

**FAIRFAX COUNTY PLANNING COMMISSION
LAND USE PROCESS COMMITTEE
THURSDAY, SEPTEMBER 15, 2016**

PRESENT: Peter F. Murphy, Springfield District, Chairman
James R. Hart, Commissioner At-Large
Janyce N. Hedetniemi, Commissioner At-Large
Ellen J. Hurley, Braddock District
Earl L. Flanagan, Mount Vernon District

ABSENT: Timothy J. Sargeant, Commissioner At-Large
Kenneth A. Lawrence, Providence District

OTHERS: John Ulfelder, Dranesville District
Frank A. de la Fe, Hunter Mill District
James T. Migliaccio, Lee District
Karen A. Keys-Gamarra, Sully District
Jill G. Cooper, Director, Planning Commission
Inna Kangarloo, Senior Deputy Clerk, Planning Commission
Marianne Gardner, Planning Division (PD),
Department of Planning and Zoning (DPZ)
Bernard Suchicital, PD, DPZ
Meghan Van Dam, PD, DPZ
Elaine O. Cox, Hunton & Williams LLP
Lynne Strobel, Walsh, Colucci, Lubeley & Walsh, P.C.

ATTACHMENT:

- A. Draft Modifications to the Comprehensive Planning Process
- B. Proposed Plan Amendment Work Program Schedule – 2-Year Timeline
- C. Proposed Plan Amendment Work Program Schedule – 8-Year Timeline

//

Chairman Peter F. Murphy called the meeting to order at 7:05 p.m. in the Board Conference Room, 12000 Government Center Parkway, Fairfax, Virginia, 22035.

//

Meghan Van Dam, Planning Division, Department of Planning and Zoning, provided an overview of the goals, framework, and expectations of suggested modifications to the County's Comprehensive Plan Amendment Work Program.

//

Bernard Suchicital, Planning Division, Department of Planning and Zoning, presented the Work Program schedule and requested feedback and direction from the Committee. A discussion ensued between the Committee and Staff regarding the timelines and approaches to process implementation.

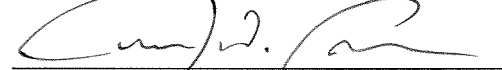
//

The meeting was adjourned at 8:05 p.m.
Peter F. Murphy, Chairman

An audio recording of this meeting is available in the Planning Commission Office, 12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Minutes by: Inna Kangarloo

Approved: October 26, 2016



John W. Cooper, Clerk to the
Fairfax County Planning Commission



County of Fairfax, Virginia

MEMORANDUM

DATE: September 12, 2016

TO: Planning Commissioners

FROM: Meghan Van Dam
Chief, Policy and Plan Development Branch
Department of Planning and Zoning, Planning Division (DPZ-PD)

THROUGH: Marianne Gardner
Director, DPZ-PD

SUBJECT: Draft Modifications to the Comprehensive Planning Process

This memorandum outlines the goals, framework, and expectations of suggested modifications to the county's comprehensive planning process. The modifications draw from components of the Area Plans Review process, Fairfax Forward as well as suggestions by the Planning Commission and public. The process remains structured around a Comprehensive Plan Amendment Work Program that schedules county-wide, area-wide, and site-specific amendments including Board-authorized amendments; but the review process for the work program would substantially change by reincorporating a North and South County review cycle for citizen-initiated amendments. This memo document is supplemented by a two-year timeline that explains the modified process in greater detail (Attachment I), and an eight-year timeline that illustrates the timing of multiple cycles (Attachment II).

The proposed modifications are scheduled to be discussed at the Planning Commission Land Use Process Committee on Thursday, September 15, 2016 at 7:00 p.m. Staff requests feedback and direction from the Planning Commission committee prior to seeking community input on the draft modifications in October and November 2016. Final staff recommendations on the process are anticipated in December 2016.

General goals:

- Ensure the opportunity for comprehensive planning through the review of logical planning areas and/or area-wide studies, in addition to site-specific proposals.
- Establish a path for citizens and staff to propose plan changes that would be reviewed on a regular basis by the community and the Planning Commission.
- Ensure that a substantial portion of the county will be reviewed within each cycle.

- Include community participation in all review steps: nomination of amendments/studies, high-level screening process, more formal review process/impact analysis, and public hearings.
- Manage the number of amendments and studies through a unified work program that lists the number and review schedule of all amendments under review.
- Build plan monitoring into the cycle.
- Ensure a predictable, regular process for the Board of Supervisors (Board) to direct community members to nominate plan amendments, rather than relying on Board authorizations.

