FAIRFAX COUNTY
BOARD OF SUPERVISORS
March 18, 2025

AGENDA

9:30	Presentations
9:30	Board Appointments to Citizen Boards, Authorities, Commissions, and Advisory Groups
10:00	Matters Presented by Board Members
10:00	Items Presented by the County Executive

ADMINISTRATIVE ITEMS

1	Authorization to Advertise a Public Hearing for the Enlargement of Merrimac Area 1 Sanitary District for Refuse/Recycling Collection Services and the De-Creation/Re-Creation of Haycock Road Area 2 Sanitary District to Remove Vacuum Leaf Collection Services (Dranesville District)
2	Authorization to Advertise a Public Hearing for the Enlargement of Pleasant Ridge Area 5 Sanitary District for Refuse/Recycling Collection Services and the De-Creation/Re-Creation of Maryalice Place Area and Spring Lane Community Association to Remove Vacuum Leaf Collection Services (Mason District)
3	Authorization to Advertise a Public Hearing for the De-Creation/Re-Creation of Shreve Road Area Sanitary District to Remove Vacuum Leaf Collection Services (Providence District)
4	Authorization to Advertise a Public Hearing to Convey Certain Land Rights in Board-Owned Property to the Virginia Department of Transportation for the Vienna Metro Station Bicycle and Pedestrian Improvements Project (Providence District)
5	Authorization to Advertise a Public Hearing to Consider Proposed Amendments to the Employees', Police Officers, and Uniformed Retirement Systems Ordinances
6	Authorization to Advertise a Public Hearing to Consider Amendments to the Code of the County of Fairfax, Virginia—Chapter 4 (Taxation and Finance), Article 13 (Transient Occupancy Tax)

FAIRFAX COUNTY
BOARD OF SUPERVISORS
March 18, 2025

ADMINISTRATIVE ITEMS (continued)

7 Authorization to Advertise a Public Hearing to Consider Amendments to the Code of the County of Fairfax, Virginia—Chapter 4 (Taxation and Finance), by Adding a New Article 31 Relating to Food and Beverage Tax

8 Authorization to Advertise Publication of the FY 2026 Budget and Required Tax Rates, the FY 2026 Effective Tax Rate Increase, the Advertised Capital Improvement Program for Fiscal Years 2026-2030 (with Future Fiscal Years to 2035), and Notice of Associated Public Hearings

9 Authorization to Advertise a Public Hearing to Amend the Current Appropriation Level in the FY 2025 Revised Budget Plan

10 Additional Time to Establish Use or Commence Construction for Special Exception SE-2017-DR-003, SunTrust Bank (Dranesville District)

ACTION ITEMS

1 Approval of the Disease Carrying Insects Program

2 Approval of Calendar Year 2025 Forest Health Program

CONSIDERATION ITEMS

1 Adoption of Resolutions Dissolving the Fairfax County Citizen Corps Council, the Oversight Committee on Distracted and Impaired Driving and the Airports Advisory Committee

CLOSED SESSION

Closed Session

PUBLIC HEARINGS

3:30 Public Hearing on SEA 85-D-097-06 (The Potomac School) (Dranesville District)

FAIRFAX COUNTY
BOARD OF SUPERVISORS
March 18, 2025

PUBLIC HEARINGS (continued)

3:30		Public Hearing on SEA 2007-MA-019 (PMG Northern Virginia, LLC) (Mason District)
3:30		Public Hearing on PCA 88-D-005-12 (RZPA 2022-PR-00001) (Board of Supervisors of Fairfax County, Virginia) (Providence District)
3:30		Public Hearing on RZ 2024-DR-00014 Concurrent with SEA 2021-DR-004 (Falls Church Propco LLC) (Dranesville District)
3:30		Public Hearing on RZ 2024-FR-00007 Concurrent with SE 2024-FR-00017 (Burgundy Farm Country Day School, Incorporated) (Franconia District)
4:00		Public Hearing to Expand Parking Restrictions on Boone Boulevard (Providence District)
4:00		Public Hearing on the Draft One-Year Action Plan for FY 2026
4:00		Public Hearing on Proposed Plan Amendment SSPA 2023-II-1V, Briarwood Farm, Located on Swanee Lane at its Intersection with Nutley Street (Providence District)
4:00	Intent to Defer to 05/13/2025 at 4:30p.m.	Public Hearing on Proposed Plan Amendment SSPA 2023-IV-2S, Franconia Triangle (S-9 Beulah Community Planning Sector Recommendation #3) Study (Franconia District)
4:00		Public Hearing on Proposed Plan Amendment SSPA 2023-II-1F, AT&T Oakton (Providence District)
4:30		Public Hearing on Proposed Revisions to the Board of Supervisors' Countywide and Tysons Urban Center Workforce Dwelling Unit (WDU) Administrative Policy Guidelines
4:30		Public Hearing on Proposed Amendments to Fairfax County Code Chapter 12, Tenant-Landlord Relations
4:30		Public Comment

Fairfax County, Virginia

BOARD OF SUPERVISORS AGENDA

Tuesday
March 18, 2025

9:30 a.m.

PRESENTATIONS

PROCLAMATION — To designate March as Alternative Dispute Resolution Month in Fairfax County. Requested by Chairman McKay and Supervisor Storck.

PROCLAMATION — To designate April 7 - 13, 2025 as Public Health Week in the County. Requested by Chairman McKay.

PROCLAMATION — To recognize April 21 - 25 as Community Development Week in the County. Requested by Chairman McKay and Supervisor Palchik.

STAFF:
Tony Castrilli, Director, Office of Public Affairs
Jeremy Lasich, Office of Public Affairs
Imtiaz Ali, Office of Public Affairs

Board Agenda Item
March 18, 2025

9:30 a.m.

Board Appointments to Citizen Boards, Authorities, Commissions, and Advisory Groups

ENCLOSED DOCUMENTS:
Attachment 1: Appointments to be heard March 18, 2025

STAFF:
Jill G. Cooper, Clerk for the Board of Supervisors

NOTE: This document is current as of March 11, 2025. The final document – as approved by the Board of Supervisors - will be included in the final board package that is posted to the website the day following the meeting.

APPOINTMENTS TO BE HEARD MARCH 18, 2025
(ENCOMPASSING VACANCIES PROJECTED THROUGH MAY 30, 2025)
(Unless otherwise noted, members are eligible for reappointment)

A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE (1-year term)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Clifford L. Fields; appointed 2/09-1/20 by Bulova) Term exp. 1/21 *Resigned*	At-Large Chairman's Representative		McKay	At-Large Chairman's
Jane Gwinn (Appointed 1/24 by Walkinshaw) Term exp. 1/25	Braddock District Representative		Walkinshaw	Braddock
Kerrie Wilson (Appointed 2/24 by Bierman) Term exp. 1/25	Dranesville District Representative		Bierman	Dranesville
Suzanne Holland; (Appointed 1/23 by Gross) Term exp. 1/24	Mason District Representative		Jimenez	Mason

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ADVISORY SOCIAL SERVICES BOARD
(4-year terms – limited to 2 full terms)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Noah Abraham; appointed 5/23-11/24 by McKay) Term exp. 9/28 *Resigned*	At-Large Chairman's Representative		McKay	At-Large Chairman's
VACANT (Formerly held by Ben Zuhl; appointed 12/21 by Foust) Term exp. 9/25 *Resigned*	Dranesville District Representative		Bierman	Dranesville

AFFORDABLE DWELLING UNIT ADVISORY BOARD (4-year terms)

Incumbent History	Requirement	Nominee	Supervisor	District
Richard N. Rose (Appointed 7/97-4/01 by Hanley; 9/05-5/09 by Connolly; 6/13-6/17 by Bulova) Term exp. 5/21	Builder (Multi-Family) Representative		By Any Supervisor	At-Large
James H. Scanlon (Appointed 6/93-5/17 by Bulova) Term exp. 5/21	Engineer/Architect/ Planner #1 Representative		By Any Supervisor	At-Large
Mark Drake (Appointed 2/09-5/12 by McKay) Term exp. 5/16	Engineer/Architect/ Planner #2 Representative		By Any Supervisor	At-Large

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AFFORDABLE DWELLING UNIT ADVISORY BOARD (4-year terms)
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Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by James Francis Carey; appointed 5/06 by Connolly) Term exp. 5/10 *Resigned*	Lending Institution Representative		By Any Supervisor	At-Large
Francis C. Steinbauer (Appointed 8/02-5/18 by Hudgins) Term exp. 5/22	Non-Profit Housing Representative		By Any Supervisor	At-Large

AIRPORTS ADVISORY COMMITTEE (3-year terms)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Ken Platek; appointed 6/21 by McKay) Term exp. 1/24 *Resigned*	At-Large Chairman's Representative		McKay	At-Large Chairman's
VACANT (Formerly held by Robert K. Ackerman: appointed 1/08-1/20 by Foust) Term exp. 1/23 *Resigned*	Dranesville District Business Representative		Bierman	Dranesville

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AIRPORTS ADVISORY COMMITTEE (3-year terms)
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Incumbent History	Requirement	Nominee	Supervisor	District
James Phelps (Appointed 1/22 by Foust) Term exp. 1/25	Dranesville District Representative		Bierman	Dranesville
Clifford Elow (Appointed 2/22 by Palchik) Term exp. 1/25	Providence District Representative		Palchik	Providence
David Skiles (Appointed 1/22 by Herrity) Term exp. 1/25	Springfield District Representative		Herrity	Springfield
VACANT (Formerly held by Frank Leser: appointed 3/16-11/21 by Smith) Term exp. 1/23 *Resigned*	Sully District Representative		Smith	Sully

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ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD (ASAP) (3-year terms)

Incumbent History	Requirement	Nominee	Supervisor	District
Ronald Boggio (Appointed 5/22 by McKay) Term exp. 10/23	At-Large #1 Representative		By Any Supervisor	At-Large
Grant J. Nelson (Appointed 10/95-5/01 by Hanley; 6/04-9/07 by Connolly; 6/10-9/19 by Bulova) Term exp. 6/22	At-Large #2 Representative		By Any Supervisor	At-Large
Darren Dickens (Appointed 11/96-5/01 by Hanley; 6/04-10/07 by Connolly; 6/10-9/19 by Bulova) Term exp. 6/22	At-Large #3 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Richard Bolger; appointed 1/21 by McKay) Term exp. 10/23 *Resigned*	At-Large #5 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Linda Perlstein; appointed 11/22 by Alcorn) Term exp. 10/25 *Resigned*	At-Large #6 Representative		By Any Supervisor	At-Large

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ARCHITECTURAL REVIEW BOARD (3-year terms)

NOTE: Members shall be appointed by the Board as follows: At least two (2) members shall be certified architects; one member shall be a landscape architect authorized to practice in Virginia; one member shall be a lawyer with membership in the Virginia Bar; six (6) members shall be drawn from the ranks of related professional groups such as archaeologists, historians, lawyers, and real estate brokers.

Incumbent History	Requirement	Nominee	Supervisor	District
Kaye Orr (Appointed 6/18-9/21 by Gross) Term exp. 9/24	Related Professional Group #1 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Ali Akbar Sohanghpurwala; appointed 9/23 by Smith) Term exp. 9/24 *Resigned*	Related Professional Group #2 Representative		By Any Supervisor	At-Large

ATHLETIC COUNCIL (2-year terms)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Marc Fernandes; appointed 10/20-1/22 by McKay) Term exp. 12/23 *Resigned*	Diversity-At-Large Principal Representative		By Any Supervisor	At-Large
Ian Harper (Appointed 10/23 by Foust) Term exp. 3/25	Dranesville District Principal Representative		Bierman	Dranesville
Brian Luwis (Appointed 7/19-6/21 by Foust) Term exp. 3/23	Dranesville District Alternate Representative		Bierman	Dranesville

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ATHLETIC COUNCIL (2-year terms)
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Incumbent History	Requirement	Nominee	Supervisor	District
Lisa MicKey (Appointed 5/23 by Lusk) Term exp. 4/25	Franconia District Principal Representative		Lusk	Franconia
Harold Leff (Appointed 3/23 by Alcorn) Term exp. 3/25	Hunter Mill District Principal Representative		Alcorn	Hunter Mill
Jeremy Lee (Appointed 3/23 by Alcorn) Term exp. 3/25	Hunter Mill District Alternate Representative		Alcorn	Hunter Mill
Robert Kirk (Appointed 2/24 by Storck) Term exp. 3/25	Mount Vernon District Principal Representative		Storck	Mount Vernon
Thomas Fitzpatrick (Appointed 3/24 by Storck) Term exp. 3/25	Mount Vernon District Alternate Representative		Storck	Mount Vernon
VACANT (Formerly held by Hillary Richardson; appointed 9/20-6/22 by Alcorn) Term exp. 6/24 *Resigned*	Women's Sports Alternate Representative		By Any Supervisor	At-Large
Gary Flather (Appointed 1/23 by Smith) Term exp. 3/25	Sully District Principal Representative		Smith	Sully
Charles Davis (Appointed 10/23 by Smith) Term exp. 3/25	Sully District Alternate Representative		Smith	Sully

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BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE (1-year term)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Ken Balbuena; appointed 7/20-8/22 by McKay) Term exp. 6/23 *Resigned*	At-Large Chairman's Representative		McKay	At-Large Chairman's
VACANT (Formerly held by Barbara Glakas; appointed 1/12-6/19 by Foust) Term exp. 6/21 *Resigned*	Dranesville District Representative		Bierman	Dranesville
VACANT (Formerly held by Nancy Hall; Appointed 6/24 by Jimenez) Term exp. 6/25 *Resigned*	Mason District Representative		Jimenez	Mason

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BOARD OF BUILDING AND FIRE PREVENTION CODE APPEALS (4-year terms)
NOTE: No official, technical assistant, inspector or other employee of the Department of Public Works and Environmental Services, Department of Planning and Development, or Fire and Rescue Department shall serve as a member on this Board.

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Wayne Bryan; appointed 6/13-2/17 by Bulova) Term exp. 2/21 *Resigned*	Alternate #1 Representative		By Any Supervisor	At-Large
Michael J. Grinnell (Appointed 2/21 by Herrity) Term exp. 2/25	Alternate #2 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Amado Fernandez; appointed 6/16-2/23 by Smith) Term exp. 2/27 *Resigned*	Alternate #3 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Michael Sanio; appointed 2/23 by Alcorn) Term exp. 2/27 *Resigned*	Alternate #4 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by John Bradley; appointed 7/23 by McKay) Term exp. 2/25 *Resigned*	Design Professional #1 Representative		By Any Supervisor	At-Large

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BOARD OF BUILDING AND FIRE PREVENTION CODE APPEALS (4-year terms)
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Incumbent History	Requirement	Nominee	Supervisor	District
Michael Sanio (Appointed 10/24 by Alcorn) Term exp. 2/25	Design Professional #3 Representative	**Michael Sanio** (Alcorn)	By Any Supervisor	At-Large
VACANT (Formerly held by Daren Shumate; appointed 2/16-7/20 by Gross) Term exp. 2/24 *Resigned*	Design Professional #5 Representative		By Any Supervisor	At-Large

BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENTS (BOE) (2-year terms)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Robert Mansker; appointed 9/06-10/22 by Gross) Term exp. 12/24 *Resigned*	At-Large #3 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Scott Murdock; appointed 5/23 by Palchik) Term exp. 12/24 *Resigned*	Professional #4 Representative		By Any Supervisor	At-Large

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CATHY HUDGINS COMMUNITY CENTER ADVISORY COUNCIL (2-year terms)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Lisa Hviding; appointed 9/23 by Alcorn) Term exp. 4/24 *Resigned*	Fairfax County #1 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Darlena Ricks; appointed 6/20-3/22 by Alcorn) Term exp. 4/24 *Resigned*	Fairfax County #3 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Nahom Sewenet; appointed 10/22 by Alcorn) Term exp. 4/24 *Resigned*	Fairfax County #9 (Youth) Representative		By Any Supervisor	At-Large

CELEBRATE FAIRFAX, INC. BOARD OF DIRECTORS
(2-year terms- limited to 3 full terms)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Anna Fay Dixon; appointed 12/21-9/24 by Lusk) Term exp. 9/26 *Resigned*	At-Large #1 Representative		By Any Supervisor	At-Large

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CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION REVIEW COMMITTEE (4-year terms)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Anne Kanter; appointed 9/11-10/18 by Bulova) Term exp. 9/23 *Resigned*	At-Large #1 Representative		McKay	At-Large Chairman's
VACANT (Formerly held by David W. Schnare; appointed 11/10-9/23 by Herrity) Term exp. 9/27 *Resigned*	Springfield District Representative		Herrity	Springfield

CHILD CARE ADVISORY COUNCIL (2-year terms)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Janet M. Reimer; appointed 2/20-2/22 by McKay) Term exp. 2/24 *Resigned*	At-Large Chairman's Representative		McKay	At-Large Chairman's
Valerie Inman (Appointed 1/18-9/22 by Foust) Term exp. 9/24	Dranesville District Representative		Bierman	Dranesville

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CITIZEN CORPS COUNCIL, FAIRFAX COUNTY (2-year terms)

Incumbent History	Requirement	Nominee	Supervisor	District
Zachary Smith (Appointed 3/22 by McKay) Term exp. 5/24	At-Large Chairman's Representative		McKay	At-Large Chairman's
VACANT (Formerly held by L. Eric Marx; appointed 12/20-6/22 by Foust) Term exp. 5/24 *Resigned*	Dranesville District Representative		Bierman	Dranesville
Nicholas Andersen (Appointed 3/23 by Storck) Term exp. 5/24	Mount Vernon District Representative		Storck	Mount Vernon
Sue Gainor (Appointed 3/23 by Palchik) Term exp. 5/24	Providence District Representative		Palchik	Providence
James R. Kirkpatrick (Appointed 9/08-9/22 by Herrity) Term exp. 5/24	Springfield District Representative		Herrity	Springfield

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CIVIL SERVICE COMMISSION (2-year terms)
NOTE: The Commission shall include at least 3 members who are male, 3 members who are female, and 3 members who are from a minority group.

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Deborah Woolen; appointed 12/20-9/23 by Lusk) Term exp. 12/24 *Resigned*	At-Large #2 Representative		By Any Supervisor	At-Large
Jason Fong (Appointed 1/20-12/21 by McKay) Term exp. 12/23	At-Large #4 Representative		By Any Supervisor	At-Large
Thomas Garnett (Appointed 1/20-3/22 by Lusk) Term exp. 12/23	At-Large #6 Representative		By Any Supervisor	At-Large
Patrick Morrison (Appointed 2/20-11/21 by McKay) Term exp. 12/23	At-Large #7 Representative		By Any Supervisor	At-Large

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COMMISSION FOR WOMEN (3-year terms)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Dana Hines; appointed 5/24 by McKay) Term exp. 10/27 *Resigned*	At-Large Minority Representative		By Any Supervisor	At-Large
NEW POSITION	Lesbian-Gay-Bisexual-Queer-Intersex-Asexual ("LGBQIA+") Representative		McKay	At-Large Chairman's
VACANT (Formerly held by Pamela Montesinos; appointed 10/22 by Smith) Term exp. 10/25 *Resigned*	Sully District Representative		Smith	Sully

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COMMISSION ON AGING (2-year terms)

Incumbent History	Requirement	Nominee	Supervisor	District
Catherine Cole (Appointed 5/23 by McKay) Term exp. 5/25	At-Large Chairman's Representative		McKay	At-Large Chairman's
Michael Perel (Appointed 5/23 by Walkinshaw) Term exp. 5/25	Braddock District Representative		Walkinshaw	Braddock
Kay Larmer (Appointed 5/23 by Foust) Term exp. 5/25	Dranesville District Representative		Bierman	Dranesville
Joseph Heastie (Appointed 5/23 by Palchik) Term exp. 5/25	Providence District Representative		Palchik	Providence
James R. Kirkpatrick (Appointed 5/23 by Herrity) Term exp. 5/25	Springfield District Representative		Herrity	Springfield

COMMUNITY ACTION ADVISORY BOARD (CAAB) (3-year terms)

Incumbent History	Requirement	Nominee	Supervisor	District
Matthew Bell (Appointed 2/22 by Storck) Term exp. 2/25	Mount Vernon District Representative		Storck	Mount Vernon
Kevin Hickerson (Appointed 3/22 by Smith) Term exp. 2/25	Sully District Representative		Smith	Sully

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COMMUNITY POLICY AND MANAGEMENT TEAM, FAIRFAX-FALLS CHURCH (2-year terms)

CONFIRMATIONS NEEDED:

- Ms. Annie Henderson as the Parent #4 Representative
- Mr. Joe Klemmer as the Parent #5 Representative

CONSUMER PROTECTION COMMISSION (3-year terms)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Triston O'Savio; appointed 8/22 by Foust) Term exp. 7/24 *Resigned*	Fairfax County Resident #6 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Harold G. Belkowitz; appointed 7/08-7/24 by Herrity) Term exp. 7/27 *Resigned*	Fairfax County Resident #8 Representative		By Any Supervisor	At-Large

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CONTINUUM OF CARE BOARD (CoC) (2-year terms)

Incumbent History	Requirement	Nominee	Supervisor	District
NEW POSITION	Dranesville District Representative		Bierman	Dranesville
VACANT (Formerly held by Connie Johnson; appointed 9/23 by Lusk) Term exp. 6/25 *Resigned*	Franconia District Representative		Lusk	Franconia
NEW POSITION	City of Falls Church Representative		Confirmed by the Board	Confirmation

CRIMINAL JUSTICE ADVISORY BOARD (CJAB) (3-year terms)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Victoria Samuels; appointed 10/21 by Alcorn) Term exp. 8/24 *Resigned*	At-Large Representative		By Any Supervisor	At-Large
Herbert Kemp (Appointed 12/21 by Foust) Term exp. 11/24	Dranesville District Representative		Bierman	Dranesville
Ricardo E. Coleman (Appointed 9/16-3/21 by Gross) Term exp. 3/24	Mason District Representative		Jimenez	Mason
Neil Welch (Appointed 3/22 by Smith) Term exp. 4/25	Sully District Representative		Smith	Sully

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DULLES RAIL TRANSPORTATION IMPROVEMENT DISTRICT ADVISORY BOARD, PHASE I (4-year terms)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Michael J. Cooper; appointed 3/04-7/18 by Smyth) Term exp. 3/22 *Resigned*	At-Large #6 Representative		By Any Supervisor	At-Large

DULLES RAIL TRANSPORTATION IMPROVEMENT DISTRICT ADVISORY BOARD, PHASE II (4-year terms)

Incumbent History	Requirement	Nominee	Supervisor	District
Richard Fernicola (Appointed 1/22 by McKay) Term exp. 1/24	BOS At-Large #6 Representative		By Any Supervisor	At-Large

ENGINEERING STANDARDS REVIEW COMMITTEE (3-year terms)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Maya Huber; appointed 12/09-1/14 by Confirmation; 5/18 by Bulova) Term exp. 3/21 *Resigned*	Citizen #4 Representative		By Any Supervisor	At-Large

CONFIRMATIONS NEEDED:

- Mr. Paul Agutter as the Association of Builders and Contractors Representative
- Mr. Mark Liberati as the Northern Virginia Association of Surveyors Representative

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ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC) (3-year terms)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Renee Grebe; appointed 3/22 by Lusk) Term exp. 1/25 *Resigned*	At-Large #1 Representative		By Any Supervisor	At-Large

FAIRFAX AREA DISABILITY SERVICES BOARD
(3-year terms - limited to 2 full terms)

NOTE: Members may be reappointed after being off the Board for three years. State Code requires that the membership in the local disabilities board include at least 30 percent representation by individuals who have physical, visual, or hearing disabilities or their family members. For this 15-member board, the minimum number for this representation would be five members.

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Courtney Cezair Mayers; appointed 6/21 by Foust) Term exp. 11/24 *Resigned*	Dranesville District Representative		Bierman	Dranesville
Deborah K. Hammer (Appointed 3/16-1/20 by Storck) Term exp. 11/22 ***Not eligible for reappointment***	Mount Vernon District Representative		Storck	Mount Vernon
Michael Ritter (Appointed 6/22 by Herrity) Term exp. 11/24	Springfield District Representative		Herrity	Springfield

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FAIRFAX COUNTY 250TH COMMISSION (6-year terms)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Latriece Prince-Wheeler; appointed 10/23 by Lusk) Term exp. 6/27 *Resigned*	Franconia District Representative		Lusk	Franconia
VACANT (Formerly held by Michael R. Frey; appointed 10/21 by Smith) Term exp. 6/27 *Resigned*	Sully District Representative		Smith	Sully

FAIRFAX COUNTY CONVENTION AND VISITORS CORPORATION BOARD (3-year terms - limited to 2 full terms)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Robert H. Maurer; appointed 6/20 by Palchik) Term exp. 6/23 *Resigned*	Providence District Representative		Palchik	Providence

FAIRFAX COUNTY EMPLOYEES' RETIREMENT SYSTEM BOARD OF TRUSTEES (4-year terms)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Kevin North; appointed 7/21 by Smith) Term exp. 8/25 *Resigned*	At-Large #1 Representative		By Any Supervisor	At-Large

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FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD
(3-year terms – limited to 3 full terms)

NOTE: In accordance with *Virginia Code* Section 37.2-501, "prior to making appointments, the governing body shall disclose the names of those persons being considered for appointment." Members can be reappointed after 1 year break from initial 3 full terms, VA Code 37.2-502.

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Ann Whipple; appointed 2/20-6/22 by McKay) Term exp. 6/25 *Resigned*	At-Large #1 Representative		By Any Supervisor	At-Large
Sheila Jonas (Appointed 6/22 by Gross) Term exp 6/25 ***Not eligible for reappointment***	Mason District Representative		Jimenez	Mason
VACANT (Formerly held by Ron Fitzsimmons; appointed 10/24 by Storck) Term exp. 6/25 *Resigned*	Mount Vernon District Representative		Storck	Mount Vernon
VACANT (Formerly held by Robert Bartolotta; appointed 7/20-6/23 by Palchik) Term exp. 6/26 *Resigned*	Providence District Representative	**Kasey McNamara** *(Nomination announced on February 18, 2025)*	Palchik	Providence
Daniel Sherrange (Appointed 6/22 by Smith) Term exp. 6/25	Sully District Representative		Smith	Sully

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HEALTH CARE ADVISORY BOARD (4-year terms)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Rose Chu; appointed 5/97-6/21 by Gross) Term exp. 6/25 *Resigned*	Mason District Representative	**Terry Lavoie**	Jimenez	Mason

HEALTH SYSTEMS AGENCY BOARD (3-year terms - limited to 2 full terms)
NOTE: Members may be reappointed after 1 year break

Incumbent History	Requirement	Nominee	Supervisor	District
Sally J. Patterson (Appointed 6/18-6/21 by McKay) Term exp. 6/24 ***Not eligible for reappointment***	Consumer #3 Representative		By Any Supervisor	At-Large
Lydia Lawrence (Appointed 2/22 by Foust) Term exp. 6/24	Consumer #5 Representative		By Any Supervisor	At-Large
Bridget M. Jennison (Appointed 5/22 by Walkinshaw) Term exp. 6/24	Provider #1 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Magalie Emile-Backer; appointed 1/19-6/21 by Storck) Term exp. 6/24 **Not eligible for reappointment**	Provider #2 Representative		By Any Supervisor	At-Large

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Resigned

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HEALTH SYSTEMS AGENCY BOARD (3-year terms - limited to 2 full terms)
NOTE: Members may be reappointed after 1 year break
Continued from previous page

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Maria Zlotnick; appointed 6/20 by Alcorn) Term exp. 6/25 *Resigned*	Provider #4 Representative		By Any Supervisor	At-Large

HISTORY COMMISSION (3-year terms)
NOTE: The Commission shall include at least one member who is a resident from each District.

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Kevin Bradley; appointed 11/22 by Alcorn) Term exp. 12/25 *Resigned*	Archaeologist Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Joseph Imamura; appointed 7/23 by McKay) Term exp. 12/24 *Resigned*	Architect Representative		By Any Supervisor	At-Large

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HISTORY COMMISSION (3-year terms)
NOTE: The Commission shall include at least one member who is a resident from each District.
Continued from previous page

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Carmen Powell; appointed 9/23 by Foust) Term exp. 6/24 *Resigned*	At-Large #1 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Russell Brooks; appointed 2/23 by Lusk) Term exp. 12/25 *Resigned*	At-Large #3 Representative		By Any Supervisor	At-Large
Sallie Lyons (Appointed 12/21 by Storck) Term exp. 12/24	Citizen #2 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Elise Murray; appointed 1/23 by Alcorn) Term exp. 12/25 *Resigned*	Citizen #3 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Steve Sherman; appointed 9/21 by Lusk) Term exp. 12/23 *Resigned*	Citizen #9 Representative		By Any Supervisor	At-Large

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HISTORY COMMISSION (3-year terms)
NOTE: The Commission shall include at least one member who is a resident from each District.
Continued from previous page

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Esther McCullough; appointed 1/22 by Bulova) Term exp. 12/24 *Resigned*	Citizen #10 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Lynne Garvey-Hodge; appointed 12/21 by Gross) Term exp. 12/24 *Resigned*	Historian #1 Representative		By Any Supervisor	At-Large

DRAFT

HUMAN RIGHTS COMMISSION (3-year terms)

Incumbent History	Requirement	Nominee	Supervisor	District
Jimez Ashby (Appointed 5/22 by McKay) Term exp. 9/24	At-Large #1 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Emanuel Solon; appointed 9/95-7/01 by Connolly; 9/04-9/19 by Smyth) Term exp. 9/22 *Resigned*	At-Large #5 Representative		By Any Supervisor	At-Large
Meena Bhinge (Appointed 9/21 Walkinshaw) Term exp. 9/24	At-Large #10 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Glenda Blake; appointed 2/24 by Alcorn) Term exp. 9/26 *Resigned*	At-Large #12 Representative		By Any Supervisor	At-Large

DRAFT

HUMAN SERVICES COUNCIL (4-year terms)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Terry Lavoie; appointed 2/24 by Jimenez) Term exp. 7/26 *Resigned*	Mason District #1 Representative		Jimenez	Mason
VACANT (Formerly held by Tianja Grant; appointed 1/20-7/21 by Palchik) Term exp. 7/25 *Resigned*	Providence District #2 Representative		Palchik	Providence
William Kogler (Appointed 10/20 by Herrity) Term exp. 9/24	Springfield District #1 Representative		Herrity	Springfield
Steven Lam (Appointed 11/20 by Herrity) Term exp. 11/24	Springfield District #2 Representative		Herrity	Springfield
VACANT (Formerly held by Edward Yost appointed 3/23 by Smith) Term exp. 7/27 *Resigned*	Sully District #2 Representative		Smith	Sully

DRAFT

INDUSTRIAL DEVELOPMENT AUTHORITY (4-year terms)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Leigh Anne Arnold; appointed 10/23 by Alcorn) Term exp. 10/27 *Deceased*	At-Large #2 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Christopher Glaser; appointed 11/21 by Alcorn) Term exp. 10/25 *Resigned*	At-Large #4 Representative		By Any Supervisor	At-Large

JUVENILE AND DOMESTIC RELATIONS COURT CITIZENS ADVISORY COUNCIL (2-year terms)

Incumbent History	Requirement	Nominee	Supervisor	District
Crystopher Herrera (Appointed 2/22 by Foust) Term exp. 1/24	Dranesville District Representative		Bierman	Dranesville
Joleane Dutzman (Appointed 1/23 by Storck) Term exp. 1/25	Mount Vernon District Representative		Storck	Mount Vernon
Sean Wright (Appointed 1/20-2/22 by Palchik) Term exp. 1/24	Providence District Representative		Palchik	Providence

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PARK AUTHORITY (4-year terms)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Marguerite Godbold; appointed 1/27 by Smith) Term exp. 12/27 *Resigned*	Sully District Representative		Smith	Sully

PLANNING COMMISSION (4-year terms)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Peter Murphy; appointed 12/82 by Travesky, 11/86-12/06 by McConnell; 12/10-12/22 by Herrity) Term exp. 12/26 *Resigned*	Springfield District Representative		Herrity	Springfield

POLICE CIVILIAN REVIEW PANEL (3-year terms- limited to 2 full terms)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Pratik Kharat; appointed 2/25 by McKay) Term exp. 2/25 *Resigned*	Seat #7 Representative		By Any Supervisor	At-Large
Michael Lau (Appointed 1/23 by McKay) Term exp. 2/25	Seat #8 Representative		By Any Supervisor	At-Large

DRAFT

POLICE OFFICERS RETIREMENT SYSTEM BOARD OF TRUSTEES (4-year terms)

Incumbent History	Requirement	Nominee	Supervisor	District
Brendan D. Harold (Appointed 5/05-11/14 by Hyland; 12/18 by Storck) Term exp. 12/22	Citizen At-Large #2 Representative		By Any Supervisor	At-Large

REDEVELOPMENT AND HOUSING AUTHORITY (4-year terms)

Incumbent History	Requirement	Nominee	Supervisor	District
Susan Vachal (Appointed 7/24 by McKay) Term exp. 4/25	At-Large #2 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Michael McRoberts; appointed 2/24 by Alcorn) Term exp. 4/25 *Resigned*	Hunter Mill District Representative	**Lenore Stanton**	Alcorn	Hunter Mill
Elisabeth Lardner (Appointed 5/21 by Storck) Term exp. 4/25	Mount Vernon District Representative		Storck	Mount Vernon
Paul Zurawski (Appointed 9/23 by Herrity) Term exp. 4/25	Springfield District Representative		Herrity	Springfield
Lenore Stanton; appointed 7/20-3/24 by Smith) Term exp. 4/28	Sully District Representative	**Cynthia Bailey**	Smith	Sully

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RESTON TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD (4-year terms)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Angela E. Roberts; appointed 9/21 by Alcorn) Term exp. 9/25 *Resigned*	Apartment or Rental Owner Associations Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Margaret Parker; appointed 10/1 by Alcorn) Term exp. 9/25 *Resigned*	Commercial or Retail Ownership #1 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by John R. Mooney; appointed 9/21 by Alcorn Term exp. 9/25 *Resigned*	Reston Association Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Karen Mantyla; appointed 6/21 by Alcorn) *Resigned*	Residential Owners and HOA/Civic Association #2 Representative		By Any Supervisor	At-Large

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SMALL BUSINESS COMMISSION (3-year terms)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Tracey Wood; appointed 12/21 by McKay) Term 12/24 *Resigned*	At-Large #3 Representative		By Any Supervisor	At-Large
Khalid Mekki (Appointed 2/24 by Jimenez) Term exp. 12/24	Mason District Representative		Jimenez	Mason

TENANT-LANDLORD COMMISSION (3-year terms)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Kenneth Reid; appointed 10/25 by Herrity) Term exp. 1/23 *Resigned*	Citizen Member #1 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Eric Fielding; appointed 6/15-1/19 by Bulova) Term exp. 12/21 *Resigned*	Citizen Member #3 Representative		By Any Supervisor	At-Large

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TENANT-LANDLORD COMMISSION (3-year terms)
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Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Shahana Begum Islam; appointed 6/20 by Palchik) Term exp. 1/23 *Resigned*	Condo Owner Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Karen Geier-Smith; appointed 2/16-2/22 by McKay) Term exp. 12/24 *Resigned*	Landlord Member #1 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Christopher Kocsis; appointed 12/09-1/16 by Bulova) Term exp. 12/18 *Deceased*	Landlord Member #2 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Paula Park; appointed 2/14-1/20 by Foust) Term exp. 1/23 *Resigned*	Landlord Member #3 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Jade Harberg; appointed 1/20 by McKay) Term exp. 1/23 *Resigned*	Tenant Member #3 Representative		By Any Supervisor	At-Large

DRAFT

TRAILS, SIDEWALKS AND BIKEWAYS COMMITTEE (2-year terms)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by James Albright; appointed 2/24 by Jimenez) Term exp. 1/26 *Resigned*	Mason District Representative		Jimenez	Mason

TREE COMMISSION (3-year terms)

CONFIRMATION NEEDED:

- Ms. Helen Hollingsworth as the Virginia Department of Extension and Continuing Education Representative

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TYSONS TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD (2-year terms)

Incumbent History	Requirement	Nominee	Supervisor	District
Linda Colbert (Appointed 5/23 by McKay) Term exp. 2/25	Adjacent Community Member #1 Representative		By Any Supervisor	At-Large
Cory Scott (Appointed 2/23 by Palchik) Term exp. 2/25	Commercial or Retail Ownership #2 Representative		By Any Supervisor	At-Large

CONFIRMATIONS NEEDED:

- Mr. Chris Boynton as the Tysons Community Alliance #1 Representative
- Mr. David Schneider as the Tysons Community Alliance #2 Representative

WETLANDS BOARD (5-year terms)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Kimberly Larkin; appointed 12/22 by Storck) Term exp. 12/27 *Resigned*	At-Large #1 Representative		By Any Supervisor	At-Large

DRAFT

YOUNG ADULTS ADVISORY COMMITTEE
(2-year terms - limited to 2 full terms)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Emma Heisey; appointed 5/22 by McKay) Term exp. 1/24 *Resigned*	At-Large #2 Chairman's Representative		McKay	At-Large Chairman's
Pranav Choudhary (Appointed 6/22 by Foust) Term exp. 1/24	Dranesville District Representative		Bierman	Dranesville
Eddy Sandoval (Appointed 9/21 by Smith) Term exp. 1/24	Sully District Representative		Smith	Sully

NEW BOARD

COUNCIL FOR ECONOMIC OPPORTUNITY (CEO)
(3-year terms - limited to 2 full terms for Voting Members)

Incumbent History	Requirement	Nominee	Supervisor	District
NEW POSITION	At-Large #11 Representative		By Any Supervisor	At-Large
NEW POSITION	At-Large #12 Representative		By Any Supervisor	At-Large

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VETERANS AND MILITARY FAMILIES COMMISSION (3-year terms)

Incumbent History	Requirement	Nominee	Supervisor	District
NEW POSITION	Department of Housing and Community Development Representative		Confirmed by the Board	Confirmation

DRAFT

Board Agenda Item
March 18, 2025

10:00 a.m.

Matters Presented by Board Members

Board Agenda Item
March 18, 2025

10:00 a.m.

Items Presented by the County Executive

Board Agenda Item
March 18, 2025

ADMINISTRATIVE - 1

Authorization to Advertise a Public Hearing for the Enlargement of Merrimac Area 1 Sanitary District for Refuse/Recycling Collection Services and the De-Creation/Re-Creation of Haycock Road Area 2 Sanitary District to Remove Vacuum Leaf Collection Services (Dranesville District)

ISSUE:
Board of Supervisors' (Board) authorization to advertise a public hearing for the enlargement and de-creation/re-creation of Sanitary Districts for refuse/recycling and removal of vacuum leaf collection service.

RECOMMENDATION:
The County Executive recommends that the Board authorize advertisement of a public hearing at 4:00 p.m. on Tuesday, May 13, 2025, to consider the following changes to Sanitary Districts for refuse/recycling and/or leaf collection service in accordance with the Board's adopted criteria for the Creation/Enlargement/De-Creation/Re-Creation of Small and Local Sanitary Districts.

Sanitary District	Action	Service	Recommendation
DTA Local District 1A2 Within Dranesville District (Merrimac Area 1) (Attachment 1 Summary Sheet)	Enlarge	Refuse & Recycling	Approve
DTA Local District 1B2 Within Dranesville District (Haycock Area 2) (Attachment 1 Summary Sheet)	De-Create/ Re-Create	Remove Vacuum Leaf	Approve

TIMING:
The Board's authorization is requested on March 18, 2025, for a public hearing to be held on May 13, 2025, at 4:00 p.m.

BACKGROUND:
The administrative responsibility for the Creation/Enlargement/Contraction/ Dissolution of Sanitary Districts in the County of Fairfax for refuse/recycling and/or leaf collection is with the Department of Public Works and Environmental Services. The establishment of sanitary districts is accomplished through the action of the Board at public hearings.

