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Fairfax County Board of Supervisors Land Use Policy Committee, Tuesday, July 8, 2025

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[00:00:00] I'll call a Land Use Policy Committee meeting to order. Supervisor Stork is out of town, and Chairman McKay is at a meeting in Richmond with VACO, so neither of them will be here. The minutes, we have the minutes. Are there any additions or corrections to the minutes?

[00:00:18] Okay, seeing none of those will stand as accepted. Today, our focus is manufactured housing, and we have one set of slides, but we'll take a break, So we're going to be looking at the comprehensive plan, then the zoning ordinance, and then the relocation guidelines with the manufactured housing.

[00:00:37] So it will be broken up like that. We'll have time for questions after each section. So I am going to turn it. I never ask who I should turn it to first. Who am I turning this to to start? Good morning.

[00:00:53] I'm just going to wait until the slides go up.

[00:01:05] Okay. Good morning. My name is Ivana Escobar. I'm the Manufacturer Housing Coordinator for the Department of Housing and Community Development. I am joined by my colleagues from the Department of Planning and Development, and today we are pleased to present the policy, provisions, and framework for the Manufactured Housing Comprehensive Plan Amendment, Zoning Ordinance Amendment, as well as the Relocation Guidelines.

[00:01:31] These initiatives stemmed from recommendations developed by the Manufactured Housing Task Force, which the Board approved in 2022, and today we will provide our findings and our recommendations. I will now pass the baton to Leah. Hi, everyone.

[00:01:49] I'm Leah Nebauer from the Department of Planning and Development, and I'm going to go over the comprehensive plan amendment with you all, along with proposed revisions that we're looking at. So just to set the stage, Fairfax County is home to seven manufactured housing communities.

[00:02:07] Five of them are located along Richmond Highway Corridor. One is located near the Government Center on Route 29, and then one is located near the intersection of Route 50 and Route 28 near Dulles Airport. Three of the Manufactured Housing Task Force recommendations relate to policy updates to the comprehensive plan with the overarching goal to preserve the housing affordability provided to existing residents by manufactured housing communities. And so this outreach plan has been very unique,

[00:02:45] partnering with Department of Housing and Community Development, combining discussions with the comprehensive plan and the zoning ordinance amendment. And so since March, we have led a coordinated outreach to inform and engage community members, property owners, residents, advocates, as well as Manufactured Housing Roundtable.

[00:03:10] And then a robust outreach included community meetings tailored to each of the seven manufactured housing communities held either on-site or nearby accessible locations. And then to maximize participation, the Department of Neighborhood and Community Services provided critical support services including transportation, child care, language access, and technical assistance.

[00:03:36] And then both the presentation and summary materials were translated into Spanish, and as seen from the pictures above, all of this contributed to engaging conversations and was instrumental in shaping updated policies and frameworks. And so the community owners range from local ownership to large corporations and a county-owned property.

[00:03:59] And so at this time, from the property owners, there hasn't been expressed interest in replanning, rezoning, redeveloping, or selling at this time. And then some owners have expressed a shared interest in preservation insensitives and what those would look like.

[00:04:21] And then each community does face unique challenges, but the community members shared some of the same concerns regarding increase in rent every year, needed infrastructure improvements such as light poles and not working, potholes, sidewalks, and flooding issues primarily affect Harmony and Audubon.

[00:04:42] And then communities expressed concerns over safety, speeding, and the lack of enough parking on site. And then many shared stories of living in these communities for a long time and would like to remain and share concerns of displacement from the community and express interest in land ownership opportunities that they could provide, that could be provided.

[00:05:05] So now I'm going to jump into the updated policies being proposed in the comprehensive plan. And so this task force recommendation aims at preservation strategies implemented through the policy plan. And so the proposed revisions remove Appendix 10, which is guidelines for mobile home retention, which is found in the land use elements of the policy plan.

[00:05:30] And we're looking to replace it with a new Objective 7 within the housing element. And so Appendix 10 currently does not include preservation strategies for incentivizing existing manufactured housing communities to make commitments to affordability levels or where redevelopment is planned, supporting a goal of no loss of affordable units.

[00:05:53] And so the proposed Objective 7 creates strategies to preserve existing manufactured housing communities through physical preservation strategies, such as facilitating potential investments to improve aging infrastructure and physical community facilities in exchange for commitments to affordability.

[00:06:14] And so HCD, Housing Community Development, would be working closely with the property owners and managers on what that framework would look like. And then it would also encourage rezoning to the residential manufactured home park district to allow for additional on-site density where feasible to assist with preserving affordability levels.

[00:06:36] And then support for community members to purchase the manufactured housing communities to promote affordable home ownership opportunities. And then if redevelopment is proposed, policies include preserving affordability levels through one-for-one replacement of affordability. Developers should conduct affordability analysis and develop a relocation plan in consultation with the Department of Housing and Community Development. And then the last policy aims to identify land to support relocation and

[00:07:15] preservation of the affordability of manufactured housing communities when redevelopment or of environmental hazards warrant relocation, with understanding that existing sites for new manufactured housing communities are very limited. And so while the objective is no loss of affordable units, it is recognized that this may not be possible in all circumstances, and therefore Or kind of really look at the relocation guidelines to mitigate displacement and provide support for the residents.

