

LOB #71:

## **REZONING AND SPECIAL EXCEPTION EVALUATION**

### **Purpose**

The purpose of the Rezoning and Special Exception Line of Business is to provide the public, the development community and the appointed and elected officials with objective analysis and recommendations regarding the potential development impacts of land use proposals that propose rezoning, a modification to a previously approved rezoning, or the establishment of uses that may be allowed within a zoning district with approval of a Special Exception by the Board of Supervisors.

### **Description**

Staff within DPZ engaged in this LOB coordinate the comprehensive review of land development proposals for compliance with the provisions of the Zoning Ordinance, for conformance with the recommendations of the Comprehensive Plan and for potential conflicts with other land development regulations and/or adopted policies. Written comments and in person participation by staff from multiple County agencies takes place during the review process, resulting in a comprehensive written staff analysis of each land use proposal. These reports are available to the public and used by the Planning Commission and Board of Supervisors during deliberations.

Products of this line of business include:

- Interagency coordination among the land development agencies
- Staff support at land use committee, Homeowners Association (HOA) and other community meetings
- Direct and immediate staff support to appointed and elected officials
- Written staff reports for each land use case
- Public Hearings before the Planning Commission and the Board of Supervisors
- Guidance through the land development process (applicants and citizens)
- Proffers and development conditions to mitigate development impacts

### **Benefits**

The benefits of this line of business include the following:

- Development entitlements enabling applicants to proceed to site plan and building permit approval
- Implementation of County policies and land development regulations
- Public notification/outreach regarding opportunities to provide direct input at public hearings
- Proffers and development conditions that mitigate land development impacts
- Support to elected and appointed officials
- Community education (public and development community)

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## Mandates

The Comprehensive Plan provides guidance and the Zoning Ordinance regulates land use in Fairfax County in accordance with the Code of Virginia.

## Trends and Challenges

Fairfax County is urbanizing particularly within the Transit Station Areas and identified activity centers. The mixed-use development pattern that is encouraged to occur in these areas has necessitated changes in County Policy and zoning regulations to accommodate a flexible mix of uses and more urban development pattern. It is expected that policy changes that have been enacted in Tysons regarding such items as parking requirements, mixed use and flexibility in urban form and design will be extended to other areas of the County where a more urban form is also desired.

Residential and commercial infill development continue as trends that present challenges as the agency accommodates this type of growth while protecting and minimizing impacts on the surrounding residential communities. While the amount of land included in such plans and rezoning applications may be small in acreage, the analysis required to provide informed recommendations to the Planning Commission and Board of Supervisors can be complex and time consuming, and requires sensitive negotiations with all parties involved. Implementation of stormwater management regulations presents particular challenges on smaller development sites; infill development in general provides challenges in areas lacking adequate storm sewerage. Other policies and regulations as they pertain to parking and open space, for example, originally adopted for large suburban areas, require careful consideration in its application.

## Resources

Category	FY 2014 Actual	FY 2015 Actual	FY 2016 Adopted
<b>LOB #71: Rezoning and Special Exception Evaluation</b>			
<b>FUNDING</b>			
<u>Expenditures:</u>			
Compensation	\$1,151,123	\$1,094,452	\$1,263,893
Operating Expenses	108,278	87,556	87,299
<b>Total Expenditures</b>	<b>\$1,259,401</b>	<b>\$1,182,008</b>	<b>\$1,351,192</b>
General Fund Revenue	\$1,163,402	\$1,336,261	\$1,205,672
<b>Net Cost/(Savings) to General Fund</b>	<b>\$95,999</b>	<b>(\$154,253)</b>	<b>\$145,520</b>
<b>POSITIONS</b>			
Authorized Positions/Full-Time Equivalents (FTEs)			
<u>Positions:</u>			
Regular	17 / 17	17 / 17	17 / 17
<b>Total Positions</b>	<b>17 / 17</b>	<b>17 / 17</b>	<b>17 / 17</b>

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## Metrics

Metric Indicator	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2016 Estimate	FY 2017 Estimate
Number of Applications Accepted for Scheduling	116	163	195	180	180
Number of Staff Reports Published	NA	NA	189	175	175
Number of BOS Final Actions	80	74	118	92	92
Average Time (in months) from Application Acceptance to BOS Final Action	11.0	11.3	9.6	10.0	10.0
Average Number of Staff Team Meetings Held with the Applicant Team Per Case	NA	NA	NA	3.2	3.2
Number of Expedited Zoning Cases	NA	NA	25	30	30
Number of Pre-Application Meetings Held by Branch Chiefs (Non-BZA Cases)	NA	NA	65	75	75

Seven metrics are identified for DPZ Rezoning and Special Exception Evaluation:

**1. Number of Applications Accepted for Scheduling**

The number of applications accepted during the fiscal year indicates the number of new applications that staff is actively evaluating. This number does not include cases where the evaluation process continues from the prior fiscal year due to factors such as proposal complexity, deferrals due to additional community outreach or other factors.

**2. Number of Staff Reports Published**

This metric indicates the volume of zoning cases that staff is actively evaluating during the fiscal year as evidenced by the publication of a staff report. This metric does not account for those applications that may have been actively evaluated during the year, but deferred or withdrawn prior to publication of a staff report.

**3. Number of BOS Final Actions**

This metric indicates the number of zoning cases for which the Board of Supervisors has reached a final decision during the fiscal year.

**4. Average Time (in months) from Application Acceptance to BOS Final Action**

This metric indicates the average amount of time (in months) for those cases that have been decided during a fiscal year to complete the zoning review process. The measure begins from the date of application acceptance to date of final action by the Board of Supervisors. The processing timeframe is significantly lower in FY 2015 due to the larger than normal number of Special Exception applications processed which generally have a shorter processing time.

**5. Average Number of Staff Team Meetings Held with the Applicant Team per Case**

This metric indicates the level of comprehensive coordination that occurs between the staff team and the applicant team per case as measured by the number of face to face meetings held with the applicant team where there are at least three staff representatives from different agencies present to address land use concerns directly with the applicant team. This coordination is in addition to phone conversations, email correspondence and one-on one meetings or single topic meetings.

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### **6. Number of Expedited Zoning Cases**

This metric is an indicator of cases identified for priority review by the Board of Supervisors. It is intended that these cases receive accelerated review during each stage of the zoning process and accelerated scheduling of the Planning Commission and Board of Supervisors public hearing dates. This metric excludes cases where a Planning Commission date has been scheduled and the expedited action directs scheduling of the BOS date prior to an upcoming BOS recess period.

### **7. Number of Pre-Application Meetings Held by Branch Chiefs (Non-Board of Zoning Appeals (BZA) Cases)**

This metric is an indicator of the number of meetings held with prospective applicants prior to filing a zoning application with the purpose of providing early guidance on the policies of the Comprehensive Plan, the regulations of the Zoning Ordinance, and other relevant information applicable to the prospective proposal.