

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, OCTOBER 25, 2023**

PRESENT: Phillip A. Niedzielski-Eichner, Chairman, Providence District
Timothy J. Sargeant, Vice Chairman, Commission At-Large
Evelyn S. Spain, Secretary, Sully District
John C. Ulfelder, Parliamentarian, Dranesville District
Daren Shumate, Mason District
Mary D. Cortina, Braddock District
John A. Carter, Hunter Mill District
Daniel G. Lagana, Franconia District
Walter C. Clarke, Mount Vernon District
Peter F. Murphy, Springfield District
Candice Bennett, Commissioner At-Large
Vacant, Commissioner At-Large

ABSENT: None

OTHERS: Casey Judge, Zoning Administration Division (ZAD),
Department of Planning and Development (DPD)
Leslie B. Johnson, ZAD, DPD
Mary Ann Tsai, Zoning Evaluation Division (ZED),
Department of Planning and Development (DPD)
Mohamed Ali, Planning Division (PD),
Department of Planning and Development (DPD)
Salem Bush, PD, DPD
David Huaman, PD, DPD
Clara Johnson, PD, DPD
Timothy Kutz, Transportation Planning Division,
Fairfax County Department of Transportation
Tom Grala, Wastewater Design & Construction Division, Capital Facilities
John Friedman, Site Code Research & Development Branch,
Land Development Services
Brian Keightley, Urban Forestry Management Division,
Department of Public Works and Environmental Services
Joseline Cadima, Department of Clerk Services (DCS)
Nasreen, Yadullah, DCS
Satabdi Samaddar, DCS

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The meeting was called to order at 7:30 p.m., by Chairman Phillip A. Niedzielski-Eichner, in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

Chairman Niedzielski-Eichner announced the passing of Fran Wallingford. Ms. Wallingford was an active member of the land use community in the Providence District. Chairman Niedzielski-Eichner shared highlights from Ms. Wallingford's advocacy work and the impact she made in her community. He added that Ms. Wallingford received tribute from the Board of Supervisors at their October 24, 2023, meeting and he extended that tribute on behalf of the Planning Commission.

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Chairman Niedzielski-Eichner announced that on Tuesday, October 24, 2023, the Board of Supervisors appointed Jeremy Hancock as the new Providence District Commissioner. Chairman Niedzielski-Eichner also announced that he had accepted Chairman McKay's invitation to complete Andre Jimenez term as Planning Commissioner, At-Large, which was also ratified by the Board of Supervisors.

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Commissioner Ulfelder announced that the Planning Commission's Land Use Process Review Committee would meet on Thursday, October 26, 2023, at 7:30 p.m. in Conference Room 11 of the Fairfax County Government Center, located at 12000 Government Center Parkway, Fairfax, Virginia 22035. He noted that the meeting would be broadcasted on Channel 16 and the agenda included a presentation from staff on the Outdoor Dining Zoning Ordinance Amendment, the Landscaping and Screening Zoning Ordinance Amendment, and guidelines for data centers.

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ORDER OF THE AGENDA

Secretary Spain established the following order of the agenda:

1. ZONING ORDINANCE AMENDMENT – SIGNS PART II
2. FDPA-2018-HM-020 – APA PROPERTIES NO. 6, L.P.
3. 2232-2023-PR-00012 –TYSONS WEST WASTEWATER PUMP STATION
4. PA 2022-I-B1 – BAILEYS CBC, SUB-UNIT B-5
5. PROPOSED AMENDMENT TO CHAPTER 122 (TREE CONSERVATION ORDINANCE) OF THE CODE OF THE COUNTY OF FAIRFAX– RE: TREE COMMISSION CHARTER

This order was accepted without objection.

Chairman Niedzielski-Eichner recited the rules for public testimony.

