



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

**Tuesday**  
**September 14, 2021**

*Note: This draft agenda is produced two weeks prior to the Board Meeting and is subject to change. A final agenda is available for review in the Office of the Clerk for the Board and at <https://www.fairfaxcounty.gov/boardofsupervisors/board-supervisors-meetings> by the Friday prior to each Tuesday meeting.*

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- 9:30 a.m. Presentations  
9:30 a.m. Board Appointments to Citizen Boards, Authorities, Commissions, and Advisory Groups  
9:30 a.m. Matters Presented by Board Members  
9:30 a.m. Items Presented by the County Executive  
Closed Session  
3:30 - 4:30 p.m. Public Hearings (see listings below for Public Hearings)

3:30 p.m. SEA 2009-SU-002 - NEW CINGULAR WIRELESS PCS, LLC (D/B/A AT&T MOBILITY), TRUSTEES OF THE CENTREVILLE UNITED METHODIST CHURCH, AND CENTREVILLE DAY SCHOOL, SEA Appl. to amend Special Exception SE 2009-SU-002, previously approved for a place of worship with a child care center, to add a telecommunication facility (stealth bell tower) and associated changes to site design and development conditions. Located at 6400 Old Centreville Rd., Centreville, 20121 on approx. 9.46 ac. of land zoned R-1, PDH-12, and WS. Sully District. Tax Maps 65-1 ((1)) 14A, 14A1 and 65-1 ((5)) J1.

3:30 p.m. SE 2021-MA-002 - FAIRFAX COUNTY WATER AUTHORITY, SE Appl. to permit a light public utility use (water pumping facility). Located at 2959 Sleepy Hollow Rd., Falls Church, 22044 on approx. 23,208 sq. ft. of land zoned R-3, SC, and HC. Mason District. Tax Map 51-3 ((14)) 1A.

3:30 p.m. RZ 2021-MV-004 - MARIE J. AND PAUL L. CHARLES, RZ Appl. to rezone from R-2 to R-3 to permit residential with a density of 2.86 du/ac and waiver of lot width requirements. Located on the E. side of Lukens Ln. and N. side of Old Mill Rd. on approx. 30,722 sq. ft. of land. Comp. Plan Rec: Residential Use (2-3 du/ac). Mount Vernon District. Tax Map 110-1 ((1)) 37B.

3:30 p.m. RZ 2020-BR-001 - CHRISTOPHER LAND, LLC, RZ Appl. to rezone from R-1 to PDH-3 to permit residential development with an overall density of 2.71 dwelling units per acre (du/ac) and approval of the conceptual development plan. Located at the N. terminus of Banting Dr. and W. terminus of Caprino Ct. approx. 400 ft. W. of Braddock Rd. on approx. 4.43 ac. of land. Comp. Plan Rec: Residential 2-3 du/ac. Braddock District. Tax Map 69-1 ((1)) 31A and 31B.

3:30 p.m. PCA 2006-SU-025-05/CDPA 2006-SU-025-03 - TOLL MID-ATLANTIC LP COMPANY, INC. AND JLB REALTY LLC PCA and CDPA Appl(s). to amend the proffers and conceptual development plan for RZ 2006-SU-025, to permit a Multifamily Residential Development at 0.54 FAR, inclusive of bonus density, and associated modifications to proffers and site design. Located on the E. side of Sully Rd., N. side

of Westfields Blvd. and W. side of Newbrook Dr., on approx. 21.7 ac. of land zoned PDC and WS. Comp. Plan Rec: Mixed Uses at 0.5 FAR. Sully District. Tax Map 44-1 ((1)) 6C and 6H3.

4:00 p.m. DECISION ONLY on the matter of an amendment to Chapter 112.1 (the Zoning Ordinance), adopted March 23, 2021, and effective July 1, 2021, of the 1976 Code of the County of Fairfax, as follows:

- (1) Under the authority granted by the General Assembly under SB1457, effective April 7, 2021:
  - a. Amend the powers and duties of the Architectural Review Board (“ARB”) to grant additional authority to the ARB to hear and decide applications for any proposed subdivision, including any subdivision plat, plan, or construction plan (collectively, “proposed subdivision”) of any parcel or parcels within a historic overlay district (“HOD”) whose district-specific regulations require such ARB approval.
  - b. Amend the administration of Historic Overlay District regulations to require ARB review and approval of any application for a proposed subdivision of any parcel(s) within any HOD whose district-specific regulations require such ARB approval. Require ARB approval to include a determination that the proposed subdivision would be compatible with the historic nature of the HOD and to include consideration of the standards applicable to consideration of zoning applications and site, grading, and sports illumination plans. Clarify when ARB review and approval, rather than review and recommendation, is required of subdivision plats.
  - c. Amend the additional Standards for the Wellington Historic Overlay District (WHOD) to require ARB review and approval of any proposed subdivision and to allow the Board to impose or accept conditions and restrictions it deems necessary to ensure any proposed use will be compatible with and not adversely impact any residential area, which may include a condition to allow public access to the WHOD, as permitted by local, state, and federal law.

