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[00:00:05] Good morning, everyone, and welcome to our board meeting of July 16th, 2024, and we are going to begin our board meeting this morning as we always do, which is in a moment, we're going to rise for those who are able for a moment of silence to be followed by the Pledge of Allegiance, and before we rise for a moment of silence, I'm going to ask my colleagues if there's anyone they would like us to keep in our thoughts and prayers this morning, and I'm just going to mention a few things.

[00:00:33] First, I'm sad to report the passing of Adelaide Manya-Fair, who was a county employee who began working in the county first at the standalone Access Fairfax site, which was designed specifically for public computer access.

[00:00:51] Access Fairfax provides resources for residents who otherwise would not have access to current technology, and so she interacted with a whole lot of county residents. These locations enabled participants to access the Internet, connect to various Fairfax County e-services, prepare resumes, search for jobs, and much more.

[00:01:12] And Adelaide was always smiling, loved going the extra mile for our residents in Fairfax County, was a longtime dedicated Fairfax County employee and a joy to work with always. And so if we could keep Adelae, her daughter, and other family members in our thoughts and prayers, including our staff who worked directly with her through Access Fairfax, that would be appreciated.

[00:01:37] And secondly, while it occurred outside of the county, I think we were all horrified at the attempted assassination that occurred in Pennsylvania. And I just want to reiterate our thoughts and prayers with the former president and, in addition, reiterate to our residents that this board and many across the country have to remind our residents that political violence is not an acceptable act in any circumstance whatsoever.

[00:02:07] And so we hope that the temperature gets turned down here, people focus on lives and humanity, and understand that political violence is never a way to get your issue or your cause across. And so we will continue to pray for all those affected, including the innocent bystanders and law enforcement who were involved and saw the incident.

[00:02:33] And I can tell you in talking with our own public safety officials that these types of traumatic incidents have a toll on the people we read about in the newspaper, but have a significant toll on our first responders and their mental health as well.

[00:02:48] And so if we could keep all of those who responded in our thoughts and prayers as well, that would be appreciated. And at this time, I would ask any of my colleagues, if they have anyone else they would like to mention, Supervisor Herdy. Yes, Mr. Chairman, first of all, thank you. I echo your comments entirely on the shootings in Pennsylvania.

[00:03:08] I'm also sad to announce the passing of George Depp on June 29, 2024, in a tragic automobile accident in Texas. He played a critical role in our local school systems. He started his career in the county as a social studies teacher with FCPS.

[00:03:25] He went on to become principal for both West Springfield High School in 1980. And then in 1986, he became the principal at Lake Braddock Secondary School, finishing his FCPS career in 1995 as an Area 4 superintendent. In 1996, the city of Fairfax hired him as a superintendent where he led the successful completion of two high school bonds to renovate all schools in the city, led the consolidation of four elementary schools into two, and retired from the city in 2002.

[00:03:57] 27 years with FCPS and 11 years with city schools is quite a legacy. He played a critical role in the growth and expansion of our nationally recognized education system. He'll be missed, and I ask that we keep him and his family in our thoughts and prayers. Thank you, Supervisor Herity.

[00:04:14] Supervisor Smith. Thank you, Supervisor Herity, for bringing that up. When I was first involved in PTA, George was one of the area superintendents. And I remember one of the most powerful things he said, that when he would go into a school and talk to kids, he'd say, do you feel safe?

[00:04:30] And the best answer was when kids would look at him with a surprised face, like, why are you asking me that question? And that was the goal. He was really an outstanding leader. So thank you. Thank you, Supervisor Smith. Anyone else who would like to be recognized?

[00:04:46] Seeing and hearing no one. if all who are able could rise for a moment of silence to be followed by the Pledge of Allegiance.

[00:05:05] Please face the flag. I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation, under God, indivisible, with liberty and justice for all.

[00:05:39] And this morning we have four presentations, and for each presentation I will announce the proclamation or recognition and invite our speaker down to the podium in front of me. We will then read

it, and after our speaker's remarks, all of us will pose for a picture from the dais.

[00:05:59] And first up this morning, we have a resolution to recognize William Bill Curran for his decades of service to Fairfax County public schools and our athletic community. And this was requested by myself and Supervisor Herity. I know Bill Curran is here with us this morning.

[00:06:16] If you could come on down, and anyone who is here with you that is here to join you are welcome to as well. And at this time, we'll turn to Supervisor Herity for a motion. Yes, Mr. Chairman, I have a resolution to move. Whereas Bill Curran has dedicated decades of exemplary service to Fairfax County Public Schools and the broader sports community, notably serving as the Director of Student Activities and Athletics since 2007.

[00:06:43] And whereas throughout his tenure, Bill Curran has exhibited exceptional leadership and commitment overseeing numerous high school graduation ceremonies with precision and managing a wide array of school and community sports facilities requests with fairness and efficiency.

[00:06:59] And whereas Bill Curran has skillfully navigated the utilization of FCPS turf fields and gymnasiums with helping enhance sports accessibility and fostering local sports tourism, and whereas Bill Curran's contributions to several Virginia High School League committees and coordination in numerous Fairfax County State Championship tournaments have further cemented his legacy as a leader in high school athletics and sports administration.

[00:07:27] And whereas Bill Curran previously served as Director of Student Athletics at Marshall High School and has held various roles within FCPS, including teacher, assistant principal, and coach, fostering strong relationships with youth clubs and consistently advocating for the value of student sports, now therefore be it resolved that the Fairfax County Board of Supervisors, on behalf of all residents of Fairfax County, does hereby thank Bill Curran for his outstanding service, leadership, and dedication to the Fairfax County Public Schools and the sports community.

[00:08:03] I'm happy to second that motion along with several of my colleagues, Supervisor Stork and Palchek as well. Discussion on the motion, Supervisor Herity. I think that the motion says a lot. What it doesn't say is herding cats is being a big part of the job. But it's an incredible job when you have to deal with that many athletic directors, that many people in our local sports community, our local sports groups, and the competition for sport.

[00:08:31] And I'm going to focus mostly on the sports side of it, but it is so intense. So thank you for all you've done. We always talk about how SCPS is our partner, and you certainly have exemplified that throughout your career. Anyone as a kid who's played sports in Fairfax County or graduated from an FCPS schools owes you a big thank you.

[00:08:53] Logistics and the interests you've balanced, managing student activities and athletics have benefited so many residents. Personally, you've been an invaluable member on this sports tourism task force. What you've been able to accomplish there, you've been there since the beginning, always ready to step in, provide expertise and opinion, moving things forward where we needed help and someone to step up.

[00:09:19] The work we've accomplished in getting tournament use for fields on holiday weekends and to complement Patriot Park North has been just nothing short of exceptionary. Your reputation goes around the state with the state championships that you've helped host.

[00:09:35] I'm certainly going to miss the friendly banner between you and Chris Leonard at our sports tourism task force meetings. There's Chris. Maybe we'll get some of that here. But I want to thank you again for everything you've done for both the sports tours and task force for the county and for Fairfax County Public Schools.

[00:09:54] Thank you, Supervisor Herdy. Supervisor Stork. Thank you, Mr. Chairman. And I had the opportunity, really the pleasure, of working with you kind of in both the school and on the Supervisor County side. And to be honest, they both have been truly one of the most professional, most balanced approaches that I've seen of any really public official.

[00:10:18] And that's who you are, and that's how you've conducted and represented yourself. I just, I don't know how else to describe it, but your style, your approach, your engagement, you're looking for win-wins, looking for opportunities to find a way to move something forward is truly who you are, you've exemplified and the legacy that you've left in so many different ways not only physical facilities but also the approach you've taken to bring people together and make a difference and move us forward as a as a county so bill my deepest thanks and appreciation for all that you've done

[00:10:52] for us and for our community thank you thank you supervisor stork supervisor palachik bill um i'm so glad you're you're still here um but not while i was still on on this board and i think what was said is so true first of all i don't know who's gonna keep chris in line now uh but um you know there's nothing that makes us more emotional than our kids and then you extend that to sports and athletics there's probably nothing that makes us more emotional than sports and athletics and you as was shared you have done such an excellent job of helping ensure that we keep the kids first

[00:11:31] that we lower that temperature a little bit and that we realize that here in the county and in FCPS it's not just about the academics right but it's about the whole child and the way you've been able to ensure that we provide that not just for those who can whether athletically or economically or socially but for all our kids to have access to the sports and to the very finite resource of fields um that continues to be a challenge so thank you so much for all you've done as a former student as a former teacher as a former school board member and then here you've left an incredible

[00:12:09] legacy for all of our kids thanks bill thank you supervisor paucic anyone else who would like to comment let me um say first bill was here at a recent meeting of ours when we were celebrating our high school sports champions and I made the comment that Bill is in fact one of those champions for the work that you've done and I think that's how we should and can refer to you Bill because you have been a champion in Fairfax County not just for our youth and youth sports but really for the entire community and we can't say thank you enough for that. You know I talked to our

[00:12:46] folks who run our rec centers a lot. And I talk to the student activities directors at our schools, and I'd say to them often that their job is so much harder and more complex than anyone could imagine. And it's very similar to your job, Bill. It's like being the mayor of a small town, because you have so many competing interests. People are passionate about sports, about fields.

[00:13:13] When you talk about some of our sports, sometimes it's like talking about Army versus Navy. They all love each other, but they all love their sport more than that other sport. And the competing interests that come up trying to manage our exceptional youth sports clubs in Fairfax County with activities at schools, athletic and non-athletic.

[00:13:36] It is a constant puzzle that you're putting together with a lot of moving parts. And the reason why I say it's like being a mayor of a small town is because you have to keep most of the people happy most of the time. But it is impossible to please all people, especially in the work that you have done so exceptionally well for so long.

[00:13:55] And I want to reiterate two other quick points. One, the work outside of Fairfax County, because while we know what we have here, we're happy to spread that message, best practice and ideas with people not just across Virginia and the Virginia High School League, but also across the nation with your role with USA football and to be able to have someone grounded in Fairfax County speaking up and being involved in decisions that are made statewide and across the country is a testament to how well-respected you are here at home to be able to get the job done

[00:14:30] and still be able to do those things that propel Fairfax County to a higher level. And then secondly, what hasn't been mentioned yet is I want to thank your family because your job, like a lot of people in this auditorium's job that also is not often recognized, is 24-7.

[00:14:49] When our field challenges happen, it's most of the time in the evenings and on weekends. And the sacrifice that you've made being available around the clock, the physical attendance that you've made at a point to be at these activities and at these games and be a part of these kids' lives was time away from your family.

[00:15:12] And so we thank them for allowing you to serve in that capacity as well. Really proud of the career you've had in the county. And I'm just wondering, waiting for the school board to tell me how many people it will take to do the single job you were doing. As we move forward, but really, this is about you at this moment, and congratulations on an exceptional career with Fairfax County.

[00:15:34] With that, I think we're ready to vote on the motion. All those in favor, please say aye. Aye. Any opposed? Any abstentions? And that motion carries, and Bill, welcome. The floor is yours. First of all, thanks for that being unanimous.

[00:15:52] It was a little worried. So I do appreciate there's not a lot of unanimous votes that I deal with. So that worked in my favor. um you know certainly you're correct my family my my daughter grew up on a field on a sideline a field as a coach as an athletic director and then in this position grew up eating out of snack bars and and and running around in carts and things like that and uh you know i'm very proud of her for she was the head coach for at mount vernon this year for lacrosse so she she followed a little bit in dad's footsteps so it made me very proud my wife has been here step

[00:16:28] by step with me to make all those happen. I'm very, very pleased to have my staff with me when the office came today, which was a surprise. I think they wanted to get out of the office. We'll give that to them. I'm a lucky man, to be honest. It's the greatest job in the world.

[00:16:47] My first, and the best way I can explain it, is that an orientation, when I was first hired as a teacher in FCPS after three years with the Department of Defense, I was miserable sitting behind a desk was going to become a teacher and was coaching football at Annandale at that point and was driven to work with kids more and they were taking us on the orientation an elementary school principal said on a bad day I go to the kindergarten room and that makes my day good and I never that never left my that was 30 years ago and to this day I say on a bad day I go to practice and I get to see our young men and women just doing things that a lot of people are choosing

[00:17:26] not to do yet they're there and they're putting forward that effort and that commitment and that teamwork and and that is inspiring to me and I've loved every second of it um it's you know like any job there's ups and downs and there's there's things I've been blessed to have some great mentors we give Chris a hard time but he's actually been a great mentor for me um as I moved into this position he was he taught me how to deal with some higher level things beyond the high school level um and each of you have have just been tremendous with regards to the work we've been able to do so thank you very much for taking the time today it's greatly appreciated i won't be far i'll be

[00:18:04] around so you know hopefully we'll see each other supervisor stork i promised i was getting an indoor track before i retired i don't have it yet but we're working on it we're working on it i know supervisor heritage working on it with sports tourism and supports it so we're we're pushing for that indoor track that we want to be that premier part so i that that i will volunteer my time to see that happen as we go forward so with all that again thank you so much it's greatly appreciated thank you very much bill and when we open that indoor track and cut the ribbon you can race these two guys and we'll see who wins but in all seriousness thank you so much again for such

[00:18:43] an amazing career here we are all grateful with that i think we're ready for a photo and if you And folks who are with you can come forward, face the audience, Supervisor Herity, and I will join you.

[00:19:02] And next up, we have a resolution to recognize the 60th anniversary of the Northern Virginia Transportation Commission.

[00:20:12] And this was requested by myself, Supervisors Alcorn, Bierman, Palczyk, Stork, and Walkinshaw. And our speaker, who is already coming down to the podium, who is here with us today, is Kate Mattheis, of course, the Executive Director of the Northern Virginia Transportation Commission.

[00:20:27] And at this time, I am going to turn to Supervisor Palczyk for a motion. Thank you, Mr. Chairman. So good to see Kate here. Whereas in 1964, the Virginia General Assembly established the Northern Virginia Transportation Commission, NVTC, to champion the development of rapid transit in Northern Virginia, and whereas over the past six decades, NVTC has played a pivotal role in transforming Northern Virginia into a hub of interconnected transit systems, now boasting 32 metro rail stations and pioneering initiatives such as the Virginia Railway Express and the Commuter Choice Program, and whereas

[00:21:07] MVTC has served as a vital regional forum, fostering collaboration across jurisdictions to enhance transit services, manage funding for multiple bus systems, and oversee the stewardship of critical transit infrastructure. And whereas continuing to uphold its mission to plan, coordinate, and secure funding for financially sustainable and high-performing transit systems, NVTC plays a fundamental role in the economic vitality and quality of life in Northern Virginia. And whereas NVTC's commitment to innovation and leadership in

[00:21:44] transit technology and policy policy has made a significant impact on the region ensuring safe reliable and accessible transit options for residents and businesses businesses alike now therefore be it resolved that the fairfax county board of supervisors on behalf of all fairfax county residents does hereby recognize the northern virginia transportation commission on the occasion of its 60th anniversary for its enduring contributions to transit in northern Virginia and its dedication to enhancing regional mobility. I'm happy to second that motion.

[00:22:20] Discussion on the motion, Supervisor Palchuk. Thank you, Mr. Chairman. It's hard to know where to start with Kate and with the NVTC, but to me, really, having spent the first six years of my life in Buenos Aires, where you get around on the bus system, and my mom, who couldn't read the numbers knew the color of the buses that she had to take. I was a little bit shocked when we moved here that we didn't have that kind of transit system. But as we've continued to grow, as our metrorail stations continue to grow, as the server line opened to unanimous, just amazing approval

[00:22:59] and use growing faster than any of our other stations since it's opening. And as we enhance and improve our focus on bus rapid transit, on helping more people be able to take the bus, to take transit, and to get around in a continuously congested area, and not to mention the economic development it has brought for Northern Virginia. I'm very fortunate to be in a community where for 60 years now, leaders have seen the vision, invested in transit, helped create what is now

[00:23:35] the mosaic district the tyson's area and really connected as not just in northern virginia but as a whole region we see the importance of transportation and land use tied together and ensuring that more people can get around and more sustainably easier faster than we can in our single-use vehicle so thank you for all you do for helping us move forward for helping us win some battles with VDOT but for helping ensure that we continue to move in the right direction and on a personal note Kate having been a new board member and

[00:24:15] having served with you on the Northern Virginia Transportation Commission the utmost professional I know I and all of us have learned so much not just from your knowledge and what you know about transit at every level of government but to manage a team how to manage commissions um and how to ensure that we focus on innovation and efficiency so thank you for everything um we appreciate your time and um very excited september 5th for the grand um review viewing of the documentary to show all those who have made

[00:24:53] mvtc what it is today so thank you thank you supervisor paucik supervisor alcorn thank you Thank you, Mr. Chairman. Yeah, this is a very noteworthy occasion, 60 years. I really appreciate some of the anniversary-related materials that you and your staff have put together.

[00:25:12] I particularly like looking at some of the familiar faces. We're a little younger then than perhaps some of the same folks that we know today, and some aren't with us anymore. Joe Alexander, you know. And it reminds me how important it is not just that, you know, we continue to work and build on what our predecessors have done.

[00:25:33] But also NVTC is at its heart a regional entity, you know, and we here can focus on Fairfax County, and we do all the time, but it's really through entities like NVTC that allow us to work across jurisdictional lines because, I mean, and we say this a lot, I mean, our residents don't think about things in terms of, oh, here's the boundary line, you know, they want to get from A to B.

[00:25:58] And, you know, we have, as Supervisor Palczyk mentioned, we have really moved forward in a lot of ways on transit. And in many ways, it is central to our economic development strategy, I know, here in Fairfax County and around the North Virginia region.

[00:26:15] So thank you to NVTC for facilitating that and for helping make that a reality. Thank you, Supervisor Alcorn. And let me also congratulate NVTC on 60 years. I want to start by reiterating the comments about our executive director who's here, because having served on NVTC for 16 years through

three different executive directors, I can tell you none has taken this organization further than you have, Kate.

[00:26:45] And I want you to know that personally because it is a difficult job. Supervisor Alcorn mentioned the regional component, which is why NVTC exists. I mean, if you think about the Virginia Railway Express as Exhibit A, there would be no Virginia Railway Express if there were not an NVTC.

[00:27:05] And so you cannot look at jurisdictional boundaries. You have to get together as local governments from Northern Virginia to solve and to enhance our transit network. And I call it a network because it may be very parochial jurisdictionally to look at one road project that's in a county.

[00:27:24] But when you're talking about transit, you're talking about moving the entire DMV. And if it doesn't happen seamlessly, it doesn't happen for a lot of people. And so NVTC plays that role. And certainly from an economic development standpoint, it's been mentioned, that's important.

[00:27:40] But from a humanity standpoint, that's also important. We can never forget that our transit network, especially our bus network, is the link for a lot of people's livelihoods. And we saw after the pandemic very clearly how quickly our bus ridership rebounded because people needed to get to work.

[00:28:03] And in a lot of cases, they didn't have another way to do it. And if we can remove challenges for them and hurdles along the way to make the network work better and more seamlessly for them, we all benefit from that. And so while transit is never looked at as a human service piece, I hope we think about it as a humanitarian piece and an economic development piece that's important not just to Fairfax County but to the entire region.

[00:28:29] And I can't wait to see the video that Supervisor Palchuk mentioned. There have been a lot of people involved in NVTC at the early days who are sadly not around anymore. And there are other people, if you want to see some really young pictures of Supervisor Hudgens and Kate Hanley and some of the other folks, it's worth looking at these photos and seeing who you can pick out.

[00:28:53] But 60 years is a long time and a lot of success and congratulations to all the members of NVTC, including the members of the General Assembly. we didn't mention this, but one of the big roles that NVTC plays is educating our leaders in Richmond on the importance of transit. We run transit at a local government level with our connector. We are on the WMATA board of directors, local government officials, but in a lot of cases, the representatives from the state are not that close to the day-to-day transit operations, and it's important for us to get them that close to understand at a statewide level why transit in

[00:29:30] the DMV is so important. And so congratulations, Kate. With that, all those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? That motion carries. Kate, welcome. The floor is yours. Well, thank you so much, Mr. Chair. And indeed, as so many familiar faces, as a regional body and the ability to bring local elected officials from throughout the Northern Virginia area together. The presence of Fairfax County, it's five out of our 20 board members. The commitment of this county to the regional vision and collaboration that is provided within the

[00:30:07] context of NVTC is really at the heart of it. I incredibly appreciate the emphasis and the focus on bringing the Fairfax County voice to that regional discussion and likewise the fact of the recognition of the regional. I do want to say in recognizing the Fairfax County staff, they are a big part of the behind the scenes, both supporting you as well as helping us.

[00:30:33] And of course, the NVTC staff, this is a resolution about the commission, but I greatly appreciate the hard work that our staff put in. We truly want to make every commission and every commissioner and the commission as a whole to be as incredibly effective as possible. The connectivity of our transit, I appreciate talking about the network.

[00:30:56] I know you've got a lot of activities today's meeting that are focused on public transit. Almost all of those are focused on Fairfax connections to outside, whether it be seeking the smart scale funding for widening Route 7. That bus rapid transit vision that Fairfax County has is a regional vision. And so we help sort of bring the Fairfax County together with the other jurisdictions that may be affected by that project and likewise the other things that you're looking at doing to provide better bus service from Tyson's up to Bethesda. That's the essence of what we're doing in the commission is making sure that a staff level were coordinated and that an elected

[00:31:33] official coordinated to provide the strongest public transit network we can for Northern Virginia and for DMV as a whole. So I appreciate the commitment of everyone on this board to make our regional public transit network successful. And I greatly appreciate the recognition, 60 years.

[00:31:49] I'm looking forward to seeing the documentary. I've got some amazing, talented staff who are putting it together. And so it's going to be a real treat. Thank you. Thank you very much, Kate. And with that, I think we're ready for a photo. And if Supervisor Palachuk would join me,

[00:32:03] and the board would rise. And next, we have a proclamation to designate July 2024 as Park

[00:33:32] and Recreation Month. And this was requested by myself. I know that our speaker would have been Jay Cole, but she is not here because she is sick. So I understand we have Sarah Baldwin here with us. Of course we do. There she is, Sarah. And if anyone is here with Sarah that would like to come on down, come on down. Almost calls for a recess, but we're glad all of these folks are here. Question is, who's going to take the selfie for Jay? Yeah, good question. And we're

[00:34:08] going to give folks a moment to come down before I begin reading the proclamation. I do have a

[00:35:22] proclamation that reads, whereas July is Park and Recreation Month, during which we celebrate the diverse parks, recreation, and leisure programs that are so vital to our quality of life, helping to ensure the health of our residents, and contributing to Fairfax County's economic and environmental well-being. And whereas legacy park systems, such as Fairfax counties, with 420 parks and nearly 24,000 acres of parkland are fundamental to the health of our environment, improving water and air quality, protecting groundwater, preventing flooding, and providing vegetative buffers for

[00:35:57] wildlife. And whereas the county's diverse recreation needs are met through the collaborative efforts of county agencies, including the Fairfax County Park Authority, the Department of Neighborhood and Community Services, the McLean Community Center, and Reston Community Center.

[00:36:14] And whereas every year, millions of residents avail themselves of camps, classes, events, trips, and other programming at park locations, nature centers, rec centers, community teen and senior centers across the county, positive impacting physical, intellectual, social, and emotional health, and whereas Fairfax County is committed to ensuring that the opportunities and benefits of our parks and recreation programs are available for all residents, regardless of race, ethnicity, physical or intellectual ability, zip code, or economic status, and that all are welcome

[00:36:52] and can feel a sense of belonging and community. Now, therefore, be it resolved that the Fairfax County Board of Supervisors, on behalf of all Fairfax County residents, does hereby proclaim July 2024 as Park and Recreation Month in Fairfax County and urges all residents to recognize and take advantage of the county's renowned parks and recreation system.

[00:37:18] I'll second a motion along with, I think, almost everybody else. Is there any discussion on the motion? Just very briefly, because I'm sure others will want to weigh in. First of all, it is amazing to see all of you here with your blue shirts on, some without blue shirts, but part of a team.

[00:37:34] I saw in the back of the shirt Team FCPA, but, you know, it's Team County here as I look out and see folks from NCS and, you know, some of the other agencies that are involved in making our park system work collaboratively, but also so many of the volunteers and dedicated park advocates in the county that help make an ecosystem that not only puts parks and rec in the forefront, but also recognizes the importance on, as the motion says, the health and well-being of our community. Parks are not nice things to have. Parks are

[00:38:10] essential to the health and well-being of our community. And lastly, I want to thank all the people here on the staffs of these agencies that I mentioned, because I said to Bill Curran earlier, you might have heard me, when you talk to folks, directors of rec centers, it is like being mayor of a small town, especially right now with all the camps and everything else going on.

[00:38:31] But when I look at our park system and the vastness of it, you know, I think sometimes our residents can take for granted the hard work and dedication that is behind making sure that these facilities are top notch and available to our residents.

[00:38:47] And all of you play a role in making sure that happens in every corner of the county. It's a major undertaking. And these statistics speak volumes. I mean, 420 parks and 24,000 acres of property to care for, to maintain, not to mention all the youth groups, the work of NCS, and so many of our residents being involved in all of these.

[00:39:08] It's not just the physical facilities. It's all the intellectual capital that's here, too, and what you do in communicating with our residents and making them feel like their parks are their parks, and we appreciate that greatly. And so while July is Park and Recreation Month, for me and a lot of my colleagues, every day is.

[00:39:28] There's literally almost not a day. Today is a good example of a day that this doesn't happen on. But there's literally almost not a day that goes by where I don't enter one of our parks. And I do that on purpose for my own mental health. Sometimes I do it for a kid's sporting activity.

[00:39:44] Sometimes just for a short walk away from the house. But the point is, no matter how much time you spend in your parks, knowing that they're there for you as a refuge, to get away from the day-to-day noise is so important to all of our residents so thank you any further discussion supervisor alcorn thank you very much i you know i served a few years in the park authority board i don't think we ever had this many park authority employees at the same time but it's great to see uh see you all here thank you so much for coming out today um and it really underscores as as i recognize a number of you and and uh things that i've worked

[00:40:22] with you on over the years it really does underscore the broad uh the depth and the width of activities that the park authority provides and here in fairfax county uh you know owners of almost 10

percent of the land area in fairfax county you know stewards of the environment basically providers of athletic fields the archaeological stuff i mean it's a very long list And I know, you know, many of you have dedicated your careers to making that happen and doing it so well here in Fairfax County.

[00:40:57] So thank you. Thank you all for being here. But thank you for your public service and for your dedication to the county. Supervisor Herity. Yeah, and I want to echo that and just thank you as a regular user of the parks. I'm from the pools at South Run, hopefully this afternoon at Oak Mar, to the pickleball facilities, to trails.

[00:41:20] it's just incredible what you all have done i've been able to come out and meet with the maintenance crew firsthand and learn about the challenges that you all are facing so hopefully we can get some of those addressed proud to have burke lake park the number one most visited park and award-winning park in my district and we'll keep keep making investments there but also for your uh for your partnership uh on uh on the sports tourism task force in patriot park north which I think is hopefully going to show us a way forward in terms of how to provide quality facilities and also bring in diversifier revenue.

[00:41:56] But, you know, and then on the other side, and to go back to you all, because you all are parks. I mean, parks are only as good as the maintenance. They're only as good as the staff. I've had the unfortunate and fortunate opportunity to witness a couple of emergencies at our pool, South Run in particular, coming out of the sauna.

[00:42:16] Be careful how long you stay in a sauna. Um, but the professionalism that, you know, I let you guys do the job, but the professionalism that they, they exhibited during the two emergencies that I saw in one that I got to visit in an aftermath is pretty incredible. So I want to thank you for the time that you invest in training and the effort that you invest in keeping and maintaining our parks the way they are. So thank you.

[00:42:43] Thank you, Supervisor Stork. Thank you, Madam Vice Chairman. And I just wanted to comment about how are NCS, the parks, how they work together, how they really are interwoven as we see here today.

[00:42:59] And I don't think, I know for me and my constituents, many of the time, they don't really know who to talk to. They just know they have an issue with parks or a field or something. And so where they go to NCS or the parks, they're always kind of working through that, trying to figure that out.

[00:43:14] But what I see and what I think truly is, I think, been a strength of the last many years is how well that's worked, how well that when somebody wants a field, how that process works, how we can all kind of hand off to one person or one department or another.

[00:43:31] And I thank you all very much for recognizing community centers and and our Recreation centers and how the twos have different roles and responsibilities But they ultimately you all work together to make them work and in general the passive parks Which are the savior for me and so many others just to if you will oxygen bathe You know to go out in the woods and spend a few minutes and kind of clear your head So again my deepest thanks for all of you and how well you work together and make this work for the Residents of Fairfax County. Thank you. Thank you Supervisor Palchuk. Thank you I wanted to focus on that really seeing all of you here together

[00:44:08] I know our history divided neighborhood and community services from our parks And so it's just so enlightening to see you here I'm sitting here and thinking you are probably the only agencies that cover the entire Lifespan of members in our community whether like myself you're learning to ride your bike on one of the trails Learning to swim, enjoying the parks, enjoying our concerts, enjoying walks in the park.

[00:44:36] I know so many of you, whether it's the maintenance, on the design, on the programming of our parks, ensuring that we preserve our natural resources and that we make it for everyone to be accessible and to be able to enjoy the human aspect of living in Fairfax County in nature.

[00:44:55] So just so excited. Thank you for bringing everyone together today. I love seeing Lloyd here with our FCPA folks and seeing so many of the generations that have been creating our parks and our services. Thank you for making Fairfax a fun and relaxing place to live and play.

[00:45:16] Thank you. Supervisor Lusk. Thank you pretty much, Madam Vice Chairman. I'll start by saying and echoing the same comments from my colleagues here, just grateful for the important work that you do. And as a former member of the Park Authority Board, similar to my colleague, Supervisor Elkhorn, I really enjoyed the service, but recognizing all the important things that you do is so important to our community.

[00:45:43] And I think about my own district, and I'll say I think the chairman and I might debate this point, but I love Huntley Meadows. I think he loves Huntley Meadows as well. Which of us loves it more? I'm not sure. But then I'll also make the point about what we do with our historic resources, what we do in building community through our concert series you are at the front lines you're the tip of the spear as it relates to getting people out into our parks and facilities and it's just for me as a locally elected official going to those concert series and seeing hundreds of people

[00:46:21] aggregating and enjoying an evening sometimes a little hot but enjoying an evening together is just a really positive thing so I just want to acknowledge that and then lastly I just want to thank your executive director I know she's not here and there must be some phenomenal circumstances for that I appreciate her commitment to her work going and visiting every single park phenomenal the work that she's done around helping with Mount Vernon woods in my district providing a community that has no real recreational amenities a recreational

[00:46:59] community is so important and just what she's doing to bring equity to our park system I want to lift that up if you're listening Jay thank you for your service thank you for your commitment to this community thank you Madam Vice Chairman thank you Supervisor Walkinshaw thank you Madam Vice Chair almost everything has been said but I'll try to I'll try to say something else I want to thank all of you and everyone in the Park Authority NCS for the incredible work that you do and what you do is such an important part of the compact I think we have with our community in Fairfax

[00:47:33] County and the opportunities that you provide that make Fairfax County the special place that it is and I want to particularly express my appreciation for the can-do culture and spirit that I have found in both the Park Authority and NCS and a number of different projects and instances in the Braddock District when we opened the Annandale Community Center and Chairman McKay was there you know it took a really long time to get that community center open but it took a long time not because NCS wasn't moving quickly but because a private the private sector property owner took

[00:48:12] a long time but but when it was turned over to NCS they had the thing up and running almost immediately and it's a small community center relative to others in the county but for the kids who are there right now as we speak uh it's a really big thing uh and you all made it happen and did it fast and well uh the park authority um i i i really appreciate um the spirit that i've seen from the leadership in terms of getting projects done that have an impact on the community but i know that the real work is done by all the other people who are here and who aren't here who

[00:48:51] are out doing the work today in the heat and in the cold year round and I want to express my appreciation to all of them on behalf of the people I represent in the Braddock District so thank you all. Supervisor Beerman. Thank you. I love when we've got sort of back-to-back proclamations resolutions that have a nice synergy here and the synergy I noticed today not just is that often our libraries are located right next to our parks but I have to commend chairman mckay in how he wrote this proclamation uh and how he removed the s from parks because it

[00:49:29] could have been the parks and recreation proclamation we would have all thought we were talking about leslie nope here so uh you know commend him on that and commend us all on on uh that that fits us in with library our library resolution as well but there really is actually more to say because uh the fact of the matter is that when you are in local government uh that show becomes even more funny to begin with. Um, but secondly, uh, you really do recognize that it's parks and recreation, uh, that people want you to deliver for them. That's what they want from their local government. That's what they demand. They want more community opportunities. Uh, and

[00:50:08] I'm, I'm still the new guy, but I'm always just amazed by everything that the County is doing to try and build community to try and deliver for our residents um to echo what uh uh supervisor lusk said i was at arrow brook park on saturday night for the concert series uh i i'm i was sitting next to betsy uh may salazar uh in lewinsville park the other day listening to uh their concert series with the mclean community center everything you do is is just so uh very much appreciated and i just wanted to say thank you thank you seeing no further discussion all those in favor of the

[00:50:44] motion please say aye aye anyone opposed that motion passes mr chairman thank you very much uh smith and before i turn uh the podium over to our speaker i do want to acknowledge again also the mclean and reston community centers because they are in this proclamation as well and as as supervisor uh bierman mentioned you know are part of this ecosystem that that really our entire community benefits from. And then lastly, Supervisor Lust mentioned if our executive director was watching us, and since she has a direct line to me, I can tell you that she is

[00:51:20] because she just texted me. And I say that because her heart is full listening to us speaking on behalf of the almost 1.2 million people in this county about the importance and the dedication of our staff that are here before us and as Supervisor Walkinshaw mentioned those who are not here who are out working in all weather conditions serving our community. I think it's really important that we all take a moment to stop and reflect on that and certainly we have done that this morning. So with that Jay thank you for watching and participating remotely today

[00:51:57] and we have with us of course Sarah Baldwin. Welcome the floor is yours. Good morning. Actually let me make sure we vote first before i hand it over to you did we vote okay see what happens when i put kathy in charge of voting sarah i'm sorry the floor is yours good morning mr chairman members of the board unfortunately as you know jay is unable to be with us today she's under the weather

on behalf of us i would like to thank you for your continued support of parks and recreation in fairfax county i'm proud to be joined by my colleagues at the park authority neighborhood and Community Services, Ruston and McLean Community Centers, all who dedicate every day of their

[00:52:35] careers to bringing enjoyment, adventure, and fun to the lives of the residents of Fairfax County. This year, our message to everyone is one of welcome and belonging. We invite all Fairfax County residents to come and explore the wealth of experiences we offer and connect with friends and neighbors from rec centers, community centers, senior centers, teen centers, therapeutic recreation, golf courses, nature centers, playgrounds, athletics fields, camps and classes and so much more. Our doors are always open and our staff are ready to assist in connecting you with programs and services to meet your needs and interests. I'd be remiss if I did not take a moment

[00:53:13] to recognize our dedicated staff. The park and recreation staff across all our organizations encompass professional disciplines including arts, IT, engineering, community development, maintenance, recreation, and so much more. Every single person plays an essential role in our collective ability to make a difference in the lives of individuals and families in Fairfax County.

[00:53:38] Parks and Recreation is vital to the continued success and prosperity of our community. We thank you, the board, for your continued support as we continue to deliver amazing services and experiences to the residents of Fairfax County. Thank you. Sarah, thank you very much for your comments.

[00:53:57] And we are going to try to, in an orderly fashion, take an amazing photo. And Mr. Boxer is going to have a hard job up there. But if everyone could come forward and face the audience, and the board will rise.

[00:57:24] All right. Finally, this morning, we have a resolution to recognize the 85th anniversary of the Fairfax County Public Library System. And, of course, our speaker today is Suzanne Levy, the chair of the Fairfax County Public Library Board of Trustees, and a lot of her colleagues who are here as well, if you all could come on down.

[00:57:46] And I do have a resolution to read, so I'm going to be turning the gavel to Vice Chair Smith. Whereas the Fairfax County Public Library System, FCPL, has diligently served our community since its establishment in 1939, providing invaluable resources, fostering the joy of reading, and more for residents of all ages.

[00:58:07] And whereas today the library system is the largest in Virginia, serving 578,000 cardholders at eight regional branches, 14 community branches, and an access services branch. And whereas in fiscal year 2024, FCPL saw over 3.1 million branch visits and 270,000 Wi-Fi users, more than 189,000 event and program attendees, and circulated more than 12 million print and electronic materials.

[00:58:42] And whereas from its humble beginnings as a truck-turned-bookmobile, the library has continuously evolved to meet the changing needs of Fairfax County, expanding its free and accessible services to include innovative programs, state-of-the-art technology, and diverse collections that reflect the rich tapestry of our community.