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ZONING ORDINANCE AMENDMENT – SIGNS PART II –

- (1) Exempt from sign regulation scoreboards located at school, college, university, or Park Authority property from sign regulations.
- (2) Increase size of address and building entrance identification exempt from sign permit requirements from two to four square feet in area.
- (3) Exempt from sign permit requirement and maximum allowed sign area signs located in or immediately adjacent to reserved parking spaces.
- (4) For minor signs located at new residential development containing at least three dwelling units, add requirement that the dwelling units under construction must be on contiguous lots to qualify for 60 square foot sign.
- (5) Add allowance for one illuminated or electronic window sign per nonresidential establishment, up to four square feet (two – four square feet) in area, and with no moving images or content.
- (6) For multi-faced signs where the sign faces are parallel to one another, change the measurement from the interior distance to the exterior distance between faces, and increase this measurement from 18 inches or less to 24 inches or less.
- (7) For electronic display signs, specify maximum nit limitations (100 – 1,000 nits) to control brightness at night based on factors which may include zoning district classification, time of day/night, and location or distance from land in a residential district or residential areas of P districts; add requirement that sign specifications be submitted with associated sign permit applications; and allow for Board approval for an increase in nits.
- (8) Add requirement that signs located at single-family residential subdivisions or stacked townhouse developments may only be located at each major vehicular entrance and within an agreement or easement recorded for signage purposes or on common area.
- (9) Include option for multifamily developments to have one freestanding sign up to 30 square feet or 50 square feet (25 – 50 square feet) of building-mounted signage.

- (10) Clarify that mixed use buildings in residential districts with ground-floor nonresidential uses may have the building-mounted signage permitted for a nonresidential use, but the building is limited to a maximum of one freestanding sign not to exceed 30 square feet in area or eight feet in height.
- (11) Remove 20-acre minimum for agricultural operations to have a sign.
- (12) Specify that freestanding signs at hospitals may only be located at a vehicular entrance.
- (13) For building-mounted signs in C and I districts, remove standard where a single tenant with frontage resulting in sign area greater than 200 square feet occupying an area with more than one perimeter wall containing a main entrance may place 200 square feet on each perimeter wall when it does not exceed 1.5 times the length of the wall.
- (14) Include an option for the Board to consider allowing building-mounted signs in C and I districts to be measured using 1.5 square feet of sign area for each linear foot of building frontage. No single sign may exceed 200 square feet in area.
- (15) For freestanding signs associated with a shopping center with frontage on two or more major thoroughfares, prohibit the two signs from being located on the same major thoroughfare.
- (16) Add regulations allowing freestanding signs associated with the ordering station of a use with a drive through, limited to a maximum size of 20 square feet (10 – 30 square feet).
- (17) Delete Administrative Comprehensive Sign Plan regulations and sign regulations regarding special exceptions, special permits, and comprehensive sign plans in Planned districts, and replace them with a new consolidated procedure and regulations, described below.
- (18) Consolidate current sign applications (comprehensive sign plan, special exception, and special permit) into a single special exception application available for any property in a P District, and any property in a C or I district with or planned for development with a minimum gross floor area

of 30,000 square feet (25,000 – 50,000 square feet). The special exception may also be requested for any C or I district development under 30,000 square feet (25,000 – 50,000 square feet) with unusual circumstances or conditions. The application includes review criteria, set standards for modifications to electronic display sign limitations, and submission requirements.

- (19) Reduce appeal timeframe for minor sign violations from 30 days to ten days from the date of the notice.
- (20) Revise existing definitions of moving or windblown sign and roof sign.
- (21) Edit language throughout for plain language and readability.

COUNTYWIDE. PUBLIC HEARING.

There were no disclosures from the Commission.

Casey Judge, Zoning Administration Division (ZAD), Department of Planning and Development (DPD) presented the staff report, a copy of which is in the date file. She noted that staff recommended adoption of the Zoning Ordinance Amendment, Signs Part II.