Prior to any action by the Board on a proposed Sanitary District, certain relevant standards and criteria must be met in accordance with the Board's adopted criteria for the Creation/Enlargement/De-Creation/Re-Creation of Small and Local Sanitary Districts.

The submitted petitions have been reviewed, and it has been determined that the petitions should be submitted to the Board for approval. The petitions' data summary and the proposed resolution are set forth in Attachments 2 and 3.

Staff recommends that the authorization to advertise a public hearing for the enlargement of Merrimac Area 1 Sanitary District for refuse/recycling collection services and the de-creation/re-creation of Haycock Area 2 Sanitary District for the removal of vacuum leaf collection services be approved. If approved, the modifications will become permanent on July 1, 2025.

EQUITY IMPACT:
Sanitary District Creation/De-Creation for the purposes of solid waste management relates to area of focus 12 in the One Fairfax Policy: "A healthy and quality environment to live and work in that acknowledges the need to breathe clean air, to drink clean water now and for future generations."

Creation of new Sanitary Districts allows the County to collect or contract the waste collection for all residences within that designated area, reducing solid waste vehicle congestion in the area, reducing pollution, greenhouse gas emissions, improving safety and providing consistent and standardized service. The creation or de-creation of Sanitary Districts is done in response to petitions from residents in the designated area. This action would positively impact the following Countywide Strategic Plan Community Outcome Areas of Healthy Communities, Energy and Environment, and Housing and Neighborhood Livability.

This item follows the Fairfax Sanitary District Petition Process and has passed a community-lead vote of 55% of residents to bring before the Board. Information on the petition process can be found on the Fairfax County Solid Waste website or by contacting Solid Waste directly. If approved, the community will be contacted via mail to inform them of the change, service start date, new collection rates, and service standards. Residents can reach out to Solid Waste for additional assistance anytime during the petition process or following approval.

At this time, no negative impacts have been observed or are projected.

FISCAL IMPACT:
None.

Board Agenda Item
March 18, 2025

ENCLOSED DOCUMENTS:
Attachment 1: Summary Sheet
Attachment 2: Data Sheet with Proposed Resolution and Map (Merrimac Area 1)
Attachment 3: Data Sheet with Proposed Resolution and Map (Haycock Area 2)

STAFF:
Jennifer Miller, Deputy County Executive
Christopher Herrington, Director, Department of Public Works and Environmental Services (DPWES)
Eric Forbes, Deputy Director, Solid Waste Management Program, DPWES

ASSIGNED COUNSEL:
Joanna Faust, Assistant County Attorney

Attachment 1

SUMMARY SHEET

Proposed alterations to the following Sanitary Districts for refuse/recycling collection services and removal of vacuum leaf collection services:

1. Enlarge Merrimac Area 1 Sanitary District in DTA Local District 1A2 within Dranesville District for the purpose of providing refuse/recycling collection services.

2. De-Create/Re-Create Haycock Road Area 2 Sanitary District in DTA Local District 1B2 within Dranesville District for the purpose of providing refuse/recycling and removing vacuum leaf collection services.

Attachment 2

DATA SHEET
Enlarge Merrimac Area 1
DTA Local District 1A2
Within the Dranesville District

Purpose: To provide County refuse/recycling collection services to Merrimac Area 1.

- Petition requesting service received November 21, 2024.
- Petition Area: 1 Property.
- 1 Property Owner in favor.
- 0 Property Owners opposed.
- 0 Non-responsive / unable to contact.
- The Department of Public Works and Environmental Services can provide the requested service using existing equipment.
- The Department of Public Works and Environmental Services recommends that the proposed action be approved. If approved, services will become effective July 1, 2025.

Attachment 2

NOTICE OF INTENTION TO PROPOSE FOR ADOPTION
A RESOLUTION AND A PUBLIC HEARING THEREON
TO ENLARGE MERRIMAC AREA 1
DTA LOCAL DISTRICT 1A2
WITHIN DRANESVILLE DISTRICT

TAKE NOTICE that at a regular meeting of the Board of Supervisors of the County of Fairfax, Virginia, held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on Tuesday the 13th day of May, 2025, it was proposed by said Board to adopt a resolution to enlarge a district known as Merrimac Area 1 in DTA Local District 1A2 within Dranesville District to include Merrimac Area 1 for the purpose of providing for refuse/recycling collection to be effective July 1, 2025, and the Clerk of said Board was directed to cause notice thereof by publication in a newspaper having general circulation in said County in the manner specified by Virginia Code § 15.2-1427 for the adoption of county ordinances, together with a notice that at a regular meeting of said Board to be held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on

TUESDAY
MAY 13, 2025
COMMENCING AT 4 P.M.

The said Board of Supervisors of Fairfax County, Virginia, will hold a public hearing at which time and place any interested parties may appear and be heard. The full text of the resolution to be adopted is in the following words and figures, to-wit:

WHEREAS, Virginia Code Section *15.2-858*, as amended, provides for, among other things, the Creation by the Board of Supervisors of Fairfax County, Virginia, of a Sanitary District by resolution; and

WHEREAS, the Board of Supervisors has been presented with facts and information upon consideration of which said Board, finding the property embraced in the proposed Sanitary District will be benefited by enlarging the Sanitary District for the purpose of providing for refuse/recycling collection for the citizens who reside therein.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Fairfax County, Virginia, authorizes the advertisement for the proposed enlargement of a Sanitary District, pursuant to Virginia Code Section *15.2-858*, as amended, to be known as Merrimac Area 1 in DTA Local District 1A2 within Dranesville District, Fairfax County, Virginia, which said enlargement of the

Attachment 2

Sanitary District shall be described as follows:

The enlargement of Merrimac Area 1 in DTA Local District 1A2 within Dranesville District to include Merrimac Area 1 located in the County of Fairfax, Virginia, and as shown on the attached map.

AND BE IT FURTHER RESOLVED that the Board of Supervisors of Fairfax County, Virginia, declares its intention to implement the purpose for which said Merrimac Area 1 in DTA Local District 1A2 within Dranesville District is hereby created to wit:

To provide refuse/recycling collection service for the citizens who reside therein.

Given under my hand this____day of May, 2025

_____
Jill G. Cooper
Clerk for the Board of Supervisors

Attachment 2

Merrimac Area 1 Sanitary District Map



Attachment 3

DATA SHEET
De-Create/Re-Create Haycock Road Area 2
DTA Local District 1B2
Within the Dranesville District

Purpose: To provide County refuse/recycling and remove vacuum leaf collection services to Haycock Road Area 2 Sanitary District.

- Petition requesting service to be removed received November 17, 2023, and petition process began on August 8, 2024.
- Petition Area: 3 Properties.
- 2 Property Owners in favor.
- 0 Property Owners opposed.
- 1 Non-responsive / unable to contact.
- The Department of Public Works and Environmental Services recommends that the proposed action be approved. If approved, services will become effective July 1, 2025.

Attachment 3

NOTICE OF INTENTION TO PROPOSE FOR ADOPTION
A RESOLUTION AND A PUBLIC HEARING THEREON
TO DE-CREATE/RE-CREATE HAYCOCK ROAD AREA 2
DTA LOCAL DISTRICT 1B2
WITHIN DRANESVILLE DISTRICT

TAKE NOTICE that at a regular meeting of the Board of Supervisors of the County of Fairfax, Virginia, held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on Tuesday the 13th day of May, 2025, it was proposed by said Board to adopt a resolution to de-create/re-create a district known as Haycock Road Area 2 in DTA Local District 1B2 within Dranesville District to include Haycock Road Area 2 for the purpose of providing for refuse/recycling and removing vacuum leaf collection to be effective July 1, 2025, and the Clerk of said Board was directed to cause notice thereof in a newspaper general circulation in said County in the manner specified by Virginia Code § 15.2-1427 for the adoption of county ordinances, together with a notice that at a regular meeting of said Board to be held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on

TUESDAY
MAY 13, 2025
COMMENCING AT 4 P.M.

The said Board of Supervisors of Fairfax County, Virginia, will hold a public hearing at which time and place any interested parties may appear and be heard. The full text of the resolution to be adopted is in the following words and figures, to-wit:

WHEREAS, Virginia Code Section *15.2-858*, as amended, provides for, among other things, the Creation by the Board of Supervisors of Fairfax County, Virginia, of a Sanitary District by resolution; and

WHEREAS, the Board of Supervisors has been presented with facts and information upon consideration of which said Board, finding the properties embraced in the proposed Sanitary District will be benefited by de-creating/re-creating the Sanitary District for the purpose of providing for refuse/recycling and removing vacuum leaf collection for the citizens who reside therein.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Fairfax County, Virginia, authorizes the advertisement for the proposed de-creation/re-creation of a Sanitary District, pursuant to Virginia Code Section *15.2-858*, as amended, to be known as Haycock Road Area 2 in DTA Local District

1B2 within Dranesville District, Fairfax County, Virginia, which said de-creation/re-creation of the Sanitary District shall be described as follows:

The de-creation/re-creation of Haycock Road Area 2 in DTA Local District 1B2 within Dranesville District to include Haycock Road Area 2 located in the County of Fairfax, Virginia, and as shown on the attached map.

AND BE IT FURTHER RESOLVED that the Board of Supervisors of Fairfax County, Virginia, declares its intention to implement the purpose for which said Haycock Road Area 2 in DTA Local District 1B2 within Dranesville District is hereby created to wit:

To provide refuse/recycling and remove vacuum leaf collection service for the citizens who reside therein.

Given under my hand this____day of May, 2025

_____
Jill G. Cooper
Clerk for the Board of Supervisors

Attachment 3

Haycock Road Area 2 Sanitary District Map, 3 Lots



Board Agenda Item
March 18, 2025

ADMINISTRATIVE - 2

Authorization to Advertise a Public Hearing for the Enlargement of Pleasant Ridge Area 5 Sanitary District for Refuse/Recycling Collection Services and the De-Creation/Re-Creation of Maryalice Place Area and Spring Lane Community Association to Remove Vacuum Leaf Collection Services (Mason District)

ISSUE:
Board of Supervisors' (Board) authorization to advertise a public hearing for the enlargement and de-creation/re-creation of Sanitary Districts for refuse/recycling and removal of vacuum leaf collection service

RECOMMENDATION:
The County Executive recommends that the Board authorize advertisement of a public hearing at 4:00 p.m. on Tuesday, May 13, 2025, to consider the following changes to Sanitary Districts for refuse/recycling and/or leaf collection service in accordance with the Board's adopted criteria for the Creation/Enlargement/De-Creation/Re-Creation of Small and Local Sanitary Districts.

Sanitary District	Action	Service	Recommendation
DTA Local District 1B Within Mason District (Pleasant Ridge Area 5) (Attachment 1 Summary Sheet)	Enlarge	Refuse & Recycling	Approve
DTA Local District 1B Within Mason District (Maryalice Place Area) (Attachment 1 Summary Sheet)	De-Create/ Re-Create	Remove Vacuum Leaf	Approve
DTA Local District 1B Within Mason District (Spring Lane Community Association) (Attachment 1 Summary Sheet)	De-Create/ Re-Create	Remove Vacuum Leaf	Approve

TIMING:
The Board's authorization is requested on March 18, 2025, for a public hearing to be held on May 13, 2025, at 4:00 p.m.

BACKGROUND:
The administrative responsibility for the Creation/Enlargement/Contraction/ Dissolution of Sanitary Districts in the County of Fairfax for refuse/recycling and/or leaf collection is with the Department of Public Works and Environmental Services. The establishment of sanitary districts is accomplished through the action of the Board at public hearings. Prior to any action by the Board on a proposed Sanitary District, certain relevant standards and criteria must be met in accordance with the Board's adopted criteria for the Creation/Enlargement/De-Creation/Re-Creation of Small and Local Sanitary Districts.

The submitted petitions have been reviewed, and it has been determined that the petitions should be submitted to the Board for approval. The petitions' data summary and the proposed resolution are set forth in Attachments 2, 3 and 4.

Staff recommends that the authorization to advertise a public hearing for the enlargement of Pleasant Ridge Area 5 Sanitary District for refuse/recycling collection services and the de-creation/re-creation of Maryalice Place Area Sanitary District and Spring Lane Community Association Sanitary District for the removal of vacuum leaf collection services be approved. If approved, the modifications will become permanent on July 1, 2025.

EQUITY IMPACT:
Sanitary District Creation/De-Creation for the purposes of solid waste management relates to area of focus 12 in the One Fairfax Policy: "A healthy and quality environment to live and work in that acknowledges the need to breathe clean air, to drink clean water now and for future generations."

Creation of new Sanitary Districts allows the County to collect or contract the waste collection for all residences within that designated area, reducing solid waste vehicle congestion in the area, reducing pollution, greenhouse gas emissions, improving safety and providing consistent and standardized service. The creation or de-creation of Sanitary Districts is done in response to petitions from residents in the designated area. This action would positively impact the following Countywide Strategic Plan Community Outcome Areas of Healthy Communities, Energy and Environment, and Housing and Neighborhood Livability.

This item follows the Fairfax Sanitary District Petition Process and has passed a community-lead vote of 55% of residents to bring before the Board. Information on the petition process can be found on the Fairfax County Solid Waste website or by contacting Solid Waste directly. If approved, the community will be contacted via mail to inform them of the change, service start date, new collection rates, and service

standards. Residents can reach out to Solid Waste for additional assistance anytime during the petition process or following approval.

At this time, no negative impacts have been observed or are projected.

FISCAL IMPACT:
None.

ENCLOSED DOCUMENTS:
Attachment 1: Summary Sheet
Attachment 2: Data Sheet with Proposed Resolution and Map (Pleasant Ridge Area 5)
Attachment 3: Data Sheet with Proposed Resolution and Map (Maryalice Place Area)
Attachment 4: Data Sheet with Proposed Resolution and Map (Spring Lane Community Association)

STAFF:
Jennifer Miller, Deputy County Executive
Christopher Herrington, Director, Department of Public Works and Environmental Services (DPWES)
Eric Forbes, Deputy Director, Solid Waste Management Program, DPWES

ASSIGNED COUNSEL:
Joanna Faust, Assistant County Attorney

Attachment 1

SUMMARY SHEET

Proposed alterations to the following Sanitary Districts for refuse/recycling collection services and removal of vacuum leaf collection services:

1. Enlarge Pleasant Ridge Area 5 Sanitary District in DTA Local District 1B within Mason District for the purpose of providing refuse/recycling collection services.

2. De-Create/Re-Create Maryalice Place Area Sanitary District in DTA Local District 1B within Mason District for the purpose of providing refuse/recycling and removing vacuum leaf collection services.

3. De-Create/Re-Create Spring Lane Community Association Sanitary District in DTA Local District 1B within Mason District for the purpose of providing refuse/recycling and removing vacuum leaf collection services.

Attachment 2

DATA SHEET
Enlarge Pleasant Ridge Area 5
DTA Local District 1B
Within the Mason District

Purpose: To provide County refuse/recycling collection services to Pleasant Ridge Area 5.

- Petition requesting service received September 4, 2024, and the petition process began on October 22, 2024.
- Petition Area: 8 Properties.
- 6 Property Owners in favor.
- 0 Property Owners opposed.
- 2 Non-responsive / unable to contact.
- The Department of Public Works and Environmental Services can provide the requested service using existing equipment.
- The Department of Public Works and Environmental Services recommends that the proposed action be approved. If approved, services will become effective July 1, 2025.

NOTICE OF INTENTION TO PROPOSE FOR ADOPTION
A RESOLUTION AND A PUBLIC HEARING THEREON
TO ENLARGE PLEASANT RIDGE AREA 5
DTA LOCAL DISTRICT 1B
WITHIN MASON DISTRICT

TAKE NOTICE that at a regular meeting of the Board of Supervisors of the County of Fairfax, Virginia, held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on Tuesday the 13th day of May, 2025, it was proposed by said Board to adopt a resolution to enlarge a district known as Pleasant Ridge Area 5 in DTA Local District 1B within Mason District to include Pleasant Ridge Area 5 for the purpose of providing for refuse/recycling collection to be effective July 1, 2025, and the Clerk of said Board was directed to cause notice thereof by publication in a newspaper having general circulation in said County in the manner specified by Virginia Code § 15.2-1427 for the adoption of county ordinances, together with a notice that at a regular meeting of said Board to be held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on

TUESDAY
MAY 13, 2025
COMMENCING AT 4 P.M.

The said Board of Supervisors of Fairfax County, Virginia, will hold a public hearing at which time and place any interested parties may appear and be heard. The full text of the resolution to be adopted is in the following words and figures, to-wit:

WHEREAS, Virginia Code Section *15.2-858*, as amended, provides for, among other things, the Creation by the Board of Supervisors of Fairfax County, Virginia, of a Sanitary District by resolution; and

WHEREAS, the Board of Supervisors has been presented with facts and information upon consideration of which said Board, finding the properties embraced in the proposed Sanitary District will be benefited by enlarging the Sanitary District for the purpose of providing for refuse/recycling collection for the citizens who reside therein.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Fairfax County, Virginia, authorizes the advertisement for the proposed enlargement of a Sanitary District, pursuant to Virginia Code Section *15.2-858*, as amended, to be known as Pleasant Ridge Area 5 in DTA Local District 1B within Mason District, Fairfax County, Virginia, which said enlargement of the

Sanitary District shall be described as follows:

The enlargement of Pleasant Ridge Area 5 in DTA Local District 1B within Mason District to include Pleasant Ridge Area 5 located in the County of Fairfax, Virginia, and as shown on the attached map.

AND BE IT FURTHER RESOLVED that the Board of Supervisors of Fairfax County, Virginia, declares its intention to implement the purpose for which said Pleasant Ridge Area 5 in DTA Local District 1B within Mason District is hereby created to wit:

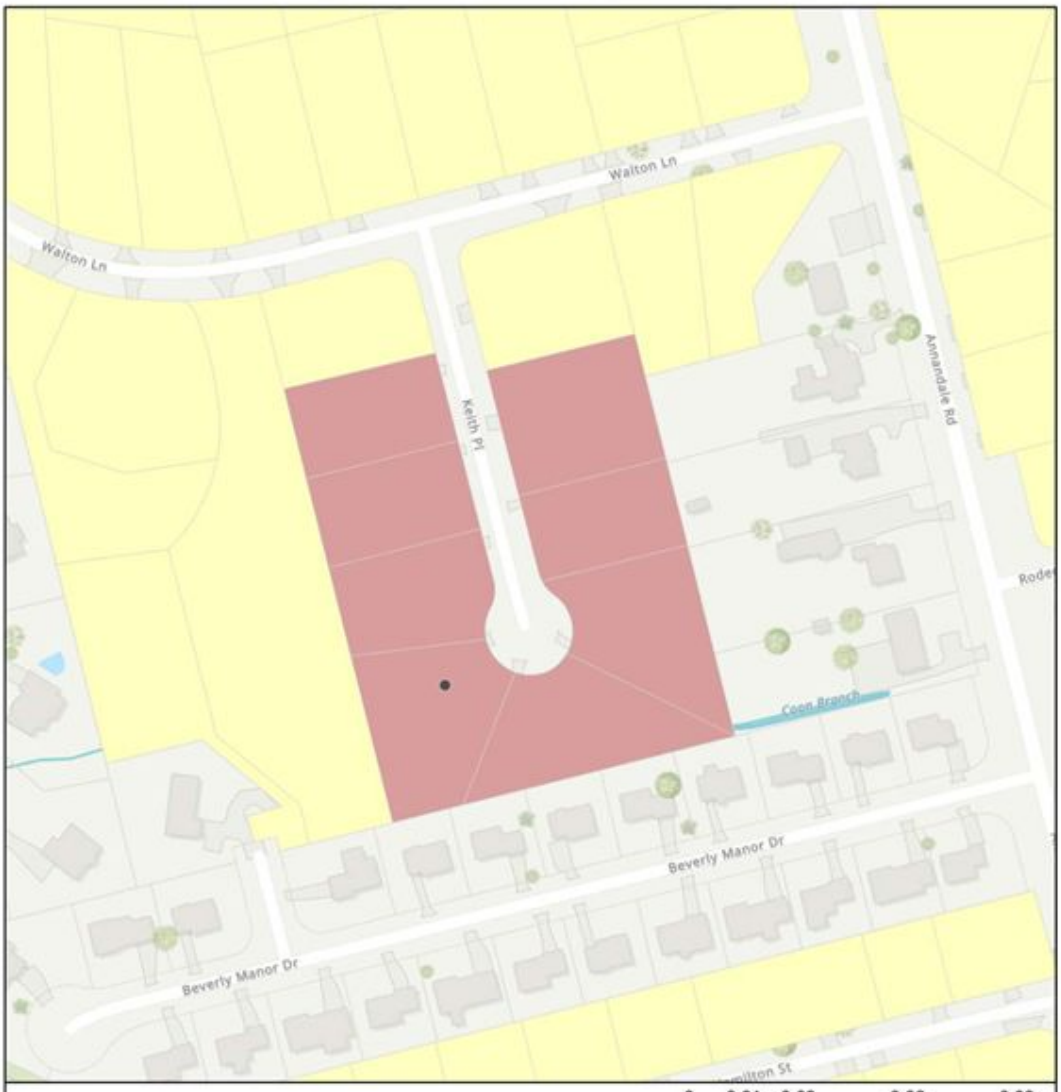
To provide refuse/recycling collection service for the citizens who reside therein.

Given under my hand this____day of May, 2025

_____
Jill G. Cooper
Clerk for the Board of Supervisors

Attachment 2

Pleasant Ridge Area 5 Sanitary District Map, 8 Lots



Attachment 3

DATA SHEET
De-Create/Re-Create Maryalice Place Area
DTA Local District 1B
Within the Mason District

Purpose: To provide County refuse/recycling and remove vacuum leaf collection services to Maryalice Place Area Sanitary District.

- Petition requesting service to be removed received November 17, 2023, and petition process began on July 10, 2024.
- Petition Area: 10 Properties.
- 10 Property Owners in favor.
- 0 Property Owners opposed.
- 0 Non-responsive / unable to contact.
- The Department of Public Works and Environmental Services recommends that the proposed action be approved. If approved, services will become effective July 1, 2025.

Attachment 3

NOTICE OF INTENTION TO PROPOSE FOR ADOPTION
A RESOLUTION AND A PUBLIC HEARING THEREON
TO DE-CREATE/RE-CREATE MARYALICE PLACE AREA
DTA LOCAL DISTRICT 1B
WITHIN MASON DISTRICT

TAKE NOTICE that at a regular meeting of the Board of Supervisors of the County of Fairfax, Virginia, held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on Tuesday the 13th day of May, 2025, it was proposed by said Board to adopt a resolution to de-create/re-create a district known as Maryalice Place Area in DTA Local District 1B within Mason District to include Maryalice Place Area for the purpose of providing for refuse/recycling and removing vacuum leaf collection to be effective July 1, 2025, and the Clerk of said Board was directed to cause notice thereof by publication in a newspaper having general circulation in said County in the manner specified by Virginia Code § 15.2-1427 for the adoption of county ordinances, together with a notice that at a regular meeting of said Board to be held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on

TUESDAY
MAY 13, 2025
COMMENCING AT 4 P.M.

The said Board of Supervisors of Fairfax County, Virginia, will hold a public hearing at which time and place any interested parties may appear and be heard. The full text of the resolution to be adopted is in the following words and figures, to-wit:

WHEREAS, Virginia Code Section *15.2-858*, as amended, provides for, among other things, the Creation by the Board of Supervisors of Fairfax County, Virginia, of a Sanitary District by resolution; and

WHEREAS, the Board of Supervisors has been presented with facts and information upon consideration of which said Board, finding the properties embraced in the proposed Sanitary District will be benefited by de-creating/re-creating the Sanitary District for the purpose of providing for refuse/recycling and removing vacuum leaf collection for the citizens who reside therein.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Fairfax County, Virginia, authorizes the advertisement for the proposed de-creation/re-creation of a Sanitary District, pursuant to Virginia Code Section *15.2-858*, as amended, to be known as Maryalice Place Area in DTA Local District 1B

within Mason District, Fairfax County, Virginia, which said de-creation/re-creation of the Sanitary District shall be described as follows:

The de-creation/re-creation of Maryalice Place Area in DTA Local District 1B within Mason District to include Maryalice Place Area located in the County of Fairfax, Virginia, and as shown on the attached map.

AND BE IT FURTHER RESOLVED that the Board of Supervisors of Fairfax County, Virginia, declares its intention to implement the purpose for which said Maryalice Place Area in DTA Local District 1B within Mason District is hereby created to wit:

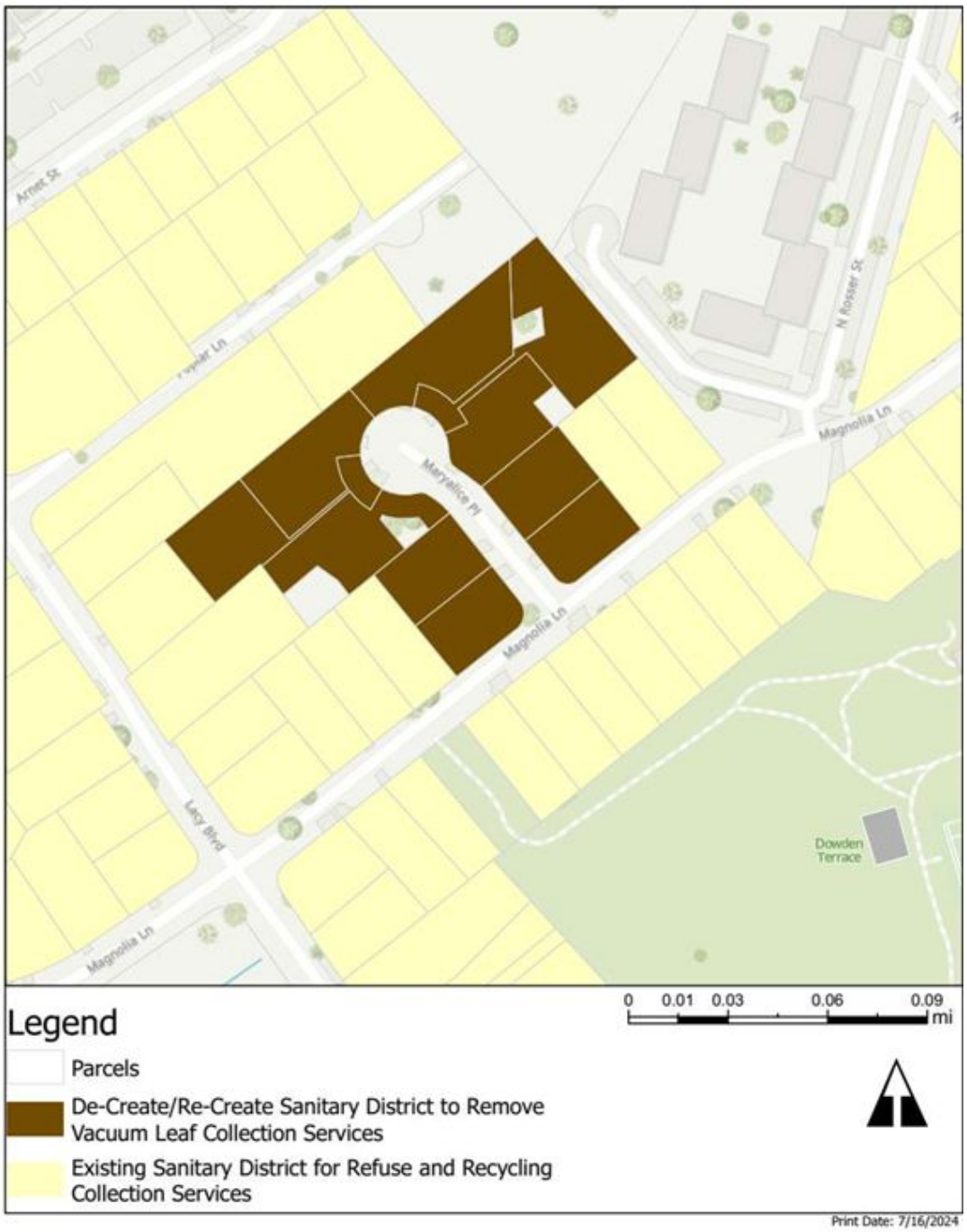
To provide refuse/recycling and remove vacuum leaf collection service for the citizens who reside therein.

Given under my hand this____day of May, 2025

_____
Jill G. Cooper
Clerk for the Board of Supervisors

Attachment 3

Maryalice Place Area Sanitary District Map, 10 Lots



Attachment 4

DATA SHEET
De-Create/Re-Create Spring Lane Community Association
DTA Local District 1B
Within the Mason District

Purpose: To provide County refuse/recycling and remove vacuum leaf collection services to Maryalice Place Area Sanitary District.

- Petition requesting service to be removed received June 18, 2024, and petition process began on November 22, 2024.
- Petition Area: 43 Properties.
- 30 Property Owners in favor.
- 0 Property Owners opposed.
- 13 Non-responsive / unable to contact.
- The Department of Public Works and Environmental Services recommends that the proposed action be approved. If approved, services will become effective July 1, 2025.

Attachment 4

NOTICE OF INTENTION TO PROPOSE FOR ADOPTION
A RESOLUTION AND A PUBLIC HEARING THEREON
TO DE-CREATE/RE-CREATE SPRING LANE COMMUNITY ASSOCIATION
DTA LOCAL DISTRICT 1B
WITHIN MASON DISTRICT

TAKE NOTICE that at a regular meeting of the Board of Supervisors of the County of Fairfax, Virginia, held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on Tuesday the 13th day of May, 2025, it was proposed by said Board to adopt a resolution to de-create/re-create a district known as Spring Lane Community Association in DTA Local District 1B within Mason District to include Spring Lane Community Association for the purpose of providing for refuse/recycling and removing vacuum leaf collection to be effective July 1, 2025, and the Clerk of said Board was directed to cause notice thereof by publication in a newspaper having general circulation in said County in the manner specified by Virginia Code § 15.2-1427 for the adoption of county ordinances, together with a notice that at a regular meeting of said Board to be held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on

TUESDAY
MAY 13, 2025
COMMENCING AT 4 P.M.

The said Board of Supervisors of Fairfax County, Virginia, will hold a public hearing at which time and place any interested parties may appear and be heard. The full text of the resolution to be adopted is in the following words and figures, to-wit:

WHEREAS, Virginia Code Section *15.2-858*, as amended, provides for, among other things, the Creation by the Board of Supervisors of Fairfax County, Virginia, of a Sanitary District by resolution; and

WHEREAS, the Board of Supervisors has been presented with facts and information upon consideration of which said Board, finding the properties embraced in the proposed Sanitary District will be benefited by de-creating/re-creating the Sanitary District for the purpose of providing for refuse/recycling and removing vacuum leaf collection for the citizens who reside therein.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Fairfax County, Virginia, authorizes the advertisement for the proposed de-creation/re-creation of a Sanitary District, pursuant to Virginia Code Section *15.2-858*, as amended, to be known as Spring Lane Community Association in DTA

Local District 1B within Mason District, Fairfax County, Virginia, which said de-creation/re-creation of the Sanitary District shall be described as follows:

The de-creation/re-creation of Spring Lane Community Association in DTA Local District 1B within Mason District to include Spring Lane Community Association located in the County of Fairfax, Virginia, and as shown on the attached map.

AND BE IT FURTHER RESOLVED that the Board of Supervisors of Fairfax County, Virginia, declares its intention to implement the purpose for which said Spring Lane Community Association in DTA Local District 1B within Mason District is hereby created to wit:

To provide refuse/recycling and remove vacuum leaf collection service for the citizens who reside therein.

Given under my hand this____day of May, 2025

_____
Jill G. Cooper
Clerk for the Board of Supervisors

Attachment 4

Spring Lane Community Association, 43 Lots



Board Agenda Item
March 18, 2025

ADMINISTRATIVE - 3

Authorization to Advertise a Public Hearing for the De-Creation/Re-Creation of Shreve Road Area Sanitary District to Remove Vacuum Leaf Collection Services (Providence District)

ISSUE:
Board of Supervisors' (Board) authorization to advertise a public hearing for the de-creation/re-creation of Sanitary District to remove vacuum leaf collection service.

RECOMMENDATION:
The County Executive recommends that the Board authorize advertisement of a public hearing at 4:00 p.m. on Tuesday, May 13, 2025, to consider the following changes to Sanitary Districts for refuse/recycling and/or leaf collection service in accordance with the Board's adopted criteria for the Creation/Enlargement/De-Creation/Re-Creation of Small and Local Sanitary Districts.

Sanitary District	Action	Service	Recommendation
DTA Local District A1 Within Providence District (Shreve Road Area) (Attachment 1 Summary Sheet)	De-Create/ Re-Create	Remove Vacuum Leaf	Approve

TIMING:
The Board's authorization is requested on March 18, 2025, for a public hearing to be held on May 13, 2025, at 4:00 p.m.

BACKGROUND:
The administrative responsibility for the Creation/Enlargement/Contraction/ Dissolution of Sanitary Districts in the County of Fairfax for refuse/recycling and/or leaf collection is with the Department of Public Works and Environmental Services. The establishment of sanitary districts is accomplished through the action of the Board at public hearings. Prior to any action by the Board on a proposed Sanitary District, certain relevant standards and criteria must be met in accordance with the Board's adopted criteria for the Creation/Enlargement/De-Creation/Re-Creation of Small and Local Sanitary Districts.

The submitted petition has been reviewed, and it has been determined that the petition should be submitted to the Board for approval. The petition data summary and the proposed resolution are set forth in Attachment 2.

Staff recommends that the authorization to advertise a public hearing for the de-creation/re-creation of Shreve Road Area Sanitary District for the removal of vacuum leaf collection be approved. If approved, the modification will become permanent on July 1, 2025.

EQUITY IMPACT:
Sanitary District Creation/De-Creation for the purposes of solid waste management relates to area of focus 12 in the One Fairfax Policy: “A healthy and quality environment to live and work in that acknowledges the need to breathe clean air, to drink clean water now and for future generations.”

Creation of new Sanitary Districts allows the County to collect or contract the waste collection for all residences within that designated area, reducing solid waste vehicle congestion in the area, reducing pollution, greenhouse gas emissions, improving safety and providing consistent and standardized service. The creation or de-creation of Sanitary Districts is done in response to petitions from residents in the designated area. This action would positively impact the following Countywide Strategic Plan Community Outcome Areas of Healthy Communities, Energy and Environment, and Housing and Neighborhood Livability.

This item follows the Fairfax Sanitary District Petition Process and has passed a community-lead vote of 55% of residents to bring before the Board. Information on the petition process can be found on the Fairfax County Solid Waste website or by contacting Solid Waste directly. If approved, the community will be contacted via mail to inform them of the change, service start date, new collection rates, and service standards. Residents can reach out to Solid Waste for additional assistance anytime during the petition process or following approval.

At this time, no negative impacts have been observed or are projected.

FISCAL IMPACT:
None.

Board Agenda Item
March 18, 2025

ENCLOSED DOCUMENTS:
Attachment 1: Summary Sheet
Attachment 2: Data Sheet with Proposed Resolution and Map
(Shreve Road Area)

STAFF:
Jennifer Miller, Deputy County Executive
Christopher Herrington, Director, Department of Public Works and Environmental Services (DPWES)
Eric Forbes, Deputy Director, Solid Waste Management Program, DPWES

ASSIGNED COUNSEL:
Joanna Faust, Assistant County Attorney

Attachment 1

SUMMARY SHEET

Proposed alterations to the following Sanitary Districts for refuse/recycling collection services and removal of vacuum leaf collection services:

1. De-Create/Re-Create Shreve Road Area Sanitary District in DTA Local District 1A within Providence District for the purpose of providing refuse/recycling and removing vacuum leaf collection services.

Attachment 2

DATA SHEET
De-Create/Re-Create Shreve Road Area
DTA Local District 1A
Within the Providence District

Purpose: To provide County refuse/recycling and remove vacuum leaf collection services to Shreve Road Area Sanitary District.

- Petition requesting service to be removed received November 20, 2023, and petition process began on December 23, 2024.
- Petition Area: 1 Property.
- 1 Property Owner in favor.
- 0 Property Owners opposed.
- 0 Non-responsive / unable to contact.
- The Department of Public Works and Environmental Services recommends that the proposed action be approved. If approved, services will become effective July 1, 2025.

Attachment 2

NOTICE OF INTENTION TO PROPOSE FOR ADOPTION
A RESOLUTION AND A PUBLIC HEARING THEREON
TO DE-CREATE/RE-CREATE SHREVE ROAD AREA
DTA LOCAL DISTRICT 1A
WITHIN PROVIDENCE DISTRICT

TAKE NOTICE that at a regular meeting of the Board of Supervisors of the County of Fairfax, Virginia, held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on Tuesday the 13th day of May, 2025, it was proposed by said Board to adopt a resolution to de-create/re-create a district known as Shreve Road Area in DTA Local District 1A within Providence District to include Shreve Road Area for the purpose of providing for refuse/recycling and removing vacuum leaf collection to be effective July 1, 2025, and the Clerk of said Board was directed to cause notice thereof by publication in a newspaper having general circulation in said County in the manner specified by Virginia Code § 15.2-1427, together with a notice that at a regular meeting of said Board to be held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on

TUESDAY
MAY 13, 2025
COMMENCING AT 4 P.M.

The said Board of Supervisors of Fairfax County, Virginia, will hold a public hearing at which time and place any interested parties may appear and be heard. The full text of the resolution to be adopted is in the following words and figures, to-wit:

WHEREAS, Virginia Code Section *15.2-858*, as amended, provides for, among other things, the Creation by the Board of Supervisors of Fairfax County, Virginia, of a Sanitary District by resolution; and

WHEREAS, the Board of Supervisors has been presented with facts and information upon consideration of which said Board, finding the property embraced in the proposed Sanitary District will be benefited by de-creating/re-creating the Sanitary District for the purpose of providing for refuse/recycling and removing vacuum leaf collection for the citizens who reside therein.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Fairfax County, Virginia, authorizes the advertisement for the proposed de-creation/re-creation of a Sanitary District, pursuant to Virginia Code Section *15.2-858*, as amended, to be known as Shreve Road Area in DTA Local District 1A within Providence District, Fairfax County, Virginia, which said de-creation/re-

creation of the Sanitary District shall be described as follows:

The de-creation/re-creation of Shreve Road Area in DTA Local District 1A within Providence District to include Shreve Road Area located in the County of Fairfax, Virginia, and as shown on the attached map.