Copies of the staff report and the full text of the proposed amendment are on County's website, [www.fairfaxcounty.gov/planning-development](http://www.fairfaxcounty.gov/planning-development) under the Zoning heading by clicking on Proposed Zoning Ordinance Amendments, and are on file and, with prior arrangement, available for review at the Zoning Administration Division Office at 12055 Government Center Parkway, Fairfax, Virginia 22035 by calling 703-324-1314. Questions regarding the staff report, including arranging a pick-up of the report or alternative arrangement, may be directed to the Zoning Administration Division at 703-324-1314. *(PUBLIC HEARING HELD ON 6/22/21; DECISION DEFERRED TO 7/27/21; DECISION FURTHER DEFERRED TO 9/14/21.*

4:00 p.m. Public hearing on Plan Amendment #2020-00030 concerns approx. 1.9 ac. generally located at 8708 Silverbrook Road (Tax Map Parcel 98-3 ((1)) 3) in the Mount Vernon Supervisor District. The area is planned for Residential Use at 2-3 du/ac. The amendment will consider Residential Use at 4-5 du/ac. Recommendations relating to the transportation network may also be modified. PA 2020-00030 is concurrently under review with Rezoning application RZ/FDP 2020-MV-17. Consult <http://ldsnet.fairfaxcounty.gov/ldsnet/CurrentInProcessBOS.aspx> for a description and information on the status of the rezoning. Interested parties may review the staff report, which includes the proposed Plan amendment, online at [www.fairfaxcounty.gov/planning-development/plan-amendments/staff-reports](http://www.fairfaxcounty.gov/planning-development/plan-amendments/staff-reports) or may call the Planning Division at 703-324-1380, TTY 711 to make alternative arrangements. With prior arrangement, a copy of the staff report may be picked up at the Planning Division, Department of Planning and Development, 12055 Government Center Pkwy, Suite 730, Fairfax, Virginia 22035. Questions regarding the staff report may be directed to the Planning Division at 703-324-1380, TTY 711. The Planning Commission (PC) recommendation may be viewed online at <https://www.fairfaxcounty.gov/planningcommission/verbatim-home> or by calling the PC office at 703-324-2865, TTY 711 to make alternative arrangements. With prior arrangement, PC recommendation may be obtained from the PC office, 12000 Government Center Pkwy., Suite 552, Fairfax, VA.

4:00 p.m. Public hearing to consider proposed amendments to Chapter 11.1 of the County Code to change status as a veteran to military status as a protected class, add a definition of military status to Art. 11.1-3-2, add accessible parking language from HB 1971 to Art. 11.1-3-4-2, and delete extraneous language from Art. 11.1-3-18. The proposed amendments are required as a result of amendments to state Anti-Discrimination and Fair Housing Statutes and HB 1971 which were passed by the 2021 session of the General Assembly, signed by the Governor, and became effective July 1, 2021. The proposed amendments will be effective retroactive to July 1, 2021. The proposed amendments are on file and available for review through the Office of the Clerk for the Board of Supervisors. To make arrangements to view the documents, please contact the Office of the Clerk for the Board of Supervisors at 703-324-3151. Any and all interested persons will be given an opportunity to express their views regarding the issue and to speak in favor of the same or in opposition thereto.

4:30 p.m. Public hearing to consider proposed amendments to the Code of the County of Fairfax, Chapter 3, County Employees, Article 1, Personnel Administration, Sections 3-1-1 and 3-1-21. The proposed amendments are required as a result of HB 2161 /SB 1410 which was passed by the 2021 special session 1 of the General Assembly, signed by the Governor, and took effect July 1, 2021. HB 2161/SB 1410 explicitly prohibits discrimination in public employment on the basis of military status which “means status as (i) a member of the uniformed forces, as defined in 10 U.S.C. § 101(a)(5), of the United States or a reserve component thereof named under 10 U.S.C. § 10101, (ii) a veteran as defined in 38 U.S.C. § 101(2), or (iii) a dependent as defined in 50 U.S.C. § 3911(4) except that the support provided by the service member to the individual shall have been provided 180 days immediately preceding an alleged action that if proven true would constitute unlawful discrimination under this section instead of 180 days immediately preceding an application for relief under 50 U.S.C. Chapter 50.” The proposed amendments are on file and available for review through the Office of the Clerk for the Board of Supervisors. To make arrangements to view the documents, please contact the Office of the Clerk for the Board of Supervisors at 703-324-3151. Any and all interested persons will be given an opportunity to express their views regarding the issue and to speak in favor of the same or in opposition thereto.

4:30 p.m. Public hearing to consider the acquisition of certain land rights necessary for the construction of Project 2G40-088-028, Sleepy Hollow Rd. Walkway - Columbia Pike to Route 7 (Mason District). This project consists of constructing 4,789 linear feet (LF) of concrete sidewalk which will provide a continuous pedestrian walkway along Sleepy Hollow Road, between Columbia Pike and Leesburg Pike. In addition to walkway improvements, this project will upgrade CG-12 curb ramps, install new curb & gutter, address drainage concerns within the project limits, and install a retaining wall. Plans and plats describing the work proposed to be done and the property interests to be acquired for this project are on file in the Land Acquisition Division of the Department of Public Works and Environmental Services, 12000 Government Center Parkway, Suite 449, Fairfax, Virginia 22035.

