

BRIEF

FAIRFAX COUNTY NOTICE

December 7, 2021

Public hearing before the Board of Supervisors of Fairfax County, Virginia, to be held at the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035. If, however, a physical meeting is unsafe due to the COVID-19 pandemic, the Board of Supervisors may meet electronically. If the meeting is held electronically, instructions regarding how to access the meeting will be provided at <https://www.fairfaxcounty.gov/boardofsupervisors/2021-board-meetings> and will be posted in advance of the meeting in the lobby of 12000 Government Center Parkway, Fairfax, Virginia and in the Office of the Clerk to the Board of Supervisors, 12000 Government Center Parkway, Suite 552, Fairfax, Virginia.

TIME SUBJECT

3:30 p.m. DECISION ONLY – TAKE NOTICE that at a meeting of the Board of Supervisors of Fairfax County, Virginia, on Tuesday, December 7, 2021, at 3:30 p.m., the Board will propose an ordinance for passage that would amend Fairfax County Code Chapter 7, Article 2, to redistrict and reapportion the election districts of the Board of Supervisors. State and federal law require the Board, the governing body of Fairfax County, to reapportion the County's election districts based on population data from the 2020 Census. Fairfax County operates under the urban county executive form of government, under which state law requires the Board of Supervisors to consist of between five and eleven supervisors elected by district and one Chairman elected at large. The current Board has nine supervisors elected by district and a Chairman elected at large. State law provides that members of the County School Board be elected from the same districts. The current School Board has nine members elected by district and three members elected at large. The Board's action will not change the districts of the House of Delegates, State Senate, or Congress.

The Board created the 2021 Redistricting Advisory Committee to propose redistricting plans for the Board's consideration. The County also established a public portal on the County's website containing the tools and data necessary for members of the public to prepare and submit redistricting plans for consideration. Together, the Redistricting Advisory Committee and the public proposed to the Board 64 different redistricting plans. The plans variously provide for nine, ten, or eleven supervisor election districts. Each of the plans is depicted by a map showing the proposed new boundaries of each district and includes information describing the proposed boundary changes and the composition of each proposed district. All of the plans proposed by the 2021 Redistricting Advisory Committee and the public, together with the supporting materials, are available for inspection online at <https://www.fairfaxcounty.gov/redistricting/>. The linked webpage also includes a wealth of information about Fairfax County's redistricting process. Alternatively, anyone who wishes to view the materials may contact the Office of the Clerk for the Board of Supervisors at 703-324-3151 to make arrangements.

The Board held a public hearing on November 9, 2021, to solicit public comment on the proposed plans and on redistricting and reapportionment generally. At the conclusion of the hearing, the Board held the record open to allow members of the public to continue to submit comments on the proposed plans. No public testimony will be heard on December 7.

The redistricting will be accomplished by the Board adoption of an ordinance that amends Fairfax County Code Chapter 7, Article 2, Election Districts for the Board of Supervisors, to reflect the adopted plan. On December 7, 2021, the Board may adopt any of the proposed plans, in whole or in part. The Board may also propose and adopt changes to any of the currently-proposed plans. Because the reapportionment must comply with legal requirements to balance the population among districts, among other requirements, every voting precinct in the County is potentially affected by being moved into another election district either in whole or in part.

3:30 p.m. AR 87-S-003-04 - COX-RICHARD FAMILY FARM, LLLP AND AARON COX-LEOW AND MARIA COX-LEOW, Local A&F District Renewal Appl. authorized by Chapter 115 (County Code), effective June 30, 1983, to permit renewal of a previously approved agricultural and forestal district. Located at 15621 and 15623 Braddock Rd., Centreville, 20120. on approx. 114.05 ac. of land zoned R-C and WS. Please call the Planning Division at 703-324-1380 after November 17, 2021, to obtain the A&F District Advisory Committee and Planning Commission recommendations. Sully District. Tax Map 43-1 ((1)) 13Z, 17Z, 18 Z1, 18 Z2, 18Z3, 18 Z4 and 19Z.

3:30 p.m. RZ 2020-MV-017 - CHRISTOPHER LAND, LLC, RZ Appl. to rezone from R-2 to PDH-5 to permit residential development with an overall density of 4.21 dwelling units per acre (du/ac) and approval of the conceptual development plan. Located on the N. side of Silverbrook Rd., E. of Southrun Rd. on approx. 1.9 ac. of land. Current Comp. Plan Rec: Residential 2-3 du/acre. Proposed Comp. Plan Rec: Residential 2-3 du/ac with an option for up to 5 du/acre per Plan Amendment (PA) 2020-00030. Mount Vernon District. Tax Map 98-3 ((1)) 3.