AND BE IT FURTHER RESOLVED that the Board of Supervisors of Fairfax County, Virginia, declares its intention to implement the purpose for which said Shreve Road Area in DTA Local District 1A within Providence District is hereby created to wit:

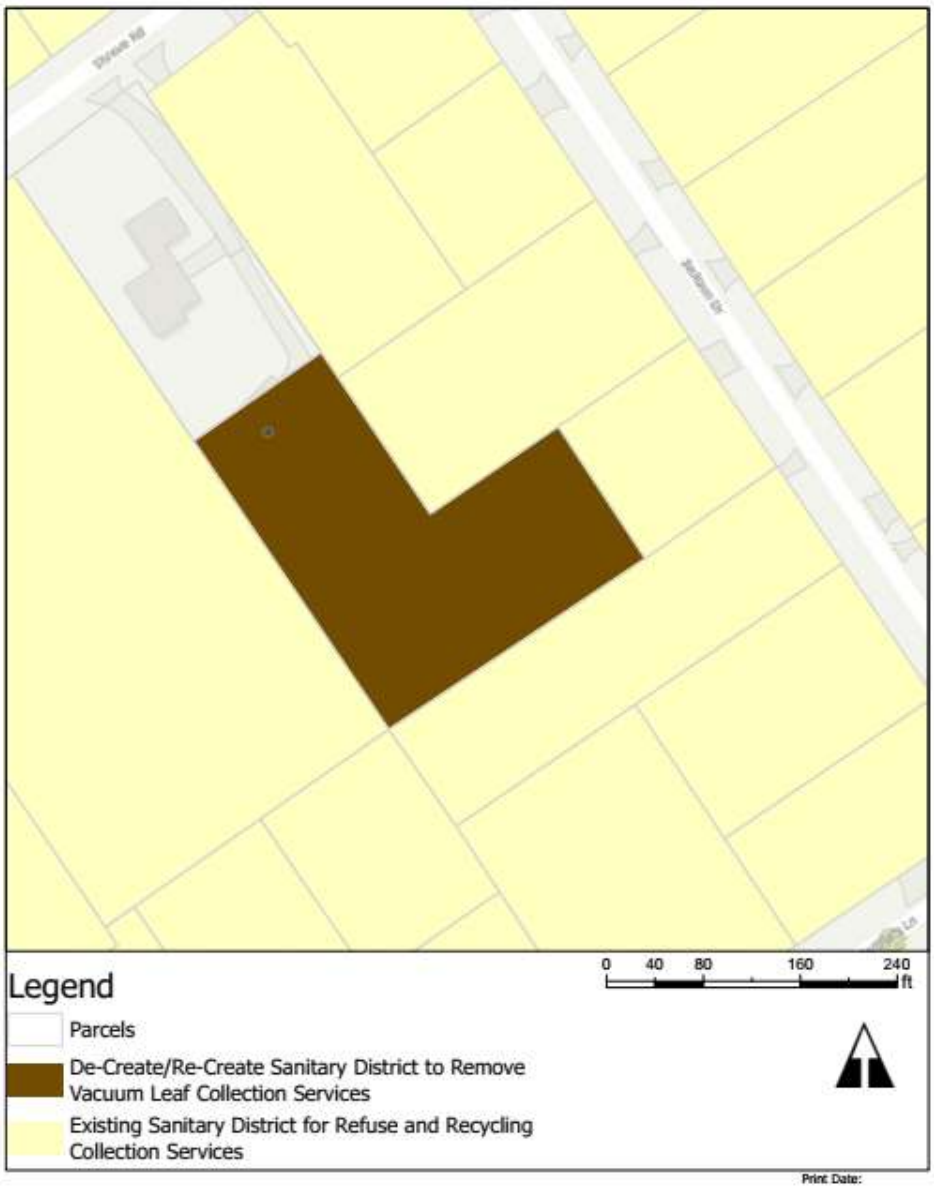
To provide refuse/recycling and remove vacuum leaf collection service for the citizens who reside therein.

Given under my hand this____day of May, 2025

_____
Jill G. Cooper
Clerk for the Board of Supervisors

Attachment 2

Shreve Road Area Sanitary District Map, 1Lot



Board Agenda Item
March 18, 2025

ADMINISTRATIVE - 4

Authorization to Advertise a Public Hearing to Convey Certain Land Rights in Board-Owned Property to the Virginia Department of Transportation for the Vienna Metro Station Bicycle and Pedestrian Improvements Project (Providence District)

ISSUE:
Authorization to advertise a public hearing to convey a portion of County-owned property to the Virginia Department of Transportation (VDOT) for the Vienna Metro Station Bicycle and Pedestrian Improvements Project (Project).

RECOMMENDATION:
The County Executive recommends that the Board authorize staff to publish the advertisement of a public hearing to be held on May 13, 2025, at 4:00 p.m.

TIMING:
Board action is requested for March 18, 2025, to provide sufficient time to advertise the proposed public hearing on May 13, 2025, at 4:00 p.m.

BACKGROUND:
The Board of Supervisors is the owner of a four-acre parcel of land located between Virginia Center Boulevard and I-66 and identified as Tax Map Parcel No. 0482 01 0002 (Property). The Property is improved with a portion of the North Commuter Parking Lot for the Vienna/Fairfax-GMU Metro Station. The remainder of the parking lot lies on land to the west owned by the Washington Metropolitan Area Transportation Authority.

VDOT is in the process of acquiring land for the Project, which involves the construction of a 10-foot-wide, paved shared-use path along Blake Lane and Sutton Road and the creation of a 5,000-foot-long, two-way cycle track with an adjacent sidewalk along Country Creek Road/Virginia Center Boulevard. To enhance the Property's access to this new cycle track, VDOT requires the County to convey 1,943 square feet of land in fee simple and dedicate permanent drainage and temporary construction easements of 1,424 square feet and 3,593 square feet, respectively. The construction schedule for the Project will be phased to ensure that the Metro parking lot remains open for the duration of the Project.

On July 19, 2022, the Board endorsed the design plans and authorized the funding for the Project. Given the significant financial commitment of local funds to the Project, the County supports donating the needed property rights to VDOT in lieu of requiring minor compensation.

Because *Virginia Code Ann. § 15.2-1800* requires a locality to hold a public hearing before it may dispose of any real property, staff recommends that the Board authorize staff to advertise a public hearing to convey the Property to VDOT.

EQUITY IMPACT:
The donation of the land rights to VDOT for incorporation into the project promotes focus area 14 of the One Fairfax Policy, which is associated with the advancement of a multi-modal transportation system that supports the economic growth, public health, and congestion mitigation goals of Fairfax County.

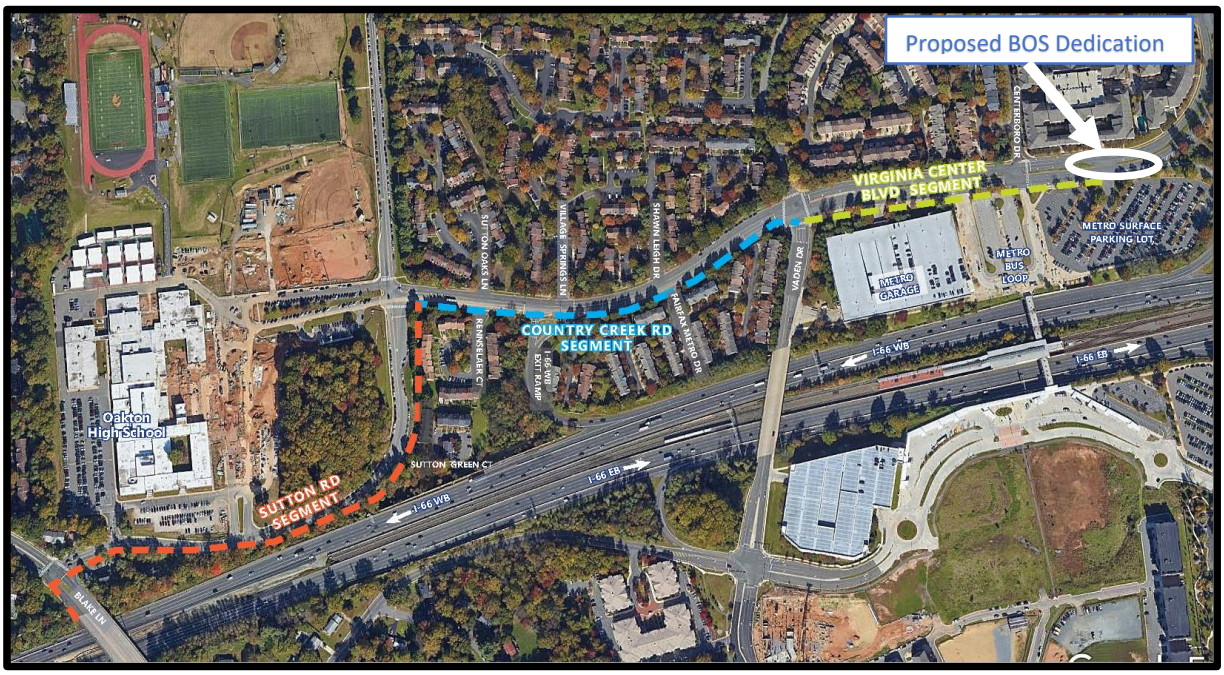
FISCAL IMPACT:
None.

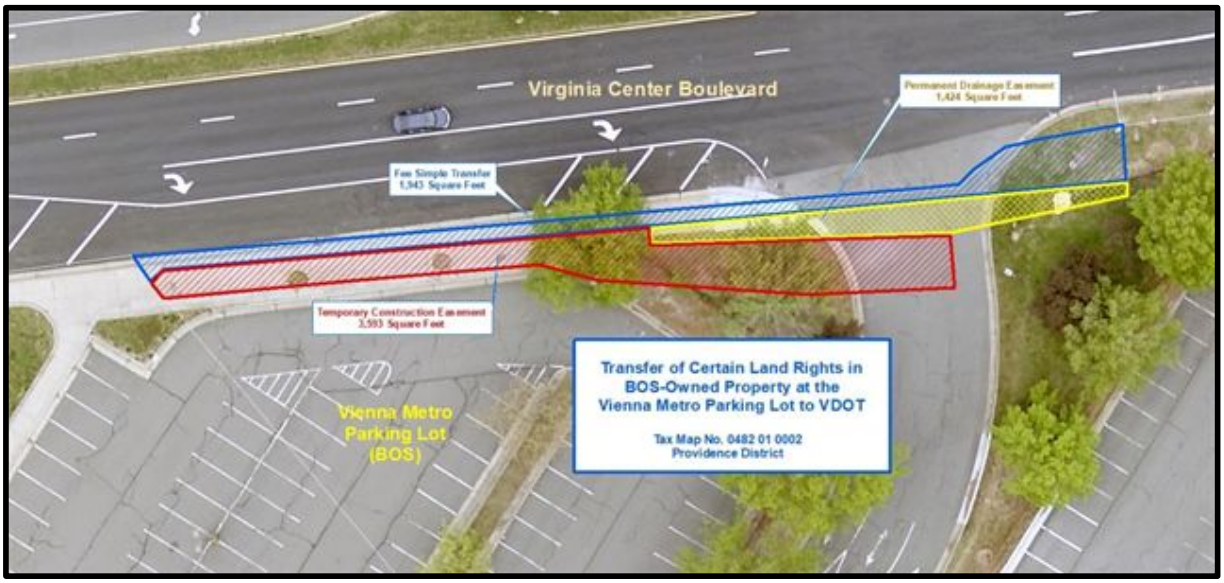
ENCLOSED DOCUMENTS:
Attachment 1 -- Location Maps

STAFF:
Ellicia Seard-McCormick, Deputy County Executive of Administration
Gregg Steverson, Director, Department of Transportation (FCDOT)
José A. Comayagua, Director, Facilities Management Department (FMD)
Mike Lambert, Assistant Director, FMD
Jim Strayhorne, Transportation Planner IV, FCDOT

ASSIGNED COUNSEL:
F. Hayden Codding, Assistant County Attorney

ATTACHMENT 1





Board Agenda Item
March 18. 2025

ADMINISTRATIVE - 5

Authorization to Advertise a Public Hearing to Consider Proposed Amendments to the Employees', Police Officers, and Uniformed Retirement Systems Ordinances

ISSUE:
Authorization to advertise a public hearing on proposed amendments to *Articles 2, 3 and 7 of Chapter 3 of the Code of the County of Fairfax* which set forth the ordinances for the Fairfax County Employees' (ERS), Uniformed (URS) and Police Officers (PORS) Retirement Systems.

RECOMMENDATION:
The County Executive recommends that the Board authorize advertisement of a public hearing regarding the proposed amendments to the ERS, URS and PORS ordinances for the purpose of adding certain provisions in support of reclassification of the Animal Control Police Officer positions. The ERS, URS and PORS Boards of Trustees have been made aware of and support the proposed amendments.

TIMING:
Board action is requested on March 18, 2025, to provide time to advertise for a public hearing on April 22, 2025, at 2:30 p.m

BACKGROUND:
Animal Protective Police Officers (APPOs) are currently members of the URS. As part of the reclassification of the these positions, impacted employees will be given the opportunity to join either the Department of Animal Services or the Fairfax County Police Department. In addition, impacted employees will have the following options regarding which retirement system they will be members in—they can (1) remain members of the URS, (2) leave URS and become members of the PORS, or leave URS and become members of the ERS.

To enable these possible transitions the ERS, PORS, URS and ordinances need to be amended. The amendments to the ERS and PORS ordinances will allow APPOs to be members of those systems and the URS ordinance amendments will define the process for APPOs to transition to the ERS or PORS systems or allow for APPOs who chose to remain as members of the URS. The draft ordinance amendments are attached.

EQUITY IMPACT:
These proposed changes are in line with One Fairfax, as was noted in staff's presentation of the consolidation plan made at the January 30, 2024 Safety and Security Committee meeting.

FISCAL IMPACT:
Those APPOs who chose transition from the URS to either the ERS or PORS will be responsible for paying the cost, if any, resulting from their moving to another system. As reflected in the attached letters from the systems' actuary, Cheiron, they have confirmed that the cost to the retirement systems is expected to be immaterial.

CREATION OF POSITIONS:
None.

ENCLOSED DOCUMENTS:
Attachment 1: Amendments to Chapter 3
Attachment 2: Letter from the County's Actuary

STAFF:
Christina Jackson, Deputy County Executive/Chief Financial Officer
Thomas Arnold, Deputy County Executive
Jeff Weiler, Executive Director, Retirement Administration
Linnaea Jablonski, Director, Department of Human Resources

ASSIGNED COUNSEL:
Patricia Moody McCay, Deputy County Attorney
Lachina Dovodova, Assistant County Attorney

AN ORDINANCE AMENDING CHAPTER 3 OF THE FAIRFAX COUNTY CODE, RELATING TO COUNTY EMPLOYEES

AN ORDINANCE to amend the Fairfax County Code by amending and readopting Sections 3-2-19, 3-3-20, 3-3-24, and 3-7-19

Draft of February 27, 2025

Be it ordained by the Board of Supervisors of Fairfax County:

1. **That Sections 3-2-19, 3-3-20, 3-3-24, and 3-7-19 of the Fairfax County Code are amended and readopted as follows:**

Section 3-2-19. Membership composition.

(a) Membership shall be composed of the following:

(1) All persons who were members of the System on the effective date of this Article and all SESRP members; provided, that benefits under the System in the case of SESRP members shall be in lieu of, and not in addition to, benefits under SESRP.

(2) Future employees as hereinafter identified, except those listed in Subparagraphs (A) and (B) of this Subsection.

(A) Employees who are members of the Virginia Retirement System (VRS) and the Educational Employees' Supplemental Retirement System of Fairfax County (ERFC), the Fairfax County Police Officers Retirement System, or the Fairfax County Uniformed Retirement System and employees who are eligible to become members of those systems, are not eligible for membership in this System; provided, that an employee who is a member of such a system shall be eligible for membership in this System if he or she elects in writing to withdraw from such system, pursuant to the rules and regulations of this System and of the system of which he or she was previously a member. If the withdrawal from the other system occurs due to being employed in a different position by the same appointing authority, the employee shall be required to purchase service credit under this System for service rendered while a member of such other system, pursuant to the rules of Section 3-2-23.

If the withdrawal from the other system occurs due to being employed by a different appointing authority, the employee shall be permitted but not required to purchase service credit under this System for service rendered while a member of such other system, pursuant to the rules of Section 3-2-23. Exempt benefits eligible and exempt temporary employees are not eligible for membership in this System; provided, that any such employee who became a member of this System under the provisions of this Article in effect at the time he or she commenced his or her service with the County shall continue to be a member.

The following employees who elect, in writing at the time of their initial eligibility not to become members of the System, shall be exempted from the

System: elected officials, including constitutional officers and persons appointed to fill vacancies in elective offices, and their appointed deputies or assistants.

(B) School Board employees who are members of the Virginia Retirement System (VRS) are not eligible for membership in this System. Substitute employees, food service employees whose assigned employment is less than three hours per day, and temporary employees are not eligible for membership in this System.

(3) Any employee, otherwise qualified, who elected not to or was unable to become a member of the System pursuant to any ordinance then in effect; provided, he or she pays into this System all contributions which would have been due from him or her had he or she been a member of the System during the period of his or her employment, plus interest on such contributions at the rate or rates established by the Board, for each of the years for which membership service credit is sought. Any election to purchase membership service credit under this Subsection through the payment of contributions for a prior period of employment shall be made within one year after the employee is first eligible to make such an election or by six months from the effective date of this amendment [September 17, 1990], whichever is later.

(b) Uniformed employees of the Department of Animal Control transferring to the Fairfax County Uniformed Retirement System.

(1) Members of this System who were uniformed employees of the Department of Animal Control, including the Director, on or after October 1, 1985, except those eligible to remain in this System pursuant to Subsection (b)(2) of this Section, are hereby transferred to membership in the Fairfax County Uniformed Retirement System effective the latter of October 1, 1985, or the date of their appointment.

(2) Those members subject to transfer to the Uniformed Retirement System pursuant to Subsection (b)(1) of this Section who as of the date of adoption of this Subsection [December 16, 1985] have attained normal retirement age under this System shall continue as members of this System unless within 30 days after the adoption of this Subsection they make an irrevocable election in writing to transfer into the Uniformed Retirement System pursuant to this Subsection.

(3) Members of this System being transferred to the Uniformed Retirement System pursuant to this Subsection shall, within 30 days of the adoption of this Subsection [December 16, 1985], make an irrevocable election in writing to either waive membership service credit in the Uniformed Retirement System based upon their service in this System or to purchase membership service credit in the Uniformed Retirement System based on their service in this System pursuant to the provisions of Section 3-3-24. Members who fail to make an election shall be deemed to have elected to waive membership service credit.

(4) Members with five or more creditable years of service with this System who elected to waive membership service credit in the Uniformed Retirement System pursuant to Subsection (b)(3) of this Section shall make at the same time an irrevocable election in writing whether to receive a refund of their accumulated contributions (with interest), reduced by the amount of any retirement allowances previously received by them under this Article, or to receive a deferred vested

benefit from this System mutatis mutandis, under Section 3-2-38(b). Members who fail to make an election shall be deemed to have elected a refund. Members with less than five years of creditable service with this System who elect to waive membership service credit in the Uniformed Retirement System pursuant to Subsection (b)(3) of this Section shall be refunded their accumulated contributions (with interest) reduced by the amount of any retirement allowances previously received by them under this Article.

(5) With respect to each member electing to purchase membership service credit in the Uniformed Retirement System pursuant to Subsection (b)(3) of this Section, the Board shall transfer the funds in the member's contribution account as well as those funds in the retirement allowance account attributable to the member's service to the Board of Trustees of the Uniformed Retirement System, who shall credit such funds to the appropriate accounts of the Uniformed Retirement System.

(6) The Board shall transfer to the Board of Trustees of the Uniformed Retirement System any employee or employer contributions received by it attributable to members transferring to the Uniformed Retirement System pursuant to Subsection (b)(1) or (2) of this Section for service rendered after the effective date of the members' transfer. The Board of Trustees of the Uniformed Retirement System shall credit such funds to the appropriate accounts of the Uniformed Retirement System.

(c) Certain employees of the Department of Public Safety Communications in the job classes of Public Safety Communications Squad Supervisor, Public Safety Communications Assistant Squad Supervisor, Public Safety Communicator III, Public Safety Communicator II, or Public Safety Communicator I transferring to the Fairfax County Uniformed Retirement System.

(1) Members of this System who are in one of the job classes identified in this Subsection, on or before June 30, 2005, shall have the opportunity to transfer to membership in the Fairfax County Uniformed Retirement System, effective the start of the first pay period beginning on or about October 1, 2005.

(2) Members of this System who are eligible for transfer to the Uniformed Retirement System pursuant to Subsection (c)(1) of this Section may elect to maintain their membership in this System and not transfer to the Uniformed Retirement System.

(3) Members of this System who are eligible for transfer to the Uniformed Retirement System pursuant to Subsection (c)(1) of this Section and elect to do so, shall, after the adoption of Subsection (c) of this Section, on or before September 1, 2005, make an irrevocable election in writing to transfer to the Uniformed Retirement System. Members electing to transfer to the Uniformed Retirement System may elect to transfer to the Uniformed Retirement System but not purchase membership service credit in the Uniformed Retirement System based upon their service in this System, or may elect to purchase membership service credit in the Uniformed Retirement System based on their service in this System pursuant to the provisions of Section 3-3-24. Transferring members who fail to make an election shall be deemed to have elected to waive the opportunity to purchase membership service credit in the Uniformed Retirement System.

(4) Members with five or more creditable years of service with this System who elect to waive membership service credit in the Uniformed Retirement System shall make at the same time an irrevocable election in writing whether to receive a refund of their accumulated contributions with interest reduced by the amount of any retirement allowance previously received by them under this Article, or to receive a deferred vested benefit from this System mutatis mutandis, under the provisions of Section 3-2-38(b). Members who fail to make an election shall be deemed to have elected not to receive a deferred vested benefit. Members with less than five years of creditable service with this System who elect to waive membership service credit in the Uniformed Retirement System shall be refunded their accumulated contributions (with interest) reduced by the amount of any retirement allowances previously received by them under this Article.

(5) With respect to each member electing to purchase membership service credit in the Uniformed Retirement System pursuant to Subsection (c)(3) of this Section, the Board shall transfer the funds in the member's contribution account as well as those funds in the retirement allowance account attributable to the member's service to the Board of Trustees of the Uniformed Retirement System, who shall credit such funds to the appropriate accounts of the Uniformed Retirement System. Members electing to purchase membership service credit in the Uniformed Retirement System shall have the option of paying to the Board of Trustees of the Uniformed Retirement System the difference between the employee contributions that would have been required under the Uniformed Retirement System plus interest, and their employee contributions plus interest to this System for the period for which membership service credit is sought. Members who elect to pay the difference between the employee contributions plus interest that would have been required under the Uniformed Retirement System and their employee contributions plus interest to this System, shall not be eligible to enter the DROP under the Uniformed Retirement System until the entire amount of the difference in employee contributions plus interest has been paid to the Uniformed Retirement System and the member otherwise meets the eligibility requirements to enter the DROP under the Uniformed Retirement System. In lieu of paying the difference between the employee contributions that would have been required under the Uniformed Retirement System plus interest and their employee contributions plus interest to this System, a member may elect to have the amount of membership service credit transferred to the Uniformed Retirement System actuarially reduced based on the amount that would have been required.

(6) The Board shall transfer to the Board of Trustees of the Uniformed Retirement System any employee or employer contributions received by it attributable to member's transfer to the Uniformed Retirement System pursuant to Subsection (c)(1) or (2) of this Section for service rendered after the effective date of the member's transfer. The Board of Trustees of the Uniformed Retirement System shall credit such funds to the appropriate accounts of the Uniformed Retirement System.

(7) Members of this System in one of the job classes identified in this Subsection who elect to enter the DROP on or before September 1, 2005, are not eligible for

transfer to the Uniformed Retirement System.

(d) Notwithstanding any other provision of this Chapter or Article to the contrary, an active member of either the Fairfax County Uniformed Retirement System or the Fairfax County Police Officers Retirement System who has more than five years of creditable service in such system and who is appointed to serve as a Deputy County Executive shall remain a member of the system to which he or she belonged, whether the Uniformed Retirement System or the Police Officers Retirement System, prior to his or her appointment as a Deputy County Executive, and shall not become a member of this System as a result of such appointment.

(e) Persons receiving a normal or early service retirement allowance from this System, the Fairfax County Uniformed Retirement System, or Fairfax County Police Officers Retirement System are eligible for membership only under the terms and conditions set forth in Section 3-2-43. (20-81-3; 34-81-3; 23-85-3; 36-86-3; 14-87-3; 27-90-3, § 1; 45-93-3; 23-05-3; 26-12-3; 2-16-3; 09-19-3.)

(f) Former Animal Protection Police Officers who elected to transfer to this System from the Fairfax County Uniformed Retirement System pursuant to the provisions of Section 3-3-20(e)(3). Membership in this System will begin on July 12, 2025. Such members may receive service credit for prior service as an Animal Protection Police Officer as set out at Section 3-2-23(f).

Section 3-3-20. Membership composition.

(a) Membership shall be composed of the following:

(1) Present employees, as hereinafter identified, except those listed in Subsection (2)(B) of this Section:

(A) All persons who were employees on the effective date of this Article or who were on leave from service on such date; or

(B) Any employee, otherwise qualified, who has been a member of another Fairfax County retirement system, and who has withdrawn therefrom, provided he or she pays into this System all contributions which would have been due from him or her had he or she been a member of this System, plus interest at the rate or rates, as established by the Board, for each of the years for which membership service credit is sought.

(2) Future employees, as hereinafter identified, except those listed in Subparagraph (B) of this Subsection:

(A) All persons who hereafter shall become employees, persons receiving a normal or early service retirement allowance from this System, the Fairfax County Employees' Retirement System, or Fairfax County Police Officers Retirement System eligible for membership only under the terms and conditions set forth in Section 3-3-43.

(B) Employees who are members of the Virginia Retirement System (VRS) and the Educational Employees Supplemental Retirement System of Fairfax County (ERFC), the Employees' Retirement System, or the Police Officers Retirement System, and future employees who are eligible to become members of those systems are not eligible for membership in this System; provided, that an employee who is a member of such a system shall be

eligible for membership in this System if he or she elects in writing to withdraw from such system, pursuant to the rules and regulations of this System and of the system of which he or she was previously a member. If the withdrawal from the other system occurs due to being employed in a different position by the same appointing authority, the employee shall be required to purchase service credit under this System for service rendered while a member of such other system, pursuant to the rules of Section 3-3-24. If the withdrawal from the other system occurs due to being employed by a different appointing authority, the employee shall be permitted but not required to purchase service credit under this System for service rendered while a member of such other system, pursuant to the rules of Section 3-3-24. Elected officials, who elect in writing at the time of their employment not to become members, shall be exempted from this System.

(3) The membership in this System of uniformed employees of the Department of Animal Control transferred from the Employees' Retirement System to this System pursuant to Section 3-2-19(d) shall commence on October 1, 1985, or date of appointment, whichever is later. For purposes of this Article, such members shall be deemed to have been appointed on or after January 1, 1984, regardless of being granted any membership service credit pursuant to Section 3-3-24. Uniformed employees of the Department of Animal Control, including the Director, appointed on or after October 1, 1985, shall become members of this System upon appointment.

(4) The membership in this System of certain employees of the Public Safety Communications Center transferred from the Employees' Retirement System to this System pursuant to Section 3-2-19(e), shall commence on October 1, 2005, or date of appointment, whichever is later. Employees of the Public Safety Communications Center appointed on or after July 1, 2005, in the class specification Public Safety Communications Squad Supervisor, Public Safety Communications Assistant Squad Supervisor, Public Safety Communicator III, Public Safety Communicator II or Public Safety Communicator I, or any successor class specification(s) to these class specifications, shall become members of this System upon appointment.

(b) Park police transferring to the Fairfax County Police Officers Retirement System.

(1) Members of this System who were park police and who were reclassified as police officers on January 22, 1983, shall, within 30 days of the adoption of this Subsection [June 20, 1983], make an irrevocable election, in writing, whether to remain members of this System or to transfer to the Fairfax County Police Officers Retirement System.

(2) Members of this System who were park police and who were reclassified as police officers on January 22, 1983, who elect to remain as members of this System shall continue as members of this System.

(3) Members of this System who were park police and who were reclassified as police officers on January 22, 1983, who elect to transfer to the Police Officers Retirement System shall cease to be members of this System and shall be members of the Police Officers Retirement System as of January 22, 1983.

(4) Members who elect to transfer to the Police Officers Retirement System pursuant

to Subsection (b)(3) of this Section shall make a further election among the following options at the time of their election under Subsection (b)(1) of this Section:

(A) Withdraw the total of his or her accumulated member contributions (with interest) as of January 22, 1983, which shall be reduced by the amount of any retirement allowances previously received by him or her under this Article. Any member contributions to this System after January 22, 1983, shall be transferred to the transferee's member account in the Police Officers Retirement System. Said refund shall be paid to the member not later than 90 days from the date of receipt of the member's election by the Board; or

(B) If the member has five or more years of creditable service in this System on January 22, 1983, the member may leave his or her accumulated contributions as of January 22, 1983, in this System and receive a deferred vested benefit commencing on the first of the month coinciding with or following the date the member attains age 55 years, or in an actuarially reduced amount payable at the optional early retirement age, in accordance with applicable provisions of this Article; and any member contribution made to this System after January 22, 1983, shall be transferred to the transferred member's account in the Police Officers Retirement System; or

(C) The member may transfer his or her accumulated contributions to the Police Officers Retirement System to obtain prior service credit in that system pursuant to Section 3-7-20(b). In this case, the Board shall transfer the member's accumulated contributions (plus interest) as well as that portion of the retirement allowance account representing employer contributions to this System attributable to the member's service in this System to the Police Officers Retirement System.

(5) Members who are required by Subsection (b)(1) of this Section to make an election whether to transfer to the Police Officers Retirement System who fail to do so within the 30 day period provided therein shall be deemed to have elected to continue in this System pursuant to Subsection (b)(1) of this Section.

(6) Participation in this System of former members who return to qualifying employment and who have not withdrawn their accumulated contributions from this System as provided in Section 3-3-39 shall return to membership in the plan to which they were contributing at the time their former employment ceased.

(c) Members of the System who were deputy sheriffs and who as deputy sheriffs had been performing nursing and/or paramedical duties in the Sheriff's Department and who when reassigned to civilian positions in the Sheriff's Department allocated to one of the classes in the Correctional Health Nurse class series, shall, notwithstanding any other provision in this Chapter to the contrary, remain as members of the System so long as they remain in such positions and for so long as they remain so continuously employed in a position allocated to such classes in the Sheriff's Department or in other positions covered by this Article.

(d) Notwithstanding any other provision of this Chapter or Article to the contrary, an active member of this System who has more than five years of creditable service in this System and who is appointed to serve as a Deputy County Executive shall remain a member of this System, and shall not become a member of the Fairfax

County Employees' Retirement System as a result of such appointment. Any such member shall remain a member of this System for so long as he or she is so employed or subsequently resumes working in a position that is covered under this System. (1961 Code, § 9-90; 11-74-9; 35-81-3; 22-83-3; 23-85-3; 36-86-3; 45-93-3, 10-01-3; 32-02-3; 23-05-3; 27-12-3; 3-16-3; 10-19-3.)

(e) Members of the System who were uniformed Animal Protection Police Officers and whose positions were reclassified effective July 12, 2025 may either remain in this System or join the County retirement system in which they are now eligible as a result of their positions' reclassification. For purposes of this section "County retirement system" means the Employees' Retirement System or the Police Officers' Retirement System. Within 30 days of the adoption of this Subsection, these Members must make an irrevocable election, in writing, whether to remain Members of this System or to transfer to the County retirement system in which the Member is now eligible.

(1) Members who elect to remain as members of this System will continue as Members of this System.

(2) Members who elect to transfer to another County retirement system will cease to be members of this System and effective July 12, 2025 (the first day of the first full pay period following July 1, 2025), and will be Members of the County retirement system to which they elected to transfer. Except that Members who elect to receive a deferred vested benefit as permitted in Section 3-3-20(e)(3)(B) will be Members of this System for purposes of that deferred vested benefit only.

(3) Members who elect to transfer to another County retirement system pursuant to Subsection (e)(2) of this Section must make a further election among the following options at the time of their election under this Subsection:

(A) Withdraw the total of their accumulated Member contributions (with interest) as of July 12, 2025 which will be reduced by the amount of any retirement allowances previously received by them under this Article. Any Member contributions to this System after July 12, 2025, will be transferred to the transferee's Member account in the County retirement system they elected to join. This refund will be paid to the Member not later than 90 days from July 12, 2025; or

(B) If the Member has five or more years of creditable service in this System on July 12, 2025, the Member may leave their accumulated contributions as of that date, in this System and receive a deferred vested benefit from this System commencing on the first of the month coinciding with or following the date the member attains age 55 years, or in an actuarially reduced amount payable at the optional early retirement age, in accordance with applicable provisions of this Article; and any Member contribution made to this System after July 12, 2025, will be transferred to the transferred Member's account in the other County retirement system they have elected to join; or

(C) The Member may transfer their accumulated contributions to obtain prior service credit in that system pursuant to Section 3-7-22(e) or Section 3-2-23(f), as applicable. In this case, the Board will transfer the Member's accumulated contributions (plus interest).

(4) Members who are required by Subsection (e) of this Section to make an election whether to transfer to another County retirement system and who fail to do so within the 30-day period provided are deemed to have elected to continue in this System pursuant to Subsection (e)(1) of this Section.

(5) Participation in this System of former members who return to qualifying employment and who have not withdrawn their accumulated contributions from this System as provided in Section 3-3-39 shall return to membership in the plan to which they were contributing at the time their former employment ceased.

Section 3-3-24. Membership service credit.

(a) Each member shall receive membership service credit for periods for which he or she received compensation and was a member of the System or after he or she last became a member in the event of a break in his or her membership, provided that any former member of the System who ceased his or her County employment and withdrew his or her accumulated member contributions from the System may purchase membership service credit by paying into the System all accumulated contributions which were collected from him or her during his or her prior period or periods of membership, plus interest at the rate or rates established by the Board, for the entirety of any period of prior service for which membership service credit is sought; a member may not purchase credit for only a portion of any prior period of service, but may only purchase credit for an entire prior period of service.

(1) In the event that a member of Plan A, Plan B, Plan C, Plan D, or Plan E who ceased his or her County employment and withdrew his or her accumulated member contributions from the System seeks, on or after January 1, 2013, and before July 1, 2019, to purchase credit for periods during which he or she received compensation as a member of the System, he or she may only become a member of, and purchase membership service credit in, Plan E by paying into the System all accumulated contributions which would have been collected from him or her during his or her prior period or periods of membership, plus interest at the rate or rates established by the Board, for the entirety of any period of prior service for which membership service credit is sought.

(2) In the event that a member of Plan A, Plan B, Plan C, Plan D, Plan E, or Plan F who ceased his or her County employment and withdrew his or her accumulated member contributions from the System seeks, on or after July 1, 2019, to purchase credit for periods during which he or she received compensation as a member of the System, he or she may only become a member of, and purchase membership service credit in Plan F, by paying into the System all accumulated contributions which would have been collected from him or her during his or her prior period or periods of membership, plus interest at the rate or rates established by the Board, for the entirety of any period of prior service for which membership service credit is sought.

(3) Notwithstanding the foregoing, a member of any of the six Plans (A, B, C, D, E or F) that are part of the System who ceased his or her County employment, but who left his or her accumulated member contributions in the System, shall, upon his or her return to County employment, rejoin the Plan to which he or she

formerly belonged. Such member may satisfy some or all of the amount due from him or her for the purchase of such service through a rollover from an individual retirement account if the entire amount in that account is attributable to a rollover from the System. Such member may also satisfy some or all of the amount due from him or her for the purchase of such service through a direct trustee-to-trustee transfer from an eligible deferred compensation plan described in Section 457(b) of the Internal Revenue Code maintained by an eligible employer described in Section 457(e)(1)(A), or through a direct trustee-to-trustee transfer from an annuity contract described in Section 403(b) of the Internal Revenue Code.

(b) Members who are former park police officers who elected to remain in the System under Section 3-3-20(b)(2) shall receive membership service credit for service rendered as a park police officer and for their service as a police officer, including time served as a police officer prior to their election pursuant to Section 3-3-20(b)(2).

(c) Uniformed employees of the Department of Animal Control who transferred into this System pursuant to Section 3-2-19(d) may purchase membership service credit in this System for service as a uniformed employee of the Department of Animal Control rendered prior to October 1, 1985, by making an election in writing pursuant to Section 3-2-19(d)(3) and paying to the Board the difference between the employee contributions that would have been required under this System plus interest, and their employee contribution plus interest to the Fairfax County Employees' Retirement System for the period for which membership service credit is sought. The Board is authorized to enter into agreements with such members for the payment of the sum in installments, at the same interest rate, applied to the member's contribution account, so long as the entire sum due, plus interest, is paid within one year of the adoption of Section 3-2-19(d) [December 16, 1985].

(d) With respect to employees of the Public Safety Communications Center who transferred into this System pursuant to Section 3-2-19(e) and who purchase membership service credit in this System pursuant to Section 3-2-19(e)(3) and (5) by paying to the Board the difference between the employee contributions that would have been required under this System plus interest, and their employee contribution plus interest to the Employees' Retirement System, the Board is authorized to enter into agreements with such members for the payment of the sum in installments, at the same interest rate, to be applied to the member's contribution account, so long as the entire sum due, plus interest, is paid within three years of October 1, 2005.

(e) Under such rules and regulations as are adopted by the Board, any employee who has been a member of the Virginia Retirement System (VRS) and the Educational Employees Supplemental Retirement System of Fairfax County (ERFC), the Employees' Retirement System, or the Fairfax County Police Officers Retirement System, and who withdraws therefrom may purchase service credit for service rendered while a member of such other system by paying into this System all contributions that would have been due from him or her had he or she been a member of this System, plus interest at the rate or rates, as established by the Board, for each of the years for which membership service credit is sought. (A member may purchase membership service credit for prior service while a member of VRS only for service due to employment by the Fairfax County Public Schools

(FCPS).)

(f) The amount due from a member for such purchase of service credit shall be satisfied, to the extent possible, (a) by directing the trustees of the system from which he or she is withdrawing to transfer his or her accumulated member contributions in such system directly to this System, without distribution to such employee, if such transfers are available under such system, or (b) through (i) a rollover from the system from which he or she is withdrawing (if the member would be eligible for a refund from such system), (ii) a rollover from an individual retirement account in which all contributions were derived from a rollover from a system, (iii) a direct trustee-to-trustee transfer from an annuity described in Section 403(b) of the Internal Revenue Code, or (iv) a direct trustee-to-trustee transfer from an eligible deferred compensation plan described in Section 457(b) of the Internal Revenue Code maintained by an eligible employer described in Section 457(e)(1)(A). To the extent that a rollover or direct transfer permitted under this Subsection is insufficient to purchase the necessary service credit, other arrangements permitted by the rules and regulations adopted by the Board shall be made for purchasing such service credit.

(g) Members in service shall also receive membership service credit for periods of service-connected disability retirement from the System.

(h) A member shall also receive membership service credit for any period during which the member is taking leave without pay from the County service and is receiving compensation from the County for temporary total or temporary partial disability under the Virginia Workers' Compensation Act.

(i) Each member shall receive membership service credit for military leave, provided he or she returns to full employment within 90 days of discharge and such discharge is other than dishonorable. (1961 Code, § 9-94; 11-74-9; 22-83-3; 23-85-3; 45-93-3; 36-94-3; 22-96-3; 10-01-3; 8-03-3; 23-05-3; 27-12-3; 3-16-3; 10-19-3.)

(j) Members who are former Animal Protection Police Officers who elected to remain in the System under Section 3-3-20(e) will retain their membership service credit for service rendered as an Animal Protection Police Officer and will receive credit for service in their reclassified position.

Section 3-7-19. Membership composition.

(a) Membership shall be composed of the following:

(1) Present employees.

(2) All persons who were employees on June 22, 1981, or who were on authorized leave from service on such date.

(3) Future employees.

(4) Former park police officers who elected to transfer to this System from the Fairfax County Uniformed Retirement System (URS) pursuant to the provisions of Section 3-3-20(b)(3). Membership in this System shall commence on January 22, 1983. For purposes of this Article, such members shall be deemed to have been appointed on the date they became members of the URS, regardless of being granted any prior service credit pursuant to Section 3-7-~~20~~23(b). Such members may receive service credit for prior service as a park police officer if the

member pays into this System the difference between the amount he or she contributed to the Uniformed Retirement System and the amount he or she would have contributed to this System had he or she been a member during the period for which he or she is seeking prior service credit plus an amount equal to the total return of this System's assets in each year for which prior service credit is applied to those contributions that have been in this System had he or she been a member at the time. At the Board's discretion, such a member may pay in installments over a period not to exceed one year. However, prior service credit shall not be granted until payment has been received in full. This offer to purchase service shall be effective for a period of one year from the approval date of this change [February 26, 2001].

(5) Former Animal Protection Police Officers who elected to transfer to this System from the Fairfax County Uniformed Retirement System pursuant to the provisions of Section 3-3-20(e)(3). Membership in this System will begin on the later of July 12, 2025, or the member's effective date as an Employee. Such members may receive service credit for prior service as an Animal Protection Police Officer as set out at Section 3-7-22(e).