[00:59:02] And whereas FCPL has demonstrated unwavering commitment to literacy, education, intellectual enrichment, and the principles of free speech, empowering generations of residents to imagine, discover, and connect.

[00:59:18] Now, therefore, be it resolved that the Fairfax County Board of Supervisors, on behalf of all Fairfax County residents, does hereby congratulate the Fairfax County Public Library system and commends librarians, staff, volunteers, and patrons for helping to make the library a cherished county institution for the past 85 years.

[00:59:40] I'll second that, along with Supervisor Palchuk, Supervisor Jimenez. Any discussion? Yes, Madam Vice Chair. This is obviously a long time. 85 years is a long time. And I think when you look back at the history of the library system, it is hard to believe, hard to believe that February 1, 1939, this Fairfax, not these people, but this Fairfax County Board of Supervisors voted to first budget a whopping $250 to support the library system.

[01:00:16] And you just hear those statistics that I just mentioned about the system that we have today, the investments that have been made in this important resource to the county, and much like the discussion, I feel like the discussion we just had about Park and Recreation Month is almost the same discussion we can have for our libraries, about the importance of our libraries for people of all ages, about the access and equity pieces, about the mental health enrichment, and so many other things that our libraries do.

[01:00:44] You know, I remember as a kid growing up, the first job that my sister had was a page at the Sherwood Hall Regional Library, and she did that throughout her high school and throughout her college and inspired her to be an elementary school teacher, which she is now to this day in the city of Alexandria public school system.

[01:01:03] And, you know, it was those early days in the library, especially helping our youngest cardholders gain access to the world, literally, that was the inspiration. And, you know, if you hear the statistic that's in here about the number of people who hold library cards, I don't know if those are double or triple counted because I know I still have my old paper one that had a barcode on it.

[01:01:25] And then I had the green plastic one with a barcode. And, of course, I have the one now, three generations of library cards at home as a reminder of how long our libraries have been here and how important they've been to people as an equity tool, as an access tool, but as also a mental health tool.

[01:01:42] And so I do want to thank all of you for the work that make our outstanding library system. It mentions in here the staff. And just like we said with parks, the library experience is as much about the people in the library as it is the materials that are in the library.

[01:01:58] And there are a few places in this county that literally I get almost no complaints about the dedication and it is the dedicated staff in our libraries that people rave about all over the county. And so I, in particular, want to thank them and, of course, our library board of trustees, many of whom members are here today for helping to always support our libraries and stepping up to volunteer and make sure that we continue to have not just the largest library system in Virginia, but also the best.

[01:02:27] Supervisor Peltzik. Thank you. I need to clarify. The chairman was giving me a little bit of a hard time because I mentioned the parks being a place for all ages. I was looking at the library. I would not have taken my colicky baby into the library, but as a toddler, she loves them even more than I did growing up here.

[01:02:52] I will tell you her four favorite books that we discovered at Thomas Jefferson Library are future president, Shabbat shalom, go grandpa go, and potty patrol. And it basically exemplifies we have to go every two weeks because we go through all of her books and no one I know loves them as much as she

does. But from growing up here and being a regular at the old city of Fairfax Regional Library and the kids program there in the summers, to taking my daughter to Thomas Jefferson

[01:03:27] where my mom is delighted because she says that was one of the first libraries that had books for kids in Spanish. And so now that we have books in so many languages, and I know that we can take our kids, I take my daughter, and we meet so many kids learning and speaking multiple languages, and that she's able to learn that love of the library early on. The only thing that scares her is the loud voice when it's time to close and is absolutely the biggest treat so definitely a place a little

[01:04:01] scary for a loud baby sometimes for the others not for us but absolutely cannot imagine having grown up and so many of our kids growing up here in the county without access to our incredible libraries our programs and especially the librarians and staff who run those programs for our little kiddos with the bubbles to get them excited about reading and for multiple languages and the focus on literacy for all ages and all learners. I cannot thank you all enough for helping support our local libraries. Supervisor Bierman and Jimenez. So Supervisor

[01:04:40] Palchuk, do you remember when we were in elementary school, the iSearch program? So when you decide that you're going to run for office, obviously, you just start telling your story and you come up with some biographical details. And unfortunately, you know, when you have to make your biography to sit up here, you probably repeat it, which means that I have been introduced a zillion times with everybody knowing that I grew up here and started checking out books at the Dolly Madison Library. And there's actually a real story behind that. It probably predates third grade. I'm sure

[01:05:17] it does, obviously. But I think about going to the Dolly Madison Library to check out books for my third grade iSearch. And the way the iSearch worked was you had to come up with a question to be answered. And it was like the original research project. And my third grade iSearch was about why does sound bounce? And I went to the Dolly Madison Library, you know, checked out the books. And then in fifth grade, you did another iSearch, which was a bigger, broader topic. And mine was what killed the dinosaurs. Uh, and there, uh, Dolly Madison back then was

[01:05:53] basically a one room library had to go to the Tyson's Pimmett library, which is the regional library. And then, um, you know, actually after sixth grade, I left FCPS. I went to, to, uh, to private school, but I still use those FCPS libraries. You might, I remember my first research paper that we were taught in seventh grade, you know, those, one of those research papers, we had to write that thesis statement and it was all you know about that that final sentence in your first paragraph was about Lyndon Johnson's domestic policy and I went to the Tyson's Pittman Library and checked out about 50 books uh over the court 50 is an exaggeration but it was

[01:06:30] at least 15. um so I you know I've spent a lot of time in libraries I then went to law school you never leave the library in law school uh but I'm very very appreciative of all the work uh that Fairfax County public libraries do. I would finally be remiss as the Drainsville supervisor not to point out that one of the things learning about the history of Drainsville is that actually predating Fairfax County public libraries, the first known library in Fairfax County writ large was the Herndon Fort Knightley Club. The Herndon Fort Knightley Women's Club, they had a library

[01:07:09] and a van that would go around with your library books. Initially, actually, the library kept it in various houses, and eventually their library was absorbed into the Fairfax County Public Library system, and that's why it's still Herndon Fortnightly Library.

[01:07:25] You can see that my love of research still continues to this day, but it all started with Fairfax County Public Libraries, and I hope that there's somebody sitting here 100 years from now telling a similar story, and I'm sure there will be. thanks thank you i have supervisor jimenez lusk and then walkinshaw thank you so much madam chair and welcome it's so nice to see all of you such great friendly faces and thank you for all the hard work dedication and passion that goes into what you do every single day it really shows and so nice to see you fran millhauser our mason district appointee you know the libraries are

[01:08:05] such a fantastic space for everyone of all ages but today i'll talk a little bit about I have two girls, they're 8 and 12, and they dive into books. They love books so much. And when they go to the library, they find it to be a safe space, a space where they can really delve into whatever passions they have, find new worlds, and really just get so much out of reading.

[01:08:30] And that is mostly and partly because of all the hard work that is done by the library, by the staff, in making sure that everyone can be there, feel safe whether they're looking for jobs trying to find you know educate themselves on certain topics all of the resources that are provided in libraries other than reading is really remarkable so I just wanted to say thank you I continue to be a strong advocate and I know that the hard work and passion you do is thanked by all the Mason district residents as well as everyone in Fairfax County so thank you thank you supervisor less thank you madam vice chairman I'll just echo some of the same thoughts again here thank you very

[01:09:08] much for the work that you're doing on behalf of the residents here in Fairfax County and I'll say during the pandemic it became really clear in terms of the access for those needing internet and then also just giving people a place to kind of get respite to and I just acknowledge the importance of that and then I also want to note that everyone who goes to the library isn't always going for a book there are other things that you can do with the library and learning how to do sewing and embroidery is something you guys provide as a service 3d printing giving people

[01:09:46] access to different maker type pieces of equipment and i think that is so vital and important and sparks creativity and what that could do is spark someone to think about a career or pathway that they never considered before so i just want to celebrate you and acknowledge the work that you're doing and thank each of you and it's great to see sujata and also good to see you mister as well so i appreciate what uh each of you have done so thank you very much madam vice chair um just supervisor jimenez wanted to just one quick second mr chairman you were saying you

[01:10:21] have your old library card i have mine on my key chain so it's uh so many different forms but thank you thank you supervisor walkinshaw thank you madam vice chair um to supervisor palchick's point uh you know one of the things they don't tell you when you become a parent is how expensive children's books are it's insane how expensive they are so the library has saved me a lot of money for children's books thank you um supervisor um beerman was talking about some of the history And in 1939, my grandfather lived on a farm in Chantilly, and they were poor family.

[01:10:59] And like a lot of families in Fairfax County in that time, school was kind of an on-again, off-again proposition. He spent a lot of his childhood going from farm to farm working for room and board. And when that bookmobile showed up on their farm in Chantilly in 1939 or 1940, that was a life-changing moment.

[01:11:22] for him and so many other people in Fairfax County and the Fairfax County Public Library was a little bit ahead of the curve in that even in 1939 they served everybody in the community black or white

unfortunately in a segregated way but did did serve everybody until it was integrated in 1954 and those earlier libraries I don't know about the Herndon Fortnightly Library but but a lot of the private libraries were whites only so that it was a big moment for Fairfax County in 1939

[01:11:58] to have library services that served everybody in the community and ultimately fully integrated in 1954 and since then thanks to the leadership of you all and so many who came before you you've continued to expand opportunity for everybody in Fairfax County through so many things that supervisor luss mentioned and others so being on the library board is it's another one of those challenging spots where you are right in the middle of so many of the cultural and

[01:12:30] unfortunately political battles that that take place but you all have weathered those with grace stayed true to your values in our fairfax county values our commitment to to one fairfax so i thank you for your service and really appreciate everybody who works in our libraries and the incredible service they provide to to our community so thank you and congratulations thank you very much seeing no further discussion all those in favor of the motion say aye aye anyone opposed that motion passes mr chairman thank you very much and before i turn this to

[01:13:06] susan um people were asking when jimmy was speaking up here about his childhood in the libraries if he's ever seen a card catalog. That's okay. All right. So there we know. All right. I just wanted to make sure. Should we talk about the Dewey Decimal System?

[01:13:25] That's right. That's right. All right. Many things have changed over the years. So with us, of course, is our chair of the Fairfax County Public Library Board of Trustees. Welcome. The floor is yours. Thank you, Mr. Chairman. Good morning to you and the members of the Board of Supervisors.

[01:13:44] Thank you so much for recognizing, honoring, and of course celebrating Fairfax County Public Library's 85th anniversary with us. I'm Suzanne Levy, Chair of the Library Board of Trustees. I'm joined here this morning by several of my colleagues who you appointed to the board.

[01:14:02] I personally had the good fortune to serve Fairfax County Public Library for 31 years, 31 of the 85 years we're celebrating today as the Virginia Room Librarian, which was my dream job.

[01:14:18] Since 2013, it has been my honor to serve as the City of Fairfax representative on the Library Board. On February 1st, 1939, the Fairfax County Board of Supervisors voted for a $250 allocation to fund a public library for the first time.

[01:14:37] The late Malcolm Richardson, who indexed the Fairfax Herald newspapers as a volunteer for us, told me he found an article saying they didn't spend the whole $250 that first year. It's hard to imagine that small amount of money, which eventually became a traveling bookmobile, could sustain a free public library.

[01:14:58] In the intervening 85 years, Fairfax County itself has grown exponentially as we have changed from a rural county to creating a mixed-use, innovative community of the future. Today, FCPL is the largest and busiest public library system, not only in Virginia, but also the entire southern United States.

[01:15:20] FCPL currently operates eight regional libraries, 14 community libraries, and access services branch to serve residents and visitors of Fairfax County. In fiscal year 2024, FCPL logged nearly 3.2 million visits to our branches with an average of over 267,000 visitors per month.

[01:15:44] FCPL is appropriately positioned to support many of the county's strategic plan areas, most notably lifelong learning, empowerment, and support for residents facing vulnerability, economic opportunity, and cultural and recreational opportunities.

[01:16:01] Your local library is a place to pursue your interests, connect with like-minded individuals, and discover the world around you. FCPL offers free programs and events throughout the year, ranging from author presentations to early literacy story times, crafting workshops, and yoga classes, to technology help and tax assistance for seniors.

[01:16:24] The library's vast collections include adult and children's books in English and several other languages, magazines, newspapers, DVDs, audiobooks, e-books, e-magazines, and e-audiobooks. Both our physical and digital book collections are heavily used.

[01:16:42] In fiscal year F.O. 2024, FCPL circulated almost 12 million items and for the first time recorded over 3 million checkouts of digital materials. Only a handful of other library systems in the world have met that milestone in a year.

[01:16:59] As a library system, we continue to innovate and evolve to meet the needs of our customers. Our special collection called the Library of Things includes dozens of items for checkout, including laptops with Wi-Fi hotspot devices, board games, binoculars, and much more.

[01:17:17] Six memory depot stations allow users to digitize personal items from various older formats like film slides and VHS cassettes. FCPL also currently offers three do-it-yourself or maker labs at Herndon, Pohick, and Sherwood libraries.

[01:17:36] These are places where you can learn, tinker, create, craft, make, and do-it-yourself. Each of these three labs have a variety of tools for whatever you can dream up. Many of the wonderful things FCPL does are made possible by an incredibly generous volunteer community.

[01:17:56] In fiscal year 2024, volunteers and friends of the library groups contributed a combined 72,000 hours of their time to support our mission through organizing book sales, sponsoring or hosting free library programs, facilitating English language learning opportunities, and so much more.

[01:18:15] Finally, we all know that Fairfax County is an affluent area, but not everyone has the same level of income or advantages. It's important for the library to be a place that is accessible to all, no matter your age, gender, race, nationality, sexual orientation, level of abilities, or socioeconomic status.

[01:18:38] That's an important reason why in 2022, FCPL went fine free, which means that there are no fines assessed for returning our items after their due date. We are proud that our truly free public library belongs to everyone from all walks of life.

[01:18:56] We sincerely appreciate the financial support of the entire Board of Supervisors each year, ensuring that our materials, programs, and services remain a cornerstone of the community. At FCPL, we look forward to celebrating another 85 years of service to Fairfax County.

[01:19:15] Thank you very much. - Thank you very much, Suzanne, especially as someone who's been involved in this long as you have been remarkable so seen a lot of changes but congratulations to my other retiree here yes i know it's it's hard to imagine the years go by too fast but thank you all for your dedicated work and i think with that we're ready for a photo if you all could come forward the

[01:19:39] board could rise all right we're going to move on to board matters at this time and as we always do

[01:21:45] we have received these digitally from the clerk's office and we will go alphabetically by magisterial district following myself and vice chairman smith and i have a couple board matters i'm going to turn the gavel to supervisor smith first i move to approve without objection the proclamation request listed in this document to be presented inside or outside the board room as appropriate there's just a few of them so i'll mention them a resolution to commemorate visit fairfax's 20th anniversary proclamation to recognize national night out on august 6th a proclamation to recognize sickle cell awareness month in september and finally a resolution to

[01:22:23] recognize shirley lou and associates for 25 years of community service and financial literacy empowerment particularly among women in our underserved communities without objection it's so ordered thank you uh second uh board matter i have is celebrating the first the first 10 professional firefighters in Fairfax County history.

[01:22:44] On July 1, 1949, Fairfax County hired its first 10 professional firefighters. These pioneers were strategically placed in volunteer fire stations throughout the county to enhance fire protection and emergency response.

[01:23:00] The integration of paid firefighters marked a significant shift in the county's approach to fire safety, ensuring a more reliable and efficient service for our growing community. This move was part of a broader effort to professionalize and modernize the county's fire and rescue services.

[01:23:17] Paid firefighters worked alongside volunteers, providing skills and training as well as stability and consistency in our emergency response. This group laid the groundwork for what would eventually become a fully professional fire department capable of meeting the demands of a rapidly developing region.

[01:23:35] The hiring of these firefighters was a milestone in Fairfax County history, representing a commitment to public safety and community well-being. The professionalization of the fire service continued over the years, with more firefighters being hired and more stations being built, leading to the comprehensive and highly trained and sophisticated Fairfax County Fire and Rescue Department that we know today.

[01:23:59] I move that staff prepare a resolution recognizing the Fire and Rescue Department for this significant milestone, And we'll be bringing forward a separate item to also recognize, coincidentally, the 75th anniversary of our Fairfax County Fire and Rescue Department and an upcoming meeting of the Board of Supervisors, and both recognitions will be scheduled together.

[01:24:21] I'll second that motion. Any discussion? Seeing none, all those in favor of the motion say aye. Aye. Anyone opposed? Any abstentions? That motion passes. Thank you very much. And my final board matter is offered jointly with Supervisor Bierman of Drainville District.

[01:24:39] And by way of background, a group of students from Pimmett Hills and McLean High School has dedicated the past year to advocating for federal legislation that would designate all high schools as voter registration centers, enabling them to host registration drives and receive reimbursement for associated costs.

[01:24:57] Their success this year was built on learning from previous failures. The students began reaching out to members of Congress in September of 2023 to advocate for their bill, which had been referred to a committee in 2021 but had not advanced.

[01:25:14] They re-strategized by engaging with similar youth groups across the county, I'm sorry, across the country, learning from past mistakes and working toward legislative changes. This effort led to a meeting with the White House's counsel to the Vice President last October.

[01:25:30] Working with a new bill, the High School Voter Empowerment Act to Boost Youth Voter Registration with High Schoolers Support, introduced by Representative Frederica Wilson of Florida and Senator Lafonza Butler of California, the team visited over 250 congressional offices.

[01:25:48] the Center for Voters expanded into a national organization with over 400 student volunteers. Organization and preparation were key. They delegated different duties to participants, with some focusing on research or contacting legislators, while others traveled to Capitol Hill.

[01:26:07] The students utilized an attendance policy that allows students in grades 7 through 12 to miss one day of school in Fairfax County Public Schools per year for optional civic engagement activities. They used this day to meet with lawmakers and to hold a press conference.

[01:26:24] Although they operated with minimal adult oversight, Samad Kaurashi noted that FCPS and their teachers were very supportive, particularly Amanda Shaw, a world history teacher at Marshall High School who sponsors the Young Democrats Club, and Lucas Klein, a geography teacher who provided advice as a former lawyer and political campaign worker.

[01:26:46] I move that the staff prepare a resolution, jointly with Supervisor Bierman, recognizing the newly organized nonprofit Center for Voters Initiative and Action, acknowledging Samad Khourashi as the executive director and FCPS educators Amanda Shaw and Lucas Klein for their instrumental roles in advancing this initiative within Fairfax County and across our nation.

[01:27:12] I'll second that, along with Supervisor Bierman. Any discussion? I just, I made a mistake when I reviewed this earlier. It probably should say a group of students from Pimmett Hills and McLean area high schools.

[01:27:28] Samad is actually at Marshall High School. And some of the other folks who are involved in this are at McLean High School and Langley High School. So if we could make that as a friendly amendment, I should have spot that earlier.

[01:27:44] Yeah, absolutely a friendly amendment. Sorry. But in any event, this is so cool. It's so great. It is a testament to FCPS that the kids are coming together, putting this together, wanting to focus on voter registration.

[01:28:04] they're getting help from their FCPS teachers it's a testament also actually what I just said is is a testament to to FCPS you have kids from Marshall High School working with kids from Langley High School working with kids from McLean High School we fight on the sports fields but otherwise lots of collaboration so thank I support this and this is great thank you seeing no further discussion all those in favor of the motion say aye aye anyone opposed the motion passes Mr.

[01:28:32] chairman thank you very much uh vice chairman smith and that is the end of my board matters next up is you uh supervisor smith thank you mr chairman as you are aware one of the success

stories of the county is our michael fry animal shelter not only is the facility the location where a child might pick out their first pet but also where many of those pets find a new adult companion in 2023 the shelter received a total of 4 325 animals such as dogs cats small animals and poultry. And in 2023, the live release rate was an astounding 93%. In addition to the

[01:29:08] outstanding shelter staff, the Friends of the Fairfax County Animal Shelter and other volunteers provided over 21,000 in-house hours, which equals 10 full-time positions. The Friends, through their efforts, provided a little over $290,000 in shelter funding. These monies were used for items such as $79,000 for medical treatment of shelter pets. One of the fundraisers for the Friends Group is the Putting for Pets Golf Tournament. This year's tournament is Monday, September 23, at Bull Run Golf Club. The shotgun start is 10 a.m., and there will be a light breakfast before and dinner after the tournament and an online silent auction. Therefore, Mr.

[01:29:46] Chairman, if any of my colleagues are golfers and wish to spend time outside on what will hopefully be a beautiful fall day, I would encourage them to sign up. If you are not a golfer, you can also signed up to attend the dinner that's kind of the route i go i would also like to ask that the office of public affairs publicize the event and i did include a flyer for the event thank you mr chairman and without objection uh that is so ordered and is that all super okay uh next up is supervisor walkinshaw no board matters no board matters thank you supervisor walkinshaw

[01:30:23] Supervisor Beerman. I'm just happy we made it through the last board matter without a debate about who has a lower handicap. Just going to throw that out there. This is a joint board matter with everybody. Chairman McKay, Supervisor Alcorn, Supervisor Herity, Supervisor Jimenez, Supervisor Locke, Supervisor Palachuk, Supervisor Smith, Supervisor Dork, and Supervisor Walkinshaw celebrating the 34th anniversary of the Americans with Disabilities Act.

[01:30:53] On July 26, 1990, the Americans with Disabilities Act was signed into law. The ADA establishes a clear and comprehensive national mandate to eliminate discrimination against individuals with disabilities and ensure their civil rights. The ADA safeguards equal access in areas of employment, state and local government services, and public accommodations.

[01:31:13] July is a time to reaffirm the promise of the ADA and recognize the continued efforts to create an inclusive and accessible society that allows people with disabilities to lead fulfilling lives and participate in their communities. July has also served as a time to celebrate people with disabilities and their identities, cultures, and contributions.

[01:31:33] It is a month dedicated to ending the stigma around disability and promoting the idea that disability is a natural part of human diversity. In celebration of this county's richly diverse population, this board has repeatedly affirmed its commitment to promoting a culture of openness, inclusiveness, and acceptance for all persons in Fairfax County.

[01:31:52] We appreciate that by embracing and celebrating our individual identities, we become a better county and grow stronger as a community. Therefore, we move that the Board of Supervisors recognize the 34th anniversary of the Americans with Disabilities Act invite members of the fairfax area disability services board representatives of the disability community and their supporters as well as county staff that provide services to people with disabilities to come before the board at its july 30th 2024 meeting to receive the proclamation i'm happy to second that motion uh all those in favor of the motion please say aye aye any opposed

[01:32:27] any abstentions that motion carries supervisor beerman thank you that's all for me thank you Supervisor Beerman. Supervisor Lusk. Thank you, Mr. Chairman. In the Franconia and Mount Vernon districts, we are lucky to have organizations, including faith communities, dedicated to serving our neighbors. On June 22, 2024, the second annual Stock the Block event was held at the Jerry Highland Governmental Center in the Franconia District. Residents from over 40 zip codes receive pantry items, household supplies, school supplies, and toys. Between walk-up and drive-through

[01:33:03] services, we estimated over 7,500 community members were served. The event was spearheaded and organized by the young adults of the Church of Jesus Christ of Latter-day Saints. Additional support was provided by Lazera Ministries, Good 360, Fairfax County Community Emergency Response Team, Officers Damaris Ocasio and John Kaminsky from the Fairfax County Police Department and other county and non-profit agencies also offering services. With that background, Mr. Chairman, I would like to move. I would move that without objection, the Board of Supervisors direct

[01:33:43] the Office of Public Affairs to prepare a proclamation of recognition for the Church of Jesus Christ of Latter-day Saints, and the aforementioned supporting organizations to be presented either within or outside the boardroom. So moved. And without objection, that is so ordered. Supervisor Lusk. Thank you, Mr. Chairman. I would like to recognize the Pioneer Baseball League 12-year-old Cal Ripken trail team and their coaches, Ryan Ormey, Ron Bacroft, Ian Shooter,

[01:34:16] and Tariq Mofi for winning the 2024 Babe Ruth League Virginia State Championship. The team will now compete in the Southeast Regional Tournament on the road to the Babe Ruth League World Series.

[01:34:31] Pioneer Baseball started in 1952 in the Franconia formerly Lee District and has remained in the district ever since. Practicing locally at fields such as Claremont Park and Beulah Park, Pioneer Baseball began its affiliation with the Babe Ruth Baseball in the 1990s and this year's Virginia state championship title is their first. With that said, Mr. Chairman, I would like to move without objection that the Board of Supervisors direct the Office of Public Affairs to prepare a proclamation for the Pioneer Baseball League 12-year-old Cal Ripken Trail team and their

[01:35:11] coaches to be presented either within or outside of the boardroom. And we've listed the players for your reference below. So moved. Without objection, it is so ordered. Supervisor Lusk. Thank you, Mr. Chairman. Mr. Chairman, on Saturday, August 17th at 10 a.m., members of the Springfield community will once again march over Veterans Bridge in the heart of the Springfield Commercial Revitalization District and hold a community celebration at the American Legion end of the bridge.

[01:35:43] The celebration will feature music, food, community groups, local businesses, and hopefully we'll have a little bit of fun. The Bridge Walk continues the tradition of renewing the Army Community Covenant, signed back in 2009.

[01:36:00] Covenant is an affirmation of support by state and local communities comprised of active guard and reservist service members and their families. This year's event will feature the introduction of the new Fort Belvoir Garrison commander to the community, as well as an opportunity for many to use the new Springfield Garage for the first time.

[01:36:21] The Bridge Walk is an annual community building event that began to mark the installation of new lighting on the Veterans Bridge in Central Springfield. The Veterans Bridge, also known as the

Amherst Avenue Bridge, crosses over Old Keene Mill and links both sides of Springfield's commercial revitalization district.

[01:36:43] The bridge is a gateway to central Springfield with its Alcorn lights, wide sidewalks, pedestrian stairway, and attractive facade. It symbolizes the community's vision of a revitalized Springfield and is an attractive gateway to the central business district.

[01:37:03] Therefore, Mr. Chairman, I'd like to invite my colleagues to join us on the morning of August 17th to experience the celebration of community in the Frank County District. And without objection, I ask that the Board of Supervisors direct the Office of Public Affairs to begin promoting community awareness of this event to advertise the event on the county's public calendar.

[01:37:24] Without objection, it is so ordered. A longstanding event. I'm just glad to not be in charge of organizing it anymore. Supervisor Lusk. There's some logistics there, Mr. Chairman. I think you might remember them. Lots of people. Final board matter, Mr. Chairman, is occupancy of the relocated Franconia District Governmental Center is scheduled for the summer of 2025. In addition to housing the police department, the Franconia Museum, a child care center, a regional library, an active adult center, and the district supervisor's office, there will be three community rooms located on the ground

[01:38:01] floor. Identifying names for each community room will assist staff with the scheduling of those facilities. Several naming possibilities were discussed during the community engagement process used for the renaming of the district to Franconia District. Historic place names such as Laurel Grove and Doge Creek were identified and should be considered for the naming of the community room.

[01:38:25] In addition, family names of historic significance such as Jasper should also be considered. Further, the community room naming process presents an opportunity for special recognition of individuals such as jinx walker and or dana kaufman for their dedicated service to the district and to our community therefore mr chairman and with your concurrence i move that the board initiate the naming process of the three community rooms under consideration at the new franconia district governmental center by referring this request to the history commission for review and subsequent

[01:39:02] continuing to follow the board's policy for naming of county facilities and or spaces so moved for any discussion seeing and hearing none all those in favor say aye aye any opposed any abstentions that motion carries supervisor lusk yes thank you mr chairman if i could just do one last thing this is more to announce one of our interns so the first of them is here with me today so zoomia cortez cardenas who's sitting behind me i can ask her to raise her hand or stand

[01:39:36] up she's currently interning in our office for the summer she graduated from john r lewis high school in june and is headed off to richard vland college of william and mary for the upcoming fall so we're really excited to have her in the office she's interested in this internship and has expressed that her career goal is to pursue public policy and to become a local government professional at some point. So I think that's awesome. Yeah, we got to celebrate this. We need more people to think about local government. And I just want to acknowledge that in her own words,

[01:40:15] she sees this internship as an opportunity to, you know, enlighten her passion for the field. and she wants to continue to further grow her knowledge on how to represent her community, and she continues to embrace her own leadership qualities both in and outside of the office.

[01:40:35] So excited to have Zoumi working with us this year and in this internship and appreciate her interest in local government. Thank you, Mr. Chairman. Thank you, Supervisor Lusk.

[01:40:51] And next up is Supervisor Alcorn. Thank you, Mr. Chairman. No board matters, but two quick announcements. First of all, on one of the efforts to find sustainable, dedicated funding for transit, there's a little news on that. Yesterday was the first meeting of SJ28, the Joint Subcommittee on Northern Virginia's Growing Needs of Public Transit, on which I serve as a member of the Northern Virginia Transportation Commission.

[01:41:16] And just as a reminder, this is the Virginia-only portion of the DMV Moves Initiative, which uh which chairman mckay is on that task force and county executive hill uh chairs uh the government partners advisory group uh so uh we're all several of us are very active in this um very lively discussion uh yesterday's first meeting um there was a work plan developed mostly be gathering information over the coming uh months and uh if anybody is uh interested in more happy to talk

[01:41:49] with them about that. And my second announcement, I also have a summer intern. I'd like to introduce our summer intern for the Hunter Mill District. Behind me is Max Butler. He's a lifelong resident of the town of Vienna and currently attends Coastal Carolina University, where he will soon complete a bachelor's degree in marine science. As part of his classwork, he's also studying geographic information systems, GIS, and he's applied these skills to mapping projects in our office. Thank you, Max. Following his graduation, he hopes to continue working in the public sector

[01:42:26] with a focus on the environment and natural resources, and we need more talented people like Max to pursue public service, and we're fortunate to have him working with us. Great. Excellent. Thank you very much, and for those wondering who the Coastal Carolina's mascot is, it's the Chanticleers, and I guarantee nobody on this dais know that.

[01:42:48] All right. On this part. Thank you. Thank you very much, Supervisor Alcorn. And next up is Supervisor Jimenez. Thank you, Mr. Chairman.

[01:43:04] I have four board matters today. Mr. Chairman, you've heard me say it before, but it's always worth reputing. Mason District is the cultural hub of Fairfax County. and is also home to some of our most talented artists throughout history societies that have embraced the arts have also been those which have thrived an indicator of our culture's overall well-being art is not just something for our eyes but conveys the people of society within which it is created and reflects this board throughout the years have funded many art initiatives and organizations and as a result it is a vital that we recognize them during art appreciation month

[01:43:42] in August. Therefore, without objection, I move that the proclamation be prepared and presented outside the boardroom to designate August as Art Appreciation Month. Without objection, that is so ordered. Supervisor Jimenez. Mr. Chairman, this September will mark the 237th anniversary of the signing of the Constitution of the United States of America by the Constitutional Convention.

[01:44:09] Our Constitution is the guardian of maintaining our liberties, freedoms, and inalienable rights. In 1955, Daughters of the American Revolution petitioned Congress to set aside September 17th through the 23rd annually to be dedicated for the observance of Constitution Week.

[01:44:26] The resolution was later adopted by the U.S. Congress and signed into public law on August 2nd, 1956 by President Dwight D. Eisenhower. Therefore, I move that the proclamation be prepared and

presented in the boardroom during our September 10th meeting to designate September 17th through September 28th as Constitution Week.

[01:44:46] second you've heard the motion it's uh been multiply seconded so we'll go ahead and vote on it uh all those in favor of the motion please say aye aye any opposed any abstentions that motion carries supervisor jimenez mr chairman at a board of supervisors meeting in may of this year i brought forward a board matter directing the department of neighborhood and community service ncs to begin the process of broader inclusion engagement for the community to collectively contribute recommendations that inform the name change of Bailey's Community Center. I am pleased to announce that NCS has completed the engagement process that included a community meeting and a survey

[01:45:25] to elicit feedback from residents as to the preferred name for the community center. Based on input and the survey results from residents, it is preferred that the Bailey's Community Center be renamed the Mini H. Payton Community Center at Bailey's. Therefore, Mr. Chairman, I move that the board of supervisors approve the renaming of the existing bailey's community center to the mini h payton community center at bailey's and adopt a resolution to this effect in accordance with the board's renaming policy and i further move that the board direct ncs staff to begin the process of planning and ordering new signage for this center in anticipation of a renaming

[01:46:05] ceremony this fall i'm happy to second that motion uh any discussion on the motion seeing and hearing none. All those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? That motion carries. Supervisor Jimenez. Mr. Chairman, I have one last board matter. Mr. Chairman, the applicant, Reena Abu Talib, Zina Shalai, and Annandale Children's Academy, LLC, has filed a special exception, SC2023-MA-00014, to allow a proposed child care center on a 0.75 acre

[01:46:42] properly located at 5116 columbia road annandale virginia and zoned r3 the applicant has requested concurrent process processing of on its site plan to advance the delivery of the project therefore i move that the board of supervisors authorize concurrent processing for the site plan for se 2023-ma-00014 this motion should not be construed as a favorable recommendation by the board of supervisors on the proposed applicants and does not relieve the applicant from compliance with the provisions of all the applicable ordinances regulations or adopted standards

[01:47:21] in any way i'm happy to second that motion uh discussion on the motion seeing and hearing none all those in favor please say aye aye any opposed any abstentions that motion carries supervisor umaz that is it for me today thank you sir thank you very much uh next up is supervisor Stork. Thank you, Mr. Chairman. I have several written and I have a couple verbal. First off, Dr. John Muller began his tenure at Fort Belvoir Deputy to the Garrison Commander in late 2019 after serving in the position for 12 years at Fort Meade. Dr. Muller has led many significant

[01:47:58] initiatives such as combating the housing shortage at Fort Belvoir families with four Fort Belvoir families and coordinating the renaming of four streets on Fort Belvoir named for Confederate-affiliated persons. Dr. Mueller has also been instrumental in developing close collaboration between the county and Fort Belvoir by initiating quarterly meetings with myself as well as the Department of Economic Initiatives to discuss ongoing developments around the post and proactively resolving issues.

[01:48:24] He has also been essential in coordinating access to Fort Belvoir for cyclists participating in my annual tour to Mount Vernon. Dr. Mueller helped set up the Army Community Service Food Pantry where

he provided oversight of 26 morale, welfare, and recreation facilities, including nine child and youth service facilities for fitness centers and 12 recreation and business programs.

[01:48:48] Dr. Muller Research prepared and presented the Fort Belvoir History Deep Dive for the Congressional Naming Commission in September 21. When the Naming Commission recommended the Army consider renaming Fort Belvoir, he conducted additional research, which was briefed to the Office of General Counsel MDW, and the Center for Military History. He opened channels with the Fairfax County History Commission, advocating that their research be shared with Army leadership. His efforts aligned with and most likely contributed to SEC Army's decision to retain the name Fort Belvoir and

[01:49:23] further interpret its history. Throughout his tenure, Dr. Mueller has thoughtfully recognized the shared responsibility for Fort Belvoir and Fairfax County, and has worked to integrate capabilities were needed to best serve the military and civilian residents of our community.

[01:49:40] Therefore, Mr. Chairman, in conjunction with yourself and Supervisor Lusk and Supervisor Herity, I move without objection that Dr. John Muller be presented with a proclamation signed by the sponsors of this board matter, recognizing his community involvement and Fort Belvoir leadership to be presented outside the boardroom.

[01:50:00] Without objection, that is so ordered. Supervisor Stork. Thank you, Mr. Chairman. My next matter is a board matter in conjunction with Supervisor Beerman. Mount Vernon District is home to many parks, and in the last few years, we have had an increase in the number of large, unpermitted gatherings around holidays.

[01:50:17] And again, recently, on July 4th, both Maryland and Virginia residents have been gathering by the hundreds, engaging in disruptive and inappropriate behavior, creating vast amounts of litter, traffic, safety, and parking issues in nearby communities. These celebrations are often organized through social media and can include amplified sound systems, grilling devices, illicit materials, and fireworks, all of which are prohibited in our parks.

[01:50:42] Our residents have shared their frustration of feeling trapped and unsafe in their homes. The last few years, the Monacan Court community near Newington Heights Park has been subjected to this chaos. The community brought this issue to our office, and this year we collaborated with the West Springfield Police to provide police officers and for the Park Authority to provide security guards to help with the enforcement of park regulations from 9 a.m. to 11 p.m.

[01:51:06] Park Authority has also provided visible signage detailing rules and regulations with additional temporary signs erected at entrances with language about large gatherings. This coordination was successful and the residents of Monacan Court were very thankful for this coordinated effort.

[01:51:22] However, similar unpermitted gatherings occurred at other locations in Mount Vernon, such as Laurel Hill Central Green and Mount Vernon Manor Park, where residents faced similar disruptions. Many residents called the police, but due to the holiday, immediate response times were challenging, leaving residents frustrated.

