



FAIRFAX COUNTY
SITE-SPECIFIC PLAN AMENDMENT PROCESS
RETROSPECTIVE

**Recommendations –
Modifications to the SSPA Process**

April 26, 2022

REVISED JULY 5, 2022

NOTE: This document was originally published April 26, 2022. Following discussion with the Planning Commission's Land Use Process Review Committee on May 19, 2022, the full Planning Commission on June 8, 2022, and the Board of Supervisor's (Board) Land Use Policy Committee on June 14, 2022, the following changes are proposed to the SSPA process modifications outlined in the document:

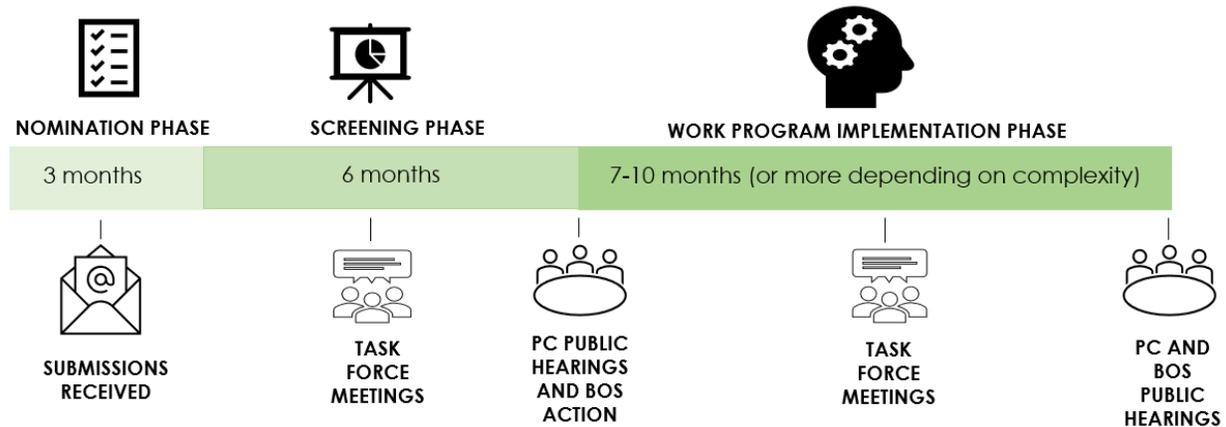
- The Screening phase would begin with Board acceptance/rejection of the nominations via an Action Item at a Board meeting. During this action, the Board may also consider acceptance of nominations on a case-by-case basis that may require flexibility related to the property owners' signature and/or the eligibility criteria that restrict submission of nominations on lands subject to pending and recently adopted land use changes.
- A fee to submit a nomination is no longer proposed.
- The timeline to begin the 2022 Countywide SSPA process Nomination phase would shift from September to October 2022.

These recent changes have been incorporated into in the following document, and are shown in underlined **Bold** font and **Yellow** highlight on pages 8, 10, and 11.

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This paper provides recommendations for changes to the Site-Specific Plan Amendment (SSPA) process, which is one of the ways in which an amendment to the Comprehensive Plan (Plan) can be initiated. The current SSPA process consists of three phases as shown in Figure 1 and described below:

Figure 1: SSPA Process.



- 1) Nomination phase: Anyone may submit a nomination for any site in the County unless the land area is subject to a pending plan amendment, was subject to a plan amendment adopted within the past four years, or if the nomination proposes a change to a countywide policy or system.
- 2) Screening phase: District-appointed community task forces and staff conduct a high-level review of the nominations and provide recommendations as to which nominations should advance for further evaluation as Plan amendments. The Planning Commission holds a public hearing and makes a recommendation on each nomination, after which the Board takes action on which nominations should move forward for further study as part of the Comprehensive Plan Amendment Work Program (Work Program).
- 3) Implementation phase: The community task forces and staff review the specific impacts and considerations for each Plan amendment and provide recommendations on whether they should be adopted into the Comprehensive Plan. This is followed by a public hearing and a recommendation by the Planning Commission on each amendment, after which the Board holds a public hearing and takes action on the proposed amendment.

