

20 May 2021

Letter to the Fairfax County Board of Supervisors regarding a Resolution on Fairfax County Agritourism Zoning Ordinance Amendment

WHEREAS the Fairfax County Federation of Citizens Associations (“the Federation”) strongly supports robust citizen and neighborhood engagement in the zoning ordinance amendment review and approval process aimed to protect public health, safety and welfare and quality of life in Fairfax County; and

WHEREAS, the Federation recognizes the paramount importance of upholding Fairfax County’s environmental policies, as expressed in the adopted Fairfax County Comprehensive Plan; and

WHEREAS the Federation has long supported protection of residential neighborhoods from negative development impacts and protection of water quality, natural communities, threatened species, and wildlife habitat; and

WHEREAS the Federation strongly supports continued protection of the Occoquan Watershed and recognizes that, since the 1982 Occoquan Downzoning, development and impervious surfaces in residential conservation [R-C] zoning districts have been severely limited for public health, safety and welfare to protect the drinking water quality in the Occoquan Reservoir (which serves hundreds of thousands of residents throughout Fairfax County); and

WHEREAS the Federation has reviewed the staff report for the proposed “Agritourism” amendment to the Fairfax County Zoning Ordinance and recognizes that the amendment has the potential for devastating impacts on water quality and the environment as well as changing the character of low density R-A, R-C, R-E and R-1 residential neighborhoods; and

WHEREAS the Federation is aware of the extensive opposition expressed to the “Agritourism” amendment by numerous citizen and environmental groups; and wishes to express its opposition to the amendment as proposed;

Now, therefore, BE IT RESOLVED that the Federation does oppose the adoption of the “Agritourism” amendment, which:

A) Would allow impervious parking lots of unlimited size throughout the R-A, R-C, R-E and R-1 zoning districts, which is fundamentally inconsistent with existing environmental policies countywide, particularly with the Occoquan Downzoning.

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B) Would allow for the first time since 1982, by-right commercial parking lots for “party venue” or “event venue” uses on sites that are not oriented to arterial roadways. The Federation instead requests the Planning Commission and Board of Supervisors continue to forbid “parking lot” sized nonresidential uses in the R-C, except along arterial roadways. This is to protect streams, maintain environmental habitat, and minimize negative impacts on neighborhoods potentially caused by unlimited “special events”, such as weddings or corporate events with as many as 350 guests. Increased traffic, unregulated parking, expected excessive noise, and undetermined amounts of stormwater impacts are inappropriate in environmentally sensitive areas.

C) Fails to establish evening and weekend enforcement standards for party attendance and onsite parking counts and management.

B) Lacks a clear and objective definition of the minimum threshold level of activity necessary to establish an “agricultural operation” entitling a by-right “party venue” or other nonresidential use that may negatively affect neighbors and the environment.

BE IT FURTHER RESOLVED that the Federation also opposes:

C) Fairfax County’s proposed local expansion of the range of activities allowed beyond the state code definition of “agritourism activity”, the inclusion of weddings by right and similar commercial events, and events categorically unrelated to agricultural operations.

D) Adding to the zoning ordinance any by-right “party venue” or “event venue” uses in the R-A, R-C, R-E, and R-1 zoning districts without requiring notice to neighbors while not having citizen engagement in a public hearing process on this addition.

E) Opening the downzoned R-C district, for the first time since 1982, to nonresidential uses along the side roads and in older neighborhoods, but do support maintaining rigorous adherence to the locational guidance in the Fairfax County comprehensive plan which restricts those uses to only the arterial roadway corridors.

F) Authorizing new by-right commercial uses of septic systems in R-A, R-C, R-E, and R-1, whose drainage fields degrade the environment and jeopardize streams and water quality.

G) The rationale of “economic development” as justification for Fairfax County to weaken the Occoquan Downzoning, to introduce for-profit commercial uses, and to endorse large impervious surfaces on protected sites in the R-C not oriented to arterial roadways.

BE IT FURTHER RESOLVED that the Federation requests:

H) The County retain an open public hearing process with notice to affected neighbors (a) regarding any “party venue,” “event venue,” “wedding venue” and “bed & breakfast” type uses,

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(b) for the opportunity to express their opinion, case by case, and (c) to develop mitigation strategies for any negative impacts.

l) The Planning Commission and the Board of Supervisors direct County staff to study whether objective mathematical standards should be established for maximum percentage of land plot impervious surface and maximum size of parking lots, especially in environmentally sensitive areas.

BE IT FURTHER RESOLVED that the Federation recommends a professional study be performed regarding the impacts on the environment, public health, safety, and welfare from any increase in impervious surface in any R-C district prior to any zoning ordinance amendment affecting permissible land uses and potential increases in impervious surfaces.

BE IT FINALLY RESOLVED that this resolution be communicated to the Fairfax County Board of Supervisors, as well as the Planning Commission, Board of Zoning Appeals, and the Environmental Quality Advisory Council (EQAC).