[00:07:49] And so the goal of this policy is really to consider various strategies for preserving important source of housing affordability as well as supporting existing residents here on site. And so the next task force recommendation really aims at preservation strategies implemented through the area plan recommendations.

[00:08:13] And so this chart below categorizes the existing manufactured housing communities under different preservation strategies, depending on current zoning and adopted comprehensive plan language. And so this chart also highlights that the existing density differs from the adopted comprehensive plan language.

[00:08:33] Therefore, the communities would be remapped within the comprehensive land use plan map to represent the existing residential density. So for example, Whipple Mills adopted comprehensive plan language is for residential use at one to two dwelling units per acre, but the existing density is 5.9 dwelling units per acre.

[00:08:54] So the parcel would be remapped to colors that represent the existing residential density range of five to eight dwelling units per acre. And so looking at the blue chart, these are manufactured housing communities that are currently zoned for residential manufactured home park district. And so the proposed provisions consist of edits to align and strengthen existing sites planned for manufactured

housing, emphasizing the community should remain and be maintained. And so in line with the new policy,

[00:09:29] new plan language would be added to consider where feasible additional on-site density could be considered for additional affordable housing. And then moving over to the green chart, which highlights Meadows of Chantilly. This is zoned industrial and has no planned redevelopment option. The current adopted comprehensive plan supports this neighborhood as a suitable residential area, and the manufactured housing community should be protected. And so the proposed revisions

[00:10:03] would emphasize that the existing manufactured home community should remain and be maintained and then add language to encourage rezoning to residential manufactured home park district and so and encourage rezoning which since it's currently zoned industrial and then any redevelopment of this community should be in accordance with the new objective seven of the housing elements and provide relocation assistance per the guidelines.

[00:10:39] And looking at this chart now, this highlights Pendaw, Harmony, and Alexandria Mobile Home Park, which are zoned for commercial use and have redevelopment options within the adopted language. So similar to the other manufactured housing communities, the proposed revisions update plan recommendations to reflect these existing established communities to be planned and developed as a manufactured housing community use at the baseline level.

[00:11:11] And so in these instances where redevelopment is proposed, it would make reference to Objective 7 of the housing element are incorporated to achieve the goal of one-for-one replacement of affordable units and redevelopment scenarios. And then relocation assistance should be provided in accordance with the relocation guidelines. And so for Harmony Place, since more than half of the community has been developed in the Little Hunting Creek floodplain, language has been

[00:11:45] updated to include that homes should be elevated above the floodplain elevation per the zoning ordinance or relocated to areas planned or zoned for manufactured housing use. Since it is zoned for commercial use, if redeveloped, relocation assistance really should be provided.

[00:12:05] And so the goal of these changes is not to remove redevelopment options, but to really add emphasis that if they are to be redeveloped, then the affordability levels within these communities should be preserved to the extent feasible. And then opportunities for community members to return on site should be provided. And so now just jumping to the tentative project timeline, we are at the step of meeting with you all to receive preliminary feedback.

[00:12:38] And then later this month, we're going to continue our outreach with community members and property owners to receive feedback on draft plan text, which will be available for public comment until end of August. And the draft plan text for both the zoning and the comprehensive plan will be available in Spanish and English. And then in October, authorization to advertise the zoning ordinance amendment will occur. And then both the comprehensive plan and the zoning ordinance will go to planning commission and board of supervisors um november and december

[00:13:15] um and so thank you that concludes the presentation for the conference of plan amendments and i'll open it up for discussion thank you i i appreciate the uh presentation and i just want to clarify because when we met staff has not been able to contact the owner of the meadows of chantilly and i want to find out if that's changed or there still has been no contact There still has been no contact.

[00:13:44] We coordinated first with the property manager to see if we can contact the owners. We haven't had any luck there. And then we've also called the numbers listed on their property profile, and we still haven't gotten any luck. What I've done is I've left voice messages, and we need to hopefully get a phone call back.

[00:14:03] So, yeah, we'll have more conversation with my office and see what we can do. That is my one concern through this process with the other manufactured homes you've had contact with owners, and I think this could be an issue for us going forward. I'm going to open it up to questions from my colleagues.

[00:14:21] Supervisor Lusk. Thank you, Madam Chairman. I'll start by saying I really, really appreciate this new Objective 7 and the language that talks about preservation of manufactured housing.

[00:14:38] Communities as affordable housing. This is something that I'm very deeply committed to and something that I think is Important for these communities particularly in my district I'm also very very Interested in seeing us promote homeownership opportunities for these residents as well And this is where I guess the rubber meets the road the difficulty is and how we go about that I will be very specific here in saying that So delineating this and having it as a part of our objective is important.

[00:15:17] And I'll say I know we'll be working with the Department of Housing and others on how that could come to fruition. And I acknowledge that we've got a number of steps that will need to be taken in order for that to happen. There's no clear and easy path at this point, but I know we'll continue working through those difficult hurdles.