There was a discussion between Ms. Judge, Leslie Johnson, ZAD, DPD, and multiple Commissioners on the following:

- Concerns regarding the potential impact of the increasing the allotted number of nits for lit signage on light pollution and traffic safety;
- Concerns raised by the community on the consolidation of sign modification applications;
- Clarification on the frequency for which electronic signs could change displays;
- Confirmation that there were no landscaping sign requirements;
- Confirmation that issues surrounding the visibility of signage would be sorted out in the entitlement, along with matters pertaining to landscaping and property maintenance of the subject area;
- Explanation of staff's recommendation on the brightness of digital signage;
- Explanation of the adverse effects experienced by businesses from the current sign regulations;
- Clarification on the extent to which staff conducted outreach to civic associations, land use attorneys, lighting experts, and the public;
- Explanation of the community outreach efforts conducted by staff after the adoption of the 2019 Zoning Ordinance Amendment on Signs;
- Concerns related to complaint-based enforcement procedures;
- The extent to which the proposed amendment impacted other ongoing efforts to preserve darker skies throughout the County;

- Explanation of how nits were measured;
- Clarification on the recourse for property owners utilizing signage with lighting that exceeded the standards for signage that had been adopted in 2019;
- Explanation for how property owners that utilized signage with lighting features would be notified if the proposed amendment were adopted;
- Confirmation that the LED signage utilized dimming capabilities to enable business to be in compliance with the proposed maximum nit level;
- Clarification that staff’s recommendations on maximum nit levels were determined using defined industry standards and appropriate research;
- Explanation of the defined standard for maximum nit levels and the extent to which they were consistent with those utilized by the industry;
- Clarification on the County’s policies regarding electronic window signs for nonresidential use by home-based businesses; and
- Clarification on the extent to which special exception requirements for signage applications would be simplified.

The discussion resulted in the staff’s agreement to provide detailed responses to the questions and concerns raised by the Commission.

Chairman Niedzielski-Eichner called the first listed speaker and recited the rules for public testimony.

Eileen Kragie, 1876 Foxstone, Drive, Vienna, representing Dark Sky Friends, spoke in opposition to the proposed amendment because of concerns regarding increased light pollution associated with digital signage. A copy of Ms. Kragie's written statement is in the date file.

Peter Plavchan, 5024 Kenerson Drive, Fairfax, representing George Mason University spoke in opposition to the proposed amendment because of concerns regarding increased light pollution associated with digital signage due to its impact on the environment and wildlife.

There were no more listed speakers, Chairman Niedzielski-Eichner called for speakers from the audience.

Kenneth Peskin, 6305 Evermay Drive, McLean, representing International Sign Association, spoke in support of the proposed Zoning Ordinance amendment. A copy of Mr. Peskin’s written statement is in the date file.

There was a discussion between Chairman Niedzielski-Eichner and Mr. Peskin on the factors that affected the brightness of proposed signage, features that could be utilized to temper the brightness, and the impact of lighting on the effectiveness of signage.

There was a final discussion between Ms. Judge and multiple Commissioners on the following:

- Confirmation that the proposed changes to the Zoning Ordinance amendment would not permit billboards in Fairfax County; and
- Confirmation of the size restriction on freestanding signage.

There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Chairman Niedzielski-Eichner closed the public hearing and recognized Commissioner Bennett for action on this Zoning Ordinance amendment.

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Commissioner Bennett MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THE FOLLOWING:

- ADOPTION OF THE PROPOSED ZONING ORDINANCE AMENDMENT FOR SIGNS PART II WITH THE STAFF-RECOMMENDED OPTIONS AND THE PROPOSED AMENDMENTS TO APPENDIX 1 RELATING TO PREVIOUS APPROVALS, AS SET FORTH IN THE STAFF REPORT DATED OCTOBER 3, 2023, EXCEPT FOR ELECTRONIC DISPLAY SIGNS;
- RECOMMEND THAT THE MAXIMUM NIT LEVEL AFTER SUNSET BE 300 NITS OR ELECTRONIC DISPLAY SIGNS;
- RECOMMEND THAT SIGNS WITHIN 100 FEET OF ANY PROPERTY DEVELOPED WITH A RESIDENTIAL USE BE LIMITED TO 100 NITS, AS SET FORTH IN OPTION 2 OF THE MEMORANDUM TO THE PLANNING COMMISSION, DATED OCTOBER 18, 2023; AND
- RECOMMEND THAT THE AMENDMENT BECOME EFFECTIVE AT 12:01 A.M., THE DAY FOLLOWING ADOPTION.