The SSPA nomination phase opens every two years on an alternating cycle and began in 2017 with the four North County Magisterial Districts (Sully, Providence, Hunter Mill, and Dranesville), followed in 2019 by the five South County Magisterial Districts (Mount Vernon, Mason, Springfield, Braddock, and Lee). The North County cycle Screening phase resulted in four plan amendments out of 10 submissions added for review on the Work Program, with the final amendment from that cohort being adopted on July 13, 2021. The South County cycle began in September 2019 and resulted in eleven plan amendments out of 26 submissions added for review on the Work Program. Two of the Plan amendments from the South County cycle have been adopted, four remain under active review, and five have been deferred.

SSPA Retrospective Initiation

A retrospective of the SSPA process was initiated with a joint meeting of the Planning Commission and the Board on October 12, 2021. Following this meeting, community outreach was conducted in October - November 2021 to obtain feedback on potential changes to the process. The results of this outreach, along with a series of draft recommendations for potential program changes, were presented to the Planning Commission's Land Use Process Review Committee on January 20, 2022 and the Board's Land Use Policy Committee on February 15, 2022. Following these meetings, a working group consisting of two members of the Board and two members of the Planning Commission met with staff in February - March 2022 to consider a range of options for process revisions and provided recommendations on potential changes. The recommendations from this group are detailed in this paper.

SSPA Retrospective Themes

Four themes emerged as initial, high level focus areas where the current process could be improved:

- 1) **Inclusion and community engagement.** Consider ways to engage more intentionally those who live or work near the nominated sites and are thus most potentially impacted by land use changes, including those who may not have participated historically in planning activities.
- 2) **Task force, community, and staff resource demand.** Consider ways to make more efficient use of staff, the community, and the task forces' time by adapting engagement to suit the circumstances presented by the nomination and subsequent study.
- 3) **Plan amendment timeline and prioritization.** Consider ways to reduce the overall timeline of the process to better prioritize nominations that are most in-line with County policies and are likely to be implemented through development, and to offer the ability to better respond to the market.
- 4) **Nomination criteria.** Consider revisions to the criteria used to triage the nominations to better determine those that should go forward.

SSPA Retrospective Outreach

As mentioned above, staff conducted outreach with the key stakeholders and the community at-large to obtain feedback on experiences with the SSPA process. The outreach included interviews with SSPA participants, including individual meetings with Planning Commission and Board members, the chairs and/or vice chairs for all of the SSPA task forces, members of the development community, the land use aides from several supervisor districts, and several Fairfax County agencies. An online community survey was conducted to obtain input from the public, which received over 450 responses from across the county. The results of the survey may be viewed at the following link:

<https://www.fairfaxcounty.gov/planning-development/sites/planning-development/files/assets/documents/compplanamend/sspa/retrospective/sspa-survey-responses.pdf>

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Selected survey responses from three main stakeholder groups, 1) task force members, 2) nominators/development industry professionals, and 3) community participants, are provided below and were used to develop the Working Group's recommendations.

Figure 2 provides the responses to a question regarding what types of additional submission items would result in clearer, more understandable nominations, such as a concept plan, pre-submittal nominator engagement with the community, a commitment to file a rezoning with the plan amendment, owner's consent to the nomination, and a submission fee. Submission items that received majority support from the three main stakeholder groups are highlighted in **bold**, with the greatest support for an illustrative concept plan and earlier nominator engagement with the community.

