

# Land Development Services

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## Department Overview

The Land Development Services (LDS) agency provides regulatory services to protect the health, safety, welfare, and environment for those who live in, work in, and visit Fairfax County. The agency accomplishes this mission through effectively regulating land development and building construction.

The agency, comprised of 272/272.0 FTE positions, functions through four interwoven lines of business (LOB):

- Administration / Leadership
- Building Plan Review and Inspections
- Site Plan Review and Inspections
- Violation Enforcement

LDS reviews all site and subdivision plans, inspects site development, and is responsible for the plan review, permitting, and inspection of new and existing buildings and structures to ensure compliance with applicable codes and regulations (e.g., Virginia Uniform Building Code, Chesapeake Bay Preservation Act regulations, Virginia Road and Bridge Standards, numerous provisions of the Fairfax County Code, the County Public Facilities Manual (PFM)). LDS takes action against noncompliant construction and land disturbing activities. It provides technical training and conducts customer outreach programs to help homeowners, builders, engineers and contractors comply with land development and building code regulations.

LDS evaluates recent economic activity to predict future workload and resource needs. The number of site and subdivision submissions has remained steady. There continues to be a shift in development towards more infill and redevelopment/revitalization of older communities and more complex sites (i.e., sites with

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problem soils or adjacent floodplain proximity), and of more multi-use and multi-family types of buildings. The workload associated with regulating these types of developments has inherent complexities that strain resources. For example, infill development and revitalization projects are generally more complex due to stormwater management challenges, erosion and sedimentation issues, deficient infrastructure, and potential impacts on adjoining property owners.

In early 2015, the Board of Supervisors (BOS) adopted a six goal plan for economic success to ensure that the County positions itself for continued economic growth and quality communities. Goal number three of that plan seeks to “Improve the speed, consistency and predictability of the development review process.” Developers have options beyond Fairfax County for siting their projects. One of the key concerns in choosing a location for development is that of the time a project will take in the permit approval process. Consequently, in support of the County’s continued economic success, this goal has become a key driver for agency actions as measured by individual plan reviews and inspections to general process improvements.

### Department Resources

Category	FY 2014 Actual	FY 2015 Actual	FY 2016 Adopted
<b>FUNDING</b>			
<u>Expenditures:</u>			
Compensation	\$17,529,823	\$18,094,393	\$20,478,912
Operating Expenses	4,449,677	4,736,389	4,888,745
Work Performed for Others	(391,842)	(357,859)	(353,732)
Capital Equipment	52,987	7,318	0
<b>Total Expenditures</b>	<b>\$21,640,645</b>	<b>\$22,480,241</b>	<b>\$25,013,925</b>
General Fund Revenue	\$28,962,664	\$33,705,379	\$34,086,560
<b>Net Cost/(Savings) to General Fund</b>	<b>(\$7,322,019)</b>	<b>(\$11,225,138)</b>	<b>(\$9,072,635)</b>
<b>POSITIONS</b>			
Authorized Positions/Full-Time Equivalents (FTEs)			
<u>Positions:</u>			
Regular	263 / 263	274 / 274	272 / 272
<b>Total Positions</b>	<b>263 / 263</b>	<b>274 / 274</b>	<b>272 / 272</b>

### Lines of Business Summary

LOB #	LOB Title	FY 2016 Adopted	
		Disbursements	Positions
61	Administration / Leadership	\$1,379,445	15
62	Building Plan Review and Inspections	12,231,073	133
63	Site Plan Review and Inspections	10,943,593	119
64	Violation Enforcement	459,814	5
<b>Total</b>		<b>\$25,013,925</b>	<b>272</b>

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## Lines of Business

LOB #61:

### **ADMINISTRATION / LEADERSHIP**

#### **Purpose**

Administration and Leadership for Land Development Services (LDS) provides support and leadership for the three Land Development Services agency lines of service:

- Building Plan Review & Inspection
- Site Plan Review & Inspections
- Violation Enforcement

Staffs herein provide senior level management for agencywide direction and initiatives. This LOB also manages the financial accounting, human resources support and information technologies services for the agency. In addition, this LOB provides support and coordination for initiatives related to workplace safety, emergency management and preparedness, strategic planning, performance measurement, national accreditation, and awards and recognition. Housing the administrative functions within this LOB allows the other LDS LOBs to realize its full potential for service to County with limited administrative distraction. Additionally, singular leadership and unified administrative services for the agency allows coordinated and collaborative delivery of services.

#### **Description**

The Administration / Leadership LOB includes 15/15.0 FTE positions from the Director's Office, Human Resources Branch and Financial Branch. The following outlines key functions of this LOB:

**Financial Services.** The Financial Management Branch (FMB) provides financial management for LDS including the following agency functions:

- Agency budget development and tracking;
- Forecasting the development of revenue models, workload projections and staffing needs;
- Procurement Services to secure goods and services necessary to execute agency mission;
- Cashier Services for collection and management of development related fees for LDS and several other County agencies, accounting for approximately \$54 million of receipts annually; and
- Construction Escrow Management for receipts and transfer or release of \$80-\$100 million in development escrows and proffer payments.

**Human Resources Services.** Human Resources Branch (HRB), in coordination with central Department of Human Resources, provides the following agency functions:

- Performance management and salary review coordination;
- Recruiting and hiring program;
- Vacancy management;

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- Policy and procedure development related to personnel and adherence to County policies and procedures;
- Employee relations including: disciplinary actions, work plans, and civil services matters;
- Agency training and organizational development initiatives; and
- Planning for retirements, succession, and workforce organizational change.

**Program Administration.** Staff within the Director's Office manage the following programmatic functions:

- Emergency Preparedness including Continuity of Operations Plan (COOP), Agencywide Emergency Preparedness and Response Plan; Herrity Building Emergency Action Plan (EAP); Testing, Training and Exercise; and management of the Department Operations Center (DOC);
- Safety Program including: general safety training, vehicle safety program, job hazard analysis, reporting, and issuance of safety equipment; and
- Fleet Services including maintenance tracking and vehicle replacement.

**Performance Measurements & Strategic Planning.** Staff within this LOB track and monitor budgetary and performance metrics to ensure that the agency realizes its potential and meets stakeholder expectations. The metrics drive both daily decision-making and mid and long-term agency performance strategies. This agency provides the leadership necessary to foster a collective mission agencywide.

