

**FAIRFAX COUNTY
BOARD OF SUPERVISORS
March 21, 2023**

AGENDA

9:30	Done	Presentations
9:30	Done	Board Appointments to Citizen Boards, Authorities, Commissions, and Advisory Groups
10:00	Done	Matters Presented by Board Members
10:00	Done	Items Presented by the County Executive

**ADMINISTRATIVE
ITEMS**

1	Approved	Extension of Review Period for 2232 Application (Mason District)
2	Approved	Extension of Review Period for 2232 Application (Springfield District)
3	Approved	Extension of Review Period for 2232 Application (Mount Vernon District)
4	Approved	Authorization to Advertise a Public Hearing to Amend the Current Appropriation Level in the FY 2023 Revised Budget Plan
5	Approved	Authorization to Advertise a Public Hearing to Consider Adopting an Ordinance Expanding the Culmore Residential Permit Parking District, District 9 (Mason District)
6	Approved	Authorization to Advertise a Public Hearing to Establish Parking Restrictions on Whittier Avenue (Dranesville District)
7	Approved	Authorization to Advertise Public Hearings on a Proposed Zoning Ordinance Amendment to Chapter 112.1 Re: Article 6 Parking and Loading and Related Changes
8	Approved	Supplemental Appropriation Resolution AS 23195 for the Department of Public Works and Environmental Services to Accept Grant Funding from the Virginia Department of Emergency Management for the Voluntary Acquisition, Structural Demolition, and Land Restoration and Reforestation of 819 Swinks Mill Road (Dranesville District)
9	Approved	Authorization for the Department of Public Works and Environmental Services, Solid Waste Management Program, to Apply for and Accept Grant Funding from the U.S. Environmental Protection Agency to Support Consumer Recycling Education and Outreach

**FAIRFAX COUNTY
BOARD OF SUPERVISORS
March 21, 2023**

**ADMINISTRATIVE
ITEMS
(continued)**

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| 10 | Approved | Authorization for the Office of Environmental and Energy Coordination to Apply for and Accept Grant Funding from the U.S. Environmental Protection Agency Environmental Justice Government-to-Government Program |
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ACTION ITEMS

- | | | |
|---|-----------------|--|
| 1 | Approved | Authorization to Amend Fairfax County's One-Year Action Plan for FY 2022 |
| 2 | Approved | Approval of 2023 Rate Adjustments to Centreville, Fairfax Center, Reston, Tysons, Tysons Grid of Streets, and Tysons-Wide Road Funds (Braddock, Dranesville, Hunter Mill, Providence, Springfield, and Sully Districts) |
| 3 | Approved | Approval of a Resolution to Extend the Cable Franchise Term of CoxCom, LLC |
| 4 | Approved | Approval of a Resolution to Extend the Cable Franchise Term of Verizon Virginia LLC |
| 5 | Approved | Approval of a Resolution to Extend the Cable Franchise Term of Comcast of Virginia, LLC |
| 6 | Approved | Authorization for Director of Department of Public Works and Environmental Services (DPWES), or His Designee, to Execute Betterment Agreements, Deeds, and Other Instruments with Virginia Department of Transportation (VDOT), Dominion Energy, Inc., Fairfax Water, and Other Utility Companies, or Their Designated Agent |

CLOSED SESSION

Done	Closed Session
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**PUBLIC
HEARINGS**

- | | | |
|------|-----------------|--|
| 3:30 | Approved | Public Hearing on SE 2022-SP-00043 (PNC Bank, NA) (Springfield District) |
| 3:30 | Approved | Public Hearing on SEA 2007-SP-001-02 (Costco Wholesale Corporation) (Springfield District) |

**FAIRFAX COUNTY
BOARD OF SUPERVISORS
March 21, 2023**

**PUBLIC
HEARINGS
(continued)**

3:30	Approved	Public Hearing on SEA 95-Y-024-07 (Costco Wholesale Corporation) (Sully District)
3:30	Deferred to 05/09/2023 at 3:30 p.m.	Public Hearing on RZ 2022-SU-00010 (Matan Glorus Road, LLC) (Sully District)
3:30	Deferred to 05/09/23 at 4:00 p.m.	Public Hearing on RZ 2016-SP-033 (Merit Investment, LLC) (Springfield District)
3:30	Deferred to 05/09/2023 at 3:30 p.m.	Public Hearing on PCA 80-S-008-02 (RZPA 2022-SU-00095) (Virginia Medical Transport, LLC) (Sully District)
4:00	Deferred to 05/09/2023 at 4:00 p.m.	Public Hearing on a Proposal to Vacate a Portion of Barney Road (Sully District)
4:00	Approved	Public Hearing on AF-2022-SP-00006 (AA 83-S-004-3) (Whitehall Statewide Agricultural and Forestal District) (Springfield District)
4:00	Approved	Public Hearing on Proposed Plan Amendment 2021-CW-1CP Affordable Housing Preservation Policy
4:00	Approved	Public Hearing on Proposed Plan Amendments (PAs) 2021-CW-T2, Fairfax County and Franconia-Springfield Parkways (Braddock, Dranesville, Franconia, Hunter Mill, Mount Vernon, Springfield, and Sully Districts) and 2019-III-T1, Fairfax County Parkway and Burke Centre Parkway (Springfield District)
4:30	Approved	Public Hearing on a Proposal to Vacate and Abandon a Portion of Blake Lane (Route 655) (Providence District)
4:30	Approved	Public Hearing on the Draft Proposed One-Year Action Plan for FY 2024
4:30	Approved for Members to \$123,283 and Chairman to \$138,283	Public Hearing on Proposed Salary Increases to \$125,000 or up to \$130,000 for Members of the Board of Supervisors and to \$140,000 or up to \$145,000 for the Chairman, Effective January 1, 2024, the Beginning of the Term of the Then Newly-Elected Board
4:30	Held	Public Comment



Fairfax County, Virginia

BOARD OF SUPERVISORS

AGENDA

Tuesday
March 21, 2023

9:30 a.m.

PRESENTATIONS

- RESOLUTION — To recognize Peter Murphy for his decades of service as chairman of the Fairfax County Planning Commission. Requested by Chairman McKay and Supervisor Herryty.
- RESOLUTION — To recognize and congratulate Alice's Kids for its work in the community and recent national recognition. Requested by Chairman McKay and Supervisor Storck.
- PROCLAMATION — To designate April 2023 as Child Abuse Prevention Month. Requested by Supervisors Palchik and Lusk.
- RESOLUTION — To recognize the Franconia District Police Station and the Auto Crimes Enforcement Team for their partnership, outreach and crime prevention efforts. Requested by Chairman McKay and Supervisors Lusk and Storck.

STAFF:

Tony Castrilli, Director, Office of Public Affairs
Jeremy Lasich, Office of Public Affairs

Board Agenda Item
March 21, 2023

9:30 a.m.

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

ENCLOSED DOCUMENTS:

Attachment 1: Appointments to be heard March 21, 2023

STAFF:

Jill G. Cooper, Clerk for the Board of Supervisors

March 21, 2023

FINAL COPY

APPOINTMENTS TO BE HEARD MARCH 21, 2023
(ENCOMPASSING VACANCIES PROJECTED THROUGH **APRIL 30, 2023)**
 (Unless otherwise noted, members are eligible for reappointment)

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

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Clifford L. Fields; appointed 1/96-1/03 by Hanley; 1/04-1/08 by Connolly; 2/09- 1/20 by Bulova) Term exp. 1/21 <i>Resigned</i>	At-Large Chairman's Representative		McKay	At-Large Chairman's
Kerrie Wilson (Appointed 1/10-7/21 by Foust) Term exp. 1/22	Dranesville District Representative		Foust	Dranesville

**ADVISORY SOCIAL SERVICES BOARD
 (4-year terms – limited to 2 full terms)**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held David Jonas; appointed 10/19 by Bulova; 9/20 by McKay) Term exp. 9/24 <i>Resigned</i>	At-Large Chairman's Representative		McKay	At-Large Chairman's

AFFORDABLE DWELLING UNIT ADVISORY BOARD (4-year terms)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Richard N. Rose (Appointed 7/97-4/01 by Hanley; 9/05-5/09 by Connolly; 6/13- 6/17 by Bulova) Term exp. 5/21	Builder (Multi-Family) Representative		By Any Supervisor	At-Large
James H. Scanlon (Appointed 6/93-5/17 by Bulova) Term exp. 5/21	Engineer/Architect/ Planner #1 Representative		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
Francis C. Steinbauer (Appointed 8/02-5/18 by Hudgins) Term exp. 5/22	Non-Profit Housing Representative		By Any Supervisor	At-Large

AFFORDABLE HOUSING ADVISORY COUNCIL (AHAC) (2-year terms)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
New Position	Mason District Representative		Gross	Mason

AIRPORTS ADVISORY COMMITTEE (3-year terms)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Robert K. Ackerman: appointed 1/08-1/20 by Foust) Term exp. 1/23 <i>Resigned</i>	Dranesville Business Representative		Foust	Dranesville
VACANT (Formerly held by Edward Robichaud; appointed 2/11-11/17 by Hudgins; 1/20 by Alcorn) Term exp. 1/23 <i>Resigned</i>	Hunter Mill District Representative	Tammi Petrine	Alcorn	Hunter Mill
VACANT (Formerly held by Kristi Stolzenberg; appointed 6/21 by Gross) Term exp. 1/23 <i>Resigned</i>	Mason District Representative		Gross	Mason

CONFIRMATION NEEDED:

- Ms. Evelyn Spain as the Planning Commission Representative

**ALCOHOL SAFETY ACTION PROGRAM LOCAL
POLICY BOARD (ASAP) (3-year terms)**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Grant J. Nelson Appointed 10/95-5/01 by Hanley; 6/04-9/07 by Connolly; 6/10- 9/19 by Bulova) Term exp. 6/22	At-Large #2 Representative		By Any Supervisor	At-Large
Darren Dickens (Appointed 11/96- 5/01 by Hanley; 6/04- 10/07 by Connolly; 6/10-9/19 by Bulova) Term exp. 6/22	At-Large #3 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Jayant Reddy; appointed 1/16-7/18 by Bulova) Term exp. 8/21 <i>Resigned</i>	At-Large #4 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Richard Bolger; appointed 1/21 by McKay) Term exp. 10/23 <i>Resigned</i>	At-Large #5 Representative		By Any Supervisor	At-Large

ATHLETIC COUNCIL (2-year terms)				
<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Gregory Beckwith (Appointed 7/13-6/21 by Foust) Term exp. 3/23	Dranesville District Principal Representative		Foust	Dranesville
Jeremy Lee (Appointed 5/21 by Alcorn) Term exp. 3/23	Hunter Mill District Principal Representative	Harold Leff	Alcorn	Hunter Mill
Harold Leff (Appointed 6/17-3/19 by Hudgins; /21 by Alcorn) Term exp. 3/23	Hunter Mill District Alternate Representative	Jeremy Lee	Alcorn	Hunter Mill
Lisa MicKey (Appointed 11/14-3/19 by McKay; 5/21 by Lusk) Term exp. 4/23	Franconia District Principal Representative		Lusk	Franconia
VACANT (Formerly held by Terry Adams; appointed 11/11-7/13 by Gross) Term exp. 6/15 <i>Resigned</i>	Mason District Alternate Representative		Gross	Mason
Lester Munson (Appointed 6/19-3/21 by Storck) Term exp. 3/23	Mount Vernon District Principal Representative	Lester Munson	Storck	Mount Vernon
Robert G. Kirk (Appointed 11/21 by Storck) Term exp. 3/23	Mount Vernon District Alternate Representative	Robert G. Kirk	Storck	Mount Vernon

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ATHLETIC COUNCIL (2-year terms)

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<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Kelly Ego-Osuala; appointed 1/21 by Palchik) Term exp. 9/24 <i>Resigned</i>	Providence District Alternate Representative		Palchik	Providence
Gary Flather (Appointed 3/16-3/21 by Smith) Term exp. 3/23	Sully District Principal Representative	Gary Flather	Smith	Sully
VACANT (Formerly held by Mark E. Abbott: appointed 4/03-3/05 by Frey; 5/17-3/21 by Smith) Term exp. 3/23 <i>Resigned</i>	Sully District Alternate Representative		Smith	Sully

BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE (1-year term)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Raymond Smith; appointed 7/20-6/22 by Walkinshaw) Term exp. 6/23 <i>Resigned</i>	Braddock District Representative		Walkinshaw	Braddock
VACANT (Formerly held by Barbara Glakas; appointed 1/12-6/19 by Foust) Term exp. 6/20 <i>Resigned</i>	Dranesville District Representative		Foust	Dranesville

BOARD OF BUILDING AND FIRE PREVENTION CODE APPEALS (4-year terms)

NOTE: No official, technical assistant, inspector or other employee of the Department of Public Works and Environmental Services, Department of Planning and Development, or Fire and Rescue Department shall serve as a member on this Board.

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Wayne Bryan; appointed 6/13-2/17 by Bulova) Term exp. 2/21 <i>Resigned</i>	Alternate #1 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Thomas J. Schroeder; appointed 06/92-2/17 by Bulova) Term exp. 2/21 <i>Resigned</i>	Design Professional #1 Representative		By Any Supervisor	At-Large
David R. Conover (Appointed 1/16-6/19 by Foust) Term exp. 2/23	Design Professional #2 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Daren Shumate; appointed 2/16-7/20 by Gross) Term exp. 2/24 <i>Resigned</i>	Design Professional #5 Representative		By Any Supervisor	At-Large

**BOARD OF EQUALIZATION OF REAL ESTATE
ASSESSMENTS (BOE) (2-year terms)**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Maria Dolores Quintela; appointed 2/20-11/21 by McKay) Term exp. 12/23 <i>Resigned</i>	Professional #1 Representative		By Any Supervisor	At-Large
Noelle M. Holmes (Appointed 5/06-12/08 by Connolly; 12/10-12/18 by Smyth; 12/20 by Palchik) Term exp. 12/22	Professional #4 Representative		By Any Supervisor	At-Large

CITIZEN CORPS COUNCIL, FAIRFAX COUNTY (2-year terms)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Joseph Hansen; appointed 9/20 by Storck) Term exp. 5/22 <i>Resigned</i>	Mount Vernon District Representative	Nicholas Andersen	Storck	Mount Vernon
VACANT (Formerly held by Nathaniel Baldwin; appointed 7/20-5/24 by Palchik) Term exp. 5/24 <i>Resigned</i>	Providence District Representative	Sue Gainor	Palchik	Providence

CIVIL SERVICE COMMISSION (2-year terms)

NOTE: The Commission shall include at least 3 members who are male, 3 members who are female, and 3 members who are from a minority group.

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Deborah A. Woolen (Appointed 7/19 by McKay; 12/20 by Lusk) Term exp. 12/22	At-Large #2 Representative		By Any Supervisor	At-Large

COMMISSION FOR WOMEN (3-year terms)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
New Position	Lesbian-Gay- Bisexual-Queer- Intersex-Asexual ("LGBQIA+") Representative		McKay	At-Large Chairman's

COMMUNITY ACTION ADVISORY BOARD (CAAB) (3-year terms)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Jim Edwards-Hewitt (Appointed 10/05-2/20 by Gross) Term exp. 2/23	Mason District Representative		Gross	Mason

CONSUMER PROTECTION COMMISSION (3-year terms)
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<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by John Theodore Fee; appointed 7/97-9/16 by Bulova; 7/21 by McKay) Term exp. 7/24 <i>Resigned</i>	Fairfax County Resident #10 Representative		By Any Supervisor	At-Large

CRIMINAL JUSTICE ADVISORY BOARD (CJAB) (3-year terms)
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<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Derrick Robinson; appointed 7/21-9/22 by Storck) Term exp. 8/25 <i>Resigned</i>	Mount Vernon District Representative		Storck	Mount Vernon
VACANT (Formerly held by Jennifer Chronis; appointed 12/16-7/18 by Herrity) Term exp. 8/21 <i>Resigned</i>	Springfield District Representative		Herrity	Springfield

**DULLES RAIL TRANSPORTATION IMPROVEMENT DISTRICT
ADVISORY BOARD, PHASE I (4-year terms)**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Michael J. Cooper; appointed 3/04-7/18 by Smyth) Term exp. 3/22 <i>Resigned</i>	At-Large #6 Representative		By Any Supervisor	At-Large

ECONOMIC ADVISORY COMMISSION (3-year terms)

CONFIRMATION NEEDED:

- Mr. Daniel Lagana as the Planning Commission Representative

ECONOMIC DEVELOPMENT AUTHORITY (EDA) (4-year terms)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Roderick Mitchell (Appointed 10/20 by McKay) Term exp. 7/22	At-Large #3 Citizen Representative		By Any Supervisor	At-Large

ENGINEERING STANDARDS REVIEW COMMITTEE (3-year terms)
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<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Howard J. Guba; appointed 6/18 by Bulova) Term exp. 3/21 <i>Resigned</i>	Citizen #2 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Maya Huber; appointed 12/09-1/14 by Confirmation; 5/18 by Bulova) Term exp. 3/21 <i>Resigned</i>	Citizen #4 Representative		By Any Supervisor	At-Large

ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC) (3-year terms)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Michael Zatz; appointed 11/18 by Bulova; 1/22 by McKay) Term exp. 1/25 <i>Resigned</i>	At-Large #2 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Juana Elisa Meara: Appointed 5/22 by Palchik) Term exp. 1/25 <i>Resigned</i>	Providence District Representative		Palchik	Providence

FAIRFAX AREA DISABILITY SERVICES BOARD**(3-year terms - limited to 2 full terms)**

NOTE: Members may be reappointed after being off the Board for three years. State Code requires that the membership in the local disabilities board include at least 30 percent representation by individuals who have physical, visual, or hearing disabilities or their family members. For this 15-member board, the minimum number for this representation would be five members.

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Deborah K. Hammer (Appointed 3/16-1/20 by Storck) Term exp. 11/22 <i>Not eligible for reappointment</i>	Mount Vernon District Representative		Storck	Mount Vernon

FAIRFAX COUNTY 250TH COMMISSION (6-year terms)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Anne Barnes; appointed 11/21 by Storck) Term exp. 6/27 <i>Resigned</i>	Mount Vernon District Representative		Storck	Mount Vernon

HEALTH SYSTEMS AGENCY BOARD (3-year terms -limited to 2 full terms)

NOTE: Members may be reappointed after 1 year break

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Maria Zlotnick; appointed 6/20 by Alcorn) Term exp. 6/22 <i>Resigned</i>	Provider #4 Representative		By Any Supervisor	At-Large

HUMAN RIGHTS COMMISSION (3-year terms)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Emanuel Solon (Appointed 9/95-7/01 by Connolly; 9/04- 9/19 by Smyth) Term exp. 9/22	At-Large #5 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Abigail Shannon; appointed 10/20 by McKay) Term exp. 9/23 <i>Resigned</i>	At-Large #9 Representative		By Any Supervisor	At-Large

HUMAN SERVICES COUNCIL (4-year terms)
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<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Fatima Mirza; appointed 12/16- 9/20 by Foust) Term exp. 7/24 <i>Resigned</i>	Dranesville District #2 Representative		Foust	Dranesville
VACANT (Formerly held by Lanita R. Thweatt; appointed 6/19-7/20 by Storck) Term exp. 7/24 <i>Resigned</i>	Mount Vernon District #1 Representative		Storck	Mount Vernon
VACANT (Formerly held by Leah Ganssle; appointed 9/19 by Supervisor Smith) Term exp. 7/23 <i>Resigned</i>	Sully District #2 Representative	Edward Yost	Smith	Sully

**JUVENILE AND DOMESTIC RELATIONS COURT
CITIZENS ADVISORY COUNCIL (2-year terms)**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Chris M. Jones (Appointed 3/21 by McKay) Term exp. 1/23	At-Large Chairman's Representative		McKay	At-Large Chairman's
VACANT (Formerly held by Deborah Woolen; appointed 9/20-3/22 by Lusk) Term exp. 1/24 <i>Resigned</i>	Franconia District Representative		Lusk	Franconia

POLICE OFFICERS RETIREMENT SYSTEM BOARD OF TRUSTEES (4-year terms)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Brendan D. Harold (Appointed 5/05- 11/14 by Hyland; 12/18 by Storck) Term exp. 12/22	Citizen At-Large #2 Representative		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>
VACANT (Formerly held by Roderick Maribojoc; appointed 11/20 by McKay) Term exp. 4/24 <i>Resigned</i>	At-Large #1 Representative		By Any Supervisor	At-Large
Broderick C. Dunn (Appointed 6/20 by Walkinshaw) Term exp. 4/23	Braddock District Representative		Walkinshaw	Braddock
C. Melissa McKenna (Appointed 9/13-3/19 by Foust) Term exp. 4/23	Dranesville District Representative	C. Melissa McKenna	Foust	Dranesville

SMALL BUSINESS COMMISSION (3-year terms)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Daren Shumate; appointed 10/19- 12/21 by Gross) Term exp. 12/24 <i>Resigned</i>	Mason District Representative		Gross	Mason

TENANT-LANDLORD COMMISSION (3-year terms)
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<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Kenneth Reid; appointed 10/25 by Herrity) Term exp. 1/23 <i>Resigned</i>	Citizen Member #1 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Eric Fielding; appointed 6/15-1/19 by Bulova) Term exp. 12/21 <i>Resigned</i>	Citizen Member #3 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Shahana Begum Islam; appointed 6/20 by Palchik) Term exp. 1/23 <i>Resigned</i>	Condo Owner Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Karen Geier-Smith; appointed 6/06-12/12 by Bulova; 2/16-2/22 by McKay) Term exp. 12/24 <i>Resigned</i>	Landlord Member #1 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Christopher Lee Kocsis; appointed 3/99-11/00 by Hanley; 1/04-12/06 by Connolly; 12/09-1/16 by Bulova) Term exp. 12/18 Deceased	Landlord Member #2 Representative		By Any Supervisor	At-Large

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TENANT-LANDLORD COMMISSION (3-year terms)

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<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Paula Park; appointed 2/14-1/20 by Foust) Term exp. 1/23 <i>Resigned</i>	Landlord Member #3 Representative		By Any Supervisor	At-Large
Perez Otonde (Appointed 5/21 by McKay) Term exp. 1/23	Tenant Member #2 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Jade Harberg; appointed 7/17 by Bulova; 1/20 by McKay) Term exp. 1/23 <i>Resigned</i>	Tenant Member #3 Representative		By Any Supervisor	At-Large

TRANSPORTATION ADVISORY COMMISSION (2-year terms)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Linda Sperling; appointed 12/17-8/18 by Bulova; 6/20-8/22 by McKay) Term exp. 6/24 <i>Resigned</i>	At-Large Representative		By Any Supervisor	At-Large

TREE COMMISSION (3-year terms)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Robert D. Vickers (Appointed 4/07 by DuBois; 11/09-10/18 by Foust) Term exp. 10/21	Dranesville District Representative		Foust	Dranesville
VACANT (Formerly held by Laura Beaty; appointed 5/19 by Smyth; 11/20 by Palchik) Term exp. 10/23 <i>Resigned</i>	Providence District Representative		Palchik	Providence

TRESPASS TOWING ADVISORY BOARD (3-year terms)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by John Theodore Fee; appointed 6/06-9/07 by Connolly; 9/10- 0/19 by Bulova) Term exp. 9/22 <i>Resigned</i>	Citizen Representative		By Any Supervisor	At-Large

**TYSONS TRANSPORTATION SERVICE DISTRICT
ADVISORY BOARD (2-year terms)**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Linda Colbert (Appointed 2/21 by McKay) Term exp. 2/23	Adjacent Community Member #1 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Barry Mark; appointed 3/15-2/17 by Bulova) Term exp. 2/19 <i>Resigned</i>	Commercial or Retail Ownership #3 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Brad Swanson; appointed 2/21-2/21 by Alcorn) Term exp. 2/23 <i>Resigned</i>	Hunter Mill District #1 Representative		Alcorn	Hunter Mill
Donald Garrett (Appointed 6/21 by Palchik) Term exp. 2/23	Providence District #2 Representative	Donald Garrett	Palchik	Providence

UNIFORMED RETIREMENT SYSTEM BOARD OF TRUSTEES (4-year terms)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Maria Teresa Valenzuela; appointed 7/16-11/17 by Bulova) Term exp. 10/21 <i>Resigned</i>	Citizen Appointed by BOS #4 Representative		By Any Supervisor	At-Large

WETLANDS BOARD (5-year terms)				
<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Douglas Kleine; appointed 5/18 by Storck) Term exp. 12/22 <i>Resigned</i>	Mount Vernon District #1 Representative	Steven Shappell	Storck	Mount Vernon

Board Agenda Item
March 21, 2023

10:00 a.m.

Matters Presented by Board Members

Board Agenda Item
March 21, 2023

10:00 a.m.

Items Presented by the County Executive

Board Agenda Item
March 21, 2023

ADMINISTRATIVE - 1

Extension of Review Period for 2232 Application (Mason 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: 2232-2023-MA-00003.

TIMING:

Board action is requested on March 21, 2023, to extend the review period for the application to December 31, 2023, prior to expiration of the initial 60-day period on April 8, 2023.

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 full length of an extension period may not be necessary, and any extension is not intended to set a date for final action.

PROJECT DESCRIPTION:

The Fairfax County School Board is requesting 2232 approval for an exterior addition and interior renovations to Bren Mar Park Elementary School with related expansion of the parking and bus access areas. The request states that the 105,000 square-foot building addition will accommodate future growth of the student population, while also facilitating the removal of existing modular classrooms.

The review period for the following application should be extended:

Board Agenda Item
March 21, 2023

2232-2023-MA-00003 School Board of Fairfax County
Bren Mar Park Elementary School Expansion
Tax Map No. 81-1 ((1)) 6
6344 Beryl Road, Alexandria, VA
Mason District
Accepted January 31, 2023
Extend to December 31, 2023

FISCAL IMPACT:
None.

ENCLOSED DOCUMENTS:
None.

STAFF:
Rachel Flynn, Deputy County Executive
Tracy Strunk, Director, Department of Planning and Development (DPD)
Salem Bush, Branch Chief, Facilities and Plan Development Branch, Planning Division,
(DPD)
Stephen Waller, Planner III, Facilities and Plan Development Branch, Planning Division,
(DPD)

Board Agenda Item
March 21, 2023

ADMINISTRATIVE - 2

Extension of Review Period for 2232 Application (Springfield 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: 2232-2023-SP-00004.

TIMING:

Board action is requested on March 21, 2023, to extend the review period for the application to December 31, 2023, prior to expiration of the initial 60-day period on April 1, 2023.

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 full length of an extension period may not be necessary, and any extension is not intended to set a date for final action.

PROJECT DESCRIPTION:

Milestone Towers company proposes to install a new monopole and related telecommunications equipment at the Bull Run Regional Park that is operated by the Northern Virginia Park Authority.

The review period for the following application should be extended:

2232-2023-SP-00004	Milestone Towers Tax Map No. 85-4 ((1)) 15 8024 Kincheloe Rd, Clifton, VA 20124 Springfield District Accepted January 31, 2023 Extend to December 31, 2023
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Board Agenda Item
March 21, 2023

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

None.

STAFF:

Rachel Flynn, Deputy County Executive

Tracy Strunk, Director, Department of Planning and Development (DPD)

Salem Bush, Branch Chief, Facilities and Plan Development Branch, Planning Division,
(DPD)

Mohamed Ali, Planner, Facilities and Plan Development Branch, Planning Division,
(DPD)

Board Agenda Item
March 21, 2023

ADMINISTRATIVE - 3

Extension of Review Period for 2232 Application (Mount Vernon 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: 2232-2023-MV-00005.

TIMING:

Board action is requested on March 21, 2023, to extend the review period for the application to January 9, 2024, prior to expiration of the initial 60-day period on April 10, 2023.

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 full length of an extension period may not be necessary, and any extension is not intended to set a date for final action.

PROJECT DESCRIPTION:

The Department of Public Works and Environmental Services (DPWES) is requesting 2232 approval to construct a replacement of the Gunston Fire Station #20 to be located on the same property as the existing fire station. The existing fire station will remain operational until the new facility is completed. The extension period request is to allow the applicant sufficient time to complete the 2232 review.

The review period for the following application should be extended:

Board Agenda Item
March 21, 2023

2232-2023-MV-00005 Gunston Fire Station #20
Tax Map No. 114-3 ((1)) 11
10417 Gunston Rd, Lorton, VA 22079
Mount Vernon District
Accepted February 9, 2023
Extend to January 9, 2024

FISCAL IMPACT:
None.

ENCLOSED DOCUMENTS:
None.

STAFF:
Rachel Flynn, Deputy County Executive
Tracy Strunk, Director, Department of Planning and Development (DPD)
Salem Bush, Branch Chief, Facilities and Plan Development Branch, Planning Division,
(DPD)
Mohamed Ali, Planner, Facilities and Plan Development Branch, Planning Division,
(DPD)

Board Agenda Item
March 21, 2023

ADMINISTRATIVE - 4

Authorization to Advertise a Public Hearing to Amend the Current Appropriation Level in the FY 2023 Revised Budget Plan

ISSUE:

Board approval of an advertisement for a public hearing to adjust the FY 2023 appropriation level. The advertisement encompasses both the County and the Schools' *FY 2023 Third Quarter Reviews*. *Section 15.2-2507 of the Code of Virginia* requires that a public hearing be held prior to Board action to amend the current appropriation level.

RECOMMENDATION:

The County Executive recommends that the Board authorize staff to publish the advertisement for a public hearing.

TIMING:

Board Action is requested on March 21, 2023, to provide sufficient time to advertise the proposed public hearings on the following days: April 11, 2023, at 4:00 p.m., April 12, 2023, at 3:00 p.m., and April 13, 2023, at 3:00 p.m.

BACKGROUND:

As the *FY 2023 Third Quarter Review* includes proposed adjustments in appropriation greater than one percent of total expenditures, a public hearing is required prior to Board action. In addition, the *Code of Virginia* requires that a synopsis of proposed changes be included in the advertisement.

The School Board funding adjustments included in the advertisement are based on staff's Third Quarter recommendations to the School Board, which were presented to the School Board on March 9, 2023 with action to be taken by the School Board on March 30, 2023.

ENCLOSED DOCUMENTS:

These attachments will be available online on Monday, March 20, 2023:
www.fairfaxcounty.gov/budget/fy-2023-third-quarter-review

Board Agenda Item
March 21, 2023

Attachment A – Proposed advertisement for public hearing

Attachment B – Memorandum to the Board of Supervisors dated March 21, 2023 from Bryan Hill, County Executive, with attachments, transmitting the County's *FY 2023 Third Quarter Review* with appropriation resolutions and the Fairfax County Public Schools staff's recommendations on the *FY 2023 Third Quarter Review*.

STAFF:

Bryan Hill, County Executive

Christina Jackson, Chief Financial Officer

Philip Hagen, Director, Department of Management and Budget

Board Agenda Item
March 21, 2023

ADMINISTRATIVE - 5

Authorization to Advertise a Public Hearing to Consider Adopting an Ordinance
Expanding the Culmore Residential Permit Parking District, District 9 (Mason District)

ISSUE:

Board authorization to advertise a public hearing to consider a proposed amendment to Appendix G of *The Code of the County of Fairfax, Virginia* (Fairfax County Code), to expand the Culmore Residential Permit Parking District (RPPD), District 9, to include Wilkins Drive from Vista Drive to Knollwood Drive.

RECOMMENDATION:

The County Executive recommends that the Board authorize advertisement of a public hearing for May 9, 2023, at 4:00 p.m. to consider an amendment to Appendix G of Fairfax County Code (Attachment I), to expand the Culmore RPPD, District 9.

TIMING:

The Board should take action on March 21, 2023, to provide sufficient time for advertisement of the proposed public hearing scheduled for May 9, 2023, at 4:00 p.m.

BACKGROUND:

Section 82-5A-4(b) of the Fairfax County Code authorizes the Board to establish or expand an RPPD in any residential area of the County if: (1) the Board receives a petition requesting establishment or expansion of an RPPD that contains signatures representing at least 60 percent of the eligible addresses of the proposed District and representing more than 50 percent of the eligible addresses on each block of the proposed District, (2) the proposed District contains a minimum of 100 contiguous or nearly contiguous on-street parking spaces 20 linear feet in length per space, unless the subject area is to be added to an existing district, (3) 75 percent of the land abutting each block within the proposed District is developed residential, and (4) 75 percent of the total number of on-street parking spaces of the petitioning blocks are occupied, and at least 50 percent of those occupied spaces are occupied by nonresidents of the petitioning blocks, as authenticated by a peak-demand survey. In addition, an application fee of \$10 per petitioning address is required for the establishment or expansion of an RPPD. In the case of an amendment expanding an existing District, the foregoing provisions apply only to the area to be added to the existing District.

Board Agenda Item
March 21, 2023

On December 13, 2022, a peak parking demand survey was conducted for the requested area. The results of this survey verified that more than 75 percent of the total number of on-street parking spaces of the petitioned block faces were occupied by parked vehicles, and more than 50 percent of those occupied spaces were occupied by nonresidents of the petitioned blocks. All other requirements to expand the RPPD have been met.

FISCAL IMPACT:

Funding in the amount of approximately \$700 is required for signage and installation. Funds are currently available in Fairfax County Department of Transportation Fund 100-C10001, General Fund.

ENCLOSED DOCUMENTS:

Attachment I: Proposed Amendment to the Fairfax County Code
Attachment II: Map Depicting Proposed Limits of RPPD Expansion

STAFF:

Rachel Flynn, Deputy County Executive
Tom Biesiadny, Director, Fairfax County Department of Transportation (FCDOT)
Gregg Steverson, Deputy Director, FCDOT
Lisa Witt, Chief, Administrative Services, FCDOT
Eric Teitelman, Chief, Capital Projects and Traffic Engineering Division, FCDOT
Neil Freschman, Chief, Traffic Engineering Section, FCDOT
Henri Stein McCartney, Senior Transportation Planner, FCDOT

ASSIGNED COUNSEL:

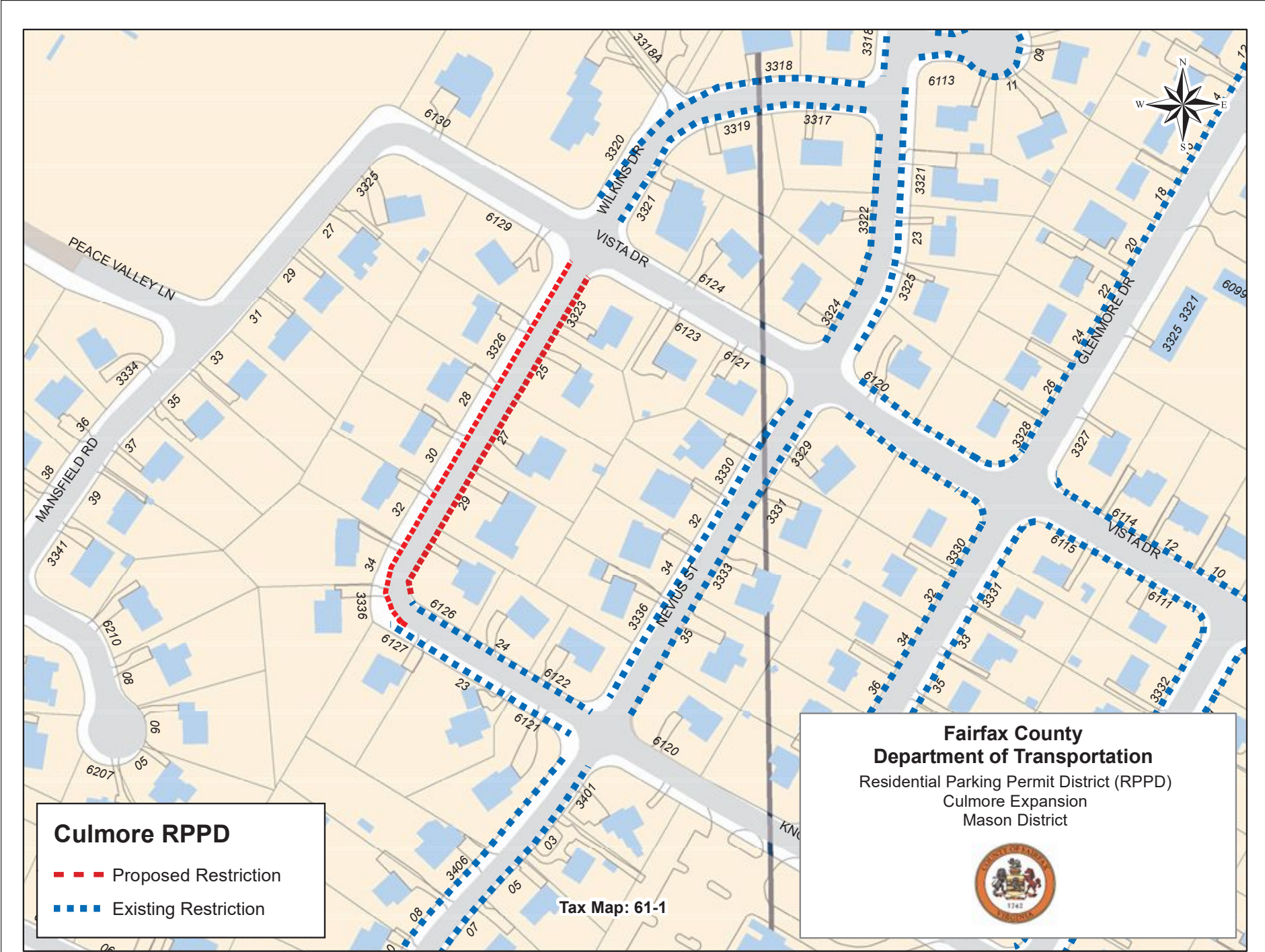
F. Hayden Coddington, Assistant County Attorney

Proposed Amendment

Amend *The Code of the County of Fairfax, Virginia*, by modifying the following streets in Appendix G-9, Section (b)(2), Culmore Residential Permit Parking District, in accordance with Article 5A of Chapter 82:

Wilkins Drive (Route 1922):

From Nevius Street to ~~Vista Drive~~ Knollwood Drive



ADMINISTRATIVE - 6

Authorization to Advertise a Public Hearing to Establish Parking Restrictions on Whittier Avenue (Dranesville District)

ISSUE:

Board authorization to advertise a public hearing to consider a proposed amendment to Appendix R of *The Code of the County of Fairfax, Virginia* (Fairfax County Code), to establish parking restrictions on Whittier Avenue in the Dranesville District.

RECOMMENDATION:

The County Executive recommends that the Board authorize advertisement of a public hearing for May 9, 2023, at 4:00 p.m., to consider an amendment to *Appendix R of the Fairfax County Code* (Attachment I). This amendment will prohibit commercial vehicles, recreational vehicles, and trailers as defined, respectively, in Fairfax County Code §§ 82-5-7, 82-5B-1, and 82-1-2(a)(50), from parking on Whittier Avenue, from Old Dominion Drive to Laughlin Avenue, from 10:00 p.m. to 6:00 a.m., seven days a week.

TIMING:

The Board of Supervisors should take action on March 21, 2023, to provide sufficient time for advertisement of the public hearing on May 9, 2023, at 4:00 p.m.

BACKGROUND:

Fairfax County Code Section 82-5-37(5) authorizes the Board of Supervisors to designate restricted parking in non-residential areas where long term parking of vehicles diminishes the capacity of on-street parking for other uses.

Representatives of various businesses located on commercial parcels along Whittier Avenue contacted the Dranesville District office seeking assistance to restrict commercial vehicles, recreational vehicles, and trailers from parking on the unrestricted blocks of Whittier Avenue between Old Dominion Drive and Laughlin Avenue

These blocks of Whittier Avenue have been reviewed multiple times by FCDOT staff over a period of 30 days. Staff has verified that long term parking of commercial vehicles is occurring, thereby diminishing the capacity of on-street parking for other uses. Staff recommends a parking restriction for all commercial vehicles, recreational vehicles, and trailers along Whittier Avenue, from Old Dominion Drive to Laughlin Avenue, from 10:00 p.m. to 6:00 a.m., seven days a week.

Board Agenda Item
March 21, 2023

FISCAL IMPACT:

Funding in the amount of approximately \$700 is required for signage and installation. Funds are currently available in Fairfax County Department of Transportation Fund 100-C10001, General Fund.

ENCLOSED DOCUMENTS:

Attachment I: Proposed Amendment to the Fairfax County Code, Appendix R (General Parking Restrictions)

Attachment II: Area Map of Proposed Parking Restriction

STAFF:

Rachel Flynn, Deputy County Executive

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

Gregg Steverson, Deputy Director, FCDOT

Lisa Witt, Chief, Administrative Services, FCDOT

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

Neil Freschman, Chief, Traffic Engineering Section, FCDOT

Henri Stein McCartney, Senior Transportation Planner, FCDOT

ASSIGNED COUNSEL:

F. Hayden Coddington, Assistant County Attorney

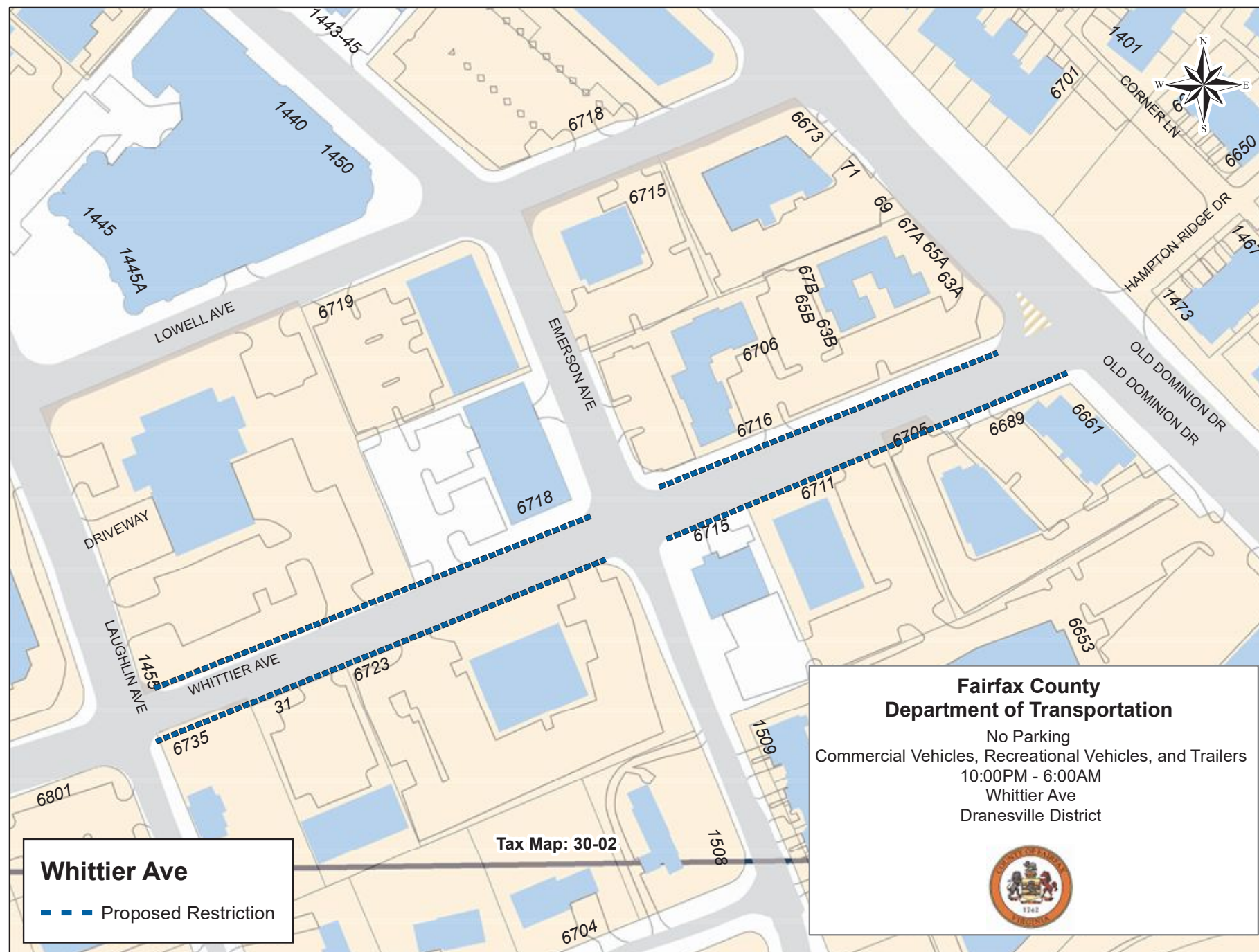
PROPOSED CODE AMENDMENT

THE CODE OF THE COUNTY OF FAIRFAX, VIRGINIA
APPENDIX R

Amend *The Code of the County of Fairfax, Virginia*, by adding the following to Appendix R, in accordance with Section 82-5-37:

Whittier Avenue (Route 1810).

Commercial vehicles, recreational vehicles, and trailers, as defined, respectively, in Fairfax County Code §§ 82-5-7, 82-5B-1, and 82-1-2(a)(50), shall be restricted from parking on Whittier Avenue, from Old Dominion Drive to Laughlin Avenue, from 10:00 p.m. to 6:00 a.m., seven days per week.



ADMINISTRATIVE – 7

Authorization to Advertise Public Hearings on a Proposed Zoning Ordinance
Amendment to Chapter 112.1 Re: Article 6 Parking and Loading and Related Changes

ISSUE:

The Board of Supervisors identified the need to comprehensively update and modernize parking regulations in the 2020 Zoning Ordinance Work Program. To provide the parking amendment its own dedicated analysis and public engagement, the Board excluded this project from the 2021 Zoning Ordinance Modernization (zMOD). The proposed amendment would update and modernize Article 6 (Parking and Loading Regulations) in its entirety and modify various other sections as they relate to parking. The proposed changes reduce unnecessary parking which supports the strategic plan and One Fairfax Policy by reducing direct and indirect environmental impacts, such as heat island effects, excess water runoff, and lost opportunity costs for green alternatives; and by promoting efficient use of valuable land area. Reducing unnecessary parking supports placemaking as identified in the strategic plan and fosters an environment where members of the community want to gather and where businesses can grow. In addition, streamlining parking requirements and County review of parking proposals will improve government efficiency and benefit the County's diverse mix of businesses. Given the scope and scale of these regulatory changes, the proposed amendment would repeal and replace Article 6 in its entirety and amend various other sections of the Zoning Ordinance as they relate to parking.

RECOMMENDATION:

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

TIMING:

Board action is requested on March 21, 2023, to provide sufficient time to advertise the proposed Planning Commission public hearing on April 19, 2023, at 7:30 p.m., and the proposed Board of Supervisors public hearing on June 6, 2023, at 4:00 p.m.

BACKGROUND:

While updates to the parking regulations in the Zoning Ordinance have occurred over time to address specific uses and issues, a comprehensive review of the regulations has not occurred since 1988. Since then, the County has invested resources in construction of multimodal infrastructure to promote both public transportation (e.g.,

Metrorail, the Fairfax Connector) and enhanced pedestrian and bicycle infrastructure. Further, the County has aligned planning for higher-intensity and -density land development to these infrastructure enhancements. Requiring less parking in transit areas supports the strategic plan and the One Fairfax Policy by promoting a dense, transit-oriented, mixed-use development. In support of the One Fairfax Policy, the proposed modification of parking requirements for residential uses supports the development of diverse housing opportunities for residents.

Because the proposed amendment significantly revises and reorganizes the parking regulations, the amendment is proposed as a repeal and replacement of existing Article 6, in addition to various changes to other sections. Key changes proposed are outlined below.

6100.1 Applicability. Discretionary authority that permitted the Director of Land Development Services (Director) to determine parking for planned districts is removed. Additional changes include increased flexibility to evaluate individual sites by allowing administrative adjustments to accommodate placement of electric vehicle parking infrastructure or to meet parking lot landscaping requirements, which will aid legally established substandard lots that currently do not meet these requirements. Furthermore, changes or expansion of a use are permitted without providing additional parking unless the proposed change in use or expansion requires parking in excess of 10 percent of the available parking on the site or 10 spaces. The modifications define when a parking tabulation must be submitted and expand the categories of uses where tabulations, and thus additional parking, are not required with changes in use for existing buildings.

6100.2 Off-Street Parking Standards, Layout and Design. This subsection primarily focuses on parking lot design. New provisions are proposed requiring dedicated pedestrian routes for new development or redevelopment of existing lots that requires more than 50 parking spaces. The pedestrian route must connect the primary building entrance to an abutting pedestrian facility. This will provide safer walking access for patrons parking onsite as well as for pedestrians and bicyclists accessing the site from abutting sidewalks. The proposal also expands the use of tandem parking, which allows two vehicles to park one behind the other. Tandem parking would now be allowed for two spaces assigned to a single multifamily dwelling unit, for parking of company vehicles, and for valet parking. It would also allow other tandem parking proposals subject to Director review and approval.

6100.3 Calculation of Off-Street Parking. General guidance and methodology for calculating the amount of required parking is provided in this section to support the minimum parking requirements defined in subsection 6100.4. Significant changes to this section include rounding down when a calculation of required parking results in a

fraction. It is also proposed that there be no parking requirement for accessory outdoor dining or for temporary seasonal display and sales areas.

6100.4 Minimum Required Off-Street Parking and Stacking Spaces. This subsection contains the minimum parking requirements for all uses and the stacking space requirements for drive-through uses. Staff retained the current table format and evaluated the parking needs for each use in the Ordinance, based on review of County and national surveys of parking demand and information provided by Nelson-Nygaard, the project's consultant. In general, rates were standardized so similar uses have the same parking requirement based primarily on building square footage, which is known at all stages of the building and permitting process. Staff proposes reducing the number of employee-based rates and eliminating other variables such as company vehicles and occupancy load which creates difficulties in assessing required parking. To address where using the building square footage alone would result in a parking supply out of proportion to need, an employee rate is available as an option. Most uses include a range of parking rates for the Board's consideration. In addition, staff has proposed to simplify and lower the parking requirement for shopping centers and office buildings.

6100.5 Tiered Framework and PTC District – Off-Street Parking Requirement. This subsection creates parking tiers that align with specific development areas defined in the Comprehensive Plan, and adjusts the base minimum parking requirement in those tiers by specific percentages as outlined below:

- Base Rate. These are the baseline parking rates for all uses in the County. These rates will be the basis from which minimum requirements are adjusted as proposed in the sections below.
- Suburban Centers. These areas include the Dulles, Fairfax Center, and Merrifield Suburban Centers as defined by the Comprehensive Plan. The minimum parking requirement proposed for nonresidential and multifamily uses is 90 percent of the base rate. Residential parking rates would remain the same as the base rate.
- Revitalization Areas. This tier includes properties located within areas defined or designated as Commercial Business Centers (CBCs), Commercial Revitalization Areas (CRAs) or Commercial Revitalization Districts (CRDs), the urban core of the Fairfax Center Suburban Center (which includes Fair Oaks Mall and Fairfax Corner), and the suburban neighborhoods located between the CBCs in the Richmond Highway corridor. The minimum parking requirement proposed for nonresidential uses is 80 percent of the base rate. This is consistent with the current zoning ordinance language that permits a 20 percent reduction for many of these areas. Residential rates are discussed below.
- Transit Station Area/Tysons Urban Center. This tier includes properties located within all designated Transit Station Areas (TSA) and the Tysons Urban Center. The minimum parking requirement proposed for nonresidential uses is 70 percent of the

base rate. Currently, most nonresidential uses are permitted a 20 percent reduction in these areas. Residential rates are discussed below.

- Transit Oriented Development. This tier includes properties located within a Transit Oriented Development (TOD) or Transit Development District, as defined by the comprehensive plan and typically within ¼ mile radius from the Metro station platform. The minimum parking requirement proposed for nonresidential uses is 60 percent of the base rates. Residential rates are discussed below.
- Planned Tysons Corner (PTC) District. This tier includes properties zoned to the PTC District within the Tysons Urban Center and properties that opt into the PTC rate when located in a TOD area. As permitted in the PTC District today, most uses would have no minimum parking requirement and would be subject to a maximum number of spaces. Revisions are proposed to provide better clarity on the opt-in provisions for PTC and Transit Oriented Development areas. Residential rates are discussed below.
- Residential rates for Revitalization Areas, Transit Station Areas/Tysons Urban Center, Transit Oriented Development, and PTC District. In these areas, lower minimum rates for most residential uses are proposed, recognizing that in higher density development areas, lower parking demand is expected because of the availability of multimodal transport and the proximity of a variety of amenities. The minimum parking requirement proposed for single-family type units is on a per unit basis but generally lower than the base rate. For multifamily developments, analysis shows that a requirement based on the number of bedrooms is a more accurate assessment of parking demand, as is found in the current Ordinance for the PTC District. Thus, it is proposed to use a bedroom measure within these higher density areas of the tiered framework.

6100.6 Adjustments to Minimum Required Off-Street Parking. This subsection has been significantly edited to redefine, consolidate, and provide new options to adjust, or reduce, the parking supply for a development site. In the current Zoning Ordinance, parking adjustments are divided between those which can be approved by the Board and those which can be approved by the Director. The proposed text provides a set of certain circumstances where an adjustment up to 50 percent could be approved by the Director if specific submission criteria are met, after technical review and analysis by LDS staff. Adjustments greater than 50 percent and those considered for public benefit or with a unique justification are proposed to require administrative approval by the Board after a technical review by staff. Many adjustments will occur in conjunction with land use actions taken by the Board; these will be considered along with a public hearing on the associated entitlement proposal.

A summary of the proposed adjustment options is provided below:

- Shared Parking. When two or more uses are provided on a site, these uses can share their parking supply. The proposal includes a detailed chart that identifies

uses that can complement one another and not require each use to provide parking independently.

- Transit Related. The current Ordinance allows adjustments based on transit proximity. Where sites are served by transit but are outside of the tiered framework, adjustments may still be appropriate. Like the proposal for shared parking, the updated language provides a standard allowable transit adjustment of ten percent based on specific criteria. It also provides an option for an adjustment greater than ten percent if the minimum criteria expected in the standard reduction are met and the applicant can meet at least two additional criteria. The proposed text makes some refinements to enhance the connection of transit availability to offsetting auto parking demand.
- Affordable Housing. Professional research and analysis demonstrate two critical factors associated with affordable housing. The ability to build an affordable housing product is affected by the cost of providing parking. Also, in general, the level of auto ownership for people seeking affordable housing is lower than for residents who live in market-rate housing. Therefore, the text proposes a parking adjustment option based on affordability criteria, such as Area Median Income (AMI).
- Publicly Accessible Parking. The current Ordinance allows parking adjustments based on availability of nearby public parking lots. This language is simplified to allow adjustments for any publicly maintained parking, including on-street metered parking. Further, it allows commercially operated public parking as a justification to request an adjustment.
- Public Benefit. New language is proposed to provide the Board adjustment opportunities for sites that have historic designations or identified environmental benefits that may conflict with meeting the minimum parking requirements. These requests would be subject to the approval of the Board.
- Other Parking Adjustments. The proposed text retains the Board's ability to adjust the total number of required parking spaces due to the unique characteristics of the site or use(s) on the site. As with other adjustments, these requests are subject to staff analysis and a determination that the proposed parking will be adequate for the site.

6101. Off-Street Loading. The proposed text would simplify and modernize the minimum loading requirements. The loading requirements are grouped by use categories, and the number of loading spaces required are reduced from the current Ordinance to reflect current practice and an analysis of frequently waived requirements. Currently, loading spaces are required for 29 different, specific land uses based on minimum gross floor area. The proposal requires loading spaces for most land uses but does exempt the first 10,000 square feet of gross floor area. When a loading space is not required, an adequate receiving facility will generally be required. This could include a reserved parking space, pull off area, or other innovative concepts, and is intended to accommodate smaller delivery vans and box trucks, utilized by companies such as Amazon, UPS and FedEx.

6102 Bicycle Parking Requirements. A new section has been added that establishes minimum standards for types and location of bicycle parking spaces. This is the first-time bicycle parking is being required in the Zoning Ordinance. Currently, bicycle parking is negotiated as part of the zoning entitlement process, but is not required for by-right developments. The proposed concept establishes the required number of bicycle parking spaces based on either a percentage of the baseline required auto parking spaces or simply by providing a minimum number of bicycle spaces. Importantly, the minimum bicycle parking requirement increases as auto parking minimum requirements decrease within the tiered framework, reflecting enhanced feasibility of bicycle transportation in higher-density and -intensity areas.

Related Changes. In addition to revisions to Article 6, the following additional related changes are proposed. Staff is proposing new language for and updates to parking-related definitions to improve clarity and consistency. A new provision is being added which allows a minor variation for adding parking spaces to a development subject to a proffered plan. Currently, the addition of parking in those cases would usually require a proffered condition amendment and public hearing with the Planning Commission and Board of Supervisors. The minor variation process still requires Board review and approval of the proposal, but as an administrative item which results in a quicker timeframe with a significantly lower application fee.

A staff report will be published a minimum of three weeks prior to the Planning Commission public hearing that provides additional details and analysis of the proposed amendment.

EQUITY IMPACT:

The Parking Reimagined study aligns primarily with One Fairfax area of focus #11 as it promotes in part a quality-built environment that accommodates anticipated growth and promotes housing and services for all people. In older, underserved suburban communities, surface parking areas are often the front face of commercial and multi-family residential properties. Outdated minimum parking requirements can limit the ability to improve buildings and sites provide reinvestment opportunities to benefit the community. Lowering parking requirements creates opportunities for more walkable, transit-accessible communities benefitting those who do not drive. Streamlining administrative requirements such as the need for parking tabulations when there is a change in use and lowering parking minimums helps small and disadvantaged businesses reduce both administrative and physical costs of providing parking. Lowering parking requirements will reduce development costs and can provide for opportunities for affordable housing. Simplifying requirements, creating predictability, and reducing required parking supply will be a cost savings to citizens and businesses.

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Parking Reimagined created an engagement plan with an equity focus with the start the project. The project team created a dedicated website that provided access to meeting invites, recording of past meeting, project papers, and opportunities to leave questions and comments. The project team met with the Board and Planning Commission on four separate occasions each, to update them on the status of the project. Parking Reimagined engaged the community in eight town halls between October 2021 and February 2022 and nine community open houses between June 2022 and February 2023. Including the town halls and open houses, Project Reimagined conducted more than 100 project-related meetings with Board committees, community and industry groups, County agencies, Board members, and regional and national local government representatives.

REGULATORY IMPACT:

Overall, the proposed amendment either maintains or otherwise reduces the minimum parking requirements for the majority of land uses within the Zoning Ordinance and streamlines the regulatory process for obtaining parking adjustments. There are some exceptions. Some uses, such as single-family attached and stacked townhouses, would have the same base parking rate but allocate some of the spaces to visitor or shared parking. This will result in the same or more parking spaces than are required currently. For example, the current single-family attached rate is 2.7 spaces per unit. A development of 100 single-family attached units would require 270 parking spaces. All these spaces could be provided within garage and driveway spaces. As proposed the requirement would still be a total of 270 parking spaces but 0.2 space per unit or 20 spaces would be required to be provided as visitor or shared spaces. These spaces would need to be located on common property and not on an individual lot. Religious assembly, independent living, and some other uses would have increased requirements, but these new requirements would only apply to existing uses if those existing uses were expanded. In revitalization areas, parking is proposed to be 80 percent of the base rate consistent with the current Ordinance for CRDs and the Lake Anne Commercial Revitalization Area, except this rate is proposed to be permitted without the need for Board approval, facilitating redevelopment and eliminating an additional regulatory hurdle. It is proposed that the Director be given additional authority to approve parking adjustments based on specific criteria in lieu of Board approval, which will reduce the time to process these requests. Staff is also proposing structural and process changes to provide opportunities intended to increase the speed, efficiency, and predictability of determining and establishing parking requirements for individual properties.

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FISCAL IMPACT:

Currently there are fees associated with parking tabulations for change in use (\$980), parking redesignation plans (\$980), administrative parking reductions for religious assembly (\$980), and parking reductions based on shared parking (a range of \$2,812-\$16,351 depending on number of parking spaces on the site). At this time, no fees are proposed to be changed with this amendment, however it is anticipated that the need for these applications will be reduced. Reductions in fee revenue can be offset by anticipated faster times to market with simplified, flexible, and reduced parking supply requirements which will likely provide more opportunities to add property tax revenue with redevelopment and tenant refits.

ENCLOSED DOCUMENT:

Attachment 1 – Resolution

Attachment 2 – Proposed Amendment Text

STAFF:

Rachel Flynn, Deputy County Executive

Tracy Strunk, Director, Department of Planning and Development (DPD)

Bill Hicks, Director, Land Development Services (LDS)

Leslie B. Johnson, Zoning Administrator, DPD

William Mayland, Assistant Zoning Administrator, DPD

Matthew Hansen, Director, Site Development and Inspections Division, LDS

Jeff Vish, Central Branch Chief, LDS

Michael Davis, Parking Program Manager, LDS

Austin Gastrell, Senior Planner, DPD

ASSIGNED COUNSEL:

F. Hayden Coddington, Assistant County Attorney

T. David Stoner, Deputy County Attorney

RESOLUTION

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, on March 21, 2023, at which meeting a quorum was present and voting, the following resolution was adopted:

WHEREAS while updates to parking regulations in the Zoning Ordinance have occurred over the years to address specific needs, a comprehensive review of the regulations has not occurred since 1988.

WHEREAS the need to comprehensively update and modernize parking regulations was identified as an important component of the County's overall effort to update and modernize the Zoning Ordinance and was added to the Zoning Ordinance Work Program in 2020.

WHEREAS the scope of such an amendment necessitated the hiring of consultant services to assist County staff in the research and analysis of parking trends both locally and nationwide and to identify best practices.

WHEREAS the County has invested substantial resources in construction of multimodal infrastructure to promote both public transportation—including Metrorail and the Fairfax Connector—and enhanced opportunities for walkability and bikeability and has aligned planning for higher-intensity and -density land development to this infrastructure all with the intent to reduce reliance on auto travel.

WHEREAS since 1988, the County has changed from primarily a low-density, suburban community of single-family homes with shopping centers and office parks to include areas of mixed-use transit-oriented development that serves a growing and increasingly diverse population.

WHEREAS providing dedicated auto parking is still a necessity in Fairfax County, the amount of dedicated parking must be right-sized to address current and future land development activities.

WHEREAS requiring less parking in transit areas supports the strategic plan and One Fairfax Policy to promote dense, transit-oriented, and mixed-use development.

WHEREAS while people still routinely drive and park their cars, changes in technology—such as on-line shopping, remote working, and car sharing—have affected parking demand.

WHEREAS unnecessary auto parking creates direct and indirect costs in the form of higher housing expenditures; the proposed modification of parking requirements for residential uses supports the One Fairfax Policy to encourage development of diverse housing opportunities for residents.

WHEREAS reducing unnecessary parking supports the Strategic Plan and One Fairfax Policy by reducing direct and indirect environmental impacts, such as heat island effects, water runoff issues, lost opportunity costs for green alternatives, and inefficient use of valuable land area.

WHEREAS reducing unnecessary parking supports placemaking as identified in the Strategic Plan and supports places where members of the community want to gather and where businesses can grow.

WHEREAS as identified in the Strategic Plan, streamlining parking requirements and County review of parking proposals will not only improve government efficiency, but also support the County's diverse mix of businesses.

WHEREAS a singular regulatory approach to parking is no longer suitable for a diverse and urbanizing County but rather should be part of a tiered framework that aligns minimum parking requirements with development areas designated in the Comprehensive Plan.

WHEREAS simplification and updating of the loading requirements is essential to ensure adequate facilities are being provided.

WHEREAS bicycle parking is an essential element in a multimodal transportation system. Lack of secure bicycle parking is a common barrier to bicycling as a convenient, healthy, affordable, and environmentally friendly mode of transportation.

WHEREAS the public necessity, convenience, general welfare, and good zoning practice require consideration of the proposed revisions to the Fairfax County Zoning Ordinance relating to parking.

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:

Jill G. Cooper
Clerk for the Board of Supervisors

Article 6 is proposed to be repealed and replaced with the following text. Advertised options are included *(in parentheses, italics and bold)*. When an option is presented as a range the Board may approve any number within the advertised range. In subsection 6100.4, the proposed rate is considered the high end of the option, unless otherwise noted, and the Board may approve a lower rate than proposed rate, even if a specific option is not noted.

6100. Off-Street Parking

1. Applicability

A. Generally

- (1) Any structure built, and any use established, must provide accessory off-street parking in accordance with this Article.
- (2) For redevelopment that retains some use or structure and eliminates some on-site parking during the redevelopment process, a temporary adjustment or relocation of the minimum required off-street parking spaces may be approved either by the Board, in conjunction with a rezoning or special exception, or by the Director, in conjunction with a site plan. As conditions to any such an approval, the applicant must demonstrate that adequate measures will be taken to ensure the continuation of safe and adequate parking on the property, and the Board or the Director will impose time limitations.
- (3) Parking of commercial vehicles in R districts is regulated by subsections 4102.1.B(2) and 4102.1.E(4).
- (4) The provisions of this Article do not apply to vehicle storage or display parking areas associated with a vehicle sales, rental and service establishment.
- (5) The Director may adjust the minimum off-street parking requirements for an existing parking lot to allow for installation of electric vehicle parking infrastructure as an accessory use.
- (6) The Director may adjust the minimum off-street parking requirements by up to 20 percent **(10 up to 30 percent)** for an existing parking lot to provide interior or peripheral parking lot landscaping in accordance with subsection 5108.5.

B. Change in Use or Expansion of an Existing Structure or Use

- (1) A change in use or an expansion of an existing structure or use must comply with the following:
 - (a) No additional parking is required for a change in use or expansion of an existing structure or use that results in the same or a lesser parking requirement than the previous use.
 - (b) No additional parking is required for a change in use or expansion of a structure or use unless the change or expansion results in more than a 10 percent **(10 up to 30 percent)** increase or an increased requirement of greater than 10 spaces **(5 up to 15 spaces)** in the on-site parking supply.
 - (c) When a site contains two or more uses, the 10 percent **(10 up to 30 percent)** increase or an increased requirement of greater than 10 spaces **(5 up to 15 spaces)** is measured cumulatively for all uses on the site, not each individual use.
 - (d) If the change in use or expansion of use or structure results in more than a 10 percent increase in the parking supply **(10 up to 30 percent)**, additional parking is required for the increase above 10 percent **(10 up to 30 percent)**.
 - (e) Compliance with the minimum off-street parking requirements is not required to the extent the expansion is to provide an accessibility improvement.

C. Commercial Parking in a Residential District

Where a structure or use is permitted only in a C or I district, off-street parking for the structure or use may not be in an R district, except with approval of a special exception by the Board, and in accordance with the following:

- (1) No fee is charged for parking purposes in the R District.
- (2) Unless otherwise modified by the Board, no vehicle parking is allowed closer to any lot line that abuts an R district, or a residential area of a P district, than a distance equal to the dimension of the corresponding minimum setback of the adjacent R district or P district.

D. Parking Tabulation

- (1) A parking tabulation approved by the Director and demonstrating compliance with the minimum required off-street parking for all uses on a lot is required in any of these following situations:
 - (a) A site plan or minor site plan is submitted in accordance with subsection 8101.4.
 - (b) A change in use that results in an increased parking requirement, in accordance with subsection 6100.1.B, from that shown on the approved site plan or minor site plan.
- (2) Parking tabulations are not required for the following:
 - (a) Change in use that results in no greater parking requirement than the previous use.
 - (b) Change in use within a shopping center in accordance with subsection 6100.4.B.
 - (c) Change in use within an office building in accordance with subsection 6100.4.C.
 - (d) Change in use identified within the industrial use classification in Table 4100.2, to another use identified in the industrial use classification, commercial use classification, college or university, or a specialized instruction center.
 - (e) Change in use that substantially conforms with the mix of uses on an approved development plan or PRC plan.
 - (f) Changes in site layout or expansion of a structure to provide only for an accessibility improvement.
 - (g) Changes in site layout to provide only for electric vehicle parking spaces or its infrastructure.
- (3) When a parking tabulation is not required, no additional parking for the site is required.

E. Use of Off-Street Parking Lots

- (1) Parking lots that are not fully used during the weekday may be used for a public commuter park-and-ride lot when established and operated in accordance with a public commuter park-and-ride lot agreement approved by the Board. Submission of a redesignation plan in subsection 6100.2 is not required.
- (2) Any off-street parking lots must be used for parking of vehicles in operating condition by patrons, occupants, or employees of the associated use. No vehicle repair work is permitted, except for emergency service.

2. Off-Street Parking Standards, Layout, and Design

A. General Location

- (1) All required off-street parking spaces must be located on the same lot as the structure or use to which they are accessory, except as allowed by subsection 6100.6.
- (2) Unless otherwise authorized in this Ordinance, parking structures and carports are subject to the minimum setback requirements of the applicable zoning district unless located completely underground, in which case they may be in any required setback, but not closer than one foot to any lot line.
- (3) Unless otherwise authorized in this Ordinance or modified by the Board, the BZA, or the Director in accordance with subsection 5108.5, off-street parking spaces that are open to the sky may be in any required setback but may not be located closer than ten feet to any front lot line. For any parking space on the same lot with a single-family detached, single-family attached, or stacked townhouse dwelling, the space is exempt from the ten-foot minimum distance requirement, but must not encroach into any sidewalk or trail.

B. Parking in Residential Districts

- (1) In the R-1, R-2, R-3, and R-4 Districts, for any single-family detached dwelling on lot no larger than 36,000 square feet, all parking for vehicles or trailers in a front yard must be on a surfaced area and limited to the maximum coverage percentage listed in Table 6100.1, except, that on a pipestem lot, the surfaced area within the pipestem driveway is not included in the maximum coverage percentage.

Table 6100.1: Residential Front Yard Coverage	
Zoning District	Maximum Front Yard Coverage
R-1	25 Percent
R-2	
R-3	30 Percent
R-4	

- (a) The limitations in Table 6100.1 may be exceeded for a surfaced area that:
 1. Contains no more than two side-by-side parking spaces and is no more than 25 feet long and 18 feet wide;
 2. Consists of two side-by-side parking spaces and a vehicular turn-around area, if:
 - a. The lot has its access from a major throughfare,
 - b. The surfaced area is not more than 25 feet long and 18 feet wide, and
 - c. The turnaround area does not exceed 150 square feet; or
 3. Is approved by the Zoning Administrator for an accessibility improvement.
- (b) Permitted parking surface materials include asphalt, poured or precast concrete, brick, stone, gravel, any other impervious surface, and grasscrete or other similar pervious surface.
- (c) Temporary parking on an unsurfaced area is permitted in a front yard for a period not to exceed 48 hours for loading, unloading, cleaning, or repair of vehicles or trailers.

C. Off-Street Parking Design and Layout

(1) Generally

- (a) Unless otherwise authorized in this Ordinance, a parking lot or driveway used for required off-street parking spaces may not be encroached upon or reduced in any manner.
- (b) Each parking lot must be provided with safe and convenient access to a street. Ingress and egress must be through a driveway opening whose dimension, location and construction are approved by the Director in accordance with the Public Facilities Manual. If any off-street parking space within a parking lot is located contiguous to a street, the street side must be curbed.

(2) Accessible Parking

- (a) All accessible off-street parking spaces and related access aisles and accessible routes must comply with the USBC and the Public Facilities Manual.
- (b) Each accessible off-street parking space must be designated as reserved for persons with disabilities by an above grade sign in conformance with the design and content specifications of the Public Facilities Manual.

(3) Pedestrian Routes

To encourage parking lot design that enhances pedestrian safety and access, pedestrian routes must be provided in accordance with this subsection. Such route allows a person to use a direct pedestrian pathway instead of a vehicle travel aisle, to reach the principal building. This requirement does not apply to parking lots with 50 **(20 up to 100)** or fewer spaces or to parking structures. The pedestrian route:

- (a) Must be at least five feet wide.
- (b) Must be designed to serve at least 25 percent **(10 up to 50 percent)** of the provided off-street parking spaces.
- (c) Must connect the entrance of the principal building to the on-site pedestrian route. Where off-site pedestrian routes abut the parking lot and are within right-of-way, the on-site route must connect to it.
- (d) Must be clearly marked with hatched pavement markings or contrasting pavement material when crossing a travel aisle.
- (e) May serve the parking spaces located directly across the travel aisle, if the pedestrian route is adjacent to the principal structure. In this instance, pavement markings for a crossing of the travel aisle are not required.
- (f) Must be shown on a site plan for new construction or for expansion of an existing parking lot by more than 30 spaces **(10 up to 50 spaces)**.
- (g) The Director may adjust the minimum off-street parking requirements by up to 20 percent **(10 up to 50 percent)** in existing parking lots, to facilitate pedestrian routes.

(4) Surface and Dimensional Standards

- (a) All off-street parking lots and driveways, except those required for single-family detached dwellings, and agricultural and related uses, must be constructed and maintained with a dustless surface in accordance with the Public Facilities Manual. The Director may approve a modification or waiver of the dustless surface requirement in accordance with the Public Facilities Manual.
- (b) All off-street parking lots must comply with the geometric design standards in the Public Facilities Manual.
- (c) Except when provided for and on the same lot with a single-family detached, attached, or stacked townhouse dwelling, each parking space must be clearly delineated in accordance with the design standards in the Public Facilities Manual to be approved by the Director.

(5) Redesignation Plan

- (a)** Any change in the size, configuration, or number of existing parking spaces requires approval by the Director subject to the following:
 1. The applicant must submit a plan certified by an engineer or land surveyor authorized by the State;
 2. The plan must depict each off-street parking space, driveway aisle, loading space, and walkway, indicating the type of surfacing, size, angle of stalls, width of aisles, and a specific schedule showing the number of parking spaces provided and the number required by this Article;
 3. Except for changes permitted by subsection 6100.2.C(5)(b), a plan will not be approved if it reduces the number of parking spaces below the minimum number required by this Article.
- (b)** A redesignation plan that reduces the number of parking spaces below the minimum requirements of this Article for the following modifications does not need to be certified by an engineer or land surveyor:
 1. Adding accessibility improvements in accordance with subsection 6100.2.C.(2)
 2. Adding electric vehicle charging infrastructure
 3. Converting auto parking spaces to add bicycle parking;
 4. Adding solar canopies

D. Tandem Parking

- (1)** Tandem parking is allowed for the following:
 - (a)** A single-family detached dwelling.
 - (b)** A single-family attached dwelling.
 - (c)** A stacked townhouse dwelling.
 - (d)** Multifamily residential units where two parking spaces are assigned to the same unit.
 - (e)** On-site parking spaces for company vehicles owned or leased by the operator of a use.
 - (f)** Valet parking, except that if located off-site it must be subject to an agreement with the off-site property owner, subject to the Director's approval, regarding administration and termination of valet parking by the operator or user.
- (2)** Except for the uses in subsection 6100.2.D.(1)(a), (b), and (c), the development plan or site plan must depict the number and location of tandem spaces.
- (3)** Except for the uses in subsection 6100.2.D.(1)(a), (b) and (c), a site plan and parking management plan are required and must ensure utilization of and access to any interior space.
- (4)** The Director may approve tandem parking not conforming with the above requirements if the spaces are determined to be sufficiently usable and accessible.

3. Calculation of Off-Street Parking

- A. Except as may be permitted by other provisions of this Ordinance, where a use or building contains a combination of uses, parking must be provided based on the sum of the required spaces for each use.
- B. When the calculated number of spaces results in a number containing a fraction, the required number of spaces will be rounded down to the lowest whole number. When there is a combination of uses on a site, parking for each individual use is calculated and the required number of spaces for each use is then rounded down to the lowest whole number prior to adding the sum of all uses to determine the required parking. ***(Option for Board to consider standard rounding: When the calculated number of spaces results in a number containing a fraction, the required number of spaces is rounded down when the fractional unit is less than 0.5 and is rounded up when the fractional unit is greater than 0.5.)***
- C. Where the minimum required parking is not identified for a particular use, and there is no similar general type of use listed, the Director, in consultation with the Zoning Administrator, will determine the number of spaces required based on the minimum requirement for the most similar type of use.
- D. For the purpose of determining the minimum parking requirement, the gross floor area includes the following:
 - (1) Permanent outdoor display and sales area.
 - (2) The areas within a cellar not used exclusively for storage or for mechanical equipment.
- E. For the purpose of determining the minimum parking requirement, accessory outdoor dining and temporary seasonal display and sales areas are not included in gross floor area and are not required to provide parking.
- F. Electric vehicle charging spaces that are accessory to a use are included in the calculation of the required number of parking spaces.
- G. Accessible parking spaces are included in the calculation of the required number of parking spaces. The number of accessible spaces provided is based on the minimum number of spaces required for the use or building prior to any adjustments permitted in subsections 6100.5 or 6100.6.
- H. Unless otherwise authorized by this Ordinance, company vehicles, construction vehicles, and vehicles owned or operated by a nonresidential use, are not permitted to be parked or stored on a public street adjacent to the use.

4. Minimum Required Off-Street Vehicle Parking Spaces, and Stacking Spaces

A. Table of Required Off-Street Parking Spaces

Except as may be allowed by subsection 6100.5 and 6100.6, all uses must provide the minimum amount of off-street parking spaces indicated in Tables 6100.2 and 6100.3 below.

Table 6100.2: Minimum Required Off-Street Vehicle Parking Spaces

Use	Minimum Parking Requirement
AGRICULTURAL AND RELATED USES	
Agricultural and Related Uses	
Agricultural Operation	No minimum requirement
Agritourism	<p>When by right: No minimum requirement</p> <p>When by administrative permit: Subject to the Zoning Administrator's determination that a parking plan demonstrates adequate parking is provided on-site.</p> <p>When by SE: Based on a review of each proposal to include such factors as the number of spaces required to accommodate employees and visitor parking.</p>
Farm Winery, Limited Brewery, or Limited Distillery	<p>When by right: No minimum requirement</p> <p>When by SE: Based on a review of each proposal to include such factors as the number of spaces required to accommodate employees and visitor parking.</p>
Stable, Riding or Boarding	Based on a review by the Board or BZA of each proposal to include such factors as the number of spaces to accommodate employees and visitor parking, and the availability of areas on-site that can be used for auxiliary parking in times of peak demand.
RESIDENTIAL USES	
Household Living	
Dwelling, Multifamily	1.3 spaces per unit (1.3 up to 1.6 spaces per unit)
Dwelling, Single-Family Attached	2.7 spaces per unit of which 0.2 space per unit is located on common property and available for visitor or shared use (Options for Board's consideration: 2.7 spaces per unit or 2.7 spaces per unit of which up to 0.7 spaces per unit is located on common property and available for visitor or shared use)
Dwelling, Single-Family Detached and Accessory Living Unit	2 spaces per unit for lots with frontage on a public street and 3 spaces per unit for lots with frontage on a private street Accessory living unit (administrative permit): 1 additional space
Dwelling, Stacked Townhouse	2.3 spaces of which 0.3 space per unit is located on common property and available for visitor or shared use (Options for Board's consideration: 2 spaces per unit or up to 2.7 spaces per unit of which up to 0.7 spaces per unit is located on common property available for visitor or shared use)
Group Residential Facility	Applicable rate for the dwelling unit type
Live-Work Development	Applicable residential rate
Manufactured Home	1.5 spaces (2 spaces) per unit
Group Living	
Congregate Living Facility	1 space (No minimum up to 3 spaces) per 3 residents
Group Household	See subsection 4102.3.F

Table 6100.2: Minimum Required Off-Street Vehicle Parking Spaces

Use	Minimum Parking Requirement
Religious Group Living	1 space (No minimum up to 3 spaces) per 3 residents
Residence Hall	1 space (No minimum up to 3 spaces) per 3 residents
PUBLIC, INSTITUTIONAL, AND COMMUNITY USES	
Community, Cultural, and Educational Facilities	
Adult Day Support Center	2 spaces (No minimum up to 3 spaces) per 1,000 square feet of gross floor area
Alternate Use of Public Facility	See most similar use
Child Care Center	2 spaces (No minimum up to 3 spaces) per 1,000 square feet of gross floor area
Club, Service Organization, or Community Center	6 spaces (No minimum up to 8 spaces) per 1,000 square feet of gross floor area
College or University	Applicable office rate for classroom and office facilities; all other facilities associated with the use are subject to the requirements for the most similar use
Community Swim, Tennis, and Recreation Club	Community Pool: 1 space for every 7 persons lawfully permitted in the pool at one time. The Director may reduce this standard based on the number of members who live within a reasonable walking distance of the pool. (Option: Determined by the Director or no minimum requirement) Tennis Club: 2 spaces per court Recreation Club without swimming or tennis: determined by the Director
Convention or Conference Center	5 spaces (No minimum up to 5 spaces) per 1,000 square feet of gross floor area
Cultural Facility or Museum	3 spaces per 1,000 square feet of gross floor area
Public Use	Library: 4 spaces (No minimum up to 7 spaces) per 1,000 square feet of gross floor area Park: See Quasi-Public Park, Playground, or Athletic Field School: See School, Private All Other Public Uses: Determined by the Director based on the number of spaces required to accommodate employees, public use vehicles anticipated to be on-site at any one time, visitor parking, and the availability of areas on-site that can be used for auxiliary parking in times of peak demand. The number of spaces required for government office use may not be less than that required for office.
Religious Assembly	1 space per 3 seats (1 space per 4 seats) in the principal place of worship when located in R district or 1 space per 4 seats in the principal place of worship when located in a P, C or I district
Religious Assembly with Private School, Specialized Instruction Center, or Child Care Center	1 space per 3 seats (1 space per 4 seats) in the principal place of worship when located in R district or 1 space per 4 seats in the principal place of worship when located in a P, C or I district
School, Private	Elementary and Intermediate School: 1 space per faculty member and other full-time employee on major shift plus 4 spaces for visitors

Table 6100.2: Minimum Required Off-Street Vehicle Parking Spaces

Use	Minimum Parking Requirement
School, Private	High School: 1 space per faculty member and other full-time employee on major shift, plus 5 spaces per 100 students based on total maximum enrollment (<i>Option: 1 space per faculty member and other full-time employee on a major shift and 0.3 spaces per student</i>)
Specialized Instruction Center	2 spaces per each 3 employees on major shift
Funeral and Mortuary Services	
Cemetery	1 space per 1,000 square feet of gross floor area, except funeral homes located on the site are parked at the funeral home requirement.
Crematory	1 space per 1,000 square feet of gross floor area
Funeral Home	1 space per 4 seats in the main chapel or parlor
Health Care	
Adult Day Care Center	2 spaces (<i>No minimum up to 3 spaces</i>) per 1,000 square feet of gross floor area
Continuing Care Facility	0.75 space per separate unit or bed approved on the development plan
Independent Living Facility	0.75 space (<i>No minimum up to 1.3 spaces</i>) per unit
Medical Care Facility	Hospital: 2.9 spaces per bed licensed by the State Institution providing intensive special medical or mental care: 1 space per 2 patients Assisted Living or Nursing Facility: 1 space per 3 residents
Transportation	
Airport	Determined by the Board based on an analysis of expected parking demand
Helipad	No minimum requirement
Transit Facility	No minimum requirement
Utilities	
Solar Power Facility	No minimum requirement
Utility Facility, Heavy	No minimum requirement
Utility Facility, Light	No minimum requirement
Wireless Facility	No minimum requirement
COMMERCIAL USES	
Animal-Related Services	
Animal Shelter	2 spaces per 1,000 square feet of gross floor area Gross floor area does not include any outdoor exercise or dog run area that is enclosed by a roof or fencing material.
Kennel	2 spaces per 1,000 square feet of gross floor area Gross floor area does not include any outdoor exercise or dog run area that is enclosed by a roof or fencing material.
Pet Grooming Establishment	4 spaces (<i>No minimum up to 5 spaces</i>) per 1,000 square feet of gross floor area

Table 6100.2: Minimum Required Off-Street Vehicle Parking Spaces

Use	Minimum Parking Requirement
Veterinary Hospital	2 spaces per 1,000 square feet of gross floor area
Food and Lodging	
Bed and Breakfast	Applicable single family dwelling rate plus 1 space per guest room
Catering	1 space per 1,000 square feet of gross floor area or 1 space per employee on major shift, whichever is less
Hotel or Motel	1 space <i>(No minimum up to 1.5 spaces)</i> per rental unit or guest room
Restaurant	8 spaces <i>(No minimum up to 10 spaces)</i> per 1,000 square feet of gross floor area
Restaurant, Carryout	4 spaces <i>(No minimum up to 5 spaces)</i> per 1,000 square feet of gross floor area
Restaurant with Drive-Through	6 spaces <i>(No minimum up to 12 spaces)</i> per 1,000 square feet of gross floor area
Retreat Center	1 space <i>(0.75 up to 1.5 spaces)</i> per rental unit or guest room
Office and Financial Institutions	
Alternative Lending Institution	4 spaces per 1,000 square feet of gross floor area
Drive-Through Financial Institution	4 spaces per 1,000 square feet of gross floor area
Financial Institution	4 spaces per 1,000 square feet of gross floor area
Office	50,000 square feet of gross floor area or less: 3 spaces <i>(No minimum up to 3.6 spaces)</i> per 1,000 square feet Greater than 50,000 square feet of gross floor area: 2 spaces <i>(No minimum up to 3 spaces)</i> per 1,000 square feet
Office in a Residential District	3 spaces <i>(No minimum up to 3.6 spaces)</i> per 1,000 square feet
Personal and Business Services	
Business Service	4 spaces per 1,000 square feet of gross floor area
Household Repair and Rental Service	4 spaces per 1,000 square feet of gross floor area
Massage Therapy Establishment	4 spaces per 1,000 square feet of gross floor area
Personal Service	4 spaces per 1,000 square feet of gross floor area
Recreation and Entertainment	
Banquet or Reception Hall	8 spaces <i>(No minimum up to 10 spaces)</i> per 1,000 square feet of gross floor area
Campground	No minimum requirement
Commercial Recreation, Indoor	Generally: 4 spaces per 1,000 square feet of gross floor area Bowling Alley: 2 spaces per alley <i>(Option: No minimum up to 4 spaces per 1,000 square feet of gross floor area)</i> Commercial Swimming Pool: 1 space per 4 persons lawfully permitted in the pool at one time Theater: 1 space per 3 seats <i>(No minimum up to 1 space per 5 seats)</i>
Commercial Recreation, Outdoor	Generally: 4 spaces per 1,000 square feet of gross floor area Commercial Swimming Pool: 1 space per 4 persons lawfully permitted in the pool at one time

Table 6100.2: Minimum Required Off-Street Vehicle Parking Spaces

Use	Minimum Parking Requirement
Entertainment, Adult	1 space per 3 seats (No minimum up to 5 seats)
Entertainment, Public	8 spaces (No minimum up to 10 spaces) per 1,000 square feet of gross floor area
Golf Course or Country Club	As determined by Board based on anticipated membership and employees on major shift
Health and Exercise Facility, Large	4 spaces (No minimum up to 5 spaces) per 1,000 square feet of gross floor area
Health and Exercise Facility, Small	4 spaces (No minimum up to 5 spaces) per 1,000 square feet of gross floor area
Marina, Commercial	No minimum requirement
Marina, Private Noncommercial	No minimum requirement
Quasi-Public Park, Playground, or Athletic Field	No minimum requirement. (Option: No minimum requirement for Neighborhood Parks and Urban Parks. Remainder of parks, Determined by the Director)
Smoking Lounge	4 spaces (No minimum up to 6 spaces) per 1,000 square feet of gross floor area
Stadium or Arena	1 space per 3 seats (No minimum up to 5 seats)
Zoo or Aquarium	As determined by the Board or BZA
Retail Sales	
Convenience Store	4 spaces (No minimum up to 5 spaces) per 1,000 square feet of gross floor area
Drive-Through, Other	4 spaces (No minimum up to 5 spaces) per 1,000 square feet of gross floor area
Drive-Through Pharmacy	4 spaces (No minimum up to 5 spaces) per 1,000 square feet of gross floor area
Drug Paraphernalia Establishment	4 spaces (No minimum up to 5 spaces) per 1,000 square feet of gross floor area
Garden Center	4 spaces (No minimum up to 5 spaces) per 1,000 square feet of gross floor area plus 2 spaces per 1,000 square feet of greenhouse sales area and outdoor sales/display area
Pawnshop	4 spaces (No minimum up to 5 spaces) per 1,000 square feet of gross floor area
Retail Sales, General	4 spaces (No minimum up to 5 spaces) per 1,000 square feet of gross floor area
Retail Sales, Large	4 spaces (No minimum up to 5 spaces) per 1,000 square feet of gross floor area
Vehicle-Related Uses	
Car Wash	As determined by the Board
Commercial Off-Street Parking	No minimum requirement
New Vehicle Storage	No minimum requirement

Table 6100.2: Minimum Required Off-Street Vehicle Parking Spaces

Use	Minimum Parking Requirement
Truck Rental Establishment	2 spaces per 1,000 square feet of enclosed sales and rental floor area
Vehicle Fueling Station	2 spaces (No minimum up to 5 spaces) per service bay, plus 4 spaces per 1,000 square feet of gross floor area devoted to retail sales
Vehicle Repair and Maintenance, Heavy	2 spaces per service bay
Vehicle Repair and Maintenance, Light	2 spaces per service bay
Vehicle Sales, Rental, and Service	2 spaces per 1,000 square feet of enclosed sales and rental floor area
Vehicle Transportation Service	1 space per 1 employee on major shift

INDUSTRIAL USES

Freight Movement, Warehousing, and Wholesale Distribution

Data Center	2 spaces (No minimum up to 3 spaces) per 1,000 square feet of gross floor area of office space associated with the use
Freight Distribution Hub	1 space per employee on a major shift or 1 space per 1,000 square feet of gross floor area, whichever is less
Goods Distribution Hub	1 space per employee on a major shift or 1 space per 1,000 square feet of gross floor area, whichever is less
Self-Storage	3 spaces (No minimum up to 3 spaces) per 1,000 square feet of gross floor area of office space associated with the use
Warehouse	1 space per employee on a major shift or 1 space per 1,000 square feet of gross floor area, whichever is less
Wholesale Facility	1 space per employee on a major shift or 1 space per 1,000 square feet of gross floor area, whichever is less

Industrial Services and Extraction of Materials

Building Materials Storage and Sales	1 space per employee on major shift or 1 space per 1,000 square feet of gross floor area, whichever is less
Contractor's Office and Shop	1 space per employee on major shift or 1 space per 1,000 square feet of gross floor area, whichever is less
Extraction Activity	As determined by the BZA
Petroleum Products Storage Facility	1 space per employee on major shift or 1 space per 1,000 square feet of gross floor area, whichever is less
Specialized Equipment and Heavy Vehicle Sale, Rental, or Service	1 space per 1,000 square feet of enclosed sales and rental floor area
Storage Yard	1 space per employee on major shift or 1 space per 1,000 square feet of gross floor area, whichever is less
Vehicle Storage or Impoundment Yard	1 space per employee on major shift or 1 space per 1,000 square feet of gross floor area, whichever is less

Production of Goods

Craft Beverage Production Establishment	8 spaces (No minimum up to 10 spaces) per 1,000 square feet of gross floor area, excluding area devoted to the production and processing of craft beverages
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Table 6100.2: Minimum Required Off-Street Vehicle Parking Spaces

Use	Minimum Parking Requirement
Production or Processing	1 space per employee on a major shift or 1 space per 1,000 square feet of gross floor area, whichever is less
Production or Processing, Heavy	1 space per employee on a major shift or 1 space per 1,000 square feet of gross floor area, whichever is less
Small-Scale Production Establishment	1 space per employee on a major shift or 1 space per 1,000 square feet of gross floor area, whichever is less
Waste and Recycling Facilities	
Junkyard	1 space per employee on a major shift or 1 space per 1,000 square feet of gross floor area, whichever is less
Mixed Waste Reclamation Facility	1 space per employee on a major shift or 1 space per 1,000 square feet of gross floor area, whichever is less
Recycling Center	1 space per employee on a major shift or 1 space per 1,000 square feet of gross floor area, whichever is less
Solid Waste Disposal Facility	1 space per employee on a major shift or 1 space per 1,000 square feet of gross floor area, whichever is less

B. Shopping Centers

(1) Parking Requirement Calculation

The off-street parking requirement in Table 6100.3, applies to all uses in a shopping center, including craft beverage production establishment and small-scale production establishment, except that the following uses must comply with the standards in Table 6100.2:

- (a) Freestanding Office use that exceed 5,000 square feet of gross floor area.
- (b) Hotel or Motel.