4:30 p.m. Public hearing to consider the acquisition of certain land rights necessary for the construction of Slipline Replacement #3 (Celadon Lane) (Mason District) in Project WW-000028, Gravity Sewers, Fund 69300, Sewer Construction Improvements. This project, which is located primarily along Celadon Lane, involves the replacement of approximately 1,700 linear feet of defective 6-inch sanitary sewer pipes. Plans and plats describing the work proposed to be done and the property interests to be acquired for this project are on file in the Land Acquisition Division of the Department of Public Works and Environmental Services, 12000 Government Center Parkway, Suite 449, Fairfax, Virginia 22035.

4:30 p.m. Public hearing on the proposed restriction of through truck traffic on Hampton Road between Ox Road (Route 123) and Henderson Road, as part of the County's Residential Traffic Administration Program (RTAP), and in accordance with Section 46.2-809 of the *Code of Virginia*. A possible alternate route for Hampton Road has been identified and would start at Hampton Road and Ox Road, travel on Ox Road to the intersection of Ox Road and Henderson Road, and then continue on Henderson Road to end at the

intersection of Henderson Road and Hampton Road. Questions regarding this proposed restriction may be directed to the Fairfax County Department of Transportation at 703-877-5600.

4:30 p.m. Public hearing to consider adoption of a new Article 30 of Chapter 4 of the Code of the County of Fairfax, Virginia, as follows. Pursuant to the authority granted by Virginia Code §§ 58.1-1745 – 58.1-1748, the amendment to Chapter 4 proposes to add Article 30, Disposable Plastic Bag Tax. The amendment to add Article 30 to Chapter 4 (Taxation and Finance) establishes a five-cent tax for each disposable plastic bag provided to a consumer of tangible personal property by retailers in grocery stores, convenience stores, or drugstores. The tax shall be collected whether or not such disposable plastic bag is provided free of charge to the consumer. Article 30 establishes a two-cent retailer discount for tax collected on each disposable plastic bag until January 1, 2023, at which time the discount shall decrease to one cent. In accordance with Virginia law and any guidelines adopted by the state Tax Commissioner, the disposable plastic bag tax shall be collected, administered and enforced by the state Tax Commissioner, and tax revenue shall be distributed to the County. Revenue accrued to the County shall be appropriated by the Board of Supervisors in accordance with Virginia Code § 58.1-1745, as amended. A copy of the full text of the proposed ordinance is on file with the office of the Clerk for the Fairfax County Board of Supervisors.

4:30 p.m. Citizens and Businesses of Fairfax County are encouraged to present their views on issues of concern. The Board will hear public comment on any issue except issues under litigation, issues which have been scheduled for public hearing before the Board (this date and future dates), personnel matters and/or comments regarding individuals. Each speaker may have up to three minutes and a maximum of 10 speakers will be heard. Speakers may address the Board only once during a six-month period. Individuals wishing to provide public comment must sign up in advance no later than 12:00 p.m. on the day of the public comment period either online at <https://www.fairfaxcounty.gov/bosclerk/speakers-form> or by calling 703-324-3151.

The public hearings are available to view live on Channel 16 and stream live online at [www.fairfaxcounty.gov/cableconsumer/channel-16/live-video-stream](http://www.fairfaxcounty.gov/cableconsumer/channel-16/live-video-stream). Live audio of the meeting may be accessed at 703-324-7700. Those wishing to testify may do so in person, unless the meeting is held electronically, or via phone or pre-recorded YouTube video. Speakers wishing to testify via video must register by signing up online below or by calling the Department of Clerk Services at 703-324-3151, TTY 711, and must submit their video no later than 9 a.m. on the day prior to the hearing. Speakers wishing to testify via phone must sign up to testify no later than 12:00 p.m. the day of the hearing to be placed on the Speakers List. Speakers not on the Speakers List may be heard after the registered speakers have testified. In addition, written testimony and other submissions will be received by mail at 12000 Government Center Parkway, Suite 552, Fairfax, 22035 or by email at [ClerktotheBOS@fairfaxcounty.gov](mailto:ClerktotheBOS@fairfaxcounty.gov). More information on the ways to testify can be found at <https://www.fairfaxcounty.gov/clerkservices/ways-provide-public-hearing-testimony>.

Copies of the full text of proposed ordinances, plans and amendments, as applicable, as well as other documents relating to the aforementioned subjects, are on file and available for review at the Office of the Clerk for the Board of Supervisors and on the County's website at [www.fairfaxcounty.gov](http://www.fairfaxcounty.gov). To make arrangements to view the documents, please contact the Office of the Clerk for the Board of Supervisors at 703-324-3151.

Fairfax County is committed to nondiscrimination on the basis of disability in all county programs, services and activities and supports the Americans with Disabilities Act by making reasonable accommodations for persons with disabilities. All televised government meetings are closed captioned. Reasonable accommodation is available upon 48 hours advance notice by calling 703-324-3151 or TTY 711.