



PROPOSED COMPREHENSIVE PLAN AMENDMENT

ITEM: PA 2017-CW-2CP
October 16, 2019

GENERAL LOCATION: Countywide

SUPERVISOR DISTRICT: All

PLANNING AREA: All

PLANNING DISTRICT: All

SUB-DISTRICT DESIGNATION: All

PARCEL LOCATION: All

Green Building - Energy Policy Plan Update
For additional information about this amendment call (703) 324-1380.

PLANNING COMMISSION PUBLIC HEARING:
Wednesday, November 6, 2019 @ 7:30 PM

BOARD OF SUPERVISORS PUBLIC HEARING:
Tuesday, December 3, 2019 @ 4:00 PM

**PLANNING STAFF DOES RECOMMEND
THIS ITEM FOR PLAN AMENDMENT**



Reasonable accommodation is available upon 48 hours notice. For additional information about accommodation call the Planning Commission office at (703) 324-2865, or the Board of Supervisors office at (703) 324-3151.

MAP NOT APPLICABLE

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STAFF REPORT FOR POLICY PLAN AMENDMENT 2017-CW-2CP

BACKGROUND

On June 20, 2017, the Board of Supervisors (Board) authorized Plan Amendment (PA) 2017-CW-2CP consistent with the Planning Commission's recommendation for a minor change to the county's green building policies. The proposed amendment would provide an increased emphasis on energy efficiency and conservation efforts as applied to green building certification for nonresidential and multifamily residential proposals. The Policy Plan does not currently provide an increased emphasis on any particular green building evaluation category. Evaluation categories, in addition to those related to energy efficiency and conservation, may include categories related to location, transportation, site development, water efficiency, materials and resources, indoor environmental quality, innovation, and regional priorities.

PROPOSED PLAN AMENDMENT

The impetus for this plan amendment can be traced back to March 15, 2013, when the MITRE Corporation issued a report entitled "Building energy technology recommendations to Fairfax County." The report was prepared in fulfillment of a proffer commitment for RZ 2008-PR-011 to support county sustainability initiatives, particularly as they relate to the Tysons Urban Center. MITRE's report addressed four of the five specific tasks identified in a scope of work that was developed in collaboration with the county to identify the work products needed to satisfy the aforementioned proffer commitment (the fifth task addressed electric vehicle charging infrastructure, which MITRE addressed with a separate report). In short, MITRE was asked to review and describe emerging building energy technologies, including renewable energy technologies, and to identify measures that could/should be pursued through building design to accommodate implementation of these technologies in the future. The report was not intended to provide a comprehensive review of the county's green building policy but was instead intended to address a question regarding whether there are any particular anticipated future building energy technologies for which preparatory design commitments should be sought through the zoning process.

On May 14, 2013, the Board referred the building energy technology report to the Planning Commission and requested its review and recommendation.

At the time the MITRE report was referred to the Planning Commission, the Planning Commission's Environment Committee was conducting a comprehensive review of the green building policy in the Policy Plan volume of the Comprehensive Plan. That review ultimately led to the Board of Supervisors' adoption, on July 1, 2014, of revisions to the green building policy (See Plan Amendment (PA) 2013-CW-3CP: <https://www.fairfaxcounty.gov/planning-development/sites/planning-development/files/assets/documents/compplanamend/greenbuilding/2013%20p-03%20adopted%20text.pdf>).

Many issues were considered as part of the Environment Committee's review of the green building policies. Some were minor clarifications or additions, such as examples of supported

green building technologies. The Planning Commission's Environment Committee discussed and recommended several modifications to the policy, including:

- Updating the policy to reflect advances in available green building rating systems;
- Defining "equivalent" for alternate rating systems other than those noted in the policy (e.g. LEED);
- Adding support for energy and water usage data and performance monitoring;
- Adding support for higher levels of green building performance when proposed developments have relatively high levels of intensity or density (both residential and nonresidential);
- Adding Industrial Areas to the areas of the county with an expectation for a green building commitment;
- Adding green building guidance for development in public-private partnerships; and
- Adding support for infrastructure for electric vehicles.

