

BRIEF

FAIRFAX COUNTY NOTICE

February 6, 2024

Public hearings before the Board of Supervisors of Fairfax County, Virginia, to be held in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

TIME SUBJECT

3:30 p.m. SE 2023-MV-00021 - MARGARET MWIKALI MWONGELA AND THE MONTESSORI SCHOOL OF LORTON LLC, SE Appl. to permit a home day care facility. Located at 8017 George Fox Pl., Lorton, 22079 on approx. 3,564 sq. ft. of land zoned PDH-8. Mount Vernon District. Tax Map 107-4 (22) ((2)) 35A.

3:30 p.m. SE 2023-FR-00008 - HIRUT TESFAYE/YAYA FAMILY CHILDCARE LLC, SE Appl. to permit a home day care facility. Located at 6026 Kestner Cir., Alexandria, 22315 on approx. 1,700 sq. ft. of land zoned PDH-8 and NR. Franconia District. Tax Map 91-2 ((15)) (13) 27.

3:30 p.m. SE 2023-MA-00017 - BRADLICK SUBSIDIARY LLC, SE Appl. to permit a waiver of sign regulations to permit an increase in sign area and height, by replacing two existing freestanding pylon signs. Located at 6930 Bradlick Shopping Ctr., Annandale, 22003 on approx. 11.96 ac. of land zoned C-6. Mason District. Tax Map 71-4 ((1)) 27.

3:30 p.m. SEA 2002-MA-020 - BOARD OF SUPERVISORS FAIRFAX COUNTY, VIRGINIA AND GLOBAL SIGNAL ACQUISITIONS IV, LLC, SEA Appl. to amend SE 2002-MA-020 previously approved for a public benefit association and telecommunications facility with a monopole on the site of the existing West Annandale Fire Station to permit the relocation of telecommunication equipment storage and associated modifications to site design and development conditions. Located at 8914 Little River Tpke., Fairfax, 22031 on approx. 1.70 ac. of land zoned R-1. Mason District. Tax Map 58-4 ((1)) 62. (Concurrent with 2232-2022-MA-00002).

3:30 p.m. RZ 2023-PR-00005 - 8221 OLD COURTHOUSE ROAD, L.C., RZ Appl. to rezone from C-3 to PRM District to permit the repurposing of an office building to allow 55 residential units with an overall density of 27.5 dwelling units per acre (du/ac) and approval of the conceptual development plan. Located 8221 Old Courthouse Rd., Vienna, 22182 on approx. 2.00 ac. of land. Comp. Plan Rec: Office Providence District. Tax Map 39-1 ((9)) 30B1. (Concurrent with PCA 1997-PR-007 (RZPA 2023-PR-00036)).

3:30 p.m. PCA 1997-PR-007 (RZPA 2023-PR-00036) - 8221 OLD COURTHOUSE ROAD, L.C., PCA Appl. to amend RZ 1997-PR-007 previously approved for office and hotel use to permit the deletion of the office land area from the rezoning. Located on the S.E. corner of the intersection of Old Courthouse Rd. and Lord Fairfax Rd. in Vienna on approx. 2.00 ac. of land zoned C-3. Comp. Plan Rec: Office. Providence District. Tax Map 39-1 ((9)) 30B1. (Concurrent with RZ 2023-PR-00005).

4:00 p.m. Public hearing on the matter of an amendment to Chapter 112.2 (the Zoning Ordinance) of the 1976 Code of the County of Fairfax, as follows (**with advertised options in bold and parentheses**). The following is a descriptive summary only and does not include every detail:

- (1) Permit outdoor dining in all zoning districts as an accessory use to approved food establishments including restaurant, carryout restaurant, restaurant with drive-through, craft beverage production establishment and any other similar use with a valid Nonresidential Use Permit and that has a food establishment permit, unless expressly prohibited by any applicable proffered condition, development condition, or special permit or special exception approval.
- (2) Add new regulation requiring that any single outdoor dining area may not exceed an area equal to 50 percent of the indoor dining floor area of the establishment (**Option 1: no size limit on outdoor dining area; Option 2: a minimum of 250 square feet or a percentage of the indoor dining area (a range from 25 percent to 75 percent), whichever is greater; Option 3: when outdoor dining is in parking lots a range from 500 square feet to 1,000 square feet**).
- (3) Add new regulation requiring that the hours of operation generally conform to the business hours of the principal use (**no outdoor dining located directly adjacent to or abutting single-family residential development use may operate before 7:00 a.m. or 10:00 p.m. or as otherwise approved by the Board in conjunction with a rezoning or other action before the Board**).
- (4) Add new regulation requiring that outdoor dining be located on impervious areas, such as existing patios or sidewalks of a private property, by right.
- (5) Add new regulation prohibiting outdoor dining, including any furniture, enclosure, or tent, from obstructing any fire equipment, building entrance or exit or any other area marked or designated for emergency egress or ADA accessibility, or pedestrian passage on any trail or sidewalk.
- (6) Add new regulation requiring that all tables, chairs, umbrellas, lighting, and other accessories be temporary and removeable, that the outdoor dining area must be kept free of trash and debris and that any extension cords associated with audio or video entertainment equipment may not create a trip hazard and meet all other County State and Federal Codes.
- (7) Add new regulation requiring that outdoor dining located in a parking lot be permitted with limitations and with the issuance of an Administrative Permit by the Zoning Administrator, subject to a one-time application fee of \$205 (**\$100 to \$205**), as authorized by Virginia Code 15.2-2286(A)(6).
- (8) Add a new definition classifying outdoor dining as an accessory use and prohibiting permanent structures associated with the use.
- (9) Amend the definition of carryout restaurant to clarify that seats provided as part of accessory outdoor dining are not included in the maximum indoor seat limitation.

A copy of the staff report and the full text of the proposed ordinance is available on-line at <https://www.fairfaxcounty.gov/planning-development/zoning-ordinance/amendments> and can be made available for review at the Zoning Administration Division, Department of Planning and Development, 12055 Government Center Parkway, Fairfax, Virginia 22035. If you have questions regarding the details of this amendment or to make arrangements to view the documents, please contact the Zoning Administration Division at 703-324-1314.

The public hearings are available to view live on Channel 16 and stream live online at <https://www.fairfaxcounty.gov/cableconsumer/channel-16/stream>. Live audio of the meeting may be accessed at 703-324-7700. Those wishing to testify may do so in person, 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 in English and Spanish (los subtítulos en español). Reasonable accommodation is available upon 48 hours advance notice by calling 703-324-3151 or TTY 711.