

# Fairfax County Federation of Citizens' Associations

## Resolution on the Fairfax County Board of Supervisors' Adoption of the ZMOD Zoning Code Changes During the Covid-19 Pandemic

Approved by the Federation Board

20 May 2021

To be approved by the Federation Membership

**WHEREAS**, the Federation supports the objectives of zoning ordinances, including single-family zoning, and believes these objectives and principles should not be undermined; and

**WHEREAS**, the Fairfax County Board of Supervisors conducted a hearing on its Zoning Modernization (ZMOD) program by electronic means without the public being physically present, and then proceeded without full public participation, in-person consultation, or clear legal authority to adopt a new zoning ordinance containing major changes; and

**WHEREAS**, Virginia Attorney General Mark Herring specifically advised local governments on March 20, 2020 of the limits of emergency powers granted to them by the state, specifying that they should "defer all decisions that can be deferred until it is once again possible to meet in person"; and

**WHEREAS**, the Federation in its letter of June 16, 2020, to the Board of Supervisors raised these issues, sought delayed action, and noted substantive concerns with ZMOD; and

**WHEREAS**, many county civic organizations, homeowner associations, and their constituents remain uninformed or have not had the time to fully consider the scope and ramifications of the ZMOD proposal on their communities; and

**WHEREAS**, the Fairfax County Planning Commission recommended continued public and neighborhood involvement in single-family zoning land use alterations involving accessory living units, allowable in-home business ventures, and other zoning code alterations; and

**WHEREAS**, the Board of Supervisors has yet to respond to and address the concerns with the ZMOD proposal raised by dozens of citizen associations across the County,

**THEREFORE, BE IT RESOLVED**, by the Federation:

1. We support the ongoing litigation brought by Fairfax County residents to block Fairfax County from implementing its ZMOD program, as more opportunity must be given to the public to digest large-scale changes in the county's zoning code before moving to adopt them; and

2. We urge the Fairfax County Board of Supervisors to undertake a full documentation of the economic impacts and environmental effects of the zoning changes contained in its proposed ZMOD program and/or successor proposals on single-family neighborhoods in Fairfax County; and

3. We urge the Board of Supervisors to indicate how they will address the concerns raised by Fairfax County citizen associations and other county residents with respect to the ZMOD and related zoning code changes.

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