[00:15:41] to allow this opportunity for these residents. So I just wanted to acknowledge that point. Additionally, I wanted to ask if there is this discussion on the option for harmony, and I think I understand why, but I just might want to have you explain to me how we came to the residential use at 8 to 12 12 units per acre.

[00:16:11] I understand the base number. I'm just trying to get a sense of on the option. If you can walk me through looking at, I guess, what's around this site. I know there's a townhome community that's immediately adjacent to it. I just wanted to better understand your thinking on that issue specifically.

[00:16:29] Right. So the 5 to 8, that is the adopted comprehensive plan language that's currently there. And so within the change, we would be looking to kind of single out Harmony Place since it is above that base plan to say manufactured housing, you know, outside of the floodplain and acknowledge that kind of as the base plan level.

[00:16:56] And then within the map, it would be 12 to 16 to align with the existing density that's currently there. And so right, but I'm thinking about the the plan language plan language option the thinking on that So supervisors lost great moment of planning and development. So with regards to harmony place the current language of 5 to 8 and 8 to 12 that reflects the the adopted plan which

[00:17:33] As you know, there's a couple of things going on around that particular site One of them of course is the manufactured housing park today You also have Audubon, which is similarly planned for 5 to 8 units to the acre. There are places within that vicinity, though, that are townhouses, and so that 8 to 12 reflects that townhouse level density that you see.

[00:17:53] So I think that part of what we've been looking at here with this interaction between the options and the base recommendation is really trying to make sure that we don't have density levels that

are planned that might potentially cause a redevelopment to occur with something where you might not necessarily get a one-for-one replacement.

[00:18:11] So I think part of what our exercise has been to do is not so much take away options, but with the proposed plan to have the manufactured housing use be the new base plan. So we would update the map to make sure that that density level and that use is reflected there.

[00:18:28] But with the additional considerations that, as you know, a substantial portion of the Harmony Place site is in a floodplain. So that part is actually currently planned for private open space. And so we just wanted to make sure that that's reflected and that we have language in there that supports the preservation of the affordability of the housing that's there, but also reflecting the fact that there may be portions of that site where long-term it may make sense to relocate people out of the floodplain, either physically move or elevating.

[00:19:03] No, I appreciate that, and I did note your recommendation there on the proposed language, really trying to elevate those units that are down in the floodplain, because it does create somewhat of a hazard for those individuals. And I know that's a totally different conversation in terms of how we would assist them, but I appreciate that that language is included.

[00:19:24] So thank you very much. Thank you. Supervisor Lusk, any other questions? Okay, seeing none. Thank you, Leah. we will move on to the zoning ordinance section. Hey, hello. My name is Jananne Cato with the Zoning Administration Division, and we'll be talking to you today about the proposed zoning ordinance amendment for manufactured home parks. We also have the draft text and the staff summary document with additional details. Our hope is to get this out there and for feedback and gather

[00:20:00] more input as we move forward. The proposed amendment stems from recommendations made by the Manufactured Housing Task Force, which, as previously mentioned, the board approved in 2022. The task force recommended consideration of an amendment to the Residential Manufactured Home Park District to address the non-conforming status of the manufactured home parks. Following these recommendations, it was added to the 2022 Zoning Ordinance Work Program to consider zoning changes and to incentivize preservation of existing manufactured home communities through

[00:20:39] a review of use standards and bulk regulations. So as Leah mentioned, there are seven manufactured home parks in Fairfax County, the majority of which are along Richmond Highway in Mount Vernon. There's a total of 1,768 units across all the manufactured home parks, including RVs in some parks. Three of the parks are zoned to the residential manufactured home park district.

[00:21:05] Three parks are zone C8, and one park is zoned I3. As part of the community outreach meetings with the planning division and HCD, we presented on the zoning ordinance and the proposed amendment, and we also solicited feedback from residents on minimum separation distances.

[00:21:26] So we had a poster at each meeting where residents came up and indicated their preferred minimum distance between homes and roof decks and homes and open decks. A majority of those participating preferred to maintain the current requirement of 15 feet between units.

[00:21:45] Overall, the feedback suggested a desire to maintain safety while balancing flexibility for additions and decks. And also a desire for additional parking was reflected by community discussion at the meetings as well. Currently, the RMHP district is defined as providing for manufactured home parks and other uses that are compatible with the residential character of the district.

[00:22:13] Manufactured homes and single-family detached homes are allowed by right in the RMHP district. The current district standards include a 15-acre minimum district size, a maximum density of six dwelling units per acre, and up to nine homes per acre with board approval.

[00:22:34] a 35-foot front setback, and 25-foot side and rear setback from the boundaries of the park, and 1.5 parking spaces per unit. Now, to bring us to the current zoning requirements, the RMHP district standards haven't changed much since the adoption of the 1978 zoning ordinance, and many of those parks don't meet those standards today. So the proposed amendment

[00:23:10] intends to reduce non-conformities in the park by, for example, increasing allowed density. Also intends to remove unnecessary requirements, such as monuments marking the corners of lots, which largely don't exist anyway. The changes to the RMHP district standards include district size, setbacks to the boundaries of the manufactured home park, and increasing the density requirement.