General Framework:

- The Planning Commission would review and adopt a work program every year, which would be presented to the Board in an Information item.
- The work program would prioritize amendments and studies for that year. The work program would consist of site-specific nominations that were nominated by citizens and other amendments proposed by the staff, which were selected by the Planning Commission, and any additional Board authorizations that occurred outside this regular scheduling process.
- The Board would retain the ability to authorize Plan amendments outside of the regular work program process, based on county policy.

Site-specific Amendments

The review cycle of the citizen-nominated, site-specific amendments would occur in the following manner (references to line items on Attachment I are indicated in parenthesis):

- The review cycle would be Supervisor district-based and expected to extend for a four-year time period. The county would be divided into 2 geographic areas:
 - o North County: Hunter Mill, Dranesville, Sully, Providence
 - o South County: Lee, Mount Vernon, Springfield, Mason, Braddock
- The review of the geographies would be sequential: first, the review of the North County districts, then, the review of the South County districts.
- The review for each area – North or South County – would be divided into two parts: 1) the submission and screening process (12 months) to determine which nominations will be reviewed, and 2) review of the nomination(s) approved for the work program. This is expected to entail an additional six to ten months, depending on the complexity and extent of the nomination, the level of community outreach needed, and the type of analysis. If additional community outreach or additional analysis, such as a Chapter 870 review, is needed, then the review period could be extended.
- The parameters, including the list of eligibility requirements, criteria for review, and schedule, would be confirmed by the Planning Commission at the beginning of each 4-year cycle. While the parameters are under review, advertisement and notification of the cycle would be underway. (Lines 1,2)

-
- A three-month nomination period will occur once the parameters have been established. (Line 3) In order for a site to be eligible for review, a site must meet the following requirements:
 - o The land area may consist of one or many parcels.
 - o The nominated land area is not be subject to any pending Plan amendment or special studies scheduled on the work program.
 - o The nomination does not propose residential uses in an area subject to the 2016 Proffer Reform Bill (15.2-2303.4).
 - o Any part of the nominated land area should not be included in any Plan amendment adopted within the past 5 years.
 - o The nomination should not propose changes to the Policy Plan volume of the Comprehensive Plan.
 - o The nomination should not affect countywide systems, such as the countywide transportation network, the countywide trails system, parks and public facilities.
 - o A nominator may submit only one nomination for the specific land area that he or she proposes for consideration.
 - To submit a nomination during the nomination period, a nominator must complete a form that describes the location, proposed change and proof of notification of the subject property owners. The nomination form also must include a justification that explains the urgency of the proposed change to be added to the work program for review. The justification should be based on the following criteria:
 - o Addresses an emerging community concern(s);
 - o Better implements the Concept for Future Development, and is not contrary to long-standing policies established in the Concept for Future Development;
 - o Advances major policy objectives, such as promoting environmental protection, fostering revitalization of designated areas, supporting economic development, preserving open space, providing affordable housing, or balancing transportation infrastructure and public facilities with growth and development.
 - o Responds to actions by others, such as Federal, State, or adjacent jurisdictions;
 - o Reflects implementation of Comprehensive Plan guidance through zoning approvals; and/or
 - o Responds to or incorporates research derived from technical planning or transportation studies; and/or
 - A high-level screening process would follow the nomination period and will be critical to managing the number and quality of site-specific amendments to be added to the work program, and taken through the more detailed review and impact analysis stage. (Lines 7-12) The screening process would be in partnership with the community through a task force, established at the discretion of the Supervisor, and would involve staff and a task force evaluating the merits of the justification of the nominations, including the urgency of any nomination to be placed on the work program, and making recommendations to the Planning Commission about which nominations should be added to the work program.
 - o The recommendation to the Planning Commission would be to schedule the nomination on the work program as proposed or modified, or not to schedule on the work program.

