated that approval of the facility was obtained from the Architectural Review Board as being architecturally compatible with the historical, architectural or cultural character of the Historic Overlay District; or the Director of the Department of Planning and Zoning has deemed that the facility is neither adjacent to nor visible from a major thoroughfare, historic byway, road listed or determined to be eligible for listing in the National Register, or a contributing or historic property.

- Revises the mobile and land based telecommunication provisions in Sect. 2-514 to:
 - (a) Provide clarity that when the cumulative volume of all antennas and associated equipment installed on an existing structure or on the ground adjacent to a structure exceeds the limitations contained in Sect. 2-519, or when such antennas and equipment are installed on a structure that is not already existing or approved for installation, the facility is a mobile and land based telecommunication facility and subject to Sect. 2-514.
 - (b) Par. 2 of Sect. 2-514 contains the provisions that allow antennas to be mounted on existing or replacement light or utility poles by right and without any special exception approval. Par. 2 would be revised to increase the maximum size of a pole mounted equipment cabinet from 28 to 32 cubic feet in volume. The increase in equipment size is proposed in response to Senate Bill 1282, which allows an equipment cabinet associated with small cell facilities to not exceed 28 cubic feet in volume, and the size of the equipment cabinets allowed under Sect. 2-514 needs to be at least as large, if not larger, than the equipment cabinets allowed in conjunction with a small cell facility.

REGULATORY IMPACT

The proposed Zoning Ordinance would require wireless services providers and wireless services infrastructure providers to obtain a permit from the Zoning Administrator for the installation of a small cell facility on an existing structure. The Zoning Administrator must approve or deny the application within 60 days of receipt of a complete application and the 60 day review period may be extended an additional 30 days by the Zoning Administrator. The application is deemed approved if the Zoning Administrator fails to act within the initial 60 day period or an extended 30 day period. Small cell facilities would not be required to receive Planning Commission review under §15.2-2232 of the *Code of Virginia*.

FISCAL IMPACT

The permit fee, as allowed by Senate Bill 1282, would be (1) \$100 each for up to five small cell facilities on a single application and (2) \$50 for each additional small cell facility on a single application. A single application may include up to 35 permit requests. Therefore, the application fee for 35 permit requests on a single application would be \$2,000. Small cell facilities are typically part of a network and it is anticipated that there will be multiple permit requests on a single application. It is estimated that there may be approximately 10 to 15 small cell applications each year. However, it is likely that there will be applications with less than 35 permit requests and therefore, an application fee of less than \$2,000. Therefore, it is estimated that there may be \$15,000 to \$20,000 of revenue generated each year from the small cell facility permit fees. The new small cell facility permits can be processed using existing staff and resources.

CONCLUSION

Given that Senate Bill 1282, which was adopted by the 2017 Virginia General Assembly, allows localities to require Zoning Administrative approval of a zoning permit for the installation of a small cell facility by a wireless services provider or wireless services infrastructure provider on an existing structure, including in the right-of-way, and to charge reasonable fees for the processing of such permits, and the proposed amendment implements Senate Bill 1282, Staff recommends approval of the proposed amendment with an effective date of 12:01 A.M. on July 1, 2017.

PROPOSED REVISIONS TO ARTICLE 7

ALTERNATIVE 1: ARB approval authority over all small cell facilities in Historic Overlay Districts

Amend Article 7, Overlay and Commercial Revitalization District Regulations, Part 2, Historic Overlay Districts, Sect. 7-206, Use Limitations, by adding a new Par. 6 to read as follows:

In addition to the use limitations presented for the zoning districts in which a Historic Overlay District is located, the following use limitations shall apply:

6. No small cell facility may be installed on any structure that is in a Historic Overlay District unless a permit application for such facility has been reviewed and recommended for approval by the ARB. Paragraph 5(C) of Sect. 7-204 shall be deemed to apply to the review of small cell facility permit applications, and the ARB may request submission of photographic simulations of the proposed facility as it would appear on the existing structure; schematic drawings showing the color, proposed material, and scale of the proposed facility relative to the existing structure; or other similar materials that will assist the ARB in timely reviewing such permit applications. The ARB will review any such small cell facility permit application in accordance with all applicable provisions of this Article and render its decision no later than 45 days after the permit application is filed with the Department of Planning and Zoning. If such recommendation is not rendered within 45 days, the Zoning Administrator is directed to make the decision without the ARB's recommendation.

ALTERNATIVE 2: Limited ARB review in Historic Overlay Districts

Same language as above, except that the ARB's recommended approval would only be required for small cell facility permit applications for installation on an existing structure that is on or adjacent to a contributing or historic property in a Historic Overlay District.

ALTERNATIVE 3: Broader, but not complete, ARB approval authority over small cell facility applications in Historic Overlay Districts.

Same language as in Alternative 1 above, except that the ARB's recommended approval would be required before a small cell facility may be installed on any structure that is adjacent to or visible from a major thoroughfare, historic byway, road listed or determined to be eligible for listing in the National Register, or a contributing or historic property.

ALTERNATIVE 4:

Amend Article 7, Overlay and Commercial Revitalization District Regulations, Part 2, Historic Overlay Districts, Sect. 7-204, Administration of Historic Overlay District Regulations, by revising Paragraphs 1, 3, 5-8 to read as follows:

7-204 Administration of Historic Overlay District Regulations

Once established, Historic Overlay Districts shall be subject to administrative procedures for the enforcement of such regulations as provided in this Section.

1. All applications for rezoning, special exception, special permit, variance, sign permits, building permits, as qualified below, and all site plans, subdivision plats, grading plans, and small cell facility permits, as qualified below, shall be referred to the ARB for its review and recommendation or decision in accordance with the provisions of this Part.
3. ARB approval shall be required prior to the issuance of Building Permits by the Director and approval of sign or small cell facility permits by the Zoning Administrator for the following:
 - A. Building Permits for the erection, construction, reconstruction, or exterior rehabilitation, remodeling, alteration or restoration of any building or structure in a Historic Overlay District, except as qualified in Par. 4 below;
 - B. Building Permits for the demolition, razing, relocation, or moving of any building or structure in a Historic Overlay District; and
 - C. Sign Permits for the erection, alteration, refacing or relocation of any sign in a Historic Overlay District.
 - D. Small Cell Facility Permits for the installation of any small cell facility, as defined in Sect. 2-519, on an existing structure that is adjacent to or visible from a major thoroughfare, historic byway, road listed or determined to be eligible for listing in the National Register, or a contributing or historic property in a Historic Overlay District. The ARB will recommend approval or denial of any such small cell facility permit application no later than 45 days after it is filed with the Department of Planning and Zoning. If such recommendation is not rendered within 45 days, the Zoning Administrator is directed to make the decision without the ARB's recommendation.

OPTIONAL PARAGRAPH D

- D. Small Cell Facility Permits for the installation of any small cell facility, as defined in Sect. 2-519, on any existing structure that is adjacent to or visible from a contributing or historic property in a Historic Overlay District. The ARB will approve or deny any such small cell facility permit application no later than 45 days after it is filed with the Department of

Planning and Zoning. If such recommendation is not rendered within 45 days, the Zoning Administrator is directed to make the decision without the ARB's recommendation.

5. ARB procedures for the review of Building Permits, sign permits, and small cell facility permits, as required by Par. 3 above, shall be in accordance with the following:
 - A. The applicant shall forward to the ARB copies of the Building Permit, sign or small cell facility permit application, including any accompanying materials filed with such application;
 - B. The ARB may request any or all of the information set forth in Par. 6 below to assist in its review of an application;
 - C. In reviewing applications, the ARB shall not make any requirements except for the purpose of preventing developments architecturally incompatible with the historic aspects of the Historic Overlay District. The ARB shall consider the following in determining the appropriateness of architectural features:
 - (1) The exterior architectural features, including all signs, which are visible from a public right-of-way or contributing or historic property;
 - (2) The general design, size, arrangement, texture, material, color and fenestration of the proposed building, structure, or small cell facility and the relation of such factors to similar features of historic or contributing buildings or structures within the Historic Overlay District;
 - (3) The extent to which the building, structure, small cell facility, or sign would be harmonious with or architecturally incompatible with historic or contributing buildings or structures within the district;
 - (4) The extent to which the building or structure will preserve or protect historic places and areas of historic significance in the County;
 - (5) The extent to which the building or structure will promote the general welfare of the County and all citizens by the preservation and protection of historic places and areas of historic interest in the County.

- D. In reviewing an application for a Building Permit to raze or demolish a building or structure, the ARB shall review the circumstances and the condition of the structure or part proposed for demolition and make its determination based on consideration of any or all of the following criteria:
- (1) Is the building of such architectural or historical interest that its removal would be to the detriment of the public interest?
 - (2) Is the building of such old and unusual or uncommon design, texture and material that it could not be reproduced or be reproduced only with great difficulty?
 - (3) Would retention of the building help preserve and protect a historic place or area of historic interest in the County?
 - (4) Does the building or structure contribute to the significance of the district?
- E. In reviewing an application for a Building Permit to move or relocate a building or structure, the ARB shall consider the following criteria:
- (1) Would the proposed relocation have a detrimental effect on the structural soundness of the building or structure?
 - (2) Would the proposed relocation have a detrimental effect on the historical aspects of other historic or contributing properties in the Historic Overlay District?
 - (3) Would relocation provide new surroundings that would be harmonious with or incongruous to the historical and architectural aspects of the structure or building?
 - (4) Would relocation of the building help preserve and protect a historic place or area of historic interest in the County?
 - (5) Does the building or structure contribute to the significance of the district?
- F. The ARB, on the basis of the information received from the applicant and from its general background and knowledge, and upon application of the appropriate criteria set forth in this Par. 5 and Par. 7 below shall approve, approve with modifications, or disapprove the application. If the ARB approves or approves with modification the application, it shall authorize the Director to issue the Building Permit or the Zoning Administrator to approve the sign permit. If the ARB disapproves the application, it shall

so notify the applicant and the Director or the Zoning Administrator. With respect to small cell facility permit applications, the ARB will make its recommendation of approval or disapproval to the Zoning Administrator, who will then decide whether to issue the permit application based on the application as a whole and including the ARB's recommendation.

6. For all applications and plans subject to ARB review, the ARB may require the submission of any or all of the following information and any other materials as may be deemed necessary for its review.