TABLE 6100.3: Shopping Center Minimum Required Off-Street Vehicle Parking Spaces

Shopping Center Size [1]	Minimum Parking Requirement
≤100,000 square feet gross floor area	4 spaces (No minimum up to 4 spaces) per 1,000 square feet of gross floor area
>100,000 but ≤800,000 square feet gross floor area	3 spaces (No minimum up to 4 spaces) per 1,000 square feet of gross floor area
>800,000 square feet gross floor area	2.5 spaces per 1,000 square feet of gross floor area

Note: [1] The size of the shopping center is based on the definition of gross floor area in Article 9 and includes any gross floor area devoted to Office and Hotel or Motel use.

C. Office Buildings

- (1) The off-street parking requirement for an office building is the applicable office rate based on building size and applies to all uses identified below.
 - (a) All uses in the commercial classification.
 - (b) College or University.
 - (c) Specialized Instruction Centers.

- (d) Craft Beverage Production Establishment.
- (e) Small-Scale Production Establishment.
- (2) For the purpose of parking, an office building is defined as a single building, or coordinated development of two or more buildings sharing a common parking lot, with at least 50 percent **(25 up to 50 percent)** of its gross floor area utilized for office uses.

D. Stacking Spaces

- (1) Stacking spaces must be provided in accordance with the minimum stacking requirement established in Table 6100.4.
- (2) Stacking spaces must be designed to avoid impeding pedestrian or vehicular circulation on the site and along any abutting street.
- (3) All required stacking spaces must be at least 18 feet long.
- (4) The geometric design of the stacking aisle, including but not limited to the radius and width of the travel aisle, is subject to the approval of the Director.

TABLE 6100.4: Stacking Space Requirement

Use	Minimum Stacking Space Requirement
Car Wash	10 stacking spaces (8 up to 10 stacking spaces) per bay or stall for an automated establishment
Drive-Through Financial Institution	4 stacking spaces (4 up to 5 stacking spaces) for each drive-through lane, including drive-through ATM
Drive-Through, Other	4 stacking spaces (4 up to 5 stacking spaces) for each drive-through window
Drive-Through Pharmacy	4 stacking spaces (4 up to 5 stacking spaces) for each drive-through window
Restaurant with a Drive-Through	11 total stacking spaces (8 up to 11 total stacking spaces) for the drive-through window

5. Tiered Framework and PTC District – Off-Street Parking Requirement

For developments located in one of the following areas or zoned to the PTC District, parking requirements are established in accordance with subsections 6100.5.A through F below. For developments located in more than one designated tier, including the PTC District, the lowest minimum and maximum parking requirement will apply.

A. Suburban Centers

For properties located within the area designated in the Comprehensive Plan as Dulles Suburban Center, Merrifield Suburban Center or Fairfax Center Area the following minimum parking spaces are required:

TABLE 6100.5: Suburban Center Parking Requirements

Use	Minimum Parking Requirement
Dwelling, Multifamily	90 percent (80 up to 100 percent) of the parking rate established in Table 6100.2 (1.3 up to 1.6 spaces per unit or up to 1.0 space per bedroom)
Dwelling Multifamily – ADU Development	
All other Residential Uses	In accordance with Table 6100.2
All other Nonresidential Uses	90 percent (80 up to 100 percent) of the parking rate established in Table 6100.2 or 6100.3

B. Revitalization Areas

For properties located within an area designated as a Commercial Revitalization District, as defined in Section 3012, or an area identified in the Comprehensive Plan as a Community Business Center (CBC), Commercial Revitalization Area (CRA), Urban Core of the Fairfax Center Area, or Suburban Neighborhood in the Richmond Highway Corridor, the following minimum parking spaces are required:

TABLE 6100.6: Revitalization Area Parking Requirements

Use	Minimum Parking Requirement
Dwelling, Single-Family Detached	2 spaces per unit (2 spaces per unit for lots with frontage on a public street and 3 spaces per unit for lots with frontage on a private street)
Dwelling, Single-Family Attached	1.8 spaces per unit of which 0.3 space per unit is located on common property and available for visitor or shared use. (1 up to 2.7 spaces per dwelling unit of which up to 0.3 space per unit is located on common property and available for visitor or shared use)
Dwelling, Single Family Attached – ADU Development	
Dwelling, Stacked Townhouse	1.8 spaces per unit of which 0.3 space per unit is located on common property and available for visitor or shared use. (1 up to 2.3 spaces per dwelling unit of which up to 0.3 space per unit is located on common property and available for visitor or shared use)
Dwelling, Stacked Townhouse - ADU Development	
Dwelling, Multifamily	0.6 space (0.4 to 0.8 spaces) per bedroom (or 70 up to 100 percent of the per unit parking rate established in Table 6100.2)
Dwelling, Multifamily - ADU Development	
All other Residential Uses	In accordance with Table 6100.2
All other Nonresidential Uses	80 percent (70 up to 80 percent) of the parking rate established in Table 6100.2 or 6100.3

C. Transit Station Areas

For properties located within an area identified in the Comprehensive Plan as a Transit Station Area (TSA) or the Tysons Urban Center, the following minimum parking spaces are required.

TABLE 6100.7: Transit Station Area Parking Requirements

Use	Minimum Parking Requirement
Dwelling, Single-Family Detached	2 spaces per unit <i>(2 spaces per unit for lots with frontage on a public street and 3 spaces per unit for lots with frontage on a private street)</i>
Dwelling, Single-Family Attached	1.3 spaces per unit of which 0.3 space per unit is located on common property and available for visitor or shared use. <i>(1 up to 2.7 spaces per unit of which up to 0.3 space per unit is located on common property and available for visitor or shared use)</i>
Dwelling, Single Family Attached – ADU Development	
Dwelling, Stacked Townhouse	1.3 spaces per unit of which 0.3 space per unit is located on common property and available for visitor or shared use. <i>(1 up to 2.3 spaces per unit of which up to 0.3 space per unit is located on common property and available for visitor or shared use)</i>
Dwelling, Stacked Townhouse- ADU Development	
Dwelling, Multifamily	0.4 space <i>(0.4 up to 0.8 space)</i> per bedroom <i>(or 60 up to 80 percent of the per unit parking rate established in Table 6100.2)</i>
Dwelling, Multifamily - ADU Development	
All other Residential Uses	In accordance with Table 6100.2
All other Nonresidential Uses	70 percent <i>(60 up to 80 percent)</i> of the parking rate established in Table 6100.2 or 6100.3

D. Transit Oriented Development (TOD)

For properties located within an area identified in the Comprehensive Plan as a Transit Oriented Development or Transit Development District, the following minimum parking spaces are required.

TABLE 6100.8: Transit Oriented Development Parking Requirements

Use	Minimum Parking Requirement
Dwelling, Single-Family Detached	2 spaces per unit <i>(2 spaces per unit for lots with frontage on a public street and 3 spaces per unit for lots with frontage on a private street)</i>
Dwelling, Single-Family Attached	1.3 spaces per unit of which 0.3 space per unit is located on common property and available for visitor or shared use. <i>(1 up to 2.7 spaces per unit of which up to 0.3 space per unit is located on common property and available for visitor or shared use)</i>
Dwelling, Single Family Attached – ADU Development	
Dwelling, Stacked Townhouse	1.3 spaces per unit of which 0.3 space per unit is located on common property and available for visitor or shared use. <i>(1 up to 2.3 spaces per unit of which up to 0.3 space per unit is located on common property and available for visitor or shared use)</i>
Dwelling, Stacked Townhouse- ADU Development	
Dwelling, Multifamily	0.3 space <i>(0.3 up to 0.7 space)</i> per bedroom <i>(or 50 up to 80 percent of the per unit parking rate established in Table 6100.2)</i>
Dwelling, Multifamily – ADU Development	
All other Residential Uses	In accordance with Table 6100.2
All other Nonresidential Uses	60 percent <i>(50 up to 70 percent)</i> of the parking rate established in Table 6100.2 or 6100.3

E. PTC District – Off-Street Parking

- (1) The number of off-street parking spaces provided for a development in the PTC District must be established with the approval of a parking plan that is accompanied by an application for rezoning to the PTC District.
- (a) At a minimum, the parking plan must identify.
1. The appropriate parking requirements as set forth in Table 6100.9 below.
 2. The number and general location of all off-street parking spaces.
 3. The general location of all ingress and egress points to all parking structures utilized by the property.
 4. justification of shared parking arrangements, if applicable.
- (b) Where parking is to be provided in phases in accordance with a phased development proposal, the parking plan must provide the information set forth above in subsection 6100.6.E(1)(a) for each proposed phase. If the total development parking will be constructed in early phases of the project, shared parking spaces for the remaining phases must be identified when it is demonstrated that such additional parking in the early phase(s) is necessary due to construction requirements or in furtherance of the objectives of the Comprehensive Plan. When parking is provided in this manner, the development must provide shared parking for the later phases of the project to the satisfaction of the Board. Additionally, when an existing use is proposed to be retained as an interim use, the parking accessory to any such interim uses must conform to the rates set forth above. In all cases, parking at the build-out phase of the development must conform to the total number of spaces approved for the entire development.

Table 6100.9: PTC Minimum and Maximum Required Off-Street Vehicle Parking Spaces

Use	Per unit, bedroom, or 1,000 square feet of gross floor area	Less than 1/8 mile to Metro Station Entrance* (TOD District)		1/8 to ¼ mile to Metro Station Entrance* (TOD District)		More than ¼ to ½ mile to Metro Station Entrance* (TOD District)		Non-TOD Districts	
		Min	Max	Min.	Max	Min	Max	Min	Max
Single-Family Attached	Space(s) per unit	1 (1 up to 1.75)	2.2	1 (1 up to 1.75)	2.2	1 (1 up to 2)	2.5	1.3	2.7
Stacked Townhouse		1 (1 up to 1.5)	1.9	1 (1 up to 1.5)	1.9	1 (1 up to 1.7)	2.1	1.3	2.3
Multifamily	Per bedroom	0.2 (0 up to 0.4)	1.0	0.2 (0 up to 0.4)	1.0	0.3 (0 up to 0.4)	1.0	0.4	1.1
Hotel/Motel	Per rental unit	none	1.0	none	1.0	none	1.05	0.7	1.08

Table 6100.9: PTC Minimum and Maximum Required Off-Street Vehicle Parking Spaces

Use	Per unit, bedroom, or 1,000 square feet of gross floor area	Less than 1/8 mile to Metro Station Entrance* (TOD District)		1/8 to ¼ mile to Metro Station Entrance* (TOD District)		More than ¼ to ½ mile to Metro Station Entrance* (TOD District)		Non-TOD Districts	
		Min	Max	Min.	Max	Min	Max	Min	Max
Office	Spaces per 1,000 square feet of gross floor area	none	1.6	none	2.0	none	2.2	1.4	2.4

* As set forth in the Comprehensive Plan

- (c) A parking plan must be submitted and approved as part of the development for which the parking is provided, in accordance with the following:
1. For uses not specifically listed in Table 6100.9 above, the minimum parking space requirements in Tables 6100.2 and 6100.3 apply as follows:
 - a. In the Tysons Transit Oriented Development (TOD) Districts, no on-site parking is required, and the rates in Table 6100.4 are the maximum number of parking spaces permitted.
 - b. In the Tysons Non-TOD Districts, the minimum number of parking spaces required is based on 70 (60 up to 80) percent of the specified rates established and the maximum number of parking spaces permitted is based on 110 percent of such specified parking rates.
 - (2) Required parking and loading spaces must be provided in an above- or below-grade parking structures to the maximum extent practicable.
 - (3) After the parking plan is approved, no additional parking is required for a change in use, if the mix of uses is in substantial conformance with the approved final development plan.
 - (4) Parking approved by the Board in accordance with a parking plan may be provided on a different lot from the use in accordance with subsection 6100.6.B.
 - (5) A property not zoned to the PTC District may nonetheless opt into the PTC District parking requirements in 6100.5.E. under the following criteria:
 - (a) The property is located in an area identified in the Comprehensive Plan as the Tysons Urban Center.
 - (b) The property is located in an area identified in the Comprehensive Plan as a Transit Oriented District or a Transit Development District wherein the TOD District rates in Table 6100.9 will apply.
 - (c) A parking plan must be submitted meeting the requirements of subsection 6100.5.E(1)(a), and;
 1. If part of a rezoning, development plan, PRC plan or special exception plat, or proffer or condition amendment if this specifies the number of spaces to be provided on a site, then the request requires Board approval,
 2. If part of site plan or parking redesignation plan, then the request requires approval by the Director.

F. PTC District Special Exception for Increase in Parking

- (1) The Board may approve a special exception to allow an increase in parking in the PTC District above the parking maximums in Table 6100.9 when the applicant has demonstrated to the Board's satisfaction that:
 - (a) The proposed uses cannot be adequately served by the combination of allowed parking, transit access, shared parking arrangements and similar factors.
 - (b) The increase in the number of parking spaces will not hinder or preclude the achievement of the Transportation Demand Management (TDM) goals for the property or the Tysons Urban Center, as set forth in the Comprehensive Plan.

- (c) The additional parking is needed for one of the following reasons:

 - 1. The design of a parking structure necessitates the construction of additional parking. To qualify under this provision, the additional parking spaces must be available for public use for at least 12 hours a day, five days a week.
 - 2. The applicant is proposing a use with unique parking needs to justify an increase in the parking rate.
 - 3. The need for an increase in parking is the result of a change in previously approved shared parking, valet, or shuttle arrangements. To qualify under this provision, the additional parking spaces must be available for public use for at least 12 hours a day, five days a week.
 - 4. The applicant proposes a single phase development that will precede the operation of mass transit opportunities, such as metro, circulator bus or other features that are planned to serve the Tysons Urban Center.
- (2) All off-street parking spaces approved under this special exception may be administered by an entity established to manage the additional parking. Tools for managing the additional parking may include parking fees, controlled access, and any other operational management methods necessary to ensure satisfaction of the TDM goals for the property and the Tysons Urban Center. Additionally, the Board may impose conditions on special exception including a requirement that the need for the additional parking be reevaluated within a specified period, based on changes in development patterns, uses, or other factors in and around the application property.

6. Adjustments to Minimum Required Off-Street Parking

A. Generally

- (1) Adjustments to the minimum parking requirements may be approved by the Board in conjunction with the approval of a rezoning or special exception in accordance with subsections 6100.6.B through G. Adjustments as used in this subsection indicate a reduced parking requirement.
- (2) Unless otherwise stated, the Director may approve adjustments to the minimum parking requirements in accordance with subsections 6100.6.B through E to permit up to 50 ***(Option to consider 30 up to 60)*** percent less than the minimum requirement. ***(Option to consider additional limits to adjustments the Director may approve.)***
- (3) Any parking adjustment greater than 50 ***(Option to consider 30 up to 60)*** percent or otherwise not approved by the Director may be approved by the Board.
- (4) Any parking adjustment may be subject to conditions, as determined by the Board or Director.
- (5) A parking adjustment may not be approved by the Director if:
 - (a) There is a pending rezoning, special exception, or proffered condition amendment application for the site; or
 - (b) The number of parking spaces is specified by a proffered condition, special exception condition, or special permit condition, unless the approval allows such adjustments.
- (6) Any approved parking adjustment may be vacated by the Director or Board upon request when it is determined that the adjustment is no longer required.

B. Shared Parking Options

- (1) Adjustments in the minimum required parking for two or more uses may be approved when a shared parking calculation and, if applicable, a parking agreement between the shared uses, is submitted. Such agreement is subject to approval by the Director to ensure continued availability of the spaces. The shared parking calculation must be based on the following methodology in accordance with Table 6100.10 below:
 - (a) Determine the minimum parking requirements for each individual use based on Table 6100.2 and, if applicable, subsection 6100.5.
 - (b) Multiply each amount by the corresponding percentage for each of the time periods in the table.
 - (c) Sum the total requirement for each use for each time period.
 - (d) The time period with the highest value will be the minimum parking requirement for all uses sharing the space. Other uses not in the table must undergo a separate analysis as defined in subsection 6100.6.B.(2) below.

TABLE 6100.10: Shared Parking Options

Time Period	Weekday Daytime	Weekday Evening	Weekend Daytime	Weekend Evening
Residential (Multifamily, Live-Work and Independent Living Facility)	60%	100%	90%	100%
Public, Institutional, and Community Uses	100%	25%	25%	5%
Religious Assembly and Religious Assembly with Private School, Specialized Instruction Center, or Child Care	100%	100%	100%	100%
Office	100%	5%	5%	5%
Hotel	80%	100%	80%	100%
Restaurant, Craft Beverage Production Establishment and Entertainment, Public	50%	80%	80%	100%
Other Commercial Uses and Shopping Centers	60%	90%	100%	70%
Industrial Uses	100%	5%	5%	5%

- (2) For a shared parking adjustment that does not meet the criteria in subsection 6100.6.B.(1) above, or for adjustment exceeding the limits permitted under that subsection, the number of required parking spaces may be adjusted when the applicant has demonstrated that fewer spaces than those required will adequately serve two or more uses. A shared parking calculation and, if applicable, a parking agreement, must be submitted and be approved by the Director to ensure continued availability of the spaces.
- (3) The use of parking spaces on an adjacent site to meet minimum parking requirements may be approved when all the following criteria apply, as demonstrated by the applicant, and there is no adverse off-site impact.
- (a) The supplied off-site parking is more than the parking required for the off-site use or that the sum of the hourly parking demand of the uses on the adjacent can allow sharing.
 - (b) The required spaces for the use are subject to an agreement or arrangements that will ensure the continuing availability of the spaces.
 - (c) Either:
 1. The required spaces are located within 1,000 feet walking distance of a building entrance; or
 2. A valet or shuttle service serving the use is established with an agreement or arrangement ensuring the operation of the service.

C. Transit-Related Parking Adjustments

- (1) A 10 percent adjustment of the minimum parking requirements established in Tables 6100.2 or 6100.3 may be approved for uses not subject to subsection 6100.5 when it is demonstrated that the use is located within 1,000 feet walking distance of a transit facility stop consisting of a streetcar, bus rapid transit, express bus service, or a bus stop that serves a rail station, or the construction or implementation of a transit facility that will occur generally within 10 years of approval of the development.
- (2) A transit-related adjustment greater than the 10 percent adjustment permitted under subsection 6100.6.C.(1) above, or greater than the percentage adjustment allowed in subsection 6100.5, may be approved if, in addition to being located within 1,000 feet walking distance to a rail transit facility or facilities defined in subsection 6100.6.C(1) above, at least two of the following supporting elements are demonstrated by the applicant:
 - (a) A proffered transportation demand management (TDM) program that meets Fairfax County Department of Transportation criteria.
 - (b) Bicycle parking provided in accordance with Section 6102.
 - (c) A walk or bike score of greater than 70 in accordance with the most recent Walk Score® methodology.

D. Affordable Housing

A parking adjustment may be approved upon demonstration by an applicant that all dwelling units within a building will serve individuals with incomes at or below 70 percent of the Area Median Income for the Washington Metropolitan Statistical Area, based on income averaging.

E. Publicly Accessible Parking Areas

A parking adjustment may be approved when it is demonstrated that on-site parking can be reduced with the following off-site parking options:

- (1) Metered on-street parking is available within 1,000 feet walking distance of the site; or
- (2) The County has either constructed or funded the construction an off-street public parking area within one-half mile walking distance of the site and such funding will ensure completion of the public parking area within ten years of the approval of the site development; or
- (3) Commercial public off-street parking is located within 1,000 feet walking distance of the site.

F. Public Benefit

A parking adjustment may be approved if the required number of off-street parking spaces conflicts with meeting the public benefits identified below, after an evaluation of a proposal that provides adequate information to support the benefit of an adjustment.

- (1) The adjustment will provide for preservation or avoiding adverse impact of a historic structure or site identified on the Fairfax County Inventory of Historic Sites.
- (2) The adjustment will provide for preservation or avoiding damage to significant trees, as determined by the Urban Forester.
- (3) To adjustment will facilitate an increase in open space more than 10 percent **(10 up to 30 percent)** above the minimum requirement.
- (4) The adjustment will mitigate stormwater run-off above the minimum Public Facilities Manual requirement.

G. Other Parking Adjustments

For any adjustment that is not eligible for consideration under other provisions of this Article, the Board may reduce the total number of required parking spaces when the applicant has demonstrated that, due to the unique characteristics of the site or use(s) on the site, the spaces proposed to be eliminated are unnecessary.

6101. Off-Street Loading

1. Applicability

A. Applicability

All structures and uses must provide off-street loading spaces in accordance with this section.

B. Change in Use or Expansion of an Existing Structure or Use

For a change in use or when an existing structure or use is expanded, off-street loading spaces must be provided only for the change in use or the expanded portion of the use or structure.

2. General Provisions

- A. All required off-street loading spaces must be located on the same lot as the use served. However, the Director may waive this requirement when the off-street loading spaces are provided cooperatively for two or more uses, subject to arrangements approved by the Director that assures the continued availability of such spaces for all uses.
- B. Required off-street loading spaces and their appurtenant aisles and driveways may not be encroached upon or adjusted in any manner, except with approval by the Director in the following circumstances:
 - (1) Adjustments due to a reduction in size or change in use that lowers the requirement.
 - (2) Adjustments for an existing structure or use to provide an accessibility improvement.
 - (3) Adjustments to allow for colocation with refuse and recycling facilities.
- C. Loading spaces may not be located in a required front setback.
- D. Required off-street loading spaces may not be used to satisfy the off-street parking requirements.
- E. Loading spaces must not interfere with the free circulation of vehicles in any off-street parking lot.
- F. No motor vehicle repair work, except emergency service, is permitted within any required off-street loading space.
- G. All off-street loading spaces must be provided with safe and convenient access to a street. If any such space is located contiguous to a street, the street side must be curbed, and ingress and egress must be provided only through driveway openings whose dimension, location, and construction is in accordance with the provisions of the Public Facilities Manual.
- H. All off-street loading areas, including aisles and driveways, are required to be constructed and maintained with a dustless surface in accordance with construction standards presented in the Public Facilities Manual; however, the Director may approve a modification or waiver of the dustless surface requirement in accordance with the Public Facilities Manual.
- I. All off-street loading spaces must be a minimum of 15 feet wide, 25 feet long and 15 feet high, except that where one such loading space has been provided, any additional loading space abutting along the long dimension of the first loading space need not be wider than 12 feet.
- J. Where a structure contains a combination of uses, loading spaces must be provided based on the sum of the required spaces for each use.
- K. Where the minimum required loading spaces is not identified for a particular use, and there is no similar use listed, the Director, in consultation with the Zoning Administrator, will determine the minimum requirement for the most similar general type of use.

- L.** An adequate receiving facility, as determined by the Director, is required for all structures under 10,000 **(5,000 up to 25,000)** square feet of gross floor area that the Director determines are likely to receive or make deliveries from vehicles of a size or at a frequency that may interfere with vehicle parking or circulation on the parcel. Adequate receiving facilities are not subject to the size restrictions for loading spaces above and may include but are not limited to the following:
- (1)** Reserved parking space for loading activities.
 - (2)** Pull off area along the curb that does not restrict with vehicular movement.
 - (3)** Area within the structure for loading activities.
 - (4)** Undeveloped areas of the parcel not designated for parking or landscaping and not necessary for vehicle, pedestrian, or bicycle circulation.

3. Minimum Required Off-Street Loading Spaces

- A.** Minimum off-street loading spaces accessory to the listed use classifications as defined in Table 6101.1 must be provided in accordance with the following table; however, there is no loading space required for a structure with less than 10,000 **(5,000 up to 25,000)** square feet of gross floor area:

Table 6101.1: Minimum Required Off-Street Loading Spaces

Use	Minimum Loading Requirement
AGRICULTURAL AND RELATED USES	
Agricultural and Related Uses	No minimum requirement
RESIDENTIAL USES	
Dwelling, Multifamily; Dwelling Multifamily-ADU Development Congregate Living Facility Residence Hall	1 space per each 100,000 square feet of gross floor area, provided that: <ul style="list-style-type: none"> No more than 2 loading spaces are required for a structure.
PUBLIC, INSTITUTIONAL, AND COMMUNITY USES	
Public, Institutional, and Community Uses	1 space per each 100,000 square feet of gross floor area, provided that: <ul style="list-style-type: none"> No more than 3 loading spaces are required for a structure when located in a Commercial Revitalization District as defined in Section 3102, or in an area identified by the Comprehensive Plan as a Commercial Revitalization Area, Commercial Business Center, Suburban Neighborhood in the Richmond Highway Corridor, Transit Station Area, Transit Oriented District, Transit Development District, or Tysons Urban Center; and No more than 5 loading spaces are required for a structure in any other area.
COMMERCIAL USES	
Office, Hotel, and Commercial Indoor Recreation	1 space per each 100,000 square feet of gross floor area, provided that: <ul style="list-style-type: none"> No more than 3 loading spaces are required for a structure when located in a Commercial Revitalization District as defined Section 3102, or in an area identified by the Comprehensive Plan as a Commercial Revitalization Area, Commercial Business Center, Suburban Neighborhood in the Richmond Highway Corridor, Transit Station Area, Transit Oriented District, Transit Development Area, or Tysons Urban Center; and No more than 5 loading spaces are required for a structure in any other area.

Table 6101.1: Minimum Required Off-Street Loading Spaces

Use	Minimum Loading Requirement
All Other Commercial Uses, Including Shopping Centers	<p>1 space per 50,000 square feet of gross floor area, provided that:</p> <ul style="list-style-type: none"> No more than 3 loading spaces are required for a structure when located in a Commercial Revitalization District as defined in Section 3102, or in an area identified by the Comprehensive Plan as a Commercial Revitalization Area, Commercial Business Center, Suburban Neighborhood in the Richmond Highway Corridor, Transit Station Area, Transit Oriented District, Transit Development District, or Tysons Urban Center; and No more than 5 loading spaces are required for a structure in any other area.
INDUSTRIAL USES	
Industrial Uses	<p>1 space per each 50,000 square feet of gross floor area provided that:</p> <ul style="list-style-type: none"> No more than 5 off-street loading spaces are required for a structure.

- B.** The Board, as part of a rezoning or special exception, or the Director, as part of a site plan, may adjust the number of loading spaces required by this section when the applicant has demonstrated to the Board's or Director's satisfaction that:
- (1)** Fewer spaces than those required will adequately serve the use; and
 - (2)** The adjustment will not adversely affect the site or adjacent areas.

6102. Bicycle Parking Requirements

Bicycle parking is an essential element in a multimodal transportation system. Lack of secure bicycle parking is a common barrier to bicycling as a convenient, healthy, affordable, and environmentally friendly mode of transportation. Bicycle parking must be provided for all land uses, unless otherwise exempt by this section.

1. General Provisions

- A. The required minimum number of bicycle parking spaces is based on the minimum number of vehicle spaces required for the use or building prior to any adjustments permitted in subsection 6100.5 or 6100.6.
- B. When the calculated number of spaces results in a number containing a fraction, the number is rounded up to the nearest whole number. Where a site or building contains a combination of uses, the bicycle parking requirement is based on the sum of spaces required for the individual uses. ***(Option for Board to consider standard rounding: When the calculated number of spaces results in a number containing a fraction, the required number of spaces is rounded down when the fractional unit is less than 0.5 and is rounded up when the fractional unit is 0.5 or more.)***
- C. Unless otherwise specified in this section, each use is required to provide at least two bicycle parking spaces.
- D. Bicycle spaces may consist of bicycle racks, bicycle storage facilities, or a combination of both and must conform with the Public Facilities Manual and the Fairfax County Department of Transportation Bicycle Guidelines.
 - (1) A bicycle rack or storage facility must:
 - (a) Allow each bicycle to be securely held upright with its frame supported in at least two places and allow the frame and one wheel to be locked by a durable high-security lock; and
 - (b) Be securely anchored and mounted on a dustless surface.
 - (2) Each bicycle rack or storage facility location must:
 - (a) Be at least ten feet from any fire hydrant or fire hose connection and three feet from any other obstruction, including another bicycle rack.
 - (b) Be in a publicly accessible location and not interfere with pedestrian movement.
 - (3) At least 50 percent ***(25 up to 75 percent)*** of the required bicycle parking spaces must meet the following:
 - (a) When located in an outdoor rack, the bicycle spaces must be within 50 feet ***(50 up to 100 feet)*** of a main entrance to the building.
 - (b) When located in a storage facility, bicycle spaces must be within 100 feet ***(100 up to 300 feet)*** of the main entrance, or inside the building at ground level. Each space must be available and accessible for all building tenants and visitors during the hours of operations of the use. For residential structures each space must be accessible 24 hours a day, 7 days a week.
- E. When bicycle parking spaces are required by Table 6102.1, bicycle parking must be installed when any of the following occurs:
 - (1) New construction of a principal building.
 - (2) Expansion of an existing principal building resulting in a requirement of more than five additional ***(1 up to 10)*** bicycle spaces.
 - (3) Change of use or expansion of a use resulting in a requirement of more than five additional ***(1 up to 10)*** bicycle spaces.
- F. The Board of Supervisors, as part of a rezoning or special exception, or the Director, as part of a site plan, may adjust the number of bicycle spaces required by this section when the applicant has demonstrated to the Board's or Director's satisfaction that fewer spaces than those required will adequately serve the use.

2. Minimum Required Bicycle Parking Spaces

Minimum off-street bicycle parking spaces must be provided in accordance with Table 6102.1.

Table 6102.1: Minimum Required Bicycle Parking Spaces

Use	Minimum Requirement
AGRICULTURAL AND RELATED USES	
Agricultural and Related Uses	2 spaces (2 up to 12 spaces)
RESIDENTIAL USES	
Dwelling, Multifamily	5 percent (3 up to 10 percent) of the required vehicle parking spaces; or <ul style="list-style-type: none"> 10 percent (5 up to 15 percent) of the required vehicle parking spaces if located within an area designated as a Commercial Revitalization District, as defined in Section 3102, or an area identified in the Comprehensive Plan as a Community Business Center, Commercial Revitalization Area, Urban Core of the Fairfax Center Area, or Suburban Neighborhood in the Richmond Highway Corridor; or 15 percent (10 up to 20 percent) of the required vehicle parking spaces if located within an area designated in the Comprehensive Plan as a Transit Station Area, Transit Oriented District, Transit Development District, or Tysons Urban Center
Dwelling, Multifamily-ADU Development	
Residence Hall	
All other Residential Uses	No minimum requirement
PUBLIC, INSTITUTIONAL, AND COMMUNITY USES	
Club, Service Organization, or Community Center	5 percent (3 up to 10 percent) of the required vehicle parking spaces; or <ul style="list-style-type: none"> 10 percent (5 up to 15 percent) of the required vehicle parking spaces if located within an area designated as a Commercial Revitalization District, as defined in Section 3102, or an area identified in the Comprehensive Plan as a Community Business Center, Commercial Revitalization Area, Urban Core of the Fairfax Center Area, or Suburban Neighborhood in the Richmond Highway Corridor; or 15 percent (10 up to 20 percent) of the required vehicle parking spaces if located within an area designated in the Comprehensive Plan as a Transit Station Area, Transit Oriented District, Transit Development District, or Tysons Urban Center
College or University	
Community Swim, Tennis, and Recreation Club	
Congregate Living Facility	
Cultural Facility or Museum	
Independent Living Facility	
Medical Care Facility	
Public Use	
Religious Assembly	
Religious Assembly with Private School, Specialized Instruction Center, or Child Care Center	
Specialized Instruction Center	
School, Private	

Table 6102.1: Minimum Required Bicycle Parking Spaces

Use	Minimum Requirement
All other Public, Institutional, and Community Uses	<p>2 spaces (2 up to 4 spaces); or</p> <ul style="list-style-type: none"> 4 spaces (2 up to 8 spaces) if located within an area designated as a Commercial Revitalization District, as defined in Section 3102, or an area identified in the Comprehensive Plan as a Community Business Center, Commercial Revitalization Area, Urban Core of the Fairfax Center Area, or Suburban Neighborhood in the Richmond Highway Corridor; or 8 spaces (6 up to 12 spaces) if located within an area designated in the Comprehensive Plan as a Transit Station Area, Transit Oriented District, Transit Development District, or Tysons Urban Center
COMMERCIAL USES	
Commercial Recreation, Indoors	<p>5 percent (3 up to 10 percent) of the required vehicle parking spaces; or</p> <ul style="list-style-type: none"> 10 percent (5 up to 15 percent) of the required vehicle parking spaces if located within an area designated as a Commercial Revitalization District, as defined in Section 3102, or an area identified in the Comprehensive Plan as a Community Business Center, Commercial Revitalization Area, Urban Core of the Fairfax Center Area, or Suburban Neighborhood in the Richmond Highway Corridor; or 15 percent (10 up to 20 percent) of the required vehicle parking spaces if located within an area designated in the Comprehensive Plan as a Transit Station Area, Transit Oriented District, Transit Development District, or Tysons Urban Center
Commercial Recreation, Outdoors	
Hotel or Motel	
Office	
Restaurant	
Restaurant, Carryout	
Retreat Center	
Retail Sales, General	
Retail Sales, Large	
Shopping Center	
Stadium	
Quasi-Public Park, Playground, or Athletic Field	<p>1 space per 20 required vehicle parking spaces; or</p> <ul style="list-style-type: none"> 1 space per 10 required vehicle parking spaces or a minimum of 6 bike spaces if located within an area designated as a Commercial Revitalization District, as defined in Section 3102, or an area identified in the Comprehensive Plan as a Community Business Center, Commercial Revitalization Area, Urban Core of the Fairfax Center Area, or Suburban Neighborhood in the Richmond Highway Corridor; a Transit Station Area, Transit Oriented District, Transit Development District, or Tysons Urban Center
All Other Commercial Uses	<p>2 spaces (2 up to 4 spaces); or</p> <ul style="list-style-type: none"> 4 spaces (2 up to 8 spaces) if located within an area designated as a Commercial Revitalization District, as defined in Section 3102, or an area identified in the Comprehensive Plan as a Community Business Center, Commercial Revitalization Area, Urban Core of the Fairfax Center Area, or Suburban Neighborhood in the Richmond Highway Corridor; or

Table 6102.1: Minimum Required Bicycle Parking Spaces

Use	Minimum Requirement
All Other Commercial Uses	<ul style="list-style-type: none"> 8 spaces (6 up to 12 spaces) if located within an area designated in the Comprehensive Plan as a Transit Station Area, Transit Oriented District, Transit Development District, or Tysons Urban Center
INDUSTRIAL USES	
Industrial Uses	<p>2 spaces (2 up to 4 spaces); or</p> <ul style="list-style-type: none"> 4 spaces (2 up to 8 spaces) if located within an area designated as a Commercial Revitalization District, as defined in Section 3102, or an area identified in the Comprehensive Plan as a Community Business Center, Commercial Revitalization Area, Urban Core of the Fairfax Center Area, or Suburban Neighborhood in the Richmond Highway Corridor; or 8 spaces (6 up to 12 spaces) if located within an area designated in the Comprehensive Plan as a Transit Station Area, Transit Oriented District, Transit Development District, or Tysons Urban Center

The following proposed changes are required to align with the repeal and replacement of Article 6, Parking and Loading. The proposed changes are based on the provisions of the adopted Zoning Ordinance in effect as of March 21, 2023. Additions are shown as underlined while deletions are shown as ~~strike through~~.

INSTRUCTION: Delete “off-street parking, loading” in subsection 2105.1.D(1)

- (1) Other than those regulations specifically listed for a particular planned district, the open space, ~~off-street parking, loading~~, sign, and all other similar regulations in this Ordinance will generally apply to all planned developments.

INSTRUCTION: Update the references in subsection 2105.6.C(2)(b) and 2105.6.C(5)(c)

- (b) Additional off-street parking and loading requirements in the PTC District are included in Section 6100 ~~6102~~.
- (c) All off-street parking, loading, and stacking spaces for existing uses must be included as a part of the parking plan in Section 6100 ~~6102~~. Existing surface parking may be retained, provided this parking is redesigned, to the extent feasible, if it achieves the following:
1. Minimizes pedestrian conflicts by limiting the number of curb cuts;
 2. Provides clearly identified pedestrian access through the parking lot; and
 3. Provides appropriate interior and perimeter landscaping and screening to minimize the potential adverse impacts on adjacent property.

INSTRUCTION: Replace parking “lots” with parking “areas” in subsection 3101.6.B(1)(c), subsection 4102.8.F(2), (4), (6), (7), subsection 8101.2.C(1)(c)4, section 9102 and 9103. Replace “surfacing” material with “surface” material in subsection 4102.8.F(2).

Subsection 3101.6.B(1)(c) Administration of Historic Overlay District Regulations

- (c) The location of buildings, structures, streets, parking ~~lots~~ areas, and planting and landscape features;

Subsection 4102.8.F(2), (4), (6) and (7) Interim Off-Street Parking in Metro Station Area standards when permitted by special exception

- (2) Accessible off-street parking spaces and related access aisles and accessible routes must be provided in accordance with Article 6. All other provisions of Article 6 do not apply; instead, the parking lot must comply with the following standards:
- (a) The Director may approve a temporary ~~surfacing~~ surface material in accordance with the following requirements:
1. Pavement must be placed from the edge of existing pavement for a minimum distance of 25 feet into the interior of the site at each entrance and exit to prevent the parking ~~lot area~~ surface materials from entering the abutting street.
 2. Temporary paved sidewalks must be provided within and adjacent to the parking ~~lot area~~ at all locations where significant pedestrian traffic is anticipated.
 3. Safe and convenient pedestrian access must be provided from the parking ~~lot area~~ to the station entrance.
 4. The ~~surfacing~~ surface material must be maintained in good condition at all times.

- (4) In approving the special exception, the Board may impose conditions and restrictions it deems necessary to assure that the off-street parking lot area will be compatible with and not adversely impact the adjacent area or adversely impact the site itself in a manner that would hinder future development in accordance with the existing zoning and Comprehensive Plan. Conditions may include, but are not limited to the following:
- (6) In residential districts, the following requirements apply in addition to subsections (1) through (5) above:
 - (a) The minimum lot size is five acres.
 - (b) More than 50 percent of the proposed parking lot area must be located within a 1,500-foot radius of a Metro Station platform entrance.
 - (c) The number of off-street parking spaces allowed within the vicinity of any one Metro Station may not exceed the number of Metro Station parking spaces temporarily displaced during construction on the Metro Station site.
 - (d) At a minimum, Transitional Screening 3 is required at the outer boundaries of the lot where the lot abuts or is across the street from a Residential district. Adequate landscaping and screening must be provided to assure compatibility of the parking lot area with adjacent property and the surrounding vicinity. The Board may require the preservation of existing natural screening and plant materials.
 - (e) The Board must impose a time limitation on the special exception to ensure that the use will not be operational before the displacement or after the re-establishment of the Metro Station parking spaces; however, the special exception may be renewed in accordance with the provisions of subsection 8101.3.
- (7) In commercial and industrial districts, and on land in residential districts that is designated for commercial or industrial development, the following requirements apply in addition to subsections (1) through (5) above:
 - (a) More than 50 percent of the proposed parking lot area must be located within a 2,000-foot radius of a Metro Station platform entrance.
 - (b) The number of temporary off-street parking spaces allowed within the vicinity of any one Metro Station must not exceed the difference between the ultimate number of Metro Station parking spaces planned for the station and the number existing at the time the application is filed; however, in the case of an in-line station serving temporarily as a terminus, the Board may allow an appropriate portion of the future Metro Terminal Station's parking allocation to be temporarily located in the vicinity of the in-line station, if the applicant demonstrates that there is presently a need for the additional parking spaces.
 - (c) The provisions of Section 5108 do not apply. Adequate landscaping and screening must be provided to assure compatibility of the parking lot area with adjacent property and the surrounding vicinity. The Board may require the preservation of any natural screening and plant materials.

Subsection 4102.GG(7) Garden Center standards when permitted by special exception

- (7) All off-street parking lots areas, including aisles and driveways must be constructed and maintained with a dustless surface in accordance with the provisions of the Public Facilities Manual, unless a modification or waiver of the dustless surface requirement is approved by the Director.

Subsection 8101.2.C(1)(c)4 Zoning Map Amendments

- 4. The on-site vehicular and pedestrian circulation system, including the location and width of all streets, driveways, entrances to parking lots areas, parking structures and loading areas, walkways, bicycle paths, and all trails required by the Comprehensive Plan. Connections with off-site streets and trails that are existing or are required by the Comprehensive Plan, including the grid of streets and streetscape;
 - a. The vehicular and pedestrian circulation system, including the location and width of all streets, driveways, entrances to parking lots areas, parking structures and loading areas, walkways, bicycle and bridle paths, and all trails required by the Comprehensive Plan;

- b. The vehicular and pedestrian circulation system, including the location and width of all existing, platted, and proposed streets and easements, including names and route numbers, the approximate width and typical cross sections, including acceleration, deceleration, and turn lanes, service drives, entrances to parking lots areas, and parking structures, the location and width of walkways, bicycle and bridle paths, and all trails required by the Comprehensive Plan;

Section 9102 General Terms

Street Line

The dividing line between a street and a lot; same as a right-of-way line of a public street, or the curb line of a parking lot bay, travel lane or private street (See Figure 9102.3).

Section 9103 Uses

Transit Facility

A station and its associated pedestrian connections, bus bays, parking lots areas, service yards, and inspection yards associated with rail or non-rail transit systems, including but not limited to WMATA Metrorail and Virginia Railway Express (VRE) facilities. A transit facility does not include a facility containing only administrative offices operated by a transit facility authority or entity.

INSTRUCTION: Revise subsection 3102.3.E(2)(a), (b), (c) and (d) as follows.

Subsection 3102.3.E(2) Commercial Revitalization Districts Standards Applicable to All Commercial Revitalization

(2) Parking

The off-street parking and loading, and private street requirements of subsection 5107 and Article 6 apply, except as follows:

- ~~(a)~~ In the Richmond Highway CRD, the minimum off-street parking requirements for all nonresidential uses may be reduced by 20 percent.
- ~~(b)~~ In all other CRDS, the minimum off-street parking requirements for nonresidential uses may be reduced by up to 20 percent by the Board, subject to conditions it deems appropriate. The applicant must demonstrate to the Board that the reduction furthers the goals of the CRD as set forth in the Comprehensive Plan, including economic vitality, appearance and function. A request for this reduction in minimum off-street parking requirements may also be considered in conjunction with a rezoning or special exception application. The parking reduction established in Section 8102 is not applicable.
- ~~(c)~~ For a mixed-use development in a PDC or PRM District, the minimum off-street parking requirements for residential and nonresidential uses may be reduced by the Board in accordance with Article 6. The applicant must demonstrate to the Board that the reduction furthers the recommendations of the Comprehensive Plan for the area and that the reduction will not adversely affect the site or the adjacent area.
- ~~(d)~~ The provisions of subsection 6100.1 are applicable, except that where there are practical difficulties or if the public safety or public convenience would be better served by parking spaces that are not located on the same lot or a lot contiguous to the use to which it is accessory. The Director, acting on a specific request for a nonresidential use, may authorize an alternative location subject to appropriate and the following:
 - ~~1.~~ The required spaces are permanently available because of agreements or arrangements approved by the Director; and
 - ~~2.~~ The Director is satisfied that the required spaces are generally located within 500 feet walking distance of a building entrance to the use served by the spaces, or that there are off-site with valet or

shuttle service access subject to agreements or arrangements that will ensure the operation of those services without any adverse impacts on the site of the parking spaces or the adjacent area.

- ~~(e)~~ With special exception approval in accordance with subsection ~~8100.3~~, the Board may approve an alternative location that conforms with the provisions in subsection (d) above.
- ~~(f)~~ ~~that the The,~~ in a CRD District, the front setback requirement ~~standard~~ in subsection 6100.2.A(3) ~~which requires~~ does not apply to off-street parking spaces that are located on the ground and open to the sky to be located no closer than ten feet to any front lot line does not apply in CRD Districts.

INSTRUCTION: Delete “and stacking” in subsections 4102.5.G(5), 4102.H(4), 4102.5.CC(6), 4102.5.NN(12), 4102.6.B(8)

Subsection 4102.5.G(5) Restaurant standards when permitted by special exception

- (5) Parking ~~and stacking~~ spaces must be provided and located in such a manner as to facilitate safe and convenient vehicle and pedestrian access to all uses on the site.

Subsection 4102.5.H(4) Restaurant, Carryout Standards when permitted by special exception

- (4) Parking ~~and stacking~~ spaces must be provided and located to facilitate safe and convenient vehicle and pedestrian access to all uses on the site.

Subsection 4102.5.CC(6) Convenience Store standards when permitted by special exception

- (6) Parking ~~and stacking~~ spaces must be provided and located in such a manner as to facilitate safe and convenient vehicle and pedestrian access to all uses on the site.

Subsection 4102.5.NN(12) Vehicle Fueling Station standards when permitted by special exception

- (12) Parking ~~and stacking~~ spaces must be provided and located in such a manner as to facilitate safe and convenient vehicle and pedestrian access to all uses on the site.

Subsection 4102.6.B(8) Goods Distribution Hub standards when permitted by special exception

- (8) The use must comply with subsection (1)(a) above. The site must be designed to facilitate safe and efficient on-site circulation, and parking, ~~and stacking~~ of vehicles.

INSTRUCTION: Delete subsection 4102.6.K(4)(b) and renumber accordingly.

4102.6.K(4) Craft Beverage Production Establishment Standards when permitted by special exception

- (4) In the I-3, I-4, I-5, and I-6 Districts, craft beverage production establishments are permitted by right in accordance with the following:
 - (a) A tasting room, consisting of up to 30 percent of the total gross floor area of the establishment, for the consumption of products produced on-site may be permitted as an accessory use. Any food served must be as an accompaniment to those products produced on-site and is limited to pre-packaged food items or food items that require limited preparation or reheating; and
 - ~~(b) Parking for the portion of the establishment devoted to production activities must be provided in accordance with the parking requirements for a manufacturing establishment in accordance with subsection 6100.3.E. Parking for a tasting room must be provided in accordance with the requirements for a craft beverage production establishment in accordance with subsection 6100.3.E; and~~
 - (b) ~~(c)~~ Retail sales may be permitted as an accessory use, as long as the associated retail sales area is limited to 10 percent of the gross floor area of the establishment.

INSTRUCTION: Replace parking “facilities” with parking “lots” in subsection 5100.2.Q.1(h)

Subsection 5100.2.Q.1(h) Major Underground Utility Easements

- (h) Off-street surface parking lots ~~facilities~~ in accordance with the provisions of the Public Facilities Manual if the facilities will not adversely impact the structural integrity of transmission pipelines.

INSTRUCTION: Update the subsection reference in subsection 5108.7.I.

Subsection 5108.7.I Waivers and Modifications to Transitional Screening and Barriers

- I. The adjoining land is in a residential district and is used for off-street parking as permitted by the provisions of subsection ~~6100.2.B~~ 6100.1.C.

INSTRUCTION: Add new paragraph 7 to subsection 8100.5.A(2)(a), Minor Variations Approved by the Board without a Public Hearing, as follows:

7. To add parking or loading spaces if the request:
- A. Does not exceed ten percent (Board option to consider 10 to up to 30 percent) of the area occupied by the approved parking lot; ~~and~~
 - B. Does not reduce the open space below the minimum required for the zoning district; ~~and~~
 - C. Does not have a materially adverse impact on the effectiveness of approved transitional screening, buffering, landscaping, open space, or stormwater management facilities; and
 - D. ~~Any parking added under this provision is subject to~~ Satisfies the parking lot landscaping requirements of subsection 5108.5.

INSTRUCTION: Amend subsection 9102 to add the following definitions in their alphabetical order

Loading Space

An off-street area, space, or dock used for the loading or unloading of cargo, products or materials.

Parking, Bicycle

Parking which meets the provisions of Section 6102 and consists of either an outdoor stationary fixture, such as a bicycle rack, which can support a bicycle upright with two points of contact and to which a bicycle can be securely attached (typically using a bicycle lock) to prevent theft; or an indoor or covered facility that is equipped with a bicycle cage, bicycle locker, bicycle racks or similar facility which can support a bicycle and is designed to prevent theft.

Parking Tabulation

A type of site plan submission that shows the required number of spaces for all land uses on a lot in accordance with the Minimum Parking Requirements set forth in Article 6

Parking, Tandem

The arrangement of parking spaces where one space is positioned directly in front of another space and one vehicle must be moved to access the other.

Parking, Valet

A service that provides parking of vehicles, including off-site locations, by an attendant, who may be a third party.

Stacking Space

A space specifically designated as a waiting area for vehicles patronizing a drive-through facility.

APPENDIX 1 - PROVISIONS RELATING TO PREVIOUS APPROVALS

Below are the general provisions for this Ordinance, followed by the provisions for specific Zoning Ordinance amendments relating to applicability and previous approvals. They are not part of the adopted Zoning Ordinance, but are provided here as a convenience. Additional information for any amendment may be obtained by contacting the Zoning Administration Division, Department of Planning and Development.

1. General Provisions Regarding Previous Approvals

Except as specified in the Ordinance, the specific uses, features, and structures on each of the following are entitled to continue under the previous approval(s) if the applicable due diligence standard is met. For the purpose of this statement, to “aggravate conflicts” means to create any new or additional noncompliance with the amended Ordinance such as expanding a use, feature, or structure that is not allowed by the new Ordinance, as determined by the Zoning Administrator.

- A.** Proffered rezonings and related development plans, special exceptions, special permits, variances, comprehensive sign plans, PRC plans, and parking reductions approved before July 1, 2021, and any plans and permits, including but not limited to site plans, subdivision plats, construction plans, building permits, and Residential and Nonresidential Use Permits submitted in accordance with such approvals. The provisions of this Ordinance govern to the extent they are not in conflict with or superseded by the approval. Amendments to such approvals may be approved if they do not aggravate conflicts with this Ordinance.
- B.** Site plans, minor site plans, subdivision plans and plats, public improvement plans, grading plans, construction plans, building permits and other related subsequent plans, approvals and written determinations, approved before July 1, 2021. The provisions of this Ordinance govern to the extent they do not preclude the approved uses, features, and structures. Revisions to such approvals may be approved if they do not aggravate conflicts with the new Ordinance.
- C.** Applications for rezonings and related development plans, special exceptions, special permits, variances, comprehensive sign plans, PRC plans, parking reductions, subdivision plats, site plans, parking tabulations and redesignations, building permits, public improvement plans, and grading plans submitted and accepted for review before July 1, 2021, provided: (a) approval is granted within 12 months of July 1, 2021, or, if corrections to a properly submitted and accepted plan are deemed necessary by the reviewing authority, revised plans are resubmitted within six months of its disapproval; (b) the approval remains valid; and (c) the uses, features, and structures are constructed in accordance with approved plans and permits. Required subsequent plan and permit submissions may be accepted and approvals may be granted, consistent with those approvals. Revisions to such approvals may be approved if they do not aggravate conflicts with the new Ordinance.
- D.** Lawfully existing uses, features, and structures as of July 1, 2021.
- E.** Lawfully existing freestanding accessory structures as of July 1, 2021, are not subject to the new standards for maximum height and maximum cumulative square footage in subsections 4102.7.A(6)(c) and 4102.7.A(6)(d). Additions or modifications to these structures that increase height are subject to this Ordinance, and all existing square footage will be counted toward the cumulative maximum for any new or expanded structures.
- F.** Lawfully existing home occupations, home professional offices, and barbershops or beauty parlors as a home occupation as of July 1, 2021, may continue, subject to any conditions of approval and the standards in effect

at the time of approval. However, any modifications to the use will require approval of an administrative permit or special permit for a home-based business and conformance with this Ordinance.

- G.** Lawfully existing flags and flagpoles as of July 1, 2021, may remain; however, new or replaced flags and flagpoles are subject to this Ordinance.

2. Specific Provisions Regarding Previous Approvals

- A.** The provisions that are carried forward from the previous Ordinance are either incorporated into the text of the Ordinance or are specified below.

(1) Commercial and Industrial Districts (ZO-92-225)

Revised provisions to ZOA 89-185 and ZOA 92-225 are as follows:

Properties subject to the provisions of Zoning Ordinance Amendment (ZOA) 89-185, adopted December 11, 1989, and Zoning Ordinance Amendment (ZOA) 92-225, adopted July 13, 1992, are subject to the following amended provisions regarding those properties, to the extent that uses, and FAR of those properties permitted before that date, have not otherwise been restored by any other approval such as a special exception:

- (a)** Uses for which building permits have been approved, provided the structure containing the use is constructed under the approved building permit.
- (b)** Uses shown on a site plan approved before December 12, 1989, provided a building permit(s) for the structure(s) shown on the approved site plan is issued in accordance with subsection 8100.7.F(3) and provided further that the structure(s) containing the use is in fact constructed in accordance with such building permit(s).
- (c)** Revisions to such approved site plans may be approved so long as such revision does not result in (a) an increase in FAR to include an increase in floor area for office beyond that permitted under ZOA 92-225, or (b) an increase in building height.
- (d)** Uses shown on a site plan, which plan contains the required information as set forth in subsection 8101.4.A, Minor Site Plans, and is filed on or before December 12, 1989, provided such site plan is approved within 24 months of the return of the initial submission to the applicant or agent, a building permit(s) for the structure(s) shown on the approved site plan is issued in accordance with subsection 8100.7.F(3) and provided further that the structure(s) containing the use is in fact constructed in accordance with such building permit(s).
- (e)** Resubmissions of such filed site plans or revisions to such approved site plans may be approved so long as such resubmission/revision does not result in (a) an increase in FAR to include an increase in floor area for office beyond that permitted under ZOA 92-225, or (b) an increase in building height.
- (f)** Where a site plan was filed between September 18, 1989, and December 12, 1989, where site plans were approved before December 12, 1989, where site plans were approved in accordance with this subsection (c) subsequent to December 12, 1989, or where site plans were approved as a result of the Circuit Court declaration that ZOA 89-185 was invalid; and, in each of the foregoing cases, where such site plans were not approved or are no longer valid, such site plans may be resubmitted within 120 days of the adoption of ZOA 92-225, and may be approved, provided such plans comply with all current applicable County ordinances and regulations, except ZOA 89-185 and ZOA 92-225. Revisions to such site plans may be approved so long as such revision does not result in (a) an increase in FAR to include an increase in floor area for office beyond that permitted under ZOA 92-225, or (b) an increase in building height. For the purpose of this subsection, the term "site plan" is deemed to include parking tabulation revisions for a change in use.

- (g) Special exception and special permit uses approved before December 12, 1989, provided a site plan is approved, a building permit issued, and construction commenced while the special exception or special permit is still valid, and provided further that the use is in fact constructed in accordance with such building permit.
- (h) While the special exception or special permit is still valid, resubmissions of such site plans must be permitted and may be approved so long as such resubmission does not result in (a) an increase in FAR, (b) an increase in building height, (c) the addition of a use, or (d) an increase in floor area.
- (i) Neither ZOA 89-185 nor ZOA 92-225 are applicable to proffered rezonings approved before the effective date of ZOA 92-225 and Section 1106 do not apply thereto as regards ZOA 89-185 or ZOA 92-225; provided, however, new uses added by ZOA 89-185 and ZOA 92-225 are permitted on properties subject to proffered rezonings adopted before the effective date of ZOA 92-225 to the same extent the new uses are permitted on similarly zoned properties without proffered conditions, so long as the new uses are not inconsistent with the proffered conditions. If the new uses are inconsistent with a proffered rezoning, a proffer condition amendment is required before the new uses are permitted. This provision continues to apply in the event of subsequent proffered condition amendments.
- (j) For the purpose of ZOA 89-185 and ZOA 92-225, the word “replacement” as used in subsection 8104.3.C is not deemed to include the reconstruction of a building or use which was destroyed by casualty, either completely or in part, so long as such reconstruction does not result in an increase in total FAR, percent of office FAR or building height if any such increase would result in development or uses beyond that permitted by ZOA 92-225.

B. Amendments Adopted After July 1, 2021

(1) Establishment of Hollin Hills Historic Overlay District (ZO 112.1-2022-6)

- (a) Applications for building permits, site plan, and any site-related plan (grading, conservation plans or house location plats) submitted and accepted for review before the effective date, would not be subject to ARB review pursuant to the provisions of Section 3101 provided such plans or plats are (a) approved within twelve months of the return of the initial submission to the applicant or agent, (b) the plan or plat remains valid, (c) building permits for the structures shown on the approved plan or plat are issued within six months of approval, and (d) the structures and uses are constructed in accordance with such building permits.

(2) Repeal and Replacement of Article 6 Parking and Loading (ZO 112.1-2023-x)

- (a) For all applications for rezonings and related development plans, special exceptions, special permits, variances, PRC plans, subdivision plats, site plans, parking reductions, parking tabulations, redesignation plans and building permits, submitted and accepted for review before (effective date of the amendment), the applicant/owner are entitled to review under the provisions of the Zoning Ordinance as amended through (date prior to adoption of ZO 112.1-2023-x), if: (a) approval is granted within twelve months of (effective date of the amendment), or, if corrections to a properly submitted and accepted plan are deemed necessary by the reviewing authority, revised plans are resubmitted within six months of its disapproval; (b) the approval remains valid; and (c) the uses, features, and structures are constructed in accordance with approved plans and permits. Required subsequent plan and permit submissions may be accepted and approvals may be granted, consistent with those approvals. Revisions to such approvals may be approved if they do not aggravate conflicts with ZO 112.1-2023-x. Applicant/owner may elect to have the above applications reviewed in their entirety with the provisions of ZO 112.1-2023-x.
- (b) For all applications for rezonings and related development plans, special exceptions, special permits, variances, PRC plans, subdivision plats, site plans, parking reductions, parking tabulations, redesignation plans and building permits approved before (effective date of the

amendment), the applicant/owner may continue under their previous approval or elect to utilize the requirements of ZO 112.1-2023-x, subject to the development being in substantial conformance with an approved special permit plat, special exception plat, or development plan, unless the site is subject to proffers or conditions requiring a specific number of parking or loading spaces.

- (c)** To minimize the degree of of current noncompliance additional off-street parking may be added to an existing development that, though it met the parking requirement in effect at the time of development, does not comply with the current requirements, subject to its being in being in substantial conformance with an approved special permit plat, special exception plat, or development plan.

Board Agenda Item
March 21, 2023

ADMINISTRATIVE - 8

Supplemental Appropriation Resolution AS 23195 for the Department of Public Works and Environmental Services to Accept Grant Funding from the Virginia Department of Emergency Management for the Voluntary Acquisition, Structural Demolition, and Land Restoration and Reforestation of 819 Swinks Mill Road (Dranesville District)

ISSUE:

Board approval of Supplemental Appropriation Resolution AS 23195 for the Department of Public Works and Environmental Services (DPWES), Stormwater Planning Division, to accept funding in the amount of \$920,000 from the Virginia Department of Emergency Management (VDEM) that has been made available through the U.S. Department of Homeland Security Federal Emergency Management Agency (FEMA) Flood Mitigation Assistance Grant Program. This funding will be used to acquire the property at 819 Swinks Mill Road, demolish the existing structure, and restore the property to a natural floodplain. The Total Project Estimate is currently \$1.4 million. The remaining \$0.5 million not covered by this grant is available in Fund 40100, Stormwater Services in Project SD-000032, Emergency and Flood Response Projects. Grant funding is available through August 8, 2025. Board authorization is also requested for the Chairman of the Board of Supervisors, the County Executive and/or a designee appointed by the County Executive to enter into the grant agreement and any related agreements, including but not limited to Federal Subaward Agreements, on behalf of the County.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors approve Supplemental Appropriation Resolution AS 23195 to accept funding from VDEM made available through FEMA's Flood Mitigation Assistance Grant Program. This funding will be utilized to acquire the property at 819 Swinks Mill Road and restore it to a natural floodplain in the Dranesville District. No Local Cash Match is required. The County Executive also recommends the Board authorize the Chairman of the Board of Supervisors, the County Executive and/or a designee appointed by the County Executive to enter into the grant agreement and any related agreements, including but not limited to Federal Subaward Agreements, on behalf of the County.

TIMING:

Board approval is requested on March 21, 2023.

BACKGROUND:

The house at 819 Swinks Mill Road was built in 1950, before the National Flood Insurance Program was established. The house was built within the 1 percent annual chance (100-year recurrence interval, or 100-year) flood inundation zone of Scotts Run and thus has a significant risk of flood damage.

The house flooded during significant storm events in June 2006, September 2011, and July 2019. Damage from these events has resulted in the house being classified as a severe repetitive loss property, which made it eligible for mitigation assistance under FEMA's Flood Mitigation Assistance Grant Program. Through this program, FEMA provides funding assistance to local communities, through the state emergency management agency, to complete flood mitigation projects.

In 2019, the County submitted an application for a flood mitigation assistance grant for the voluntary acquisition of the property at 819 Swinks Mill Road. The Board was notified of this application on October 31, 2019, through a memorandum from the County Executive titled "Federal Emergency Management Agency Grant Application for Property at 819 Swinks Mill Road, McLean (Dranesville District)". The grant was approved by FEMA and VDEM on September 16, 2022, and will be used by the County to acquire the property, demolish the existing structure, and restore the property to a natural floodplain. The total project is estimated to cost up to \$1,424,025. This project estimate includes acquisition and closing costs as well as demolition, debris removal, site restoration, and construction management costs. FEMA, through VDEM, will provide \$920,000 for the project. The County is responsible under the grant agreement for funding any amount that exceeds the grant amount.

Approval of the grant agreement to remove the house and other impervious surfaces at 819 Swinks Mill Road directly supports the Outcome Area Environment in the County's Strategic Plan. The grant will improve water quality to help meet Chesapeake Bay clean water requirements and the health of local waterways. The utilization of FEMA grant funds in lieu of County funds to improve water quality in the County also is an example of Effective and Efficient Government by being responsible stewards of County resources.

FISCAL IMPACT:

Funding in the amount of \$920,000 from VDEM made available through FEMA's Flood Mitigation Assistance Grant Program will support the purchase and restoration of the property at 819 Swinks Mill Road to a natural floodplain. No Local Cash Match is required. Indirect cost recovery is allowed but the agency did not request the recovery of indirect costs in order to maximize funds available to accomplish the objectives of the project. This action does not increase the expenditure level of the Federal-State Grant

Board Agenda Item
March 21, 2023

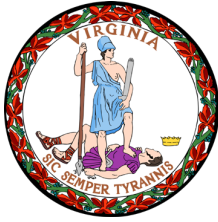
Fund as funds are held in reserve for unanticipated awards in FY 2023. The Total Project Estimate is currently \$1.4 million. The remaining \$0.5 million not covered by this grant is available in Fund 40100, Stormwater Services in Project SD-000032, Emergency and Flood Response Projects. No new General Fund resources are required.

CREATION OF POSITIONS:
No positions will be created.

ENCLOSED DOCUMENTS:
Attachment 1: Award Letter and Grant Agreement
Attachment 2: Supplemental Appropriation Resolution AS 23195

STAFF:
Rachel Flynn, Deputy County Executive
Christopher Herrington, Director, Department of Public Works and Environmental Services (DPWES)
Eleanor Ku Coddling, Deputy Director, Stormwater and Wastewater Programs, DPWES
Craig Carinci, Director, Stormwater Planning Division, DPWES

ASSIGNED COUNSEL:
Marc E. Gori, Assistant County Attorney



COMMONWEALTH OF VIRGINIA

Department of Emergency Management

9711 Farrar Court, Suite 200, North Chesterfield, Virginia 23236
TEL 804.267.7600 TDD 804.674.2417 FAX 804.272.2046

SHAWN G. TALMADGE
State Coordinator of
Emergency Management

ERIN SUTTON
Chief Deputy State Coordinator
of Emergency Management

September 16, 2022

Bryan Hill
County Executive
12000 Government Center Parkway
Fairfax, VA 22035

RE: Fairfax County – 819 Swinks Mill Road Acquisition
FMA-PJ-03-VA-2020-002

Dear Mr. Hill:

I am pleased to notify you that the Federal Emergency Management Agency has approved the project titled "819 Swinks Mill Road Acquisition." The funds have been obligated through the Flood Mitigation Assistance (FMA) program. Attached you will find the grant award package. Please read all documents carefully prior to initiating your project. As funded, the federal share is 100% of the total project costs.

Your project cannot begin until the authorized agent has signed the grant award package. No reimbursements will be made until the award package is signed and received by the Virginia Department of Emergency Management. Please sign the attached grant agreement, scan, and email it to Alex Krupp, hazard mitigation grants administrator. Congratulations on the approval of this project. If you have questions regarding this award or the implementation of your project, please contact Alex Krupp at (804) 213-6524 or by e-mail at alexander.krupp@vdem.virginia.gov.

Sincerely,

A handwritten signature in blue ink that reads "Cheryl Adkins".

Cheryl J. Adkins
Alternate Governor's Authorized Representative

Enclosures

CJA/DJM/ark



COMMONWEALTH OF VIRGINIA

Department of Emergency Management

9711 Farrar Court, Suite 200, North Chesterfield, Virginia 23236
TEL 804.267.7600 TDD 804.674.2417 FAX 804.272.2046

SHAWN TALMADGE
State Coordinator of
Emergency Management

ERIN SUTTON
Chief Deputy State Coordinator
of Emergency Management

Flood Mitigation Assistance Grant Program

Grant Agreement

FMA-PJ-03-VA-2020-002

This Agreement is made as of this 8th day of August, 2022 by and between the Virginia Department of Emergency Management, hereinafter called "VDEM," and Fairfax County, herein after called the "Sub-grantee." The UEI number for Fairfax County is **W2ZUFMBDM378**.

The parties to this Agreement, in consideration of the mutual covenants and stipulations set out herein, agree as follows:

(1) GENERAL PROVISIONS:

This Agreement is a sub-grant award of federal funds from VDEM to the sub-grantee. VDEM has received a grant from the Department of Homeland Security Federal Emergency Management Agency Flood Mitigation Assistance Grant Program, Catalog of Federal Domestic Assistance Number 97.029. The sub-grantee shall implement the project as set forth in the grant Agreement documents. These documents consist of:

- (1) Executed Grant Agreement;
- (2) Scope of Work, Attachment A;
- (3) Project Budget, Attachment B;
- (4) Milestone Table, Attachment C; and
- (5) Grant Assistance Agreements and VDEM-FEMA General Terms and Conditions and Assurances; Attachment D.

State agencies acting as the sub-grantee shall report all federal funds received as part of this Agreement as federal pass-thru funds on their agency's Schedule of Federal Assistance.

Nothing in this Agreement shall be construed as authority for either party to make commitments, which will bind the other party beyond the Scope of Work contained herein. Furthermore, the sub-grantee shall assign, sublet or subcontract any work related to this Agreement or any interest it may have herein with full compliance with federal and state procurement regulations. The schedule of service set forth in the Scope of Work and Milestone Table shall be deemed to have been consented to, as required by the preceding sentence, upon the execution of this Agreement by VDEM.

(2) SCOPE OF WORK:

*Saving lives through effective emergency management and homeland security.
"A Ready Virginia is a Resilient Virginia."*

The sub-grantee shall provide the service to VDEM set forth and summarized in the Scope of Work (Attachment A) and Milestone Table (Attachment C). All deliverables shall conform to accepted standards and practices. If there is any change in the original scope of work, a formal request must be made to VDEM for review and approval prior to implementing the change. These attachments are consistent with the original VDEM-FEMA (Federal Emergency Management Agency) grant project application. The sub-grantee shall provide VDEM with quarterly reports and a final report on the progress of work set forth in the Scope of Work. The quarterly reports and final report shall contain the following components: (1) a narrative describing in detail the progress of the sub-grantee in fulfilling the provisions of the Scope of Work; (2) Reimbursement Requests as needed that itemize the expenses incurred by the sub-grantee, including separate columns for the federal, state, and the sub-grantee's matching contribution to the total cost of services as reflected in the Project Budget-Attachment B; and (3) the schedule of specific project tasks with target completion dates and actual completion dates (Milestone Table – Attachment C). The first quarterly report is due to VDEM at the end of the first complete quarter following the award of the grant.

Reporting Period

January 1 – March 31

April 1 – June 30

July 1 – September 30

October 1 – December 31

Report Due to VDEM

no later than April 15

no later than July 15

no later than October 15

no later than January 15

(3) TIME OF PERFORMANCE:

The services of the sub-grantee shall begin on the date of sub-grantee's signature of this document and terminate on **8-8-2025**, unless otherwise altered through provisions of this Agreement or extended by written authorization of VDEM. Requests for time of performance extension must be received in writing by VDEM within 75 days of termination date with reasons for requested time of performance extension and a revised Milestone Table – Attachment C. All time limits stated are of essence of this Agreement. All funds must be obligated no later than the project completion date. The final request for reimbursement must be received no later than 60 days after the completion date for the project.

(4) COMPENSATION:

The total grant award from VDEM is **\$920,000** provided through the FY 2020 Flood Mitigation Assistance Grant Program. FEMA shall provide 100% of the funds for the project identified in the Scope of Work (Attachment A) totaling **\$920,000**.

VDEM shall release the grant award to the sub-grantee on a cost-reimbursement basis upon receipt and approval of the sub-grantee's quarterly and final reports and deliverables as required by this Agreement or at other times agreed to by VDEM. Any cost overruns incurred by the sub-grantee during the time of performance shall be the responsibility of the sub-grantee. The sub-grantee shall spend the funds according to the specified categories of the contract budget. The sub-grantee shall use mitigation grant funds solely for the purposes for which these funds are provided and as approved by FEMA and VDEM. General policies for determining allowable costs are established in 44 Code of Federal Regulations (CFR), Part 13.22 (included in Attachment D) and the appropriate OMB circulars that identify cost principles for different kinds of organizations. Minor shifts of the funds among categories by the sub-grantee, not to exceed 10% of any budget line item are permissible, but must be approved in writing by VDEM.

(5) ASSISTANCE:

VDEM agrees upon request of the sub-grantee to furnish, or otherwise make available to the sub-grantee, copies of existing non-proprietary materials in the possession of VDEM that are reasonably related to the subject matter of this Agreement and are necessary to the sub-grantee for completion of its performance under this Agreement. VDEM Recovery and Resilience Division staff will provide technical support to the sub-grantee and make periodic site visits to monitor progress.

“Working to Protect People, Property and Our Communities”

(6) ACKNOWLEDGEMENTS:

The role of the Virginia Department of Emergency Management (VDEM) and the Federal Emergency Management Agency (FEMA) must be clearly stated in all press releases, news articles, requests for proposals, bid solicitations, and other documents describing this project, whether funded in whole or part.

Acknowledgement of financial assistance, with VDEM and FEMA logos, must be printed on all reports, studies, web sites, and other products (including map products) supported, in whole or in part, by this award or any sub-award. The sub-grantee is responsible for contacting VDEM staff in adequate time to obtain the logo in camera-ready or digital form. The final draft must be approved by VDEM staff prior to production. The acknowledgement should read as follows:

This report was funded by the Federal Emergency Management Agency through the Virginia Department of Emergency Management via grant agreement number FMA-PJ-03-VA-2020-002 for \$920,000.

(7) CREATION OF INTELLECTUAL PROPERTY:

To the extent that the copyright to any copyrightable material created pursuant to this Agreement is owned by the sub-grantee and/or the sub-grantee is empowered to license its use, VDEM agrees to grant to the sub-grantee, and hereby does grant to the sub-grantee, a license to use the materials so owned for public, not-for-profit purpose within the territory of the Commonwealth and shall execute and deliver such further documents as the Commonwealth may reasonably request for the purpose of acknowledging or implementing such license.

A copyright notice shall be placed in an appropriate location on any copyrightable material being distributed or published. Such notice shall include (1) either the symbol "©", the word "Copyright", or the abbreviation "Copr."; (2) the year of first publication; and (3) the name of the copyright owner (the Commonwealth of Virginia). This information shall be followed by the words, "all rights reserved."

(8) STRUCTURAL MITIGATION REQUIREMENTS:

Specific requirements must be adhered to for structural mitigation projects such as structural relocation, property acquisition and demolition, and structural retrofitting or improvement as detailed in Attachment D. These requirements can include deed restrictions, operation and maintenance plans, and insurance requirements, as dictated by the specific grant and project requirements.

(9) BREACH AND TERMINATION:

In the event of breach by the sub-grantee of this Agreement, VDEM shall provide written notice to the sub-grantee specifying the manner in which the Agreement has been breached. If a notice of breach is given and the sub-grantee has not substantially corrected the breach within 60 days of receipt of the written notice, VDEM shall have the right to terminate the Agreement. The sub-grantee shall be paid for no service rendered or expense incurred after receipt of the notice of termination, except such fees and expenses incurred prior to the effective date of termination that are necessary for curtailment of its work under the Agreement. Termination of this Agreement can occur as an effect of one of two results: First, as a result of the proper completion and closeout of this project. Second, termination may occur as a result of *Termination for Convenience* or other termination as allowed or required by 44 CFR for projects, which cannot be completed as described in the FEMA-approved grant project application and the Scope of Work – Attachment, herein. Communication of this decision and information related to the project termination will be provided to the sub-grantee in coordination with FEMA through registered mail.

IN WITNESS THEREOF the parties have caused this Agreement to be executed by the following duly authorized officials:

Sub-grantee:

Fairfax County

By: _____

Date: _____
Authorized Sub-grantee Signatory

Grantor:

Virginia Department of Emergency Management

By: Cheryl Adkins

Date: 9/16/2022
Deputy State Coordinator, Financial Management Bureau

Project Sponsor: Fairfax County

Project Title: 819 Swinks Mill Road Acquisition

Project Description from VDEM-FEMA 2020 FMA application:

The project will acquire the residential property located at 819 Swinks Mill Road which has been designated as severe repetitive loss (SRL). As the home is located in the Special Flood Hazard Area (SFHA), the acquisition will return this 1.5 acre parcel to the floodplain and produce beneficial ecosystem services through enactment of a conservation easement.

Attachment B
FMA-PJ-03-VA-2020-002
Project Awarded Budget

Funding Source FY 2020 FMA:

Federal Project Funds	\$920,000.00
Total Project Funds	\$920,000.00

Project Budget from VDEM-FEMA FMA application:

Description of Task	Quantity	Avg. Cost	Total
Title, Closing, and Legal Fees	1	\$4,500	\$4,500
Appraisal	1	\$3,000	\$3,000
Acquisition Costs	1	\$800,000	\$800,000
Pre-Award Elevation Certificate	1	\$1,000	\$1,000
Survey	1	\$1,500	\$1,500
Asbestos Testing and Removal	1	\$10,000	\$10,000
Demolition, Debris Removal, and Site Restoration	1	\$80,000	\$80,000
Construction Management Costs	1	\$20,000	\$20,000
Total Project Costs			\$920,000

“Working to Protect People, Property and Our Communities”

Attachment C
FMA-PJ-03-VA-2020-002
Project Milestones

Description of Task	Duration
Establish Contract Agreement and Initiate Project	90 days
Complete Property Boundary Line Survey	90 days
Issue Bid Documents and Procure Contractors	90 days
Completion of Property Appraisal	90 days
Completion of Review Appraisal and Determination of Just Compensation	90 days
Negotiate Sale with Property Owner	90 days
Attorney Review and Write-Up of Contract for Sale	135 days
Transfer Title of Property	120 days
Demolition of Primary Structure and Additional Out-Buildings	90 days
Completion of Final Grading and Site Restoration	120 days
Project Closeout with VDEM	90 days

Total Project Duration: 1,095 days

Attachment D
Administrative Requirements and Guidance

Federal Administration and Guidance Documents:

1. 2 CFR Part 200 Cost Principles for State, Local, Indian Tribal Governments
2. CATEX documentation (where required)
3. Structural Mitigation Project Requirements (where required)
4. Current Hazard Mitigation Assistance (HMA) Guidelines
5. FEMA Award Package

Federal Emergency Management Agency (FEMA) Contact:

Tanya Graham-Simms
FEMA Region III
One Independence Mall, 6th Floor
615 Chestnut Street
Philadelphia, PA 19106-4404

Hazard Mitigation Assistance

Non-Supplanting Certification

I certify that any funds awarded under Hazard Mitigation Assistance grants will be used to supplement existing funds for program activities, and will not replace (supplant) non-federal funds.

Designated Agent

Name

Signature

Title

Agency

SUPPLEMENTAL APPROPRIATION RESOLUTION AS 23195

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 March 21, 2023, at which a quorum was present and voting, the following resolution was adopted:

BE IT RESOLVED by the Board of Supervisors of Fairfax County, Virginia, that in addition to appropriations made previously for FY 2023, the following supplemental appropriation is authorized and the Fiscal Planning Resolution is amended accordingly:

Appropriate to:

Fund:	500-C50000, Federal-State Grant Fund	
Agency:	G2529, Stormwater Management	
Grant:	1250002-2020, Flood Mitigation, Swinks Mill Road	\$920,000

Reduce Appropriation to:

Agency:	G8787, Unclassified Admin	\$920,000
Fund:	500-C50000, Federal-State Grant Fund	

Source of Funds: VA Department of Emergency Management, \$920,000

A Copy - Teste:

Jill G. Cooper
Clerk for the Board of Supervisors

ADMINISTRATIVE - 9

Authorization for the Department of Public Works and Environmental Services, Solid Waste Management Program, to Apply for and Accept Grant Funding from the U.S. Environmental Protection Agency to Support Consumer Recycling Education and Outreach

ISSUE:

Board of Supervisors authorization is requested for the Department of Public Works and Environmental Services (DPWES), Solid Waste Management Program (SWMP), to apply for and accept grant funding, if received, from the U.S. Environmental Protection Agency (EPA) in the amount of \$1,991,208. Funding will be used to support recycling outreach and engagement by providing curbside feedback to residents on the quality of their recyclable set-outs through surveying and tagging individual set-outs with information on how the resident could do a better job or when inappropriate items have been put in the recycling cart (commonly referred to as an “oops” tag). This approach is widely accepted as being an effective means to increase recycling rates and decrease contamination in residential recycling programs. The Total Project Estimate is currently \$2.3 million. The remaining \$0.3 million not covered by this grant will be provided through in-kind support in the form of staff hours to provide oversight, project administration, and quality control. No Local Cash Match is required. If awarded, the grant period is anticipated to run from August 2023 through December 2024. When grant funding expires, the County is under no obligation to continue funding the program. If the actual award received is significantly different from the application amount, another item will be submitted to the Board requesting appropriation of grant funds. Otherwise, staff will process the award administratively as per Board policy. Board authorization is also requested for the Chairman of the Board of Supervisors, the County Executive, and/or a designee appointed by the County Executive to enter into the grant agreement and any related agreements, including but not limited to Federal Subaward Agreements, on behalf of the County.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors authorize the DPWES, Solid Waste Management Program, to apply for and accept \$1,991,208 in grant funding, if received, from the U.S. EPA. Funding will be used to support recycling outreach and engagement by providing curbside feedback to residents on the quality of their recyclable set-outs. No new positions will be created, and no Local Cash Match is required. The County Executive also recommends the Board authorize the Chairman of the Board of Supervisors, the County Executive, and/or a designee appointed by the County Executive to enter into the grant agreement and any related agreements, including but not limited to Federal Subaward Agreements, on behalf of the County.

