



County of Fairfax, Virginia

MEMORANDUM

TO: Board of Supervisors

SUBJECT: Summary Notes from the **May 24, 2016** Development Process Committee Meeting

DATE: June 27, 2016

The following Board Members attended the meeting: Development Process Committee Chair Kathy L. Smith, Sully District; Chair of Board of Supervisors Sharon Bulova; Supervisor John C. Cook, Braddock District; Supervisor John W. Foust, Dranesville District; Supervisor Catherine M. Hudgins, Hunter Mill District; Supervisor Jeffrey C. McKay, Lee District; Supervisor Penny Gross, Mason District; Supervisor Daniel G. Storck, Mount Vernon District; and Supervisor Pat Herrity, Springfield District.

The following is a summary of the highlights of the discussion at the May 24, 2016, meeting.

Illegal Roadway Sign Removal Program:

Karen McClellan, Acting Director, Department of Code Compliance (DCC), provided an update following the third year of operations to remove illegally placed signs within the Rights-of-Way (ROW) on designated VDOT roadways within the County. Staff advised the Committee that, so far this fiscal year, the Community Labor Force (CLF) removed approximately 27,621 signs. In addition, this year DCC added a second truck, and initiated the Sign Removal Enforcement Pilot Program. Beginning in January, DCC began documenting the signs in the ROW, and in March began sending warning letters, providing 14 days for compliance. In May, DCC began sending invoices for \$100 per illegal sign to owners that continue to place signs in the ROW. As of May 2, 29 different owners have been identified, 25 warning letters have been sent, and five owners have been sent invoices, totaling \$6,000 in fines. Ms. McClellan noted that owners may dispute the invoice by writing to the Director of DCC. Any unpaid and undisputed invoices will be referred to the Office of the County Attorney for possible further legal action.

Discussion ensued, regarding the specific roads in the program, publicizing information of enforcement activities to encourage voluntary compliance, comparison to other jurisdictions, and the scope of the program. The Committee requested DCC provide list of the 70 highways where signs are being removed by the CLF, work with OPA to develop a press release regarding the enforcement program, and share information regarding VDOT's Adopt-A-Highway groups.

2016 Zoning Ordinance Amendment Work Program:

Leslie Johnson, Zoning Administrator, presented the proposed 2016 Zoning Ordinance Amendment Work Program based on the memorandum dated May 13, 2016, and the various attachments that comprise the Work Program. Ms. Johnson provided an overview of the status of the 2015 Zoning Ordinance Amendment Work Program and highlighted a number of the amendments where considerable staff time has been spent researching and conducting outreach including the PDC/PRM and Associated Provisions Amendment, Agricultural Districts and Uses, Adult Day Health and the initiation of a comprehensive review of Article 12 to simplify and update the sign regulations.

New items on the work program this year include: Shape factor requirement in the R-C District; Minor Lot line Adjustments; and changes to the approval process for monopoles and towers in response to changes to State Code made by the 2016 General Assembly.

Several initiatives align with the Strategic Plan to Facilitate Economic Success, including: Minor Modification Provisions – increase flexibility in the administrative approval of modifications to approved rezonings, special permits and special exceptions; Retail Initiative – accommodate evolving nature of retail, with particular attention to food service; Food and beverage processing and production; Diagnostic review of the 1978 Zoning Ordinance, and repurposing existing buildings to facilitate emerging trends and new uses.

Certain items moved from Priority 1 to Priority 2, including: residential studios, definition of commonly accepted pets, review of Gross Floor Area definition to include cellar space in the C and I Districts, dam break inundation zones, congregate living facilities, and definition of public use.