2. That the provisions of this ordinance are severable, and if any provision of this ordinance or any application thereof is held invalid, that invalidity shall not affect the other provisions or applications of this ordinance that can be given effect without the invalid provision or application.

3. This amendment is effective upon adoption.

GIVEN under my hand this___day of_____2025.

_____

Jill G. Cooper
Clerk for the Board of Supervisors

CHEIRON Classic Values, Innovative Advice

Via Electronic Mail

February 28, 2025

Mr. Jeffrey Weiler
Executive Director
Fairfax County Retirement Systems
12015 Lee Jackson Memorial Highway, Suite 350
Fairfax, Virginia 22033

Re: Animal Service Officer Transfer from URS to PORS

Dear Jeff:

As requested, we are writing to provide a cost estimate for the election of Animal Service Officers (ASO) currently participating in the Uniformed Retirement System (URS) to move their URS service into the Police Officers' Retirement System (PORS). Those who elect to move to the PORS and have their URS service counted under the provisions to a comparable PORS plan would need to pay for the difference between member contribution rates of the two plans, with interest.

Background

A closed group of current Animal Service Officers has been earning service under the URS. These positions are being moved to the Employees Retirement System (ERS), but the existing workforce will be allowed to make a one-time election to move into the PORS. When they make this election, it could be either for future service earned under the PORS from July 1, 2025 forward, or they could transfer their accrued service under the URS to the PORS, if they pay the difference in member contributions between the two programs.

We understand that there would be no transfer of employer contribution dollars between the URS and the PORS and that each ASO will participate in the PORS benefit structure related to their original URS date of hire. That is, participants in URS Plan D would enter PORS Plan A, those in URS Plan E would enter PORS Plan B, and those in URS Plan F would join under PORS Plan C.

We also understand that if members do not elect make payment of the difference between URS and PORS contributions that they only benefit available from their pre-July 1, 2025 URS service would be a refund of contributions with interest.

Cost Impact

Cheiron has estimated that if all 24 eligible members transfer to the PORS and pay the increase in member contribution amounts there should be no overall cost to the County. That is not to say there would be no impact to the individual URS and PORS funded positions, but taken in the aggregate, the net increase in benefits to be afforded under the PORS is completely paid for by the

release of liability under the URS plan in combination with the additional member contributions to be made to the PORS.

In the chart below we show the estimated impact of the changes on both Systems as of the July 1, 2025 transfer date.

($ in Millions)	URS	PORS	NET IMPACT
Change in Liability	($12.6)	$13.3	$0.7
Transfer Member Contributions	1.9	(1.9)	0.0
Additional Member Contributions	NA	(1.2)	(1.2)
Net Change in UAL	($10.7)	$10.2	($0.5)

($ in Millions)	URS	PORS	SUM
Valuation Rates			
Normal Cost	17.74%	20.14%	
UAL Payment	37.33%	40.73%	
Expense	0.35%	0.50%	
Total County Contribution	55.42%	61.37%	
Estimate FY 26 Payroll	$202.9	$138.8	$341.7
Estimated FY 26 Contribution Dollars	$112.5	$85.1	$197.6
After Transfer			
Normal Cost	17.74%	20.10%	
Existing UAL Payment Rate	37.81%	39.99%	
Change in UAL due to Transfer	(0.50%)	0.67%	
Expense	0.35%	0.50%	
Total County Contribution	55.40%	61.27%	
Estimate FY 26 Payroll	$200.4	$141.3	$341.7
Estimated FY 26 Contribution Dollars	$111.0	$86.6	$197.6
Change in FY 26 Contributions	($1.5)	$1.5	$0.0

With the shift in covered payroll from URS to PORS there would be an impact on the UAL amortization percentage of existing bases in each System. The actual amortization dollars would not change, but the contribution rate would be impacted due to the change in denominator.

There would also be an additional UAL/Surplus base in each of the Systems. The chart above shows that the combination of these two rate impacts, when applied to the anticipated covered payroll of each System, would likely increase the PORS contribution by around $1.5 million, and at the same time, decrease the URS contribution by the same amount. At the County level, these changes would offset one another, leading to a net zero impact.

Disclosures

The actuarial methods and assumptions used in preparing this cost estimate are those disclosed in the June 30, 2024 actuarial valuation of the Fairfax County Uniformed Retirement System and the Police Officers' Retirement System. Emerging costs may differ from those presented here as actual experience deviates from those assumptions. The data used was provided by your office for preparation of the June 30, 2024 actuarial valuation, augmented by information on 24 ASO participants who will be given the option to transfer their service.

This letter was prepared exclusively for the Fairfax County Retirement Systems for the purpose described herein. Other users of this letter are not intended users as defined in the Actuarial Standards of Practice, and Cheiron assumes no duty or liability to such other users.

This letter and its contents have been prepared in accordance with generally recognized and accepted actuarial principles and practices and our understanding of the Code of Professional Conduct and applicable Actuarial Standards of Practice set out by the Actuarial Standards Board as well as applicable laws and regulations. Furthermore, as credentialed actuaries, we meet the Qualification Standards of the American Academy of Actuaries to render the opinion contained in this letter. This letter does not address any contractual or legal issues. We are not attorneys, and our firm does not provide any legal services or advice.

Please call if you have any questions or comments.

Sincerely,
Cheiron

Fiona E. Liston, FSA, EA, MAAA
Principal Consulting Actuary

Coralie Taylor, FSA, EA, MAAA
Consulting Actuary

CHEIRON

Board Agenda Item
March 18, 2025

ADMINISTRATIVE – 6

Authorization to Advertise a Public Hearing to Consider Amendments to the Code of the County of Fairfax, Virginia—Chapter 4 (Taxation and Finance), Article 13 (Transient Occupancy Tax)

ISSUE:
Authorization to advertise a public hearing to consider amendments to Chapter 4, Article 13 of the Fairfax County Code, that would increase the local tax rate for transient occupancy from 4% to 6% effective July 1, 2025 and would make other technical amendments to Article 13.

RECOMMENDATION:
The County Executive recommends that the Board authorize advertisement of a public hearing on April 22, 2025, at 3:00 p.m. to consider adoption of the proposed amendments to Chapter 4, Article 13 of the Fairfax County Code, with an effective date of July 1, 2025.

TIMING:
Board action is required on March 18, 2025, to provide sufficient time to advertise the public hearing on April 22, 2025.

BACKGROUND:
Virginia Code § 58.1-3819 authorizes counties to impose a transient occupancy tax (TOT) on the total price paid to rent the use of lodging space for a period of fewer than 30 days. The current rate in Fairfax County is 4%, with 2% allocated to the general fund and another 2% allocated to promoting tourism pursuant to *Virginia Code § 58.1-3824*. The last time this rate was adjusted was in 2004, when the Board adopted the additional 2% for tourism. The 2% TOT for tourism levied by Fairfax County is imposed on space rented from lodging facilities located within the towns of Clifton, Herndon, and Vienna; however, the 2% allocated to the general fund does not apply within the towns. The towns are authorized to levy their own TOT.

For comparative purposes, the following chart shows the TOT rates for surrounding jurisdictions:

Name of Localities	Transient Occupancy Tax Percentage
Northern VA Localities[1]	
Fairfax County[2]	4%
City of Fairfax	4%
Loudoun County	5%
Prince William County	5%
Arlington County	5.25%
City of Falls Church	6%
City of Alexandria	6.5%
Non-VA Localities	
Montgomery Co. (MD)	7%
Prince George Co. (MD)	7%
District of Columbia	15.95%

[1] In addition to the rates noted, a regional transportation tax of 3% is mandated by VA Code § 58.1-1743.
[2] The total TOT levied by Fairfax County for businesses in the Towns of Clifton, Herndon, and Vienna is calculated at the rate of 5% (2% for tourism + 3% for regional transportation). This is in addition to TOT levied by the towns. The additional rates levied by the towns of Herndon and Vienna are 6% and 3% respectively. Town of Clifton does not levy additional TOT

The proposed amendment increases the local TOT rate from 4% to 6%, effective July 1, 2025, allocating an additional 1% to the general fund and 1% to promoting tourism. The revenue for tourism promotion will be held in reserve pending identification of uses after consultation with local tourism industry organizations, including representatives of lodging properties located in the County. This increase in the TOT rate will not apply to properties located within any town.

Additionally, the amendments specify that the TOT is due on the 20th day of the following month, and any amount due will also begin to accrue interest immediately after this date, ensuring uniformity among similar tax types. The proposed amendments also include technical housekeeping changes to provide updated and clarifying language.

EQUITY IMPACT:
None.

FISCAL IMPACT:
The 2% increase on the TOT is projected to generate approximately $13 million in FY 2026. The additional revenue is already reflected in the County Executive's FY 2026 Advertised Budget Plan.

Board Agenda Item
March 18, 2025

ENCLOSED DOCUMENTS:
Attachment 1 – Proposed Ordinance, Redline
Attachment 2 – Proposed Ordinance, Clean

STAFF:
Christina Jackson, Deputy County Executive/Chief Financial Officer
Jaydeep "Jay" Doshi, Director, Department of Tax Administration (DTA)
Philip A. Hagen, Director, Department of Management and Budget
Young Tarry, Director, Personal Property and Business License Division, DTA
Gregory A. Bruch, Director, Revenue Collection Division, DTA
Justin Nejad, Assistant Director, Personal Property and Business License Division, DTA
Kimberly Sebunia, Assistant Director, Revenue Collection Division, DTA

ASSIGNED COUNSEL:
Daniel Robinson, Senior Assistant County Attorney

AN ORDINANCE AMENDING ARTICLE 13 OF CHAPTER 4 OF THE FAIRFAX COUNTY CODE, RELATING TO TRANSIENT OCCUPANCY TAX

Draft of February 4, 2025

AN ORDINANCE to amend the Fairfax County Code by amending and readopting Sections 4-13-1, 4-13-2, 4-13-5, and 4-13-6, relating to Transient Occupancy Tax.

Be it ordained by the Board of Supervisors of Fairfax County:

1. **That Sections 4-13-1, 4-13-2, 4-13-5, and 4-13-6 of the Fairfax County Code are amended and readopted as follows:**

CHAPTER 4 – Taxation and Finance.

Article 13. – Transient Occupancy Tax.

Section 4-13-1. – Definitions.

The following words and phrases when used in this Article, for the purposes of this Article, have the meanings respectively ascribed to them in this Section, except in those instances where the context clearly indicates a different meaning:

Accommodations means any room or rooms, lodgings, accommodations, or space at a Lodging Facility for which tax is imposed on the retail sale of the same pursuant to this Article.

Accommodations fee means the room charge less the discount room charge, if any, provided that the accommodations fee must not be less than $0.

Accommodations intermediary means any person other than an accommodations provider that (i) facilitates the sale of an accommodation and (ii) either (a) charges a room charge to the customer, and charges an accommodations fee to the customer, which fee it retains as compensation for facilitating the sale; (b) collects a room charge from the customer; or (c) charges a fee, other than an accommodations fee, to the customer, which fee it retains as compensation for facilitating the sale. For purposes of this definition, "facilitates the sale" includes brokering, coordinating, or in any other way arranging for the purchase of the right to use accommodations via a transaction directly, including one or more payment processors, between a customer and an accommodations provider.

Accommodations intermediary does not include a person:

(1) If the accommodations are provided by an accommodation provider operating under a trademark, trade name, or service mark belonging to that person;

(2) Who facilitates the sale of an accommodation if (i) the price paid by the customer to such person is equal to the price paid by such person to the accommodations provider for the use of the accommodations and (ii) the only compensation received by such person for facilitating the sale of the accommodation is a commission paid from the accommodation provider to such person; or

(3) Who is licensed as a real estate licensee pursuant to Article 1 (§ 54.1-2100 *et seq*.) of Chapter 21 of Title 54.1 of the Virginia Code, when acting within the scope of such license.

Accommodations provider means any person that furnishes accommodations to the general public for compensation. The term "furnishes" includes the sale of use or possession or the sale of the right to use or possess.

County means the County of Fairfax, Virginia.

Director means Director of the Department of Tax Administration or any of duly authorized deputies or agents of the Director.

Discount room charge means the full amount charged by the accommodation provider to the accommodation intermediary, or an affiliate thereof, for furnishing the accommodations.

~~*Hotel*~~*Lodging Facility* means any public or private hotel, inn, apartment hotel, hostelry, tourist camp, tourist cabin, tourist home or house, camping grounds, club, motel, rooming house, any place that offers Short-Term Lodging as defined in subsection 9103.7 of the Fairfax County Zoning Ordinance, or other ~~lodging~~ place within the County offering ~~lodging~~ accommodations for one or more persons at any one time, and the owner and operator thereof, who, for compensation, furnishes ~~lodging~~ accommodations to any transients as hereinafter defined.

Person means individuals, firms, partnerships, associations, corporations, persons acting in representative capacity and combinations of individuals of whatever form and character.

Room charge means the total charge made to, or total price paid by or for, a transient in a retail sale for the use or possession of accommodations at any such Lodging Facility before taxes. "Room charge" includes any fee charged to the customer and retained as compensation for facilitating the sale, whether described as an accommodations fee, facilitation fee, or any other name.

Retail Sale means a sale to any person for any purpose other than for resale.

Transient means any person who, for any period of less than thirty (30) consecutive days either at his own expense or at the expense of another, obtains accommodations in any Lodging Facility as hereinabove defined, for which a charge is made.

Section 4-13-2. – Levy; amount of tax.

(a) Pursuant to Virginia Code § 58.1-3819, in addition to all other taxes, there is hereby imposed and levied a tax equivalent to ~~two~~ three percent of the total room charge paid by or for any such transient for the use or possession of accommodations; provided however, that the tax imposed by this subsection will not be imposed on any transient occupancy in any Lodging Facility that is located within any town that has imposed a tax on transient occupancy.

(b) Pursuant to Virginia Code § 58.1-3824, and in addition to the tax imposed by subsection a of this Section, in addition to all other taxes, there is hereby imposed and levied a tax equivalent to two percent of the total room charge paid by or for any such transient for the use or possession of accommodations regardless of whether the hotel is located within any town that has imposed a tax on transient occupancy. The tax imposed pursuant to this subsection will be collected and appropriated for those purposes set forth in Virginia Code § 58.1-3824.

~~(b)~~(c) Pursuant to Virginia Code § 58.1-3819, and in addition to the tax imposed by subsections a and b of this Section, in addition to all other taxes, there is hereby imposed and levied a tax equivalent to one percent of the total room charge paid by or for any such transient for the use or possession of accommodations; provided however, that the tax imposed by this subsection will not be imposed on any transient occupancy in any Lodging Facility that is located within any town whose governing body has not consented to the imposition and levy of the tax pursuant to this subsection. The one percent tax levy imposed pursuant to this subsection c shall be designated and spent solely for tourism and travel, marketing of tourism or initiatives that, as determined after consultation with local tourism industry organizations, including representatives of lodging properties located in Fairfax County, attract travelers to Fairfax County, increase occupancy at lodging properties, and generate tourism revenues in Fairfax County.

Section 4-13-5. – Report and remittance of tax.

(a) For any retail sale of accommodations facilitated by an accommodation intermediary, the accommodations intermediary must remit the tax imposed pursuant to this Article to the Director.

(b) For any retail sale of accommodations not facilitated by an accommodation intermediary, the accommodations provider must remit the tax imposed pursuant to this Article to the Director.

(c) For any transaction for the retail sale of accommodations involving two or more parties that meet the definition of accommodations intermediary, nothing in this Article prohibits such parties from making an agreement regarding which party will be responsible for collecting and remitting the tax, so long as the party so responsible is registered with the Director for purposes of remitting the tax. In such event, the party that agrees to collect and remit the tax will be the sole party liable for the tax, and the other parties to such agreement will not be liable for such tax.

(d) The person collecting any such tax required pursuant to this Article must make out a report on such forms and setting forth such information as the Director may prescribe and require, showing the amount of total room charges collected, and the tax required to be collected, and must sign and deliver the same to the Director with a remittance of such tax.

(e) Such reports and remittances must be ~~made~~ submitted to the Director monthly on or before the ~~last~~ twentieth (20th) day of the calendar month and covering the amount of tax collected during the preceding month. If the remittance is by check or money order, it must be payable to the County and all remittances received hereunder by the Director must be promptly delivered to the Director of the Department of Finance.

(f) Each accommodations intermediary must submit to the Director the property addresses and gross receipts for all accommodations facilitated by the accommodation intermediary in Fairfax County on a monthly basis.

Section 4-13-6. – Interest and penalties upon failure or refusal to remit tax.

If any accommodations provider or accommodations intermediary fails or refuses to remit to the Director the tax required to be collected and paid under this Article within the time and in the amount specified in this Article, the Director will add a penalty of five percent of the amount of the taxes required to be remitted. Additionally,~~, and if the tax remains delinquent and unpaid for a period of one month from the date the same is due and payable,~~ interest will be charged on the unpaid balance at the applicable interest rate specified in ~~Section~~ County Code § 4-20-3. Such interest will accrue from the date on which the tax was due and will continue to accrue until the date on which such payment is made in full~~and payable~~.

2. That the provisions of this ordinance shall take effect on July 1, 2025.

GIVEN under my hand this ____ day of _____, 2025.

Jill G. Cooper
Clerk for the Board of Supervisors
Department of Clerk Services

AN ORDINANCE AMENDING ARTICLE 13 OF CHAPTER 4 OF THE FAIRFAX COUNTY CODE, RELATING TO TRANSIENT OCCUPANCY TAX

Draft of February 4, 2025

AN ORDINANCE to amend the Fairfax County Code by amending and readopting Sections 4-13-1, 4-13-2, 4-13-5, and 4-13-6, relating to Transient Occupancy Tax.

Be it ordained by the Board of Supervisors of Fairfax County:

1. **That Sections 4-13-1, 4-13-2, 4-13-5, and 4-13-6 of the Fairfax County Code are amended and readopted as follows:**

CHAPTER 4 – Taxation and Finance.

Article 13. – Transient Occupancy Tax.

Section 4-13-1. – Definitions.

The following words and phrases when used in this Article, for the purposes of this Article, have the meanings respectively ascribed to them in this Section, except in those instances where the context clearly indicates a different meaning:

Accommodations means any room or rooms, lodgings, accommodations, or space at a Lodging Facility for which tax is imposed on the retail sale of the same pursuant to this Article.

Accommodations fee means the room charge less the discount room charge, if any, provided that the accommodations fee must not be less than $0.

Accommodations intermediary means any person other than an accommodations provider that (i) facilitates the sale of an accommodation and (ii) either (a) charges a room charge to the customer, and charges an accommodations fee to the customer, which fee it retains as compensation for facilitating the sale; (b) collects a room charge from the customer; or (c) charges a fee, other than an accommodations fee, to the customer, which fee it retains as compensation for facilitating the sale. For purposes of this definition, "facilitates the sale" includes brokering, coordinating, or in any other way arranging for the purchase of the right to use accommodations via a transaction directly, including one or more payment processors, between a customer and an accommodations provider.

Accommodations intermediary does not include a person:

(1) If the accommodations are provided by an accommodation provider operating under a trademark, trade name, or service mark belonging to that person;

(2) Who facilitates the sale of an accommodation if (i) the price paid by the customer to such person is equal to the price paid by such person to the accommodations provider for the use of the accommodations and (ii) the only compensation received by such person for facilitating the sale of the accommodation is a commission paid from the accommodation provider to such person; or

(3) Who is licensed as a real estate licensee pursuant to Article 1 (§ 54.1-2100 *et seq*.) of Chapter 21 of Title 54.1 of the Virginia Code, when acting within the scope of such license.

Accommodations provider means any person that furnishes accommodations to the general public for compensation. The term "furnishes" includes the sale of use or possession or the sale of the right to use or possess.

County means the County of Fairfax, Virginia.

Director means Director of the Department of Tax Administration or any of duly authorized deputies or agents of the Director.

Discount room charge means the full amount charged by the accommodation provider to the accommodation intermediary, or an affiliate thereof, for furnishing the accommodations.

Lodging Facility means any public or private hotel, inn, apartment hotel, hostelry, tourist camp, tourist cabin, tourist home or house, camping grounds, club, motel, rooming house, any place that offers Short-Term Lodging as defined in subsection 9103.7 of the Fairfax County Zoning Ordinance, or other place within the County offering accommodations for one or more persons at any one time, and the owner and operator thereof, who, for compensation, furnishes accommodations to any transients as hereinafter defined.

Person means individuals, firms, partnerships, associations, corporations, persons acting in representative capacity and combinations of individuals of whatever form and character.

Room charge means the total charge made to, or total price paid by or for, a transient in a retail sale for the use or possession of accommodations at any such Lodging Facility before taxes. "Room charge" includes any fee charged to the customer and retained as compensation for facilitating the sale, whether described as an accommodations fee, facilitation fee, or any other name.

Retail Sale means a sale to any person for any purpose other than for resale.

Transient means any person who, for any period of less than thirty (30) consecutive days either at his own expense or at the expense of another, obtains accommodations in any Lodging Facility as hereinabove defined, for which a charge is made.

Section 4-13-2. – Levy; amount of tax.

(a) Pursuant to Virginia Code § 58.1-3819, in addition to all other taxes, there is hereby imposed and levied a tax equivalent to three percent of the total room charge paid by or for any such transient for the use or possession of accommodations; provided however, that the tax imposed by this subsection will not be imposed on any transient occupancy in any Lodging Facility that is located within any town that has imposed a tax on transient occupancy.

(b) Pursuant to Virginia Code § 58.1-3824, and in addition to the tax imposed by subsection a of this Section, in addition to all other taxes, there is hereby imposed and levied a tax equivalent to two percent of the total room charge paid by or for any such transient for the use or possession of accommodations regardless of whether the hotel is located within any town that has imposed a tax on transient occupancy. The tax imposed pursuant to this subsection will be collected and appropriated for those purposes set forth in Virginia Code § 58.1-3824.

(c) Pursuant to Virginia Code § 58.1-3819, and in addition to the tax imposed by subsections a and b of this Section, in addition to all other taxes, there is hereby imposed and levied a tax equivalent to one percent of the total room charge paid by or for any such transient for the use or possession of accommodations; provided however, that the tax imposed by this subsection will not be imposed on any transient occupancy in any Lodging Facility that is located within any town whose governing body has not consented to the imposition and levy of the tax pursuant to this subsection. The one percent tax levy imposed pursuant to this subsection c shall be designated and spent solely for tourism and travel, marketing of tourism or initiatives that, as determined after consultation with local tourism industry organizations, including representatives of lodging properties located in Fairfax County, attract travelers to Fairfax County, increase occupancy at lodging properties, and generate tourism revenues in Fairfax County.

Section 4-13-5. – Report and remittance of tax.

(a) For any retail sale of accommodations facilitated by an accommodation intermediary, the accommodations intermediary must remit the tax imposed pursuant to this Article to the Director.

(b) For any retail sale of accommodations not facilitated by an accommodation intermediary, the accommodations provider must remit the tax imposed pursuant to this Article to the Director.

(c) For any transaction for the retail sale of accommodations involving two or more parties that meet the definition of accommodations intermediary, nothing in this Article prohibits such parties from making an agreement regarding which party will be responsible for collecting and remitting the tax, so long as the party so responsible is registered with the Director for purposes of remitting the tax. In such event, the party that agrees to collect and remit the tax will be the sole party liable for the tax, and the other parties to such agreement will not be liable for such tax.

(d) The person collecting any such tax required pursuant to this Article must make out a report on such forms and setting forth such information as the Director may prescribe and require, showing the amount of total room charges collected, and the tax required to be collected, and must sign and deliver the same to the Director with a remittance of such tax.

(e) Such reports and remittances must be submitted to the Director monthly on or before the twentieth (20th) day of the calendar month and covering the amount of tax collected during the preceding month. If the remittance is by check or money order, it must be payable to the County and all remittances received hereunder by the Director must be promptly delivered to the Director of the Department of Finance.

(f) Each accommodations intermediary must submit to the Director the property addresses and gross receipts for all accommodations facilitated by the accommodation intermediary in Fairfax County on a monthly basis.

Section 4-13-6. – Interest and penalties upon failure or refusal to remit tax.

If any accommodations provider or accommodations intermediary fails or refuses to remit to the Director the tax required to be collected and paid under this Article within the time and in the amount specified in this Article, the Director will add a penalty of five percent of the amount of the taxes required to be remitted. Additionally, interest will be charged on the unpaid balance at the applicable interest rate specified in County Code § 4-20-3. Such interest will accrue from the date on which the tax was due and will continue to accrue until the date on which such payment is made in full.

2. That the provisions of this ordinance shall take effect on July 1, 2025.

GIVEN under my hand this ____ day of _____, 2025.

Jill G. Cooper
Clerk for the Board of Supervisors
Department of Clerk Services

Board Agenda Item
March 18, 2025

ADMINISTRATIVE - 7

Authorization to Advertise a Public Hearing to Consider Amendments to the Code of the County of Fairfax, Virginia—Chapter 4 (Taxation and Finance), by Adding a New Article 31 Relating to Food and Beverage Tax

ISSUE:
Authorization to advertise a public hearing to consider amendments to *Chapter 4, of the Fairfax County Code*, that would add a new article authorizing taxation on food and beverages effective January 1, 2026.

RECOMMENDATION:
The County Executive recommends that the Board authorize the advertisement of a public hearing on April 22, 2025, at 3:00 p.m. to consider adoption of the proposed amendments to *Chapter 4, by adding Article 31 – Food and Beverage Tax to the Fairfax County Code*, with an effective date of January 1, 2026.

TIMING:
Board action is required on March 18, 2025, to provide sufficient time to advertise the public hearing on April 22, 2025, at 3:00p.m.

BACKGROUND:
Virginia Code § 58.1-3833 authorizes counties to impose a food and beverage tax at a tax rate not to exceed six percent on food and beverages sold for human consumption, by a restaurant, as such term is defined in *§ 35.1-1*.

For comparative purposes, the following chart shows the food and beverage tax rates for surrounding jurisdictions:

Jurisdiction	Food & Beverage Tax Rate
City of Alexandria	5.00%
Arlington County	4.00%
Prince William County	4.00%
City of Fairfax	4.00%
City of Falls Church	4.00%

Loudoun County[1]	--
Town of Herndon	3.75%
Town of Vienna	3%

[1] Loudoun County does not have a Food & Beverage Tax; but a meals tax of between 3.5% and 5% is charged only within certain town limits

The proposed amendment introduces a tax on food and beverages sold as meals by restaurants and caterers as defined in the proposed Article. The rate will be a designated percentage of the amount paid for the food and beverage of no more than 6% and set annually by the Fairfax County Board of Supervisors through a resolution. The proposed ordinance would be effective January 1, 2026. The food and beverage tax return must be filed and payment remitted on or before the twentieth (20th) day of the month covering the amount of tax collected during the preceding month.

In addition, for the purpose of defraying some of the costs incurred by the seller in collecting the tax imposed under the proposed Article, a dealer discount could be included in the ordinance, which would allow every seller who collects and remits the tax in a timely manner a discount of the amount of the tax due. Staff recommends that the Board advertise a discount of up to 3%. This would be consistent with the draft ordinance, which includes a dealer discount of 3% for the first two years after implementation of the food and beverage tax. Subsequently, beginning on January 1, 2028, and beyond, the discount allowed will be 1% of the tax levied if filed, remitted, and paid on time.

The proposed amendments to *Chapter 4, Article 31* also align the County Code with *Virginia Code § 58.1-3833 and* confirm the following transactions will not be subject to the food and beverage tax:

- Food and beverages sold through vending machines;
- Food and beverages sold by boardinghouses that do not accommodate transients;
- Food and beverages sold by cafeterias operated by industrial plants for employees only;
- Food and beverages sold by restaurants to their employees as part of their compensation when no charge is made to the employee;
- Food and beverages sold by volunteer fire departments and volunteer emergency medical services agencies (i.e. rescue squads); nonprofit churches or other religious bodies; or educational, charitable, fraternal, or benevolent organizations the first three times per calendar year and, beginning with the fourth time, on the first $100,000 of gross receipts per calendar year from sales of food and beverages (excluding gross receipts from the first three times), as a

fundraising activity, the gross proceeds of which are to be used by such church, religious body or organization exclusively for nonprofit educational, charitable, benevolent, or religious purposes;

- Food and beverages sold by churches that serve meals for their members as a regular part of their religious observances;
- Food and beverages sold by public or private elementary or secondary schools or institutions of higher learning to their students or employees;
- Food and beverages sold by hospitals, medical clinics, convalescent homes, nursing homes, or other extended care facilities to patients or residents thereof;
- Food and beverages sold by day care centers;
- Food and beverages sold by homes for the aged or infirm individuals, individuals with disabilities, battered women, narcotic addicts, or alcoholics;
- Food and beverages sold by age-restricted apartment complexes or residences with restaurants, not open to the public, where meals are served and fees are charged for such food and beverages and are included in rental fees;
- Food and beverages sold by sellers at local farmers markets and roadside stands when such sellers' annual income from such sales does not exceed $2,500. For the exemption described, the sellers' annual income shall include income from sales at all local farmers markets and roadside stands, not just those sales occurring in the locality imposing the tax.
- Food and beverages when used or consumed and paid for by the Commonwealth of Virginia, any political subdivision of the Commonwealth of Virginia, or the United States;
- Food and beverages provided by a public or private nonprofit charitable organization or establishment to elderly, infirm, or needy individuals or individuals with blindness or other disabilities in their homes, or at central locations;
- Food and beverages provided by private establishments that contract with the appropriate agency of the Commonwealth of Virginia to offer food, food products, or beverages for immediate consumption at concession prices to elderly, or needy individuals or individuals with blindness or other disabilities in their homes or at central locations;
- Alcoholic beverages sold in factory sealed containers and purchased for off-premises consumption; and
- Food purchased for human consumption as “food” is defined in the *Food Stamp Act of 1977, 7 U.S.C. § 2012*, as amended, and federal regulations adopted pursuant to the Act, will not be subject to tax under this Article except for the following items: sandwiches, salad bar items sold from a salad bar, prepackaged single-serving salads consisting primarily of an assortment of vegetables, and non-factory sealed beverages.

EQUITY IMPACT:
The implementation of a food and beverage tax would enable the County to better align its tax base with surrounding jurisdictions and would generate a significant portion of revenue from non-County residents. As a result, it is not anticipated that the tax would detrimentally impact equity in the County.

A food and beverage tax would provide an opportunity to diversify the tax base and moderate the impact of the increasing share of the tax burden on homeowners. It is estimated that approximately 34 percent of expenditures on meals are generated by commuters and out-of-County visitors. Additionally, while taxes on unprepared food items are generally considered to be regressive since lower-income households tend to spend larger fractions of their incomes on necessities such as food and clothing, restaurant meals are not considered necessities and, based on the Bureau of Labor Statistics Consumer Expenditure Survey, higher-income households tend to spend a larger share of their food budget on eating out. It is typical for unprepared foods to be taxed at a lower tax rate than other items – as is the case in Virginia.

The proposed ordinance authorizes every seller who collects and remits the tax in a timely manner a discount of the amount of the tax due. The dealer discount would compensate sellers for the technology and record keeping costs of collecting the food and beverage tax.

The Department of Tax Administration plans to translate educational material about the tax, if approved, into multiple languages, and offer technical assistance for each of the County's business owners.

FISCAL IMPACT:
The food and beverage tax is projected to generate the respective revenue amounts in the table below for FY 2026 after expenses to administer the tax. This revenue was not included as part of the FY 2026 Advertised Budget Plan.

Food and Beverage Tax FY 2026 Fiscal Impact Summary [1]			
Percent	**Estimated Revenue [2]**	**County Cost to Implement [3]**	**Total Revenue to County**
1%	$16,975,000	$2,800,000	$14,175,000
2%	$33,950,000	$2,800,000	$31,150,000
3%	$50,925,000	$2,800,000	$48,125,000

4%	$67,900,000	$2,800,000	$65,100,000
5%	$84,875,000	$2,800,000	$82,075,000
6%	$101,850,000	$2,800,000	$99,050,000

[1] Assumes January 1, 2026 implementation

[2] Estimated Revenue net of a 3% dealer discount

[3] Includes 19 positions in the Dept. of Tax Administration & 2 positions in the Dept. of Information Technology

ENCLOSED DOCUMENTS:
Attachment 1 – Proposed Ordinance, Clean

STAFF:
Christina Jackson, Deputy County Executive/Chief Financial Officer
Jaydeep "Jay" Doshi, Director, Department of Tax Administration (DTA)
Philip A. Hagen, Director, Department of Management and Budget
Young Tarry, Director, Personal Property and Business License Division, DTA
Gregory A. Bruch, Director, Revenue Collection Division, DTA
Justin Nejad, Assistant Director, Personal Property and Business License Division, DTA
Kimberly Sebunia, Assistant Director, Revenue Collection Division, DTA

ASSIGNED COUNSEL:
Daniel Robinson, Senior Assistant County Attorney

AN ORDINANCE AMENDING CHAPTER 4 OF THE FAIRFAX COUNTY CODE, RELATING TO A FOOD AND BEVERAGE TAX

Draft of March 11, 2025

AN ORDINANCE to amend the Fairfax County Code by amending Chapter 4 by adding a new Article 31 relating to a Food and Beverage Tax.

Be it ordained by the Board of Supervisors of Fairfax County:

1. **That Article 31 of Chapter 4 of the Fairfax County Code is adopted as follows:**

CHAPTER 4 – Taxation and Finance.

Article 31. – Food and Beverage Tax.

Section 4-31-1 – Title.

This ordinance shall hereafter be known, cited and referred to as the Fairfax County "Food and Beverage Tax".

Section 4-31-2 - Definitions.

The following words and phrases, when used in this Article, have, for the purposes of this Article, the following respective meanings except where the context clearly indicates a different meaning:

(a) *Beverage* means alcoholic beverages as defined in Va. Code § 4.1-100 and nonalcoholic beverages served as part of a meal.

(b) *Caterer* means a person who furnishes food on the premises of another for compensation.

(c) *County* means the County of Fairfax, Virginia.

(d) *Director* means Director of the Department of Tax Administration or any duly authorized deputies or agents of the Director.

(e) *Food* means any and all edible refreshments or nourishment, liquid or otherwise, purchased in or from a restaurant or from a caterer, whether or not prepared in such restaurant or by such caterer, and whether or not consumed on the premises

of such restaurant or caterer, and without regard to the manner, time, or place of service.

(f) *Grocery items* mean any food and foodstuffs, green groceries, including whole fruits and vegetables, beverages and household goods usually prepackaged or measured into quantities for household use from containers made for retail grocery or baking sales and usually not suitable for immediate consumption by the purchaser. Grocery items, sometimes called staples, include, by way of illustration and not limitation, sugar, flour, spices, dry pasta, loaves of bread, ground coffee, coffee beans, loose or bagged tea, cooking oils, and canned, bottled and jarred goods.

(g) *Meal* means all food and beverages, including alcoholic beverages, offered or held out for sale for the purpose of consumption by a single person or a group, whether or not eaten in the place where it is bought or prepared including prepared food ready for human consumption at delicatessen counters of grocery and convenience stores in the County. "Meal" does not include grocery items, or snack foods alone or beverages alone.

(h) *Person* means any individual, corporation, partnership, association, cooperative, limited liability company, trust, joint venture, firm, or any other legal or commercial entity and any successor, representative, agent, agency or instrumentality thereof.

(i) *Purchaser* means any person who purchases a meal in exchange for money or other legal consideration.

(j) *Restaurant* means any of the following:

1. Any place where food is prepared for service to the public on or off the premises, or any place where food is served, including lunchrooms, short order places, cafeterias, coffee shops, cafes, taverns, delicatessens, dining accommodations of public or private clubs, kitchen facilities of hospitals and nursing homes, dining accommodations of public and private schools and institutions of higher education, and kitchen areas of local correctional facilities subject to standards adopted under Va. Code § 53.1-68.
2. Any place or operation that prepares or stores food for distribution to persons of the same business operation or of a related business operation for service to the public, including operations preparing or storing food for catering services, pushcart operations, hotdog stands, and other mobile points of service.

3. Mobile points of service to which food is distributed by a place or operation described in subdivision b unless the point of service and of consumption is in a private residence.

4. Any place or operation that prepares or stores food for distribution to child or adult day care centers or schools, regardless of whether the receiving day care center or school holds a restaurant license.

"Restaurant" does not include any place manufacturing packaged or canned foods that are distributed to grocery stores or other similar retailers for sale to the public.

(k) *Seller* means any person who sells food in or from a restaurant or as a caterer.

(l) *Snack food* means pre-packaged doughnuts, chewing gum, candy, popcorn, peanuts, cookies and unopened cans of soda, bags of chips, or similar items sold separately, and not as part of a meal.

Section 4-31-3 – Amount and levy of tax.

Except as set forth in Section 4-31-15 below, there is hereby levied by the County a tax on food and beverages sold as meals by restaurants and caterers. The rate of the tax shall be a designated percent of the amount paid for such food and beverages, which rate will be set annually by the Fairfax County Board of Supervisors through a resolution. In the computation of this tax, any fraction of one-half cent ($0.005) or more shall be treated as one cent ($0.01).

Section 4-31-4 - Situs.

The tax imposed by this Article shall be levied on food and beverages sold as meals by a restaurant or caterer within Fairfax County. Meals delivered by third party delivery services will be taxed based on the location of the restaurant preparing the meal regardless of whether deliveries are inside or outside the County.

Section 4-31-5 - Collection of trust tax by the seller.

(a) Every seller, or the agent thereof, must collect the amount of such tax from the purchaser of such food and beverage at the time the payment is made, whether payment is to be made in cash or on credit by means of a credit card or otherwise. The amount of tax owed by the purchaser shall be added to the cost of the food by the seller who must remit the taxes collected to the county as provided in this Article. Taxes collected by the seller shall be held in trust by the seller until remitted to the County.

(b) The taxes required to be collected under subsection (a) shall be deemed to be held in escrow by the owner or operator required to collect such tax, jointly and severally, until remitted to the County as provided in this Article.

Section 4-31-6 - Authority of Director.

The Director has the power and the duty of enforcing this Article including the authority to adopt reasonable procedures and regulations for the administration of the tax levied by this Article, including enforcing the payment, collection and remittance of the tax.

Section 4-31-7 - Reports and remittances generally.

(a) Every seller collecting the tax imposed by this Article must prepare a report for each calendar month, upon such forms and setting forth such information as the Director may prescribe and require, showing the amount of food and beverage charges collected and the tax required to be collected, and must sign and deliver such report to the Director with a remittance of such tax.

(b) Such reports and remittances must be submitted to the Director monthly on or before the twentieth (20th) day of the calendar month covering the amount of tax collected during the preceding month.

Section 4-31-8 – Commission to seller for collection of tax.

For the purpose of defraying some of the costs incurred by the seller in collecting the tax imposed by this Article, every seller who collects and remits the tax levied under this Article in a timely manner shall be allowed three percent (3%) of the amount of the tax due and accounted for in the form of a deduction on his return for the first two years after implementation of the food and beverage tax. Subsequently, beginning on January 1, 2028 and beyond, the discount allowed will be one percent (1%) of the tax levied if filed, remitted and paid in a timely manner.

Section 4-31-9 – Penalty and interest for failure to remit taxes when due.

Any seller who fails or refuses to remit taxes to the Director as set forth in this Article will be liable for a penalty equal to ten percent of the amount of the taxes required to be remitted. Additionally, interest will be charged on the unpaid balance at the applicable interest rate specified in County Code § 4-20-3. Such interest shall accrue from the first day following the date on which the tax was due and will continue to accrue until the date on which such payment is made in full.

Section 4-31-10 - Penalty for late remittance or false return.

If any seller fails or refuses to collect the taxes or to make the report and remittance required by this Article, the Director shall determine and assess against the seller the taxes that are due plus the penalties and interest computed upon the basis of the best information available to him and shall notify the seller by mail of the total amount of such taxes, interest, and penalties charged. The seller shall pay the total amount of taxes, interest, and penalties or the Director shall proceed to collect the taxes by other lawful means.