- A. Statement of proposed use, name of proposed user;
- B. Statement of estimated time of construction;
- C. Maps relating proposed use to surrounding property, zoning, and the historic district;
- D. A plan showing building configuration, topography, grading and paving;
- E. Architectural schematic drawings showing floor plans, all exterior elevations (principal one in color);

Color photographs of the property to be changed, adjacent properties, and similar properties within or near the district that clearly show the visual character of the surrounding area;

- G. A plan and section drawings of the site showing the relationship between new construction and existing structures indicating building heights, ground elevations, and the general location of existing and proposed plant materials;
- H. A landscaping plan showing the location and identification of existing and proposed plantings, landscape features such as fences, gates, retaining walls, and paving, a listing indicating the name and size of proposed plantings, and the limits of clearing;
- I. A plan showing exterior signs, graphics, and lighting to establish location, size, color, and type of materials; and
- J. Samples, descriptive literature, or photographs showing the type and color of fixtures to be installed and primary building materials including foundation, cladding, trim, and roofing.
- K. With respect to small cell facility permit applications, the ARB may request submission of photographic simulations of the proposed facility as it would appear on the existing structure; schematic drawings showing

the color, proposed material, and scale of the proposed facility relative to the existing structure; or other similar materials that will assist the ARB in timely reviewing such permit applications.

7. To facilitate the review of applications, the ARB shall formulate and adopt guidelines for the installation of small cell facilities on existing structures or the new construction and the exterior alteration of existing buildings, structures, and sites located within Historic Overlay Districts based on the following standards:
 - A. A property should be used for its historic purpose or be adapted for a new use that requires minimal change to the defining characteristics of the building, its site, and its environs.
 - B. The historic character of a property should be retained and preserved; the removal of historic materials or alteration of features and spaces that characterize a property should be avoided.
 - C. Changes that create a false sense of historical development should not be undertaken.
 - D. Most properties change over time and those changes that have acquired historic significance in their own right should be retained and preserved.
 - E. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property should be preserved.
 - F. Deteriorated historic features should be repaired rather than replaced unless the severity of deterioration requires replacement of a distinctive feature; the new feature should match the old in design, color, texture, and other visual qualities, and, where possible, materials; replacement of missing features should be substantiated by documentary, physical, or pictorial evidence.
 - G. Harsh chemical or abrasive treatments that cause damage to historic materials should not be used; the surface cleaning of structures, if appropriate, should be undertaken using the gentlest means possible.
 - H. Significant archaeological resources affected by a project should be protected and preserved; if such resources must be disturbed, mitigation measures should be undertaken.
 - I. New additions, exterior alterations, or related new construction should not destroy historic materials that characterize the property; new work should be differentiated from the old and should be compatible with the

massing, size, scale, and architectural features to protect the historic integrity of the property and its environs.

- J. New additions or related new construction should be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environs would be unimpaired.
 - K. Site design, including the placement of structures, shaping of landforms, and use of plant materials should be undertaken in such a manner that the visual characteristics and physical integrity of a historic property and its environs is preserved and enhanced.
 - L. New construction associated with new development should be undertaken in a manner that is compatible and complimentary to the existing character of the historic district.
8. Approval authorizing issuance of a Building Permit or a sign permit by the ARB, or Board of Supervisors on appeal as provided for below, shall be valid for two (2) years or for such longer period as may be deemed appropriate by the approving body from the date of approval or from December 6, 1994 whichever occurs later, and shall continue for the life of the Building Permit or sign permit. Approval of a small cell facility shall remain valid unless it is subject to removal under Sect. 2-519 or is otherwise required to be removed by state or federal law.

PROPOSED AMENDMENT

This proposed Zoning Ordinance amendment is based on the Zoning Ordinance in effect as of May 16, 2017 and there may be other proposed amendments which may affect some of the numbering, order or text arrangement of the paragraphs or sections set forth in this amendment, which other amendments may be adopted prior to action on this amendment. In such event, any necessary renumbering or editorial revisions caused by the adoption of any Zoning Ordinance amendments by the Board of Supervisors prior to the date of adoption of this amendment will be administratively incorporated by the Clerk in the printed version of this amendment following Board adoption.

1 Amend Article 20, Ordinance Structure, Interpretations and Definitions, Part 3, Definitions,
2 by revising the MOBILE AND LAND BASED TELECOMMUNICATION FACILITY and
3 TELECOMMUNICATION FACILITY definitions, and by adding new SMALL CELL
4 FACILITY and WIRELESS FACILITY definitions to read as follows:

5
6 MOBILE AND LAND BASED TELECOMMUNICATION FACILITY: Omnidirectional and
7 directional antennas such as whip antennas, panel antennas, cylinder antennas, microwave dishes,
8 and receive-only satellite dishes and related equipment for wireless transmission with low wattage
9 transmitters not to exceed 500 watts, from a sender to one or more receivers, such as for mobile
10 cellular telephones and mobile radio system facilities. Such antennas and equipment, due to
11 cumulative volume on a single structure or in a single location, exceed the limits set forth in Sect.
12 2-519. For the purposes of this Ordinance, a mobile and land based telecommunication facility
13 shall include those facilities subject to the provisions of Sect. 2-514 of this Ordinance and/or Sect.
14 15.2-2232 of the *Code of Virginia*, including monopoles and telecommunication towers. A mobile
15 and land based telecommunication facility does not include a SMALL CELL FACILITY.

16
17 SMALL CELL FACILITY: A type of WIRELESS FACILITY, as defined in Sect. 15.2-2316.3
18 of the *Code of Virginia*, that includes antennas and associated equipment installed on an existing
19 structure. The antennas and equipment associated with a small cell facility may be of the same
20 type as a Mobile and Land Based Telecommunication Facility under this Ordinance, but must meet
21 all cumulative volume and other requirements of Sect. 2-519. Any wireless facility that does not
22 meet all of the provisions contained in Sect. 2-519 will not be deemed a small cell facility, but will
23 be deemed a MOBILE AND LAND BASED TELECOMMUNICATION FACILITY and subject
24 to Sect. 2-514.

25
26 TELECOMMUNICATION FACILITY: Facilities that process information through the use of
27 TELECOMMUNICATION, including telephone or telegraph central offices and repeat stations.
28 For the purposes of this Ordinance, a telecommunication facility will not be deemed a MOBILE
29 AND LAND BASED TELECOMMUNICATION FACILITY, a SMALL CELL FACILITY, a
30 radio and television broadcasting tower facility, microwave facility, or a SATELLITE EARTH
31 STATION.

32
33 WIRELESS FACILITY: Equipment at a fixed location that enables wireless communications
34 between user equipment and a communications network, including:

1. Equipment associated with wireless services, such as private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services, such as microwave backhaul, and
2. Radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration.

Amend Article 2, General Regulations, Part 5, Qualifying Use, Structure Regulations, as follows:

- **Add a new Sect. 2-519 to read as follows:**

2-519 Small Cell Facilities

The installation of a small cell facility by a wireless services provider or wireless infrastructure provider on an existing structure may be permitted on any lot in any zoning district subject to approval by the Zoning Administrator and compliance with the provisions below.

For the purposes of this provision, an existing structure will be deemed any structure that is installed or approved for installation at the time a wireless services provider or wireless infrastructure provider (provider) provides notice to the County or the Virginia Department of Transportation of an agreement with the owner of the structure to co-locate equipment on that structure. It includes any structure that is currently supporting, designed to support, or capable of supporting the attachment of wireless facilities, including towers, buildings, utility poles, light poles, flag poles, freestanding signs, and water towers. It also includes, without limitation, any structure located within the right-of-way.

A wireless infrastructure provider means any person that builds or installs transmission equipment, wireless facilities, or structures designed to support or capable of supporting wireless facilities, but that is not a wireless services provider.

1. The provider must demonstrate that each small cell facility complies with the following:
 - A. Each antenna is located inside an enclosure of no more than six (6) cubic feet in volume, or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of no more than six (6) cubic feet; and
 - B. All other wireless equipment associated with the facility has a cumulative volume of no more than twenty-eight (28) cubic feet or such higher limit as is established by the Federal Communication Commission.

The following types of associated equipment are not included in the equipment volume calculation: electric meter, concealment, telecommunications demarcation boxes, backup power systems, grounding equipment, power transfer switches, cut-off switches, and vertical cable runs for the connection of power and other services.

2. Before installing any small cell facility, the provider must obtain an approved zoning permit for each facility. The applicant must complete an application for each zoning permit request on forms provided by the County and must file completed forms with the Zoning Administrator. A single application may include up to thirty-five (35) permit requests. The application form may require certification by the applicant that the small cell facility will not materially interfere with or degrade the County's existing public safety communications system.
3. Each permit request must include the specific location of each proposed small cell facility **including specific identification of the existing structure on which the facility will be installed**, specifications showing the size of the antennas and associated equipment of each small cell facility, and a statement from the owner of the existing structure consenting to co-location of the small cell facility on the structure.
4. The Zoning Administrator must approve or deny the application within sixty (60) days of receipt of a complete application. Within ten (10) days after receipt of an application and a valid electronic mail address for the applicant, the Zoning Administrator will notify the applicant by electronic mail whether the application is incomplete and specify any missing information; otherwise, the application will be deemed complete. The sixty (60) day review period may be extended by the Zoning Administrator in writing for a period not to exceed an additional thirty (30) days. The application will be deemed approved if the Zoning Administrator fails to act within the initial sixty (60) days or an extended thirty (30) day period.
5. The application for a small cell facility must be accompanied by the following filing fees made payable to the County of Fairfax:
 - A. \$100 each for up to five (5) small cell facilities on a single application; and
 - B. \$50 for each additional small cell facility on a single application.
6. The Zoning Administrator may deny a proposed location or installation of a small cell facility only for the reasons listed below. Any denial of the application must be in writing and accompanied by an explanation for the denial.

1 A. Material potential interference with other pre-existing communications
 2 facilities or with future communications facilities that have already been
 3 designed and planned for a specific location or that have been reserved for
 4 future public safety communications facilities;

5
 6 B. The installation adversely impacts public safety or other critical public
 7 service needs;

8
 9 C. The installation is on publicly owned or publicly controlled property and
 10 the installation would have an adverse aesthetic impact or due to the absence
 11 of all required approvals from all departments, authorities, and agencies
 12 with jurisdiction over such property; or

13
 14 D. When located in a Historic Overlay District and such location conflicts with
 15 Part 2 of Article 7.

