



SHARON BULOVA
CHAIRMAN

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February 2, 2016

Fairfax County General Assembly
Delegation Members
General Assembly Building
Richmond, VA 23218

Dear Fairfax County General Assembly Delegation Members:

We are writing you today to request that you oppose HB 770 (Gilbert) and SB 549 (Obenshain), or seek amendments to shield Fairfax County from the significant restrictions these bills would place on development.

As you know, Fairfax County works closely with our development community to balance the impacts of new development with the added demand for County services and public facilities that result from that development. We do that through the proffer system, which provides an opportunity for developers to work with the County to address community concerns related to the increased density of such development. In Fairfax County, our collaboration with our partners in the development community has led to successful, innovative plans such as the redesign of Tysons, construction of the Mosaic District, and the revitalization of Springfield, among others.

Though the bills apply only to residential development, that also includes the residential components of mixed use developments, as well as multi-family residential development. Proffers for such development could only include public facility improvements for schools, transportation, and public safety (under the current House version parks would also be included). However, developers often tell us that they prefer flexibility to negotiate a wider range of items – this bill would limit that flexibility by prohibiting them from including libraries, work-force housing, and other public facilities in those negotiations. Passage of this legislation would severely hinder our ability to work with developers to address the concerns of our shared constituents. In addition, developers will be negatively impacted if they no longer have the flexibility to negotiate a wider range of proffered improvements, because they may be precluded by this legislation from qualifying for density bonuses or similar higher density redevelopment options in the County's Comprehensive Plan.

As you may know, the County has worked closely with industry and community stakeholders to amend our Comprehensive Plan, as we continue to prepare for exceptional, innovative growth in the coming years. We have already seen success in the transformation of Tysons, which is the most publicized new development in the County; the House bill addresses concerns about that area by exempting it from the legislation. However, Tysons is only one part of the County. We also continue to make progress in planning communities through transit oriented development,

by enhancing the growth and success of our newer developments while revitalizing our older commercial areas, ensuring active and vibrant districts throughout Fairfax County. Virtually all development in the County is infill development. In these types of cases, proffers are critical in meeting infrastructure and compatibility needs of surrounding areas. If enacted, these bills may require us to rewrite entire sections of our Comprehensive Plan and Zoning Ordinance. We know that these new developments will augment the strong business climate we have already created – a business climate that helps us attract and retain both Fortune 500 companies and entrepreneurial start-ups every year, benefitting the entire Commonwealth. Retaining our land use authority is essential to that effort, and we need your help to make that happen – please oppose HB 770/SB 549, or seek amendments to safeguard Fairfax County’s proffer authority.

We appreciate your time and attention to this critical matter, and we look forward to working with you on these issues in the coming days and weeks.

Sincerely,

A handwritten signature in black ink that reads "Sharon Bulova". The signature is fluid and cursive, with the first name "Sharon" being larger and more prominent than the last name "Bulova".

Sharon Bulova
Chairman, Fairfax County Board of Supervisors

cc: Members, Fairfax County Board of Supervisors
Fairfax County Federation of Citizens Associations
Edward L. Long, Jr., County Executive
Claudia Arko, Legislative Director