[01:51:40] While there is a process and rules for park rentals, we have come to understand that this process is being ignored. Therefore, Mr. Chairman, I ask with the unanimous consent that the Board of Supervisors direct the park authority and the Fairfax County Police Department to investigate these occurrences and report back to an appropriate committee of the board or through a NIP with

comprehensive solutions aimed at safeguarding the safety and peace of our communities during July 4th and other holidays that have similarly impacted our residents.

[01:52:12] I would also thank the county staff that has worked with our team, specifically with the Monica and Road issue, Sarah Baldwin, Mike Sinis, Major Ryan Morgan, as well as Christopher Crawford. These were quite disruptive.

[01:52:28] They weren't just kind of folks gathering. These were hundreds of folks bringing snow cone devices and amplified sound and selling food and other kinds of things. So this isn't what's just a few folks showing up. These are 400 or 500 folks in a couple situations.

[01:52:46] And, again, without that cooperation this year, Monacan would have been impacted similarly. As it was, the police and the Park Authority folks reported to us that they had folks starting as early as 9 in the morning coming, and they had dozens and dozens of people coming throughout the morning out into the early evening with the same intent.

[01:53:08] And, again, we became very aware of that. We also then saw that similar kind of displacement or kind of a gathering with hundreds of people and similar kinds of concerns from residents. And when these events were done, because they're very difficult to address once you have hundreds of people there, at least that's what the police advises, but the parks were left really in shambles, you know, stuff everywhere.

[01:53:35] So trying to get ahead of this, we want people to obviously appropriately use our parks. We clearly urge people to use our parks, but the difference between having a permit for 19 or 20, which is what the level is required, and having hundreds of people there is significant.

[01:53:51] And we're looking for answers and ways to respond so that everybody can effectively use our park as they're meant to be during our holidays. Well, thank you for bringing this forward, Supervisor Stork, and without objection, it is so ordered. Thank you, Mr. Chairman.

[01:54:08] The next written item I have is recognized in July as Family Reunion Month. Family reunions are a cherished tradition, especially in my family. I'm getting ready to do one in August that brings together loved ones from near and far, strengthening family bonds and creating lasting memories.

[01:54:24] Family Reunion Month, observed annually during the month of July, serves as a time for families to reconnect, celebrate their heritage, and enjoy quality time together. Here in the Mount Vernon District, the sixth generation Zale, Michael, Zaveldi, Mascio family will be hosting their family reunion this month with family members flying in from the UK, Germany, Canada, Africa, and all over the country.

[01:54:49] This inaugural event reflects the importance of family reunions in fostering unity, preserving cultural traditions, and promoting intergenerational connections. Trevis County is a very diverse community that values the richness of its multicultural heritage. Family Reunion Month highlights the county's commitment to celebrating this diversity and fostering inclusion.

[01:55:10] Therefore, Mr. Chairman, I move without objection that the board recognize and declare July 2024 as Family Reunion Month, and I ask that a proclamation be signed and presented outside the boardroom to the Zale, Habtsemeichel, Zaveldi, Masho family in honor of this inaugural event.

[01:55:26] This recognition not only celebrates their reunion, but also underscores the importance of family, diversity, and community in Fairfax County. And without objection, that is so ordered. Supervisor

Stork. Thank you, Mr. Chairman. The next item is a verbal board matter.

[01:55:42] I think you all may have heard of this, but it's something that's really, I've become more aware in the last, particularly last month or so. It's called the Fairfax Resolves 250th Anniversary, July 18th, 2024. 250 years, semi-quincentennial.

[01:55:59] The Fairfax Resolves were a set of resolutions adopted by a committee in Fairfax County and in the colony of Virginia on July 18, 1774, in the early stage of the American Revolution. Written at the behest of George Washington and others, they were authored primarily by George Mason.

[01:56:18] The resolutions rejected the British Parliament's claim of supreme authority over the American colonies. More than 30 counties in Virginia passed similar resolutions in 1774, but the Fairfax Resolves were the most detailed, the most influential, and the most radical.

[01:56:34] If you'd like to know more about it, Gunston Hall event tomorrow night, that's Wednesday, July 17th from 6 p.m. to 8 p.m. The Royal Prerogatives and Revolutionary Principles Connecting the Revolutionary Past to Today's Legal Debates Over Presidential Immunity.

[01:56:52] Join the folks at Gunson Hall for our commemoration of the 250th anniversary of Fairfax Resolve. This document, again drafted by George Mason and George Washington, was a turning point in American colonial ideas about independence. The ideas have gone on to shape how we think about democracy and government today.

[01:57:10] Dr. Holly Brewer, University of Maryland, will present her research on Fairfax Resolve and its connection to modern discussions of presidential immunity. In the end, they'll open the floor for questions. And I have just one more verbal item I wanted to recognize today.

[01:57:32] Grayson Norman, who's, Grayson, if you could stand up, please. Grayson Norman is here as part of our internship. And Grayson, for the month of July, we have an intern who is participating in the Fairfax County Youth Leadership Program.

[01:57:48] Grayson is a rising senior at West Potomac High School and is hoping to major in either neuroscience or biology in college to go on to med school and become a surgeon. Grayson works part-time at the Bellhaven Marina as a dockhand, and he loves being outside and helping people.

[01:58:04] In his free time, he enjoys playing basketball and pickleball and spending time with his friends and family. Grayson is very excited about this internship and hopes to learn a lot, not only about the district of Mount Vernon District, but also about how he can make a difference in our community and what local government does for him and the entire county.

[01:58:21] So, Gracie, welcome. Welcome. Thank you. Thank you, Supervisor Stork. Thank you very much. Supervisor Palchuk. Thank you, Mr. Chairman. I have one written board matter and then a few announcements. The board matter is now jointly with Supervisor Walkinshaw, and is recognizing Judge Gail Y. Branham-Karr.

[01:58:44] Members of the board, after 30 years as a judge on the Fairfax County Juvenile and Domestic Relations District Court, Judge Gail Carr is retiring at the end of this month. During her tenure, she has significantly helped improve access to justice, informed decision-making, and outcomes by implementing evidence-based practices. Beyond her judicial duties, she mentored middle school and high school

students, law students, and others about pursuing law careers and a pathway to the bench. In addition, Judge Carr developed the court's Kids Bench, a community collaborative effort that promotes

[01:59:20] literacy, encourages reading, facilitates attachment bonds, and provides free books to children who come to court with a parent or other adult. This initiative is a trauma-informed space in the courthouse lobby. Judge Carr is the first black female judge in the history of Fairfax County, paving the path for many other attorneys and judges. Before her appointment to the bench, she served as Fairfax County Assistant County Attorney, responsible for prosecuting civil cases, including child dependency matters or guardianship petitions involving adult elder care for abuse

[01:59:58] or neglect. Judge Carr also served as an Assistant Attorney General for the Commonwealth of Virginia, handling civil representation for litigation in state and federal courts about claims for money damages and civil rights issues against state agencies, including the Virginia Department of Corrections and the Virginia Parole Board. Judge Carr is active in teaching and training. She teaches new Virginia Juvenile and Domestic Relations District Court judges about child support and frequently trains judges, substitute judges, attorneys, teachers, social workers, law enforcement

[02:00:34] officers, clerks of court, probation officers, and court-appointed special advocates, CASA, among others. Throughout her distinguished career, Judge Carr has received many awards and honors, including the Fairfax Bar Association's 2024 Arnold B. Kasabian Award for the Fairfax County Domestic Violence and Sexual Violence Community Vanguard Award in 2023. Additionally, she started brown bag lunches to provide further training and education to court-appointed counsel and guardians at litem for civil delinquency and criminal matters. Therefore, without objection,

[02:01:12] I move that a proclamation be prepared and presented to Judge Gail Branham Carr at her retirement celebration to honor her many years of dedicated service to Fairfax County and the perseverance of good and justice. And without objection, that is so ordered.

[02:01:28] Supervisor Palchuk. Thank you, Mr. Chairman. I have a few announcements and verbal board matters. First of all, I just want to thank Supervisor Jimenez for honoring Arts Month.

[02:01:44] We had an excellent roundtable. The chair of your committee joined us in the ceremony following that as well. Those of you who have not yet met Stuart Holt, the new Executive Director of Arts Fairfax, just inspiring, very excited. As former educators, we had fun co-hosting, monitoring, moderating the session, hosted by the incredible team at Crescendo Studios, a wonderful new space in the Merrifield District with classes and events for all.

[02:02:12] And they have generously offered for any others who would like to hold meetings there. There were discussions about space, funding, and engagement, and just a lot of appreciation for how to work together and how to move forward our arts community. Also, a couple of exciting announcements.

[02:02:29] You may have heard Fava Pot, which has one of its stores in Falls Church, delicious Egyptian food, won the best fast bites under the Rammys that are being presented this weekend. Dina Sami, the owner, if you've met her, she's just an incredible human, left her job in international business in order to open Fava Pot and make some of the most delicious homemade food Egyptian fare.

[02:02:58] and is just a very welcoming community member. I also had the opportunity to tour. I don't usually do this, but two really exciting, I think, representations of why Fairfax and Providence are such

great places in our community. Hilton Headquarters, their global headquarters, are getting very close to opening.

[02:03:17] We had a chance to tour their building that is taking an existing building and totally reconstructing it, including an internal staircase that will connect all of their floors and showcase all of the regions in the world that Hilton represents. And so just another incredible partner getting ready to show the presence of not only do we know that we're a global community here in Fairfax County, but it's great to see the private sector investing in that as well. And then I know at Fairfax, those of you who've had to unfortunately go to the emergency room know that they do a lot with very small space. It is the third busiest

[02:03:56] emergency room in the entire country walking in even if it's packed to the brim it is always calm and so it's very exciting that they are getting ready to open the new emergency departments both for children and for adults so just want to commend the whole team there for doing everything they can with the space they currently have and excited about the future and then you know I don't often get involved in sports competitions, but those of us who mostly stayed up late enough to watch the Copa America,

[02:04:34] I'm sorry about your loss, Supervisor Jimenez. It was a well-fought race. Two of my favorite all-time players of Argentina are retiring or getting ready to retire, so it was very nice to see Di Maria and Messi enjoy.

[02:04:50] even without them on the field, the final match in the future of Argentina. But Colombia really held it up. But it was fun to see, and I know many in our community enjoyed that game as well. And then finally, we also have a summer intern through the Fairfax Leadership Program.

[02:05:09] Miranda Baxter is here with us today. Miranda is a very impressive rising senior at Woodson High School. As a member of the Fairfax Youth Leadership Program, She's learned about the inner workings of local government alongside students from across the county.

[02:05:25] She has already impressed our office by joining us on many meetings, asking critical questions. She's not shy to understand how our county agencies or business or INOVA partners work and to learn more. A very impressive student. I know a very dedicated runner as well.

[02:05:46] And coming from our wonderful community in Mantua, it's something in the water. I think we have a future rising community elected official here as well. So if you could help me welcome Miranda Baxter, who will be with us here this summer.

[02:06:05] That is all, Mr. Chairman. That is all. Thank you very much. Supervisor Palchuk. Supervisor Herity. Yeah, for a minute there, I thought Supervisor Palchuk was going to talk about the exciting finish of the Home Run Derby, which was also very good. But no board matters, written or unwritten.

[02:06:21] Thank you, Mr. Chairman. Thank you, Supervisor Herity. With that, we're going to move on to admin items. And let me ask Supervisor Smith if she has a motion to approve admin items 1 and 2. I move approval of administrative items 1 and 2. And I'm happy to second that.

[02:06:36] Are there any items board members would like to have discussed or voted on separately? Supervisor Alcorn. Yeah, thank you. Just very quickly, a comment on admin 2. This is the smart scale request. It includes their request for funding for the town center underpass, which has been in the comprehensive plan for a couple of decades or longer now.

[02:06:57] And hopeful, you know, we haven't been able to get funding for this yet in previous attempts, but I did just want to point out, you know, there's a broader discussion about road projects. This road project is a great example of a road project that's really important for transit-oriented development to work appropriately.

[02:07:15] So, you know, I hope as, you know, regionally we have discussions about various transportation projects that we understand the context when we do that. And I'm going to keep my fingers crossed that we might get some funding on this as well.

[02:07:30] So thank you, Mr. Chairman. Thank you very much, Supervisor Alcorn. And for those watching at home, this item is requesting funding for the Frontier Drive extension, Route 7 widening from the Beltway to 66 for BRT, Braddock Road, Phase 2, and of course the important Town Center Parkway underpass.

[02:07:50] Any other questions? Supervisor Lusk. I just want to acknowledge, and I'll thank you, Mr. Chairman, for the work on the Frontier Drive extension, acknowledging that this is a very significant project in our district and also acknowledging that if we're ever going to get anything done with the GSA Warehouse, this improvement is going to be necessary, so I appreciate it's been elevated to the place that it is and acknowledge that this is going to make a huge difference from an economic development standpoint for that part of our district, so thank you very much.

[02:08:20] Thank you. If there's no further discussion, all those in favor of Admin 1 and 2, please say aye. Aye. Any opposed? Any abstentions? And that motion carries and brings us to action items. Action item number one is approval of a Lake Akatink sediment monitoring initiative, Fairfax County partnership with United States Geological Survey and quantifying sediment mass balance in Lake Akatink and identifying sources and sinks of sediment in Akatink Creek.

[02:08:50] Supervisor Walkinshaw. Thank you, Mr. Chairman. Move approval of the county executive's recommendation on action item number one. I'm happy to second that, along with what sounded like half the board, which is good. discussion uh supervisor walkinshaw thank you mr chairman i'll just say this is um of the after the board matter uh to preserve a lake at lake akatink park uh this is our next formal action on the findings from the task force and one of the task force's findings uh was that uh we had

[02:09:26] models and estimates of the sedimentation in lake akatink the sediment entering the lake and the sediment leaving the lake, but they were just that. They were models and estimates. So this partnership with USGS will install gauges so we will actually know how much sediment is entering the lake and how much sediment is leaving the lake.

[02:09:50] I'll also point out, and I spent some time on airplanes over the last week going back and forth from the NACO conference, and I had a chance to read the full proposal from USGS, which is in the board packet, and I do recommend it. If you have the opportunity to read it, because one of the things you'll see is this is going to give us some data that is useful even beyond the Lake Akatink question, the preservation of Lake Akatink question, because we have a TMDL on the upper Akatink and commitments that we have to meet with or without Lake Akatink.

[02:10:27] We're going to have Lake Akatink, but separate from Lake Akatink, we have to meet those TMDL requirements. And this is going to give us some information that can inform that and probably help to inform our stream restoration and watershed restoration work around the county.

[02:10:46] So I think this is exciting for the entire county. It's exciting for those of us who are passionate about saving Lake Akatink, but it's also going to help us learn some things that are going to be more broadly applicable. Absolutely. Thank you for that explanation, Supervisor Walkinshaw. Any other discussion?

[02:11:03] Seeing and hearing none, all those in favor of action item number one, please say aye. Aye. Any opposed? Any abstentions? That motion carries. Action item number two is approval of a resolution authorizing execution of a project agreement between the Virginia Department of Rail and Public Transportation, DRPT, and Fairfax County for Fairfax Connector Route 798, service between Tyson's West Park Transit Center and Bethesda Metro Rail Station.

[02:11:36] This impacts the Drainingsville, Hunter Mill, and Providence districts. I know, Supervisor Palachuk, you have personally worked on this. Would you like to make a motion? Thank you so much, Mr. Chairman, and I appreciate our transportation, Chair. Mr. Bierman, allowing me to make this motion, this definitely, when I first came on the board and we had conversations, about the 495 next project, my big ask was to bring us a connection between the county and Maryland.

[02:12:05] This will be, right now, the only public transit direct connection with only stops express in Tysons and in Bethesda. So while it is beginning as a limited service, very limited hours, slightly limited hours, During rush hour, this $2 million grant that we'll receive from DRPT will allow us to hopefully make this a successful service.

[02:12:33] And I look forward to expansion of this type of service, especially once the project and the bridge are finalized. And really just talking to the regional component that we talked about in transportation earlier this morning, right?

[02:12:51] We have people who live, work all across the region. They may not even realize the bus or the service they're using belongs to one county or one district or another. And so as we continue to focus and enhance connectivity, access to service, I'm just so excited, especially also for our economic development.

[02:13:12] We have many, many employees who go back and forth between Tyson's, Bethesda, Maryland, Virginia, to get to work, to get home, doing construction projects. It was my very first ribbon cutting pre-COVID, I believe, was Capital One. And I got a chance to, the Jones Branch Connector right outside of Capital One, got a chance to talk to the people working on the Jones Branch Connector. And they all told me they wanted more work and they wanted better transportation and connections between where they were living in Maryland and coming to work on this project. And so I'm very excited, excited about the equity piece and about us being able

[02:13:51] to track, monitor, and expand transportation. And to all of the DOT staff who are here, represented by Greg and Noel, and everyone who's worked on this, thank you very much. I know I ask you about this probably every month, and we're very close, very close to the ribbon-cutting and the bus, so thank you. Very excited about this one. Thank you very much.

[02:14:14] Supervisor Paucek, so you've heard the motion. I believe It's been seconded. Any further discussion? All those in favor of action item number two, please say aye. Aye. Any opposed? Any abstentions? That motion carries. Action item three is approval of FY 2025 fair changes for Fairfax Connector and Associated Fair Equity Analysis. Supervisor Beerman.

[02:14:38] I move approval of Action Item 3 per the county executive's recommendation. You've heard the motion. It's been multiply seconded. Any discussion on the motion? Seeing and hearing none, all those in favor of the motion, please say aye. Aye.

[02:14:54] That motion carries. Actually, I should say, anyone opposed to the motion? Any abstentions? That motion carries. And that brings us to, finally, to action item number four, approval of changes to the Fairfax County Purchasing Resolution.

[02:15:09] Supervisor Smith. I move approval of the county executive's recommendation. You've heard the motion and the second by Supervisor Palchuk. Any discussion? Seeing and hearing none. All those in favor of the motion, please say aye. Aye.

[02:15:25] Any opposed? Any abstentions? And that motion carries. This brings us to closed session. We have an afternoon public hearing today at 3.30. Let me just verify that at this time, no board members are seeking to defer any of the afternoon cases.

[02:15:43] So if the afternoon first public hearing is at 3.30, it is right now 11.55. Let me ask the county attorney how long we need for closed session. Mr. Chairman, I estimate approximately 90 minutes. 90 minutes. So, that would be putting us back to, let's say, 1.30.

[02:16:01] So, why don't we, for an abundance of caution, why don't we report back to closed session at 1.30 so that we have, it's 120 minutes just so to make sure we're covered. So, if board members could grab lunch, report back to closed session promptly at 1.30.

[02:16:22] We have a lot of speakers this afternoon. We want to begin our 3.30 public hearings on time. And with that, the board is in recess. Sorry, let me turn. I'm sorry. Let's make that formal. Let me make sure Kathy has a chance to make that motion formal.

[02:16:37] I need to read my yellow paper. Mr. Chairman, I move that the board of supervisors recess and go into closed session for discussion and consideration of matters enumerated in Virginia Code Section 2.2-3711 and listed in the attached agenda for this meeting. And in addition, one is permitted by Virginia Code Sections 2.2-3711A7 and 8, legal analysis regarding the following, Shang v. Board of Supervisors, Fairfax County Circuit Court Case Number CL-2023-8569,

[02:17:10] and NS Reston v. Board of Supervisors, Fairfax County Circuit Court Case Number CL-2019-15831. And number two, as permitted by Virginia Code Section 2.2-3711A8, legal analysis regarding the following, Virginia Code Sections 15.2-2200-2201 and 2280-22286, and the 2024 legislative updates to the Virginia Freedom of Information Act.

[02:17:44] You've heard the motion. I'm happy to second that. Any discussion on the motion? Seeing and hearing none. All those in favor, please say aye. Aye. Any opposed? Any abstentions? And with that motion being made, we are again in recess. We will report back promptly at 1.30 for closed session and 3.30 for public hearings.

[02:28:20] Board is back in session after closed session and lunch. At this time, I am first going to ask Supervisor Kathy Smith to bring us out of closed session.

[02:28:36] Mr. Chairman, I move that the Board of Supervisors certify that to the best of each member's knowledge. Only public business matters lawfully exempted from the open meeting requirements by virtue of Virginia Code Section 2.2-3711, and only such public business matters as were identified in the

motion by which closed session was convened, were heard, discussed, or considered by the Board of Supervisors during the closed session.

[02:28:58] Heard the motion. I will second that along with Supervisor Palczyk and Lusk. Discussion on the motion? Seeing and hearing none. All those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? That motion carries. Motions coming out of closed session.

[02:29:16] Supervisor Alcorn. Thank you, Mr. Chairman. I move that the Board of Supervisors give the County Attorney Settlement Authority in NS Reston, LLC, versus Board of Supervisors of Fairfax County, Virginia, et al. Case number CL-2019-15381, Fairfax County Circuit Court, according to the terms and conditions outlined by the county attorney in closed session.

[02:29:36] And that motion has been moved and multiply seconded. Any discussion on the motion? Seeing and hearing none, all those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? Herity abstained. And that motion is approved 9-0-1 with Supervisor Herity abstaining.

[02:29:56] Okay. That is all from closed session. So we are now going to move on to our afternoon public hearings. And just a few reminders for folks, individuals wishing to provide testimony on our public hearings this afternoon have had a number of options. They can testify here in person or they can provide testimony by phone or by YouTube video.

[02:30:17] At the designated point in the public hearing, I will call for any speakers from the speakers list and they will either come forward or their video will be shown or they will be connected by telephone. There will then be an opportunity for anyone else who would like to speak to the application to come on down to the podium if they are present or to call in at 703-324-1020.

[02:30:40] Speakers testifying via video must have signed up and submitted their video no later than 9 a.m. on the day prior to the hearing. For all testimony, speakers are given three minutes to speak as an individual. If you're a spokesperson for a group, you are given five minutes.

[02:30:58] And with that, I'm going to call our first public hearing this afternoon, which is a public hearing on SC 2024-HM-00004, ST Wheelie, LLC, in the Hunter Mill District. And can we please have the affidavit reaffirmed?

[02:31:17] Good afternoon, Mr. Chairman, members of the board. My name is Kathy Taylor from the law firm of Walsh Colucci, and I reaffirm the affidavit dated May 7, 2024. Thank you very much. Are there any disclosures from board members? Disclosures from board members? Seeing and hearing none.

[02:31:35] We'll now recognize county staff for a staff presentation. Thank you, Mr. Chairman. I'm Kevin McMahon with the Department of Planning and Development. The applicant proposes a special exception to permit certain sign modifications to establish a sign plan for a multifamily residential building in Reston.

[02:31:53] The subject site is zoned PRM and is approximately one quarter mile to the southwest of the Wheely-Restin East Metro Station. The property contains approximately 1.84 acres and is developed with the Russell at Reston Station, which is a six-story multifamily building consisting of 260 residential units. The special exception sign plan contains a total of 10 signs, including three freestanding signs, five building mounted signs, two pavement signs

[02:32:28] with a total area of 104.2 square feet and two specific modifications of the zoning ordinance are being requested in order to prevent and permit an increase in the number of signs and the sign area for freestanding and building mountain signs on the property and on this slide you can see a few of the signs that are being proposed and that concludes my presentation thank you very much for that presentation are there any questions okay at this time I'd recognize

[02:33:00] the applicant for an applicant's presentation good afternoon again members of the board mr chairman kathy taylor from walsh kaluchi we're excited to bring this application before you i only have a few brief remarks as this sign plan i believe is fairly simple and straightforward by way of quick background as you heard from staff this is an existing multi-family residential that was built in 2020 it was part of a larger rezoning that was approved in 2016. it was previously known as Lincoln at Commerce Park when the previous owner sold the property to the

[02:33:36] applicant at the time of purchase there was only one sign on the on-site and that was a freestanding entry sign there was no signage indicating where the parking was there was no signage showing where any community amenities and so the applicant at this point seeks to implement a well-designed and coordinated sign plan that includes as you heard a combination of freestanding well as building mountain signage this will provide the necessary place making as well as way finding around the site so the applicant proposes to maintain the existing approved freestanding sign replace it with their name and then proposes new signs in and around the community

[02:34:12] such as as i mentioned parking and loading the building name address as well as pop signs publicly owned private space signs and as well as cycle pavement markings so in the end as i I mentioned, this request will allow the provision of necessary and important signage around the site and has minimal impact on surrounding neighbors. As such, staff as well as the planning commission has recommended approval and I request your favorable consideration in this case and happy to answer any questions you may have. Thank you. Thank you very much. Are there any questions of staff or the applicant? Seeing and hearing none. This is a public hearing. I have no speakers who

[02:34:49] have signed up in advance to testify on this matter. Is there anyone here present who would like to speak on this subject this is a public hearing anyone who would like to testify seeing and hearing no one let me ask the clerk if we have anyone who's called in no callers i assume the applicant waives rebuttal closing comments and a recommendation from county staff on june 26 2024 the planning commission recommended approval of the requested special exception application subject to the development conditions dated june 12 2024 and staff concurs with this recommendation

[02:35:24] thank you thank you very much for that uh any questions from board members last call seeing and hearing none i will now close the public hearing and recognize supervisor alcorn for a motion thank you mr chairman i would ask the applicant to come forward for the record and record the agreement to development conditions dated june 12 2024 yes the applicant agrees the development conditions dated june 12 2024 thank you thank you very much mr chairman i move that the Board of Supervisors approve SC 2024-HM-00004 subject to the development conditions dated June

[02:35:58] 12th, 2024. Second. Moved and multiply seconded by Supervisor Lusk and Supervisor Palchuk. Any discussion on the motion? Seeing and hearing none, all those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? And that motion carries. Thank you very much. Our next public

hearing is a public hearing to consider proposed amendments to the Uniform Retirement Systems Ordinances, and as soon as staff is ready, we would welcome a staff presentation.

[02:36:43] Good afternoon, Mr. Chairman, members of the board, Jeff Weiler, Executive Director of Fairfax County Retirement Systems. I'm here presenting proposed changes to the Uniform Retirement

[02:37:21] Systems Code regarding military and other public safety service purchases. As you know, on May 21st, 2024, the board adopted changes to the police and uniform retirement systems codes, which were to codify terms ratified in the collective bargaining agreements with the Police Benefit Association and the IAFF Local 2068, specifically to allow firefighters, police officers, and animal control police to purchase up to four years of military service credit and for police and animal control officers, other sworn law enforcement experience. Today, based on

[02:38:00] testimony you heard on May 21st and input from the Uniform Retirement Board, we are here to recommend some additional changes to the URS code, specifically to allow all members of URS, not just firefighters and animal control police, to purchase military service credit and for all members to purchase other public safety experience as well. The terms are the same as what was adopted on May 21st, meaning it is limited to no more than four years of service, that members can make installment payments up to 48 months and that members must pay the full cost this is how

[02:38:36] public safety experience is defined as you can see sworn in uniform law and service uniform fire emergency medical service public safety communications or emergency dispatch and helicopter pilots the cost to the member is based on calculation of assumptions made by the county's actuary chiron basically it is the difference between what the member's benefit would be after service is purchased minus what the benefit would have been be currently before purchase credit this methodology has been presented to and discussed in several employee group meetings

[02:39:11] to reiterate the employee pays the full cost of any service purchase meaning the urs will be no better or worse off funding wise and the county's liability for future benefit payments will not go up or down one note about costs like any projections of future benefit payments this is based on assumptions they are recommended by the actuary and adopted by the urs board of trustees the actual cost of any service purchase will vary for instance any given employee may stay working longer or not as long as long as assumed any given retiree may have a longer or shorter live

[02:39:50] than assumed and raises for any given year in the future may be higher or lower than assumed and in any given year retiree colas or cost of living adjustments may be greater or less than assume. So that's the end of my presentation. I'll be glad to take any questions. Thank you very much, Mr. Weiler. Are there any questions of staff at this time? Any questions of staff? I'm not seeing or hearing any. This is a public hearing. I do have one speaker who has signed up in advance, and I know she's here, Siobhan Chase. If you could come on down. Is there anyone else here after Ms. Chase who's here

[02:40:27] to testify specifically on this matter? If there is anyone else, if you could come on down, please, and sign in with the clerk, who's over here to my right, if you're here to testify on this matter and you have not already signed up. Ms. Chase, welcome. The floor is yours. Good afternoon. Chairman McKay, members of the board, as you know, my name is Siobhan Chase. I'm the vice president of the Fairfax County chapter of the Southern States Police Benevolent Association.

[02:40:54] Our president, Steve Monahan, spoke with you last time not only to thank you for approving the amendments for military and sworn law enforcement retirement buyback for the collective bargaining ordinance, but also to advocate on behalf of our membership in the sheriff's office who cannot engage in collective bargaining. We are happy to see these benefits being expanded not only to all of URS, but to include prior public safety service as well. Public safety is a diverse field that encompasses a multitude of transferable skill sets. A former dispatcher, police officer, or firefighter could thrive as a sheriff's deputy and vice versa. I'm actually one of the few members of the police department who is also a member of the uniform retirement system, and I believe this will

[02:41:33] be an invaluable recruitment tool and for retention as well. I want to thank you in advance for approving this amendment. Ultimately, any benefit that recognizes public safety service is a benefit to our collective success in Fairfax County. This began in collective bargaining and the following public discussion only improved upon the already highly sought after benefit. A continuing dialogue between our respective unions, county staff, employees, and the public stands to only improve what Fairfax County has to offer. We have found that we probably agree on a lot more than we may have originally thought. I look forward to seeing all of you in September, and I stayed under my

[02:42:10] time this time. Thank you. Thank you very much, Ms. Chase, for your testimony. And we have another speaker. If there's anyone here who wishes to testify on this matter, please come on down and sign up. And of course, we have David O'Neill from the Fairfax County Sheriff's Office. Mr. O'Neill, welcome. After Mr. O'Neill, if you're here to testify on this matter, please come down and sign with the clerk welcome the floor is yours thank you chairman mckay members of the board executive hill i just want to take a moment to say thank you to all of you for taking the time to give this

[02:42:44] full time and consideration and to provide this benefit to all members of the uniform retirement system and all veterans as well as those who have given their time and other law enforcement and public safety service so i just want to again say thank you to all of you thank you very much Mr. O'Neill, and thank you for your service.

[02:43:07] Is there anyone else here wishing to testify on this matter? This is a public hearing. Seeing and hearing no one else, let me ask the clerk if anyone has called in. No callers. No callers. Closing comments? I know staff has recommended moving forward, but I didn't know if there were any other closing comments.

[02:43:26] No, sir. Okay. Last call, questions from board members. Not seeing any because I know this has been heavily vetted through multiple committee meetings and already a public hearing on a related matter. So with that being said, I will now close the public hearing and recognize Supervisor Jimenez for a motion.

[02:43:45] Well, thank you very much, Mr. Chairman. Thank you to our speakers and all the staff that's worked so hard on this. I do have a motion. So, Mr. Chairman, I move that the Board adopt the proposed amendment to the Uniform Retirement Systems Ordinance for the purpose of adding certain provisions with respect to active duty military services and other public safety service purchases.

[02:44:06] I'm happy to second that motion along with Supervisor Lusk. Any discussion on the motion? Discussion on the motion, Supervisor Herdy? Yeah, I just want to be real brief, and this was brought up by a number of supervisors at the committee meeting. We just need to make sure we don't lose focus on process so that we don't end up here again, because I think a certain number of our employees felt

disenfranchised, and we don't want that, and it wasn't our intent to do that, but I want to make sure we don't lose that before we vote.

[02:44:34] Any further discussion? Seeing and hearing none, all those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? And that motion carries. Thank you very much. Our next public hearing is a public hearing on a proposed plan amendment 20.

[02:44:58] I'm sorry. Yes. Yeah, it's not. This is a, it is not quite four o'clock. You're right. Thank you for catching that. This is something about never happens. The board is running ahead of schedule. So our next public hearing, our final two public hearings of the day are both scheduled for 4 p.m., which means we cannot begin the public hearing on those until 4 p.m.

[02:45:20] So the board will take an approximately six, seven-minute recess.

[02:47:36] The board took a brief recess so that we could allow time to catch up with where our agenda is.

[02:49:51] We now are moving to our first 4 o'clock public hearing, first of 2. And we have a public hearing on proposed plan amendment 2023-CW-1CP for sale workforce dwelling unit policy and program.

[02:50:07] And at this time, I would recognize our county staff for a presentation. Good afternoon. My name is Megan Van Dam. I work for the Department of Housing and Community Development. I'm here to present plan amendment 2023-CW-1CP. And I'm joined today by my colleagues within the Housing Department, Grace Hyman, Anna Shapiro, and Tom Fleetwood.

[02:50:28] My colleagues from the Department of Planning and Development, Leah Nebauer, Kelly Atkinson, Graham Owen, and Susan Timona are from the Office of the County Attorney. The Workforce Dwelling Unit Policy is an inclusionary housing tool that the county uses to secure affordable housing opportunities in high-density residential and mixed-use developments in the county.

[02:50:49] The WDU program is a policy in the comprehensive plan and applies when developments are proposed through the rezoning process as applicable in development centers. The county-wide expectation highlighted in the black box is that 12% of the total units being built need to be part of the workforce dwelling unit program.

[02:51:07] The program serves between 80 to 120% of the area median income, and 12% of those total dwelling units are divided into three equal parts across that spectrum of income tiers. there are also expectations within the county that are different depending on the geographic area for example in tyson's a task force convened last year comprised of affordable housing advocates market rate development representatives and staff that looked at the challenges of the program the task force identified certain issues and recommended improvements to the wdu program

[02:51:42] and underlying policy to address major challenges within wdu serving the higher area median income level and also why they are staying on the market for longer periods of time the task force also looked at other program challenges and opportunities such as accommodating larger households and families through the proportionality of bedroom mix between wd use and market rate units as well as expanding the geographic applicability of the program on december 5th 2023 the board of supervisors authorized the plan amendment and directed staff to evaluate the wdu policy based on the task force recommendations which i'll go through in the next few slides and also look at

[02:52:21] consistency between the for sale and rental program and the effectiveness of the 100 percent ami tier staff was also directed to prepare revisions to the countywide and tyson's urban center workforce dwelling unit administrative policy guidelines for consideration in line with the plan amendment and these are being prepared based on the policy changes and will be published and reviewed separately the first policy challenge that the task force reviewed was for the affordability levels. The analysis looked at whether the units committed at the higher income tiers were effectively supporting the need. The task force found that the for sale WDUs at the higher AMIs are often priced close to market

[02:52:58] rate units of similar size, that they remain on the market for significant longer periods of time than the market properties and often require price reductions and other incentives to sell. These challenges were most prevalent in the 120% AMI tier because homeowners who have options in the market at these price levels often choose to purchase the market rate homes without program restrictions. To optimize affordability levels, the task force recommended that the policy be adjusted to remove the 120% AMI level and shift the program income limits down to add the 70% AMI level. This would increase the availability of homes priced for moderate income households

[02:53:37] while maintaining project feasibility. Many developments already include that 70% AMI level. The proposed plan would retain the current countywide policy of a minimum of 12% of new residential for sale units with a proposed revision to distribute the expectation equally across the 70, 80, and 100% AMI levels.

[02:54:01] The task force also analyzed whether there should be bedroom proportionality between the WDUs and market rate units to encourage a greater production of family-sized units. There are already policies for bedroom proportionality in Tyson's, so this would be looking to expand on that policy.

[02:54:16] As part of the research, a feasibility analysis evaluated the impact of potential countywide policy challenges that would recommend proportionality of the bedroom mixes between WDUs and market rate units. This found that projects would remain feasible for WDUs consisting of three bedroom units, but would have a larger impact on requiring four and five bedroom units within the development.

[02:54:38] Strict proportionality of the WDUs could negatively affect project feasibility and effectively prevent projects from moving forward, which would affect the overall housing supply. Therefore, the task force supported expanding the proportionality of the bedroom mixes between WDUs and market rate units. However, flexibility would be offered for developments with larger family size market rate units of three bedrooms or greater to avoid the potential negative impacts of strict proportionality.

[02:55:02] While not specifically evaluated by the task force, the plan amendment also would revise the policy to include minimum bedroom and living room sizes for the WDUs consistent with the Virginia Construction Code and Virginia Property Maintenance Code. Bedroom and living room sizes below the minimum established in these codes negatively affect the marketability of WDUs for larger households and could hinder the ability for WDUs to be resold also to larger households.

[02:55:32] As far as the geographic applicability, currently for the for sale policy limits are expected within the county's designated mixed use centers. However, we are seeing that there are medium and high residential densities such as townhouses and stacked townhouses being approved outside the development centers.

[02:55:53] Because these developments are just outside where the existing policy is applied, the county is not able to negotiate for WDUs based on the policy. These sites are typically located along major roadway corridors and transit corridors and are adjacent or near a mixed-use center.