16
 17 7. A small cell facility must be removed by the wireless services provider or
 18 wireless infrastructure provider that installed the facility or is otherwise
 19 responsible for the facility within 120 days after the owner of the existing
 20 structure withdraws or revokes its consent for co-location of such facility; the
 21 owner of the existing structure removes the existing structure; or such facility
 22 is no longer in use, in which case it will be deemed abandoned and must be
 23 removed by such provider on that basis.

24
 25 8. Notwithstanding the above, the installation, placement, maintenance, or
 26 replacement of micro-wireless facilities that are suspended on cables or lines
 27 that are strung between existing utility poles in compliance with national safety
 28 codes will not be subject to this provision. For the purposes of this provision,
 29 a micro-wireless facility is a small cell facility that is no greater than twenty-
 30 four (24) inches in length, fifteen (15) inches in width, and twelve (12) inches
 31 in height, and that has an exterior antenna, if any, no more than eleven (11)
 32 inches in length.

33
 34 - **Amend Sect. 2-514, Limitations on Mobile and Land Based Telecommunication**
 35 **Facilities, by revising the introductory paragraph and Par. 2C to read as follows:**

36
 37 Mobile and land based telecommunication facilities shall be permitted on any lot in the
 38 following zoning districts when such use is in accordance with the following limitations and
 39 when such use is not specifically precluded or regulated by any applicable proffered
 40 condition, development condition, special permit or special exception condition which
 41 limits the number, type and location of antenna and/or related equipment structure. Further
 42 provided, however, such use shall be in substantial conformance with any proffered
 43 condition, development condition, special permit or special exception condition. In
 44 addition, such uses, including those located within the right-of-way, shall be subject to the
 45 requirements of Sect. 15.2-2232 of the Code of Virginia and to the application fee as
 46 provided for in Sect. 18-106. When the cumulative volume of all antennas and associated

equipment installed on an existing structure or on the ground adjacent to an existing structure exceeds the limitations contained in Sect. 2-519 below, or when such antennas and equipment are installed on a structure that is not already existing or approved for installation, the facility will be deemed a mobile and land based telecommunication facility and subject to this section.

2. Antennas mounted on existing or replacement utility distribution and transmission poles (poles) and light/camera standards (standards), with related unmanned equipment cabinets and/or structures, shall be permitted in accordance with the following and may exceed the maximum building height limitations, subject to the following paragraphs:

C. The antennas listed in Par. 2B above shall be permitted as follows:

- (1) In districts that are zoned for single family detached or attached dwellings and are residentially developed, vacant or common open space, antennas shall be limited to poles or standards located in the right-of-way of a major thoroughfare or located no more than ten (10) feet from the lot line abutting the major thoroughfare, and the following:

- (a) When the related equipment cabinet or structure is located on the ground in a front yard or street right-of-way, each provider shall be limited to a cabinet or structure which shall not exceed five (5) feet in height or a total of seventy (70) cubic feet in volume and the cabinet or structure shall be located a minimum of ten (10) feet from all lot lines when located outside of a street right-of-way. Notwithstanding the fence/wall height limitations of Sect. 10-104, ground-mounted equipment cabinets or structures shall be screened by a solid fence, wall or berm five (5) feet in height, an evergreen hedge with an ultimate height of five (5) feet and a planted height of forty-eight (48) inches, or a five (5) foot tall fence, wall, berm and/or landscaping combination.

When located on a pole or standard in the front yard, a maximum of one (1) related equipment cabinet or structure shall be permitted that does not exceed ~~five feet in height or twenty (20)~~ thirty-two (32) cubic feet ***[advertised range is 28 to 40 cubic feet]*** in volume.

When the related equipment cabinet or structure is located on the ground in a side or rear yard, each provider shall be limited to a cabinet or structure which shall not exceed 12 feet in height or a total of 200 square feet in gross floor area and the cabinet or structure shall be located a minimum of 10 feet from all lot lines. Notwithstanding the fence/wall height limitations of Sect. 10-104, ground-mounted related equipment cabinets or structures shall be screened by a solid fence, wall or berm eight (8) feet in height, an evergreen hedge with an ultimate height of eight (8) feet and a planted height of forty-eight (48) inches, or an eight (8) foot tall fence, wall, berm and/or landscaping combination.

If a new equipment cabinet or structure is added to an existing fenced or screened enclosure that contains ground-mounted telecommunications

equipment structures, the screening requirement for the new equipment cabinet or structure may be satisfied with the existing screening, provided that such screening meets the requirements listed above.

When located on a pole or standard in a side or rear yard, a maximum of one (1) related equipment cabinet or structure shall be permitted that does not exceed ~~five (5) feet in height or twenty (20)~~ thirty-two (32) cubic feet ***[advertised range is 28 to 40 cubic feet]*** in volume.

Equipment located within an existing principal or accessory structure shall not be subject to the provisions of this paragraph.

- (b) The height of a replacement pole or standard, including antennas, shall not exceed eighty (80) feet. The diameter of a replacement pole or standard shall not exceed thirty (30) inches.

- (2) In districts that are zoned for multiple family dwellings and are residentially developed with buildings that are thirty-five (35) feet or less in height, vacant or common open space, to include street right-of-ways, the following shall apply:

- (a) When located on the ground, each provider shall be limited to a related equipment cabinet or structure which shall not exceed 12 feet in height or a total of 500 square feet in gross floor area. In addition, ground-mounted equipment cabinets shall be located a minimum of ten (10) feet from all lot lines when located outside of a street right-of-way. Notwithstanding the fence/wall height limitations of Sect. 10-104, ground-mounted related equipment cabinets or structures shall be screened by a solid fence, wall or berm eight (8) feet in height, an evergreen hedge with an ultimate height of eight (8) feet and a planted height of forty-eight (48) inches, or an eight (8) foot tall fence, wall, berm and/or landscaping combination. If a new ground-mounted equipment cabinet or structure is added to an existing fenced or screened enclosure that contains telecommunications equipment structures, the screening requirement for the new equipment cabinet or structure may be satisfied with the existing screening, provided that such screening meets the requirements listed above.

When located on a pole or standard, a maximum of one (1) related equipment cabinet or structure shall be permitted that does not exceed ~~five (5) feet in height or twenty (20)~~ thirty-two (32) cubic feet ***[advertised range is 28 to 40 cubic feet]*** in volume

Equipment located within an existing principal or accessory structure shall not be subject to the provisions of this paragraph.

- (b) The height of a replacement pole or standard, including antennas, shall not exceed 100 feet, provided however, if the height of the existing pole or standard exceeds 100 feet, the replacement pole or standard, including antennas, shall be no more than 15 feet higher. The diameter of a replacement pole or standard shall not exceed forty-two (42) inches.

(3) In commercial or industrial districts; in commercial areas of PDH, PDC, PRC PRM, and PTC Districts; in districts zoned for multiple family dwellings and residentially developed with buildings that are greater than thirty-five (35) feet in height; in any zoning district on lots containing: Group 3 special permit uses, except home child care facilities and group housekeeping units, Group 4, 5 or 6 special permit uses, Category 1, 2, 3 or 4 special exception uses, or Category 5 special exception uses of country clubs, golf clubs, commercial golf courses, golf driving ranges, miniature golf ancillary to golf driving ranges, baseball hitting and archery ranges, or kennels and veterinary hospitals ancillary to kennels; or in any zoning district on property owned or controlled by a public use or Fairfax County governmental unit, to include street right-of-ways, the following shall apply:

- (a) When located on the ground, each provider shall be limited to a related equipment cabinet or structure which shall not exceed 12 feet in height or a total of 500 square feet in gross floor area. Notwithstanding the fence/wall height limitations of Sect. 10-104, ground-mounted related equipment cabinets or structures shall be screened from view of all residentially zoned and developed or residentially zoned and vacant property which abuts or is directly across the street from the structure or cabinet. Such screening shall consist of a solid fence, wall or berm eight (8) feet in height, an evergreen hedge with an ultimate height of eight (8) feet and a planted height of forty-eight (48) inches, or an eight (8) foot tall fence, wall, berm and/or landscaping combination. In addition to the above, screening for ground-mounted equipment cabinets located on property used for athletic fields and owned or controlled by a public use or a Fairfax County governmental unit may consist of an eight (8) foot tall chain link fence when such cabinets are located entirely or partially under bleachers. If a new ground-mounted equipment cabinet or structure is added to an existing fenced or screened enclosure that contains telecommunications equipment structures, the screening requirement for the new equipment cabinet or structure may be satisfied with the existing screening, provided that such screening meets the requirements listed above.

When located on a pole or standard, a maximum of one (1) related equipment cabinet or structure shall be permitted that does not exceed ~~five (5) feet in height or twenty (20)~~ thirty-two (32) cubic feet ***[advertised range is 28 to 40 cubic feet]*** in volume.

Equipment located within an existing principal or accessory structure shall not be subject to the provisions of this paragraph.

- (b) Except for replacement light/camera standards identified in the following paragraph, the height of a replacement pole or standard, including antennas, shall not exceed 100 feet, provided however, if the height of the existing pole or standard exceeds 100 feet, the replacement pole or standard,

including antennas, shall be no more than 15 feet higher. The diameter of a replacement pole or standard shall not exceed sixty (60) inches.

The height of a new or replacement light/camera standard on the property used for athletic fields and owned or controlled by a public use or Fairfax County governmental unit, including antennas, shall not exceed 125 feet. The diameter of the light/camera standard shall not exceed sixty (60) inches.

- (4) In the rights-of-way for interstates highways, the Dulles International Airport Access Highway or the combined Dulles International Airport Access Highway and Dulles Toll Road, the following shall apply:

- (a) When located on the ground, each provider shall be limited to a related equipment cabinet or structure which shall not exceed 12 feet in height or a total of 500 square feet in gross floor area and shall be located a minimum of 20 feet from the street right-of-way line. Notwithstanding the fence/wall height limitations of Sect. 10-104, ground-mounted related equipment cabinets or structures shall be screened by a solid fence, wall or berm eight (8) feet in height, an evergreen hedge with an ultimate height of eight (8) feet and a planted height of forty-eight (48) inches, or an eight (8) foot tall fence, wall, berm and/or landscaping combination. If a new ground-mounted equipment cabinet or structure is added to an existing fenced or screened enclosure that contains telecommunications equipment structures, the screening requirement for the new equipment cabinet or structure may be satisfied with the existing screening, provided that such screening meets the requirements listed above.

When located on a pole or standard, a maximum of one (1) related equipment cabinet or structure shall be permitted that does not exceed ~~five (5) feet in height or twenty (20)~~ thirty-two (32) cubic feet ***[advertised range is 28 to 40 cubic feet]*** in volume.

