

BRIEF

FAIRFAX COUNTY NOTICE

March 22, 2022

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/2022-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 (*Public Hearing held on 7/27/21; decision deferred to 10/19/21; decision further deferred to 3/22/22*) on the proposed revisions to the Comprehensive Plan for Fairfax County, VA, in accordance with the Code of Virginia, Title 15.2, Chapter 22. Plan Amendment 2021-00006 concerns approximately 5.5 acres located at 2806 Popkins Lane (Tax Map Parcel 93-1 ((1)) 7) in the Mount Vernon District. The area is planned for residential use at a density of 2-3 du/ac on the Plan Map and 3-4 du/ac if part of adjacent Memorial Heights neighborhood. The amendment will consider a up to 5-8 du/ac, with specific considerations for workforce housing, a review of the watershed management plan for the area, an evaluation of the optimal points of site access, and analysis of potential impacts to the local transportation network. Recommendations relating to tree preservation and stormwater management are also proposed. Interested parties may review the staff report, which includes the proposed Plan amendment, online at www.fairfaxcounty.gov/planning-development/plan-amendments/staff-reports or may call the Planning Division at 703-324-1380, TTY 711 to make alternative arrangements. With prior arrangement, a copy of the staff report may be picked up at the Planning Division, Department of Planning and Development, 12055 Government Center Pkwy, Suite 730, Fairfax, Virginia 22035. Questions regarding the staff report may be directed to the Planning Division at 703-324-1380, TTY 711. The Planning Commission (PC) recommendation may be viewed online at <https://www.fairfaxcounty.gov/planningcommission/verbatim-home> or by calling the PC office at 703-324-2865, TTY 711 to make alternative arrangements. With prior arrangement, PC recommendation may be obtained from the PC office, 12000 Government Center Pkwy., Suite 552, Fairfax, VA.

3:30 p.m. DECISION ONLY (*Public Hearing held on 2/22/22; decision deferred to 3/22/22*) on a proposed amendment to Chapter 119 of the Code of the County of Fairfax, Virginia, (Grass or Lawn Area) to establish regulations on running bamboo, add a new Article 4 to establish civil penalties and make other editorial revisions to Chapter 119 for clarity. The amended ordinance would:

- (1) Define “running bamboo” as any bamboo that is characterized by aggressive spreading behavior, including species in the genus *Phyllostachys*.
- (2) Define “bamboo owner” as any owner, as defined in Chapter 119 of the Fairfax County Code, who permits running bamboo to grow or remain on the owner’s property, even if the bamboo has spread from an adjoining property or was planted by someone else. An owner on whose property

running bamboo has spread is not a bamboo owner if that owner, on discovering the spreading bamboo, initiates and diligently pursues its removal, including through legal remedies.

- (3) Prohibit a bamboo owner from allowing running bamboo to spread from the bamboo owner's property to any public right-of-way or adjoining property not owned by the bamboo owner.
- (4) Require a bamboo owner to contain the running bamboo from spreading to any public right-of-way or adjoining property not owned by the bamboo owner, including by use of a barrier impenetrable to running bamboo and deep enough to prevent its spread or a trench deep enough to prevent its spread.
- (5) Authorize the Department of Code Compliance (DCC) to investigate complaints of uncontained running bamboo or grass or lawn area growth in violation of Chapter 119, issue a notice of violation requiring containment of running bamboo within 30 days, and seek civil penalties against a property owner(s) who fails to contain running bamboo after receiving the notice of violation.
- (6) Establish civil penalties of \$50 per business day for the first violation or violations arising from the same set of operative facts and civil penalties of \$200 per business day for subsequent violations not arising from the same set of operative facts within 12 months of the first violation. Each business day constitutes a separate offense. Total penalties may not exceed \$3,000 in a 12-month period for each set of operative facts.
- (7) Provide that any owner aggrieved by a decision of the Director, DCC, regarding prohibited grass or lawn area height or running bamboo or by a notice of violation issued under Chapter 119 may appeal to the County Executive within 10 days of delivery of a notice of violation.
- (8) Establish that any summons for a civil penalty would be filed in General District Court and that no summons for a civil penalty regarding an appealed violation will be filed until the County Executive or his designee decides the appeal.

