

Board of Supervisors (Development Process Committee)

May 9, 2017

Government Center Conference Room 11

Board of Supervisors (Board) Members Present:

Sharon Bulova, Chairman
Penelope Gross, Mason District (Vice Chairman)
John Cook, Braddock District
John Foust, Dranesville District
Pat Herrity, Springfield District
Catherine Hudgins, Hunter Mill District
Jeff McKay, Lee District
Kathy Smith, Sully District (Committee Chair)
Linda Smyth, Providence District
Dan Storck, Mount Vernon District

Agenda and presentation materials are available on the [2017 Board Committee Meetings Archive webpage](#).

The Development Process Committee (Committee) meeting was called to order at 3:09 p.m.

2017 Zoning Ordinance Amendment Work Program (ZOAWP):

Leslie B. Johnson, Zoning Administrator, of the Department of Planning and Zoning (DPZ), presented an overview of the proposed 2017 Zoning Ordinance Amendment Work Program, including an update of the status of the amendments that were identified on the 2016 ZOAWP and the proposed amendments for the 2017 ZOAWP. Fred Selden, Director, DPZ, Donna Pesto, Deputy Zoning Administrator, DPZ, and Laura Gori and David Stoner of the Office of the County Attorney were also in attendance.

Mrs. Johnson briefly described the history of the ZOAWP and its intended purpose to help manage the workflow for changes to the Zoning Ordinance that are requested from a variety of sources. She gave an update on the status of 2016 amendments to reflect that 14 out of 33 amendments have been adopted and 2 additional amendments have been or will be authorized in May 2017. She also noted that 2017 reflects changes to previous ZOAWPs, in that there is a parallel effort of the Zoning Ordinance Modernization Project, or zMOD, which will address specific kinds of changes and the reformatting/restructuring of the Zoning Ordinance, as a whole. It was also noted that amendments would be classified into Priority 1 and Priority 2, as in prior years, but that the Priority 1 items would still be further divided into Tier 1 and Tier 2 to reflect the timing of bringing the items forward for Board consideration.

Mrs. Johnson described the main topics of the amendments proposed to be included under Tier 1 of Priority 1 as agriculture, older adult accommodations and services, parking, P-District

recreation fees, PRM District final development plan, rear yard coverage, state code changes (small cell telecommunication facilities and short term rentals), and editorial/minor revisions. Supervisor Cook recommended that the amendments be subject to a specific review calendar so that the review and approval remains on schedule. Supervisor Hudgins suggested that the amendment regarding outdoor lighting should occur as soon as practical and, hopefully, within the timeframe of the Tier 1 items. There was also discussion regarding outreach efforts related to the short term rental amendment and regarding the timing of the amendment pertaining to building repurposing/repositioning.

Laura Gori presented the details of the Small Cell Facilities amendment and changes regarding fees for public facilities and modifications to existing wireless towers or base stations. There was considerable discussion associated with a proposed provision to require approval from the Architectural Review Board for any small cell facility proposed in an historic district. Mrs. Gori indicated that additional research would be performed and the Board would be updated in response to their inquiries.

There was general consensus among the Committee regarding the initial set of amendment priorities, and it was determined that the 2017 ZOAWP would be brought forward to the full Board on June 20, 2017 for action.

Fairfax Forward Proposed Modifications:

Marianne Gardner, Director, DPZ, Planning Division (PD), and Bernard Suchicital, Senior Planner, DPZ, PD presented the proposed modifications to the Fairfax Forward Comprehensive Plan Amendment Process. Ms. Gardner began the presentation with a history of the effort, stemming from community concerns raised during the 2015-2016 Fairfax Forward evaluation, and the Comprehensive Plan Amendment Work Program. Ms. Gardner also introduced the proposed Site-Specific Plan Amendment (SSPA) process. The SSPA will be a four-year review process of the Comprehensive Plan that will be divided into a North County cycle (Dranesville, Hunter Mill, Providence, and Sully Districts) and a South County cycle (Braddock, Lee, Mason, Mount Vernon, and Springfield Districts), each taking two years to complete. This process will be nomination-based, and each nomination will be reviewed by a Supervisor-appointed district task force. Mr. Suchicital, then elaborated on the steps of the SSPA including the nomination period, the high-level screening work, and the work program implementation period. He described the eligibility requirements for the nominations and the multiple opportunities for community engagement throughout the process.

Discussion ensued regarding the proposed SSPA. Board members expressed concern that the length of the cycle at four years would not address amendments that need minor changes and may be too long to ask a property owner or developer to wait before a Plan change could be reviewed. A discussion occurred about the option for Board-authorized amendments. Further discussion ensued about the eligibility restriction based on the 2016 Proffer Bill. Fred Selden, Director, DPZ, cautioned that reviewing multiple proposals in this community process without suggesting a proffer may be challenging. Questions arose about a seeming return to the Area Plans Review process (APR), which took up a considerable amount of staff time and resources. Supervisor McKay expressed comfort with the process with some tweaks and stated that the SSPA will bring the community back into the process. Other Board members agreed that the

SSPA will return a level of predictability and community engagement to the planning process with the added benefit of the enhanced community screening.

LDS/DPWES Budget:

Bill Hicks, Director, Land Development Services (LDS), and Joe Mondoro, Director, Department of Management and Budget, presented a follow-up to the development process Fiscal Year (FY) 2018 budget considerations. Mr. Mondoro introduced the presentation regarding the increased workload and the proposed reinvestment of the associated increased revenue. Mr. Hicks described the amount of the workload increases as presented at the March 28, 2017 Committee meeting and how resources were moved, shifted and otherwise borrowed to address the increased workload, but not in a sustainable manner. In order to implement a long-term, sustainable response to the development review and inspection workload, staff proposes to recognize the increase revenue of approximately \$1.4 million associated with the increase volume of work, and reinvest into the development services, focusing in three areas: Residential Inspections, Fairfax First, and site review. Staff is requesting creating ten new full-time positions, as well as other service enhancements, which will have no proposed net impact to the general fund, as the revenue increases balance the expenditures. The ten new positions would be four residential building inspectors plus a supervising inspector, two web content specialists, a GIS specialists, a Site Plan review engineer, and a parking reduction review engineer. There are also proposed additional Joint Training Academy (JTA) developments.

Discussion ensued regarding the number and breakdown of positions, and the source of the funding. These new positions are beyond the positions created in response to the booster shot. The request for the positions would have no net impact on the general fund, due to the increase in revenue associated with the increase in workload. The Committee also discussed the process for creating the positions, and other efforts to improve the regulatory review processes. Staff will continue with the analysis of the workload and revenue, the present the request to approve the new positions and expenditures to the Board as part of the FY 2017 Carryover Budget Review.

The Committee meeting adjourned at 5:14 p.m.

The next Development Process Committee meeting is May 23, 2017, at 3:00 p.m.