Board Agenda Item
March 21, 2023

TIMING:

Board approval is requested on March 21, 2023. The Board was notified via email on February 9, 2023, of DPWES, Solid Waste Management Program's intent to apply for this grant; therefore, this application has been submitted pending Board approval and will be immediately withdrawn if the Board does not approve this request.

BACKGROUND:

In 2020, the U.S. EPA announced the U.S. National Recycling Goal to increase the U.S. recycling rate to 50 percent by 2030 and to galvanize efforts to strengthen the U.S. recycling system. One year later, the EPA released the National Recycling Strategy: Part One of a Series on Building a Circular Economy for All. Funding was made available to support the National Recycling Strategy when the 2021 Bipartisan Infrastructure Law (BIL) was signed into law. Section 70402 of the BIL authorized the Consumer Recycling Education and Outreach Grant Program (known as "REO grants") and provided U.S. EPA with \$75 million in funding for the program. In late 2022, U.S. EPA issued a Request for Applications (RFA), inviting residential or community recycling programs to apply for grants. The purposes of these grants include (but are not limited to) public outreach and engagement activities that increase recycling and/or reduce recyclables contamination. Consistent with the purpose of REO grants, SWMP's proposed project will:

- Inform the public about the County's residential recycling program;
- Provide information about the recycled materials that are accepted by the program; and
- Increase recycling rates and decrease contamination in the residential program.

Fairfax County currently has an estimated contamination rate for residential recyclables set out for collection ranging from 25 to 35 percent. Grant funding will provide direct, targeted messaging to address common contamination causes, including "wishful recycling," confusion about Resin Identification Codes (plastics), or outdated recycling instructions. Wishful recycling is when a resident believes items are recyclable when they are not. The project aims to reduce overall contamination to improve the commodity values of the recyclables and decrease waste tonnages sent for disposal. In addition, the project will provide a baseline measure of community engagement and participation in the County's recycling program. The project will also coordinate closely with private-sector waste collectors and regional recyclables processing centers to measure the impact of the tagging on the quantity and composition of recycling, and thereby gauge the potential environmental and economic benefits of a more widespread and ongoing program of such tagging. This approach is widely accepted as being an effective means to increase recycling rates and decrease contamination in residential

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recycling programs. It is anticipated that the majority of the work under the funded project will be conducted by consultants and contract staff, with SWMP staff serving in project management and quality control/oversight roles.

A more detailed summary of the proposed project is given in Attachment 1. The project is expected to begin once U.S. EPA grant funds are dispersed in August 2023 and will conclude in December 2024.

FISCAL IMPACT:

Grant funding in the amount of \$1,991,208 is being requested from the U.S. EPA to support resident recycling outreach and engagement. This action does not increase the expenditure level of the Federal-State Grant Fund as funds are held in reserve for unanticipated grant awards. The Total Project Estimate is currently \$2.3 million. The remaining \$0.3 million not covered by this grant will be provided through in-kind support in the form of staff hours to provide oversight, project administration, and quality control. No Local Cash Match or new General Fund resources are required. This grant does allow the recovery of indirect costs; however, because this funding opportunity is highly competitive, the Department of Public Works and Environmental Services, Solid Waste Management Program, has elected to omit inclusion of indirect costs to maximize the proposal's competitive position.

CREATION OF NEW POSITIONS:

No new positions will be created by this grant.

ENCLOSED DOCUMENTS:

Attachment 1: Narrative from Grant Proposal

STAFF:

Rachel Flynn, Deputy County Executive

Christopher Herrington, Director, Department of Public Works and Environmental Services (DPWES)

Eric Forbes, Deputy Director, Solid Waste Management Program (SWMP), DPWES

Charles D. Forbes, Public Works Environmental Services Manager, SWMP, DPWES

**NARRATIVE PROPOSAL
RESIDENTIAL CURBSIDE CONTAMINATION TAGGING PILOT
2023 USEPA Recycling Grant Application**

Criterion 1: Project Summary and Approach.

a. Project Narrative includes a clearly written description of the overall project

The Fairfax County (County) Department of Public Works and Environmental Services' Solid Waste Management Program (SWMP) proposes to conduct a pilot program to increase the frequency and quality of recycling program participation in the approximately 200,000 single-family homes Countywide that receive weekly curbside recyclables collection. The SWMP requests \$1,991,208 in grant funds for the EPA's Consumer Recycling Education and Outreach (REO) Grant Program for its Residential Curbside Contamination Tagging Pilot (Project). The Project's total cost is \$2,296,708.

The County currently has a contamination rate of 25 to 35 percent, and the goal of the Program is to increase residential recycling participation while reducing contamination. The Project will provide direct, targeted messaging to address common contamination causes, including "wish-cycling," confusion about Resin Identification Codes (RICs), or outdated recycling instructions. Wish-cycling is when a resident believes items are recyclable when they are not. The project aims to reduce overall contamination to improve the commodity values of the recyclables and decrease tonnage sent to landfill.

The Project will also provide a baseline measure of community engagement and participation in the County's recycling program. The County plans to develop and report a quantitative and qualitative evaluation of the impact that direct messaging has on recycling behaviors over time. The targeted educational campaign and the quantitative outcomes will guide the County's future waste education programs.

The County has several unique collection elements that make education and data tracking challenging. The County provides MSW and recycling collection services to approximately 43,000 households in defined Sanitary Districts. The remaining unincorporated areas of the County, representing approximately 155,000 households, use private collectors. Approximately 20 private-sector waste collection companies manage collections from those households. The private collectors are licensed to operate in the County via a Certificate to Operate (CTO). The recycling collected by the County goes to the EnviroSolutions (WM) MRF. Most recycling collected by licensed collectors goes to one of five regional MRFs. The County also collects self-hauled recyclables at two Recycling and Disposal Centers (RDCS) located at the County-owned I-66 Transfer Station and I-95 Landfill Complex.

The County does not control recycling collections or processing for all 200,000 households, making it difficult to provide education on recycling for the County as a whole. However, the County's statutory authority over and license conditions for licensed collectors provide some control over the recycling collected by the private sector. The licenses, known as Certificates to Operate (CTOs), stipulate that collectors reject loads with high contamination and require them to provide education to residents at least once per quarter. The County develops recycling

education that the collectors can use, or they are allowed to develop and distribute their own educational materials. The collectors have all elected to-date to use County-developed educational materials. Due to this existing relationship, the County is already well-positioned to provide consistent recycling education to households across the County, even to the 155,000 households who private-sector collectors (hereafter, “collectors”) service.

The Project will fund door-to-door recycling education and outreach using a coordinated campaign of direct mailing, near "real-time" feedback on recyclable set-outs, social media, and digital outreach, and the development and dissemination of information on the importance of recycling correctly. The County plans to model its education program on The Recycling Partnership's (TRP) Recycling Contamination Reduction Kit for replicating a successful Feet on the Street Cart-Tagging Campaign. The primary educational tool used for the campaign is a cart-tagging program. Contracted workers will walk the collection routes ahead of the collection vehicles, inspect each recycling cart, and add tags to households with high recycling contamination. The tags will explain which types of recycling contamination are present in the bin so residents can learn which non-recyclable items they include in their single-stream recycling. The tags will also signal to the collectors that they should not pick up bins with high contamination.

The Project is expected to begin once EPA grant funds are dispersed in August 2023 and will conclude in December 2024.

b. Project meets the requirements in Section I.F: Scope of Work and Section I.H: General Environmental Results and Strategic Plan Information.

The Project aligns with the EPA's objectives as listed in Section I.F of the EPA's Request for Applications (RFA). The Project supports the following objectives:

- Increase collection and improve materials management infrastructure,
- Reduce contamination in the recycled materials stream,
- Enhance policies and programs to support circularity, and
- Standardize measurement and increase data collection.

The Project also supports goals outlined in the EPA's FY 2022-2026 Strategic Plan. The Project supports Goal 1, Objective 1.1: Reduce Emissions that Cause Climate Change; and Goal 6, Safeguard and Revitalize Communities, Objective 6.2: Reduce Waste and Prevent Environmental Contamination. Currently, approximately 25 to 35 percent of materials collected are contamination. Reducing contamination and increasing recycling participation would divert additional materials from disposal, reducing greenhouse gas emissions. Reducing contamination in the recycling stream will also reduce waste disposed of in the landfill and prevent environmental contamination.

c. Project narrative clearly identifies the goals and objectives of the Project and includes an effective, easily understood plan with well-reasoned steps and milestones to meet the stated objectives.

The goals for the Project include the following:

- Improve the quality of recyclables collected by 20 to 25 percent;
- Provide direct curbside feedback to 20 percent of single-family households;

- Provide education and outreach to all single-family households;
- Increased recycling program participation by 20 percent;
- Increased compliance with recycling program requirements;
- Capture performance metrics; and
- Increased understanding of which messages have the greatest positive impact.

The Project will include the following tasks:

Task 1: Procure Contractor

The County will use a competitive procurement process using the County guidelines to select a contractor for the Project in accordance with the requirements of the RFA. The selected contractor will implement the tagging Program, including hiring contract or temporary labor, purchasing supplies, training, and tagging collection carts with contamination.

Task 2: Recruit Collector Support

The County currently works with approximately 20 collectors. County staff will reach out to the collectors, explain the Program, note that carts tagged with contamination should not be collected, and discuss any concerns the collectors may have. Key deliverables include a project kick-off announcement, ongoing communications through the collector website portal (<https://www.fairfaxcounty.gov/publicworks/recycling-trash/four-touch-points-initiative>), and sharing of Project findings.

Task 3: Data Tracking, Analysis, and Reporting (Pre- and Post-Pilot Project)

The County will collect baseline data on recycling participation and contamination rates from the MRF. During the tagging Program, the contracted workers will use phones or tablets to complete the TRP survey to understand set-out rates and contamination, which will be consolidated and analyzed. The County will collect contamination rates, participation rates, curbside set-out rates, and curbside tagging rates during the tagging pilot and will report outputs and outcomes to the EPA, as described later in this narrative.

Task 4: Survey MRF(s)

The County will set up a series of meetings with five regional MRFs. The County and MRFs will jointly identify the top five problematic materials and complete the TRPs MRF survey. During previous studies, the top five contaminants found in Fairfax County residential collections consist of plastic bags, shredded paper, tanglers (hangers, cords, and hoses), take-out containers, and diapers. Once the top contaminants are identified, these materials will become the central focus of the Project's educational materials. A goal of this project is to enhance communication and partnership between the County and regional MRFs.

Task 5: Develop Public Communication Content

The County plans to model its public communications content on free educational materials provided by TRP. The content will be tailored to the most common contaminants in the County's MRF, as identified during Task 4. The public communication will include a public notification of the tagging pilot project via radio and newspaper ads and targeted social media posts. It will also include a mailer sent before the Project, the tags attached to bins with high contamination, and a mailer sent after the Project summarizing the results of the tagging Program. Educational

information will also be shared via County Engagement channels such as social media and newsletters.

Info card mailer. This educational piece will identify the acceptable materials (yes/no list) and top contaminants customized for Fairfax County.

Curbside feedback. Print and produce customized Fairfax County Oops Tags to use on routes.

Top issue mailer. SWMP plans to develop and produce two top-issue mailers to go to the community receiving curbside feedback. These pieces will be used to provide targeted material education, and the education results will be tracked in the curbside findings.

The key goal of the project is to fine tune outreach materials and best practices that can be sustained by the County after the grant period.

Task 6: Implement Tagging Program

The tagging Program will take place over four weeks in June 2024. Twenty percent of the households in the County will be evaluated four times over four weeks. The survey area will be carefully selected to get a mix of collectors and communities, although Sanitary Districts will be favored due to SWMP's better control of these areas. The collection schedules set by the collector will be established so that inspection/tagging crews can be scheduled one to two hours ahead of the collection trucks to ensure inspections occur before the trucks arrive. Tagging crews will leave tags on recycling carts with contamination to inform the resident and remind the recycling collector not to collect contaminated bins. The tagging crews will track whether the carts are set out, whether a warning tag was placed, whether the crew recommends rejecting the bin for collection due to high contamination, and a summary of the number and type of contaminant. The information will be entered on a phone or tablet for inclusion in the analytical reporting (Task 3).

Task 7: Develop an Action Plan for Future Recycling Education Programs

The County plans to use the Project's outputs and outcomes to guide future recycling education programs. After the tagging Program has been completed, the County will prepare a report that describes the outcomes of the tagging Program and develop an Action Plan. The Action Plan will be submitted with the final technical report provided to the EPA at the end of the Project.

d. Project narrative sets forth a reasonable time schedule for the execution of tasks associated with the Project and for achieving the project goals and objectives by project end.

The County has developed a schedule for Tasks 1 through 7. Project initiation dates assume that grant funds will be dispersed in August 2023. The milestones are expected to be met during the following periods:

Task 1: Procure Contractor – August 2023 through December 2023

Task 2: Recruit Collector Support – September 2023 through December 2024

- Task 3: Data Tracking, Analysis, and Reporting (Pre- and Post-Pilot Project) – January 2024 through March 2024 (pre-pilot) and November 2024 through December 2024 (post-pilot)*
- Task 4: Survey MRF(s) – January 2024 through March 2024 (pre-pilot) and November 2024 through December 2024 (post-pilot)*
- Task 5: Develop Public Communication Content – January 2024 through December 2024*
- Task 6: Implement Tagging Program – March 2024 through June 2024*
- Task 7: Develop an Action Plan for Future Recycling Education Programs – August 2024 through December 2024*

More detail is provided in Appendix D: Timeline and Milestones (attached).

Criterion 2: Environmental Justice

a. How the Project benefits communities including those that have experienced a lack of resources or other impediments to addressing the impacts identified above that affect their communities.

Fairfax County encompasses 4 Cities and Towns and approximately 1.14 million residents. Approximately 13 percent of the population in the County lives in a census tract identified by the EPA as overburdened and underserved, as shown on the EPA's Climate and Economic Justice Screening Tool. The five largest ethnic groups in Fairfax County, VA are White (Non-Hispanic) (50%), Asian (Non-Hispanic) (19.7%), Black or African American (Non-Hispanic) (9.47%), White (Hispanic) (9%), and Other (Hispanic) (4.56%).

For this reason, the SWMP has elected to apply for Track 2 of the EPA REO grant application. The Project aims to provide equitable recycling education and collection service to all 200,000 households serviced by the Project. The SWMP's goal is to improve and increase meaningful participation in the recycling program by reducing contamination. A map of the County and census tracts identified by the EPA as disadvantaged is included as an attachment to this application.

b. The extent to which the Project addresses engagement with, local residents in these communities described in this solicitation, to ensure their meaningful participation with respect to the design, project planning, and performance of the Project.

The County plans to work with collectors to distribute mailers to residents before the tagging pilot program. The County will also set a public notification, so residents are prepared to see the tagging crews. A mailer will be sent after the Project to inform residents of the study's outcomes.

Criterion 3: Measuring Environmental Results: Anticipated Outputs and Outcomes

a. Anticipated Outputs.

The County plans to measure the following outputs:

- Recycling contamination rates at the MRF;
- Set-out rates during the pilot tagging Program;
- Recycling tonnages collected curbside from the 45,000 households serviced by the County;

SWMP collects inbound material quantities and contamination rates from the EnviroSolutions MRF. Still, it does not typically have access to similar information from other MRFs that may receive County-generated waste collected by the private sector. Furthermore, those MRFs may not be able to provide data specific to data collected in the County. For this grant, the County will provide the EPA with data from the EnviroSolutions MRF but plans to request data from other MRFs and the licensed collectors. If that information is made available, it will be included in the final EPA report to show Project impacts on the wasteshed as a whole.

b. Anticipated Outcomes.

The Project is expected to achieve the following outcomes:

- Increased recycling program participation;
- Increased compliance with recycling program requirements;
- Reduced use of plastic bags for recyclables storage and set-out;
- Reduced contamination in recycling set-outs;
- Improved cleanliness and overall quality of recovered recyclables; and
- Increased understanding of which educational messages have the greatest positive impact.

The County plans to contract with the vendor to track outcomes qualitatively.

Criterion 4: Programmatic Capability and Past Performance.

a. Past performance in successfully completing and managing the assistance agreements identified in response to Section IV: Application and Submission Information of the solicitation.

SWMP does not have any relevant past performance or reporting information, having never performed any federally or non-federally funded assistance agreements. SWMP cannot demonstrate successfully completing and managing such assistance agreements. However, like any other responsibility or duty to local, State, and Federal authorities, SWMP is confident in its ability to meet the reporting requirements under the assistance agreement to fund this Project and would have the full support of the County as needed to meet the needs of this grant. The organization's relevant experience and credentials are further described below.

b. History of meeting the reporting requirements under the assistance agreements identified in response to Section IV: Application and Submission Information of the solicitation including whether the applicant submitted acceptable final technical reports under those agreements and the extent to which the applicant adequately and timely reported on their progress towards achieving the expected outputs and outcomes under those agreements and if such progress was not being made whether the applicant adequately reported why not.

See above.

c. Organizational experience and plan for timely and successfully achieving the objectives of the proposed project.

SWMP and its predecessor agencies have been the careful steward of Fairfax County's environment. They have met the community's solid waste management needs for over 50 years without any significant mishap or shortfall in service. The agency has a flawless track record on

solid waste management planning, having submitted updates to its 20-year Solid Waste Management Plan on time and without critical comment from regulators since 2004. When the Board closed the landfill unexpectedly in the late 80s, SWMP had an alternative designed, built, and commencing commercial operations within three years (1990). When the WTE plant was rendered inoperable by fire for two years, SWMP was able to improvise and overcome without an appreciable loss in service quality or reliability. Even when an unprecedented global pandemic struck, SWMP was able to continue offering recycling services when many municipalities around it suspended service. The agency believes it has superior organizational experience and depth of bench to achieve the objectives of the proposed Project in a timely, efficient, and successful manner.

d. Staff expertise/qualifications, staff knowledge, and resources or the ability to obtain them, to successfully achieve the goals of the proposed project.

SWMP leadership includes over 100 years of solid waste management practice and expertise, including significant assignments in major U.S. cities and overseas. We believe our depth of bench and institutional knowledge is unmatched in the region and more than adequate to the proposed Project's challenges. SWMP has the resources (or the ability to obtain them) to achieve the proposed Project's goals successfully. Resumes for the key leadership assigned to the proposed Project are attached to this submittal. To briefly summarize these key players:

- Eric Forbes, Deputy Director of the County's Department of Public Works and Environmental Services, will serve as the Project's principal and Director. Eric brings over 14 years of professional experience supervising and directing a broad spectrum of environmental projects and programs, including significant experience directing solid waste management operations in a variety of settings;
- Hans Christensen, SWMP's Director of Operations, will serve as a primary subject matter expert on waste management operations, bringing over 30 years of direct experience in almost every aspect of municipal solid waste management, both in a public- and in a private-sector setting. Hans has designed, built, and operated collection and disposal systems throughout the United States; and
- Charlie Forbes, SWMP's senior manager for outreach, compliance, and planning, will serve as the Project's Project Manager. Similar to Hans, Charlie brings over 30 years of professional solid waste management experience, with particular emphasis on organizational diagnostics, strategic planning, and communicating with the public in situations of high concern and low trust.

Criterion 5: Budget and Expenditure of Award of Grant Funds

The estimated total project cost for the Residential Curbside Contamination Tagging Pilot Project is \$2,296,708. SWMP requests \$1,991,208 in EPA REO grant funds and will provide the remaining \$305,500 as in-kind funds. The requested funds will cover the costs for a contractor to complete the tagging pilot, including staffing the tagging events, printing and distributing mailers and info cards, advertising, supplies, analytics, and reporting. If awarded funds, the SWMP will complete a procurement process to hire a qualified contractor to complete the work. The SWMP

will provide 3,200 in-kind staff hours to provide oversight, project administration, and quality control for estimated in-kind support of \$305,500. See Criterion 4.d above for details on the leadership providing support for this Project.

Please see attached Budget Table and Description for more details.

Criterion 6: Project Sustainability and Replicability

The Project will follow the TRP's Recycling Contamination Reduction Kit and Program guide to implement a program with proven results for contamination reduction, increased education, cleaner recycling streams, and overall improvements to recycling systems. The SWMP will serve as a case study that other communities can replicate with similar challenges of high contamination rates and a complex service area, including a combination of County (public) hauling services, private waste haulers, and multiple MRFs. SWMP plans to share data collected, lessons learned, and other takeaways from the Program if awarded funds.

SWMP expects that the findings from this pilot Program will also be sustainable for the County's recycling system. The dedicated outreach and education are expected to result in cleaner recycling streams which could provide added value to the County via the sale of recyclable materials and a lower contamination rate. The data tracking and analysis from before and after the Program will provide information that can be used for long-term planning and action items for the County to implement moving forward. The Program will identify what types of communication work best for Fairfax County specifically and what improvements could be made for future outreach and education opportunities. This will also allow SWMP to more efficiently use County resources for targeted outreach efforts that have effectively addressed the residential community's specific needs.

Criterion 7: Effective Partnerships

SWMP has effective partnerships, coalitions, and relationships already in place to execute this Project effectively. With its collectors, SWMP has the working partnerships and regulatory tools needed to drive collaboration. SWMP issues each collector its Certificate to Operate (CTO) for residential collection in the County, which accounts for collection service to approximately 155,000 households. As part of the CTO requirements, collectors are required to provide educational material to all residents annually. The collectors may choose to create their own education materials or use the materials provided by the County – to-date, SWMP's experience has been that all collectors prefer to use SWMP-provided content.

Similarly, SWMP works with contracted MRFs for the collected recyclables throughout the County. These key entities provide service to residents and collaborate with SWMP, and SWMP has very good working relationships with its member communities.

SWMP does not anticipate forming any additional partnerships for the execution of this Project.

Criterion 8: Incorporation of Evidence-Based Outreach and Messaging

The Project will follow specified recommendations from the Recycling Partnership's (TRP) Recycling Contamination Reduction Kit to develop and implement evidenced-based messaging and strategies. TRP's system has been proven effective using all the detailed aspects for outreach

specified and has been refined over time by input from community partners. TRP resources include outreach materials (direct mail, social media), curbside feedback touch points (cart tags multiple times), data collection needs, targeting identified contamination issues, and sharing results with key partners. Research has shown that creating robust programs that include all of these key aspects has the highest success rates and results in long-term reduction in contamination. TRP completed case studies from cities that implemented their recommendations. Spokane, Washington, had a contamination rate of 31% before implementing a program that included tagging carts and mailing info cards. Their efforts resulted in a 46% decrease in overall contamination. In contrast, the County of Spokane mailed two info cards but did not complete cart tagging. As a result, their contamination reduction was only 21% by comparison.

Cart tags are especially beneficial for communities with problematic contamination rates. Orange County, Florida, implemented a cart tagging program when its contamination rates were approaching 40%. The success of their Program resulted in cleaner materials at the MRF, a stronger partnership between the County and MRF, and a fine-tuned program for increased efficiencies. The need to tag carts identified as contaminated decreased from 62% to 36% from the first to the last cycle of their Program.

The messaging and language established by TRP have proven successful, allowing SWMP to launch this Program with confidence that it will be effective for their residential constituency also. Leveraging existing resources will also make the necessary contracted work more efficient and utilize fewer resources for development.

Criterion 9: Leveraging

The Project will leverage existing resources from TRP, as previously detailed. The selected contractor will follow the detailed timeline, checklist, best practices, and case study data provided by TRP. Using this available resource, SWMP will significantly reduce the effort needed to launch this Program. Once a contractor is selected, the necessary steps for completion of the Program are clearly defined and replicable. Leveraging these resources significantly reduced the overall cost of the Project, had SWMP needed to create the detailed plan independently.

SWMP also plans to leverage existing staff resources to oversee the Project and the contract procurement process. The County labor costs necessary to complete such tasks are not included in the grant request.

Attachments

The following additional attachments are being submitted in support of this application:

1. Attachment 1: Letter of Support from Northern Virginia Regional Commission (NVRC)
2. Attachment 2: Key Staff Resumes
3. Attachment 3: EPA's Climate and Economic Justice Screening Tool Map
4. Attachment 4: The Recycling Partnership Recycling Contamination Reduction Kit

ADMINISTRATIVE - 10

Authorization for the Office of Environmental and Energy Coordination to Apply for and Accept Grant Funding from the U.S. Environmental Protection Agency Environmental Justice Government-to-Government Program

ISSUE:

Board of Supervisors authorization is requested for the Office of Environmental and Energy Coordination (OEEC) to apply for and accept grant funding, if received, from the U.S. Environmental Protection Agency (EPA) Environmental Justice Government-to-Government program in the amount of \$1.0 million. This funding will be used for the establishment of a “Resilience Hub/Solar Sanctuary” in a vulnerable area of the County. Resilience Hubs are community serving facilities augmented to support residents, coordinate communication, distribute resources, and enhance communities’ capacity to adapt to climate change. OEEC is in the process of evaluating sites with partner organizations and agencies. This proposed project will serve as a model to establish other Resilience Hubs/Solar Sanctuaries in Fairfax County and other jurisdictions across the U.S. As the grant requires a partnership with community-based organizations, including non-government organizations (NGOs), OEEC will be partnering with local non-profits including but not limited to Faith Alliance for Climate Solutions (FACS).

The grant period is from October 1, 2023, to September 30, 2026. No Local Cash Match is required and there are no new positions associated with the funding. When grant funding expires, the County is under no obligation to continue funding the program. If the actual award received is significantly different from the application amount, another item will be submitted to the Board requesting appropriation of grant funds. Otherwise, staff will process the award administratively as per Board policy. Board authorization is also requested for the Chairman of the Board of Supervisors, the County Executive and/or a designee appointed by the County Executive to enter into the grant agreement and any related agreements, including but not limited to Federal Subaward Agreements, on behalf of the County.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors authorize the OEEC to apply for and accept grant funding, if received, from the U.S. EPA Environmental Justice Government-to-Government program in the amount of \$1.0 million. The funding will be used to establish a Resilience Hub/Solar Sanctuary in a vulnerable area of the County. There are no new positions associated with this grant and no Local Cash

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Match is required. The County Executive also recommends the Board authorize the Chairman of the Board of Supervisors, the County Executive and/or a designee appointed by the County Executive to enter into the grant agreement and any related agreements, including but not limited to Federal Subaward Agreements, on behalf of the County.

TIMING:

Board approval is requested on March 21, 2023, due to an application deadline of April 10, 2023.

BACKGROUND:

Fairfax County has two major climate action plans: CECAP and Resilient Fairfax. CECAP focuses on addressing the *cause* of climate change (through emissions reduction), while Resilient Fairfax focuses on becoming more resilient to the *effects* of climate change (such as severe storms, precipitation, and extreme heat). CECAP was accepted by the Board of Supervisors in September 2021 and Resilient Fairfax was adopted by the BOS in November 2022. Both plans are now in the implementation phase. One key channel of implementation is the “Climate Champions” pilot initiative with non-profit and interfaith communities of all backgrounds, including Faith Alliance for Climate Solutions (FACS). FACS has an existing initiative called “Solar Sanctuaries” that aligns with the County’s definition of “Resilience Hubs,” as defined on page 59 of the Resilient Fairfax Plan. Resilience Hubs/Solar Sanctuaries are community-serving, trusted facilities that enhance communities’ resilience before, during, and after severe weather emergencies. These facilities are often structurally enhanced to ensure continued operations during power outages, flood events, and extreme heat events. The facilities provide access to resources and information, County and non-County services, trainings, and capacity and community building. Resilience hubs are not equivalent to “shelters,” but they may ease the strain on shelter sites by enhancing the resilience of vulnerable communities in the County. The Resilience Hub/Solar Sanctuary project enabled through the EPA Environmental Justice Government-to-Government program is envisioned to advance the implementation of numerous strategies from both CECAP and Resilient Fairfax, including the following:

- **Resilient Fairfax:**
 - Climate Ready Communities (CRC) Pillar
 - Goal CRC.1: Create Safe and Resilient Spaces
 - Priority Strategy - CRC.1b: Pursue Development of a Network of Resilience Hubs in Climate-Vulnerable Areas of the County
 - Goal CRC.2: Build Community Capacity to Understand, be Ready for, Respond to, and Bounce Back from Climate Change Impacts

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- Priority Strategy - CRC.2b: Launch a Climate Resilience Education and Guidance Program
- Goal CRC.3: Pursue Climate Ready Development
 - Priority Strategy - CRC.3b: Encourage Heat-Resilient Design, Development, Upgrades, and Practices

Resilient Infrastructure and Buildings (RIB) Pillar

- Goal RIB.2: Advocate for Infrastructure Resilience Outside of County Control
 - Priority Strategy - RIB.2a: Advocate and Partner for Energy Resilience

Adaptive Environments (AE) Pillar

- Goal AE2: Restore Damaged Areas Through Nature-Based and Natural Solutions
 - Priority Strategy - AE.2a: Pursue Green Infrastructure Projects that Provide Climate Resilience Benefits

- **CECAP:**

Sector: Buildings and Energy Efficiency

- Strategy 1: Increase Energy Efficiency and Conservation in Existing Buildings

Sector: Energy Supply

- Strategy 5: Increase Production of Onsite Renewable Energy

Sector: Transportation

- Strategy 8: Support Sustainable Land Use, Active Transportation, Public Transportation, and Transportation Demand Management (TDM) to Reduce Vehicle-Miles Traveled

Sector: Waste

- Strategy 10: Reduce the amount of waste generated and divert waste from Waste-to-Energy facilities and landfills
- Strategy 12: Support Preservation, Restoration, and Expansion of Natural Systems, Green Spaces, and Soil Quality

Resilience Hubs/Solar Sanctuaries are envisioned to serve clients that have high vulnerability, due to socioeconomic and health factors, exposure to flood risk, and exposure to heat risk.

This grant would fund both structural and non-structural elements, such as:

- **Structural:**

- Solar panels with battery storage back-up, so that the site can remain up and running to help the surrounding community during power outages.

This is especially important for residents who rely on critical electrical medical equipment. The solar panels also provide clean power for emissions reduction.

- Cool roofs and cool pavements, to reduce Urban Heat Island effect.
- Energy efficiency upgrades, to reduce the amount of power used and greenhouse gases emitted.
- Flood proofing and flood risk reduction, so that the site itself remains a safe hub if the surrounding community floods.
- Environmental site enhancements, such as stormwater management and green infrastructure improvements.
- Indoor environmental health hazard remediation such as asbestos removal, as needed.
- Electrification and upgrades to more energy-efficiency appliances, as needed.

- **Non-Structural:**

- Connections to basic community and health services and aid, provided by both County and non-County entities.
- Pilot inter-agency education program for the surrounding community on climate mitigation and resiliency to climate hazards such as flooding, extreme heat, and severe storms. This interdepartmental program would include topics such as how to: recognize the signs of heat stroke, prepare an emergency kit, ensure adequate financial savings in case of an emergency, floodproof your home, buy flood insurance, resolve flooding issues on your property, apply for County assistance and federal incentives, reduce your greenhouse gas emissions and solid waste, improve your energy efficiency and save money on utility bills, restore the environmental health of your property, and more.
- Support for the establishment of a workforce development training program for at-risk youth and young adults.
- Creation of guidance and procedures to scale up pilot initiatives for broader implementation of a network of Resilience Hubs/ Solar Sanctuaries.

FISCAL IMPACT:

Grant funding in the amount of \$1.0 million is being requested from the U.S. EPA Environmental Justice Government-to-Government program to establish a Resilience Hub/Solar Sanctuary. No Local Cash Match is required. This grant does allow the recovery of indirect costs; however, because this funding opportunity is highly competitive, the OEEC has elected to omit inclusion of indirect costs to maximize the proposal's competitive position. This action does not increase the expenditure level of

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the Federal-State Grant Fund as funds are held in reserve for unanticipated grant awards.

CREATION OF NEW POSITIONS:

No new positions will be created by this grant.

ENCLOSED DOCUMENTS:

Attachment 1: Summary of Grant Proposal

STAFF:

Rachel Flynn, Deputy County Executive

John Morrill, Acting Director, Office of Environmental and Energy Coordination

Matthew Meyers, Division Manager, Office of Environmental and Energy Coordination

Allison Homer, Planner IV, Office of Environmental and Energy Coordination

Neely Law, Planner III, Office of Environmental and Energy Coordination

Kate Daley, Management Analyst III, Office of Environmental and Energy Coordination

ENVIRONMENTAL JUSTICE GOVERNMENT-TO-GOVERNMENT PROGRAM SUMMARY OF GRANT PROPOSAL

Grant Title:	Environmental Justice Government-to-Government Program
Funding Agency:	U.S. Environmental Protection Agency (EPA) Office of Environmental Justice and External Civil Rights
Applicant:	Fairfax County Office of Environmental and Energy Coordination (OEEC)
Partner:	Faith Alliance for Climate Solutions
Purpose of Grant:	This grant will fund the establishment of one Resilience Hub/Solar Sanctuary in a vulnerable area of the County that will be a model for other Resilience Hubs/Solar Sanctuaries in Fairfax County and jurisdictions across the U.S. OEEC is in the process of evaluating sites with partner organizations and agencies. An additional site may be added to supplement services or capacity provided by the primary site following this evaluation but would not impact the requested funded request.
Funding Amount:	Funding in the amount of \$1.0 million. There is no Local Cash Match requirement.
Proposed Use of Funds:	Structural enhancements and non-structural services, to potentially include: <ul style="list-style-type: none"> • \$25,000 in energy audits • \$600,000 in materials and upgrade costs (solar photovoltaic panels, battery storage and back-up power, energy efficiency upgrades) • \$25,000 for building remediation, such as asbestos removal, lead risk reduction, and alleviation of other environmental hazards • \$100,000 design and construction of stormwater infrastructure • \$150,000 in staff support (non-profit sub-awardee) for management (@\$50,000 per year for three years) • \$25,000 in education and outreach program development • \$75,000 workforce development training program and materials
Target Population:	The target population is residents of disadvantaged communities in the county, as defined by the federal Justice40 Initiative and One Fairfax.
Performance Measures:	The success of this project will be based on the following outcomes: <ol style="list-style-type: none"> 1) Reduction of site's emissions and environmental health hazards through energy efficiency, renewable energy, electrification, water efficiency, building upgrades, and other improvements 2) Enhancement of the site's resilience to severe weather. 3) Improved access of the surrounding community to critical services from county and non-county agencies

- 4) Participants' increased knowledge of climate resilience and mitigation topics such as flood preparedness, heat risk reduction, emergency preparedness, environmental health, and emissions reduction.

Grant Period:

October 1, 2023 – September 30, 2026

ACTION – 1

Authorization to Amend Fairfax County's One-Year Action Plan for FY 2022

ISSUE:

Board of Supervisors' approval for the Department of Housing and Community Development (HCD) to amend Fairfax County's One-Year Action Plan for FY 2022 to incorporate the County's HOME Investment Partnerships Program (HOME)-American Rescue Plan (ARP) Allocation Plan.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors (1) adopt the proposed amendment to Fairfax County's One-Year Action Plan for FY 2022; and (2) authorize signature of the certifications and federal funding application forms (SF-424) required by the U.S. Department of Housing and Urban Development (HUD).

TIMING:

Board of Supervisors' approval is requested on March 21, 2023, to ensure sufficient time for the County to submit the proposed amendment to the One-Year Action Plan for FY 2022 and HOME-ARP Allocation Plan by HUD's deadline of March 31, 2023.

BACKGROUND:

An Action Plan is required by HUD as a condition for receiving CDBG, ESG and HOME funding. The Board of Supervisors approved Fairfax County's One-Year Action Plan for FY 2022 on May 4, 2021, which was approved by HUD. The Action Plan identifies and plans for Fairfax County's overall needs for affordable housing, community service, homelessness assistance, community development, neighborhood preservation and revitalization, employment and economic opportunity services, as well as the resources and strategies used to meet these needs, to ultimately benefit low- and moderate-income households throughout the community.

On April 28, 2021, HUD informed Fairfax County of its \$7.88 million award in HOME-ARP funding to be used to address homelessness assistance and supportive services. On September 22, 2021, HUD issued the County's HOME-ARP grant agreement. Funds are available until September 30, 2030 and may be used for 1) development and support of affordable rental housing, 2) tenant-based rental assistance, 3) provision of supportive services, and 4) acquisition and development of non-congregate shelter

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units. Qualifying populations to be served under HOME-ARP are those who are homeless; those at risk of homelessness; those fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking; other families requiring services or housing assistance to prevent homelessness; and households at greatest risk of housing instability. To access the HOME-ARP funds, Fairfax County must engage in consultation and public participation processes and develop a HOME-ARP allocation plan and submit it to HUD.

After an extensive consultation and public participation process that included in-person and virtual consultation sessions with organizations required by HUD, a survey, interviews, and a public hearing on the proposed allocation of HOME-ARP funds, a proposed allocation plan was prepared and was the subject of a public comment period. Public comments were accepted and incorporated into the allocation plan.

Proposed Uses of HOME-ARP Funds

	Funding Amount	Percent of the Grant	Statutory Limit
Supportive Services	\$ 2,102,551		
Acquisition and Development of Non-Congregate Shelters	\$ 2,102,551		
Tenant Based Rental Assistance (TBRA)	\$ 0		
Development of Affordable Rental Housing	\$ 2,693,894		
Non-Profit Operating	\$ 394,228	5 %	5%
Non-Profit Capacity Building	\$ 0	0 %	5%
Administration and Planning	\$ 591,342	7.5 %	15%
Total HOME-ARP Allocation	\$ 7,884,566		

The substantial amendment to Fairfax County's Consolidated Plan One-Year Action Plan for FY 2022 to include the Proposed HOME-ARP Allocation Plan was circulated for review and comment by citizens, service providers and other interested parties during the formal public comment period which ended on March 10, 2023. HCD considered all comments received on the Proposed Amendment and is forwarding its recommendation to the Board for final action.

EQUITY IMPACT:

As reported in the Proposed HOME-ARP Allocation Plan, people identifying as Black or African American are disproportionately represented in the demographics of those experiencing homelessness. The population that is literally homeless is also disproportionately Black or African American. Households identifying as Black/African American or Hispanic are disproportionately represented in the at-risk of homelessness

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group and in the group representing those at greatest risk of housing instability. In addition, by definition, those at-risk of homelessness have extremely low incomes at or below 30 percent of the Area Median Income (AMI) for Fairfax County. Those at greatest risk of housing instability have incomes at or below 30 percent of AMI, or at or below 50 percent of AMI with one of the specific housing conditions associated with being at risk of homelessness.

HOME-ARP funds would be used to create more deeply affordable and permanent supportive housing for all the qualifying populations under the program including the homeless, those at-risk of homelessness, and those at greatest risk of housing instability. Therefore, approval of the proposed amendment to Fairfax County's One-Year Action Plan for FY 2022 that includes the Proposed HOME-ARP Allocation Plan would provide the potential to advance equity for the populations intended to be served under the County's One Fairfax policy.

FISCAL IMPACT:

Funding adjustments for HOME-ARP of \$7,884,566 were included in the FY 2021 Carryover Budget Review which was approved by the Board on October 5, 2021.

ENCLOSED DOCUMENTS:

Attachment 1: Substantial Amendment to Fairfax County's One-Year Action Plan for FY 2022

STAFF:

Christopher A. Leonard, Deputy County Executive
Thomas Fleetwood, Director, Department of Housing and Community Development (HCD)
Thomas M. Barnett, Acting Director, Office to Prevent and End Homelessness (OPEH), HCD
Laura O. Lazo, Associate Director, Grants Management, OPEH, HCD
Stephen E. Knippler, Senior Program Manager, OPEH, HCD

**Substantial Amendment to Fairfax County's
One-Year Action Plan for Fiscal Year (FY) 2022 (Federal FY 2021)**

Project Name	HOME-ARP - Homelessness Assistance
Target Area	Countywide
Goals Supported	Homelessness Special Needs Low-Income Working Families Moderate-Income Working Families Human Service System Poverty Reduction/Self Sufficiency
Needs Addressed	Homelessness Prevention and Rapid Re-housing Affordable Rental Housing Community Services Administration and Planning
Funding	HOME-ARP funds: \$7,884,566
Description	HOME-ARP funds will be used for activities to address the need for homelessness assistance and supportive services.
Target Date	To be determined.
Estimate the number and type of families that will benefit from the proposed activities	Beneficiaries will be tracked as services are provided and will be reported in the Consolidated Annual Performance and Evaluation Report (CAPER) for the appropriate year.
Location Description	To be determined.
Planned Activities	These funded activities will include supportive services; acquisition and development of non-congregate shelters; development of affordable rental housing; non-profit operating; and administration and planning.

HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME)-AMERICAN RESCUE PLAN (ARP) ALLOCATION PLAN

March 2023



A Publication of Fairfax County, VA

Fairfax County, Virginia

Consultation

In accordance with Section V.A of U.S. Department of Housing and Urban Development (HUD) Notice CPD-21-10 (page 13), before developing its HOME-ARP allocation plan, at a minimum, a Participating Jurisdiction (PJ) must consult with:

- Continuum of Care(s) (CoC(s)) serving the jurisdiction's geographic area,
- homeless service providers,
- domestic violence service providers,
- veterans' groups,
- public housing agencies (PHAs),
- public agencies that address the needs of the qualifying populations, and
- public or private organizations that address fair housing, civil rights, and the needs of persons with disabilities.

State PJs are not required to consult with every PHA or CoC within the state's boundaries; however, local PJs must consult with all PHAs (including statewide or regional PHAs) and CoCs serving the jurisdiction.

Describe the consultation process including methods used and dates of consultation:

Fairfax County Department of Housing and Community Development (HCD) began the consultation process with external partners and current and future stakeholders for feedback according to HUD's program guidance.

- In Person Consultation Meeting – Affordable Housing Advisory Council (AHAC), Consolidated Community Funding Advisory Committee (CCFAC), Continuum of Care (CoC) Committee, Disability Services Board (DSB), Fair Housing Task Force, Fairfax County Redevelopment and Housing (FCRHA), Fairfax-Falls Church Community Services Board (CSB), Office of Human Rights and Equity Programs (OHREP), December 6, 2022
- Virtual Consultation Meeting – AHAC, CCFAC, CoC Committee, CSB, DSB, FCRHA, Fair Housing Task Force, December 8, 2022
- Survey sent to those unable to make Consultation Meetings
- Meeting with CCFAC - December 13, 2022
- Interviews - January 9, 2023
- Public hearing - January 10, 2023
- Public comment period - January 13, 2023 – February 3, 2023

List the organizations consulted:

Agency/Org Consulted	Type of Agency/Org	Method of Consultation	Feedback
Affordable Housing Advisory Council	Public agency that addresses the needs of qualifying populations	Consultation Session	Refer to consultation summary below
Bethany House of Northern Virginia	Homeless service provider; Domestic violence service provider	Survey	Refer to consultation summary below
The Brain Foundation	Private organization that addresses the needs of persons with disabilities	Survey	Refer to consultation summary below
CFH	Homeless service provider	Consultation Session	Refer to consultation summary below
Community Action Advisory Board	Public agency that addresses the needs of qualifying populations	Survey	Refer to consultation summary below
Consolidated Community Funding Advisory Committee	Public agency that addresses the needs of qualifying populations	Consultation Session	Refer to consultation summary below
Cornerstones	Homeless service provider	Consultation Session	Refer to consultation summary below
Edu Futuro	Private organization that addresses civil rights and fair housing	Consultation Session	Refer to consultation summary below
FACETS	Continuum of Care; Homeless service provider	Consultation Session	Refer to consultation summary below
Fairfax County Dept. of Family Services – Office of Domestic and Sexual Violence	Continuum of Care; Homeless service provider; Domestic violence service provider; Public agency that addresses the needs of qualifying populations	Consultation Session	Refer to consultation summary below

Fairfax County Dept. of Housing & Community Development – Office to Prevent & End Homelessness	Homeless service provider; Public agency that addresses the needs of qualifying populations	Consultation Session	Refer to consultation summary below
Fairfax County Redevelopment and Housing Authority	Public housing agency (PHA)	Consultation Session	Refer to consultation summary below
Fairfax County Office of the County Executive – Chief Equity Officer	Public organization that addresses civil rights and fair housing	Consultation Session	Refer to consultation summary below
Fairfax NAACP	Private organization that addresses civil rights and fair housing	Consultation Session	Refer to consultation summary below
Fairfax-Falls Church Community Services Board	Public organization that addresses the needs of persons with disabilities	Interview	Refer to consultation summary below
Good Shepherd Housing and Family Services	Homeless service provider; Private organization that addresses civil rights and fair housing	Consultation Session	Refer to consultation summary below
Individuals (3)	Continuum of Care; Recipient of services	Consultation Session	Refer to consultation summary below
The Lamb Center	Continuum of Care; Homeless service provider	Consultation Session	Refer to consultation summary below
Legal Aid Justice Center	Private organization that addresses civil rights and fair housing	Consultation Session	Refer to consultation summary below
Legal Services of Northern Virginia	Private organization that addresses civil rights and fair housing	Survey	Refer to consultation summary below
National Coalition of 100 Black Women, Inc. Northern Virginia Chapter	Private organization that addresses civil rights and fair housing	Survey	Refer to consultation summary below
New Hope Housing	Homeless service provider; Private organization that	Consultation Session	Refer to consultation summary below

	addresses civil rights and fair housing		
Operation Renewed Hope Foundation	Homeless service provider; Private organization that addresses the needs of veterans	Interview	Refer to consultation summary below
Pathway Homes	Homeless service provider; Private organization that addresses the needs of persons with disabilities	Consultation Session	Refer to consultation summary below
Second Story	Homeless service provider; Private organization that addresses civil rights and fair housing	Consultation Session	Refer to consultation summary below
Shelter House	Continuum of Care; Homeless service provider	Consultation Session	Refer to consultation summary below
Society of St. Vincent DePaul	Homeless service provider	Survey	Refer to consultation summary below
Virginia Housing	Public housing agency (PHA)	Interview	Refer to consultation summary below

Summarize feedback received and results of upfront consultation with these entities:

Agencies and organizations offered input by attending consultation meetings (held both in-person and virtually), responding to a survey or by individual interview. Input and feedback from all participants in the consultation process is summarized below. Input from the public hearing and public comment period is included in the “Public Participation” section.

COVID-impacted Challenges

Participants described changes during the COVID time-period (last three years) that impact their organizations and their clients. For clients, participants observed changes in employment and financial situations, living conditions, family dynamics, and physical or mental conditions. Participants explained that clients have not regained steady employment and many are taking gig-type employment like Uber driving. For people with disabilities, employment opportunities ceased during much of the past three years and many have not returned. Participants also described younger people who are disconnected from education and jobs and seniors who cannot work due to disability and ageism. Many participants mentioned increased isolation among clients and noted that isolation has exacerbated or created mental illness among clients.

Living situations changed substantially over the course of COVID. Participants observe fewer people living in overcrowded conditions (for fear of disease transmission), but greater housing

instability and more people who are unsheltered or otherwise homeless as a result. One participant explained “overcrowding turned into homelessness.” Participants discussed COVID relief efforts and clients’ more substantial debts and rental arrears as relief efforts have ended. Participants suggested that data for the COVID period will be impacted by relief measures that kept people “out of the system.”

Participants observed a number of shifts in family dynamics including increased caregiving needs, often requiring people to quit their jobs to become full-time caregivers. A number of participants discussed increased family instability resulting in housing instabilities. They explained that foster parents are unable to continue supports for children aging out of the foster system because of increased costs of living. Participants mentioned guardians of people with disabilities had died, creating a shortage of people serving as guardians and complicating care for people with disabilities. Participants also observed incidence of domestic violence and severity of injury increasing. One participant observed that unsheltered clients experience more illness.

Participants also discussed increased number of people with disabilities and increased severity of disability. They explained that many seniors are experiencing self-care disabilities and need both supportive services and home modification. Participants observed increasing substance use disorder and mental health issues.

Many participants emphasized the impracticality of certain types of assistance given the lack of housing supply. Increases in rental prices, which have been steep in order for landlords to recover from the COVID-period restrictions have significantly surpassed Fair Market Rent (FMR) and made units meeting assistance criteria much harder to find. Participants discussed inadequacy of FMR in both providing compensation for building operations and placing clients in units. Additionally, participants observed that fewer landlords are willing to rent to people in need and many are becoming stricter about identity documentation.

Participants explained that landlords who have been supportive of housing programs are selling their properties and new landlords are less supportive, or not at all. They also observed continued source-of-funds discrimination. They explained that landlords are deferring maintenance and tenants are afraid to request repairs. One participant suggested that deferred maintenance was a mechanism to force tenants to leave and described landlords scaring tenants to get them to leave. Though participants acknowledge the usefulness of the eviction moratorium, they described an ongoing eviction crisis, whether literal or effective. They noted that clients’ criminal backgrounds complicate matters and cited an increase in petty misdemeanors as a challenge for keeping people housed in the increasingly difficult market context.

Participants explained that housing is getting more expensive across the board, even rented rooms. Since values are increasing, the market will bear higher rents and real estate taxes are increasing, effecting both renters and owners (especially seniors on fixed incomes). Increased home values and prices also impact organizations’ ability to acquire units. Further, participants mentioned the effect of property tax increases on non-profits who do not have tax-exempt properties. They observed that new residential construction is primarily for households with higher incomes and recounted that existing housing is being converted to luxury units resulting

in a net loss of affordable units and a larger gap for extremely low-income households. They also discussed the deteriorating condition of housing and the aging housing stock. One participant emphasized the deplorable condition of units in land-lease mobile home parks and dangerous conditions in homes owned by vulnerable seniors. One participant mentioned people at risk of losing their homes because of safety issues (major systems failures or inaccessibility). Finally, participants mentioned inflation as increasing the cost of living.

Housing and Services Gaps

Many participants addressed the overall supply of housing as a root-cause of housing instability and homelessness. However, participants discussed the need for some specific types of units including units affordable to people with the lowest incomes (less than 30 percent of AMI), single room occupancy units (SROs), assisted living for seniors and people with disabilities, accessible units, permanent supportive housing units for families, locally administered supportive housing (Arlington was provided as an example), subsidized housing for students, and homeownership opportunities. Many participants mentioned a need for more landlords accepting housing assistance as well as justice-involved, disabled or otherwise hard-to-house individuals. A number of participants mentioned the county should avoid and eventually phase out congregate shelters and transitional housing, however others discussed the importance of shelters, especially for those individuals and households (including children) who are the victims of domestic violence. Though participants recognized the needs for many types of housing, a number of participants identified permanent supportive housing as the most critical need.

Participants emphasized the need for non-profit or County administered housing that is less effected by the market context. To that end, participants wanted more funds for acquiring the units their clients need and more vouchers. One participant suggested HUD funding could not fully cover the costs of acquisition. Participants emphasized the inadequacy of hotels as temporary housing and the need for permanent units. Some participants identified needs in specific areas and mentioned Route 1 and the southern part of the County.

Participants discussed a variety of regulatory and process barriers to providing services. Participants mentioned intake and service availability delays that impair their organizations' ability to house clients. Participants suggested that central intake and application processes would be helpful for assisted living (to streamline and make access more equitable) and for victims of domestic violence. Participants suggested assistance that has more flexible use and eligibility requirements would allow for more nimble direction of funds and support in an increasingly difficult market. They also suggested locally administrated Tenant Based Rental Assistance (TBRA) and supportive housing would be helpful. They also discussed homelessness diversion and prevention efforts as being more effective in the current market.

Participants emphasized support services are critical to successful housing outcomes. Many mentioned the need for permanent supportive housing, but indicated supportive services are hard to fund and workers providing services are scarce. Participants suggested system-wide coordination and efficiencies gained from more sophisticated coordination could help alleviate

the shortage, but that more funding would be necessary to adequately compensate workers and attract enough workers to the field.

Participants also described service gaps: home modification for seniors and people with disabilities, legal services to address guardianship and power-of-attorney needs, domestic violence and trauma informed services in shelters, programs to help people (young and elderly) transition out of nursing home facilities, accessibility modifications for renters, support for maintenance needs that are outside of the usual scope of property management (moving furniture, changing light bulbs), and job training (Workforce, Innovation, Skills Hub (WISH) cited as an example). Participants also discussed a broader need for ongoing training, education and moral support for clients once they are housed and receiving services. They discussed support for career advancement, training regarding rights (tenant, accessibility, fair housing, etc.), mentoring, and general effort to allow people to keep advancing. One participant noted ongoing counseling is needed for homeowners, especially new homeowners, in crisis (major systems failure and no cash to fix it) and support for older, often disabled homeowners that need to transition out of their family home. Finally, one participant discussed the enormous need for home repairs that are far larger than service organizations can address (weatherization, County home repair services).

Participants also discussed the need for more case managers, especially clinical case managers. They explained some services fall outside of eligible expenses, but are provided despite lack of funding which strains organizations and providers. Participants specifically suggested crisis support teams for extremely low-income clients.

Organization Needs

Many participants discussed service gaps and difficulties providing services in the context of staff shortages. Participants explained they have a hard time finding staff because they are unable to offer enough compensation and job stability to compete with other jobs, particularly those offering remote work opportunities. They explained that funding for client support services and program administration is insufficient and unstable, leading to staffing challenges. Some participants even described housing and food insecurity among staff and suggested staff should be paid a living wage. Participants suggested people in supportive service occupations are burnt-out and interest in vacant positions is very low. Participants also described negative outcomes of staff shortages including inability to mobilize resources and bottlenecks in the system. One participant gave an example: they explained hotels are full because there is not enough case management and support resources to maintain continuity of service and keep people moving onto permanent housing. Some participants cited difficulty supporting group homes for persons with intellectual disabilities, even though they have increased efficiency of staff by reducing staff travel between homes. Other participants mentioned location of housing affects travel distances of support staff and as a result, their productivity. Another participant mentioned locating new housing near supportive services is helpful for both clients and service providers.

Participants also discussed challenges in providing services in the context of worsening conditions and insufficient funding. They observed racial and socioeconomic disparities

worsening and mentioned pockets of poverty in Route 1, Culmore, Herndon and Centreville. They explained many clients have not financially recovered from COVID and described unemployment, long waiting lists for housing and services, ongoing transportation challenges impacting work, as well as worsening food insecurity. One participant described raising funds to meet additional demand and working long hours, uncompensated, to deploy those funds. This example is indicative of the staffing shortages experienced by participants more broadly.

Participants had fewer requests for emergency rental assistance because of funding created to respond to COVID, but qualified that funding was unevenly distributed, Hispanic populations received less funding, and access to funding took longer. A participant also noted COVID infections were also higher in the Hispanic population, due in part to their service-related employment and prominence in the mandatory workforce. Participants anticipated the increasing need for rental assistance and increasing numbers of households experiencing homelessness as COVID-related assistance wanes.

Participants suggested reduced administrative burden such as reporting and documentation requirements along with more user-friendly and streamlined reporting programs could alleviate the staffing shortage to some degree, by freeing up staff time. However, participants expressed overwhelming need for more funding for greater compensation that will attract people to the field. They further explained funding for administration, management and services does not keep up with the funding for new units.

Participants discussed policy, political, and market contexts impacting housing. Participants identified zoning as a barrier for affordable housing and housing equity. They also discussed incompleteness of efforts to combat discrimination in housing, citing exemptions in Virginia's source of funds law as complicating enforcement, discrimination in lending and need for more education and equity testing. They also cited tenant laws as favoring landlords in Virginia and fewer opportunities and mechanisms for tenant organizing in Virginia. Participants suggested policy makers at the local and state levels are not making decisions based on the needs of their constituents and emphasized policy changes are required to close the housing gap and address ongoing equity issues in the county. Some participants discussed more disruptive/brand new/progressive policy needs and one cited the European social housing approach. Someone suggested rent control or other mechanisms to slow escalation of housing prices may be needed.

Additional data and analysis needs

Participants reviewed high-level plan data and analysis. Many participants confirmed households and individuals identifying as Black or African American are overrepresented in the populations they serve. Participants also confirmed households identifying as Hispanic were overrepresented. Though many participants confirmed data matched their experiences and observations, they noted the data cannot portray the intricacy of individual experiences.

Participants identified a number of additional subpopulations that are overrepresented in the populations they serve, need additional attention, or for whom it would be helpful to have more

data. These groups include seniors, LGBTQIA, individuals 18-24 (TAYS), people who are couch surfing (especially among young people and veterans), justice-involved individuals, veterans, people who are hospitalized but cannot be discharged because they do not have an appropriate placement, people living in mobile home parks slated for redevelopment, the population of immigrants, people aging out of foster care, people with poor credit, people with no or expired documentation, people with a substance use disorder (SUD) and people with mental illness.

Participants also explained data is siloed in ways that may distort the overarching context or factors that complicate housing challenges. For example, participants cited the co-occurrence of homelessness and disabilities as a need for additional quantitative analysis. Participants also suggested analysis by age group would be useful. Participants desire more holistic data that is regularly accessible for decision making, advocacy and raising awareness. One participant suggested the PIT data needs to be supplemented to provide detailed information about individuals and households experiencing homelessness.

A number of participants suggested continued planning and research should be undertaken and policies and programs should be refined to address root-causes of housing instability and racial disparities. They described transportation, land use, history of exclusion manifested in the built environment, and benefits cliffs among other root-causes and complicating factors. They explained awareness of housing instability and racial disparity is a key component of addressing root causes and many participants mentioned raised awareness, outreach and community engagement as an ongoing need.

Public Participation

Describe the public participation process, including information about and the dates of the public comment period and public hearing(s) held during the development of the plan:

- ***Date(s) of public notice for public hearing: 12/16/2022***
- ***Date(s) of public notice for public comment period: 1/13/2023***
- ***Public comment period: start date - 1/13/2023 end date - 2/3/2023***
- ***Date(s) of public hearing: 1/10/2023***

Describe the public participation process:

After engaging in the consultation process required by HUD, the Department of Housing and Community Development prepared proposed allocations of the HOME-ARP funding. These proposed allocations were incorporated into the Notice of Public Hearing and this notice for a public hearing to be convened by the Consolidated Community Funding Advisory Committee on January 10, 2023, was made public on December 16, 2022. The notice was published in newspapers with diverse circulations (*The Washington Times*, *El Tiempo Latino*, and *Hoa Thinh Don Viet Bao* – a Vietnamese language newspaper) and put on the County and Fairfax County Redevelopment and Housing Authority web sites. It was disbursed to be made available for viewing at Fairfax County’s 22 libraries, at community centers, and at senior centers.

Comments received as part of the public hearing process were accepted and preparation of the Proposed HOME-ARP Allocation Plan was completed. An Official Notice of Public Comment Period was made public on January 13, 2023.

Describe efforts to broaden public participation:

Continuing efforts are made to broaden citizen participation by expanding the methods of providing public notices of citizen participation opportunities. Specifically, Fairfax County’s efforts include having its Notice of Public Hearing and Official Notice of Public Comment printed in a newspaper of general circulation as well as in two non-English language newspapers. The County also made use of social media, specifically Facebook, and a blog on the Fairfax County Redevelopment and Housing Authority web site. In addition, a direct email was sent to over 400 individuals/organizations inviting them to the public hearing. Recipients included nonprofit providers of affordable housing and human services; County agencies, boards, commissions and advisory groups; and potentially affected stakeholder organizations in the county. A request was made to partnering agencies to forward the notice to interested persons and organizations as well.

Summarize the comments and recommendations received through the public participation process either in writing, or orally at a public hearing:

A number of hearing participants urged the county to increase funding for home repair and modification for low-income homeowners. Each of these participants described their relationship with Rebuilding Together, a non-profit serving Arlington, Fairfax and Falls Church and

recounted the organization's effectiveness in addressing critical home repair and modification needs, but explained that the organization and the county's Home Repair for the Elderly and Disabled Program cannot meet the extent of the need for critical home repair and modification in the county. Participants cited need demonstrated through calls and requests to Rebuilding Together, service limitations due to funding, as well as national trends of increasing home repair and modification needs. In addition to needed funding, many participants urged the county to include housing affordability and stability among homeowners in County plans.

One participant urged the county to dedicate funding for undocumented immigrants citing increasing housing and related service needs. The participant cautioned that undocumented immigrants are likely to remain unserved unless programs and funding are specifically dedicated to the population.

Representatives from Cornerstones were present and expressed support for the HOME-ARP Allocation proposal presented in advance of the public hearing. Representatives emphasized the importance of affordable housing planning and investments, especially needed investments in permanent housing and supportive services as well as ongoing tenant based rental assistance.

One participant offered information about their company greenhouse product that includes technology for food cultivation. The participant suggested that this technology could be applied to help address homelessness.

Participants discussed the real-estate tax burden carried by non-profits ineligible for County tax abatement. They emphasized that real estate taxes are a significant part of their operating costs and that the organization could benefit greatly from either grants to pay taxes or tax abatement.

During the public comment period on the Proposed HOME-ARP Allocation Plan, one nonprofit organization commented that the production goal of 88 affordable rental housing units from this funding source is specifically tied to permanent supportive housing, which by definition would provide housing for those with qualifying disabilities. The commenter noted that seniors are presenting themselves at shelters and have been engaging in many more preventive services trying to avoid eviction and relocation that can lead to homelessness, and stated that a majority of seniors are categorized in the under 30 percent AMI income category and will be a missing population, as they may not be qualified under the disability definitions as required under permanent supportive housing.

HCD responded by stating that older adults, or seniors, are not categorically excluded from permanent supportive housing. Some older adults in Fairfax County are experiencing chronic homelessness with serious disabilities or chronic illnesses and they usually have a household income below 30 percent of AMI. Secondly, the new permanent supportive housing under this HOME-ARP Allocation Plan would have a preference for people experiencing homelessness, including older adults, and prioritized for people defined as chronically homeless, including

older adults. All the HOME-ARP qualifying populations, including the older adults, would remain eligible for the housing, though not as a preference or prioritized.

The nonprofit also commented that the statement in the plan that says Fairfax County will not limit eligibility for HOME ARP rental housing or non-congregate shelter, seems to be incongruent with the goal statement that the 88 affordable rental housing units will be in the form of permanent supportive housing. According to the nonprofit, permanent supportive housing by definition would limit eligibility to those with a disability, and may disqualify many seniors unless they have a qualifying disability.

HCD responded by stating that “permanent supportive housing” takes many formats and serves a wide variety of populations that need supportive services paired with deeply affordable housing. The permanent supportive housing funded by the HOME-ARP program does not require tenants to have disabilities for admission. While people defined as “chronically homeless” will be prioritized, the other qualifying populations remain eligible.

Fairfax County also received general inquiries into the nature of the program and asking for clarification regarding the future process for the availability of funds.

Summarize any comments or recommendations not accepted and state the reasons why:

All comments and recommendations were accepted and no adjustments were made to the proposed funding allocations.

Needs Assessment and Gaps Analysis

The Homeless Needs Inventory and Gap Analysis tables include data from the 2022 Point-In-Time count (PIT) and Housing Inventory Count (HIC). The number of individuals and households experiencing homelessness may vary depending on when the data was collected. Therefore, the gap analysis shown below does not give the full picture. The rapidly changing job market and housing market since the COVID-19 pandemic may have fluctuated the demand for housing assistance. Likewise, the housing demand inventory is subject to seasonal fluctuations. For example, extra beds are added to shelters for the homeless in winter. It should be emphasized that quantitative analysis using point-in-time data certainly helps to shed light on gaps, but not all. Qualitative analysis, such as stakeholder interviews that were additionally conducted, helps to further understand the gap.

Although the current inventory appears to exceed the homeless population, people continue to experience homelessness in the county. Given the constraints in identifying households experiencing homelessness it is inevitable that the population of people experiencing homelessness is underestimated. Rather than a simple, direct comparison of HIC to PIT, the Homeless Needs Gap Analysis and subsequent discussion of household experiencing chronic homelessness seeks to evaluate whether there are sufficient services tailored to the needs of people and households experiencing homelessness. Out of individuals currently (accessed September 2022) experiencing literal homelessness: in transitional housing, street outreach, day shelter and emergency shelter programming, 246 people are identified as likely to be experiencing chronic homelessness. Furthermore, the number of unsheltered and chronically homeless individuals have not decreased at the same rate as other sub-populations. Compared to the recent 5-year average (2017-2021), chronic homelessness increased by 34.8 percent, while non-chronic homelessness increased by 8 percent in 2022. Therefore, this analysis identifies the chronic homelessness of the 246 people identified as a minimum gap and further identifies a variety of need through in-depth consideration of available data and feedback from organizations and agencies who participated in the consultation process.

Participants in the consultation process emphasized support services are critical to successful housing outcomes. Many mentioned permanent supportive housing as the most critical need, but emphasized that supportive services are hard to fund and workers providing services are scarce. Participants also discussed the importance of outreach and case management in identifying households experiencing homelessness and the ongoing support required access and retain housing. For full details please see the “*Housing and Services Gaps*” discussion in the consultation summary above.

OPTIONAL Homeless Needs Inventory and Gap Analysis Table

Homeless													
	Current Inventory					Homeless Population				Gap Analysis			
	Family		Adults Only		Vets	Family HH (at least 1 child)	Adult HH (w/o child)	Vets	Victims of DV	Family		Adults Only	
	# of Beds	# of Units	# of Beds	# of Units	# of Beds					# of Beds	# of Units	# of Beds	# of Units
Emergency Shelter	384	143	165	-	0								
Transitional Housing	169	60	31	-	0								
Permanent Supportive Housing	151	40	518	518	103								
Other Permanent Housing	194	141	237	221	8								
Sheltered Homeless						166 households (608 people)	176	9	97 households (199 people)				
Unsheltered Homeless						0	345	22	0				
Current Gap										See discussion of chronic homelessness below.			

Data Sources: 2022 Point-in-Time Count (PIT) & Continuum of Care Housing Inventory Count (HIC)

Chronic Homelessness

Of the 246 households experiencing chronic homelessness, 4 percent are persons in families (11 people), and 235 (96 percent) are adult only households. Based on turnover rates in permanent supportive housing programs in Fairfax in fiscal year 2021 (July 1, 2020-June 30, 2021), it would take the system at least 16 months to house the current eight family households and nearly four years to house the 235 current single households in permanent supportive housing programs. However, a point in time count does not include the average inflow of those experiencing chronic homelessness, which average 28 individuals a month which compounds the bottleneck of housing resources.

Adult only households experiencing chronic homelessness are predominantly served in Street Outreach programs and day drop-in centers (82 percent) meaning that in addition to experiencing longer lengths of homelessness and having an on-going disability, individuals are facing the elements related to unsheltered homelessness. Only 15 percent of those experiencing chronic unsheltered homelessness have attempted to access shelter assessment. Except for participants in transitional housing, individuals identified as chronically homeless tend to spend on average 45 days longer in the homeless services system due to lack of resources than clients not experiencing chronic homelessness. Providing a direct route to Permanent Supportive Housing would likely both chronic homelessness and unsheltered homelessness in Fairfax County.

1. Current Inventory from HIC (September 2022)
 - 1) Emergency Shelter

- **Family ES Projects (Total Beds: 384. Total Units: 143):** Bethany, Next Steps, Patrick Henry, Embry Rucker, Katherine Hanley. Artemis R1 and R3. No QPID.
 - **Singles ES Project (Total Beds: 165):** Medical Respite R2 and R3, APS Shelter, Kennedy, Mondloch House, Baileys, Embry Rucker. Artemis R1 and R3.
- 2) Transitional Housing
- **Families Projects (Total beds: 169, Total Units: 60):** Safe Places, Homestretch, Second Story AYM, SH DV TH.
 - **Singles Projects (Total Beds: 31):** Second Story HYI, Second Story RHY.
- 3) Permanent Supportive Housing
- **Families Projects (Total Beds: 151, Total units: 40):** Milestones, Kate's Place, SH RISE, and VASH.
 - **Singles Projects (Total Beds: 518 Total Units: 518):** Linda's Gateway, Triumph, Triumph III, Gartlan, Max's, Baileys Supportive Housing, Home Connections, Housing First, Mondloch Place, All Pathways (12 projects), PRS 1994, PRS 1995, and VASH.
- 4) Other Permanent Housing
- **Families Projects (Total Beds: 194 Total Units:141)**
 - **Singles Projects (Total Beds:237 Total Units: 221)**

2. Homeless Population from PIT (September 2022)

1) Sheltered Homelessness -Family (166 Households, 608 people)

Project	# of Clients	# of Households
Emergency Shelter	219	51
Motel Overflow	188	52
DV Emergency Shelter	109	30
Transitional Housing	92	33
Total	608	166

2) Sheltered Homelessness -Single (176 people)

Project	# of Clients	# of Households
Emergency Shelter	130	130
DV Emergency Shelter	23	23
Transitional Housing – All Youth Programs	23	23
Total	176	176

- 3) Unsheltered Homelessness
- **Family (Total People: 0)**
 - **Singles (Total People: 345)**

The area median income (AMI) in Washington-Arlington-Alexandria MSA, where Fairfax County, Fairfax City and Falls Church City are located, is \$142,300. The HUD 2022 30 percent of AMI standard for a family of four in the region is \$42,700 and the 50 percent of AMI guideline is \$71,150 for a family of four.

The differences between tenants experiencing at least one severe housing problem and the current inventory by income level were estimated as the housing gap for the non-homeless populations.

A severe housing problem is defined as:

1. Housing unit lacks complete kitchen facilities.
 - a. A complete kitchen consists of a sink with a faucet, a stove or range, and a refrigerator.
2. Housing unit lacks complete plumbing facilities.
 - a. Complete plumbing consists of hot and cold running water, a flush toilet, and a bathtub or shower.
3. Severe overcrowding, that is, more than one and half people per room.
4. Household is cost-burdened, spending over 50 percent of their income on housing costs.

According to the 2014-2018 Comprehensive Housing Affordability Strategy (CHAS) data, there are 136,080 rental housing units in the county, Fairfax City and Falls Church City. Of these, 7 percent, or 9,410 units (7.0 percent) are affordable to households earning less than 30 percent of AMI, and 16,975 units (12.5 percent) are affordable to households earning less than 50 percent of AMI. Among the renter households with one or more severe housing problem, 16,440 households have less than 30 percent of AMI, and 26,310 households have less than 50 percent of AMI. Current inventory cannot fully cover tenants with severe housing problems. At levels below 30 percent of AMI, 7,030 rental units are identified as needed. At levels below 50 percent of AMI, 9,335 rental units are identified as needed.

OPTIONAL Housing Needs Inventory and Gap Analysis Table

Non-Homeless			
	Current Inventory	Level of Need	Gap Analysis
	# of Units	# of Households	# of Households
Total Rental Units	136,080		
Rental Units Affordable to HH at 30% AMI (At-Risk of Homelessness)	9,410		
Rental Units Affordable to HH at 50% AMI (Other Populations)	7,565		
0%-30% AMI Renter HH w/ 1 or more severe housing problems (At-Risk of Homelessness)		16,440	
30%-50% AMI Renter HH w/ 1 or more severe housing problems (Other Populations)		9,870	
Current Gaps			(9,335)

Data Source: 2014-2018 CHAS, Fairfax County, Fairfax City, and Falls Church City

Describe the size and demographic composition of qualifying populations within the PJ's boundaries:

Homeless as defined in 24 CFR 91.5

A count of people who are experiencing homelessness is conducted annually in accordance with HUD guidelines, and includes people who are homeless in shelters, in time-limited transitional housing programs, and unsheltered and living on the street. Conducting the enumeration requires extensive efforts by a wide range of community partners, involving dozens of staff and volunteers from public and private nonprofit organizations that work with people experiencing homelessness in the Fairfax–Falls Church community.

Fairfax County, in coordination with the surrounding Washington, D.C. Metropolitan area, conducted its 2022 Point-In-Time Count of individuals and families experiencing homelessness on January 26, 2022. This highly coordinated effort provides critical data on the numbers of residents living in shelters, in time-limited transitional housing programs as well as those unsheltered and living on the street in the Fairfax-Falls Church community. There were 1,191 people experiencing homelessness on the night of the 2022 Point-in-Time Count. This is a decrease of 3 percent (31 people) from the 2021 Point-in-Time Count, in which there were 1,222 people identified as experiencing homelessness. The details of the 2022 Point-in-Time Count are as follows.

- Subpopulations
 - Chronic Homelessness: There were 282 adults identified as experiencing chronic homelessness during the 2022 Point-in-Time Count (33 percent of the total adults counted).
 - Veterans: There were 32 people that identified as veterans during the 2022 Point-in-Time Count (4 percent of the total adults counted).
 - Transition Age Youth (18-24): There were 91 transition aged youth identified during the 2022 Point-in-Time Count (11 percent of the total adults counted).
 - Survivors of Domestic Violence: There were 115 households identified as currently fleeing domestic violence and 220 households that reported a history of domestic violence during the 2022 Point-in-Time Count (15 percent and 28 percent of total households counted).
- Demographics
 - Race: The most significant disparity in the demographics of those experiencing homelessness on the night of the 2022 Point-in-Time Count is the disproportionate representation of people identifying as Black or African American. Although only 10 percent of the general population in Fairfax County identifies as Black or African American, 50 percent of the people experiencing homelessness on the night of the 2022 Point-in-Time Count identified as Black or African American. This imbalance has not improved over time.

- Age: There were 30 individuals aged 70 years and above experiencing homelessness on the night of the 2022 Point-in-Time Count (3 percent of the total adults), including an individual in emergency shelter at the age of 96 years old

At Risk of Homelessness as defined in 24 CFR 91.5

Estimating at-risk of homelessness may vary by definition. The definition in 24 CFR 91.5 is used to properly estimate this population. According to the Code of Federal Regulations 91.5, at-risk of homelessness is defined as:

- (1) An individual or family who:
 - (i) Has an annual income below 30 percent of median family income for the area, as determined by HUD;
 - (ii) Does not have sufficient resources or support networks, *e.g.*, family, friends, faith-based or other social networks, immediately available to prevent them from moving to an emergency shelter or another place described in paragraph one of the “Homeless” definition in this section; and
 - (iii) Meets one of the following conditions:
 - (A) Has moved because of economic reasons two or more times during the 60 days immediately preceding the application for homelessness prevention assistance;
 - (B) Is living in the home of another because of economic hardship;
 - (C) Has been notified in writing that their right to occupy their current housing or living situation will be terminated within 21 days after the date of application for assistance;
 - (D) Lives in a hotel or motel and the cost of the hotel or motel stay is not paid by charitable organizations or by federal, State, or local government programs for low-income individuals;
 - (E) Lives in a single-room occupancy or efficiency apartment unit in which there reside more than two persons or lives in a larger housing unit in which there reside more than 1.5 people per room, as defined by the U.S. Census Bureau;
 - (F) Is exiting a publicly funded institution, or system of care (such as a health-care facility, a mental health facility, foster care or other youth facility, or correction program or institution); or
 - (G) Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in the recipient's approved consolidated plan;
- (2) A child or youth who does not qualify as “homeless” under this section, but qualifies as “homeless” under section 387(3) of the Runaway and Homeless Youth Act (42 U.S.C. 5732a(3)), section 637(11) of the Head Start Act (42 U.S.C. 9832(11)), section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6)), section 330(h)(5)(A) of the Public Health Service Act (42 U.S.C. 254b(h)(5)(A)), section 3(l) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(l)), or section 17(b)(15) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)(15)); or

- (3) A child or youth who does not qualify as “homeless” under this section but qualifies as “homeless” under section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)), and the parent(s) or guardian(s) of that child or youth if living with her or him.

A variety of methods can be used to estimate the number of individuals at-risk of homelessness. However, there are restrictions on the availability of data depending on the item. In addition, estimating and summing each item may cause overstatement. This plan uses recent Comprehensive Housing Affordability Strategy (CHAS) data to adequately calculate its population as defined by household who has an annual income below 30 percent of median family income for the area.

The 2014-2018 CHAS data indicates that 35,260 households meet the above definition for at risk of homelessness. This accounts for 8.64 percent of total households.

- 22,595 households, 17.30 percent of total renter households, have an income of 30 percent of AMI or less.
- 12,665 households, 4.58 percent of total owner households, have an income of 30 percent of AMI or less.

Due to the limitations of available data, households with incomes below 30% of AMI represent the minimum estimate for this population.

Households by Tenure

	<30% of AMI	30–50% of AMI	50–80% of AMI	80–100% of AMI	>100% of AMI	PJs Total
Total Households	35,260	30,675	19,380	30,755	292,185	408,255
Renter Households	22,595	16,660	9,255	14,420	67,670	130,600
Owner Households	12,665	14,015	10,125	16,335	224,515	277,655

Data Source: 2014-2018 CHAS, Fairfax County, Fairfax City, and Falls Church City

Households identifying as Black/African American or Hispanic are disproportionally represented in the at-risk of homelessness group. While Black/African American households make up 15.2 percent of renters and Hispanic households make up 18.9 percent of renters, Black/African American households and Hispanic households represent 20.6 percent and 24.3 percent, respectively, of extremely low-income households, suggesting that they are more likely to be at-risk of homelessness. Households identifying as Asian are also disproportionally represented but to a lesser degree.

Risk by Race/Ethnicity (<30% of AMI)

	Total Renter	<30% of AMI
White	44.8%	30.5%
Black / African American	15.2%	20.6%
Asian	16.6%	18.8%
Hispanic	18.9%	24.3%

Other Races	4.5%	5.8%
Total	100%	100%

Data Source: 2015-2019 ACS PUMS, Fairfax County, Fairfax City, and Falls Church City

Project HOPE-Virginia, which is Virginia's Program for the education of homeless children and youth, provides information about students experiencing homelessness. Title IX, Part A of the *Every Student Succeeds Act* defines homelessness as living in the following places due to a lack of a fixed, regular, and adequate nighttime residence.

- In an emergency or transitional shelter
- In a motel, hotel, or campground due to lack of an adequate alternative
- In a car, park, public place, bus or train station, or abandoned building
- Doubled up with relatives or friends due to loss of housing, economic hardship, or a similar reason
- In the above conditions and is a migratory child or youth
- Further descriptions of nighttime residence
(<https://education.wm.edu/centers/hope/homeless/nighttime.docx>)

This definition of homelessness applies to children and youth with:

- Uncertain housing
- A temporary address
- No permanent physical address

According to the statistics from Project HOPE, 1,197 students in Fairfax County were identified as homeless in school year 2020-2021. This number exceeds the total homeless population measured in the 2022 PIT. Considering that only 166 households with children are sheltered, it is expected that a significant number of households with children are not identified as homeless or are unsheltered in the PIT count which includes only children who meet HUD's definition of homelessness.

Homeless Children

Division #	Name	# of Enrolled Students Identified
029	Fairfax County Public Schools*	1,186
109	Falls Church City Public Schools	11

Data Source: Project HOPE Virginia 2020-21 school year

* Towns of Vienna, Herndon, and Clifton are included in Fairfax County Public Schools. No information is provided for Fairfax City Public Schools as there are fewer than 10 homeless children.

Fleeing, or Attempting to Flee, Domestic Violence, Dating Violence, Sexual Assault, Stalking, or Human Trafficking, as defined by HUD in the Notice

According to the 2022 Point-in-Time count, 115 households were identified as actively fleeing domestic violence and 220 households have a history of domestic violence. But the evidence shows that there are far more victims. According to the Virginia Department of Criminal Justice

Services, there were 9,567 reported cases of intimate partner violence in Fairfax County between 2015 and 2019.

In FY 2022, the Fairfax County Police Department responded to 3,257 domestic violence calls, including 336 calls through Lethality Assessment Program (LAP). In FY 2022, there were also 168 arrests made due to strangulation, a 32 percent increase from FY 2021. Thirty-six percent of homicides in Fairfax County this year were due to domestic violence, and Fairfax County's Forensic Assessment and Consultation Team (FACT) conducted 721 sexual assault examinations in FY 2022, an average of 82 exams each month.

Each month in Fairfax-Falls Church community, domestic and sexual violence hotlines receive over 155 calls on average, victims request 75 family abuse protective orders, and 14 families escape to an emergency domestic violence shelter. In FY 2022, 120 families who needed emergency domestic violence shelter were placed in hotels.

During school year 2021-2022, Fairfax County received 33,479 responses to its Youth Survey, representing 76.1 percent of all public-school students enrolled in grades 8, 10 and 12 (Fairfax County, 2022). According to the survey, almost one in three students (32.3 percent) reported that a language other than English is primarily spoken in their home and approximately 25 percent of the Youth Survey respondents identified themselves as Hispanic/Latino (County of Fairfax, 2022). The results of the survey show disparate outcomes for youth who speak Spanish at home as it relates to the categories of "dating aggression" and sexual assault. More information regarding the Youth Survey and analysis can be found at the following web address: <https://www.fairfaxcounty.gov/data/youth-survey>.

Other populations requiring services or housing assistance to prevent homelessness and other populations at greatest risk of housing instability, as defined by HUD in the Notice

1. Other Families Requiring Services or Housing Assistance to Prevent Homelessness

This is defined as households (i.e., individuals and families) who have previously been qualified as "homeless" as defined in 24 CFR 91.5, are currently housed due to temporary or emergency assistance, including financial assistance, services, temporary rental assistance or some type of other assistance to allow the household to be housed, and who need additional housing assistance or supportive services to avoid a return to homelessness.

According to the HUD's System Performance Measures for Continuum of Care, 11 percent of persons returned to facilities (Street Outreach, Emergency Shelter, Safe Haven, and Transitional Housing, and Permanent Housing project types) in 6 months after exit to permanent housing destinations in 2021.

2. At Greatest Risk of Housing Instability

At greater risk of housing instability is defined as household who meets either paragraph (i) or (ii) below:

- (i) has annual income that is less than or equal to 30% of the area median income, as determined by HUD and is experiencing severe cost burden (i.e., is paying more than 50% of monthly household income toward housing costs);
- (ii) has annual income that is less than or equal to 50% of the area median income, as determined by HUD, AND meets one of the following conditions from paragraph (iii) of the “At risk of homelessness” definition established at 24 CFR 91.5:
 - (A) Has moved because of economic reasons two or more times during the 60 days immediately preceding the application for homelessness prevention assistance;
 - (B) Is living in the home of another because of economic hardship;
 - (C) Has been notified in writing that their right to occupy their current housing or living situation will be terminated within 21 days after the date of application for assistance;
 - (D) Lives in a hotel or motel and the cost of the hotel or motel stay is not paid by charitable organizations or by Federal, State, or local government programs for low-income individuals;
 - (E) Lives in a single-room occupancy or efficiency apartment unit in which there reside more than two persons or lives in a larger housing unit in which there reside more than 1.5 persons reside per room, as defined by the U.S. Census Bureau;
 - (F) Is exiting a publicly funded institution, or system of care (such as a health-care facility, a mental health facility, foster care or other youth facility, or correction program or institution); or
 - (G) Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in the recipient's approved consolidated plan.

This plan uses recent CHAS data to determine the qualifying population. Among the definitions of at greatest risk of housing instability outlined above, (1) households with less than 30 percent of AMI and experiencing severe cost burden and (2) households with less than 50 percent of AMI and living in more than 1.5 person per room are identified.

24,449 households with less than 30 percent of their area median income, spend more than 50 percent of their income on housing. This accounts for 5.99 percent of total population of Fairfax County, Fairfax City and Falls Church City. Among renter households, 15,645 households are extremely low-income households who experience severely cost-burdened, accounting for 11.98 percent of total renter households. Among owner households, 8,804 households are extremely

low-income households that experience severely cost-burdening, accounting for 3.17 percent of total owner households.

Severely Cost-Burdened

	<30% of AMI	30–50% of AMI	50–80% of AMI	80–100% of AMI	>100% of AMI
Total	24,449	13,245	3,884	2,784	3,129
Renter Households	15,645	7,795	1,394	580	410
Owner Households	8,804	5,450	2,490	2,204	2,719

Data Source: 2014-2018 CHAS, Fairfax County, Fairfax City, and Falls Church City

Households identifying as Black/African American or Hispanic are disproportionally represented in the at greatest risk of housing instability group. While Black/African American households comprise 15.2 percent of renters and Hispanic households comprise 18.9 percent of renters, Black/African American and Hispanic households represent 20.1 percent and 29.8 percent, respectively, of extremely low-income households experiencing severely cost burden, suggesting that they are more likely to be at risk of housing instability.

Risk by Race/Ethnicity (Severely Cost-Burdened with <30% of AMI)

	Total Renter	Severely Cost-Burdened with <30% of AMI
White	44.8%	30.6%
Black / African American	15.2%	20.1%
Asian	16.6%	14.4%
Hispanic	18.9%	29.8%
Other Races	4.5 %	5.1%
Total	100%	100%

Data Source: 2015-2019 ACS PUMS, Fairfax County, Fairfax City, and Falls Church City

1,939 households with less than 50 percent of their area median income, reside in more than 1.5 person per room. This accounts for 0.47 percent of total population. Among renter households, 1,794 households are extremely low- or very low-income households who experience severely overcrowded, accounting for 1.37 percent of total renter households. Among owner households, 145 households are extremely low- or very low-income households who experience severely overcrowded, accounting for 0.05 percent of total owner households.