[02:56:09] The task force recommended the policy extend to areas zoned and planned for medium to high-density residential development, and the proposed plan amendment would similarly extend the policy to sites that are planned for mixed-use development at residential developments at eight dwelling units per acre or above.

[02:56:30] The plan amendment does not include those sites already zoned for residential densities at eight dwelling units per acre because those sites would not be affected by proposed policy changes. This map on the screen shows a point-in-time analysis, and I can answer any questions if you have them about that.

[02:56:48] The proposed revisions would also update the rental policy to utilize the eight dwelling units per acre threshold rather than the building construction types to create consistency between the for sale and rental programs. Any change to the WDU policy related to expanding the high-rise condominiums and Tysons were not considered, but there was a recommendation to reevaluate that as the market changes in the future.

[02:57:15] So in summary, the plan amendment would affect the policy plan and the area plans. We would shift the affordability levels from a range of up to 80% to 120% of the area median income to a range of 70% to 100% of the area median income while retaining the 12% for sale commitment levels.

[02:57:35] Expanding the guidance on the proportionality of bedroom mixes with flexibility for family-sized units and adding language so that the minimum bedroom and living room sizes of the units meets the Virginia Construction and Maintenance Codes. And for consistency, this would also apply to the WDU rental program.

[02:57:51] In addition, the plan amendment would expand the policy applicability to sites planned for eight dwelling units or greater outside of development centers and refined language about monetary contributions. This revised language would state a preference for units over the contributions or land, which would be consistent to the current practice and would make this consistent between different sections of the comprehensive plan. And this would also involve the county in the decision making about this.

[02:58:22] Editorial revisions are also proposed, for example, to update facts and data about projected affordable housing needs. And as I mentioned, separate from the residential development WDU policy, staff also recognize that recommendations related to the monetary contributions for proposed non-residential developments in the Tyson's plan and for continuing care facilities have not been escalated annually based on the consumer price index per the adopted comprehensive plan.

[02:58:50] So that recommendation was also considered within the staff report, and we've asked that the board direct staff to prepare an action item to revise these rates based on the CPI and procedures for their regular update.

[02:59:07] In terms of outreach and public engagement, the draft text recommendations based on the task force recommendations and additional staff recommendations were published in March for public

comment, and those comments were published online. We also engaged stakeholders to inform and gain feedback on the amendments starting in February.

[02:59:26] Overall, the feedback was positive and supportive of the program to right-size the program to meet the community needs. There was general support for the policy changes, but as we discussed at the June 18th housing committee meeting, there were questions about the AMI shifts and suggestions for criteria for the expanded applicability.

[02:59:47] And I can certainly expand on that if needed. So thank you. That concludes my presentation. Thank you very much, Mr. Chairman. Thank you very much. At this time, are there any questions of staff? Any questions of staff?

[03:00:03] I'm not seeing or hearing any. This is a public hearing. I do have two speakers who have signed up in advance to testify on this specific matter. Speaker number one is Thomas Cranmer. Speaker number two will be Mary Payton, connected by phone. If there's anyone else here present who would like to testify on this specific matter, please come down and sign in to the clerk who's on my far right of the dais here.

[03:00:27] And let me ask if Speaker No. 1, Thomas Cranmer, is here. I have not seen him. Mr. Cranmer here. He's not here. Speaker No. 2 is Mary Payden, who will be connected by telephone. Mary, can you hear me okay? I can hear you.

[03:00:44] Welcome. The floor is yours. Yep. The floor is yours. Okay, thank you. Good afternoon, Mr. Chairman and my Route 1 supervisors and other supervisors. I'm speaking today as the Housing Community Chair of the Fairfax NAACP.

[03:01:01] We support any changes that will increase the number of homes affordable to black residents. That's helping them build generational wealth. The proposal to amend the Workforce Development Unit policy is a good small step in that direction. According to the staff report, only 30 WDUs, that would be about 7.6 per year, were produced from 2007 to 2024.

[03:01:27] However, with 70 WDUs in the pipeline, that rate could go up. I commented a couple times during the extensive review period of this proposal that the upper income limit for participation should be 80% AMI rather than 100%.

[03:01:44] At least the percentage of units at each income level should be shifted downward so that, say, 2% of the units are at 100% with the bulk of them at 70% and 80%.

[03:02:00] And the category of bonus height for constructing a 20% WDU, there's even heavier shift with 7% of the units at the 100% EMI level. The county has a bigger mandate to encourage affordable housing for families below the area median income.

[03:02:21] An income of $155,000, the area median income for a family of four, puts one in the market for a $450,000 to $500,000 home. A quick search of Fairfax County homes for sale on Zillow found 199 homes below $450,000 and $232,000 priced below $500,000.

[03:02:45] Many were two-bedroom condominiums or townhomes, but some were single-family homes. Anyway, we're glad to see the county will hold developers to making the WDUs more comparable in size to market rate units. Even so, the required 900 square feet for a three-bedroom unit is pretty tight.

[03:03:04] Regarding extending the WDU policy to stack townhouses, we recommend you adopt the task force recommendation. rather than staff position, apply this policy to the areas that have been planned

and zoned, if possible, to this density. The staff recommended just areas planned. This is an excellent level of density for family homes and more affordable homes we can get in this category, the better.

[03:03:36] Several areas along Richmond Highway are proposed for this density level, and this should be mentioned in the Richmond Highway section on page 36 of the staff report. We need new affordable townhomes as well as preservation of apartments in this area.

[03:03:53] Despite residential efforts, no increased percentage of affordable housing was called for in the Embark Plan along the 7-mile bus rapid transit area. It requires only the county average of affordable housing, whereas other mass transit sites have required more.

[03:04:10] Since the area around Richmond Highway is currently majority minority and lower income, considerable new and preserved housing will be needed to prevent displacement and gentrification. Beyond the WDU policy change, considerable effort will be needed to improve homeownership possibilities for families below the median income.

[03:04:33] Here are a few ideas. As you have used county land for multifamily rental developments, use small scattered county-owned lots to assemble new modular homes at lower cost than stick-built homes and sell them to lower-income families under a land contract model.

[03:04:49] Work closely with Habitat for Humanity to provide land to construct townhouses and stack townhouses where allowed to sell to lower-income families. And use recent indicators from paired testing of mortgage lenders to investigate the possibility of fair housing violations.

[03:05:09] Partner with minority lenders and real estate brokers to discuss and encourage lending to qualified minority residents. Thank you for this opportunity to testify. And keep cool. Thank you very much, Mary, for your testimony.

[03:05:25] Speaker number three is Cynthia Shang. And if you're here to testify on this matter, please make sure you come down and sign in with the clerk in advance. We are on our first of two 4 o'clock public hearings. Welcome. Of those units in the western section of the Fairfax County, we're building a lot of data centers in that area.

[03:05:58] And I read the other day how high suicide rates, especially among construction workers, those having to travel long distances is quite high. So I want to enforce the fact that we do have an affordable housing community called the Meadows of Chantilly Mobile Home.

[03:06:19] However, we do understand that the county has allowed to have that community be threatened by a data center that has hazardous and toxic materials thousands of gallons 50 feet from their home.

[03:06:36] I know somebody who lives in this community and the over-industrialization of the land around them is heartbreaking. The 80 acres on which this affordable housing community sits is zoned industrial. With the continued allowance of Buy Right Data Center, specifically in the Route 28 tax district, they are in danger of losing their land and having it sold out from under them.

[03:06:59] The landlord is only required to provide $5,000 for each homeowner to move their home. That will get them about as far as they can throw it. In considering workforce and affordable dwelling units, you must also consider how you protect them.

[03:07:15] lost several communities already affordable housing communities and I implore you to consider the protection of these communities as paramount we're moving forward thank you thank you let

me ask if mr. Cranmer has arrived speaker number one I do not see him yet is there anyone else here present who would like to speak on this subject on this subject anyone else present seeing and hearing none let me ask if anyone has called in no callers no one has called in. Closing comments and a

[03:07:49] recommendation from county staff. Thank you Mr. Chairman. On June 12, 2024 the Planning Commission voted unanimously 10-0 in support of the staff recommendation for the policy changes.

[03:08:08] They also recommended as a separate follow-on motion to direct staff to prepare an action item to revise the non-residential contribution rates based on the CPI and procedures for their regular update. Thank you Mr. Chairman. Thank you very much.

[03:08:23] Last call. Questions from board members? Seeing and hearing none I will now close the public hearing and recognize Supervisor Smith for a motion. Thank you, Mr. Chairman. I'm going to do this a little differently than I usually do and make my comments first and then my motion. Mr. Chairman, the Workforce Dwelling Unit, or WDU Policy Plan Amendment, consists of important changes to the For Sale WDU program, which is one of several tools for providing inclusionary affordable housing.

[03:08:50] The amendment shifts the affordability levels of the program so that the program serves families with the greatest need, helps to address the demand for family-sized units and extends the program application to properties in new market-rate neighborhoods outside of development centers.

[03:09:05] In preparing this plan amendment, staff engaged neighborhood and industry groups. Comments received during the engagement process were largely positive and supported the county's commitment to providing affordable housing. Staff considered the comments and have reasonably responded to them.

[03:09:22] Questions about potential changes to the guidance on WD transfers between unit types and developments with multiple unit types will be addressed in the future changes to the WDU administrative guidelines. On June 12, 2024, the Planning Commission recommended to the Board to move the staff recommendation forward, as well as recommended a follow-on motion for staff to prepare a Board item to both increase the non-residential contribution rate for affordable housing and procedures for its annual update.

[03:09:50] I support both of these actions. Therefore, Mr. Chairman, I move that the Board of Supervisors adopt the Planning Commission recommendation for PA-2023-CW-1CP, which is consistent with the staff recommendation and found in the staff report dated May 22, 2024.

[03:10:11] I further move that the Board of Supervisors direct staff to prepare an action item to update the non-residential monetary contributions in such sections as Tyson's and the continuing care facility policy based on the annual increase in CPI and to outline procedures for their regular update.

[03:10:28] I'm happy to second that motion along with Supervisor Palchuk. Discussion on the motion? Any discussion on the motion, Supervisor Smith? Just briefly, I want to thank staff for all their work on this, for meeting with the community and other members. I think it was a lot of great work, so thank you.

[03:10:46] Further discussion, Supervisor Herity. Yes. Home ownership and addressing generational wealth are important issues, and this policy is a move in the right direction. But in my opinion, it still doesn't meet the mark of helping those most in need of housing, and it does so at the expense of raising the cost of housing for everyone else.

[03:11:10] It also unfairly competes with private sector housing efforts. As we heard at the Land Use Committee meeting, the rationale for keeping the WDUs at the 70% to 100% AMI was so that people in this range could have the option of new construction if they wanted it.

[03:11:28] So what this really says is this is about a housing preference, not their housing need. I'll reiterate what Supervisor Stork said during the committee meeting. There are already options in the market for people in this income range. So why aren't we investing this money to help those who don't have options?

[03:11:45] Last week, I heard about a family in exactly this situation. The mother is an instructional assistant at a Fairfax County elementary school, and her husband works at a local home improvement store also in Fairfax County. They live in a townhome they rent near Fairfax City.

[03:12:02] They have three children. Two of them still live with them. One's a student at Woodson. Their landlord is selling the home at the end of this year, so they're seeking housing in the area. They looked into our affordable housing program, and they don't make enough to afford or qualify for units in the program.

[03:12:20] The handout that the county housing office gave them had units that would need the need for their children to live with them but were out of their price range. They're immigrants who have lived here for 30-plus years paying into the system and are struggling to find a place to live.

[03:12:35] In addition to not meeting the needs of those who don't have options, this policy doesn't help make Fairfax County more affordable as a whole. Policies like this drive up the cost of all housing units. Even though this policy is moving in the right direction, I don't want to oppose it for that reason.

[03:12:55] I don't think it goes far enough in that direction to help those that don't have options. So I'm going to abstain on this one. Supervisor Stork. Thank you, Mr. Chairman. I am strongly supportive of what's been brought forward.

[03:13:13] I know that a tremendous amount of staff work has gone into this. Tremendous amount of industry collaboration, community engagement. comments surveys you name it to get us to where we are i am i'm never going to let the uh the enemy of of of the great be good or whatever however that goes but i support this because i know it's what we need to be doing and we need to be doing more of it my challenge has been and i spoke to that at the committee meeting is that we do have needs that are far greater than what this can do, and we have folks who are far needier than even 100% of AMI, and I think our county

[03:13:52] resources should be focused on those that are absolutely most in need, but I am deeply supportive of the efforts that were made, the progress that we've made, and I'm thankful for the work that staff and others have put into this to go as to where we are today and look forward to the next iteration of this, which I think can even support more folks and make a difference for even more families, so thank you.

[03:14:12] Thank you, Supervisor Stork. Supervisor Palchik. Thank you, Mr. Chairman. First of all, I would call it not just not leading, letting the perfect be enemy of the good, but if there's a little bit, no worries, it's usually me, if there's a little bit of dissatisfaction on either end, I think it means that we've really listened to all the stakeholders, that there has been industry, there has been input from the community.

[03:14:37] it's not going to be perfect but in a time when we've we've reached an average of a million dollars per home single family home in Fairfax County all of the above are in need we know housing the need for housing absolutely at the top of our list and it's a big step forward and then finally in conversations about every topic I have lately in every part of my district we were asked why can't you all be more creative be more creative and how you do the housing be more creative and so this is one of the many many tools that the housing office

[03:15:15] is using to help us try to try to meet those it's not there's not a silver bullet but I absolutely believe this is a step in right direction we'll continue to monitor it as we do all of our other proposals and other ways we invest and to remind you this doesn't require any money from the county this is developers who are coming to develop homes for sale and we are increasing our requirements on the type of housing on the size of housing on where that housing needs to be provided and we know that it's a balance some would like us

[03:15:52] to go further but we want to be really mindful and the staff have done that to ensure that the projects are still viable and as with our other programs if we see issues you know we'll continue moderate and can can look at them once again but to the first commenter I do want to say that it does have it in here higher incentives for going even lower to 60% AMI on the on the county owned land and we know we've only gotten a few a few of those and so I appreciate all the work Megan and the entire team have done on this and absolutely very happy

[03:16:29] to support this going forward Thank You Supervisor Pouchik any further discussion I too am supportive of this and just want to reiterate my thanks to staff and all the folks involved in this that chart you had up that had the community outreach was significant and we had multiple conversations as a board about this very topic and have a unanimous vote in support of this from the Planning Commission and so I do want to recognize all that work that was put into this getting us to this point on a good policy i'll be it likely not a perfect policy

[03:17:05] but a good policy and most importantly an additional tool in our vast toolbox of things available to us to address affordable housing i don't want anyone thinking this is the county's affordable housing policy because this is one tiny thread of a much larger affordable housing strategy that we have in Fairfax County. And so I too will support this. That being said, you have heard the motion. The motion has been seconded. All those in favor of the motion, please say aye. Aye. Aye. Any opposed? Any abstentions? Parity abstain. And that motion

[03:17:40] too is approved 9 to 0 to 1. And that brings us to our next public hearing, which is our final public hearing in the afternoon, which is a public hearing on a proposed zoning ordinance amendment regarding data centers. And at this time, as soon as staff is ready, we would recognize county staff

[03:18:04] for a staff presentation. Good afternoon. I'm Carmen Bishop in the Zoning Administration Division, and I'm joined here by Tracy Strunk, Director of the Department of Planning and Development,

[03:18:41] and Leslie Johnson, our Zoning Administrator. I'm also joined by John Botts, the Pretreatment manager for the industrial waste section with the department of public works and environmental services and i'm also joined by corinne bebek senior planner with dpd the proposed amendment revises the permissions and the use specific standards to strengthen the requirements for data centers for compatibility with surrounding uses and to address issues such as noise and

[03:19:11] building design in the text in the staff report there are various options included and where there are options staff recommends option one and then there are some advertised ranges and i'll be mentioning some of those as i go through my presentation for the permissions looking at that top table on the slide the permissions in the conventional districts are revised to add an se for the i4 i5 and i6 and this will pair with the youth specific standards that i'll be going over

[03:19:46] in just a moment and would allow for certain of those standards to be modified by se and then option two in that top table would remove the allowance for a buy right data center in the c3 and c4 commercial districts and would instead allow it there only by se now looking at the bottom table for the plan districts there we recommend removing the allowance for a data center from the prc district there currently are no data centers existing or approved in the prc and then the permissions are shown to be changed to an se in the plan districts and this is because

[03:20:26] sometimes the proffers broadly allow all or most of the uses that are allowed in the zoning district so this will ensure that that location has been specifically planned for a data center and then option two in that lower table would retain the allowance for a data center in the prc by se and then lastly i'll note that all options for permissions have been advertised for consideration now over the next few slides i'll be providing an overview of the proposed use specific standards

[03:21:00] the zoning ordinance currently has a standard for the enclosure of equipment and that standard is proposed to be revised the revised standard would apply in all of the zoning districts where data centers are allowed including the i4 i5 and i6 where it currently does not apply the standard also is revised to specify that its intent is to mitigate visual and noise impacts it would apply to all hvac and power equipment is including the power generators and any accessory electrical

[03:21:35] substations. The standard has also been revised to recognize that it isn't always mechanically feasible to enclose all types of cooling systems. And if that is the case, then a screening wall would still be required in order to provide that visual and noise mitigation. For the C3 and C4 districts, the proposed amendment retains the maximum size of 40,000 square feet for a by-right data center the amendment removes the allowance for a larger size with the repurposing of an

[03:22:11] existing building the i4 district is proposed to be added to the current standard that applies in i2 and i3 and it allows a maximum size of up to 80 000 square feet for a by right data center the amendment removes the allowance again like with the c3 and c4 for a larger size with the repurposing and then for both of these districts um excuse me for both of these standards and all five of these districts a larger size would be allowed with an se approval now various advertised

[03:22:45] options are included in the text for these standards and including the option to retain the allowance for a larger size with repurposing or to set a maximum size for that repurposing of 200 000 square feet the amendment does not include a proposed maximum size in the i-5 and i-6 districts and this is intended to encourage data centers to locate in those heavier industrial districts the proposed amendment includes a setback for the building or any equipment of 200

[03:23:23] feet from a residential lot line and this would apply where a property is zoned to a residential district whether it's developed with a residential use or not and to a property that is used for a residential use even if it's zoned to another district and the amendment includes an advertised range of up to 500 feet the planning commission recommended a setback of for the building of 200 feet and for any ground level equipment of 500 feet unless that equipment is located on the

[03:24:00] other side of the building from the residential use the amendment also includes a setback of one half mile from a metro station and here we have advertised a range up to one mile and the planning commission did recommend that one mile and then both of these setbacks could be reduced with special exception approval now of course your zoning district setbacks they continue to apply as well as transitional screening and with the recent update to transitional screening

[03:24:34] a 50-foot wide transitional screening yard is required between industrial and residential uses and this is the maximum transitional screening yard that we have in the zoning ordinance the proposed amendment includes submission requirements for a noise study with a rezoning or a special exception and then also before site plan approval so this is going to apply to buy right development as well and then a post-construction study would be required before issuance of the certificate of

[03:25:10] occupancy the proposed amendment also includes building design standards that would apply to buy right development to include a main entrance feature facade variation and fenestration and And then a more flexible provision would apply with a rezoning or special exception where your architectural renderings could be submitted for review.

[03:25:34] Then here this diagram kind of puts it all together and shows what a by right data center could look like in the I-5 or I-6 districts with a 75 foot tall building which is the maximum height allowed, a 200 foot setback to residential, 50 feet of transitional screening, have the enclosure of equipment and a entrance feature and the fenestration thank you and we are happy to answer any questions thank you very much are there any questions of staff at this point any questions of staff supervisor Jimenez thank you mr. chairman and thank you staff one quick question can you put it

[03:26:13] on slide four for a second my question is when it said that it would be that you wanted to enclose equipment when feasible what equipment would be feasible to enclose i think

[03:26:45] it's been my understanding that no equipment would be be able to be enclosed outside um so plenty of equipment can be enclosed such as your generators they are typically enclosed and there are other types of equipment that can be enclosed the equipment that typically can't be enclosed would would be something like a cooling tower uh and so that type of equipment um whether it's located on the ground or on um the rooftop can be screened by a wall instead all right thank you uh additional

[03:27:22] questions supervisor harrity yeah along that line feasible if you build something big enough anything can be can be enclosed pretty much anything can be enclosed i i worry a little bit about feasible versus practical i mean it might be feasible to enclose something but if it takes a ton more power a ton more space a ton more you know units to cool that space does that make it

[03:27:56] feasible or does that knock it out of feasible if you're spending a whole bunch more electric money and everything else to include fully enclose it yeah i understand your question um we did coordinate this standard with the building official and they indicated that it would be based on manufacturer specifications the degree to which equipment could be enclosed and then we have heard from industry and they provided a list of different types of equipment that they do typically enclose and that they don't typically enclosed and I will say we agreed on that list so

[03:28:35] there are various equipment types that they come in boxes and so forth and that's considered enclosed and then a cooling tower as i mentioned is not typically enclosed but that would have the screening wall so um that that's so there's going to be a reasonableness in the in that absolutely thank you

thank you for that clarification and i believe that language is also intended to be able to make sure that the conditions the the language that we use stays pertinent to what's happening in industry with technology and other things because there is a feasibility question

[03:29:11] about what's feasible today as we sit here and what might be feasible in years into the future and so we're not necessarily prescribing that here today and that's one of the reasons for that flexibility is that fair absolutely okay thank you any additional questions at this time yes supervisor Jimenez thank you mr. chairman the planning commission had uh recommended 500 foot setback correct the planning commission's uh setback from residential um was it kind of like

[03:29:46] did both so 200 feet for a data center building yeah and then 500 feet for any ground level equipment unless that equipment is uh separated from adjoining residential by the data center building and you're recommending the staff recommendation is to a 200 foot setback for the building and the equipment why not just make it 250 cut it in half why why did you go to 200 we we do have an advertised range of uh 200 to 500 feet for the board's consideration

[03:30:23] any additional questions of staff at this time there will be other opportunities but at this time supervisor beerman so if i'm understanding this correctly that with the setbacks and the generators that are outside the planning commission uh says it's either 500 from the r district but um or if it's on the other side of the building so if you've got an industrial district next to an industrial district but then next to an r district that incentivizes moving the generators over so that it backs up onto the the other industrial district rather than the residential

[03:31:03] is that the purpose of that sort of dual hatted way of doing it i mean i i will say that there's so many different lot layouts um that it's hard to um speak to all of them um we are concerned you know where there could be an incentive to create a spite strip or an outlot in order to um avoid certain requirements but um you know i think the planning commission wanted my my understanding of their intent was to maximize the distance for ground level equipment and but to be clear to

[03:31:42] create the spite strip it would have had to be what you're talking about would would have had to be a spite strip zone for residential and we're not creating spite strips here so i'm not really sure i understand that that that issue the spite strip could be um industrial so that's an out lot that doesn't meet the lot size requirements under the zoning ordinance well yeah but but here the In the Planning Commission, it says, or separated from the lot line of an R district or a property developed with residential use by the principal data center building.

[03:32:21] So, I mean, you know, the spite strip thing to me is a red herring. I don't think there's a problem with spite strips because you're essentially saying you need to create a spite strip of residential strips around a data center.

[03:32:36] that would be up to us not not somebody who's out there buying up spite strips somebody bought a bite strip in my neighborhood it's a total pain truth anyway that's all i got for right now okay uh additional questions supervisor walk-in show um thank you mr chairman i just want to ask about building design and um fenestration and maybe you can talk us through the challenge of

[03:33:09] establishing objective standards in in the zoning ordinance for maybe the sub somewhat subjective goal of making a data center look like something else and you know all of us have dealt with this

challenge as it relates to self-storage probably and it seems to be you know kind of a developing area of interest for the industry and jurisdictions around the country.

[03:33:40] And so can you talk us through that challenge and how you feel the 30 percent fenestration in the standards accomplished that or didn't?

[03:33:56] And I guess one of my concerns and questions is if we, assuming we adopt the standards as they are here given the kind of evolving nature of the architecture of data centers um will we have the flexibility under buy right scenarios to get the best kind of design for the for the surrounding communities uh thank you i appreciate that question we did um strive in drafting the proposed standard for the buy right development to be specific as we have to be for buy right

[03:34:36] development but um but maybe not too specific so it allows developers to be creative as designs evolve and over time uh so the requirement does include for that main entrance feature that i mentioned um and then facade variation this is to provide uh so you don't just have you know your single blank wall but the variation could be many different things it could be accent material it could be texture it could be color so there's a lot of flexibility in meeting that standard and then the fenestration it could include and the standard does specifically mention this so you

[03:35:16] know it won't be a question for interpretation later that it could be faux windows because that might be the need with a data center but some sort of windows indoor feature and we have not received any objections from the data center industry about that by right standard so we kind of tried to strike a balance where enough uh we're asking enough we're providing direction uh to developers to indicate here's what we would like to see but not too specific that they can't be creative to their own designs okay any additional questions at this time before

[03:35:56] we begin our formal public hearing okay I'm not seeing any at this time as I mentioned this is a public hearing I do have a speaker's list that right now has 59 people on it and so I'm going to ask for everyone's cooperation you know your number I'm going to call your name and number when we're getting close to your time to testify please please please come down closer to the podium so that when i call your name we're not rushing up and down the stairs or causing somebody to get injured here and so we're going to do our best to get through these speakers and if you could

[03:36:34] cooperate with that i would appreciate it our first speaker is renee greeby to be followed by whitney redding terry clower douglas bell and bradley gray are our first five speakers and And speaker number one is a representative for Nature Forward.

[03:36:53] Ms. Grebe, welcome. The floor is yours. Thank you. Good afternoon, Chairman McKay and members of the Board of Supervisors. I'm Renee Grebe, Northern Virginia Conservation Advocate for Nature Forward and also a Fairfax County resident. Thank you for creating the opportunity to engage on this huge topic of data centers and to address this unique kind of land use.

[03:37:13] We submitted written comments in partnership with 13 other organizations, which you should have. Data centers might be one of the most pivotal issues of our generation. Zoning changes that you approved today will have decades-long consequences on our county and its residents. It's hard to be here tonight, today, and not talk about the Chantilly Premier Data Center, which was approved in January.

[03:37:33] At last month's ZOA public hearing, prior planning commissioner Shumate talked passionately about the solid outcomes the county reaped from that application. And he was right. We did. But even he

didn't recall that those positive outcomes were a direct result of that project being a special exception, an SE.

[03:37:52] Back in January at the Chantilly Premier Public Hearing, I was inspired to hear bold and positive comments from several of you about what was to come for these future data center standards. For example, Supervisor Stork, you said, you have a data center that's met what I anticipate our future board standards are going to be for data centers.

[03:38:11] And Supervisor Walkinshaw, you said, we also have the opportunity to establish standards at the highest in the Commonwealth, if not the highest in the nation, and I think the work of this application and the work that staff has done with our data center report put us on that path. I agree with Supervisor Jimenez that moving forward, I would like to see us go even further.

[03:38:31] It must be said that these promises are not met with the proposal in front of us. Right now, the only way to achieve some of the standards adhered to in the Chantilly Premier application to make those the standard going forward is to negotiate with builders. By-right development doesn't allow discussion or negotiation. By-right development doesn't reference our comprehensive plan guidance. Discussion, negotiations, and adherence to our comprehensive plan come with special exceptions. Chantilly Premier standards that you stated we would want come with a special exception. We've been told that the zoning ordinance can't do it

[03:39:10] all. Noise issues need to be handled by an update to the noise ordinance. There's an update to the policy plan coming in the future. Those things don't matter at this moment. At this moment, only special exceptions can get us to meet the standards of the Chantilly Data Center. Fauquier County has SEs for data centers over 50,000 square feet. Leesburg has SEs for all data centers. And Loudon right now is currently pursuing SE language as well. Requiring SEs is not unique or groundbreaking for us to do. In January of this year Chairman McKay during the Chantilly premier public hearing you boldly stated that through your motion the goal was to quote

[03:39:48] make sure that if we're going to do any data centers in Fairfax County the ones we do in this county are going to be done at the highest standards we can possibly foresee. That statement demonstrated fantastic leadership and understanding that data center industry is going to be evolving but this amendment doesn't get us anywhere close to fulfilling that vision of that statement.

[03:40:07] Shutting the door today to special exceptions for all data center walks away from the vision that county residents were promised via the Board of Statements back in January. If implementing SE policies for all data centers is not possible for some reason at this hearing, we'll be undermining the county's important climate goals.

[03:40:24] I implore you to, at minimum, select option one in the staff report where it presented those options, make the buy-right setback for residential and the data center building and the noise-polluting equipment both at least 500 feet, not the 200 feet of the staff proposed, require one-mile setback for metro for buy-right, and lastly, ensure that this ZOA would go into effect for all data centers not yet approved, just as the Planning Commission recommended, particularly from an equity perspective, as it was highlighted in the board package.

[03:40:54] it. We do not want to see another community needlessly impacted by data centers like the Meadows at Chantilly Mobile Home Community was last week. The board must protect its residents. I also

urge you to adopt the Planning Commission's follow-on motions for the June 12th initiating a discussion with the power companies and DPWS's monitoring of wastewater issues and concerns.

[03:41:16] Please take the bold steps today to implement the vision put forth in your statements in January. That is the vision we came here to support, and we appreciate that you can do all you can tonight to make that happen. On this 100-degree day with a drought facing us, stronger regulations through special exceptions are needed to do all we can to protect any and all of our residents adjacent to where data centers will be built and also to meet our economy's climate and resilience goals.

[03:41:44] Thank you for the consideration of our comments. Thank you very much. Speaker number two is Whitney Redding. Redding here. Welcome. I'm afraid I'm going to cough, which is why I have this. Good evening. Friends of Holmes Run is a 501c3 stewardship and advocacy group with 300 members in the Holmes Run Cameron Run watershed.

[03:42:05] Thank you for this opportunity to comment. It's hard to imagine that a data center could be squeezed into our densely populated urban part of Fairfax County, but a by-right data center complex, two data centers totaling 466,000 square feet plus a substation, is very much under consideration in the Brenmar area.

[03:42:23] Of course, data center developers have as much right to build in Fairfax County as anyone else. That much is not in dispute. No one I know is trying to turn back the tide on the technology we all depend on and we all understand the importance of diversifying our local economy.

[03:42:40] The devil is in the details, however. The Brenmar Plaza 500 project is a poster child for why there needs to be more basic common-sense guardrails as to how and where these data centers are situated. In theory, industrial zoned areas such as Plaza 500 make perfect sense for data center placement.

[03:43:02] Since data centers are going to have to go somewhere, it's better to have them away from sensitive natural areas and people, and one would expect industrial zones to fit the bill. From our point of view, redevelopment of aging, already impervious industrial parks that predate modern stormwater practices presents a great opportunity to address long-standing issues within local watersheds.

[03:43:24] In reality, though, not all I-5 sites are equal. In addition to adjoining dense residential communities on two sides, 79% of the Plaza 500 property has been designated a resource protection area. The purpose of resource protection areas is to protect vital inland feeder streams.

[03:43:44] In this case, both Backlick Run and Turkeycock Run, and by extension, the local watershed, water system, downstream communities, the Potomac, and ultimately the Chesapeake Bay, from the cumulative damage of polluted urban rot-off that deluge our waterways as our area becomes more developed.

[03:44:01] Resource protection areas provide an all-important buffer and are often the last green standing, providing habitat, shade, flood control, and a corridor for local wildlife and migrating birds. The fact that the county zoning ordinance allows a data center to be built by default, where, again, 79% of the property is in a resource protection area, runs counter to why there's a resource protection area in the first place.

[03:44:24] The fact that two data centers plus a substation can be built by right means the county has not given itself the leverage to require optimal stormwater management or other site-specific environmental

protections. In the case of Plaza 500, there's already tons of aging impervious surfaces on the site dating to the 70s. Without the leverage of a special exception process, like the county followed in the Chantilly project, apparently, the county can't require the developer to do more than the minimum to fix old wrongs. These two streams will continue to fail. What a lost opportunity.

[03:45:00] Secondly, since the utilities are exempt from the usual RPA restrictions, the proposed new substation serving the Brenmar Data Center or any other data center that is close to an RPA that might face the same issue will become an additional disturbance to the resource protection area, especially if there will be any kind of distribution lines through there.

[03:45:19] Wildlife is super sensitive to intrusions. Noise pollution is a form of habitat loss that extends well behind the actual habitat, and I wonder if your noise ordinance covers that. Overhead, lighting, tree removal, vibrations, pavement, maintenance work, clearings, power lines, all of these repel wildlife and further undermine the efficacy of resource protection areas.

[03:45:40] Our two main asks require all data centers to go through the special exception process so the county has the leverage to make more meaningful improvements on the site. If you don't do that, please set a standard for distance between data centers and environmentally sensitive areas such as RPAs.

[03:45:57] And lastly, please adopt the Planning Commission's recommendation that any new rules be evenly applied to all applications that have yet to be approved. Please don't grandfather any rush jobs. Thank you very much. Thank you very much. Speaker number three is Terry Clower, to be followed by Douglas Bell, Bradley Gray, James Parmalee.

[03:46:18] If I've called your name, please make sure you're down close and ready to testify. Mr. Clower, welcome. Thank you very much, Chairman McKay. My name is Terry Clower. I am the Northern Virginia Chair in Local Government, Professor of Public Policy at George Mason University, where I also run the Center for Regional Analysis and the Stephen Fuller Institute.

[03:46:37] I sent you all a letter in early May outlining many of the views I have on this proposed legislation. And I'd like to reiterate just a couple of points here and then address a couple of things that are not in that letter. Data centers currently have a positive impact on our locality and our region, both in terms of jobs, spillover economic impacts, as well as, of course, important tax revenues.

[03:47:03] And in fact, data centers are one of our few economic bright spots in this region. in recent years. Your decision that you're making here comes at a time when Fairfax is facing unprecedented economic and fiscal challenges. The economic development game is simply different than it has been before. Give you a couple of stats. In 2023, if we look at the 360 largest counties across this country in terms of job growth, Fairfax County ranked number 299. If I go back a little

[03:47:43] bit further and look post-Great Recession. From 2010 through current, if this county had simply grown at the U.S. national average, you would today have 126,000 more jobs than we do in this market, in this county. Our economic success in the future will be based on emerging technologies, particularly in the sectors that are identified in the county's economic development strategy.

[03:48:12] I'm talking about artificial intelligence, quantum, proteomics, genomics, those kind of things. All of these emerging technologies depend on having the right infrastructure, and data centers are a key part of that infrastructure.

[03:48:29] It is where these industries will develop. Without all of these elements of our infrastructure, we will see growth pass us by. We have other places that want the investment that we are in competition with. Two issues I didn't raise in the letter to you guys earlier, the grandfathering issue.

[03:48:51] And this applies also to the whole process of having an entire industry have to do everything through special exceptions. You're in competition for every dollar that gets invested in this county. Competition from across the country, internationally as well.

[03:49:10] If you take away regulatory certainty, we increase the cost of development and the cost of investment. And we may well lose on some of those investments simply because they won't know what to expect when they come to invest in Fairfax County.

[03:49:26] Finally, just one quick thing, if I might, Mr. Chairman. CRE recently completed an analysis where we were looking at the impact of proximity to data centers on for sale home properties. We looked at over 6,600 sales that happened in Fairfax County in 2023.

[03:49:44] And the bottom line is that once you get close to a data center, and we had to go within a quarter of a mile to get enough to have a valid sample, there is no statistically significant impact of the presence of a data center when you control for all of the other market factors, size of property, proximity to metro, all of those factors.

[03:50:03] So it is not impacting property values. Thank you very much. Thank you, Mr. Clower. Speaker number four is Douglas Bell, to be followed by Bradley Gray, James Parmalee, William Walsh. If you're here, make sure you're ready to testify. Mr. Bell, welcome.

[03:50:20] Thank you for having me here. My name is Douglas Bell. I'm a senior principal consultant and president of Kavanaugh Tachi Associates, which is an acoustical consulting firm in the Boston area, for 50 years. Over the 35 years as a principal consultant at this firm, I've been in charge of over 1,000 projects associated with environmental sound.

[03:50:42] I'm thoroughly familiar with noise produced by all industrial facilities. In fact, I co-authored a textbook on the topic of industrial noise control, Fundamentals and Applications. I literally wrote the book. I'm qualified to speak to you about noise and data center noise.

[03:50:57] It's my professional opinion that there is no need for Fairfax County to provide a special zoning amendment for data centers to control sound. There is no compelling evidence that data centers are more acoustically impactful than other permitted industrial uses.

[03:51:12] In fact, it's my opinion that from an acoustic standpoint, data centers represent one of the more benign uses permitted on commercial and industrial zoned lands. The noise sources are predictable and controllable. Following good design practices, data centers can be built to meet appropriate noise standards and not produce an adverse acoustic impact at acoustically sensitive receptors.

