



Fairfax County, Virginia

BOARD OF SUPERVISORS

DRAFT AGENDA

Tuesday
March 19, 2024

Note: This draft agenda is produced two weeks prior to the Board Meeting and is subject to change. A final agenda is available for review in the Office of the Clerk for the Board and at <https://www.fairfaxcounty.gov/boardofsupervisors/board-supervisors-meetings> by the Friday prior to each Tuesday meeting.

- 9:30 a.m. Presentations
- 9:30 a.m. Board Appointments to Citizen Boards, Authorities, Commissions, and Advisory Group
- 9:30 a.m. Report on General Assembly Activities
- 10:00 a.m. Matters Presented by Board Members
- 10:00 a.m. Items Presented by the County Executive

Closed Session

Public Hearings (see listings below for Public Hearings)

3:30 p.m. SEA 81-P-025-02 - COMPASS COFFEE, LLC, SEA Appl. to amend SE 81-P-025 previously approved for a drive in financial institution and fast food restaurant to permit a fast food restaurant with a drive-through and associated modifications to site design and development conditions. Located at 7393A Lee Hwy., Falls Church, 22042 on approx. 3.87 ac. of land zoned C-8 and HC. Providence District. Tax Map 50-1 ((1)) 39D.

3:30 p.m. RZ 2023-PR-00005 - 8221 OLD COURTHOUSE ROAD, L.C., RZ Appl. to rezone from C-3 to PRM District to permit the repurposing of an office building to allow 55 residential units with an overall density of 27.5 dwelling units per acre (du/ac) and approval of the conceptual development plan. Located 8221 Old Courthouse Rd., Vienna, 22182 on approx. 2.00 ac. of land. Comp. Plan Rec: Office Providence District. Tax Map 39-1 ((9)) 30B1. (Concurrent with PCA 1997-PR-007 (RZPA 2023-PR-00036)).

3:30 p.m. PCA 1997-PR-007 (RZPA 2023-PR-00036) - 8221 OLD COURTHOUSE ROAD, L.C., PCA Appl. to amend RZ 1997-PR-007 previously approved for office and hotel use to permit the deletion of the office land area from the rezoning Located on the S.E. corner of the intersection of Old Courthouse Rd. and Lord Fairfax Rd. in Vienna on approx. 2.00 ac. of land zoned C-3. Comp. Plan Rec: Office. Providence District. Tax Map 39-1 ((9)) 30B1. (Concurrent with RZ 2023-PR-00005).

3:30 p.m. RZ 2022-DR-00007 - DULLES CENTER LLC, RZ Appl. to rezone from PDC to PDH-12 to permit 48 stacked townhouse dwellings with an overall density of 11.38 dwelling units per acre (du/ac) inclusive of bonus density associated with affordable housing and to carry forward the previously approved drive through financial institution on a conceptual development plan. Located in the N.W. quadrant of the intersection of Centerville Rd. and Coppermine Rd. on approx. 4.69 ac. of

land. Comp. Plan Rec: Residential Use at 8-12 du/ac. Dranesville District. Tax Map 16-3 ((1)) 6A, 6A1, 6B, 36 and 36A.

3:30 p.m. PCA 79-C-089-02 (RZPA 2022-SU-00129) - AGAPE PROPERTY MANAGEMENT LLC, PCA Appl. to amend the proffers for RZ 79-C-089 previously approved for office to permit deletion of land area and associated modifications to proffers and site design with an overall Floor Area Ratio (FAR) of 1.08. Located on the S.E. side of Thunderbolt Pl., W. of Centerview Dr. on approx. 3.79 ac. of land zoned I-5, AN, HC and WS. Comp. Plan Rec: Mixed Uses. Sully District. Tax Map 34-4 ((12)) C7. (Concurrent with RZ 2022-SU-00013, SE 2022-SU-00030, and SEA 00-Y-017-02 and associated with PA 2023-III-3UP).