Severely Overcrowded (With>1.5 people per room)

	<30% of AMI	30–50% of AMI	50–80% of AMI	80–100% of AMI	>100% of AMI
Total	1,270	669	304	495	1,214
Renter Households	1,165	629	259	440	935
Owner Households	105	40	45	55	279

Data Source: 2014-2018 CHAS, Fairfax County, Fairfax City, and Falls Church City

Describe the unmet housing and service needs of qualifying populations:

Homeless as defined in 24 CFR 91.5

As of January 2022, of the 1,191 homeless persons who need assistance, 95 percent received aid from county assistance programs, and households with children are all assisted by these programs. In total, 57 persons (5 percent of homeless persons) are unsheltered. However, since this figure is based on the PIT, the number of people experiencing homelessness would be higher than this. For example, the county identified 345 unsheltered homelessness in September 2022. This means that estimates may vary depending on the timing of survey. Moreover, considering that the average days in emergency shelter over the past five years is 83.6 days, a greater number of people experiencing homelessness is unsheltered.

At Risk of Homelessness as defined in 24 CFR 91.5

According to the HUD definition, the criteria for individuals and families who are at imminent risk of experiencing homeless is when an individual or family will imminently lose their primary nighttime residence, provided that their residence will be lost within 14 days of the date of application for homeless assistance; no subsequent residence has been identified; and the individual or family lacks the resources or support networks needed to obtain other permanent housing. Currently this population is predominately represented by individuals and families whose housing stability has been impacted by the COVID-19 pandemic. According to the County Executive's presentation to the Board of Supervisors for the FY 2022 Advertised Budget Plan, the December 2020 number of jobs in Northern Virginia decreased by 67,700 or 4.4 percent from December 2019. Economic pain has been concentrated in lower wage sectors, such as Leisure and Hospitality jobs, which decreased 22.3 percent. In Fairfax County, the December unemployment rate was 4.4 percent, much higher than the December 2019 rate of 1.9 percent, though lower than the April 2020 high of 10.2 percent.

The most prominent population characteristic of people experiencing literal homelessness is extremely low income. Clearly families and individuals experiencing homelessness are on the lowest rung of the economic ladder when their income is below 30 percent of AMI. According to the 2014-2018 CHAS, 33,935 households in Fairfax County had incomes below 30% AMI, which could potentially become homeless. Formerly homeless families and individuals who are receiving rapid re-housing assistance and are nearing the termination of that assistance generally continue to have extremely low incomes under 30 percent of the Area Median Income and are competing in a tighter rental housing and employment market, often with recent blemishes to their credit and rental history.

Fleeing, or Attempting to Flee, Domestic Violence, Dating Violence, Sexual Assault, Stalking, or Human Trafficking, as defined by HUD in the Notice

The county provides housing and services to domestic violence survivors. The county has funded the Safe Places Transitional Housing program by Christian Relief Services Charities, Inc. since FY 2003 to provide safe affordable housing for up to 2 years and trauma-informed supportive services. In FY 2022, the program served 23 households, including 30 children. Five of those households exited the program in FY 2022 and four of them (80 percent) obtained permanent housing. In FY 2021, the county began funding the Culturally-Sensitive Services for Domestic Violence (Culturally-Sensitive Services) program by the Greater Washington Jewish Coalition Against Domestic Violence to provide trauma-specific services for domestic abuse survivors aged 14 and older, including counseling, legal representation, advocacy and community educational workshops. During FY 2022, 32 clients/households that participated in the education program had decreased levels of risk of abuse, neglect, and exploitation. In addition to the provision of such emergency shelter and trauma-informed services, the county is working to more fully integrate offender services into the coordinated community response to domestic violence incidents in ways that increase safety and options for victims.

The county provides rapid rehousing programs (RRH) and permanent supportive housing (PSH) that provide a continuation of services for survivors as they move from shelter to more permanent housing. Immediate access to the RRH options would give victims up to 2 years of additional time to fully rebuild their lives with the support of the community. Access to PSH makes both the appropriate level of ongoing wrap-around services and a permanent housing subsidy available to domestic violence survivors when they exit Artemis House (a 24-hour emergency shelter for Fairfax County residents who are victims in danger of domestic and sexual violence, stalking, and human trafficking. Both housing interventions operate from a client-centered perspective, promote empowerment and emotional resilience, and focus on the strengths of the survivor to meet needs and achieve goals related to housing stability. Approximately 15 percent of the households in FY 2020 were assessed as needing PSH services and/or a housing subsidy to be successful after exiting the program; however, only one household was granted a permanent housing voucher. On average, only 5 percent of households entering the Artemis House shelter can successfully exit and sustain market-rate housing options.

Identify any gaps within the current shelter and housing inventory as well as the service delivery system:

According to the annual Point-in-Time count, the number of unsheltered and chronically homeless individuals have not decreased at the same rate as other sub-populations. Compared to recent 5-year average, chronic homelessness increased by 35 percent, while non-chronic homelessness increased by 8 percent.

Among qualifying populations, Fairfax County has a primary goal of supporting and addressing chronic homelessness. Chronic homelessness is defined as “the circumstance whereby an unaccompanied individual with a disabling condition has either been continuously homeless for a year or more or has had at least four homeless episodes during the last three years”. Based on turnover rates in permanent supportive housing programs in Fairfax County in FY 2021, it would take the system at least 16 months to house the current eight family households and nearly four years to house the current single households in permanent supportive housing programs. However, a point in time count does not include the average inflow of those experiencing chronic homelessness, which averages 28 individuals a month, which compounds the bottleneck of housing resources. Except for participants in transitional housing, individuals identified as chronically homeless tend to spend on average 45 days longer in the homeless services system due to lack of resources than clients not experiencing chronic homelessness. Providing a direct route to Permanent Supportive Housing would make the largest impact on reducing both chronic homelessness and unsheltered homelessness in Fairfax-Falls Church community.

Another challenge facing Fairfax-Falls Church community is the lack of affordable housing. According to the housing affordability gap analysis from Virginia Center for Housing Research (VCHR), the region including Fairfax County, Falls Church City and Fairfax City is experiencing a rental housing shortage for extremely low-income and very low-income households. Rent burden populations with income 50 percent of AMI or less can be considered at risk of homelessness. To eliminate this potential threat, counties must address the long-term shortage of affordable housing, as well as expand homelessness facilities and programs in the short-term.

VCHR estimated the rental housing affordability gap for Fairfax County, that is, the difference between the number of affordable units needed and the number of available affordable units, using 2014-2018 CHAS. However, the affordability gap can vary depending on the assumption applied. VCHR calculated the housing affordability gap for rental units in three ways.

First, the housing affordability gap can be defined as the difference between total renting households and total rental stock by income level. The gross deficit for extremely low-income households is 12,475 units, and the gross deficit for very low-income households is 8,795 units.

Rental housing affordability gap – Scenario 1

Income Range	Total Renting Households	Total Rental Stock	Gross Deficit
<= 30% of AMI	21,675	9,200	12,475
30%–50% of AMI	16,135	7,340	8,795
50%–80% of AMI	8,850	18,400	(9,550)
>=80% of AMI	79,440	94,220	(14,780)

Data Source: 2014-2018 CHAS, Fairfax County

The second calculation assumes that households already occupying units in a price range that is affordable to their household income retain their existing occupancy. The first definition of the housing affordability gap is unrealistic because it assumes that all households occupy units in their income range. Households that live in affordable units and retain their occupancy adjusts

the number of households who cannot afford their unit (a) - (b). Housing units currently occupied by the lower income level are not retained and are thus added to the vacant units and counted as available rental stock (c) + (d). Under this scenario, the gross deficit for extremely low-income households is 16,480 units, and the gross deficit for very low-income households is 10,525 units. Affordable housing is not occupied only by specific income levels and, therefore, the numbers are not precise; however, it is the realistic minimum supply that must be added to offer affordable housing to all residents.

Rental housing stock by income level of occupied households

Renter-Occupied Stock	<= RHUD30	RHUD30– RHUD50	RHUD50– RHUD80	> RHUD80
<=30% of AMI	5,140	2,330	4,140	9,495
30%–50% of AMI	1,245	1,960	3,625	9,015
50%–80% of AMI	585	585	1,895	5,705
80%–100% of AMI	520	805	2,365	10,175
>100% of AMI	1,655	1,585	5,275	56,050
Vacant	55	75	1,100	3,780
Total Available Stock	9,200	7,340	18,400	94,220

Data Source: 2014-2018 CHAS, Fairfax County

Rental housing affordability gap – Scenario 2

Income Range	Total Renting Households (a)	Total Renters Living in Affordable Stock (b)	Households Without an Affordable Unit (a) - (b)	Occupied by Lower Income Level (c)	Vacant (d)	Available Rental Stock (c) + (d)	Gross Deficit (a) - (b) - (c) - (d)
<= 30% of AMI	21,675	5,140	16,535	0	55	55	16,480
30%–50% of AMI	16,135	3,205	12,930	2,330	75	2,405	10,525
50%–80% of AMI	8,850	3,065	5,785	7,765	1,100	8,865	(3,080)
>=80% of AMI	79,440	78,430	1,010	24,215	3,780	27,995	(26,985)

Data Source: 2014-2018 CHAS, Fairfax County

Finally, housing affordability can be defined as the number of cost-burdened renters (paying more than 30 percent of income on rent) and vacant stock regardless of rental stock. The gross deficit for extremely low-income households is 17,000 units, and the gross deficit for very low-income households is 13,855 units.

Rental housing affordability gap – Scenario 3

Income Range	Cost Burdened Renters (a)	Vacant (b)	Gross Deficit (a) - (b)
<= 30% of AMI	17,055	55	17,000

30%–50% of AMI	13,930	75	13,855
50%–80% of AMI	6,915	1,100	5,815
>=80% of AMI	14,825	3,780	11,045

Data Source: 2014–2018 CHAS, Fairfax County

Rental housing affordability gap - Total

Income Range	Total Renting Households	Rental Housing Affordability Gap		
		Scenario 1	Scenario 2	Scenario 3
<= 30% of AMI	21,675	12,475	16,480	17,000
30%–50% of AMI	16,135	8,795	10,525	13,855
50%–80% of AMI	8,850	(9,550)	(3,080)	5,815
>=80% of AMI	79,440	(14,780)	(26,985)	11,045

Data Source: 2014–2018 CHAS, Fairfax County

Under Section IV.4.2.ii.G of the HOME-ARP Notice, a PJ may provide additional characteristics associated with instability and increased risk of homelessness in their HOME-ARP allocation plan. These characteristics will further refine the definition of “other populations” that are “At Greatest Risk of Housing Instability,” as established in the HOME-ARP Notice. If including these characteristics, identify them here:

In addition to the renter households with income less than 30 percent of AMI or 30–50 percent of AMI and renter households with 1 or more severe housing problems, Fairfax County and its cooperating jurisdictions are concerned about the increased risk of homelessness among the following two groups of renter households: cost-burdened with children and households with a disability.

Housing instability defines as a number of challenges such as having trouble paying rent, overcrowding, moving frequently, or spending the bulk of household income on housing. Extensive research links housing instability to effects on young children's health, development and future school performance. Children living in households without housing instability have better health and educational outcomes. For example, being behind on rent, a history of multiple moves, and a history of homelessness are associated with adverse health outcomes for children of low-income tenants (Sandel et al., 2018). Using available data, we identified the number of households with children that spend more than 30 percent or 50 percent of their income on housing by income level. 7,851 extremely low-income renter households with children spend 50 percent or more of their income on housing. These households are identified as households in need of assistance. Accompanied by appropriate support, it is expected to benefit the physical and mental health of household members and increase children's performance in many aspects (Gaitán, 2019).

Cost-Burdened Households

	<30% of AMI	30–50% of AMI	50–80% of AMI	80–100% of AMI
With Children				

Cost-Burdened Renter Households	8,910	7,930	3,197	3,815
Cost-Burdened Owner Households	2,673	3,558	2,434	6,584

Data Source: 2015-2019 ACS PUMS, Fairfax County, Fairfax City, Falls Church City

Severely Cost-Burdened Households

	<30% of AMI	30–50% of AMI	50–80% of AMI	80–100% of AMI
With Children				
Severely Cost-Burdened Renter Households	7,851	3,323	396	148
Severely Cost-Burdened Owner Households	2,274	2,220	574	859

Data Source: 2015-2019 ACS PUMS, Fairfax County, Fairfax City, Falls Church City

Also, households with a disability are likely to experience housing instability. Households who report anyone of the six disability types below are considered to have a disability.

- 1) Hearing difficulty: deaf or having serious difficulty hearing.
- 2) Vision difficulty: blind or having serious difficulty seeing, even when wearing glasses.
- 3) Cognitive difficulty: Because of a physical, mental, or emotional problem, having difficulty remembering, concentrating, or making decisions.
- 4) Ambulatory difficulty: Having serious difficulty walking or climbing stairs.
- 5) Self-care difficulty: Having difficulty bathing or dressing.
- 6) Independent living difficulty: Because of a physical, mental, or emotional problem, having difficulty doing errands alone such as visiting a doctor's office or shopping.

Renter Households with Disability

	<30% of AMI	30–50% of AMI	50–80% of AMI	80–100% of AMI
Renter Households				
With Disability	5,498	2,131	1,241	2,353

Data Source: 2015-2019 ACS PUMS, Fairfax County, Fairfax City, Falls Church City

Identify priority needs for qualifying populations:

Based on the data collected and consultation with community members, all the qualifying populations report serious housing needs, many of which has been worsened by the impact of the COVID-19 pandemic. People experiencing homelessness and those fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking, present the most urgent housing needs for the Fairfax-Falls Church community as their health and wellbeing is immediately and seriously threatened by the lack of safe, stable housing. Households at risk of homelessness, other populations at the greatest risk of housing instability, as well as other families requiring services or housing assistance to prevent homelessness, face similar challenges.

Chronic Homelessness

Out of 996 individuals currently experiencing literal homelessness in transitional housing, street outreach, day shelter and emergency shelter programming in early October 2022, 246 people (25 percent) are likely experiencing chronic homelessness. Of the 246, 11 people are in families (4 percent), and 235 (96 percent) are adult only households. Based on turnover rates in Fairfax County permanent supportive housing programs in in fiscal year 2021 (July 1, 2020-June 30, 2021), it would take the homeless system at least 16 months to house the current eight family households and nearly four years to house the 235 current single households in permanent supportive housing programs. However, a point in time count does not include the average inflow of those experiencing chronic homelessness, which average 28 individuals a month which compounds the bottleneck of housing resources.

Adult only households experiencing chronic homelessness are predominantly served in street outreach programs and day drop-in centers (82 percent) meaning that in addition to experiencing longer lengths of homelessness and having an on-going disability, individuals are facing the life-threatening exposure to the weather and other conditions related to unsheltered homelessness. Only 15 percent of those experiencing chronic unsheltered homelessness have attempted to access shelter assessment. Except for participants in transitional housing, individuals identified as chronically homeless tend to spend on average 45 days longer in the homeless services system due to lack of resources than clients not experiencing chronic homelessness. Providing a direct route to Permanent Supportive Housing would make the largest impact on reducing both chronic homelessness and unsheltered homelessness in Fairfax County.

Explain how the PJ determined the level of need and gaps in the PJs shelter and housing inventory and service delivery systems based on the data presented in the plan:

Fairfax County determined the level of need and gaps in its shelter and housing inventory and service delivery system based on the quickly rising number of people experiencing chronic homelessness and an inadequate number of emergency shelter or permanent supportive housing beds to meet the need.

HOME-ARP Activities

Describe the method(s) that will be used for soliciting applications for funding and/or selecting developers, service providers, subrecipients and/or contractors:

Fairfax County will utilize the HOME-ARP funding to support the development and operations of affordable rental housing, and] non-congregate shelter projects currently in the development pipeline and, if funding is sufficient, solicit additional projects from local organizations. Solicitations will follow regular County procurement processes and the applicable laws, including 2 CFR part 200.

Describe whether the PJ will administer eligible activities directly:

Fairfax County will largely administer eligible activities directly, although a portion may be allocated to subrecipients or contractors if necessary.

If any portion of the PJ's HOME-ARP administrative funds are provided to a subrecipient or contractor prior to HUD's acceptance of the HOME-ARP allocation plan because the subrecipient or contractor is responsible for the administration of the PJ's entire HOME-ARP grant, identify the subrecipient or contractor and describe its role and responsibilities in administering all of the PJ's HOME-ARP program:

No portion of Fairfax County's HOME-ARP administrative funds was provided to a subrecipient or contractor prior to HUD's acceptance of the HOME-ARP allocation plan.

In accordance with Section V.C.2. of the Notice (page 4), PJs must indicate the amount of HOME-ARP funding that is planned for each eligible HOME-ARP activity type and demonstrate that any planned funding for nonprofit organization operating assistance, nonprofit capacity building, and administrative costs is within HOME-ARP limits.

Use of HOME-ARP Funding

	Funding Amount	Percent of the Grant	Statutory Limit
Supportive Services	\$ 2,102,551		
Acquisition and Development of Non-Congregate Shelters	\$ 2,102,551		
Tenant Based Rental Assistance (TBRA)	\$ 0		
Development of Affordable Rental Housing	\$ 2,693,894		
Non-Profit Operating	\$ 394,228	5 %	5%
Non-Profit Capacity Building	\$ 0	0 %	5%
Administration and Planning	\$ 591,342	7.5 %	15%
Total HOME-ARP Allocation	\$ 7,884,566		

Describe how the PJ will distribute HOME-ARP funds in accordance with its priority needs identified in its needs assessment and gap analysis:

In alignment with priority needs identified in the needs assessment and gap analysis, as well as comments made during the consultation process, Fairfax County will utilize HOME-ARP funds

to (a) develop affordable rental housing, specifically permanent supportive housing, as well as non-congregate shelter, and (b) support the operations and services of the housing by local nonprofits.

Describe how the characteristics of the shelter and housing inventory, service delivery system, and the needs identified in the gap analysis provided a rationale for the plan to fund eligible activities:

An increase in the number of people experiencing homelessness during the COVID-19 pandemic has stretched the existing emergency shelter and affordable housing capacity to its limits. In particular, the increase in people experiencing chronic homelessness has disproportionately increased during the pandemic. This population, according to national research and local experience, requires deeply affordable housing and ongoing supportive services to secure and maintain housing stability. The chronically homeless population also utilizes a disproportionate number of shelter bed nights, which severely limits emergency shelter capacity for everyone experiencing homelessness. Therefore, Fairfax County has identified affordable rental housing in the form of permanent supportive housing, as well as non-congregate shelter, as the primary housing inventory and service delivery system's needs.

HOME-ARP Production Housing Goals

Estimate the number of affordable rental housing units for qualifying populations that the PJ will produce or support with its HOME-ARP allocation:

Fairfax County estimates that a minimum of 88 affordable rental housing units for qualifying populations will be produced with the support of its HOME-ARP allocation.

Describe the specific affordable rental housing production goal that the PJ hopes to achieve and describe how the production goal will address the PJ's priority needs:

Creating at least 88 affordable rental housing units in the form of permanent supportive housing will reduce the number of people experiencing chronic homelessness in Fairfax County.

Preferences

A preference provides a priority for the selection of applicants who fall into a specific QP or category (e.g., elderly or persons with disabilities) within a QP (i.e., subpopulation) to receive assistance. A *preference* permits an eligible applicant that qualifies for a PJ-adopted preference to be selected for HOME-ARP assistance before another eligible applicant that does not qualify for a preference. A *method of prioritization* is the process by which a PJ determines how two or more eligible applicants qualifying for the same or different preferences are selected for HOME-ARP assistance. For example, in a project with a preference for chronically homeless, all eligible QP applicants are selected in chronological order for a HOME-ARP rental project except that eligible QP applicants that qualify for the preference of chronically homeless are selected for occupancy based on length of time they have been homeless before eligible QP applicants who do not qualify for the preference of chronically homeless.

Please note that HUD has also described a method of prioritization in other HUD guidance. Section I.C.4 of Notice CPD-17-01 describes Prioritization in CoC CE as follows:

“Prioritization. In the context of the coordinated entry process, HUD uses the term “Prioritization” to refer to the coordinated entry-specific process by which all persons in need of assistance who use coordinated entry are ranked in order of priority. The coordinated entry prioritization policies are established by the CoC with input from all community stakeholders and must ensure that ESG projects are able to serve clients in accordance with written standards that are established under 24 CFR 576.400(e). In addition, the coordinated entry process must, to the maximum extent feasible, ensure that people with more severe service needs and levels of vulnerability are prioritized for housing and homeless assistance before those with less severe service needs and lower levels of vulnerability. Regardless of how prioritization decisions are implemented, the prioritization process must follow the requirements in Section II.B.3. and Section I.D. of this Notice.”

If a PJ is using a CE that has a method of prioritization described in CPD-17-01, then a PJ has preferences and a method of prioritizing those preferences. These must be described in the HOME-ARP allocation plan in order to comply with the requirements of Section IV.C.2 (page 10) of the HOME-ARP Notice.

In accordance with Section V.C.4 of the Notice (page 15), the HOME-ARP allocation plan must identify whether the PJ intends to give a preference to one or more qualifying populations or a subpopulation within one or more qualifying populations for any eligible activity or project.

- Preferences cannot violate any applicable fair housing, civil rights, and nondiscrimination requirements, including but not limited to those requirements listed in 24 CFR 5.105(a).
- The PJ must comply with all applicable nondiscrimination and equal opportunity laws and requirements listed in 24 CFR 5.105(a) and any other applicable fair housing and civil rights laws and requirements when establishing preferences or methods of prioritization.

While PJs are not required to describe specific projects in its HOME-ARP allocation plan to which the preferences will apply, the PJ must describe the planned use of any preferences in its HOME-ARP allocation plan. This requirement also applies if the PJ intends to commit HOME-ARP funds to projects that will utilize preferences or limitations to comply with restrictive eligibility requirements of another project funding source. **If a PJ fails to describe preferences or limitations in its plan, it cannot commit HOME-ARP funds to a project that will implement a preference or limitation until the PJ amends its HOME-ARP allocation plan.**

For HOME-ARP rental housing projects, Section VI.B.20.a.iii of the HOME-ARP Notice (page 36) states that owners may only limit eligibility or give a preference to a particular qualifying population or segment of the qualifying population if the limitation or preference is described in the PJ's HOME-ARP allocation plan. Adding a preference or limitation not previously described in the plan requires a substantial amendment and a public comment period in accordance with Section V.C.6 of the Notice (page 16).

Identify whether the PJ intends to give preference to one or more qualifying populations or a subpopulation within one or more qualifying populations for any eligible activity or project: Fairfax County intends to give preference to people defined as "Homeless" in 24 CFR 91.5 for projects supported by HOME-ARP funds. Affordable rental housing projects will prioritize people defined as "Chronically Homeless" in 24 CFR 91.5.

If a preference was identified, explain how the use of a preference or method of prioritization will address the unmet need or gap in benefits and services received by individuals and families in the qualifying population or subpopulation of qualifying population, consistent with the PJ's needs assessment and gap analysis:

Fairfax County has seen an increase in the number of people experiencing homelessness during the COVID-19 pandemic and the rise is disproportionately higher among people experiencing chronic homelessness. Providing non-congregate shelter, as well as permanent supportive housing, will reduce the number of people experiencing homelessness, as well as chronic homelessness.

If a preference was identified, describe how the PJ will use HOME-ARP funds to address the unmet needs or gaps in benefits and services of the other qualifying populations that are not included in the preference:

The HOME-ARP funds will be used to create more deeply affordable and permanent supportive housing for all the qualifying populations. Upon implementation, Fairfax County's HOME-ARP will support all qualifying populations.

Referral Methods

PJs are not required to describe referral methods in the plan. However, if a PJ intends to use a coordinated entry (CE) process for referrals to a HOME-ARP project or activity, the PJ must ensure compliance with Section IV.C.2 of the Notice (page10).

A PJ may use only the CE for direct referrals to HOME-ARP projects and activities (as opposed to CE and other referral agencies or a waitlist) if the CE expands to accept all HOME-ARP qualifying populations and implements the preferences and prioritization established by the PJ in its HOME-ARP allocation plan. A direct referral is where the CE provides the eligible applicant directly to the PJ, subrecipient, or owner to receive HOME-ARP TBRA, supportive services, admittance to a HOME-ARP rental unit, or occupancy of a NCS unit. In comparison, an indirect referral is where a CE (or other referral source) refers an eligible applicant for placement to a project or activity waitlist. Eligible applicants are then selected for a HOME-ARP project or activity from the waitlist.

The PJ must require a project or activity to use CE along with other referral methods (as provided in Section IV.C.2.ii) or to use only a project/activity waiting list (as provided in Section IV.C.2.iii) if:

1. the CE does not have a sufficient number of qualifying individuals and families to refer to the PJ for the project or activity;
2. the CE does not include all HOME-ARP qualifying populations; or,
3. the CE fails to provide access and implement uniform referral processes in situations where a project's geographic area(s) is broader than the geographic area(s) covered by the CE

If a PJ uses a CE that prioritizes one or more qualifying populations or segments of qualifying populations (e.g., prioritizing assistance or units for chronically homeless individuals first, then prioritizing homeless youth second, followed by any other individuals qualifying as homeless, etc.) then this constitutes the use of preferences and a method of prioritization. To implement a CE with these preferences and priorities, the PJ **must** include the preferences and method of prioritization that the CE will use in the preferences section of their HOME-ARP allocation plan. Use of a CE with embedded preferences or methods of prioritization that are not contained in the PJ's HOME-ARP allocation does not comply with Section IV.C.2 of the Notice (page10).

Identify the referral methods that the PJ intends to use for its HOME-ARP projects and activities. PJ's may use multiple referral methods in its HOME-ARP program. (Optional): Fairfax County intends to use multiple referral methods for the projects supported by HOME-ARP funding to ensure that all four qualifying populations have access to HOME-ARP projects and activities. Referrals to HOME-ARP projects and activities may receive indirect self-referrals, indirect referrals from other organizations, and indirect referrals from the Continuum of Care's Coordinated Entry system.

If the PJ intends to use the coordinated entry (CE) process established by the CoC, describe whether all qualifying populations eligible for a project or activity will be included in the CE process, or the method by which all qualifying populations eligible for the project or activity will be covered. (Optional):

As permitted by HUD's DPD-21-10 notice in section IV. C. 2. iii (as well as the HOME-ARP Policy Brief on Preferences, Methods of Prioritization, and Limitations), HOME-ARP projects will maintain project/activity waiting lists. The projects/activities may receive indirect referrals

from the Fairfax County Continuum of Care's Coordinated Entry system along with indirect referrals from outside organizations and self-referrals to the waiting lists.

If the PJ intends to use the CE process established by the CoC, describe the method of prioritization to be used by the CE. (Optional):

Fairfax County will use project waiting lists to which individuals, organizations, and Coordinated Entry may indirectly refer. No preferences or prioritization will occur on the project wait lists outside what is referenced in this allocation plan.

If the PJ intends to use both a CE process established by the CoC and another referral method for a project or activity, describe any method of prioritization between the two referral methods, if any. (Optional):

Fairfax County will not prioritize between different referral methods.

Limitations in a HOME-ARP rental housing or NCS project

Limiting eligibility for a HOME-ARP rental housing or NCS project is only permitted under certain circumstances.

- PJs must follow all applicable fair housing, civil rights, and nondiscrimination requirements, including but not limited to those requirements listed in 24 CFR 5.105(a). This includes, but is not limited to, the Fair Housing Act, Title VI of the Civil Rights Act, section 504 of Rehabilitation Act, HUD's Equal Access Rule, and the Americans with Disabilities Act, as applicable.
- A PJ may not exclude otherwise eligible qualifying populations from its overall HOME-ARP program.
- Within the qualifying populations, participation in a project or activity may be limited to persons with a specific disability only, if necessary, to provide effective housing, aid, benefit, or services that would be as effective as those provided to others in accordance with 24 CFR 8.4(b)(1)(iv). A PJ must describe why such a limitation for a project or activity is necessary in its HOME-ARP allocation plan (based on the needs and gap identified by the PJ in its plan) to meet some greater need and to provide a specific benefit that cannot be provided through the provision of a preference.
- For HOME-ARP rental housing, section VI.B.20.a.iii of the Notice (page 36) states that owners may only limit eligibility to a particular qualifying population or segment of the qualifying population if the limitation is described in the PJ's HOME-ARP allocation plan.
- PJs may limit admission to HOME-ARP rental housing or NCS to households who need the specialized supportive services that are provided in such housing or NCS. However, no otherwise eligible individuals with disabilities or families including an individual with a disability who may benefit from the services provided may be excluded on the grounds that they do not have a particular disability.

Describe whether the PJ intends to limit eligibility for a HOME-ARP rental housing or NCS project to a particular qualifying population or specific subpopulation of a qualifying population identified in section IV.A of the Notice:

Fairfax County will not limit eligibility for HOME-ARP rental housing or non-congregate shelter.

If a PJ intends to implement a limitation, explain why the use of a limitation is necessary to address the unmet need or gap in benefits and services received by individuals and families in the qualifying population or subpopulation of qualifying population, consistent with the PJ's needs assessment and gap analysis:

Not applicable.

If a limitation was identified, describe how the PJ will address the unmet needs or gaps in benefits and services of the other qualifying populations that are not included in the limitation through the use of HOME-ARP funds (i.e., through another of the PJ's HOME-ARP projects or activities):

Not applicable.

HOME-ARP Refinancing Guidelines

If the PJ intends to use HOME-ARP funds to refinance existing debt secured by multifamily rental housing that is being rehabilitated with HOME-ARP funds, the PJ must state its HOME-ARP refinancing guidelines in accordance with [24 CFR 92.206\(b\)](#). The guidelines must describe the conditions under which the PJ will refinance existing debt for a HOME-ARP rental project, including:

- ***Establish a minimum level of rehabilitation per unit or a required ratio between rehabilitation and refinancing to demonstrate that rehabilitation of HOME-ARP rental housing is the primary eligible activity***

Not applicable. Fairfax County does not intend on using HOME-ARP funds for refinancing.

- ***Require a review of management practices to demonstrate that disinvestment in the property has not occurred; that the long-term needs of the project can be met; and that the feasibility of serving qualified populations for the minimum compliance period can be demonstrated.***

Not applicable.

- ***State whether the new investment is being made to maintain current affordable units, create additional affordable units, or both.***

Not applicable.

- ***Specify the required compliance period, whether it is the minimum 15 years or longer.***

Not applicable.

- ***State that HOME-ARP funds cannot be used to refinance multifamily loans made or insured by any federal program, including CDBG.***

Not applicable.

- ***Other requirements in the PJ's guidelines, if applicable:***

Not applicable.

ACTION - 2

Approval of 2023 Rate Adjustments to Centreville, Fairfax Center, Reston, Tysons, Tysons Grid of Streets, and Tysons-Wide Road Funds (Braddock, Dranesville, Hunter Mill, Providence, Springfield, and Sully Districts)

ISSUE:

Adjustments to the Centreville Area, Fairfax Center Area, Reston, Tysons, Tysons Grid of Streets, and Tysons-wide Road Fund rates to compensate for inflation in project construction costs, in accordance with the Consumer Price Index for all urban consumers (CPI-U).

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors approve the attached rate schedule (Attachment 1), including a 6.4 percent adjustment of the existing contribution rates in all fund areas, with the new rate effective April 1, 2023.

TIMING:

Board action is requested on March 21, 2023, so that the new rates can take effect on April 1, 2023.

BACKGROUND:

One of the principles of the Comprehensive Plan for each of the road fund areas is that development above the baseline level established in the plan may be approved if the developer mitigates the impact of such increased density or intensity by contributing to a fund for the provision of off-site road improvements. All road funds function in this manner.

Attachment 1 reflects the increase in developer contribution rates as calculated with the 6.4 percent inflation since 2022. The 6.4 percent is derived from the CPI-U as required by the Code of Virginia. The rate increase is necessary to keep pace with inflationary project construction cost increases. The last rate increase went into effect April 1, 2022.

FISCAL IMPACT:

Adoption of the revised rates will increase the funds contributed by developers to Fund 30040, Contributed Roadway Improvements, by 6.4 percent over previously approved

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amounts. However, the primary effects of the increase will be felt in future years. This is because the contribution amount for each development is determined by the effective rate at the time of the land use action (rezoning, special exception, special permit, etc.) approval by the Board. The contribution rate at the time of approval will remain effective for a period of two years. If a site plan or subdivision plan (i.e. preliminary or final plat) is not submitted within two years from the development approval date, the contribution rate in effect at the time of site plan submission or final subdivision plat submission will be used to identify the total contribution required.

ENCLOSED DOCUMENTS:

Attachment 1: Calculation of Revised Contribution Rate for 2023

STAFF:

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Ray Johnson, Chief, Funding Section, FCDOT

Smitha Chellappa, Senior Transportation Planner, Funding Section, FCDOT

Jeffrey C. Hermann, Chief, Site Analysis and Transportation Planning Division, FCDOT

CALCULATION OF REVISED CONTRIBUTION RATE – 2023

Inflation rate for 2023 based on the Consumer Price Index for all Urban Customers (CPI-U) published by the US Department of Labor, Bureau of Labor Statistics (not seasonally adjusted)

Proposed 2023 Contribution Rate

Road Fund Area	Type	Approved Rate 2022	Inflationary Increase 2023	Proposed Rate 2023
Tysons	non-residential	\$5.20	1.064	\$5.54
	residential	\$1,154.47	1.064	\$1,228.36
Tysons-Wide	non-residential	\$7.02	1.064	\$7.47
	residential	\$1,244.41	1.064	\$1,324.06
Tysons-Grid of Streets	non-residential	\$8.01	1.064	\$8.52
	residential	\$1,244.41	1.064	\$1,324.06
Fairfax Center	non-residential	\$7.07	1.064	\$7.52
	residential	\$1,566.62	1.064	\$1,666.88
Centreville	non-residential	\$7.60	1.064	\$8.09
	residential	\$3,002.30	1.064	\$3,194.45
Reston	non-residential	\$11.16	1.064	\$11.87
	residential	\$2,438.73	1.064	\$2,594.81

Board Agenda Item
March 21, 2023

ACTION - 3

Approval of a Resolution to Extend the Cable Franchise Term of CoxCom, LLC

ISSUE:

Adoption of a resolution (Attachment 1) authorizing the County Executive to execute an agreement extending the term of Cox's cable franchise through March 31, 2026 (Attachment 2).

RECOMMENDATION:

The County Executive recommends that the Board authorize him to enter into an agreement with Cox extending the term of Cox's cable franchise without change in the terms and conditions of the franchise.

TIMING:

Board action is requested on March 21, 2023. The Cox cable franchise should be extended prior to its scheduled expiration on June 9, 2023.

BACKGROUND:

Section 546 of the federal Cable Communications Policy Act of 1984, as amended, 47 U.S.C. § 521 *ff.*, governs the process by which a local community may renew a cable franchise. The process normally used requires negotiation between the cable operator and the community regarding the terms and conditions of a new franchise agreement, consistent with federal and state law.

Since 2020, Cox and County staff have been engaged in discussions regarding renewal of the Franchise. A renewal agreement has not yet been reached. Under the present circumstances, an agreement may be reached after allowing time for federal law to develop further in this area as a result of changes in the cable marketplace. An extension of the term through March 31, 2026, will maintain the parties' existing rights and obligations while they pursue a renewal agreement.

EQUITY IMPACT:

This action supports digital access and literacy, a One Fairfax area of focus, as the continued operation of Cox's cable communications system offers information and entertainment to all County residents.

Board Agenda Item
March 21, 2023

These communications capabilities serve two of the County's strategic outcome areas: lifelong education and learning, and cultural and recreational opportunities. In particular, the provision of public, educational, and governmental access channels on the cable system gives individual residents and groups a voice that can be heard throughout the County, as well as access to telecourses and other learning programs. Fairfax County Government Channel 16 also serves the goal of effective and efficient government by making the County government's activities transparent and accessible to County residents.

The recommended action maintains the current benefits of the Cox franchise without regard to potentially discriminatory factors. Thus, the cable franchise helps advance the goal of equal opportunities for all residents.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment 1 – Proposed resolution

Attachment 2 – Proposed agreement with Cox

STAFF:

Ellicia Seard-McCormick, Deputy County Executive

Rebecca L. Makely, Director, Department of Cable and Consumer Services

Frederick E. Ellrod III, Deputy Director, Department of Cable and Consumer Services

ASSIGNED COUNSEL:

John A. Dorsey, Assistant County Attorney

Joanna L. Faust, Assistant County Attorney

**RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO SIGN A
LETTER AGREEMENT WITH COXCOM, LLC**

At a regular meeting of the Fairfax County Board of Supervisors ("Board of Supervisors") on March 21, 2023, at which a quorum was present and voting, the following resolution was adopted in public session.

WHEREAS:

1. Section 2(c) of the Cable Franchise Agreement by and between Fairfax County, Virginia, and CoxCom, LLC, approved by the Fairfax County Board of Supervisors on May 14, 2013 ("Franchise Agreement"), established the term of the Franchise as 10 years from the effective date, defined in Section 1(p) as June 9, 2013; and
2. No renewal agreement has been reached and the parties are continuing to pursue the renewal procedures set forth in 47 U.S.C. § 546;

NOW, THEREFORE, be it resolved by the Board of Supervisors that the County Executive is authorized to sign the attached agreement, in which the parties agree to extend the term of the Franchise Agreement through March 31, 2026.

GIVEN under my hand this 21st day of March, 2023.

Jill G. Cooper
Clerk for the Board of Supervisors

**AGREEMENT EXTENDING
THE TERM OF THE CABLE FRANCHISE GRANTED TO
COXCOM, LLC**

This Agreement is made this _____ day of March, 2023, by and between the County of Fairfax, Virginia (hereinafter the “County”), and CoxCom, LLC (hereinafter “Cox”).

WHEREAS, the County has granted a franchise (“Franchise”) to Cox pursuant to the Cable Franchise Agreement by and between Fairfax County, Virginia, and CoxCom, LLC, approved by the Fairfax County Board of Supervisors on May 14, 2013 (“Franchise Agreement”), and Chapter 9.2 of the County Code, as amended, collectively referred to as the “Franchise Documents”; and

WHEREAS, Cox initiated the franchise renewal process consistent with Section 626 of the Cable Communications Policy Act of 1984, as amended (“Cable Act”), via letter to the County dated July 15, 2020; and

WHEREAS, the Franchise is scheduled to expire on June 9, 2023; and

WHEREAS, the County and Cox each desire to enter into an amendment extending the term of the Franchise as set forth herein in order to complete negotiations and reach agreement on the renewal of the Franchise; and

WHEREAS, Section 2(c) of the Franchise Agreement provides that it may be extended by mutual agreement;

NOW, THEREFORE, in consideration of the promises and undertakings herein, the receipt and adequacy of which are hereby acknowledged, the parties hereby agree as follows:

Section 1. The Franchise is hereby extended through March 31, 2026 (the “extension period”).

Section 2. During the extension period, all the terms and conditions set forth in the Franchise Documents shall remain in full force and effect.

Section 3. This extension shall be without prejudice to any rights of either party under the Cable Act, the Franchise, or applicable law. No claim that either party may have against the other shall be released or otherwise affected by this extension.

Section 4. Nothing in this Agreement obliges the County to grant Cox a renewal franchise, and this Agreement shall not be interpreted as a renewal of the Franchise or as a commitment to renew.

Section 5. Counterparts: This Agreement may be executed in several counterparts, each of which when so executed shall be deemed to be an original copy, and all of which together shall constitute one agreement binding on all parties hereto, notwithstanding that all parties shall not have signed the same counterpart.

IN WITNESS WHEREOF, the parties hereto have signed on the day first above written.

County of Fairfax, Virginia

By _____
Bryan J. Hill
County Executive

CoxCom, LLC

By _____

Board Agenda Item
March 21, 2023

ACTION - 4

Approval of a Resolution to Extend the Cable Franchise Term of Verizon Virginia LLC

ISSUE:

Adoption of a resolution (Attachment 1) authorizing the County Executive to execute an agreement extending the term of Verizon's cable franchise through March 31, 2026 (Attachment 2).

RECOMMENDATION:

The County Executive recommends that the Board authorize him to enter into an agreement with Verizon extending the term of Verizon's cable franchise without change in the terms and conditions of the franchise.

TIMING:

Board action is requested on March 21, 2023. The Verizon cable franchise should be extended prior to its scheduled expiration on March 31, 2023.

BACKGROUND:

Section 546 of the federal Cable Communications Policy Act of 1984, as amended, 47 U.S.C. § 521 *ff.*, governs the process by which a local community may renew a cable franchise. The process normally used requires negotiation between the cable operator and the community regarding the terms and conditions of a new franchise agreement, consistent with federal and state law.

Since 2020, Verizon and County staff have been engaged in discussions regarding renewal of the Franchise. Verizon and the Board previously extended the original term of the franchise through March 31, 2023. A renewal agreement has not yet been reached. Under the present circumstances, an agreement may be reached after allowing time for federal law to develop further in this area as a result of changes in the cable marketplace. An extension of the term through March 31, 2026, will maintain the parties' existing rights and obligations while they pursue a renewal agreement.

Board Agenda Item
March 21, 2023

EQUITY IMPACT:

This action supports digital access and literacy, a One Fairfax area of focus, as the continued operation of Verizon's cable communications system offers information and entertainment to all County residents.

These communications capabilities serve two of the County's strategic outcome areas: lifelong education and learning, and cultural and recreational opportunities. In particular, the provision of public, educational, and governmental access channels on the cable system gives individual residents and groups a voice that can be heard throughout the County, as well as access to telecourses and other learning programs. Fairfax County Government Channel 16 also serves the goal of effective and efficient government by making the County government's activities transparent and accessible to County residents.

The recommended action maintains the current benefits of the Verizon franchise without regard to potentially discriminatory factors. Thus, the cable franchise helps advance the goal of equal opportunities for all residents.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment 1 – Proposed resolution

Attachment 2 – Proposed agreement with Verizon

STAFF:

Ellicia Seard-McCormick, Deputy County Executive

Rebecca L. Makely, Director, Department of Cable and Consumer Services

Frederick E. Ellrod III, Deputy Director, Department of Cable and Consumer Services

ASSIGNED COUNSEL:

John A. Dorsey, Assistant County Attorney

Joanna L. Faust, Assistant County Attorney

**RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO SIGN A
LETTER AGREEMENT WITH VERIZON VIRGINIA LLC**

At a regular meeting of the Fairfax County Board of Supervisors ("Board of Supervisors") on March 21, 2023, at which a quorum was present and voting, the following resolution was adopted in public session.

WHEREAS:

1. Section 2.3 of the Cable Franchise Agreement by and between Fairfax County, Virginia, and Verizon Virginia Inc., the predecessor-in-interest of Verizon Virginia LLC, approved by the Fairfax County Board of Supervisors on September 26, 2005 ("Franchise Agreement"), established the term of the Franchise as 15 years from the effective date, defined in Section 2.3 as October 1, 2005; and
2. By agreement dated September 30, 2020, the term of the Franchise was extended through March 31, 2021; and
3. By agreement dated March 30, 2021, the term of the Franchise was extended through March 31, 2022; and
4. By agreement dated March 9, 2022, the term of the Franchise was extended through March 31, 2023; and
5. No renewal agreement has been reached and the parties are continuing to pursue the renewal procedures set forth in 47 U.S.C. § 546;

NOW, THEREFORE, be it resolved by the Board of Supervisors that the County Executive is authorized to sign the attached agreement, in which the parties agree to extend the term of the Franchise Agreement through March 31, 2026.

GIVEN under my hand this 21st day of March, 2023.

Jill G. Cooper
Clerk for the Board of Supervisors

**AGREEMENT EXTENDING
THE TERM OF THE CABLE FRANCHISE GRANTED TO
VERIZON VIRGINIA LLC**

This Agreement is made this _____ day of March, 2023, by and between the County of Fairfax, Virginia (hereinafter the “County”), and Verizon Virginia LLC (hereinafter “Verizon”).

WHEREAS, the County has granted a franchise (“Franchise”) to Verizon pursuant to the Cable Franchise Agreement by and between Fairfax County, Virginia, and Verizon Virginia Inc., the predecessor-in-interest of Verizon Virginia LLC, approved by the Fairfax County Board of Supervisors on September 26, 2005 (“Franchise Agreement”), and Chapter 9.2 of the County Code, as amended, collectively referred to as the “Franchise Documents”; and

WHEREAS, Verizon initiated the franchise renewal process consistent with Section 626 of the Cable Communications Policy Act of 1984, as amended (“Cable Act”), via letter to the County dated February 15, 2018; and

WHEREAS, by agreement dated September 30, 2020, the term of the Franchise was extended through March 31, 2021; and

WHEREAS, by agreement dated March 30, 2021, the term of the Franchise was extended through March 31, 2022; and

WHEREAS, the Franchise is scheduled to expire on March 31, 2023; and

WHEREAS, the County and Verizon each desire to enter into an amendment extending the term of the Franchise as set forth herein in order to complete negotiations and reach agreement on the renewal of the Franchise; and

WHEREAS, Section 2.3 of the Franchise Agreement provides that it may be extended by mutual agreement;

NOW, THEREFORE, in consideration of the promises and undertakings herein, the receipt and adequacy of which are hereby acknowledged, the parties hereby agree as follows:

Section 1. The Franchise is hereby extended through March 31, 2026 (the “extension period”).

Section 2. During the extension period, all the terms and conditions set forth in the Franchise Documents shall remain in full force and effect.

Section 3. This extension shall be without prejudice to any rights of either party under the Cable Act, the Franchise, or applicable law. No claim that either party may have against the other shall be released or otherwise affected by this extension.

Section 4. Nothing in this Agreement obliges the County to grant Verizon a renewal franchise, and this Agreement shall not be interpreted as a renewal of the Franchise or as a commitment to renew.

Section 5. Counterparts: This Agreement may be executed in several counterparts, each of which when so executed shall be deemed to be an original copy, and all of which together shall constitute one agreement binding on all parties hereto, notwithstanding that all parties shall not have signed the same counterpart.

IN WITNESS WHEREOF, the parties hereto have signed on the day first above written.

County of Fairfax, Virginia

By _____
Bryan J. Hill
County Executive

Verizon Virginia LLC

By _____
Kwame Trotman
Regional President - Consumer & Mass Business Markets

Board Agenda Item
March 21, 2023

ACTION - 5

Approval of a Resolution to Extend the Cable Franchise Term of Comcast of Virginia, LLC

ISSUE:

Adoption of a resolution (Attachment 1) authorizing the County Executive to execute an agreement extending the term of Comcast's cable franchise through March 31, 2026 (Attachment 2).

RECOMMENDATION:

The County Executive recommends that the Board authorize the County to enter into an agreement with Comcast extending the term of Comcast's cable franchise without change in the terms and conditions of the franchise.

TIMING:

Board action is requested on March 21, 2023. The Comcast cable franchise must be extended prior to its scheduled expiration on June 30, 2023.

BACKGROUND:

Section 546 of the federal Cable Communications Policy Act of 1984, as amended, 47 U.S.C. § 521 *ff.*, governs the process by which a local community may renew a cable franchise. The process normally used requires negotiation between the cable operator and the local franchising authority regarding the terms and conditions of a new franchise agreement, consistent with federal and state law.

Since 2020, Comcast and County staff have been engaged in discussions regarding renewal of the Franchise, which covers only the vicinity of Reston. Comcast and the Board previously extended the original term of the franchise through June 30, 2023. A renewal agreement has not yet been reached. Under the present circumstances, an agreement may be reached after allowing time for federal law to develop further in this area as a result of changes in the cable marketplace. An extension of the term through March 31, 2026, will maintain the parties' existing rights and obligations while they pursue a renewal agreement.

Board Agenda Item
March 21, 2023

EQUITY IMPACT:

This action supports digital access and literacy, a One Fairfax area of focus, as the continued operation of Comcast's cable communications system offers information and entertainment to all County residents in the Reston franchise area.

These communications capabilities serve two of the County's strategic outcome areas: lifelong education and learning, and cultural and recreational opportunities. In particular, the provision of public, educational, and governmental access channels on the cable system gives individual residents and groups a voice that can be heard throughout the County, as well as access to telecourses and other learning programs. Fairfax County Government Channel 16 also serves the goal of effective and efficient government by making the County government's activities transparent and accessible to County residents.

The recommended action maintains the current benefits of the Comcast franchise without regard to potentially discriminatory factors. Thus, the cable franchise helps advance the goal of equal opportunities for all residents.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment 1 – Proposed resolution

Attachment 2 – Proposed agreement with Comcast

STAFF:

Ellicia Seard-McCormick, Deputy County Executive

Rebecca L. Makely, Director, Department of Cable and Consumer Services

Frederick E. Ellrod III, Department of Cable and Consumer Services

ASSIGNED COUNSEL:

John A. Dorsey, Assistant County Attorney

Joanna L. Faust, Assistant County Attorney

**RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO SIGN A
LETTER AGREEMENT WITH COMCAST OF VIRGINIA, LLC**

At a regular meeting of the Fairfax County Board of Supervisors ("Board of Supervisors") on March 21, 2023, at which a quorum was present and voting, the following resolution was adopted in public session.

WHEREAS:

1. Section 2(c) of the Cable Franchise Agreement Between Fairfax County, Virginia, and Comcast of Virginia, Inc., the predecessor-in-interest of Comcast of Virginia, LLC, approved by the Fairfax County Board of Supervisors on May 23, 2005 ("Franchise Agreement"), established the term of the Franchise as 15 years from the effective date, defined in Section 2(g) as July 1, 2005; and
2. By agreement dated June 18, 2020, the term of the Franchise was extended through December 31, 2020; and
3. By agreement dated December 9, 2020, the term of the Franchise was extended through December 31, 2021; and
4. By agreement dated December 10, 2021, the term of the Franchise was extended through December 31, 2022; and
5. By agreement dated December 23, 2022, the term of the Franchise was extended through June 30, 2023; and
6. No renewal agreement has been reached and the parties are continuing to pursue the renewal procedures set forth in 47 U.S.C. § 546;

NOW, THEREFORE, be it resolved by the Board of Supervisors that the County Executive is authorized to sign the attached agreement, in which the parties agree to extend the term of the Franchise Agreement through March 31, 2026.

GIVEN under my hand this 21st day of March, 2023.

Jill G. Cooper
Clerk for the Board of Supervisors
Department of Clerk Services

**AGREEMENT EXTENDING
THE TERM OF THE CABLE FRANCHISE GRANTED TO
COMCAST OF VIRGINIA, LLC**

This Agreement is made this _____ day of March 2023, by and between the County of Fairfax, Virginia (hereinafter the “County”), and Comcast of Virginia, LLC (hereinafter “Comcast”).

WHEREAS, the County has granted a franchise (“Franchise”) to Comcast pursuant to the Cable Franchise Agreement between Fairfax County, Virginia, and Comcast of Virginia, Inc., the predecessor-in-interest of Comcast of Virginia, LLC, approved by the Fairfax County Board of Supervisors on May 23, 2005 (“Franchise Agreement”), and Chapter 9.2 of the County Code, as amended, collectively referred to as the “Franchise Documents”; and

WHEREAS, by agreement dated June 18, 2020, the term of the Franchise was extended through December 31, 2020; and

WHEREAS, by agreement dated December 9, 2020, the term of the Franchise was extended through December 31, 2021; and

WHEREAS, by agreement dated December 10, 2021, the term of the Franchise was extended through December 31, 2022; and

WHEREAS, by agreement dated December 23, 2022, the term of the Franchise was extended through June 30, 2023; and

WHEREAS, Comcast initiated the franchise renewal process consistent with Section 626 of the Communications Act of 1984, as amended (“Cable Act”) via letter to the County dated August 8, 2017; and

WHEREAS, the County and Comcast each desire to enter into an amendment extending the term of the Franchise as set forth herein in order to complete negotiations and reach agreement

on the renewal of the Franchise; and

WHEREAS, Section 2(c) of the Franchise Agreement provides that it may be extended by mutual agreement;

NOW, THEREFORE, in consideration of the promises and undertakings herein, the receipt and adequacy of which are hereby acknowledged, the parties hereby agree as follows:

Section 1. The Franchise is hereby extended through March 31, 2026 (the “extension period”).

Section 2. During the extension period, all the terms and conditions set forth in the Franchise Documents shall remain in full force and effect.

Section 3. This extension shall be without prejudice to any rights of either party under the Cable Act, the Franchise, or applicable law. No claim that either party may have against the other shall be released or otherwise affected by this extension.

Section 4. Nothing in this Agreement obliges the County to grant Comcast a renewal franchise, and this Agreement shall not be interpreted as a renewal of the Franchise or as a commitment to renew.

Section 5. Counterparts: This Agreement may be executed in several counterparts, each of which when so executed shall be deemed to be an original copy, and all of which together shall constitute one agreement binding on all parties hereto, notwithstanding that all parties shall not have signed the same counterpart.

IN WITNESS WHEREOF, the parties hereto have set their respective hands on the day first above written.

County of Fairfax, Virginia

By _____
Bryan J. Hill
County Executive

Comcast of Virginia, LLC

By _____
Misty Allen
VP Government & Regulatory Affairs

ACTION - 6

Authorization for Director of Department of Public Works and Environmental Services (DPWES), or His Designee, to Execute Betterment Agreements, Deeds, and Other Instruments with Virginia Department of Transportation (VDOT), Dominion Energy, Inc., Fairfax Water, and Other Utility Companies, or Their Designated Agent

ISSUE:

Approval authority is recommended for the Director of DPWES, or his designee, to execute Betterment Agreements, deeds, and other instruments with VDOT, Dominion Energy, Inc. (Dominion), Fairfax Water, and other utility companies. Such agreements are occasionally needed to serve the County's best interest. Betterment Agreements serve to incorporate capital improvements to the County sanitary sewer and stormwater infrastructure systems as part of capital construction projects implemented by these external organizations.

RECOMMENDATION:

The County Executive recommends that the Board authorize the Director of DPWES, or their designee, to execute Betterment Agreements, deeds, and other instruments with VDOT, Dominion, Fairfax Water, and other utility companies, or their designated agent, when deemed to be in the County's best interest.

The County Executive also recommends that the Board authorize the Director of DPWES, or his designee, to execute Adjustment Agreements, deeds, and other instruments with VDOT, Dominion, Fairfax Water, and other utility companies, or their designated agent, when deemed to be in the County's best interest.

TIMING:

Board action is requested on March 21, 2023, to allow County staff to proceed with final negotiation and execution for a pending Betterment Agreement, deeds, and other instruments with VDOT for sanitary sewer collection system improvements proposed to be incorporated under VDOT's 495 NEXT project.

BACKGROUND:

The implementation of capital construction projects by VDOT, Dominion, Fairfax Water, and other utility companies frequently entails impact to the County's sanitary sewer and stormwater capital infrastructure. In order to address the impact of capital construction

projects by these external agencies on County sanitary sewer and stormwater infrastructure there are two primary forms of agreements:

- 1) Adjustments Agreements - this form of agreement is to address conflicts and required alterations to county infrastructure in cases where 100 percent of any cost is to be borne by VDOT, Dominion, Fairfax Water, or other utility companies. The County does not have a cost obligation under the Adjustment Agreements. Adjustment Agreements may also include deeds and other instruments.
- 2) Betterment Agreements - this form of agreement allows upgrades to the county infrastructure, usually sewer or stormwater, as part of the capital construction project being implemented and managed by VDOT, Dominion, Fairfax Water, or other utility companies. In a Betterment Agreement, VDOT or the utility company's contractor performs the work, while the County agrees to bear the cost for the portion of the sanitary sewer or stormwater infrastructure work that is requested by the county as an upgrade, or "betterment." These upgrades or betterments create efficiencies by facilitating needed County improvements as part of a VDOT or utility company project. Aligning the County's planned improvements, through a Betterment Agreement, with work undertaken by VDOT or the utility companies lessens disruptions because DPWES will not need to separately implement the improvements after completion of VDOT and utility company projects. Disruption to recently completed work is avoided, and a savings in overhead cost is typically realized by the County. A Betterment Agreement would not require the county to pay for infrastructure work that is not an upgrade or improvement. Betterment Agreements may also include deeds and other instruments.

In a July 31, 2012, memorandum, the County Executive advised the Board of Supervisors that unless otherwise directed, the Deputy Director of DPWES will execute agreements, deeds, and other agreements on behalf of the County as related to the adjustment of sanitary sewer infrastructure for VDOT projects. That memorandum is limited to infrastructure agreements with VDOT for which the County bears no cost obligation, Adjustment Agreements for VDOT projects, only.

In order to expedite the County process for approving future Adjustment Agreements and Betterment Agreements, including the pending agreements on the VDOT 495 NEXT project, staff recommends approval of this Action Item. The County cost obligation for Betterment Agreements varies by individual project. As in the case of the pending VDOT 495 Next project, betterment costs may be on the order of hundreds of thousands of dollars to in excess of \$1 Million. Staff will coordinate all proposed Adjustment and Betterment Agreements with appropriate county agencies, including the appropriate Board members. DPWES will provide a Not In Package memorandum to the County Executive and Board to provide notification of any Betterment Agreement

executed in an amount exceeding \$200,000, consistent with other capital construction contracting processes.

EQUITY IMPACT:

Staff has determined that this delegation of signature authority to DPWES will not result in any adverse equity impact. The Adjustment and Betterment Agreements address changes and upgrades to public sanitary sewer and stormwater infrastructure at locations necessitated by VDOT or utility company managed infrastructure projects. Changes to the county infrastructure approved under the Adjustment Agreements are infrastructure changes necessitated by the VDOT or utility company project with the intent of maintaining the current level and location of service for the impacted county infrastructure. The work performed on County infrastructure under the Betterment Agreements will be at locations and timing of opportunity directly associated with the VDOT or utility company projects, and County staff will continue to monitor these betterment opportunities to assure no adverse equity impact. Betterment Agreements present an opportunity for County infrastructure upgrades that are in the County's best interest to implement as part of the VDOT or utility company project, and staff will exercise due diligence to assure compatibility with the approved Capital Improvement Program (CIP), cost effectiveness in use of County taxpayer funds on capital projects.

The county sanitary sewer and storm sewer infrastructure is intended to serve all areas of the County, equitably, and staff review of necessary adjustments and opportunities for betterments will continue to evaluate the location and community impact of these adjustments and betterments to assure a neutral or positive equity impact to the citizens and community, and to assure implementation is cost effective, and consistent with county capital infrastructure priorities.

Although Adjustment and Betterment Agreements do not explicitly consider equity impacts, County staff will be proactive to identify and assess specific equity impacts that could arise from the scope of these agreements and the impact on communities or residents.

Rationale:

- The equity impact assessment is warranted, but staff concludes this action will not have any negative impact on equity.
- The project scope and location for VDOT and utility company infrastructure projects is determined by these external organizations, and County staff will review Adjustment and Betterment Agreements to assure they are equity neutral or equity positive.
- Noting that Staff will assure proposed betterments to County infrastructure are cost effective and consistent with the CIP and Asset Management priorities will

Board Agenda Item
March 21, 2023

aid in assuring a neutral or positive equity impact, but does not exclude the County from the equity assessment.

Positive Equity Impacts for County Infrastructure and Adjustment/Betterment Agreements:

- Capital project site locations and project scope are defined by VDOT or the utility companies, and County staff will have the opportunity to review proposed adjustments and betterments to County infrastructure for Equity Impact Assessment at the design phase of the external project.
- Although the scope and location of adjustments and betterments to County infrastructure are driven by the location, scope and design of VDOT and utility company projects, County staff will leverage the opportunity to review the project and be proactive to identify and assess any design aspects that may have an equity impact on the community or residents.

FISCAL IMPACT:

The capital construction cost to be borne by the County for Betterment Agreements will be funded from Fund 40100, Stormwater Services, or Fund 69300, Sewer Construction Improvements, and the scope and necessity for such betterments will be coordinated with the County CIP and DPWES Asset Management priorities. The County's cost share for such betterments to sanitary sewer and stormwater infrastructure will not impact the General Fund or General Obligation Bond funded projects.

ENCLOSED DOCUMENTS:

Attachment 1 - Memorandum of July 31, 2012, from County Executive to the Board

STAFF:

Tom Biesiadny, Director, Department of Transportation
Lee Ann Pender, Director, Department of Procurement and Material Management
Christopher Herrington, Director, Department of Public Works and Environmental Services (DPWES)
Carey Needham, Deputy Director, Capital Facilities, DPWES
Ellie Coddington, Deputy Director, Wastewater Management, DPWES
Shahram Mohsenin, Director, Wastewater Management, DPWES
Craig Carinci, Director, Stormwater Planning, DPWES

ASSIGNED COUNSEL:

Patricia McCay, Senior Assistant County Attorney



County of Fairfax, Virginia

MEMORANDUM

DATE: JUL 31 2012

TO: Board of Supervisors

FROM: Edward L. Long Jr.
County Executive

SUBJECT: Delegation of Signature Authority to Deputy Director of DPWES for Agreements, Deeds, and Other Instruments Related to the Adjustment of Sanitary Sewer Facilities for VDOT Projects

The purpose of this memorandum is to advise you that, unless otherwise directed by the Board of Supervisors, the Deputy Director of the Department of Public Works and Environmental Services (DPWES) will execute agreements, deeds, and other instruments on behalf of the County of Fairfax related to the adjustment of sanitary sewer facilities for Virginia Department of Transportation (VDOT) projects.

The implementation of VDOT road improvement projects normally involves the adjustment of existing utility facilities, including sanitary sewers. Frequently, VDOT road improvement projects impact existing Fairfax County sanitary sewer facilities. In order to resolve these conflicts, work on manhole adjustments, and relocations of the existing sanitary sewer facilities are required. These adjustments will be, or have been, included in the highway construction contracts. VDOT generally is responsible for bearing 100% of the cost of sanitary sewer adjustments and relocations as part of the VDOT project cost.

By Memorandum dated May 11, 2004, then-County Executive Anthony H. Griffin made a similar delegation of signature authority to the Deputy Director of DPWES. The purpose of this Memorandum is to ensure that this signature authority extends to all agreements, deeds, and other instruments related to all VDOT projects and not just to the specific projects listed in the May 11, 2004, Memorandum.

Therefore, in order to expedite the approval process to resolve conflicts with existing utilities, unless directed otherwise, I will delegate the authorization to the Deputy Director, DPWES, to approve individual agreements, deeds, and other instruments for the adjustment of sanitary sewer facilities related to VDOT projects.

Office of the County Executive
12000 Government Center Parkway, Suite 552
Fairfax, VA 22035-0066
703-324-2531, TTY 703-222-5494, Fax 703-324-3956
www.fairfaxcounty.gov

Board of Supervisors

Delegation of Signature Authority to Deputy Director of DPWES for Agreements, Deeds, and Other Instruments Related to the Adjustment of Sanitary Sewer Facilities for VDOT Projects

Page 2

If you have any questions, please contact Ronald N. Kirkpatrick, Deputy Director of DPWES, at 703-324-5366.

Attachments: May 11, 2004, memo from Griffin to Board

**cc: Robert A. Stalzer, Deputy County Executive
David P. Bobzien, County Attorney
Elizabeth D. Teare, Deputy County Attorney
Ronald N. Kirkpatrick, Deputy Director, Department of Public Works & Environmental Services, Capital Facilities**

#121084

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: BOARD OF SUPERVISORS

DATE: May 11, 2004

FROM: Anthony H. Griffin
County Executive

AHG

SUBJECT: Virginia Department of Transportation
Agreements for Sanitary Sewer Adjustments

The purpose of this memorandum is to advise you that, unless otherwise directed by the Board of Supervisors, the Department of Public Works and Environmental Services (DPWES) will execute the agreements between the County of Fairfax and the Virginia Department of Transportation (VDOT) for the adjustment of sanitary sewer facilities, which are in conflict with the following proposed highway work:

Fairfax County	VDOT Project Number
Route 95/Part of Mixing Bowl 1/	0095-96A-106, C501 (PPMS #18138)
Route 613/Beulah Street 1/	0613-029-309, C501 (PPMS #5554)
Route 608/West Ox Road	0608-029-301, C503 (PPMS #16504)
Route 645/Durke Lake Road	0645-029-253, C503 (PPMS #3565)

1/ Construction in progress

The implementation of VDOT road improvement projects normally involves the adjustment of existing utility facilities, including sanitary sewers. Each of the above VDOT road improvement projects impacts existing Fairfax County sanitary sewer facilities. In order to resolve these conflicts, several manhole adjustments and relocations of the existing sanitary sewer facilities are required. These adjustments and relocations will be, or have been, included in the highway construction contract. Based upon Fairfax County's prior rights, it has been determined that VDOT is responsible for bearing 100% of the cost of the sanitary sewer adjustments and relocations as part of the VDOT project cost.

* The Deputy Director of DPWES routinely approves proposals to relocate/adjust conflicting utility facilities. Therefore, in order to expedite the approval process to resolve conflicts with existing utilities, unless directed otherwise, I will delegate the authorization to the Deputy Director, DPWES, to approve individual VDOT agreements for the adjustment of sanitary sewer facilities.

AD OF SUPERVISORS
OT Agreements for Sanitary Sewer Adjustments
Page 2

If you have any questions, please contact Ronald N. Kirkpatrick, Director, Planning and Design Division at 703-324-5800.

AHG/ml

cc: David P. Bohzian, County Attorney
R. Scott Wynn, Assistant County Attorney
✓ Terrie D. Jenkins, Acting Director, DPWES

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, as identified below, where discussion in an open session would adversely affect the negotiating or litigating posture of the public body, as well as consultation with legal counsel regarding specific legal matters listed below requiring the provision of legal advice by such counsel, all as permitted by Virginia Code § 2.2-3711(A) (7) and (8).
 - 1. *Paulina Arias v. Michael Filius*, Case No. GV22-002497 (Fx. Co. Gen. Dist. Ct.)
 - 2. *Sirena Holdings, LLC v. Fairfax County Department of Public Works and Environmental Services*, Case No. CL-2022-0015016 (Fx. Co. Cir. Ct.) (Dranesville District)
 - 3. *Jay Riat, Building Official for Fairfax County, Virginia v. Kevin T. Nguyen and Tina P. Huynh*, Case No. GV22-020188 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
 - 4. *Leslie B. Johnson, Fairfax County Zoning Administrator v. David A. Vallo & Amiastris W. Vallo*, Case No. GV23-002464 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
 - 5. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Sedaka A. Tomasto Tomateo, Juliana N. Lopez Mallqui, and Jose L. Lopez La Rosa*, Case No. CL-2022-0013231 (Fx. Co. Cir. Ct.) (Franconia District)
 - 6. *Jay Riat, Building Official for Fairfax County, Virginia v. Guenter Pfeil*, Case No. GV22-016106 (Fx. Co. Gen. Dist. Ct.) (Franconia District)
 - 7. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Yon Chol Pak and Sun Yee Pak*, Case No. CL-2022-0000780 (Fx. Co. Cir. Ct.) (Hunter Mill District)
 - 8. *Gabriel M. Zakkak, Property Maintenance Code Official for Fairfax County, Virginia v. Gayle L. Shura, Trustee of the Gayle L. Shura Living Trust, dated April 22, 2004*, Case No. CL-2023-0002968 (Fx. Co. Cir. Ct.) (Hunter Mill District)

9. *Jay Riat, Building Official for Fairfax County, Virginia v. Jouhad Boutros Dagher*, Case No. GV22-019851 (Fx. Co. Gen Dist. Ct.) (Mason District)
10. *Jay Riat, Building Official for Fairfax County, Virginia v. Pech Chenda Nak, Pechseda Nak, Erik Bruner-Yang, and Polin Ang*, Case No. GV22-020707 (Fx. Co. Gen Dist. Ct.) (Mason District)
11. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Jane Taylor*, Case No. GV23-003017 (Fx. Co. Gen. Dist. Ct.) (Mason District)
12. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Westminster School, Inc.*, Case No. GV23-003018 (Fx. Co. Gen. Dist. Ct.) (Mason District)
13. *Jay Riat, Building Official for Fairfax County, Virginia v. JCR Lorton Station Investors, LLC and Lasani Food Inc.*, Case No. GV22-013801 (Fx. Co. Gen Dist. Ct.) (Mount Vernon District)
14. *Jay Riat, Building Official for Fairfax County, Virginia v. Richard T. Downey, Trustee of the Richard T. Downey Trust*, Case No. GV22-019725 (Fx. Co. Gen Dist. Ct.) (Mount Vernon District)
15. *Jay Riat, Building Official for Fairfax County, Virginia v. Suffies, LLC*, Case No. GV22-011191 (Fx. Co. Gen Dist. Ct.) (Providence District)
16. *Gabriel M. Zakkak, Property Maintenance Code Official for Fairfax County, Virginia v. Pauline Mock*, Case No. GV23-002465 (Fx. Co. Gen. Dist. Ct.) (Springfield District)
17. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Pauline Mock*, Case No. GV23-002467 (Fx. Co. Gen. Dist. Ct.) (Springfield District)
18. *Jay Riat, Building Official for Fairfax County, Virginia v. Mario Amaro*, Case No. CL-2022-0010569 (Fx. Co. Cir. Ct.) (Sully District)
19. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Quoc K. Troung*, Case No. GV22-019064 (Fx. Co. Gen. Dist. Ct.) (Sully District)
20. *Board of Supervisors of Fairfax County, Virginia v. McGee Garden Center, LLC, and Gloria Carhuancho McGee*, Case No. GV23-003659 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)

Board Agenda Item
March 21, 2023

3:30 p.m.

Public Hearing on SE 2022-SP-00043 (PNC Bank, NA) to Permit a Drive-Through Financial Institution. Located on Approximately 10.09 Acres of Land (Springfield District)

This property is located at 8436 Old Keene Mill Rd., Springfield, 22152. Tax Map 79-3 ((5)) 1B.

PLANNING COMMISSION RECOMMENDATION:

~~The Planning Commission's Public Hearing on this application is scheduled for March 15, 2023. The Planning Commission's recommendation will be forwarded upon decision.~~

On March 15, 2023, the Planning Commission voted 10-0 (Commissioner Jimenez was absent from the meeting; Commissioner Spain was not present for the vote) to recommend to the Board of Supervisors the following actions:

- **Approval of SE 2022-SP-00043, subject to the proposed development conditions dated February 28, 2023; and**
- **Approval of a reaffirmation of the previously approved transitional screening modification and waiver of barrier requirements to that shown on the SE Plat.**

ENCLOSED DOCUMENTS:

Additional information available online at:

<https://www.fairfaxcounty.gov/planning-development/board-packages>

Planning Commission Meetings Video Archive available online at:

<https://www.fairfaxcounty.gov/cableconsumer/channel-16/planning-commission-meetings-video-archives>

STAFF:

Suzanne L. Wright, Director, Zoning Evaluation Division, Department of Planning and Development (DPD)

Damaris Martinez, Planner, DPD

Board Agenda Item
March 21, 2023

3:30 p.m.

Public Hearing on SEA 2007-SP-001-02 (Costco Wholesale Corporation) to Amend SE 2007-SP-001, Previously Approved for Retail Sales Establishment-Large and Service Station to Permit an Expansion of the Vehicle Fueling Station and Associated Modifications to Site Design and Development Conditions, Located on Approximately 16.17 Acres of Land (Springfield District)

This property is located at 4725 West Ox Rd., Fairfax, 22030. Tax Map 56-1 ((1)) 5C.

PLANNING COMMISSION RECOMMENDATION:

On February 8, 2023, the Planning Commission voted 10-0 (Commissioner Jimenez was absent from the meeting and Commissioner Lagana was not present for the vote) to recommend to the Board of Supervisors the following:

- Approval of SEA 2007-SP-001-02, subject to the development conditions dated February 7, 2023; and
- Approval of the reaffirmation of the previously approved modification of transitional screening and the waiver of barrier requirements along the eastern property line, in favor of that shown on the SE Plat and that previously approved.

ENCLOSED DOCUMENTS:

Additional information available online at:

<https://www.fairfaxcounty.gov/planning-development/board-packages>

Planning Commission Meetings Video Archive available online at:

<https://www.fairfaxcounty.gov/cableconsumer/channel-16/planning-commission-meetings-video-archives>

STAFF:

Suzanne L. Wright, Director, Zoning Evaluation Division, Department of Planning and Development (DPD)

Emma Estes, Planner, DPD

Board Agenda Item
March 21, 2023

3:30 p.m.

Public Hearing on SEA 95-Y-024-07 (Costco Wholesale Corporation) to Amend SE 95-Y-024, Previously Approved for an Increase in Area and Height for Two Freestanding Signs, an Increase in Building Height for Two Hotels and a Service Station in a Highway Corridor Overlay District, to Permit an Expansion of the Vehicle Fueling Station and Associated Modifications to Site Design and Development Conditions, Located on Approximately 13.38 Acres of Land (Sully District)

This property is located at 14390 Chantilly Crossing Ln., Chantilly, 20151. Tax Map 34-3 ((1)) 41B.

PLANNING COMMISSION RECOMMENDATION:

On February 8, 2023, the Planning Commission voted 11-0 (Commissioner Jimenez was absent from the meeting) to recommend to the Board of Supervisors approval of SEA 95-Y-024-07, subject to the development conditions dated February 7, 2023.

ENCLOSED DOCUMENTS:

Additional information available online at:

<https://www.fairfaxcounty.gov/planning-development/board-packages>

Planning Commission Meetings Video Archive available online at:

<https://www.fairfaxcounty.gov/cableconsumer/channel-16/planning-commission-meetings-video-archives>

STAFF:

Suzanne L. Wright, Director, Zoning Evaluation Division, Department of Planning and Development (DPD)

Emma Estes, Planner, DPD

**To be Deferred to
5/9/2023 at 3:30 p.m.**

Board Agenda Item
March 21, 2023

3:30 p.m.

Public Hearing on RZ 2022-SU-00010 (Matan Glorus Road, LLC) to Rezone From I-3, I-4, WS and AN to I-4, WS and AN to Allow an Expansion of a Surface Parking Area Serving a Previously Approved Industrial Development Consisting of Office/Warehouse/Data Center Uses and an Overall Floor Area Ratio of 0.20, Located on Approximately 16.31 Acres of Land (Sully District)

This property is located at 14850 Thompson Rd., 3700 Barney Rd., and 3720 Barney Rd., Chantilly, 20151. Tax Map 33-2 ((2)) 9, 9A and 10D and a portion of the Barney Rd. public right-of-way to be vacated and/or abandoned. (Approval of this application may enable the vacation and/or abandonment of portions of the public right-of-way for Barney Rd. to proceed).

PLANNING COMMISSION RECOMMENDATION:

On March 8, 2023, the Planning Commission voted 11-0 (Commissioner Jimenez was absent from the meeting) to defer the public hearing for RZ 2022-SU-00010 to a date certain of April 26, 2023. The Planning Commission's recommendation will be forwarded upon decision.

ENCLOSED DOCUMENTS:

Additional information available online at:

<https://www.fairfaxcounty.gov/planning-development/board-packages>

Planning Commission Meetings Video Archive available online at:

<https://www.fairfaxcounty.gov/cableconsumer/channel-16/planning-commission-meetings-video-archives>

STAFF:

Suzanne L. Wright, Director, Zoning Evaluation Division, Department of Planning and Development (DPD)

Damaris Martinez, Planner, DPD

Board Agenda Item
March 21, 2023

3:30 p.m.

Public Hearing on RZ 2016-SP-033 (Merit Investment, LLC) to Rezone From R-1 to PDH-3 to Permit Residential Development With an Overall Density of 1.34 Dwelling Units per Acre, Located on Approximately 2.24 Acres of Land (Springfield District)

This property is located on the northeast side of Center Road, approximately 1,800 feet southwest of its intersection with Rolling Road. Tax Map 79-3 ((6)) 11.

PLANNING COMMISSION RECOMMENDATION:

On February 15, 2023, the Planning Commission voted 12-0 to recommend to the Board of Supervisors approval of RZ 2016-SP-033 and its associated Conceptual Development Plan, subject to the execution of proffered conditions dated December 28, 2022.

In a related action, the Planning Commission voted 12-0 to approve FDP 2016-SP-033, subject to the Board of Supervisors' approval of the concurrent rezoning application.

ENCLOSED DOCUMENTS:

Additional information available online at:

<https://www.fairfaxcounty.gov/planning-development/board-packages>

Planning Commission Meetings Video Archive available online at:

<https://www.fairfaxcounty.gov/cableconsumer/channel-16/planning-commission-meetings-video-archives>

STAFF:

Suzanne L. Wright, Director, Zoning Evaluation Division, Department of Planning and Development (DPD)

Tabatha Cole, Planner, DPD

Board Agenda Item
March 21, 2023

3:30 p.m.

Public Hearing on PCA 80-S-008-02 (RZPA 2022-SU-00095) (Virginia Medical Transport, LLC) to Amend the Proffers for RZ 80-S-008 Previously Approved for Industrial Development to Permit Vehicle Light and Major Service Establishment and Associated Modifications to Proffers and Site Design With an Overall Floor Area Ratio of 0.46, Located on Approximately 2.33 Acres of Land (Sully District)

This property is located at 13939 Willard Rd., Chantilly, 20151. Tax Map 44-2 ((11)) 1A.

PLANNING COMMISSION RECOMMENDATION:

On February 15, 2023, the Planning Commission voted 12-0 to recommend to the Board of Supervisors approval the following actions:

- Approval of PCA 80-S-008-02, subject to the execution of proffered conditions consistent with those dated January 26, 2023, and the inclusion of additional language stating that no services will be performed outside of the facility; and
- Approval of a modification of Section 4102.5.OO.3.B of the Zoning Ordinance to allow direct access to Willard Road.

ENCLOSED DOCUMENTS:

Additional information available online at:

<https://www.fairfaxcounty.gov/planning-development/board-packages>

Planning Commission Meetings Video Archive available online at:

<https://www.fairfaxcounty.gov/cableconsumer/channel-16/planning-commission-meetings-video-archives>

STAFF:

Suzanne L. Wright, Director, Zoning Evaluation Division, Department of Planning and Development (DPD)

Sharon Williams, Planner, DPD

Board Agenda Item
March 21, 2023

4:00 p.m.

Public Hearing on a Proposal to Vacate a Portion of Barney Road (Sully District)

ISSUE:

Public hearing on a proposal to vacate a portion of Barney Road.

RECOMMENDATION:

The County Executive recommends that the Board adopt the attached ordinance (Attachment III) for vacation of the subject right-of-way.

TIMING:

On December 6, 2022, the Board authorized the public hearing to consider the proposed vacation for March 21, 2023, at 4:00 p.m. The applicant has requested a deferral to allow time to resolve issues that a neighboring property owner has presented. The public hearing on a proposal to vacate a portion of Barney Road to be deferred to May 9, 2023, at 4:00 p.m.

BACKGROUND:

The applicant, Walsh Colucci Lubeley & Walsh PC, on behalf of their client, Matan Glorus Road, LLC, is requesting that a portion of Barney Road be vacated under §15.2-2272(2) of the Virginia Code. The applicant is seeking this request to support the consolidation and the development of their parcels (Tax Map Nos. 33-2 ((2))-0009, 33-2 ((2))-009A, and 33-2 ((2))-010D). The applicant has filed a rezoning (RZ-2022-SU-00010) for the expansion of a surface parking area that will serve an adjacent approved industrial development (approved RZ 2020-SU-002).

The subject portion of Barney Road, north of Thompson Road and south of Adkins Road, is unconstructed. The subject portion of Barney Road was dedicated as part of the "Fairwood Estates" (Deed Book 1099, Page 404) on the plat dated July 31, 1953. The subject portion of Barney Road is not in the VDOT Secondary System of Highways.

Traffic Circulation and Access

The vacation will have no long-term impact on pedestrian, transit, or vehicle circulation and access.

Vacation

The project manager has concluded that the vacation proposed meets Virginia Code 15.2-2272 criteria and will not cause irreparable damage to any lots.

The proposal to vacate this right-of-way was circulated to the following public agencies and utility companies for review: Office of the County Attorney, Department of Public Works and Environmental Services, Fairfax County Department of Transportation, Department of Planning and Development, Fairfax County Park Authority, Fairfax County Water Authority, Fairfax County School Board, Fire and Rescue, Virginia Department of Transportation, Dominion Virginia Power, Washington Gas, and Verizon. None of these indicated any opposition to the proposal.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment I: Application Letter of Justification

Attachment II: Notice of Intent to Vacate

Attachment III: Ordinance of Vacation

Attachment IV: Metes and Bounds

Attachment V: Vacation Plat

Attachment VI: Vicinity Map

STAFF:

Rachel Flynn, Deputy County Executive

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

Jeff Hermann, Division Chief, FCDOT-Site Analysis & Transportation Planning Division

Greg Fuller, Section Chief, FCDOT-Site Analysis Section (SAS)

Michelle Guthrie, FCDOT-SAS

Jeffrey Edmondson, FCDOT-SAS

ASSIGNED COUNSEL:

Randall Greehan, Assistant County Attorney



**WALSH COLUCCI
LUBELEY & WALSH PC**

H. Mark Goetzman
Phone: 703.528.4700 x5452
Fax: 703.528.6050
mgoetzman@thelandlawyers.com

April 20, 2022

BY COURIER AND ELECTRONIC MAIL

Gavin Derleth, Michelle Guthrie and Jeffrey Edmondson
Fairfax County Department of Transportation
4050 Legato Rd, Ste 400
Fairfax, VA 22033-2895

Re: Request for Proposed Vacation of portions of Barney Road, Sully
District, Fairfax County, Virginia

Dear Gavin, Michelle and Jeffrey:

This letter constitutes a request and statement of justification to vacate portions of Barney Road, Fairfax County, Virginia. The four portions of Barney Road to be vacated are located in the Sully Magisterial District (hereinafter referred to as "**Vacation Area 1**", "**Vacation Area 2**", "**Vacation Area 3**", and "**Vacation Area 4**"; collectively, the "**Vacation Areas**"). This request is made on behalf of Matan Glorus Road, LLC, a Virginia limited liability company ("**Applicant**"). By way of background, the Applicant has recently filed a RZ-2022-SU-00010 and Proffered Condition Amendment Application RZPA-2022-SU-00049 for the proposed rezoning and proffered condition amendment to allow the expansion of a surface parking area that is currently being constructed to serve an industrial development that was approved by the Fairfax County Board of Supervisors in conjunction with RZ 2020-SU-002 (collectively, "**Rezoning/PCA Application**"). The Rezoning/PCA Application is filed on approximately 16.14 acres consisting of Tax Map Parcel #'s 33-2 ((2)) 9, 33-2 ((2)) 9A, 33-2 ((2)) 10D, and a portion of the Vacation Areas.

The Vacation Areas to be vacated are shown on the plat entitled "Plat Showing Vacation of Portions of Barney Road Fairwood Estates, Deed Book 1099 Page 404, Sully District, Fairfax County, Virginia" prepared by VIKA Virginia LLC, dated February 28, 2022, and revised as of March 18, 2022.

The parcels located adjacent to the Vacation Areas are Tax Map Parcel #'s 33-2 ((2)) 9, 33-2 ((2)) 9A, 33-2 ((2)) 10D, and 33-2 ((2)) 10A1. The Applicant is the owner of Tax Map Parcel #'s 33-2 ((2)) 9, 33-2 ((2)) 9A, and 33-2 ((2)) 10D. Stonecroft Lee LLC, which owns Tax Map Parcel # 33-2 ((2)) 10A1, is agreeable to the vacation.

The Vacation Areas were dedicated for public street purposes, by virtue of that certain Deed of Dedication recorded in Deed Book 1099 at Page 404, among the land records of Fairfax County, Virginia. In conjunction with the proposed Rezoning/PCA Application, the Applicant requests the vacation of the Vacation Areas, as the Vacation Areas consist of a "paper street" only, having never been constructed and unlikely to be constructed due to the presence of Resource Protection Area, floodplain, and environmentally sensitive areas to the north and west of the Vacation Areas. The Vacation Areas are not required for roadway purposes.

ATTORNEYS AT LAW

703 528 4700 ■ WWW.THELANDLAWYERS.COM
2200 CLARENDON BLVD. ■ SUITE 1300 ■ ARLINGTON, VA 22201-3359

LOUDOUN 703 737 3633 ■ PRINCE WILLIAM 703 680 4664 ■ WINCHESTER 540 667 4912

The vacation of the Vacation Areas is requested pursuant to Virginia Code Sections 15.2-2272.

The total area to be vacated is 41,722 square feet.

I request your review of this application as soon as possible. If you have any questions or require additional information, please do not hesitate to contact me.

Very truly yours,
WALSH, COLUCCI, LUBELEY & WALSH, P.C.


H. Mark Goetzman

cc: Alysia Yi
Robert Brant
Frank Jenkins
Brian Morris

REVISED

NOTICE OF INTENT TO
ADOPT AN ORDINANCE VACATING
PARTS OF A PLAT ON WHICH IS SHOWN

(Barney Road)

Sully District,
Fairfax County, Virginia

Notice is hereby given that the Board of Supervisors of Fairfax County, Virginia, will hold a public hearing on May 9, 2023, at 4:00 PM during its regular meeting in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia, pursuant to Virginia Code Ann. § 15.2-2204 and §15.2-2272, vacating portions of Barney Road totaling approximately 42,021 square feet, which are part of the plats, recorded in Deed Book 1099, at Page 404, and in Deed Book 27323, at Page 459. The road is located adjacent to Tax Map Parcel Numbers 33-2 ((2)) 9, 33-2 ((2)) 9A, 33-2 ((2)) 10D, and 33-2 ((2)) 10A1, and is described and shown on the metes and bounds schedules dated March 10, 2022 and August 30, 2022 respectively, and on the plat dated February 28, 2022, revised as of March 18, 2022, and further revised as of August 30, 2022, each prepared by VIKA Virginia LLC, all of which are on file in the Fairfax County Department of Transportation, 4050 Legato Road, Suite 400, Fairfax, Virginia 22033, Telephone Number (703) 877-5600.