[03:51:36] The Fairfax County Noise Ordinance currently provides equitable and practical restrictions on environmental sound produced by all industrial uses, including dentist centers. This is a robust and unambiguous ordinance which has served the county for decades.

[03:51:52] In fact, at the Planning Commission hearing in June, county staff indicated that there have been no complaints against Fairfax County data centers. The proposed amendment provides two

standards to presumably address noise produced by data centers. a setback for adjacent residential use, and full equipment enclosures and or screening walls.

[03:52:13] Neither of these provides any additional protection against noise impacts that aren't already addressed by your noise ordinance. The noise ordinance defines maximum project sound levels at receptor boundaries, regardless of arbitrary setbacks or screening requirements. The ordinance even contemplates residential uses by providing more strict limits to sound propagation into residential districts and even adjusting the limits during high sensitivity periods such as nighttime.

[03:52:41] To be clear, the limits are the limits, regardless of arbitrary setbacks or distance between the source and the receptor. As I see it, setbacks only potentially reduce tax revenues by reducing the development of industrial and commercially zoned land without providing any acoustic development.

[03:53:00] It's my opinion that with the many tools and options available to control noise produced by industrial facilities, Efficient acoustic design should not be restricted by arbitrary regulation. Thank you. Speaker number five is Bradley Gray, to be followed by James Parmalee, William Walsh.

[03:53:20] Mr. Gray, welcome. Good evening, Chairman McKay and the Board of Supervisors. My name is Brad Gray. I am the owner of Worldwide Mission Critical, a leader in data center development. I have extensive experience in this field, both nationally and internationally.

[03:53:38] I'd like to highlight that Fairfax County and Virginia already have some of the strictest data center regulations in the country. And tonight, I want to address the proposed zoning amendment regulations. The proposed setback requirements are excessive. While aimed at reducing noise pollution, distance is not the most effective solution.

[03:53:58] The existing Fairfax County noise ordinance is sufficient, and these proposed setbacks will reduce the developable area for data centers. Regarding equipment enclosures, generators are already enclosed for protection, security, airflow management, and noise reduction.

[03:54:16] Enclosing other equipment will require additional equipment, more area for heat rejection, and increased safety issues. The language in the amendment is unclear and confusing, making it harder for professionals like us to comply, pushing decisions to LDS without clear guidance.

[03:54:33] There are some additional misconceptions that I'd like to clear up. First, data centers do not consume vast amounts of water. Most use air-cooled systems with water usage similar to office buildings. John Botts from Fairfax's Industrial Waste Section has confirmed that current wastewater regulations for data centers are sufficient.

[03:54:55] Concerns about stormwater pollution are also misplaced. Modern air-cooled units don't produce runoff, and redeveloping old industrial sites often increases pervious area, improving stormwater filtration. Lastly, diesel containment takes used in data centers are highly secure with double-walled steel designs, leak detection, and spill response plans.

[03:55:18] In my experience, diesel spills are exceedingly rare. As a Fairfax County business owner and resident, I strongly support data center development and oppose any tax increases, including the proposed meals tax, which will affect all of us. Data centers can positively contribute to addressing our budget issues.

[03:55:38] Thank you for your time. Thank you for your testimony. Speaker number six is James Parmalee, to be followed by William Walsh. Welcome. Thank you for your time. So what is the number one issue in Fairfax County? It's not data centers. It's the economy, but the two are linked.

[03:56:00] Is Fairfax County doing all it can to protect its taxpayers from this disastrous economy? Grocery prices are through the roof. Insurance costs are ridiculous. Fast food has become a luxury item for many cash-strapped families. Taxes keep going up and on and on. What are other counties doing to help ease the burden on their taxpayers? Let's use Loudon as an example. Loudon's tax rate has been dropping, its real estate tax rate has been dropping for decades. And a big reason for that has been data centers. In Loudon, over 30% of their tax collections in 2023 were

[03:56:37] from data centers. Not surprisingly, the real estate tax has dropped accordingly. Fairfax County should follow their lead and use that money to keep property tax rates from rising, to maybe offer a tax cut, at the very least not to impose a meals tax. But how can we make that happen here?

[03:56:58] We should realize that the benefits that data centers can bring to the county budget, and we should realize those are big benefits that come to the budget, that come to you as the folks that spend that money. We don't want to make it harder and harder to build with additional one size fits all poorly thought out regulations. This county has seen a lot of development. It's not like we're not going to develop any more land in this county. We've seen a lot of development. It's likely to see a whole lot more. Data center development can leave a lighter footprint than some other sources of development that might be built if data centers are rejected. So for folks

[03:57:36] who are concerned about a data center, you might really wish that data center was there when you see what might be built next. The county's budget is huge and unwieldy. Residential taxpayers are already leaving the county because they can't afford it. You can't keep putting so much of the burden on residential taxpayers forever or else you may run out of residence to tax.

[03:57:58] Imagine a future where Fairfax County receives a third of its taxes from data centers. Just think about that for a minute. Now imagine a future where it doesn't do that. In that future, is this for board prepared to cut social services by a third, cut police by a third, cut firefighters by a third.

[03:58:17] I don't think you guys are willing to do that. This board has been putting such a burden on the taxpayers. And the taxpayers are the goose that laid the golden egg. You need a new goose. You need a new series of golden eggs.

[03:58:34] You need to get your golden eggs from somewhere else. And that goose could be data centers. As you look into the future, please look out for the best interests of Fairfax County residents and taxpayers. Thank you for your time. Thank you. We are on speaker number seven, William Walsh.

[03:58:50] We then have two speakers who will be testifying by phone, and then we will go to speaker 10, Reagan George, speaker 11, Ronald Wilcox. If I called your name, please make sure that you're ready. Welcome, Mr. Walsh. Thank you for the opportunity to address you this afternoon.

[03:59:09] I wish to express support and consideration about data centers in Fairfax County. I am a private citizen with my own observations. As you consider zoning issues and the role of data centers in Fairfax County, I hope you will keep in mind the benefits that data centers can bring to our community.

[03:59:30] Incoming revenue considerations. We have had a continuing problem with real estate tax increases that have hit homeowners hard, that have made rents more expensive, potentially pricing people out of living in Fairfax County. We also need a better balance of business properties to residential properties to evenly distribute the burden of financing our local county government.

[03:59:55] And when looking at business properties, data centers have a lot going for them. They would be a revenue source, not a revenue expense. They add to our tax base without adding the cost of social services or additional traffic needing new roads.

[04:00:12] Data centers provide quality construction jobs to build them and then quality high-tech jobs going forward. For those who have complaints about data centers, it is important to remember that the choice is not generally between building a data center as opposed to creating a parkland.

[04:00:32] Fairfax County has limited land. If data centers are taken off the table, plenty of other developments will be approved. Smoggier development. Louder development. development leading to crowded schools, or large residential and retail development, which will crowd roads and create infrastructure and expenses.

[04:00:54] On the other hand, data centers can be cleaner, can be quieter, and can ease the burden on our schools, our roads, and our taxpayers. Now, Virginia already hosts the largest number of these facilities in the world.

[04:01:12] We are already an incubator of this growing and important industry. I would like Fairfax County to be a part of this enterprise, that we help get it right, and I think the industry talent is here in Fairfax County to get it right.

[04:01:28] Data centers may not be a perfect solution, but considering the economic influx and potential tax-lowering benefits they can bring to Fairfax County, they deserve a fair look. Let's not fall into the trap of adding new government regulations that push these businesses out of our county.

[04:01:47] As you all go through this process, please keep in mind the benefits of data centers and be willing to work with the industry. Thank you very much for your time. Thank you. Speaker number eight is Susan Bonney, connected by phone.

[04:02:03] Can you hear me okay? Yes. Welcome. The floor is yours. Thank you for the opportunity to testify. My name is Susan Bonney, and I'm the chair of the Sierra Club in Fairfax County and Northern Virginia.

[04:02:19] Our name is the Great Falls Group after our natural feature, the Great Falls of the Potomac River. Our Sierra Club advocates for localities where all people may enjoy our natural treasures, access clean air and water, and thrive in a healthy community.

[04:02:41] We and our 4,000 members have been tracking data center issues for three years, including the recent staff recommendations to the Planning Commission and the Board of Supervisors. My colleague, Ann Bennett, is the Virginia Sierra Club Data Center's chair, and she's speaking later today.

[04:03:00] She'll detail backgrounds on the issue and our request. Fairfax County needs tax revenue, but requiring data center developers to meet environmental standards must be consistent with that.

[04:03:17] No climate goals can be met if data centers and tech companies get a free pass on environmental regulations. This is a David and Goliath situation where Fairfax County citizens' rights are

put behind the rights of wealthy data center developers.

[04:03:35] This is a weak approach to the zoning ordinance amendment. The staff recommendations have almost nothing that addresses the many environmental and carbon emission impacts of data centers. When the Fairfax County Board of Supervisors announced that it wanted to encourage data centers to come to Fairfax County to provide tax revenue, They made it clear that they wanted any data center to meet the highest environmental standards, even the highest standards in the nation.

[04:04:08] That vision has gotten lost in this zoning ordinance modification process. After much research and working in partnership with many other environmental groups locally, we asked that the board adopt new zoning requirements that, number one, preserve the provision that clearly states that new rules in the zoning ordinance amendment would apply.

[04:04:34] to submitted but not yet approved data center site applications. Number two, we ask that all data center developments be subject to a more thorough special exception review. A special exception gives the board more flexibility to ask developers to address issues such as the best available technology for generators, issues that cannot currently and adequately be regulated.

[04:05:02] Our county needs this negotiation power as our policy plan does not currently have adequate standards for data centers. Leesburg recently changed to require special exceptions, and Loudoun County is considering techs to make the same requirement.

[04:05:24] We also ask that the changes to the ZOA include increasing setbacks to at least 500 feet for adjacent residential parks, public lands, schools, and other public amenities. And finally, we ask for a commitment to expedite the adoption of policies to mitigate the significant carbon, energy, and water resource impacts associated with data centers.

[04:05:50] Thank you for your consideration. Thank you. This ends my testimony. Thank you very much. And speaker number nine is Bill Peabody. Mr. Peabody, can you hear me okay? Yes, sir. Welcome. The floor is yours. Okay. Data centers offer steady tax revenue, while empty office buildings don't.

[04:06:11] A typical four-story office building may add 100 cars to the roads and 200 school kids at a cost of $20,000 each. A data center has a skeleton crew, a very light touch.

[04:06:27] Many empty buildings can be converted to data centers. Even an old Sears building in California was converted. Everybody's excited about converting buildings to apartments. Some of those buildings that may not be suitable could be candidates for data.

[04:06:48] Loudoun County gets just under half of its revenue. I'll have to argue that with Parmalee, but from data centers, Prince William has plenty of data centers. Fairfax needs to get in the game. We're losing residents because of high residential taxes.

[04:07:08] Here's our chance to get another source of revenue. Considering the potential revenue, Fairfax should be offering invitations, not regulations. Thank you. Thank you very much. Speaker number 10 is Reagan George, to be followed by Ronald Wilcox, Fran O'Neill, Charles McAndrew.

[04:07:30] If I called your name, please come down here close. Mr. George, welcome. Thank you. As a systems engineer and technology manager, I've spent my professional career designing and improving information systems.

[04:07:46] I've also seen technology evolve to create new applications that can help solve many problems. Smartphones today have computing power in our pockets that even science fiction writers could probably not predict. I played around with artificial intelligence over 15 years ago.

[04:08:07] It is now mature, and it is going to have a huge impact on our lives. These technologies create and consume huge amounts of data. That data needs to be stored in data centers.

[04:08:23] It's just that simple. The good news is that these needed data centers can also be a boon to our local governments and to local taxpayers. They can be a boon because of the tremendous amount of tax revenue they generate.

[04:08:40] They can also be a boon because unlike other developments that can increase revenues, data centers do not increase costs to the taxpayers. Data centers don't require the county to build schools, new roads, new infrastructure, et cetera.

[04:08:56] They can be a boon because they can bring high-tech jobs to Fairfax County as well as the construction jobs needed to build them. Downstream, once the data centers are populated, there will be many jobs to address the need for maintenance of power backup generators, fire suppression equipment, security devices, et cetera.

[04:09:24] Please don't implement new regulations that make it more difficult to build new data centers. Instead, consider the benefits they can bring to our community and our taxpayers and everyone who uses technology. Thank you.

[04:09:39] Thank you. Speaker number 11 is Ronald Wilcox, to be followed by Charles McAndrew. Mr. Wilcox, welcome. Mr. Chairman, members of the Board of Supervisors, my name is Ronald Wilcox, and I have been a Fairfax County resident since 2003, the year my father died.

[04:09:58] Thank you for the opportunity to speak. What you do here tonight will determine whether or not we make it easier for data centers to bring their economic benefits to Fairfax County or harder. To be perfectly clear, I do not support any additional regulation on data centers.

[04:10:22] This body, the Fairfax County Board of Superiors, has begun the process of looking at a potential meals tax in Fairfax County, a tax that would hurt lower income groups the hardest. Along with other tax increases passed by the board, we are facing the possibility of people being unable to afford to live in Fairfax County, and I'm getting pretty close to that point myself.

[04:10:46] There is a way to increase Fairfax County tax base without increasing the need for county services at the same rate. There is a way to bring in development in Fairfax County that pays its own way while not congesting our roads. There is a way to bring in development in Fairfax County that doesn't overcrowd our schools.

[04:11:06] Data centers are that way. Data centers, in fact, data centers can provide a wave of revenue for our county with very little impact on public services, schools, and other things. As you consider zoning in Fairfax County, let's keep in mind our need for economic growth in Fairfax County.

[04:11:27] And let's do it with businesses and the county working together, not separated by new additional broad brush regulations that don't take into account potential future innovations. Thank you. Thank you. We are now on speaker number 12, Fran O'Neill, to be followed by Charles McAndrew and Cynthia Chang.

[04:11:48] If I've called your name, please be ready to testify. Speaker number 12 is Fran O'Neill. Excuse me. Good evening, everyone. Thank you for the opportunity to speak to you. Thank you very much for your public service. I'm here tonight in support of the special exception requirement.

[04:12:06] You know, this issue brings into sharp focus two of government's primary responsibilities. One of them is, hands down, the number one job, protecting the citizenry. And that's government's main responsibility.

[04:12:22] The secondary issue at play here is economic development. And my argument is that when there is friction between the two of these, wise leaders will always err on the side of citizen protection.

[04:12:39] And the special exception would at least give such citizen protection a shot, a chance. I want to come about this from a little different point of view. Do you know the term organizational mindlessness?

[04:12:55] It's actually a research term. It's also an organizational theory term. It describes decision processes that are at play when decisions don't turn out well in spite of everyone's good intentions. And I'm talking about group decisions from governing bodies or private organizations.

[04:13:19] And here's the gist of that reality. When individuals involved in decision making who are part of a group or a governing body simply follow the majority view. When they give more weight to other views or other people over and against their own instincts or intuitions or judgments or even conscience, we've all been there. When you go along to get along, when there is a lack of lively dissension and divergent perspectives, when those things are

[04:13:59] present, we know from a fairly sizable amount of organizational research that those groups, the decisions coming from those groups are more likely to be poor decisions with unforeseen negative consequences in spite of everyone's best intentions. So my point is simply this, not to be at least a bit condescending about it, but my point is simply those of us who support the special exception respectfully urge each of you to make your own decision based upon your own instincts, your own intuitions, your own judgments, your own conscience, rather than follow the

[04:14:38] decisions of others or give way to other members of the group who you might be willing to defer to in this particular case. That is especially critical, and it's especially critical in groups where there is unanimity of political philosophy. We need divergence. The special exception requirement would simply be a reasonable measure in which citizen protection is still the number one job. And if I may just last quick comment, I believe that you are opening the government and the citizens of Fairfax County up to a steady stream of unforeseen and unpredictable consequences

[04:15:13] if you don't get this one right. Thank you very much. Thank you very much. We're on speaker number 13, Charles McAndrew, to be followed by Cynthia Shang and Kate Maisel. If I've called your name, be ready. Again, we're on speaker number 13, Charles McAndrew. Welcome. Good afternoon.

[04:15:45] Good afternoon, Mr. Chairman and members of the County Board of Supervisors, Mr. County Executive. My name is Charles McAndrew, and most of you probably remember me back in April when I'm down here protesting the budget and protesting the real estate going up two or three times the rate of inflation or the rate of household income.

[04:16:06] Well, this time I'm not down here to protest. I'm down here to tell you that I'm in favor of data centers. I support having data centers, and I've heard percentages used like 30% to 50%. The Washington

Times sent an article several weeks ago saying that Loudoun County brings in 50% from data centers, so somewhere between 30% to 50% comes in.

[04:16:33] And I want to bring up two prestigious board members years ago, about 40 years ago, Chairman Jack Harrity and Vice Chairman Martha Penito. They were very much in favor of pushing commercial development in Fairfax County so they could reduce homeowners' taxes, homeowners' real estate taxes.

[04:16:58] I hope you all have the same feeling as these prestigious board members did 40 years ago. I understand that the Board of Supervisors direct the staff to prepare a zoning ordinance amendment to strengthen the current provisions for data centers authorized the scheduling of public hearing and amendments. I'm pleased to know that there is flexibility in placing that data center away from housing and so on anywhere from 200 feet maybe up to 500. I'm sure there'll be

[04:17:33] sensible ideas on that. About a month ago, I saw the lady on TV complaining about her 200 feet from her house in the Reston, proposed Reston Center, but you all have made that clear that you have the ability to, for flexibility, I meant to say, to do this.

[04:17:53] Last thing I want to say is I'm very fortunate to be able to come up here and talk to you. I say that because at 10 years old, my father had a diplomatic position in Rangoon, Burma, what's called Miramar.

[04:18:08] The military took over, and if you talked against the government, you were put in jail. It was very simple. And if you wrote it out anywhere or put it anywhere in the newspaper, you went to jail. In this country, we have freedom. And I thank you all for listening to me.

[04:18:25] And, again, I want to reiterate that I favor data centers. Thank you for listening. Thank you. Speaker number 14 is Cynthia Shang, to be followed by Kate Maisel. Thank you very much.

[04:18:48] Can I get my presentation up here? My name is Cynthia Shang. I live in the Pleasant Valley neighborhood. I represent, say, Pleasant Valley. The Route 28 tax district covers Sully, Hunter Mill, and Drainsville. At a 1.0 floor area ratio, this area allows by right data centers to be built double the size of anywhere else in the county.

[04:19:11] Even Loudoun County's most generous permission is 0.75 in their heavy industrial district, which is our I-6. As Loudoun moves to eliminate by right data center, a 1.0 far here becomes even more attractive.

[04:19:26] So when people say that we are very restrictive, we're not. The county states that there are over 2,300 acres, 97 million square feet, available for Byright data centers in the I-5 districts of Sully alone, all of which are in the Route 28 tax district.

[04:19:46] In the past three years, over 9.9 million square feet has been earmarked for data centers in Sully alone, and power to supply them is years away. The generous FAR only adds to our electricity woes because bigger data centers mean more electricity, more substations, and the incentive to squeeze onto smaller lots.

[04:20:10] We simply don't have the land that Loudon does. If you do nothing else, we are asking you to set size limits to level the playing field with other areas of the county. Item 11, to add or revise other use-specific standards, allows for this.

[04:20:26] Unapproved submissions are not available to the general public without FOIA, so the 9.9 million square feet is likely a very conservative number. Remember, that's just Sully Route 28 District. Data centers built in this portion of the county, the northern portion of the Route 28 Task Decks District in Sully, are directly adjacent to homes in the Hunter Mill District, as well as near Floris Elementary School.

[04:20:53] Nearly 4 million square feet of data centers, buildings, two substations, and miles of high-voltage transmission lines are already in the pipeline. Three schools are in and surrounded by I-5 lots that are up for grab for huge data center campuses.

[04:21:13] Already, businesses are being forced to leave as their landowners are selling out to data centers. In the central portion of the Route 28 district where I live, we're being unfairly hammered by big data centers, ugly substations, and a web of transmission lines over 100 feet tall.

[04:21:34] Pleasant Valley and the Meadows of Chantilly mobile home community are surrounded by substation and data center districts. With over 3 million square feet of data centers and over 160 tractor trailer-sized diesel generators already earmarked between our communities, there are no requirements for less polluting generators, no consideration for the number of substations, or the cumulative effects of all of this.

[04:22:00] It won't be long before you see red here, where you now see gray. Through Chantilly Premier's special exception process, we obtained proffers to protect our water, to protect our air, to protect us from noise, including restricting generator maintenance hours and mitigating the constant 24-7 noise to ambient levels within our communities.

[04:22:24] That's levels below the noise ordinance, an ordinance which an acoustical expert testified was insufficient to address today's data centers. As the largest data centers cluster even closer to our communities, by-right data centers take away our right to protect ourselves and our environment, negating all the valuable proffers we gained with Chantilly Premier.

[04:22:49] Chairman McKay says he hasn't heard a compelling argument for the special exception process. Had the county not ceded control, the Meadows of Chantilly mobile home community would have had a say in protecting themselves from a recent by-right seven-story data center with power lines, dumpsters, a noisy polluting generator yard, and loading docks all 50 feet from their homes.

[04:23:16] Other communities can be saved from this fate if the Planning Commission's legal recommendations for immediate conformance are accepted. Maybe the county fears that eliminating by-right data centers or setting a size limit in the I-5 district will cause the data center industry to go to other districts in the county.

[04:23:36] But if they don't have to justify building double the size in the Route 28 tax district, then any reasonable business person would realize they'd get more bang for their special exception buck here. So why is the county so against allowing us to protect ourselves?

[04:23:53] they're going to come here anyway so it isn't protecting so isn't protecting the environment and the citizens you represent a compelling argument if not maybe mr chairman you can help us understand what is thank you thank you miss shang thank you miss shang our next speaker is kate mazel is kate here welcome good evening and thank you for the opportunity to be heard on this issue i'm kate mazel my family and i live in pleasant valley as well a community that is surrounded by industrial districts in which the county would like to continue permitting data

[04:24:32] centers by right. It is also in a water supply and resource protection area. Last year, we were able to work through the special exception process to get proper commitments from the Chantilly Premier Mega Data Center to better protect us and those resources. These commitments included prohibiting the contaminant byproducts of the cooling process from entering our water system and monitoring and mitigating sodium on site. These commitments are so valuable because not only do they protect our water, but they also relieve the county and its taxpayers from the cost of mitigation and cleanup by forcing potential water issues to be addressed at the source. In 2020, Fairfax County Water

[04:25:09] estimated that treating just sodium at water treatment facilities would cost conservatively $1 billion. Among the many beneficial commitments from the special exception process was the commitment to use Tier 4 diesel generators instead of the more polluting Tier 2 generators.

[04:25:26] It's tempting to optimistically believe that the industry will voluntarily use less polluting Tier 4 generators, but we all know that unless it is required, it is unlikely that these parties will choose to do something that costs them more. In fact, we now know that the newest data centers need 20 or more generators and are still using Tier 2, even though Tier 4 generators have been available for a decade. All 69 generators for Amazon's new Virginia Mallory Drive facility are tier two. The EPA and DEQ have admitted that they do not monitor pollution impacts across facilities. With so many generators at so many facilities so close together, they can't protect

[04:26:05] us. Maybe ask the industry representatives why they are still using tier two. It's nice to hope that corporations will do the decent thing for citizens and wildlife nearby, but this citizen is telling you right now that it is not enough to hope. The county has repeatedly said that it cannot require any of these commitments through the zoning ordinance. Without the special exception process, not only will we not get any such protections, but the cumulative impacts of the hundreds of diesel generators in our area may never be mitigated. You seem to be putting us at risk for no other reason than the fear of offending those who have decided that we in Fairfax, Prince William, and Loudoun counties should be perfectly happy living on and in some

[04:26:42] ways paying to support what amounts to a tri-county data center compound. If you haven't driven west of 28 down 50 and seen what's happening down there, please do. It's horrific. Stop putting us in the environment last and data centers first. Please don't give away the only chance we have. The data center industry can afford to go through the special exception process, but we can't afford not to. Northern Virginia is becoming internationally known as an area chock full of data centers. We seemingly can't avoid that future, but let's at least become known for making sure they're responsibly designed, placed, and regulated. Thank you. Thank you. Our next speaker is Patrick Murphy.

[04:27:20] Is he connected by phone? Mr. Murphy, can you hear me? Yes, I can. The floor is yours. Thank you, sir. Good evening, Mr. Chairman and members of the board. Thank you in advance for your time. My name is Patrick Murphy, and I'm a professional power engineer registered in 15 states, including Commonwealth of Virginia. I have 24 years of professional experience and have been specifically involved with data centers for 18 of those years.

[04:27:41] I own Critical Power Consulting, CPC, a utility power consulting firm that has been in business for almost seven years. CPC helps large power users, 90% of which are data centers throughout North America, obtain electric service in varying forms. I want to quickly review the already extensive timeline for a data center to obtain power in northern Virginia.

[04:28:01] All transmission infrastructure and most substation projects for data center electric services are solely under Dominion Energy control. Communion Energy has the obligation to serve since they are the franchise electric utility for most of the area in question. This is deemed as such under Commonwealth of Virginia Code of Laws, Title 56, Chapter 23.

[04:28:20] Typical large status in our power projects currently take at least four to five years due to many factors. Long lead time equipment continues to push out due to high demand. The transmission routing process, which in most instances, a certificate of public convenience and necessity of CPCN filing is required by the Commonwealth and typically takes 12 to 24 months.

[04:28:41] 12 of those months is for Dominion Energy to develop the filing and the remaining 12 months is for state review and approval. This process is public and oftentimes has intervened to express concerns about the potential impact to health and safety due to some misinformation surrounding the transmission and transformation of electricity.

[04:28:58] Another factor that drives the 44- to 5-year timeline is the land procurement for substations and transmission redways. Dominion requires not only an approved site plan, but a list of detailed information prior to starting any review of potential data center projects. Dominion has most recently required the developer to provide land for a substation, whether it's on or off-site, unless there is power available in immediate vicinity to satisfy the requirement.

[04:29:23] This impacts the duration of the process, as well as the available land parcels, which could be deemed as potential sites for data center development. By Fairfax County adding a special exception requirement to the site plan submission for any data center, this could now extend the typical four- to five-year timeline out to six to seven years, which will force data center developers to look elsewhere outside of Fairfax County for their project, thereby reducing further investment in the county.

[04:29:49] As far as misinformation and misnomers at this point in time, opposition to additional electrical and transmission and substation facilities uses some inaccurate information Dominion Energy as an actual web page dedicated to providing this information regarding the concerns surrounding EMS and electrical fields, which are the main arguments against allowing additional transmission and substation sightings.

[04:30:10] Minion Energy is part of the CPCN process to calculate the electrical field and EMS at the edge of the proposed transmission of light of light and respective substations to be reviewed by the SEC. As far as the proposed zoning amendment language, in closing all power supply equipment, as the point was made earlier, this is not practical as it would require additional cooling and mechanical equipment and would make the data center building less efficient instead of relying on an outside area to cool the infrastructure to keep the data center power infrastructure cool.

[04:30:39] If it includes power supply equipment such as substations and transformers, there are several concerns, such as safety in power supply producers' heat. Inclusing the equipment means the heat will need to be managed, which means more mechanical equipment, which will increase the noise. Thank you for your time.

[04:30:56] Thank you. We are on Speaker 17, Jim McDonald, to be followed by Rob Walters, Robert Whitfield, John Roddy. If you are here, please come down close so you're ready to testify when it's your turn. Welcome. Hello, everyone. Thank you, Chairman McKay and members of the board. My name is Jim

McDonald. I work for Miratech, which is a global IT services and consulting company. I've had the pleasure of working for Miratech for 20 years. I'm 32 years in the industry. My main area of focus is generators, which is our critical component of the development of data centers.

[04:31:33] I'd like to start by saying that the generator technology has come a long way. Fairfax County does not need to mandate generators as EPA and the Virginia DEQ standards are already pushing the industry to use cleaner and more efficient generators. Nothing further needs to be done at the county level.

[04:31:51] Today's generators are achieving 90 to 95 percent reduction in emissions, and clients I work with are already using these generators, which underscores the industry's commitment to sustainability and environmental stewardship. Manufacturers of generators provide an emissions guarantee.

[04:32:09] This ensures that the emissions from the generators satisfy the Virginia DEQ requirements and permits. Again, these standards are set by the EPA and the Virginia DEQ. They're strictly regulated and enforced. Furthermore, generators are already fully enclosed.

[04:32:24] The enclosures provide equipment protection, offer better security, provide better airflow management, and reduce noise pollution. Despite their critical role in data center design, generators are really a supporting role. They typically only run 15 to 20 minutes a month, so throughout the year, it's very few hours.

[04:32:44] Testing is typically done during usual business hours to limit impact on the community. Safety and reliability are also paramount. Diesel tanks are double-walled and equipped with leak detection systems, ensuring that there are no spills and any leak that does occur is quickly mitigated.

[04:33:01] In my experience, in working with these generators and diesel tanks, I've never encountered a leak issue with the modern double-wall tanks used at modern data centers. In summary, technology and advancements in EPA and Virginia DEQ standards are already pushing the industry to use cleaner and more efficient generators, and Fairfax does not need to go further to regulate the industry.

[04:33:22] Thank you for your attention. Thank you. We are now on speaker number 18, Rob Walters, to be followed by Robert Whitfield and John Roddy. Welcome. Chairman McKay, fellow board members, thank you for your time. I appreciate the opportunity to speak this evening.

[04:33:38] My name is Rob Walters. I work in the commercial real estate industry as a managing broker, and he's still secured. I've been living and working in Fairfax County for more than two decades. I work with the largest data center owners, developer operators, and tenants in the country, and have been doing so for more than 20 years.

[04:33:56] Much of that time, my work has been spent here in the state of Virginia, and specifically Fairfax County, Loudoun County, and neighboring. The commercial real estate landscape is evolving rapidly. Driven by profound shifts in work habits exacerbated by the COVID-19 pandemic, today's workers are no longer tied to living near their workplaces, with a growing number embracing remote work.

[04:34:21] The trend underscores the crucial need for robust digital infrastructure to support our increasingly digital economy. Unfortunately, that shift has bruised the traditional office sector, evident in Fairfax County, 20% plus office vacancy rate.

[04:34:39] And that doesn't account for shadow vacancy or what I would say is unoccupied leased space. And as demand for office space continues to decline, so does the value of these buildings, impacting economic output and reducing real estate tax revenues for our county.

[04:34:58] The trend is expected to persist, unfortunately, prompting a search, in my opinion, for alternative tax revenue sources. Data centers could very much be a viable solution. While costly to build, they boast a high tax base that significantly offsets that decline in office market revenues.

[04:35:19] Data centers have a huge cost benefit. Look at our neighbors in Loudoun, in Prince William County. It is estimated that every dollar spent on services for data centers returns 15 and 18 times, respectively. A remarkable boost compared to traditional real estate metrics.

[04:35:37] Having spent much of my personal professional career in the county, I oppose increased real estate taxes or implementing new consumer taxes. Instead, I support leveraging data centers in collaborative fashion and a strategic manager fashion around our approved industrial zones as sustained revenue solution.

[04:36:00] Certainly, it is crucial in real estate development where projects require extensive planning and construction timelines are lengthy, data centers especially so. Uncertainty around development dissuades investors, developers, and operators from entering markets.

[04:36:20] The board faces an opportunity to grant exemptions, allowing projects already accepted for site plan review to proceed under initial rules. This move extends beyond data centers, setting a precedent crucial for economic investment. Changing rules mid-process could deter not just real estate, but broader economic ventures.

[04:36:42] I believe the time to act is now. I work with several groups, the largest participants in the data center industry, and many are avoiding the county due to certain strict regulations today. If you change the rules now, you won't get significant data center development needed to move the needle for the county going forward.

[04:37:00] I am concerned about our financial gap, and I believe continued investment in the county and support of the rules in place and data centers will keep taxes low and support future infrastructure projects.

[04:37:15] Thank you. Thank you for your testimony. We're on Speaker 19, Robert Whitfield, to be followed by John Roddy, Robert Kitchen, David Shepard, and Wendy Muson. Welcome, Rob. Good afternoon, Mr. Chairman, members of the Board of Supervisors. I'm Rob Whitfield, and I've lived in Fairfax County since 1977.

[04:37:40] And as I recall, the tax rate at that time reached a high of about $1.78 per hundred, thanks to the commercial development boom in the 1980s. I don't have precise numbers to tell you, but let's say it was reduced to something like $1.25, $1.30.

[04:38:01] Today, we're at $1.139, I think, for 2024. By contrast, in Loudoun County, the tax rate in the last 10 years has gone from, I think, $1.289 to about $1.869.

[04:38:19] And the main reason for that is the advent of data centers. It's not only the real estate values, but it's principally the equipment, the servers, and the other equipment in data centers, which are projected in Loudoun County alone to reap a billion dollars in revenue in the next year or two.

[04:38:42] I've tried and failed to obtain information on the real estate and business property tax revenues for data centers. I yesterday morning called the office of Victor Hoskins at the EDA, and I did get an email back from his assistant, and I was told that we do not have any information in Fairfax County on the revenues, real estate, and business property tax.

[04:39:09] Please, somebody needs to explain why that information was not provided. Unfortunately, we have an imbalance in our review process. I've gone to planning commission hearings for over 30 years. And so, for instance, in watching board meetings recently, I see that even for speed bumps, it requires a fiscal impact analysis and an equity impact.

[04:39:33] Where is the fiscal impact and the equity analysis of these proposed measures? So respectfully, I suggest before you do anything, that you ask your staff to come up with those measures so that the public can see that you've reached a determination in an objective manner.

[04:39:52] I used to work in Loudoun County, so I'm very well familiar with many of the data centers. As to the ones in Fairfax County, I'm very puzzled and troubled by the seeming lack of increase in the tax revenue, even though various facilities have been built in the last five years.

[04:40:10] One particular property I looked at this morning was the former Redskins training facility in Herndon. And for reasons not yet known to me, the land value there remained unchanged in the five years to 2018 to 2023, and then went down in 2024. And yet, from what I know, the land values in most other areas around Dulles Airport have increased substantially. So I do want an

[04:40:44] investigation done as soon as possible before you make your final determinations. So I'm very concerned because I used to work in real estate. So yes, I know about commercial office building values declining by up to two-thirds, and I don't see an immediate solution on the horizon.

[04:41:03] We are faced with a need to diversify the revenue, and we need to support those measures which can be achieved reasonably without too much burden on the business community.

[04:41:19] And so I would ask, by the way, I forgot to mention, I was giving my time to Tom Cramer to be the representative of the Taxpayers' Alliance. I apologize. I should have said that at the beginning. So I will be glad to answer questions, but I'm looking for much better performance from this board.

[04:41:39] Frankly, I think we're a sophisticated community, and let's get some facts, please. Thank you, Mr. Whitfield. Speaker number 20 is John Roddy. Is Mr. Roddy here? He is here, to be followed by Robert Kitchen.

[04:41:55] Welcome. Thank you, Chairman. Good evening to the Chairman and the Board. I appreciate this opportunity to talk. My name is John Roddy. I'm CEO of William A. Hazel. I'm here to talk to the critical role that data centers play in Fairfax County, which is a community that we've served at Hazel since 1964.

[04:42:16] As of this morning, we employ 510 local residents, most of whom work on local data center projects. It's a good thing given the current and future state of the office market right now. We understand firsthand the benefits data centers bring to our county and the residents.

[04:42:34] Imposing unnecessary regulations at this time will push this vital industry away, jeopardizing our county's growth and our future workforces, our current workforces, livelihood and future. With respect to heavy industrial I-5, I-6 zoning, these zones should welcome data centers by right.

[04:42:53] Restricting development in these areas will stifle future growth. We already have very limited sites compatible for modern data centers in Fairfax County, and adding more hurdles at this time is a step backward. As far as the proposed regulations go, as we've heard tonight, setbacks are not the most effective tool for mitigating noise.

[04:43:15] They do not consider natural barriers like stream beds and wooded areas that already mitigate noise pollution. Furthermore, setbacks can hinder development of sites suited for data centers since they restrict total developable area. With very few industrial sites within the county currently suited for this type of development, I don't want to further limit the county's ability to attract new data centers.

[04:43:42] Along those same lines, grandfathering is a critical issue. Neighboring counties recently amended their zoning ordinances, as discussed by just about everybody in the room, but wisely enabled existing data center projects already in process to continue under the previous regulations.

[04:43:59] Failing to do this in Fairfax sends a very negative signal to the data center and business community in general, deterring future development, which is essential to our county's prosperity. Furthermore, not providing this protection sets a precedent for other businesses looking to expand in this county.

[04:44:17] This is pretty scary for us as a business. We need predictability. Providing this exemption for projects in process provides that stability.