Commissioner Lagana seconded the motion.

There was a discussion among the Commission on potentially deferring the consideration of the proposed Zoning Ordinance amendment to a date certain of November 15, 2023.

Joseline Cadima, Department of Clerk Services, confirmed that there was a Planning Commission meeting scheduled for November 15, 2023.

Commissioner Ulfelder stated that there were more items to be worked out prior to recommending adoption to the Board of Supervisors. He requested that staff provide a written response to all concerns raised during the public testimony by November 13, 2023.

Commissioner Ulfelder offered a substitute motion and MOVED THAT THE PLANNING COMMISSION DEFER CONSIDERATION ON THE ZONING ORDINANCE AMENDMENT FOR SIGNS PART II ON THE ZONING ORDINANCE AMENDMENT FOR SIGNS PART II TO NOVEMBER 15, 2023.

Commissioner Sargeant seconded the motion, which was carried by a vote of 7-4. Commissioners Bennett, Spain, Murphy, and Shumate voted in opposition.

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FDPA-2018-HM-020 – APA PROPERTIES NO. 6, L.P. – FDPA Appl. to amend the final development plan for RZ 2018-HM-020 to permit multifamily residential uses and associated changes to development conditions. Located on the W. of Wiehle Ave., N. of Sunset Hills Rd. on approx. 6.99 ac. of land zoned PRM. Hunter Mill District. Tax Map 17-4 ((5)) 7N2 (pt.), 3N1 (pt.), 3W2 (pt.), and 7E2 (pt.). HUNTER MILL DISTRICT. PUBLIC HEARING.

Andrew A. Painter, Applicant’s Agent, Walsh, Colucci, Lubeley & Walsh, P.C., reaffirmed the affidavit dated September 12, 2023.

There were no disclosures from the Commission.

Mary Ann Tasi, Zoning Evaluation Division, Department of Planning and Development presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of application FDPA-2018-HM-020.

Mr. Painter gave a presentation on the subject application.

There was a discussion between Mr. Painter, Ms. Tasi, and multiple Commissioners on the following:

- Confirmation that the proposed development exceeded the open space requirements and was consistent with the County’s urban park standards;
- Confirmation that the proposal met the necessary stormwater management standards and the effectiveness of such measures would be evaluated at the time of site plan review;
- Clarification on the language used in development condition 8, regarding Low Impact Devices (LIDs);
- Clarification on potential green building features the applicant had considered and why such features had not been utilized; and
- The applicant’s commitment to changing language in development condition 8, to state that at the time of site plan the applicant would work with the Department of Land Development Services to identify opportunities for the installation of additional LIDs.

There being no listed speakers, Chairman Niedzielski-Eichner called for speakers from the audience, but received no response; therefore, he noted that a rebuttal statement was not necessary.

There was a final discussion between Commission Cortina and Mr. Painter on the following:

- Confirmation that no retail would be included with the subject application, but such use could be implemented at a later phase;

- Clarification on the location of bicycle racks and the applicant’s commitment to addressing such issues at the time of site plan review;
- Confirmation of the applicant’s agreement to ensure the least amount of disturbance from construction to the bicycle path along Wiehle Avenue;
- The applicant’s efforts to protect the existing trees along the site; and
- The applicant confirmed that the anticipated number of units during the CDP buildout was 2100 with 13.5% of those units being reserved as affordable dwelling units.

There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Chairman Niedzielski-Eichner closed the public hearing and recognized Commissioner Carter for action on this application.

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Prior to the motion, Commissioner Carter requested that the applicant confirm for the record their agreement to the development conditions dated October 16, 2023, as modified during the public hearing on October 25, 2023.

Mr. Painter affirmed agreement to the development conditions dated October 16, 2023, as modified during the public hearing on October 25, 2023.

Commissioner Carter MOVED THAT THE PLANNING COMMISSION APPROVE FDPA 2018-HM-020, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED OCTOBER 16, 2023, WITH THE FOLLOWING MODIFICATION TO DEVELOPMENT CONDITION NUMBER 8:

- LIDS. AT THE TIME OF SITE PLAN, THE APPLICANT WILL WORK WITH LDS TO IDENTIFY OPPORTUNITIES FOR THE INSTALLATION OF ADDITIONAL LOW-IMPACT DEVICES.