## Benefits

Leadership and administrative support provided by this agency benefits the community by:

**Setting a Clear and Unified Approach for the LDS Mission.** With nearly 300 FTE positions in the agency and three overlapping and intertwined LOBs within the agency, clarity of mission becomes a must in order to deliver quality services in a timely manner. The leadership from this LOB provides that necessary direction and guidance.

**Leveraging Resources.** By centralizing financial oversight, human resources support and information technologies as well as safety and emergency preparedness programs, the County realizes efficiencies for similar LOBs. Similarly, shared computing resources, meeting spaces, etc. deliver both cost savings for the County and improved customer service.

**Common Understanding.** The other three LDS LOBs are intertwined through common function, customer base and staffing. Therefore, a centralized management allows for powerful management regarding shared issues/projects, enhanced internal communication and an accelerated ability to apply lessons learned across the entire agency.

**Maintaining Relationships.** Through regular engagement with critical internal and external stakeholders, the agency cultivates relationships that foster partnerships and common mission.

**Engaging Code Development.** Staff actively engage with state and national code development committees to ensure that County perspectives become a critical part of the code development dialogue.

**Aligning the Costs of Development.** By Board direction, the agency recovers 90 percent or more of the costs associated with the permitting process. By doing so, the burden of compliance is borne on developers and not passed to taxpayers (FY 2012 – 93 percent, FY 2013 – 95 percent, FY 2014 – 93 percent).

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## Mandates

There is no federal or state mandate for this LOB; however, the Administration / Leadership LOB serves three fully mandated LOBs:

- Building Plan Review and Inspections
- Site Plan Review and Inspections
- Violation Enforcement

In fulfilling these three related LOBs the LDS agency enforces the following Virginia codes:

- Virginia Uniform Statewide Building Code (USBC);
- Virginia Construction Code (VCC);
- Virginia Rehabilitation Code (VRC).

In addition, the LDS agency enforces the following Chapters of the Fairfax County Code:

- Chapter 2 – Property Under County Control;
- Chapter 61 – Building Provisions;
- Chapter 64 – Mechanical Provisions;
- Chapter 65 – Plumbing Provisions;
- Chapter 66 – Electrical Provisions;
- Chapter 67 – Sanitary Sewers and Sewage Disposal;
- Chapter 71 – Expedited Building Plan Review;
- Chapter 101 – Subdivision Provisions;
- Chapter 102 – Streets and Sidewalks;
- Chapter 104 – Erosion and Sediment Control;
- Chapter 107 – Problem Soils;
- Chapter 112 – Zoning Ordinance;
- Chapter 117 – Expedited Land Development Review;
- Chapter 118 – Chesapeake Bay Preservation;
- Chapter 122 – Tree Conservation Ordinance;
- Chapter 124 – Stormwater Management Ordinance;
- Appendix Q – Land Development Services Fee Schedule; and
- Public Facilities Manual (PFM).

Goals for such regulations include:

- Protect the health, safety and welfare of the public;
- Protect the environment;
- Adhere to industry standards;

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- Meet state regulations, permit regulations and delegated authorities; and,
- Reflect Community interests and values.

## Trends and Challenges

Current development and County conditions have created the following trends, challenges and opportunities within this LOB.

**Goal Three of the County's Economic Success Strategies.** In early 2015, the Board of Supervisors adopted a six goal plan for economic success. Goal number three of that plan seeks to "Improve the speed, consistency and predictability for the development review process." This goal drives every action that the agency takes measured from individual plan review and inspection, to general process improvements.

**Complexity of Design and Regulations.** As open space and easily developable property continues to diminish in the County, new development is now occurring on more complex sites, which was overlooked previously for economic reasons. The result is greater technical challenges for both the design engineers and County staff. More difficult sites require more coordination and review of the proposed construction documents as well as more special studies and reports to address special issues.

**Evolving Community Fabric.** The types of commercial projects in the County have grown exceedingly more complex due to the Metro's Silver Line, revitalization efforts, mixed use development, environmental stewardship and other trends in the development community. These complexities force all parties to be responsive to increased stakeholder expectation, which in turn creates projects that take more time to process, review, and inspect.

**Residential Construction.** Residential construction has shifted from new subdivision projects to infill lots or the tear down of existing homes and construction of new ones. This shift often requires greater scrutiny of the new constructions' impact on existing systems and response to adjacent property concerns.

**Increased Customer Expectations.** With an educated and wired population, customers have a high level of expectations for service delivery. Additionally, the development community demands information 24/7, precise times for inspector jobsite arrivals, expansion of online permitting capabilities, electronic plan submissions and other adaptable services that meet the work needs. There is an increased expectation for the County to facilitate and mediate solutions to problems between developers and homeowners. Complaint resolutions continue to become more complex due to multi-issues, such as the increase in unlicensed contractors and unpermitted construction activity.

**Evolving Technology.** Both aging technology and new technologies currently force adjustments and adoption by the agency to move to new systems. Three areas of technology that the agency is focusing on are:

- 1) Land Development System (LDS) database provides multi-agency application for all County agencies involved in the land development and building permitting process. A two year capital project is currently underway to modernize this system;
- 2) E-plan submission. The agency has launched a pilot project to fully explore electronic plan submissions to create efficiencies for County staff and developers; and
- 3) Increased mobile technologies for onsite inspectors, will result in greater efficiency and responsiveness for land use customers.

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## Resources

Category	FY 2014 Actual	FY 2015 Actual	FY 2016 Adopted
<b>LOB #61: Administration / Leadership</b>			
<b>FUNDING</b>			
<u>Expenditures:</u>			
Compensation	\$940,298	\$994,198	\$1,129,353
Operating Expenses	238,681	260,242	269,599
Work Performed for Others	(21,020)	(19,664)	(19,507)
Capital Equipment	2,842	402	0
<b>Total Expenditures</b>	<b>\$1,160,801</b>	<b>\$1,235,178</b>	<b>\$1,379,445</b>
General Fund Revenue	\$0	\$0	\$0
<b>Net Cost/(Savings) to General Fund</b>	<b>\$1,160,801</b>	<b>\$1,235,178</b>	<b>\$1,379,445</b>
<b>POSITIONS</b>			
<i>Authorized Positions/Full-Time Equivalent (FTEs)</i>			
<u>Positions:</u>			
Regular	14 / 14	15 / 15	15 / 15
<b>Total Positions</b>	<b>14 / 14</b>	<b>15 / 15</b>	<b>15 / 15</b>