From February 19, 2014 to January 26, 2017, the Planning Commission Environment Committee met 16 times to discuss MITRE's recommendations and their relationship to the county's land use policies. While the MITRE report focused on Tysons, the committee's review was countywide in scope. There was a particular emphasis on the extent to which the policy concepts identified in MITRE's recommendations should be incorporated into Comprehensive Plan policy and implemented through the county's zoning process. Stakeholder organizations that participated in the review process included the Apartment and Office Building Association of Metropolitan Washington, the U.S. Environmental Protection Agency (ENERGY STAR), the Faith Alliance for Climate Solutions, the McLean Citizens Association, the Fairfax County Environmental Quality Advisory Council, and the Sierra Club (Great Falls Chapter).

On January 26, 2017, the Planning Commission Environment Committee finalized its review of the MITRE report which was subsequently transmitted to the full Planning Commission. On February 1, 2017, the Planning Commission:

- Approved the Environment Committee's report;
- Approved the transmittal of this report to the Board of Supervisors as its recommendation in response to the Board's request for the Commission's review and recommendation; and
- Requested that the Board authorize the preparation and advertisement of an amendment to the green building policy in the Policy Plan volume of the Comprehensive Plan, consistent with the Environment Committee's recommendation for action.

On March 6, 2017, the Planning Commission report was transmitted to the Board. On May 23, 2017, at the BOS Environmental Committee meeting, staff provided a summary of the Planning Commission Environment Committee review of the MITRE report. As noted in the Planning Commission's report and in staff's briefing on May 23, 2017, one Planning Commission recommendation relating to the MITRE report required a follow-up action - the development and consideration of a Policy Plan amendment to provide for an increased emphasis on energy efficiency and conservation efforts for the component of the green building policy addressing nonresidential development and multifamily residential development proposals.

As noted by the Planning Commission's Environment Committee in its review, dated January 26, 2017, of the MITRE Report:

“The green building policy in Objective 13 of the Environment section of the Policy Plan should be amended such that there would be an increased emphasis on energy efficiency and conservation efforts. The related policy (Objective 13, Policy b) addressing nonresidential development and multifamily residential development proposals that would be eligible to attain the LEED-NC (New Construction) or LEED-CS (Core and Shell) Certification should incorporate guidance that would encourage applicants and their development teams to emphasize energy efforts within their green building strategies without establishing a prescription or expectation for any additional specific levels of energy performance. Further, this guidance should not establish a preference for any particular approach or certification system relating to energy efficiency/conservation. There should instead be general guidance encouraging such efforts. Note that this proposed action would not apply to single family detached or attached residential projects, for which the green building policy in the Policy Plan (Environmental Objective 13, Policy c) already has established an energy focus.”

On June 20, 2017, the Board authorized consideration of a plan amendment consistent with the Planning Commission's recommendation to develop a Policy Plan amendment increasing the emphasis on energy efficiency and conservation efforts for the specific portion of the green building policy addressing nonresidential and multifamily residential development proposals. This specific charge was narrowly defined by the Board of Supervisors and would limit any modifications to a change to this specific component of the policy and was not intended as an opportunity to review the entirety of the green building policy. Staff notes that the Policy Plan already contains an increased emphasis on energy performance for other types of residential development proposals not addressed by this proposed amendment, including single family detached and attached projects.

The Planning Commission Environment Committee met on October 12, 2017, November 9, 2017, and January 24, 2019 to discuss the plan amendment. The committee recommendation was subsequently sent to the full Planning Commission, which, on February 27, 2019, accomplished the following:

- Approved the Environment Committee's proposed revision to Objective 13, Policy b of the Environment Section of the Policy Plan;
- Approved the transmittal of the proposed revision to the Board of Supervisors as its recommendation in response to the Board's request for the commission's review and recommendation; and
- Requested that the Board authorize the preparation and advertisement of an amendment to the green building policy in the Policy Plan volume of the Comprehensive Plan, consistent with the Planning Commission's recommendation.