Commissioners Cortina and Niedzielski-Eichner seconded the motion, which was carried by a vote of 11-0.

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The next case was located in the Providence District; therefore, Chairman Niedzielski-Eichner relinquished the duties of the Chair to Vice Chairman Sargeant.

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2232-2023-PR-00012 – TYSONS WEST WASTEWATER PUMP STATION – to consider the proposal by the Fairfax County Department of Public Works and Environmental Services (DPWES) to construct a proposed Tysons Wastewater Pump Station. The pump station will replace an existing smaller pump station and include a pump station building and a standby generator building. Tysons Wastewater Pump Station will be

located at 8608 Leesburg Pike, Vienna, VA 22182. Tax Map: 29-1
((1)) 11. Providence District. Area II. PROVIDENCE DISTRICT.
PUBLIC HEARING.

There were no disclosures from the Commission.

Mohamed Ali, Planning Division, Department of Planning and Development presented the staff report, a copy of which is in the electronic date file. He noted that staff recommended approval of 2232-2023-PR-00012.

Tom Grala, Wastewater Design & Construction Division, Department of Capital Facilities, gave a presentation on the proposed Tysons Wastewater Pump Station.

There was a discussion between Mr. Ali, Mr. Grala, and multiple Commissioners on the following:

- The design, visual impact, and aesthetics of the proposed pump station;
- Clarification on efforts to improve the stormwater management features of the site and address the concerns raised by staff on stormwater management;
- Confirmation of the applicant’s commitment to planting Evergreen trees;
- Confirmation that the subject property where Tysons Storage once resided had been cleared;
- Explanation of how the location, character, and extent of the proposed pump station was appropriate; and
- Description of onsite backup generators.

There being no listed speakers, Vice Chairman Sargeant called for speakers from the audience, but received no response; therefore, he noted that a rebuttal statement was not necessary.

There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Vice Chairman Sargeant closed the public hearing and recognized Commissioner Niedzielski-Eichner for action on this application.

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Commissioner Niedzielski-Eichner MOVED TO APPROVE APPLICATION 2232-2023-PR-00012 BASED ON THE FOLLOWING FINDINGS AND REASONS:

- THE PROPOSED WASTEWATER PUMP STATION SATISFIES THE CRITERIA OF GENERAL LOCATION OR APPROXIMATE LOCATION, CHARACTER, AND EXTENT OF THE ADOPTED COMPREHENSIVE PLAN, AS SPECIFIED IN THE *VIRGINIA CODE* SECTION 15.2-2232.

Commissioners Ulfelder and Murphy seconded the motion, which was carried by a vote of 11-0.

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At the conclusion of the case, Chairman Niedzielski-Eichner resumed the duties of the Chair.

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PA 2022-I-B1 – BAILEYS CBC, SUB-UNIT B-5– Plan

Amendment 2022-I-B1 concerns approx. 13 acres, generally located at the southeast corner of Leesburg Pike and Carlin Springs Road; (Tax Map Parcels 61-4 ((17)) B; 61-4 ((29)) D1, E, F1; 62-3 ((2)) A, B, C, 44A, 45A, 46, 51A, and 52A) (the “site” in the Mason Supervisor District. The site is planned for mixed- use development including up to 500 multi-family residential units and 46,000 square feet of commercial uses with maximum building heights ranging from 4-6 stories. The amendment proposes mixed-use development including up to 1,390 multi-family residential units with community serving retail with maximum building heights up to 14 stories with a transition down to 4 stories. Recommendations relating to the transportation network may also be modified. MASON DISTRICT. PUBLIC HEARING.

There were no disclosures from the Commission.

David Huaman, Planning Division (PD), Department of Planning and Development (DPD) presented the staff report, a copy of which is in the electronic date file. He noted that staff recommended adoption of PA 2022-I-B1.