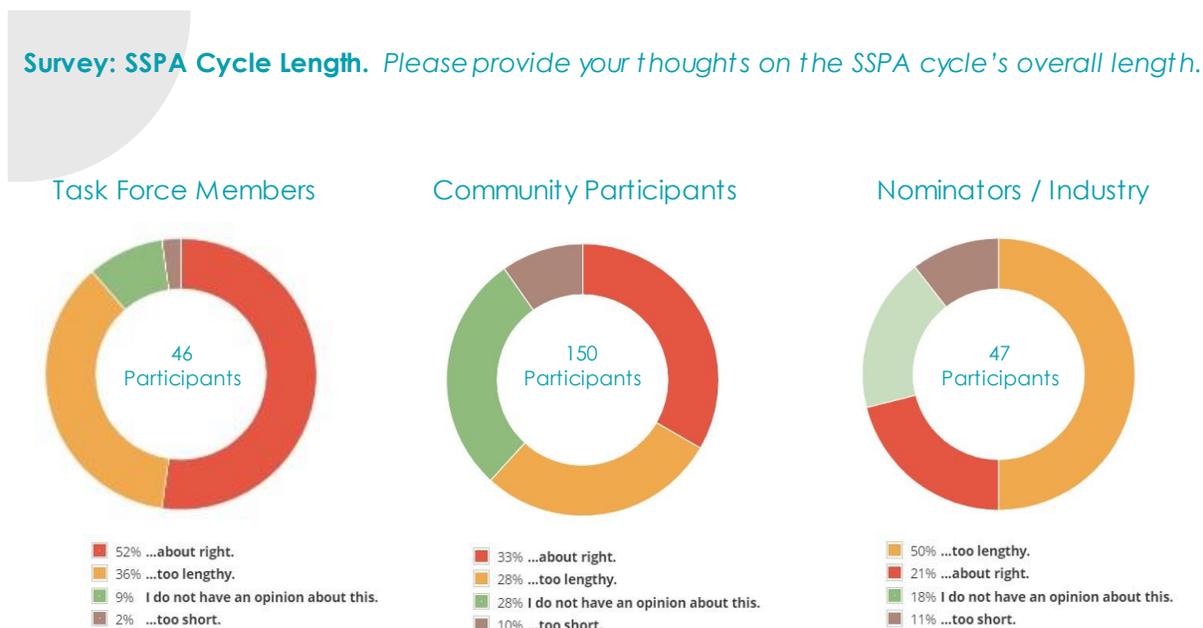
Figure 2. Survey Responses. Nomination Submission Items.

Survey: Submission Items. Which of the following changes to the nomination criteria could result in clearer, more understandable, and better developed nominations? Multiple options may be selected.

| Potential Submission Items | Community | Nominators | TF Members |
|---|------------|------------|------------|
| Conceptual Site Plan | 65% | 69% | 62% |
| Pre-Submittal Nominator Engagement | 80% | 42% | 71% |
| Letter of Intent to File Rezoning | 38% | 58% | 40% |
| Owner's Signature | 37% | 44% | 40% |
| Submission Fee | 26% | 22% | 31% |
| Other | 7% | 14% | 7% |
| Keep the existing criteria only | 6% | 19% | 7% |

Figure 3 provides the responses to a question regarding impressions of the overall SSPA cycle length, segmented by the three main stakeholder groups mentioned previously. On the whole, the majority of nominators felt that the process was too lengthy, while the plurality of community participants and task force members felt that the length of the process was about right.

Figure 3. Survey Responses. SSPA Cycle Length.



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Figure 4 provides the responses to a question about respondents' top three preferred engagement methods for community planning efforts, segmented by the three main stakeholder groups. The preferred engagement method for community participants and nominators was targeted community meetings, whereas the task force members' top preference was for regular task force meetings, followed by targeted community meetings.

Figure 4. Survey Responses. Stakeholder Engagement Preferences.

Survey: Stakeholder Engagement Preferences. Select your top three engagement methods based on your preferences for community planning efforts. Please select only 3 responses.

| | Community | Nominators | TF Members |
|---|-----------|------------|------------|
| Attending targeted community meetings for nearby residents | 60% | 49% | 64% |
| Receiving regular email updates | 45% | 49% | 44% |
| Attending regularly scheduled (bi-weekly) task force meetings | 22% | 35% | 76% |
| Attending open houses before the nomination period begins | 42% | 30% | 38% |
| Taking community surveys | 41% | 30% | 13% |
| Attending open houses during the process | 26% | 33% | 24% |
| Writing letters to staff, the task force, PC, and/or BOS | 20% | 28% | 4% |
| Testifying at PC and BOS hearings | 14% | 19% | 11% |
| Other | 1% | 2% | 0% |