3:30 p.m. PCA 2004-PR-044-03 - TYSONS CORNER HOLDINGS LLC, TYSONS CORNER PROPERTY HOLDINGS LLC, PCA Appl. to amend the proffers for RZ 2004-PR-044 approved for Retail Mixed-Use to add vehicle sales, rental, and service as a permitted use and associated modifications to proffers with an overall Floor Area Ratio (FAR) of 1.76. Located E. of International Dr., S. of Chain Bridge Rd., N. of Leesburg Pike and W. of the Capital Beltway on approx. 77.63 ac. of land zoned PDC, HC and SC. Comp. Plan Rec: Retail Mixed-Use. Providence District. Tax Map 29-4 ((1)) 35A, 35C, 35D, 35E and 35F; 39-2 ((1)) 2, 4 and 5.

3:30 p.m. RZ 2018-MV-005 - IDI HUNTINGTON, L.C., RZ Appl. to rezone from R-20 to PRM to permit mixed use development with an overall Floor Area Ratio (FAR) of 3.21. CDP only. Located on the S. side of Huntington Ave., N. side of North Kings Hwy., E. of Kathryn St. and W. side of Huntington Metro Station on approx. 19.01ac. of land. Comp. Plan Rec: 16-20 du/ac with an option for mixed use up to 3.5 FAR. Mount Vernon District. Tax Map 83-1 ((23)) Units 1-364.

4:00 p.m. Public hearing to consider the conveyance of two Board-owned properties identified as Tax Map No. 0833 01 0026F1 and Tax Map No. 0833 01 0024, with a street address of 6318 Quander Road, both located in Mount Vernon District, to the Fairfax County Park Authority.

4:00 p.m. Public hearing on amendments to Appendix Q (Land Development Fee Schedule) of The Code of the County of Fairfax, Virginia, (County Code) as follows:

Pursuant to authority granted by Code of Virginia §§ 15.2-107, 15.2-961.1, 15.2-2204, 15.2-2241(A)(9), 15.2-2286(A)(6), 36-98.3, 36-105, 62.1-44.15:28(A), 62.1-44.15:29, 62.1-44.15:54(J), the amendments propose new fees and amendments to fees charged by Land Development Services (LDS), under Chapter 2, Art. 1, Sec. 2-1-4 (Property Under County Control), Chapter 61, Art. 1, Sec. 61-1-3 (Building Provisions), Chapter 101, Art. 2, Sec. 101-2-9 (Subdivision Provisions), Chapter 104, Art. 1, Sec. 104-1-3 (Erosion and Sedimentation Control), Chapter 112.1, Art. 8, Sec. 8101.1.D (Zoning Ordinance), and Chapter 124, Article 3 (Stormwater Management Ordinance) of the County Code, for plan review, processing of permits, and performing testing and inspection services.

The Building Development Fees charged under Appendix Q, Part I, Section A (Standard Fees), that apply to building, mechanical, electrical, plumbing, fire alarm, fire suppression and fire lane permits are being adjusted as follows: 1) the team inspection fees and the fee charged for non-permitted work are being eliminated and 2) a new fee of \$156.00 is being proposed for posting a space for the maximum occupancy load.

The Building Development Fees charged under Appendix Q, Part I, Section B (Building Permit and Other Fees), Section C (Mechanical Permit Fees), Section D (Electrical Permit Fees), and Section E (Plumbing Permit Fees) are being restructured and adjusted. The building development fees are being replaced by fees that are based on the quantity of materials and equipment permitted, for all trade disciplines (i.e., mechanical, electrical, and plumbing). The mechanical permit fees per project are being decreased by an average of up to 60%, The electrical permit fees per project are being increased by an average of up to 5%, and the plumbing permit fees are being increased per project by an average of up to 5%. Additional building development fees are being adjusted as follows: 1) the swimming pool permit fees is being increased by \$56.40, 2) the fee for the installation of modular furniture per floor is being increased by \$3.20 when the estimated cost of construction is less than \$10,000, and the minimum fee for the installation of modular furniture when the estimated cost of construction is greater than \$10,000 is being increased by \$27.40, 3) the fee for installation and repair of retaining walls governed by the International Building Code is being assessed at 4.10% of the estimated cost of construction and the permit fee for retaining wall governed by the International Residential Code is being assessed at 2.4% of the estimated cost of construction, 4) the permit fee fire and smoke testing of vertical transportation is being increased by \$83.00, and 5) the permit fees for generators and service panels is being assessed at \$60.00.