There was a discussion between Mr. Huaman; Clara Johnson, PD, DPD; Timothy Kutz, Transportation Planning Division, Fairfax County Department of Transportation; and multiple Commissioners on the following:

- Explanation of staff’s evaluation criteria for incorporating micro-unit dwellings as a development option for the site;
- Explanation of how the proposed development met the requirements of the Affordable Housing Ordinance;
- The factors staff considered in evaluating potential development options on the site, including microunits;
- Confirmation that the Route 7 Bus Rapid Transit was anticipated to extend down to Bailey’s Crossroads;
- Explanation on how the success of a Community Bossiness Center (CBC) was continent on access to transit;
- Concerns related to the displacement of current retail establishments;
- The feedback from the community on the proposed amendment; and
- Explanation of how staff recommendations to preserve current retail was in conformance with the Comprehensive Plan.

Commissioner Carter suggested that staff incorporate more graphics in the presentation to provide residents and the audience with a clearer picture of the proposed development options. He also noted that he was in support of the proposed amendment.

Chairman Niedzielski-Eichner aligned himself with the comments made by Commissioner Lagana.

There being no listed speakers, Chairman Niedzielski-Eichner called for speakers from the audience.

Sara V. Mariska, Nominator, 1775 Wiehle Avenue, Suite 400, Reston, representing the Odin Feldman Pittleman, spoke on the proposed dwelling types and reaffirmed the developer's commitment to retaining the current retail development within the property.

There was a brief discussion between Chairman Niedzielski-Eichner and Ms. Mariska on the definition of a micro dwelling unit. Ms. Mariska stated that her client, Mr. George Hong, could provide a more in-depth description of a micro dwelling unit.

Chairman Niedzielski-Eichner noted that this was public hearing and recognized Mr. Hong as a speaker from the audience.

George Hong, 5521 Leesburg Pike, Bailey's Crossroads, representing Bailey's Stov, LLC, provided a description of the proposed dwelling units. Mr. Hong noted that the developer intended to incorporate smart home features where tenants would have the capability to control features such as climate, appliances, and home security via smartphone.

There was a brief discussion between Mr. Hong, Chairman Niedzielski-Eichner, and Commissioner Sargeant on the following:

- Confirmation that the vision of the development in the proposed plan amendment could be achieved through rezoning the subject area;
- The potential of microunits to provide additional housing opportunities throughout the County;
- Explanation of how the technological improvements would be incorporated in the design characteristics of the proposed development; and
- Concerns regarding the potential implications of certain technological improvements on the conformance to the Zoning Ordinance.

Commissioner Lagana noted his support for the proposed development and expressed his excitement to see it come to fruition.

There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Chairman Niedzielski-Eichner closed the public hearing and recognized Commissioner Shumate for action on this case.

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Commissioner Shumate MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THE ADOPTION OF THE STAFF RECOMMENDATION FOR PLAN AMENDMENT 2022-I-B1, AS FOUND ON PAGE 12 OF THE STAFF REPORT DATED OCTOBER 1, 2023, WITH CORRECTIONS MADE TO THE DEVELOPMENT POTENTIAL TABLE, AS SHOWN IN THE HANDOUT DATED OCTOBER 25, 2023.

Commissioners Murphy, Bennett, and Niedzielski-Eichner seconded the motion, which was carried by a vote of 11-0.

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PROPOSED AMENDMENT TO CHAPTER 122 (TREE CONSERVATION ORDINANCE) OF THE CODE OF THE COUNTY OF FAIRFAX – RE: TREE COMMISSION CHARTER – To consider a proposed amendment to Chapter 122 (Tree Conservation Ordinance) of the Code of the County of Fairfax, Virginia (County Code) regarding the Tree Commission charter. The Tree Commission was created by the Fairfax County Board of Supervisors (Board) to advise the Board on matters related to the preservation and planting of trees. The Tree Commission’s charter is set out in Article 9 of the Tree Conservation Ordinance. The charter is proposed to be amended to include additional activities, add a secretary as an officer of the commission, and change the requirements for citizen members. Editorial and minor revisions are included in the proposed amendment. COUNTYWIDE. PUBLIC HEARING.