- (b) The height of a replacement pole or standard, including antennas, shall not exceed 100 feet. However, if the height of the existing pole or standard exceeds 100 feet, the replacement pole or standard, including antennas, shall be no more than 15 feet higher. The diameter of a replacement pole or standard shall not exceed forty-two (42) inches.

- (5) In any zoning district, in a utility transmission easement, the following shall apply:

- (a) When located on the ground, each provider shall be limited to a related equipment cabinet or structure which shall not exceed 12 feet in height or a total of 500 square feet in gross floor area and shall be located a minimum of 20 feet from the utility transmission easement line. Notwithstanding the fence/wall height limitations of Sect. 10-104, ground-mounted equipment cabinets or structures shall be screened by a solid fence, wall or berm eight

(8) feet in height, an evergreen hedge with an ultimate height of eight (8) feet and a planted height of forty-eight (48) inches, or an eight (8) foot tall fence, wall, berm and/or landscaping combination. If a new ground-mounted equipment cabinet or structure is added to an existing fenced or screened enclosure that contains telecommunications equipment structures, the screening requirement for a new equipment cabinet or structure may be satisfied with the existing screening, provided that such screening meets the requirements listed above.

When located on a pole or standard, a maximum of one (1) related equipment cabinet or structure shall be permitted that does not exceed ~~five (5) feet in height or twenty (20)~~ thirty-two (32) cubic feet *[advertised range is 28 to 40 cubic feet]* in volume.

- (b) The height of a replacement pole or standard, including antennas, shall not exceed eighty (80) feet in zoning districts that are zoned for single family detached or attached dwellings and are residentially developed, vacant or common open space. However if the height of the existing pole or standard exceeds eighty (80) feet, the replacement pole or standard, including antennas shall be no more than fifteen (15) feet higher. The diameter of a replacement pole or standard shall not exceed thirty (30) inches.

In all other instances, the height of a replacement pole or standard, including antennas, shall not exceed 100 feet. However, if the height of the existing pole or standard exceeds 100 feet, the replacement pole or standard, including antennas shall be no more than 15 feet higher. The diameter of a replacement pole or standard shall not exceed forty-two (42) inches.

PROPOSED REVISION TO ARTICLE 7, ATTACHED

~~Amend Article 7, Overlay and Commercial Revitalization District Regulations, Part 2, Historic Overlay Districts, Sect. 7-206, Use Limitations, by adding a new Par. 6 to read as follows:~~

~~In addition to the use limitations presented for the zoning districts in which a Historic Overlay District is located, the following use limitations shall apply:~~

- ~~6. No small cell facility may be installed on any structure in a Historic Overlay District unless, at the time the applicant submits its application for a zoning permit, it can be demonstrated that approval was obtained from the ARB as being architecturally compatible with the historical, architectural or cultural character of the Historic Overlay District or the Director of the Department of Planning and Zoning has deemed that the facility is neither adjacent to nor visible from a major thoroughfare, historic byway, road listed or determined to be eligible for listing in the National Register, or a contributing or historic property.~~

1 **Amend Article 18, Administration, Amendments, Violations and Penalties, Part 1,**
2 **Administration, Sect. 18-106, Application and Zoning Compliance Letter Fees, by revising**
3 **Par. 5 to read as follows:**

4
5 All appeals and applications as provided for in this Ordinance and requests for zoning compliance
6 letters shall be accompanied by a filing fee in the amount to be determined by the following
7 paragraphs unless otherwise waived by the Board for good cause shown; except that no fee shall
8 be required where the applicant is the County of Fairfax or any agency, authority, commission or
9 other body specifically created by the County, State or Federal Government. All fees shall be
10 made payable to the County of Fairfax. Receipts therefore shall be issued in duplicate, one (1)
11 copy of which receipt shall be maintained on file with the Department of Planning and Zoning.

- 12
13 5. Fees for food trucks, small cell facilities, home occupations, sign permits and site plans shall
14 be as specified in Articles 2, 10, 12 and 17, respectively.

ADMINISTRATIVE - 7

Authorization to Advertise Public Hearings on a Proposed Zoning Ordinance Amendment
Re: Public Facilities and Modifications to Existing Telecommunications Facilities

ISSUE:

Fairfax County currently does not charge a fee for processing the review of public facilities under §15.2-2232 of the *Code of Virginia* and modifications to existing wireless facilities under Sect. 6409 of the Spectrum Act (47 U.S.C. § 1455). These reviews are chiefly for telecommunications facilities, monopoles, towers and antennas that require a great deal of staff time and resources to process. All are governed by maximum review periods mandated either by state or federal legislation. The FY 2018 budget includes the institution of fees in an effort to recoup some of the costs associated with these reviews. The fees proposed in this amendment are as follows:

2232 Review with other rezoning, special permit or special exception: \$0

2232 Review with Public Hearing: \$1,500

2232 Feature Shown Review without public hearing: \$750

2232 Feature Shown Review for Distributed Antenna Systems (DAS): \$750

Note: Feature Shown review fees for DAS: \$750 fee for the first node, \$100 fee for each node thereafter, with a maximum of 20 nodes per single application.

Section 6409 Review for Modifications to Existing Wireless Facilities: \$500

RECOMMENDATION:

The County Executive recommends the authorization of the proposed amendment by adopting the resolution set forth in Attachment 1.

TIMING:

Board action is requested on May 16, 2017, to provide sufficient time to advertise the proposed Planning Commission public hearing on June 15, 2017, at 8:15 p.m., and the proposed Board public hearing on June 20, 2017, at 4:00 p.m.

Board Agenda Item
May 16, 2017

BACKGROUND:

As part of the FY 2018 budget process the County Executive asked all departments to look for ways to reduce costs and to enhance revenues where appropriate. The Department of Planning and Zoning currently does not charge a fee for processing 2232 and Sect. 6409 reviews. The institution of application fees is an appropriate strategy to raise revenue and recoup some of the costs associated with these reviews and to treat these actions similar to how other zoning reviews and zoning actions are handled by the county.

REGULATORY IMPACT:

The proposed Zoning Ordinance would require applicants for 2232 review under §15.2-2232 of the *Code of Virginia*, and 6409 reviews under the Spectrum Act, to pay an application fee to cover some of the costs associated with these reviews. Under provisions already in the ordinance, these new fees would not be required where the applicant is the County or any agency, authority, commission or other body specifically created by the County, such as the Fairfax County School Board or Park Authority.

FISCAL IMPACT:

A revenue estimate of \$85,000 was included for these fees in the FY 2018 Adopted Budget Plan. The proposed 2232 and Sect. 6409 fees will vary based on the type of application.

ENCLOSED DOCUMENTS:

Attachment 1 – Resolution
Attachment 2 – Staff Report

STAFF:

Robert A. Stalzer, Deputy County Executive
Fred R. Selden, Director, Department of Planning and Zoning (DPZ)
Leslie B. Johnson, Zoning Administrator, DPZ
Chris Caperton, Assistant Director, Planning Division

ASSIGNED COUNSEL:

Laura S. Gori, Senior Assistant County Attorney

RESOLUTION

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center Building, Fairfax, Virginia, on May 16, 2017, at which meeting a quorum was present and voting, the following resolution was adopted:

WHEREAS, Section 15.2-2232 of the Code of Virginia requires Planning Commission review of certain public facilities;

WHEREAS, once wireless facilities are approved, any request for a modification of an existing structure, wireless tower, or base station that does not substantially change the physical dimensions of such tower or base station must be submitted to the locality for review and decision under Section 6409 of the Spectrum Act (47 U.S.C. Section 1455);

WHEREAS, there is currently no application fee for Section 15.2-2232 or Section 6409 Reviews, and there is time and cost expended by the County for such reviews;

WHEREAS, Section 15.2-2286(A)(6) of the *Code of Virginia* states in relevant part that a zoning ordinance may include reasonable provisions for, among other things, "the collection of fees to cover the cost of making inspections, issuing permits, advertising of notices and other expenses incident to the administration of a zoning ordinance. . . .";

WHEREAS, the Zoning Ordinance may be amended to specifically require Zoning Administrator review under Section 15.2-2232 and Section 6409 of the Spectrum Act and impose fees for such reviews, provided that the fees do not exceed processing costs; and

WHEREAS, the public necessity, convenience, general welfare, and good zoning practice require consideration of the proposed revisions to Chapter 112 (Zoning Ordinance) of the County Code.

NOW, THEREFORE, BE IT RESOLVED, for the foregoing reasons and as further set forth in the Staff Report, the Board of Supervisors authorizes the advertisement of the proposed Zoning Ordinance amendment as recommended by staff.

A Copy Teste:

Catherine A. Chianese
Clerk to the Board of Supervisors



FAIRFAX
COUNTY

STAFF REPORT

V I R G I N I A

PROPOSED ZONING ORDINANCE AMENDMENT

PUBLIC FACILITIES AND
MODIFICATIONS TO EXISTING WIRELESS FACILITIES

PUBLIC HEARING DATES

Planning Commission June 15, 2017 at 8:15 p.m.

Board of Supervisors June 20, 2017 at 4:00 p.m.

PREPARED BY
ZONING ADMINISTRATION DIVISION
DEPARTMENT OF PLANNING AND ZONING
703-324-1314

May 16, 2017

FS/CC



Americans With Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call 703-324-1334 or TTY 711 (Virginia Relay Center).

STAFF COMMENT

As part of the FY 2018 budget process the County Executive requested all departments to look for ways to reduce costs and to enhance revenues where appropriate. The Department of Planning and Zoning (DPZ) historically has processed reviews required under § 15.2-2232 of the *Code of Virginia* (“2232 reviews”) without any type of application fee, whereas many other jurisdictions charge for this service by requiring special permit or special exception approvals for these types of facilities. Therefore, DPZ identified the establishment of a 2232 review application fee as an appropriate strategy to recoup some of the costs associated with these reviews and to treat these actions similar to how other zoning applications are addressed by the County.

The proposed Zoning Ordinance amendment would add new sections to Part 5 of Article 2, General Regulations, addressing the review of public facilities under § 15.2-2232 of the *Code of Virginia* and modifications to existing wireless facilities under Sect. 6409 of the Spectrum Act (47 U.S.C. § 1455). The amendment establishes an application fee requirement to cover the costs associated with these types of review. Under provisions already in the Zoning Ordinance, this new fee would not apply to County agencies seeking 2232 review for their projects.