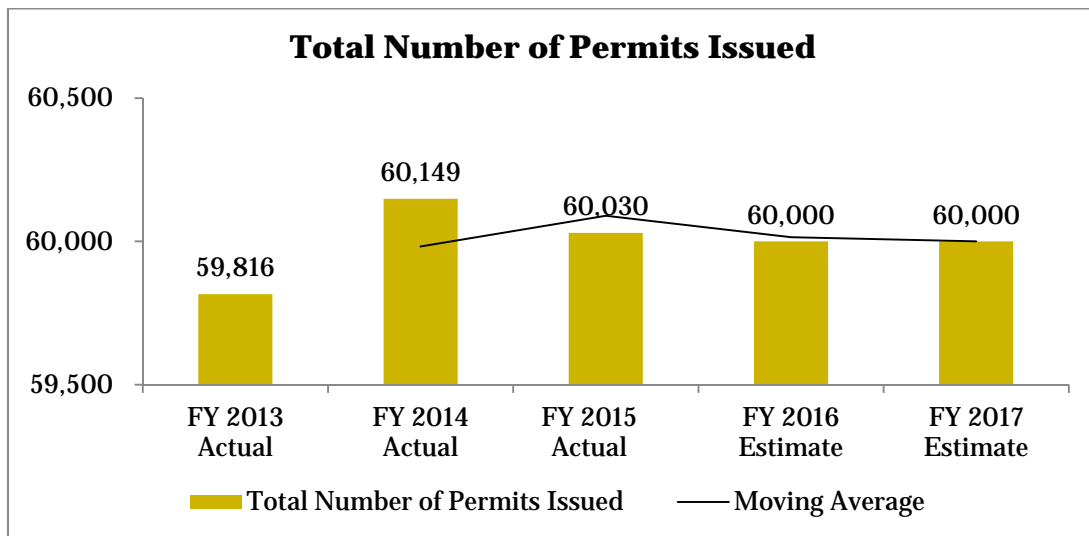
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## Metrics

Metric Indicator	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2016 Estimate	FY 2017 Estimate
Total Number of Permits Issued	59,816	60,149	60,030	60,000	60,000
Total Revenue	\$28,261,181	\$28,939,640	\$33,671,388	\$34,086,560	\$34,729,458
Revenue Per FTE	\$108,697	\$110,880	\$123,338	\$125,781	\$128,153
LDS Recovery Rate	95%	93%	104%	92%	92%

Annually, LDS issues approximately 60,000 permits, which allows individual homeowners and large-scale commercial builders to build within the County. This tremendous volume of permits is challenged by limited resources and the ever-increasing complexity in design, regulatory obligation and stakeholder scrutiny.

Through Board action to approve the building safety and land development provisions of the Fairfax County Code, community values to protect health, safety and welfare of the public have been codified. Similarly, the community's desires regarding its character are articulated in the County's Zoning Ordinance. The review process managed by Land Development Services ensures adherence to these values. The permit fees paid by homeowners and builders align with the costs incurred by the agency to enforce the codes. By Board direction, the agency recovers at least 90 percent of the costs associated with the permitting process. By doing so, the burden of compliance is borne on developers and not passed to taxpayers. In FY 2015, the County, with extensive industry support, approved the "booster shot" to raise fees in order to elevate the level of service provided by the County during the permitting process. This fee increase is projected to produce over \$5 million in additional annual revenue and will enable LDS to expand a fast track approach to meeting customer service needs through work plan implementation efforts and information technology initiatives.





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LOB #62:

## **BUILDING PLAN REVIEW AND INSPECTIONS**

### **Purpose**

The Building Plan Review and Inspections LOB is responsible for the health, safety and welfare of the public through plan review and inspection of buildings under the Virginia Uniform Statewide Building Code (USBC) which incorporates by reference codes published by the International Code Council (ICC), which are summarized in the Mandates section of this LOB.

Areas of focus ensure that new buildings and alterations to existing buildings are appropriately fire protected, structurally sound, energy efficient, accessible to the disabled and equipped with functioning and safe plumbing, mechanical and electrical systems. In accomplishing this work, staff performs the following services:

- Building Permit Processing;
- Building Plan Review;
- Building Inspections;
- Elevator Permitting and Inspections;
- Safety and Prevention Inspections;
- Building Code Development and Research;
- Pre-approved, Typical Construction Details;
- Records and Information Management; and
- Information Technology Support.

### **Description**

The Building Plan Review and Inspections LOB includes 133/133.0 FTE positions from the Building Plan Review and Inspections Division and various staff resources from the Code Development and Compliance Division of LDS. The following outlines key functions of this LOB:

- **Building Permit Processing.** Intake and process permit applications and fees for all agencies for proposed building construction in Fairfax County and the Towns of Vienna and Clifton. Annually, approximately 60,000 permits are issued and in FY 2014, the County realized over \$19 million in revenue.
- **Building Plan Review.** In coordination with partner community development agencies, i.e., the Fire Marshal's Office, Planning and Zoning and the Health Department, staff regulate all building construction through plan review and permit issuance for code and engineering standard compliance. Annually, the agency reviews over 15,000 plans.
- **Building Inspections.** During construction operations, staff inspect projects for compliance with approved plans and applicable codes. Annually, staff conduct over 156,000 inspections.
- **Elevators/escalators Permitting and Inspections.** Staff manages a permit and inspection program for the nearly 5,400 elevators and over 200 escalators in the County. Annually, staff issue 350 permits and inspect 12,000 elevators through a third-party inspection service.
- **Safety and Prevention Inspections.** As required by the USBC or through agreement with Fairfax Water, the agency annually inspects over 17,500 backflow prevention devices, 1,200 commercial swimming pools and nearly 100 amusement devices (carnival rides and inflatables).

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- **Building Code Development and Research.** Staff participate in an annual code development process representing County interests by reviewing approximately 1,500 code change proposals submitted to the International Code Council for consideration. Staff research specific project proposals for alternate construction methods and materials through nearly 150 code modification requests and code appeals each year.
- **Pre-approved Typical Construction Details.** The agency provides County-developed typical construction details, which allow a homeowner to bypass code review for common residential permit applications (i.e., decks, finished basements, carport enclosures and retaining walls). Every year approximately 850 permits are issued under this program.
- **Records and Information Management (RIM).** In accordance with the Library of Virginia and Virginia Freedom of Information Act (VFOIA) obligations, the agency maintains a central RIM program for permit applications and construction plans. Each year the agency responds to 450 FOIA requests.
- **Information Technology Support.** In concert with DIT, staff work on applications development and maintenance of the Fairfax Inspections Database Online (FIDO) permitting database. Staff also support numerous small to moderately sized applications directly impacting customer service and operational efficiency.