Other Jurisdictions

Planning staff from several surrounding jurisdictions in Virginia and Maryland were interviewed to learn how they handle land use proposals on specific sites that require comprehensive plan amendments. Of those that were interviewed, only Arlington and Prince William Counties had a roughly-equivalent process to SSPA, while the rest did not evaluate long-range plan changes at a site-specific level. Arlington and Prince William Counties' site-specific processes require the property owner's consent, fees, and concurrent processing with a rezoning (or, as an alternative, the proposals are considered in the context of a broader small area plan update, roughly equivalent in scope to a Fairfax County planning study for an activity center or corridor). Arlington and Prince William Counties have preliminary phases to their processes similar to the intent of the SSPA Screening phase; however, community engagement during the equivalent of the Screening phase is different than it is in Fairfax County. Arlington County holds a workshop with the Planning Commission which is open to the public, and Prince William County allows open comments at the meeting in which the Board takes action to initiate the plan study.

Primary Concerns with the Current Process

Based on the stakeholder feedback, community survey, and adjacent jurisdiction interviews, the following primary concerns with the current process were identified:

- The opportunity to submit a nomination is limited to only once every four years, which results in limited opportunities to request consideration of Plan changes and is not adaptable to changing market conditions.
- The process is too lengthy and may result in additional requests for authorization of Comprehensive Plan amendments outside of the regular nomination period.
- Community engagement, particularly in the Screening phase, does not always reach those most affected, and the task force forum may not allow for all stakeholders to be heard, including those most potentially impacted by land use changes. Alternative communication and engagement methods may more effectively disseminate information and gather community feedback.
- Staff and community resources to process SSPAs are often prioritized over other long-range planning work due to the rigid SSPA review schedule.

Goals for Revised Process

In response to the feedback received during the retrospective outreach, the four initial themes were synthesized into two main goals for improvement with the revised process, which the Working Group used to frame its recommendations:

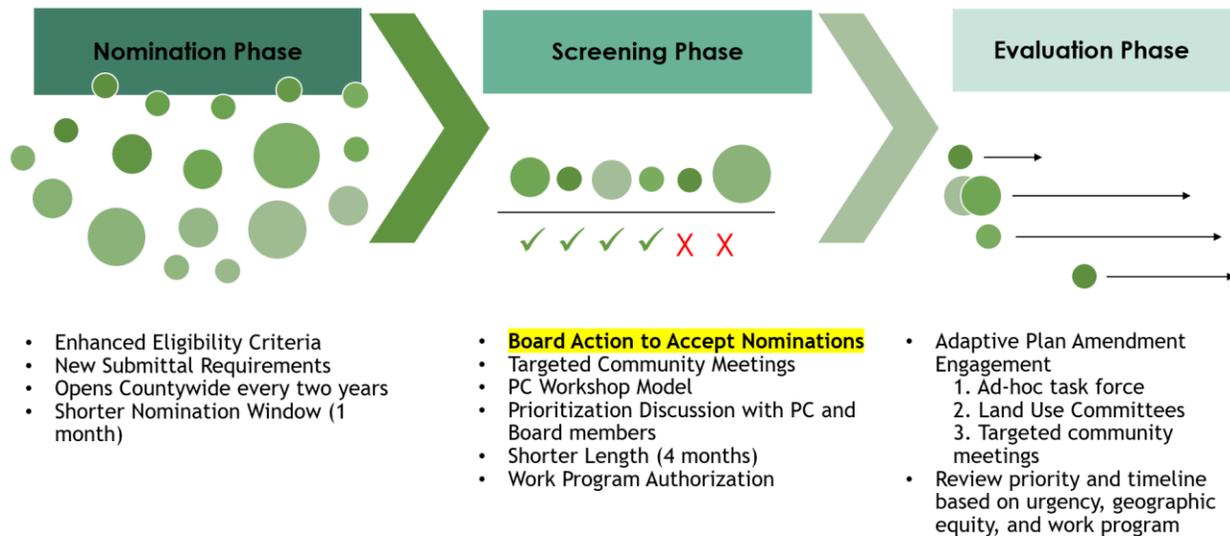
- Goal #1 - Increase inclusion and community engagement.
- Goal #2 - Achieve a better balance between long range planning and site-specific planning, considering the length of time taken, the criteria for nomination, and staff, community, and the Planning Commission's and the Board's resources.