This proposed ordinance amendment would be included in Chapter 119 of the County Code, which currently restricts the height of grass and associated growth. Chapter 119 would be renamed Vegetation to reflect the addition of restrictions related to uncontained running bamboo. Chapter 119 would continue to govern the height of grass and associated growth. Questions regarding this proposed amendment may be directed to the Fairfax County Department of Code Compliance at 703-324-1300.

3:30 p.m. Public hearing to consider the adoption of an amendment to *The Code of the County of Fairfax, Virginia* (Fairfax County Code), which will be set forth in Appendix M to consider establishing the Marlboro Estates Community Parking District (CPD). The proposed CPD would be established in accordance with and subject to the provisions set forth in Article 5B of Chapter 82 of the Fairfax County Code; encompass Deer Drive from Poppy Drive to Blue Star Drive and Poppy Drive from Great Falls Street to Deer Drive; and at all times prohibit the parking of watercraft, boat trailers, motor homes, camping trailers, any other trailer or semi-trailer, regardless of whether such trailer or semi-trailer is attached to another vehicle; any vehicle with three or more axles; any vehicle that has a gross vehicle weight rating of 12,000 or more pounds except school buses used on a current and regular basis to transport students; any vehicle designed to transport 16 or more passengers including the driver, except school buses used on a current and regular basis to transport students; and any vehicle of any size that is being used in the transportation of hazardous materials as defined in Virginia Code § 46.2-341.4. No such CPD shall apply to (i) any commercial vehicle when discharging passengers or when temporarily parked pursuant to the performance of work or service at a particular location, (ii) utility generators located on trailers and being used to power network facilities during a loss of commercial power, (iii) restricted vehicles temporarily parked on a public street within any such CPD for a maximum of 48 hours for the purpose of loading, unloading, or preparing for a trip, or (iv) restricted vehicles that are

temporarily parked on a public street within any such CPD for use by federal, state, or local public agencies to provide services. Dranesville District. Questions regarding this proposed amendment may be directed to the Fairfax County Department of Transportation at 703-877-5600.

4:00 p.m. Public hearing to consider the **Proposed Draft One-Year Action Plan for FY 2023**. Fairfax County anticipates receiving approximately \$8.9 million in federal funds from the U.S. Department of Housing and Urban Development for fiscal year 2023 to support affordable housing, human services, and community development priorities. Funding is made available through the Community Development Block Grant, HOME Investment Partnerships Program, and the Emergency Solutions Grant. The County is seeking community feedback on the FY 2023 One-Year Action Plan which describes projects and activities that will receive these funds. Proposed uses for these funds have specific emphasis on assisting older adults, individuals with disabilities, individuals and households experiencing homelessness, and households with extremely low incomes. The FY 2023 One-Year Action Plan can be obtained online at <https://bit.ly/2023One-YearActionPlan>. Physical copies of the plan may also be obtained at the information desks at the Fairfax County Government Center (12000 Government Center Parkway, Fairfax, VA 22035), at branches of the Fairfax County Public Library, and at the office of the Fairfax County Redevelopment and Housing Authority (3700 Pender Drive, Fairfax, VA 22030). Submit your comments online at <https://bit.ly/2023One-YearActionPlan>, by email to Beverly.Moses@fairfaxcounty.gov, or in writing or hand-delivered* to the Fairfax County Department of Housing and Community Development, attention to Beverly Moses, 3700 Pender Drive, Suite 300, Fairfax, Virginia, 22030. All comments must be received by 4:30 p.m., on March 22, 2022. *If you are hand-delivering comments, please use the grey drop box located to the right of the entrance to the building.

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 <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, 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 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.