All persons wishing to speak on this subject may call the Office of the Clerk to the Board, (703) 324-3151, to be placed on the Speaker's List, or may appear and be heard.

SULLY DISTRICT.

REVISED

ADOPTION OF AN ORDINANCE VACATING
PARTS OF A PLAT ON WHICH IS SHOWN

(Barney Road)

Sully District,
Fairfax County, Virginia

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Governmental Center in Fairfax County, Virginia, on May 9, 2023, at which meeting a quorum was present and voting, the Board, after conducting a public hearing upon due notice given pursuant to Virginia Code Ann. §15.2-2204 and as otherwise required by law, adopted the following ordinance, to-wit:

BE IT ORDAINED by the Board of Supervisors of Fairfax County, Virginia: that Parts of the Plats showing street dedication of Barney Road, recorded in Deed Book 1099 at Page 404 and in Deed Book 27323 at Page 459, on which is shown Barney Road, comprising a total area of 42,021 square feet, located adjacent to Tax Map Parcel Numbers 33-2 ((2)) 9, 33-2 ((2)) 9A, 33-2 ((2)) 10D, and 33-2 ((2)) 10A1, and described and shown on the metes and bounds schedules dated March 10, 2022, and August 30, 2022, respectively, and on the plat dated February 28, 2022, revised as of March 18, 2022, and further revised as of August 30, 2022, prepared by VIKA Virginia LLC, and attached hereto and incorporated herein, be and the same are hereby vacated, pursuant to Virginia Code Ann. §15.2-2272.

This vacation is subject to any right, privilege, permit, license, easement, in favor of any public service company, utility, or other person or entity, including any political subdivision, whether located above, upon, or under the surface, either currently in use or of record, including the right to operate, maintain, replace, alter, extend, increase, or decrease in size any facilities in the vacated roadway, without any permission of the landowner.

A Copy Teste:

Jill G. Cooper
Clerk to the Board of Supervisors

VIKA Virginia, LLC
 8180 Greensboro Dr.
 Suite 200
 Tysons, VA 22102
 703.442.7800
vika.com

VACATION AREA 1

**MARCH 10, 2022
 DESCRIPTION OF
 A PORTION OF BARNEY ROAD
 DEED BOOK 1099 PAGE 404
 FAIRFAX COUNTY, VIRGINIA**

Being a portion of Barney Road, unimproved public right-of-way, as recorded in Deed Book 1099 at Page 404, among the Land Records of Fairfax County, Virginia and being more particularly described as follows:

Beginning at an iron pipe found, said iron pipe marking the intersection of the westerly right-of-way line of Barney Road, unimproved public right-of-way, as recorded in Deed Book 1099 at Page 404 and the northerly right-of-way line of Thompson Road, fifty-foot public right-of-way, as recorded in Deed Book 1099 at Page 404, all among the aforesaid Land Records, said point also being the southeast corner of Parcel 9A Fairwood Estates, as recorded in Deed Book 1099 at Page 404, among the aforesaid Land Records; thence running with the said westerly right-of-way line of Barney Road the following course and distance

1. North 32°34'17" East, 149.05 feet to an iron pipe found, said iron pipe marking the northeasterly most corner of said Parcel 9A and the southeasterly most corner of Parcel 9 Fairwood Estates, as recorded in Deed Book 1099 at Page 404, among the aforesaid Land Records; thence running so as to cross and include a portion of Barney Road the following two courses and distances:
2. South 58°49'22" East, 22.59 feet to the centerline of Barney Road; thence running with the said centerline of Barney Road the following course and distance
3. South 32°47'01" West, 142.38 feet to a point on the aforementioned northerly right-of-way line of Thompson Road; thence running with the said northerly right-of-way line of Thompson Road the following course and distance
4. North 75°33'10" West, 23.20 feet to the point of beginning and containing 3,250 square feet or 0.07461 acres of land more or less.

Q:\Projects\8136\8136E\CADD\SURVEYS\LEGAL DESCRIPTIONS\8136E 2022-03-10 BARNEY ROAD VAC AREA 1.docx



VIKA Virginia, LLC
 8180 Greensboro Dr.
 Suite 200
 Tysons, VA 22102
 703.442.7800
vika.com

VACATION AREA 2

**MARCH 10, 2022
 DESCRIPTION OF
 A PORTION OF BARNEY ROAD
 DEED BOOK 1099 PAGE 404
 FAIRFAX COUNTY, VIRGINIA**

Being a portion of Barney Road, unimproved public right-of-way, as recorded in Deed Book 1099 at Page 404, among the Land Records of Fairfax County, Virginia and being more particularly described as follows:

Beginning at an iron pipe found, said iron pipe being the northeasterly most corner of Parcel 9A and the southeasterly most corner of Parcel 9 Fairwood Estates, as recorded in Deed Book 1099 at Page 404, among the aforesaid Land Records; thence running with the said westerly right-of-way line of Barney Road the following course and distance

1. North 32°34'17" East, 724.34 feet to an iron pipe found on the southerly right-of-way line of Adkins Road, fifty-foot unimproved public right-of-way, as recorded in Deed Book 1099 at Page 404, among the aforesaid Land Records said iron pipe also being the northeasterly corner of said Parcel 9; thence running with the said southerly right-of-way line of Adkins Road the following course and distance:
2. South 39°49'17" East, 26.47 feet to the centerline of Barney Road; thence running so as to cross and include a portion of Barney Road the following two courses and distances
3. South 32°47'01" West, 858.17 feet to a point; thence
4. North 58°49'22" West, 22.59 feet to the point of beginning and containing 17,218 square feet or 0.39527 acres of land more or less.

Q:\Projects\8136\8136E\CADD\SURVEYS\LEGAL DESCRIPTIONS\8136E 2022-03-10 BARNEY ROAD VAC AREA 2.docx



VIKA Virginia, LLC
8180 Greensboro Dr.
Suite 200
Tysons, VA 22102
703.442.7800
vika.com

VACATION AREA 3

**MARCH 10, 2022
DESCRIPTION OF
A PORTION OF BARNEY ROAD
DEED BOOK 1099 PAGE 404
FAIRFAX COUNTY, VIRGINIA**

Being a portion of Barney Road, unimproved public right-of-way, as recorded in Deed Book 1099 at Page 404, among the Land Records of Fairfax County, Virginia and being more particularly described as follows:

Beginning at an iron pipe found, said iron pipe being the northwesterly most corner of Parcel 10C and the southwesterly most corner of Parcel 10 Fairwood Estates, as recorded in Deed Book 25992 at Page 283 and in Deed Book 1099 at Page 404, respectively, all among the aforesaid Land Records; thence running so as to cross and included a portion of Barney Road the following two courses and distances

1. North 89°44'05" West, 29.65 feet to point on the centerline of said Barney Road; thence
2. North 32°47'01" East, 374.50 feet to a point on the southerly right-of-way line of Adkins Road, unimproved fifty-foot public right-of-way, as recorded in Deed Book 1099, at Page 404, among the aforesaid Land Records; thence running with the said southerly right-of-way line of Adkins Road the following course and distance
3. South 39°49'17" East, 26.20 feet to an iron pipe found, said iron pipe marking the northwesterly most corner of aforesaid Parcel 10 Fairwood Estates and the easterly right-of-way line of Barney Road; thence running with the said easterly right-of-way line of Barney Road the following course and distance
4. South 32°47'00" West, 350.73 feet to the point of beginning and containing 9,066 square feet or 0.20813 acres of land more or less.

Q:\Projects\8136\8136E\CADD\SURVEYS\LEGAL DESCRIPTIONS\8136E 2022-03-10 BARNEY ROAD VAC AREA 3.docx



VIKA Virginia, LLC

8180 Greensboro Dr.

Suite 200

Tysons, VA 22102

703.442.7800

vika.com**VACATION AREA 4**

**MARCH 10, 2022
DESCRIPTION OF
A PORTION OF BARNEY ROAD
DEED BOOK 1099 PAGE 404
FAIRFAX COUNTY, VIRGINIA**

Being a portion of Barney Road, unimproved public right-of-way, as recorded in Deed Book 1099 at Page 404, among the Land Records of Fairfax County, Virginia and being more particularly described as follows:

Beginning at an iron pipe found on the northerly right-of-way line of Thompson Road fifty-foot public right-of-way, as recorded in Deed Book 1099 at Page 404, and in Deed Book 25992 at Page 283, all among the aforesaid Land Records; thence running with the said northerly right-of-way line of Thompson Road the following course and distance

1. North 75°33'10" West, 26.34 feet to point on the centerline of said Barney Road; thence running so as to cross and include a portion of Barney Road the following two courses and distances
2. North 32°47'01" East, 483.67 feet to a point; thence
3. South 89°44'05" East, 29.65 feet to an iron pipe found, said iron pipe marking the southwesterly most corner of aforesaid Parcel 10 Fairwood Estates and the northwesterly most corner of aforesaid Parcel 10C; thence running with the said easterly right-of-way line of Barney Road the following course and distance
4. South 32°47'00" West, 491.32 feet to the point of beginning and containing 12,188 square feet or 0.27980 acres of land more or less.

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VIKA Virginia, LLC

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Tysons, VA 22102
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AREA 5

**AUGUST 30, 2022
DESCRIPTION OF
A PORTION OF BARNEY ROAD
DEED BOOK 27323 PAGE 459
FAIRFAX COUNTY, VIRGINIA**

Being a portion of Barney Road, unimproved public right-of-way, as recorded in Deed Book 27323 at Page 459, among the Land Records of Fairfax County, Virginia and being more particularly described as follows:

Beginning at an iron pipe found on the northerly right-of-way line of Thompson Road fifty-foot public right-of-way, as recorded in Deed Book 1099 at Page 404, and in Deed Book 25992 at Page 283, all among the aforesaid Land Records; thence running with the easterly right-of-way line of Barney Road the following course and distance

1. North 32° 47' 00" East, 28.70 feet to point, said point being the southwesterly most corner of Parcel 10C Fairwood Estates, as recorded in Deed Book 27323, at Page 459, among the aforesaid Land Records; thence running so as to cross and include a portion of Barney Road the following two courses and distances
2. South 11° 13' 09" East, 30.04 feet to a point on the aforementioned northerly right-of-way line of Thompson Road; thence
3. North 75° 59' 07" West, 22.04 feet to the point of beginning and containing 299 square feet or 0.00686 acres of land more or less.

Q:\Projects\8136\8136E\CADD\SURVEYS\LEGAL DESCRIPTIONS\8136E 2022-08-30 BARNEY ROAD VAC AREA 5.docx

Our Site Set on the Future.



NOTES:

1. THE ADJACENT PROPERTIES SHOWN HEREON ARE IDENTIFIED ON FAIRFAX COUNTY TAX ASSESSMENT MAP NO. 033-2-02-0009, 033-2-02-0009A, 033-2-02-0010A1, 033-2-02-0010D AND ARE ZONED I-4 AND I-3.
2. THE SUBJECT PROPERTIES ARE LOCATED IN ZONE "AE" (BASE FLOOD ELEVATIONS DETERMINED) AND ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP (FIRM) NUMBER 51059C0115E, COMMUNITY NUMBER 515525 0115 E, FOR FAIRFAX COUNTY VIRGINIA, DATED SEPTEMBER 17, 2010. ZONE "AE" IS IDENTIFIED AS A SPECIAL FLOOD HAZARD ZONE AREA. ZONE "X" IS NOT IDENTIFIED AS A SPECIAL FLOOD HAZARD ZONE AREA.
3. THIS PLAT OF THE PROPERTY SHOWN HEREON IS REFERENCED TO THE HORIZONTAL DATUM OF VIRGINIA STATE GRID NORTH 1983 (VCS 83)
4. THE HORIZONTAL CLOSURE AND ACCURACY OF THE SURVEY CONTROL USED TO PERFORM THIS SURVEY IS 1:125,422 WHICH EXCEEDS THE MINIMUM PRECISION OF 1:20,000 WITH THE ATTENDANT ANGULAR CLOSURE WHICH SUSTAINS THE ERROR OF CLOSURE.
5. THE BOUNDARY INFORMATION SHOWN HEREON IS A COMPILATION OF A FIELD RUN BOUNDARY SURVEY PERFORMED BY VIKI VIRGINIA, LLC AND FROM INFORMATION OF RECORD DEEDS AND/OR PLATS.
6. ALL KNOWN PLOTTABLE EASEMENTS OF RECORD ARE SHOWN HEREON. ALL PREVIOUSLY RECORDED R/W, EASEMENTS OR OTHER INTEREST OF THE COUNTY REMAIN IN FULL FORCE AND EFFECT UNLESS OTHERWISE SHOWN ON THIS PLAT.
7. NO USE SHALL BE MADE OF, NOR SHALL ANY IMPROVEMENTS BE MADE IN THE FLOOD PLAIN EASEMENT WITHOUT THE SPECIFIC AUTHORIZATION FROM FAIRFAX COUNTY.
8. ANY FUTURE EASEMENT OR AUTHORIZATION FOR ELECTRIC, CABLE, TELEPHONE OR GAS SERVICE TO BE FURNISHED TO THE PROPERTY SHOWN ON THIS PLAT SHALL COMPLY WITH THE PROVISIONS OF VIRGINIA CODE 15.2-2241(6).
9. CONSERVATION EASEMENT(S) AS SHOWN, IS/ARE FOR BMP CREDITS, AND IS A WATER QUALITY MANAGEMENT AREA; NO USE SHALL BE MADE OF, NOR SHALL ANY IMPROVEMENTS BE MADE IN, NOR SHALL ANY DISTURBANCE OCCUR IN THE CONSERVATION EASEMENT WITHOUT SPECIFIC AUTHORIZATION FROM FAIRFAX COUNTY.
10. FLOODPLAIN AND STORM DRAINAGE EASEMENT AS SHOWN; NO USE OR IMPROVEMENTS SHALL BE MADE, WITHOUT SPECIFIC AUTHORIZATION FROM FAIRFAX COUNTY.

SURVEYOR'S CERTIFICATE:

I, FRANKLIN E. JENKINS, A LICENSED LAND SURVEYOR IN THE COMMONWEALTH OF VIRGINIA, DO HEREBY CERTIFY THAT I HAVE CAREFULLY SURVEYED THE PROPERTY DELINEATED ON THIS PLAT OF RIGHT-OF-WAY VACATION AND THAT IT IS CORRECT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.

I FURTHER CERTIFY THAT THE LAND EMBRACED BY THIS PLAT OF RIGHT-OF-WAY VACATION LIES ENTIRELY WITHIN THE BOUNDS OF THE ORIGINAL TRACT; THAT THIS PLAT REPRESENTS AN ACCURATE SURVEY OF THE SAME AND THAT THE PROPERTY SHOWN HEREON IS REFERENCED TO THE VIRGINIA COORDINATE SYSTEM OF 1983 (VCS '83), SEE NOTE 3.

FRANKLIN E. JENKINS
LICENSED LAND SURVEYOR
VIRGINIA # 2061

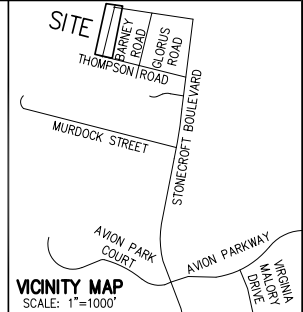


DATED _____

VACATION AREA TABULATION:

EXISTING BARNEY ROAD (PORTIONS VACATED)

VACATION AREA 1.....	3,250 SF OR 0.07461 ACRES
VACATION AREA 2.....	17,218 SF OR 0.39527 ACRES
VACATION AREA 3.....	9,066 SF OR 0.20813 ACRES
VACATION AREA 4.....	12,188 SF OR 0.27980 ACRES
VACATION AREA 5.....	299 SF OR 0.00686 ACRES
TOTAL AREA VACATED.....	42,021 SF OR 0.96467 ACRES



THE INFORMATION, DESIGN, AND CONTENT OF THESE DRAWINGS AND/OR DOCUMENTS HERETO ARE PROPRIETARY TO VIKI VIRGINIA, L.L.C. AND CONSTITUTE ITS PROPRIETARY INTELLECTUAL PROPERTY. THESE DRAWINGS AND/OR DOCUMENTS MUST NOT BE DIGITALLY FORWARDED, SHARED OR COPIED, DIGITALLY CONVERTED, MODIFIED, OR USED FOR ANY PURPOSE, IN ANY FORMAT, WITHOUT PRIOR WRITTEN AUTHORIZATION FROM VIKI VIRGINIA, L.L.C. VIOLATIONS MAY RESULT IN PROSECUTION. ONLY APPROVED, SIGNED AND SEALED PLANS OR DRAWINGS MAY BE UTILIZED FOR CONSTRUCTION PURPOSES. © 2019 VIKI VIRGINIA, LLC

PLAT SHOWING
VACATION OF
PORTIONS OF
BARNEY ROAD
FAIRWOOD ESTATES

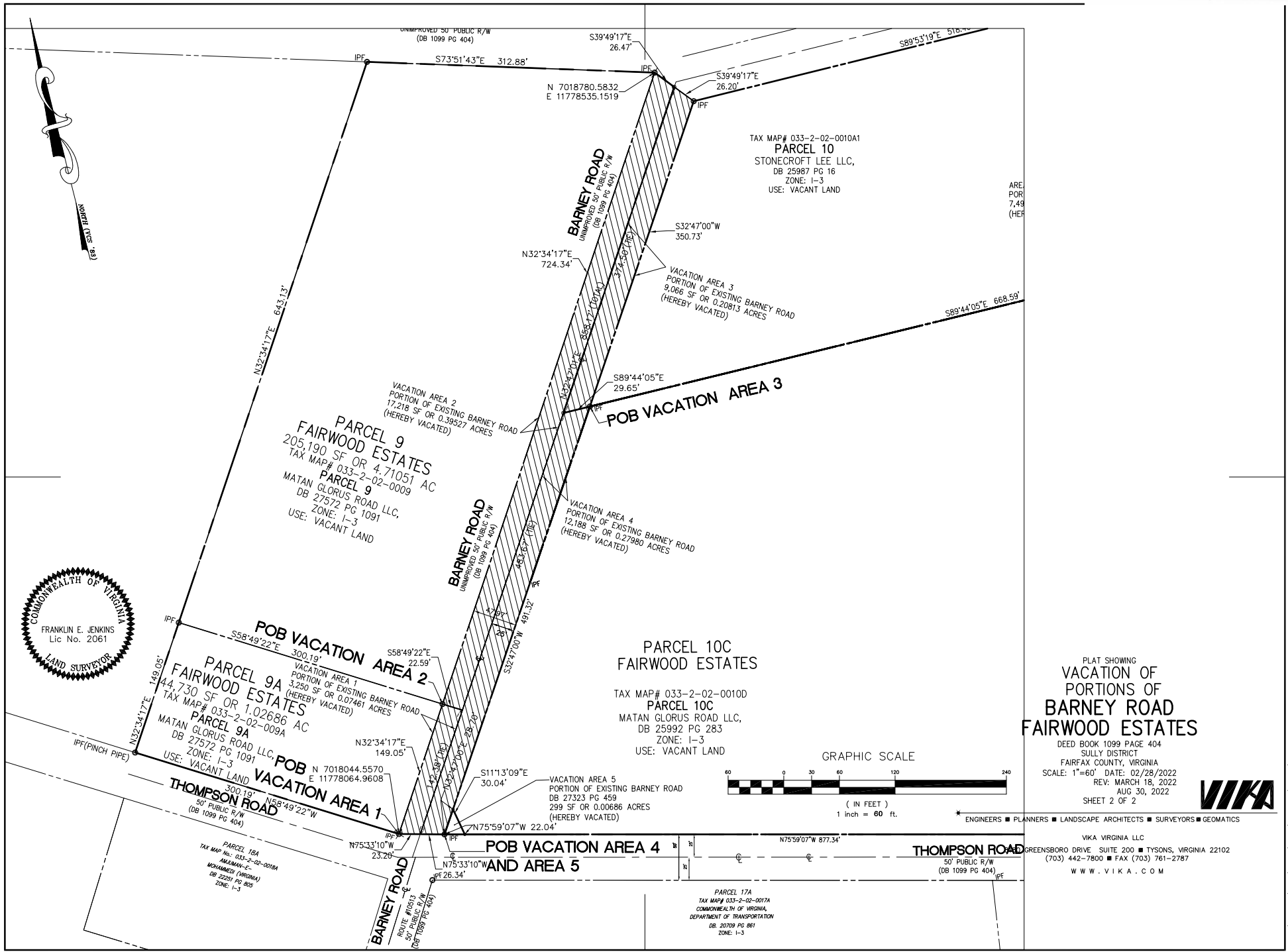
DEED BOOK 1099 PAGE 404
SULLY DISTRICT
FAIRFAX COUNTY, VIRGINIA
SCALE: AS SHOWN DATE: 02/28/2022
REV: MARCH 18, 2022
AUG 30, 2022
SHEET 1 OF 2



* ENGINEERS ■ PLANNERS ■ LANDSCAPE ARCHITECTS ■ SURVEYORS ■ GEOMATICS

VIKA VIRGINIA LLC
8180 GREENSBORO DRIVE SUITE 200 ■ TYSONS, VIRGINIA 22102
(703) 442-7800 ■ FAX (703) 761-2787
WWW.VIKA.COM

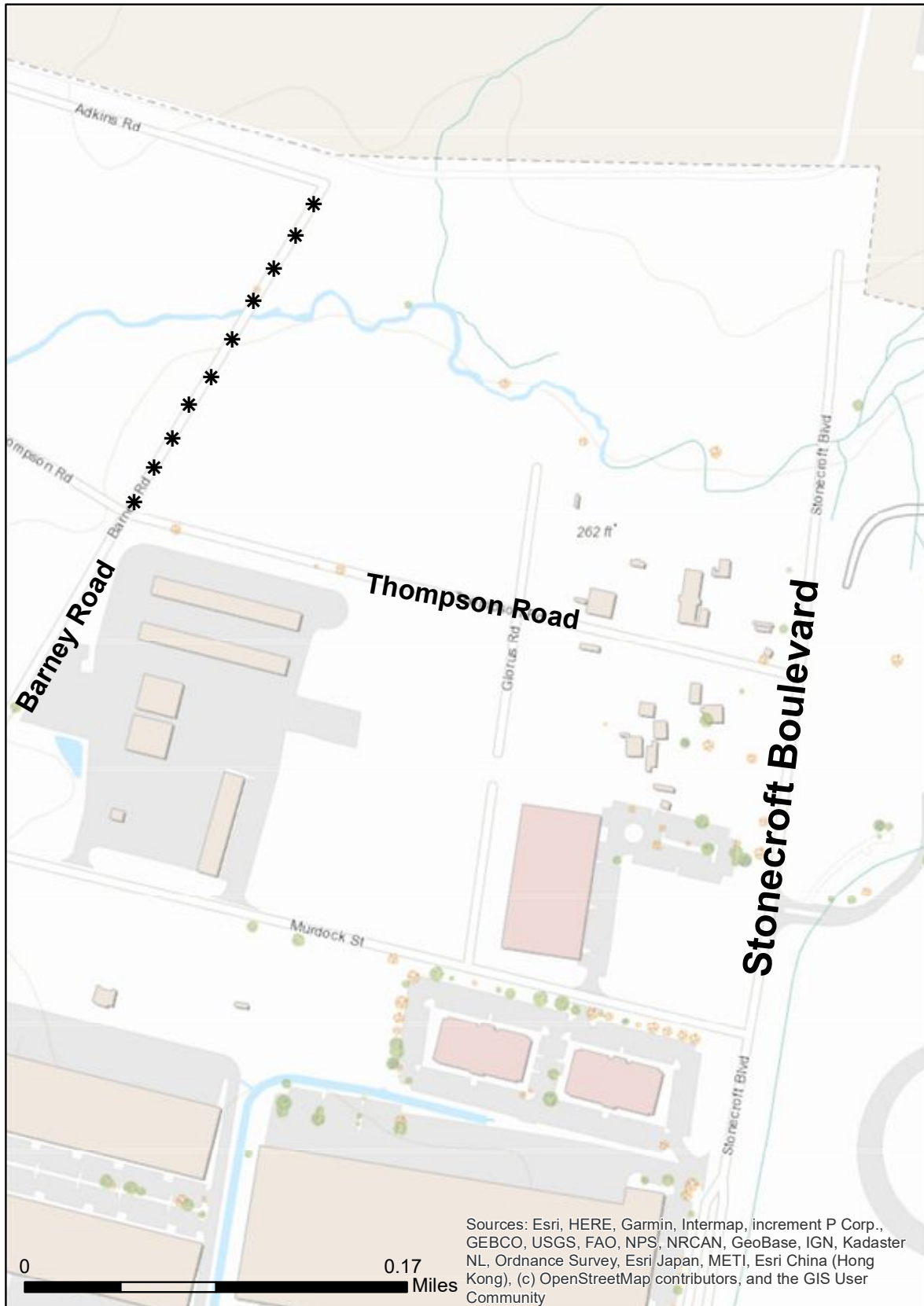
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FILE: Q:\Projects\B136\B136E\CADD\SURVEYS\PLATS\B136E RPT ROW VACATION.dwg USER: Jenkins DATE: Aug. 30 2022 TIME: 03:25 pm

Barney Road Vacation

Sully District



Tax Map 33-2

* Denotes Areas to be Vacated

Board Agenda Item
March 21, 2023

4:00 p.m.

Public Hearing on AF 2022-SP-00006 (AA 83-S-004-3) (Whitehall Statewide Agricultural and Forestal District Jeremy Martin Vazquez Trust and Nadine Consuelo Vazquez Revocable Trust) to Permit the Renewal of an Agricultural and Forestal District, Located on Approximately 205.30 Acres of Land (Springfield District)

This property is located at 6200, 6390 Newman Rd., and 12523 Popes Head Rd., Fairfax, 22030. Tax Map 66-4 ((1)) 29Z and 75-2 ((1)) 19Z and 20Z.

PLANNING COMMISSION RECOMMENDATION:

~~The Planning Commission's Public Hearing on this application is scheduled for March 15, 2023. The Planning Commission's recommendation will be forwarded upon decision.~~

On March 15, 2023, the Planning Commission voted 11-0 (Commissioner Jimenez was absent from the meeting) to recommend to the Board of Supervisors approval of AF 2022-SP-00006 and that Appendix E of the *Fairfax County Code* be amended to renew the Whitehall Statewide Agricultural and Forestal District, subject to the ordinance provisions dated March 1, 2023.

ENCLOSED DOCUMENTS:

Additional information available online at:

<https://www.fairfaxcounty.gov/planning-development/board-packages>

Planning Commission Meetings Video Archive available online at:

<https://www.fairfaxcounty.gov/cableconsumer/channel-16/planning-commission-meetings-video-archives>

STAFF:

Leanna O'Donnell, Director, Planning Division, Department of Planning and Development (DPD)

Sophia Fisher, Planner, DPD

Board Agenda Item
March 21, 2023

4:00 PM

Public Hearing on Proposed Plan Amendment 2021-CW-1CP Affordable Housing
Preservation Policy

ISSUE:

Plan Amendment (PA) 2021-CW-1CP proposes new guidance to be added to the Housing Element of the Policy Plan and the Glossary to the Comprehensive Plan. The guidance would incorporate goals, objectives, and policies for the preservation of existing affordable, multifamily rental housing into the Comprehensive Plan, including both market and committed affordable units. The goal of no net loss of affordable units to the extent practicable would be established in the Plan, with tools, such as additional density, building height, and financial assistance, to incentivize the preservation of units through redevelopment or infill development. The proposed amendment supports the recommendations made by the Affordable Housing Preservation Task Force (Task Force).

PLANNING COMMISSION RECOMMENDATION:

On February 15, 2023, the Planning Commission voted 12-0-0 to recommend that the Board of Supervisors adopt PA 2021-CW-1CP, as contained in Attachment I of the Board Item.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors adopt the Planning Commission recommendation.

TIMING:

Board Action is requested on March 21, 2023.

BACKGROUND:

On April 13, 2021, the Board of Supervisors authorized the consideration of a Comprehensive Plan amendment to the Housing and Land Use elements of the Comprehensive Plan to develop an affordable housing preservation policy. The Board directed the policy be developed in accordance with the report entitled "[Affordable Housing Preservation Task Force Recommendations to the Fairfax County Board of Supervisors](#)," dated April 6, 2021. PA 2021-CW-1CP proposes new countywide

Board Agenda Item
March 21, 2023

guidance on affordable housing preservation goals, objectives, and strategies, consistent with the Task Force Recommendations, and specific guidance for the preservation of multifamily rental market affordable and committed affordable housing units in the Housing Element of the Comprehensive Plan.

The policy would be applicable to properties that have Market or Committed Multifamily Rental Housing units, as defined in new Glossary terms. As proposed, Market Affordable Multifamily Rental Housing units would be considered those units that are generally affordable to households earning 60 percent of the Area Median Income (AMI) or below. Committed Affordable Multifamily Rental Housing units would be those that are affordable to households earning 60 percent of the AMI and below, as well as 80 percent AMI and below for units committed under the County's Affordable Dwelling Unit (ADU) Ordinance and Workforce Dwelling Unit (WDU) Policy, or by other means.

The proposed amendment would promote the goal of one-for-one replacement of affordable units in redevelopment and infill development applications by leveraging incentives, such as allowing density or building height above Plan guidance without a Plan amendment. Staff from the departments of Housing and Community Development and Planning and Development would analyze each residential redevelopment or infill development proposal seeking a rezoning and/or Plan amendment and work with applicants to determine opportunities for preservation and appropriate incentives for the replacement of units. Administrative guidelines for affordable housing preservation are under development currently for the implementation of these policies.

EQUITY IMPACT:

Adoption of this proposed Plan amendment would further the county's equity initiatives as detailed in its One Fairfax policy (2017), Communitywide Housing Strategic Plan (2018), Economic Success Strategic Plan (2019), Countywide Strategic Plan (2021), and other policies and plans. The Plan amendment would support One Fairfax policy area of focus #2 "Housing policies that encourage all who want to live in Fairfax to be able to do so, and the provision of a full spectrum of housing opportunities across the county...". The proposed amendment would help to maintain housing affordability in the County by creating more reliable housing sources for lower income households that are currently vulnerable to rent increases.

Community and other stakeholder engagement occurred in many forms in the development of this proposed Plan amendment. The initial direction for the Plan amendment stemmed from recommendations of a community task force, as described previously. Draft plan language was published online and shared widely with stakeholders beginning in September 2022, and feedback was accepted through January 2023. Public meetings were held virtually and in-person specifically in

Board Agenda Item
March 21, 2023

locations that had a high percentage of market affordable housing and residents with English as a second language and ranked highly on the County's Vulnerability Index. Through these efforts, staff engaged affordable housing residents, housing advocates, industry professionals, property owners of market and committed affordable properties, district land use committees, and other community groups to provide input on the amendment.

FISCAL IMPACT:
None.

ENCLOSED DOCUMENTS:

The Planning Commission action from the February 15, 2023 public hearing is available online at the following link: <https://www.fairfaxcounty.gov/planningcommission/planning-commission-actions-2023>.

The staff report for PA 2021-CW-1CP is available online at:
<https://www.fairfaxcounty.gov/planning-development/sites/planning-development/files/assets/documents/compplanamend/affordable-housing-preservation/2021-cw-1cp-staff-report.pdf>

STAFF:

Christopher Leonard, Deputy County Executive
Rachel Flynn, Deputy County Executive
Thomas Fleetwood, Director, Department of Housing and Community Development (HCD)
Tracy Strunk, Director, Department of Planning and Development (DPD)
Anna Shapiro, Deputy Director, Real Estate, Finance, and Development, HCD
Leanna O'Donnell, Director, Planning Division (PD), DPD
Meghan Van Dam, Director, Affordable Housing Development Division (AHD), HCD
Brianne Fuller, Associate Director, Preservation, AHD, HCD
Graham Owen, Planner IV, Policy & Plan Development Branch, PD, DPD

Board Agenda Item
March 21, 2023

4:00 p.m.

Public Hearing on Proposed Plan Amendments (PAs) 2021-CW-T2, Fairfax County and Franconia-Springfield Parkways (Braddock, Dranesville, Franconia, Hunter Mill, Mount Vernon, Springfield, and Sully Districts) and 2019-III-T1, Fairfax County Parkway and Burke Centre Parkway (Springfield District)

ISSUE:

Plan Amendment 2021-CW-T2 considers amending the Comprehensive Plan's transportation recommendations for the entirety of the Fairfax County and Franconia-Springfield Parkways (Routes 286 and 289), to incorporate recommendations of the Fairfax County and Franconia-Springfield Parkways Alternatives Analysis and Long-Term Planning Study, which were endorsed by the Board on July 27, 2021 (Braddock, Dranesville, Franconia, Hunter Mill, Mount Vernon, Springfield, and Sully Districts).

Plan Amendment 2019-III-T1, which concerns the Plan recommendations for the specific intersection of the Fairfax County Parkway (Route 286) and Burke Centre Parkway (Route 643), is being considered concurrently as a component of the recommendations for Plan Amendment 2021-CW-T2 (Springfield District).

PLANNING COMMISSION RECOMMENDATION:

On March 8, 2023, the Planning Commission voted 11-0 (Commissioner Jimenez was absent from the meeting) to recommend to the Board of Supervisors adoption of staff's recommendation for PA 2021-CW-T2 and PA 2019-III-T1, as detailed in the staff report dated February 15, 2023.

RECOMMENDATION:

The County Executive recommends that the Board adopt the Planning Commission recommendation.

TIMING:

Board Action is requested on March 21, 2023.

BACKGROUND:

On February 12, 2013, the Board of Supervisors ("the Board") requested corridor improvement studies of the Fairfax County Parkway (Route 286) and Franconia-

Board Agenda Item
March 21, 2023

Springfield Parkway (Route 289) (“the Parkways”), which extend nearly 35 miles, from Leesburg Pike (Route 7) to Richmond Highway (Route 1), and to the Franconia-Springfield Metrorail Station, spanning the Braddock, Dranesville, Franconia, Hunter Mill, Mount Vernon, Springfield and Sully Districts.

In response to the Board request, the Fairfax County Department of Transportation (FCDOT), in coordination with the Virginia Department of Transportation (VDOT), conducted two studies. The 2014 Fairfax County Parkway & Franconia-Springfield Parkway Corridor Study resulted in the development of interim improvements, based on existing conditions, that would address safety and operations and accommodate bicycles and pedestrians. The 2017 Fairfax County and Franconia-Springfield Parkways Alternatives Analysis and Long-Term Planning Study focused on 2040 conditions, forecasted needs, and anticipated deficiencies, resulting in an updated set of long-term recommendations for the Comprehensive Plan that was developed and finalized in 2021. On July 27, 2021, the Board endorsed the recommendations of the 2017 Study and authorized consideration of Plan amendment 2021-CW-T2 to incorporate the recommendations.

On September 24, 2019, the Board authorized Plan Amendment 2019-IV-T1, which directed an evaluation of the potential for a partial interchange (overpass/underpass) at the intersection of the Fairfax County Parkway and Burke Centre Parkway. The assessment and study for the entirety of the Fairfax County and Franconia-Springfield Parkways, which would eventually support Plan Amendment 2021-CW-T2, had included an evaluation of all signalized intersections, including Burke Centre Parkway. Therefore, this Plan Amendment was considered to be incorporated into the larger Parkways Planning Study and recommendations.

EQUITY IMPACT:
None.

FISCAL IMPACT:
None.

ENCLOSED DOCUMENTS:
The Planning Commission Meetings Video Archive available online at:
<https://www.fairfaxcounty.gov/cableconsumer/channel-16/planning-commission-meetings-video-archives>

Board Agenda Item
March 21, 2023

Attachment 1: The Staff Report for PAs 2021-CW-T2 and 2019-III-T1, dated February 15, 2023, has been previously furnished and is available online at:
https://www.fairfaxcounty.gov/planning-development/sites/planning-development/files/Assets/documents/CompPlanAmend/fcp-at-bcp/2021-CW-T2_2019-CW-T1_Staff-Report.pdf

STAFF:

Tracy Strunk, Director, Department of Planning and Development (DPD)
Leanna H. O'Donnell, Director, Planning Division (PD), DPD
Jeffrey Hermann, Chief, Site Analysis and Transportation Planning Division (STPD),
Fairfax Department of Transportation (FDOT)
Michael Garcia, Chief, Transportation Planning Section (TPS), STPD, FDOT
Thomas Burke, Transportation Planner IV, TPS, STPD, FDOT
Michael Lynskey, Planner III, Policy & Plan Development Branch (PPDB), PD, DPD



PROPOSED COMPREHENSIVE PLAN AMENDMENT

ITEM: PA 2021-CW-T2 and PA 2019-III-T1
February 15, 2023

GENERAL LOCATION: Countywide

SUPERVISOR DISTRICT: Braddock, Dranesville,
Franconia, Hunter Mill, Mount Vernon, Springfield,
Sully

PLANNING AREA: Multiple

PLANNING DISTRICT: Multiple

SUB-DISTRICT DESIGNATION: Multiple

PARCEL LOCATION: Multiple

Fairfax County/Burke Center/Franconia-Springfield Parkways
For additional information about this amendment call (703) 877-5600.

PLANNING COMMISSION PUBLIC HEARING:
Wednesday, March 8, 2023 @ 7:30 PM

BOARD OF SUPERVISORS PUBLIC HEARING:
Tuesday, March 21, 2023 @ 4:00 PM

**PLANNING STAFF DOES RECOMMEND
THIS ITEM FOR PLAN AMENDMENT**



Reasonable accommodation is available upon 48 hours
notice. For additional information about accommodation
call the Planning Commission office at (703) 324-2865,
or the Board of Supervisors office at (703) 324-3151.



29,000 FEET

PREPARED BY THE DEPARTMENT OF PLANNING AND DEVELOPMENT USING FAIRFAX COUNTY GIS
2021-CW-T2 Fairfax County and Springfield-Franconia Parkways/2019-III-T1 Fairfax County Parkway at Burke Centre Parkway



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**STAFF REPORT FOR PLAN AMENDMENT 2021-CW-T2 &
PLAN AMENDMENT 2019-III-T1**

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BACKGROUND

Please note that this staff report addresses two, separately authorized Comprehensive Plan Amendments. Plan Amendment 2021-CW-T2 addresses long-range transportation recommendations for the entirety of the Fairfax County and Franconia-Springfield Parkways. Plan Amendment 2019-III-T1 addresses long-range transportation recommendations for the specific intersection of Fairfax County Parkway and Burke Centre Parkway.

Fairfax County is a strong and vibrant community. The landscape of the County includes an urban and suburban form served by a diverse transportation network. Fairfax County Parkway (Route 286) and Franconia-Springfield Parkway (Route 289) (“the Parkways”), as shown in **Figure 1**, are at the heart of the County’s transportation network, connecting seven of the nine Supervisor Districts. Stretching nearly 35 miles, from Leesburg Pike (Route 7) to Richmond Highway (Route 1), and to the Franconia-Springfield Metrorail Station, the Parkways support quality neighborhoods and thriving commercial areas.

Currently adopted Comprehensive Plan recommendations for the Parkways, which in most cases have been in place for several decades, include elements such as trails, roadway widenings, high occupancy vehicle (HOV) lane designations, and grade-separated interchanges. On February 12, 2013, the Board of Supervisors (“the Board”) requested a corridor improvement study of the Parkways, which had become congested and over-capacity. The study was intended to reassess the need for interim and long-term solutions to better serve the anticipated demands and improve safety and mobility for users of the Parkways, based on more current data, conditions, models and tools.

In response to the Board request, the Fairfax County Department of Transportation (FCDOT), in coordination with the Virginia Department of Transportation (VDOT), conducted two studies. The first study, the Fairfax County Parkway & Franconia-Springfield Parkway Corridor Study (Corridor Study), commenced in 2014 and led by VDOT, reviewed existing conditions for the Fairfax County and Franconia-Springfield Parkways, and resulted in the development of a list of 350+ interim improvements, finalized in 2017, that would address safety and operations and accommodate bicycles and pedestrians.

FCDOT followed that study with the Fairfax County and Franconia-Springfield Parkways Alternatives Analysis and Long-Term Planning Study, commenced in 2017, that focused on 2040 conditions, forecasted needs, and anticipated deficiencies, based on current land use and transportation recommendations. Alternative mitigations were developed, evaluated and assessed. Based on these efforts, an updated set of long-term recommendations for the Comprehensive Plan was developed and finalized in 2021.

The Board was briefed on these efforts, as they were ongoing, at various Board Transportation Committee meetings in 2019 and 2020, and were provided with the final, updated proposed Comprehensive Plan recommendations on May 25, 2021. On July 27, 2021, the Board endorsed the study recommendations and authorized consideration of Plan Amendment 2021-CW-T2 to incorporate the recommendations, which spanned the Braddock, Dranesville, Franconia, Hunter Mill, Mount Vernon, Springfield and Sully Supervisor Districts.

On September 24, 2019, the Board authorized Plan Amendment 2019-IV-T1, which directed an evaluation of the potential for a partial interchange (overpass/underpass) at the intersection of the Fairfax County Parkway and Burke Centre Parkway. The assessment and study for the entirety of the Fairfax County and Franconia-Springfield Parkways, which would eventually support Plan Amendment 2021-CW-T2, was already underway at the time, and had included an evaluation of all signalized intersections, including Burke Centre Parkway. Therefore, separate outreach and analysis for this Plan Amendment was not conducted and it was, instead, considered to be incorporated into the larger Fairfax County and Franconia-Springfield Parkways Alternatives Analysis and Long-Term Planning Study. One set of consolidated recommendations were provided.

A summary of the specific Long-Term Study recommendations from the Parkways study that would be subject of the requested Comprehensive Plan amendment for incorporation into the Transportation Plan Map and Area Transportation Plan maps is provided later in this report.

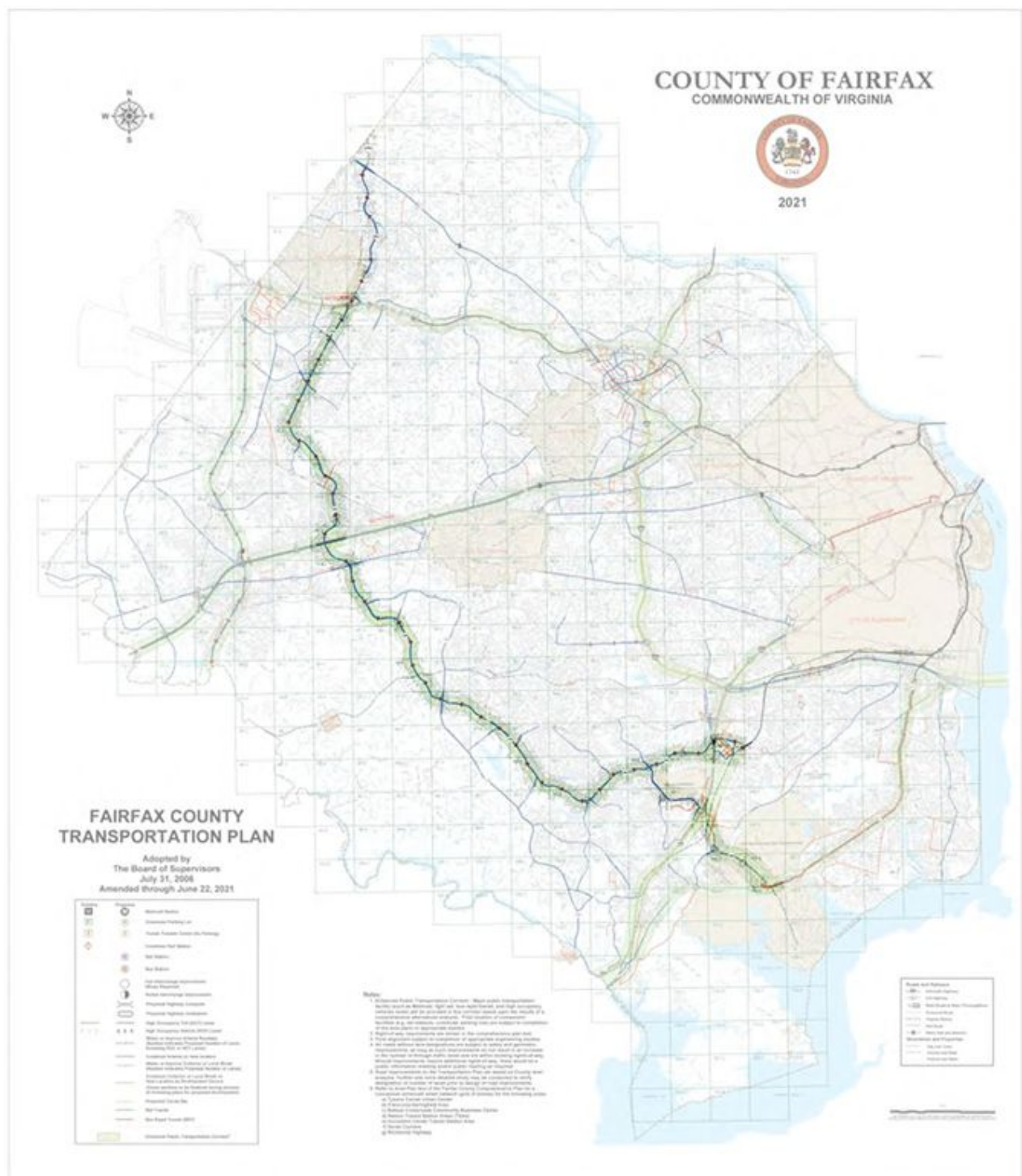


Figure 1: Fairfax County and Franconia-Springfield Parkways, as shown in the Transportation Plan

PLANNING HISTORY

Planning for what would eventually become the Fairfax County and Franconia-Springfield Parkways started 70+ years ago. Initial plans for the Washington Outer Beltway started in the 1950s. The proposed 122-mile Outer Beltway would have provided a second beltway around Washington, DC, through parts of Virginia and Maryland. Plans for the route, which would have included portions of what would eventually become the Fairfax County Parkway, were cancelled in the 1980s.

The concept for the Springfield Bypass started in the 1970s. It originally envisioned an alignment that would eventually become the Franconia-Springfield Parkway and was intended as a bypass for Route 644 (Old Keene Mill Road). The concept later expanded to include portions of the canceled Washington Outer Beltway and what would eventually become the Fairfax County Parkway.

The Commonwealth Transportation Board approved plans for the 33+ miles of the Fairfax County and Franconia-Springfield Parkways in 1987. Construction of the Fairfax County and Franconia-Springfield Parkways occurred between 1987 and 2012, as shown in **Figure 2**.

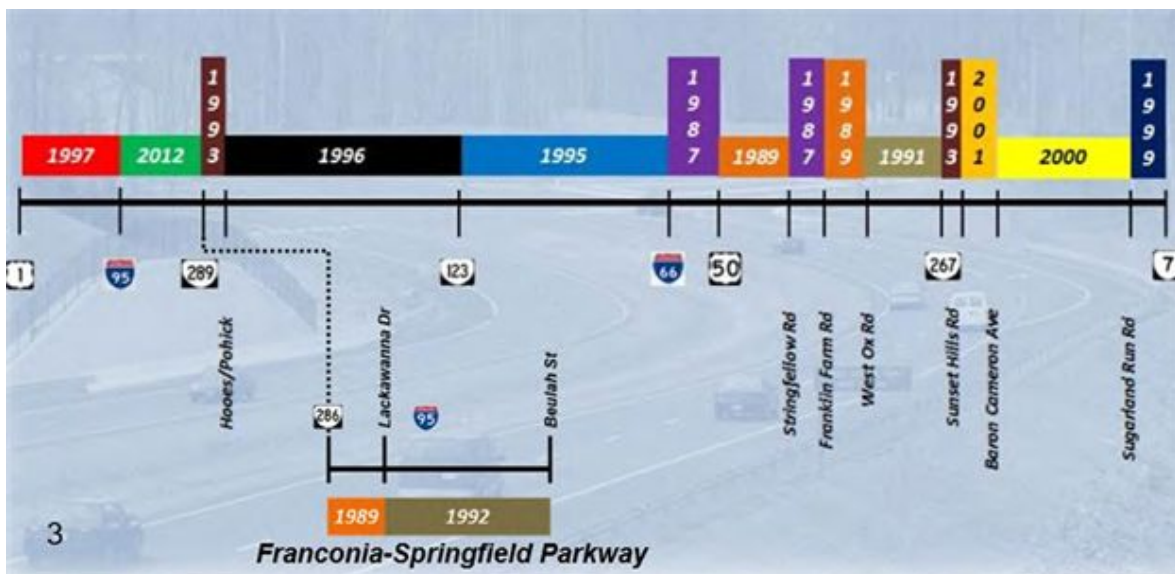


Figure 2: Fairfax County and Franconia-Springfield Parkways Construction Timeline

CHARACTER OF THE CORRIDORS AND AREA

The Fairfax County Parkway (Route 286), also known as John F. (Jack) Herrity Parkway, is a four to six-lane roadway, designated as a primary state highway by the Commonwealth of Virginia. It is mostly functionally classified as an “other principal arterial” in the Transportation Element of the Policy Plan of the Comprehensive Plan. It extends through seven of the nine magisterial districts of Fairfax County, from US Route 7, in Dranesville, to Route 1, at Fort Belvoir. A short segment, from US Route 50 to Braddock Road, is classified as a freeway/expressway.

The Franconia-Springfield Parkway (Route 289) is a six-lane primary state highway, classified as a freeway/expressway, which traverses the Franconia Magisterial District, from the Fairfax County Parkway/Rolling Road to Beulah Street

For reporting purposes, the Parkways are broken into five segments:

- Segment 1: Fairfax County Parkway, Route 7 to Franklin Farm Road
- Segment 2: Fairfax County Parkway, Franklin Farm Road to Route 123
- Segment 3: Fairfax County Parkway, Route 123 to Rolling Road
- Segment 4: Fairfax County Parkway, Rolling Road to Route 1
- Segment 5: Franconia-Springfield Parkway, Rolling Road to Beulah Street

The following is a breakdown of the existing character of the corridors and surrounding areas, by segment:

Segment 1

Segment 1A: Fairfax County Parkway, Route 7 to Baron Cameron Avenue

The Fairfax County Parkway (“FCP”), from Route 7 to Baron Cameron Avenue, is a four-lane other principal arterial. The surrounding area contains mostly lower density, single family residential uses. Multifamily residential and commercial developments exist proximate to the corridor, south of Reston. Major facilities within the corridor include the James J. Corbalis Jr. Water Treatment Plant and Armstrong Elementary School.

The FCP intersects Route 7 at a diamond interchange, with traffic signals on the FCP. Notable at-grade signalized intersections include those at Sugarland Road, Wiehle Avenue, Lake Newport Road, and North Walnut Branch Road. The FCP intersects Baron Cameron Avenue/Elden Street at a single-point urban interchange, with a traffic signal on Baron Cameron Avenue.



Figure 3: Fairfax County Parkway, south of Wiehle Avenue

Segment 1B: Fairfax County Parkway, Baron Cameron Avenue to Sunrise Valley Drive

The FCP is a six-lane other principal arterial from Baron Cameron Avenue to Sunrise Valley Drive. The surrounding area includes Reston and Herndon and contains mostly multifamily residential and commercial uses. Major facilities and attractions within the corridor include the Reston Hospital and Reston Association Central Services.

The FCP intersects Sunset Hills Road/Spring Street at a grade-separated interchange, with traffic signals on the FCP and Spring Street. It intersects the Dulles Toll Road (Route 267) at a diamond interchange, with traffic signals on the FCP. Other notable at-grade signalized intersections include New Dominion Parkway and Sunrise Valley Drive.



Figure 4: Fairfax County Parkway, at the Dulles Toll Road

Segment 1C: Fairfax County Parkway, Sunrise Valley Drive to Franklin Farm Road

The FCP is a four-lane other principal arterial from Sunrise Valley Drive to Franklin Farm Road. The surrounding area contains mostly lower density, single family residential uses. There are multifamily and commercial uses at Franklin Farm Road. Major facilities and attractions within the corridor include Stratton Woods Park and Oak Hill Elementary School.

Noteworthy at-grade, signalized intersections include those at Fox Mill Road, West Ox Road and Franklin Farm Road. There are no grade-separated interchanges along this segment of the FCP.



Figure 5: Fairfax County Parkway, north of Franklin Farm Road

Segment 2

Segment 2A: Fairfax County Parkway, Franklin Farm Road to Route 50

The FCP is a four-lane other principal arterial from Franklin Farm Road to Rugby Road and a six-lane facility from Rugby Road to Route 50. The surrounding area contains mostly lower density, single family residential uses. There are multifamily and commercial uses near Route 50, to the south. Major facilities and attractions within the corridor include Inova Fair Oaks Hospital and the International Country Club.

FCP intersects Route 50 at a diamond interchange, with traffic signals on the FCP. Notable at-grade, signalized intersections include Springhaven Drive, Stringfellow Road and Rugby Road.



Figure 6: Fairfax County Parkway, north of Rugby Road

Segment 2B: Fairfax County Parkway, Route 50 to Braddock Road (Route 620)

The FCP is a six-lane freeway/expressway from Route 50 to Braddock Road. The surrounding area contains mostly commercial land uses with multifamily residential uses north of I-66, and single-family residential uses south of I-66. Major facilities and attractions within the corridor include the Fair Lakes development, West Ox Bus Facility, McConnell Public Safety and Transportation Operations Center, Fairfax County Landfill and I-66 Transfer Station.

This segment of the FCP is limited access/free-flow. The FCP intersects Monument Drive and Fair Lakes Parkway at a grade-separated split diamond interchange, with traffic signals on Monument Drive and Fair Lakes Parkway. It intersects I-66 at a grade-separated cloverleaf interchange, with no traffic signals. It intersects Route 29 at a grade-separated interchange, with traffic signals on the Route 29 collector/distributor roadways. It intersects Braddock Road at a grade-separated diamond interchange, with traffic signals on Braddock Road. There are no at-grade, signalized crossings with traffic signals on this segment of the FCP.



Figure 7: Fairfax County Parkway, at I-66

Segment 2C: Fairfax County Parkway, Braddock Road to Route 123

The FCP is a four-lane other principal arterial from Braddock Road to Route 123. The surrounding area is lower density, containing of single-family residential uses. Major facilities and attractions within the corridor include Patriot Park.

The FCP intersects Route 123 at a grade-separated diamond interchange, with traffic signals on Route 123. The only at-grade signalized intersection on this segment of the FCP is at Burke Centre Parkway.



Figure 8: Fairfax County Parkway, south of Popes Head Road

Segment 3

Segment 3A: Fairfax County Parkway, Route 123 to Rolling Road

The FCP is a four-lane other principal arterial from Route 123 to Sydenstricker Road and six-lanes from Sydenstricker Road to Rolling Road. The surrounding area contains mostly lower density, single family residential uses with some areas of commercial uses. Major facilities and attractions within the corridor include the Fairfax County Wastewater Facility on Freds Oak Road, the Burke Centre Library, Burke Lake Park, South Run Recreation Center, Sangster Elementary School, Pohick Fire Station, and the Gambrill Park & Ride.

The FCP intersects Hooes Road and Pohick Road at a split diamond interchange, with the traffic signals on Hooes Road and Pohick Road. It intersects Sydenstricker Road and Gambrill Road at another split diamond interchange, with the traffic signals on Sydenstricker Road and Gambrill Road. It intersects Rolling Road at a grade-separated interchange, with traffic signals on Rolling Road. Other major at-grade, signalized intersections include those at Roberts Parkway, Burke Lake Road, Old Keene Mill Road, Lee Chapel Road, Reservation Drive, Huntsman Boulevard, and Whitlers Creek Drive.



Figure 9: Fairfax County Parkway, north of Huntsman Boulevard

Segment 4

Segment 4A: Fairfax County Parkway, Rolling Road to I-95

The FCP is a six-lane other primary arterial from Rolling Road to I-95. The surrounding area consists mostly of the Fort Belvoir North Area on the north side and a mix of residential and commercial uses on the south side. Major facilities and attractions within the corridor include the National Geospatial Intelligence Agency, and Saratoga Park and Ride.

The FCP intersects Barta Road at a diamond/partial cloverleaf interchange, with traffic signals on Barta Road. It intersects I-95 at a grade-separated cloverleaf interchange, with only one traffic signal at the intersection of FCP with the I-95 northbound off-ramp and Loisdale Road. The only major at-grade, signalized intersection on this section of the FCP is at Loisdale Road.



Figure 10: Fairfax County Parkway, north of I-95

Segment 4B: Fairfax County Parkway, I-95 to Route 1

The FCP is a four-lane other primary arterial from I-95 to Route 1. The surrounding area contains mostly industrial and commercial uses. Major facilities and attractions within the corridor include Fort Belvoir North Post, Davison Army Airfield, and the National Museum of the United States Army.

The FCP intersects Telegraph Road at a diamond interchange, with traffic signals on Telegraph Road. Major at-grade, signalized intersections include those at Loisdale Road, Terminal Road, Backlick Road, Liberty Drive, John J. Kingman Road, and Route 1.



Figure 11: Fairfax County Parkway, south of I-95

Segment 5

Segment 5A: Franconia-Springfield Parkway, Rolling Road to I-95

The Franconia-Springfield Parkway (FSP) is a six-lane freeway/expressway from Rolling Road to I-95. The surrounding area contains a mix of residential uses. Major facilities and attractions within the corridor include the National Geospatial Intelligence Agency at Fort Belvoir North Area.

This section of the FSP is partly limited access. The FSP intersects Backlick Road at a diamond interchange, with traffic signals on Backlick Road. It intersects I-95 at a grade-separated interchange, with traffic signal on the FSP. The only major at-grade, signalized intersection is at Bonniemill Lane/Spring Village Drive.



Figure 12: Fairfax County Parkway, west of I-95

Segment 5B: Franconia-Springfield Parkway, I-95 to Beulah Street

The Franconia-Springfield Parkway (FSP) is a six-lane freeway/expressway from I-95 to Beulah Street. The surrounding area contains a mix of residential and commercial uses. Major facilities and attractions within the corridor include the General Services Administration (GSA) warehouse, Franconia-Springfield Metrorail and Virginia Railway Express Station, Metro Transit Police Station, and Inova Healthplex.

This section of the FSP is limited access. The FSP intersects Frontier Drive at a diamond interchange, with traffic signals on Frontier Drive. The only major at-grade, signalized intersection is at the end of the Parkway at Beulah Street.



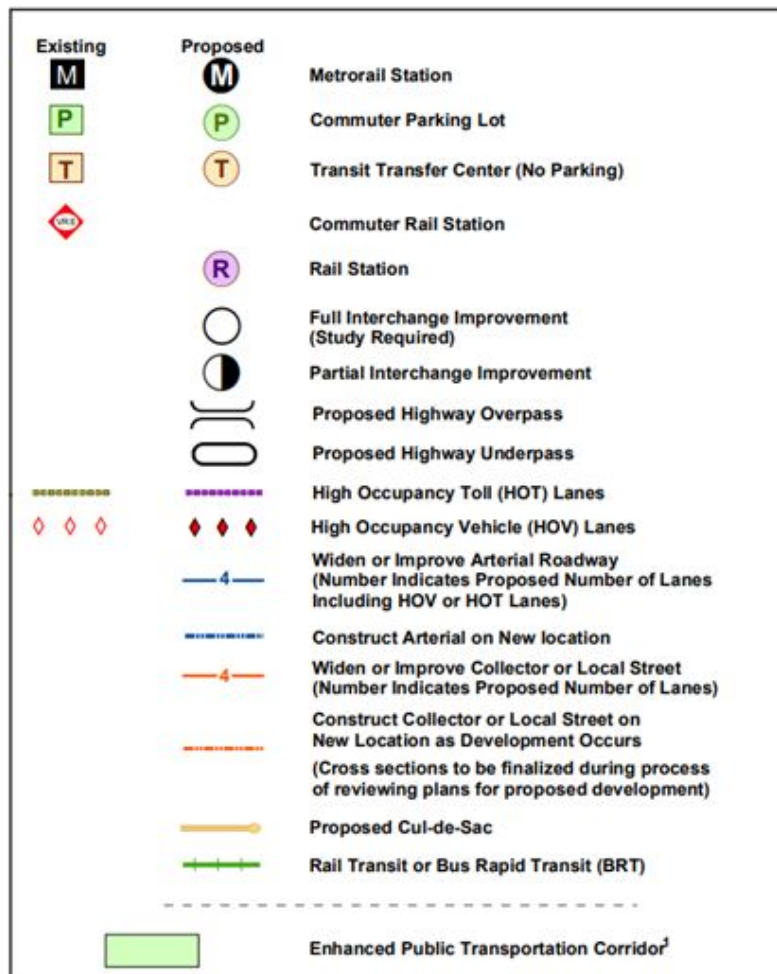
Figure 13: Fairfax County Parkway, west of Beulah Street

ADOPTED COMPREHENSIVE PLAN

The Fairfax County Comprehensive Plan Transportation Plan Map, adopted on July 31, 2006, amended through September 2, 2015, shows the significant, currently planned transportation infrastructure recommendations within Fairfax County.

The legend and notes from the Fairfax County Comprehensive Plan Transportation Plan Map are shown, below, in **Figure 14** and can be referenced when reviewing Transportation Plan map figures within the following sections of this Staff Report.

Currently planned transportation infrastructure recommendations are also reflected in the applicable Area Transportation Plan maps.



Notes:

- Enhanced Public Transportation Corridor - Major public transportation facility (such as Metrorail, light rail, bus rapid transit, and high occupancy vehicles lanes) will be provided in this corridor based upon the results of a comprehensive alternatives analysis. Final location of component facilities (e.g. rail stations, commuter parking lots) are subject to completion of the area plans or appropriate studies.
- Right-of-way requirements are shown in the comprehensive plan text.
- Final alignment subject to completion of appropriate engineering studies.
- All roads without lane designations are subject to safety and geometric improvements, as long as such improvements do not result in an increase in the number of through traffic lanes and are within existing rights-of-way. Should improvements require additional rights-of-way, there would be a public information meeting and/or public hearing as required.
- Road improvements on the Transportation Plan are based on County level analysis. Further and more detailed study may be conducted to verify designation of number of lanes prior to design of road improvements.
- Refer to Area Plan text of the Fairfax County Comprehensive Plan for a conceptual enhanced street network (grid of streets) for the following areas:
 - Tysons Corner Urban Center
 - Franconia-Springfield Area
 - Baileys Crossroads Community Business Center
 - Reston Transit Station Areas (TSAs)
 - Innovation Center Transit Station Area
 - Seven Corners

Figure 14: Fairfax County Comprehensive Plan Transportation Plan Map Legend & Notes

Segment 1

Fairfax County Parkway, Route 7 to Franklin Farm Road

As shown in **Figures 15A and 15B**, the current Comprehensive Plan Transportation Plan Map includes the following long term transportation recommendations for the Fairfax County Parkway from Route 7 to Franklin Farm Road:

- Enhanced Public Transportation Corridor (EPTC) designation from the Dulles Toll Road to the south.
- Widen to 6 lanes, Route 7 to Baron Cameron Avenue
- Widen to 6 lanes, Sunrise Valley Drive to Franklin Farm Road
- Incorporate High Occupancy Vehicle (HOV) lanes
- Interchange improvements at:
 - Baron Cameron Avenue;
 - Sunset Hills Road/Spring Street;
 - Dulles Toll Road;
 - Sunrise Valley Drive; and
 - McLearen Road Extension.

Segment 2

Fairfax County Parkway, Franklin Farm Road to Route 123

As shown in **Figures 16A and 16B**, the current Comprehensive Plan Transportation Plan Map includes the following long term transportation recommendations for the Fairfax County Parkway, from Franklin Farm Road to Route 123:

- EPTC designation
- Widen to 6 lanes, Franklin Farm Road to Rugby Road
- Widen to 6 lanes, Route 29 to Route 123
- Incorporate HOV lanes
- Interchange improvements at:
 - Monument Drive;
 - Fair Lakes Parkway;
 - Shirley Gate Road Extension; and
 - Popes Head Road.

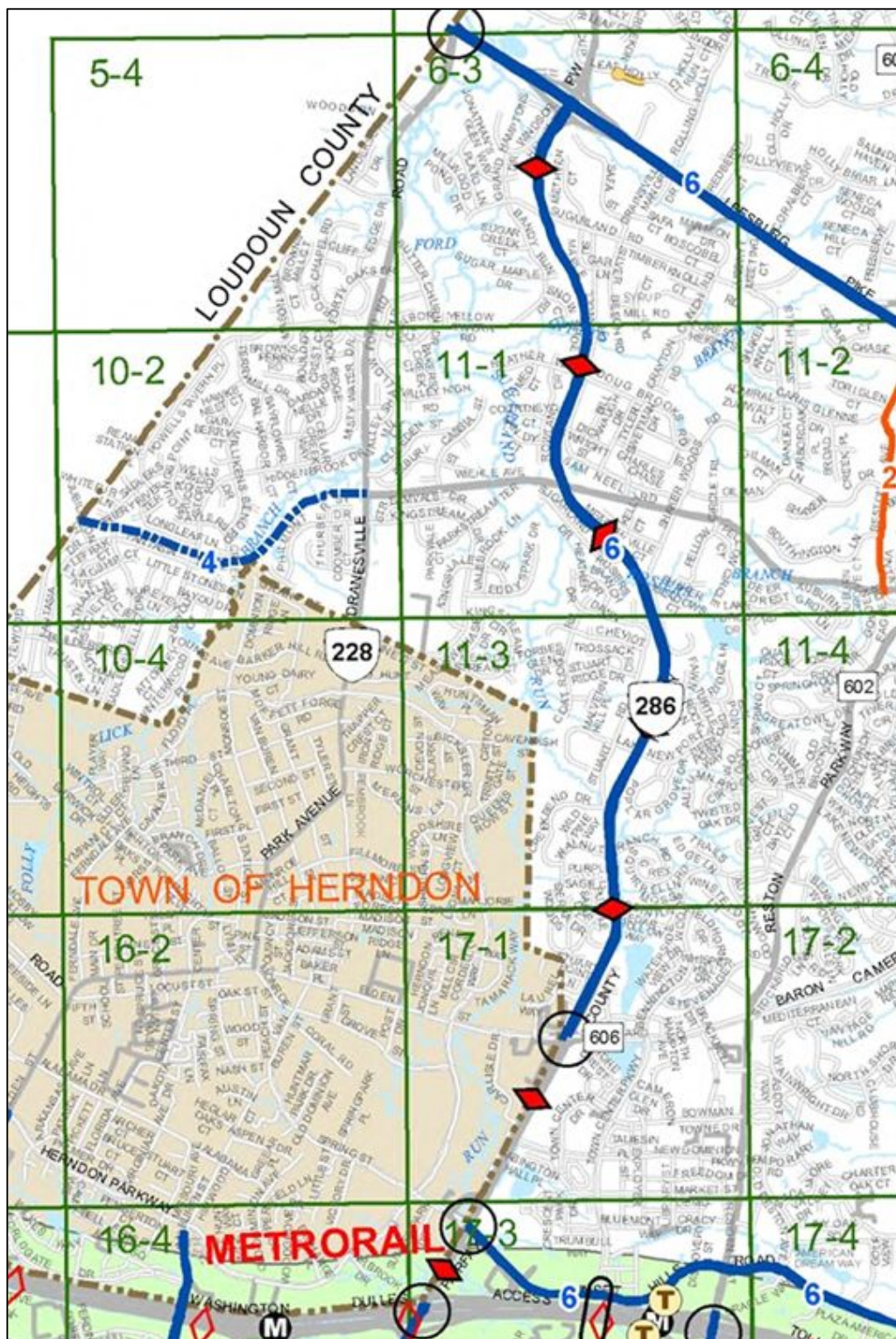


Figure 15A: Transportation Plan Map, Segment 1, FCP, Route 7 to the Dulles Toll Road

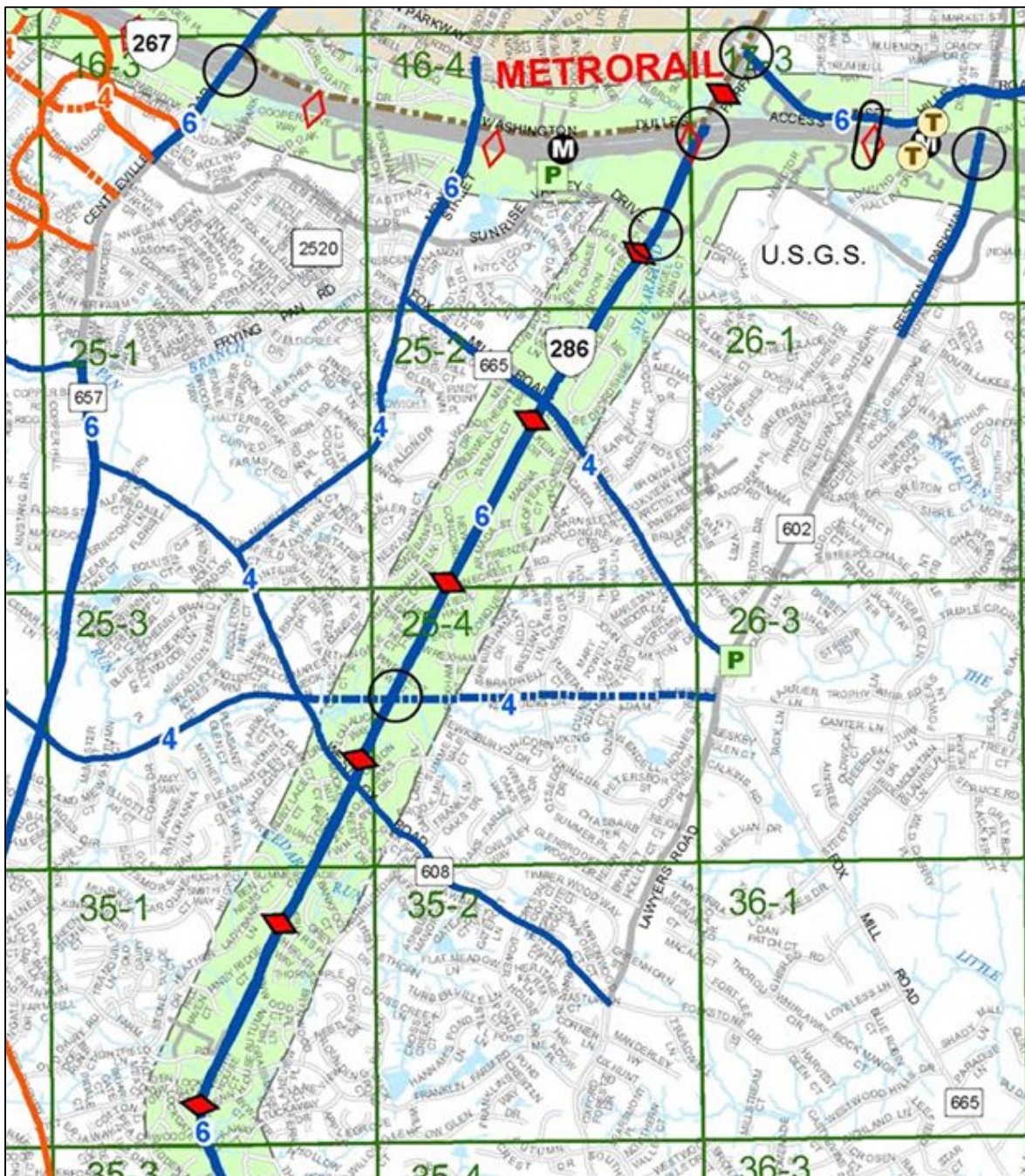


Figure 15B: Transportation Plan Map, Segment 1, FCP, Dulles Toll Road to Franklin Farm Road

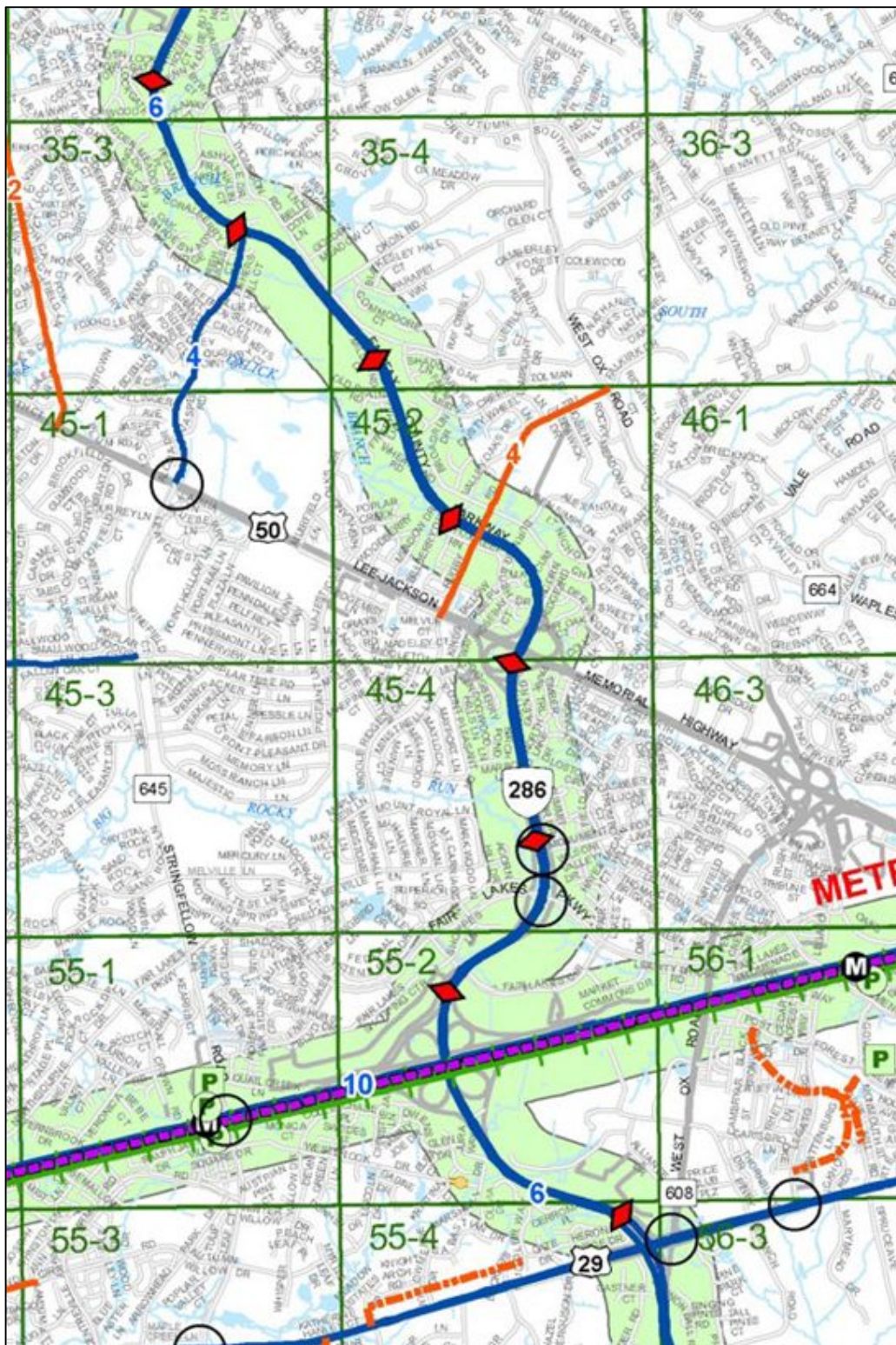


Figure 16A: Transportation Plan Map, Segment 2, FCP, Franklin Farm Road to Route 29

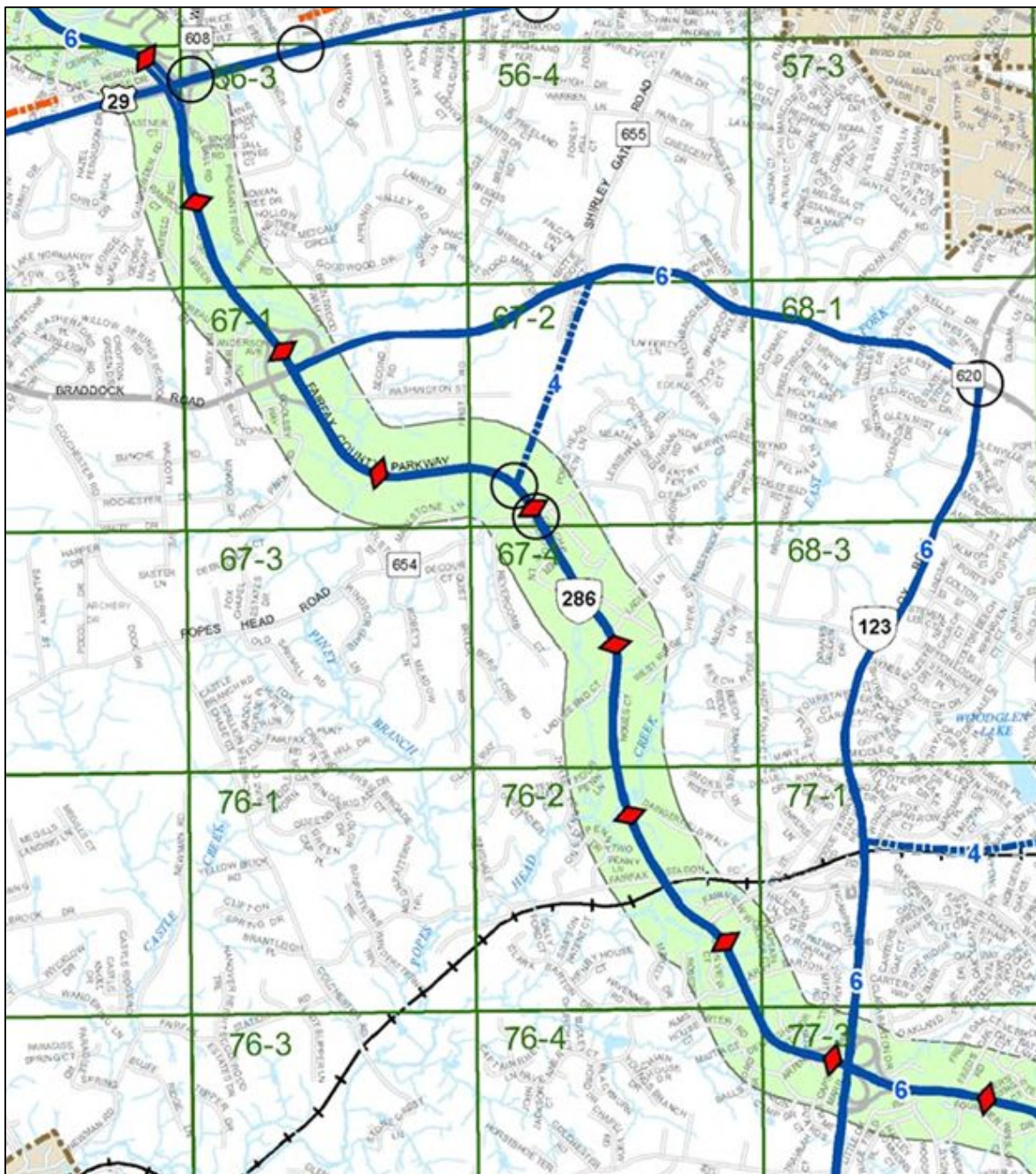


Figure 16B: Transportation Plan Map, Segment 2, FCP, Route 29 to Route 123

Segment 3

Fairfax County Parkway, Route 123 to Rolling Road

As shown in **Figures 17A and 17B**, the current Comprehensive Plan Transportation Plan Map includes the following long term transportation recommendations for the Fairfax County Parkway from Route 123 to Rolling Road:

- EPTC designation
- Widen to 6 lanes, Route 123 to Sydenstricker Road
- Widen to 8 lanes, Sydenstricker Road to Rolling Road
- Incorporate HOV lanes
- Interchange improvements at:
 - Hooes Road; and
 - Rolling Road.

Segment 4

Fairfax County Parkway, Rolling Road to Route 1

As shown in **Figures 18A and 18B**, the current Comprehensive Plan Transportation Plan Map includes the following long term transportation recommendations for the Fairfax County Parkway from Rolling Road to Route 1:

- Widen to 6 lanes, from Barta Road to I-95
- Interchange improvements at:
 - Barta Road;
 - Boudinot Drive;
 - I-95;
 - Telegraph Road;
 - John J. Kingman Road; and
 - Route 1.