In formulating this amendment to establish fees for 2232 applications, staff used the following as guiding principles:

- Establish different fees based on the types of 2232 review applications differentiating between those requiring a public hearing and those that are deemed to be a “Feature Shown” in the Comprehensive Plan where a public hearing is not required. There would also be an initial application fee and a lesser per node fee for Distributed Antenna Systems (DAS) where multiple antenna locations are reviewed under a single application. Lastly, there would be a separate fee for modifications to existing wireless facilities under Sect. 6409 of the Spectrum Act.
- Represent a cost recovery rate of approximately one-half to two-thirds of the costs incurred in the processing of the various types of 2232 review applications.
- Be generally comparable to similar types of zoning application fees.
- Conform with Sect. 15.22286 (A) (6) of the *Code of Virginia* which provides that the Zoning Ordinance may include reasonable provisions “[f]or the collection of fees to cover the costs of making inspections, issuing permits, advertising of notices, and other expenses incident to the administration of a zoning ordinance or to the filing and processing of an appeal or amendment thereto.

The proposed amendment will establish the following fees for 2232 review applications and applications submitted under Sect. 6409 of the Spectrum Act:

2232 applications with a public hearing:	\$1500
2232 Feature Shown without a public hearing:	\$750

2232 Review with other rezoning, special permit or special exception: \$0

2232 Feature Shown for DAS: \$750

Sect. 6409 of the Spectrum Act Review: \$500

Note: For purposes of computing fees for DAS, there will be a \$750 fee for the first node, a \$100 fee for each node thereafter, and a maximum of 20 nodes per single application.

These fees are being proposed based on the staff resources required to process a typical 2232 review or Spectrum Act request.

Staff recommends approval of the proposed amendment with an effective date of 12:01 A.M. on July 1, 2017.

PROPOSED AMENDMENT

This proposed Zoning Ordinance amendment is based on the Zoning Ordinance in effect as of May 16, 2017 and there may be other proposed amendments which may affect some of the numbering, order or text arrangement of the paragraphs or sections set forth in this amendment, which other amendments may be adopted prior to action on this amendment. In such event, any necessary renumbering or editorial revisions caused by the adoption of any Zoning Ordinance amendments by the Board of Supervisors prior to the date of adoption of this amendment will be administratively incorporated by the Clerk in the printed version of this amendment following Board adoption.

1 Amend Article 2, General Regulations, Part 5, Qualifying Use, Structure Regulations, as
2 follows:

3
4 - Add a new Sect. 2-520 to read as follows:

5
6 **2-520 Modifications to Existing Wireless Facilities**

7
8 Once wireless facilities are approved in accordance with this Ordinance, any
9 request for a modification of an existing structure, wireless tower, or base station
10 that does not substantially change the physical dimensions of such tower or base
11 station must be submitted to the Zoning Administrator for review and decision
12 under Sect. 6409 of the Spectrum Act (47 U.S.C. § 1455). A request for a
13 modification request that would substantially change the physical dimensions is
14 subject to Planning Commission review under Sect. 15.2-2232 of the Code of
15 Virginia. Any application for such review is subject to the fee provided for in
16 Sect. 18-106.

17
18 A base station is a structure that currently supports or houses antennas, transceivers,
19 coaxial cables, power cables, or other associated equipment at a specific site that is
20 authorized to communicate with mobile stations, general consisting of radio
21 transceivers, antennas, coaxial cables, power supplies, and other associated
22 electronics.

23
24 - Add a new Sect. 2-521 to read as follows:

25
26 **2-521 Public Facilities**

27
28 A public facility is any use, facility, or other feature that is subject to Planning
29 Commission review under Sect. 15.2-2232 of the Code of Virginia. Any
30 application for such review is subject to the fee provided for in Sect. 18-106.
31
32

Amend Article 18, Administration, Amendments, Violations and Penalties, Part 1, Administration, Sect. 18-106, Application and Zoning Compliance Letter Fees, by adding new Paragraphs 12 and 13 to read as follows:

All appeals and applications as provided for in this Ordinance and requests for zoning compliance letters shall be accompanied by a filing fee in the amount to be determined by the following paragraphs unless otherwise waived by the Board for good cause shown; except that no fee shall be required where the applicant is the County of Fairfax or any agency, authority, commission or other body specifically created by the County, State or Federal Government. All fees shall be made payable to the County of Fairfax. Receipts therefore shall be issued in duplicate, one (1) copy of which receipt shall be maintained on file with the Department of Planning and Zoning.

12. Reviews required to comply with Sect. 15.2-2232 of the Code of Virginia, as provided for in this Ordinance:

2232 Review with public hearing: \$1500

2232 Feature Shown without public hearing: \$750

2232 Review with other rezoning, special permit or special exception: \$0

2232 Feature Shown for Distributed Antenna Systems (DAS): \$750

Note: For purposes of computing fees for DAS, there shall be a \$750 fee for the first node, a \$100 fee for each node thereafter, and a maximum of 20 nodes per single application.

13. Reviews required to comply with Sect. 6409 of the Spectrum Act \$500

REVISED ACTION - 1

Endorsement of the Recommended List of Potential Improvements for Consideration for the Transform I-66 Outside the Beltway Project (Braddock, Hunter Mill, Providence, Springfield and Sully Districts)

ISSUE:

Board of Supervisors endorsement of the recommended list of potential improvements for consideration for the Transform I-66 Outside the Beltway project.

RECOMMENDATION:

The County Executive recommends that the Board endorse the recommended list for potential improvement projects in Fairfax County to be considered for implementation from a portion of the Concession Fee of \$500 million being paid by Express Mobility Partners. The project list and the planning level estimates are contained in the attached letter to Secretary Layne (Attachment 1).

TIMING:

Board action is requested on May 16, 2017, so the Commonwealth Transportation Board (CTB) will have the Board's comments before it takes any action to allocate the Concession Fee as part of the Transform I-66 Outside the Beltway project to specific projects.

BACKGROUND:

On November 3, 2016, Governor McAuliffe announced that the Commonwealth had selected Express Mobility Partners to finance and deliver the Transform I-66 Outside the Beltway project. On December 7, 2016, the CTB endorsed the Commissioner's final Finding of Public Interest and supported the Commissioner's execution of a Comprehensive Agreement with Express Mobility Partners. As part of its proposal, Express Mobility Partners offered to provide a Concession Fee of \$500 million to be used for additional improvements to the I-66 Corridor, which are currently not part of the Transform I-66 Outside the Beltway project. This is expected to be paid at financial close for the project. Staff has developed the following prioritized list of projects that would provide added value to the Express Lanes project and the toll users, if implemented with the Concession Fee:

High Priority

- Jermantown Road bridge widening to four lanes versus two lanes in the current Transform I-66 Outside the Beltway project plans, consistent with a recently adopted change in the County's Comprehensive Plan.
- Intersection improvement at Route 50 and Waples Mill Road by providing an additional left turn lane from Route 50 westbound onto Waples Mill Road.
- Monument Drive bridge pedestrian facility improvement by adding a sidewalk on the west side of the existing bridge with a signalized crosswalk at the ramp crossing.
- A parking structure at the Fairfax Corner (County-owned) site that has been identified for a future park-and-ride lot for the Transform I-66 Outside the Beltway project.
- Additional funding for the Transportation Management Plan (TMP), that will implement measures to mitigate the impacts of the five-year construction period on traffic congestion. Such additional TMP funding should include, but not be limited to, fully funding the Fairfax County Police Department's request to assist in addressing traffic impacts of construction, signal preemption for emergency vehicles combined with signal priority for transit vehicles on major parallel routes to the I-66 corridor, and Fairfax Connector's ½ fare buy down with "non-federal" funds.
- Completion of missing segments of the pedestrian walkway on the south side of Lee Highway from Nutley Street to Vaden Drive.

Medium Priority

- Poplar Tree Road bridge construction to four lanes instead of two lanes. (At a minimum, not to preclude the future widening)
- Implementing the Preferred Alternative concept which would provide a wider median in the Centreville area from west of Route 28 through the Route 29 interchange and to the planned future rail station location, a distance of approximately 5,000 feet, instead of the limited improvements in Phase 1 of the Transform I-66 Outside the Beltway project. If the I-66 overpass above Route 29 would be affected, reconstruction of this bridge should be included in this project.
- ~~Constructing a four-lane divided road between Stone Road at Route 29 and New Braddock Road. (At a minimum, Underpinning I-66 to not to preclude allow~~ the future extension between Stone Road at Route 29 and New Braddock Road).
- Implementing the Preferred Alternative Concept at the I-66 and Monument Drive interchange, instead of Phase 1 of the Transform I-66 Outside the Beltway project.
- Additional ramp connections from I-66 Eastbound Express Lane to Northbound Fairfax County Parkway and from Southbound Fairfax County Parkway to I-66 Westbound Express Lane.

Board Agenda Item
May 16, 2017

The following key milestones are anticipated for the Transform I-66 Outside the Beltway project:

June 2017	Public Information Meetings
Fall 2017	Design Public Hearings
Fall 2017	Construction Start
July 2022	Tolling Start
August 2022	Project Completion Date

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

Attachment 1: Letter to Secretary Layne

STAFF:

Robert A. Stalzer, Deputy County Executive
Tom Biesiadny, Director, Fairfax County Department of Transportation (FCDOT)
Eric Teitelman, Chief, Capital Projects and Traffic Engineering Division, FCDOT
Karyn Moreland, Chief, Capital Projects Section, FCDOT
Leonard Wolfenstein, Chief, Transportation Planning Section, FCDOT
Sung Shin, Senior Transportation Planner, FCDOT



COMMONWEALTH OF VIRGINIA
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 FAX: 703/324-3955
 TTY: 711

chairman@fairfaxcounty.gov

SHARON BULOVA
 CHAIRMAN

May 16, 2017

The Honorable Aubrey L. Layne, Jr.
 Secretary of Transportation
 1111 E. Broad Street, Room 3054
 Richmond, Virginia 23219

Reference: Recommended List of Potential Improvements for Consideration for the Transform I-66 Outside the Beltway

Dear Secretary Layne:

On November 3, 2016, Governor McAuliffe announced that the Commonwealth had selected Express Mobility Partners to finance and deliver the Transform I-66 Outside the Beltway project. On December 7, 2016, the Commonwealth Transportation Board (CTB) endorsed the Commissioner's final Finding of Public Interest and supported the Commissioner's execution of a Comprehensive Agreement with Express Mobility Partners.

