

Board of Supervisors Development Process Committee

June 12, 2018

Government Center Conference Room 11

Board of Supervisors (Board) Members Present:

Sharon Bulova, Chairman
Penelope Gross, Mason District (Vice Chairman)
John Foust, Dranesville District
Jeff McKay, Lee District
Catherine Hudgins, Hunter Mill District
Kathy Smith, Sully District (Committee Chair)
Linda Smyth, Providence District
Dan Storck, Mount Vernon District

The Development Process Committee (Committee) meeting was called to order at 9:35 a.m.

Public Facilities Manual (PFM) Flex:

Don Lacquement, Engineer IV, Land Development Services (LDS) presented an update on the PFM Flex Project. Staff also in attendance were Bill Hicks, Director, LDS; Ellie Coddling, Director, Code Development and Compliance Division, LDS; Keith Cline, Chief, Urban Forestry Branch, LDS; Danielle Badra, Management Analyst, Site Code Research and Development Branch, LDS.

Mr. Lacquement presented a brief update on the progress made to date on the PFM Flex project. He explained that the project had been broken into two phases, the first of which involved changes that the members of the Technical Advisory Committees (one for each of the 12 chapters of the PFM) had been able to agree upon, almost unanimously, as needing to be revised as proposed. The second phase involves suggested changes that will require additional research and vetting before they can be moved forward to the Engineering Standards Review Committee (ESRC). He indicated that nine of the 12 chapters of the phase one edits had been vetted thru the respective Technical Advisory Committee, the stakeholder and steering committees, the Engineers and Surveyors Institute and the ESRC and that they are scheduled to be brought to the Board for approval in December of 2018. Other work completed to date includes the creation of a PFM Flex page, which is hyperlinked on the LDS online PFM page. This webpage includes marked-up versions for each of the PFM Chapters for which the ESRC has already approved. He indicated that the phase two edits were already underway with the Wastewater Planning and Monitoring Division's re-write of Chapter 10 having reached the 70% completion stage.

Supervisor Gross asked a question about the quality of the soil required to be used when planting trees, particularly in the areas of commercial revitalization, and how does the new volume alternative would impact that Keith Kline indicated that he had worked very closely with the Office of Community Revitalization on their urban streetscape design standards and made sure the PFM

and those standards are consistent. The PFM already contains several sections that specifically address the quality of the soil used for planting trees.

Supervisor McKay asked how we planned to let industry know and educate our staff know about the change approved by the Board on May 1st, to give the Director of LDS the authority to treat the PFM as a guideline. Bill Hicks said we'll be issuing a new letter to industry and training our staff accordingly so everyone knows this change has been made. Supervisor McKay said he had heard from a couple of his constituents that the website was fantastic and complimented staff on their work to get that up and running.

Supervisor Stork asked how the PFM compared with similar guidance provided by other nearby localities. Bill Hicks responded that it was a standard bearer many other municipalities look to and even use. He said when he was working for the Falls Church they used to use just tell people to use our PFM.

With the concurrence of the Committee, staff will continue to work on the PFM Flex updates, and will bring the Phase 1 edits to the Board for public hearing in December 2018, and continue with the research and outreach regarding the technical items selected for Phase 2, and develop additional amendments for future consideration by the Board.

2018 Zoning Ordinance Amendment Work Program (ZOAWP):

Leslie B. Johnson, Zoning Administrator, of the Department of Planning and Zoning (DPZ), presented an overview of the proposed 2018 Zoning Ordinance Amendment Work Program, including an update of the status of the amendments that were identified on the 2017 ZOAWP. Fred Selden, Director, DPZ, and Donna Pesto, Deputy Zoning Administrator, DPZ, were also in attendance.

Mrs. Johnson briefly described the history of the ZOAWP and its intended purpose to help manage the workflow for changes to the Zoning Ordinance that are requested from a variety of sources. She gave an update on the status of 2017 amendments to reflect that 18 out of 47 amendments have been adopted and/or authorized to date. She also noted that 2017 reflected the parallel effort of the Zoning Ordinance Modernization Project, or zMOD, which addresses specific kinds of changes and the reformatting/restructuring of the Zoning Ordinance, as a whole. It was also noted that amendments are classified into Priority 1 and Priority 2, as in prior years, and the Priority 1 items are, again, further divided into Tier 1 and Tier 2 to reflect the timing of bringing the items forward for Board consideration.

Mrs. Johnson described the main topics of the amendments proposed to be included under Tier 1 of Priority 1 as relating to the topics of agriculture, older adult accommodations and services, outdoor lighting, noise ordinance, sign ordinance, short-term lodging, small-scale production, and others.

Supervisor Storck inquired about how the completion statistics for 2017 compare to prior years and how to better gauge the timing and progress of amendments and to track the productivity trends. He suggested that using actual timeframes (in terms of months) and deliverable dates would be

preferable to the “tier” method. Staff indicated that the complexity of an amendment and the sometimes unexpectedly broad community interest in a topic often delays the original timeframes proposed in the past. Staff has implemented the practice of developing specific websites for amendment topics when they are actively being worked on and when we are seeking public engagement. At that time, a more specific timeframe is developed, in hopes that it is more accurate and doesn’t create an expectation that is unable to be met due to unforeseen delays in the analysis.

Supervisors McKay and Foust noted that the commonly accepted pets amendment was a welcome entry on the Priority 1 Tier 1 list and indicated that prior attempts for change have been thwarted because the amendment was too broad. It was recommended that the changes only address a very small subset of additional commonly accepted pets for consideration to avoid controversy over the keeping of more exotic pets.

Supervisor Foust further requested that the staff report for all Zoning Ordinance Amendments include the extent of outreach that was conducted, including industry representatives, citizens, trade groups or other interest groups who were consulted about the proposal.

Supervisor Hudgins noted that the One Fairfax initiatives should also be considered when addressing topics associated with affordable housing, in addition to the Fair Housing Analysis and Housing Blueprint.

Supervisor Smyth indicated that the expansion of the types of activities that are permitted in a home have expanded greatly and that, at some point, there may reach a threshold of incompatibility. Home occupations that permit an employee, home child care facilities, the possibility of short-term lodging and other uses conducted in homes, may cause a change in the character of the community. Staff indicated that this concern was studied and, as part of the zMOD consultant efforts, the appropriate threshold level for home-based business would be looked at as part of the use categories.

There was general consensus among the Committee regarding the amendment priorities, and there appeared to be agreement that the ZOAWP would serve as a two-year program, with annual (and possibly more frequent) updates provided by staff. It was determined that the 2018 ZOAWP would be brought forward to the full Board on July 10, 2018 for action.

The Committee meeting adjourned at 10:57 a.m.

The next scheduled Development Process Committee meeting is July 17, 2018, at 9:30 a.m.