[00:23:39] Also, removing incompatible uses that are currently allowed either by special exception or by special permit. And also an introduction of new special exception and special permit types. And we'll look at these changes more closely in the next slide here. We're proposing a revised purpose statement that recognizes the role of manufactured home parks in providing affordable housing.

[00:24:03] And changes to the district standards include reducing the required district size and setbacks around the periphery of the park to better align with the existing conditions, increasing allowed density from 6 to 10 units per acre. And for background on the density requirements, 6 dwelling units per acre was adopted with the 1978 zoning ordinance, but most parks were built before then.

[00:24:28] And previous zoning ordinances either didn't have a maximum density or had a 10 dwelling unit per acre maximum, which was adopted as part of a zoning ordinance amendment in 1964. Also, to reduce certain minimum required distances between structures. So based on the community input we've received, the draft text keeps the 15-foot minimum for side-to-side separation between manufactured homes, but allows end-to-side and end-to-end distances to be reduced to 10 feet.

[00:25:03] That's more consistent with how the parks are actually built and still more restrictive than what's allowed under the Virginia Residential Code, which allows a five-foot separation distance if fire-rated construction is used. The draft also allows open or roof decks to be as close as five feet to another structure. This is intended to address that many of the homes already have covered decks or patios that don't meet the current requirements, and so as a result they can't be permitted. Also limiting single family detached dwellings to no more than 20%

[00:25:38] of total units in order to maintain the park's manufactured housing character and allowing the board to modify or waive the requirements of the RMHP district with proffered conditions or a special exception and deleting unnecessary requirements such as an average lot area.

[00:26:01] Also we're proposing to remove incompatible special exception and special permit uses like residence halls and funeral homes from the RMHP district and changing a religious assembly from permitted by right to a special permit to align with the permissions in other single family districts. Also being proposed is a special permit process that would allow applicants to request a reduction in the minimum required distance between manufactured homes down to either the building code minimum of five feet or five feet whichever is greater and this would

[00:26:37] provide flexibility for existing homes that either already have or would like in addition while still maintaining safety. The proposed special exception application is included as well for non-conforming parks that would allow them to expand or reconfigure. This application would be available for any of the parks regardless of their current zoning. Through this process a park could be formally approved by the board subject to development conditions. So as part of the special exception review, the board would have the ability to modify the RMHP district

[00:27:16] standards, including density, setbacks, or separation requirements. For parking, in response to community feedback, we're proposing to increase the parking rate from 1.5 spaces per unit to two spaces per unit. Currently, the zoning ordinance requires single-family detached homes to have three spaces per unit when located on a private street, which is the case for the manufactured homes. And this proposed change would not require existing parking to be modified, but the change

[00:27:50] would apply to any future development. Thank you. We also have a webpage with information on the amendment and also includes all the meeting materials we've used, and we're happy to answer any questions? Thank you, Jen, for the presentation. You know, as you're working with the community and they have their ideas of the changes they want, is it clear enough that these changes will only occur if the owner of the property wants to make changes? Especially, you know, you talk about

[00:28:27] the parking and the desire for more parking. And so how are those conversations going with the community to understand that if we put in these changes, it is for things moving forward that want to have changes? Yeah, so we are allowing for, I mean, the majority of the changes, as you mentioned, there would be the property owners, you know, take on that.

[00:28:53] But one thing is the special permit process that the individual manufactured home owners would be able to pursue to potentially bring some of the existing illegal additions into compliance. Which I see some of the changes for that.

[00:29:09] But I think some of those big things, like they want more parking. Right. So when you're out with these communities and having the discussions, is there clarity over that? You know, we're in this situation that you create unintended unintended consequences of expectations that all of a sudden the board approves this and their community is going to change.

[00:29:31] We definitely appreciate that comment. And the community meetings were, you know, they were well attended, I would say, for zoning meetings. And we tried our best, is what I can say, especially with the zoning where we had the posters and people could come up and express, you know, their preferences.

[00:29:55] um and that gave us you know an understanding of what their desires are and then sometimes there was you know some back and forth trying to make sure that they understood um you know but wait you're not you're already closer than that um you know are you sure this is what you would want how would this happen and so we did try to have those conversations about expectations um so we did our best on the clarity. For the parking, that did come up at a number of the parks where there were requests for that. And by changing the rate from 1.5 to 2, of course, as Janann said, it doesn't

[00:30:34] mean that additional parking is going to be created for existing units. It would mean that if new units are added, they would need to have two spaces per unit. And it also means that if any reconfiguration or something is proposed they can't remove parking unless they're meeting that

requirement. So in that way some of these changes could be effectuated. We'll need to have continued dialogue too as we move forward. I'm going to open it up for questions. Okay I guess this was pretty straightforward to the board and if they think of any questions later they will

[00:31:12] contact you. Okay, so now we are on to the manufactured housing relocation guidelines.