As part of its proposal, we understand that Express Mobility Partners will provide a Concession Fee of \$500 million to be used for additional improvements to the I-66 Corridor, which are currently not part of the Transforming I-66 Outside the Beltway project. The Board of Supervisors requests the following list of projects be considered for funding with the Concession Fee. These additional improvements to the I-66 Corridor would provide added value to the Express Lanes project and the toll users, if implemented with the Concession Fee. In the absence of specific engineering details on the potential projects, the cost estimates included below are planning level estimates.

High Priority

- Jermantown Road bridge widening to four lanes versus two lanes in the current Transform I-66 Outside the Beltway project plans, consistent with a recently adopted change in the County's Comprehensive Plan.
 - Planning Level Estimate: \$10 million to \$11 million for four lane bridge (net increase from rebuilding the existing two lane bridge with a new two lane bridge versus rebuilding as a four lane bridge)
- Intersection improvement at Route 50 and Waples Mill Road by providing an additional left turn lane from Route 50 westbound onto Waples Mill Road.
 - Planning Level Estimate: \$1 million to \$2 million
- Monument Drive bridge pedestrian facility improvement by adding a sidewalk on the west side of the existing bridge with a signalized crosswalk at the ramp crossing.
 - Planning Level Estimate: \$3 million to \$4 million

- A parking structure at the Fairfax Corner (County-owned) site that has been identified for a future park-and-ride lot for the Transforming I-66 Outside the Beltway project.
 - Planning Level Estimate: \$30 million to \$40 million
- Additional funding for the Transportation Management Plan (TMP), that will implement measures to mitigate the impacts of the five-year construction period on traffic congestion. Such additional TMP funding should include, but not be limited to, fully funding the Fairfax County Police Department's request to assist in addressing traffic impacts of construction, signal preemption for emergency vehicles combined with signal priority for transit vehicles on major parallel routes to the I-66 corridor, and Fairfax Connector's ½ fare buy down with "non-federal" funds.
 - Planning Level Estimate: \$8 million to \$9 million
- Completion of missing segments of the pedestrian walkway on the south side of Lee Highway from Nutley Street to Vaden Drive.
 - Planning Level Estimate: \$1 million to \$1.5 million

Medium Priority

- Poplar Tree Road bridge construction to four lanes instead of two lanes. (At a minimum, not to preclude the future widening)
 - Planning Level Estimate: \$5 million to \$6 million for four lane bridge (net increase from building new a two lane bridge versus building a new four lane bridge)
- Implementing the Preferred Alternative concept which would provide a wider median in Centreville area from west of Route 28 through the Route 29 interchange and to the planned future rail station location, a distance of approximately 5,000 feet, instead of the limited improvements in Phase 1 of the Transform I-66 Outside the Beltway project. If the I-66 overpass above Route 29 would be affected, reconstruction of this bridge should be included in this project.
 - Planning Level Estimate: \$40 million to \$50 million
- Underpinning I-66. Constructing a four lane divided road between Stone Road at Route 29 and New Braddock Road. (At a minimum, not to preclude allow the future extension between Stone Road at Route 29 and New Braddock Road).
 - Planning Level Estimate: \$80-100 million to \$120-140 million
- Implementing the Preferred Alternative Concept at the I-66 and Monument Drive interchange, instead of Phase 1 of the Transform I-66 Outside the Beltway project.
 - Planning Level Estimate: \$140 million to \$150 million
 - i. \$100 million to \$105 million for I-66/Monument Drive Interchange, plus
 - ii. \$40 million to \$45 million for West Ox Bridge reconstruction
- Additional ramp connections from I-66 Eastbound Express Lane to Northbound Fairfax County Parkway and from Southbound Fairfax County Parkway to I-66 Westbound Express Lane.
 - Planning Level Estimate: To be determined once the design concept becomes available

The Honorable Aubrey Layne
May 16, 2017
Page 3

Fairfax County continues to support the Commonwealth's efforts to address multimodal mobility in the I-66 Corridor and to move the most people as efficiently as possible. We also look forward to working closely with the Commonwealth to develop a mutually beneficial project to County residents and the region.

If you have any questions or need additional information, please contact Tom Biesiadny of the Department of Transportation at 703-877-5663.

Sincerely,

Sharon Bulova
Chairman

cc: Members, Fairfax County Board of Supervisors
Edward L. Long Jr., County Executive
Robert A. Stalzer, Deputy County Executive
Catherine A. Chianese, Assistant County Executive
Helen Cuervo, District Administrator, VDOT, Northern Virginia
Renee Hamilton, Deputy District Administrator, VDOT, Northern Virginia
Susan Shaw, Megaprojects Director, VDOT
Young Ho Chang, Project Manager
Tom Biesiadny, Director, Fairfax County Department of Transportation

ACTION – 2

Approval of Resolution Regarding I-66 Express Lanes Access Points East of U. S. Route 50 (Providence and Hunter Mill Districts)

ISSUE:

Board approval of a resolution regarding I-66 Express Lanes access points east of U.S. Route 50.

RECOMMENDATION:

The County Executive recommends that the Board approve, in substantial form, the resolution regarding I-66 Express Lanes access points east of U. S. Route 50 included as Attachment I.

TIMING:

The Board should act on this item on May 16, 2017, so the Board's action can be transmitted to the National Capital Region Transportation Planning Board (TPB) prior to its meeting on May 17, 2017.

BACKGROUND:

The Commonwealth of Virginia is proceeding to implement high occupancy-toll or express lanes on I-66 outside the Beltway. In December 2016, the Commonwealth Transportation Board approved a contract with Express Mobility Partners (EMP) to implement these express lanes. As part of its bid, EMP submitted alternative technical concepts (ATCs) that propose changes to the conceptual design plans that the Virginia Department of Transportation (VDOT) included in the bid package. Several of these ATCs were significant enough that they require TPB to reanalyze the air quality impacts of the project. Some aspects of these ATCs also raised concerns with communities adjacent to I-66 east of U.S. Route 50.

On April 19, 2017, the TPB approved a resolution regarding off-cycle air quality conformity analysis submissions for the 2016 Fiscally Constrained Long Range Plan (CLRP) Amendment and the FY 2017-2022 Transportation Improvement Program (TIP) which included many of EMP's alternative technical concepts for the I-66 Express Lanes project. However, the resolution indicated that TPB staff should not include the changes in access points for the I-66 Express Lanes Project east of the U.S. Route 50 interchange in the air quality analysis until the Fairfax County Board of Supervisors had

an opportunity to meet and act on these access points. The Board Transportation Committee met on May 9, 2017, to discuss the I-66 Express Lanes project and the access points east of U.S. Route 50.

The attached resolution summarizes the Board's input related to several of these access points. The resolution:

- Opposes including multi-axle vehicles with a single trailer (including tractor-trailers, fuel tankers, and other hazardous material vehicles) on proposed Express Lanes ramps to/from Vaden Drive (at the Vienna Metrorail Station) in the air quality analysis;
- Supports including a traditional "urban-diamond" interchange for Nutley Street in the air quality analysis, provided that it has no greater impact on adjoining neighborhoods and functions as efficiently or more efficiently than the "diverging-diamond" interchange concept included in VDOT's bid package from traffic operations and bicycle/pedestrian operations perspectives; and transmits additional concerns regarding the Nutley Street interchange design;
- Supports including EMP's alternative technical concept for the I-495 interchange in the air quality analysis, so long as the two additional ramps proposed by EMP do not result in a wider footprint for the entire interchange or increased height over the level previously identified in VDOT's conceptual design plans; and
- Transmits additional concerns regarding all interchanges related to the safety aspects of allowing multi-axle vehicles with a single trailer to use the express lanes, signage, lighting, noise and functionality for all modes of transportation.

FISCAL IMPACT:

There is no direct fiscal impact associated with this action.

ENCLOSED DOCUMENTS:

Attachment I: Resolution regarding I-66 Express Lanes Access Points East of U.S. Route 50.

STAFF:

Robert A. Stalzer, Deputy County Executive

Tom Biesiadny, Director, Fairfax County Department of Transportation (FCDOT)

Attachment I

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on Tuesday, May 16, 2017, at which meeting a quorum was present and voting, the following resolution was approved:

RESOLUTION

WHEREAS, the National Capital Region Transportation Planning Board (TPB) met on April 19, 2017, and approved a resolution regarding off-cycle air quality conformity analysis submissions for the 2016 Fiscally Constrained Long Range Plan (CLRP) Amendment and the FY 2017-2022 Transportation Improvement Program (TIP), and

WHEREAS, the TPB resolution indicated that TPB staff will not include access points for the I-66 Express Lanes Project (Outside the Beltway) east of the Route 50 interchange in the air quality analysis until the Fairfax County Board of Supervisors has a chance to meet and act on these access points; and

WHEREAS, the TPB resolution also indicated that if the Fairfax County Board of Supervisors moves to change any of the access points from the analysis, that the TPB will do so; and

WHEREAS, the Fairfax County Board of Supervisors Transportation Committee met on May 9, 2017, to discuss the I-66 Express Lanes Project (Outside the Beltway) and the access points east of U.S. Route 50;

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Supervisors of Fairfax County, Virginia,

- As has been previously transmitted to the Secretary of Transportation on September 20, 2016, does not support use of the proposed Express Lanes ramps to/from Vaden Drive (at the Vienna Metrorail Station) by multi-axle vehicles with a single trailer (including tractor-trailers, fuel tankers, and other hazardous material vehicles), since the neighborhood around Vaden Drive is primarily residential; the local roadway network was not designed to support these types of vehicles; and the County's Comprehensive Plan specifically refers to prohibiting these vehicles on Vaden Drive; therefore, multi-axle vehicles with a single tractor should be eliminated from the Vaden Ramp in the air quality analysis;
- Although Option A for the I-66/Nutley Street Interchange ("diverging-diamond") was developed to provide for a tighter footprint, allow traffic to function more efficiently, and reduce conflict points, the Board agrees to allow Option B (traditional "urban-diamond" interchange) for Nutley Street to be included in the air quality analysis provided that it has no greater impact on adjoining neighborhoods and functions as efficiently or more efficiently than Option A from traffic operations and bicycle/pedestrian operations perspectives;

- Transmits the following additional concerns regarding Option B at the Nutley Street Interchange:
 - The revised design for this interchange should be developed and presented to the County and the community as soon as possible;
 - If included in the design, the impacts of an additional signal on Nutley Street (above the number included in VDOT conceptual design plans for the project) should be mitigated;
 - Information about the functionality of moving traffic along Nutley Street through the revised interchange (including intersection delay information) should be provided;
 - Revised bicycle and pedestrian facilities should be clearly identified;
 - The revised design should not use any additional right-of-way;
 - Since the Virginia Center Pond in the Northwest quadrant of the interchange serves as a regional facility, its function must be maintained or improved;
 - Any impacts of the revised design on Briarwood Trace Park should not be greater than Option A;
 - The west facing ramps should be eliminated, due to the constrained cross-section for I-66 at this location and the difficulty of providing adequate signage for drivers; and
 - The direct ramps to and from westbound I-66 and Country Creek Road/Virginia Center Boulevard should be retained to facilitate traffic movement into and out of the Vienna Metrorail Station;
- Agrees to including Express Mobility Partners' (EMP) alternative technical concept for the interchange at I-495 in the air quality analysis, so long as the two additional ramps proposed by EMP do not result in a wider footprint for the entire interchange or increased height over the level previously identified in VDOT's conceptual design plans; and
- Submits the following additional concerns regarding all interchanges:
 - All interchanges should be designed to maximize safety, especially taking into account the use of the Express Lanes by multi-axle vehicles with a single trailer, if trucks continue to be included in the project;
 - Interchanges should be designed to ensure functionality of all modes;
 - Noise from the Express Lanes and ramps, especially from trucks, should be mitigated;
 - Special care should be given to the location of signage to minimize driver confusion and distraction; and
 - Special care should be given to lighting to ensure that existing neighborhoods are protected.