There was also follow up discussion on the 15% limitation on the amount of gross floor area of fast food restaurants permitted within a structure in the in the PDC District. This issue was initially raised at the Authorization to Advertise the PDC/PRM amendments. While the amendment proposed an option to delete the 15% limitation, staff was not supportive of this option and recommended that the issue be studied as part of the much broader Retail Initiative which would allow for a more comprehensive review. The Board requested staff to review this issue to see if an interim solution could be found to address the situation in which a “fast casual restaurant” of 3,000 square feet would not be able to locate within a 10,000 a square foot building within a PDC Development, as it would exceed the 15% gross floor area limitation and bring the issue back for discussion at one of the upcoming Development Process Committee meetings. Staff presented revised text to the Committee to introduce at the Planning

Commission public hearing on the PDC/PRM Amendment scheduled for May 25, 2016. The revised text would limit the amount of fast food establishments to 15% of GFA of the planned development rather than of the structure. The consensus of the Committee was to proceed with this proposed option.

The 2016 Zoning Ordinance Work Program will be presented to the full Board for adoption at its July 12, 2016 meeting.

Gartner Study:

Rob Stalzer, Deputy County Executive, and Meghan Kiefer, Regulatory Initiatives Coordinator, Office of the County Executive, provided an update of the Land Use and Development Services Strategic Assessment (Gartner Study). The assessment is aimed at achieving economic success through implementation of the Strategic Plan, specifically Goal 3: improve the speed, consistency, and predictability of the development review process. Paul Denvir of Gartner Consulting, presented the update of the Assessment. Using the seven primary themes of challenges identified during the current state assessment, the County and Gartner developed seven future vision elements, and 29 tactical recommendations for achieving the future vision elements. Some of the tactical recommendations align with the Top Seven Initiatives which are underway; all seven of the Top Seven Initiatives will be rolled into these tactical recommendations. Work on some of the tactical recommendations is already underway, while further discussion and “roadmapping” to identify next steps will be necessary to implement the other recommendations.

Mr. Stalzer described efforts to implement Vision Element #1 and create a customer-centric “One Fairfax” service organization. To be intentional with the change, a parallel leadership will be created. James Patteson will lead a team to implement the vision elements and tactical recommendation; he will remain as the Director of the Department of Public Works and Environmental Services. Bill Hicks will remain as the Director of LDS, but will report directly to Rob Stalzer. Ron Kirkpatrick and the DP WES leadership will provide additional department-wide support and oversight of the DPWES functions of Stormwater, Solid Waste, Wastewater Management, and Capital Facilities, to support James as he leads the regulatory change effort. The Department of Public Works and Environmental Services and LDS will continue to have strong ties and work together in many functions.

Discussion ensued, regarding the need for the change, but also the importance of communication with, and buy-in by, staff, industry and the community. Mr. Stalzer described ongoing efforts regarding communicating the changes. The Committee expressed concern that a lack of adequate communication and community participation can lead to lack of support, such as happened with

Fairfax Forward. Fred Selden, Director, Department of Planning and Zoning, discussed the current efforts relating to improving the Comprehensive Plan amendment process. Supervisor Herrity asked that Fairfax Forward be added to future agenda for an in-depth discussion.

Ms. Kiefer continued with the presentation regarding Vision Elements 2 through 7, and the associated tactical recommendations, to improve the land development review process by creating a customer-focused, problem-solving culture within a streamlined, predictable and agile organization. Changes to Codes, Ordinances and regulations will be necessary to ensure relevance, and agility to respond to evolving and urbanizing development patterns. Efforts are already underway to identify technologies to replace, modernize and integrate existing systems. The final Vision Element focuses on the training, mentoring and development of staff.

Further discussion included comments of caution of increasing bureaucracy; adding the Board as a possible obstacle to evaluate, questions of the budget implications of the new IT systems, and being mindful of the extraordinary range of customers that the “one-stop shop” will serve. With the Committee’s concurrence, staff will continue to work with Gartner with the Assessment and implementation of process improvements, and return for further discussion at a future Development Process Committee meeting.

The Fairfax County Board of Supervisors’ next Development Process Committee meeting will be on September 13, 2016, at 1:00 PM at the Fairfax County Government Center, Conference Rooms 9 & 10.