[00:31:29] Hello again. I will be presenting the manufactured housing relocation guidelines. These guidelines were also a recommendation developed by the Manufactured Housing Task Force. They were established to provide benefits and supports for manufactured housing homeowners and renters if the community is redeveloped into an alternative use. Our aim is to minimize the disruption and maximize the opportunity and choice for residents impacted, and we are aligning these guidelines with the Federal Uniform Relocation Act, the Virginia Housing Guidance, and the

[00:32:03] Manufactured Home Block Rental Act, and they do not replace state or federal requirements. Part of our community feedback, the three core needs that we heard from residents were assisting in locating alternative manufactured housing communities or suitable land for relocation, as well as relocation on-site if feasible, financial support for residents whose homes cannot be feasibly relocated, and access to affordable, safe, and suitable housing options. For our relocation process, as you can see from the charts, we would start with the coordination, which would mean

[00:32:42] resident notification. We would notify residents as soon as possible when relocation would occur. The developer or property owner for the relocation would have to do the resident survey as well as a need assessment and property profiled. Part of that planning would require to determine if this would be a temporary or permanent relocation, as well as identify the relocation payments, benefits, and other services, and would have to be approved by the county.

[00:33:12] The relocation support would be conducted through doing a feasibility assessment, which would mean us determining if units are able to be movable, as well as providing that notice to vacate and eligibility for relocation assistance and resident move-outs.

[00:33:29] And for post-relocation benefits, if this is a temporary relocation, we would assist with a resident's move-in as well as do a resident assistance fund. For owner responsibilities, and we just want to emphasize for owners, we define it as a property owner, developer, or the applicant of the proposed projects.

[00:33:50] They would be required to conduct a resident engagement and communication, which would mean doing the initial notice, as well as doing that resident survey and needs assessment, notifying when to vacate, as well as doing the regular reporting, conducting the relocation plan and property profile, relocation assistance and services, as well as communication and coordination with the county. Throughout this process, we would have a county staff which will serve as a resource and monitor the process. Eligibility for relocation assistance. This would be for displaced, manufactured, housing, homeowners, and renters, and they must meet the following

[00:34:27] requirements to receive services and benefits. Must have owned or occupied a manufactured housing unit on a displacement site for at least 180 days immediately prior to the initial notification and conversion into alternative use. Must have the household income at or below 80% AMI. And for relocation assistance and services, we do have a robust list, but we wanted to highlight the ones that specifically

initiatives that would impact a manufactured housing in relation for relocation. So some of the services that we provided would be providing current listings

[00:35:06] within the county and neighboring jurisdictions of compatible or available vacant pad sites, vacant manufactured housing units, and vacant affordable multifamily units, as well as providing assistance with assembling and moving and reassembling any attached accessories and anchoring of the unit, as well as the coordination of demolition of the manufactured housing units that cannot be relocated. For permanent relocation assistance, manufactured housing homeowners will receive that one-time relocation payment in accordance with the Manufactured Home Lot Rental Act, which is at \$5,000, and an additional one-time payment to go towards moving

[00:35:43] expenses or the purchase or a rental of another dwelling unit up to a defined limit. If applicable, a rent differential payment for households earning at or below 60% AMI. For temporary relocation assistance, manufactured housing homeowners will receive the option to choose one of the following forms of relocation assistance. If the unit is not returning to the site, a compensation similar to that defined in the permanent relocation assistance, or in an event that the unit is returning to the site, compensation for the moving services shall be provided up to the limits defined in a permanent relocation and a rent differential.

[00:36:24] And now we will open it up for questions. Thank you for the presentation. We have the documents here with us. I know there's a lot of questions that you've gone through to look at this.

[00:36:44] Could you explain on slide 27 the permanent relocation assistance and the \$5,000 payment?

[00:37:00] Explain why that is, that payment. Yeah, so the \$5,000 payment, that is according to the state policy for the Manufactured Home Law Rental Act. So they're required to get that \$5,000 payment, and we would provide the additional one-time payments that would go towards that moving expense or purchase a rental or another dwelling unit. And this is a defined limit. We haven't defined that limit. We're working on trying to come to a good middle ground. And then if applicable for providing that rental differential payment for households earning at or below 60% AMI. And then just to clarify, this would not be coming

[00:37:37] from the county. This would be coming for the person who would be doing the relocation. So as we identified the owner, which would be if it's the property owner, the developer, whoever is doing the proposed project. Thank you for that clarification. You know, I think one of the difficulties we have in this whole process is that the manufactured home renters don't own their property, right? And so it is not really an investment in a property and looking at ways we can move forward, which I think of our housing meeting that we had previously that we're going to look for more creative ways and different ways to help people with their home ownership.

[00:38:15] And so I think that's something we need to continue to look towards to see what can be done in that area. I don't know if there's any questions from my colleagues. Supervisor Lusk. I'll just dovetail on the question you asked about the \$5,000 Manufactured Home Lot Rental Act.

[00:38:33] This is at the state level, so if we want to have that number increased, we'd have to lobby the state and have them adjust that number, okay, because that's not a huge number. I would say, is not very much you can do with \$5,000. So I'm here arguing that that number is way, way too low.

[00:38:53] The other question I wanted to ask is on page 25, where you referenced that the owned or occupied manufactured housing unit has to have been lived in at least 180 days prior to initial notification.