## Benefits

Through the enforcement of USBC and County Ordinances related to building construction, this agency benefits the community by:

- **Ensuring the health, safety and welfare of the population.** Buildings and the systems therein are evaluated to meet minimum standards that safeguard its occupants and promote resilient construction and a sustainable community.
- **Being an advocate for effective codes.** To offset the County's inability to edit the state-mandated building code, County participation in the building code development process influences national codes to include local best practices and community needs.
- **Promoting energy conservation and green construction practices.** Staff enforce energy conservation requirements and provide for advanced energy-saving techniques in a building's design and construction.
- **Providing ideal places to live.** Homes of all types and sizes are constructed to help people live free of impediments in a structurally-sound and fire resistant buildings.
- **Evaluating new materials, methods and technologies.** Agency staff administer an adaptive process by which building owners and developers have the ability to use methods and materials not dictated by the code that can determine a building's constructability, address community needs and enable revitalization efforts.
- **Facilitating economic success.** A permit application process that balances mandated life safety with a customer's economic needs can bring a house, building or tenant space to market in time to begin earning revenue for its owners and the County.
- **Aligning the Costs of Development.** By Board direction, the agency recovers 90 percent or more of the costs associated with the permitting process. By doing so, the burden of compliance is borne on developers and not passed to taxpayers (FY 2012 – 93 percent, FY 2013 – 95 percent, FY 2014 – 93 percent).

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Listed below are the primary County Vision Elements related to the LOB.

- **Maintaining Safe and Caring Communities** through the permitting process which ensures the County's population occupies code-compliant and safe building and structures.
- **Building Livable Spaces** through design, permitting and construction based on building codes that incorporate the community's changing needs as well as through customer assistance and innovative programs designed to help overcome hurdles in the regulatory process.
- **Maintaining Healthy Economies** by maintaining a fair and balanced process and by staff availability and support for customers who contribute to Fairfax County's economy when construction or rehabilitation is part of their business or personal needs the agency contributes to a robust construction sector of the Fairfax economy.
- **Practicing Environmental Stewardship** by enforcing energy conservation code provisions and providing customer process incentives when constructing green buildings.

## Mandates

This LOB is state mandated through Title 36-98 of the Code of Virginia. The percentage of resources utilized to satisfy the mandate is 100 percent. See the January 2007 Mandate Study, reference page 39 and 40 for the specific federal or state code and a brief description.

The Building Plan Review and Inspections LOB is responsible for the health, safety and welfare of the public through plan review and inspection of buildings under the USBC, which incorporates by reference the following codes published by the International Code Council (ICC):

- *International Building Code;*
- *International Mechanical Code;*
- *National Electrical Code;*
- *International Fuel Gas Code;*
- *International Energy Conservation Code;*
- *International Residential Code; and*
- *International Existing Building Code.*

In addition to enforcing the USBC, staff within this LOB enforce related Chapters of the Fairfax County Code as follows:

- Chapter 61 – Building Provisions;
- Chapter 64 – Mechanical Provisions;
- Chapter 65 – Plumbing Provisions;
- Chapter 66 – Electrical Provisions;
- Chapter 67 – Sanitary Sewers and Sewage Disposal;
- Chapter 71 – Expedited Building Plan Review; and
- Chapter 107 – Problem Soils.

The mandated function is also critical to other tangential compliance for:

- Buildings meeting accessibility requirements of the Americans with Disabilities Act (ADA) and Fair Housing Act through compliance with the USBC which are considered a safe-haven for federal requirements.

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- Building-related proffers, property setbacks, height certifications and other zoning enforcement.
- Remedial training to contractors through the Virginia Department of Professional and Occupational Regulation and technical training to code officials from other jurisdictions through the Virginia Department of Housing and Community Development.

## Trends and Challenges

Current development and County conditions have created the following trends, challenges and opportunities within this LOB.

**Complexity of Design and Regulations.** Fairfax County has been experiencing a leveling in new commercial construction. However, the types of commercial projects have grown exceedingly more complex due to the Metro Silver Line, revitalization efforts, mixed-use buildings, green construction/LEED certification and other trends in the development community. These complexities take more time to process, review and inspect.

**Residential Construction.** Residential construction has shifted from new subdivision projects to alterations or expansions of existing homes, the construction new homes on infill lots or the tear down of existing homes and construction of new ones. This shift often requires greater scrutiny of the new constructions' impact on existing systems.

**Aging Population.** As baby-boomers continue to age, construction trends have changed to enable age-in-place housing, adult day care centers and assisted living facilities. Building codes now require more complex systems to accommodate people with diminished or no capability of self-preservation. Additional system installations complicate the related plan review and inspections.

**Phased Construction.** Contractors more frequently choose modified processing options for large construction projects, which allow footing and foundation efforts to commence prior to design completion and County-approvals for the remainder of the building. This has led to further requests to occupy portions of buildings prior to the full construction of the project and absorbed into the permitting process.

**Increased Customer Expectations.** With an educated and wired population, customers have a high level of expectations for service delivery. Additionally, the development community demands information 24/7, precise times for inspector jobsite arrivals, expansion of online permitting capabilities, electronic plan submission and other adaptable services that meet the work needs.

**Evolving Technology.** Both aging technology and new technologies currently force adjustments and adoption by the agency to move to new systems. Three areas of technology that the agency is focusing on are:

- 1) Land Development System (LDS) database provides multi-agency application for all County agencies involved in the land development and building permitting process. A two year capital project is currently underway to modernize this system;
- 2) E-plan submission. The agency has launched a pilot project to fully explore electronic plan submissions to create efficiencies for County staff and developers; and
- 3) Increased mobile technologies for onsite inspectors, will result in greater efficiency and responsiveness for land use customers.

**Goal Three of the County's Economic Success Strategies.** In early 2015, the Board of Supervisors adopted a six-goal plan for economic success. Goal number three of that plan seeks to "Improve the speed consistency and predictability for the development review process." This goal drives every action that the agency takes measured from the individual plan review and inspection to process improvements.