-
- The staff recommendation also would include a grouping of nominations into an expedited track (approximately four months) or standard track (approximately ten months) depending on the level of complexity, analysis, and geographic size of the nomination. Estimates for larger/more complex studies requiring additional time will be prepared as needed.
 - The recommendations for each nomination would be presented to the Planning Commission at a public hearing.
 - The Planning Commission would weigh task force recommendations with staff recommendations to amend the work program and ascertain which nominations should be further studied based on the capacity of the work program. The Planning Commission will take action to adopt the work program and establish the schedule and order of review.
 - An information item about the work program would be presented to the Board to inform the Board of the work program schedule. (Line 13)
 - The work program review, including more detailed impact analysis of the item and additional community outreach, would begin subsequent to the adoption of the work program. Nominations would be grouped into two tracks – expedited and standard. Nominations that do not involve complex planning issues or analysis or more involved community outreach would be placed in the expedited track. All other nominations would be directed into the standard track or one tailored as may be needed to respond to specific study needs. (Lines 14-26)
 - At the end of each two-year North and South County review, a three-month period of Plan Monitoring would occur. During Plan Monitoring staff, would evaluate the outcomes of the Plan amendments, qualitatively and quantitatively. (Line 27)
 - Assumptions about the site-specific review process:
 - Only a small number of nominations would be passed through to the more-detailed impact analyses phase of the work program.
 - Similar to the previous Area Plans Review process, the administrative responsibility for the acceptance of and insurance that applications for citizen nominations are complete, would reside with the Planning Commission office. The Planning Commission office also would assume responsibilities for task force and public hearing notifications of site-specific amendments initiated by citizens.
 - Community education and promotion of a cycle would be built into each cycle before the nomination process begins for each district. The outreach/education would be offered at the individual or multi- district level to include a round of planning 101 and explanation of the nomination, screening, and review process.
 - Staff would partner with the Office of Public Affairs (OPA) and/or outside consultants in increase the level and effectiveness of public outreach about new Comprehensive Plan process. Additional resources such as consultant public outreach services should be considered especially when a complex Plan amendment is authorized.

Area-wide/Policy Amendments (Lines 28-36 of Attachment I)







- As part of the annual Planning Commission review of the work program, staff would recommend amendments to the work program. During the North and South County screening years, this review would be scheduled to coincide with the presentation of site-specific nominations. The staff nominations would be reviewed at the district level if the nominations relates to a specific district or districts.

Board-authorized Amendments (Lines 28-36 of Attachment I)

- The Board would retain the ability to authorize Plan amendments at any point of the year. Any Board authorization would be scheduled on the work program automatically. Prior to the authorization staff should provide guidance about the current Plan recommendations and preliminary considerations for the amendment, including the impact of amendments on the work program. The impact would be shared with the Board as a whole prior to authorization.
- Staff would work with Board and the Planning Commission to develop additional guidance for Board-authorized Plan amendments. There is guidance in the Comprehensive Plan that describes criteria for when Plan amendments should be authorized outside the regular review cycle. The county recently developed goals for achieving economic success. These goals could be used to develop additional Plan guidance that better defines when a Board authorization is appropriate.

Proposed Plan Amendment Work Program Schedule
DRAFT 2 YEAR Timeline for Expedited/Standard Track (Option 2)
 Draft 9/12/2016

Track	Steps	Months																									
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24		
Site Specific Amendments (Open to the Public)	Community Screening	1	Planning Commission to establish parameters and review the criteria list for nominations that are to be considered for the work program.																								
		2	Staff conducts public outreach campaign to promote the open nomination period.																								
		3	Open nomination period(3 months).																								
		4	Staff to prepare and allocate resources needed to assess the nominations.																								
		5	Supervisors to appoint task force. Staff works with group to set roles, guidelines, and expectations for review process; also planning 101.																								
		6	Notification and advertising prior to community task force meetings (PC staff).																								
		7	Staff conducts high-level review, and drafts preliminary recommendations.																								
		8	Citizen committees reviews nominations and develop recommendations for work program inclusion (stagger staff review w/ citizen comm if handling large volume).																								
		9	Staff to finalize staff recommendations, determine 870 Review, separate into Expedited and Standard tracks.																								
		10	Distribute list of compiled nominations with final staff & citizen committee recommendations to the Planning Commission.																								
		11	Notification and advertising.																								
	12	Planning Commission Public Hearing: review citizen committee/staff recommendations and recommend nominations to include on the work program and order of review.																									
	13	Board presentation of information item.																									
	14	Staff conducts analysis. Assumes no major land use or transportation analysis needed.																									
	15	Task Force review and recommendation.																									
	16	Staff prepares final staff reports.																									
	17	Staff prepares publication, advertisements, and notifications.																									
	18	Planning Commission public hearings.																									
	19	Board of Supervisors public hearings on nominations receiving favorable PC review.																									
	20	Staff offers education to the citizen committees, and scopes the study.																									
	21	Staff conducts formal review of adopted work program items including impacts analyses.																									
	22	Staff conducts outreach, and presents information to citizen committees. Committees develop nomination recommendations.																									
	23	Staff prepares final staff reports.																									
	24	Staff prepares advertisements and notifications.																									
	25	Planning Commission public hearings.																									
	26	Board of Supervisors public hearings on nominations receiving favorable PC review.																									
27	Plan Monitoring																										
28	Work Program Development	Open nomination period for staff proposals.																									
29		Distribute list of compiled proposals w/ preliminary staff recommendations to the Planning Commission. Publish for public review.																									
30		Advertising.																									
31	Work Program Implementation	Planning Commission Public Hearing: review staff recommendations and recommend nominations to include on the work program and order of review.																									
32		Board presentation of information item.																									
33		Staff conducts studies including public outreach.																									
34	Work Program Implementation	Staff prepares final staff reports.																									
35		Planning Commission public hearings.																									
36		Board of Supervisors public hearings																									
37	Staff Coordination	Pre-authorization staff meeting. (On-going, as needed)																									
38		Staff assesses and presents work program impact to Board at the time of authorization																									
39		Board authorization of amendment.																									
40	Work Program Implementation	Staff conducts studies including public outreach.																									
41		Staff prepares final staff reports.																									
42		Planning Commission public hearings.																									
43	Work Program Implementation	Board of Supervisors public hearings																									
44		On-going tracking of work program																									

