

Membership Meeting Minutes

January 16, 2020, 7:30 PM
Mason District Government Center
6507 Columbia Pike, Annandale

Approved: February 27, 2020

Welcome and Announcements –

1st Vice President, Acting, Pete Sitnik called meeting to order at 7:30 pm.

Welcomed John F. Ribble, Chairman of Board of Zoning and co-chair Mt Vernon council and part-time rep to Federation.

Reminder solicitation for Citizen of the Year (COY) nominations due in by 31 January and announced date (Apr 19th) and Location (Waterford in Springfield).

Announced that there would not be elections this evening as Julie Hirka declined and the protocol for Matt Dunn to be elected 1st Vice President was not followed. Protocol to be followed requires announcement to membership with candidates and bios 30 days prior to election. Will have notice and election in time. If anyone else interested in 1st VP or Recording Secretary please speak up. Formal motion after speakers.

Treasurer's report. Leslie Braun did not attend the meeting.

Meeting Minutes –

Approval (after speakers) of December 19 minutes as published. Motion to accept as published -14 votes, unanimous consent.

Speakers - We present two topics on Fairfax improvements that benefit all residents:

- 1) **Land Use** - The Department of Planning & Development is consolidating and modernizing the [Fairfax County Zoning Ordinance](#), known as **ZMod**; **Carmen Bishop**, Principal Planner, Ordinance Administration Branch, Zoning Administration Division, Department of Planning and Development.

Carmen Bishop and Casey Judge from Planning and Zoning. Both zoning planners have been working together on the ordinance for several years. Directed by BOS to update to make things easier to find. Original was produced in 1978 and needs to be brought into 21st century. Land uses have changed a ton since 1978. Example doggy day care. Outdated land uses and regs, legal jargon and antiquated language. Inconvenient on cell phones, tablets and other devices.

Substantive Changes to Land Uses. Favorite example is cat cafe: in old ordinance closest use came to a firing range. So struggled to find homes for some uses. Looking at new like solar, electric vehicles, home/work/live places. Most of substantive changes are in those uses. Other items like parking and lighting, development standards will be in phase 2. First concentrating on uses then make language plainer for phase 2.

Timeline July 1, 2019. Started with uses. Got general endorsement from BOS that planners were going in right directions. Public hearings in summer. Consolidated draft released in March

timeframe. Q: What is ultimate format? A: Looking at couple of s/w systems but one PDF. No mention of database format but something that is searchable. It's words and images not maps. Just more dynamic than what we have today. Q: What extent looking at residential zoning? A: All uses in all districts on the table. Carmen and Casey chose issues for tonight: Freestanding Accessory Structures (sheds and decks), Attached Dwelling Units, and Home-based Businesses. Q: Affordable Dwelling Units will be looked at in Phase 2. Right now focus on uses. Affordable housing, parking have risen to level in phase 2. Q: Language really plain? A: That's why broad outreach so can that people can understand or not and change if needed.

Outreach: FB, zMOD website that has filmed public meetings, and documents etc., Work Groups with Citizens (Gabe is Federation representative), Land Use Attorneys, Industry and Builders.

Freestanding Accessory Structures. Many sheds, many not compliant so they took look at they sizes and heights at Home Depot and Lowes and adjusted side and rear setbacks. Q: about shed on stilts? Called code compliance but said ok. Planners listened and said shed on stilts did not sound compliant and said to call again.

Corner Lots both street sides considered front. So 35 ft in R2 15 side 25' rear. Currently rear is allowed to take on side. Shorter of two street sides is considered your official front. Interior 100 but corner 125. New developments people are maxing out so they revoked it so that in new ordinance they will have to meet 25' back.

Decks can extend into minimum set back if open, nothing below or above. If lattice below then cannot extend into minimum. Trying to look at extending into but not creating large enclosed structure but can have lattice below and some privacy rail above (7 ft high).

Carports can extend into a side yard setback if open. As soon as storage unit added or it's enclosed it's in violation. Future must meet setback because if later on you want to enclose or add storage it's not a violation.

ADUs. In home currently requires special permit. 55 or disabled either principal or other but have to go through process. Proposed: inside the dwelling you can now do with administrative permit (no public hearing) but must still be 55 or disabled. Detached maintains current zoning 2+acres.

Q: Structure on top of detached garage must still need 2+ acres, etc.

Q: If redoing what is criteria for changing it more. A: This could be targeted separate amendment so would do public meetings and hearings.

Home-Based Business currently limited businesses to operate from home: No exterior evidence and prohibited uses. \$16K fee for home professional goes through public hearing process and this is current ordinance.

Proposed: Consolidation of current two plans where all uses you could do would be on two-tier system. Definitely carrying forward no exterior evidence. One commercial vehicle. No outside storage — looks like a home. Special permit for licensed professionals or beauty parlor. Opposite approach from today: a classification and category system to name prohibited uses is how it will be stated. If not prohibited will be allowed. Prohibited are industrial vehicle or animal related. Looked at what could be nuisance in neighborhood. Customers four at a time or eight in day for school/education. Townhouse only two customers at time (parking issue) eight in day for all types. One employee with home occupation permit but pulling back for townhouse, etc., which new will say no employee. In these numbers consider all that could be happening in a home. STL could have six guests at a time so you've used six of eight so could only have two customers. Home day care then no customers. Daddy day care then no tax customers for mom's tax business. Two tiered system if you meet standards by right with admin permit. If you want more have to go for special permit. Goes back to board on Feb 4. Now in land use policy committee (televised). Going to ask if there are other ways to change. Limited size or delivery trucks. Q: Are food trucks part of commercial allowed. No as their size and weight are too much. (Andrew Hushaur planning boss answered). Q about business. If business address is your home address you should get \$50 permit and be ok but whether lease (apt) allows home business is not county's business. One time fee.