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## Resources

Category	FY 2014 Actual	FY 2015 Actual	FY 2016 Adopted
<b>LOB #62: Building Plan Review and Inspections</b>			
<b>FUNDING</b>			
<u>Expenditures:</u>			
Compensation	\$8,597,001	\$8,815,217	\$10,013,585
Operating Expenses	2,182,216	2,307,471	2,390,452
Work Performed for Others	(192,167)	(174,341)	(172,964)
Capital Equipment	25,986	3,565	0
<b>Total Expenditures</b>	<b>\$10,613,036</b>	<b>\$10,951,912</b>	<b>\$12,231,073</b>
General Fund Revenue	\$19,238,306	\$22,744,955	\$22,409,218
<b>Net Cost/(Savings) to General Fund</b>	<b>(\$8,625,270)</b>	<b>(\$11,793,043)</b>	<b>(\$10,178,145)</b>
<b>POSITIONS</b>			
<i>Authorized Positions/Full-Time Equivalent (FTEs)</i>			
<u>Positions:</u>			
Regular	128 / 128	134 / 134	133 / 133
<b>Total Positions</b>	<b>128 / 128</b>	<b>134 / 134</b>	<b>133 / 133</b>

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## Metrics

Metric Indicator	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2016 Estimate	FY 2017 Estimate
Total Number of Permits Submitted	59,714	59,956	59,471	60,000	60,000
Building Inspections Performed	150,877	148,587	156,331	157,000	157,000
Number of Permits Processed per FTE	6,635	6,662	6,608	7,500	7,500
Number of Inspections per FTE	3,772	3,715	4,114	4,132	4,132
Percent of Inspections within 24 Hours	100%	100%	99.6%	100%	100%

Annually, approximately 60,000 permits are submitted to the agency and over 150,000 inspections are performed, which allow individual homeowners and large-scale commercial builders to successfully build within the County. This tremendous volume of work is challenged by limited resources and the ever-increasing complexity in design, regulatory obligation and stakeholder scrutiny. This work is expected to rise with additional economic growth in the County during this fiscal year. Managing this challenge under the Board's mandate for enhanced "speed, consistency and predictability" in the permitting process demands singular focus on the agency's broad mission and a culture driven by service.

The Building Inspection unit of this LOB intends to deliver inspections within 24 hours of customer request. On the whole, the agency has successfully delivered on this metric. Inevitably, there are circumstances beyond the control of an inspector or the agency where an inspection must be put off until the following day. Examples include:

- Delays caused by earlier inspections;
- Unexpected traffic delays; and
- Vehicle problems.

The agency goal is to conduct all inspections within 24 hours, however, due to extra workload on occasions, requested inspection services fall to the next day. With over 150,000 inspections conducted annually, less than 1 percent may be delayed to the following day.

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LOB #63:

## **SITE PLAN REVIEW AND INSPECTIONS**

### **Purpose**

The Site Plan Review and Inspections LOB is responsible for plan review and inspections of public and private land development sites within the County under the Fairfax County Codes summarized in the Mandates section of this LOB.

In addition to ensuring that project plans and associated construction meet the appropriate codes and regulations, staff within this LOB facilitate economic development within the County by providing intake and processing services associated with land development projects. Staff within this LOB also work with the public and industry stakeholders, the Engineering Review Standards Committee, the Planning Commission and the Board of Supervisors to ensure that ordinances and regulations remain current, relevant and appropriate. Goals for such regulations include:

- Protect the health, safety and welfare of the public;
- Protect the environment;
- Adhere to industry standards;
- Meet state regulations, permit regulations and delegated authorities; and
- Reflect Community interests and values.

### **Description**

The Site Plan Review and Inspections LOB includes 119/119.0 FTE positions from the Site Development and Inspections Division and various staff resources from the Code Development and Compliance Division of LDS. The following outlines key functions of this LOB:

- **Intake and Processing.** Staff serve as the acceptance and processing authority for proposed land development construction plans and plats and provide the overall coordination of the various reviews by other agencies and specialty fields. In FY 2014, the County realized over \$9.7 million in revenue from this line of business.
- **Project Coordination.** The agency tracks progress and coalesces efforts of internal and specialty field reviewers to ensure that plans are processed within the 60 day mandated timeframe and cohesive responses to applicants result. On average, staff process 3,900 site development plans annually.
- **Code Compliance Review.** Staff review proposed land development construction plans and plats against applicable codes, regulations and engineering standards (i.e., ADA, VDOT Road and Bridge Standards).
- **Zoning Entitlements Review.** The agency provides support review for the Department of Planning and Zoning as projects work through the Zoning entitlements process.
- **Code Administration and Development.** Staff administer and amend the relevant sections of the Fairfax County Code, Zoning Ordinance and Public Facilities Manual pertaining to the land development process.
- **Inspection Services.** The agency manages inspection services for active land development construction projects and permitted landfills located within the County. In FY 2015, staff performed close to 48,000 inspections on land development projects.
- **Complaint Response.** Staff respond to complaints and provide inspection services related to land disturbance, tree preservation and drainage issues related to development activities. In FY 2015, staff responded to 283 development related complaints.

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- **Project Closeout.** This agency executes project closures including final proffer compliance inspections and bond release. On average, staff process 800 project closeouts annually.
- **Outreach.** Provide technical training and outreach services to assist homeowners, builders, engineers and contractors in complying with land development and building code regulations. Through a dedicated staff position, the agency assists places of worship and non-profit community groups in the land development process.
- **Information Technology.** Provide information technology (IT) support for LDS systems, including the Plans and Waivers System (PAWS) and the Site Inspection Database (SI2K) as well as numerous small to moderately sized applications, directly impacting customer service and operational efficiency.