[00:39:11] How do we come up with 180 days? That number also is coming from the Manufacturer Home Law Act. That's part of that. It's written in there as well as that also comes in alignment with the UIA.

[00:39:29] Yeah, that's tough for someone who unfortunately would have occupied prior to that. So that one, we have to look at that one too. I think there's a need to consider both of those for revision.

[00:39:46] And we'll do our due diligence with our locally elected members in Richmond and see if that can be changed. So thank you very much. Thank you. Any further questions? Sing, can you tell me your timeline for this one, for the relocation guidelines?

[00:40:07] Yes. So our timeline is we're hoping to publish by next week. And then, again, with the timeline that was listed before, publication will be open until August 27, which would be in accordance as we start doing the outreach. We try to align it where I think for all of us, all of our draft texts will be posted in English and Spanish, and that was on purpose.

[00:40:30] So as we continue to do our outreach, we will have copies of the draft text so people can take it. And then also we are creating a link specifically for folks to also provide comments all in one space, so they're not having to go after. So with all of that, just to say that we're all within the same timeline, Just our draft text is just taking a little bit longer to be published.

[00:40:52] And who are you going to do your outreach to? So we are going to conduct four engagement efforts. One will be for the communities located in the Richmond halfway, as well as another one at Meadows of Chantilly, and then doing two virtual meetings, one in the morning and one in the afternoon.

[00:41:11] So the outreach is only for people to live in the communities? Yeah, and then we're also coordinating with the property owners and managers to let them know about the changes, as well as community advocates like AHAC. And we're also going to the Manufacturer Housing Roundtable to present this, too.

[00:41:29] Okay. Thank you. Any other follow-up questions? Okay. Thank you all for the work with this and for the presentations. And we are done and moving on to the next presentation for the work session. So next, we have proposed amendments to incorporate House Bill 2660, which took effect July 1st.

[00:41:57] So we will get an update about that. Welcome, Jerry and Kirsten.

[00:42:19] Jerry, you're going to kick it off? Yes, thank you. Jerry Stonefield, Land Development Services. Also with me here is Kirsten Muntz, Director of Site Development Inspections Division. Just a quick update on House Bill 2660 from this past General Assembly session amended the state provision that deal with the county review of site plans, subdivision plans, other plans of development. What it did was reduce our review times that are specified in state law. It reduced

[00:42:57] the time that we have, well, first when we receive the submission, we forward it to state agencies, VDOT, other authorities that are created under the state provisions.

[00:43:14] Used to have 10 days, now we have five days to forward those for their review. Their timeline is specified in a different provision. And then we have reduced our review time from -- for the first submission from 60 days down to 40 days.

[00:43:33] The first resubmission, what we would call our second submission, the second time we see it, and second resubmission, so the third time we see it, down from 45 days down to 30 days.

[00:43:50] Then on the third resubmission or fourth time we see it or subsequent to that, they created this, what I'm calling a director-level review of the comments. So if on fourth time we've seen the plan, we still have comments that are generated.

[00:44:09] The director or an equivalent official with supervisory authority over the person making the comments if they have comments they forward those comments to the applicant and also to the director level for review and then the director has 14 days to review those comments and then makes a decision of either disapprove the plan with those comments or allow the applicant to

[00:44:44] modify the plan, what we would call inserts, and then we have seven days from when those inserts are submitted, or the director could approve the plan, essentially overturning the review comments on that fourth submission. So what this does for us is that in the subdivision ordinance and the

[00:45:10] zoning ordinance. There are actual these timeframes specified. So we will be coming in with an amendment to these to update those numbers that are actually in the code. And we've also revised a PLUS planning and land use system where it calculates when a plan is submitted for review and assigned to a reviewer. It automatically calculates the review deadline that they have. We've already made those changes.

[00:45:40] So they're already in place because the House bill was effective July 1st. So this applies to us. We've already changed our process. We've trained our staff.

[00:45:56] We've met with industry so that they know that this was coming and what the impact is. It's the impact to us other than this director level review. It is all on the county. So we've implemented these changes already, so we're in compliance with this.

[00:46:15] We're just going to follow up with the dot the I's, cross the T's amendment to the site and subdivision ordinances, bringing that for authorization and looking for an effective date of those amendments sometime this fall.

[00:46:31] Any questions? Thank you, Jerry. What is the practical impact on us for these reduced timelines with your current staffing and all? The impact is for certain plan types.

[00:46:47] The plans within the development DPE process, designated plans examiner, that is a process where engineering firms that have gone through training and certification have a benefit of a shorter review time.

[00:47:06] It has very little effect on those review timelines. It's a matter of a couple of days. For the engineering firms that have not gone through that process, it is a shorter review time by, in some cases, a few weeks.

[00:47:23] So it does shorten review time that is applied to those additional projects. So right now, we are able to, given the current workload, manage these review times. But it is a concern that if we have a significant increase in development plan submissions, that will be a struggle.

[00:47:50] Thank you. I saw Supervisor Bierman. Thank you, Madam Chairwoman. I want to plant a seed with my colleagues on something that I've been thinking about and that I've talked to certain members of the legislature about and also want to plant a seed with LDS.