Section 4-31-11 - Preservation of records.

Except as may be provided by the Director, it shall be the duty of every person required to collect and remit the taxes levied under this Article to keep and preserve, for a period of at least the current year and the three prior years, all records as are necessary to enable the Director to determine the amount of taxes such seller was responsible for collecting and remitting to the County. The Director shall have all rights to summon, inspect, and copy such records as permitted by Title 58.1 of the Code of Virginia in order to administer or enforce the terms of this Article.

Section 4-31-12 - Duty of seller going out of business.

Whenever any seller required to collect and remit the taxes imposed under this Article disposes of or otherwise ceases to operate its business, all taxes payable to the County under this Article shall become immediately due and payable, and such seller must immediately make a report and remit the taxes due.

Section 4-31-13 – Criminal penalties for violation of Article.

(a) Any person willfully violating, failing, or refusing to comply with any provision of this Article shall be guilty of a Class 1 misdemeanor except that any person failing to file shall be guilty of a Class 3 misdemeanor if the amount of tax lawfully assessed in connection with a return is one thousand dollars ($1,000.00) or less. Conviction of such violation shall not relieve any person from the payment, collection or remittance of the taxes provided for in this Article. Any agreement by any person to pay the taxes provided for in this Article by a series of installment payments shall not relieve any person of criminal liability for violation of this Article until the full amount of taxes agreed to be paid by such person is received by the Director. Each failure, refusal, neglect or violation, and each day's continuance thereof, shall constitute a separate offense.

(b) Except as provided in subsection (a) above, any corporate, partnership or limited liability company officer, as defined in Code of Virginia § 58.1-3906, or any other person required to pay, collect, or truthfully account for and pay over the tax

imposed under this Article, who willfully fails to collect or truthfully account for or pay over such tax, or who willfully evades or attempts to evade or defeat such tax or payment thereof, shall, in addition to any other penalties imposed by law, be guilty of a Class 1 misdemeanor.

Sec. 4-31-14 - Tips, gratuities and service charges.

(a) Where a purchaser provides a gratuity for an employee or employees of a seller, and the gratuity is wholly in the discretion of the purchaser, the gratuity is not subject to the tax imposed by this Article, whether paid in cash to the employee or added to the bill and charged to the purchaser's account, provided, in the latter case, the full amount of the gratuity is turned over to the employee by the seller.

(b) A mandatory gratuity or service charge that is added to the price of the meal by the seller, and required to be paid by the purchaser, is not a part of the selling price of the meal and is exempt from the tax imposed by this Article, but only to the extent that such mandatory charge does not exceed 20% of the sale price.

Section 4-31-15 – Exemptions from tax.

The following transactions are not subject to the tax under this Article:

(a) Food and beverages sold through vending machines;

(b) Food and beverages sold by boardinghouses that do not accommodate transients;

(c) Food and beverages sold by cafeterias operated by industrial plants for employees only;

(d) Food and beverages sold by restaurants to their employees as part of their compensation when no charge is made to the employee;

(e) Food and beverages sold by volunteer fire departments and volunteer emergency medical services agencies (i.e. rescue squads); nonprofit churches or other religious bodies; or educational, charitable, fraternal, or benevolent organizations the first three times per calendar year and, beginning with the fourth time, on the first $100,000 of gross receipts per calendar year from sales of food and beverages (excluding gross receipts from the first three times), as a fundraising activity, the gross proceeds of which are to be used by such church, religious body or organization exclusively for nonprofit educational, charitable, benevolent, or religious purposes;

(f) Food and beverages sold by churches that serve meals for their members as a regular part of their religious observances;

(g) Food and beverages sold by public or private elementary or secondary schools or institutions of higher learning to their students or employees;

(h) Food and beverages sold by hospitals, medical clinics, convalescent homes, nursing homes, or other extended care facilities to patients or residents thereof;

(i) Food and beverages sold by day care centers;

(j) Food and beverages sold by homes for the aged or infirm individuals, individuals with disabilities, battered women, narcotic addicts, or alcoholics;

(k) Food and beverages sold by age-restricted apartment complexes or residences with restaurants, not open to the public, where meals are served and fees are charged for such food and beverages and are included in rental fees;

(l) Food and beverages sold by sellers at local farmers markets and roadside stands when such sellers' annual income from such sales does not exceed $2,500. For the exemption described, the sellers' annual income shall include income from sales at all local farmers markets and roadside stands, not just those sales occurring in the locality imposing the tax.

(m) Food and beverages when used or consumed and paid for by the Commonwealth of Virginia, any political subdivision of the Commonwealth of Virginia, or the United States;

(n) Food and beverages provided by a public or private nonprofit charitable organization or establishment to elderly, infirm, or needy individuals or individuals with blindness or other disabilities in their homes, or at central locations;

(o) Food and beverages provided by private establishments that contract with the appropriate agency of the Commonwealth of Virginia to offer food, food products, or beverages for immediate consumption at concession prices to elderly, or needy individuals or individuals with blindness or other disabilities in their homes or at central locations;

(p) Alcoholic beverages sold in factory sealed containers and purchased for off-premises consumption; and

Food purchased for human consumption as “food” is defined in the Food Stamp Act of 1977, 7 U.S.C. § 2012, as amended, and federal regulations adopted pursuant to the Act, will not be subject to tax under this Article except for the following items: sandwiches,

salad bar items sold from a salad bar, prepackaged single-serving salads consisting primarily of an assortment of vegetables, and non-factory sealed beverages.

2. **That for the time period from January 1, 2026 until June 30, 2026 the tax rate imposed by this ordinance will be ([6] *or* [5] *or* [4] *or* [3] *or* [2]) percent of the amount paid for food and beverages sold as meals by restaurants and caterers, subject to the provisions of this Article 31 of Chapter 4 of the Fairfax County Code.**

3. **That the provisions of this ordinance shall take effect on January 1, 2026.**

GIVEN under my hand this ____ day of _____, 2025.

Jill G. Cooper
Clerk for the Board of Supervisors

Board Agenda Item
March 18, 2025

ADMINISTRATIVE - 8

Authorization to Advertise Publication of the FY 2026 Budget and Required Tax Rates, the FY 2026 Effective Tax Rate Increase, the Advertised Capital Improvement Program for Fiscal Years 2026-2030 (with Future Fiscal Years to 2035), and Notice of Associated Public Hearings

ISSUE:
Board authorization to advertise the FY 2026 County budget, the tax rates that are proposed to support the FY 2026 budget, the Capital Improvement Program for Fiscal Years 2026-2030, the FY 2026 Effective Tax Rate Increase, and give notice of associated public hearings. Advertising these rates will not prevent the Board from lowering any advertised tax rate, but higher tax rates could not be imposed without advertising such rates.

RECOMMENDATION:
The County Executive recommends that the Board authorize advertisement of the FY 2026 Budget, a real estate tax rate for FY 2026 of $1.14 per $100 of assessed value, and the associated public hearings. The revenue projections included in the FY 2026 Advertised Budget Plan are based on a Real Estate Tax rate of $1.14 per $100 of assessed value, which is an increase of $0.015 over the current rate for FY 2025. Advertising this rate does not prevent the Board from lowering any advertised tax rate, but a higher tax rate cannot be imposed without having advertised the higher rate. In the advertised budget, a balance of $5,619,575 remains unallocated and is available for the Board's consideration. However, staff continue to monitor state budget action, particularly as it relates to schools, and actions by the federal government.

The total increase in assessed value of existing property is expected to be 4.68 percent. In FY 2026, the assessed value of existing residential real property is expected to increase by 6.17 percent and non-residential property is expected to decrease by 0.38 percent. *Virginia Code § 58.1-3321* requires that a separate public hearing be held on the effective tax rate if the reassessment of real property results in an increase of one percent or more in the total real property tax levied. Therefore, the County Executive also recommends that the Board authorize advertisement of a public hearing on the effective tax rate.

In addition, the County Executive recommends that the Board authorize advertisement of a public hearing on the FY 2026 – FY 2030 Advertised Capital Improvement Program (With Future Fiscal Years to 2035).

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Please note that the draft tax resolution to be advertised includes the following recommendations regarding rates for FY 2026.

The following rates are recommended to increase:

- Refuse Collection Services assessment from $555 per household unit to $610 per household unit.
- Refuse Disposal Services assessment from $79 per ton to $90 per ton.

The following rates are recommended to be advertised with no change:

- Leaf Collection Districts at $0.019 per $100 assessed value.
- Reston Community Center at $0.047 per $100 assessed value.
- McLean Community Center at $0.023 per $100 assessed value.
- Burgundy Village Community Center at $0.020 per $100 assessed value.
- Commercial and Industrial Tax for Transportation at $0.125 per $100 assessed value.
- Special service district for pest infestations at $0.0010 per $100 assessed value.
- Rail to Dulles Phase I Transportation Improvement District Levy at $0.09 per $100 assessed value.
- Rail to Dulles Phase II Transportation Improvement District Levy at $0.16 per $100 assessed value.
- Reston Transportation Service District at $0.021 per $100 of assessed value.
- Route 28 Highway Transportation Improvement District Levy at $0.14 per $100 assessed value.
- Tysons Transportation Service District at $0.05 per $100 assessed value.
- Stormwater Service District Levy at $0.0325 per $100 assessed value.

Also included in the FY 2026 budget advertisement is information as it relates to the Personal Property Tax Relief Act (PPTRA) and the percentage of state "Car Tax" subsidy on qualifying personal property tax levy.

Beginning in tax year 2006, the state "Car Tax" subsidy on qualifying vehicles was "capped" to a statewide total of $950 million. Based on the final report from the state Auditor of Public Accounts, dated February 2006, Fairfax County's share of this $950 million was fixed at 22.2436 percent, or $211,313,944.16. The annual subsidy is frozen at this amount and is factored into the FY 2026 Advertised Budget Plan.

Consistent with a November 21, 2005, Board resolution, the state "Car Tax" funding will provide a 100 percent subsidy of the tax year 2025 levy for qualifying vehicles valued at $1,000 or less and a 100 percent subsidy of the tax year 2025 levy on the value up to $20,000 for vehicles leased by a qualified military service member and/or spouse. Furthermore, the state "Car Tax" funding is estimated to provide a 50.0 percent subsidy of the tax year 2025 levy for all other qualifying vehicles on the value up to $20,000.

Please note that a separate item recommending Board authorization to advertise public hearings for sewer rate revision notices was included in the March 4, 2025, Board package. The sewer rate revision notices authorize the increase in the Base Charge from $49.73 per quarter, totaling $198.92 per year, to $52.62 per quarter, totaling $210.48 per year. The Sewer Service Charge will increase from $8.81 per 1,000 gallons of water consumption to $9.33 per 1,000 gallons of water consumption. The Sewer Availability Fee will increase from $9,038 to $9,218 per new home being constructed. A separate public hearing on sewer rate revisions will be held on Tuesday, April 22, 2025.

TIMING:
Action is requested to be taken on March 18, 2025, to meet the various legal requirements associated with the FY 2026 Budget and Required Tax Rates, the FY 2026 Effective Tax Rate Increase, and the Advertised Capital Improvement Program for Fiscal Years 2026-2030 (With Future Fiscal Years to 2035).

BACKGROUND:
Virginia Code Section 15.2-2506 requires that a public hearing be held on the proposed budget and that notice of the hearings be provided in accordance with *Virginia Code Section 15.2-1427.*

Virginia Code Section 58.1-3321 requires a public hearing be held when an increase in the real estate tax levy for existing property based on an equalization is greater than one percent. The assessed value of existing real estate is projected to increase 4.68 percent due to equalization, which exceeds the one-percent threshold for that statute.

That section requires the publication of a statutory notice prior to the date set for the public hearing.

Therefore, this item requests Board authorization to advertise the following items in accordance with the notification requirements listed above.

- A brief summary of the FY 2026 Budget, including information as it relates to the impact of the Personal Property Tax Relief Act (PPTRA) on the percentage of state "Car Tax" subsidy on qualifying personal property tax levy
- Proposed Tax Rates for tax year 2025
- The effective tax rate notice required by Virginia Code Section 58.1-3321
- Notice of public hearings on the FY 2026 Budget, the Effective Tax Rate, and FY 2026 – FY 2030 Advertised Capital Improvement Program (With Future Fiscal Years to 2035)

In order to meet these legal requirements and hold to the scheduled public hearing dates, the advertisements must be approved no later than March 18, 2025. This will permit the County to adhere to the following budget schedule:

- Public Hearing on the FY 2026 Effective Tax Rate – April 22, 2025. Please note the Public Hearing on the Effective Tax Rate is separate from the Public Hearings on the Budget. However, citizens may speak on the Effective Tax Rate during the Public Hearings on the FY 2026 Budget.
- Public Hearings on the FY 2026 Budget, the FY 2026 – FY 2030 Advertised Capital Improvement Program (With Future Fiscal Years to 2035) and proposed FY 2026 Tax Rates – April 22-24, 2025
- Public Hearings on the *FY 2025 Third Quarter Review* – April 22-24, 2025
- FY 2026 Budget Mark-up and Board Adoption of the *FY 2025 Third Quarter Review* – May 6, 2025
- Board Adoption of Fiscal Plan, Tax Levies, and Appropriation Resolution – May 13, 2025
- School transfer set (required by May 15 or 30 days after the State approves aid to schools)

In addition, it should be noted that for FY 2026 the allowable asset limits associated with the Real Estate Tax Relief Program for the Elderly and Disabled are maintained at the FY 2025 level. In FY 2026, the income limits of the Tax Relief program provide 100 percent exemption for elderly and disabled taxpayers with incomes up to $60,000; 75 percent exemption for eligible applicants with income between $60,001 and $70,000; 50 percent exemption for eligible applicants with income between $70,001 and $80,000; and 25 percent exemption if income is between $80,001 and $90,000. The allowable asset limit in FY 2026 is $400,000 for all ranges of tax relief and that limit does not include the value of the residence of the applicant and five acres of land on which the residence is located and that cannot be subdivided under approved zoning. Relief is granted to a maximum limit of 125 percent of the mean assessed value of all residential properties in Fairfax County as of January 1, 2025. In addition, veterans who have a 100 percent permanent and total disability related to military service, or their surviving spouse, are eligible for full Real Estate Tax relief regardless of income and assets.

The Board of Supervisors approved a Real Estate Tax Deferral program for eligible seniors and people with disabilities beginning in FY 2024. To qualify for the program, total combined gross household income from the immediately preceding year may not exceed $100,000. Additionally, the total net worth of applicants and owners may not exceed $500,000, not including the value of the home, its furnishings and the home site, up to five acres of land. The deferred real estate taxes are subject to an annual compounding interest at the rate of the prime rate set by the Wall Street Journal plus 1.00 percent per year (not to exceed 8.00 percent in total). The total deferred taxes and accumulated interest may not in aggregate exceed 10 percent of the assessed value of the property and are due to the County upon the sale or transfer of the property and within one year of the date of passing of the eligible applicant.

EQUITY IMPACT:
The County is committed to fostering an inclusive and equitable environment where all individuals have the opportunity to thrive. The Department Management and Budget (DMB) recognizes that budget decisions can significantly impact equity; therefore, the department strives to ensure that financial planning and resource allocation promote fairness and justice. The commitment to equity is reflected in budget priorities outlined by the Board of Supervisors and resource allocation aims to meet these initiatives. Budget development is specifically guided by the following equity goals and principles: accessibility, participation, transparency, and impact assessment. In particular, DMB considers how funding decisions impact populations and places, address causes of inequities and disparities, and are informed by the voice of impacted populations. This focus on equity creates a more just and inclusive County not only for residents and visitors but also for the County workforce.

Board Agenda Item
March 18, 2025

FISCAL IMPACT:
The FY 2026 Real Estate Tax rate of $1.14 per $100 of assessed value results in the revenue projections outlined in the FY 2026 Advertised Budget Plan. Each penny on the Real Estate Tax rate equates to $33,953,442 in General Fund revenue.

ENCLOSED DOCUMENTS:
Attachment I - Brief Synopsis of the FY 2026 Budget
Attachment II - Draft Resolution Adopting Fairfax County Tax Rates for FY 2026
Attachment III - Notice of a Proposed Tax Increase for FY 2026

STAFF:
Christina Jackson, Deputy County Executive/Chief Financial Officer
Philip Hagen, Director, Department of Management and Budget
Katie Horstman, Deputy Director, Department of Management and Budget
Joe LaHait, Deputy Director, Department of Management and Budget
Jaydeep Doshi, Director, Department of Tax Administration

ASSIGNED COUNSEL:
Patricia McCay, Deputy County Attorney

COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX

In accordance with Virginia law, notice is hereby given that the Board of Supervisors of Fairfax County, Virginia, will meet in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia on April 22 at 4:00 P.M. and April 23 and April 24 at 3:00 P.M. The purpose of these meetings is to consider the adoption of an FY 2026 County Budget and to consider such tax rate changes as described therein. A brief synopsis of the FY 2026 Advertised Budget Plan is shown below. Citizens may appear and be heard for and against the following estimates of revenues, expenditures, transfers and surpluses as contained in the FY 2026 Advertised Budget Plan and proposed tax rate changes. Fiscal Year 2026 begins on July 1, 2025, and ends on June 30, 2026.

At the same time, the Board of Supervisors will hear public testimony regarding proposed adoption of the FY 2026– FY 2030 Advertised Capital Improvement Program (With Future Fiscal Years to 2035).

All persons wishing to present their views on these subjects may sign up to be placed on the Speakers List at www.fairfaxcounty.gov/bosclerk/speakers-form, call the Office of the Clerk to the Board at 703-324-3151, or appear and be heard. Copies of the full text of proposed ordinances, plans and amendments, as applicable, as well as other documents relating to the aforementioned subjects, are on file and may be examined at the Office of the Clerk to the Board of Supervisors, Suite 552 of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia.

Fairfax County supports the Americans with Disabilities Act by making reasonable accommodations for persons with disabilities. Open captioning will be provided in the Board Auditorium. For sign language interpreters or other accommodations, please call the Clerk's Office, 703-324-3151, TTY 711 (Virginia Relay Center) no later than 48 hours before the public hearing. Assistive listening devices will be available at the meeting.

Copies of the FY 2026 Advertised Budget Plan and the FY 2026 – FY 2030 Advertised Capital Improvement Program (With Future Fiscal Years to 2035) are available on the Internet at www.fairfaxcounty.gov/budget.

				TAX REQUIRED				OTHER RESOURCES				
Fund	EXPENDITURES	TRANSFERS OUT	TOTAL EXPENDITURES & TRANSFERS OUT	AMOUNT	FY 2026 RATE	FY 2025 RATE	FY 2024 RATE	OTHER RECEIPTS	TOTAL REVENUE	TRANSFERS IN	TOTAL REVENUE & TRANSFERS IN	APPROPRIATED FROM/(ADDED TO) SURPLUS
GOVERNMENTAL FUNDS												
General Fund Group												
10001 General Fund [1]	$2,133,486,598	$3,563,171,543	$5,696,658,141	$4,391,823,806	1.140 **a** 4.57 **b**	1.125 **a** 4.57 **b**	1.095 **a** 4.57 **b**	$1,308,875,408 **c**	$5,700,699,214	$8,094,007	$5,708,793,221	($12,135,080) **d**
10010 Revenue Stabilization	0	0	0	0				9,000,000	9,000,000	0	9,000,000	(9,000,000)
10015 Economic Opportunity Reserve	0	0	0	0				1,000,000	1,000,000	0	1,000,000	(1,000,000) **e**
10020 Consolidated Community Funding Pool	13,542,806	0	13,542,806	0				0	0	13,542,806	13,542,806	0
10030 Contributory Fund	20,834,837	0	20,834,837	0				0	0	20,834,837	20,834,837	0
10040 Information Technology	0	0	0	0				0	0	0	0	0
Total General Fund Group	**$2,167,864,241**	**$3,563,171,543**	**$5,731,035,784**	**$4,391,823,806**				**$1,318,875,408**	**$5,710,699,214**	**$42,471,650**	**$5,753,170,864**	**($22,135,080)**
Debt Service Funds												
20000 Consolidated Debt Service	$380,281,017	$0	$380,281,017	$0				$2,393,600	$2,393,600	$377,887,417	$380,281,017	$0
Capital Project Funds												
30000 Metro Operations and Construction	$104,709,633	$3,836,637	$108,546,270	$0				$45,500,000	$45,500,000	$63,046,270	$108,546,270	$0
30010 General Construction and Contributions	30,660,536	0	30,660,536	0				3,202,836	3,202,836	27,457,700	30,660,536	0
30015 Environmental and Energy Program	1,300,000	0	1,300,000	0				0	0	1,300,000	1,300,000	0
30020 Infrastructure Replacement and Upgrades	2,500,000	0	2,500,000	0				0	0	2,500,000	2,500,000	0
30030 Library Construction	0	0	0	0				0	0	0	0	0
30040 Contributed Roadway Improvement	0	186,350	186,350	0				186,350	186,350	0	186,350	0
30050 Transportation Improvements	500,000	0	500,000	0				0	0	500,000	500,000	0
30070 Public Safety Construction	0	0	0	0				0	0	0	0	0
30090 Pro Rata Share Drainage Construction	0	0	0	0				0	0	0	0	0
30300 Affordable Housing Development and Investment	48,641,801	0	48,641,801	42,441,801 **f**				6,200,000	48,641,801	0	48,641,801	0
30400 Park Authority Bond Construction	0	0	0	0				0	0	0	0	0
S31000 Public School Construction	262,846,013	0	262,846,013	0				231,131,000	231,131,000	31,698,097	262,829,097	16,916
Total Capital Project Funds	**$451,157,983**	**$4,022,987**	**$455,180,970**	**$42,441,801**				**$286,220,186**	**$328,661,987**	**$126,502,067**	**$455,164,054**	**$16,916**
Special Revenue Funds												
40000 County Transit Systems	$162,888,344	$0	$162,888,344	$0				$71,389,177	$71,389,177	$91,499,167	$162,888,344	$0
40010 County and Regional Transportation Projects	78,730,537	44,867,990	123,598,527	61,812,105	0.125 **g**	0.125 **g**	0.125 **g**	61,786,422	123,598,527	0	123,598,527	0
40030 Cable Communications	11,510,315	4,260,316	15,770,631	0				15,876,954	15,876,954	0	15,876,954	(106,323)
40040 Fairfax-Falls Church Community Services Board	223,373,581	0	223,373,581	0				40,001,710	40,001,710	183,371,871	223,373,581	0
40045 Early Childhood Birth to 5	35,944,584	0	35,944,584	0				215,960	215,960	35,728,624	35,944,584	0
40050 Reston Community Center	12,468,620	0	12,468,620	10,359,113	0.047 **h**	0.047 **h**	0.047 **h**	1,359,758	11,718,871	0	11,718,871	749,749
40060 McLean Community Center	8,101,473	0	8,101,473	6,554,319	0.023 **h**	0.023 **h**	0.023 **h**	1,344,188	7,898,507	0	7,898,507	202,966
40070 Burgundy Village Community Center	50,739	0	50,739	46,443	0.020 **i**	0.020 **i**	0.020 **i**	63,156	109,599	0	109,599	(58,860)
40080 Integrated Pest Management Program	3,748,467	159,824	3,908,291	3,227,550	0.001 **j**	0.001 **j**	0.001 **j**	7,691	3,235,241	0	3,235,241	673,050
40090 E-911	64,834,994	0	64,834,994	0				44,125,131	44,125,131	17,644,053	61,769,184	3,065,810
40100 Stormwater Services	107,580,765	1,609,462	109,190,227	109,190,227	0.0325 **k**	0.0325 **k**	0.0325 **k**	0	109,190,227	0	109,190,227	0
40110 Dulles Rail Phase I Transportation Improvement District	13,828,550	0	13,828,550	14,989,829	0.09 **l**	0.09 **l**	0.09 **l**	0	14,989,829	0	14,989,829	(1,161,279)
40120 Dulles Rail Phase II Transportation Improvement District	9,728,441	0	9,728,441	16,947,280	0.16 **m**	0.16 **m**	0.18 **m**	0	16,947,280	0	16,947,280	(7,218,839)
40125 Metrorail Parking System Pledged Revenues	13,328,863	0	13,328,863	0				5,988,157	5,988,157	4,000,000	9,988,157	3,340,706
40130 Leaf Collection	4,337,032	44,193	4,381,225	0	0.019 **n**	0.019 **n**	0.012 **n**	4,406,114	4,406,114	0	4,406,114	(24,889)
40140 Refuse Collection and Recycling Operations	27,870,198	539,815	28,410,013	0	610 **o**	555 **o**	490 **o**	28,384,069	28,384,069	0	28,384,069	25,944
40150 Refuse Disposal	73,244,160	802,437	74,046,597	0	90 **p**	79 **p**	72 **p**	72,981,223 **q**	72,981,223	0	72,981,223	1,065,374
40170 I-95 Refuse Disposal	16,590,595	249,596	16,840,191	0	32.90 **r**	31.40 **r**	29.70 **r**	13,125,995	13,125,995	0	13,125,995	3,714,196
40180 Tysons Service District	0	0	0	8,709,809	0.05 **s**	0.05 **s**	0.05 **s**	0	8,709,809	0	8,709,809	(8,709,809)
40190 Reston Service District	0	0	0	2,539,394	0.021 **t**	0.021 **t**	0.021 **t**	0	2,539,394	0	2,539,394	(2,539,394)
40200 Land Development Services	58,701,033	433,852	59,134,885	0				61,116,698	61,116,698	0	61,116,698	(1,981,813)
40300 Housing Trust	1,597,669	0	1,597,669	0				1,597,669	1,597,669	0	1,597,669	0
50000 Federal/State Grants	151,029,429	0	151,029,429	0				145,741,986	145,741,986	5,287,443	151,029,429	0

Fund	EXPENDITURES	TRANSFERS OUT	TOTAL EXPENDITURES & TRANSFERS OUT	TAX REQUIRED AMOUNT	TAX REQUIRED FY 2026 RATE	TAX REQUIRED FY 2025 RATE	TAX REQUIRED FY 2024 RATE	OTHER RESOURCES OTHER RECEIPTS	OTHER RESOURCES TOTAL REVENUE	OTHER RESOURCES TRANSFERS IN	OTHER RESOURCES TOTAL REVENUE & TRANSFERS IN	APPROPRIATED FROM/(ADDED TO) SURPLUS
Special Revenue Funds (Cont.)												
50800 Community Development Block Grant	7,656,674	0	7,656,674	0				7,656,674	7,656,674	0	7,656,674	0
50810 HOME Investment Partnerships Program	2,417,009	0	2,417,009	0				2,417,009	2,417,009	0	2,417,009	0
S10000 Public School Operating [2]	3,839,531,845	52,993,650	3,892,525,495	0				1,160,493,386	1,160,493,386	2,703,925,892	3,864,419,278	28,106,217
S40000 Public School Food and Nutrition Services	139,144,760	0	139,144,760	0				102,781,946	102,781,946	0	102,781,946	36,362,814 **u**
S43000 Public School Adult and Community Education	9,721,528	0	9,721,528	0				8,325,278	8,325,278	1,396,250	9,721,528	0
S50000 Public School Grants & Self Supporting Programs	106,994,891	0	106,994,891	0				70,262,892	70,262,892	33,724,427	103,987,319	3,007,572 **v**
Total Special Revenue Funds	**$5,184,955,096**	**$105,961,135**	**$5,290,916,231**	**$234,376,069**				**$1,921,449,243**	**$2,155,825,312**	**$3,076,577,727**	**$5,232,403,039**	**$58,513,192**
TOTAL GOVERNMENTAL FUNDS	**$8,184,258,337**	**$3,673,155,665**	**$11,857,414,002**	**$4,668,641,676**				**$3,528,938,437**	**$8,197,580,113**	**$3,623,438,861**	**$11,821,018,974**	**$36,395,028**
PROPRIETARY FUNDS												
Internal Service Funds												
60000 County Insurance	$35,186,995	$0	$35,186,995	$0				$685,000	$685,000	$24,461,533	$25,146,533	$10,040,462
60010 Department of Vehicle Services	94,461,144	0	94,461,144	0				93,152,732	93,152,732	0	93,152,732	1,308,412
60020 Document Services Division	9,949,246	0	9,949,246	0				5,244,426	5,244,426	4,718,727	9,963,153	(13,907)
60030 Technology Infrastructure Services	65,396,336	0	65,396,336	0				45,963,998	45,963,998	17,895,988	63,859,986	1,536,350
60040 Health Benefits	220,507,993	0	220,507,993	0				220,905,088	220,905,088	0	220,905,088	(397,095)
S60000 Public School Insurance	34,748,941	0	34,748,941	0				27,438,637	27,438,637	0	27,438,637	7,310,304 **w**
S62000 Public School Health and Flexible Benefits	703,405,973	0	703,405,973	0				659,440,572	659,440,572	0	659,440,572	43,965,401 **x**
Total Internal Service Funds	**$1,163,656,628**	**$0**	**$1,163,656,628**	**$0**				**$1,052,830,453**	**$1,052,830,453**	**$47,076,248**	**$1,099,906,701**	**$63,749,927**
Enterprise Funds												
69000 Sewer Revenue	$0	$327,500,000	$327,500,000	$0	9.33 **y** 9,218 **z** 52.62 **aa**	8.81 **y** 9,038 **z** 49.73 **aa**	8.46 **y** 8,860 **z** 44.81 **aa**	$317,260,000	$317,260,000	$0	$317,260,000	$10,240,000
69010 Sewer Operation and Maintenance	154,479,297	3,434,828	157,914,125	0				0	0	158,000,000	158,000,000	(85,875)
69020 Sewer Bond Parity Debt Service	47,207,406	0	47,207,406	0				0	0	47,000,000	47,000,000	207,406
69030 Sewer Bond Debt Reserve	0	0	0	0				0	0	0	0	0
69040 Sewer Bond Subordinate Debt Service	24,223,191	0	24,223,191	0				0	0	24,000,000	24,000,000	223,191
69300 Sewer Construction Improvements	100,000,000	0	100,000,000	0				0	0	100,000,000	100,000,000	0
69310 Sewer Bond Construction	228,500,000	1,500,000	230,000,000	0				230,000,000	230,000,000	0	230,000,000	0
Total Enterprise Funds	**$554,409,894**	**$332,434,828**	**$886,844,722**	**$0**				**$547,260,000**	**$547,260,000**	**$329,000,000**	**$876,260,000**	**$10,584,722**
TOTAL PROPRIETARY FUNDS	**$1,718,066,522**	**$332,434,828**	**$2,050,501,350**	**$0**				**$1,600,090,453**	**$1,600,090,453**	**$376,076,248**	**$1,976,166,701**	**$74,334,649**
FIDUCIARY FUNDS												
Custodial Funds												
70000 Route 28 Tax District	$11,975,159	$0	$11,975,159	$10,975,159	0.14 **ab**	0.14 **ab**	0.16 **ab**	$1,000,000	$11,975,159	$0	$11,975,159	$0
70040 Mosaic District Community Development Authority	4,881,795	0	4,881,795	4,881,795				0	4,881,795	0	4,881,795	0
Total Custodial Funds	**$16,856,954**	**$0**	**$16,856,954**	**$15,856,954**				**$1,000,000**	**$16,856,954**	**$0**	**$16,856,954**	**$0**
Trust Funds												
73000 Employees' Retirement Trust	$547,311,423	$0	$547,311,423	$0				$788,636,044	$788,636,044	$0	$788,636,044	($241,324,621)
73010 Uniformed Employees Retirement Trust	175,592,134	0	175,592,134	0				289,501,332	289,501,332	0	289,501,332	(113,909,198)
73020 Police Retirement Trust	149,879,827	0	149,879,827	0				242,643,131	242,643,131	0	242,643,131	(92,763,304)
73030 OPEB Trust	16,553,849	0	16,553,849	0				11,349,854	11,349,854	6,500,000	17,849,854	(1,296,005)
S71000 Educational Employees' Retirement	260,665,007	0	260,665,007	0				500,004,535	500,004,535	0	500,004,535	(239,339,528)
S71100 Public School OPEB Trust	18,799,500	0	18,799,500	0				28,674,000	28,674,000	0	28,674,000	(9,874,500)
Total Trust Funds	**$1,168,801,740**	**$0**	**$1,168,801,740**	**$0**				**$1,860,808,896**	**$1,860,808,896**	**$6,500,000**	**$1,867,308,896**	**($698,507,156)**
TOTAL FIDUCIARY FUNDS	**$1,185,658,694**	**$0**	**$1,185,658,694**	**$15,856,954**				**$1,861,808,896**	**$1,877,665,850**	**$6,500,000**	**$1,884,165,850**	**($698,507,156)**
TOTAL ALL FUNDS	**$11,087,983,553**	**$4,005,590,493**	**$15,093,574,046**	**$4,684,498,630**				**$6,990,837,786**	**$11,675,336,416**	**$4,006,015,109**	**$15,681,351,525**	**($587,777,479)**

[1] Personal Property taxes of $211,313,944 that are reimbursed by the Commonwealth as a result of the Personal Property Tax Reli ef Act of 1998 are included in the Revenue from the Commonwealth category in accordance with guidelines from the State Auditor of Public Accounts.

[2] The proposed County General Fund transfer for school operations in FY 2026 totals $2,703,050,892, an increase of $118,641,071 , or 4.6 percent, over the FY 2025 Adopted Budget Plan. This amount does not fully fund the recurring portion of the transfer request approved by the School Board on January 23, 2025. The Fairfax County Public Schools Superintendent's Proposed Budget reflected a General Fund transfer increase of $268,257,203, or 10.4 percent, over the FY 2025 Adopted Budget Plan.

FOOTNOTES

OTHER REAL ESTATE & PERSONAL PROPERTY TAX RATES	Revenue Amount	Tax Required 2026 Rate	2025 Rate	2024 Rate
PUBLIC SERVICE CORPORATIONS				
Equalized **a**	$40,462,704	1.140	1.125	1.095
Vehicles **b**	404,477	4.57	4.57	4.57
OTHER				
Mining and Manufacturing Machinery and Tools (General Fund Revenue) **b**	238,043	2.00	2.00	2.00
Research and Development (General Fund Revenue) **b**	3,013	4.57	4.57	4.57
Antique Automobiles **b**	-	0.01	0.01	0.01
Mobile Homes **a**	172,499	1.140	1.125	1.095
Van Pools-Privately Owned Vans **b**	-	0.01	0.01	0.01
Motor Vehicles Owned by Members of a Volunteer Rescue Squad or Volunteer Fire Department **b**	-	0.01	0.01	0.01
Motor Vehicles Owned by Members of the Auxiliary Police **b**	-	0.01	0.01	0.01
Motor Vehicles Owned by Members of the Auxiliary Deputy Sheriff **b**	-	0.01	0.01	0.01
Homeowners Associations Furniture, office equipment and maintenance equipment **b**	-	0.01	0.01	0.01
Aircraft and Flight Simulators **b**	-	0.01	0.01	0.01
Motor Vehicles Specially Equipped to Provide Transportation to Physically Handicapped Individuals **b**	-	0.01	0.01	0.01
Boats **b**	-	0.01	0.01	0.01
Motor Vehicles Owned by Disabled Veterans **b**	-	0.01	0.01	0.01
Motor Vehicles Owned by Certain Qualifying Elderly and Disabled Individuals **b**	-	0.01	0.01	0.01
Special Service District for Pest Infestations **j**	3,227,550	0.001	0.001	0.001

a. Real Estate Tax Rate per $100 of assessed value. T**he FY 2026 Advertised Budget Plan proposes a tax rate of $1.140 per $100 of assessed value. The real estate tax bill for the typical residential homeowner would increase by $638 in FY 2026 with a real estate tax rate of $1.140 per $100 of assessed value. Advertising an increase in the rate does not prevent the Board from lowering any advertised tax rate, but a higher tax rate cannot be imposed without advertising the higher rate.**

b. Personal Property Tax Rate per $100 of assessed value (excluding household furnishings). Tax collections, as a percentage of total taxes levied, are estimated as follows:
   - 10001 General Fund - Real Estate, 99.65 percent; Personal Property, 97.6 percent
   - Sanitary District - Refuse Assessments, 100 percent.

c. Percentage of state "Car Tax" subsidy on qualifying personal property tax levy. On November 21, 2005, as part of Action Item 3, the Board of Supervisors adopted a resolution to implement the state "Car Tax" changes found in the Executive Amendments to the 2004-2006 Biennial Budget, specifically state Budget Item 503(E) of the Central Appropriations Act, in accordance with the requirements set forth in Virginia Code §§ 58.1-3524(C)(2) and 58.1-3912(E), as amended by Chapter 1 of the Acts of Assembly (2004 Special Session 1) and as set forth in Item 503(E)(Personal Property Tax Relief Program) of Chapter 951 of the 2005 Acts of Assembly.

   Beginning in tax year 2006, the state "Car Tax" subsidy on qualifying vehicles was "capped" to a statewide total of $950 million. Based on the final report from the state Auditor of Public Accounts, dated February 2006, Fairfax County's share of this $950 million was fixed at 22.2436%, or $211,313,944.16. The annual subsidy is frozen at this amount and is factored into the FY 2026 Advertised Budget Plan.