** Note – An EPTC designation is present, adjacent to the Parkway, but not on the Parkway. It is on the rail line, parallel to the Parkway, from I-95 to Route 1.*

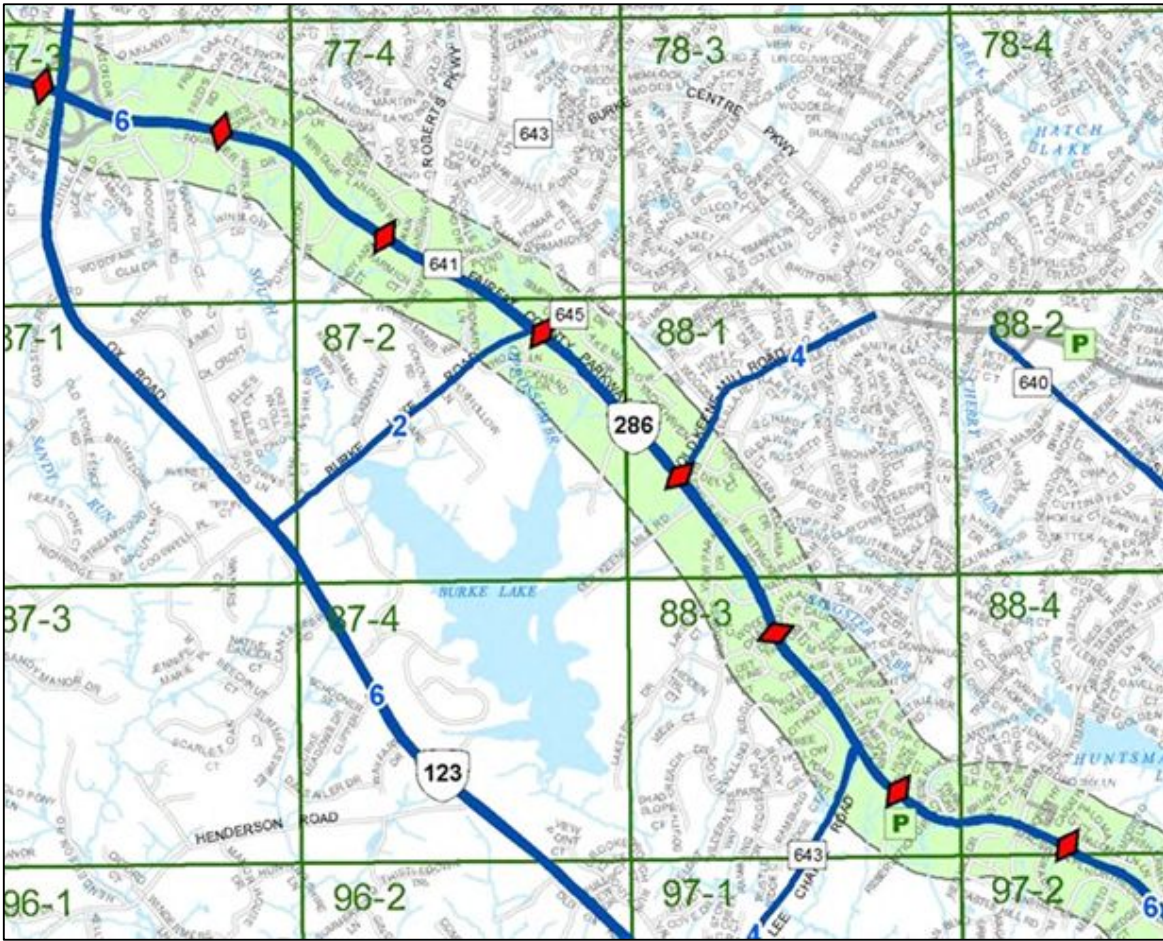


Figure 17A: Transportation Plan Map, Segment 3, FCP, Route 123 to Huntsman Boulevard



Figure 17B: Transportation Plan Map, Segment 3, FCP, Huntsman Blvd to Rolling Rd

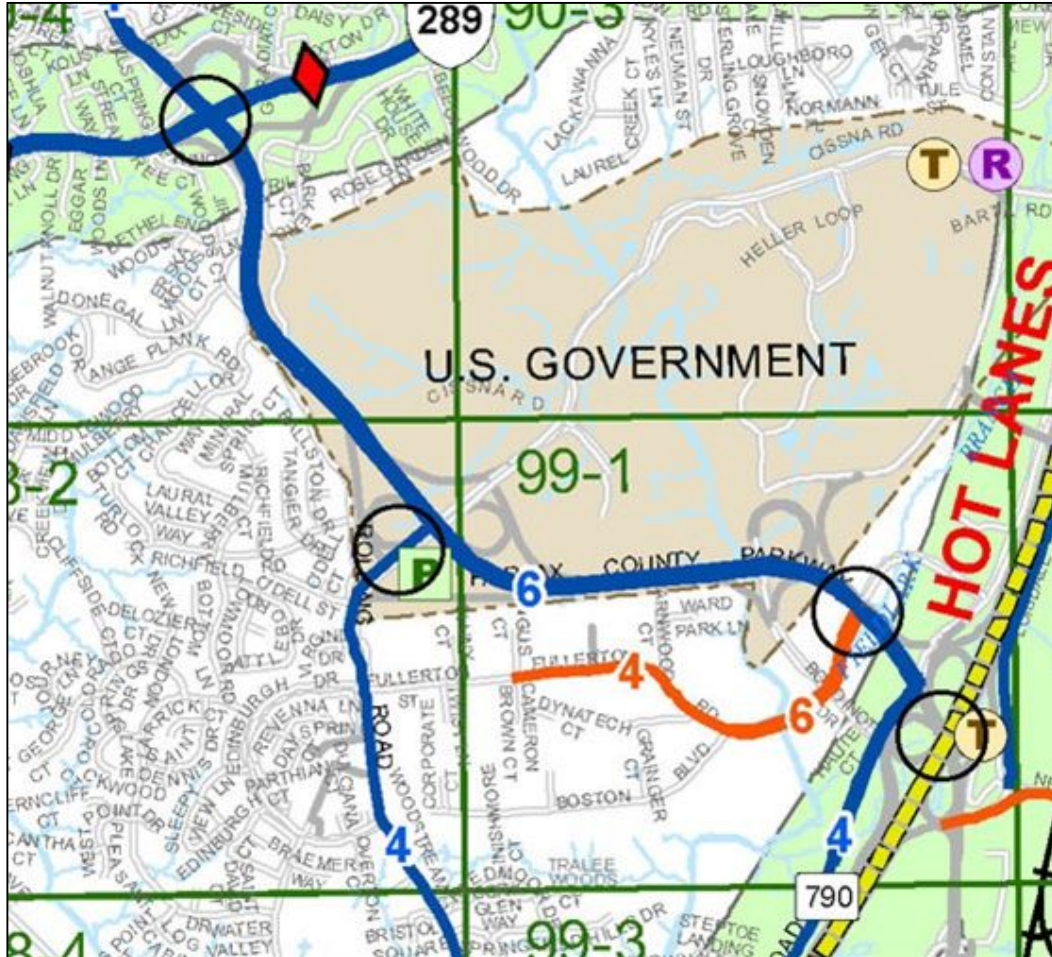


Figure 18A: Transportation Plan Map, Segment 4, FCP, Rolling Road to I-95

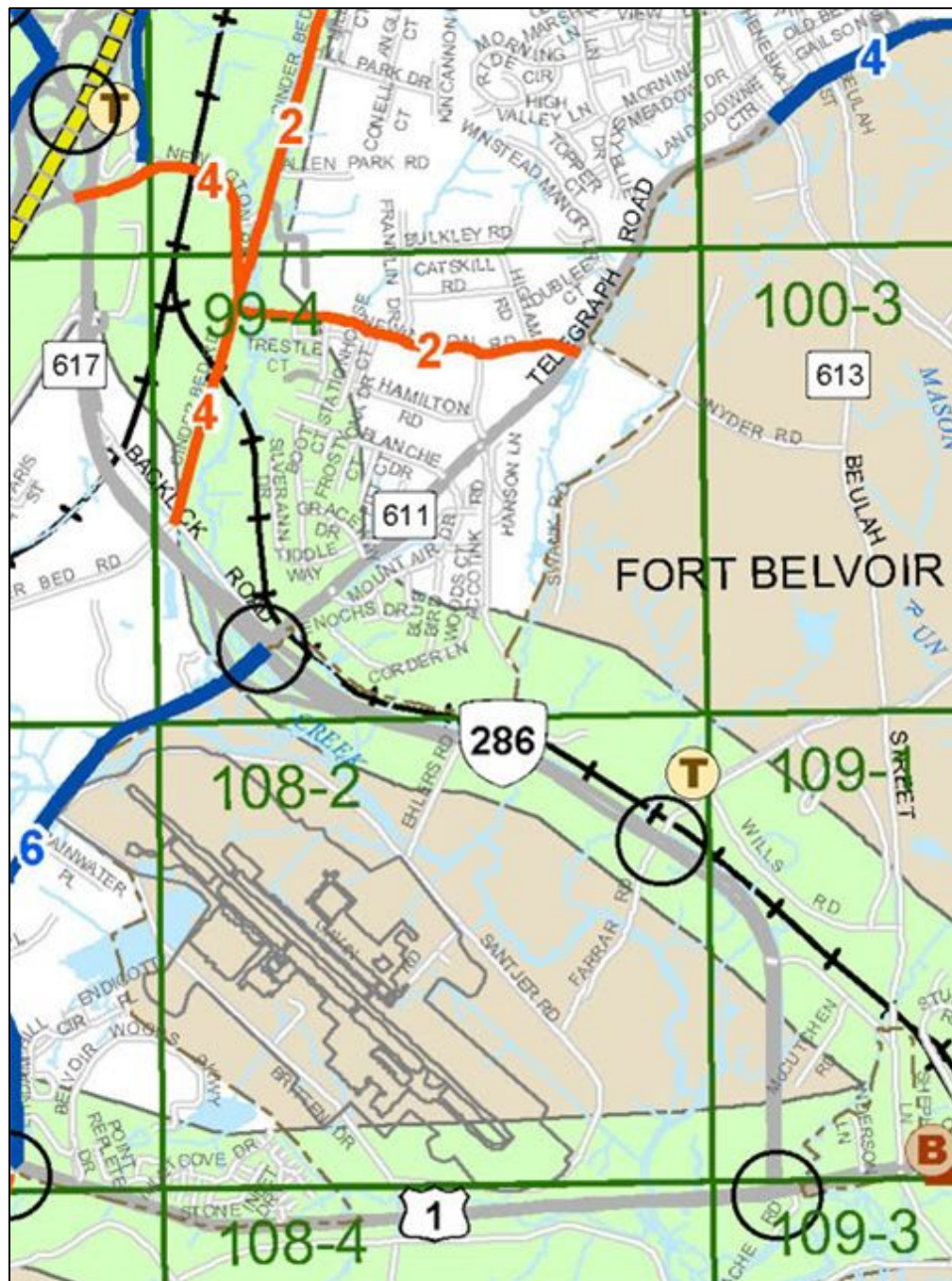


Figure 18B: Transportation Plan Map, Segment 4, FCP, I-95 to Route 1

Franconia-Springfield Parkway, Rolling Road to Beulah Street

- EPTC designation, Rolling Road to Frontier Drive
- Widen to 8 lanes, Rolling Road to Frontier Drive
- Incorporate HOV lanes, Rolling Road to Frontier Drive
- Interchange improvements at:
 - Hampton Creek Way Extension;
 - I-95 (partial interchange); and
 - Beulah Street.





Figure 19B: Transportation Plan Map, Segment 5, FSP, I-95 to Beulah Street

PROPOSED PLAN AMENDMENT

As discussed in the background section, on July 27, 2021, the Board endorsed the recommendations of the FCDOT long-term planning study for the Franconia-Springfield Parkways and authorized consideration of Plan amendment 2021-CW-T2 to incorporate the recommendations into the Comprehensive Plan. On September 24, 2019, the Board also authorized Plan Amendment 2019-III-T1 to evaluate the potential for a partial interchange at the intersection of Fairfax County Parkway and Burke Centre Parkway. One set of consolidated recommendations was developed for both Plan Amendments, encompassing all of the Fairfax County and Franconia-Springfield Parkways.

The proposed Plan amendments consider incorporation of the updated long-term transportation recommendations into the Transportation Plan Map and Area Transportation Plan maps.

ANALYSIS

Transportation

The first component of staff's response to the Board request was an assessment of existing conditions and development of short-term improvements. Completed in 2017, the Fairfax County Parkway & Franconia-Springfield Parkway Corridor Study (Corridor Study), co-administered by the Fairfax County Department of Transportation (FCDOT) and the Virginia Department of Transportation (VDOT), provided an operational and safety assessment of the existing Parkways, identifying over 350 short-term improvements, and set the foundation for FCDOT and VDOT to continue evaluating these roadways which provide a critical role within the Fairfax County transportation network. The Corridor Study identified challenges of the existing Parkways and multimodal opportunities for improvement but did not consider the long-term conditions for the corridors.

A link to the existing conditions corridor study is provided:

https://www.virginiadot.org/projects/northernvirginia/fairfax_county_franconia-springfield_pkwy.asp

Next, staff evaluated 2040 forecasted conditions for the Parkways. The Fairfax County Parkway/Franconia-Springfield Parkway Alternatives Analysis & Long-Term Study (Long-Term Study), administered by FCDOT, identified and addressed long-term conditions for the Parkways. Specifically, the purpose of the Long-Term Study was to:

- Evaluate baseline future conditions of the Parkways, based on current Comprehensive Plan network recommendations and planned land uses;
- Identify shortcomings of the planned network modifications;
- Collect public input on preferred elements to be incorporated into the future conditions of the Parkways;
- Assemble and evaluate a series of alternative mitigation solutions that attempts to address shortcomings of the baseline;
- Develop a preferred recommendation for the Parkways (i.e., number of lanes, grade separation, high-occupancy lanes) for the eventual adoption into the Comprehensive Plan; and
- Develop priorities.

The Fairfax County and Franconia-Springfield Parkways Alternatives Analysis and Long-Term Planning Study then commenced to assess currently planned and alternative long-term transportation recommendations. A future baseline assessment was initially conducted based on current land use forecasts and the long-term transportation recommendations currently in the Comprehensive Plan.

A link to the Fairfax County and Franconia-Springfield Parkways Alternatives Analysis and Long-Term Planning Study is provided:

<https://www.fairfaxcounty.gov/transportation/study/fairfax-county-parkway>

The future baseline analysis provided an initial assessment of forecasted traffic demand, deficiencies and transportation network needs. To better address the forecasted demand, a set of three (3) alternative mitigation solutions was developed and tested to determine how well each would perform.

The three alternatives developed and tested include:

- **Maximize Capacity** – A mitigation solution that provides substantial additional capacity for motorized vehicles.
- **Minimize Impact** – A mitigation solution that minimizes impacts to the natural and built environment.
- **Maximize HOV** – A mitigation solution that maximizes attraction to, and performance of, the currently planned HOV lanes. This includes grade separating several key intersections, as to allow for HOV traffic to free flow.

Based on the results of the baseline Comprehensive Plan scenario and the three alternative mitigation scenarios (along with feedback from three rounds of public outreach, each with online surveys) preliminary recommendations, followed by a preferred alternative, were developed.

The recommendations associated with the preferred alternative from the Fairfax County and Franconia-Springfield Parkways Alternatives Analysis and Long-Term Planning Study, which were endorsed by the Board on July 27, 2021, form the basis of the current Comprehensive Plan Amendment. The recommendations include the following:

- Number of travel lanes (maintain, increase, or decrease the number of lanes as recommended in the current Comprehensive Plan);
- Designation of high occupancy vehicle (HOV) travel segments (HOV is currently recommended for a majority of the Parkways);
- Addition or removal of proposed interchanges at existing at-grade intersections or planned network connections;
- Additional interchange modifications to already built interchanges on the corridor; and
- Identification of intersections requiring additional analysis and potential innovative solutions.

Specific details of the preferred alternative and its associated recommendations are summarized in the Conclusions section, below. Some of the highlights include:

- Add multiuse trails on both sides of the Parkways, where feasible;
- Remove HOV lane recommendations on the Parkways;
- Maintain 6-lane recommendations, but as general purpose;
- Remove 8-lane recommendations for Fairfax County Parkway, east of Sydenstricker Road, and for Franconia-Springfield Parkway, west of Frontier Drive;
- Add planned partial interchange at Fairfax County Parkway and Burke Centre Parkway;
- Add planned interchange at Fairfax County Parkway and Franklin Farm Road; and
- Remove planned interchange at Fairfax County Parkway and future McLearen Road Extension.

Land Use

Metropolitan Washington Council of Governments Cooperative (COG) Land Use Forecast, Round 9.0, which includes population, household, and employment forecasts through the year 2040, was the basis for all scenarios and alternatives evaluated during the previous study. The forecasts for Fairfax County are developed by Fairfax County staff, coordinated with COG and our regional neighbors, and are based on the Fairfax County Comprehensive Plan. No further changes in land use forecasts were assumed for these amendments, and no changes to the land uses within the Comprehensive Plan are proposed.

Parks and Recreation

Access to Patriot Park East, in the vicinity of the Fairfax County Parkway, Popes Head Road and the Shirley Gate Road Extension, should be accommodated. Virginia Department of Transportation (VDOT) design plans, from their December 2019 design public hearing, include accommodation of access to Patriot Park East from the Shirley Gate Road Extension, as shown in **Figures 20 and 21**.



Figure 20: VDOT Plans for Fairfax County Parkway widening and Popes Head Road and Shirley Gate Road Extension Interchange



Figure 21: VDOT Rendering of Fairfax County Parkway widening and Popes Head Road and Shirley Gate Road Extension Interchange

Noise

Noise impacts will be evaluated and addressed at the time that individual roadway improvement projects are implemented, during the engineering, design and National Environmental Policy Act (NEPA) phases.

Tree Preservation

Tree preservation is included in Objectives and Policies from the Environment Element of the Policy Plan of the Comprehensive Plan and should be considered when individual roadway improvement projects are implemented, during the engineering, design and NEPA phases.

Water Quality and Stormwater Management

The Department of Public Works and Environmental Services (DPWES) conducted an assessment of impacts of the various network scenarios. The Preferred Alternative, which maintains current Comprehensive Plan recommendations to widen portions of the Parkways to six lanes, while removing recommendations to widen to eight lanes in Springfield, has the greatest right-of-way (ROW) impact due to recommended roadway and trail improvements (169.7 acres). Aside from a small number of interchange recommendations being added or removed from the current Plan, the recommendation for shared use paths on both sides of the Parkways represents the primary impact along the Parkways mainlines, comparing the current Comprehensive Plan recommendations with the newly proposed preferred alternative.

The greatest impacts are in Segment 1, in the Sugarland Run and Horsepen Creek watersheds, and Segment 4, in the Accotink Creek watershed. All three watersheds are listed by the Virginia Department of Environmental Quality as impaired streams for benthic macroinvertebrates bioassessments. Accotink Creek has an additional impairment for chloride. Increases in impervious cover contribute to the impairments by introducing more runoff and pollutants like road salt into the streams.

The Preferred Alternative shows 101.7 acres of ROW impacts in Segment 4 alone, and, presumably, much of this will be additional impervious cover from the proposed increase from four to six lanes. DPWES Stormwater requests the Comprehensive Plan amendment note that any transportation improvements with significant increases in new impervious cover should demonstrate how the project will minimize and/or mitigate impacts to these local stream impairments. Any transportation (roadway or trail) improvement projects will address stormwater management and impacts to local streams as they are implemented, during the engineering, design and NEPA phases.

The DPWES Stormwater supports the recommended reductions from eight lanes to six lanes in Segments 3 and 5, on the Fairfax County Parkway, from Sydenstricker Road to Rolling Road, and the Franconia-Springfield Parkway, from Rolling Roads to Frontier Drive. This reduction will reduce the amount of new impervious cover in the Pohick Creek watershed.

Heritage Resources

Department of Planning and Development Heritage Resources staff examined the project corridors against public and internal databases for impacts to historic resources. This analysis included Historic Overlay Districts (HOD), Fairfax County Inventory of Historic Sites properties, cemeteries, previously surveyed properties, and properties investigated by private firms and published to The Virginia Department of Historic Resources (VDHR) cultural resource database.

This project could impact a total of two Historic Overlay Districts, eight County Inventory Sites, eight cemeteries, and seven properties that warrant further analysis by the Virginia Department of Historic Resources for eligibility for listing the National Register of Historic Places and/or Virginia Landmarks Register. Potential impacts on specific sites are found below.

Any impacts would be addressed as individual roadway and trail improvement projects are implemented, during the engineering, design and NEPA phases.

Segment 1

The Dranesville Tavern Historic Overlay District is roughly bound by, and includes parts of, Cup Leaf Holly Court to the north, Algonkian Parkway and the Fairfax County Parkway to the west, Sugarland Road to the south, and Redberry Court to the east.

Segment 2

The County Inventory of Historic Sites includes several sites and on cemetery within the vicinity of, the proposal:

- Winfield Farm, 5300 Winfield Road, Fairfax
- Samuel Wrenn House at Franklin Farm, 13223 Wrenn House Lane, Herndon
- Chantilly Plantation Stone House, 13200 Lee Jackson Memorial Highway, Fairfax
- Woodaman House, 12816 Westbrook Drive, Fairfax
- Framingham Court Cemetery, located north of the intersection of Pinecrest Road and the Fairfax County Parkway, south of Framingham Court and surrounded by residential development.

There are properties identified on the Virginia Department of Historic Resource's (VDHR) database that are within vicinity of proposal:

- Chantilly Historic District, VDHR ID No. 029-6940, largely marked by Lee Jackson Memorial Highway and Sully Road, including small sections of the Fairfax County Parkway. VDHR has not evaluated this resource for eligibility for listing on the National Register of Historic Places/Virginia Landmarks Register.
- Battle of Chantilly Historic District, VDHR ID No. 029-0162, largely marked by Lee Highway and West Ox Road and includes sections of Custis Memorial Parkway, Fairfax County Parkway, and Lee Jackson Memorial Highway. VDHR has not evaluated for eligibility for listing on the National Register of Historic Places/Virginia Landmarks Register.

Segment 3

The County Inventory of Historic Sites includes two sites and three cemeteries within the vicinity of, the proposal:

- Sydenstricker School, 8511 Hooes Road, Springfield.
- Sydenstricker Methodist Chapel, 8507 Hooes Road, Springfield.
- Pearson Site & Cemetery, located southeast of the intersection of Fairfax County Parkway and Burke Lake Road, spanning Lake Meadow Drive Lee Chapel Site & Cemetery, located east of the intersection of Lee Chapel Road and the Fairfax County Parkway, directly adjacent to the Fairfax County Parkway
- Sydenstricker United Methodist Church Cemetery, located at 8507 Hooes Road, Springfield
- Deaver House and Cemetery Site, located west of the intersection of Hooes Road and Sydenstricker Road

There is a property identified on the Virginia Department of Historic Resource's (VDHR) database that are within vicinity of proposal:

- Belle Aire Schoolhouse, VDHR ID No. 029-0077, 10130 Lakehaven Court, Burke. VDHR has not evaluated this resource for eligibility for listing in the National Register of Historic Places/Virginia Landmarks Register.

Segment 4

A Historic Overlay District is located within vicinity of proposal:

- Mount Air HOD, bound by Telegraph Road to the northwest, Accotink Road to the east, and the railroad north of the Fairfax County Parkway to the south

The County Inventory of Historic Sites includes two sites and three cemeteries within vicinity of proposal:

- Mount Air Inventory Site, bound by Fisher Woods Drive to the northwest, Accotink Road to the northeast, and the railroad north of the Fairfax County Parkway to the south.
- Fort Belvoir Military Historic Corridor, running along the railroad tracks beginning at Newington Road to the north and Putnam Road at Fort Belvoir to the south.
- Pohick Run Cemetery Site, located south of Bethelen Woods Lane and east of Donegal Lane and bound by Fairfax County parkway to the east, and Rolling Road to the north, west, and south
- Clarke's Chapel Baptist Church & Cemetery, located south of the intersection of Chancellor Way and Rolling Road and west of the intersection of Rolling Road and Hooes Road
- Mount Air Cemetery, bound by Fairfax County Parkway to the south, Swank Road to the east, Telegraph Road to the north, and Accotink Road to the west

There are properties identified on the Virginia Department of Historic Resource's (VDHR) database that are within the vicinity of the proposal:

- Mount Air, VDHR ID No. 029-0136, 8600 Accotink Road, Lorton. VDHR determined this resource eligible for listing on the National Register of Historic Places/Virginia Landmarks Register
- Fort Belvoir Railroad Corridor, VDHR ID No. 029-5724, running along the railroad tracks beginning at Newington Road to the north and Putnam Road at Fort Belvoir to the south. VDHR listed this resource on the Virginia Landmarks Register
- Richmond, Fredericksburg & Potomac Railroad, VDHR ID No. 500-0001, spans from Washington, DC to Richmond, Virginia, mostly parallel to I-95, and intersections the Fairfax County Parkway. VDHR determined this resource eligible for listing in the National Register of Historic Place/Virginia Landmarks Register

Segment 5

Properties identified on the Virginia Department of Historic Resource's (VDHR) database that are within the vicinity of the proposal:

- Franconia Historic District, VDHR ID No. 029-6941, incorporating Route 613 on the western end, a portion of the Franconia-Springfield Parkway on the eastern end, Rock Cliff Lane and Hayfield Road on the southwestern side, a portion of Old Telegraph Road on the southeastern end, and Kingstown Village Parkway and Edgeware Lane on the eastern end. VDHR has not evaluated this resource for eligibility for listing in the National Register of Historic Places/Virginia Landmarks Register

This proposal spans Comprehensive Plan Areas III and IV. Each Area Plan Overview of Heritage Resource Recommendations includes text providing guidance towards achieving a balance between physical and economic growth and preservation of the county's prehistoric and historic heritage resources. Objectives and policies focus on three general issues: identification of the resource base; protection and preservation of significant heritage resources; and promotion of community awareness and involvement.

The Area Plans identify specific heritage resources including historic, architectural and archaeological resources. Each District Plan contains a chart and map of the resources derived from the county's Inventory of Historic Sites. In some sectors, historic overlay districts are identified and special land use guidelines related to these districts are cited under the Recommendations section.

CONCLUSION

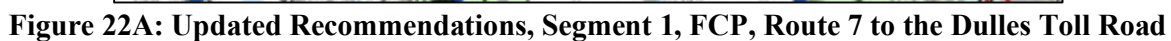
Based on the results of the outreach and alternatives analysis, as part of the Fairfax County and Franconia-Springfield Parkways Alternatives Analysis and Long-Term Planning Study, a new, updated set of long-term transportation recommendations was developed and endorsed by the Board on July 27, 2021. These recommendations are summarized, below.

Segment 1

Fairfax County Parkway, Route 7 to Franklin Farm Road

As shown in **Figures 22A and 22B**, the updated long-term transportation recommendations for the Fairfax County Parkway, from Route 7 to Franklin Farm Road, include:

- Maintain Enhanced Public Transportation Corridor designation from the Dulles Toll Road to the south
- Maintain recommendation to widen to 6 lanes, Route 7 to Baron Cameron Avenue
- Maintain recommendation to widen to 6 lanes, Sunrise Valley Dr to Franklin Farm Rd
- Remove recommendation for High Occupancy Vehicle (HOV) lanes
- Consider innovative intersection improvement at:
 - Wiehle Avenue. (“Additional Intersection Analysis and Evaluation Required”)
- Maintain interchange improvement at:
 - Sunset Hills Road/Spring Street;
 - Dulles Toll Road (including HOV feeder); and
 - Sunrise Valley Drive.
- Remove interchange improvement at:
 - Baron Cameron Avenue (*Constructed - Deemed Sufficient*); and
 - McLearen Road Extension (*Planned - No Longer Deemed Needed*).
- Add interchange improvement at:
 - Franklin Farm Road.



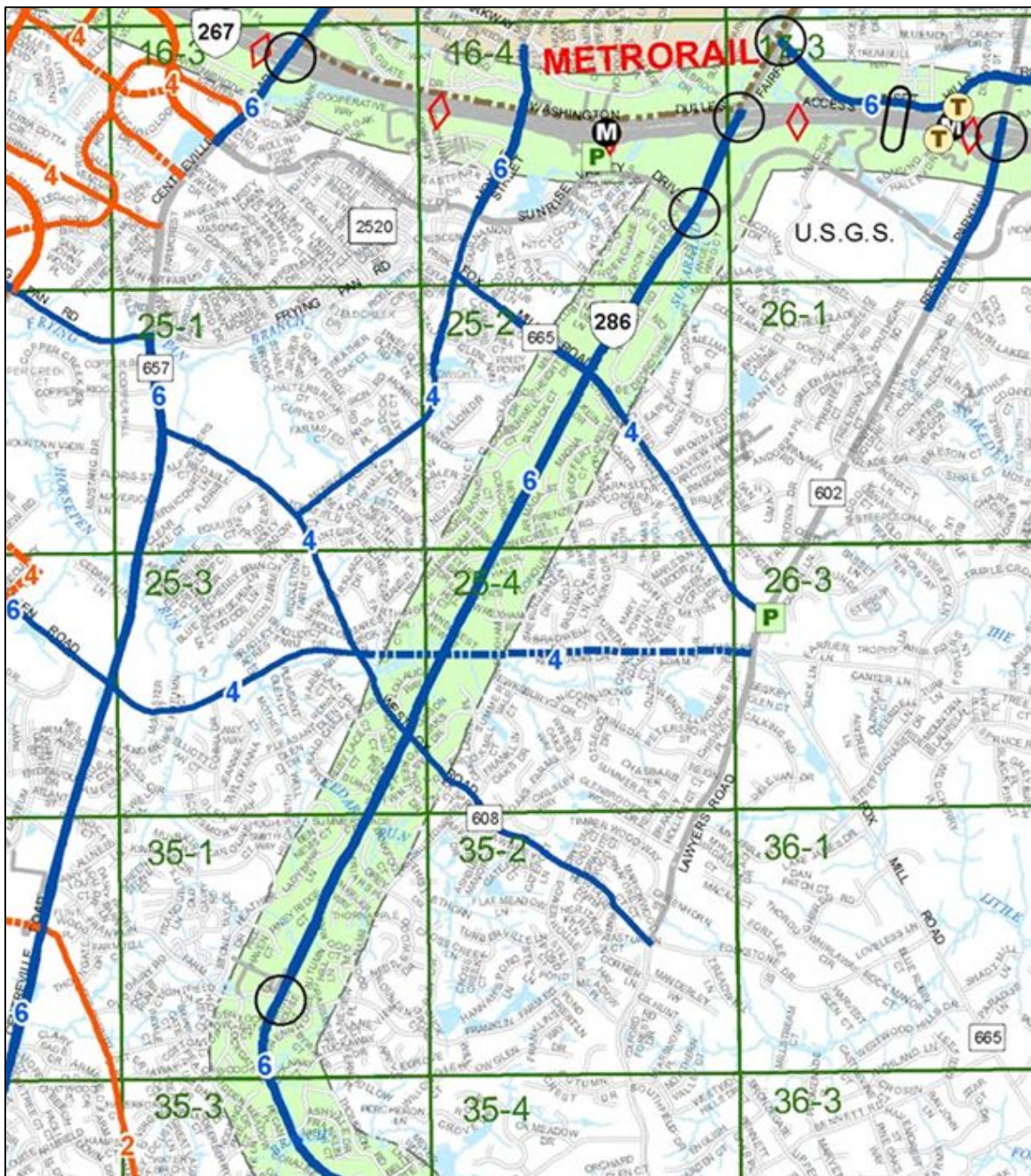


Figure 22B: Updated Recommendations, Segment 1, FCP, Dulles Toll Rd to Franklin Farm Rd

Segment 2

Fairfax County Parkway, Franklin Farm Road to Route 123

As shown in **Figures 23A and 23B**, the updated long-term transportation recommendations for the Fairfax County Parkway, from Franklin Farm Road to Route 123, include:

- Maintain Enhanced Public Transportation Corridor designation
- Maintain recommendation to widen to 6 lanes, Franklin Farm Road to Rugby Road
- Maintain recommendation to widen to 6 lanes, Route 29 to Route 123
- Remove recommendation for High Occupancy Vehicle (HOV) lanes
- Consider innovative intersection improvement at:
 - Rugby Road. (“Additional Intersection Analysis and Evaluation Required”)
- Maintain interchange improvement at:
 - Shirley Gate Road Extension; and
 - Popes Head Road.
- Remove interchange improvement at:
 - Monument Drive (*Constructed - Deemed Sufficient*); and
 - Fair Lakes Parkway (*Constructed - Deemed Sufficient*).
- Add interchange improvement at:
 - I-66 (with HOV feeder);
 - Burke Centre Parkway (partial); and
 - Route 123.

Segment 3

Fairfax County Parkway, Route 123 to Rolling Road

As shown in **Figures 24A and 24B**, the updated long-term transportation recommendations for the Fairfax County Parkway, from Route 123 to Rolling Road, include:

- Maintain Enhanced Public Transportation Corridor designation
- Maintain recommendation to widen to 6 lanes, Route 123 to Sydenstricker Road (*Require further study of four lane cross section with additional outreach*)
- Remove recommendation to widen to 8 lanes, Sydenstricker Road to Rolling Road
- Remove recommendation for High Occupancy Vehicle (HOV) lanes
- Consider innovative intersection improvement at:
 - Huntsman Boulevard. (“Additional Intersection Analysis and Evaluation Required”)
- Maintain interchange improvement at:
 - Rolling Road.
- Remove interchange improvement at:
 - Hooes Road (*Constructed - Deemed Sufficient*).

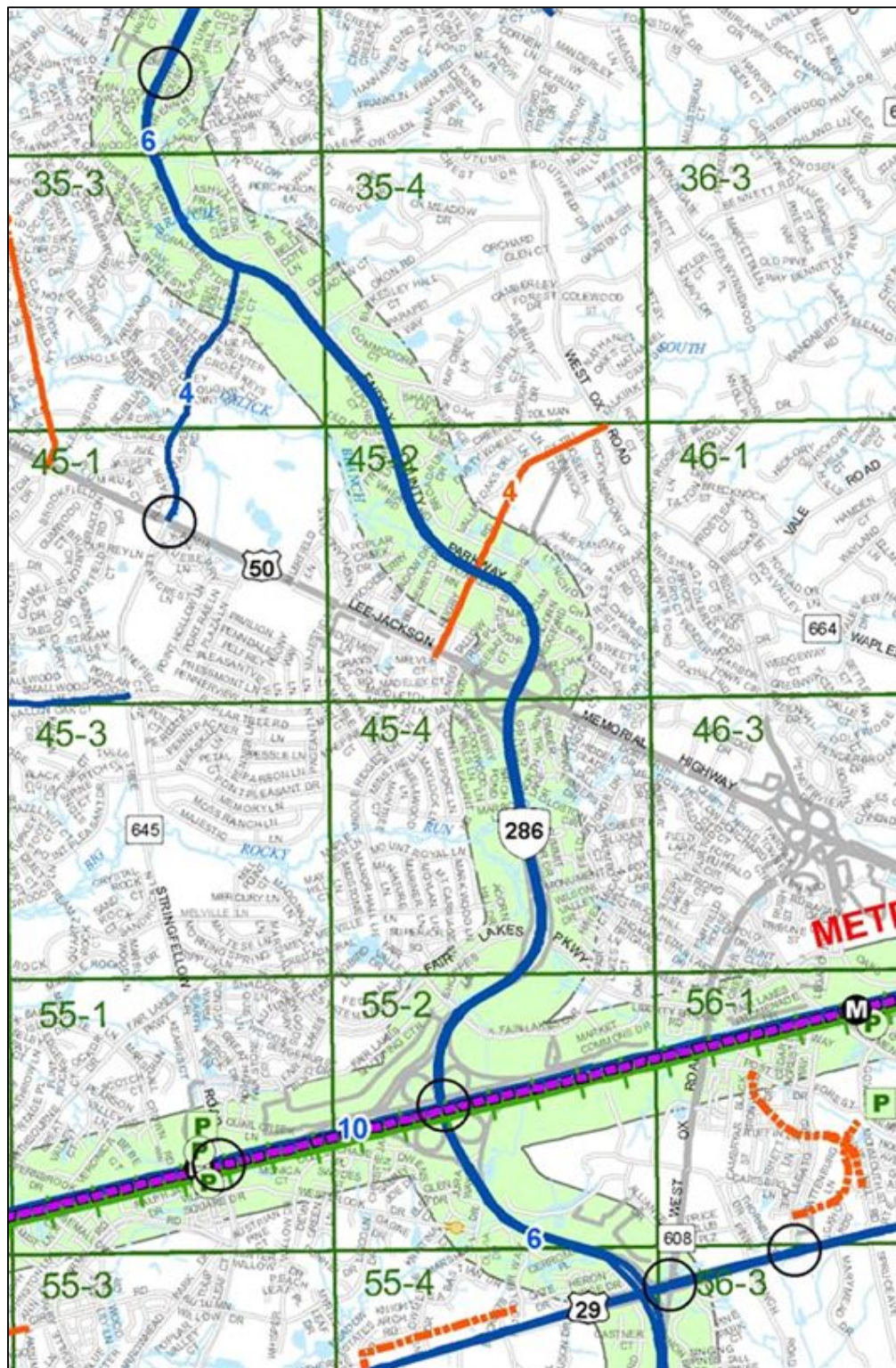


Figure 23A: Updated Recommendations, Segment 2, FCP, Franklin Farm Road to Route 29

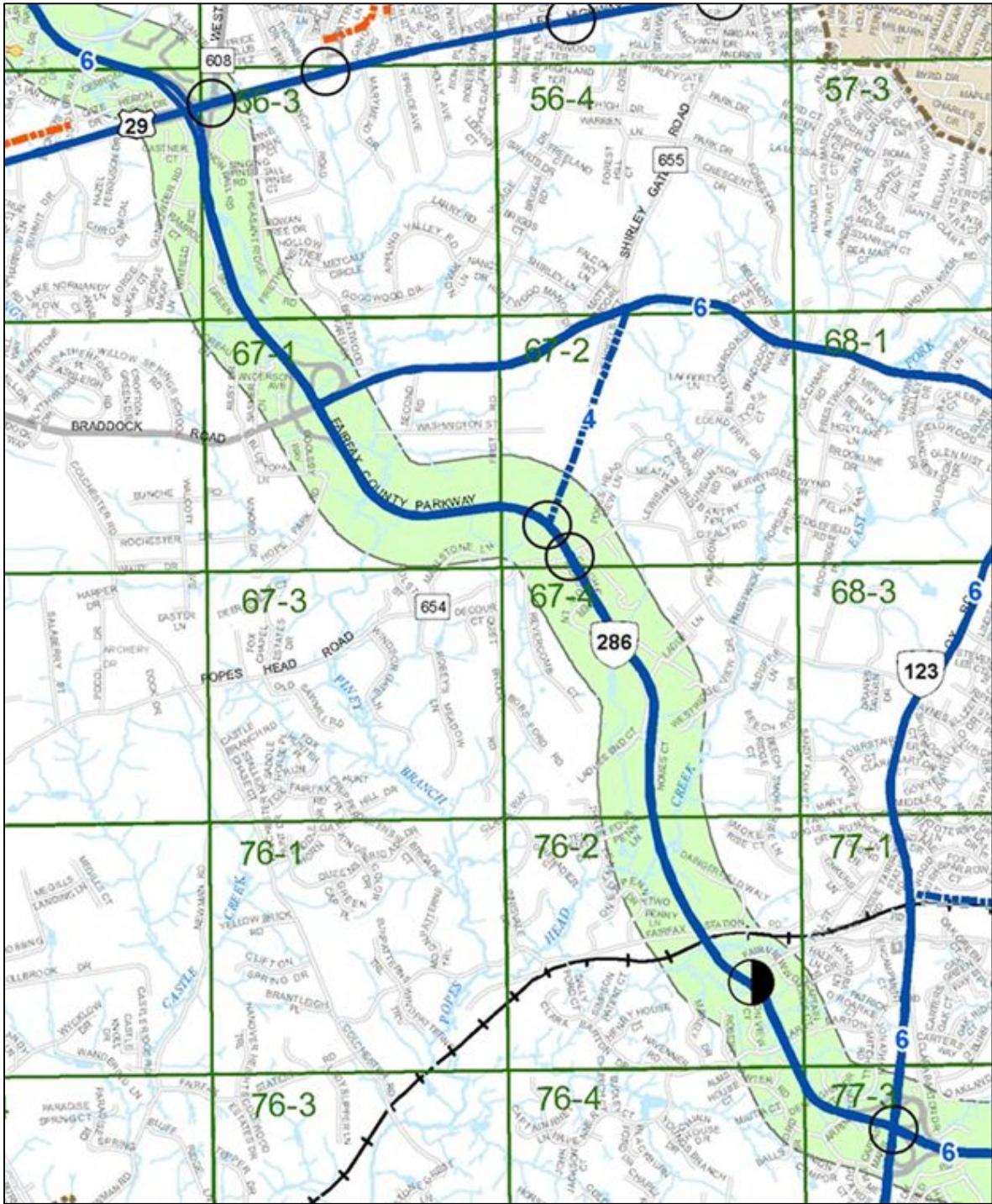


Figure 23B: Updated Recommendations, Segment 2, FCP, Route 29 to Route 123

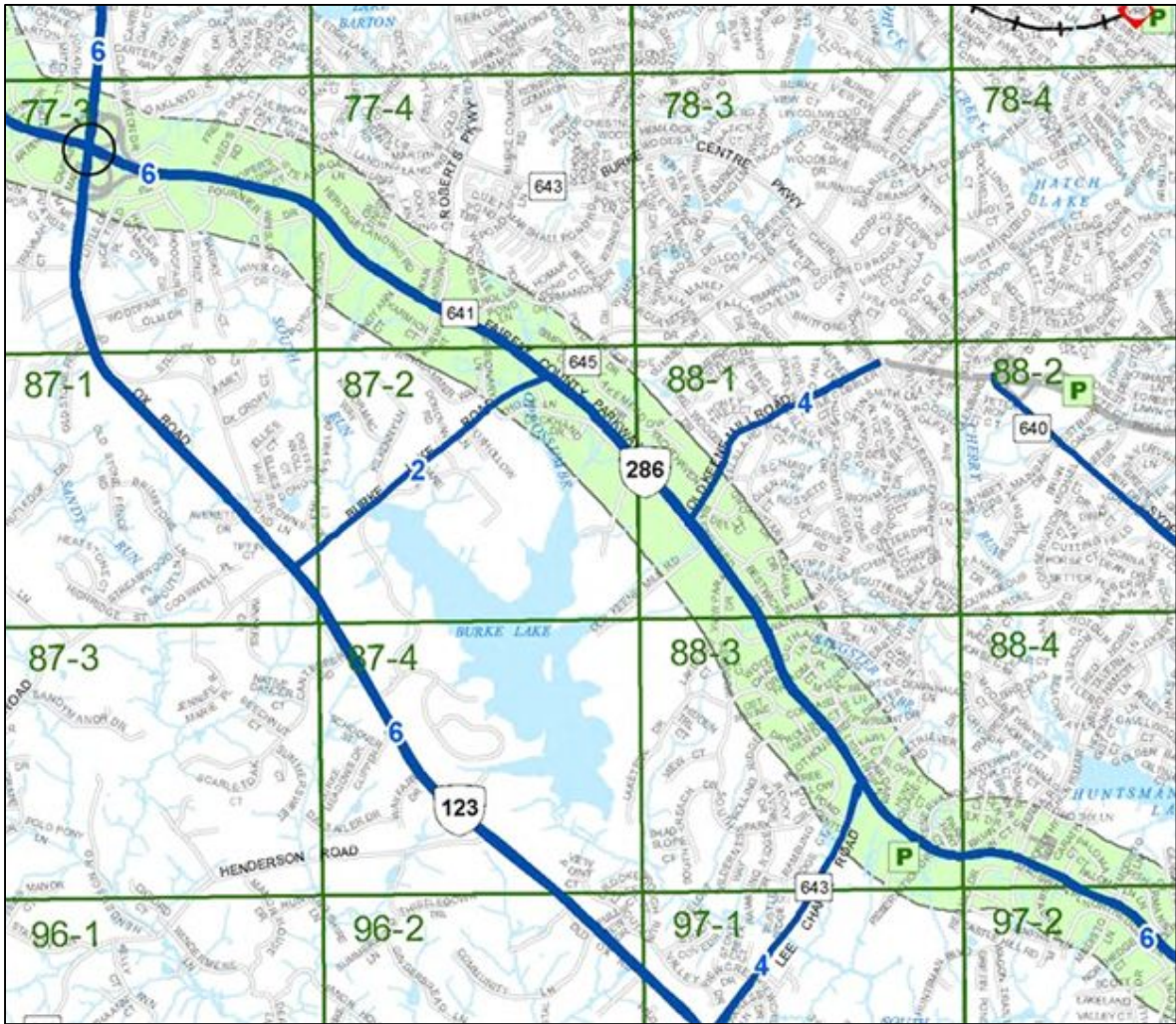


Figure 24A: Updated Recommendations, Segment 3, FCP, Route 123 to Huntsman Boulevard

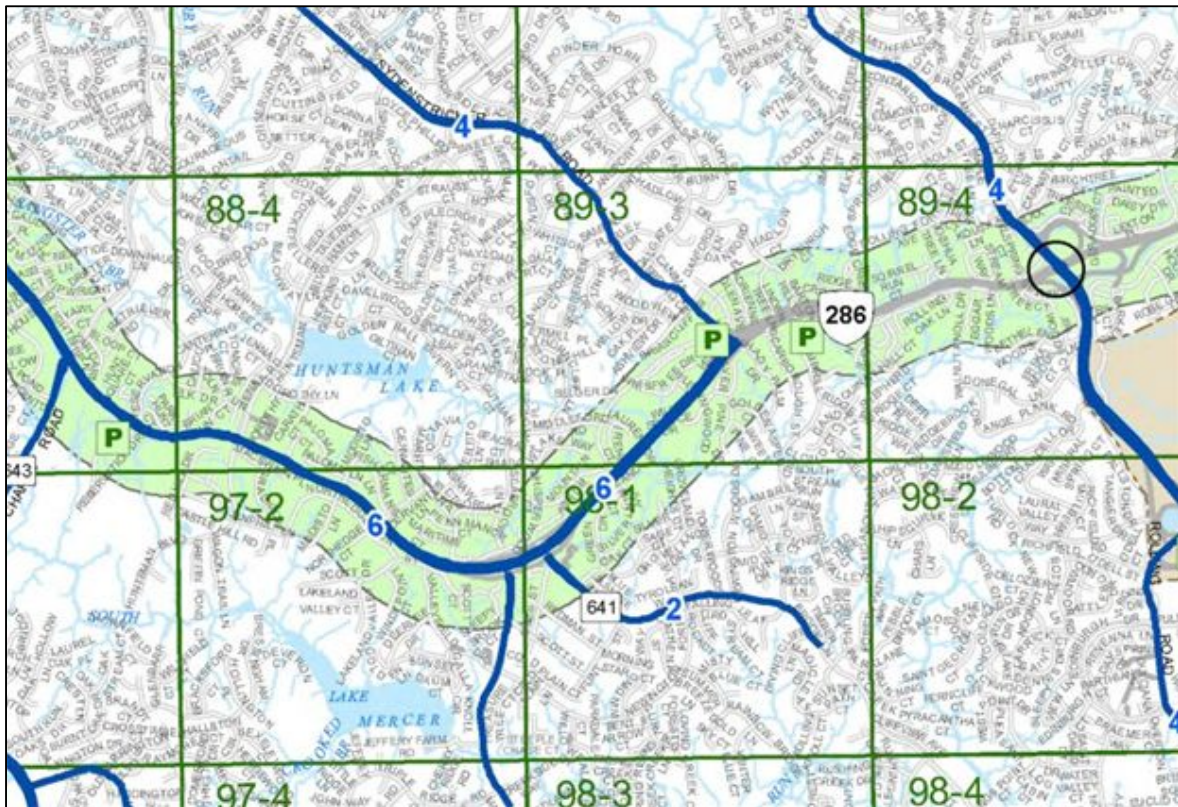


Figure 24B: Updated Recommendations, Segment 3, FCP, Huntsman Boulevard to Rolling Road

Segment 4

Fairfax County Parkway, Rolling Road to Route 1

As shown in **Figures 25A and 25B**, the updated long-term transportation recommendations for the Fairfax County Parkway, from Rolling Road to Route 1, include:

- Add recommendation to widen to 6 lanes, Barta Road to John J Kingman Road.
- Add enhanced network connectivity to/from Terminal Road, east and west of FCP.
- Maintain interchange improvement at:
 - I-95;
 - Telegraph Road;
 - John J Kingman Road; and
 - Route 1.
- Remove interchange improvement at:
 - Barta Road (*Constructed - Deemed Sufficient*); and
 - Boudinot Drive (*Constructed - Deemed Sufficient*).

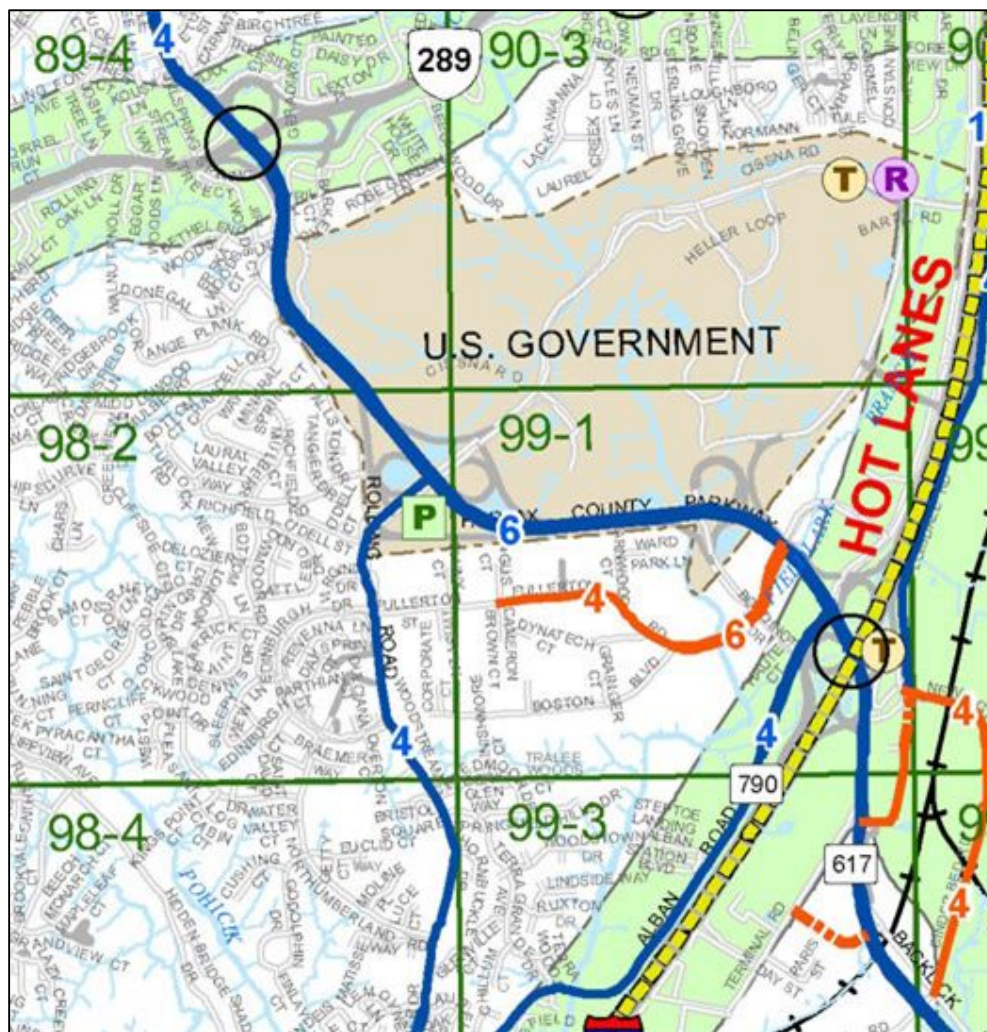


Figure 25A: Updated Recommendations, Segment 4, FCP, Rolling Road to I-95

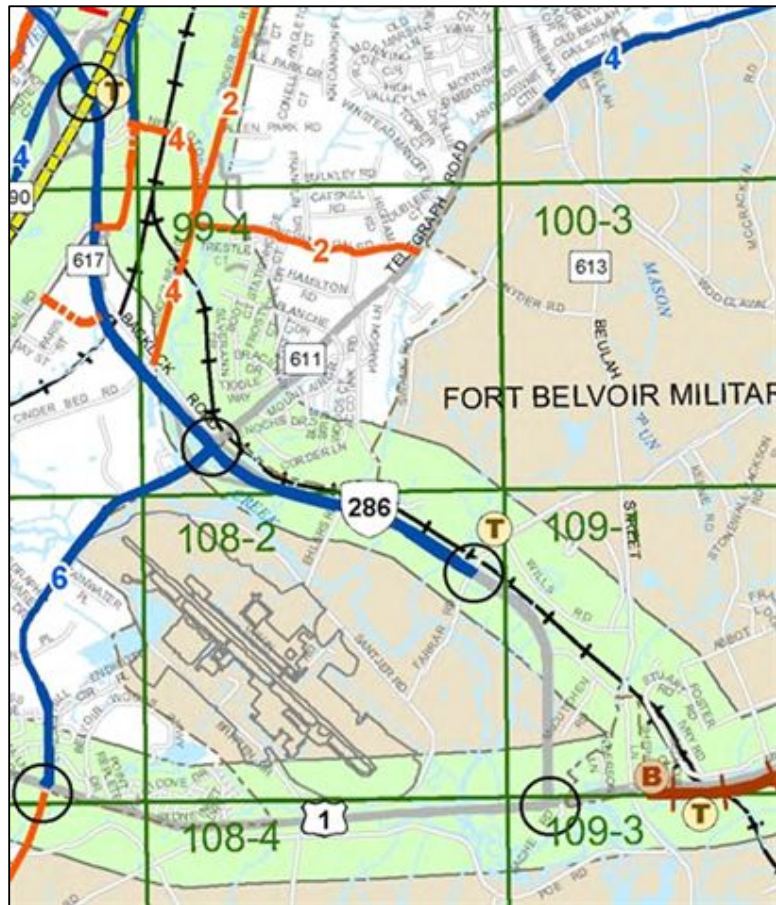


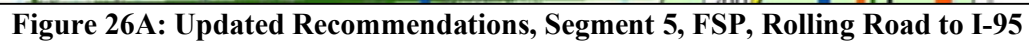
Figure 25B: Updated Recommendations, Segment 4, FCP, I-95 to Route 1

Segment 5

Franconia-Springfield Parkway, Rolling Road to Beulah Street

As shown in **Figures 26A and 26B**, the updated long-term transportation recommendations for the Franconia-Springfield Parkway, from Rolling Road to Beulah Street, include:

- Maintain Enhanced Public Transportation Corridor designation
- Remove recommendation to widen to 8 lanes, Rolling Road to Frontier Drive
- Remove recommendation for High Occupancy Vehicle (HOV) lanes
- Maintain interchange improvement at:
 - Hampton Creek Way Extension; and
 - Beulah Street.
- Remove partial interchange improvement at:
 - I-95.
- Add interchange improvement at:
 - I-95 (with HOV Feeder).



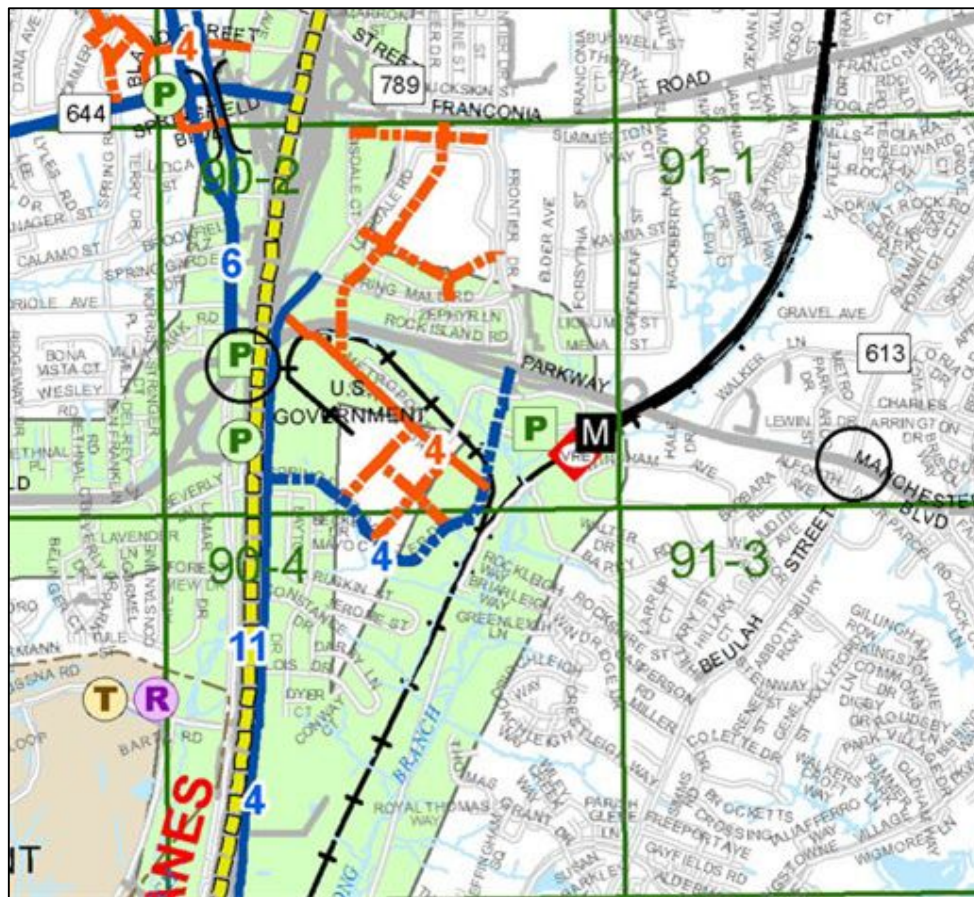


Figure 26B: Updated Recommendations, Segment 5, FSP, I-95 to Beulah Street

RECOMMENDATION

In order to incorporate the endorsed recommendations, staff recommends the Comprehensive Plan be modified as shown below. Text proposed to be added is shown as underlined and text proposed to be deleted is shown with a ~~strikethrough~~. Text shown to be replaced is noted as such.

PROPOSED REVISIONS TO THE COMPREHENSIVE PLAN

Staff recommends that the Comprehensive Plan, including associated maps and figures be modified on shown on the following pages. Text proposed to be added is shown as underlined and text proposed to be deleted is shown with a ~~strikethrough~~. Text recommended to be replaced is noted as such.

MODIFY: Fairfax County Comprehensive Plan, 2017 Edition, Area III, Reston, as amended through July 31, 2018, pages 29-30:

“Road Transportation Improvements

The following list of roadway network improvements are recommended to achieve the vision for Reston and enhance connectivity through the Transit Station Areas (TSAs) by creating multiple and enhanced connections.

...

- Improve Fairfax County Parkway - 6 lanes north of Baron Cameron Avenue ~~with High Occupancy Vehicle (HOV) lane(s)~~

These improvements are an integral part of the planned grid of streets in the three TSAs in Reston. For graphics and details on the enhanced grid of streets refer to the TSA section below.”

MODIFY: Fairfax County Comprehensive Plan, 2017 Edition, Area III, Fairfax Center Area, as amended through October 19, 2021, page 60:

“Transportation

Transportation improvements should be provided to mitigate the impact associated with development above the .25 FAR overlay level. ~~Any development should be coordinated with the Fairfax County HOV Design Study.~~

Improved bus service may be needed to serve additional development. A safe and efficient pedestrian system should link the key areas in Fair Lakes to provide appropriate connections between office, retail, hotel and residential uses.”

MODIFY: Fairfax County Comprehensive Plan, 2017 Edition, Area IV, Franconia-Springfield Area and Fort Belvoir North Area, as amended through June 28, 2022, page 95:

“CHARACTER

...

The FBNA is located west of I-95, ~~and south of the Franconia-Springfield Parkway (Route 289), and north of the Fairfax County Parkway,~~ but does not have direct access from ~~any either~~ of these facilities. Principal access to the existing military reservation is from ~~Barta Road~~Backlick Road. ~~The planned Fairfax County Parkway (Route 286) will traverse the site along its western and southern boundaries, and provide future direct access into the property from a planned interchange of Rolling Road with the Fairfax County Parkway.”~~

MODIFY: Fairfax County Comprehensive Plan, 2017 Edition, Area IV, Franconia-Springfield Area and Fort Belvoir North Area, as amended through June 28, 2022, page 97:

“Dedication of Public Lands

The Plan recommends the dedication of land as described in the following paragraphs. Access to dedicated lands other than by trails of like means may not be available until either development occurs or the county provides access.

The dedication of the following lands is required:

- ~~1. — All right of way for transportation facilities needed for full development, including dedication for the Fairfax County Parkway, recognizing that additional right of way may be identified during the monitoring and evaluation process required for subsequent phases of development and that such rights of way will be dedicated as needed;~~
12. The Accotink Stream Valley Environmental Quality Corridor to the Fairfax County Park Authority;
23. Up to 8 acres southeast of the Rolling Road and the Fairfax County Parkway interchange for a commuter parking lot;
34. The remaining portion of the land west of the Accotink Stream Valley Environmental Quality Corridor to the Fairfax County Park Authority for park purposes.
45. A transit facility site of at least 5 acres east of the Accotink Stream Valley Environmental Quality Corridor.”

MODIFY: Fairfax County Comprehensive Plan, 2017 Edition, Area IV, Franconia-Springfield Area and Fort Belvoir North Area, as amended through June 28, 2022, page 97:

“TRANSPORTATION

The adopted County Transportation Plan identified the following roadway and public transportation improvements in the vicinity of the FBNA (See Figure 28):

- Construct interchange at the Franconia-Springfield Parkway ~~to an 8 lane section, including HOV lanes and interchanges at Rolling Road, and~~ Neuman Street, and I-95;
- Construct the Fairfax County Parkway to a 6 lane section, ~~including interchanges with the Franconia-Springfield Parkway, Rolling Road, and I-95 (Newington Interchange);~~ and
- Dedicate a site of at least 5 acres for a Transit Facility within the eastern portion of the FBNA site.”

MODIFY: Fairfax County Comprehensive Plan, 2017 Edition, Area IV, Franconia-Springfield Area and Fort Belvoir North Area, as amended through June 28, 2022, pages 20-21:

“Streets and Circulation Improvements

...

Major street improvements – The transportation recommendations for the Franconia-Springfield Area include a number of major street improvements that would add capacity and enhance accessibility to the area. These recommendations include:

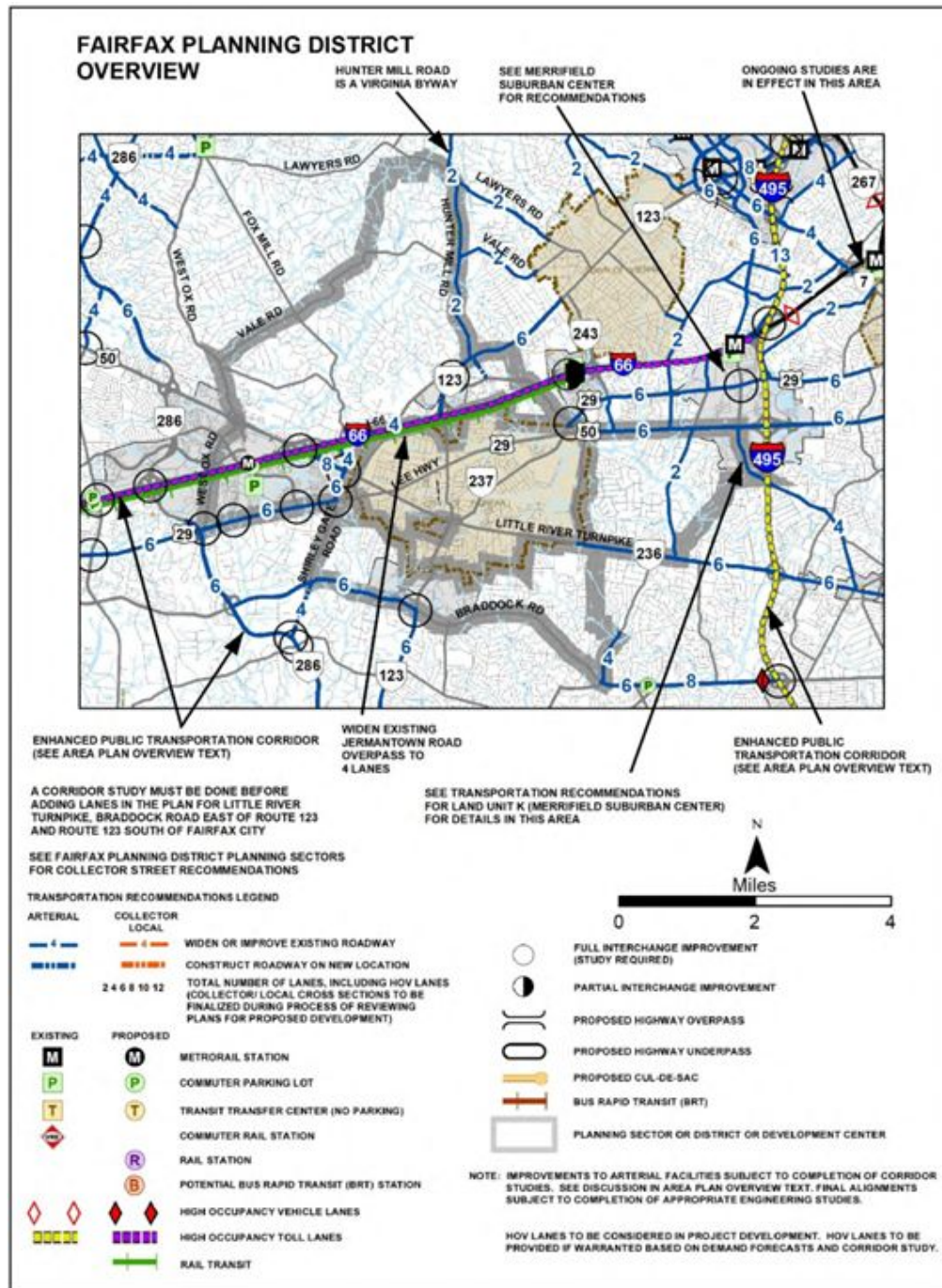
- ~~*Franconia Springfield Parkway 8 lanes between the Fairfax County Parkway (Route 286) and Frontier Drive*~~ – The Franconia-Springfield Parkway is a limited access expressway carrying high volumes of traffic between the Fairfax County Parkway, I-95, and the Franconia-Springfield Area. The Parkway serves as a major access to the Springfield Town Center, and the primary access to the Joe Alexander Transportation Center/Franconia Springfield Metro Station. The Transportation Plan recommends widening the facility to 8 lanes to include High Occupancy Vehicle (HOV) lanes providing peak period service between the Joe Alexander Transportation Center, I-95 HOV/High Occupancy Toll (HOT) lanes, and Fairfax County Parkway.

...

”

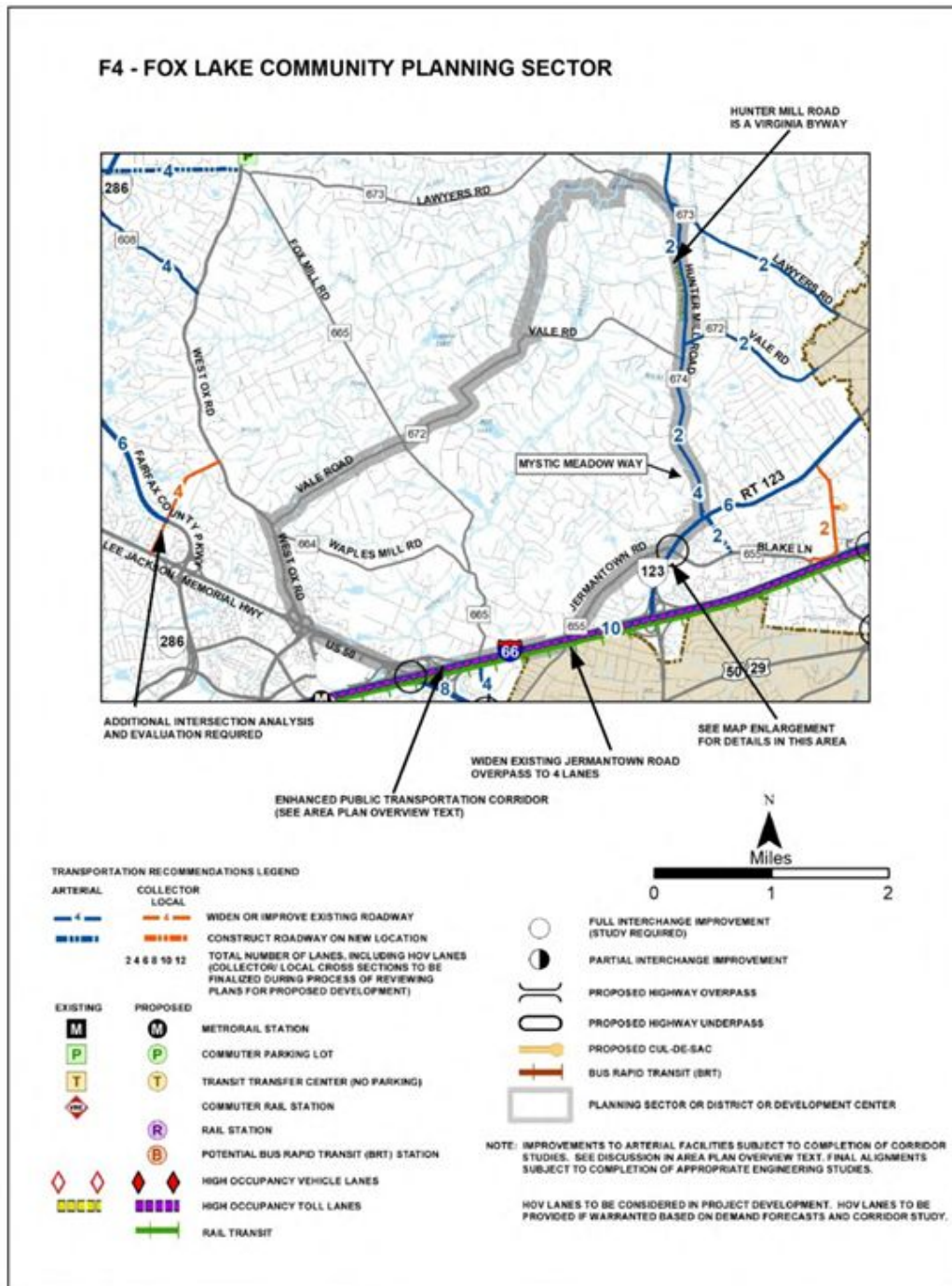
MODIFY FIGURE:

Fairfax County Comprehensive Plan, 2017 Edition, Area II, Fairfax Planning District, as amended through February 23, 2021, Overview, Figure 2, "Countywide Transportation Recommendations, Fairfax Planning District," page 5, to incorporate updates to the corridor recommendations within the figure.



MODIFY FIGURE:

Fairfax County Comprehensive Plan, 2017 Edition, Area II, Fairfax Planning District, as amended through February 23, 2021, F4-Fox Lake Community Planning Sector, Figure 22, "Transportation Recommendations," page 53, to incorporate updates to the corridor recommendations within the figure.

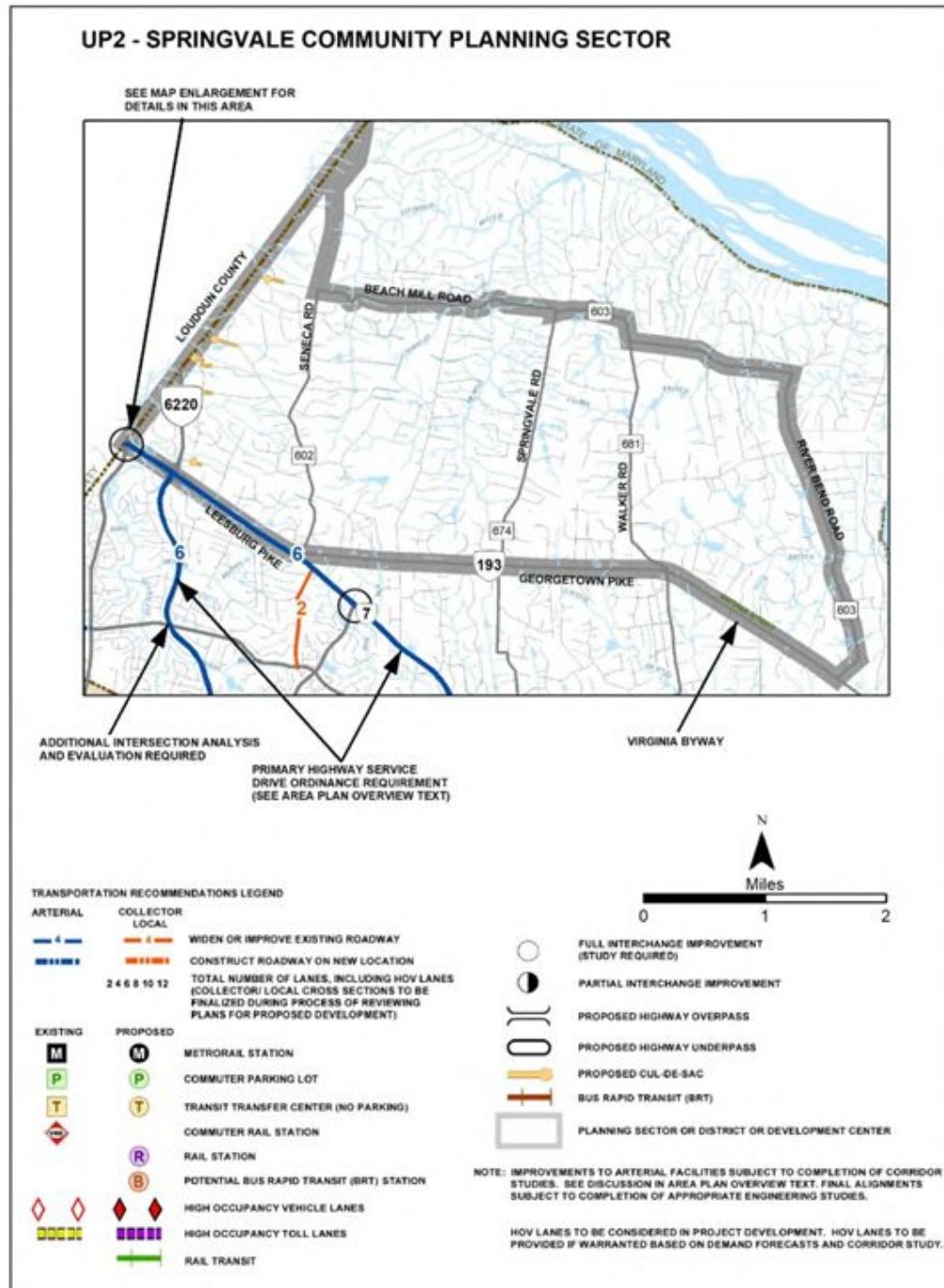


Fairfax County Comprehensive Plan, 2017 Edition, Area III, Upper Potomac Planning District, as amended through February 23, 2021, Overview, Figure 2, “Countywide Transportation Recommendations, Upper Potomac Planning District,” page 6, to incorporate updates to the corridor recommendations within the figure.



MODIFY FIGURE:

Fairfax County Comprehensive Plan, 2017 Edition, Area III, Upper Potomac Planning District, as amended through February 23, 2021, UP2-Springvale Community Planning Sector, Figure 13, "Transportation Recommendations," page 38, to incorporate updates to the corridor recommendations within the figure.

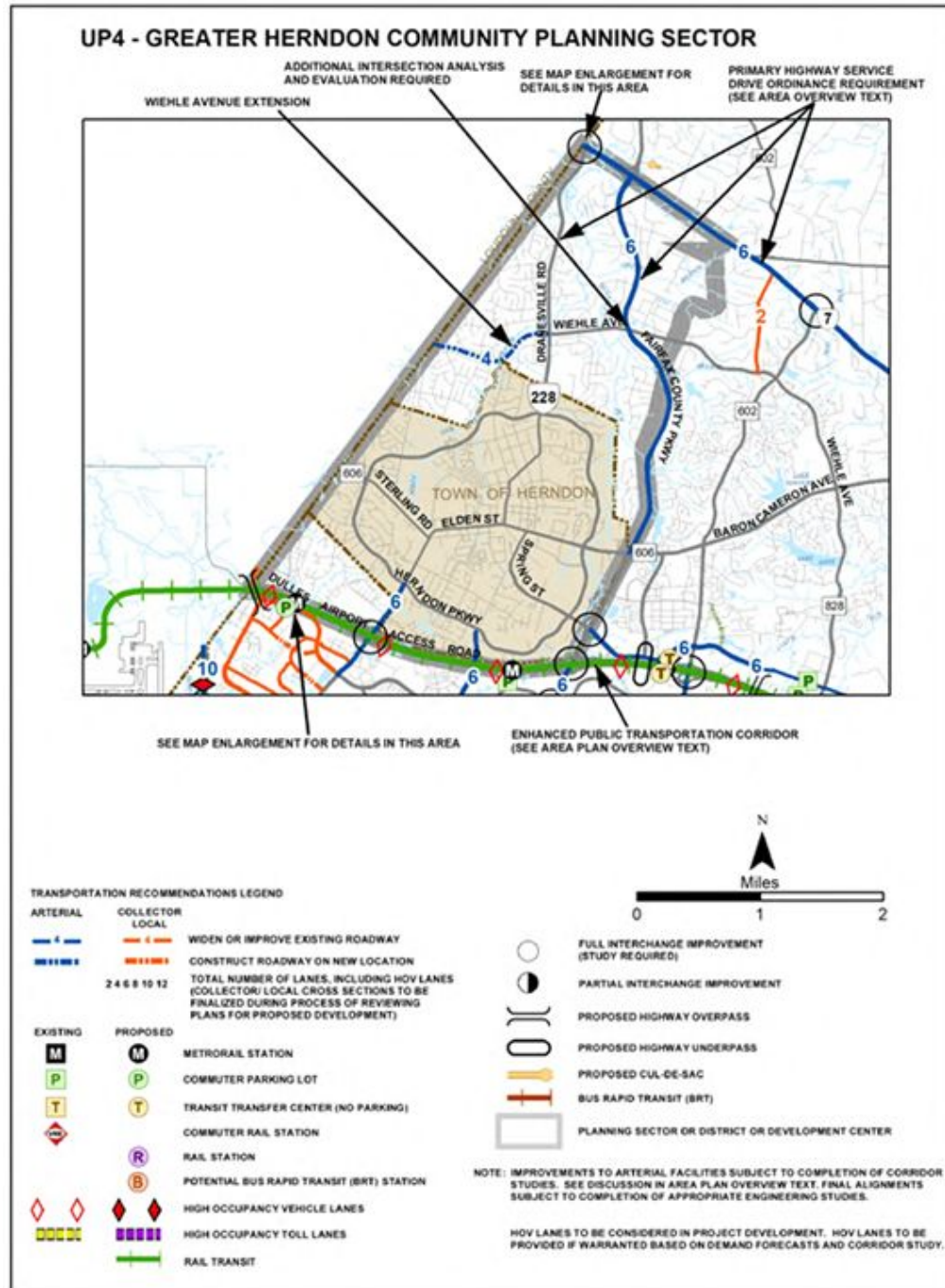


Fairfax County Comprehensive Plan, 2017 Edition, Area III, Upper Potomac Planning District, as amended through February 23, 2021, UP2-Springvale Community Planning Sector, Figure 14, “Interchange Recommendations,” page 39, to incorporate updates to the corridor recommendations within the figure.



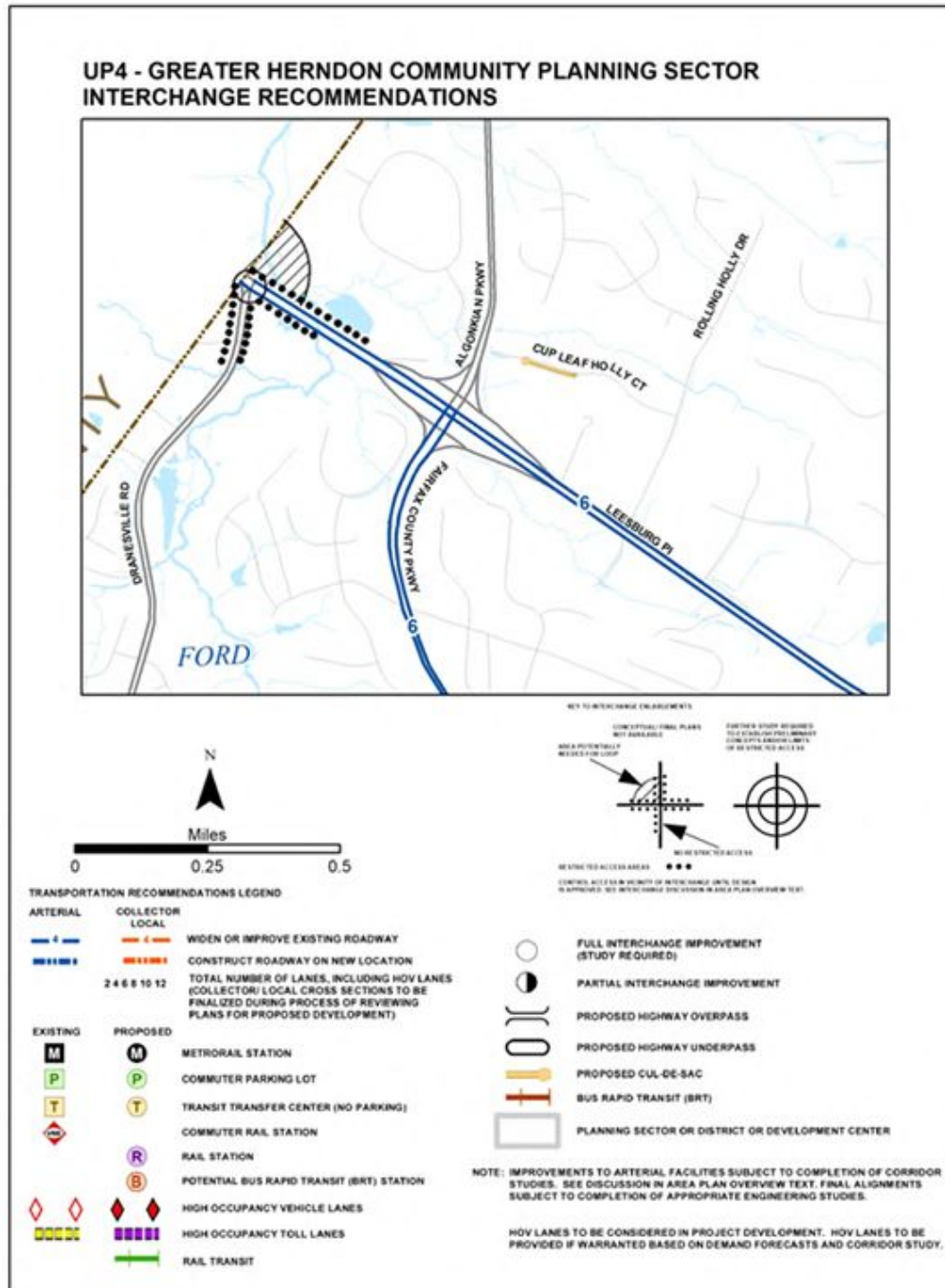
MODIFY FIGURE:

Fairfax County Comprehensive Plan, 2017 Edition, Area III, Upper Potomac Planning District, as amended through February 23, 2021, UP4-Greater Herndon Community Planning Sector, Figure 21, "Transportation Recommendations," page 58, to incorporate updates to the corridor recommendations within the figure.



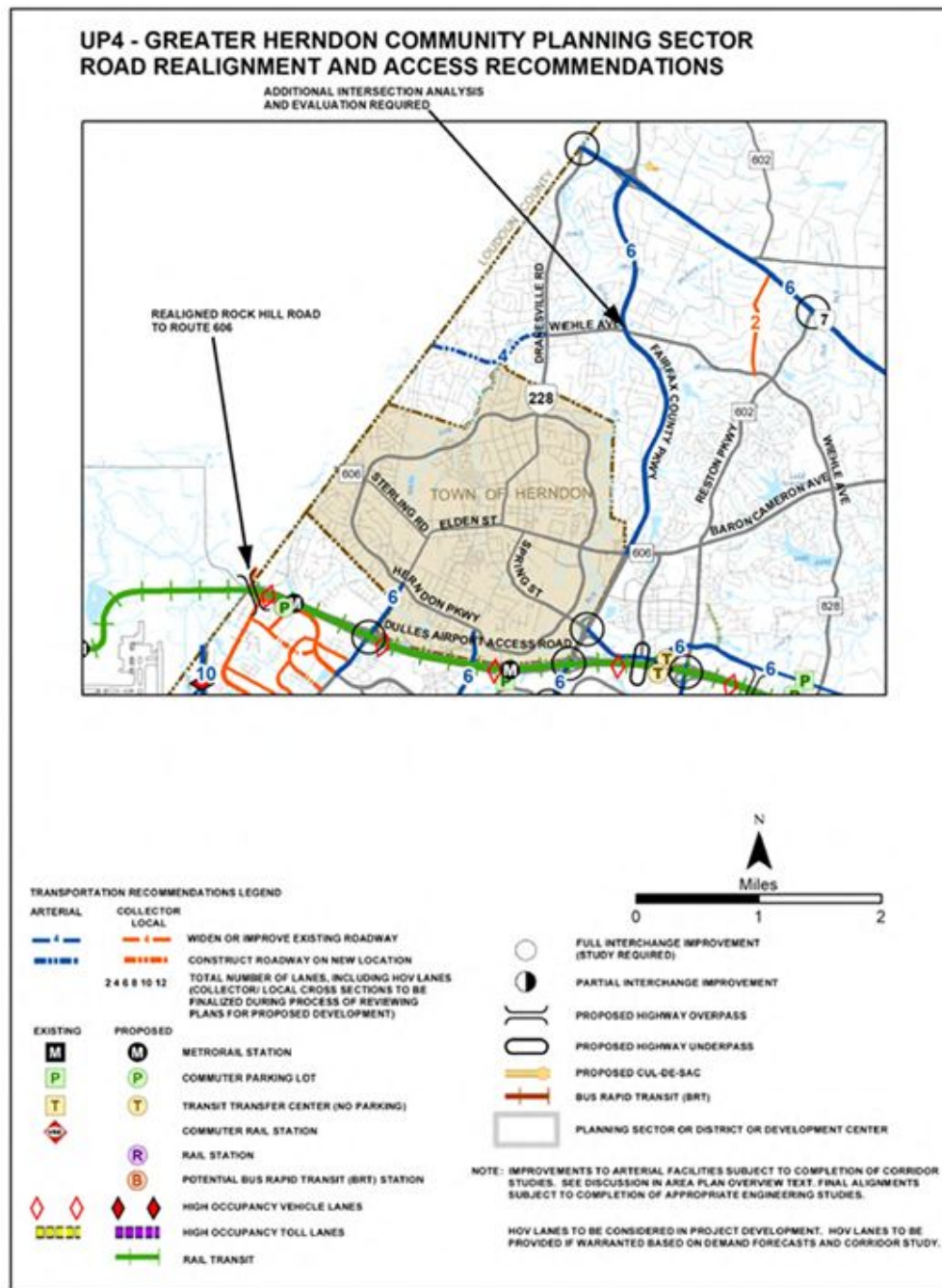
MODIFY FIGURE:

Fairfax County Comprehensive Plan, 2017 Edition, Area III, Upper Potomac Planning District, as amended through February 23, 2021, UP4-Greater Herndon Community Planning Sector, Figure 22, "Interchange Recommendations," page 59, to incorporate updates to the corridor recommendations within the figure.



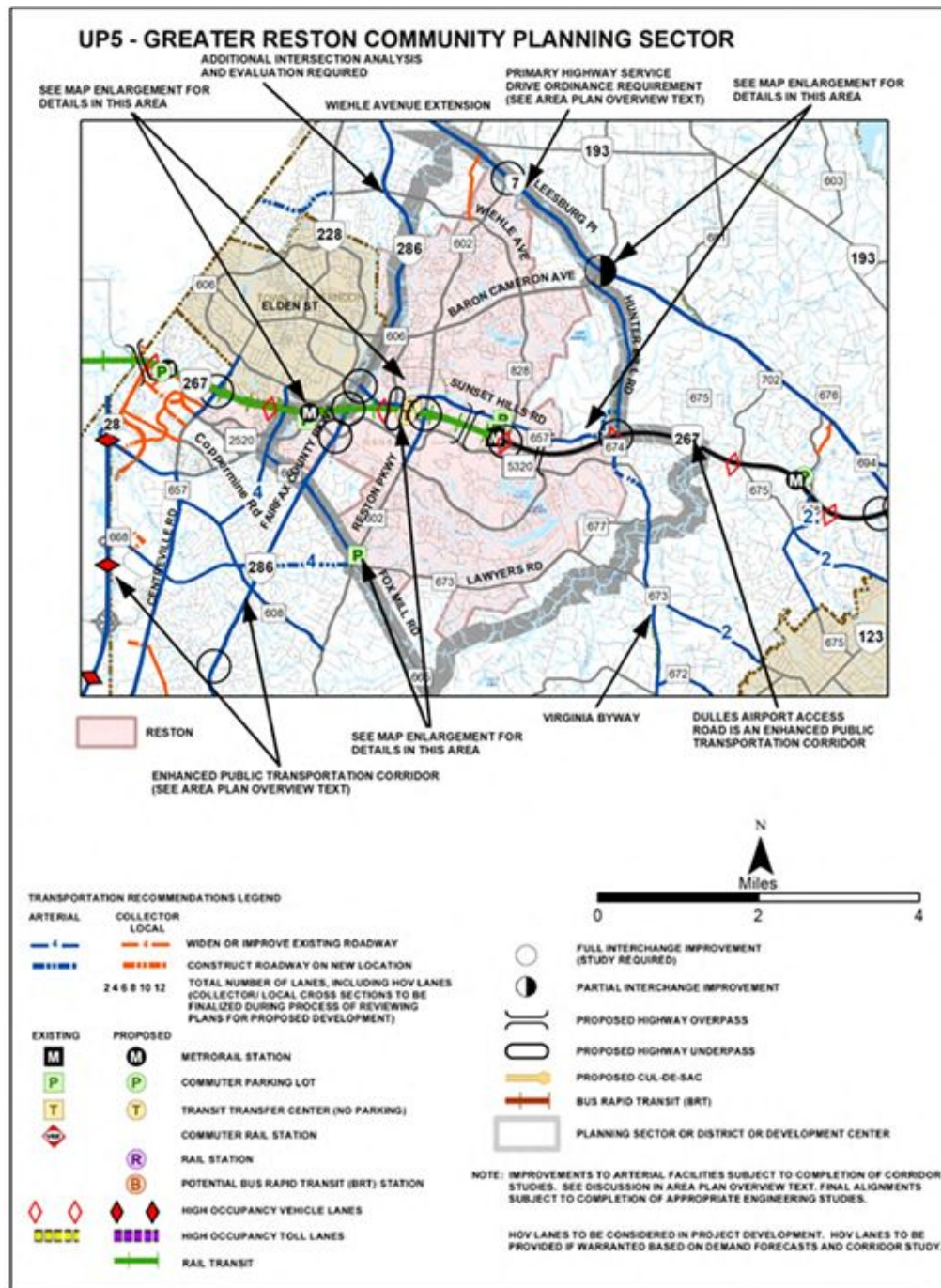
MODIFY FIGURE:

Fairfax County Comprehensive Plan, 2017 Edition, Area III, Upper Potomac Planning District, as amended through February 23, 2021, UP4-Greater Herndon Community Planning Sector, Figure 23, "Road Realignment and Access Recommendations," page 60, to incorporate updates to the corridor recommendations within the figure.