Adopted this 16th day of May, 2017, Fairfax, Virginia.

ATTEST _____
 Catherine A. Chianese
 Clerk to the Board of Supervisors

Board Agenda Item
May 16, 2017

10:30 a.m.

Matters Presented by Board Members

11:20 a.m.

CLOSED SESSION:

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.2-3711(A) (1).
- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.2-3711(A) (3).
- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.2-3711(A) (7).
 - 1. *Vincent Dennis Randazzo, Administrator of Estate of Michael Vincent Randazzo v. Sandra Mauldin*, Case No. CL-2016-0009634 (Fx. Co. Cir. Ct.)
 - 2. *Justin C. Cuffee v. Fairfax County*, Case No. 1:16-cv-584 (E.D. Va.)
 - 3. *Elton Cansler v. Alan A. Hanks, Edwin C. Roessler, Jr., and Fairfax County*, Case No. 1:16-cv-1589 (E.D. Va.)
 - 4. *Lenir Richardson v. Officer O.J. Faulk*, Record No. 16-8651 (U.S. Sup. Ct.)
 - 5. *Eric Todd Demoulin v. Detective Stephen M. Augustine*, Case No. 1:16-cv-01325 (E.D. Va.)
 - 6. *Tristan di Montenegro v. National Security Agency, Fairfax County Police Department, et al.*, Case No. 1:16-cv-1608 (E.D. Va.)
 - 7. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Beverly K. Lester*, Case No. CL-2016-0009115 (Fx. Co. Cir. Ct.) (Braddock District)
 - 8. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Yung C. Yung*, Case No. CL-2016-0017111 (Fx. Co. Cir. Ct.) (Braddock District)
 - 9. *Leslie B. Johnson, Fairfax County Zoning Administrator v. David W. Pratt, II*, Case No. GV17-008395 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
 - 10. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Eaton Drive, LLC*, Case No. CL-2017-0005818 (Fx. Co. Cir. Ct.) (Dranesville District)

11. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Olga Selvaggi, Individually and as heir of Phillip S. Selvaggi and the Phillip S. Selvaggi Living Trust, and Nina Selvaggi, Individually and as heir of Phillip S. Selvaggi and the Phillip S. Selvaggi Living Trust*, Case No(s). GV17-006686 and GV17-006893 (Fx. Co. Gen. Dis. Ct.) (Hunter Mill District)
12. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Tunc Aydogdu*, Case No. GV17-008407 (Fx. Co. Gen. Dist. Ct.) (Mason District)
13. *Board of Supervisors of Fairfax County, Virginia v. Gunston Center, LLC and Lexon Insurance Company*, Case No. CL-2016-0009596 (Fx. Co. Cir. Ct.) (Mount Vernon District)
14. *Leslie B. Johnson, Fairfax County Zoning Administrator v. George Daamash*, Case No. CL-2011-0000818 (Fx. Co. Cir. Ct.) (Mount Vernon District)
15. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Darrell Davis Poe*, Case No. GV16-020746 (Fx. Co. Gen. Dist. Ct.) (Town of Clifton; Springfield District)

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Board Agenda Item
May 16, 2017

3:30 p.m.

Public Hearing on SE 2016-SU-022 (COPT Stonecroft, LLC) to Permit an Increase in Building Height from 75 Feet up to a Maximum of 120 Feet, Located on Approximately 64.28 Acres of Land Zoned I-3 and WS (Sully District)

This property is located at 4850 Stonecroft Boulevard, Chantilly, 20151. Tax Map 43-2 ((2)) 39C.

PLANNING COMMISSION RECOMMENDATION:

On April 19, 2017, the Planning Commission voted 10-0 (Commissioners Hurley and Strandlie were absent) to recommend that the Board of Supervisors approve SE 2016-SU-022 subject to proposed Development Conditions dated April 19, 2017.

ENCLOSED DOCUMENTS:

Planning Commission Verbatim Excerpt and Staff Report available online at:
<http://www.fairfaxcounty.gov/dpz/staffreports/bos-packages/>

STAFF:

Tracy Strunk, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Sharon Williams, Planner, DPZ

Board Agenda Item
May 16, 2017

3:30 p.m.

Public Hearing on SE 2017-DR-002 (BDC Dulles Corporate, LLC) to Permit a Waiver of Certain Sign Regulations to Permit an Increase in Sign Area, Located on Approximately 3.80 Acres of Land Zoned C-3 (Dranesville District)

This property is located at 13755 Sunrise Valley Drive, Herndon, 20171. Tax Map 15-2 ((1)) 14.

PLANNING COMMISSION RECOMMENDATION:

On May, 4, 2017, the Planning Commission voted 12-0 to recommend to the Board of Supervisors approval of SE 2017-DR-002, subject to the Development Conditions dated May 4, 2017.

ENCLOSED DOCUMENTS:

Planning Commission Verbatim Excerpt and Staff Report available online at:
<http://www.fairfaxcounty.gov/dpz/staffreports/bos-packages/>

STAFF:

Tracy Strunk, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Daniel Creed, Planner, DPZ

Board Agenda Item
May 16, 2017

3:30 p.m.

Public Hearing on SEA 87-P-041 (Chantilly Auto Care Center, LLC) to Amend SE 87-P-041 Previously Approved for a Service Station, Car Wash, Quick Service Food Store and Waiver of Minimum Lot Size in a Highway Corridor Overlay District to Modify Site and Development Conditions, Located on Approximately 39,865 Square Feet of Land Zoned C-6, WS and HC (Springfield District)

This property is located at 13001 Lee Jackson Memorial Highway, Chantilly, 22033. Tax Map 45-1 ((1)) 13.

PLANNING COMMISSION RECOMMENDATION:

On April 20, 2017, the Planning Commission voted 8-0 (Commissioners Hurley, Flanagan, Migliaccio, and Strandlie were absent from the meeting) to recommend the following actions by the Board of Supervisors:

- Approval of SEA 87-P-041, subject to Development Conditions consistent with those dated April 5, 2017;
- Reaffirm a modification of the transitional screening requirement along Lee Jackson Memorial Highway and Majestic Lane;
- Reaffirm a waiver of the barrier requirement along Lee Jackson Memorial Highway and Majestic Lane; and
- Approval of a waiver of the shared-use path and major regional trail along Lee Jackson Memorial Highway.

ENCLOSED DOCUMENTS:

Planning Commission Verbatim Excerpt and Staff Report available online at:
<http://www.fairfaxcounty.gov/dpz/staffreports/bos-packages/>

STAFF:

Tracy Strunk, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Kelly Atkinson, Planner, DPZ

4:00 pm

Public Hearing on Proposed Modifications to the Comprehensive Plan Amendment Process

ISSUE:

Public hearing on proposed modifications to the Comprehensive Plan Amendment process. Recommendations are proposed to modify the Comprehensive Plan Amendment Process, currently known as Fairfax Forward, to improve public participation in land use planning efforts. The major proposed modification would incorporate the Comprehensive Plan Amendment Work Program, a new nomination-based review cycle, known as the Site-Specific Plan Amendment Process (SSPA). The SSPA would draw familiar elements from the prior Area Plans Review (APR) process and Fairfax Forward. The modifications also propose to replace the “Fairfax Forward” title with “Comprehensive Plan Amendment Process” to provide a clearer understanding when communicating to the general public.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission public hearing was held on May 4, 2017, and the decision was deferred to May 18, 2017. The Commission’s recommendation will be forwarded to the Board of Supervisors subsequent to that date.

RECOMMENDATION:

The County Executive recommendation will be provided subsequent to the May 18, 2017 meeting date.

TIMING:

Planning Commission public hearing – April 19, 2017
Planning Commission decision only – May 4, 2017
Board of Supervisors public hearing – May 16, 2017

BACKGROUND:

The Comprehensive Plan Amendment Process (Fairfax Forward) centers on the Comprehensive Plan Amendment Work Program, which lists activity center studies,

neighborhood planning studies, countywide and Policy Plan amendments, and Board-authorized amendments to be undertaken. In 2013, the Board of Supervisors directed staff to evaluate Fairfax Forward two years after its authorization to assess its efficiency, effectiveness, accessibility, and impact. The 2015-2016 Fairfax Forward Process Evaluation focused on whether the new process for amending the Comprehensive Plan, as a replacement to the APR process, resulted in a better approach to land use planning. The Planning Commission deferred decision on the Fairfax Forward Process Evaluation on May 25, 2016 and on the 2016 Plan Amendment Work Program on June 15, 2016.

Following the deferrals, efforts undertaken in coordination with the Planning Commission resulted in the proposed modifications to the planning process as presented in the staff report, dated April 5, 2017. Staff attended 22 meetings with members of the Board of Supervisors, community groups, the Environmental Quality Advisory Committee, industry groups, and a focus group of land use attorneys and agents. Staff used the feedback garnered from the community in the development of recommendations about the changes to the process and its implementation.