## Benefits

Through the enforcement of County codes and industry standards related to land development, this agency benefits the community by:

- **Protecting Health, Safety and Welfare of the Population.** Compliance with County and state regulations ensure that potential natural hazards (e.g., flooding, problem soils) are mitigated to minimize flooding and drainage issues onsite and off as well as structural damage concerns. Moreover, staff review of site plans ensures that emergency services are available and include sufficient access. Additionally, compliance with road and bridge standards and the ADA ensures that projects are designed in a way that achieves expected levels of safety and universal access.
- **Ensuring Environmental Stewardship.** Land development necessarily impacts land and the environment both locally at the developing property and beyond on adjacent areas upstream and downstream. Compliance with stormwater management, problem soils and tree preservation requirements as well as other related regulations ensure that any impacts to the environment stemming from development are minimized.
- **Compliance with State and Federal Mandates.** The County is bound by numerous state and federal obligations. The work performed by the staff in this LOB helps to achieve the County's obligation for many of these high profile mandates (i.e., ADA, the Municipal Separate Storm Sewer System (MS4) Permit, Erosion and Sediment Control (E&S) Program, National Flood Insurance Program (NFIP); Chesapeake Bay Program; Total Maximum Daily Load (TMDL) Stream Protection; Freedom of Information Act (FOIA)).
- **Public Infrastructure Investment.** Much of the County's natural and manmade infrastructure is constructed and rehabilitated through private development work. By ensuring that roadways, storm sewers, sanitary sewers, trails, sidewalks, street lights, grading, trees, parking lots and proffered elements (i.e., stream restoration and open spaces) are designed and constructed in accordance with approved plans and applicable County and state requirements this LOB oversees a tremendous investment into the County's infrastructure.
- **Creating Ideal Places to Live.** Through enforcement of the Zoning Ordinance and adherence to the County's Comprehensive Plan and related master planning efforts (i.e., trails, parks, and watersheds) staff ensure that development projects meet the community's expectations for character, safety and environmental stewardship.
- **Evaluating New Materials, Methods, Technologies.** Engineering practices and technologies are constantly evolving. Through work with stakeholders and the Board, staff strive to ensure that County codes, ordinances and standard operating procedures remain relevant and reflect current industry standards.
- **Facilitating Economic Success.** A land development process that balances mandated life safety with a customer's economic needs can bring a small house or large development project to market in time to begin earning revenue for its owners and the County. Partnerships between developers and County staff to address any potential project deficiencies found in plan review ensures that those issues do not create stumbling blocks during construction or project closeout.



# Land Development Services

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- **Aligning the Costs of Development.** By Board direction, the agency recovers 90 percent or more of the costs associated with the permitting process. By doing so, the burden of compliance is borne by developers and not passed to taxpayers (FY 2012 – 93 percent, FY 2013 – 95 percent, FY 2014 – 93 percent).

Listed below are the primary County Vision Elements related to the LOB.

- **Maintaining Safe and Caring Communities** through the land development process public infrastructure and private facilities are constructed to meet the diverse needs of the community.
- **Building Livable Spaces** through design and construction based on County codes and master planning, agency efforts incorporate the community's desire for livable spaces as well as through customer assistance and innovative programs designed to help overcome hurdles in the regulatory process.
- **Connecting People and Places** through design and construction based on County and state codes and master planning efforts road, trail and transit networks meet the needs of our community.
- **Maintaining Healthy Economies** by maintaining a fair and balanced process and by staff availability and support for customers who contribute to Fairfax County's economy when construction or rehabilitation is part of their business or personal needs the agency contributes to a robust construction sector of the Fairfax Economy.
- **Practicing Environmental Stewardship** by enforcing the environmental code provisions of County and state codes the County realizes its environmental stewardship goals.

## Mandates

This LOB is state mandated. The percentage of resources utilized to satisfy the mandate is 100 percent. See the January 2007 Mandate Study, reference page 39 and 40 for the specific federal or state code and a brief description. The Site Plan Review and Inspections LOB is responsible for plan review and inspections of land public and private development sites within the County under the following Chapters of the Fairfax County Code:

- Chapter 2 – Property Under County Control;
- Chapter 101 – Subdivision Provisions;
- Chapter 102 – Streets and Sidewalks;
- Chapter 104 – Erosion and Sediment Control;
- Chapter 107 – Problem Soils;
- Chapter 112 – Zoning Ordinance;
- Chapter 117 – Expedited Land Development Review;
- Chapter 118 – Chesapeake Bay Preservation;
- Chapter 122 – Tree Conservation Ordinance;
- Chapter 124 – Stormwater Management Ordinance;
- Appendix Q – Land Development Services Fee Schedule; and
- Public Facilities Manual (PFM).

# Land Development Services

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## Trends and Challenges

Current development and County conditions have created the following trends, challenges and opportunities within this LOB.

**Complexity of Design and Regulations.** As open space and easily developable property continues to diminish in the County, new development now routinely occurs on more complex sites, which previously were less economically favorable. Considerations include problem soils, proximity to flood plains, inadequate infrastructure, and densely developed surrounding neighborhoods. As land values have increased, the economics to develop these areas have now become viable. The result is greater technical challenges for both the design engineers and County staff. More difficult sites require more coordination and review of the proposed construction documents as well as more special studies and reports to address special issues.

In addition, Fairfax County is experiencing a leveling in new commercial construction. However, the types of commercial projects have grown exceedingly more complex due to the Metro Silver Line, revitalization efforts, mixed use development, environmental stewardship and other trends in the development community. These complexities take more time to process, review and inspect.

**Residential Construction.** Residential construction has shifted from new subdivision projects to infill lots or the tear down of existing homes and construction of new ones. This shift often requires greater scrutiny of the new constructions' impact on existing systems.

**Increased Customer Expectations.** With an educated and wired population, customers have a high level of expectations for service delivery. Additionally, the development community demands information 24/7, precise times for inspector jobsite arrivals, expansion of online permitting capabilities, electronic plan submission and other adaptable services that meet the work needs. Separately, there are now increased expectations to facilitate and mediate solutions to problems between developers and homeowners. Complaint resolutions continue to become more complex due to multi-issues, such as the increase in unlicensed contractors and unpermitted construction activity.

**Evolving Technology.** Both aging technology and new technologies currently force adjustments and adoption by the agency to move to new systems. Three areas of technology that the agency is focusing on are:

- 1) Land Development System (LDS) database provides multi-agency application for all County agencies involved in the land development and building permitting process. A two year capital project is currently underway to modernize this system;
- 2) E-plan submission. The agency has launched a pilot project to fully explore electronic plan submissions to create efficiencies for County staff and developers; and
- 3) Increased mobile technologies for onsite inspectors, will result in greater efficiency and responsiveness for land use customers.

**Goal Three of the County's Economic Success Strategies.** In early 2015, the Board of Supervisors adopted a six goal plan for economic success. Goal number three of that plan seeks to "Improve the speed, consistency and predictability for the development review process." This goal drives every action that the agency takes measured from the individual plan review and inspection to process improvements.