[04:44:34] Today, fiscal responsibility is paramount. As I'm sure you're all aware, Fairfax County currently collects well under $100 million annually from the data center sector and faces a $568 million budget shortfall. And we're hearing that they're considering raising property taxes again and imposing a meals tax.

[04:44:55] Loudoun County, on the other hand, generates over 10 times as much annually from data centers. Loudoun County continues to thrive as reducing property tax rates while expanding services. In conclusion, let's not hinder our growth by imposing unnecessary restrictions on data centers at this time.

[04:45:12] Let's ensure Fairfax County remains an attractive place for these vital developments and securing our economic future and benefiting our entire community. Thank you. Thank you. Speaker number 21 is Robert Kitchen. Welcome.

[04:45:28] Good evening, Speaker McKay and members of the Board. Thank you for this opportunity to address the amendments. But I'm Bob Kitchen here representing Virginia Clinicians for Climate Action. And I'm a retired family physician living in Fairfax Station.

[04:45:45] VCCA represents over 500 health professionals in the Commonwealth. And our mission is to help protect Virginia's families and communities from the adverse health effects of climate change. So I'm not here to either be pro or con about data centers. I'm here to address trying to identify the health problems and what we can do to protect our citizens.

[04:46:06] And there can be several health problems or challenges that come from data centers. There's a growing body of research that says that chronic noise exposure is putting nearly a third of Americans at heightened risk of hypertension, stroke, and heart attacks, as well as mental health problems.

[04:46:25] So the amendment that helps to further protect residents and those in proximity to data centers from continuous noise exposure we feel is very important in terms of protecting health. But a

larger area in terms of the threat to health has to do with poor air quality or air pollution.

[04:46:43] And many common health problems are related to this, such as cardiovascular disease, chronic lung disease, kidney disease, low birth weight infants, pediatric asthma, as well as many others. Data centers do contribute to poor air quality both directly and indirectly.

[04:47:00] The direct contribution is through the use of backup diesel generators, which would be needed at a time of power outage. I appreciate the comments from the gentleman who preceded me, who is the expert on generators, that the new technology is being adopted by the industry.

[04:47:17] But we are confronted with the possibility of a blackout where these diesel generators may have to run for hours, if not days, to keep the operations going. I did a little bit of a calculation. It probably isn't accurate, but I saw that the recently approved Chantilly data center will have 27 diesel generators.

[04:47:38] Now, I don't know if that's representative of what most data centers have, but I also saw that Fairfax County now has 45 data centers overall. So the multiplication gives me 1,200 diesel generators across Fairfax County just for data centers.

[04:47:55] And if these all have to fire up because we have a blackout, I think there would be significant pollution from that, despite the high technology. But recognizing that right now renewable energy is not really available for backup energy, I think that the county should consider the recommendations from the January 6, 2024 staff report, which stated, quote, that the comprehensive plan encouraged the use of Tier 4 generators and state-of-the-art technology to reduce greenhouse gas emissions.

[04:48:27] Per the report, the Tier 4 diesel generators provide a 90% reduction of certain emissions. The indirect effect of air quality comes from data centers' enormous demand on electricity. One of our utilities has reported that in 2023, over 20% of its electricity output went to data center operation.

[04:48:48] It projects a doubling of demand in the next 15 years. In order to meet this demand, the utility has speculated in a recent integrated resource plan that it will not be able to retire fossil fuel powered electricity production by 2045 as required by the Virginia Clean Economy Act, whose goal is to have carbon free electricity production across all utilities by 2050.

[04:49:11] The utility has even projected the need to build additional carbon-emitting power plants. Hence, the full health benefit of the Clean Economy Act will not be realized at the cost of poor air quality and negative impact on Virginia's health. So as a physician, I'm committed to protecting people's health, but do admit that I am somewhat naive regarding the legal and political considerations which may be involved in managing data centers at the county level.

[04:49:38] With this disclaimer, I would ask that the county take these two steps to protect the resident's health. One, go ahead and require clean energy backup power for data centers when it is available, but until then, establish that a Tier 4 diesel generator is required for approval of a data center.

[04:49:59] And number two, require that the data center and utility companies coordinate on a plan to provide power for the center that does not increase greenhouse gas emissions and allows compliance with the Virginia Clean Economy Act. Thank you. Thank you, Dr. Kitchen.

[04:50:14] Thank you very much. Speaker number 22 is a call-in, David Shepard. Mr. Shepard, can you hear me? Yes, I can hear you. I hope you can hear me. We can. Welcome. The floor is yours. All right. Well, thank you, Mr. Chairman and members of the board.

[04:50:31] I'm a native Virginia lifelong Fairfax County resident. I go back to the 70s and 80s growing up here, and I remember the old Jack Harrity days. Just a quick word, I'm in favor of the data centers. I think they're very important in terms of revenue for the county.

[04:50:50] There's a great need for them. I know we in Fairbanks County are driving up that need with all our pictures and our data, and I think the county should not discriminate against the data centers as much as possible. I think it's important to try to attract that business and other businesses to remain business friendly.

[04:51:11] And that's really all I have for you, but I just wanted to let you know that. Thank you very much. Thank you. We are now on speaker number 23, Wendy Mewson, to be followed by Debbie Rosenstein, Alex Guttenson, and Thomas Cranmer.

[04:51:30] If you all could be ready to testify, welcome. Wendy Mewson, Pleasant Valley. The World Health Organization recommends daytime noise levels in schools of less than 35 decibels for optimal teaching and learning conditions. The American National Standards Institute, which provides design criteria and guidelines for learning spaces, confirms that limit as essential for creating the best acoustic environment for learning.

[04:51:57] Excessive noise is detrimental to concentration, auditory discrimination, and speech perception, leading to reduced academic performance. The effects are magnified for hearing-impaired students and students who are not being taught in their first language.

[04:52:13] The Virginia Department of Education and their 2020 Guidelines for School Facilities states, proximity to noise and other pollution sources, airport traffic industrial, should be considered when evaluating an existing or potential school site. It goes on to recommend that location of schools near electric power transmission lines or other environmental hazards should be avoided.

[04:52:36] Plans for Westfield High School originated in 1995, three years before the first data center was built in Virginia. Its location seemed appropriate at the time. Airport noise, yes, many schools in the Sully District suffer that, but minimal traffic or industrial noise.

[04:52:53] That was then. Now, I-5 properties deemed by right in close proximity to Westfield and other unfortunate schools are being snatched up by data center developers in hopes that their applications will continue under the current inadequate zoning ordinance, one that was not prepared for their existence or their noise and pollution or their power demands.

[04:53:14] Carson Middle School is surrounded by I-5 districts, and a by right data center is going in across McLaren Road, only 400 feet away. Flores Elementary is approximately 1,200 feet from centers already under construction. In these industrial districts, continuous low-frequency sound generated by data center cooling fans need only be below 72 decibels during the day and 65 at night.

[04:53:39] Chantilly Premier's noise study shows backup generators exceeding 72 decibels, but generators are exempt from the noise ordinance. They can be as loud as they want and can be run for up to two hours a day. And there is no coordination between the multiple data centers to minimize this impact.

[04:53:57] In a power outage, they can run nonstop. Portable classrooms are less than adequate, acoustically speaking, and are used by the county to alleviate school overcrowding. Even for brick-and-mortar structures, sound transmits through weak points, including doors, windows, vents, and ductwork.

[04:54:14] The low-frequency sound produced by data centers travels great distances and can penetrate windows. Since 1982, more than $350 million have been spent to insulate 124 Chicago schools from O'Hare Airport noise.

[04:54:30] Is this county prepared to sound insulate schools from data center noise? Are you willing to make much-needed changes to the current zoning ordinance, or will you shrug your shoulders indifferently and let them just deal with the consequences of a perilous and outdated one?

[04:54:46] Thank you. Thank you, Wendy. Speaker number 24 is Debbie Rosenstein, and she will be followed by Alex Guttison and Thomas Cranmer. Welcome. Good evening, Mr. Chairman and members of the Board of Supervisors of Fairfax County.

[04:55:07] My name is Debbie Rosenstein, and I am in attendance as the Chief Executive Officer of the Northern Virginia Building Industry Association, NVBIA. We are a 580-plus member organization whose primary mission is to represent the interests of its members at all levels of government.

[04:55:26] NVBIA respects all aspects of the building industry, and while its primary focus relates to residential housing, We support sister building industries such as data center development. I stand before you in support of intelligent data center development.

[04:55:46] I believe and we believe that data centers will fuel the needed economic development within the county of Fairfax over the next several decades. Jurisdictional challenges in any building industry component are shared.

[04:56:05] Increased fees and development building costs harm the potential development pool for affordable housing. The consistent development of affordable housing is essential in every jurisdiction in this area. I can remember I've been involved in the housing industry in this area for about 50 years.

[04:56:26] I can remember what regulation upon regulation, I can see where cost upon cost over the last 50 years have almost wiped out affordability in this county and in other counties in the area. I come before you with several points that I wanted to make you aware of, and you probably are aware of these, having heard them earlier today.

[04:56:52] The construction of data centers brings hundreds of local construction job opportunities that would otherwise go to other jurisdictions. Data centers have contributed over $100 million to the county's general fund in the last five years, supporting schools, parks, and other critical priorities.

[04:57:11] The lack of a grandfathering component for these projects already in the site plan approval process further drives away existing plan development and sources of tax revenues in Fairfax County. Current high office vacancy rates are forcing the county to implement tax rate increases and push the burden onto residents, so we feel that now is not the ideal time to implement restrictive zoning changes.

[04:57:39] Data centers provide significant economic benefits through tax revenue, commuting and investment by data center companies, high-paying jobs for local construction workers, as well as ancillary uses in small businesses that benefit from the data center employees living and working nearby, Requiring full enclosure of all mechanical equipment is impractical and causes the cooling equipment to be less energy efficient, causing greater long-term implications.

[04:58:08] The data center industry continues to innovate and make strides in energy efficiency, visual appearance, landscaping, and acoustics. In conclusion, please reconsider the recommendations for

excessive setback requirements, and please consider grandfathering those projects already in the site plan approval process.

[04:58:34] I thank you for your time tonight. Thank you. We are now on speaker number 25, Alex Guttensohn. Alex, to be followed by Tom Cranmer. Good evening. My name is Alex Guttensohn.

[04:58:50] I was born and raised in Fairfax. I grew up just down the road. I'm a builder, and I've benefited from the opportunities that Fairfax has provided by always being the leading edge of the latest trend since the 1980s. What I wanted to focus on tonight is what I believe should be the priority of the Fairfax County Board of Supervisors, and that is the preservation of our economic development.

[04:59:12] Fairfax has enjoyed decades of success and growth due to the well-educated population and close proximity to federally supported industry. However, the trend lately has been an economic decline in the county due to these jobs being outsourced and or relocated. Numerous counties in Virginia are outpacing our growth and Fairfax is at risk of being left behind. Data centers are the one industry that is flourishing and providing a steady and reliable tax revenue for any county, both during construction and long after. A typical data center will bring an excess of $2 million in tax revenue a year, thousands of construction jobs, and hundreds of support jobs after the construction is complete,

[04:59:52] and four times as many indirect jobs throughout the to the for the local communities i've heard all the negatives noise pollution water and energy usage and then the aesthetics some just don't like the way they look all these negatives can be addressed the sound of a data center emits can be easily lowered to less than that of a four-lane highway the pollution emitted by a data center is the occasional exercising of the generators which emit about the same level of pollution as as a semi-truck sitting idling. The water used by most data centers is stored and recycled for reuse and redundant and backup cooling system. The majority of the cooling is by forced air,

[05:00:29] not evaporative cooling. Yes, they do consume large amounts of electricity, but this electricity will be produced regardless of where the data centers are located, so it is not something we can control by restricting building in our county. Additionally, data centers allow millions of people to work remotely, store, move, and share data electronically, reducing the dependency on vehicles and airplanes.

[05:00:55] And then the last elephant in the room, the aesthetics. I'll admit that a stand of force is preferable to any man-made structure, but we live in the city now and are surrounded by built structures everywhere, some works of art and some were utilitarian. In my opinion, a data center, which is essentially printing dollars for the county, is far more attractive than an empty office building, dilapidated warehouse, or vacated retail center.

[05:01:18] Any additional restrictions placed on the potential data center sites will accomplish nothing but driving these opportunities away to other counties in the state. It's already happening, and we're about to make it worse. To put additional restrictions on existing buy-right property sends a message to potential developers that Fairfax is closed for business and not interested in promoting the tech sector.

[05:01:37] This doesn't hurt the tech sector. They can build anywhere there's power and fiber. It only hurts those that reside in Fairfax County by relocating these emerging opportunities and tax revenues to other counties. The Fairfax County Board of Supervisors should look to the past, which was prioritization of economic development and what made us successful, to guide your decision tonight.

[05:01:57] Thank you. Thank you for your testimony. Next is Thomas Cranmer, followed by Elizabeth Endy and Larry Zaragoza, if you come down close. Thank you. Hi, I'm Tom Cranmer.

[05:02:13] I've been a resident here in Fairfax for 35 years, so I'm very aware of a lot of the developments that have occurred. I'm here talking about the data center problem because it is an unknown problem.

[05:02:33] People don't know what a data center is. I suggest that you go ask 100 people and tell them, I want to know what you think of Georgia data centers and what do they do? I bet practically nobody can tell you.

[05:02:51] It's a big unknown. So what we need are some good studies and a lot of publicity and television programs to show what data centers do. What are they here for?

[05:03:08] And what benefits are there? Now, I've distributed, or the clerk has very nicely distributed, a copy of my report, my comments. But the key thing is getting some publicity about what's happening.

[05:03:26] Now, I cited some of the benefits for the data centers. You've heard a lot of that. But we don't know very much about the tax collections, how they're assessed, anything about that. I don't know about how you're going to assess the taxes, even though I'm part of the tax group that tries to analyze this stuff.

[05:03:52] I haven't seen any publicity about it. We need to let people in apartments know about it and homeowners and also know where the electricity comes from, where it goes, and also just the effect on the electrical grid.

[05:04:12] There's a lot of publicity about the grid being totally ineffective and needing a lot of renovation. People are worried about noise and you never hear just how much noise there is.

[05:04:27] All this needs to be information given directly by experts who are not government people, not government people. People don't trust government. And so the important thing is to have some independent people, not part of the industry, not part of the government, providing what's going on.

[05:04:53] And maybe people will begin to understand what's going on. Kids in school probably could bring this information to their parents. So it would be a great thing to do. Now, I have cited in my paper about Biden's dementia, a great cause for concern, especially in the next six months.

[05:05:15] the data centers will be a target for any war that develops in the next six months because, obviously, they're controlling information for Virginia. And so it's very, very important to understand what the great cause for concern is, and especially President Biden's dementia.

[05:05:41] You can look at the beginning of my paper to President Biden. I have a 20-page paper about data centers, and also I have information about dementia.

[05:05:58] And I give that paper to everybody I know who has a relative who has dementia. And I just gave a copy of the paper to an electrician who came to my house just yesterday. Mr. Cranmer, your time is up. If you could just wrap up, that would be helpful.

[05:06:16] So anybody who wants information about dementia, and this is a paper I've worked on for years, send me an email on the front of my sheet. Thank you for your testimony. We appreciate it.

[05:06:31] Thank you very much. Appreciate it. Next is Elizabeth Endy. I hope I'm saying that right. Larry Zaragoza, followed by John Huchel. Is Elizabeth here? Oh, she's on the phone. Can you hear me? Yes. Thank you. Go ahead. Yes.

[05:06:46] Yes. Hello, supervisors. My name is Elizabeth Endy. thank you very much for allowing me to testify tonight. My family and I have lived in Fairfax County since 1986. I was part of the CCAP task force and am a long-time environmental advocate.

[05:07:03] You've heard me speak up many times. In that vein, I'm calling on you to adopt data center regulations that prioritize environmental protections and the residents of Fairfax County. Yes, data centers will offer tangible economic benefits, but there's still a lot that is unknown as this industry is in its infancy in Fairfax County.

[05:07:26] Please do not rush in without properly protecting the Fairfax County residents and our precious natural resources. Because data centers use massive amounts of electricity, it is critical that in order to meet our ambitious JET and CCAP commitments, that data centers be incentivized to use green energy to the greatest extent possible, both to minimize impacts on the local power grid and to stem greenhouse gas emissions and pollution.

[05:07:56] It's important to ensure that you are properly considering the large quantities of water needed by data centers. Our climate is warming, and periods of local drought are already occurring. Just a few weeks ago, reduced flow in the Potomac compromised water treatment processes in Arlington and D.C., leading to boil water orders.

[05:08:17] As the county looks forward to the coming decades, the service life of the data centers that will be built in the next few years, it should plan proactively for the effects these facilities will have on our water budget.

[05:08:32] Residents of neighborhoods adjacent to proposed data centers have rightly expressed alarm about their potential impacts. The size, additional noise, and additional traffic can make neighborhoods less livable, cause economic harm to homeowners, frustrate transportation planning, and exacerbate real estate tax revenue.

[05:08:53] All of these considerations call for stringent environmental and economic reviews for each proposed project and ongoing environmental reporting requirements. Data centers present an array of novel potential complications and should be subject to special exception review, as was recently imposed by the Town of Leesburg.

[05:09:18] Please preserve the provision that clearly states that new rules in the VOA would apply to anything that's submitted but not yet approved data center. require equipment to be set back at least 500 feet from adjacent residences thank you very much for looking out for the residents and the natural resources thank you for your testimony next is larry zaragoza followed by john hukul followed by barbara comstock good evening vice chair

[05:09:54] smith and members of the board my name is larry zaragoza i am the chair of the environmental Quality Advisory Council, which most of you know, and I'm here to speak to the memorandum that you all received last Friday on data centers. Many of the comments that we're providing to you in our memo are very similar to many of the other comments you've heard today. There's a lot in common.

[05:10:21] We are looking to see that communities are not negatively impacted by data centers. However, Some of the concerns that are really not addressed in the draft ordinance would be things like to the extent that data centers are using large amounts of electricity and they're relying on fossil fuels.

[05:10:46] That is an impact, and actually that is an impact that could be addressed by using renewable energy, as Ben said earlier today. Also, I should highlight that in discussions with Fairfax Water and the ICPRV, they've indicated that water quantity could be an issue in the event that data centers use a lot of evaporative cooling.

[05:11:10] And so one of the things that was also said today is data centers are moving away from evaporative cooling. And I think that's true. But because it's the most cost-effective way to cool in many cases, it's something to look out for.

[05:11:27] One of the things that I've also heard from communities is that they're concerned about the backup generators. When backup generators operate because there's an issue with electricity, there's an exemption because of emergency operations.

[05:11:44] So they're not subject to the normal noise requirements that they would otherwise be subject to. And in the event that generators had to run for long periods of time, that is, I think, a pretty reasonable concern. And there's things that can be done to mitigate it.

[05:12:02] Enclosure is a good thing. Location of the generators is another good thing. So a lot of good things are happening, but that's a concern that people have. The other thing I would note is in our recommendations, we suggested that the county look at the noise ordinance. We also believe that it is technically feasible to address the kinds of concerns that have been raised.

[05:12:27] And that's a good thing. And because it is technically feasible, it seems like a lot of the data centers are already doing some of these things. For example, some of them have admirable climate goals to deal with being net neutral in terms of electricity.

[05:12:45] But that doesn't come out in this process. We appreciate the fact that the board is trying to reduce the tax burden on the real estate taxes. And one of the things that we would note, though, is that I think that can be done.

[05:13:00] You can bring data centers in without having significant impacts, and it's finding that sweet spot. And so one of the things we suggest in our memo is trying to work with these companies, especially those that have ambitious environmental goals.

[05:13:18] And if you want information on that, I'm happy to share that with you. In the end, I think that EQAC supports providing data centers incentives, if needed, in order to attract them to the county if they are operating so that the siting decisions do not adversely impact communities, water supplies, or climate goals.

[05:13:42] We thank you for this opportunity to comment, and I appreciate the difficulty that you're facing tonight. Thank you very much, Larry. We are on speaker number 29, John Huckel, to be followed by Barbara Comstock, Joe Duumbia, and Ann Bennett.

[05:14:01] If I called your name, please come close and be ready to testify. Welcome, John. Hi, good evening. Thank you very much for the opportunity to speak with you today. My name is John Huckel. I'm speaking on behalf of the Data Center Coalition. DCC is a national membership organization based in Northern Virginia, and we represent many leading data center owners and operators.

[05:14:20] DCC is grateful for the opportunity to have met with county staff as part of their stakeholder outreach efforts in developing these recommendations. Fairfax County has been traditionally welcoming

to data center development, and we hope to continue to grow the county's partnership with this important industry going forward.

[05:14:37] Data centers provide the digital infrastructure that is the backbone of the modern economy. These projects involve huge financial investments in buildings and equipment, with some projects exceeding $1 billion in capital investment. These investments enable the data-driven processes, goods, and services deployed by many other sectors of our 21st century innovation economy, including technology, advanced manufacturing, cybersecurity, AI, healthcare, and many other key industries.

[05:15:05] Data centers aggregate computing resources that would otherwise be located across individual business sites. By centralizing computing resources, data centers leverage innovations in design, equipment, and technology to maximize energy efficiency. While data centers are highly efficient facilities themselves, they also enable energy savings and efficiencies for homes, businesses, utilities, government, and many other end users.

[05:15:31] Additionally, data centers are leaders in accelerating clean energy development and deployment. Many have established and are aggressively pursuing voluntary clean energy and carbon reduction goals that predate and outpace many state mandates and targets. Wind and solar capacity contracted to data center providers and customers represented two-thirds of the total United States corporate renewables market last year. Four of the top five purchasers of renewable energy in the United States are companies that operate data centers.

[05:16:02] Data centers in Fairfax County create thousands of construction jobs as each of these facilities is built. They provide high-quality, high-wage jobs that support ongoing operations within data centers themselves. And data centers catalyze a larger ecosystem of small businesses, Everything from restaurants, hotels, rental car agencies, fiber and HVAC installers, and many more.

[05:16:25] Across Virginia as a whole, data centers directly and indirectly supported more than 78,000 jobs last year. The data center industry is especially beneficial to Fairfax County, given the county's economic makeup. An April 2024 study by the Northern Virginia Technology Council showed that nearly one-third of Fairfax County jobs are in technology fields that data centers support, including AI and cybersecurity.

[05:16:47] Beyond job creation and economic investment, data centers provide other significant community benefits to the county, including supporting the county's tax base and its quality of life priorities. From 2018 to 2022, Fairfax County collected more than $114 million in revenue from its data center industry.

[05:17:05] This growing source of revenue helps the county fund schools, parks, libraries, and other community priorities. Further data center investment in Fairfax County will provide additional support for these quality of life priorities. As noted in a recent Washington Post article, Loudoun and Prince William counties this year were able to allocate their data center tax revenues to provide their residents with tax relief while also funding government priorities.

[05:17:28] Data centers are also significant economic development engines across northern Virginia. In Loudoun County, data centers contributed $26 in tax revenue for every dollar of local public services they've required, according to the NVTC. In Prince William, data centers generated $13 in tax revenue for every $1 of services required.

[05:17:48] For comparison, fiscal benefit to cost ratios for other types of development rarely exceed $4 for every $1 in services. In considering the opportunity to grow data center investment in the county, we would note that the guidelines as amended by the Planning Commission suggest a relatively narrow aperture in terms of the number of developable parcels and the design aspects the county may consider for data center projects.

[05:18:10] This may limit the number of developers that invest in the county and the number of potential projects. Again, we appreciate the opportunity to have met with staff as part of their stakeholder outreach efforts, and we thank you for the opportunity to offer our comments today. Thank you. Thank you. We are now on speaker number 30, Barbara Comstock, to be followed by Joe Duambia, Ann Bennett, and Len Molston.

[05:18:34] Welcome. Thank you. Good evening. I'm here testifying on behalf of NetChoice. Good evening. I'm a former congresswoman who represented Fairfax County as well as a former state delegate. When I represented Fairfax and Richmond, I chaired the science committee and authored the data center legislation, which is supported by both Republican and Democratic governors and provided the tax incentives that have allowed the Commonwealth to become second to none in terms of data center development and revenue.

[05:19:05] In 2023, data centers in Virginia supported $31 billion in economic output. In 2022, data centers paid $40 million in taxes to the Commonwealth and $1 billion in local governments in Virginia. The data center industry, as you just heard, is the backbone of the thriving tech sector in Virginia and in large part, once again, enabled Virginia to be named the number one state for business recently by CNBC for a record sixth time.

[05:19:36] And the revenue from data centers, as you know, is also a vital stream for our top school systems, of course, Fairfax County often being number one in those CNBC ratings. And four of the top six capital investment companies build data centers, Amazon, Alphabet, Meta, and Microsoft, investing $94 billion in 2022, more than energy, telecom, pharma, or manufacturing.

[05:20:04] And that is, no doubt, over $100 billion by now, with that investment trend continuing to grow throughout the U.S. As numerous reports have shown, because data centers pay large amounts in taxes, while placing few demands on local public services, they have a high fiscal benefit-to-cost ratio.

[05:20:22] So you've heard a lot of that from my previous colleague, and what Loudoun County has also been able to do with their data center revenue. And Loudoun County has obviously far more data centers than Fairfax County could ever build and no doubt would want to build.

[05:20:40] But that sizable revenue has allowed them to obviously diversify their revenue and lower their real estate property taxes. And I testified previously at the Planning Commission about the benefits to the county of those data centers and the diversification of the tax base.

[05:21:01] And today I would like to associate myself with those previous comments, but I'd also like to also associate myself with the original recommendations, the staff recommendations, and to reject the additional Planning Commission amendments, And so that the original recommendations that were to be only a 200-foot setback instead of the additional, you know, the 500-foot, I would support that.

[05:21:37] So that would make it easier for the data centers. And then also to support the half a mile radius to avoid limiting the data center development. And then I would also support grandfathering the

sites already in the site plan review process to prevent setting a precedent that negatively impacts on future economic development.

[05:22:04] And then just as an aside, I'd also like to point out, you know, on the energy efficiency point, just, you know, some data points. Google, for example, has maximized energy efficiency and reduced water use and invested in power purchase agreements with over $7 million between 2021 and 2022 towards carbon-free energy with a target by 2030 that all Google data centers run 24-7 with carbon-free energy.

[05:22:34] In 2022, their centers were 60% carbon-free, and globally, Google's centers are 1.5 times as energy efficient compared with just five years ago, with three times as much computing power per unit.

[05:22:51] So you can see how they are improving over time, and that's something continually that they do. And I think you all know these companies, how much they partner with you. They're good corporate partners and work with our schools and have over the years.

[05:23:07] So thank you for the opportunity to meet with you today. Thank you, Barbara. We are now on speaker number 31, Joe Duambia, to be followed by Ann Bennett, Len Molston, and Tyler Ray. If I've called your name, please come on down and be ready to testify.

[05:23:26] Welcome, speaker 31, Joe Duambia. Yes, thank you, sir. My name is Joe Dumbia. I'm the FACS Vice Chair. I have lived in Fairfax County in the Mason District for the last 30 years. Data centers are at the heart of everything from cloud computing to global communication networks.

[05:23:50] The massive and ever-growing number of Internet users translates into an unprecedented demand for data storage, processing, and management. These facilities, which seem like factory buildings, work around the clock, ensuring that our digital lives run smoothed.

[05:24:11] According to the U.S. Department of Energy, data centers are one of the most energy-intensive buildings consuming up to 50 times as much energy per floor space of a typical commercial office building.

[05:24:30] According to Google, an average Google data center consumes approximately 450,000 gallons of water per day, roughly the same amount of water used to irrigate 17 acres of tar flood just once.

[05:24:52] Therefore, it is paramount to assess the environmental and social impacts of this life of business. I recently retired from the World Bank as a sustainability manager. And one of my missions, one of my jobs was approve data centers in places around the world such as Indonesia, Brazil, Vietnam, and other developing countries.

[05:25:20] Let me tell you that there was not a single data center, a small, medium, or large, that didn't go through a rigorous environmental and social impact assessment, as well as the determination of the environmental and social mitigations associated to this kind of activities.

[05:25:41] In aspects such as land use, air pollution from the use of diesel generators and power use, water management on the consumption and the sourcing associated with the cooling systems, noise pollution, electronic waste, and other elements and aspects.

[05:26:01] So the severity of the environmental impacts depends on how efficient they run. We hear so many possibilities and options on adequate technologies. But we also know that there are some cooling systems that use toxic coolants from global with global warming potential.

[05:26:23] As much as half of the electricity that is using data centers goes into archaic, unfortunately, air cooling systems rather than powering the service themselves. The ask it is for, before approving, look for an environmental evaluation of the impacts and the assessment of the mitigations, a requirement of a data management system from the developers, a reporting on monitoring of the behavioral performance of the key environmental and social variables so that we can have a balanced economy

[05:27:03] and environment for the years to come. Thank you. Thank you, Joe. Speaker number 32 is Anne Bennett. Welcome. Hi, Mr. Chairman and members of the board.

[05:27:19] I appreciate being here. Anne Bennett with Sierra Club Data Center Issues Chair and a resident of the Mason District. Virginia is bracing for an unprecedented 300 million square feet of data centers, with two-thirds happening here in Northern Virginia. The county has recently begun to approve larger facilities in tandem with market demand.

[05:27:40] These are not your mother's data centers. These are power plants that should face the highest scrutiny possible, and they don't now, and they won't with this bare-bones approach. That is why Sierra Club and 13 environment and climate organizations have asked for more comprehensive actions and policies.

[05:27:58] As an urbanizing county of 1.1 million, it is increasingly hard to segregate uses from people, residential, schools, hospitals, senior centers, and parks. That's one reason why asking for a setback of at least 500 feet is so reasonable.

[05:28:14] The debate around data centers has been framed in binary terms, and that is, frankly, ridiculous. this is not about tax revenue or no tax revenue it's not about supporting labor or not supporting labor it's not about having data centers or not having data centers it's about having it all and meeting the highest environmental standards as promised data centers are not going elsewhere because they are already going everywhere.

[05:28:49] Instead, here's the playbook. This DOA was crafted to streamline approvals, leave the public voice out, which is very painful in terms of the Amazon's Westfax situation, and to defer substantive environmental regulation to another day.

[05:29:07] Without the underlying policies and regulations in place to address the unique externalities of data centers, The door is open for a flood of subpar applications, wish casting that companies will voluntarily mitigate their own pollution.

[05:29:22] Under by-right conditions, the Board relinquishes its power to strengthen applications. Projects will go ahead without the best available technologies for noise, energy efficiency, heat recovery, renewables, generators, water use, instead of being subject to proffers or conditions or underlying policies.

[05:29:41] The industry paints a rosy picture no environmental impacts we just heard it notably they minimize concerns about water demand they herald air cooling but is increasingly inadequate to meet new ai applications and contrary to research and industry reports and data potable water for data centers in loudon increased 260 percent from 2019 to 2023 while population was only up six percent and loudon has reclaimed water for data centers. Last year, six of the seven top users of water were data

[05:30:17] centers. This is a trend all over and we expect to see hundreds more in service in the Fairfax water catchment area as we face drought conditions right now. And today, of course, we are in extreme heat, 12 degrees above average. School activities are closed. Seniors are told to stay inside and And yet, climate considerations are not on the agenda tonight.

[05:30:42] It doesn't take a PhD to know that cooling data centers in this heat pulls more power. In fact, during this hearing, PJM is now under a hot weather alert, and right now we are at the summer peak of pulling 151,000 megawatts, right now, right today, and tomorrow we will be too.

[05:31:05] Greenlining data centers means greenlining fossil fuels and higher rates for Virginians. Increases in coal and natural gas used for data centers will undermine the county's ability to meet its CCAP goals. Projects of this magnitude should require carbon impact analyses since they are not specifically addressed in CCAP.

[05:31:25] Google, we just heard about Google, but also Google this week just reported that it is no longer carbon neutral, and its greenhouse gas emissions have risen 48% since 2019, and Microsoft's are up 29%.

[05:31:43] What's the county going to do to ensure that its carbon emissions do not increase? The best way to avoid negative externalities of this next generation of data centers is to prepare now to adjust the emerging and more intense resource demands by any mechanism possible.

[05:32:01] First, please adopt the three PC recommendations, and please do not include buy-write bonus density for repurposing. Second, strengthening the county's policies should reflect the post-2022 reality of API applications, so we ask you to expedite a Phase 2 for environmental policy recommendations.

[05:32:26] We have no time to waste. The cost of doing business in Fairfax County should include assurances and protections for residents, ratepayers, and taxpayers so that they don't foot the bill for future data centers. requiring the wealthiest companies like amazon to meet environmental standards is consistent with that thank you very much thank you anne figure number 33 is lynn molston be followed by tyler ray brian sterling chris lemonstrell if i called your name please be ready to testify welcome i have

[05:33:04] handouts for you all good evening chairman mckay supervisor alcorn and fairfax county Board of Supervisors. My name is Lynn Moulston and I serve as President of Ruston Citizens Association. We are joining with many of our sister organizations across Fairfax County to consider the ramifications of by right data centers to our environment and residential communities. We all know that

[05:33:39] data centers are industrial complexes that house acres of computer systems for storing virtual information. Massive infrastructure must be built to support these complexes, including transmission, water, and sewer lines.

[05:33:55] Expert analysis posits that data centers are slated to account for a fifth of the world's energy usage and more than 3% of carbon emissions by 2025. According to worldwide technology, artificial intelligence is revolutionizing how we design and build data centers.

[05:34:16] In simple terms, every data center is now an AI data center. Let's look at the electricity component. Traditional data centers are typically designed to support lower power densities, commonly ranging from 6 to 15 kilowatts per rack.

[05:34:35] These power densities are suitable for standard IT equipment, such as servers, storage devices, and networking equipment. However, with the deployment of AI workloads, especially those involving

high-performance computing or deep learning, the power requirements per rack can be significantly higher, often ranging from 20 to 50 kilowatts or even more.

[05:35:00] Training complex neural networks, for instance, require substantial computational power resulting in considerable heat generation. Global data center power needs are expected to double between this year and 2030. Yale Environment 360 reports that data centers' electricity consumption in 2026 is projected to reach 1,000 terawatts.

[05:35:25] That's roughly equivalent to Japan's total electric consumption. Now, let's look at water consumption. Contrary to Mr. Gray's testimony earlier, in 2020, data centers consumed an estimated 174 billion gallons of water.

[05:35:43] A 15-megawatt data center can use up to 360,000 gallons of water a day. Yale Environment 360 reports that Google's data centers used 20% more water in 2022 than in 2021, while Microsoft's water use rose by 34%.

[05:36:02] Let me ask you this. With a projected increase in drought conditions in both frequency and severity, who's going to get the water first? Data centers or the residents of Fairfax County. Reston Citizens Association opposes any zoning ordinance amendment which allows data centers to be built by right in any zoning district of Fairfax County.

[05:36:28] By right development often bypasses community input and zoning regulations, denying residents a voice in decisions that directly affect their quality of life, property values, and local environment. Having a voice through the special exception process emphasizes the idea of empowerment and representation.

[05:36:49] In the strongest possible terms, Reston Citizens Association supports the rights of citizens to notice and an opportunity to be heard through an open and meaningful public hearing process to allow transparency and case-by-case mitigation of impacts before any more data centers are to be approved.

[05:37:08] Therefore, Reston Citizens Association calls on the Board of Supervisors to act to ensure that Board Chairman McKay keeps his word that Fairfax County will set the highest nationwide standard for data centers by accepting the Planning Commission recommendation of June 6, 2024, and that all data centers in Fairfax County be treated as a special exception use and require a public hearing due to the importance of the decisions and the magnitude of the impacts.

[05:37:39] Specifically, every data center must be reviewed and approved by the Board of Supervisors and have a public hearing through the special exception process, be at least 1,000 feet from residents, be at least one mile from our metro stations, and it is asked that the Board of Supervisors commit to immediately act to pass comprehensive data center protections for items not covered in the zoning ordinance.

[05:38:04] Thank you for your attention and consideration, and thank you for the opportunity to express the views of Reston Citizens Association as we advocate for our citizens' interests and contribute to shaping policies that affect the everyday lives of your constituents.

[05:38:22] Thank you. We are now on speaker number 35, Brian Sterling. I'm sorry, speaker number 34, Tyler Ray, to be followed by Brian Sterling, Chris Lemonstrill, and Nancy Warner. Thanks. I have a presentation. Great. Good evening. My name is Tyler Ray. I am the president of the Bren Point

Homeowners Association and a leader of the Save Bren Mark community effort concerning the unapproved pending Plaza 500 data center in the Mason District.

[05:38:56] I want to start out first by saying that the board is to be commended for the speed in which you all are seeking to address the issue of data centers and finding the balance between potential impacts on residents and the economic value that data centers can bring to the county. It's been just over a year since the board passed the matter on May 9th, 2023, directing county staff to move quickly to issue a report by the end of 2023.