There were no disclosures from the Commission.

Chairman Niedzielski-Eichner announced that yesterday, the Board of Supervisors recognized the Tree Commission for their 50 years of work to preserve and expand the tree canopy across Fairfax County.

John Friedman, Site Code Research & Development Branch, Department Land Development Services, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the Proposed Amendment to Chapter 122.

There was a discussion between Mr. Friedman; Brian Keightley, Urban Forestry Management Division, Department of Public Works and Environmental Services; and multiple Commissioners on the following:

- Confirmation that the proposed changes were initiated by a previous Board matter;
- Clarification on the background and composition of members of the Tree Commission;
- Clarification on the extent to which the proposed amendment delineated the operations of the Tree Commission;

PROPOSED AMENDMENT TO CHAPTER 122
(TREE CONSERVATION ORDINANCE) OF THE
CODE OF THE COUNTY OF FAIRFAX – RE: TREE COMMISSION CHARTER

October 25, 2023

- Clarification that recommendations for preserving and expanding urban tree canopies were specific to the subject areas and were included in the urban design guidelines;
- Clarification on efforts to track tree plantings in urban areas, such as Tysons, Reston, and Mosaic;
- Explanation of the County’s periodic tree surveying process; and
- Explanation of the tree quality survey process.

Chairman Niedzielski-Eichner called the first listed speaker and recited the rules for public testimony.

Cindy Speas, 2724 Pioneer Lane, Falls Church, representing Fairfax County Tree Commission spoke in support of the proposed amendment. A copy of Ms. Speas’s written statement is in the date file.

Bret Leslie, 9929 Woodrow Street, Vienna, spoke in support of the proposed amendment. A copy of Mr. Leslie’s written statement is in the date file.

There being no more speakers, Chairman Niedzielski-Eichner called for speakers from the audience and phone but received no response.

There was a final discussion between Mr. Friedman, Mr. Keightley, and multiple Commissioners on the following:

- The role of the Tree Commission in providing insights on matters related to the Comprehensive Plan and urban design guidelines; and
- The extent to which the proposed amendment would permit greater coordination between the Tree Commission and the Planning Commission.

Multiple Commissioners commended the Tree Commission for their engagement in communities across the County.

There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Chairman Niedzielski-Eichner closed the public hearing and recognized Commissioner Shumate for action on this application.

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Commissioner Sargeant MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THE ADOPTION OF THE STAFF RECOMMENDATION FOR PROPOSED AMENDMENT TO CHAPTER 122 (TREE CONSERVATION ORDINANCE) OF THE CODE OF THE COUNTY OF FAIRFAX, TREE COMMISSION CHARTER, FOUND ON PAGE 12 OF THE STAFF REPORT DATED OCTOBER 1, 2023, WITH CORRECTIONS MADE TO THE DEVELOPMENT POTENTIAL TABLE, AS SHOWN IN THE HANDOUT DATED OCTOBER 25, 2023.

PROPOSED AMENDMENT TO CHAPTER 122
(TREE CONSERVATION ORDINANCE) OF THE
CODE OF THE COUNTY OF FAIRFAX – RE: TREE COMMISSION CHARTER

October 25, 2023

Commissioners Lagana, Cortina, Bennett, Spain, Carter, and Ulfelder, seconded the motion,
which carried by a vote of 11-0

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The meeting was adjourned at 10:55 p.m.
Phillip A. Niedzielski-Eichner, Chairman
Evelyn S. Spain, Secretary

Audio and video recordings of this meeting are available at the Planning Commission Office,
12000 Government Center Parkway, Suite 552, Fairfax, Virginia 22035.

Minutes by: Satabdi Samaddar
Approved on: January 24, 2024

Jacob L. Caporaletti
Jacob L. Caporaletti, Clerk to the
Fairfax County Planning Commission

County of Fairfax
Commonwealth of Virginia
The foregoing instrument was acknowledged before me this 24 day of January 2024 by

Jessica Natalie Fuentes-Martinez
Signature of Notary

Notary Seal

Notary registration number: 8050379

Commission expiration: 03/31/2027