Preliminary Recommendations

The SSPA Working Group developed a series of recommendations that address the themes, goals, and primary concerns identified. The recommendations are shown in Figure 5, below, which is followed by a description of how the revised process is responsive to the goals set forth above.

Figure 5. Proposed New Process Elements

New Process Elements



Goal #1: Increase inclusion and community engagement.

- **Recommended Modifications to the Screening phase**
 - **Through a County Executive Action Item during the screening phase, the Board would take action to accept or reject the individual nominations into the SSPA process, and to accept any requested modifications to the submission criteria, including the owner concurrence. This action would follow initial staff eligibility review, discussion with individual Board members on the nominations in their districts and prior to community engagement on the nominations.**
 - Community engagement during Screening is a priority; however, recognizing the demands placed on community task forces and feedback received on this method, the task force model should be reconsidered for this phase.
 - Targeted community meetings should be held to ensure those living and working near the subject sites are engaged early in the process. Targeted community meetings, which were the preferred method of engagement for most stakeholders when asked in the survey (see Figure 3 above), were thought to provide more appropriate forums for identifying and addressing localized issues.
 - A Planning Commission workshop would take place in lieu of a public hearing for discussion of screening the nominations. The workshop would be open to the public and provide a more deliberative forum for screening with staff and appointed officials to ensure the high-priority nominations are advanced for further review.
 - The Board action on the Work Program would be retained, following the Planning Commission workshop.

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- **Recommended Modifications to the Evaluation phase (previously referred to as the Implementation phase)**
 - Flexibility and adaptability for community engagement should be dependent on the circumstances of the amendment to provide options for the most appropriate means for reviewing the proposed amendment. For example, singular amendments of limited scope and impact could proceed through established means, such as an existing land use committee, or feedback could be obtained from surrounding neighbors via targeted community meetings to ensure participation from those most familiar with the site. Areas receiving multiple Plan amendments in close proximity to one another and containing cumulative considerations, as well as more complex studies (as determined by the scale of the proposed change in the land use mix or density/intensity; the geographic size; or other factors), could be considered by specially appointed task forces.
 - As engagement would be adaptable and would not assume a uniform two-year community task force process for each amendment, the current two-year review timeframes for each cycle would no longer apply; the timelines for amendment review would be based on the circumstances of the amendment and prioritization of Work Program assignments. This will likely result in faster processing for amendments.
 - This adaptive engagement, paired with the more frequent nomination cycle and no uniform end date for the Evaluation phase can also help reallocate community and county resources towards other long-range planning activities outside of the SSPA process. The specific engagement model for each of the nominations that are added to the Work Program would be identified in coordination with the applicable Board member.
 - All amendments would continue to require notification of neighboring properties and advertisement of public hearings before the Planning Commission and Board.

Goal #2: Achieve a better balance between long range planning and site-specific planning, considering the length of time taken, the criteria for nomination, and staff, community, and the Planning Commission's and the Board's resources.

- **Recommended Modifications to the Nomination Phase Frequency**
 - Replace the previous four-year alternating North/South County cycle with a Countywide nomination period held every two years to provide more frequent opportunities for nominations to be submitted, assuming that other recommended changes to the nomination eligibility and justification criteria and submission requirements are also modified. Increasing the frequency of the nomination cycle would also potentially reduce the number of authorizations of site-specific amendments outside of the regular review cycle, providing benefits for the Work Program by steering more site-specific reviews through SSPA, where they can be considered in the aggregate and prioritized.
- **Recommended Modifications to the SSPA Steps and Timeframe**
 - Retain the existing three step structure (Nomination phase, Screening phase, Evaluation phase), and generally, reduce the total timeframe through:
 - A shorter nomination window (reduced from 3 months to 1 month);