# Land Development Services

## Resources

Category	FY 2014 Actual	FY 2015 Actual	FY 2016 Adopted
<b>LOB #63: Site Plan Review and Inspections</b>			
<b>FUNDING</b>			
<u>Expenditures:</u>			
Compensation	\$7,656,704	\$7,953,579	\$8,959,524
Operating Expenses	1,943,536	2,081,929	2,138,827
Work Performed for Others	(171,149)	(157,300)	(154,758)
Capital Equipment	23,144	3,217	0
<b>Total Expenditures</b>	<b>\$9,452,235</b>	<b>\$9,881,425</b>	<b>\$10,943,593</b>
General Fund Revenue	\$9,724,358	\$10,960,424	\$11,677,342
<b>Net Cost/(Savings) to General Fund</b>	<b>(\$272,123)</b>	<b>(\$1,078,999)</b>	<b>(\$733,749)</b>
<b>POSITIONS</b>			
Authorized Positions/Full-Time Equivalents (FTEs)			
<u>Positions:</u>			
Regular	116 / 116	120 / 120	119 / 119
<b>Total Positions</b>	<b>116 / 116</b>	<b>120 / 120</b>	<b>119 / 119</b>

## Metrics

Metric Indicator	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2016 Estimate	FY 2017 Estimate
Number of Plans Processed	3,889	3,874	4,013	4,200	4,200
Number of Inspections Performed	48,319	45,475	47,784	48,000	48,000
Number of Reviews Per FTE	185	185	223	233	233
Number of Inspections per FTE	1,726	1,624	1,838	1,920	1,920
Average Days to Process Major Plans Per Submission	83	63	59	60	60

Annually, the Site Plan Review and Inspections LOB processes roughly 4,000 plans. These plans range from small infill residential lot projects to large-scale, mixed-use developments. As part of the LDS service improvement efforts, Site Review staff spends more time with applicants and developers to assist in resolving issues and addressing stakeholder concerns.

In addition, the agency conducts approximately 48,000 inspections, to insure environmental stewardship and sound investment in the County's infrastructure. The majority of inspections conducted under this LOB are not customer driver but are performed as an integral facet of the County's regulatory framework and are mandated by provisions of the Fairfax County Code or state or federal obligations. As the number of approved site plans increased in FY 2015, the increased workload was borne across existing staff. The Site Plan Review and Inspections staff processes roughly 4,000 plans ranging from small infill residential lot projects to large-scale, mixed-use developments. Regardless of plan type the state mandates a 60 day turn around for plan review. The agency has worked diligently to meet this metric which is made possible through additional positions and enhanced training. Furthermore, the agency significantly beats the 60 day timeframe on subsequent submission for single family home infill plans and plans submitted under the County's expedited plan review program, "Designated Plan Examiner" (DPE).

# Land Development Services

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LOB #64:

## **VIOLATION ENFORCEMENT**

### **Purpose**

The Violation Enforcement LOB is responsible for the intake, review, resolution or prosecution of complaints and violations of the Virginia Construction Code, Code of Virginia §36-105 and §36-106. In addition, through this LOB staff provide County enforcement for the Fairfax County Codes highlighted in the Mandates section of this LOB.

Goals for such regulations include:

- Protect the health, safety and welfare of the public;
- Protect the environment;
- Adhere to industry standards;
- Meet state regulations, permit regulations and delegated authorities; and,
- Reflect Community interests and values.

### **Description**

The Violation Enforcement LOB includes 5/5.0 FTE positions from the Code Development and Code Compliance Division. The following outlines key functions of this LOB:

- **Complaint Response.** Staff intake and investigate complaints received from the public regarding potential violations associated with land disturbances, Resource Protection Areas (RPA), new construction activity (both structural and land development), stormwater/drainage, buildings code violations (Post Occupancy), and unlicensed contractors. On average, staff respond to 300 complaints annually. Staff have maintained a response time (i.e., the time between receipt of the complaint, usually by phone, and initial inspection) of 72 hours or less 98% of the time.
- **Stormwater and Land Disturbance Violations.** As mandated by the Commonwealth, the agency enforces code provisions of Fairfax County Code Chapter 104 (Erosion and Sediment Control), Chapter 118 (Chesapeake Bay Preservation), and Chapter 124 (Stormwater Management) producing on average over 240 violation cases annually (i.e., FY 2013 – 282; FY 2014 – 214; and FY 2015 – 228).
- **Unlicensed Contractor Enforcement.** This agency administers the Home Improvement Contractor Licensing Program, including the enforcement of the unlicensed contractor regulations. The agency handles approximately 20 cases per year. Since 2012, work performed by this agency has resulted in sending four individuals to jail for offenses and recovering over \$200,000 for victims of unlicensed work.
- **Residential Building Code Violation Remedy.** This agency resolves building code violations for homeowners during the residential building's construction and post-occupancy. On average the agency successfully reaches resolution for remedial repair work for 45 homes annually.
- **Coordinate Multi-issue Complaints.** This agency coordinates and coalesces cross agency code violations for all of LDS including: performing onsite inspections, mediating complaint issues, and preparing/presenting criminal court cases on behalf of the County. It also reviews and compiles evidence to in support of criminal summons or warrant actions.

# Land Development Services

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- **Criminal Case Support.** This agency coordinates with and provides technical expertise for the County Attorney's Office regarding criminal cases, including preparing necessary court documents and witnesses, also representing the County in criminal court prosecution of building code post occupancy, land disturbing, RPA and unlicensed contractor violations.
- **Extra-agency Support.** In addition to working with the Commonwealth Attorney's Office, LDS routinely coordinates with other state and County agencies including Police and Fire Marshal's offices to resolve contractor issues and health and zoning issues. Additionally, staff coordinates with and provides technical expertise for the Department of Professional and Occupational Regulation, the Federal Bureau of Investigation (FBI), and the Secret Service on unlicensed contractor complaints.
- **Mediation and Resolution Monitoring.** LDS facilitates equitable resolution to complex technical code compliance issues, through inspection, mediation, negotiation, and enforcement by court order. The agency also monitors court orders to ensure compliance with court decrees and pursues further legal action, if necessary.