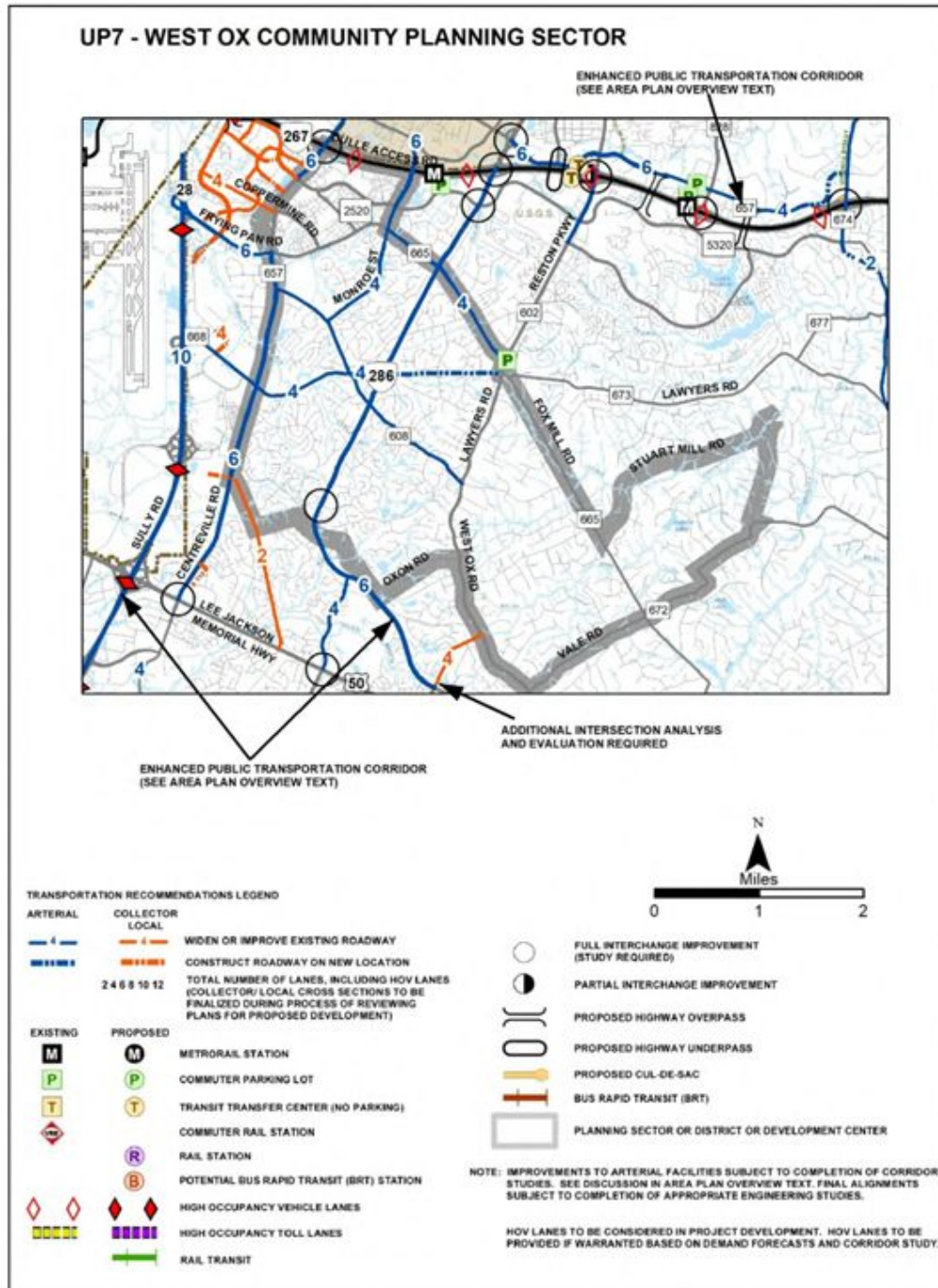
MODIFY FIGURE:

Fairfax County Comprehensive Plan, 2017 Edition, Area III, Upper Potomac Planning District, as amended through February 23, 2021, UP5-Greater Reston Community Planning Sector, Figure 28, "Transportation Recommendations," page 71, to incorporate updates to the corridor recommendations within the figure.



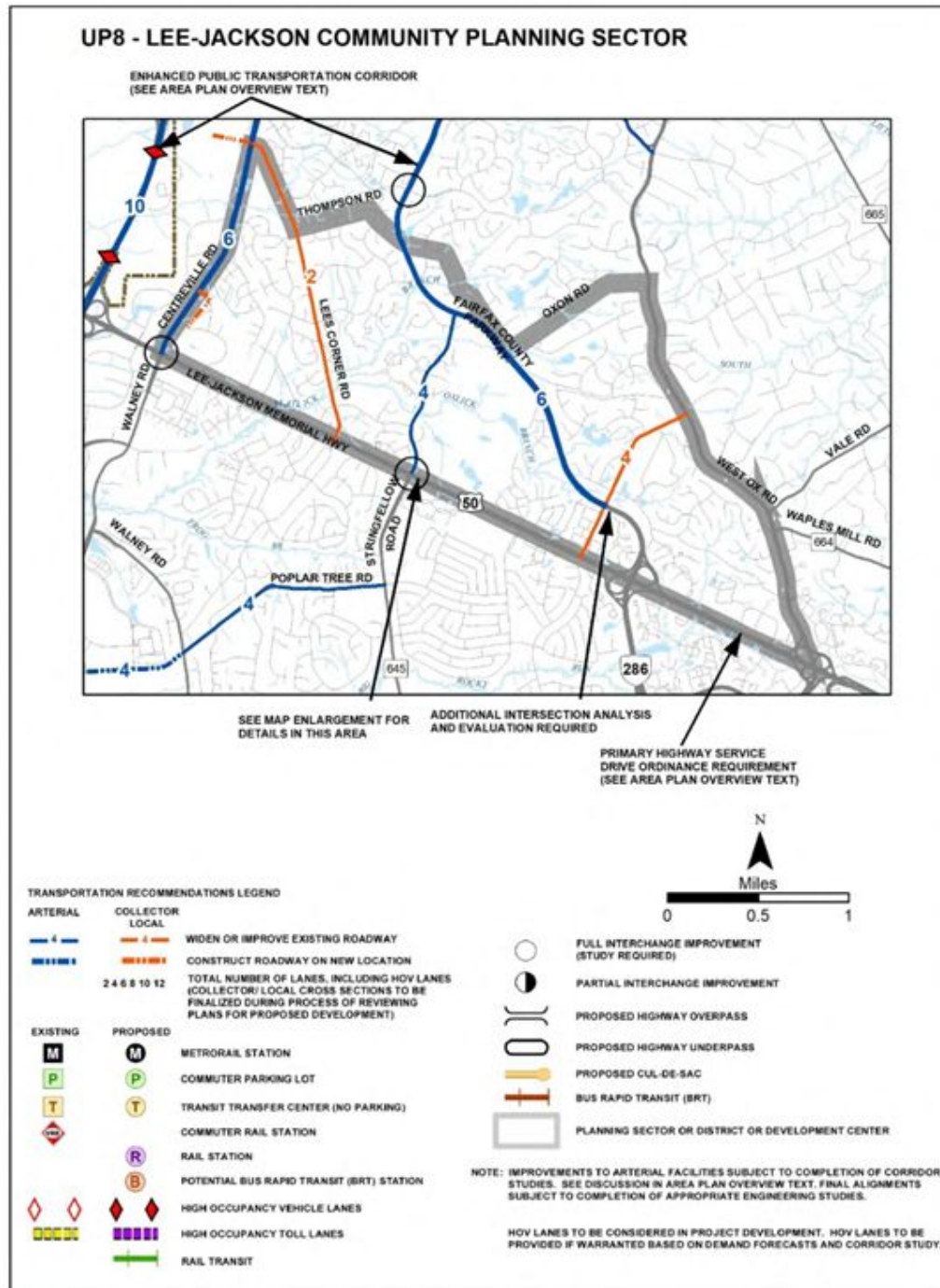
MODIFY FIGURE:

Fairfax County Comprehensive Plan, 2017 Edition, Area III, Upper Potomac Planning District, as amended through February 23, 2021, UP7-West Ox Community Planning Sector, Figure 33, "Transportation Recommendations," page 86, to incorporate updates to the corridor recommendations within the figure.



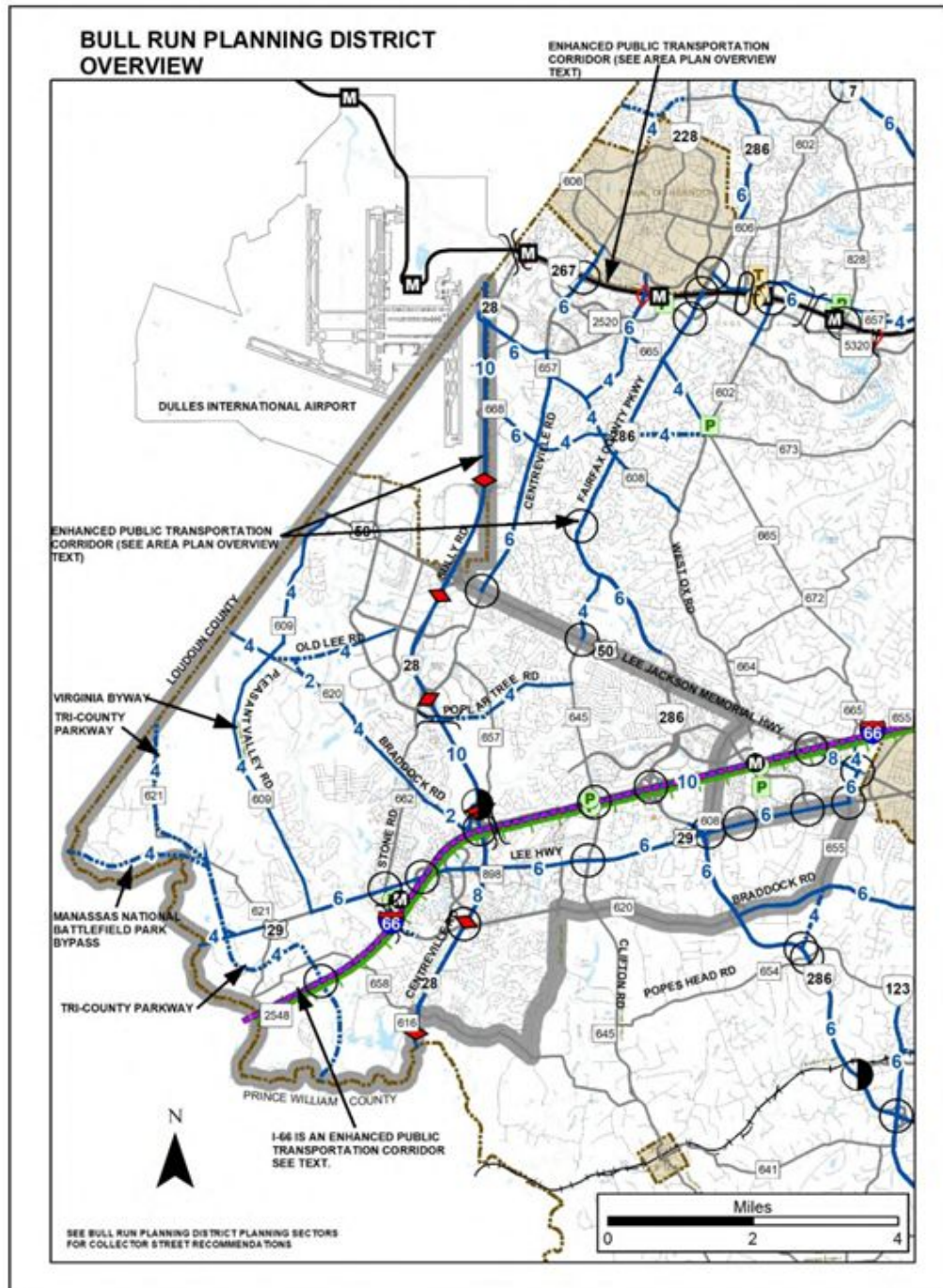
MODIFY FIGURE:

Fairfax County Comprehensive Plan, 2017 Edition, Area III, Upper Potomac Planning District, as amended through February 23, 2021, UP8-Lee-Jackson Community Planning Sector, Figure 36, "Transportation Recommendations," page 98, to incorporate updates to the corridor recommendations within the figure.



MODIFY FIGURE:

Fairfax County Comprehensive Plan, 2017 Edition, Area III, Bull Run Planning District, as amended through February 23, 2021, Overview, Figure 2, "Countywide Transportation Recommendations, Bull Run Planning District," page 5, to incorporate updates to the corridor recommendations within the figure.

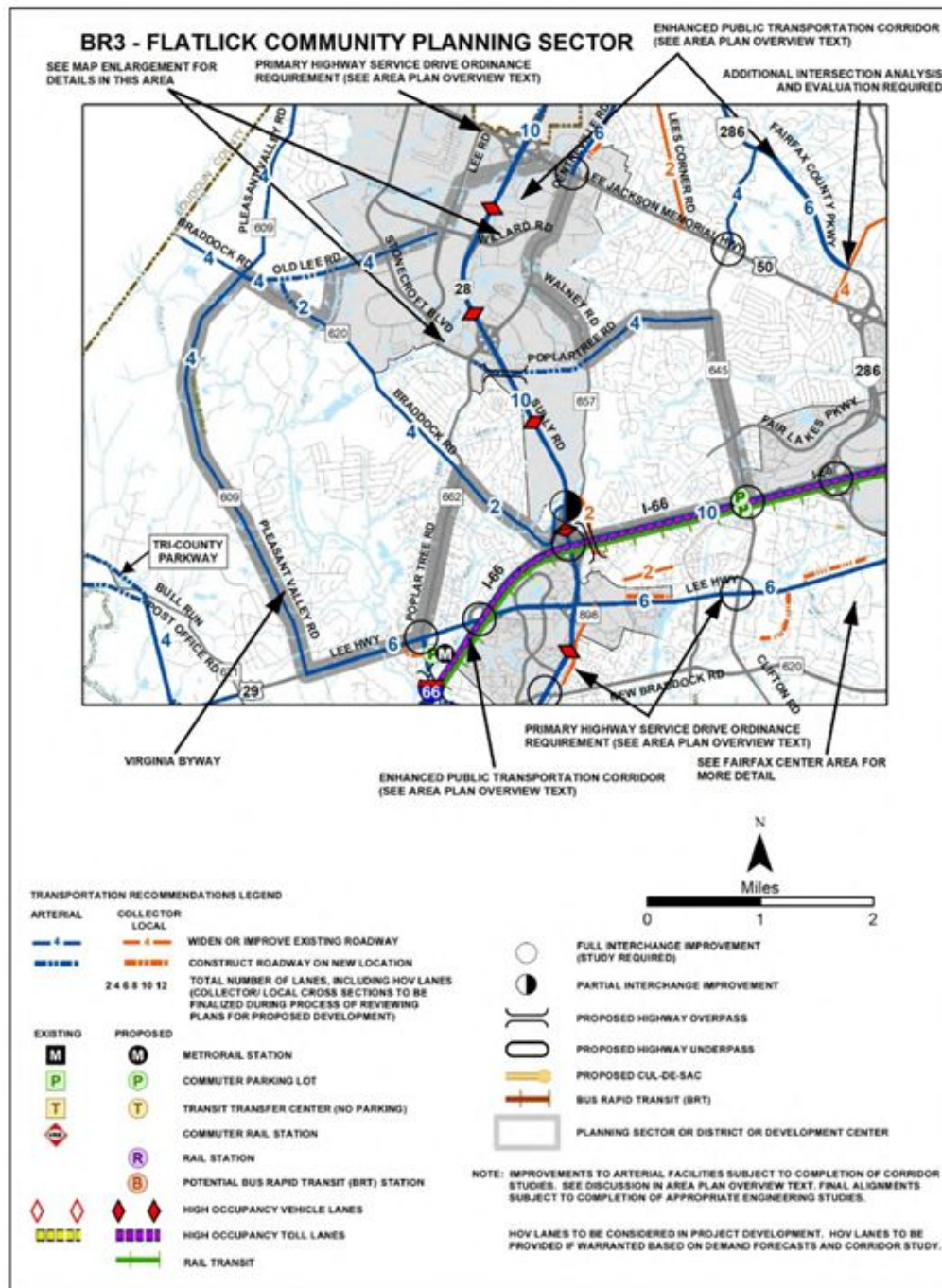


Fairfax County Comprehensive Plan, 2017 Edition, Area III, Bull Run Planning District, as amended through February 23, 2021, BR1-Dulles Airport Community Planning Sector, Figure 14, “Transportation Recommendations,” page 46, to incorporate updates to the corridor recommendations within the figure.



MODIFY FIGURE:

Fairfax County Comprehensive Plan, 2017 Edition, Area III, Bull Run Planning District, as amended through February 23, 2021, BR3-Flatlick Community Planning Sector, Figure 19, "Transportation Recommendations," page 57, to incorporate updates to the corridor recommendations within the figure.

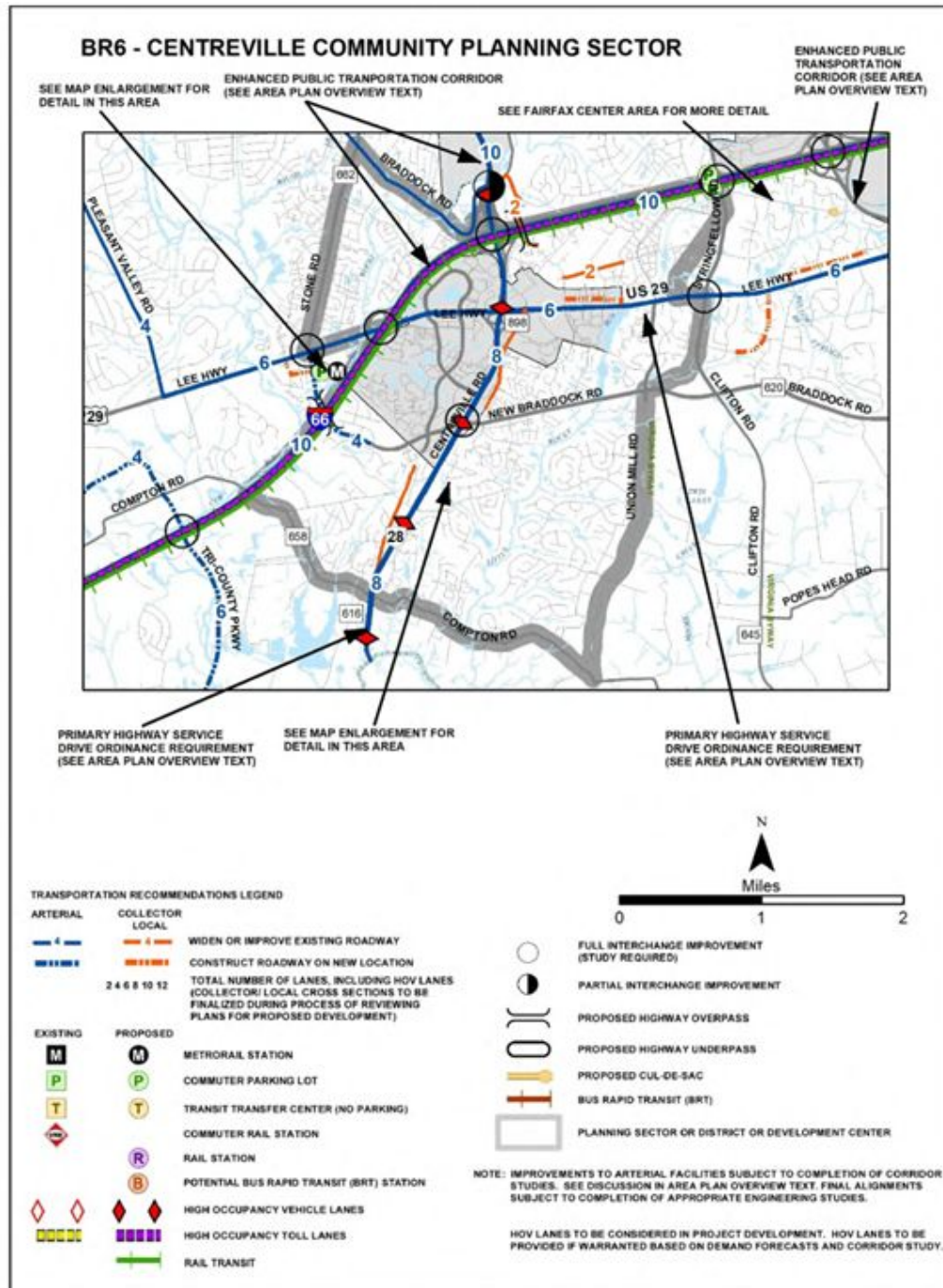


Fairfax County Comprehensive Plan, 2017 Edition, Area III, Bull Run Planning District, as amended through February 23, 2021, BR4-Stringfellow Community Planning Sector, Figure 23, “Transportation Recommendations,” page 64, to incorporate updates to the corridor recommendations within the figure.



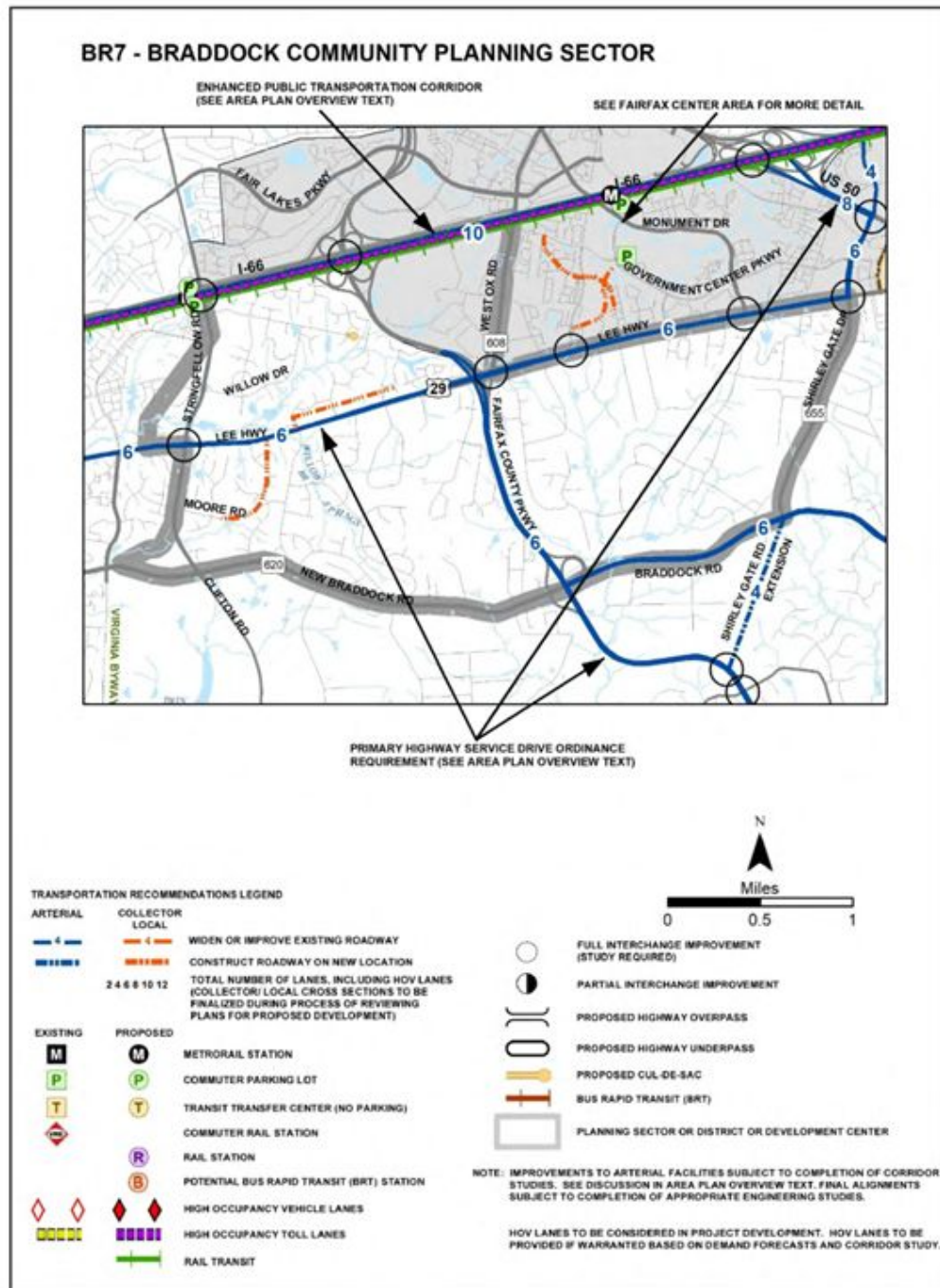
MODIFY FIGURE:

Fairfax County Comprehensive Plan, 2017 Edition, Area III, Bull Run Planning District, as amended through February 23, 2021, BR6-Centreville Community Planning Sector, Figure 31, "Transportation Recommendations," page 81, to incorporate updates to the corridor recommendations within the figure.



MODIFY FIGURE:

Fairfax County Comprehensive Plan, 2017 Edition, Area III, Bull Run Planning District, as amended through February 23, 2021, BR7-Braddock Community Planning Sector, Figure 36, "Transportation Recommendations," page 90, to incorporate updates to the corridor recommendations within the figure.

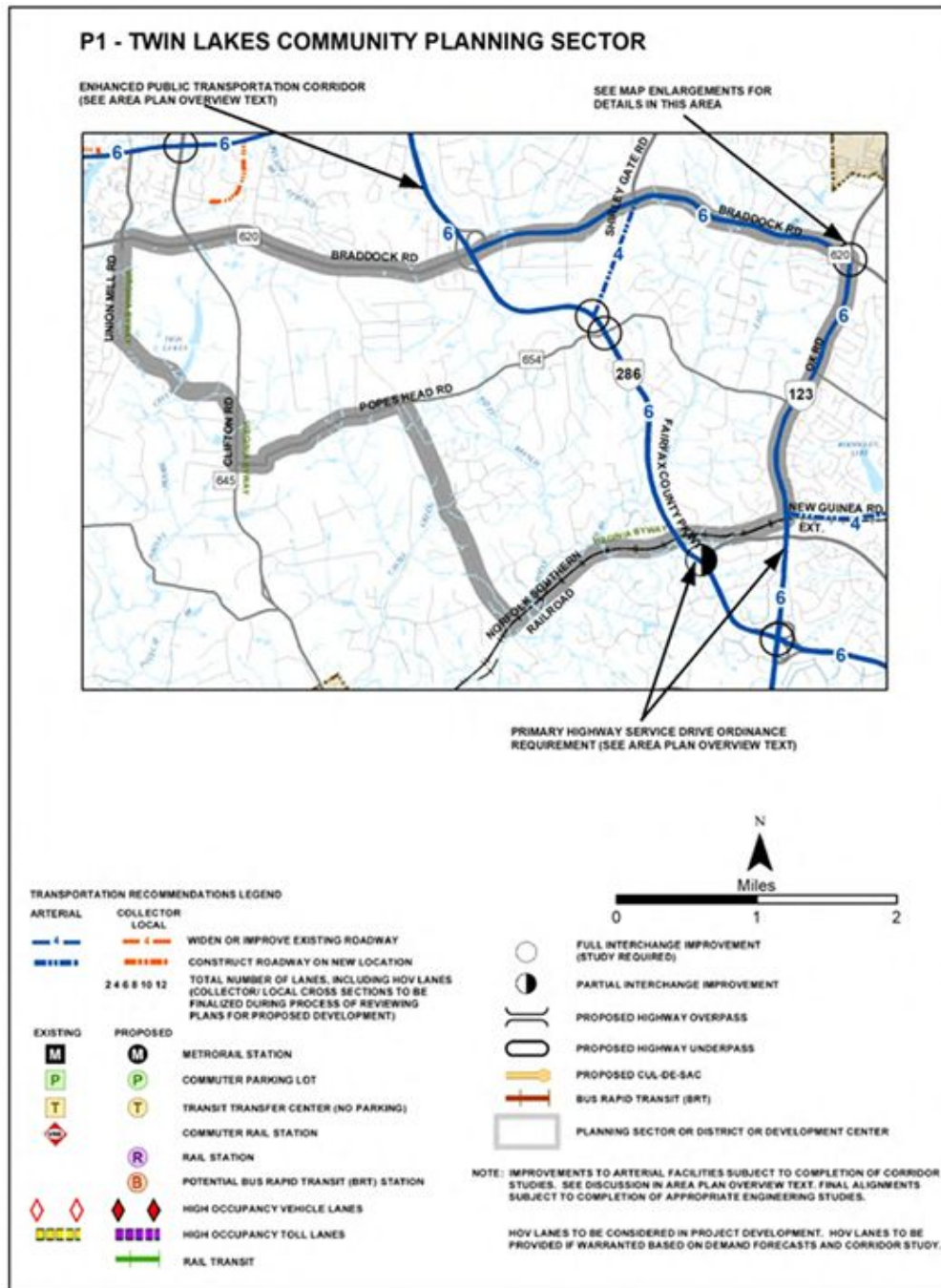


Fairfax County Comprehensive Plan, 2017 Edition, Area III, Pohick Planning District, as amended through September 14, 2021, Overview, Figure 2, “Countywide Transportation Recommendations, Pohick Planning District,” pages 5-6, to incorporate updates to the corridor recommendations within the figure.



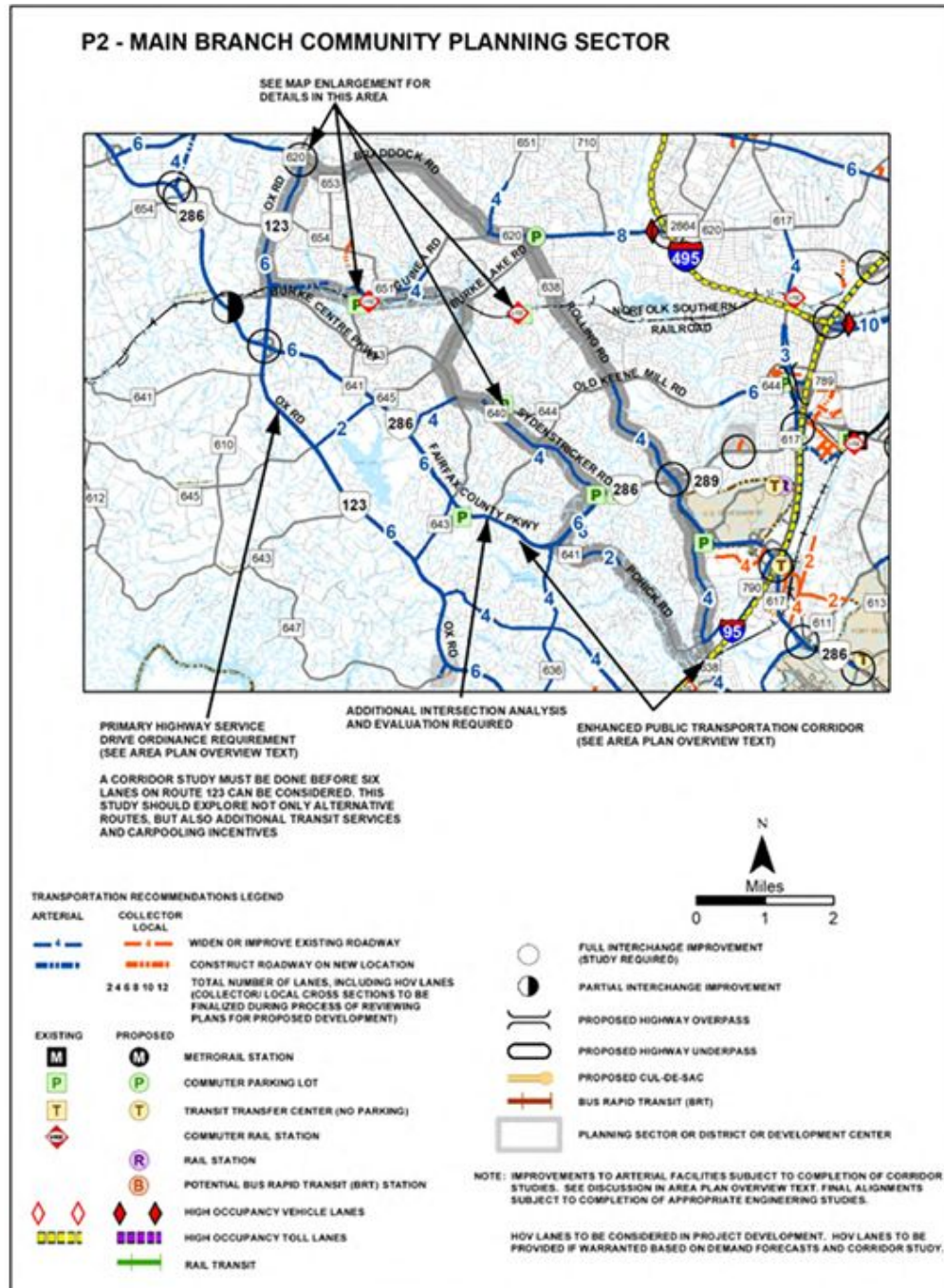
MODIFY FIGURE:

Fairfax County Comprehensive Plan, 2017 Edition, Area III, Pohick Planning District, as amended through September 14, 2021, P1-Twin Lakes Community Planning Sector, Figure 9, "Transportation Recommendations," page 23, to incorporate updates to the corridor recommendations within the figure.



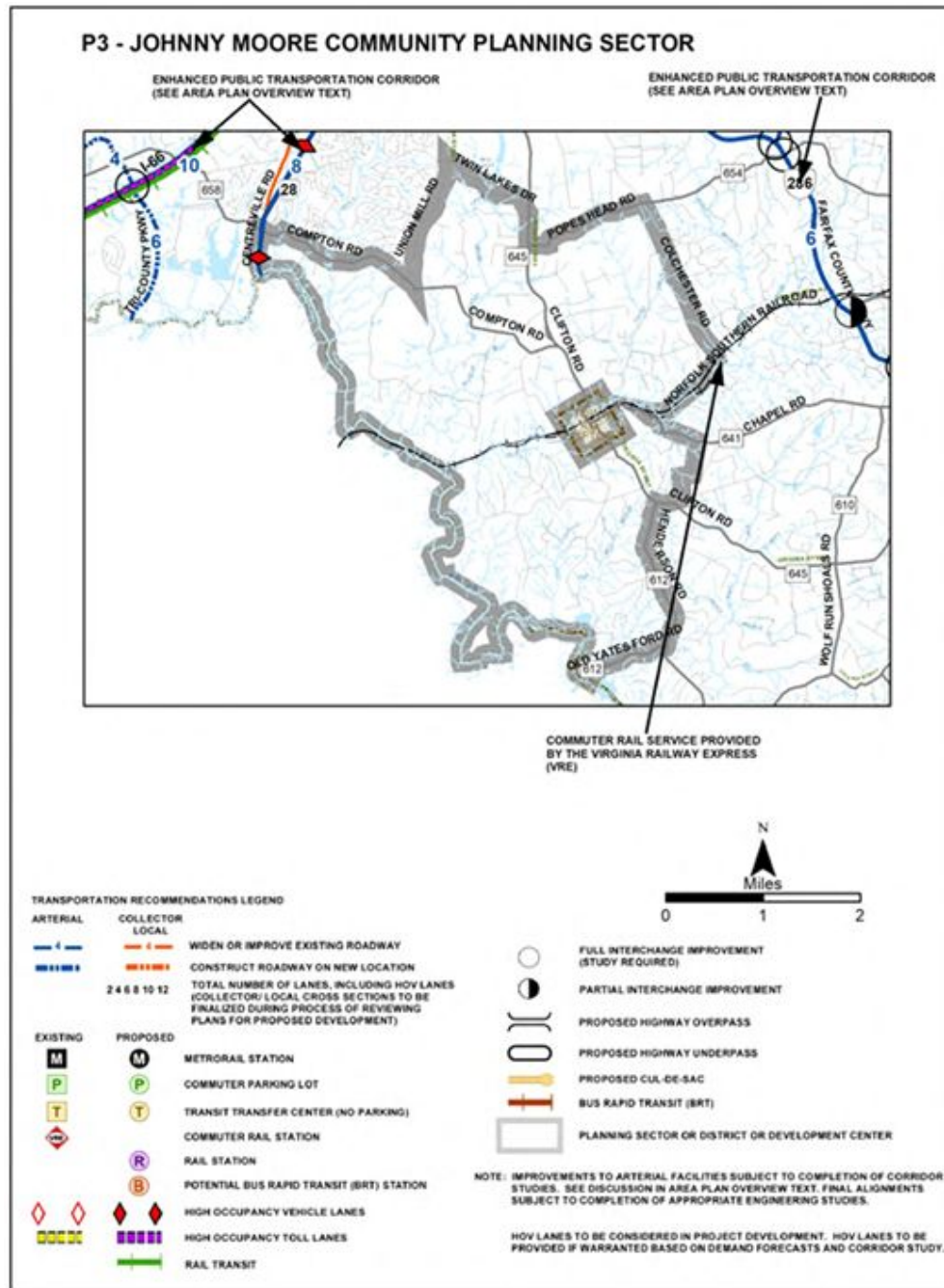
MODIFY FIGURE:

Fairfax County Comprehensive Plan, 2017 Edition, Area III, Pohick Planning District, as amended through September 14, 2021, P2-Main Branch Community Planning Sector, Figure 13, "Transportation Recommendations," page 35, to incorporate updates to the corridor recommendations within the figure.



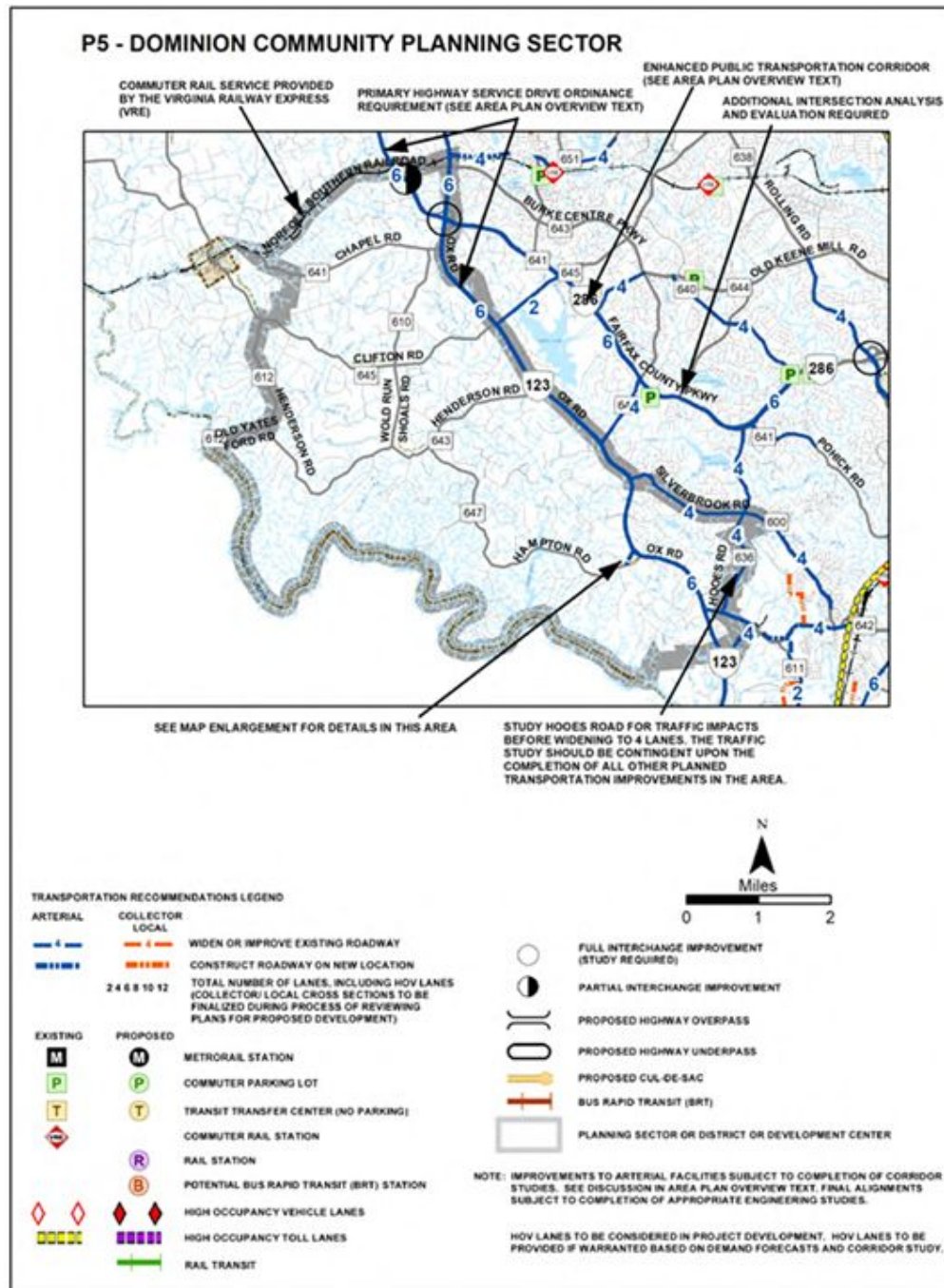
MODIFY FIGURE:

Fairfax County Comprehensive Plan, 2017 Edition, Area III, Pohick Planning District, as amended through September 14, 2021, P3-Johnny Moore Community Planning Sector, Figure 18, "Transportation Recommendations," page 47, to incorporate updates to the corridor recommendations within the figure.



MODIFY FIGURE:

Fairfax County Comprehensive Plan, 2017 Edition, Area III, Pohick Planning District, as amended through September 14, 2021, P5-Dominion Community Planning Sector, Figure 24, "Transportation Recommendations," page 63, to incorporate updates to the corridor recommendations within the figure.

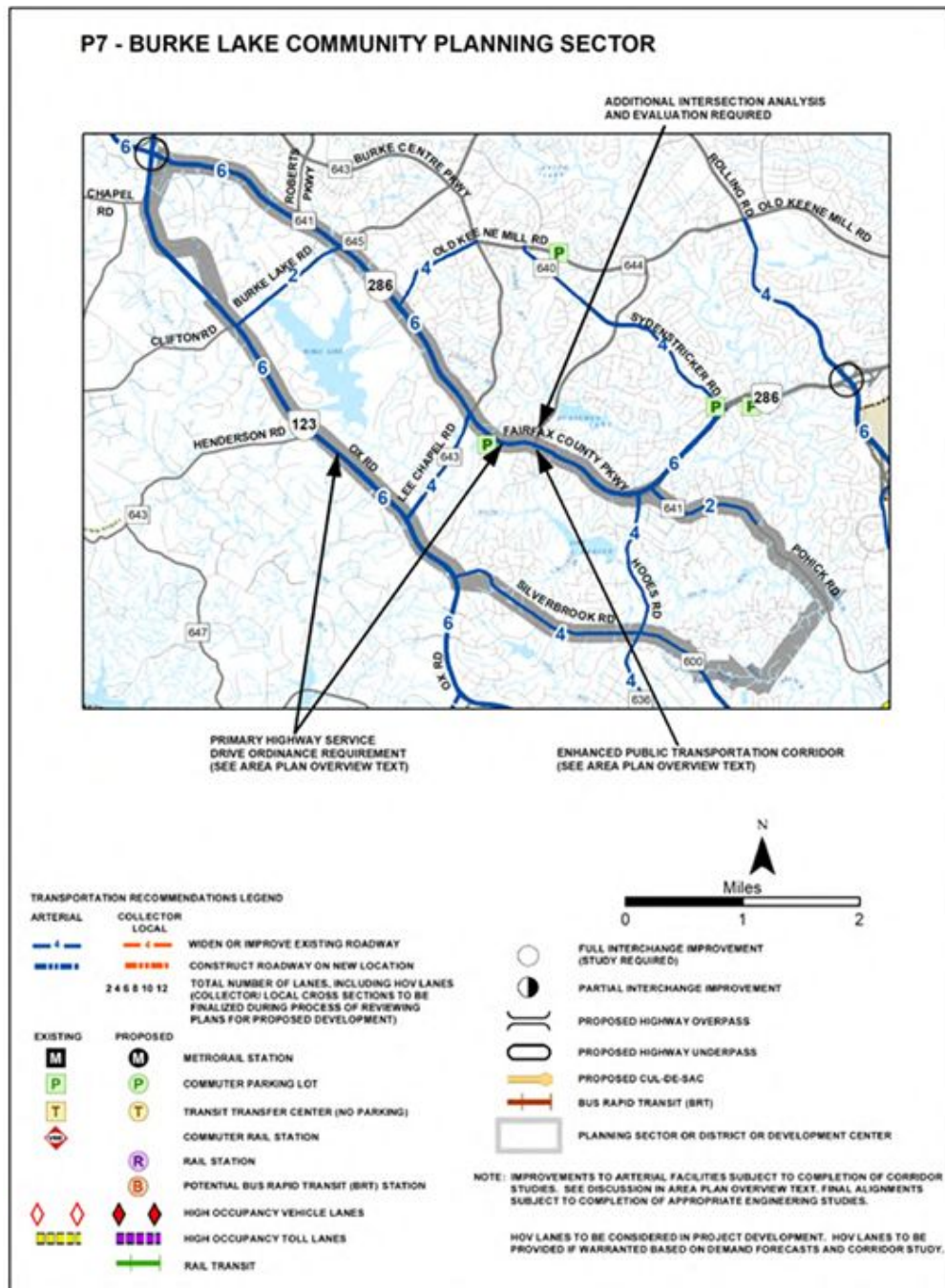


Fairfax County Comprehensive Plan, 2017 Edition, Area III, Pohick Planning District, as amended through September 14, 2021, P6-Middle Run Community Planning Sector, Figure 29, “Transportation Recommendations,” page 73, to incorporate updates to the corridor recommendations within the figure.



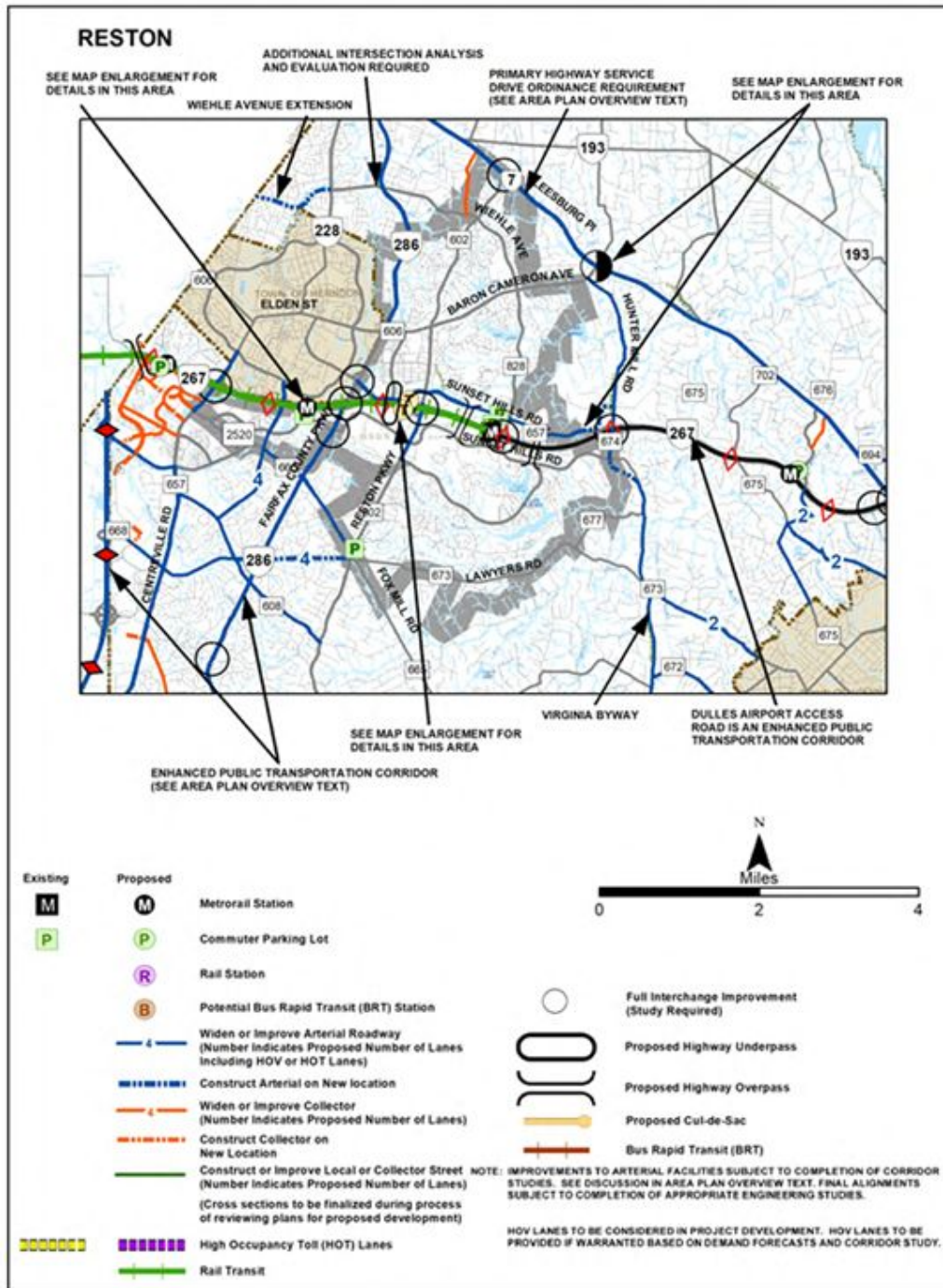
MODIFY FIGURE:

Fairfax County Comprehensive Plan, 2017 Edition, Area III, Pohick Planning District, as amended through September 14, 2021, P7-Burke Lake Community Planning Sector, Figure 32, "Transportation Recommendations," page 81, to incorporate updates to the corridor recommendations within the figure.



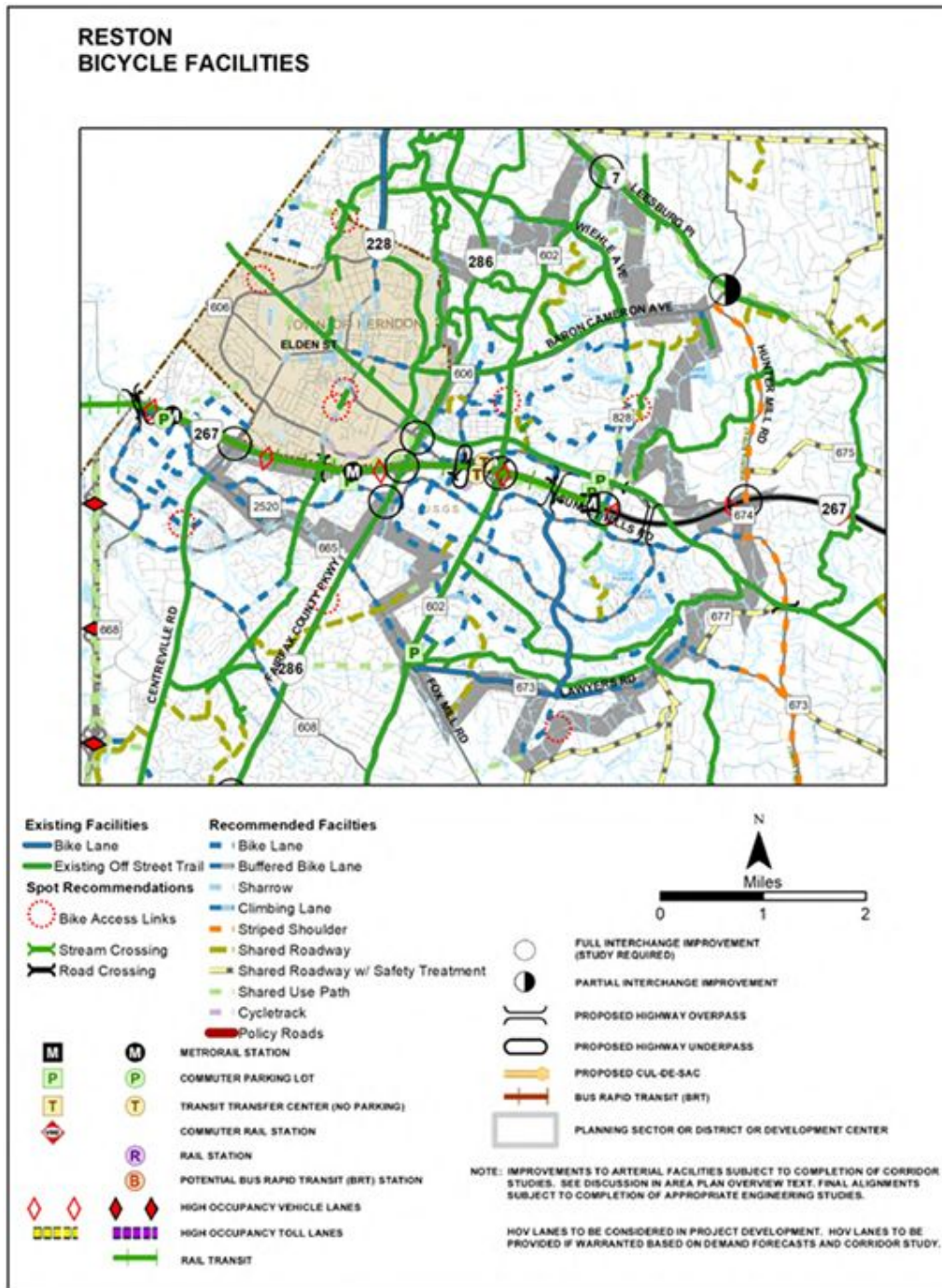
MODIFY FIGURE:

Fairfax County Comprehensive Plan, 2017 Edition, Area III, Reston, as amended through July 31, 2018, Figure 7, "Transportation Recommendations," page 27, to incorporate updates to the corridor recommendations within the figure.



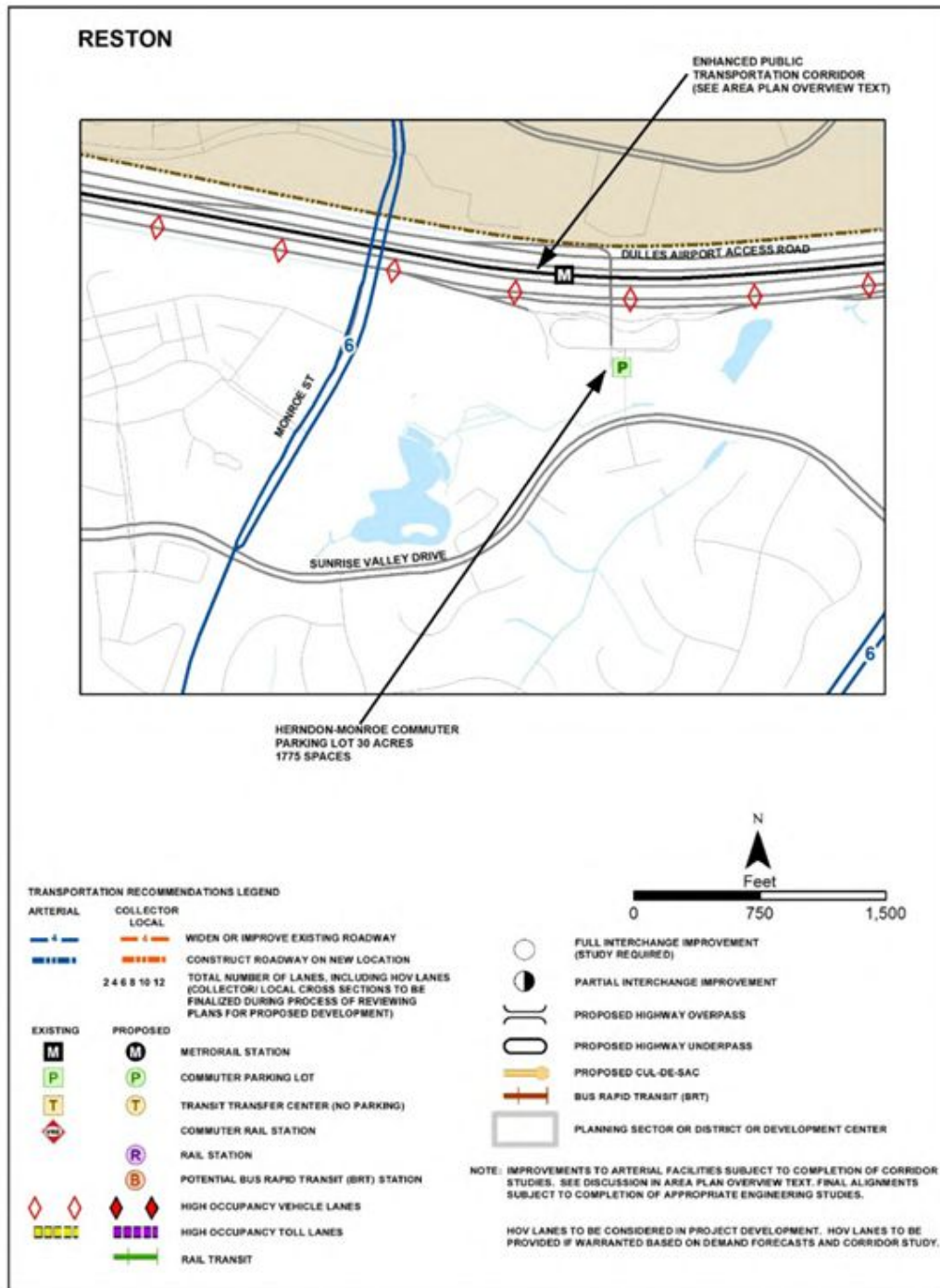
MODIFY FIGURE:

Fairfax County Comprehensive Plan, 2017 Edition, Area III, Reston, as amended through July 31, 2018, Figure 8, "Bicycle Facility Recommendations," page 28, to incorporate updates to the corridor recommendations within the figure.



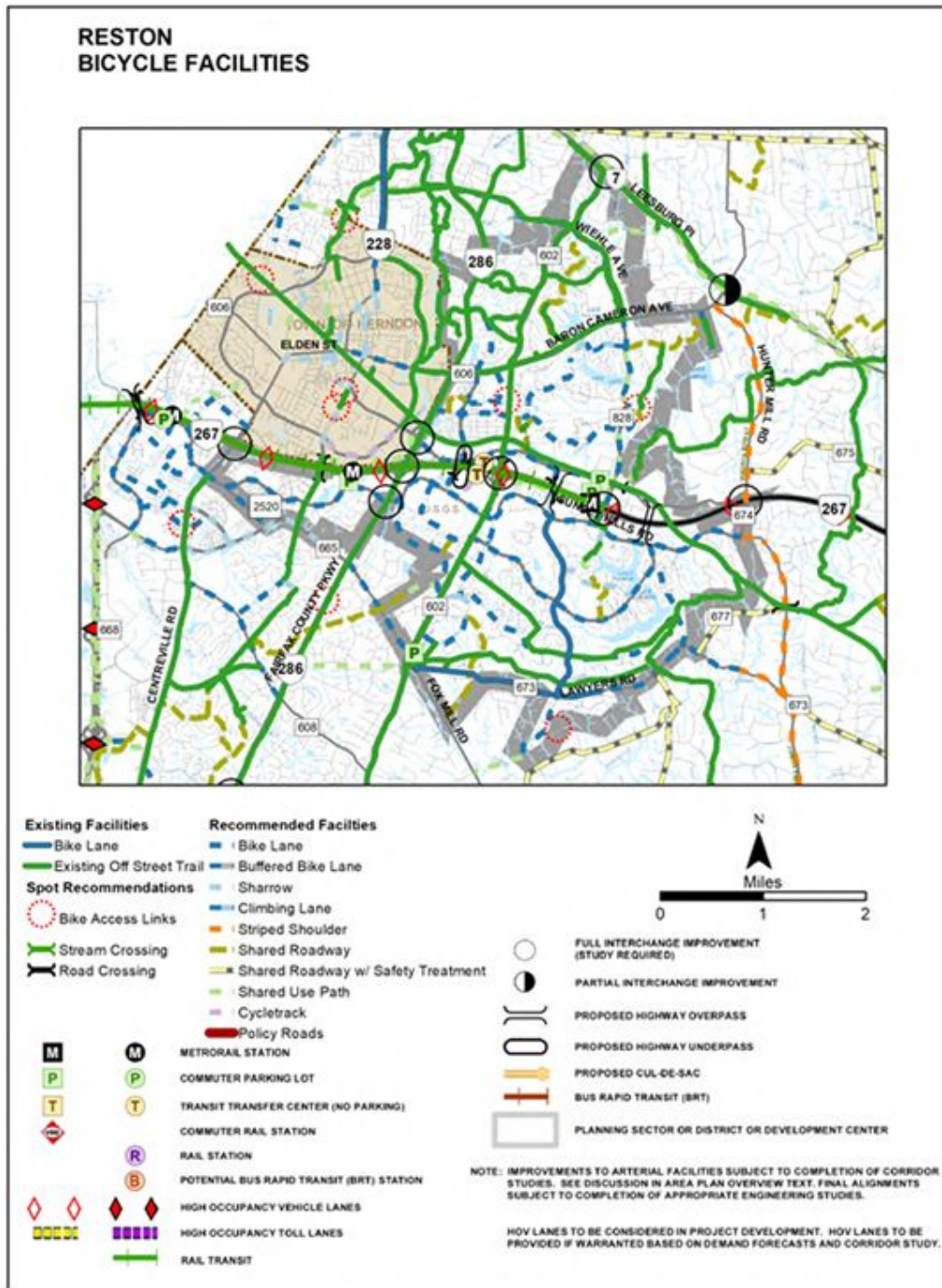
MODIFY FIGURE:

Fairfax County Comprehensive Plan, 2017 Edition, Area III, Reston, as amended through July 31, 2018, Figure 10, "Transit Facility Recommendations," page 32, to incorporate updates to the corridor recommendations within the figure.



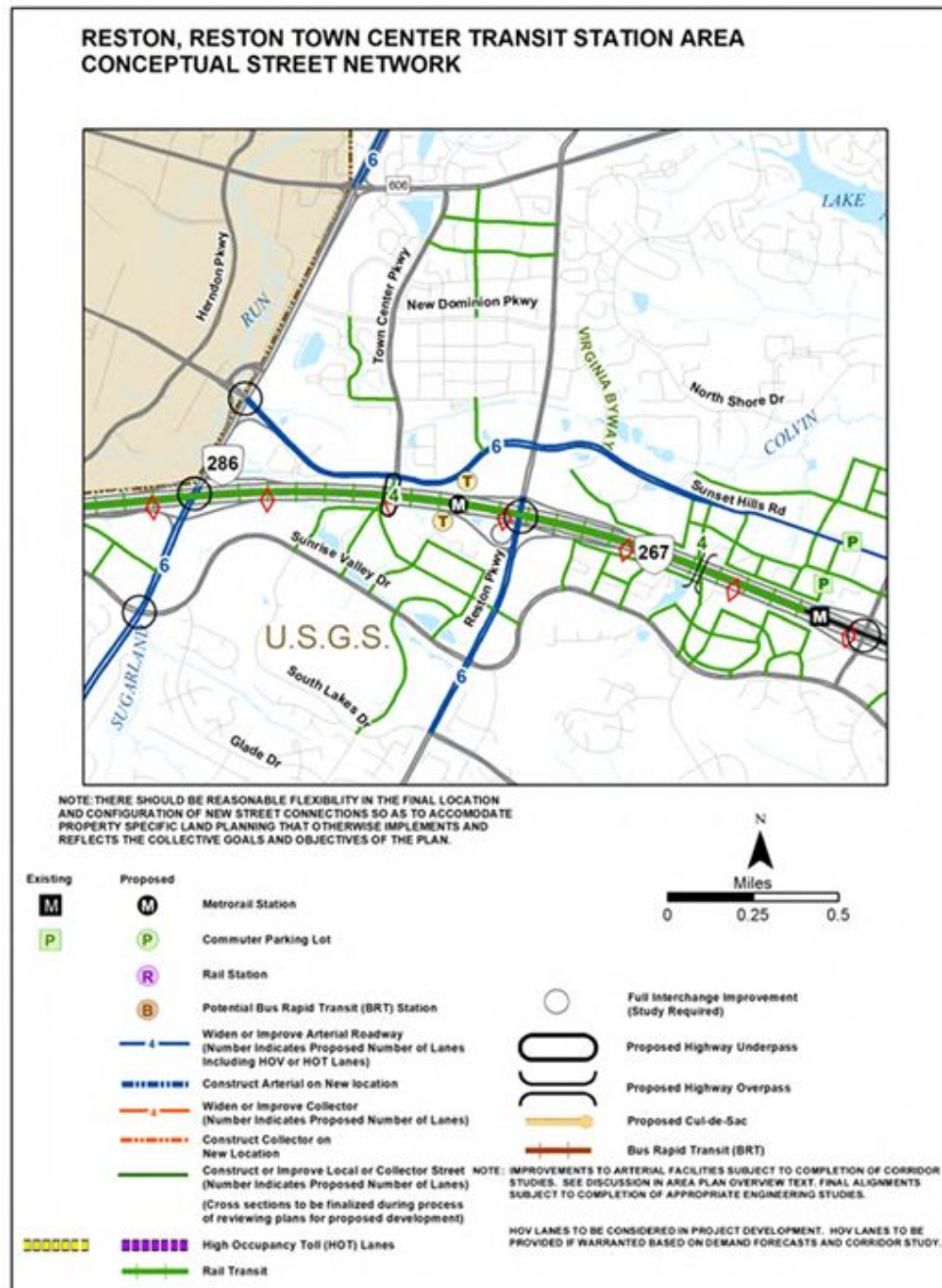
MODIFY FIGURE:

Fairfax County Comprehensive Plan, 2017 Edition, Area III, Reston, as amended through July 31, 2018, Figure 43, "Bicycle Facility Recommendations," page 134, to incorporate updates to the corridor recommendations within the figure.



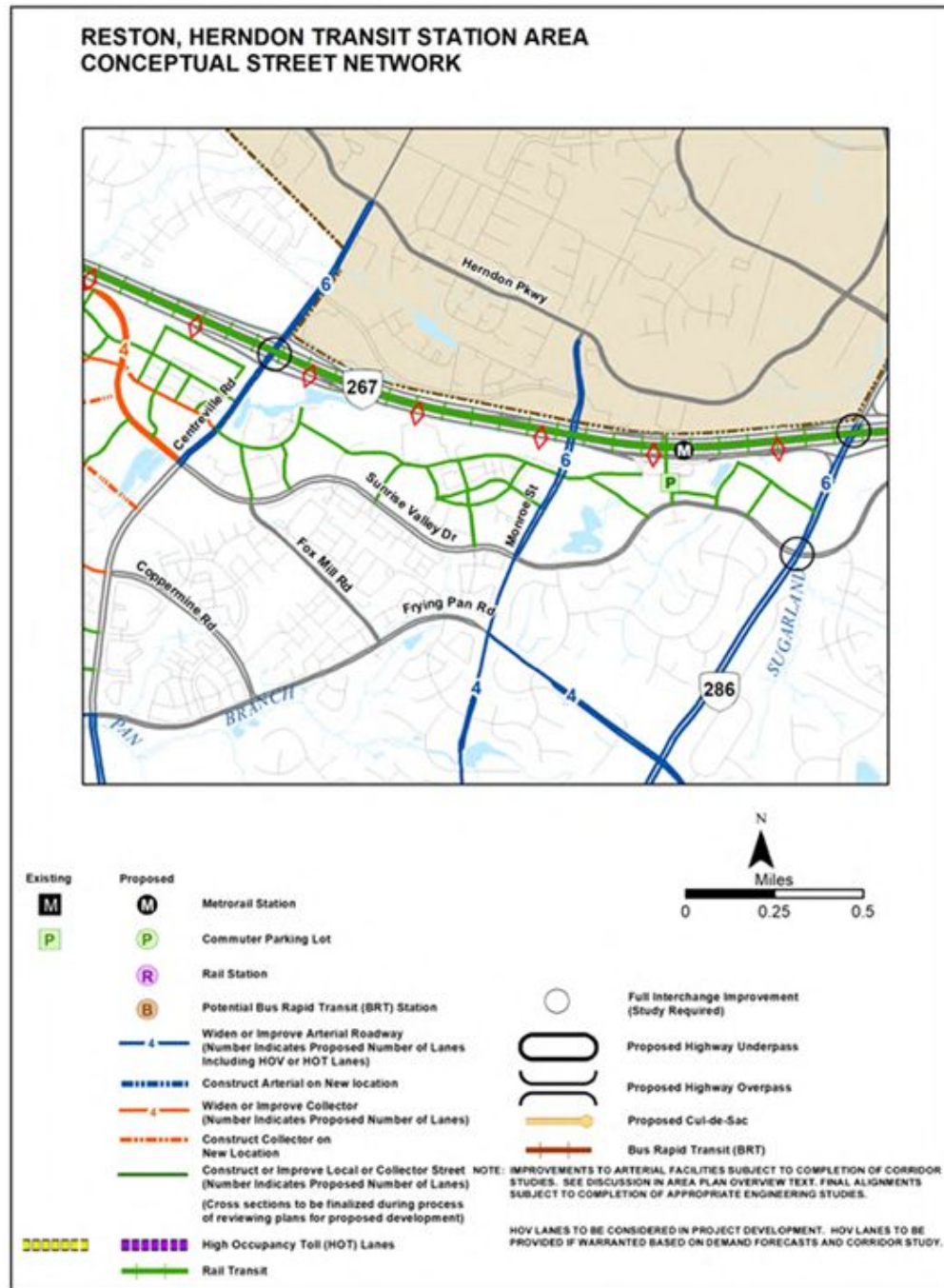
MODIFY FIGURE:

Fairfax County Comprehensive Plan, 2017 Edition, Area III, Reston, as amended through July 31, 2018, Figure 46, "Conceptual Enhanced Street Network: Reston Town Center Transit Station Area," page 139, to incorporate updates to the corridor recommendations within the figure.



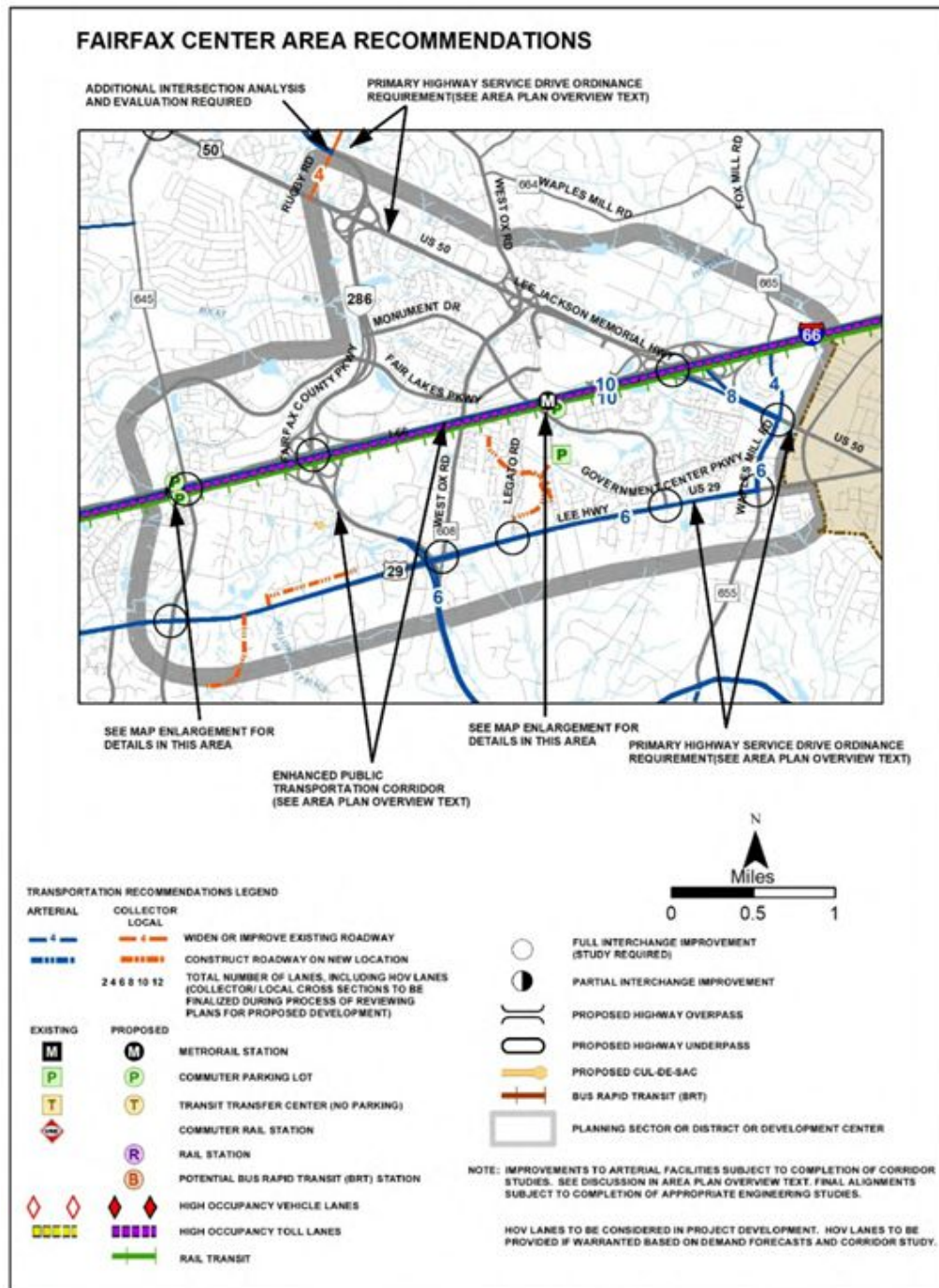
MODIFY FIGURE:

Fairfax County Comprehensive Plan, 2017 Edition, Area III, Reston, as amended through July 31, 2018, Figure 47, "Conceptual Enhanced Street Network: Herndon Transit Station Area," page 140, to incorporate updates to the corridor recommendations within the figure.



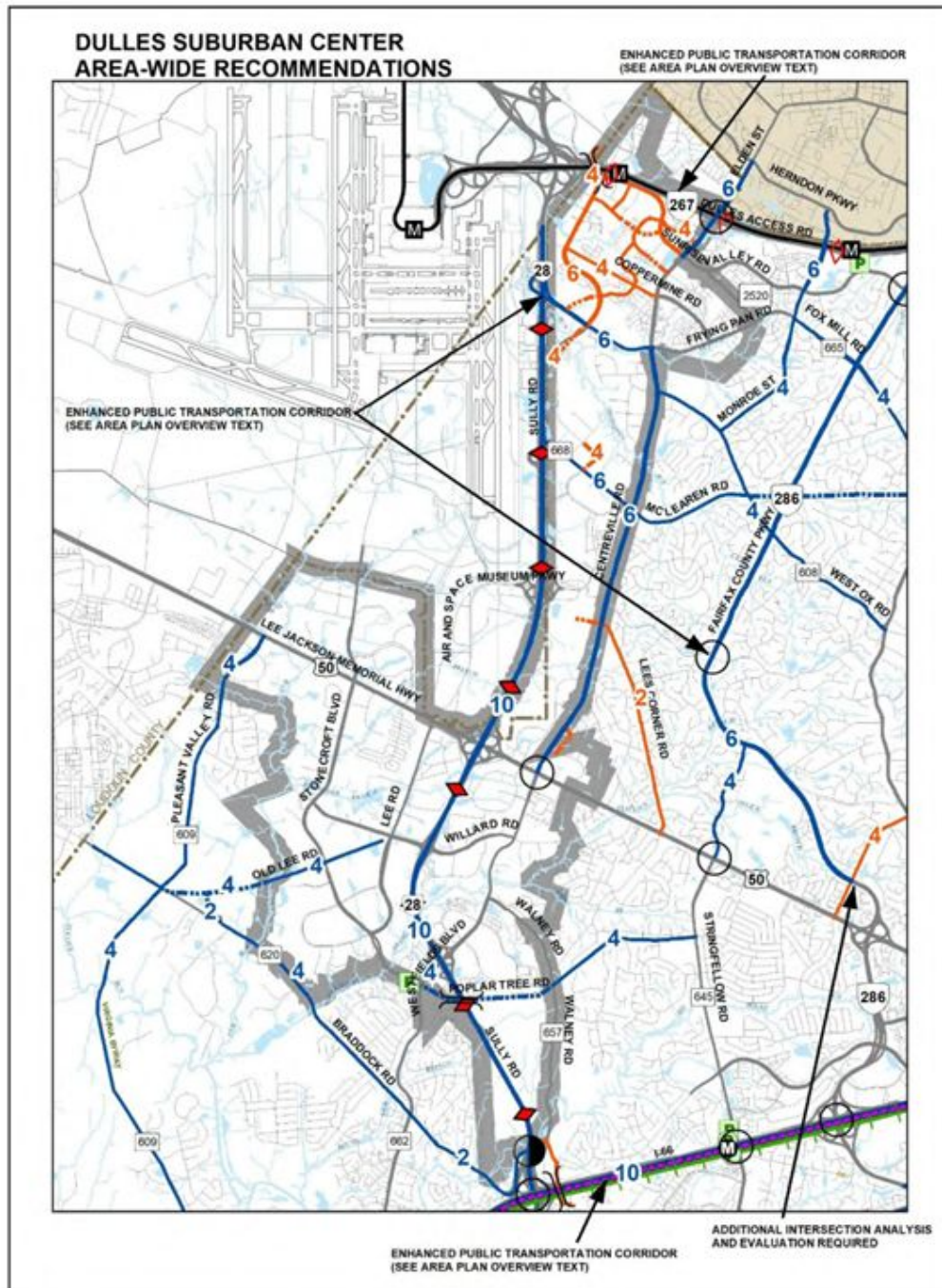
MODIFY FIGURE:

Fairfax County Comprehensive Plan, 2017 Edition, Area III, Fairfax Center Area, as amended through October 19, 2021, Areawide Recommendations, Figure 3, “Transportation Recommendations,” page 11, to incorporate updates to the corridor recommendations within the figure.



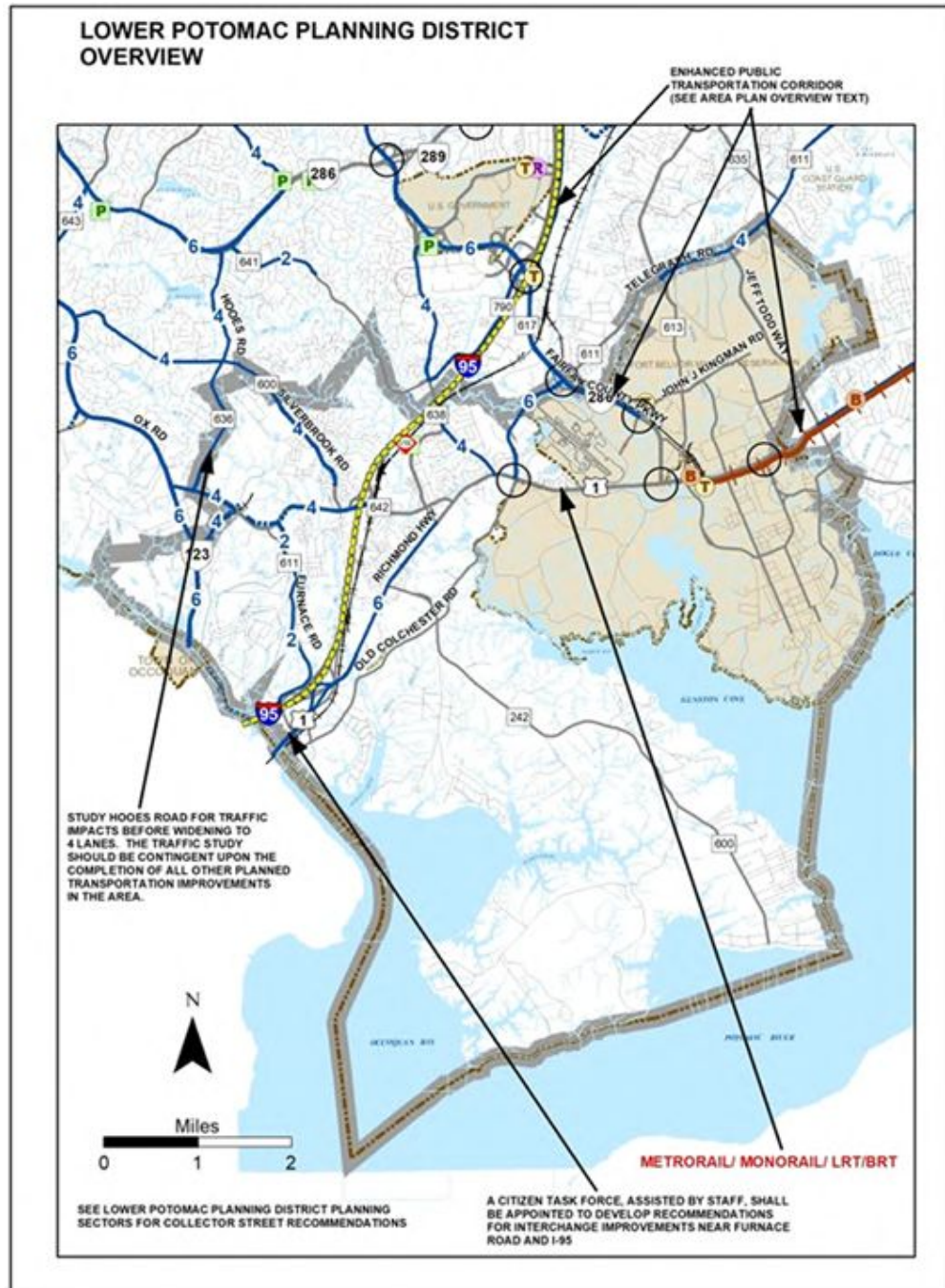
MODIFY FIGURE:

Fairfax County Comprehensive Plan, 2017 Edition, Area III, Dulles Suburban Center, as amended through June 28, 2022, Areawide Recommendations, Figure 3, "Transportation Recommendations," page 22, to incorporate updates to the corridor recommendations within the figure.



