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- **[County Proposing Restricting Rights of Groups to Assemble in Residential Dwellings:](#)** I have serious concerns about the proposed limits on groups to assemble in residential dwellings, including constitutional concerns. Public meetings are scheduled for early May.
- **[Proposed Noise Ordinance Provisions:](#)** The public will be invited to comment on proposals for a new noise ordinance to replace the one that was struck down by the courts a few years ago. I believe we need a new noise ordinance to give our police the tools they need to enforce against nuisance behavior but your input will be important. Public meetings also in early May.
- **[It's Time to Start Looking at the FY2016 Budget Now:](#)** The FY2016 budget already has several challenges including a tax increase as a result of rising assessments, and a \$37m shortfall. Unless the Board makes significant spending reductions or economic conditions change the average homeowner is looking at another over 7% increase in their FY2016 tax bill. We need to start working on addressing these issues now.
- **[No Appetite for a Meals Tax:](#)** At last week's budget markup meeting Chairman Bulova announced that she was establishing a meals tax task force which she tasked with making recommendations on whether or not to proceed with a referendum for a meals tax. I am strongly against a meals tax.
- **[Paving for Old Keene Mill Road Finally on the Way:](#)** Good news for Old Keene Mill Road as VDOT has agreed to our repeated request to repave it from the Fairfax County Parkway to Elder Avenue in Central Springfield. Full details below.
- **[Twin Lakes Drive Bridge Replacement Project: Road Detour Coming Soon:](#)** This summer, the Virginia Department of Transportation will begin work to replace the existing 1920s-era bridge on Twin Lakes Drive over Johnny Moore Creek in Clifton. This will necessitate the closing of the road, find out full details below.

County Proposing Restricting Rights of Groups to Assemble in Residential Dwellings

Fairfax County has proposed changes to the zoning ordinance in an attempt to curb "frequent and large gatherings at neighborhood homes." Specifically the zoning change states *"Group assembly when accessory to a dwelling unit shall be permitted, except any group assembly exceeding forty-nine (49) people in one day shall not occur more frequently than three (3) times in any forty (40) day period."*

While there have been some complaints about frequent and large gatherings creating issues such as lack of parking, noise, and traffic, I have serious concerns about such a sweeping change to the zoning ordinance. These include the following:

- I believe the County is risking a lawsuit and/or a Constitution challenge by interfering with peoples' right to assemble.
- Similar to the dance hall regulations that I helped defeat two years ago (http://www.fairfaxcounty.gov/springfield/pdf_files/herrity_report/regulatory_overload_3-5-12.pdf), this is another instance where we appear to be punishing the many for the actions of the few. While there have been a number of complaints about group assemblies they have been relatively few.
- Also similar to the dance hall regulations, I do not believe the County has taken into account the unintended consequences on activities that regularly occur in the community and do not currently pose problems. I believe this will impact many large families that gather on a regular basis, community group meetings and potentially holiday gatherings.
- This would be nearly impossible, labor intensive and costly for our code compliance staff to enforce, having to "catch" people in the act, including staking out an offender for more than 3 days in a 40 day period. Code Compliance receives and handles thousands of cases every year for a variety of complaints and I do not believe this the best use of their time.
- We have a number of ordinances and regulations that can be used to address nuisances including the noise ordinance proposed below and parking and health regulations. We should be focusing on dealing with the issues and not restricting groups' rights to assemble.

I would appreciate hearing from you on this important issue, please email me at springfield@fairfaxcounty.gov with your thoughts. The County will also be holding public meetings addressing this issue on the following dates:

- Wednesday, May 7, 2014 from 7 - 9 p.m. at South County Government Center, 8350 Richmond Highway, Alexandria, VA 22309, in the Main Conference Room (SCC221)
- Monday, May 12, 2014 from 7 - 9 p.m. at Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, VA 22035 in the Board Auditorium
- Monday, May 19, 2014 from 7 - 9 p.m. at Lemon Road Elementary School, 7230 Idylwood Road, Falls Church, VA 22043 in the school cafeteria

More details of the group assembly issue can be found at:
<http://www.fairfaxcounty.gov/dpz/zoning/groupassembly/>

Proposed Noise Ordinance Revisions

At the same public meetings referenced above the public will be invited to comment on proposals for a new noise ordinance to replace the one that was struck down by the courts a few years ago. The Board passed a stop gap noise ordinance at the end of last year. I believe we need a new noise ordinance to give our police the tools they need to enforce against nuisance behavior. It is also critical that the ordinance be well thought through and vetted by the community. You can learn more about the new ordinance here - <http://www.fairfaxcounty.gov/dpz/zoning/noiseordinance/>

I would appreciate hearing your thoughts on this ordinance as well, please email me at springfield@fairfaxcounty.gov with your thoughts and/or attend one of the meetings above.