New plan review fees are proposed for building and site-related plans under Parts I and II of Appendix Q as follows: 1) an initial gateway review fee for major site-related plans of \$500 and

the fee escalates by 10% for each time the plan does not pass the gateway review, 2) a minimum submission review fee for non-bonded site-related plans of \$108.00 per each minimum submission review until the review is passed, 3) a countywide building master file review fee of \$216.00 per discipline to be assessed at the time of the initial permit application, 4) a minor water quality impact assessment fee of \$324 per application, and 5) a single fee, in the amount of the water quality impact assessment fee, in instances when Resources Protection Area and Public Facilities Manual modifications are submitted simultaneously.

The Building Development Fees charged under Appendix Q, Part I, Section F (Household Appliance Permit Fees) are being increased or decreased up to 2% for rounding and the amendment proposes that the permit fee be applicable up to four appliances.

The Building Development Fees charged under Appendix Q, Part I, Section G (Vertical Transportation Permit Fees) are being restructured. The fees will be replaced and based on the type of equipment rather than solely on the number of floors in the building. The fees are being adjusted as follows: 1) the installation permit floor fee for the installation, repair, modernization or replacement of all commercial vertical transportation equipment installed in buildings other than single-family detached dwellings are being increased by up to 20% (from 2.0% of the installation contract value less the value of the equipment to 2.4%), 2) the elevator floor fee is being adjusted from \$47 (which was assessed on the elevator in an elevator bank which ascends to the highest level in the building) and restructured to \$15 for each elevator and each floor in the building where an individual passenger or freight elevator is installed, 3) the elevator five-year testing fee is being decreased by up to 10%, and 4) the annual certificate of compliance fee for escalator/moving walks is being increased by up to 235%. The amendment also clarifies that annual certificate of compliance fees, the five-year testing and inspection fees, and the reinspection fees are calculated by adding the existing floor fee plus the individual piece of equipment fee.

New vertical transportation fees are proposed as follows: 1) a vertical transportation demolition permit fee of \$108.00, an elevator demolition inspection fee of \$289.00, an escalator/moving-walk demolition inspection fee of \$487.00, a dumbwaiter demolition inspection fee of \$146.00, a lift demolition inspection fee of \$146.00, 2) an elevator reinspection fee of \$246.00 plus the floor fee per equipment identification and applicable testing fee, per reinspection visit, 3) a residential elevator reinspection fee of \$308, 4) a generator test fee of \$296.00, 5) a temporary construction use fee of \$266.00 to be charged after the required elevator permit is issued, and 6) a temporary construction use fee of \$115.00 is being proposed for an extension.

The Site Development Fees charged under Appendix Q, Part II, Section A (Plan and Document Review Fees) are being increased as follows: 1) the 1st review cycle fees for site plans, subdivision plans, site plans for public improvements only, minor site plans and rough grading plans are being increased by \$381.00, 2) the fee in addition to the base fee for site plans for public improvements only, is being increased by \$0.55, per linear foot, 3) the fee for the additional review cycle for site plans, site plans with public improvements only, minor site plans and subdivision plans, if the Signature Set Review Cycle is not approved, is being increased by \$568.00, per review cycle, 4) the fee for a revision to a minor site plan is being increased by \$71, per submission; 5) the water

quality review fee for bonded projects with greater than 150 linear feet of baseline is being increased by \$.04 per additional linear foot of baseline in excess of 150 linear feet, 6) the fees for a grading plan for building permits on existing lots within a bonded subdivision are being increased as follows: a) the first submission fee for each additional lot within the same subdivision submitted within the same plan set is being increased by \$215.20, and b) resubmission fee for each additional lot within the same subdivision submitted within the same plan set is being increased by \$210.00, and 7) the tree removal permit fee is being removed.