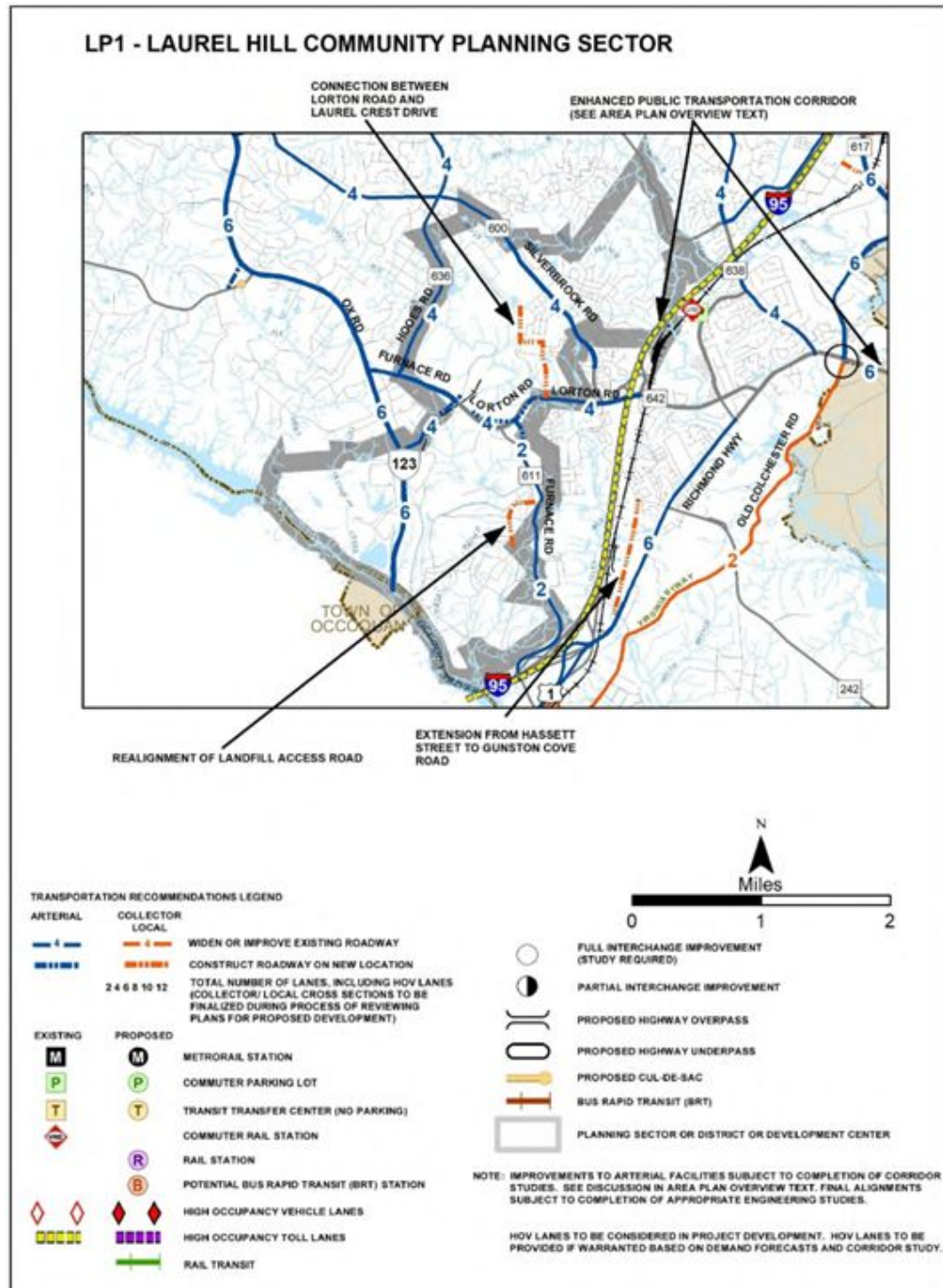
MODIFY FIGURE:

Fairfax County Comprehensive Plan, 2017 Edition, Area IV, Lower Potomac Planning District, as amended through February 23, 2021, Overview, Figure 2, “Countywide Transportation Recommendations, Lower Potomac Planning District,” page 6, to incorporate updates to the corridor recommendations within the figure.



MODIFY FIGURE:

Fairfax County Comprehensive Plan, 2017 Edition, Area IV, Lower Potomac Planning District, as amended through February 23, 2021, L1-Laurel Hill Community Planning Sector, Figure 12, "Transportation Recommendations," page 31, to incorporate updates to the corridor recommendations within the figure.

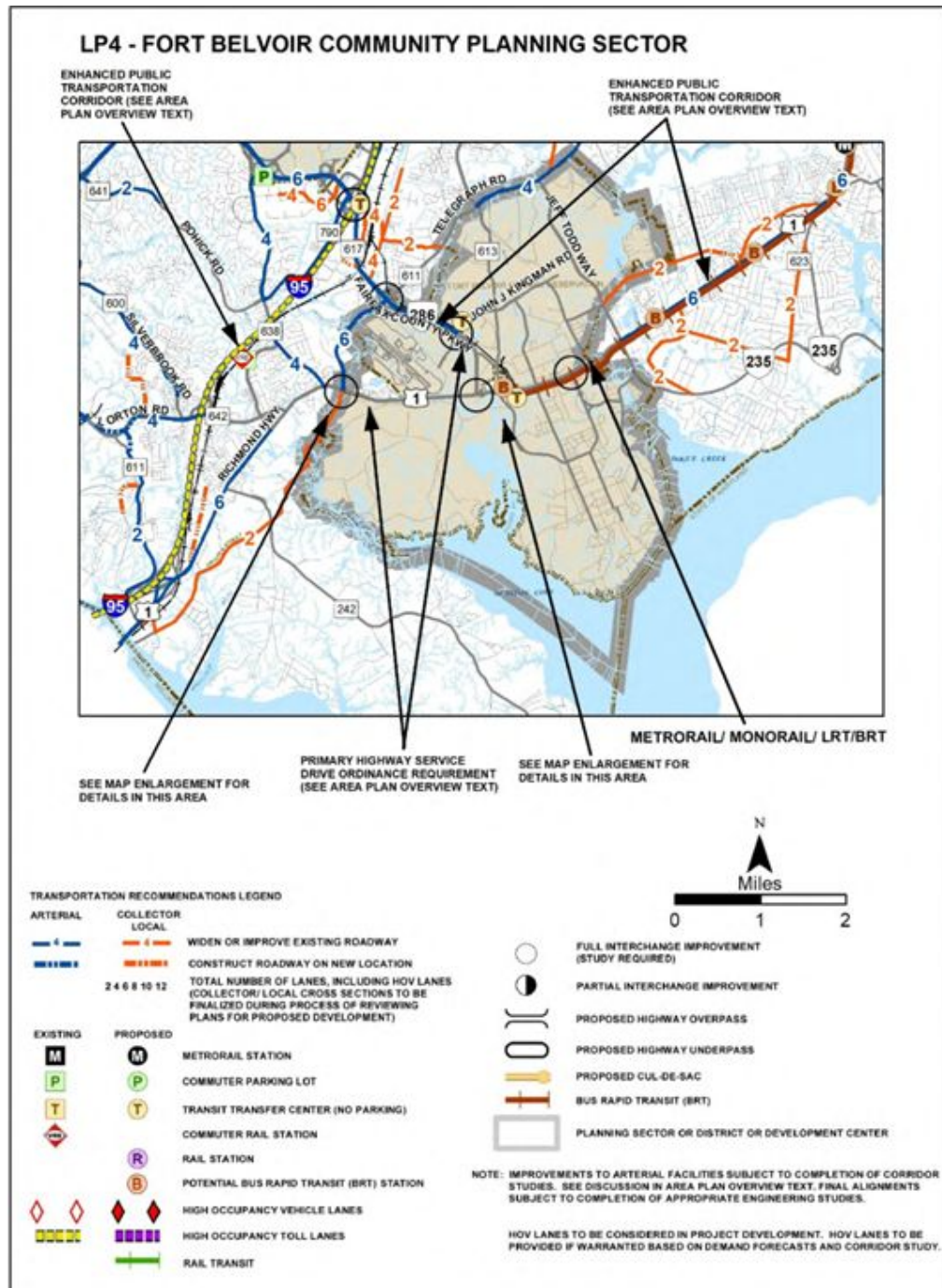


Fairfax County Comprehensive Plan, 2017 Edition, Area IV, Lower Potomac Planning District, as amended through February 23, 2021, L2-Lorton-South Route 1 Community Planning Sector, Figure 32, “Transportation Recommendations,” page 100, to incorporate updates to the corridor recommendations within the figure.



MODIFY FIGURE:

Fairfax County Comprehensive Plan, 2017 Edition, Area IV, Lower Potomac Planning District, as amended through February 23, 2021, L4-Fort Belvoir Community Planning Sector, Figure 41, "Transportation Recommendations," page 124, to incorporate updates to the corridor recommendations within the figure.

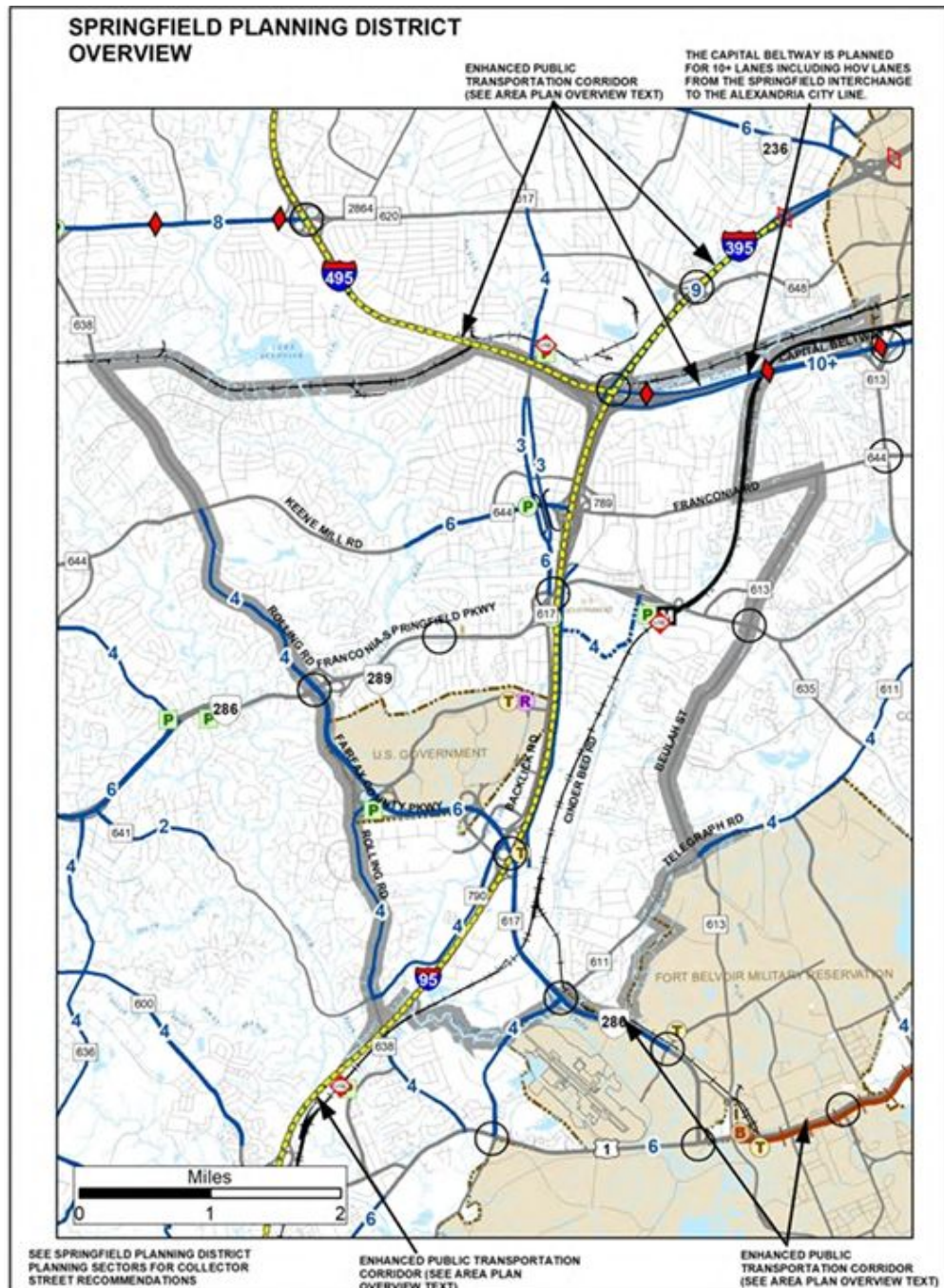


Fairfax County Comprehensive Plan, 2017 Edition, Area IV, Lower Potomac Planning District, as amended through February 23, 2021, L4-Fort Belvoir Community Planning Sector, Figure 43, “Transit Facility Recommendations,” page 126, to incorporate updates to the corridor recommendations within the figure.



MODIFY FIGURE:

Fairfax County Comprehensive Plan, 2017 Edition, Area IV, Springfield Planning District, as amended through November 9, 2021, Overview, Figure 2, “Countywide Transportation Recommendations, Springfield Planning District,” page 5, to incorporate updates to the corridor recommendations within the figure.

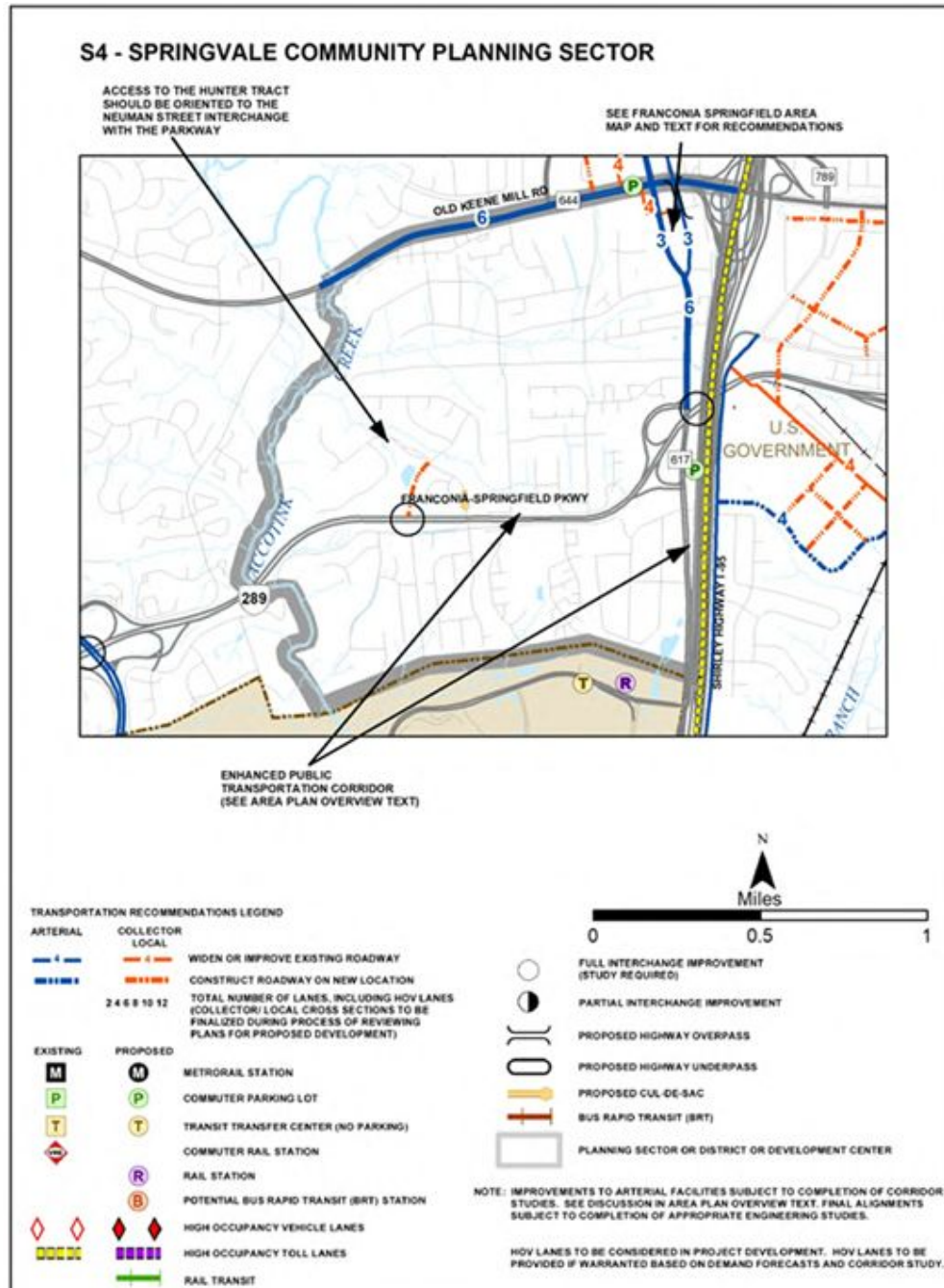


Fairfax County Comprehensive Plan, 2017 Edition, Area IV, Springfield Planning District, as amended through November 9, 2021, S3-Country Club, Figure 17, “Transportation Recommendations,” page 45, to incorporate updates to the corridor recommendations within the figure.



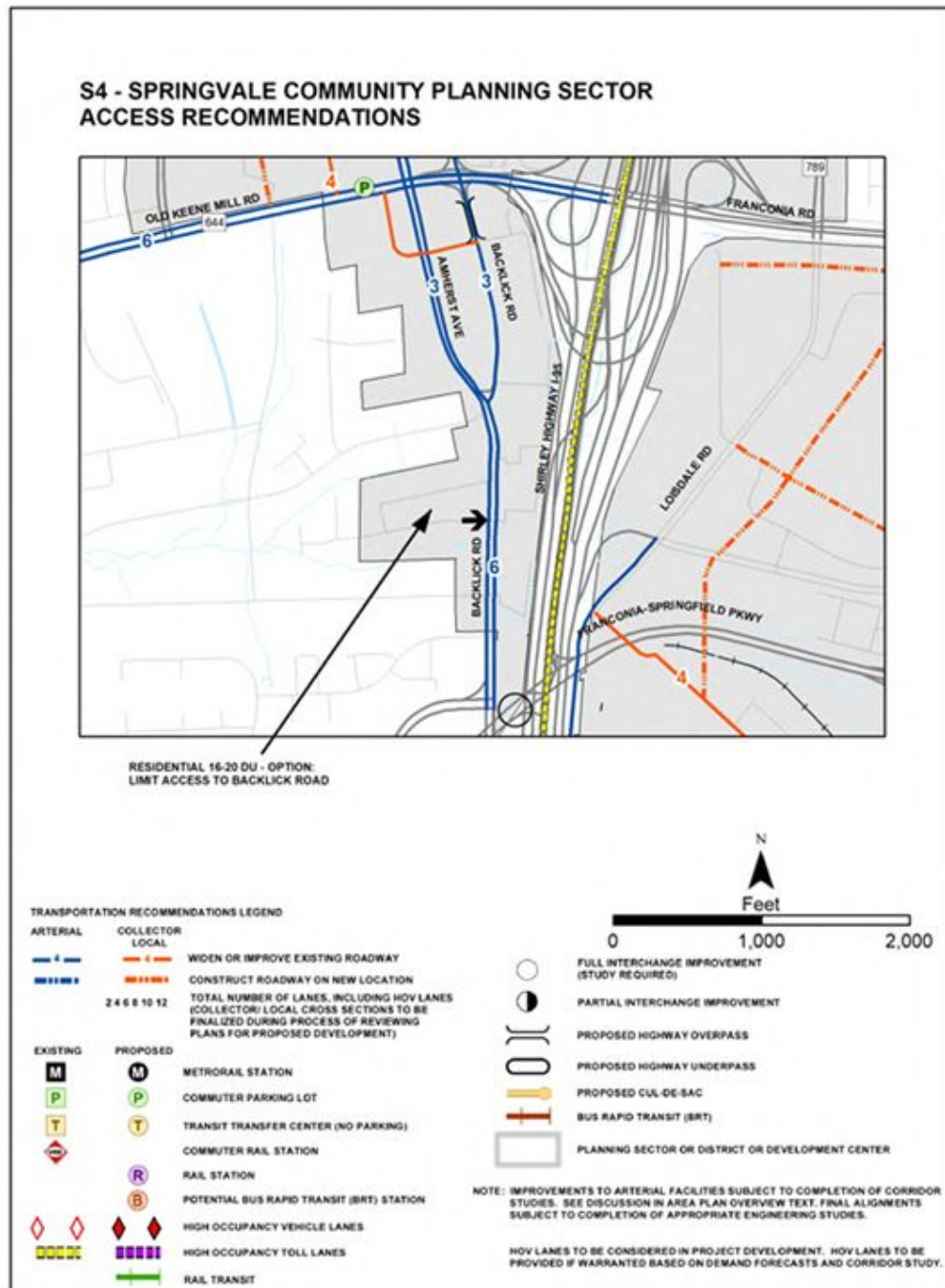
MODIFY FIGURE:

Fairfax County Comprehensive Plan, 2017 Edition, Area IV, Springfield Planning District, as amended through November 9, 2021, S4-Springvale Community Planning Sector, Figure 20, "Transportation Recommendations," page 53, to incorporate updates to the corridor recommendations within the figure.



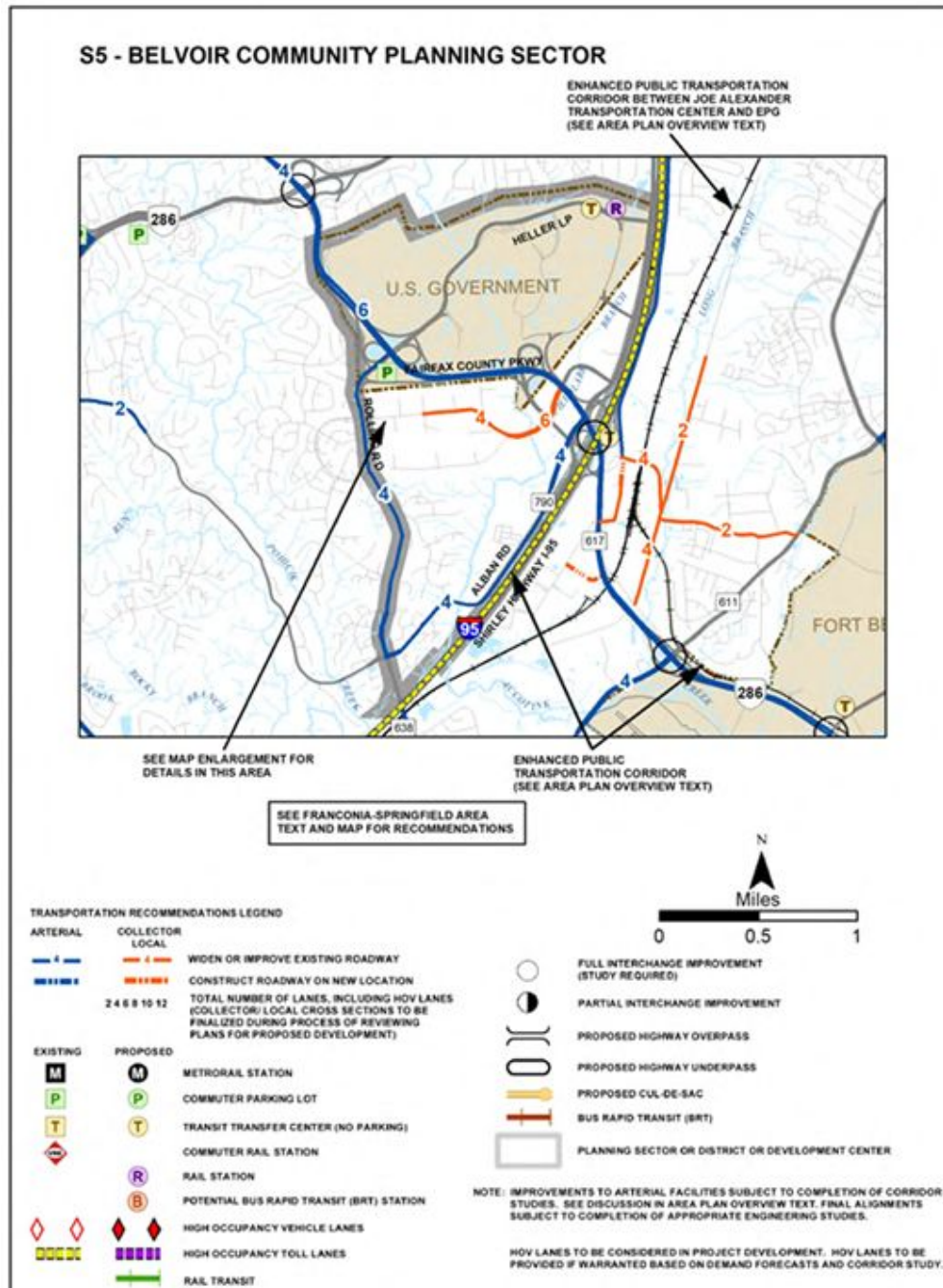
MODIFY FIGURE:

Fairfax County Comprehensive Plan, 2017 Edition, Area IV, Springfield Planning District, as amended through November 9, 2021, S4-Springvale Community Planning Sector, Figure 21, "Access Recommendations," page 54, to incorporate updates to the corridor recommendations within the figure.



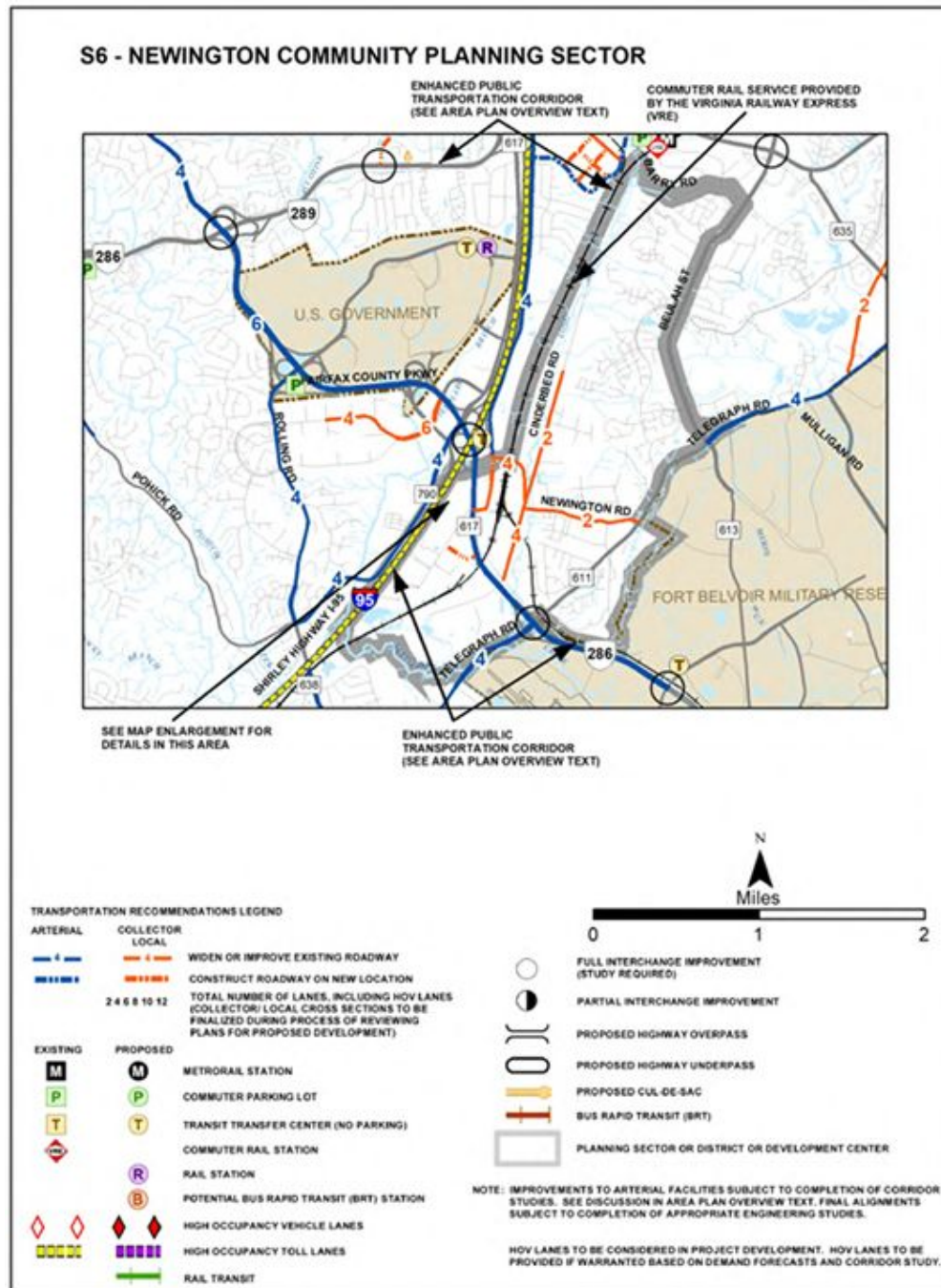
MODIFY FIGURE:

Fairfax County Comprehensive Plan, 2017 Edition, Area IV, Springfield Planning District, as amended through November 9, 2021, S5-Bevor Community Planning Sector, Figure 24, "Transportation Recommendations," page 60, to incorporate updates to the corridor recommendations within the figure.



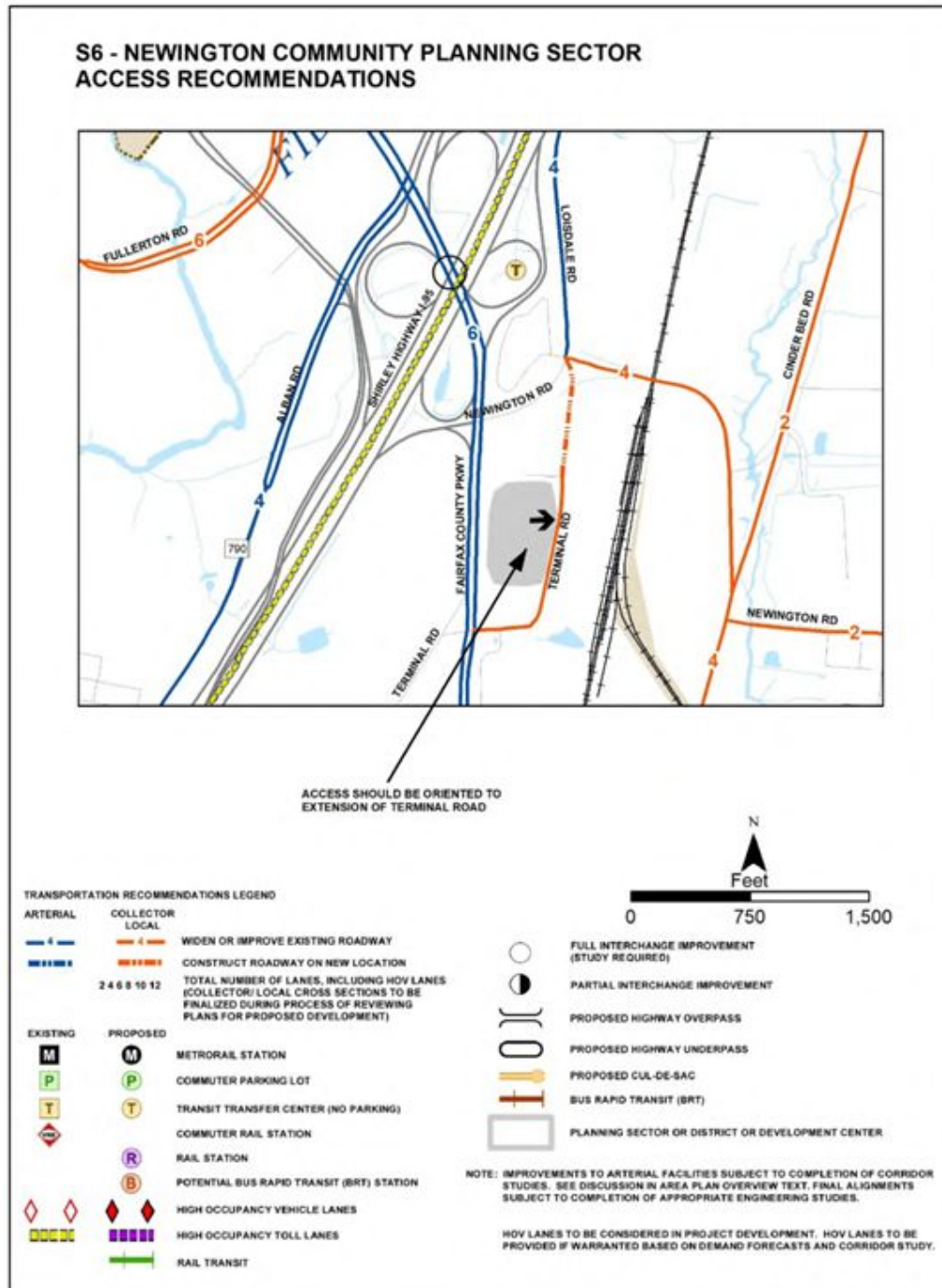
MODIFY FIGURE:

Fairfax County Comprehensive Plan, 2017 Edition, Area IV, Springfield Planning District, as amended through November 9, 2021, S6-Newington Community Planning Sector, Figure 28, "Transportation Recommendations," page 72, to incorporate updates to the corridor recommendations within the figure.



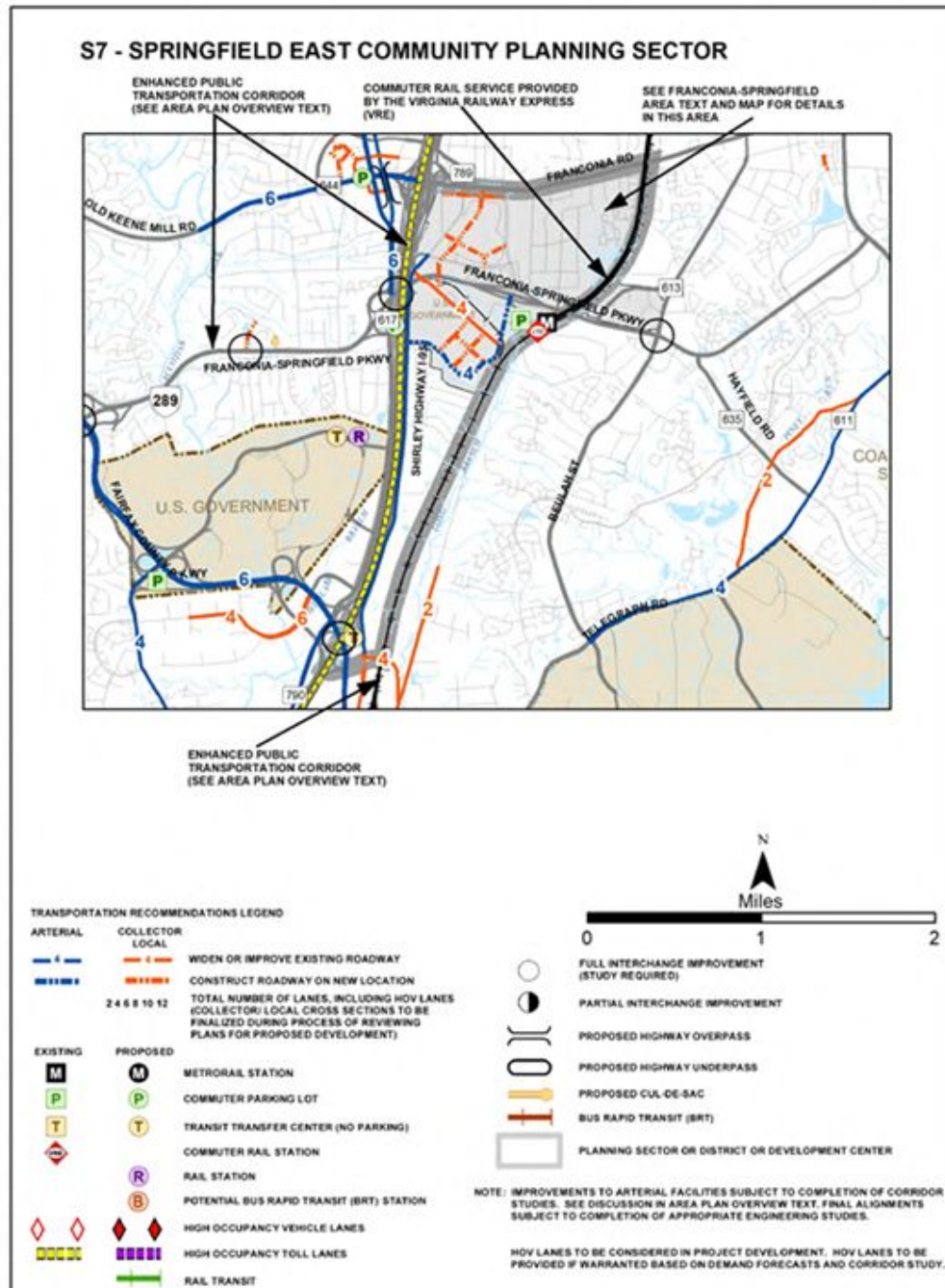
MODIFY FIGURE:

Fairfax County Comprehensive Plan, 2017 Edition, Area IV, Springfield Planning District, as amended through November 9, 2021, S6-Newington Community Planning Sector, Figure 29, "I-95 Corridor Industrial Area Land Unit K," page 73, to incorporate updates to the corridor recommendations within the figure.



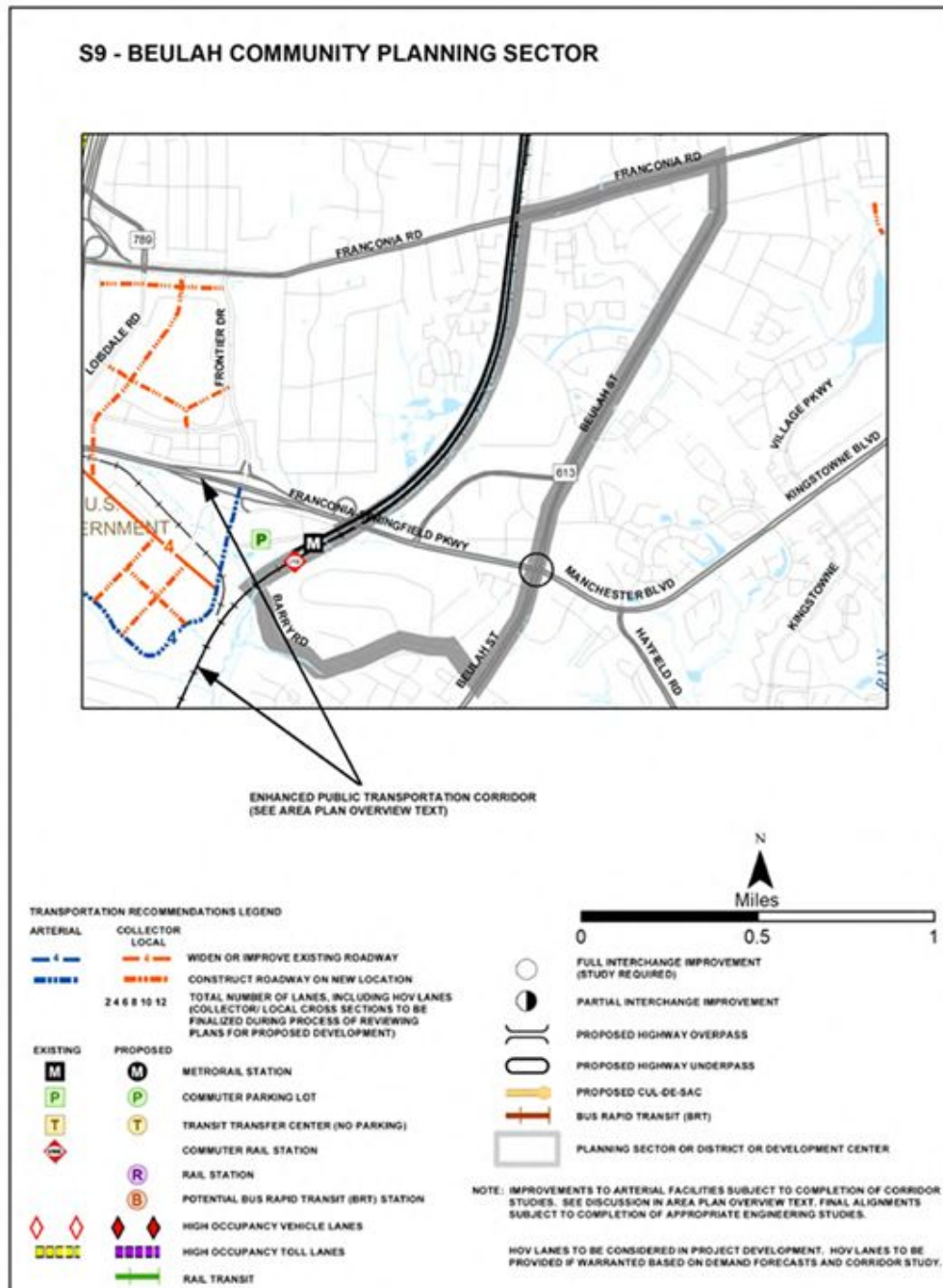
MODIFY FIGURE:

Fairfax County Comprehensive Plan, 2017 Edition, Area IV, Springfield Planning District, as amended through November 9, 2021, S7-Springfield East Community Planning Sector, Figure 32, "Transportation Recommendations," page 79, to incorporate updates to the corridor recommendations within the figure.



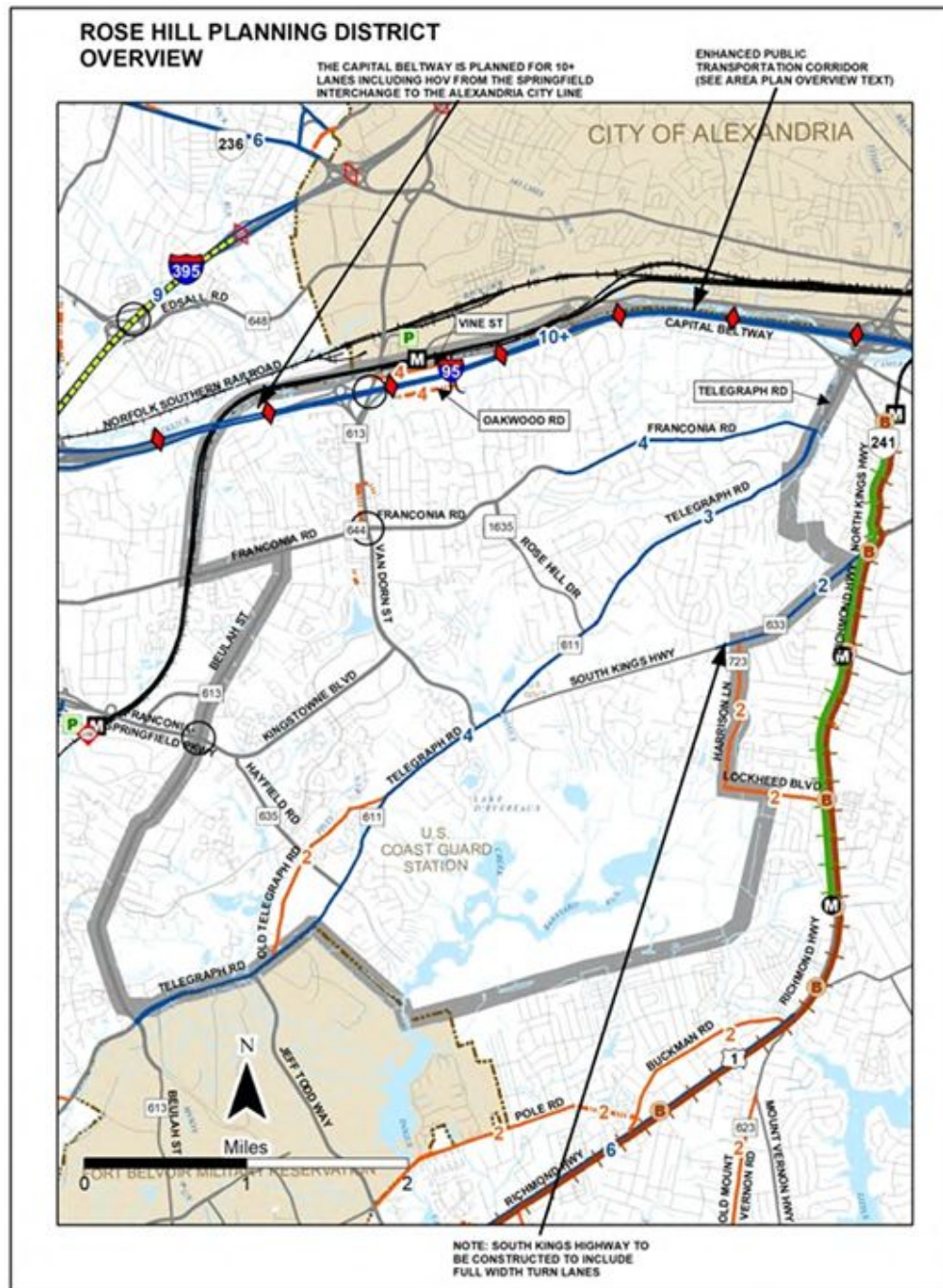
MODIFY FIGURE:

Fairfax County Comprehensive Plan, 2017 Edition, Area IV, Springfield Planning District, as amended through November 9, 2021, S9-Beulah Community Planning Sector, Figure 38, "Transportation Recommendations," page 93, to incorporate updates to the corridor recommendations within the figure.



MODIFY FIGURE:

Fairfax County Comprehensive Plan, 2017 Edition, Area IV, Rose Hill Planning District, as amended through February 23, 2021, Overview, Figure 2, "Countywide Transportation Recommendations, Rose Hill Planning District," page 4, to incorporate updates to the corridor recommendations within the figure.

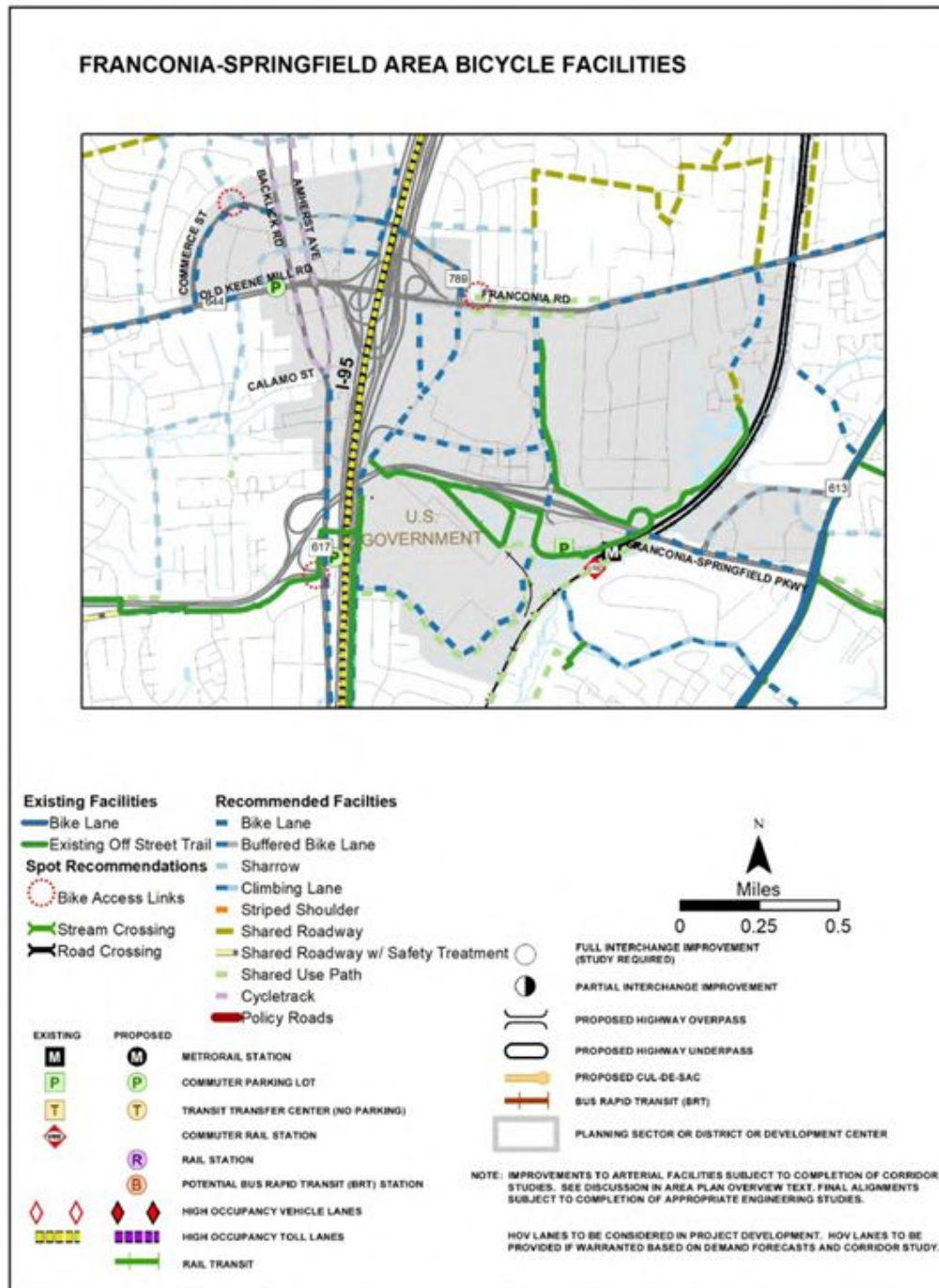


Fairfax County Comprehensive Plan, 2017 Edition, Area IV, Franconia-Springfield Area and Fort Belvoir North Area, as amended through June 28, 2022, Figure 3, “Transportation Recommendations,” page 21, to incorporate updates to the corridor recommendations within the figure.



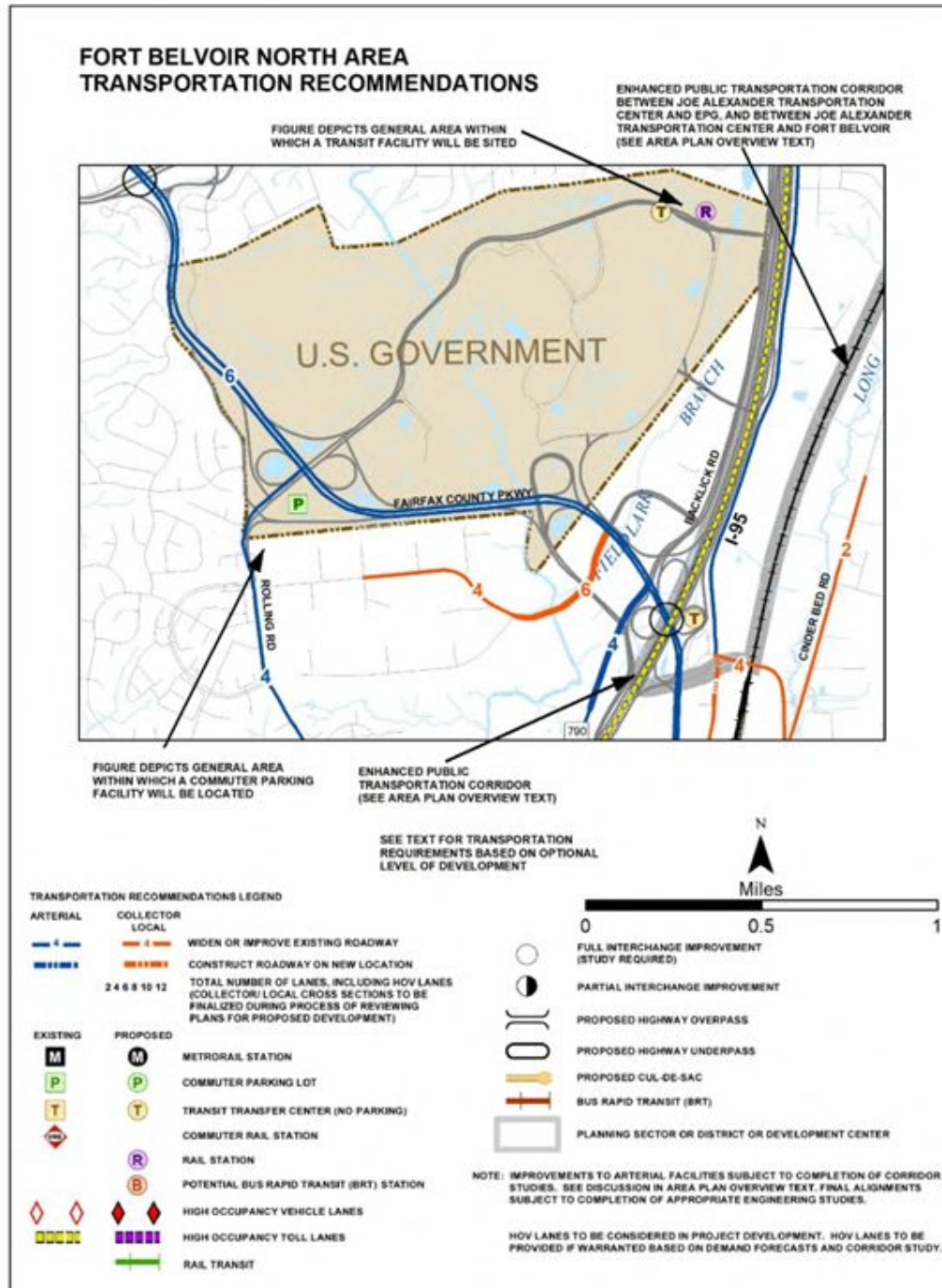
MODIFY FIGURE:

Fairfax County Comprehensive Plan, 2017 Edition, Area IV, Franconia-Springfield Area and Fort Belvoir North Area, as amended through June 28, 2022, Figure 4, “Recommended Bicycle Facilities,” page 25, to incorporate updates to the corridor recommendations within the figure.



MODIFY FIGURE:

Fairfax County Comprehensive Plan, 2017 Edition, Area IV, Franconia-Springfield Area and Fort Belvoir North Area, as amended through June 28, 2022, Figure 28, “Fort Belvoir North Area Transportation Recommendations” page 99, to incorporate updates to the corridor recommendations within the figure.

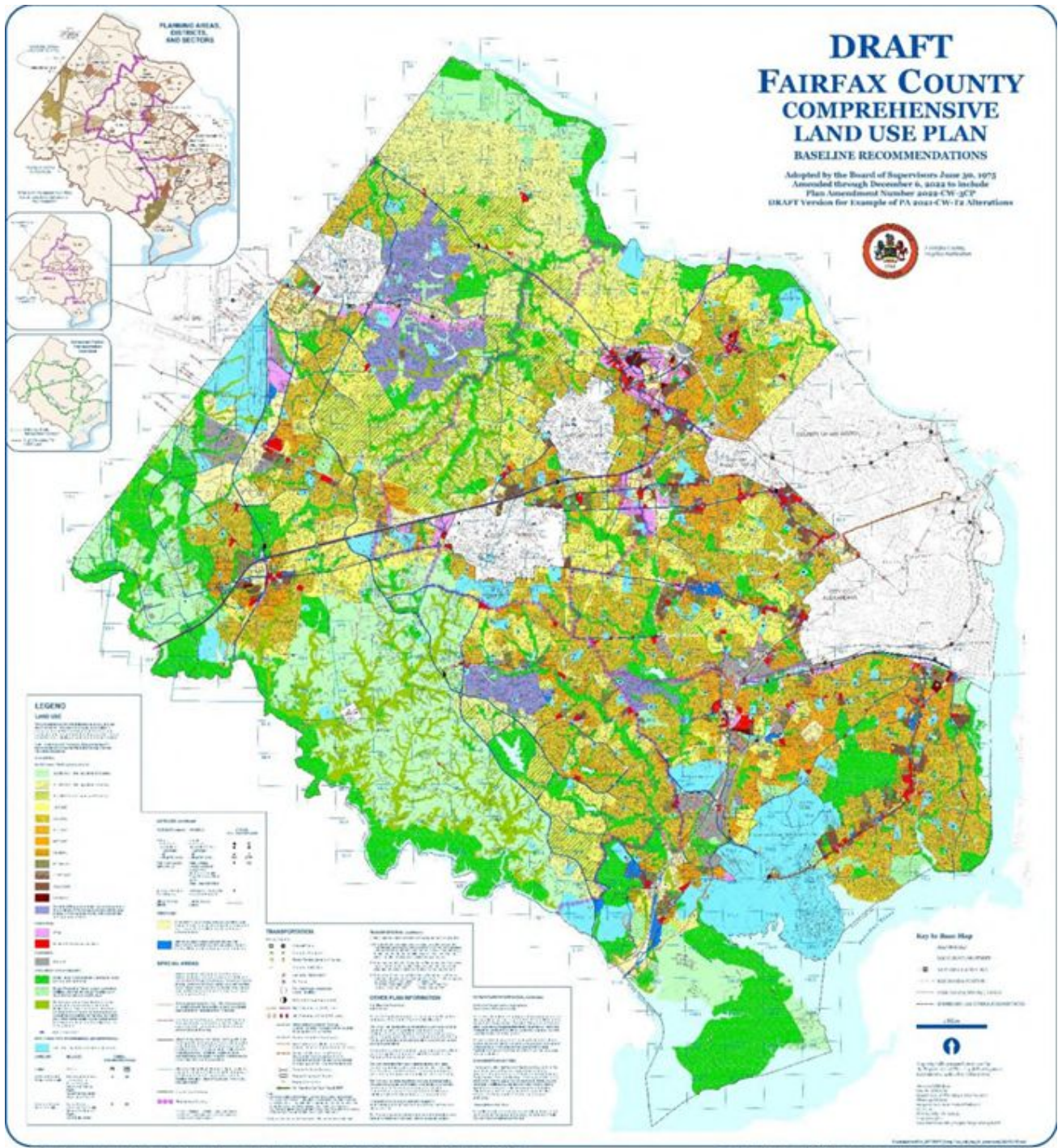


Fairfax County Comprehensive Plan – Policy Plan, 2017 Edition, Transportation Element, Figure 1, “Transportation Plan Map,” Page 3, as amended through March 20, 2018, to incorporate updates to the corridor recommendations within the figure, as summarized in the Conclusions Section, starting on page 34.



COMPREHENSIVE LAND USE PLAN MAP:

Fairfax County Comprehensive Land Use Plan Map, as amended through November 20, 2018, to incorporate updates to the corridor recommendations within the figure, as summarized in the Conclusions Section, starting on page 34.



Fairfax County Countywide Transportation Plan Map, as amended through September 2, 2015, to incorporate updates to the corridor recommendations within the figure, as summarized in the Conclusions Section, starting on page 34.



Board Agenda Item
March 21, 2023

4:30 p.m.

Public Hearing on a Proposal to Vacate and Abandon a Portion of Blake Lane (Route 655) (Providence District)

ISSUE:

Public hearing on a proposal to vacate and abandon a portion of Blake Lane.

RECOMMENDATION:

The County Executive recommends that the Board adopt the attached ordinance (Attachment III) for vacation and order (Attachment IV) for abandonment of the subject right-of-way.

TIMING:

On February 7, 2023, the Board authorized the public hearing to consider the proposed vacation and abandonment for March 21, 2023, at 4:30 p.m.

BACKGROUND:

The applicants, Edwin Giovanni Vizcardo Lazo and Dahlia Sara Lichter, are requesting that a portion of Blake Lane (Route 655) be vacated under §15.2-2272 of the Virginia Code and abandoned under §33.2-909 of the Virginia Code. As a result of the Fairfax County roadway construction project 0655-029-B86-C501, Blake Lane was realigned along with Jermantown Road to create the existing condition. The subject portion of Blake Lane is a remnant of the previous alignment.

The subject portion of Blake Lane is located directly west of the intersection of Palmer Street and Blake Lane, and is paved and part of the State System of Highways. The properties that abut the existing right-of-way to be vacated are currently occupied (Tax Map parcels 0472-07-0024A, 0472-21-000X, and 0472-19-00E1), and the land would revert to them after the vacation and abandonment. The total area to be vacated is approximately 5,912 square feet.

Traffic Circulation and Access

The vacation and abandonment will have no long-term impact on pedestrian, transit, or vehicle circulation and access.

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Vacation

The project manager has certified that all vacation requirements for the project have been met.

The proposal to vacate this right-of-way was circulated to the following public agencies and utility companies for review: Office of the County Attorney, Department of Public Works and Environmental Services, Fairfax County Department of Transportation, Department of Planning and Development, Fairfax County Park Authority, Fairfax County Water Authority, Fairfax County School Board, Fire and Rescue, Virginia Department of Transportation, Dominion Virginia Power, Washington Gas, and Verizon. None of these indicate any opposition to the proposal.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment I: Application Letter of Justification
Attachment II: Notice of Intent to Vacate and Abandon
Attachment III: Ordinance of Vacation
Attachment IV: Abandonment Order
Attachment V: Vacation/Abandonment Plat
Attachment VI: Vicinity Map

STAFF:

Rachel Flynn, Deputy County Executive
Tom Biesiadny, Director, Fairfax County Department of Transportation (FCDOT)
Jeff Hermann, Division Chief, FCDOT
Greg Fuller, Section Chief, FCDOT
Jeffrey Edmondson, FCDOT

ASSIGNED COUNSEL:

Randall Greehan, Assistant County Attorney

Oakton, January 21 2022

To Whom It May Correspond,

My name is Edwin Giovanni VIZCARDO LAZO. My wife, Dahlia Sara LICHTER, and I have been paying taxes in the State of Virginia since 2004. We have four young daughters living with us. After years of renting in Fairfax county, we decided to purchase the property located at 2976 Palmer St, Oakton, VA, 22124 in June 2019. It is located at the corner of Palmer St and Blake Ln. We would like to request the vacation and abandonment of a portion of Blake Ln. Because of our family's safety and security, we would like to annex that abandoned right of way to our main lot.

That said portion is a leftover of 40 years of changes/redirections on the surrounding county roads. The original house sits with its front porch facing this right of way. There are only 35 feet between our front door and this said portion. When we moved into the house, this right of way was full of vegetation with all sorts of vines and weeds. The few standing trees were being suffocated and killed by the uncontrolled growth of climbing plants. Some of the trees have inevitably died and others grew bentwards because of the weeds' weight and height, which went onto neighboring trees producing the same effects.

The aggressive growth of all sorts of vegetation created a bushy area that would reach past my gate in front of my porch. We noticed people coming in and out of this area particularly at night because that right of way's darkness offered a refuge for them. After calling the police and communicated our concerns to the authorities, we quickly realized that they had other priorities and coming to sit at a dead-end road was not really at the top of their list. We then decided to cut on the vegetation and make it the front view for our house more secured and safer. We found a variety of litter that included items from needles to glass pipes and condoms.

We undertook the effort of cleaning everything ourselves. We installed cameras and motion-detection lights around it. It took us months to beautify that forgotten corner. Gladly, we constantly received compliments by walkers and bikers who otherwise were not able to use the sidewalk because of the overgrown vegetation. We also acquired the lot X (according to county records) that used to belong to a company that went bankrupt in the early 2000s. We alerted the county about this after decades into oblivion. They put the land into auction. We bid for it in a complicated process but finally acquired lot X. This is when we realized we could request the abandonment of the road between our two lots (lot X and lot 24A) so that we that we can put a final period to our years of efforts. We have invested a significant amount of money into this. Might add as well a sciatica problem that started after a hard day of pulling weed roots as thick as young tree trunks.

Our intent for this process is not to build anything beyond our main structure. It is to have the formal possession of a land we have worked on very hard. Our top priority is to offer a safer and more secured corner for our family and our neighborhood. If our request is granted, we will be planting more trees and bushes. As there are several easements in that corner, we could not do anything else than that. We are aware of our responsibilities regarding giving access to the proper personnel of such utilities each time they need to.

We remain at your disposal for anything further you may need,

Edwin Giovanni VIZCARDO LAZO
Dahlia Sara LICHTER

NOTICE OF INTENT TO
ADOPT AN ORDINANCE VACATING AND AN ORDER ABANDONING
A PART OF A PLAT ON WHICH IS SHOWN

Blake Lane Route 655

Providence District,
Fairfax County, Virginia

Notice is hereby given that the Board of Supervisors of Fairfax County, Virginia, will hold a public hearing on March 21, 2023, at 4:30 PM during its regular meeting in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia, pursuant to Virginia Code Ann. § 15.2-2204, § 15.2-2272(2) and § 33.2-909, vacating and abandoning a part of the plat of Blake Lane, recorded in Deed Book R-6, at Page 656, on which is shown Blake Lane – Route 655 (shown as “County Road from Oakton”). The road is located adjacent to Tax Maps 47-2-7-24A, 47-2-21-X, and 47-2-19-E1, and is shown on the plat prepared by Archive Surveying, LLC, dated February 2, 2022, and sealed July 7, 2022, which is on file in the Fairfax County Department of Transportation, 4050 Legato Road, Suite 400, Fairfax, Virginia 22033, Telephone Number (703) 877-5600.

All persons wishing to speak on this subject may call the Office of the Clerk to the Board, (703) 324-3151, to be placed on the Speaker's List, or may appear and be heard.

PROVIDENCE DISTRICT.

ADOPTION OF AN ORDINANCE VACATING
A PART OF A PLAT ON WHICH IS SHOWN

Blake Lane Route 655

Providence District,
Fairfax County, Virginia

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center in Fairfax County, Virginia, on March 21, 2023, at which meeting a quorum was present and voting, the Board, after conducting a public hearing upon due notice given pursuant to Virginia Code Ann. §15.2-2204 and as otherwise required by law, adopted the following ordinance, to-wit:

BE IT ORDAINED by the Board of Supervisors of Fairfax County, Virginia: that Part of the Plat of Blake Lane, recorded in Deed Book R-6 at Page 656, on which is shown Blake Lane, consisting of 5,912 square feet; located on Tax Map 47-2, and shown on the plat prepared by Archive Surveying, LLC, dated February 2, 2022, and sealed July 7, 2022, and attached hereto and incorporated herein, be and the same is hereby vacated, pursuant to Virginia Code Ann. §15.2-2272(2).

This vacation is subject to any right, privilege, permit, license, easement, in favor of any public service company, utility, or other person or entity, including any political subdivision, whether located above, upon, or under the surface, either currently in use or of record, including the right to operate, maintain, replace, alter, extend, increase, or decrease in size any facilities in the vacated roadway, without any permission of the landowner.

A Copy Teste:

Jill Cooper
Clerk for the Board of Supervisors

ORDER OF ABANDONMENT

Blake Lane Route 655

PROVIDENCE DISTRICT
Fairfax County, Virginia

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held this 21st day of March, 2023, it was duly moved and seconded that:

WHEREAS, after conducting a public hearing pursuant to notice as required by Virginia Code §33.2-909, and after giving due consideration to the historic value, if any, of such road, the Board has determined that no public necessity exists for continuance of this road as a public road, and that the safety and welfare of the public will be served best by an abandonment,

WHEREFORE, BE IT ORDERED:

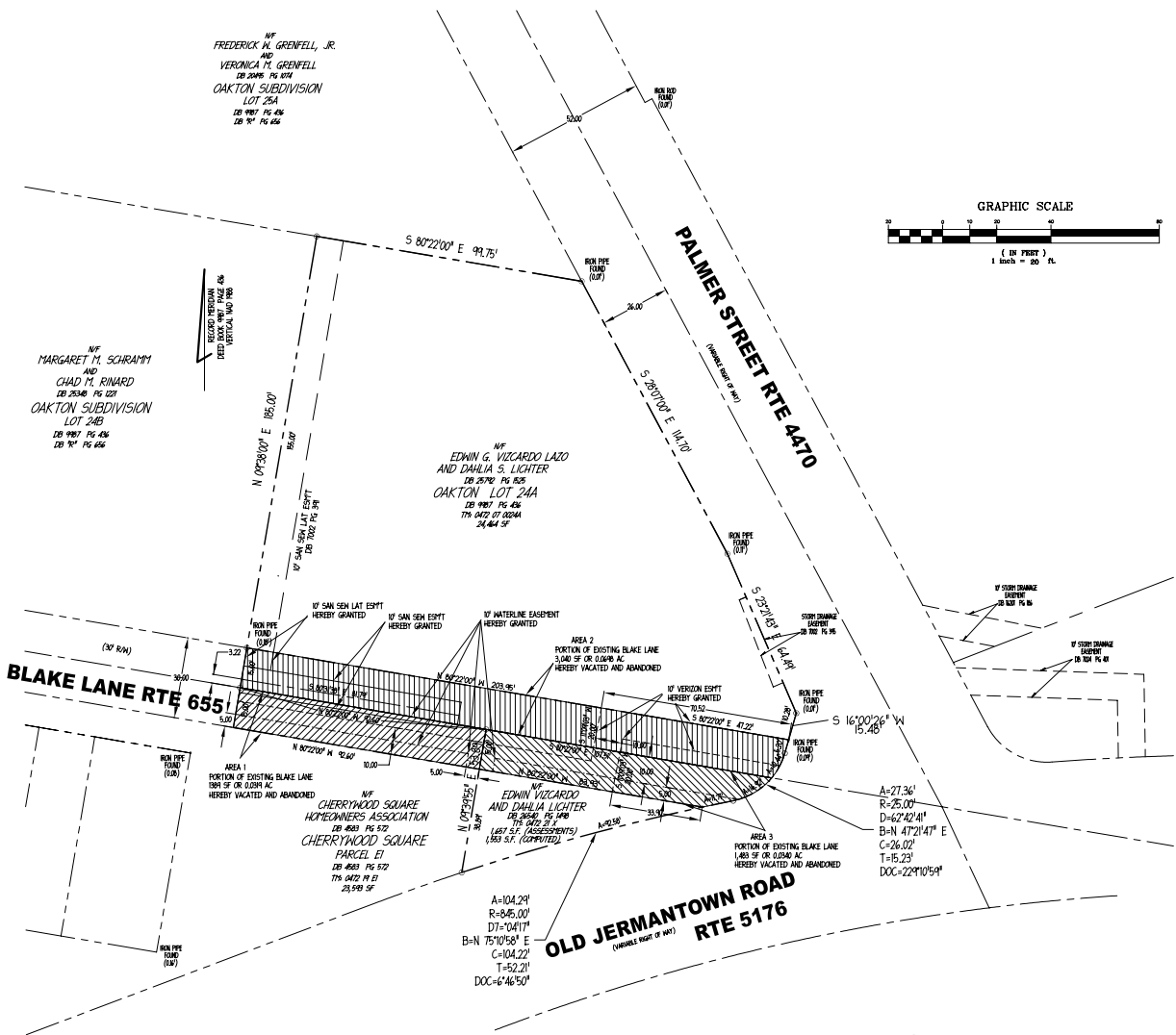
That Blake Lane, consisting of 5,912 square feet; located on Tax Map 47-2, and shown on the plat prepared by Archive Surveying, LLC, dated February 2, 2022, and sealed July 7, 2022, which is attached hereto and incorporated herein, be and the same is hereby abandoned as a public road pursuant to Virginia Code §33.2-909.

This abandonment is subject to any right, privilege, permit, license, or easement in favor of any public service company, utility, or other person or entity, including any political subdivision, whether located above, upon, or under the surface, either currently in use or of record, including the right to operate, maintain, replace, alter, extend, increase or decrease in size any facilities in the abandoned roadway, without any permission of the landowner(s).

A Copy Teste:

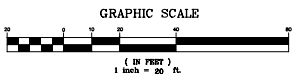
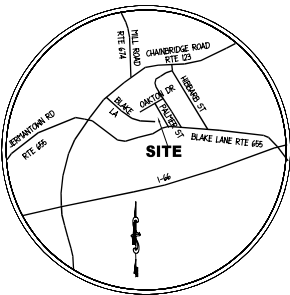
Jill Cooper
Clerk for the Board of Supervisors

ARCHIVE SURVEYING, LLC



AREA TABULATION

EXISTING BLAKE LANE (PORTIONS VACATED/ABANDONED)
AREA 1..... 0.001 SF OR 0.000 AC
AREA 2..... 0.040 SF OR 0.000 AC
AREA 3..... 0.000 SF OR 0.000 AC
TOTAL AREA VACATED/ABANDONED..... 0.040 SF OR 0.000 AC



NOTES:

1. THE ADJACENT PROPERTIES SHOWN HEREON ARE IDENTIFIED ON FAIRFAX COUNTY TAX ASSESSMENT MAP NO. 04T-2-07-0024A, 04T-2-14-E1 AND 04T-2-21-X.
2. BOUNDARY INFORMATION SHOWN HEREON IS A COMPILATION OF A FIELD RUN BOUNDARY SURVEY FOR PARCEL X PERFORMED BY REMY G. DUCOTE AND FROM INFORMATION OF RECORDED DEEDS AND/OR PLATS.
3. IFF DENOTES IRON PIPE FOUND (IRON PIPES ARE NOT USED FOR DETERMINING BUILDING LOCATION MAY BE APPROXIMATELY SHOWN).
4. THIS PLAN IS MADE SUBJECT TO ALL EASEMENTS, COVENANTS, CONDITIONS, RIGHT-OF-WAY RESERVATIONS, AND RESTRICTIONS OF RECORD LEGALLY AFFECTING THE TITLE TO THE PROPERTY DEPICTED HEREON.
5. SUBSURFACE UTILITIES AND FACILITIES NOT SHOWN MAY EXIST.
6. THIS PLAN HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE SURVEY AND THEREFORE DOES NOT NECESSARILY INCLUDE ALL ENCUMBRANCES ON THE PROPERTY.
7. ACCORDING TO FIRM MAP FOR FAIRFAX COUNTY, COMMUNITY NO. 5106AC0456, THESE PROPERTIES LIES IN ZONE "X", AREAS OF MINIMUM FLOOD HAZARD.

SURVEYOR'S CERTIFICATE

I, SUSAN RENEE BENSON, A LICENSED LAND SURVEYOR IN THE COMMONWEALTH OF VIRGINIA, DO HEREBY CERTIFY THAT I HAVE CAREFULLY REVIEWED THE PROPERTY DELINEATED BY THIS PLAT. THE BOUNDARY INFORMATION SHOWN HEREON, IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND IS BASED ON AN SUBDIVISION PLAT RECORDED IN THE FAIRFAX COUNTY LAND RECORDS AT DB 4583, PAGE 572 AND TITLED "SECTION 2-A OAKTON VILLAGE" DATED FEB. 23, 1977 AND RESUBDIVISION PLAT RECORDED IN THE FAIRFAX COUNTY LAND RECORDS AT DB 9987 PG 436 AND TITLED "RESUB. OF LOTS 24 AND 25 OAKTON SUBDIVISION" DATED 9/26/1995 AND A FIELD RUN BOUNDARY SURVEY OF PARCEL X. I FURTHER CERTIFY THAT THE LAND EMBRACED BY THIS PLAT OF RIGHT-OF-WAY VACATION LIES ENTIRELY WITHIN THE BOUNDS OF THE ORIGINAL TRACT, THAT THIS PLAT REPRESENTS AN ACCURATE SURVEY OF THE SAME AND THAT THE PROPERTY SHOWN HEREON IS REFERENCED TO NORTH AS RECORDED IN DB. 9987 PG 436.

GIVEN UNDER MY HAND THIS 7TH DAY OF JULY 2022.

Susan Benson
SUSAN RENEE BENSON, LSB #1499-B

ARCHIVE SURVEYING, LLC
CIVIL ENGINEERING PLANNING SURVEYING
3 GEDDY WAY, STAFFORD, VA 22654
PH: (504) 664-7911 CELL: (504) 844-7105
BENSON@SPRINT.NET

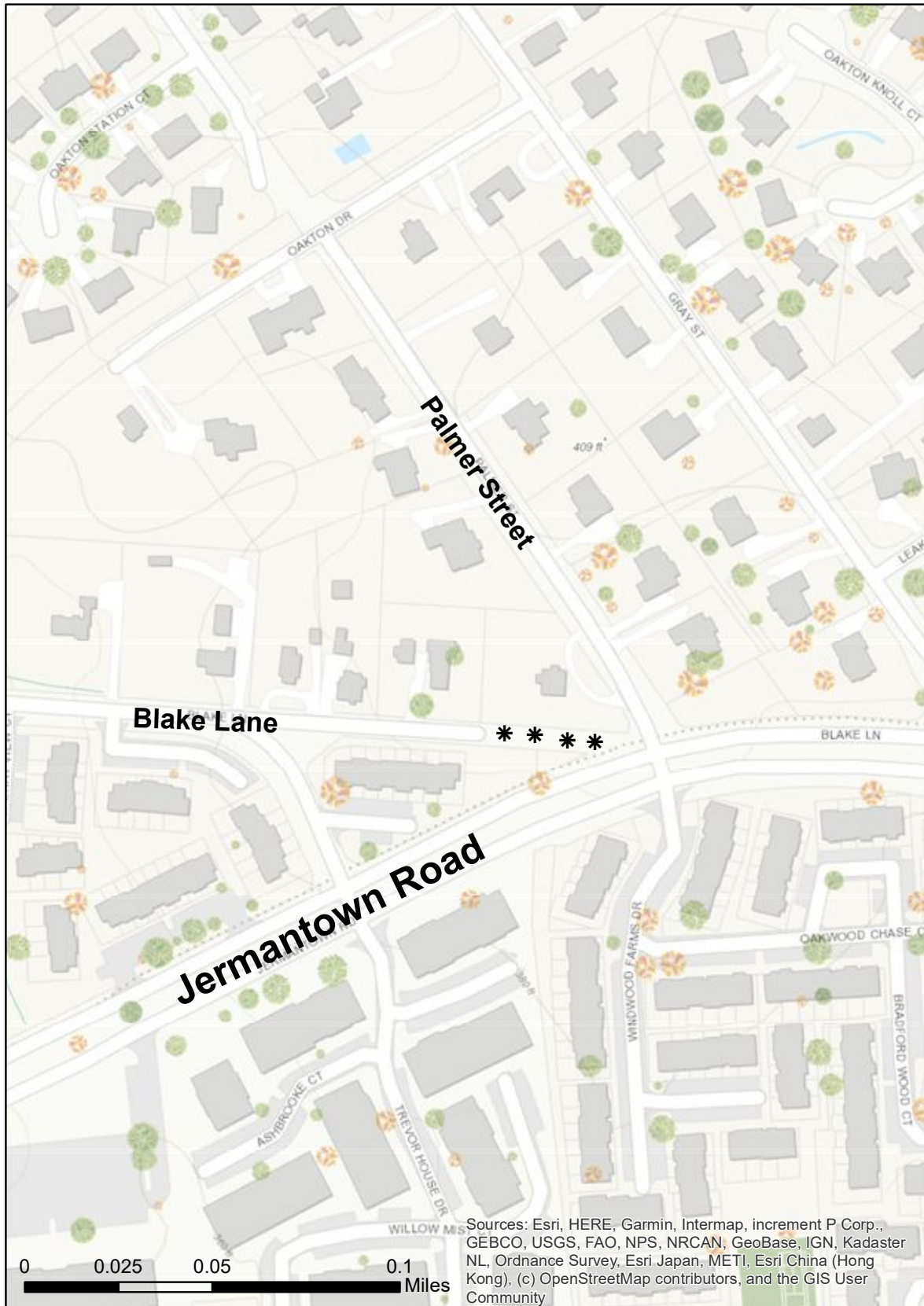
PLAT SHOWING VACATION AND ABANDONMENT OF A PORTION OF BLAKE LANE
R-6 PG 656, DB 7002 PG 381 AND DB 9987 PG 436
2016 PALMER STREET
PROVIDENCE DISTRICT
FAIRFAX COUNTY, VIRGINIA

REVISIONS	DATE



DATE 2-2-2022
SCALE 1"=20'
SHEET NUMBER

Vacation and Abandonment of a Portion of Blake Lane Providence District



* Denotes Area to be Vacated and Abandoned

Tax Map 47-2

Board Agenda Item
March 21, 2023

4:30 p.m.

Public Hearing on the Draft Proposed One-Year Action Plan for FY 2024

ISSUE:

Public hearing before the Fairfax County Board of Supervisors (Board) on the draft of the Proposed One-Year Action Plan for FY 2024 (draft Annual Action Plan), as issued by the Consolidated Community Funding Advisory Committee (CCFAC).

RECOMMENDATION:

The County Executive recommends that, following the public hearing, the Board forward comments received on the draft Annual Action Plan to the CCFAC for its consideration before the CCFAC makes its final recommendation to the Board for action on May 9, 2023.

TIMING:

Board action on the draft Annual Action Plan is scheduled for May 9, 2023.

BACKGROUND:

Fairfax County (County) is required to prepare a five-year consolidated plan (a consolidated plan) to disclose to County residents and to the U.S. Department of Housing and Urban Development (HUD) the County's affordable housing and community development goals during the period and the intended uses of Community Development Block Grant (CDBG), HOME Investment Partnerships Program (HOME), and Emergency Solutions Grant (ESG) funds (collectively, the Federal Funds) to achieve the identified goals. The County is also required to file a one-year action plan (an annual action plan) for each year covered by the consolidated plan to disclose the County's intended use of the expected Federal Funds and the consolidated plan goals that are expected to be achieved in that year. The consolidated plan and annual action plans each identify and describe a wide range of needs, current programs and strategies, and gaps and priorities for housing, community services, homelessness, community development, neighborhood preservation and revitalization, employment and economic opportunity programs, and other services in the County. FY 2024 will be the third year covered by the Five-Year Consolidated Plan for FY 2022 – FY 2026, adopted by the Board on May 4, 2021.

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On January 10, 2023, the CCFAC authorized the release of the draft Annual Action Plan for a public comment period. On February 7, 2023, the Board authorized advertisement and scheduling of a public hearing on the draft Annual Action Plan to be held on March 21, 2023, at which citizens may express their views on the proposed housing and community development goals, priorities, and needs, as well as on the proposed uses of the Federal Funds. The public comment period will end at the conclusion of the Board's public hearing.

Funding estimates used in the draft Annual Action Plan are based on the grant awards received from HUD for FY 2023. The estimates are used to allow citizen participation in the preparation of the draft Annual Action Plan pending receipt of HUD notification of the actual funding awards for FY 2024. The draft Annual Action Plan also includes a HUD-mandated contingency plan (Contingency Plan) that describes how the allocations of the estimated Federal Funds are to be adjusted after HUD notice of the actual awards for FY 2024 has been received. Upon receipt of the HUD notice, HCD staff will make the adjustments to the draft Annual Action Plan based on instructions provided in the Contingency Plan.

The draft Action Plan includes a total \$8,905,292 estimated allocation of Federal Funds to the County for FY 2024, as follows:

- \$5,918,926 in CDBG
- \$2,471,231 in HOME
- \$515,135 in ESG

The draft Annual Action Plan further includes a total \$1,411,890 in estimated funding, as follows:

- \$594,934 in CDBG carryover
- \$816,956 in appropriated program income, which includes:
 - \$770,956 in CDBG
 - \$46,000 in HOME

After the end of the public comment period, the CCFAC will consider all comments received and will forward its Proposed Annual Action Plan to the Board for final action on May 9, 2023.

STAFF IMPACT:

None. No positions will be added as a result of this action.

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FISCAL IMPACT:

Funds identified in the proposed FY 2024 Action Plan include CDBG (\$5,918,926), HOME (\$2,471,231), and ESG (\$515,135). A total of \$594,193 in CDBG funds is recommended to be carried forward from FY 2023 for use in FY 2024, as allocated. In addition, an as-yet-undetermined amount of previously programmed funds is expected to be carried forward as previously allocated. Total estimated program income of \$816,956, including CDBG program income of \$770,956 and HOME program income of \$46,000, also will be programmed for use in FY 2024 through this action.

ENCLOSED DOCUMENTS:

Attachment 1: The Proposed One-Year Action Plan for FY 2024 is available on-line at <https://www.fairfaxcounty.gov/housing/data/consolidated-plan>

STAFF:

Christopher Leonard, Deputy County Executive
Thomas Fleetwood, Director, HCD
Thomas Barnett, Deputy Director, HCD Office to Prevent and End Homelessness (OPEH)
Laura O. Lazo, Associate Director, Grants Management (GM), HCD
Beverly A. Moses, Senior Program Manager, GM, HCD

Board Agenda Item
March 21, 2023

4:30 p.m.

Public Hearing on Proposed Salary Increases to \$125,000 or up to \$130,000 for Members of the Board of Supervisors and to \$140,000 or up to \$145,000 for the Chairman, Effective January 1, 2024, the Beginning of the Term of the Then Newly-Elected Board

ISSUE:

Public hearing on proposed increase to the salary of the Members of the Board of Supervisors and the Chairman who take office when the newly-elected Board's term begins on January 1, 2024.

TIMING:

On March 7, 2023, the Board authorized advertisement of a public hearing on March 21, 2023. State law requires that any increase in salary be approved no later than April 15, 2023. If approved, the salary increases will be effective January 1, 2024, and will apply to the Board Members and Chairman elected on November 7, 2023.

BACKGROUND:

The salary for the Board of Supervisors has not changed since 2015, eight years ago. Under Virginia law, the current Board cannot increase its own salary. The Board can only adjust its salary in an election year and following a public hearing, and the increase can only be applied to the Board and Chairman that are elected on November 7, 2023. Therefore, if the Board wishes to consider increasing the salaries for the newly-elected Board to be seated on January 1, 2024, then the current Board must hold a public hearing and vote on the matter not later than April 15, 2023.

County staff compared the salaries of the County's Board of Supervisors to those of the governing bodies of surrounding large jurisdictions. Staff also reviewed the pay increases County employees have received since 2015, plus projected compensation increases for the next two years using a 2% MRA and an average merit increase of 2.25% for 2024-2026.

FISCAL IMPACT:

If the salary increases are approved in March, the FY 2024 budget will be adjusted to reflect the partial fiscal year impact of the increase in salaries which will be between \$155,000 and \$180,000, depending on the final outcome. The full fiscal year impact will

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be between \$310,000 and \$360,000, depending on the final outcome, and will be included in the development of the FY 2025 budget.

ENCLOSED DOCUMENTS:
None.

STAFF:
Catherine Schafrik, Director, Department of Human Resources
Ellicia Seard-McCormick, Deputy County Executive

ASSIGNED COUNSEL:
Karen Gibbons, Deputy County Attorney, Office of the County Attorney
Patricia McCay, Senior Assistant County Attorney, Office of the County Attorney

Board Agenda Item
March 21, 2023

4:30 p.m.

Public Comment on Issues of Concern