Advisory Groups Neighborhood groups are suspicious of development. Citizens workgroup. They don't vote. One per district by district supervisor and one or two from Federation. Hopefully, they will go back to their groups. All info the same for planners. None less valuable. Q: about citizens who don't trust supervisors' relationship with developers.

They were happy to come and happy to come back when consolidate draft is finished, etc. To access info go to www.fairfaxcounty.gov and in top search box enter zmod. This was dpz's 57th community meeting.

- 2) **Public Safety** - The Fairfax County [Unmanned Aircraft Systems Program](#), is being implemented and residents will be informed of its benefits and boundaries; **Roy Shrou**, Deputy Coordinator, Office of Emergency Management, McConnell Public Safety & Transportation Operations Center.

The next speaker was introduced by Gabe Goldberg who joined the UAS task force a year ago. Roy B. Shrou III, CEM Office Emergency Mgmt and Deputy Coordinator UAS gave a detailed and fascinating talk about the county's Unmanned Aircraft Systems Program (drones) which was started in 2017. (copy of briefing provided to Pete for link)

The Unmanned Aircraft Systems Program began with a task force made of of 25 different groups. From their meetings Roy came up with 40 page draft manual. It did not satisfy all but all accepted. Roy, now acting coordinator and with emergency management, said this is a true public safety program. Examples of drone use for structure fires, fire investigations, prescribed burns for parks, police dive team, urban search and rescue, infrastructure inspection, traffic management and hazmats, wildlife habitat mapping, stream and water management. Used for crash reconstruction/3D modeling it does it much quicker. Drones are all shapes and sizes and

take phenomenal photographs. They are search/mapping GPS coded and can run a constant course even when changing battery. Stafford has one of the best regional programs so talked to them extensively. Audobon society became a great partner. GIS mapping group and now they know main habitats in county.

Law enforcement, any law enforcement, or regulatory agency operations will be in strict compliance of Virginia Code 19.2-60.1

Scrubbed 54 page program manual (including privacy, operator training and certification) went to BOS in Jan 2018. UAS Task Force came from there, large representation. county.gov/uas uas@fairfaxcounty.gov for email. 39 day comment period, 6 sessions 176 attendees 133 questions and 29 comments. Operations, equipment, and technology, budget/staffing, restricted airspace, best practices all questioned and to Roy's surprise privacy concerns near bottom of concerns of 188 emails.

In March 2019 public safety approval and BOS approved in June 25th. They want to expand so other public agencies can use. Agency has lot to do before they fly but there's a process. Land developments services now.

Privacy. BVLOS (beyond visual line of sight), They can't fly beyond what they can see. No unauthorized surveillance activities. At night visibility. Going to ask for night waiver. With lights and strobes if waiver can fly as long as can see light. Waiver in next few months. Need search warrant for police but now can surveil but do nothing else without warrant. All UAS users, regardless of agency, shall adopt a posture of minimal data collection, limited to only that data, including images or video recordings, which are essential to complete the objective of the UAS mission. To the maximum extent possible onboard cameras shall be directed toward the area of interest and away from uninvolved individuals or properties.

To be informed if UAS operation in your area go to Fairfax Alerts UAS check block and when they fly they will send alert. Roy encourage everyone to sign up to Fairfax Alerts.

Roy said a UAS Summit - 1/2 day on how public can use drones — in the works watch for it.

Q: Wildlife do you use infrared cameras? On infrared only 100 ft. Better cameras for more \$\$\$
It's coming. Taken two years to get with Federal grants.

Today have equipment, steering committee, webpage, notification, training, program manual updates, regional partnerships (CIA using for compound. County will train and share procedure), Annual Report, GIS mapping application, other agency integration, extensive Training (See charts). Airspace in this area is a nightmare. DC no fly zone, etc. 60% of county is no fly zone. Trying to get clearance. Helicopter has to get clearance (it's a phone call but not uncommon). 1/2 day seminar important cause public needs to see where they can't fly like in Dulles or restricted area. Can't go above 400 ft but no limit on how low.

Roy showed some drones he brought and told some stories.

Commercial now some are doing deliveries. Chinese company that has drone that can come get you if your weight below 200 lbs — a drone uber.

Q: Manual is for county agencies does not regulate private citizen. If looking for missing person and has to fly over home. If flight pattern takes you over neighborhood they will knock on doors. 40 mph so not a lot of time. They try not to go over houses can create flight path. Minimize flying over houses. Can be charged with felon if you damage (FAA).

Q: Can you hand off operations? Not allowed in county manual but Stafford does. Stafford County the experts have been doing.

Q: Insured? — right now county self insures — will write check for any property damage. Soon they will move to aviation insurance company.

Q: Has anyone considered training hawks or falcons meaning if a falcon attacks. Some birds come close but hasn't happened. Bird would win.

Roy said they haven't crashed one yet. See link for detailed briefing.

New Business - Election of Officers to fill vacancies, John Hanley, Nominating Committee
1st Vice-President - Matt Dunn
Recording Secretary - nominee Julie Hirka - declined nomination. Offered to fill in as available.

Motion for no election tonight. For 14 - unanimous.

2nd motion to delay election to another date. For 14 – unanimous.

Old Business – Legislative Issues in General Assembly, Tim Thompson provided written copy of updates.

Member Announcements –

Adjournment at 9:15 pm

Next Meetings (all meetings are open to the public):

Board Meeting:

January 23, FCPS Dunn Loring Center

Membership meetings:

February 27, Fairfax County and FCPS 2021 Budget, Providence Community Center