FISCAL IMPACT:
None

ENCLOSED DOCUMENTS:
Attachment I: Planning Commission Verbatim Excerpt (to be provided after PC decision)

The Staff Report for Modifications to the Comprehensive Plan Amendment Process, dated April 5, 2017 has been previously furnished and is available at:
www.fairfaxcounty.gov/dpz/fairfaxforward/sspa_staff_report.pdf

STAFF:
Fred R. Selden, Director, Department of Planning and Zoning (DPZ)
Marianne Gardner, Director, Planning Division (PD), DPZ
Meghan Van Dam, Branch Chief, Policy and Plan Development Branch (PPDB), PD, DPZ
Bernard S. Suchicital, Planner III, PPDB, PD, DPZ

To be Deferred

Board Agenda Item
May 16, 2017

4:00 p.m.

Public Hearing on the Acquisition of Certain Land Rights Necessary for the
Construction of Sunrise Valley Dr Walkway – River Birch Rd to Legacy Circle
(Dranesville District)

ISSUE:

Public Hearing on the acquisition of certain land rights necessary for the construction of Sunrise Valley Dr Walkway - River Birch Rd to Legacy Circle, in Project 5G25-060-017, Pedestrian Improvements 2014, Fund 30050, Transportation Improvements.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors adopt the attached resolution authorizing the acquisition of the necessary land rights.

TIMING:

On April 4, 2017, the Board authorized advertisement of a public hearing to be held on May 16, 2017, at 4:00 p.m.

BACKGROUND:

The County is planning to construct approximately 370 linear feet of five-foot wide concrete sidewalk and pedestrian ramps along the north side of Sunrise Valley Dr (Route 5320) from River Birch Rd to Legacy Circle.

Land rights for these improvements are required on one (1) property, which has not been acquired by the Land Acquisition Division (LAD). The construction of the project requires the acquisition of dedication for public street purposes, grading agreement and temporary construction easement.

Negotiations are in progress with the affected property owner of this property; however, because resolution of these acquisitions is not imminent, it may become necessary for the Board to utilize quick-take eminent domain powers to commence construction of this project on schedule. These powers are conferred upon the Board by statute, namely, Va. Code Ann. Sections 15.2-1903 through 15.2-1905 (as amended). Pursuant to these provisions, a public hearing is required before property interests can be acquired in such an accelerated manner.

To be Deferred

Board Agenda Item
May 16, 2017

FISCAL IMPACT:

Funding is currently available for the Sunrise Valley Dr Walkway - River Birch Rd to Legacy Circle, in Project 5G25-060-000, Pedestrian Improvements 2014, Fund 30050, Transportation Improvements. This project is included in the FY 2017 – FY 2021 Adopted Capital Improvement Program (with Future Fiscal Years to FY 2026). No additional funding is being requested from the Board.

CREATION OF NEW POSITIONS:

There are no new positions associated with this grant.

ENCLOSED DOCUMENTS:

Attachment A – Project Location Map

Attachment B – Resolution with Fact Sheets on the affected parcel with plat showing interests to be acquired (Attachments 1 through 1A).

STAFF:

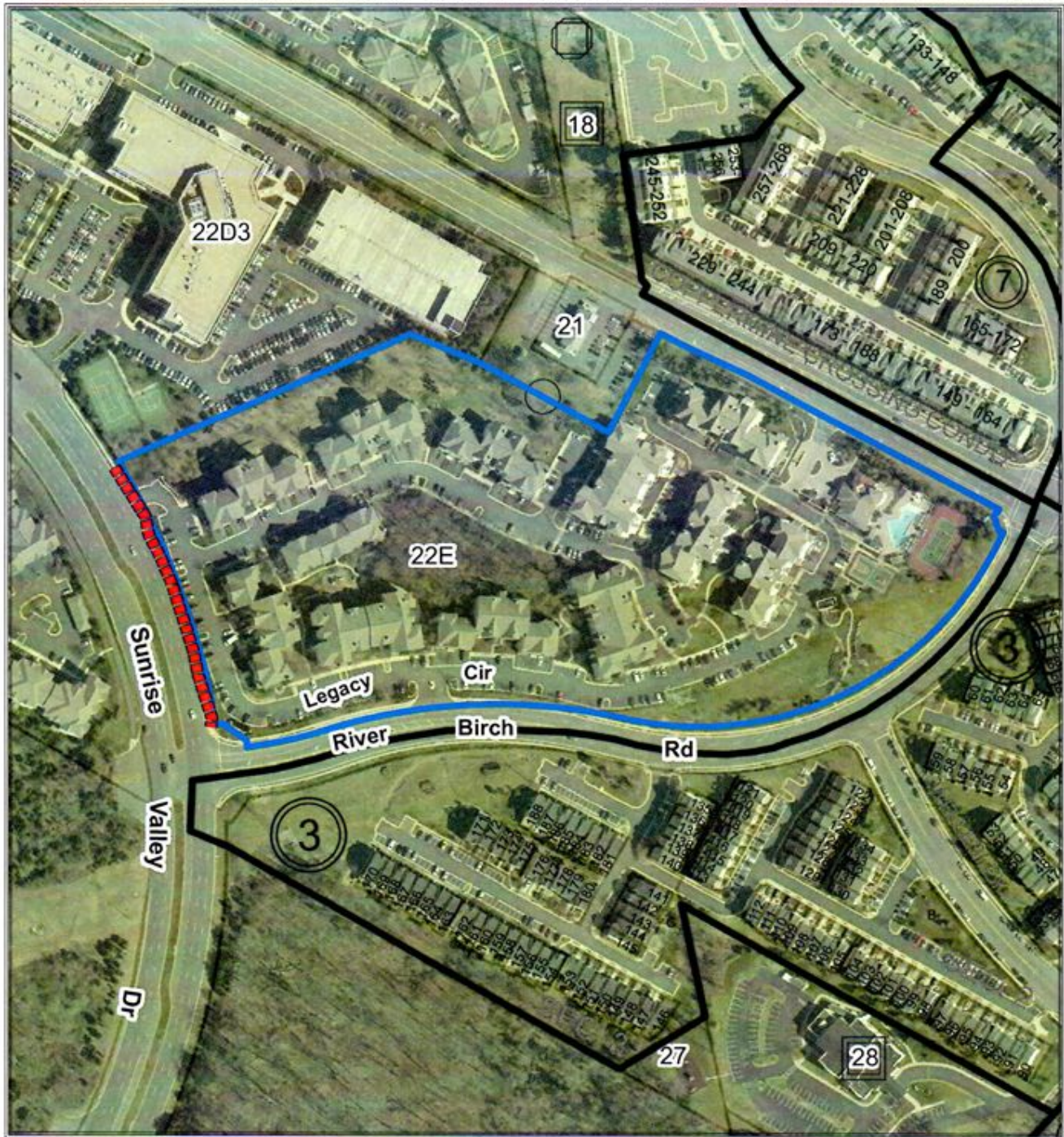
James W. Patteson, Director, Department of Public Works and Environmental Services (DPWES)

Ronald N. Kirkpatrick, Deputy Director, DPWES, Capital Facilities

Tom Biesiadny, Director, Department of Transportation

ASSIGNED COUNSEL:

Pamela K. Peltó, Assistant County Attorney, Office of the County Attorney



Tax Map: 15-4

Project 5G25-060-017
Dranesville District

Affected Properties:



Proposed Improvements:



Scale: Not to Scale



ATTACHMENT B

RESOLUTION

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at 12000 Government Center Parkway, Fairfax, Virginia, on Tuesday, May 16, 2017, at which meeting a quorum was present and voting, the following resolution was adopted:

WHEREAS, certain Project 5G25-060-017, Sunrise Valley Dr. Walkway – River Birch Rd. to Legacy Circle had been approved; and

WHEREAS, a public hearing pursuant to advertisement of notice was held on this matter, as required by law; and

WHEREAS, the property interests that are necessary have been identified; and

WHEREAS, in order to keep this project on schedule, it is necessary that the required property interests be acquired not later than May 26, 2017.

NOW THEREFORE BE IT RESOLVED, that the Director, Land Acquisition Division, in cooperation with the County Attorney, is directed to acquire the property interests listed in Attachments 1 through 1A by gift, purchase, exchange, or eminent domain; and be it further

RESOLVED, that following the public hearing, this Board hereby declares it necessary to acquire the said property and property interests and that this Board intends to enter and take the said property interests for the purpose of constructing approximately 370 linear feet of five-foot wide concrete sidewalk and pedestrian ramps along the north side of Sunrise Valley Dr. (Route 5320) from River Birch Road to Legacy Circle as shown and described in the plans of Project 5G25-060-017, Sunrise Valley Dr. Walkway – River Birch Rd. to Legacy Circle on file in the Land Acquisition

Division of the Department of Public Works and Environmental Services, 12000
Government Center Parkway, Suite 449, Fairfax, Virginia; and be it further

RESOLVED, that this Board does hereby exercise those powers granted to it by the Code of Virginia and does hereby authorize and direct the Director, Land Acquisition Division, on or subsequent to May 17, 2017, unless the required interests are sooner acquired, to execute and cause to be recorded and indexed among the land records of this County, on behalf of this Board, the appropriate certificates in accordance with the requirements of the Code of Virginia as to the property owners, the indicated estimate of fair market value of the property and property interests and/or damages, if any, to the residue of the affected parcels relating to the certificates; and be it further

RESOLVED, that the County Attorney is hereby directed to institute the necessary legal proceedings to acquire indefeasible title to the property and property interests identified in the said certificates by condemnation proceedings, if necessary.

LISTING OF AFFECTED PROPERTIES
Project 5G25-060-017
Sunrise Valley Dr. Walkway – River Birch Rd. to Legacy Circle
(Dranesville District)

PROPERTY OWNER(S)

TAX MAP NUMBER

1. Magazine Lionsgate, LP

015-4-01-0022E

Address:
13600 Legacy Circle
Herndon, VA 20171

A Copy – Teste:

Catherine A. Chianese
Clerk to the Board of Supervisors

ATTACHMENT 1

AFFECTED PROPERTY

Tax Map Number: 015-4-01-0022E

Street Address: 13600 Legacy Circle

OWNER(S): Magazine Lionsgate, LP

INTEREST(S) REQUIRED: (As shown on attached plat/plan)

Dedication for Public Street purposes - 494 sq. ft.

Grading Agreement and Temporary Construction Easement – 2,208 sq. ft.

VALUE

Estimated value of interests and damages:

NINE THOUSAND FOUR HUNDRED FIFTY DOLLARS (\$9,450.00)