   Consistent with the November 21, 2005, Board resolution, the state "Car Tax" funding will provide a 100% subsidy of the tax year 2025 levy for qualifying vehicles valued at $1,000 or less and a 100% subsidy of the tax year 2025 levy on the value up to $20,000 for vehicles leased by a qualified military service member and/or spouse. Furthermore, the state "Car Tax" funding is estimated to provide a 50.0% subsidy of the tax year 2025 levy for all other qualifying vehicles on the value up to $20,000.

d. Fund 10001, General Fund, does not assume the carryover of the Reserve for One-Time Requirements of $25,480,841 from FY 2025.

e. Fund 10015, Economic Opportunity Reserve, assumes carryover of the Total Available funding of $56,462,890 from FY 2025 to FY 2026.

f. Real Estate revenue reflected in Fund 30300, Affordable Housing Development and Investment, reflects the allocation of the value of 1.25 pennies on the real estate tax rate.

g. Additional tax assessment per $100 of assessed value for commercial and industrial property in the County to support transportation.

h. Operating costs and debt service - Community Center. Tax Rate per $100 of assessed value.

i. Utilities and other operating costs - Community Center. Tax Rate per $100 of assessed value.

j. Additional special tax levy of real estate within Fairfax County, but exclusive of the Lake Barcroft Water Improvement District to control infestations of pests. Tax Rate per $100 of assessed value.

k. Additional special tax levy of real estate to support operating and construction requirements for the stormwater management program. Tax Rate per $100 of assessed value.

l. Additional tax assessment per $100 of assessed value for commercial and industrial property for the Phase I Dulles Rail Transportation Improvement District.

m. Additional tax assessment per $100 of assessed value for commercial and industrial property for the Phase II Dulles Rail Transportation Improvement District.

n. Leaf Collection rate per $100 of assessed value. (See districts listed below)

Leaf Collection:
Small District 2 Braddock
Local District 1A11 Dranesville
Local District 1A21 Dranesville
Local District 1A22 Dranesville
Local District 1A61 Dranesville
Local District 1B1 Dranesville
Local District 1E Dranesville
Small District 3 Dranesville
Small District 7 Dranesville
Small District 8 Dranesville
Small District 10 Dranesville
Small District 12 Dranesville
Small District 15 Dranesville
Local District 1B Franconia
Local District 1C Franconia
Local District 1D Franconia
Local District 1E Franconia
Small District 1 Mason
Local District 1A Mason
Small District 2 Mason
Small District 4 Mason
Local District 7A Mason
Small District 9 Mason
Small District 10 Mason
Local District 1A Mount Vernon
Local District 1B Mount Vernon
Local District 1C Mount Vernon
Local District 1D Mount Vernon
Local District 1E Mount Vernon
Small District 1 Providence
Small District 2 Providence
Small District 4 Providence
Small District 6 Providence
Small District 7 Providence
Small District 8 Providence

o. Refuse Collection assessment - the base annual charge for refuse collection service to be added to the regular real estate tax bill. (See districts listed below)

Refuse Service:
Small District 2 Braddock
Small District 3 Braddock
Small District 2 Hunter Mill
Small District 3 Hunter Mill
Local District 5A Hunter Mill
Local District 1A1 Dranesville
Local District 1A2 Dranesville
Local District 1A3 Dranesville
Local District 1A4 Dranesville
Local District 1A5 Dranesville
Local District 1A6 Dranesville
Local District 1A8 Dranesville
Local District 1A9 Dranesville
Local District 1A11 Dranesville
Local District 1A12 Dranesville
Local District 1A21 Dranesville
Local District 1A22 Dranesville
Local District 1A61 Dranesville
Local District 1B Dranesville
Local District 1B1 Dranesville
Local District 1B2 Dranesville
Local District 1E Dranesville
Small District 3 Dranesville
Small District 4 Dranesville
Small District 6 Dranesville
Small District 7 Dranesville
Small District 8 Dranesville
Small District 9 Dranesville
Small District 10 Dranesville
Small District 11 Dranesville
Small District 12 Dranesville
Small District 13 Dranesville
Small District 14 Dranesville
Small District 15 Dranesville
Small District 1 Franconia
Local District 1A Franconia
Local District 1B Franconia
Local District 1C Franconia
Local District 1D Franconia
Local District 1E Franconia
Small District 2 Franconia
Small District 3 Franconia
Small District 4 Franconia
Small District 1 Mason
Local District 1A Mason
Local District 1B Mason
Local District 1C Mason
Local District 1D Mason
Local District 1F Mason
Small District 2 Mason
Small District 3 Mason
Small District 4 Mason
Small District 5 Mason
Small District 6 Mason
Small District 7 Mason
Local District 7A Mason
Small District 8 Mason
Small District 9 Mason
Small District 10 Mason
Small District 11 Mason
Small District 1 Mount Vernon
Local District 1A Mount Vernon
Local District 1B Mount Vernon
Local District 1C Mount Vernon
Local District 1D Mount Vernon
Local District 1E Mount Vernon
Small District 2 Mount Vernon
Local District 2A Mount Vernon
Local District 2B Mount Vernon
Small District 1 Providence
Local District 1A Providence

Refuse Service (continued):

Local District 1B Providence	Small District 9 Providence
Small District 3 Providence	Small District 11 Providence
Small District 4 Providence	Small District 12 Providence
Small District 6 Providence	Small District 13 Providence
Small District 7 Providence	Small District 4 Springfield
Small District 8 Providence	Small District 6 Springfield

p. Per ton refuse disposal fee charged to County refuse collectors, other jurisdictions, and private haulers.

q. Includes revenues from user fees charged at the Recycling and Disposal Center. Information regarding the schedule of fees is available from the Department of Public Works and Environmental Services (DPWES) Solid Waste Management Program at 12000 Government Center Parkway, Suite 458, Fairfax, Virginia, 22035 or online at www.fairfaxcounty.gov/dpwes. Residents who use the Recycling and Disposal Center are charged for disposal of waste based on weight and category of waste. There are different fees for disposal of brush, yard waste, white goods, tires, and other materials.

r. Per ton ash disposal fee charged to the County and participating jurisdictions.

s. Additional tax assessment per $100 of assessed value for the Tysons Service District.

t. Additional tax assessment per $100 of assessed value for the Reston Service District.

u. Fund S40000, Public School Food and Nutrition Services, assumes carryover of General Reserve of $36,362,814.

v. Fund S50000, Public School Grants and Self-Supporting Programs, assumes carryover of Summer School Reserve of $2,853,319 and reflects the proposed Transfer In from Fund 40030, Cable Communications, as shown in the School Board's Advertised Budget, which is currently $154,253 more than the Transfer Out from Fund 40030. Final adjustments will be reflected at the *FY 2025 Carryover Review*.

w. Fund S60000, Public School Insurance, assumes carryover of Allocated Reserve of $7,310,304 from FY 2025 to FY 2026.

x. Fund S62000, Public School Health and Flexible Benefits, assumes carryover of Premium Stabilization Reserve of $43,965,401 from FY 2025 to FY 2026.

y. Sewer service rate per 1,000 gallons of water.

z. Sewer availability fee for single family homes.

aa. Sewer service per bill base charge.

ab. Additional tax assessment per $100 of assessed value for road improvements to State Route 28.

COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX

In accordance with Virginia law, notice is hereby given that the Board of Supervisors of Fairfax County, Virginia, will meet in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia on April 22 at 4:00 P.M. and April 23 and April 24 at 3:00 P.M. The purpose of these meetings is to consider the adoption of an FY 2026 County Budget and to consider such tax rate changes as described therein. A brief synopsis of the FY 2026 Advertised Budget Plan is shown below. Citizens may appear and be heard for and against the following estimates of revenues, expenditures, transfers and surpluses as contained in the FY 2026 Advertised Budget Plan and proposed tax rate changes. Fiscal Year 2026 begins on July 1, 2025, and ends on June 30, 2026.

At the same time, the Board of Supervisors will hear public testimony regarding proposed adoption of the FY 2026– FY 2030 Advertised Capital Improvement Program (With Future Fiscal Years to 2035).

All persons wishing to present their views on these subjects may sign up to be placed on the Speakers List at www.fairfaxcounty.gov/bosclerk/speakers-form, call the Office of the Clerk to the Board at 703-324-3151, or appear and be heard. Copies of the full text of proposed ordinances, plans and amendments, as applicable, as well as other documents relating to the aforementioned subjects, are on file and may be examined at the Office of the Clerk to the Board of Supervisors, Suite 552 of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia.

Fairfax County supports the Americans with Disabilities Act by making reasonable accommodations for persons with disabilities. Open captioning will be provided in the Board Auditorium. For sign language interpreters or other accommodations, please call the Clerk's Office, 703-324-3151, TTY 711 (Virginia Relay Center) no later than 48 hours before the public hearing. Assistive listening devices will be available at the meeting.

Copies of the FY 2026 Advertised Budget Plan and the FY 2026 – FY 2030 Advertised Capital Improvement Program (With Future Fiscal Years to 2035) are available on the Internet at www.fairfaxcounty.gov/budget.

DRAFT
Resolution Adopting Tax Rates for Fairfax County Fiscal Year 2026 **ATTACHMENT II**

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Room in the Fairfax County Government Center at Fairfax, Virginia, on Tuesday, May 13, 2025, at which meeting a quorum was present and voting, the following resolution was adopted:

RESOLUTION ADOPTING TAX RATES FOR FAIRFAX COUNTY

FISCAL YEAR 2026

BE IT RESOLVED that, pursuant to the provisions of Virginia Code § 58.1-3001, and after having first complied with the provisions of the Virginia Code §§ 15.2-2506 and 58.1-3321, the Board does hereby establish the tax levies for the fiscal budget year beginning July 1, 2025, and ending June 30, 2026, and calendar tax year beginning January 1, 2025 and ending December 31, 2025, as follows to wit:

COUNTY LEVIES

General provisions. The County property taxes are levied on each $100.00 of assessed valuation of real estate and tangible personal property, excluding household furnishings, and including machinery and tools of mining, manufacturing, radio or television broadcasting, dairy, dry cleaning or laundry firms, and all personal property of research and development firms, in the County, including such property within the incorporated towns that are within the County. Except as otherwise stated herein, all such taxes are imposed generally pursuant with Virginia law on all taxable property throughout the County, including the incorporated towns therein, and the revenues derived from such levies shall be appropriated by the Board of Supervisors in accordance with Virginia law.

Real Estate*

On each $100.00 of the assessed valuation of real estate and improvements on real estate in the County the tax rate shall be $1.14

*Tax will be levied and collected in two semi-annual tax billings.

Commercial and Industrial Real Estate Tax for Transportation*

On each $100.00 of assessed valuation of the taxable commercial and industrial real estate in the County the tax rate in support of transportation shall be an additional..... $0.125

*Tax will be levied and collected in two semi-annual tax billings.

Personal Property

On each $100.00 of assessed valuation of tangible personal property, including all property separately classified by Virginia Code § 58.1-3503, the tax rate shall be $4.57

Except for the following:

Mobile Homes

On each $100.00 of assessed valuation of mobile homes, as separately classified by Virginia Code § 58.1-3506(A)(10), the tax rate shall be. $1.14

Machinery and Tools

On each $100.00 of assessed valuation of machinery and tools, as separately classified by Virginia Code § 58.1-3507, the tax rate shall be $2.00

Research and Development

On each $100.00 of assessed valuation of tangible personal property used or employed in a research and development business, as separately classified by Virginia Code § 58.1-3506(A)(7), the tax rate shall be. $4.57

Certain Personal Property of Planned Residential Subdivisions

On each $100.00 of assessed valuation of furniture, office, and maintenance equipment, exclusive of motor vehicles, which are owned and used by an organization whose real property is assessed in accordance with Virginia Code § 58.1-3284.1 and which is used by that organization for the purpose of maintaining or using the open or common space within a residential development as classified by Virginia Code § 58.1-3506(A)(24), the tax rate shall be $0.01

Van Pools - Privately Owned Vans

On each $100.00 of assessed valuation of privately owned vans, as separately classified by Virginia Code § 58.1-3506(A)(13), the tax rate shall be $0.01

Privately owned vans means vans with a seating capacity of seven to fifteen persons used exclusively pursuant to a ridesharing agreement as defined in Virginia Code § 46.2-1400, and which have been certified as such by the Director of the Department of Tax Administration.

Motor Vehicles Owned by Members of a
Volunteer Rescue Squad or Volunteer Fire Department

On each $100.00 of assessed valuation of motor vehicles as separately classified by Virginia Code § 58.1-3506(A)(15), the tax rate shall be $0.01

Motor vehicles as classified by Virginia Code § 58.1-3506 (A) (15), shall be defined to mean one motor vehicle owned or leased by each member of a volunteer rescue squad or volunteer fire department which is regularly used by such members to respond to emergency calls and certified as such by the Chief or Head of the Volunteer Organization and the Department of Tax Administration.

Motor Vehicles Specially Equipped to Provide
Transportation for Physically Handicapped Individuals

On each $100.00 of assessed valuation of motor vehicles as separately classified by Virginia Code § 58.1-3506(A)(14), the tax rate shall be $0.01

Specially equipped means any vehicle which has been modified specifically for the purpose of transporting physically handicapped individuals and the vehicle is certified as such by the Director of the Department of Tax Administration.

Motor Vehicles Owned
By Certain Qualifying Elderly and Disabled Individuals

On each $100.00 of assessed valuation of certain motor vehicles as classified by Virginia Code § 58.1-3506.1, the tax rate shall be $0.01

Applies to one motor vehicle owned and used by certain elderly and disabled persons who qualify on the basis of income and net worth.

Motor Vehicles Owned
By Persons Who Have Been Appointed to Serve as Auxiliary Police Officers

On each $100.00 of assessed valuation of motor vehicles as classified by Virginia Code § 58.1-3506(A)(20), the tax rate shall be $0.01

Motor vehicles as classified by Virginia Code § 58.1-3506 (A) (20), shall be defined to mean one motor vehicle owned or leased by an Auxiliary Police Officer to respond to auxiliary police duties, subject to certification as required by the provisions of the authorizing statute.

Motor Vehicles Owned
By Persons Who Have Been Appointed to Serve as Auxiliary Deputy Sheriffs

On each $100.00 of assessed valuation of motor vehicles as classified by Virginia Code § 58.1-3506 (A)(32), the tax rate shall be $0.01

Motor vehicles as classified by Virginia Code § 58.1-3506 (A)(32), shall be defined to mean one motor vehicle owned or leased by an Auxiliary Deputy Sheriff to respond to auxiliary deputy sheriff duties, subject to certification as required by the provisions of the authorizing statute.

Aircraft and Flight Simulators

On each $100.00 of assessed valuation of aircraft and flight simulators, as classified by Virginia Code § 58.1-3506(A)(2), (3), (4) and (5) the tax rate shall be $0.01

Antique Motor Vehicles

On each $100.00 of assessed valuation of antique motor vehicles, as separately classified by Virginia Code § 58.1-3506(A)(6), the tax rate shall be $0.01

Antique motor vehicles or antique automobiles means every motor vehicle which was actually manufactured or designated by the manufacturer as a model manufactured in a calendar year not less than twenty-five years ago and is owned solely as a collector's item.

Boats

On each $100.00 of assessed valuation of boats and watercraft, as classified by Virginia Code § 58.1-3506(A)(1), (12), (28), (29), (35) and (36) the tax rate shall be $0.01

Motor Vehicles Owned By Qualified Disabled Veterans

On each $100.00 of assessed valuation of motor vehicles, as classified by Virginia Code § 58.1-3506(A)(19), the tax rate shall be $0.01

Motor vehicles as classified by Virginia Code § 58.1-3506(A)(19) shall be defined to mean one motor vehicle owned and regularly used by qualified disabled veterans, subject to certification as required by the provisions of the authorizing statute. Qualified disabled veteran shall be defined to mean a veteran who meets the disability definition in Virginia Code § 58.1-3506(A)(19) and is not eligible for a motor vehicle tax exemption authorized by state law.

SANITARY DISTRICT LEVIES*

Local District 1A Franconia
(Burgundy Village Community Center)

On each $100.00 of assessed valuation of real estate within the boundary of Local District 1A Franconia in the County, the tax rate shall be $0.020

Small District 1 Dranesville
(McLean Community Center)

On each $100.00 of assessed valuation of real estate within the boundary of Small District 1 Dranesville in the County, the tax rate shall be..... $0.023

Small District 5 Hunter Mill
(Reston Community Center)

On each $100.00 of assessed valuation of real estate within the boundary of Small District 5 Hunter Mill in the County, the tax rate shall be $0.047

*Tax will be levied and collected in two semi-annual tax billings.

Leaf Collection:

Small District 2 Braddock
Local District 1A11 Dranesville
Local District 1A21 Dranesville
Local District 1A22 Dranesville
Local District 1A61 Dranesville
Local District 1B1 Dranesville
Local District 1E Dranesville
Small District 3 Dranesville
Small District 7 Dranesville
Small District 8 Dranesville
Small District 10 Dranesville
Small District 12 Dranesville
Small District 15 Dranesville
Local District 1B Franconia
Local District 1C Franconia
Local District 1D Franconia
Local District 1E Franconia
Small District 1 Mason
Local District 1A Mason
Small District 2 Mason
Small District 4 Mason
Local District 7A Mason
Small District 9 Mason
Small District 10 Mason
Local District 1A Mount Vernon
Local District 1B Mount Vernon

Leaf Collection (continued):
Local District 1C Mount Vernon
Local District 1D Mount Vernon
Local District 1E Mount Vernon
Small District 1 Providence
Small District 2 Providence
Small District 4 Providence
Small District 6 Providence
Small District 7 Providence
Small District 8 Providence

On each $100.00 of assessed valuation of real estate within the boundaries of the above-enumerated Districts in the County, the tax rate shall be $0.019

On any real estate which is deleted from a sanitary district effective July 1, 2025, as a result of the contraction of such sanitary district, such real estate will be entitled to pro rata abatement from the amount of the annual charge hereby established for leaf collection.

On any real estate, which is added to a sanitary district effective July 1, 2025, as a result of either the creation or the enlargement of a sanitary district, such real estate will be charged a pro rata fee for the annual charge hereby established for leaf collection.

Refuse Service:

Small District 2 Braddock
Small District 3 Braddock
Small District 2 Hunter Mill
Small District 3 Hunter Mill
Local District 5A Hunter Mill
Local District 1A1 Dranesville
Local District 1A2 Dranesville
Local District 1A3 Dranesville
Local District 1A4 Dranesville
Local District 1A5 Dranesville
Local District 1A6 Dranesville
Local District 1A8 Dranesville
Local District 1A9 Dranesville
Local District 1A11 Dranesville
Local District 1A12 Dranesville
Local District 1A21 Dranesville
Local District 1A22 Dranesville
Local District 1A61 Dranesville
Local District 1B Dranesville
Local District 1B1 Dranesville
Local District 1B2 Dranesville
Local District 1E Dranesville
Small District 3 Dranesville
Small District 4 Dranesville
Small District 6 Dranesville
Small District 7 Dranesville
Small District 8 Dranesville
Small District 9 Dranesville
Small District 10 Dranesville
Small District 11 Dranesville
Small District 12 Dranesville
Small District 13 Dranesville
Small District 14 Dranesville
Small District 15 Dranesville
Small District 1 Franconia
Local District 1A Franconia
Local District 1B Franconia
Local District 1C Franconia
Local District 1D Franconia
Local District 1E Franconia
Small District 2 Franconia
Small District 3 Franconia
Small District 4 Franconia
Small District 1 Mason
Local District 1A Mason
Local District 1B Mason
Local District 1C Mason
Local District 1D Mason
Local District 1F Mason
Small District 2 Mason
Small District 3 Mason
Small District 4 Mason
Small District 5 Mason
Small District 6 Mason
Small District 7 Mason
Local District 7A Mason
Small District 8 Mason
Small District 9 Mason
Small District 10 Mason
Small District 11 Mason
Small District 1 Mount Vernon
Local District 1A Mount Vernon
Local District 1B Mount Vernon
Local District 1C Mount Vernon
Local District 1D Mount Vernon
Local District 1E Mount Vernon
Small District 2 Mount Vernon
Local District 2A Mount Vernon
Local District 2B Mount Vernon
Small District 1 Providence
Local District 1A Providence
Local District 1B Providence

Refuse Service (continued):
Small District 3 Providence
Small District 4 Providence
Small District 6 Providence
Small District 7 Providence
Small District 8 Providence
Small District 9 Providence
Small District 11 Providence
Small District 12 Providence
Small District 13 Providence
Small District 4 Springfield
Small District 6 Springfield

On each single-family dwelling and on each unit of two-family dwellings, excluding apartments (garden through high-rise), multi-family condominiums (garden through high-rise), and/or other multi-unit dwelling type buildings, existing or under construction January 1, 2025, within the boundaries of the above enumerated Districts, a base annual charge of $610.00 for refuse collection service to be added to the regular real estate tax bill, and that annual charge shall be subject to penalty and interest charges and becoming a lien against the property if not paid, in the same manner as any other real estate tax.

On any dwelling that is neither completed nor occupied by June 30, 2025, the owner thereof shall, upon application to the Director of the Department of Tax Administration or the Director DPWES, Solid Waste Collection and Recycling, made prior to December 5, 2025, be entitled to relief in the amount of the pro-rata portion based on the service period of the base annual charge hereby established. The claimant must provide acceptable evidence that the dwelling was not occupied, nor generating waste to the Director of the Department of Tax Administration or the Director DPWES, Solid Waste Collection and Recycling.

On any dwelling that is neither completed nor occupied by December 31, 2025, the owner thereof shall, upon application to the Director of the Department of Tax Administration or the Director DPWES, Solid Waste Collection and Recycling, made prior to March 31, 2026, be entitled to relief in the amount of the pro-rata portion based on the service period of the base annual charge hereby established. The claimant must provide acceptable evidence that the dwelling was not occupied, nor generating waste to the Director of the Department of Tax Administration or the Director DPWES, Solid Waste Collection and Recycling.

On any dwelling that is deleted from a sanitary district, as a result of the contraction of such sanitary district, the owner thereof will be entitled to relief in the amount of a pro rata portion of the base annual charge hereby established when service for refuse and recycling collection service is eliminated based on the service period.

On any dwelling that is added to a sanitary district, as a result of either the creation or the enlargement of a sanitary district or construction within the sanitary district, the owner thereof will be charged a pro rata portion of the base annual charge hereby established when service begins for refuse and recycling collection service based on the service period.

Water Service:

Small District Three within Springfield District

On any lot within the district, an annual assessment of $959 commencing January 1, 2003 and ending December 31, 2032. This annual assessment is for the purpose of providing water service to Colchester Road-Lewis Park, a group of 141 homes located within the Lincoln-Lewis-Vannoy Conservation District.

TRANSPORTATION IMPROVEMENT DISTRICT LEVIES*

State Route 28 Highway Transportation Improvement District

On each $100.00 of assessed valuation of the taxable commercial and industrial real estate within the boundary of State Route 28 Transportation Improvement District, as specified by Virginia Code § 15.2-4607 and as set out in Chapter 587 of the 1997 Acts of the General Assembly, the tax rate shall be $0.14

Phase I Dulles Rail Transportation Improvement District

On each $100.00 of assessed valuation of the taxable commercial and industrial real estate within the boundary of Phase I Dulles Rail Transportation Improvement District, as specified by Virginia Code § 33.2-2105, the tax rate shall be $0.09

Phase II Dulles Rail Transportation Improvement District

On each $100.00 of assessed valuation of the taxable commercial and industrial real estate within the boundary of Phase II Dulles Rail Transportation Improvement District, as specified by Virginia Code § 33.2-2105, the tax rate shall be $0.16

*Tax will be levied and collected in two semi-annual tax billings.

SPECIAL SERVICE DISTRICT FOR THE CONTROL OF PEST INFESTATIONS*

On each $100.00 of assessed valuation of real estate within Fairfax County, but exclusive of the Lake Barcroft Water Improvement District, within the service district established by Appendix I of the Fairfax County Code, the tax rate shall be..... $0.0010

*Tax will be levied and collected in two semi-annual tax billings.

SPECIAL SERVICE DISTRICT FOR STORMWATER MANAGEMENT*

On each $100.00 of assessed valuation of real estate within Fairfax County, within the service district, the tax rate shall be $0.0325

*Tax will be levied and collected in two semi-annual tax billings.

TYSONS TRANSPORTATION SERVICE DISTRICT NO. 1*

On each $100.00 of assessed valuation of real estate within Fairfax County, within the service district, the tax rate shall be $0.05

*Tax will be levied and collected in two semi-annual tax billings.

RESTON TRANSPORTATION SERVICE DISTRICT NO. 1*

On each $100.00 of assessed valuation of real estate within Fairfax County, within the service district, the tax rate shall be $0.021

*Tax will be levied and collected in two semi-annual tax billings.

SERVICE CHARGES FOR AMBULANCE TRANSPORT SERVICE

Pursuant to Fairfax County Code § 4-26-1, each person being transported by any emergency medical services vehicle that is operated or maintained by the County or for which a permit has been issued to the County by the Virginia Office of Emergency Medical Services will be charged (1) a service fee of $750 for Basic Life Support transport (BLS), (2) $950 for Advanced Life Support, level 1 transport (ALS1), (3) $1,175 for Advanced Life Support, level 2 transport (ALS2), and (4) $18.00 per mile for ground transport mileage. The term "emergency medical services vehicle" has the definition specified in Virginia Code § 32.1-111.1.

GIVEN under my hand this _____ day of May, 2025

By: _____
Jill G. Cooper
Clerk to the Board of Supervisors

FAIRFAX COUNTY NOTICE OF PROPOSED REAL PROPERTY TAX INCREASE

In accordance with Virginia Code Section 58.1-3321, notice is hereby given that the Board of Supervisors of Fairfax County, Virginia, will meet in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on April 22, 2025, at 3:00 P.M. At that meeting, the Board of Supervisors shall consider the matters described below.

The Fairfax County Executive has proposed the advertisement of a real estate tax rate of $1.14 per $100.00 of assessed value. The tax rate being proposed represents an increase of $0.015; however, the total assessed value of existing property has increased. It should be noted that the total increase in assessed value of existing properties is expected to be 4.68 percent, including an increase of 6.17 percent for residential real property and a decrease of 0.38 percent for non-residential real property. As a result, most property owners will experience an increase in their real estate tax bill. Nevertheless, because the average value of real property in Fairfax County has appreciated by at least one percent, Virginia Code Section 58.1-3321 requires Fairfax County to publish the following notice.

Fairfax County, Virginia proposes to increase property tax levies.

1. Assessment Increase: Total assessed value of real property, excluding additional assessments due to new construction or improvements to property, exceeds last year's total assessed value of real property by 4.68 percent.

2. Lowered Rate Necessary to Offset Increased Assessment: The tax rate which would levy the same amount of real estate tax as last year, when multiplied by the new total assessed value of real estate with the exclusions mentioned above, would be $1.0747 per $100.00 of assessed value. This rate will be known as the "lowered tax rate."

3. Effective Rate Increase: Fairfax County, Virginia, proposes to adopt a tax rate of $1.14 per $100.00 of assessed value. The difference between the lowered tax rate and the proposed rate would be $0.0653 per $100.00, or 6.08 percent. This difference will be known as the "effective tax rate increase."

   Individual property taxes may, however, increase at a percentage greater than or less than the above percentage.

4. Proposed Total Budget Increase: Based on the proposed real property tax rate and changes in other revenues, the total budget of Fairfax County, Virginia, will exceed last year's by 4.16 percent[1].

A public hearing on this issue will be held at 3:00 P.M. on April 22, 2025, in the Fairfax County Government Center at 12000 Government Center Parkway.

All persons wishing to present their views on these subjects may sign up to be placed on the Speakers List at www.fairfaxcounty.gov/bosclerk/speakers-form, call the Office of the Clerk to the Board at 703-324-3151, or appear and be heard. Copies of the full text of proposed ordinances, plans and amendments, as applicable, as well as other documents relating to the aforementioned subjects, are on file and may be examined at the Office of the Clerk to the Board of Supervisors, Suite 552 of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia.

Fairfax County supports the Americans with Disabilities Act by making reasonable accommodations for persons with disabilities. Open captioning will be provided in the Board Auditorium. For sign language interpreters or other accommodations, please call the Clerk's Office, 703-324-3151, TTY 711 (Virginia Relay Center) no later than 48 hours before the public hearing. Assistive listening devices will be

available at the meeting.

The Board will conduct a separate public hearing on the FY 2026 Advertised Budget Plan which will commence on April 22, 2025, at 4:00 PM and on April 23 and April 24 at 3:00 PM.

Copies of the FY 2026 Advertised Budget Plan and the Advertised Capital Improvement Program for Fiscal Years 2026-2030 (With Future Fiscal Years to 2035) are available on the Internet at https://www.fairfaxcounty.gov/budget/.

A Copy - Teste:

Jill G. Cooper, Clerk
Board of Supervisors

[1] The total budget increase is based on all revenues received by the General Fund of Fairfax County. Projected FY 2026 disbursements reflect a decrease of 0.13 percent from the FY 2025 level.

Board Agenda Item
March 18, 2025

ADMINISTRATIVE - 9

Authorization to Advertise a Public Hearing to Amend the Current Appropriation Level in the FY 2025 Revised Budget Plan

ISSUE:
Board approval of an advertisement for a public hearing to adjust the FY 2025 appropriation level. The advertisement will encompass both the County and the Schools' FY 2025 Third Quarter Reviews. *Section 15.2-2507 of the Code of Virginia* requires that a public hearing be held prior to Board action to amend the current appropriation level.

RECOMMENDATION:
The County Executive recommends that the Board authorize staff to publish the advertisement for a public hearing.

TIMING:
Board Action is requested on March 18, 2025, to provide sufficient time to advertise the proposed public hearings on the following days: April 22, 2025, at 4:00 pm, April 23, 2025, at 3:00pm, and April 24,2025, at 3:00pm.

BACKGROUND:
As the FY 2025 Third Quarter Review includes proposed adjustments in appropriation greater than one percent of total expenditures, a public hearing is required prior to Board action. In addition, the Code of Virginia requires that a synopsis of proposed changes be included in the advertisement.

Fairfax County Public Schools staff recommendations on the FY 2025 Third Quarter Review are scheduled to be presented to the School Board on March 27, 2025, with action to be taken by the School Board on April 10, 2025. FCPS staff recommendations will be transmitted to the Board of Supervisors when available and will be incorporated into the advertisement of the County and Schools FY 2025 Third Quarter Review.

Board Agenda Item
March 18, 2025

ENCLOSED DOCUMENTS:
These attachments will be available online on Monday, March 17, 2025:
www.fairfaxcounty.gov/budget/fy-2025-third-quarter-review

Attachment A – Proposed advertisement for public hearing
Attachment B – Memorandum to the Board of Supervisors dated March 18, 2025, from Bryan Hill, County Executive, with attachments, transmitting the FY 2025 Third Quarter Review with appropriation resolutions

STAFF:
Christina Jackson, Deputy County Executive/Chief Financial Officer
Philip Hagen, Director, Department of Management and Budget
Katie Horstman, Deputy Director, Department of Management and Budget
Joseph LaHait, Deputy Director, Department of Management and Budget

Board Agenda Item
March 18, 2025

ADMINISTRATIVE - 10

Additional Time to Establish Use or Commence Construction for Special Exception SE-2017-DR-003, SunTrust Bank (Dranesville District)

ISSUE:
Board consideration of additional time to establish use or commence construction for SE-2017-DR-003, pursuant to the provisions of subsection *8100.3.D.(6) of the Zoning Ordinance.*

RECOMMENDATION:
The County Executive recommends that the Board approve 18 months additional time for SE-2017-DR-003 to establish the use, to January 1, 2027.

TIMING:
Board action is requested on March 18, 2025, as the SE approval would expire July 1, 2025.

BACKGROUND:
Under 8100.3.D.(6) of the Zoning Ordinance, if the use is not established or if construction is not commenced within the time specified by the Board of Supervisors, an approved special exception shall automatically expire without notice unless the Board approves additional time. A request for additional time must be filed with the Zoning Administrator prior to the expiration date of the special exception. The Board may approve additional time if it determines that the use is in accordance with the applicable provisions of the Zoning Ordinance and that approval of additional time is in the public interest.

On September 12, 2017, the Board of Supervisors approved Special Exception SE-2017-DR-003, subject to development conditions. The application was filed in the name of SunTrust Bank to permit, in pertinent part, a drive-in financial institution in the C-6 zoning district for the property located at 778 Walker Road, Tax Map 13-1 ((9)) 6B (see Locator Map in Attachment 1). The drive-in financial institution is permitted as a special exception use pursuant to subsection 4101.3 of the Fairfax County Zoning Ordinance. SE-2017-DR-003 was approved with a condition requiring that the use be established, or construction be commenced and diligently prosecuted, within 30 months of the approval date unless the Board grants additional time. The development conditions for

SE-2017-DR-003 are included as part of the Clerk to the Board's letter contained in Attachment 2.

On September 25, 2019, the Board of Supervisors approved 24 months additional time to commence construction or establish use for SE-2017-DR-003 in the name of SunTrust Bank until March 12, 2022, pursuant to the provisions of *Section 9-015 of the Zoning Ordinance* in effect at that time (see Attachment 3). The Special Exception was due to expire, without notice, on March 12, 2022, however, *§15.2-2209.1 of the Code of Virginia* permitted an automatic extension of this deadline to July 1, 2025. On October 24, 2024, the Department of Planning and Development (DPD) received a letter, from Lynne J. Strobel, agent for the Applicant, requesting 18 months of additional time (see Attachment 4).

Ms. Strobel states additional time is necessary to commence construction and establish the use because the Applicant has been undergoing business challenges related to impacts from the COVID-19 pandemic, general economic trends, and a change in ownership. Furthermore, while the site plan was submitted for County review in 2023, unforeseen requirements, including but not limited to processing a sidewalk waiver and a traffic study, have impacted the review timeframe. According to Ms. Strobel's letter, these factors have impacted the financing of the approved improvements to the property. Therefore, in an abundance of caution, Ms. Strobel is requesting this additional 18 months to ensure the special exception approval remains valid and will allow the requestor to establish use and commence construction.

Staff has reviewed SE-2017-DR-003 and has established that, as approved, it is still in conformance with all applicable provisions of the Fairfax County Zoning Ordinance to permit a drive-in financial institution within the C-6 zoning district. Further, staff knows of no change in land use circumstances which affect compliance of SE-2017-DR-003 with the standards applicable to this use, or which should cause the filing of a new special exception application and review through the public hearing process. The Comprehensive Plan recommendation for the property has not changed since approval of the special exception. Finally, the conditions associated with the Board's approval of SE-2017-DR-003 are still appropriate and remain in full force and effect. The applicant has demonstrated that they are pursuing development of the property in good faith, and (as noted) are currently in the site plan review process. Staff believes that approval of the request for 18 months additional time is in the public interest and recommends that it be approved. In the absence of demonstrated efforts to commence construction, further requests for an additional time may not be appropriate.

Board Agenda Item
March 18, 2025

EQUITY IMPACT:
None.

FISCAL IMPACT:
None.

ENCLOSED DOCUMENTS:
Attachment 1: Locator Map
Attachment 2: Clerk's Letter dated October 18, 2017, to Robert D. Brant
Attachment 3: Clerk's Letter dated September 25, 2019, to Lynne J. Strobel
Attachment 4: Letter dated October 24, 2024, to Leslie B. Johnson

STAFF:
Jennifer Miller, Deputy County Executive
Tracy D. Strunk, Director, Department of Planning and Development (DPD)
Suzanne Wright, Director, Zoning Evaluation Division (ZED), DPD
Cathy Belgin, Chief, Conformance Review & Acceptance Branch, ZED, DPD
Ryan Johnson, Staff Coordinator, ZED, DPD

Special Exception

SE 2017-DR-003



Applicant:	SUN TRUST BANK
Accepted:	01/25/2017
Proposed:	DRIVE-IN FINANCIAL INSTITUTION AND WAIVER OF MINIMUM LOT SIZE
Area:	38466 SF OF LAND; DISTRICT - DRANESVILLE
Zoning Dist Sect:	09-061004-0604
Located:	778 WALKER ROAD, GREAT FALLS, VA 22066
Zoning:	C- 6
Plan Area:	3,
Overlay Dist:	
Map Ref Num:	013-1- /09/ /0006B

County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

(**Amended letter**
corrected conditions numbering)

October 18, 2017

RECEIVED
Department of Planning & Zoning
OCT 20 2017
Zoning Evaluation Division

Robert D. Brant
Walsh, Colucci, Lubeley & Walsh, P.C.
2200 Clarendon Boulevard, Suite 1300
Arlington, VA 22201

Re: Special Exception Application SE 2017-DR-003

Dear Mr. Brant:

At a regular meeting of the Board of Supervisors held on September 12, 2017, the Board approved Special Exception Application SE 2017-DR-003 in the name of SunTrust Bank. The subject property is located at 778 Walker Road on approximately 38,466 square feet of land, zoned C-6 in the Dranesville District [Tax Map 13-1 ((9)) 6B]. The Board's action permits a drive-in financial institution and waiver of minimum lot size, pursuant to Sections 4-604, 9-501, 9-502, and 9-610 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions:

1. This Special Exception (SE) is granted for and runs with the land indicated in this application and is not transferable to other land.

2. This SE is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Special Exception Plat approved with the application, as qualified by these development conditions.

3. A copy of these SE conditions, along with the Non-Residential Use Permit (Non-RUP), shall be posted in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during hours of operation for the permitted use.

4. This SE is subject to the provisions of Article 17, Site Plans, as may be determined by DPWES. Any plan submitted pursuant to this SE shall be in substantial conformance with the approved Special Exception Plat entitled "SunTrust Great Falls, Special Exception Plat," prepared by Infinity Engineering Group, LLC consisting of ten sheets dated November 8, 2016, revised through May 10, 2017 (the "SE Plat"), and these conditions. Minor modifications to the approved Special Exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.

Office of the Clerk to the Board of Supervisors
12000 Government Center Parkway Suite 533
Fairfax, Virginia 22035
Phone: 703-324-3151 ♦ Fax: 703-324-3926 ♦ TTY: 711
Email: clerktothebos@fairfaxcounty.gov
http://www.fairfaxcounty.gov/bosclerk

5. The design of the drive-in financial institution shall be generally consistent with the Architectural Elevations prepared by Gensler, dated June 29, 2017 included as Attachment 1 to these development conditions.

6. All signage shall conform to the provisions of Article 12 of the Zoning Ordinance, which includes the requirement that signs affixed to or clearly visible through windows shall not exceed thirty (30) percent of the total window area of the window in which they are displayed.

7. All signs that are illuminated shall conform to Part 9 of Article 14 in order to minimize glare. All lighting within the windows located at the northeast corner of the bank building shall be dimmed to fifty (50) percent of full operational levels within one (1) hour after the close of business.

8. No signage is allowed in three (3) of the five (5) windows located at the northeast corner of the bank building. These three (3) windows shall include art such as a permanent display of local images and/or objects representative of the historical significance of the Great Falls area. Routine maintenance of the art may be performed, and, from time to time, the art may be replaced and updated in consultation with the Dranesville District Supervisor. The art shall be installed prior to the issuance of a Non-RUP; however, any unreasonable delays in the coordination and installation of the public art, through no fault of the Applicant, shall not preclude the issuance of a Non-RUP.

9. At the time of site plan, the Applicant shall submit a request to waive the requirement to install street lights along the Application Property's frontage. A copy of the submitted waiver shall be provided to the Great Falls Citizens Association.

10. Tree Preservation and Landscaping: The following landscaping procedures shall be followed to assure adequate tree preservation.

    A. Tree Preservation: A Tree Preservation plan shall be submitted for review and approval as part of the first and all subsequent subdivision plan submissions. The preservation plan shall be prepared by a professional with experience in the preparation of tree preservation plans, such as a Certified Arborist or Registered Consulting Arborist, and shall be subject to the review and approval of the Urban Forest Management Division, DPWES. The tree preservation plan shall consist of a tree survey that includes the location, species, size, crown spread and condition rating percentage of all trees 12 inches in diameter and greater located within the first 25 feet of the undisturbed area from the limits of clearing and grading and the first 10 feet from the limits of clearing in the disturbed area shown on the SE Plan for the entire site.

The tree preservation plan shall provide for the preservation of those areas shown for tree preservation, those areas outside of the limits of clearing and grading shown on the SE Plan and those additional areas in which trees can be preserved as a result of final engineering. The condition analysis ratings shall be prepared using methods outlined in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture. Specific tree preservation activities that will maximize the survivability of any tree identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the plan.

B. Tree Preservation Walk-Through: The Applicant shall retain the services of a certified arborist or Registered Consulting Arborist, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the walk-through meeting. During the tree-preservation walk-through meeting, the Applicant's Certified Arborist or Registered Consulting Arborist shall walk the limits of clearing and grading with an UFMD, DPWES, representative to determine where adjustments to the clearing limits can be made, if any, to increase the area of tree preservation and/or to increase the survivability of trees at the edge of the limits of clearing and grading, and such adjustment shall be implemented. Trees that are identified as dead or dying may be removed as part of the clearing operation. Any tree that is so designated shall be removed using a chain saw and such removal shall be accomplished in a manner that avoids damage to surrounding trees and associated understory vegetation. If a stump must be removed, this shall be done using a stump-grinding machine in a manner causing as little disturbance as possible to adjacent trees and associated understory vegetation and soil conditions.

C. Limits of Clearing and Grading: The limits of clearing and grading shall be strictly adhered to as shown on the SE Plan, subject to allowances specified in these development conditions and for the installation of utilities and/or trails as determined necessary by the Director of DPWES, as described herein. If it is determined necessary to install utilities and/or trails in areas protected by the limits of clearing and grading as shown on the SE Plan, they shall be located in the least disruptive manner necessary as determined by the UFMD, DPWES. A replanting plan shall be developed and implemented, subject to approval by the UFMD, DPWES, for any areas protected by the limits of clearing and grading that must be disturbed for such trails or utilities.

D. Tree Preservation Fencing: All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fence. Tree protection fencing in the form of four (4) foot high, fourteen (14) gauge welded wire attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart or, super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees shall be erected at the

limits of clearing and grading as shown on the demolition, and phase I & II erosion and sediment control sheets, as may be modified by the "Root Pruning" condition below.

All tree protection fencing shall be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing shall be performed under the direct supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three (3) days prior to the commencement of any clearing, grading or demolition activities, but subsequent to the installation of the tree protection devices, the UFMD, DPWES, shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by the UFMD, DPWES.