[05:39:18] This was followed by the release of the staff report and recommendations on January 9th, 2024, which was followed by the key approval of the Chantilly Premier Data Center on January 23rd, 2024, where the county recommendations were cited continuously by many of you as a key factor for the approval.

[05:39:37] Sending the signal to all data center developers that compliance with new standards was what was expected by the board. Public statements were made to that effect, including by Chairman McKay, who said, I will support making sure that this is the standard on any data center that comes into Fairfax County because, frankly, we need to be setting the nationwide standard on these.

[05:39:57] And by Supervisor Bierman, who said, What message would it send that we're accepting a data center without stuff from the data center report? He agreed then that the Chantilly Premier Data Center did meet that and said, I got news for you. There's a lot of proffers here. There's a lot here at the data center that matches this report.

[05:40:13] Supervisor Walkinshaw said, We also have an opportunity to establish standards that are the highest in the Commonwealth, if not the highest in the nation. And I think the work of this application and the work that staff has done with our data center report puts us on that path. And Supervisor Herity, who opposed the Chantilly Premier Data Center, even indicated that the application came before the board has been able to discuss and issue their guidance on the data centers, yet we're still applying the guidance to that data center.

[05:40:42] The urgency was continued in March 19, 2024, by the board matter offered by Vice Chair Smith, Chairman McKay, and Supervisor Jimenez, which states that, quote, it is important to move forward without delay to amend the zoning ordinance to strengthen the current provisions for data centers while recognizing that data centers provide an economic benefit to the county.

[05:41:07] There were also two references to the need to expedite this process, recognizing the critical need to act quickly to ensure that any new data center complies. In fact, during that March 19th hearing, Vice Chair Smith recognized the need to act, stating that, quote, increasing demand for data centers and the increased understanding of their potential impacts reveal a need to consider strengthening the county's current regulations. The board directed county staff and the planning commission to move quickly from there, including scheduling a planning commission public hearing on June 5th and 6th. It's at this public hearing that the planning Commission recognizing the need to act as quickly as possible unanimously passed its recommendations

[05:41:47] which included the provision that has the effect of ensuring that unapproved data center applications would need to comply. Planning Commissioner Mary Cortina stated this explicitly in her remarks saying my understanding all along in this process has been that we had to act with immediacy because data center applications are coming in and we want them to be subject to these new regulations.

[05:42:09] Now, here we are tonight at the culmination of your initial effort to amend the zoning ordinance to ensure that every data center going forward, coming into the county, meets the standards that you will pass tonight. Thankfully, you have the authority to do this, and there are many examples of the board doing this, including at least 16 times in the past when amending the zoning ordinance.

[05:42:31] We've heard from other speakers tonight that this is going to set precedent. However, the historical record of the over 680 amendments to the zoning ordinance show that each zoning ordinance amendment is treated individually based on the circumstances with which that issue is about.

[05:42:48] You will not be setting precedence tonight if you say that unapproved data centers need to comply. You will just be responding to the specific need that you have all identified over the last year. Now, you missed the opportunity to be able to protect the residents of the Meadows of Chantilly Mobile Home Park, which is a designated affordable housing community, since it was a buy-right site plan that was approved just seven days ago.

[05:43:12] You do have the opportunity, however, to get it right with at least two other pending site plans, the Word of Grace data center proposal that is less than 180 feet from homes on the border of Hunter Mill and Soli districts, and the Plaza 500 data center, which is directly next to over a thousand homes in an environmental justice community that is nearly 70 percent people of color and a vibrant diversity of religious beliefs sexual orientations income levels and housing options including county designated workforce housing which would be less than 200 feet away from the proposed data center you just approved workforce housing revisions tonight and

[05:43:49] now you're going to potentially say that they can be this close to data centers i'll wrap up it would also place a massive electrical substation less than 80 feet away and decimate a resource protection area to make way for 120 feet tall transmission lines.

[05:44:04] The Planning Commission county staff have already said this is not an appropriate place for a data center, as did the City of Alexandria and thousands of residents. Allow yourself a chance to review these proposals with the new zoning standards applied and give residents the chance to vet these through a public hearing and review process.

[05:44:21] This is a pretty straightforward ask that gets to the heart of fairness and shows that you are listening to the concerns of your constituents who voted for you to make these decisions. Thank you. Thank you, Tyler. Speaker number 35 is Brian Sterling, to be followed by Chris Lemonstrel.

[05:44:40] Welcome. Thank you. Good evening, Mr. Chairman, supervisors of the board. My name is Brian Sterling. I'm a resident of the Mason District. I'm a private citizen and an attorney. I've been engaged on the matter of the proper siting of data centers in the county since October 2022 when Starwood Capital Group first obfuscated their intent to build a data center through the rezoning of the Plaza 500 property.

[05:45:02] I ask that you adopt the Planning Commission's recommendation in full and only consider strengthening provisions in ways that result in better protection for residential neighbors. It would be inexcusable to exempt pending data center site plans from any new standards you adopt tonight.

[05:45:20] The Planning Commission's unanimous approval of text affirming that an applicant owner may continue to rely on the prior approval of their applications was a just and considered proposal response to a proposal for extraordinary relief. Importantly, the final recommended commission amendment text is consistent with state law.

[05:45:41] Virginia Code and the courts have put landowners, especially sophisticated developers represented by legal counsel, on notice about when rights in land use vest. Virginia Code repeatedly states that the landowner's rights vest only upon approval, including approval of administrative applications.

[05:46:02] This, the law, is regulatory certainty, predictability, stability. The law is clear on the issue of site plans being accepted for review versus approved. And reliance on Virginia law ensures the most equitable treatment of all parties affected by the amendment.

[05:46:22] In other words, this is a matter of policy. It's a matter of your choice. Fairfax County need not and should not afford pending site plans in this case, what the General Assembly has deemed appropriate in the land use context.

[05:46:39] Doing otherwise will rob a substantial number of residents in our community of the protections of the amendment that you adopt. The zoning development history of the Plaza 500 site indicates that there is no public interest served in making Plaza 500's February site plan the candidate for special treatment above and beyond the law.

[05:47:01] They'll say that they have made an investment in their site plan's work. Yes. But I have made an investment in my home too. So have my neighbors. Many times over, the minuscule investment made by a billion-dollar industry in one rushed, inadequate site plan that needs to be redone from the ground up anyway.

[05:47:24] Let them explain why they should be within one mile of a metro. Let them explain why they can't put noise equipment at least 500 feet away from residential property. Let them explain why they placed an electrical substation on their property that would require Dominion to rip out a resource protection area.

[05:47:41] Do not reward a sophisticated actor that worked to beat you to the punch. That would only incentivize bad faith actors to work faster than the law can keep up. In other words, let them amend their site plan to meet your requirements or exercise their right to file a special exception.

[05:48:06] Nothing more, nothing less. Thank you. Thank you. Now I'm speaker number 36, Chris Lemonstril, to be followed by Scott Gorvitt and Matt Westover. If I've called your name, please be ready.

[05:48:22] Welcome. Good evening. Chairman McKay, respected members of the board. I will speak before you today on behalf of my local McLean-based neighborhood organization, Virginia Democracy Forward, known as VADF.

[05:48:42] Many of our members had worked for several years with county officials and the larger Fairfax community to establish a community-wide energy and climate action plan, the CCAP goals. The most important of these goals is for the entire community to be carbon neutral by 2050.

[05:49:04] The enormous issue before us today is that the data center industry will make it all but impossible to meet our CCAP and carbon neutral goals. The data center exponential growth, the massive energy need, and off-the-chart carbon footprint are such that the 210 pages of the CCAP plan, its 12 strategies, and 64 actions are now thrown out of the window.

[05:49:31] Just to give one example, it was estimated in the CCAP report that between 2020 and 2030, the total rooftop solar installed in all Fairfax County would be about 50 megawatts. That is less than a single medium-sized data center consumes.

[05:49:52] So think about this. Just one data center approved, if not using clean energy, will negate more than 10 years of rooftop solar installations countywide. So it came as a huge surprise to find that the Planning Commission proposed ordinance and recommendations had nothing that addressed this massive energy use and its many impacts, power lines, impact on grid, impact on electricity rates, and carbon emissions.

[05:50:23] While this board does not have direct jurisdiction over energy use, there are many levers that the county can use through the special exception and proper process to mitigate the negative energy impact. Number one and most important, we urge this board to require special exception for each and every data center approval.

[05:50:47] The approval of the Meadows of Chantilly data center just a week ago, so outrageous that it made local news, is Exhibit A on why by-right approval can go terribly wrong. Counties around us are moving to remove by-right approvals.

[05:51:04] In May, the Lisbeth City Council voted 6-1 to require special exception for every data center. And on July 2nd, the Loudoun County Board voted 7-2 to do the same. And we certainly ought to learn from our neighbors from Loudoun.

[05:51:21] They are the experts. They've been at it for more than 15 years, and they certainly know better. We urge the Board and the Planning Commission to go back to the CCAP and Fairfax carbon goals and estimate the impact of data center approval on the goals and mitigation strategies through renewable energy requirements.

[05:51:43] According to Virginia State Code, I quote, zoning ordinances shall be for the general purpose of promoting the health, safety, and general welfare of the public. Certainly, protecting this community from the devastating impact of climate change shall be a part of this purpose.

[05:52:02] Just as we restrict land use based on building footprint, we need to regulate land use based on carbon footprint. Just because it's not been done in the past doesn't mean it shouldn't be done today. Our group met with a lawyer with 30 years of experience with Virginia zoning and land use, and he indicated to us unequivocally that Fairfax were to include in the zoning ordinance the requirement for data centers to have solar panels on their roof, And we know that would only address a very small percentage of their energy.

[05:52:38] That would absolutely be in Fairfax right to do so, as there's nothing in the state code that prevents it. And that would be part of reasonable building improvements to mitigate building impact on the community. It would appear that this board has already decided that data centers are the magical solution to this year's budget shortfall.

[05:52:58] That would be very short-sighted. Look, some years the budget, we have a surplus, some years we have a shortfall. What we are deciding today should not be a quick budget fix. It is to have the right framework in place for the many years to come.

[05:53:16] And the great thing here is that we can have it both ways. This industry has enormous needs and enormous cash. So even with all the regulations, even with the additional amendments that are recommended by this community and the expert environmental organizations, the data center will come and will still line up for approvals.

[05:53:38] We urge this board to enhance the zoning ordinance as recommended by so many today. We urge the board to make a commitment today to expedite updating a comprehensive plan to include policies to mitigate the data center energy use.

[05:53:55] We want to keep funding our world-class schools, but not by enabling off-the-chart carbon emissions that will destroy our kids' future. Thank you. Thank you. Let me verify. Speaker number 37 no longer wishes to testify, so we are on speaker number 38, Scott Gorvitt.

[05:54:16] Scott here to be followed by Matt Westover. Welcome, Mr. Gorvitt. Good evening, Chairman McKay, Supervisor Smith, Team Supervisors, Fairfax County.

[05:54:32] Thank you very much. My name is Scott Corvette. I'm a private citizen. You saw me once before at the Chantilly Premier application. I believe we worked hard and we did very good things and improved the balance of the process. I'm here to ask you to vote no for continuous buy-write land use.

[05:54:49] A special exemption, and really, is just nothing more than a fancy conversation between its public and those that are entering the business community. The business community is one that's important to put its foot forward at any proper time. My story is a little bit of a childhood story.

[05:55:06] I was a little kid in Wisconsin before I grew up in Henrico County, went to Wisconsin, came back. But the national rage back then, supervisors, clearly were factories. We built factories like you've never seen, never the world had seen. We did it in 10 states, Milwaukee, St. Louis, Detroit, Marquette, Cleveland.

[05:55:26] It doesn't matter where you build them. Data centers are the new factories of our time. They're here. They're with us. Those factory towns in the Midwest and the 10-state area are now known as what? The Rust Belt. That's it.

[05:55:43] Reinvigoration to get those things up and running will be another tax break, another tax increase, leaving the citizens who did what? Like my family got up and left. The same issues apply in factories as they do in data centers. Noise, close to schools, energy use, which way the wind blows and the smoke gets in your face.

[05:56:04] Data centers are the new information noise barns. They're just producing content for out-of-staters. It was no different than a Twinkie factory sending something down to Arkansas. The large musical noise barns are moving information faster than people can team up and by right protection allows another conversation.

[05:56:25] It engages the community in a way just like a doctor office does, a pizza shop, a coffee place. It changes the way the business operates and the community members live amongst their new neighbors when a data center comes in. They have to deal with size. They have to deal with noise. They have to deal with distance, lost of view. The business impact is really just a game between the large taxpayer.

[05:56:50] In the state of Virginia, it's a $10 million tax break for all those playing the home game behind me, they've asked, and 15 years and a break. The county tax base is really important, but it's also a line item to how a community member lives. It's not just a punching bag. Data centers are one trick pony. And at the end of the day, if you put all your money on the wrong horse, you lose.

[05:57:14] Running out of a business is only one point of being in business. It's to continue to support the citizens that make for a good business. Strong communities build strong businesses, and strong

businesses come back and put us in a place of business proper. In conclusion, please continue to do the hard work of placing guardrails on data centers as they continue to grow. Use a model of too much of anything in life is a bad thing. This one-trick pony of business is

[05:57:47] a problem for the county and they need to be aware just from a tenured citizen student of your leadership of 27 years. Please vote no on a continuous by-right approval process for data centers and help everyone in the county move along. Thank you very much. My name is Scott Corvette.

[05:58:06] thank you figure number 39 Matt Westover is here will be followed by video testimony and a call welcome Thank You chairman McKay members of the board my name is Matt Westover I am a resident of Fairfax County in the Springfield district as some of you may know I'm also an attorney who practices in Fairfax County I often assist both developers and operators of data centers in this area I'd want to thank the board for its consideration of what has before you tonight and i'm asking this board if it adopts any changes to the ordinance tonight to

[05:58:46] impose and adopt meaningful grandfathering provisions that would protect the investment backed expectations of those who have spent tens of thousands if not tens and hundreds of millions of dollars in pursuit of their projects as some of the members of this board may know site plans are not prepared overnight they cost tens if not hundreds of thousands of dollars to prepare and they often take many months in some cases more than a year to work its way through the site plan approval process those plans are submitted they're sent to outside agencies

[05:59:21] for comment they're reviewed they're sent back there's a back and forth a recent middle process and ultimately if they check all the boxes they are approved but that takes time imposing and And adopting grandfathering provisions will protect the investment-backed expectations of developers, whereas changing the rules at this stage without meaningful grandfathering resolution language can have significant consequences.

[05:59:55] First, it could create uncertainty over the ability to obtain further approvals and the legal status of these plans. It could make it difficult or impossible to obtain financing to construct these projects. It could put a cloud over further investment in this county at a time, as others have testified tonight, when it is a challenging environment.

[06:00:16] Clarity is critical to further investment in this county, and as a result, I ask this board to adopt the grandfathering language now. I believe such language has been proposed that would protect plans that have been submitted, that are in the review process currently. Again, these plans are not prepared overnight.

[06:00:34] These plans are not rushed through the process, as some have suggested tonight. These plans are prepared after people purchase property, which could cost tens, if not hundreds of millions of dollars. They spend tens, if not hundreds of thousands of dollars on engineers and architectural fees to prepare those plans and submit them and work them through the county process.

[06:00:53] Grandfathering language is not controversial. It's also not uncommon. Just look at what our neighbors in Loudoun did. Less than nine months ago, Loudoun, Stafford, and Fauquier counties have faced the same decision that this board faces tonight. Every one of those jurisdictions, when they amended their ordinance related to data centers, they adopted grandfathering language to protect plans that were in the review process.

[06:01:18] I would ask this board to do the same here tonight. Thank you very much. Thank you. Speaker number 40 is Rose Hendricks, who has submitted video testimony. My name is Rose Hendricks.

[06:01:36] I'm speaking on behalf of the Fairfax County Chapter of Citizens Climate Lobby. to urge you to prioritize the county's climate goals in the data center zoning ordinance amendment. With 1,195 members in the county, Citizens Climate Lobby Fairfax advocates for meaningful climate solutions, including the rapid transition to clean energy. We commend the county for embarking on the zoning ordinance amendment process and engaging in a thorough study of the many complicated issues surrounding data centers. These include concerns about noise, water usage, and aesthetics that many of our fellow environmental advocates have drawn attention to.

[06:02:11] We trust that you'll find ways to mitigate these impacts through the Zoning Ordinance Amendment. From our point of view as climate advocates, the biggest concern is the one that is hardest to resolve, the intense energy needs of data centers. The growth of this industry is pushing Northern Virginia's greenhouse gas emissions in the wrong direction. Clean energy is not coming online fast enough to meet data center demand, and electricity generated from gas and coal is expected to fill the gaps. The use of diesel generators for backup power at data centers adds to the climate impact of these facilities, while also creating locally toxic pollution that endangers the health of

[06:02:46] county residents. We urge you to enact the strongest possible requirements for energy efficiency and renewable energy generation and procurement for data centers. On-site microgrids with solar and battery storage should take the place of diesel generators. If the use of diesel generators cannot be avoided completely at the outset, then we hope there will at least be a mechanism to periodically review each data center's backup power operations to take advantage of technological advances that allow for less polluting operations. Absence strong requirements for clean energy and efficiency, the construction of new data centers in Fairfax County imperils the goals laid out in the

[06:03:24] Community-Wide Energy and Climate Action Plan. That said, banning data centers from the county would not be a win for the climate, since doing so would simply cause them to be built in another jurisdiction. Obviously, climate pollution produced elsewhere imperils the county just as much as greenhouse gases emitted locally. Instead, we hope the zoning ordinance amendment will allow the industry to operate here while pushing it along a more sustainable path. Thank you very much.

[06:03:52] Thank you. And we now have caller, testimony number 41, Carla Post. Can you hear me okay? I can. Can you hear me? We can. Welcome. The floor is yours. Great. Thank you for the opportunity to testify. I'm a resident of Fairfax County. And while I am of the sustainability professional for a major Fairfax County employer. I'm here today as a concerned citizen and primarily a mother of two children that graduated from McLean High School, both of whom are going on to study environmental science and sustainable development because they know our children know how much needs to be done and we need to act for them. Climate change poses

[06:04:31] a fundamental threat to human health. As long as humans continue to add greenhouse gases to the atmosphere, the effects of climate change will worsen. There's no way to separate data centers and climate change. Climate and environmental risks are the core focus of global risk perceptions over the next decade, and they're the risks for which we seem to be the least prepared.

[06:04:53] We're seeing those effects every day. More frequent intense weather and climate events, storms, extreme heat, flooding, droughts, and wildfires. People are dying from extreme heat. Severe

weather is already causing extensive and increased economic damage and consequently impacting our insurance market.

[06:05:11] There were an unprecedented number of billion-dollar disasters, 28 in total, that struck the United States in 2023. So we know data centers are energy guzzlers. They rely on fossil fuels right now, and they're straining our power grid. Without stricter regulations, we risk increased emissions, higher energy costs for residents, and compromised air quality.

[06:05:36] Virginia's leadership on clean energy is at risk if we don't responsibly regulate this industry. And allowing data centers without proper transparency will be a step backwards from our clean energy goals, and in many ways a betrayal of the promises and the plans that Virginia and Fairfax County has made.

[06:05:53] You know, while renewable and green energy solutions are being built out at a large scale, a lot, thanks a lot in part to the Inflation Reduction Act. And many of the technology companies that have been mentioned today are fully invested in renewables. It's not happening enough, and much of the grid is still running on fossil fuels.

[06:06:11] As was mentioned, Microsoft, Google, and Amazon are grappling with growing energy demands from AI. All three tech giants have acknowledged that the race to build new data centers and develop intensive AI features will and could complicate their long-term climate objectives.

[06:06:28] Tech companies are so desperate to build massive data centers that they're asking for enough electricity to power entire cities. And I believe, ultimately, AI may have the ability to solve many climate issues. But should the citizens of Fairfax County pay this cost for speculation that tech companies will solve that problem of massive energy consumption of large language models?

[06:06:52] You know, we're already seeing the plans in Virginia to shut down coal firing plants that may not go through because those data centers need so much energy that grid operators need to fire those coal plants back up just to keep them running in order to meet that demand.

[06:07:10] Dominion Energy, our principal electric utility, has said it's struggling to provide enough power. And again, I've heard many speakers testify to the amount of revenue that data centers will bring to this county. But I would ask you all to consider the full financial burden of climate change, the submerged cost, which I mentioned above, is substantial and ongoing.

[06:07:33] Infrastructure damage from extreme weather, public health costs, economic disruptions from extreme weather and environmental restoration all have the potential to offset that significant tax revenue that we're all speaking of. As we build for the future and not just for next year, this board please must consider how to mitigate the negative impact of data center emissions and power and water consumption.

[06:07:59] There's no easy solution, and that's why we all appreciate that you are taking this on. But that's also why it's of utmost importance to preserve your ability to act in the future. To protect the environment and our public health, we must require common sense and transparent environmental impact assessments for data centers, including mandatory reporting on energy use, water consumption, and greenhouse gas emissions.

[06:08:25] We should require data centers have a plan for mitigating diesel-generated pollution and transitioning away from them in the midterm. And implement energy efficiency standards, incentivize

renewable energy adoption, and protect our transportation infrastructure by carefully considering data center locations and not allowing that to be placed near mass transit.

[06:08:46] I would require all data center developments be subject to special exception review to make it easier for you all to address either unregulated or unanticipated issues. And finally, preserve the provision that new rules in the DOA would apply to submitted but not yet approved data centers.

[06:09:03] Fairfax County is a climate leader. We have ambitious goals for reducing greenhouse gas emissions. We must ensure that data center development aligns with those commitments. Thank you very much. Thank you. Speaker number 42 is Timothy Pendergrass. Timothy Pendergrass to be followed by two callers, or at least one. After that will be Warren Chang, Rebecca Gomez, and Ethan Heinzelman. If you all can be ready to testify when it's your turn, that would be appreciated. Welcome.

[06:09:36] As you said, my name is Tim Pendergrass. Tonight, as the HOA board president, I represent the community of Ridges at Edsel. I know that you've heard from multiple experts in the data center field, multiple data center builders and developers.

[06:09:57] Right now, I stand before you as an expert for my community. My community of residents, we're a 20-plus years old community that lies less than 200 feet from a proposed electric substation and a few hundred feet from a proposed data center.

[06:10:15] It's half a football field length from our townhouse yards where the neighbors gather and visit and the children gather to play. Our community is not opposed to data centers. We understand the need for these, just as we understand the need for airports and train stations.

[06:10:34] But I'm sure that we would all agree that these do not belong in residential neighborhoods nor abutting residential communities. And we, as your residents, need protective measures to shield us from data centers being able to build without public discussion in our residential backyards.

[06:10:52] I've attended multiple hearings on data centers and have heard the claims that data center developers want what's best for the residents, that the builders want to work with the residents to minimize noise, light, and visual nuisance. But I'm here to tell you, this is lip service.

[06:11:10] When our communities first learned that Plaza 500 was targeted for full I-5 zoning, and we asked them point blank, the owners assured us and assured your planning commission that they had no plans to build a data center. Of course, when they were unable to secure the I-5 full zoning for Plaza 500, they moved forward post-haste with their application for a data center.

[06:11:35] Is that an honest, open way to engage? Since that time, our communities have contacted the data center developers on three occasions, seeking open dialogue to discuss plans and protections for the residents. The developer has not responded to any of our entreaties.

[06:11:52] I ask you, does that sound like a data center developer who really wants to work with the communities? Are the residents, my community, really expected to trust the goodwill of the developers who are beholden to their profit? Without special exceptions, residents have zero voice in data center builds next to their homes.

[06:12:13] Without special exceptions, you, the Board of Supervisors, relinquish your ability, your requirement, to offer protections to your constituents. We ask you to vote to disallow by right data centers.

With special exceptions, you can protect the voice of the residents and retain your control as Board of Supervisors.

[06:12:35] Last month, your planning commission voted to reject grandfathering on data center applications that are not yet approved. We ask you to do the same. Your planning commission voted unanimously for a one-mile setback from metro stations. We ask you to do the same.

[06:12:51] In addition, we ask you to expand the residential setback from 200 feet to 1,000. I can easily toss, toss a ball from the backyard and hit a data center 200 feet away. Data centers with their noise, lights, pollution emissions, and visual blight do not belong 200 feet away from where children play and residents live and sleep.

[06:13:13] As you consider our requests, I ask, would you welcome a data center 200 feet from your own house? Would you agree to allow Byright Data Center next to your parents' or your children's homes, denying them the possibility for public discussion?

[06:13:32] If you answered no, or even if you paused to think about that, I ask you to answer the same for our community, for your constituents. Tonight is your opportunity to truly set that nationwide standard, the highest of standards to which you have committed.

[06:13:49] Thank you very much. Thank you. Our next speaker is, let me verify that Katrina Wiskup is not calling. Okay. So do we have George Landreth on the line? Mr. Landreth, can you hear me okay? Yes, sir, I can.

[06:14:06] Welcome. the floor is yours. Thank you. Good evening, and thank you for the opportunity to speak tonight. Again, my name is George Landreth. I live in Chantilly near Poplar Tree Elementary School, and I wanted to speak this evening so that I can express my support for data centers, because data centers, for example, generate high-paying jobs. They generate and pay a lot of taxes, which would help lower the heavy tax burden on Fairfax County residents, which is already among the highest in the nation, and appears to be continuing on a high trajectory. Data centers

[06:14:44] also help diversify our tax base, which would help with the long-term health of Fairfax County's tax base. And tax centers place a very light demand on social services, so they don't dramatically increase localities' costs. For example, they don't require a lot of new schools or roads and highways and so forth. So there's, I think, you know, lots of things we might build could be very expensive and that this is not among them. So I think they make a lot of sense. But I'm somewhat concerned about the county's proposed rules and regulations because they seem to be designed

[06:15:21] to limit data centers or to place heavy burdens upon them and designed to make them more difficult to establish. And that strikes me as unwise and unhelpful policy. As I said, I think these are the sort of businesses, data centers are, that we should be excited to have in Fairfax County because of the tax burden that they could help resolve. And instead of discouraging them, we're using regulations to largely block them. Because again, like I said, I think data centers provide good paying jobs. They expand the tax base. They also expand economic growth that will

[06:16:00] benefit those who don't even work at the data centers. And so as a result, the populace at large may find that there's other jobs available to them because of the existence of a data center. And so I encourage the board to make sure that the county's policy encouraged good jobs, economic expansion of our tax base, and that tax rates don't continue to skyrocket.

[06:16:22] So thank you. Thank you. Speaker number 45 is Warren Chang, to be followed by Rebecca Gomez and Ethan Henselman. Welcome. Thank you. I'm Warren Chang.

[06:16:38] I live in Pleasant Valley. have lived there for over 30 years. It's an undisputed fact that data centers use huge amounts of power. Almost every new data center needs a new substation. Each new substation needs high voltage transmission lines. The installation of these lines are exempt from destroying resource protection areas. You think you will be free from responsibility since Dominion has this mandate to supply power wherever it is needed, however they can. But you will be setting the stage for large-scale destruction of our protected areas. If you don't control the development of data

[06:17:13] centers, it will be you to blame. For example, the generation of this power will require keeping coal power plants online, releasing millions of tons of greenhouse gases into our atmosphere. Renewable sources will not be sufficient. For example, the 835-acre solar farm being built at Dulles will have enough power to power one data center building. You all know of the 2.6 gigawatt offshore wind farm in Virginia. That would go toward powering the 2.4 gigawatt one-track technology park they're building in Hanover County. The world is watching us as data centers

[06:17:52] greedily consume all the power we have, and we build data centers that hunger for the power we don't have. Land use approvals for data centers are the purview of the county. By continuing by right development of enormous data centers, we're eliminating any possibility of mitigating electrical impacts and are in fact increasing them. As outlined in the January data center report, through the special exception process and the comprehensive plan, a new coordination process with Dominion and NOVEC and the applicants can be developed to review energy capacity,

[06:18:28] but this recommendation so far has been ignored. The billion-dollar corporations and their representatives are trying to scare you into thinking they will pull out if any restrictions are added to the buy-right zoning. That couldn't be farther from the truth. Look what you, look what we accomplished with the Chantilly Premier special exception process and the proffers they offered, some of which we didn't even ask for. Developers are desperate for this land next to the data pipeline and unlimited power supply mandates. With buy-right development, you're giving it to them for a song and your constituents are paying the price. These mega corporations have the

[06:19:07] pockets to absorb the costs of being good neighbors, but will not cut into their profits unless you require them to do so. We as citizens are in the path of this data gold rush. We are fighting for our health and well-being. These developers and their representatives are fighting to increase their year and bonuses. Buy right means build as cheaply as possible to maximize profits. Profits are people. Please don't put profit over your people. And profit is buy right data centers. In conclusion, show your governing skill with compromise. Allow data centers under

[06:19:47] the special exception process. Allow citizen input. Act with good conscience. Integrity and eliminate by right data centers. Thank you for your time. Thank you. We're on speaker number 46, Rebecca Gomez. Hello. My name is Rebecca Gomez. I am a first-time homeowner and a new mom to a six-month-old son in the Bren Point neighborhood. My house is 300 feet from the proposed

[06:20:25] data center development at Plaza 500. I'm here to embellish on two points. Number one, the importance of limiting metro entrances one mile away from data centers, and then asking you to include the applicability provision that says unapproved data center sites plans must comply with updated

standards. Okay, so on number one, the one-mile distance mandate from metro station entrances. As elected officials, you all are stewards of our public investments.

[06:21:06] Taxpayers have spent billions of dollars on building and maintaining metro. The immediate areas around stations must be guarded for transit-oriented development, which is listed as a priority in the Fairfax County Comprehensive Plan. I understand that in some instances data centers can help with county budgets, but building near a metro would erode existing taxpayer investment in the benefit of metro. Furthermore, mixed-use developments are also a boon for budgets, so this is not a mutually exclusive decision. We only have 10 metro stations in

[06:21:41] Fairfax County. Do not squander the few places that we have that make sense to already address to address our housing crisis, affordability crisis, and increase in traffic due to the prevalence of car-centric neighborhoods. This area is never going to become less populated.

[06:22:00] There's no more land. We have to go up. We need new housing in dense walkable neighborhoods where residents can rely on public transportation. 92% of Gen Z and 85% of millennials said that they would pay more to live in a walkable community. Giving people what they want in the future starts now. Give the people what they want. We want walkable neighborhoods, and transit oriented development near metro is a place to do that. Data centers near metro jeopardizes the opportunity to build transit oriented development. I wish I could live in a more walkable neighborhood.

[06:22:38] I grew up in Falls Church City, which is very walkable, and I couldn't afford a place near my parents' house. There are so few places like that. Please safeguard our 10 metro stations in Fairfax County. The area in my neighborhood in Bren Point is trending positively. It includes the West End development on 54 acres where the old landmark mall used to be. This board just approved a new neighborhood and hotel on the old Vulcan Materials site across from the Van Dorn Metro, and there are proposed developments for the Van Dorn Plaza and the Virginia Paving Company within a mile of the Van Dorn Metro. No data center belongs near a metro, inside the Beltway, or next to this many

[06:23:17] residents. With that in mind, as a second note, I implore you to include the applicability provision that says unapproved data center sites must comply. Honestly, the prospect of applications underway getting a pass seems like the board is implicitly bowing to the needs of data center developments over maintaining the obligation to protect residents and shepherding sustainable growth in Fairfax. You've probably been going back and forth with the teams working on data center proposals, and they're probably really nice, and I'm sure you want to find a nice middle ground for them. But ultimately, you are undermining yourselves by allowing some

[06:23:53] applications to get a free pass on what you dictate to be the minimum standard for all data centers. It does not matter if the application is already underway. The awkwardness of stopping a handful of projects does not outweigh your obligation to protect citizens and to be stewards of sustainable development. I am not anti-data center. I understand that in the right place that they can be a boon. I'm not anti-development. If this was a mixed-use development, I'd throw my weight behind it. But zoning exists specifically for the purpose of separating industry from

[06:24:26] residents. Remember why we have zoning. It does not exist to keep the status quo. It exists for a reason, and this is the reason it was created for. Thank you, Rebecca. Rebecca, your time passed a while ago. I'm sorry. That's okay. We want to thank you for your testimony, and if there's anything you didn't get to, you can certainly provide it to us. Thank you very much. Speaker number 47 is Ethan Henselman, to be

followed by Deborah Harvey, Keith Elliott. If you all are here, if I called your name and you're here, please come down closer. Ms. Henselman, welcome.

[06:25:03] Thank you. I am a member also of the Brent Point community. I live a few doors down from Robeck, actually. So we're good neighbors, good friends. In 2018, the National Journal of Real estate research published an article of the impact that high voltage power lines have on real estate values that are within 1,000 feet of proximity. Their conclusion was that the real estate prices were affected by 20 to 45 percent. The closer the proximity to the power line, the greater the drop

[06:25:35] in value. When I asked Dominion Energy why they decided to plan for 120 foot tall high voltage power lines on the residential side of Plaza 500 as opposed to the industrial side of Plaza 500, their response was simple, because that's where the owner wants them, and they paid good money for that land. I don't know if their suggestion that Plaza 500's money is more value than mine,

[06:26:05] but that response stung at least a little bit. A good neighbor would have said, why don't we put these high-voltage power lines as far away as we possibly can from the good people who already live here. I was frustrated, but I am powerless to do anything about it. And so here I stand today before you because you are not powerless to do anything about it. You have the authority

[06:26:38] to make this right. I stand here today doing about the only thing I possibly can do, which is appeal to the common decency and reason of my county board of supervisors. I was encouraged by the Planning Commission's unanimous approval of stricter data center standards. I ask you to please adopt their recommendation. I ask you to please adopt their recommendation to not grandfather

[06:27:13] in any applications that are submitted but not yet approved. Grandfathering in those applications would be a joke. The question you are answering today is not do we promote development or do we promote lower taxes or do we promote data centers even? The question you're answering today is, should a 70-foot tall, 460,000-square-foot data center be erected 200 feet behind my home where

[06:27:50] I currently live and inhabit with my wife and children without giving me so much as a comment on the matter? I do not blame Starwood Capital for chasing profits at the expense of me, my family, or my community, because quite frankly, and with all due respect to each of you, It is not their responsibility to protect the residents of Fairfax County.

[06:28:15] It's yours. Thank you. Thank you. Speaker number 48, Deborah Harvey, to be followed by Keith Elliott. Welcome.

[06:28:32] Good evening. I'm here tonight representing the Heavy Construction Contractors Association. We are a trade association headquartered here in Northern Virginia, are representing over 190 construction firms and 40,000 individuals employed by those firms.

[06:28:53] A recent survey of our members revealed that nearly 40% of those contracting companies are involved in the construction of data centers one way or another. These firms range from very large contracting firms to the small, often minority women or veteran-owned specialty contractors.

[06:29:15] In addition to the contracting companies, the majority of our members that provide goods and services to those companies are also involved in providing those goods and services to the data center construction. Dozens of those companies are headquartered in or have significant presence here in Fairfax County and employ hundreds of county residents.

[06:29:39] The data centers are enormous construction undertakings requiring years of planning and execution to complete the process. From the groundbreaking to completion, there is an amazing amount of work involved. The sheer amount of materials and dirt that needs to be moved to create these data centers is significant.

[06:30:01] That excavation is not simply for the foundations of the building itself, but also for the infrastructure of the site. The underground utilities, drainage, bioretention ponds, green space, all must be done in preparation for the actual building of the structure itself.

[06:30:19] The steps in construction include the work of hundreds of individuals every step of the way. A report released by the U.S. Chamber of Commerce Technology Engagement Center shows that during construction, the data center's average employ 1,688 local workers.

[06:30:43] provide $77.7 million in wages for those workers, and produce $243.5 million in output to the local economy, typically generating $9.9 million in revenue for state and local governments.

[06:31:08] This is during the construction phase alone, prior to the beginning of operations. And this data aligns perfectly with the study done by Bay Consultants commissioned by Fairfax County's next-door neighbor, Prince William County, and released in October 2021.

[06:31:26] This report concludes, with construction costs estimated at $275 million over an assumed 12-month period, a prototype data center would support almost 1,700 estimated direct jobs and an additional 407 indirect jobs at other businesses supporting the construction.

[06:31:50] There is also another 301 jobs resulting from worker expenditures. This collateral economic growth is significant to the local construction region itself. In our own locality, many of my member companies report that 90% to 95% of their annual income does result from data center development.

[06:32:14] Clearly, the initial investment of building a data center creates construction jobs for local workers, not just in the building of the center itself, but in the development of the surrounding public infrastructure. The roads, the utilities, the power and communication infrastructures, all are involved in the expansion of this center.

[06:32:37] The collateral economic growth associated with the businesses by construction sites also provide goods and services for the contracting companies and the construction workers on those sites. The tax space for the county during the construction phase alone is increased for the benefit of the county-based public programs and services.