It's Time to Start Looking at the FY2016 Budget Now

At yesterday's Board of Supervisors' meeting the Board formally adopted a tax rate of \$1.09 for FY 2015 signaling an over 14% increase in taxes over the last three years. You can read my thoughts on the budget here - http://www.fairfaxcounty.gov/springfield/pdf_files/herrity_report/april_2014.pdf

I voted against this budget, after having introduced my own budget which reduced the tax rate. While some of my proposed reductions made it into this budget, I believe we should have done better for our citizens.

Several years ago the Board began passing 2 year budgets. While the second year "draft" budget is typically changed significantly before it is passed, it represents the Board's current thoughts on the next fiscal year. The FY 2016 budget is another reason I could not support the FY2015 budget motion. It contains an assumed tax increase for the average homeowner of 5.5 percent due to assessment increases and is out of balance by \$37M, the equivalent of 2 more cents on the tax rate. Unless the Board makes significant spending reductions or economic conditions change the average homeowner is looking at another over 7% increase in their tax bill.

At last week's carryover my motion to add budget language to require the Board to hold more frequent Budget Committee meetings failed on a vote of 5 - 5. However Chairman Bulova has agreed to hold more frequent Budget Committee meetings. The Board is fond of saying "passing the budget is one of the most important things we do", yet we spend less than 5% of our committee meeting time on the budget and it usually between the time when the County Executive presents the budget (February) and when we mark it up (April), leaving little time to look at ideas or innovative suggestions. I believe it is important that we hold Budget Committee meetings throughout the year to begin to address our budget challenges in FY2016.

No Appetite for a Meals Tax

At last week's budget markup meeting Chairman Bulova announced that she was establishing a meals tax task force which she tasked with making recommendations on whether or not to proceed with a referendum for a meals tax, how revenue from a tax will be used and the timing for placing a meals tax on the ballot. Both former Chairman Kate Hanley and former Congressman Tom Davis will co-chair the task force. The task force will contain members of various groups including the chambers of commerce, political parties, civic associations, schools, and others.

Several of our surrounding jurisdictions have a meals tax, but the Town of Clifton, Prince William and Loudoun Counties do not. I have and will continue to be adamantly opposed to a meals tax and any referendum on this issue as it is directed at a single industry. I believe this is the wrong time to add another tax on our county residents and while some of it will be paid by visitors the bulk will be paid by our county residents. I will keep you informed as the task force begins its work. The task force's report is due to the Board on June 17th.

Paving for Old Keene Mill Road Finally on the Way

VDOT has heard our numerous requests to give some much needed attention to Old Keene Mill Road and a project to repave it from the Fairfax County Parkway to Elder Avenue in Central Springfield is planned to be advertised and awarded this summer. The repaving work will also include the section of Franconia Road from S. Van Dorn Street to Telegraph Road. Though VDOT cannot provide us a 100% guarantee as to when the work will be completed, it plans to have the work done by the end of the year.

After years of neglect and underfunding the money from the new transportation bill passed by the General Assembly and signed by Governor McDonnell is finally making its way to the NoVa VDOT District office and into our roads. I know we have a lot of needs throughout the district and the County and I am working with VDOT to get them addressed.

Twin Lakes Drive Bridge Replacement Project: Road Detour Coming Soon

This summer, the Virginia Department of Transportation will begin work to replace the existing 1920s-era bridge on Twin Lakes Drive over Johnny Moore Creek in Clifton. The replacement bridge will be wider and will match the 22-foot roadway approaches and include two-foot shoulders, bringing the total width of the bridge to 26 feet. VDOT's contractor, the Fort Myer Construction Corporation, has already begun installation of temporary construction signs related to this project.

This work will require a **full closure of Twin Lakes Drive** and VDOT will complete the work while Fairfax County Schools are in summer recess (the closure and work will begin June 25th and be finished before schools reopen in September) in order to minimize impacts to school bus routes. During construction, all through traffic will be detoured per the proposed detour plan via Union Mill Road, Braddock Road and Clifton

Road. Private driveway and local street access on Twin Lakes Drive between Union Mill Road and Clifton Road up to the project site shall be maintained for local residents.

The project presentation on VDOT's website provides additional information including a detour map and photos of the existing bridge's conditions at http://www.virginiadot.org/projects/northernvirginia/twin_lakes_drive_bridge_replacement.asp