[00:48:07] This is great. Cutting down on these review timelines is a good thing. Finding ways to be more efficient is a great thing. LDS is doing a good job. But as you pointed out at the very beginning, you

mentioned that one word that we hear all the time around here when it comes to delays, VDOT.

[00:48:26] VDOT, getting involved in housing and us sending submissions back to them, the processes that we have to deal with, VDOT, consistently adding time onto our housing plans. This is something I've heard from home builders. This is something I've heard from NVBIA. And so I would like to plant with my colleagues a seed now and with LDS that we may have an opportunity in the next legislative session or the next legislative session or the next legislative session as long as it takes

[00:49:00] to try and work on a similar bill to House Bill 2660 that doesn't just deal with the LDS side of things but also deals with the VDOT side of things? What can we do to reform those processes so that we're getting essentially double benefit on trying to move these timelines along faster and trying to build and increase our stock of housing, which is absolutely key to affordability.

[00:49:27] So I plant that seed with my colleagues. If you want to work on that with me, let's set up a meeting. Let's try and figure out what those timelines are. Let's figure out who we need to talk to in the community and can give us better insight on exactly what those problems are and how we solve them. Thanks. Kirsten. Yeah, Kirsten Munns with Site Development and Inspections division this is not something new that we've heard but I did want to also point out that the VDOT review times the state agency review times are reduced with this bill so VDOT will have 30 days I think prior it was 40 days that they had

[00:50:04] to review a plan but what that does is if we have a we have a 30-day review for our internal review VDOT also has a 30-day review so they've built in some time at the beginning in the end for that processing so if there's a state agency review involved it's going to be a total of like 40 45 days which is shorter than it is now if you do have a state agency review but they do have more time than we do to you know overall to review the plan seems like they probably have more staff and could review them faster just throwing that out there thank you kirsten uh supervisor alcoyne uh thank you madam vice chair or madam

[00:50:42] chair. So I know one of the challenges we have with some submissions is, you know, sometimes we take a little longer, but many times it's actually the engineer or whoever made the submission may not understand our process, maybe, you know, doesn't do it very often, and, you know, results in multiple submissions or long delays, frankly. I guess my The question is, for those types of submissions, how is that going to work?

[00:51:20] I mean, I guess this just requires us to turn it around faster, but are we going to run into issues? Well, is that going to affect this at all? Thank you, Supervisor Elkhorn. Yes, this bill only applies to the county review time.

[00:51:38] So it does not affect how long they take to make the corrections and turn it back into us. And that is another area where there is a long delay that we don't see it and that type of thing come in. So it only applies to the county and the state agencies for the time frame that we have.

[00:52:01] It did reduce the time frame for these non-DPE firms that have not gone through that Engineers and Survey Institute program for that training. So, yes, there is that that we will have to review these plans in that shorter time frame.

[00:52:21] So but we'll still have the ability, I guess, you know, to say, hey, we still ask for this. you know, basically you need to provide this information like we told you last time. And we'll still be able to do that

because I noticed some of the, you know, there are some additional restrictions, third submission, fourth submission, that kind of thing.

[00:52:41] But we'll still be able to get what we need as part of the plan review process, right? Yes, yes. I mean, it does not change the requirements of what needs to be on the plan. It's just the shorter time to tell them either the plan is correct as submitted or not.

[00:52:57] And when we disapprove it, here's the corrections that you need to address. And it does not change that number of loops that goes through that cycle. It's trying to speed that each individual time we review it is where this applies.

[00:53:13] But other than that, no, it does not change what needs to be shown on the plan. The only area would be this director level review on the fourth submission or subsequent that the director or equivalent official can look at the comments and say, you know, this isn't something that's really needed here, and I think that's where the legislation was trying to get out of this due loop that sometimes they think some of the comments made by the localities were not necessarily code-based or really necessary for that.

[00:53:49] They wanted that next level up in the chain to automatically look at it and see, you know, is this really needed or not? So this creates that automatic step. I mean, in the county, I mean, the engineers know that they can go to Kirsten and say, look, this is what we have, you know, when we're on the fourth time we've seen the plan. But if it's still wrong, it's still wrong and it can still be disapproved. Well, and just one follow-up question. Thank you.

[00:54:20] That's very helpful. And I know as a department, over time, you know, we're going past just saying, no, this doesn't work, to actually providing what I would call more compliance assistance, you know, in terms of providing more information about how they could submit something that would meet the requirements.

[00:54:41] Is this going to any way affect our ability to do that, I guess? I mean, in between submissions, when we've disapproved a plan and it goes back to the engineering firm, they certainly can call up the reviewer and discuss it. When it's on our clock and we have a shorter review time, unfortunately, it may limit the amount of time that we have.

[00:55:03] If we now only have 30 days, we don't have an unlimited amount of time to schedule a meeting. It's, all right, everybody's available a week and a half from now. If we have to take action, we will have to take action and disapprove the plan. and go through the cycle all over again.