-  Set-up, education, and submission process.
-  Screening process
-  Indicates that additional time may be needed to complete task. Timeline does not assume extensive transportation analysis, e.g. Chapter 870, for Expedited
-  Planning Commission and Board of Supervisors, and when some tracks are simultaneous.
-  Work Program implementation.
-  *Indicates that additional time may be needed to complete task. Depending on the number of nominations submitted, more time may be needed for review and analysis and community feedback in

Area-wide/Policy Amendments (Lines 28-36 of Attachment I)

- As part of the annual Planning Commission review of the work program, staff would recommend amendments to the work program. During the North and South County screening years, this review would be scheduled to coincide with the presentation of site-specific nominations. The staff nominations would be reviewed at the district level if the nominations relates to a specific district or districts.

Board-authorized Amendments (Lines 28-36 of Attachment I)

- The Board would retain the ability to authorize Plan amendments at any point of the year. Any Board authorization would be scheduled on the work program automatically. Prior to the authorization staff should provide guidance about the current Plan recommendations and preliminary considerations for the amendment, including the impact of amendments on the work program. The impact would be shared with the Board as a whole prior to authorization.
- Staff would work with Board and the Planning Commission to develop additional guidance for Board-authorized Plan amendments. There is guidance in the Comprehensive Plan that describes criteria for when Plan amendments should be authorized outside the regular review cycle. The county recently developed goals for achieving economic success. These goals could be used to develop additional Plan guidance that better defines when a Board authorization is appropriate.

Proposed Plan Amendment Work Program Schedule

Draft: September 12, 2016

General 8-Year Timeline for Expedited/Standard Track (Option 2)*

Work Program: Expedited Track (WP: EX Track)

Work Program: Standard Track (WP: SD Track)

2017**	2018	2019	2020	2021	2022	2023	2024	2025
North County		Elections		North County		Elections		
Submissions - 5 months				Submissions - 5 months				
Screening - 6 months				Screening - 6 months				
	PC/BOS (info item) - 2 months				PC/BOS (info item) - 2 months			
	WP: EX Track - 4 months				WP: EX Track - 4 months			
	PC/BOS - 2 months				PC/BOS - 2 months			
	WP: SD Track - 7 months				WP: SD Track - 7 months			
		PC/BOS - 2 months				PC/BOS - 2 months		
		Plan monitoring - 3 months				Plan monitoring - 3 months		
		South County				South County		
		Submissions - 5 months				Submissions - 5 months		
		Screening - 6 months				Screening - 6 months		
			PC/BOS (Info item)- 2 months				PC/BOS (info item) - 2 months	
			WP: EX Track - 4 months				WP: EX Track - 4 months	
			PC/BOS - 2 months				PC/BOS - 2 months	
			WP: SD Track - 7 months				WP: SD Track - 7 months	
				PC/BOS - 2 months				PC/BOS - 2 months
				Plan monitoring - 3 months				Plan monitoring - 3 months

*Assumes Policy Review Year as part of Areawide/Policy Amendment Process.

** Assumes a start date of April 2017