The Site Development Fees charged under Appendix Q, Part II, Section C (Site Inspection Fees) are being restructured. The current site inspection fees are assessed based on the proposed number of disturbed acres plus any proposed public improvements and proffered work. The site inspection fees are being replaced with fees based on the complexity of the project as follows: 1) the proposed site inspection fee will be \$124.00 per month of land disturbance for projects with no bonded improvements, not including infill lots, 2) the fees for projects with bonded improvements will be based on a percentage of the project's overall bond amount: a) major site plans will be 4.0% with a minimum of \$7,500 and maximum of \$230,000, b) subdivision plans will be 3.0% with a minimum of \$20,000 and maximum of \$150,000, and c) public improvement plans will be 4.0% with a minimum of \$5,500 and maximum of \$35,000. The site inspection fee following a stop work order decreases from \$740.40 to 740.00, the site inspection fee following a violation increases from \$369.60 to \$370.00, and the site inspection for an agreement extension increases to 75% of the base inspection fee for the now-expired bond agreement period divided by the number of months in the preceding bond agreement period, then multiplied by the number of months in the extension.

Some site and building fees are also being increased or decreased up to 1% for rounding. Miscellaneous text edits and editorial changes are also being proposed. For all permit fees that are based on the cost of construction, the proposed amendment requires the permittee to provide to the county verifiable detail of the cost of construction.

4:00 p.m. Public hearing to consider amendments to Chapter 4, Article 14 of the Fairfax County Code that would change the income and net worth eligibility limits and an option for modification of the net financial worth definition for real estate tax relief, beginning January 1, 2022. Furthermore, the amendments would add a 75% income eligibility bracket, cap total taxes relieved at 125% of the mean assessed value of Fairfax County homes, and create a tax deferral option for seniors and people with disabilities, all beginning January 1, 2023. Under Virginia Code §§ 58.1-3210 through 3217, Fairfax County provides real estate tax relief to qualified individuals. Under current eligibility limits, the applicant's gross household income may not exceed \$72,000, and they may have no more than \$340,000 in total assets, excluding the home's value and one acre of land.

Due to the time necessary to complete Assessment and Tax Relief System changes, the following two-phase implementation is recommended:

Proposed Program for January 1, 2022

Effective January 1, 2022, the proposed amendments to Article 14 of Chapter 4 of the Fairfax County Code expand the income and net worth limits as follows:

Percentage of Relief	Gross Income Limits	Net Worth Limit
100%	\$0 - \$60,000	\$400,000
50%	\$60,001 - \$80,000	\$400,000
25%	\$80,001 - \$90,000	\$400,000

As a proposed addition to these changes, the net combined financial worth definition might be changed to allow for up to five acres of land upon which a dwelling is located to be excluded from the net worth calculation, subject to the condition that said land cannot be subdivided under approved zoning at any time during the then current calendar year.

Proposed Program for January 1, 2023

Effective January 1, 2023, the proposed amendments to Article 14 of Chapter 4 of the Fairfax County Code would add a 75% income bracket, cap total relief at 125% of the mean assessed value of Fairfax County homes, and create a tax deferral option that would be subject to interest at the rate of the Wall Street Journal prime rate, plus 1% per year, which currently equals 4.25%, but no greater than the statutory limit set by Virginia Code § 58.1-3216(B), currently 8%. Additionally, the total amount of taxes deferred, and accumulated interest shall not at any given time exceed in aggregate 10 percent of the assessed value of such real estate.

Percentage of Relief	Gross Income Limits	Net Worth Limit	Total Taxes Relieved
100%	\$0 - \$60,000	\$400,000	Tax Relief up to 125% of the Mean Assessed Value of homes in Fairfax County
75%	\$60,001 - \$70,000	\$400,000	
50%	\$70,001 - \$80,000	\$400,000	
25%	\$80,001 - \$90,000	\$400,000	
Tax Deferral	\$0 - \$100,000	\$500,000	Aggregate of Taxes Deferred not to Exceed 10% of the Assessed Value

4:00 p.m. Citizens and Businesses of Fairfax County are encouraged to present their views on issues of concern. The Board will hear public comment on any issue except issues under litigation, issues which have been scheduled for public hearing before the Board (this date and future dates),

personnel matters and/or comments regarding individuals. Each speaker may have up to three minutes and a maximum of 10 speakers will be heard. Speakers may address the Board only once during a six-month period. Individuals wishing to provide public comment must sign up in advance no later than 12:00 p.m. on the day of the public comment period either online at <https://www.fairfaxcounty.gov/bosclerk/speakers-form> or by calling 703-324-3151.

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

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

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