[00:55:20] There may be situations where, yes, we won't be able to provide that meeting when it's on our review cycle. If we've disapproved the plan, there is no time frame specified for when the engineer has to resubmit so that they can call us up and say, all right, here's your comment, here's what we're looking to do, is this going to work, that type of thing.

[00:55:42] And that has not changed, and that's something that we do provide. I would encourage you to keep an eye on that, because I certainly don't want to slow down our movement to providing more compliance assistance. You know, it's just a service that we provide.

[00:55:57] So thank you for the background. Thank you. Supervisor Herity. Yeah, and I'll echo that last point. We want to assist any way we can. And thank you for answering my first question, which was more

along the lines of what was driving this and why the director-level review is, because I think industry got frustrated to a point.

[00:56:20] You know, my question is the other frustration I continually hear from industry is that, you know, they get the first submission back, fix that, and then they send it in, and there's another whole set of other issues.

[00:56:35] And some of those issues can be driven by the changes made in the first submission because they're changes. But have we gone back and looked at, and I understand when you're on deadline, you just, all right, I've got to get it done, get it done, and they don't do the thorough plan review.

[00:56:52] And then there's a second round of comments, and that just delays. It's money, as well as time is money. But have we gone back and looked at those second submission comments, how many of them should have been caught in the first submission?

[00:57:09] Have we done any of that kind of work? Yeah, we do look at that. In fact, there's sort of a parallel effort going on right now. We have established commenting guidelines and we're constantly trying to kind of coach our staff and our colleagues and other agencies about how to make good comments and what those sort of best practices are. One of them is that your first review should be a complete review and as long as the design hasn't changed, there shouldn't be new comments made. If you miss something, unless it's a safety issue or something that's significant, we shouldn't be making new

[00:57:44] comments after the first round. Now, if the design has changed, if there's something new added to the plan that wasn't there in the last submission, we will have to re-review that, and that might generate some new comments. But that is, we acknowledge that, you know, concern, and we're trying really hard. We're kind of constantly doing this outreach cycle internally and then with our external partners to make sure that they understand what our policies and best practices are in terms of reviewing a plan and making comments and that is that is one uh kind of theme that we're really trying to to make sure that everyone understands is important yeah but have we gone back and looked

[00:58:23] at some of the old reviews to see whether that's actually happening or we um we have i i know you don't have a lot of extra time and staff hanging around to do stuff like that but um we we have a commenting kind of audit uh third party that's looking at some of our comments so that is some of what they're looking at. I haven't seen a lot of that happening, but one thing I, you know, whenever there's questions about comments, what I really encourage engineers or developers to do is to come in to me or to the branch chief, you know, when you get the comments and let's look at them in real time and we'll make adjustments. If they're inappropriate, like I really would like

[00:59:02] to learn in real time what the issues are so we can correct and coach the staff and just make sure that we're trying to, you know, we're staying on track. So I haven't seen very many examples of that. I've heard that kind of brought up. But I would really ask, you know, if there are situations like that that get brought to my attention so I can address it right away.

[00:59:23] Thank you. I appreciate that because I think that real-time doing better moving forward is what's valuable. Supervisor Alcorn? Thank you. Appreciate it. And so a question in terms of being more efficient and doing things faster. Obviously, they always would need to be checked.

[00:59:39] Do we have any AI tools that we're using currently in the review process? Can you talk to that just a little bit and where we are? I know that's being explored, but in terms of plan review, not right now. I

mean, we have some, we've got standardized, you know, forms and checklists and things like that.

[00:59:58] But, you know, it's still humans that are looking at plans during the review process. I understand. I would keep an eye out for tools that become available, particularly when, you know, We want to make sure we capture everything in the first set of comments. You know, a tool like that could be helpful.

[01:00:14] Yeah, that's a good idea. Thank you. Supervisor Lusk. There's a point that resonates with me that Supervisor Alcorn made around the engineer. If you don't have the right engineer, then you're going to have problems with your submission.

[01:00:31] What are we doing to help our applicants know about who are those that have experience doing this, who are knowledgeable in the county's process? And I know we can't refer, but if we could provide information on those who are effective, I think that could be helpful.

[01:00:55] We do have the Designated Plans Examiner Program, which in terms of major site plans, I would say 90%, 95% of our site plans come in through that process. As part of that process, the designers are essentially they get a designation, a certification, and it kind of demonstrates that they have some level of expertise and experience in Fairfax County.

[01:01:18] They have to go through training. They have to go through kind of an annual update where they hear updates from us. And so that's a really valuable way, a really effective way for a developer to kind of find a good engineer because they've proven that they know how the process works here. As a follow-up, do we show like the time sequence for those that are designated plans examiners versus those that are not?

[01:01:43] Is there some way to kind of show that delineation? We have collected some of that. It's a little difficult because we don't have very many plans that don't use a DPE firm. So I know we work with ESI, who manages that program for us, and they have some metrics that show that using a DPE firm is definitely more efficient.

[01:02:09] But we can work on making that more clear or publishing that. I think maybe that's what you're suggesting. Yeah, that's a great idea. Okay. Seeing no more questions. Thank you for all the information. We'll look forward with moving forward to make these changes. And this land use policy meeting is adjourned. Thank you, everyone.



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