Following consideration of the policy implications of these matters, it was determined that the authorized plan amendment should proceed.

ANALYSIS

The only significant change to Objective 13, Policy b of the Environment Section of the Policy Plan is the addition of the phrase, “**encourage an emphasis on energy efficiency and conservation.**” Additionally, in the Planning Commission review of the policy, some of the existing text was re-ordered for clarity, which has been reflected in the proposed text.

The additional emphasis on energy efficiency and conservation is expected to provide guidance regarding these performance parameters and help define county expectations, consistent with the MITRE Report, the recommendation of the Planning Commission and the recommendation of the Board of Supervisors Environmental Committee. While the proposed policy change would provide an increased emphasis on energy efficiency and conservation for nonresidential and multifamily residential proposals, it would not preclude heightened attention to other green building issues, such as location, transportation, site development, water efficiency, materials and resources, indoor environmental quality, innovation, and regional priorities. Neither would the proposed language oblige a property owner to pursue additional energy efficiency and conservation measures.

When considering this amendment, Planning Commission members noted that energy efficiency and conservation were increasingly critical in light of global climate concerns. However, it was acknowledged that all components of green building systems have merit and that establishing an emphasis on energy should not come at the expense of other components. Ultimately, the Planning Commission Environment Committee recommended that applicants be encouraged to incorporate enhanced energy strategies, recognizing that applicants would choose which strategies to pursue.

CONCLUSION

The proposed plan amendment is a narrowly-defined follow-up action to the 2013 MITRE Report and would provide an increased emphasis on energy efficiency and conservation efforts as applied to green building certification for nonresidential and multifamily residential proposals. The Policy Plan does not currently provide an increased emphasis on any particular evaluation category. The proposed policy would provide guidance and emphasis regarding these performance parameters and help better define and focus County expectations.

RECOMMENDATION

Staff recommends the Comprehensive Plan be modified as shown below. Text proposed to be added is shown as underlined and text proposed to be deleted is shown with a ~~striketrough~~.

MODIFY: Fairfax County Comprehensive Plan, 2017 Edition, Policy Plan, Environment Section, as amended through March 14, 2017, pages 20-21:

Policy b. “Within the Tysons Urban Center, Suburban Centers, Community Business Centers, Industrial Areas and Transit Station Areas as identified on the Concept Map for Future Development, unless otherwise recommended in the applicable area plan, ensure that zoning proposals for nonresidential development or zoning proposals for

~~multifamily residential development incorporate green building practices sufficient to attain certification through the LEED-NC or LEED-CS program or an equivalent program specifically incorporating multiple green building concepts, where applicable, where these zoning proposals seek at least one of the following:~~

- Development in accordance with Comprehensive Plan Options;
- Development involving a change in use from what would be allowed as a permitted use under existing zoning;
- Development at the Overlay Level; or
- Development at the high end of planned density/intensity ranges. For nonresidential development, consider the upper 40% of the range between by-right development potential and the maximum Plan intensity to constitute the high end of the range.

ensure that zoning proposals for nonresidential development or zoning proposals for multifamily residential development incorporate green building practices sufficient to attain certification through the LEED-NC or LEED-CS program or an equivalent program specifically incorporating multiple green building concepts, where applicable, and encourage an emphasis on energy efficiency and conservation.

Where developments with exceptional intensity or density are proposed (e.g. at 90 percent or more of the maximum planned density or intensity), ensure that higher than basic levels of green building certification are attained.”

COMPREHENSIVE LAND USE PLAN MAP:

The Comprehensive Land Use Plan Map will not change.

COUNTYWIDE TRANSPORTATION PLAN MAP:

The Countywide Transportation Plan Map will not change.