[06:32:58] Data centers themselves have contributed over $100 million to the county's general fund in the last five years, supporting schools, parks, and other critical priorities. By continuing to support the strategic location and construction of data centers, Fairfax County and its residents will realize short-term, intermediate-term, and long-term economic growth to the benefit of the county, the contractors, and the workers performing work here.

[06:33:25] Thank you for your time and consideration. Thank you. Speaker number 49 is Keith Elliott, and we then have a caller, Jahani Arsalan, speaker number 52, and Nelson Aguilar, if you can be ready.

[06:33:42] Welcome. Mr. Chairman, Nelson Aguilar will not be present. Okay. Well, I'll verify when we get there. Thank you. Good evening, everybody. Chairman McKay, Kathy Smith, nice to see you guys. Listen, I'm here to speak about this because I have the real estate background, and just hearing the people speak

about how close these are going to be to their properties. Let me remind you, I manage an association in Ashburn and across the street from the association was a property being developed for data centers called Belmont Innovation. And in that process, the developer there tried to put in three times

[06:34:22] the amount of square footage for the data center than what was allowed. It was a buy-write property. And the board of supervisors there denied the project for the special exception. However, the developer did put in the data center, and it's going in, but the developer at that time, all the concessions that the county commission worked on, the board of supervisors worked on, and all the citizens within the area put a lot of exceptions in there for them to do a lot of build out to help the community, to help the environment and everything else, but all of it got wiped out.

[06:34:57] So that Belmont Innovations, for the majority of all those concessions, they were all wiped out because they're just going to do the buy right and so there's less build out restrictions that are being done so i'm saying here today is i've stated before we can't allow buy right data centers especially right next to these housing developments um it's insane thing is we're talking about billion dollar corporations they're not going anywhere it's supply and demand they want this area why do they want the area one the land is available two the owners are willing to sell it because they want to make the millions. I get that. And the second part is the

[06:35:32] infrastructure, right? We got the infrastructure here that's already, look at Waxpool, look at Loudoun County and Prince William. It works. So they're not going to go anywhere. They're not going to test the waters in another state where they're not already there. So they're not going to go anywhere. I just think you, as the board of supervisors in this county, guess what? Can maximize the protections for the citizens of the county. Use your pulpit here to maximize the, you know, the protections for us. And that's, I've heard people say, you know, the 200 feet or the 500 feet. I remember back in the Chantilly Premier thing, it was 2,000. People were saying

[06:36:08] 2,000 feet, anything less than that was too close to a community. So I would say, do not allow them at 200 feet. They got to be farther away. You could drive down Route 50, drive down Route 28. You could do it in a minute, you could see those data centers. But think about the people, The community is there.

[06:36:25] They're going to be living right next to it every single day, walking out their backyard and looking at it. So put their protections in there for them. And the second thing is, you know, for the tax revenue, I heard somebody, if I heard it correctly, he seemed to think in the 100, or excuse me, where the old Redskin Park is, that we might not be taxing that new owner correctly.

[06:36:45] So I would ask this board to task the county executive and the tax assessors to make sure if a property is selling for $10 million, it's now worth $10 million to tax that individual for the $10 million. Thank you very much for your time.

[06:37:01] Have a great night. Thank you. Our next speaker is a caller for Rehab. We were unable to reach Mr. Hannigan. We were not able to reach Mr. Hannigan. I know Don Slayman was here earlier but is not here now. Jahani Arsalan, are you here? Jahan, Jahan Arsalan is here. If you could come on down to be followed by, we don't think Nelson Aguilar is here, but Robert Kenyon will be a caller after that. Welcome, Jahan. Hi there, everyone. I speak as a former planner and real estate consultant.

[06:37:36] Recently, I asked a Fortune 50 executive if they could imagine a company forfeiting ability to negotiate with a prospective business partner. His reply? That would be extremely unwise. We elected you to negotiate wisely with this rapidly evolving business partner. Every data center needs special exception review. Despite claims made before the Planning Commission, this industry isn't here to be good citizens or good neighbors. Data centers are here to use our resources and to

[06:38:13] make money. Money buys options, but data centers will give us no options if county declines to negotiate. No disclosures on electric, chemical, or water usage presage a troubled future.

[06:38:30] Neighborhoods on private wells have gone dry. Summer temperatures break records, and yet data centers siphon more water for cooling. Fairfax Water finally needs that desalinization plant. Residents suffer water restrictions, rolling brownouts, electric bills equal monthly rents.

[06:38:51] Lacking public negotiation, dirty Tier 1 and 2 generators will continue spewing air pollution that permeates every zoning district without prejudice. What will county do when disease vectors become apparent?

[06:39:11] Create a disease overlay district? Lacking negotiation will have more data center operators like Coresight, who's suing to avoid its tenants paying business property tax. Lacking public negotiation, the repurposing of buildings in the office and I-2 districts has potential to discourage economic diversity and stability.

[06:39:39] Those zones were created for clean, quiet uses. Neighboring localities are rolling back data center locations and removing by-writability. Are we paying attention? Data is a modern-day dirty industry.

[06:40:00] We may need the technology, but we don't need to be crushed by its impacts. Chairman McKay, Supervisors Walkinshaw and Stork called for the highest standards to be crafted. Highest standards are flexibly achieved via special exceptions.

[06:40:19] Each unique site, each operator, each technology in this rapidly evolving field can be assessed individually. For applicants committed to highest industry and environmental standards, this public process will be smooth.

[06:40:39] It's win-win when county regulates to attract the highest quality operators to our very desirable location. Commit to the laudable standards you profess. Negotiate to protect our economic, environmental, and personal well-being.

[06:40:56] Require special exceptions. Last, please support the conditions recommended by the Planning Commission as the first step to a more in-depth review of data center standards. Thank you very much for your consideration. Thank you. Speaker number 53, I don't see Nelson Aguilar, Speaker 53.

[06:41:18] Speaker 54 is Robert Kenyon. We were unable to reach Mr. Kenyon. That's right. He's a caller. You were not able to reach him. Okay. So speaker number 55 is Michael Van Atta. Is Michael Van Atta here?

[06:41:34] Okay. If you all could come down closer, if I call your name here, Mary Bowen and Jeffrey Parnes, who's speaker 57, then we have a caller, and then Stephen Cholick, speaker number 59.

[06:41:50] If I called your name, you are nearing your time to testify. Michael Van Atta, welcome. Good evening, Chairman McKay, members of the board. My name is Mike Van Atta.

[06:42:06] I'm a senior land use planner with the law firm Maguire Woods, located at 1750 Tysons Boulevard in Tysons. I'm here tonight to speak on behalf of NAOP Northern Virginia. As you know, NAOP serves to enhance the Northern Virginia commercial real estate community and has a longstanding and productive relationship with the county in establishing balanced policies.

[06:42:25] Our organization recognizes the need for appropriate use standards on data centers to ensure compatibility with the county's overall development goals as well as with surrounding developments. We believe that many of the conditions included in the proposed ordinance amendment are well thought out and are appropriate guardrails for data center development.

[06:42:44] We do have some concerns regarding a limited number of proposed changes that we believe in some instances go beyond what is necessary to ensure compatibility of data center development or that create vague standards. I'm not going to dwell on those, as you've heard from others who are more directly impacted on those issues.

[06:43:01] Our biggest concern is the precedent set by not grandfathering pending zoning and site plan applications that are currently under review. This ordinance amendment is distinct from previous amendments. Given the scale of economic impact on the line, there will be a precedent if this amendment extends to pending applications.

[06:43:20] And so the lack of grandfathering issues does raise broad and far-reaching concerns for our members that go beyond this specific proposal. So we do believe it's critical that the Board of Supervisors include a grandfathering provision for pending zoning and site plan applications.

[06:43:36] Fairfax County has a well-deserved reputation as an exceedingly well-run and consistent jurisdiction, which has led to significant investment in the county. And while the development process in Fairfax County, it is complex and it does have a high barrier of entry, In most cases, developers and investors are very comfortable with that and with those challenges due to the predictability of the county's development process.

[06:43:59] And in many cases, those investments can reach into millions of dollars before final approvals. So the precedent set by not grandfathering pending applications will harm the county's reputation as a place to invest. It is critical that developers and investors know the rules when they make a decision to move forward on a project.

[06:44:16] Changing those rules midstream for pending projects, it may lead to capital moving away from Fairfax County. This is a competitive environment. We are hearing about data centers targeting a lot of other jurisdictions in this area and across the country.

[06:44:32] And so it is competitive. And so if the perception is that any controversial project could lead to zoning amendments to wipe out already expended capital, that is a concern for us, not just with respect to data center development, but frankly, any development in the county. NAP also believes that the lack of grandfathering puts Fairfax County out of step with other Northern Virginia jurisdictions.

[06:44:53] By way of example, Loudoun County recently adopted its new zoning ordinance, which included changes to data center regulations, and as a part of that, it did include grandfathering resolutions to protect the investment made by pending projects. So I appreciate the Board's consideration of these matters and the difficult decisions you all have, and we strongly urge you to include the grandfathering provisions for pending projects as a part of this ordinance amendment.

[06:45:14] Thank you. Enjoy the night. Thank you. Speaker number 56 is Mary Bowen, to be followed by Speaker 57, Jeffrey Parnes. Welcome. Thank you. Good evening, Mr. Chairman, and all of your fellow colleagues.

[06:45:35] I am a 15-year resident of Fairfax County and a licensed real estate broker practicing throughout the Northern Virginia area. Earlier this year, my real estate association invited Chairman McKay to speak along with leaders of Arlington, Prince William, and Loudoun counties in a room full of my fellow real estate colleagues. During this event, Chairman McKay was asked his thoughts on data centers being built in Fairfax County. Chairman McKay, in his own words, provided the following comments,

[06:46:08] and I quote, I want to have the strictest, toughest guidelines for data centers in the county for Fairfax because we should be demanding the highest standards, the highest environmental standards, we should have guarantees. Technology has moved to a point where we should be requiring an environmental connection, and we should limit the data centers and make sure there's proximity appropriate away from residential property. The long-range property values of people depends on

[06:46:43] that, and the planet depends on that. So my approach is with every layer of caution possible, and I will be proud to say we have the toughest, most stringent standards possible in the country. end quote. Currently, George Mason University is conducting a study on the impact of real estate values for those homes in our area which are adjacent to data centers. They are looking at how the homes sold and whether they did so quickly and at what values. My concern as a real estate broker is are they looking at the feedback of the comments of people who chose not to buy there

[06:47:20] and how long it took to sell those properties as a result of the many showings that did not result in offers. A little over three years ago, I purchased a property in the Brenmar District adjacent to Plaza 500. I can currently walk outside of my property and see the industrial park at a football's throw. There is a pending application for Plaza 500 to be turned into a data center. Many of my neighbors have approached me to seek my professional real estate opinion on whether our property values will be affected by the possible building of the data center.

[06:47:54] I do not have a crystal ball, and as much as I would openly like to reassure them about the future of their property values, I know for a fact I cannot calm their fears about the future quality of life. For many of us, our home is our oasis and a retreat away from the hustle and bustle of everyday life in the busy Washington, D.C. area.

[06:48:16] There's no reason that any of us should come home in the evenings and weekends only to experience an extreme disruption of quality of life and peace. We already live in a high-stress area, and there is no reason the Fairfax County Board can't find other ways to generate revenue that doesn't affect our quality of life.

[06:48:35] I ask you to pass the unanimously approved recommendations of the Planning Commission in full, including the unapproved site plans meet the standards you will set tonight. Thank you. Thank you. Speaker number 57 is Jeffrey Carnes, to be followed by Mary Payton and Stephen Cholok.

[06:48:54] Welcome. Good evening. Chairman McAe and other members of the board. My name is Jeff Parnes, a resident of Fairfax County for close to 44 years and a speaker before you and previous boards for now my fifth decade.

[06:49:13] I speak as president of the Sully District Council of Citizens Associations whose members along with members of the Western Fairfax County Citizens Association formed the joint Sully District Land Use and Transportation Committee. The joint committee has voted to express strong objections and concerns regarding the proposed zoning ordinance amendment on data centers.

[06:49:34] Let me first state that the Joint Committee is not opposed to data centers. We understand their importance to the county's financial bottom line. But the Joint Committee provided you its adoptive resolution dated 20 May 2024, which supported the rights of citizens to notice and an opportunity to be heard through an open and meaningful public hearing process to allow transparency and case-by-case mitigation of impacts of any more data centers approved. In the adopted resolution, the Joint Committee requested the Fairfax County Planning Commission to recommend that all data centers in Fairfax County be a special exception

[06:50:12] use and require a public hearing due to the importance of the decisions and the magnitude of the impacts. The Joint Committee also adopted a supplemental resolution dated 17 June, strongly supporting the Planning Commissioner's recommendation that pending data center site plan applications not yet approved be evaluated under the new rules rather than the weaker development standards currently in place. This condition is particularly important with respect to the controversial site plans for proposed data centers adjacent to existing affordable housing communities. The protection of the existing affordable housing community should be far more important to the

[06:50:50] board than facilitating additional streamlined development approvals. The joint committee also expressed strong objections to data center applications which abut residential districts including two past applications, Parkstone and Chantilly Premier, where the data center application was zoned to an industrial district but was immediately adjacent to a residential neighborhood. Some of them were zoned RC which caused significant impacts on the residents as well as impacts on the environment and infrastructure. As always, we appreciate the Board's consideration of our concerns. Please do not hesitate to contact us should you have any

[06:51:28] questions. Thank you again for the opportunity to speak. Thank you, Mr. Parnes. Speaker number 58 is Mary Payton. Is Mary on the line? Mary, can you hear me? Welcome. Yes, I can hear you. Welcome. The floor is yours. Thank you. I'm Mary Payton. I'm the Housing Committee Chair for the Fairfax County NAACP, and I think we've heard about all the all the talking points pro and con on data centers, so I'm not going to add to that, but I am going to talk about transparency.

[06:51:58] The proposal before the board assumes that data center diesel generators may pose health concerns to nearby residents and that these can be mitigated possibly by 250 controls on noise. Board members have said they want strict environmental controls and huge energy and water consumption on data centers even as they welcome the property taxes.

[06:52:24] So my question is, why did the Department of Planning and Development last week approve by right the doubling in size of the Westpac State Center because diesel generators are about 50 feet from the property line of a diverse community and nearly 500 working-class families in the Meadows of Chantilly Mobile Home Park without even notifying the residents?

[06:52:50] You know that would not have happened to a neighborhood of Vienna or McLean. You can tell me how legal it all was. Several people have. It's done. It's over. It was legal. They didn't have to be notified.

[06:53:08] But you know that was not right. For decades, industrial areas have impinged on minority working-class communities, affecting their health and welfare. Data centers are a new industry, and they're cleaner than steel mills, certainly, but it sounds like they're still emitting noise and air pollution that could affect health.

[06:53:28] At the very least, residents deserve to be notified about expansion, in the case of doubling in size of a data center and possible impacts on the community. And you could have done that. You could have insisted on a public meeting for those residents, even though a public hearing was not required.

[06:53:47] A year ago, the same thing happened at the Pendah Mobile Home Park in Mount Vernon District. where residents were not notified that the largest home developer in the nation was about to build a 400-unit apartment building next door.

[06:54:04] That was made by Mobile Home Park residents at the Planning Commission meeting. The Fairfax County Democratic Committee and the Fairfax and ACP passed resolutions asking you to change the zoning code to notify tenants as well as property owners about adjacent developments.

[06:54:25] you agreed that that would be done. Planning commissioners and board members told me last summer that that would be done, but it was not done. And now we find it's not even on the DPD staff agenda until 2025-26. So last night, the NACP Executive Committee voted to send you all a letter, which you'll get tomorrow, with two requests. One is to make things right with the mobile home park families. Hold a meeting with the developer and health advocates, tell them what's

[06:54:59] happening, what mitigation is put in place, and figure out what else should be done. We've got a new program meeting with all the mobile homes, with all the eight mobile home communities in the county, and when the county meets with them, somehow you got to figure out to tell them about this. As far as I know, they still don't know about it. Fast-track this amendment to the design code to notify tenants as well as property owners about developments, whether they're new or by right.

[06:55:31] I hear from tonight's testimony that there are other situations where tenants rather than property owners may be affected by data centers, and I think you can start doing that now on other data centers, especially if you don't grandfather-pending projects.

[06:55:50] So you'll get our letter tomorrow. I hope you don't want to be seen as a county that disregards the rights of working-class families and pushes the data center enlargement on their doorstep without even informing them. At the same time, you're holding this hours along public hearing at how much regulation should be imposed on new and enlarged data centers because of possible health and environmental effects. So I really sincerely hope you'll make things right with this mobile home community and any other tenants that are in the vicinity of other data centers. They just need to know

[06:56:25] and have a chance to express their concerns and have some discussion. So thank you for letting me speak. Thank you very much. Speaker number 59 is Stephen Chulick.

[06:56:41] And if you are here to testify, that's the end of our listed speakers. If you are here to testify and have not already spoken on this specific issue, please at this time come down and sign in with the clerk who is to the far right side of the dais here.

[06:56:57] Stephen, welcome. Good evening, Mr. McKay and members of the board. I thank you for the opportunity to speak. My name is Stephen Chulick. I have lived in Centerville for 45 years.

[06:57:13] I am president of the West Fairfax County Citizens Association. I'm speaking in support of the Great Falls chapter of the Sierra Club's recommendations for the proposed zoning ordinance amendment for the data center impacts it.

[06:57:30] Fairfax County specifically. Number one, the county take a comprehensive regulation approach to the data center use and also expand use specific standards as part of this effort. Two, data centers be regulated so that environmental and health mitigations are proportional to harmful impacts. And three, all data center proposed developments be subject to a special exception. Now, I'd like to comment on some of the things that I've heard tonight. It's been

[06:58:08] mentioned that a great deal of money is spent putting together building plans, and developers want to protect that money. I also want to remind you that data center development is a speculative business. And these people are rushing in. This is, it's a gold rush to buy land here. And they

[06:58:42] are spending large amounts of money to rush in. They're trying to get these developments in before the approval process becomes any more rigorous. So that's one concern. I've also heard tonight that, I guess, the number of the representatives of the data centers, they're talking about protecting jobs and the amount of money that will come into the coffers of

[06:59:18] Fairfax County as a result of these data centers. But there is no mention. They don't mention the homeowners. They don't mention the impact on their property values. As a result of this Gold Rush. We've heard of, for example, there was in Prince William County, there was a residential developer who built townhouses, a townhouse community, and then sold the rest of

[06:59:52] the land, the adjacent property, to a data center developer. So as a result, you have townhouses within 50 to 100 feet of a data center. And that just doesn't, that's why we're seeking special exceptions. It doesn't make sense to permit this sort of development. You have people looking at homeowners looking at 100-foot walls. They're 100 feet tall. They're 600 feet

[07:00:29] wide. They extend 300 feet in each direction. They're being subjected to the sound of chillers on the roofs and the rumble of the generators.

[07:00:51] It's just awful what has happening, the rush to development. We should be taking, this is new technology, we should be taking baby steps.

[07:01:08] Instead, we're rushing into this huge, huge steps, and we're not ready for it. There hasn't been sufficient preparation to deal with these issues.

[07:01:26] So I guess I just want to say that I support the Sierra Club's recommendation that all these developments go through special exception.

[07:01:47] Thank you very much. We are now going to go to the speakers who just signed up. I have a handful of here starting with speaker number 60, Hyun Ratliff.

[07:02:02] Welcome. Hi, my name is Hyun Ratliff. I'm from Braddock District. I want to talk about the data center, the location of the data center.

[07:02:19] I understand we need a data center for high technology stuff, so I'm not against the data center. But for the location, I want all of you to consider not a bit close to the park by the lake because I live by the Royal Lake and from this in the Chasington property there that's where our home association owns also

those town homes on the other side which on this side this our home associations our community we also own this part of land here which is undeveloped land and

[07:02:57] And together with the 34, 35, so it's pretty much on the wooded area, which provided refugees for all the wildlife from the Lake Royal. Because all the houses here have been built, the wildlife by the lake, they tried to escape from a different place.

[07:03:18] So they crossed the street from this guinea road and come to this our property, our home social property, and 34, 35, to live there as a refugee. And our children, growing up by the lake, will sometimes come here, see all the deer, see all the fox.

[07:03:34] So it's part of a sense of nature. And this green space also provides big green area for clean the air and also holds the water in case we have a big storm. Because I live in this neighborhood for about 20 years.

[07:03:52] And in the past, the one-time firefax county issued evacuation order because the lake, the water was too high, and they keep on raining, and the dam may be in danger or have a misfunction, whatever.

[07:04:07] They give us a warning, we'll have to leave. So if we build a data center that try to squeeze in 34, 35, in the case if there's a flood or something happens, the data center will be washed. I mean, I don't know how to keep all the information. So as also for the first county, we basically lose more and more green space to develop, to build more and more house.

[07:04:32] So I want to have some kind of protection from the county to reserve the parkland, the lakes for generation and after generation. I don't want all this commercial development, like a data center, so close to our lake, so close to our park.

[07:04:50] Those kind of land, they try to squeeze for data centers should be built as a park or as a trail, which you can help a resident to go to the talkative store to walk in there so we can reduce people to drive in there and also encourage people to bike in to the lake.

[07:05:07] So more and more residents, you know, all the district residents, they can come to this lake to enjoy the nature like we do. So we only have four lakes, Burke Lake, Royal Lake, Lake Fairfax, Lake Akitang. I want to put special protection for those four lakes in Farfax County and reserve those four lakes for all generations to come.

[07:05:28] Don't build any commercial, any data center close to those lake area. And also, if you have to, you need to start a flood zone. Make sure this is a flood zone, not going to wash the data center or whatever, because people, we can run if the flood is coming. The data center, all the data will be destroyed, and that will be devastating.

[07:05:47] You spend a minute starting to build a data center, and one storm, boom. You're gone. And not all the wildlife will want to save them. We already feel sad. We took so many land to build houses. They have no place to go. If you build this data center in this tiny little spot here, 34, 35, you make our land, this land here will be useless.

[07:06:09] Because our home association preserved this land as a natural field for all the kids to go there to play. We didn't build a swimming pool or playground because we want to have some place for the wildlife in the lake. Thank you. Yeah. Thank you very much for your testimony. Appreciate it.

[07:06:26] Speaker number 61 is Lynn Strobel, to be followed by Speaker 62, Holden Foxworth. Speaker 63, Richard Newman. If you all could be ready to testify, welcome. Thank you, Mr. Chairman, members of the Board of Supervisors.

[07:06:43] My name is Lynn Strobel with the law firm of Walsh Colucci, and I've been engaged in land use for more than I'd like to recall at this time. it's probably been about 30 years and i know that this has been a long afternoon for you so i just would like to bring up four points and i'd be happy to answer any questions my first point has to do with where should data centers be located and i have to disagree that there should be a special exception requirement in the i-5 and i-6 districts the i-5 and i-6 districts in fairfax county are the most intense industrial districts quite frankly they permit a lot of uses that i

[07:07:19] think we would all agree that are more noxious than data centers so these are the districts where data centers should be located and should not be subject to special exception approval my second and third point have to do with setbacks we've heard a lot about setbacks over the course of the testimony I think frankly that staff got it right when they suggested a 200 foot setback for data centers I just want to point out that in the zoning ordinance 200 feet is the greatest setback required for anything it's a setback required for

[07:07:53] highways for interstate 495 for interstate 66 interstate highways which again I think have more nuisance factor associated with them perhaps than data centers especially when you consider the additional requirements that are being imposed for additional noise studies the people that I work say that they are They are compliant with noise recommendations and policies and requirements.

[07:08:20] And I think that by doing additional noise studies, that will bear that out. The third item also to do with setbacks, a mile setback from a metro is a very, very long distance. I would just point out that I don't believe that in planning terms, a mile is a transit oriented development.

[07:08:38] I think that individuals will walk to a metro at a quarter of a mile. That's always what I have heard. They may walk a half mile. I don't think people are walking a mile to get to a metro. So I cannot agree that it's going to interfere with pedestrian connectivity.

[07:08:55] And lastly, I do want to touch on grandfathering provisions because I think this is very important. I think that if you have a developer who has invested a significant amount of time, money, and effort in the submission of a site plan, that they should be allowed to complete that process under the rules that were in place when that site plan was submitted.

[07:09:19] And whether it's a data center or an apartment building or an office building, there should be just a basic right of fairness to be able to continue under the rules of the process that were established when you began. And I just want to give one example, because I think that this is important, of how long it can take a data center, and I'll be very quick, to get approved in Fairfax County.

[07:09:45] One of my clients, and I'll just give two here, submitted a site plan on August 30th of 2020, I'm sorry, submitted it on February 4th, 2022. It received final approval on August 30th of 2023, or 572 days.

[07:10:04] The second site plan I'll reference was submitted July 31st of 2023. It was finally approved on July 8th of 2024, just very recently, 343 days.

[07:10:20] So it can be a very long process. If you have made that type of investment, I think that you should be able to complete that process as you anticipated. And my very final comment is that there's a

reason that data centers are being built is because there's demand.

[07:10:38] And I want to suspect that at least some of that demand comes from all of us in this room. Thank you. Thank you very much. Thank you. Speaker number 62 is Holden Foxworth, to be followed by Richard Newman and Daniel Bentrit.

[07:10:57] Welcome, Mr. Foxworth. Thank you. Good evening. My name is Holden Foxworth, and I actively pursue and develop data center facilities in Fairfax County as well as nationwide. We're here tonight to discuss the regulation of data center development in the county.

[07:11:13] To be clear, current regulation in Fairfax County and existing requirements to develop data centers are some of the most stringent than any other jurisdiction I'm actively working in across the country. Concerns have been raised regarding the volume of wastewater discharge produced by data centers and how this discharge exceeds what the county's infrastructure is capable of processing.

[07:11:33] Statements have been made claiming data centers consume an unprecedented amount of water, and there has also been concerns or opposing comments raised concerning the power consumption and negative impact data centers have on renewable power generation to be clear data centers are beholden to the same wastewater standards and best management practices as any other commercial or industrial development within the county at the june 5th planning commission hearing a representative of the county's utility department advised that the existing infrastructure is more than adequate to respond to the current and future development needs data centers data centers deployed today are air-cooled facilities

[07:12:12] period. Moreover, modern-day facilities are similarly impactful, if not less impactful, to water resources as a commercial office or industrial warehouse. The data center industry is directly responsible for the proliferation of renewable energy funding, development, and deployment. On an annual basis, the industry is responsible for more than 46 gigawatts of renewable energy purchases across the United States. To put that into perspective, the entire state of Virginia utilizes approximately 15 to 20 gigawatts annually in a peak condition.

[07:12:48] Data centers want to be in Fairfax County. They have been here since the 1950s. Today, there are existing data centers adjacent to residential communities, unbeknownst to the residents. These data centers employ older technologies, more archaic technologies that are not as efficient as today's. These are legacy facilities. The efficiency of the industry has evolved tremendously from mainframe computers the size of this auditorium down to GPUs that fit in the palm of your hand, capable of processing data at an exponential rate. Data centers are a homegrown

[07:13:24] industry in Fairfax County. This is their birthplace. If regulation is passed that exceeds current requirements, data centers will leave and with them the economic incentives and associated investment in the county's future. Thank you. Thank you. Speaker number 63 is Richard Newman to be followed by Daniel Ben Chitritt, speaker number 64.

[07:13:47] Welcome. Good evening. My name is Richard Newman. I am a lifelong resident of 59 years in the county and of the Mason District jurisdiction. I just wanted to speak regarding the investment that some of the data center developers have spoken about.

[07:14:08] Plaza 500 submitted their initial application eight days after the Chantilly Premier Data Center was approved and after the county said that data centers should meet the county recommendations. Plaza

500's initial submission was rejected by the county as being incomplete and was deemed unacceptable.

[07:14:33] Following an initial review completed on April 19th, the application was disapproved and sent back to the developer with 10 of the 11 review items being deemed needing sufficient correction.

[07:14:49] In conversations with the county staff on April 23rd, it was indicated that the application was missing important information that would allow for a thorough review and update was again requested so i just wanted to speak to the notion that these were well thought out highly expensive submissions with a lot of capital investment i don't believe that's the case in this particular application to begin with and i just

[07:15:25] wanted to bring that to the county's attention thank you for your time thank you speaker number 64 is daniel ben chitrit i hope i'm uh reading this right stand to be corrected if not uh welcome it's close enough um uh my name is daniel ben chitrit i'm a resident of the uh brent point community uh and i wanted to come in to kind of bring up some some things that i heard today

[07:15:56] The first thing is, I don't think I've heard anyone who's in favor of additional requirements say that they are against data centers. I work in tech, I see the value of data centers, I'm not against data centers.

[07:16:13] What I'm against is being able to put them so close to residential properties without additional restrictions. You know, we heard things about people not walking to the metro over a mile. I've walked many times from my house, which is over a mile, to the metro. i've lived in other communities where i've been about a mile away and i've walked i've had people walk from the metro to visit me it is not uncommon to walk that type of distance through the metro i've also grew up near a highway so i understand the volume the sounds i've also worked at data centers and i know that the sounds are different and one is all day going and one is only doing

[07:16:50] you know maybe rush hour type traffic these things are very different the the last thing i'll kind to bring up is, you know, if these organizations, these companies are doing what's in the best interest of the residents and of people, they wouldn't be going and asking for, you know, additional special treatment, trying to rush their plans through. They wouldn't be worried about having to resubmit and not having a grandfathered clause in because they would want to be doing what's best for the people that live in that community. I also work in cybersecurity. And I've seen what happened with limited regulations. Breaches happen,

[07:17:28] things like that happen, because companies are not in it to protect people. They're in it for profit. They're for-profit businesses. They're going to do what's in the best interest of their shareholders or of the people that are going to make money off of it. And so without additional regulations, there will be issues because they might say, oh, well, we're going to do what's best. But when push comes to shove, they're going to end up doing what's best for their bottom line.

[07:17:54] You've seen layoffs recently because companies aren't doing what's in the best interest of their employees. They're doing what's in the best interest of their bottom line. They're not there to make sure that people are, you know, working. They're there to make sure that the company is profitable. Previously, a couple years ago, up until a couple years ago, I'll say, the data in the industry was not very profitable. Google Cloud, for example, was losing billions of dollars a year on billions of dollars of revenue because they were just trying to go in and take stuff away from Azure and AWS.

[07:18:25] If they're losing money sometimes and they're doing this type of development, they might not be paying as much taxes because they're going to be taking those losses. And so the economic piece of this is also something to think about. A lot of these tech companies are not paying a lot of taxes.

[07:18:44] They're losing a little bit of money. And it's just something to think about. thank you for your time. Thank you. And that is the end of my speakers who have signed up in advance and who signed up today. Let me ask before I turn to callers, make sure there's no one else present who has not already spoken that would like to on this matter. Okay, let me ask the clerk if we have any callers. We do have one caller, Joy Waller, speaking on behalf of the North Franconia Civic Association. Okay, Ms. Waller, can you hear us okay? Yes, hi, thank you. My name

[07:19:21] My name is Joy Waller, and I'm representing the North Franconia Civic Association, which is in the Franconia District. There are homes within our neighborhood that are less than 4,000 feet because we're across the interstate to the south from the potential Plaza 500 data center.

[07:19:38] I'm speaking this evening because the North Franconia Civic Association believes that the proposed regulations that were recommended by the Planning Commission are not strict enough. At a bare minimum, no data center should be built by right. every single one of them should pass through the special exception process.

[07:19:56] Given what we know about how the noise of data center hum carries even miles away, a setback of even 200 feet from residences is wildly inadequate. Even 1,000 feet may not be adequate. I haven't heard any of the data center industry representatives this evening say that they live less than 1,000 feet from a data center or an electrical substation and that they're totally fine living there.

[07:20:22] In fact, I haven't heard anyone who opposes new regulation of the data center industry say that they live anywhere near one. Given the dense populations near the metro stations, data centers definitely shouldn't be located within one mile from our metro stations.

[07:20:39] And I was interested in the recent discussion about that because on the land use committee, we've been told repeatedly that areas that are well over a mile away from the metro are walkable and that this is where the county is planning the most dense housing. And, oh, by the way, we don't need as much parking space for those people because they won't be driving.

[07:21:00] They'll all be taking Metro. So with all due respect, I believe that, well, within a mile of the Metro is something that should be protected. Next, let's look at the timing of all this. The Board of Supervisors recognized that there was a problem with the zoning ordinance and wanted to create the gold standard for data centers.

[07:21:20] So county staff researched and created the report, and the Planning Commission held their hearing, and the Board of Supervisors is now holding this public hearing. And all of this was done as quickly and efficiently as possible rather than being drawn out for years like ZMOD. So why is that?

[07:21:36] It's because you all, the Board of Supervisors, recognize that our current regulations are lacking and needed to be changed ASAP. So, therefore, it makes zero sense to grandfather any existing applications and say that whatever regulations you enact this evening won't apply to any proposed data center that is currently in the application process.

[07:21:57] We've heard that data center applications represent thousands of dollars of work, probably, possibly even millions, and to paraphrase, that it wouldn't be fair to them to change the rules now. So, I'd like to look at that argument in two different contexts.

[07:22:12] The first one is, let's think about school boundaries. For many people, the home that they buy is the biggest investment they will ever make. And yet, simply stated, buying a house that is in a particular school pyramid is no guarantee that your house will always be in that particular school pyramid.

[07:22:30] The second context is other land use changes. I think I mentioned I'm a member of the Franconian District Land Use Committee. So we know that just because a property is zoned one way at the time you bought your house, that is no guarantee that it will always be zoned that way. In fact, residents are often surprised by changes in land use, but there are no guarantees just because you spent a million dollars, often much more, on a home.

[07:22:55] So if there is no grandfathering process for residents to make land use or school boundaries the same as it was when they bought their house, why would it be any different for data-centered developers? The bottom line is that if these regulations are important enough to enact, then they're important enough to apply to all projects, even those that have currently filed an application.

[07:23:18] Frankly, there is no way that developers will no longer want to build data centers in Fairfax County after these regulations are enacted. Our location alone ensures that companies will continue to try to build data centers in Fairfax County wherever possible. We are not going to lose tax dollars.

[07:23:35] In closing, we request that you, as elected officials, maximize the protections for the citizens of the county. And in closing, I ask you also to think about this. If you lived less than 1,000 feet from a property where a data center could be built by right, an associated electrical substation, what regulations would you want your county government to enact?

[07:23:59] Thank you very much. Thank you. And let me ask if there are any other callers on the line. There are no additional callers. There are no other callers on the line. Okay. Having heard all that testimony, I think I had down 65 speakers. We had a few that didn't show up, but I want to thank everyone for their testimony.

[07:24:20] And let me turn back to staff. I know we spoke a long time ago when you gave us our presentation, but if you could please provide any closing comments and a recommendation from county staff.

[07:24:39] Yes, thank you. Excuse me. The Planning Commission held a public hearing on the amendment on June 5th and on June 6th the Planning Commission did recommend approval of the amendment with the text as presented in the staff report dated May 17th 2024 and where options are presented the Planning Commission Recommended option one with the exception for the set revisions to the setback standards that I mentioned in my Presentation previously the Planning Commission also recommended adding provisions relating to previous approvals to Appendix one of the zoning ordinance Thank you. Thank you very much for that

[07:25:19] Let me ask if there are any questions at this time from board members any questions at this time for board members seeing and hearing none I will now close the public hearing and recognize Supervisor Smith for a motion. Thank you. Mr. Chairman In order to give the board a chance to reflect on the testimony we heard, we heard from a lot of people, I am going to make a motion to defer decision.

[07:25:44] Mr. Chairman, I move to defer decision only for the proposed zoning ordinance amendment for data centers to a date certain of July 30, 2024, with the record remaining open for written testimony. I further move that prior to this meeting, staff develop language for appendix one of the zoning ordinance for the board's consideration that would address site plans that have been approved or accepted for review on or before July 16, 2024, and would allow these site plans to be reviewed under the current zoning ordinance provisions.

[07:26:20] Site plans accepted after July 16th would be subject to any new regulations to be adopted. Thank you. Supervisor Smith, you've heard the motion. I'm happy to second the motion to defer this. discussion on the deferral motion just a question yes yeah this is just a request for staff to draw up the language okay thank you uh any other discussion uh let me just uh thank supervisor smith for making a motion to defer this um we have been at this for a while uh we heard a lot of things tonight uh four and a half hours of testimony and to me uh would be a disservice to

[07:27:00] those who testified uh to try to act on this at this point and allow every member of this board to be able to absorb the testimony ask additional questions of our staff that we may think of over the next couple days and come back for a decision in two weeks when our board meets again and so i thank you for offering that deferral motion all those in favor of deferring of the motion please say aye aye any opposed any abstentions and that motion carries 10 to 0 the board is adjourned.

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