3:30 p.m. RZ 2022-SU-00013 - AGAPE PROPERTY MANAGEMENT LLC, RZ Appl. to rezone from I-5, AN, HC and WS to C-4, AN, HC and WS to permit an independent living facility for low income residents and adult day care with an overall Floor Area Ratio (FAR) of 1.08. Located on the S.E. side of Thunderbolt Pl., W. of Centerview Dr. on approx. 3.79 ac. of land. Comp. Plan Rec: Mixed Uses. Sully District. Tax Map 34-4 ((12)) C7. (Concurrent with PCA 79-C-089-02 (RZPA 2022-SU-00129) and SE 2022-SU-00030/SEA 00-Y-017-02 and associated with PA 2023-III-3UP).

3:30 p.m. SE 2022-SU-00030 - AGAPE PROPERTY MANAGEMENT LLC, SE Appl. to permit an independent living facility for low income residents and adult day care center. Located on the S.E. side of Thunderbolt Pl., W. of Centerview Dr. on approx. 3.79 ac. of land zoned I-5, AN, HC and WS. Sully District. Tax Map 34-4 ((12)) C7. (Concurrent with PCA 79-C-089-02 (RZPA 2022-SU-00129) and RZ 2022-SU-00013/SEA 00-Y-017-02 and associated with PA 2023-III-3UP).

3:30 p.m. SEA 00-Y-017-02 - AGAPE PROPERTY MANAGEMENT LLC, SEA Appl. to amend SE 00-Y-017 previously approved for office to permit deletion of land area and associated modifications to site design and development conditions. Located on the S.E. side of Thunderbolt Pl., W. of Centerview Dr. on approx. 3.79 ac. of land zoned I-5, AN, HC and WS. Sully District. Tax Map 34-4 ((12)) C7. (Concurrent with PCA 79-C-89-02 (RZPA 2022-SU-00129), RZ 2022-SU-00013 and SE 2022-SU-00030 and associated with PA 2023-III-3UP).

4:00 p.m. Public hearing on the matter of an amendment to Chapter 112.2 (the Zoning Ordinance) of the 1976 Code of the County of Fairfax, as follows:

- (1) Correct typographical errors, correct or add cross references, make changes to reflect Virginia Code updates, and make other minor, editorial revisions.
- (2) Add the term "dwelling" after stacked townhouse.
- (3) Replace references to multiple family with multifamily.
- (4) Add agritourism to the Noise Compatibility table in the Airport Noise Impact Overlay District section and revise the table to indicate that certain Agricultural and Related Uses do not need to provide acoustical treatment.
- (5) Revise the permissions for personal service establishments from an associated service use to by right in the C-1 through C-4 Districts.
- (6) Include a standard to the Standards for Administrative Permit Approvals to indicate that the Zoning Administrator may deny the renewal of an administrative permit if there is evidence of noncompliance by the applicant.
- (7) Delete references to residents being "low-income" and replace tenants with residents in the standards for Independent Living Facility.
- (8) Revise the standards for wireless facilities approved by special exception and the general standards for accessory uses and structures to allow a fence or wall that exceeds the maximum fence or wall height.
- (9) Add a standard for Animal Shelters or Kennels located in a planned district that any outdoor component must specifically be shown on the approved development plan.