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- Targeted community engagement and Planning Commission workshop at the Screening phase as detailed under Goal #1 (reduced from 6-7 months to 4 months); and,
 - More adaptable community engagement methods at the evaluation phase to suit the needs of the amendment as detailed under Goal #1.
- **Recommended Modifications to the Eligibility Criteria**
 - Modify the eligibility criteria, which are used to determine whether a nomination can be accepted into the SSPA process, as follows:
 - Broaden the range of eligible geography by allowing the nomination of land areas subject to a previous land use plan amendment after two years from the date of adoption (compared to the current four-year requirement);
 - Clarify that land areas are eligible if they are currently or were previously subject to Board action in an amendment with no change to the site's land use recommendation, such as land use mix and/or density/intensity;
 - Retain the current restriction on submissions for changes to countywide policies or systems; and,
 - Retain the current restriction on multiple submissions by a nominator for the same property.
 - **The Board, at its discretion, may add nominations into the process that do not meet the eligibility criterion that eliminates properties that were subject to a land use plan amendment in the prior two years.**
 - **Recommended Modifications to the Submission Items**
 - Require additional submission items beyond the current justification narrative to enhance the community and staff's understanding of the nominations. These additional items would be used to determine a nomination's consistency with the justification criteria provided below, as well as a nomination's prioritization relative to other SSPAs and other long-range planning efforts. Proposed additional submission items are as follows:
 - An illustrative concept plan visually depicting the nomination;
 - Information regarding the nominator's potential development timeline and key factors for engaging the community;
 - The consent of the property owner(s) of the nominated properties;
 - **Submission fee (with a waiver provision) to pay for certain outreach costs associated with the screening phase; and,**
 - Acknowledgement that supportive data and additional analysis may be requested at the Evaluation Phase (for example, Chapter 870 VDOT Transportation Analysis, Environmental Mapping, as applicable).
 - **The Board, at its discretion, may add nominations into the process that do not meet the property owner consent submission requirement.**
 - **Recommended Modifications to the Justification Criteria**
 - Enhance the justification criteria to ensure the nominations include the information required to determine if the proposed amendment is in line with county goals, and of such a high priority or strategic importance that it should warrant site-specific consideration:

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- Explain the circumstance, emerging community needs, and/or market changes that would justify the nomination;
 - Explain how the nomination aligns with the broader Comprehensive Plan policies and other Board-adopted policies (for example, the Strategic Plan, One Fairfax Policy, and Communitywide Housing Strategic Plan); and,
 - If a nomination is being re-submitted from a previous SSPA cycle and was not adopted, explain in detail why a change in circumstances (emerging trends, further community outreach, etc.) warrants an additional review.
- **Recommended Modifications to Plan Amendment Prioritization and Monitoring**
 - Conduct periodic discussions/updates with the Planning Commission and Board about the balance of long-range planning activities and staff resources on the Work Program, with a goal of orienting these activities toward broader planning priorities, such as countywide policy studies and area studies. Prioritizing resources for such studies could, in the long run, reduce the need for the site-specific level of analysis.
 - When considering the addition of SSPAs to the Work Program, prioritize nominations that align with county goals and community concerns, address changes in circumstances, and warrant site-specific review due to a strategic importance or a near-term development timeline. Similarly, prioritization should be discussed when site-specific amendments are authorized outside of SSPA in order to demonstrate how resources may need to shift from other long-range planning activities.
 - Monitor the outcomes resulting from the proposed SSPA process changes and make modifications or adjustments as needed following the conclusion of the first countywide cycle.

Next Steps

Should the Board adopt the recommendations in July 2022, it is anticipated that the Countywide nomination period would commence in **October 2022**.

Conclusion

The recommendations for changes to the SSPA process were developed with substantial and substantive input from planning stakeholders and provide an avenue for the County to better address long range planning by ensuring greater flexibility and more efficient use of the SSPA process. The changes, illustrated in Figure 5, would modify, rather than replace, the current process, retaining beneficial elements that have been added over time to organize and prioritize long range planning, while shortening the timeline and gearing community engagement towards the unique circumstances and needs presented by the potential amendments.

Further information on the SSPA Retrospective, including previous presentations to the Planning Commission and Board of Supervisors on the topic, can be viewed at the following link:

<https://www.fairfaxcounty.gov/planning-development/plan-amendments/sspa>

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The results of the SSPA Retrospective Community Survey can be viewed at the following link:

<https://www.fairfaxcounty.gov/planning-development/sites/planning-development/files/assets/documents/compplanamend/sspa/retrospective/sspa-survey-responses.pdf>