## Benefits

Through the enforcement of County codes and industry standards related to land development and building construction, this agency benefits the community by:

- **Protecting Health, Safety and Welfare of the Population.** Compliance with County and state regulations ensure that potential natural hazards (i.e., flooding, problem soils) are mitigated to minimize flooding and drainage issues as well as structural damage concerns. Moreover, compliance with applicable codes and regulations ensures availability of emergency services and public infrastructure and that private facilities achieve expected levels of safety and quality and provide universal access.
- **Ensuring Environmental Stewardship.** Enforcing compliance with code provisions regarding stormwater management, tree preservation, Chesapeake Bay preservation and other similar codes and state regulations; this agency minimizes adverse impacts to the environment stemming from wayward development.
- **Compliance with State and Federal Mandates.** The County is bound by numerous state and federal obligations. The work performed by staff in this LOB helps to achieve the County's obligation for many of these high profile mandates (i.e., ADA, Stormwater MS4 Permit, Erosion and Sediment Control (E&S) Program, National Flood Insurance Program (NFIP); Chesapeake Bay Program; Total Maximum Daily Load (TMDL) Stream Protection; Freedom of Information Act (FOIA).
- **Unlicensed Contractor Enforcement.** Through the work of this agency, the County guides homeowners to avoid unlicensed contractors and assists those who have been taken advantage of by unlicensed contractors.

Listed below are the primary County Vision Elements related to the LOB.

- **Maintaining Safe and Caring Communities** through defense of the land development and building permitting process public infrastructure and private facilities are constructed to meet the diverse needs of our community.
- **Building Livable Spaces** through customer assistance and innovative programs designed to help overcome hurdles in the regulatory process. In addition, by supporting customers when construction or rehabilitation is part of their business or personal needs. Additionally, enforcement of the land development and building safety codes ensures fairness and confidence in construction sector of Fairfax County's economy.
- **Practicing Environmental Stewardship** by enforcing the environmental code provisions of County and state codes the County realizes its environmental stewardship goals.

# Land Development Services

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## Mandates

The Violation and Enforcement LOB is responsible for the intake, review, resolution or prosecution of complaints and violations of the Virginia Construction Code, Code of Virginia 36-105 and 36-106. In addition, through this LOB staff provides County enforcement for the following Chapters of the Fairfax County Code:

- Chapter 61 – Building Provisions;
- Chapter 64 – Mechanical Provisions;
- Chapter 65 – Plumbing Provisions;
- Chapter 66 – Electrical Provisions;
- Chapter 71 – Expedited Building Plan Review;
- Chapter 101 – Subdivision Provisions;
- Chapter 104 – Erosion and Sediment Control;
- Chapter 107 – Problem Soils;
- Chapter 117 – Expedited Land Development Review;
- Chapter 118 – Chesapeake Bay Preservation; and
- Chapter 124 – Stormwater Management Ordinance.

## Trends and Challenges

Current development and County conditions have created the following trends, challenges and opportunities within this LOB.

**Rate of Received Complaints on the Rise.** Both land disturbance (Chapter 104 and Chapter 118) and unlicensed contractor complaints have begun to increase, resulting in an increased number of branch issued Notices of Violation. In the Fairfax County Code, Chapter 61, Section-7-2 regarding unlicensed contractors was created to assist County residents in dealing with unlicensed contractors who represent themselves as a licensed contractor. As this section was adopted by the BOS on July 30, 2014, it is likely that the number of cases handled by the Violation and Enforcement staff will increase as residents contact the agency on this issue.

**Complexity of Complaints.** Residential Post Occupancy complaints are typically complex and multifaceted owing to the varied issues uncovered when County staff arrive on site to conduct the response inspection. Notwithstanding, Post Occupancy complaints have decreased over the last couple of years likely due to outreach efforts with County partners.

**Impassioned Complainants.** Owing the high value the community places on environmental stewardship, land disturbance complainants are extremely impassioned when reaching out to the County and hold a very high level of service expectation regarding response time, thoroughness of work and rate of successful resolution.

**Balancing Resources and Expectations.** The cases managed by this agency are complex and involve careful coordination with the County Attorney's Office. The balance between staffing resources and case load/customer expectations requires managerial finesse.

**Stormwater Enforcement.** The Stormwater Enforcement Program is an increasing commitment stemming from the new MS4 Stormwater Permit, the adoption of the Stormwater Ordinance and the shift of stormwater program administration responsibility from the state to the County. As this program is in its infancy it will require many hours to bring it to fruition with a yet to be known workload once the program is finally established.

# Land Development Services

## Resources

Category	FY 2014 Actual	FY 2015 Actual	FY 2016 Adopted
<b>LOB #64: Violation Enforcement</b>			
<b>FUNDING</b>			
<u>Expenditures:</u>			
Compensation	\$335,820	\$331,399	\$376,450
Operating Expenses	85,244	86,747	89,867
Work Performed for Others	(7,506)	(6,554)	(6,503)
Capital Equipment	1,015	134	0
<b>Total Expenditures</b>	<b>\$414,573</b>	<b>\$411,726</b>	<b>\$459,814</b>
General Fund Revenue	\$0	\$0	\$0
Net Cost/(Savings) to General Fund	\$414,573	\$411,726	\$459,814
<b>POSITIONS</b>			
<i>Authorized Positions/Full-Time Equivalents (FTEs)</i>			
<u>Positions:</u>			
Regular	5 / 5	5 / 5	5 / 5
<b>Total Positions</b>	<b>5 / 5</b>	<b>5 / 5</b>	<b>5 / 5</b>

# Land Development Services

## Metrics

Metric Indicator	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2016 Estimate	FY 2017 Estimate
Complaint Response Within 72 Hours	98%	98%	98%	100%	100%
Number of Complaints	371	261	283	290	300
Number of Unlicensed Contractor Cases	19	17	20	25	25

LDS receives complaints from the public regarding potential violations associated with land disturbances, Resource Protection Areas (RPA), new construction activity (both structural and land development), stormwater/drainage, buildings code violations (Post Occupancy), and unlicensed contractors. On average, staff respond to 300 complaints annually. Staff review and compile evidence and interview witnesses to determine if there is sufficient probable cause to issue criminal summons or warrant. Staff have maintained a response time (i.e., the time between receipt of the complaint, usually by phone, and initial inspection) of 72 hours or less 98 percent of the time.

This LOB administers the Home Improvement Contractor Licensing Program including the enforcing the unlicensed contractor regulations. The agency handles approximately 20 cases per year. During the last three years work by this agency has resulted in sending four individuals to jail for their offenses and recovering over \$200,000 for victims of unlicensed work. Cases are expected to rise in FY 2016.