- (10) Add a standard to allow accessory retail sales for a warehouse use approved by special exception in the I-3 District.
- (11) Clarify that gates and gateposts, limited by height and other associated standards, may be located in any part of the front yard and that gates and gateposts located in side and rear yards are regulated by the maximum fence or wall height standards.
- (12) Clarify that the minimum front setback applies to each yard when there are two or more front yards on a corner lot.
- (13) Revise the Required Notice for Public Hearing information to clarify that public notice is the hearing body's responsibility, and notice must be published at least in accordance with state law. Also delete the requirement that the advertisement must identify a descriptive summary of the proposed action.
- (14) Clarify that to be accepted and to be complete, an appeal application must include all required submission materials.
- (15) Clarify that appeals must be filed within 30 days from the issuance date of the decision being appealed.
- (16) Add short-term lodging to the types of violations that are subject to a 10-day appeal deadline, and clarify that the Zoning Administrator determines which other short-term, recurring violations may be subject to the 10-day appeal period.
- (17) Add specified sanitary sewer information to the submission requirements for generalized development plans, conceptual and final development plans, PRC development plans, PRC plans, and certain SE and SP plats.
- (18) Revise submission requirements to remove requirement that a paper copy be submitted for each submission requirement and that multiple copies be submitted of other documents as all application materials are currently being submitted digitally via PLUS.
- (19) Revise the Planning Commission provisions to reflect updates to the Planning Commission bylaws.
- (20) Include language to reflect that the Board of Zoning Appeals may have up to three alternate members, in addition to seven permanent members, in accordance with state law.
- (21) Revise the definition of a shopping center to include commercial uses on the first or lower floors of a residential building.
- (22) Include examples of uses in the definitions of a specialized instruction center and a small health and exercise facility.

A copy of the staff report and the full text of the proposed ordinance is available on-line at <https://www.fairfaxcounty.gov/planning-development/zoning-ordinance/amendments> and can be made available for review at the Zoning Administration Division, Department of Planning and Development, 12055 Government Center Parkway, Fairfax, Virginia 22035. If you have questions regarding the details of this amendment or to make arrangements to view the documents, please contact the Zoning Administration Division at 703-324-1314.

4:00 p.m. AF 2023-SP-00005 - SCHULZ LOCAL A&F RENEWAL (AR 2006-SP-003), Local A&F District Renewal Appl. authorized by Chapter 115 (County Code), effective June 1983, to permit renewal of a previously approved agricultural and forestal district. Located at 8142, 8146 Rondelay Ln., Fairfax, 22039 on approx. 23.03 ac. of land zoned R-C and WS. Please call the Planning Division at 703-324-1380 after February 14, 2024, to obtain the A&F District Advisory Committee and Planning Commission recommendations. Springfield District. Tax Map 96-3 ((1)) 7Z, 8Z; 96-3 ((2)) 10Z, 11Z.

4:00 p.m. Public hearing on the Draft One-Year Action Plan for FY 2025. Fairfax County anticipates receiving an estimated \$8.6 million in federal funds from the U.S. Department of Housing and Urban Development in FY 2025 to support housing, human services, and community development priorities. The County is seeking community feedback on proposed priorities, strategies, goals and activities to guide the investment of these funds. The Draft One-Year Action Plan

describes the specific activities for which federal funds received annually will be applied to achieve the overall goals and strategies contained in the Five-Year Consolidated Plan for FY 2022 – FY 2026 (the Consolidated Plan). For additional information visit <https://bit.ly/47Zk4bW>. Both plans can be accessed online at <https://www.fairfaxcounty.gov/housing/data/consolidatedplan>. Physical copies of these plans will also be made available for review during regular business operating hours at the information desks at the Fairfax County Government Center (12000 Government Center Parkway, Fairfax), the Gerry Hyland Government Center (8350 Richmond Highway, Alexandria), the Department of Housing and Community Development (3700 Pender Drive, Fairfax), each Fairfax County Public Library branch, and other public facilities where advertised on-site. Submit your comments online at <https://bit.ly/47Zk4bW>, by email to DHCDGrants@fairfaxcounty.gov, or in writing or hand-delivered* to the Fairfax County Department of Housing and Community Development, attention to Sherryn Craig, 3700 Pender Drive, Suite 329, Fairfax, Virginia, 22030. *If you are hand-delivering comments, please use the gray drop box located to the right of the entrance to the building. All comments must be received by 4:00 p.m., on March 19, 2024.