E. Root Pruning: The Applicant shall root prune, as needed to comply with the tree preservation requirements of these development conditions. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the submitted plan. The details for these treatments shall be reviewed and approved by the UFMD, DPWES, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:

- Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches.
- Root pruning shall take place prior to any clearing and grading, or demolition of structures.
- Root pruning shall be conducted with the supervision of a certified arborist.
- An UFMD, DPWES, representative shall be informed when all root pruning and tree protection fence installation is complete.

F. Site Monitoring: During any clearing or tree/vegetation/structure removal on the Applicant Property, a representative of the Applicant shall be present to monitor the process and ensure that the activities are conducted as per specific development conditions and as approved by the UFMD. The Applicant shall retain the services of a Certified Arborist or Registered Consulting Arborist to monitor all construction and demolition work adjacent to any vegetation to be preserved, tree preservation efforts and landscape installation, in order to ensure conformance with all tree preservation and landscaping development conditions, and UFMD approvals. The monitoring schedule shall be described and detailed in the Landscaping and Tree Preservation Plan, and reviewed and approved by the UFMD, DPWES.

11. The four-foot wide sidewalk and bicycle racks shown on the SE Plat shall be provided prior to the issuance of the Non-RUP. The sidewalk shall include an exposed aggregate finish. The bicycle racks shall be properly installed per the Fairfax County Bicycle Parking Guidelines, subject to the review and approval of Fairfax County Department of Transportation (FCDOT). Bicycle racks shall include a black powder metal finish, and shall be inverted U-style racks or an alternative style as approved by FCDOT.

12. Subject to approval by the Virginia Department of Transportation (VDOT) and FCDOT, prior to the issuance of the Non-RUP, a maximum of two R4-11 'Bicycle May Use Full Lane Signs' or other similar signage shall be installed by the Applicant along the Walker Road frontage of the Application Property.

13. In order to promote sustainable design, the following measures shall be taken in conjunction with the construction of the proposed drive-in financial institution shown on the SE Plat. A LEED-AP shall be included as a member of the design team. The LEED-AP will work with the Applicant to incorporate sustainable design elements and innovative technologies into the proposed buildings. Prior to site plan approval, documentation will be provided to the Environment and Development Review Branch (EDRB) of DPZ, demonstrating compliance with the commitment to engage such a professional.

    Prior to the final construction bond release, the LEED-AP shall submit a certification statement to EDRB, including supporting documentation as detailed below, confirming that the green building elements listed below have been incorporated into the design and construction of the building.

    Green building elements for inclusion in the project:

    A. Only native and non-invasive species, including perennials and seed mixes, shall be used for landscape and other plantings on the property. Planting lists showing species and location of plantings on the landscape plan shall be submitted with the site plan.

    B. LED or fluorescent lamps shall be incorporated in the interior building light fixtures to the extent possible.

    C. Motion sensor faucets, flush valves, and ultralow-flow plumbing fixtures that have a maximum water usage as listed below shall be used in restroom facilities in the building(s).

        Water Closet (gallons per flush, gpf): 1.0
        Lavatory faucets (gpm**): 1.5
        Kitchen sink faucet: 1.5

D. Low-emitting materials shall be used for all adhesives, sealants, paints, coatings, floor systems, composite wood, and agrifiber products. Low-emitting is defined according to the following table:

Application	VOC Limit g/L less water
Carpet adhesive	50
Rubber floor adhesive	60
Ceramic tile adhesive	65
Anti-corrosive/anti-rust paint	250
Clear wood finishes	350

E. Carpet and carpet padding shall be installed that meets the testing and product requirements of the Carpet and Rug Institute Green Label Plus program. Manufacturers' product data shall be provided prior to the issuance of a Non-RUP.

F. Vinyl composition tile and rubber flooring shall be installed which meets the requirements of the FloorScore certification program. Manufacturers' product data and certification letter shall be provided prior to the issuance of a Non-RUP.

G. Water heaters and roof top mechanical units will be Energy Star, or equivalent. Installation locations and manufacturers' product data, including the Energy Star energy guide, if installed, shall be provided prior to the issuance of a Non-RUP.

H. A white thermoplastic membrane will be used on all flat roof surfaces.

I. A building automation system that monitors water, energy and electrical consumption and controls HVAC equipment and lighting to achieve greater energy efficiency.

J. Occupancy sensors to reduce energy consumption.

K. A Variable Refrigerant Flow (VRF) HVAC system to allow for temperature control over individual spaces within the proposed building.

L. A supplemental HVAC system within the building's IT/electrical room in order for IT and electrical equipment to operate at optimal efficiency.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be responsible for obtaining the required Non-Residential Use Permit (Non-RUP) through established procedures, and this Special Exception shall not be valid until this has been accomplished.

SE 2017-DR-003
October 18, 2017

Pursuant to Section 9-015 of the Zoning Ordinance, this Special Exception shall automatically expire, without notice, 30 months after the date of approval unless the use has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the Special Exception. The request must specify the amount of additional time requested, the basis for the amount of time requested, and an explanation of why additional time is required.

The Board also:

- Modified the transitional screening required per Sect. 13-303 of the Zoning Ordinance along the southern property line, in favor of the proposed landscaping, as shown on the SE Plat

- Waived the barrier required per Sect.13-304 of the Zoning Ordinance along the southern property line

- Waived the loading space requirement per Sect. 11-203 of the Zoning Ordinance

Sincerely,

Catherine A. Chianese

Catherine A. Chianese
Clerk to the Board of Supervisors

cc: Chairman Sharon Bulova
Supervisor John Foust, Dranesville District
Howard Goodie, Director, Real Estate Division, Dept. of Tax Administration
Tracy D. Strunk, Acting Director, Zoning Evaluation Division, DPZ
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning
Thomas Conry, Dept. Manager, GIS, Mapping/Overlay
Michael Davis, Section Chief, Transportation Planning Division
Donald Stephens, Transportation Planning Division
Ken Williams, Plans & Document Control, ESRD, DPWES
Department of Highways-VDOT
Andrea Dorlester, Park Planning Branch Manager, FCPA
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division
Jill Cooper, Executive Director, Planning Commission
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation

COUNTY OF FAIRFAX **APPLICATION No:** SE 2017-DR-003
(Staff will assign)
Department of Planning and Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, VA 22035 (703) 324-1290, TTY 711
www.fairfaxcounty.gov/dpz/zoning/applications

RECEIVED
Department of Planning & Zoning
DEC 06 2016
Zoning Evaluation Division

APPLICATION FOR A SPECIAL EXCEPTION

(PLEASE TYPE or PRINT IN BLACK INK)

APPLICANT	**NAME** SunTrust Bank
	MAILING ADDRESS 919 East Main Street, 14th Floor HDQ8814 Richmond, Virginia 23219
	PHONE HOME ( ) **WORK** ( )
	PHONE MOBILE ( )
PROPERTY INFORMATION	**PROPERTY ADDRESS** 778 Walker Road Great Falls, Virginia 22066
	TAX MAP NO. 13-1 ((9)) 6B **SIZE (ACRES/SQ FT)** Approx 38,466 square feet
	ZONING DISTRICT C-6 **MAGISTERIAL DISTRICT** Dranesville
	PROPOSED ZONING IF CONCURRENT WITH REZONING APPLICATION: N/A
SPECIAL EXCEPTION REQUEST INFORMATION	**ZONING ORDINANCE SECTION** 4-604(4)(F), 9-501(6), 9-502 and 9-610
	PROPOSED USE The Applicant proposes to develop the property with a drive-in financial institution, with a request for a waiver of minimum lot size pursuant to Section 9-610 of the Zoning Ordinance.
AGENT/CONTACT INFORMATION	**NAME** Lynne J. Strobel
	MAILING ADDRESS Walsh, Colucci, Lubeley & Walsh, P.C. 2200 Clarendon Boulevard, Suite 1300 Arlington, VA 22201
	PHONE HOME ( ) **WORK** (703) 528-4700
	PHONE MOBILE ( )
MAILING	**Send all correspondence to (check one):** ☐ **Applicant** –or- ☑ **Agent/Contact**

The name(s) and addresses of owner(s) of record shall be provided on the affidavit form attached and made part of this application. The undersigned has the power to authorize and does hereby authorize Fairfax County staff representatives on official business to enter the subject property as necessary to process the application.

Lynne J. Strobel, Attorney/Agent — Lynne J. Strobel

TYPE/PRINT NAME OF APPLICANT/AGENT **SIGNATURE OF APPLICANT/AGENT**

SE 2016-03-28

DO NOT WRITE IN THIS SPACE Michael P. Maurney 1/25/17

Date Application accepted: January 25, 2017 Application Fee Paid: $ 16,375.00

County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

September 25, 2019

Lynne J. Strobel
Walsh, Colucci, Lubeley, & Walsh, P.C.
2200 Clarendon Blvd., Suite 1300
Arlington, Virginia 22201

RE: Additional Time for Special Exception Application SE 2017-DR-003

Dear Ms. Strobel:

At a regular meeting held on September 24, 2019, the Board of Supervisors approved twenty-four months additional time to commence construction or establish use for Special Exception Application SE 2017-DR-003 in the name of Sun Trust Bank until March 12, 2022, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

Sincerely,

Jill G. Cooper
Clerk for the Board of Supervisors

Cc: Supervisor John W. Foust, Dranesville District
Thomas Reed, Director, Real Estate Division, Dept. of Tax Administration
Tracy D. Strunk, Director, Zoning Evaluation Division, Dept. of Planning and Development
Mavis Stanfield, Deputy Zoning Administrator, Dept. of Planning and Development
Michael Liddle, Director, GIS Services, Department of Information Technology
Jeff Hermann, Section Chief, Transportation Planning Division
Andrea Dorlester, Park Planning Branch Manager, FCPA
Abdi Hamud, Program Administrator, DHCD/Design Development Division
Michael Guarino, Chief Capital Projects Sections, Dept. of Transportation

Department of Clerk Services
Clerk to the Board of Supervisors
12000 Government Center Parkway, Suite 552
Fairfax, Virginia 22035
Phone: 703-324-3151 ♦ Fax: 703-324-3926 ♦ TTY: 711
Email: clerktothebos@fairfaxcounty.gov
http://www.fairfaxcounty.gov/bosclerk



WALSH COLUCCI
LUBELEY & WALSH PC

Lynne J. Strobel
(703) 528-4700 Ext. 5418
lstrobel@thelandlawyers.com

October 24, 2024

Via PLUS

Leslie B. Johnson, Zoning Administrator
Fairfax County Department of Planning & Development
Zoning Administration Division
12055 Government Center Parkway, Suite 807
Fairfax, Virginia 22035

Re: SE 2017-DR-003
Fairfax County Tax Map Reference: 13-1 ((9)) 6B (the "Subject Property")
Applicant: 778 Walker, LLC

Dear Ms. Johnson:

The Board of Supervisors (the "Board") approved the referenced special exception application at its hearing held on September 12, 2017. The Board granted the approval subject to development conditions including a requirement that construction commence and be diligently prosecuted within thirty (30) months after the approval date. Since the approval, the Board granted a request for additional time. Thereafter, based on Section 15-2-2209.1:1 of the Code of Virginia, as amended and reenacted in 2023, the expiration date is currently July 1, 2025 as confirmed in PLUS.

I hereby request eighteen months of additional time to commence construction of the improvements associated with the referenced special exception. This request for additional time is made in accordance with the provisions of subsection 8100.3.D.(6) of the Fairfax County Zoning Ordinance.

The Applicant is the owner of the Subject Property and has experienced a number of delays in implementing the special exception due to the impacts of the COVID 19 pandemic, the economy, and a change in ownership. In addition, approval of the site plan was delayed in order to process a sidewalk waiver, and ultimately a solution when it was denied, and a traffic study that was not originally required. All of these factors have impacted the financing of the

approved improvements. Therefore, the Applicant requests eighteen months of additional time to commence construction of the improvements associated with the referenced application. The pandemic, the resulting impact on the economy, and additional site plan requirements, were all unforeseen circumstances that were unanticipated at the time of the approval.

Should you have any questions regarding this request, or require additional information, please do not hesitate to contact me. There have been no changes in circumstances that would render the approval inconsistent with the Comprehensive Plan or the public interest. I would appreciate a response at your earliest convenience as confirmation of additional time to commence construction is a lender requirement that needs to be addressed prior to financing.

As always, I appreciate your cooperation and assistance.

Very truly yours,

WALSH, COLUCCI, LUBELEY & WALSH, P.C.

Lynne J. Strobel

LJS:kae
cc: Sean Leonard

A1259657.DOCX / 1 Ltr to Johnson re: Additional Time Request - 10.24.24 013026 000002

Board Agenda Item
March 18, 2025

ACTION - 1

Approval of the Disease Carrying Insects Program

ISSUE:
Board approval of the annual submission of the Disease Carrying Insects Program (DCIP).

RECOMMENDATION:
The County Executive recommends that the Board of Supervisors direct staff to take the following actions concerning Fairfax County's Disease Carrying Insects Program:

Mosquitoes, West Nile virus, and Other Mosquito-borne Diseases

1. Continue to conduct a county-wide mosquito surveillance program.

2. Continue to test mosquitoes for West Nile virus and other pathogens, as necessary.

3. Continue inspections and larviciding of mosquito breeding areas in the County using appropriate and approved larvicides according to established criteria in as many rounds during the mosquito season, as necessary.

4. Continue to conduct a county-wide community outreach and education program to increase County residents' awareness of mosquitoes, West Nile virus, Zika virus, and other mosquito-borne diseases, as well as personal protection and prevention methods.

5. Continue to use adult mosquito control methods as necessary to protect public health.

Ticks, Lyme disease, and other Tick-borne Diseases

1. Continue to conduct tick surveillance activities.

2. Continue to test ticks for pathogens, including the bacteria that causes Lyme disease.

3. Continue to conduct a county-wide community outreach and education program to increase County residents' awareness of ticks, Lyme disease, and other tick-borne diseases, as well as personal protection and prevention methods.

Other Disease-transmitting Insects of Public Health Importance

1. Continue to work with Environmental Health staff to provide information on other disease-transmitting insects of public health importance.

Board action on this item will cover all Disease Carrying Insects Program activities carried out through June 30, 2026.

TIMING:
Board approval is requested on March 18, 2025, in order to (1) continue mosquito suppression strategies (e.g., surveillance, larviciding mosquito breeding areas, and public outreach), (2) continue tick surveillance program and public outreach, and (3) continue outreach and education efforts for other disease-transmitting insects.

BACKGROUND:
The *Code of the County of Fairfax, Virginia* (Appendix I, Section 7) requires the submission of the annual Disease Carrying Insects Program for Board of Supervisors' approval. The Annual Report for the program (Attachment I) provides an overview of many program activities and highlights the importance of vector-borne disease prevention and control.

West Nile Virus, Zika virus, and Other Mosquito-borne Diseases
West Nile virus continues to be an important public health concern in the continental United States. Fairfax County WNV surveillance activities indicated that the virus was present throughout the County. By the end of the 2024 WNV season, the virus had been detected in mosquitoes collected at many of the surveillance sites in the County. One human case of WNV was reported in the County in 2024, three human cases in 2023, and no human cases in 2022. Seven fatal cases in the County since 2002 underlie the potential severity of this disease. A total of 10 WNV cases were reported in Virginia in 2024, 12 WNV cases in 2023, and five WNV cases in 2022. No WNV-related deaths were reported in Virginia in 2024 or 2023, and one death was reported in 2022. Factors that may impact the presence and reporting of WNV include the following:

1. Viral activity in the mosquito vectors;
2. Presumed feeding habits of *Culex pipiens;*
3. Birds acting as natural amplifiers of the virus;
4. Ambient temperatures which influence the development of the virus within the mosquito;
5. Level of public awareness of WNV; and
6. Proactive larvicide and adulticide treatments to help control *Culex* mosquitoes.

Based on past surveillance information, the DCIP will continue mosquito inspection and larviciding activities in stormwater facilities that are identified as a result of the immature mosquito surveillance activities, as was done in the 2024 mosquito season. The DCIP will perform larval inspection activities year-round while larval control activities will begin in the spring and continue through early November. In 2025, staff will continue to use mobile GIS technology to efficiently perform these activities.

As in previous seasons, DCIP staff will continue to carry out adult mosquito surveillance activities from May to early November. The Fairfax County Health Department's Division of Epidemiology and Population Health (DEPH) will continue to carry out human case surveillance for locally acquired or travel-associated mosquito-borne diseases. Environmental Health and DEPH staff will continue to work together to monitor and respond to vector-borne disease activity in the County.

All mosquito testing and tick testing will be performed by the Health Department Laboratory where they use molecular diagnostics to identify pathogens. The laboratory currently offers WNV, chikungunya virus, dengue virus, Jamestown Canyon virus, La Crosse Encephalitis virus, St. Louis Encephalitis virus and Zika virus testing for mosquito samples and Lyme disease testing for tick samples. DCIP will continue to work with the laboratory to expand pathogen testing for vector-borne pathogens in the future.

All insecticides used in this program are registered with the U.S. Environmental Protection Agency (EPA) and sanctioned for use by the Commonwealth of Virginia. The principal larvicides that the County will use are spinosad, *Bacillus thuringiensis* var. *israelensis*, *Bacillus sphaericus*, and methoprene (Attachments II, III, IV, V, VI, VII and VIII). Some scenarios may require a mineral oil-based pupicide to control immature mosquitoes (Attachment IX). The Health Department has the ability to apply pesticides for adult mosquitoes should the public health need arise; however, this type of control is not routinely performed by the Health Department. The Health Department may apply insecticides to control adult mosquitoes, and in these instances, the application will target those mosquitoes which potentially transmit disease to humans. The following indicators may trigger adult mosquito spraying by the Health Department:

- Results of mosquito surveillance and testing,
- Environmental factors that impact mosquito or disease cycles,
- Detection of medically important invasive species, or
- Reported cases of human disease.

Synthetic pyrethroids (Attachments X and XI) or other insecticides may be used to control adult mosquitoes. All applications of pesticides will be performed by applicators who have been certified to apply pesticides in Virginia. Pesticide applications will be made according to the label directions. Insecticide resistance testing is performed on

medically important mosquito species found in the County. This will continue in 2025. The Health Department does not spray for nuisance mosquitoes.

DCIP will continue to utilize an active and engaging outreach and education strategy. The program will also focus messaging to address at-risk groups, such as residents over 60 years of age who are at greater risk of developing a more severe form of the West Nile virus. Because the Zika virus has the potential to cause birth defects, specific messaging has also been developed for pregnant women and their partners to help minimize exposure. The program will again work with the Health Department's Community Outreach team and other partners to deliver its public health messages to the County's diverse population while continuing to seek out new ways to provide prevention messaging to the community. In 2024, DCIP staff participated in both online meetings and in-person events. The program produced the 20th Fight the Bite calendar and updated other educational materials and made more materials available in Spanish. Materials were also translated into Arabic, Chinese, Farsi, Korean, Pashto, Urdu, and Vietnamese.

The Disease Carrying Insects Program Annual Report (Attachment I) highlights the 2024 season activities and presents wide-ranging plans for minimizing the impact and risk of mosquito-borne diseases through:

1. Countywide monitoring of WNV activity including mosquito and human surveillance;
2. An integrated approach to mosquito management and control practices, which will primarily target those mosquito species that have been shown to be the most probable WNV vectors in the County;
3. An intensive community outreach and education program to increase awareness of mosquitoes and WNV and other mosquito-borne diseases in County residents; and
4. A continuation of the multi-jurisdictional and multi-agency collaboration efforts to identify ways to minimize the risk of WNV transmission.

The Chikungunya virus (CHIKV) and the Zika virus (ZIKAV), which are transmitted by *Aedes* mosquitoes, began circulating in the Americas in 2013 and 2015, respectively. Locally-acquired cases of both viruses have been reported in many countries in the Americas. In Virginia, cases have been reported in returning travelers; however, mosquito-borne transmission of ZIKAV and CHIKV in the continental United States has been reported in Florida and Texas. Cases of dengue, which has been endemic in the Americas for many years, has also been reported in returning travelers. Many countries were reporting higher than average numbers of dengue in 2024 and outbreaks of dengue were reported from the United States in Puerto Rico and the U.S. Virgin Islands. Local transmission of dengue was reported in the continental U.S. in 2024 in California, Florida, and Texas. Outbreaks of Oropouche virus, an emerging virus in the Americas, have been reported in South America and the Caribbean in 2024. Travel-associated

cases have been reported in the U.S., but local transmission has not been detected. Deaths have been reported in people with Oropouche. Infection during pregnancy has been associated with poor pregnancy outcomes including fetal death, stillbirths, and possible birth defects. Malaria cases are also reported in returning travelers. Local transmission of malaria occurred in 2023 in Florida, Maryland, Texas, and Arkansas. These were the first reports of local malaria transmission in the United States since 2003. Local transmission of malaria has occurred in Virginia, most recently in 2002. Potential vectors of CHIKV, dengue, malaria, and ZIKAV are present in Fairfax County and the region. If locally acquired cases of CHIKV, dengue, malaria, Oropouche, or ZIKAV are identified in the County, the Health Department will utilize guidance from the Centers for Disease Control and Prevention and the Virginia Department of Health in their response activities, which would include case investigation, vector surveillance and control activities, and community education.

In 2024, Health Department staff monitored for reports of CHIKV, dengue, malaria, Oropouche, and ZIKAV. The Health Department will continue monitoring travel-associated cases and maintaining vigilance for locally transmitted dengue virus, CHIKV, malaria, Oropouche, and ZIKAV and will engage their partners and the community to protect County residents.

Tick-Borne Diseases

During 2024, Lyme disease continued to be a major concern for County residents, and it was the most frequently-reported vector-borne disease in the County. The Health Department recorded and reported at least 152 cases of Lyme disease in Fairfax County in 2024. Some of the factors that influence Lyme disease in the County include:

1. Presence of the Lyme disease-causing bacteria in the blacklegged tick vectors;
2. White-footed mice and other animals acting as natural amplifiers of the bacteria;
3. Large deer populations that act as a tick transport system, distributing the ticks throughout the County, as well as a source of blood for the female ticks to develop their eggs; and
4. Increased public awareness resulting in increased use of personal protection measures.

Health Department staff plan to continue to perform tick surveillance, tick ID service, and human case surveillance in 2025.

The Health Department will continue to include tick prevention and personal protection from ticks in its outreach and education strategy. The Disease Carrying Insects Program Annual Report reviews the 2024 season activities and presents wide-ranging plans for minimizing the impact and risk of tick-borne diseases through:

1. Surveillance for the presence of Lyme disease and other tick-borne pathogens, including blacklegged tick and human case surveillance;
2. An intensive community outreach and education program to increase tick, Lyme disease, and tick-borne disease awareness in the County; and
3. A continuation of the multi-jurisdictional and multi-agency collaboration efforts to identify ways to minimize the risk of Lyme disease transmission.

Other Disease-transmitting Insects of Public Health Importance
The DCIP will also work with staff to minimizing the impact and risk of other diseases transmitted by insects through:

1. An intensive community outreach and education program to increase awareness of other insects that may transmit diseases of public health importance.

EQUITY IMPACT:
There is no adverse impact on equity. Mosquitoes and vector-borne diseases can impact residents at all socio-economic levels and in all parts of the county. Surveillance and control efforts occur throughout the community. Community education is a critical part of vector-borne disease prevention. The program has long partnered with the Health Department's Outreach Team to bring prevention messaging to the community. Live presentations have been provided in Chinese, Korean, Spanish, and Vietnamese. Additional materials are available on the County website in Arabic, Chinese, Korean, Spanish, and Vietnamese. Program staff have also worked with partners from the Health Department's Stronger^2 initiative which promotes health literacy in local communities of color.

In 2025, the program will continue to work with the Health Department's Division of Community Health Development to promote vector-borne disease prevention messaging in the community and to identify additional content for language translation. They will also continue to work with other partners to promote health literacy about vector-borne diseases in communities of color and encourage young people from diverse backgrounds to work in public health (Public Health Youth Ambassador Program).

FISCAL IMPACT:
The Disease Carrying Insects Program is primarily funded by a Special Service District for the Control of Infestations that May Carry a Disease that is Dangerous to Humans, Gypsy Moth, Fall Cankerworm, and Certain Identified Pests in Fund 40080, Integrated Pest Management Program. No additional funding is required as the current funding level is sufficient to meet anticipated program needs.

Board Agenda Item
March 18, 2025

ENCLOSED DOCUMENTS:
Attachment I - Disease Carrying Insects Program Annual Report
Attachment II - Natular G Label
Attachment III - Natular G30 Label
Attachment IV - VectoBac G Label
Attachment V - VectoLex WSP Label
Attachment VI - VectoLex FG Label
Attachment VII - VectoMax FG Label
Attachment VIII - Altosid XR Briquet Label
Attachment IX - Cocobear Label
Attachment X - Flit 10EC Label
Attachment XI - Aqua Zenivex E20 Label

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Disease Carrying Insects Program Annual Report

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Introduction



Mosquitoes, ticks and other vectors are responsible for transmitting pathogens that can result in life-changing illnesses such as West Nile virus, Lyme disease, and the Zika virus. The Health Department's Disease Carrying Insects Program was established in 2003 and works to protect county residents and visitors from vector-borne diseases. The program uses an integrated approach to monitor and manage vectors. The program continuously promotes personal protection and vector prevention methods in the community to raise awareness of these public health pests, the diseases they transmit, and what residents can do to protect themselves.

Health Department Vision, Mission and Values

As part of the Health Department, the Disease Carrying Insects Program strives to help the agency meet its goals and embody the Vision, Mission, and Values of the agency.



West Nile Virus

The United States continued to experience the effects of West Nile virus (WNV) in 2024 with at least 1,466 cases reported to the Centers for Disease Control and Prevention (CDC).[1] The most recent data for WNV-associated deaths in the U.S. on the CDC website is for 2023 when 182 deaths were reported. From 1999, when the first locally acquired cases of WNV were

[1] 2024 provisional data obtained from CDC web site.

reported in the U.S., through 2023, 59,141 cases and 2,958 deaths have been reported in the United States.

West Nile virus was initially detected in Fairfax County in 2000 in a dead bird. The first human cases of WNV in Fairfax County were reported in 2002, along with positive birds, horses, and mosquitoes. One case of WNV was reported in Fairfax County in 2024. Ten cases of WNV were reported in Virginia in 2024. From 2002 to 2023, there have been 255 human cases of WNV and 22 WNV-associated deaths in Virginia. In that same period, 67 human WNV cases, including seven deaths, were reported in Fairfax County. There were a record number of human cases (48) and eight deaths reported in Virginia in 2018. The primary vectors of WNV in our area are *Culex pipiens* and *Culex restuans*. The virus is normally transmitted between these mosquito species and certain types of birds which serve as a source of the virus. Humans and horses can be infected with WNV which may result in clinical illness or death. Mosquitoes cannot spread WNV from person to person.

Other Mosquito-borne Diseases

Several travel-related mosquito-borne diseases are reported in Fairfax County every year (Table 1): Chikungunya, dengue, malaria, and Zika. Most cases of these diseases reported in the continental U.S. occur in travelers who were infected elsewhere.

The Chikungunya virus (CHIKV) and the Zika virus (ZIKAV) began circulating in the Americas in 2013 and 2015, respectively. These viruses are transmitted by certain types of container-breeding mosquitoes: *Aedes aegypti* (the primary vector) and *Aedes albopictus* (a secondary vector). Locally acquired cases of both viruses have been reported in many countries in the Americas.

Zika is of public health importance because it can be passed from a pregnant woman to her fetus and infection during pregnancy can cause certain birth defects. About 5-10% of babies of women with confirmed Zika virus infection during pregnancy had Zika-associated birth defects. The highest risk of birth defects is from Zika virus infection during the first trimester of pregnancy. Since the 2016 Zika outbreak, when 4,944 travel associated Zika cases were reported in the continental U.S., the number of Zika cases reported annually has decreased. We continue to maintain vigilance due to the public health importance of this disease. Public health officials continue to monitor for travel-associated cases of these diseases.

Dengue is common in many of the U.S. territories and freely-associated states. Many countries were reporting higher than average numbers of dengue in 2024 and outbreaks of dengue were reported from the United States in Puerto Rico and the U.S. Virgin Islands. Since 2009, multiple locally acquired cases and sporadic DENV outbreaks have been identified in with local spread being reported in Florida, Hawaii, Texas, Arizona, and California. In 2024, 102 cases of locally-acquired mosquito-transmitted dengue were reported in the continental U.S. (Florida, California, Texas). [1] The only evidence of local mosquito transmission of the Zika virus in the continental United States to date has been in Florida and Texas in both 2016 and 2017. Cases of Zika have also been reported where the virus was acquired through other routes, primarily sexual transmission. To date, the only evidence of local mosquito-borne transmission of CHIKV in the continental U.S. has been in Florida and Texas.

In 2023, 10 locally acquired cases of malaria were reported in the United States (7 in Florida, 1 each in Arkansas, Maryland, and Texas). Prior to 2023, the most recent locally

acquired cases of malaria in the U.S. were in 2003 in Florida. Local transmission of malaria has occurred in several locations in the U.S., including Virginia.

In 2024, outbreaks of an emerging virus called Oropouche were reported in South America and the Caribbean. Travel associated cases were reported in the U.S., but local transmission has not been detected. Poor pregnancy outcomes (fetal death, stillbirths, and birth defects) have been associated with Oropouche infection during pregnancy.

Unlike WNV, the pathogens mentioned in this section are transmitted person to person by mosquitoes. Chikungunya, dengue, and Zika are transmitted by *Aedes aegypti* (the primary vector) and can also be transmitted by *Aedes albopictus*, the tiger mosquito (a secondary vector). *Aedes albopictus* is widespread throughout the eastern U.S. and common in Fairfax County; although *Aedes aegypti* can be collected in Fairfax County, it is not a common mosquito. Zika virus can also be transmitted sexually. *Anopheles quadrimaculatus* (a malaria vector) is widespread throughout the eastern U.S. and is commonly collected in Fairfax County. Oropouche virus is maintained in forested areas between mosquitoes and non-human vertebrates. Biting midges and mosquitoes can transmit the Oropouche virus to people. *Culicoides paraensis*, the biting midge vector of Oropouche, is widespread throughout the Americas and has been reported in Virginia and Fairfax County in the past. Research is being done on mosquito species in the continental U.S. to determine whether they can transmit the virus. The presence of potential vectors of these pathogens underlies the importance of the continued surveillance activities of the Health Department. If there are locally acquired cases of any of these diseases in the County, the Health Department will utilize guidance from the CDC and Virginia Department of Health (VDH).

Lyme Disease and Other Tick-borne Diseases

Tick-borne diseases are the most reported vector-borne diseases in the United States. Lyme disease, transmitted by the blacklegged tick, is common in many areas of the United States, including Virginia. Thousands of Lyme disease cases are reported in the U.S. each year, with over 89,000 cases reported in 2023. However, according to the CDC, this number is known to be an underestimate of the actual burden of disease nationally. Fairfax County began tick and Lyme disease surveillance in 2005 with a small pilot program.

Tick-borne diseases continue to impact public health causing serious acute illness, long-term effects and, sometimes, death. The recent and widespread encroachment of suburban sprawl into areas that were once undeveloped or farmland, and the large deer populations in these suburban communities, have increased the prevalence of disease-carrying ticks and the exposure of the human population to the disease pathogens they carry. Other tick-borne diseases, such as anaplasmosis, babesiosis, ehrlichiosis, and spotted-fever rickettsiosis are reported in the County and country annually.

Other Disease Transmitting Insects of Public Health Importance

Other insects with the potential to transmit disease can be found throughout Fairfax County. These insects or the conditions that allow them to proliferate, could, at times, be considered public health or safety menaces.

Human Case Surveillance

West Nile virus, Lyme disease, and other vector-borne diseases are among the over 70 notifiable diseases and conditions in Virginia. By law, Virginia clinicians and laboratories must report these conditions. Similar to other reportable conditions, most reports are initially received by public health automatically when a laboratory result is positive. The Fairfax County Health Department (FCHD) uses enhanced passive surveillance to monitor physician and laboratory reporting of these diseases. The five-year average (Table 1) includes years 2018-2022 to reflect normal disease trends. The increase in reported Chagas disease is due to a partnership FCHD has with Inova Cares Clinic for Women and Children that screens expectant mothers from high-risk countries for proper post-natal care.

The Health Department encourages physicians and laboratories to report cases of these illnesses by educating medical practitioners about the importance of reporting vector-borne diseases and by contacting key medical staff at hospital centers to inquire about potential cases. See Table 1 for selected reported cases.

Condition	Number of Cases, Fairfax Health District		
	Average (2018-2022)	CY 2023	CY 2024*
Local Mosquito-borne Disease			
WNV (neuroinvasive and non-neuroinvasive)	3	3	1
Travel-related Mosquito-borne Disease			
Dengue	4	7	16
Chikungunya	1	1	5
Malaria	20	40	16
Zika virus disease / infection	0 / 5	0 / 0	0 / 0
Local Tick-borne Disease			
Lyme Disease	119	173	152
Ehrlichiosis/Anaplasmosis	11	12	12
Spotted Fever Rickettsiosis	6	2	1
Travel-related Tick-borne Disease			
Babesiosis	<1	2	3
Other Travel-related Vector-borne Disease			
Chagas Disease	1	5	14

*2024 data are provisional and subject to change.

Table 1: Reported Human Cases of Vector-borne Disease, Fairfax Health District.

Integrated Mosquito Management

The Health Department uses Integrated Mosquito Management (IMM) principles to carry out its mosquito management activities. This approach utilizes three basic strategies: surveillance, control, and public education.

Integrated Mosquito Management is a comprehensive mosquito prevention/control strategy that utilizes a variety of mosquito control methods singly or in combination to exploit the known vulnerabilities of mosquitoes to reduce their numbers to tolerable levels while maintaining a quality environment. IMM does not emphasize mosquito elimination or eradication. Integrated mosquito management methods are specifically tailored to safely counter each stage of the mosquito life cycle. Prudent mosquito management practices for the control of immature mosquitoes include such methods as the use of biological controls, source reduction, water sanitation practices as well as the use of EPA-registered larvicides. When source elimination or larval control measures are not feasible or are clearly inadequate, or when faced with imminent mosquito-borne disease, application of EPA-registered adulticides by applicators trained in the special handling characteristics of these products may be needed. Considerations for adulticide products include their demonstrated efficacy against species targeted for control, resistance management concerns and minimization of potential environmental impact.

IMM requires a thorough understanding of mosquitoes and their bionomics by control personnel; careful inspection and monitoring for mosquito presence and conditions favoring their development; and prevention of oviposition and human/mosquito contact through effective public education, sanitation, and facility maintenance. FCHD strives to employ these IMM components to the extent possible, but resource availability may limit what the program will do.

All intervention measures will be driven by a demonstrated need based on surveillance data and action thresholds. IMM is knowledge-based and surveillance-driven, and when properly practiced is specifically designed to accomplish the following:

1. Protect human, animal and environmental health.
2. Promote a rational use of pesticides.
3. Reduce environmental contamination to soil, ground water, surface water, pollinators, wildlife and endangered species as a result of mosquito control activities.
4. Utilize biological controls (native, noninvasive predators) to conserve and augment other control methods.
5. Utilize source reduction (elimination, removal or reduction of larval mosquito habitats) where practical and prudent.
6. Use target-specific pesticides at the lowest effective rates to the extent possible.
7. Emphasize the proper timing of applications.
8. Minimize pesticide resistance problems.

Additionally, the National Association of County and City Health Officials, in partnership with the CDC and referencing the American Mosquito Control Association, has established 10 vector control capabilities describing the key activities to adequately assess, prepare for, and respond to vector-borne threats. There are five core capabilities and five supplemental capabilities:

- Core Capabilities

  - Routine vector surveillance through standardized trapping and species identification
  - Treatment decisions using surveillance data
  - Larviciding and/or adulticiding
  - Routine vector control activities (e.g., chemical, biological, source reduction, or environmental management)
  - Pesticide resistance testing
- Supplemental Capabilities
  - Licensed pesticide application
  - Vector control activities other than chemical control (e.g., biological, source reduction, or water management)
  - Community outreach and education campaigns regarding the spread of vector-borne diseases and how to prevent infection
  - Regular communication with local health departments regarding surveillance and epidemiology
  - Outreach (e.g., communication and/or cooperation) with nearby vector control programs

Vector Surveillance

Surveillance is essential to an integrated mosquito management program. DCIP conducts surveillance for different vectors and some of the diseases they may carry. Surveillance is done for both adult (terrestrial/flying) and immature (aquatic) mosquitoes and for West Nile virus. It is important to note that absolute high numbers of mosquitoes do not necessarily reflect high risk of human infection with WNV or other mosquito-borne disease. Surveillance for other vectors such as ticks is also performed.

Adult Mosquito Surveillance

Program operations are anchored by a strong adult mosquito surveillance component (Figure 1) that will monitor abundance and viral activity during the 2025 mosquito season. During the 2024 season, FCHD continued its comprehensive mosquito surveillance program at 75 fixed, weekly collection sites (Figure 2), setting traps for a total of 3,600 trapping periods. A trap period is defined as one mosquito trap at one location for 24 hours.



Figure 1. Staff setting a mosquito trap.

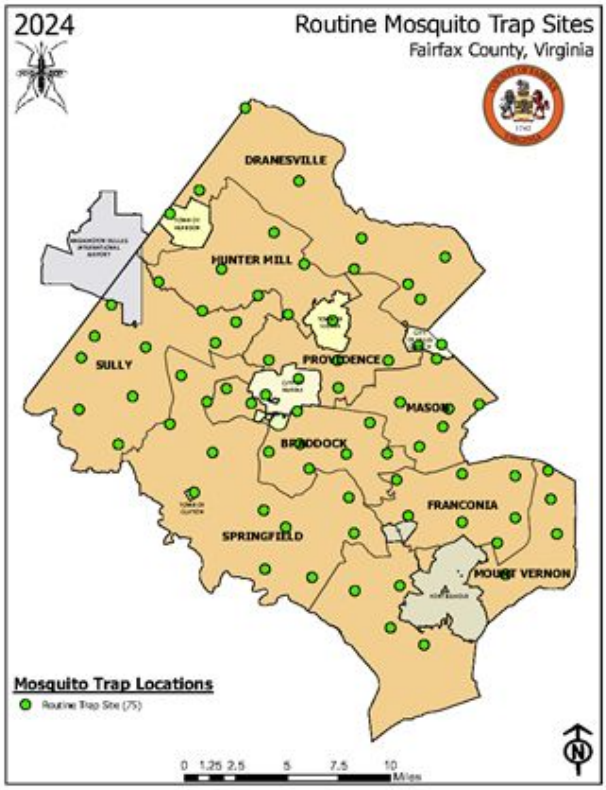

Figure 2: 2024 Routine Adult Mosquito Trap Locations

Historically, the program used three types of adult mosquito traps: CDC miniature light traps, gravid traps, and BG Sentinel traps. In 2024, one gravid and one host-seeking trap (BG Sentinel trap) were used at each site. Gravid traps were set weekly beginning in early May through early November. BG sentinel traps were set weekly beginning in early June through early November. In 2025, the program will use gravid traps and BG Sentinel traps. The switch to a single host-seeking trap type in 2024 was to provide comparable data across all routine trap sites throughout the County, improve efficiency in the field, and potentially improve collections of human biting mosquitoes. Other host-seeking traps may be used in some scenarios (e.g., case investigation) to supplement trapping efforts.

During the 2024 mosquito surveillance season, 174,214 mosquitoes were collected and identified (Figures 3 and 4) from routine trapping activities. The yellow fever mosquito *Aedes aegypti*, which has historically been rare in Virginia, has been found annually in the region since 2011 when an overwintering population was identified in Washington, D.C. It was detected as early as 2007 in Fairfax County and has been detected at routine trap sites annually since 2015. In 2024, 62 *Ae. aegypti* were collected in routine surveillance efforts, with 56 of those collected in the BG Sentinel trap. Although the numbers of this mosquito collected in the County remains relatively low (usually a single adult in a trap), adjustments to surveillance activities (i.e., expanded use of the BG Sentinel trap) and enhanced monitoring when it is collected are necessary to better understand the species' ability to establish here and to trigger control efforts when necessary. *Culex nigripalpus* mosquitoes were identified in routine collections in 2021 (two female mosquitoes) and 2024 (one female mosquito. This mosquito, which is not native to this region, is a potential vector of St. Louis Encephalitis virus and WNV.