4:00 p.m. Public hearing to consider the adoption of an amendment to The Code of the County of Fairfax, Virginia (Fairfax County Code), which will be set forth in Appendix M, to consider establishing the O'Day Community Parking District (CPD). The proposed CPD would be established in accordance with and subject to the provisions set forth in Article 5B of Chapter 82 of the Fairfax County Code; encompass O'Day Drive from Riverwind Terrace to Route 29, and Barros Drive from the northern intersection of Barros Drive and O'Day Drive to the southern intersection of Barros Drive and O'Day Drive; and at all times prohibit the parking of watercraft, boat trailers, motor homes, camping trailers, any other trailer or semi-trailer, regardless of whether such trailer or semi-trailer is attached to another vehicle; any vehicle with three or more axles; any vehicle that has a gross vehicle weight rating of 12,000 or more pounds, except school buses used on a current and regular basis to transport students; any vehicle designed to transport 16 or more passengers including the driver, except school buses used on a current and regular basis to transport students; and any vehicle of any size that is being used in the transportation of hazardous materials as defined in Virginia Code § 46.2-341.4. No such CPD shall apply to (i) any commercial vehicle when discharging passengers or when temporarily parked pursuant to the performance of work or service at a particular location, (ii) utility generators located on trailers and being used to power network facilities during a loss of commercial power, (iii) restricted vehicles temporarily parked on a public street within any such CPD for a maximum of 48 hours for the purpose of loading, unloading, or preparing for a trip, or (iv) restricted vehicles that are temporarily parked on a public street within any such CPD for use by federal, state, or local public agencies to provide services. (Sully District)

4:00 p.m. Public hearing on the acquisition of certain land rights necessary for the construction of Project 2G40-085-002, Sunrise Valley Drive Walkway from Reston Parkway to Soapstone Drive (Hunter Mill District). This project consists of improving existing walkways and installing missing links of sidewalk along the north side of Sunrise Valley Drive from Reston Parkway to Soapstone Drive, a length of approximately 1,500 linear feet. This project will enhance pedestrian mobility along Sunrise Valley Drive. Plans and plats describing the work proposed to be done and the property interests to be acquired for this project are on file in the Land Acquisition Division of the Department of Public Works and Environmental Services, 12000 Government Center Parkway, Suite 449, Fairfax, Virginia 22035.

4:30 p.m. Public hearing on the acquisition of certain land rights necessary for the construction of Project 2G40-189-000, Route 28 Widening from the Prince William County Line to Route 29 (Sully District). This project consists of the widening of Route 28 from an existing four-lane divided roadway to a six-lane divided roadway. Widening begins just north of the Route 28 bridge over Bull Run and the Prince William/Fairfax County line and extends northward to a point just north of the Route 28/Upperridge Drive/Old Centreville Road intersection. The project will also include intersection

improvements including turn lane additions but limited widening on the intersecting street approaches to Route 28, and reconstruction of existing traffic signals. Stormwater management for quality and quantity control will be provided in accordance with regulation of Fairfax County, the Virginia Department of Transportation (VDOT), and the Virginia Department of Environmental Quality (VDEQ). Shared use paths will be provided on both sides of the roadway from just north of the Bull Run bridge to the Route 28 intersection with Upperridge Drive/Old Centreville Road. Plans and plats describing the work proposed to be done and the property interests to be acquired for this project are on file in the Land Acquisition Division of the Department of Public Works and Environmental Services, 12000 Government Center Parkway, Suite 449, Fairfax, Virginia 22035.

4:30 p.m. Public hearing to consider an ordinance to amend and readopt Fairfax County Code Section 7-2-13 relating to election precincts and polling places to relocate a polling place in the Springfield District. The Virginia Code permits the governing body of each county and city to establish by ordinance as many precincts as it deems necessary with one polling place for each precinct. The Board of Supervisors is authorized to change precinct boundaries and polling place locations subject to the requirements of Virginia Code Sections 24.2-307, 24.2-310 and 24.2-310.1. Virginia Code § 24.2-129 also requires that certain “covered practices” go through either a statutorily specified public comment process or receive a Certification of No Objection from the Attorney General before the practices can be given effect. Among the “covered practices” identified are any changes to precincts that consolidate, relocate, or reduce the number of polling places in the County. The Board must first adopt an ordinance making the required polling place changes. Under the proposed plan, the County Attorney will file a request for a Certification of No Objection with the Virginia Attorney General, in accordance with Virginia Code § 24.2-129(D) if and after the Board adopts the ordinance. All registered voters who are affected by this change in their polling location will be mailed a notice in advance of the next election, which is expected to be the June 18, 2024, Party Primary Elections. The proposed ordinance would relocate the polling place for the Clifton Town precinct from the Clifton Presbyterian Church, 12748 Richards Lane, Clifton, to the Wayne H. Nickum Town Hall, 12641 Chapel Road, Clifton. Questions regarding this proposed ordinance may be directed to the Fairfax County Office of Elections at 703-222-0776.

4:30 p.m. Public hearing to consider the adoption of an amendment to Appendix Q (Land Development Fee Schedule) of The Code of the County of Fairfax, Virginia (Fairfax County Code) as follows: Pursuant to authority granted by the Code of Virginia §§ 15.2-107 and 36-105, the amendment proposes a change to the fees charged by Land Development Services (LDS), under Chapter 61, Art. 1, Sec. 61-1-3 (Building Provisions) of the Fairfax County Code, for processing of permits, and performing testing and inspection services. The Building Development Fees charged under Appendix Q, Part I, Section A (Standard Fees), that apply to building, mechanical, electrical, plumbing, fire alarm, fire suppression and fire lane permits are being amended by changing the expiration of the line item for Electric Vehicle Charging (EVC) equipment setting the fee at \$0.00 to November 1, 2025. The Board of Supervisors may adopt a different expiration date or adopt the fee without a time limit. Questions regarding these proposed amendments to Appendix Q (Land Development Fee Schedule) may be directed to John Friedman of Land Development Services at 703-324-1773.

4:30 p.m. Citizens and Businesses of Fairfax County are encouraged to present their views on issues of concern. The Board will hear public comment on any issue except issues under litigation, issues which have been scheduled for public hearing before the Board (this date and future dates), personnel matters and/or comments regarding individuals. Each speaker may have up to three minutes and a maximum of 10 speakers will be heard. Speakers may address the Board only once during a six-month period. Individuals wishing to provide public comment must sign up in advance no later than 12:00 p.m. on the day of the public comment period either online at <https://www.fairfaxcounty.gov/bosclerk/speakers-form> or by calling 703-324-3151.

The public hearings are available to view live on Channel 16 and stream live online at <https://www.fairfaxcounty.gov/cableconsumer/channel-16/stream>. Live audio of the meeting may be accessed at 703-324-7700. Those wishing to testify may do so in person, or via phone or pre-recorded YouTube video. Speakers wishing to testify via video must register by signing up online below or by calling the Department of Clerk Services at 703-324-3151, TTY 711, and must submit their video no later than 9 a.m. on the day prior to the hearing. Speakers wishing to testify via phone must sign up to testify no later than 12:00 p.m. the day of the hearing to be placed on the Speakers List. Speakers not on the Speakers List may be heard after the registered speakers have testified. In addition, written testimony and other submissions will be received by mail at 12000 Government Center Parkway, Suite 552, Fairfax, Virginia, 22035 or by email at ClerktotheBOS@fairfaxcounty.gov. More information on the ways to testify can be found at <https://www.fairfaxcounty.gov/clerkservices/ways-provide-public-hearing-testimony>.

Copies of the full text of proposed ordinances, plans and amendments, as applicable, as well as other documents relating to the aforementioned subjects, are on file and available for review at the Office of the Clerk for the Board of Supervisors and on the County's website at www.fairfaxcounty.gov. To make arrangements to view the documents, please contact the Office of the Clerk for the Board of Supervisors at 703-324-3151.

Fairfax County is committed to nondiscrimination on the basis of disability in all county programs, services and activities and supports the Americans with Disabilities Act by making reasonable accommodations for persons with disabilities. All televised government meetings are closed captioned in English and Spanish ([los subtítulos en español](#)). Reasonable accommodation is available upon 48 hours advance notice by calling 703-324-3151 or TTY 711.