Figures 3 and 4: Staff sorting and identifying mosquitoes (left) and contents of a mosquito trap being processed under a microscope (right).

Gravid Mosquito Trap

The **gravid trap** (Figure 5) is a trap that collects mosquitoes that are looking for a place to lay their eggs. This trap is baited with an infusion (water, grass, straw, brewer's yeast) that is attractive to the *Culex* mosquitoes that are the primary vectors of WNV. The overwhelming majority of mosquitoes collected in this trap are *Culex* species (*Culex pipiens* and *Culex restuans*) (Figure 6). In 2024, this trap was set for 1,950 trap periods and collected over 128,800 mosquitoes. Twenty-four different species of mosquitoes were collected in the trap in 2024, but more than 91% were *Culex* species (*Cx. pipiens* and *Cx. restuans*). In 2024, the number of *Culex* mosquitoes collected in the county varied widely from the average of the previous five years with the weather conditions and rainfall impacting collections throughout the season (Figure 7).



Figure 5: Gravid Mosquito Trap.

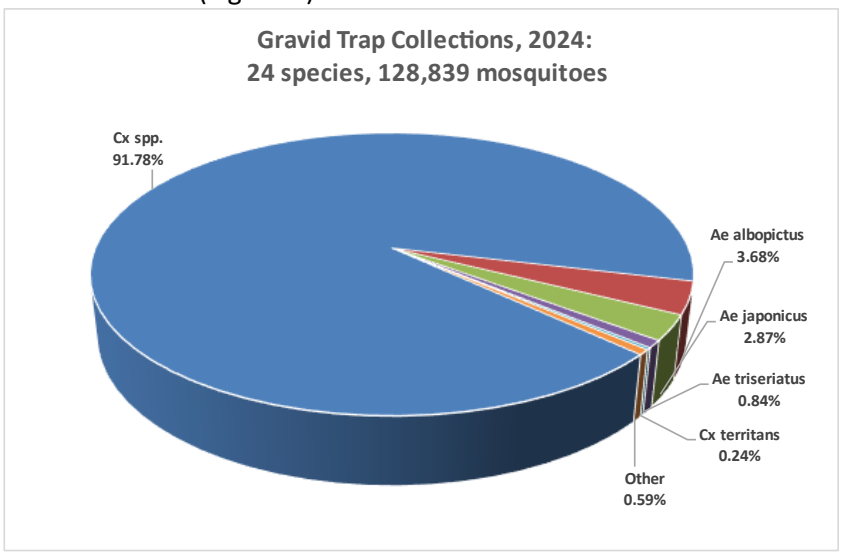

Figure 6: 2024 Gravid Trap Collections.

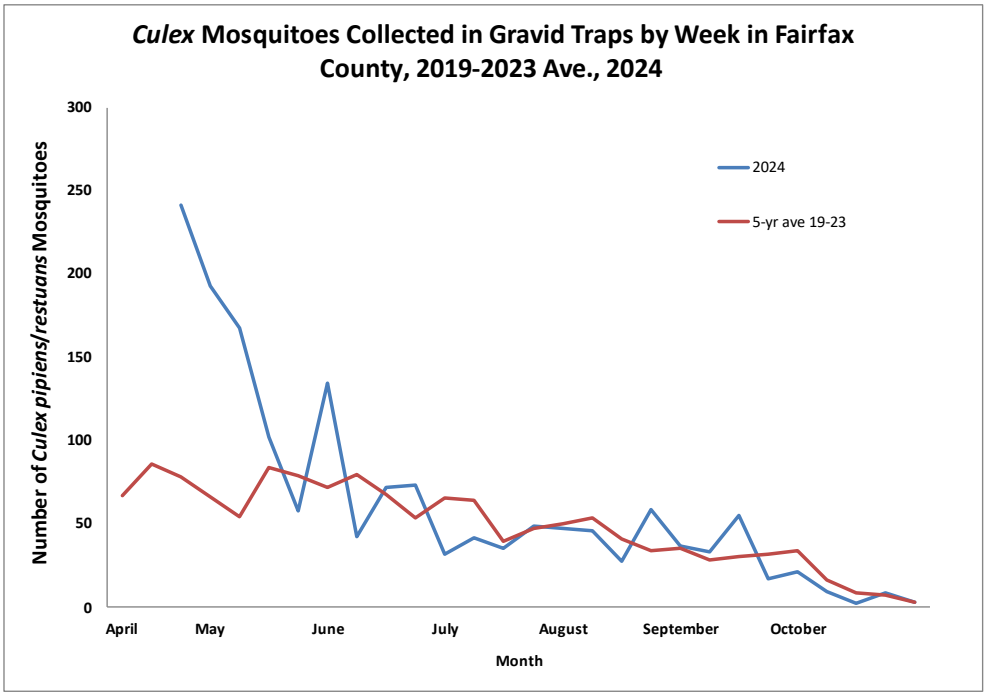

Figure 7: 2024 Average Culex *Mosquitoes collected in gravid traps by week and average 2019-2023.*

BG Sentinel Trap



Figure 8: BG Sentinel Trap.

The **BG Sentinel trap** (Figure 8) is a trap that collects host-seeking mosquitoes or mosquitoes that are seeking a bloodmeal. This trap is baited with carbon dioxide (dry ice) as well as a special lure that is based on the scent of human sweat. In 2024, this trap was set for 1,650 trap periods and collected over 45,300 mosquitoes. Thirty-one different species of mosquitoes were

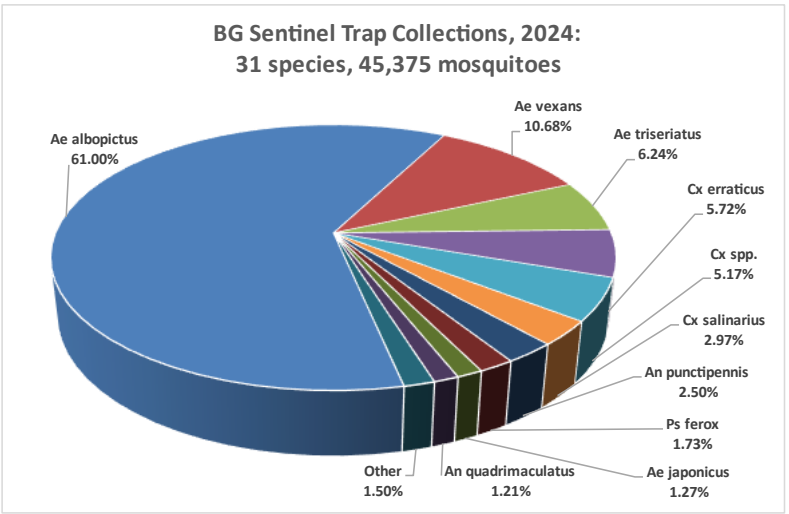

Figure 9: 2024 BG Sentinel Trap Collections.

collected in the trap in 2024, but 61 percent were *Aedes albopictus* (Figure 9). Most (n=56) of the *Aedes aegypti* collected in 2024 (n=62) were caught in this trap.

Routine Immature mosquito surveillance

Since 2016, the program has evaluated county-maintained stormwater dry ponds for immature mosquitoes (Figure 10). In 2021, sites maintained by the Virginia Department of Transportation (VDOT) were added to the inspection program. From late March through November 2024, staff routinely checked over 1,300 individual storm water sites and over 150 VDOT ponds (Figure 11). Staff also performed 44 quality assurance inspections in 2024 to evaluate treatment efficacy. Other types of inspections performed during routine warm weather operations included complaint inspections, follow up inspections (typically for sites that were holding water due to rainfall but actively draining), training inspections, and treatment only inspections (typically larger sites requiring backpack application of granular larvicides).



Figure 10: Immature mosquitoes from field collections).

In 2024, sites were inspected (Figure 11) from early April through November for a total of 12,401 routine inspections. Of those inspections, 6,992 had water that could be sampled for mosquitoes. There were 2,520 inspections where mosquito larvae were collected; 1,338 had enough immature mosquitoes to meet the treatment threshold (3 immature mosquitoes per dip or sample with a minimum of 3 dips). Two mobile applications available through the county's GIS software were customized to streamline field and laboratory data collection processes.

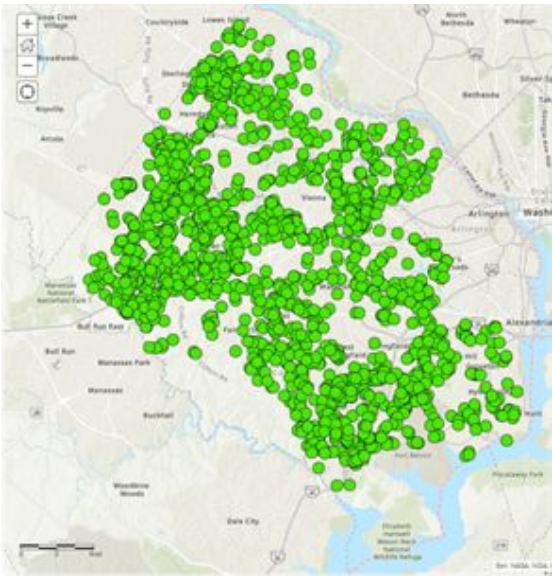

Figure 11: Screenshot of routine immature mosquito inspection sites.



Figure 12: Staff inspecting a stormwater site.

Year-round immature mosquito surveillance

Starting in November 2023, staff began identifying, evaluating, and inspecting sites (Figure 13) for extra-seasonal inspections that would ultimately continue into early April 2024. These sites included 63 higher priority stormwater management facilities from the routine warm weather surveillance sites plus 77 new sites. The program began performing these inspections to better understand and try to define the limits of mosquito activity in the County. They also help establish a baseline of mosquito seasonal trends to help monitor the impacts of climate change on local mosquito fauna which could also affect pathogen transmission. During this time period, staff performed 1,878 inspections. At least 2,139 immature mosquitoes were collected from 204 of those inspections. Immature mosquitoes were collected in each month (November through early April). The first year of "off season" inspections led to changes in routine operations. As immature *Culex* mosquito activity began in the spring, the program switched back to routine inspection and larviciding activities. They showed that several species (including *Culex* species) were still developing through the end of November 2023 which led to an extension of routine inspection and larviciding activities through November 2024. The "off season" inspections for 2024-25 began in December 2024 and will continue, weather permitting, until *Culex* mosquitoes are observed in early 2025.



Figure 13: Staff checking a site for immature mosquitoes.

Mosquito Testing

In the 2024 mosquito season, 102,034 adult mosquitoes were tested in 2,999 pools. A mosquito pool is a batch of 5 to 50 mosquitoes of the same species from the same trap, location, and trap period. In 2024, the mosquitoes tested were *Culex* species (*pipiens* and *restuans*) collected in gravid or BG Sentinel traps. Most of the mosquitoes tested (n=100,772) were from the gravid traps (2,879 pools). There were 552 positive WNV pools in 2024. As a comparison, during 2023, 108,980 mosquitoes were tested in 3,152 routine pools, of which 390 were

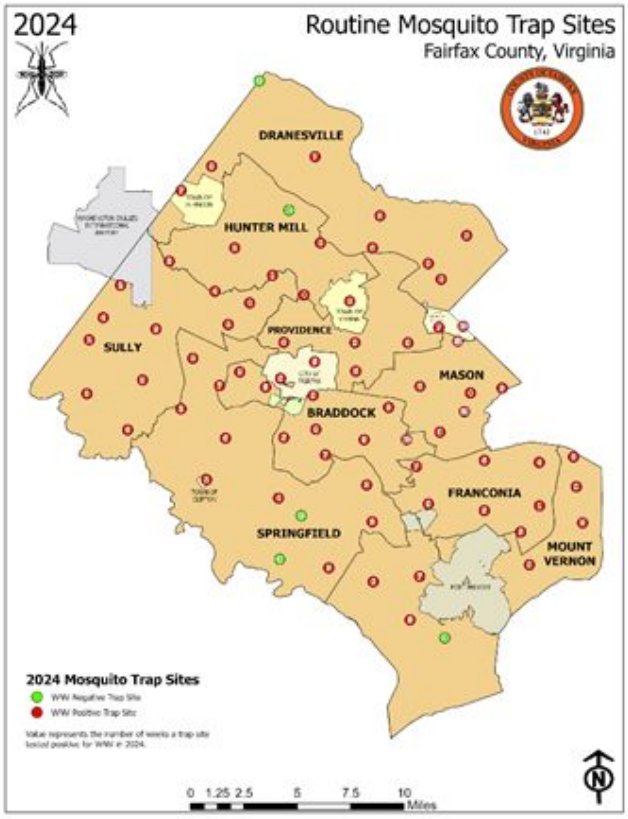

Figure 14: Map of WNV-positive Mosquito Trap Sites, 2024.

positive. Positive mosquitoes were found in many parts of the county in 2024 (Figure 14). Most of the positive mosquitoes were collected in the gravid traps (542 positive pools). The first WNV-positive mosquitoes of 2023 were collected in a gravid trap in mid/late May. The infection rate of *Culex* species tested from gravid traps was calculated throughout the season. The peak infection rate (maximum likelihood estimate: MLE) in 2024 came in mid-August when the MLE was calculated at 41.81 mosquitoes per 1,000, which was higher and earlier than the 5-year average peak infection rate of 8.89 mosquitoes per 1,000. The last positive mosquitoes were collected in late October (Figure 15). All *Culex* species mosquito pools were tested for St. Louis Encephalitis virus in 2024 and all were negative.

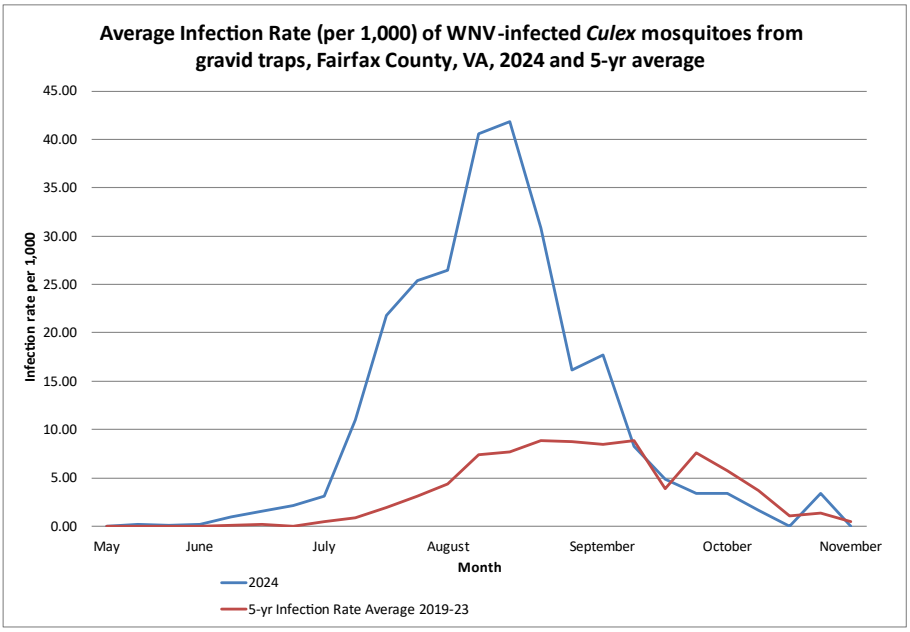

Figure 15: West Nile Virus Infection Rate (Maximum Likelihood Estimate) in Culex *species collected in Gravid Traps, 2024.*

Tick Surveillance

In 2024, 8,692 ticks (including 5,848 *Ixodes scapularis* or blacklegged ticks) were identified from various collection sources including veterinary clinics, a deer hunt, and a collaboration with the County Wildlife Management Specialist's office to collect ticks from deer harvested as a part of deer management activities. All ticks collected in 2024 were from harvested deer (n=8,301), other collections including veterinary clinics (n=391), and a BG Sentinel mosquito trap (n=1). The most abundant tick species collected and identified was blacklegged tick (n=8,301). The blacklegged tick can potentially transmit pathogens that cause anaplasmosis and babesiosis in addition to the Lyme disease pathogen. The lone star tick (*Amblyomma americanum*) can potentially transmit the pathogen that causes ehrlichiosis. According to the CDC, evidence suggests that alpha-gal syndrome (also called alpha-gal allergy, red meat allergy, or tick bite meat allergy) is primarily associated with the bite of a lone star tick.

An invasive tick species, *Haemaphysalis longicornis* or the longhorned tick has been found in at least 20 states, including Virginia. The tick has been reported in 38 localities in

Virginia, including Fairfax County, since 2017. In 2024, specimens of this tick were again collected in the County. This tick transmits a variety of pathogens to humans and animals in other parts of the world; however, its medical importance in the western hemisphere is uncertain.

Tick Testing

Tick testing for Lyme disease surveillance was made available at the Health Department's Public Health Laboratory in 2016. One hundred forty-two (7.6%) of the 1,863 blacklegged ticks tested from 2023 collections tested positive for the Lyme disease bacteria. Blacklegged ticks collected in 2024 that were submitted for testing (n=2653) are still being processed. Ticks that have been feeding are not submitted for testing per protocol as the vertebrate blood in the ticks may interfere with the testing. As in previous years, tick surveillance and the tick identification service (described below) will be conducted in 2025 by staff in the Division of Environmental Health and will follow previously established protocols.

Mosquito Management

Mosquito control is a component of an integrated management program. Routine and non-routine control decisions take a variety of factors into consideration including mosquito species, presence of mosquito-borne disease, proximity to people, mosquito tolerance, weather patterns, environment, non-target impacts, health and safety, mosquito habitat, and accessibility for surveillance and treatment. Pesticide applications are made according to the product label. Applicators adhere to federal and state regulatory guidance.

Immature Mosquito Control

During routine stormwater site inspections in 2024, immature mosquitoes were collected in 2,520 inspections. In 1,338 of those inspections, the number of immature mosquitoes collected exceeded the treatment threshold of three immature mosquitoes per dip or sample with a minimum of three dips. In those instances, pesticide applications were made to control immature mosquitoes. A total of 1,571 applications were made to control immature mosquitoes with either VectoMaxFG and/or Cocobear as a part of routine operations. Pesticide applications (Figures 16 and 17) were only made between early April and late November. All applications were made by certified pesticide applicators or registered technicians and were made according to label guidelines. When possible, staff also use methods of source reduction to control immature mosquitoes.

Staff analyze the data collected to identify ways to improve work efficiency. Their analysis allows





Figures 16 and 17: Staff applying larvicides by hand (left) and by blower backpack (above) to control immature mosquitoes.

the program to prioritize larval inspection sites based on historic mosquito presence. Staff increased the number of inspections at sites where mosquitoes had been previously collected while reducing the inspection frequency at sites where no mosquitoes had ever been collected. The initial site prioritization project won a 2021 County GIS Excellence Award for "Use of GIS for Analysis". A quality assurance inspection process was established in 2023 which allowed staff to evaluate treatment effectiveness. These inspections were able to identify areas for process adjustments which could be implemented in real time to improve larval control efforts.

Adult Mosquito Control

While source reduction and the application of larvicides are the principal and most effective interventions to reduce mosquito populations, situations may arise in which infected adult mosquitoes are present in significant numbers and pose a threat to human health. In these situations, judicious application of adulticides to control mosquito populations will be added to all other mosquito control activities as an additional measure to reduce vector populations.



Figure 18: Pesticide application for adult mosquitoes using a backpack sprayer.

Guidelines from CDC state that adulticiding based on surveillance data is an extremely important part of any integrated mosquito management program and should be used when there is significant risk of human illness. The Health Department may apply insecticides to control adult mosquitoes, and in these instances, the application(s) will target those mosquitoes which potentially transmit disease to humans. The following indicators may trigger adult mosquito spraying by the Health Department:

- Results of mosquito surveillance and testing,
- Environmental factors that impact mosquito or disease cycles,
- Detection of medically important invasive species, or
- Reported cases of human disease.

The Health Department is equipped to apply pesticides for adult mosquitoes should the public health need arise. The Health Department has increased its capacity to respond to mosquito-borne public health threats by purchasing additional equipment to include backpack sprayers (Figure 18), a truck-mounted ultra-low volume (ULV) sprayer (Figure 19), and a backpack ULV sprayer. Synthetic pyrethroids or other insecticides may be used to control adult mosquitoes. All applications of pesticides will be performed by certified applicators according to the label directions. Targeted mosquito



Figure 19: Ultra-low volume sprayer mounted in the back of a pick-up truck.

spraying was done in 2005, 2006, 2007, 2016, 2017 and 2018. In 2024, no pesticide applications were made to control adult mosquitoes. In previous years, treatments to control adult mosquitoes have been made using the methods described above using either AquaZenivex E20 or Flit 10EC.

Pesticide Resistance Testing

Pesticide resistance testing to product active ingredients was conducted in 2024. This is performed to help ensure mosquito control efforts would be effective and help guide local mosquito control efforts. *Culex pipiens* and *Culex restuans* mosquitoes were submitted to the CDC-funded Northeast Center of Excellence for Vector-Borne Diseases based at Cornell University for resistance testing. The collected mosquitoes were challenged against a variety of active ingredients used to control adult mosquitoes in laboratory-based assays. Evidence of resistance to some commonly used pesticide classes was again in these assays. Continued monitoring, field-based trials and other resistance characterization assays will help the program identify underlying resistance mechanisms to help determine which insecticides will be effective in controlling local mosquito populations. A resistance management strategy will be developed as more information is gathered.

Outreach and Education

Fairfax County will continue to emphasize personal protection measures from mosquito bites, mosquito-borne disease, and mosquito prevention and control. This is done through distribution of informational materials, media interviews, advertising, web pages, social media, presentations, community events, and collaborations with community groups and homeowners associations. In 2025, the program will also continue its tick outreach activities as originally requested by the Board of Supervisors.

Educational Materials and Events

The 20th 18-month “Fight the Bite” calendar was produced in 2024. The calendar was provided to Fairfax County Public Schools. (See Figure 20 for examples of outreach material.)

The demand for educational material and prevention information was steady in 2024. DCIP staff attended events, provided presentations in schools (Figure 21), provided educational



Figure 20: Examples of outreach material.

and safety presentations to partners, and participated in other community-based events (29 in total) in 2024. Many engagements on vector-borne disease prevention were also provided to the community at numerous events by FCHD Community Outreach staff. A second children's storybook on mosquito bite prevention was translated into Spanish is being printed (Figure 22). A set of documents that highlights mosquito prevention tips for homeowners was translated into the following languages: Arabic, Chinese, Farsi, Korean, Pashto, Spanish, Urdu and Vietnamese.

The program will continue to work with other Health Department staff in the Division of Environmental Health, the Health Department's Communications Office, the Community Outreach Team and the Division of Epidemiology and Population Health to develop messaging and provide messaging to the diverse communities within the County. The program also worked with partners from the Stronger[2] initiative which is a group that promotes health literacy in local communities of color. DCIP will continue to work with a variety partners to promote vector-borne disease prevention messages in the community. These partners include the Community Outreach team, Stronger[2], and the Public Health Youth Ambassador Program. New outreach materials in 2024 included a new 18-month calendar with several other items receiving updates during the year. A new calendar is being developed for 2025 along with updated materials.



Figure 21: Classroom presentation on vector-borne disease prevention.

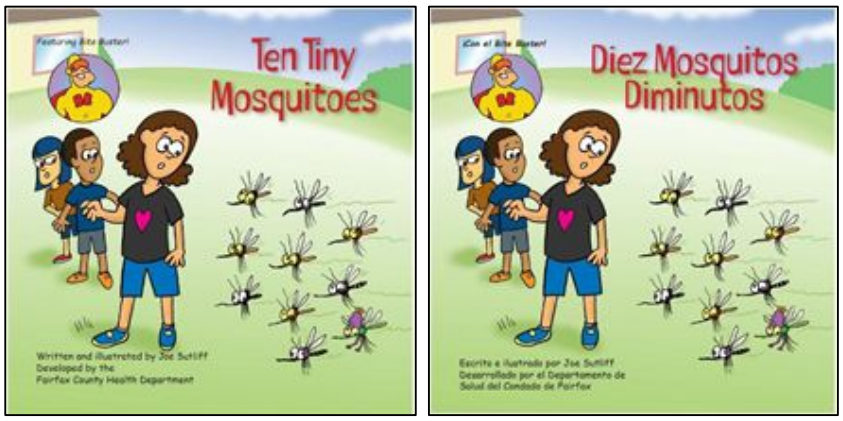

Figure 22: "Ten Tiny Mosquitoes" and "Diez Mosquitos Diminutos".

Staff engage with other vector control programs locally and regionally to stay aware of vector-borne disease trend in nearby jurisdictions.



Figure 24: Aedes albopictus, *the Tiger mosquito--the main nuisance mosquito in Fairfax County. Image courtesy CDC.*



Figure 25: Some of the container breeding sites found on service requests.

Service Requests

The Health Department continued to promote source reduction (elimination of mosquito breeding sites) in 2024 through the outreach campaign. The tiger mosquito (*Aedes albopictus*) (Figure 24) was the source of most mosquito-related complaints. This mosquito, which lays its eggs in and develops in containers (Figure 25), is an aggressive, persistent biter that can be found in large numbers around residences. The most common identified breeding sites contributing to the presence of *Aedes albopictus* around inspected homes include household containers, corrugated downspout extensions, gardening containers/flowerpots or saucers, trash/recycling containers, and tarps. Corrugated pipes/extensions at the end of the downspouts from the roof gutters, even when placed underground, continue to be a frequent source of mosquito problems. Many of these corrugated pipes do not drain adequately and they retain water, thus providing great mosquito breeding habitat. The tiger mosquito is a potential vector of the Chikungunya, dengue, and Zika viruses. During 122 site visits and inspections in 2024, staff educated property owners and managers about the benefits of eliminating breeding sites and/or provided Mosquito Dunks®. An online mosquito inspection request form was developed and launched in 2023 (Figure 26). This form is used by residents who are requesting assistance and guidance in managing mosquito problems on their

own property. Mosquito complaints are processed through PLUS (Planning and Land Use System). The requests for assistance and complaints are tracked in PLUS.

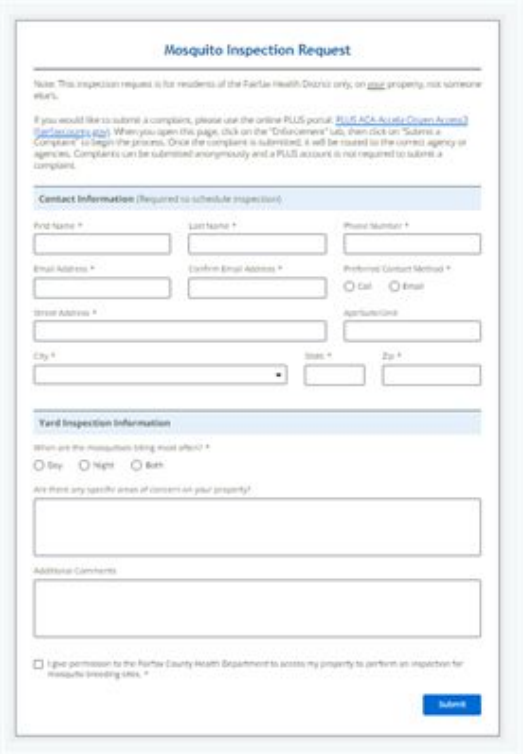

Figure 26: Online Mosquito Inspection Request Form.

Tick Identification Service

The Health Department's tick identification service encourages County residents to have their ticks identified by Health Department staff to help raise awareness of Lyme disease, other tick-borne conditions, and provide information on preventing tick bites. Residents can submit pictures of ticks online or bring them to the Health Department for identification. Since 2020, residents have been given an option to email pictures of their ticks for identification. An online submission form (Figure 27) was developed in 2023 to streamline the online submission process. In 2024, 178 pictures or specimens were submitted to the Health Department for identification. Over 60% of tick ID requests in 2024 were photos of ticks submitted via email or the online request form. From the 178 requests for identification, 160 ticks were identified (Figure 28): 81 Lone Star ticks (*Amblyomma americanum*), 1 Gulf Coast tick (*Amblyomma maculatum*), 44 American Dog ticks (*Dermacentor variabilis*), 1 Longhorned tick (*Haemaphysalis longicornis*), 32 blacklegged ticks (*Ixodes scapularis*), and 1 *Ixodes* species. The remaining submissions were not ticks or could not be identified from the photos submitted and were lost to follow-up. Residents using the tick ID service are provided information about the tick(s) they found, tips on tick bite prevention, and information about tick-borne disease symptoms. Although most of the ticks were from people, at least 5 were removed from pets. Staff do not provide medical or veterinary advice and the service does not test ticks for pathogens.

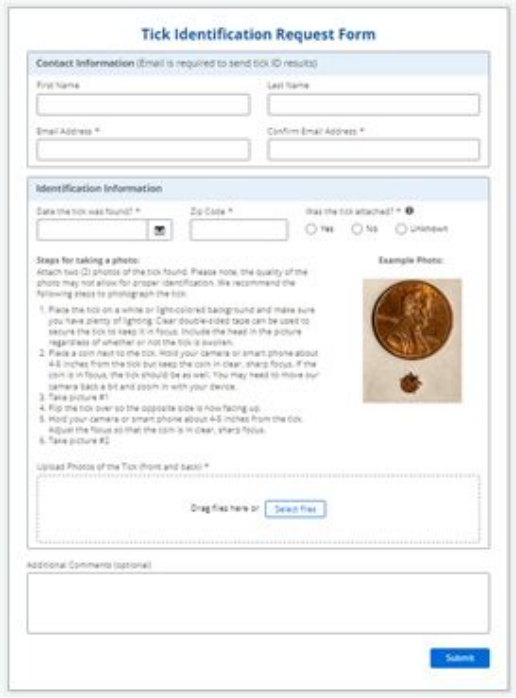

Figure 27: Online Tick Identification Request Form.

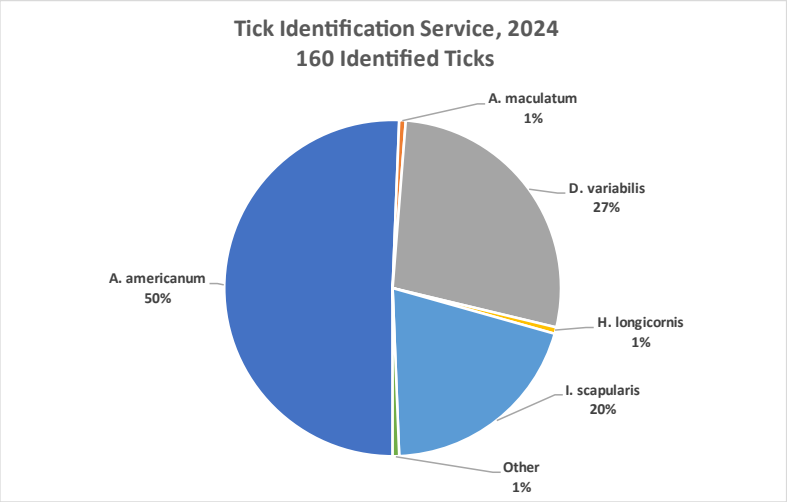

Figure 28: Ticks identified through Tick ID Service, 2024.

Preparedness and Response Activities

The DEH and the Division of Epidemiology and Population Health (DEPH) will continue to collaboratively respond to vector-borne disease issues that arise in the County. Staff from both divisions will continue working together to develop and revise response plans and incorporate communications strategies with the Health Department's Communications Office. Staff will stay abreast of current vector-borne disease issues and incorporate new knowledge and actions into response plans as appropriate.

The Division of Environmental Health has taken additional steps to increase preparedness and capacity within the agency by having Environmental Health professional staff become certified pesticide applicators. Currently, 30 merit Environmental Health staff (48%) have a Pesticide Applicator Certificate from the Virginia Department of Agriculture and Consumer Services. To help staff maintain this certification, an in-house recertification course is offered annually.

In the event of a mosquito-borne disease emergency, the DEPH would perform human case investigations and may coordinate human testing when needed. The Health Department Laboratory can help with human testing coordination. Environmental investigations and mosquito-related activities would be performed by DCIP staff and continue to be performed when cases are identified. These activities would include site visits, education and outreach, source reduction, vector surveillance and vector abatement activities. The Health Department Laboratory is building capacity for testing mosquitoes for other mosquito-borne pathogens including chikungunya, dengue, and St. Louis Encephalitis viruses, and would perform testing as needed. Previous actions taken by FCHD during the Zika public health emergency of 2016 laid the foundation for how the agency may respond to mosquito-borne disease emergencies.

Climate change is expected to have an impact on vectors and vector-borne diseases over the next several years. Staff will continue to monitor for vector presence and abundance, will stay abreast of vector-borne disease trends, adjust program operations accordingly, and take steps to prepare and respond as appropriate. They will work with the Health Department's

lead on climate change in the Division of Emergency Preparedness and Response, county partners, and other external partners on climate change tracking and other initiatives.

***

In 2025, the program will continue to perform vector-borne disease prevention strategies as reported within this document, including vector surveillance, community outreach and public education, and mosquito control, primarily through proactive larviciding. We encourage the community to do their part by eliminating standing water to prevent mosquitoes and by preventing mosquito and tick bites. A healthier community begins with you!

NATULAR® G

Mosquito Larvicide Granule

Controls larvae of mosquitoes that may transmit West Nile Virus, Eastern Equine Encephalitis, St. Louis Encephalitis, Zika, Dengue, or Chikungunya.

To be used in governmental mosquito control programs, by professional pest control operators, or in other mosquito or midge control operations.

Active Ingredient:	
Spinosad (a mixture of Spinosyn A and Spinosyn D)	0.5%
Other Ingredients	99.5%
Total	100.0%

KEEP OUT OF REACH OF CHILDREN

Precautionary Statements

Environmental Hazards

This product is toxic to aquatic invertebrates. Non-target aquatic invertebrates may be killed in water where this pesticide is used. Do not contaminate water when cleaning equipment or disposing of equipment washwaters. Do not apply when weather conditions favor drift from treated areas. Drift from treated areas may be hazardous to aquatic organisms in neighboring areas. Apply this product only as specified on the label.

Directions For Use

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.
Read all Directions for Use carefully before applying.

Product Information

NATULAR® G is a product for killing mosquito and midge larvae. This product's active ingredient, spinosad, is biologically derived from the fermentation of *Saccharopolyspora spinosa*, a naturally occurring soil organism. NATULAR® G may be applied with suitable ground or aerial application equipment.

Use Precautions

Integrated Pest Management (IPM) Programs

NATULAR® G is intended to kill mosquito and midge larvae. Mosquitoes are best controlled when an IPM program is followed. Larval control efforts should be managed through habitat mapping, active adult and larval surveillance, and integrated with other control strategies such as source reduction, public education programs, harborage or barrier adult mosquito control applications, and targeted adulticide applications.

Insecticide Resistance Management (IRM)

NATULAR® G contains a Group 5 insecticide. Insect biotypes with acquired resistance to Group 5 insecticides may eventually dominate the insect population if appropriate resistance management strategies are not followed. Currently, only spinetoram and spinosad active ingredients are classified as Group 5 insecticides. Resistance to other insecticide groups is not likely to impact the effectiveness of this product. Spinosad may be used in rotation with all other labeled products in a comprehensive IRM program.

To minimize the potential for resistance development, the following practices are recommended:

- Base insecticide use on comprehensive IPM and IRM programs.
- Monitor after application for unexpected target pest survival. If the level of survival suggests the presence of resistance, consult with your local university specialist or Clarke representative
- Rotate with other labeled effective mosquito larvicides that have a different mode of action.
- In dormant rice fields, standing water within agricultural/crop sites, and permanent marine and freshwater sites, do not make more than 20 applications per year.
- Use insecticides with a different mode of action (different insecticide group) on adult mosquitoes so that both larvae and adults are not exposed to products with the same mode of action.
- Contact your local extension specialist, technical advisor, and/or Clarke representative for insecticide resistance management and/or IPM recommendations for the specific site and resistant pest problems.
- For further information or to report suspected resistance, you may contact your local Clarke representative by calling 800-323-5727.

Spray Drift Management

Avoiding spray drift at the application site is the responsibility of the applicator. The interaction of many equipment and weather related factors determines the potential for spray drift. The applicator is responsible for considering all these factors when making decisions. Where states have more stringent regulations, they should be observed.

Application

Proper application techniques help ensure adequate coverage and correct dosage necessary to obtain optimum kill of mosquito and midge larvae. Apply NATULAR® G prior to flooding as a prehatch application to areas that breed mosquitoes, or at any stage of larval development after flooding in listed sites. The following recommendations are provided for ground and aerial application of NATULAR® G.

Ground Application

Use conventional ground application equipment and apply NATULAR® G at the designated rate for the targeted site.

Spot Treatment

Apply NATULAR® G as a spot treatment to areas where mosquitoes are breeding at rates appropriate for the treatment site habitat and conditions.

Aerial Application

Equipment used in the application of NATULAR® G should be carefully calibrated before use and checked frequently during application to be sure it is working properly and delivering a uniform distribution pattern. Avoid overlaps that will increase NATULAR® G dosage above recommended limits.

Application Sites and Rates

The rates listed are typical for efficaciously killing mosquito and midge larvae in the listed habitat sites. Within this range, use lower rates when water is shallow, vegetation and/or pollution are minimal, and mosquito populations are low. Do not use less than labeled minimum rate. NATULAR® G may be applied at rates up to 20 lb per acre in waters high in organic content (such as polluted water, sewage lagoons, animal waste lagoons, and waters with high concentrations of leaf litter or other organic debris), deep-water mosquito habitats or those with dense surface cover, and where monitoring indicates a lack of kill at typical rates. Do not re-apply within 7 days of the initial application unless monitoring indicates that larval populations have reestablished or weather conditions have rendered initial treatments ineffective. Do not apply to water intended for irrigation.

For killing mosquito larvae species in the following non-crop sites:

Non-Crop Site	NATULAR® G lb/acre (lb ai/acre)
Temporary Standing Water: Woodland pools, snow pools, roadside ditches, retention ponds, freshwater dredge spoils, tire tracks and other natural or manmade depressions, rock holes, pot holes and similar areas subject to holding water **Other Freshwater Sites:** Natural and manmade aquatic sites, edges of lakes, ponds, canals, stream eddies, creek edges, detention ponds	3.5 - 6.5 (0.018 - 0.033)
Freshwater Swamps and Marshes: Mixed hardwood swamps, cattail marsh, common reed wetland, water hyacinth ponds, and similar freshwater areas with emergent vegetation **Marine/Coastal Areas:** Intertidal areas above the mean high water mark, mangroves, brackish water swamps and marshes, coastal impoundments and similar areas	9 (0.045)
Stormwater/Drainage Systems: Storm sewers, catch basins, drainage ditches, and similar areas **Wastewater:** Sewage effluent, sewers, sewage lagoons, cesspools, oxidation ponds, septic ditches and tanks, animal waste lagoons and settling ponds, livestock runoff lagoons, wastewater impoundments associated with fruit and vegetable processing, and similar areas	6.5 - 9 (0.033 - 0.045)
Dormant Rice Fields: Impounded water in dormant rice fields (for application only during the interval between harvest and preparation of the field for the next cropping cycle)	3.5 - 6.5 (0.0180 - 0.033)
Natural and Artificial Containers: Tree holes, bromeliads, leaf axils, and other similar natural water holding containers, cemetery urns, bird baths, flower pots, rain barrels, buckets, single tires, tires stockpiled in dumps, landfills, recycling plants and other similar areas, abandoned swimming pools, ornamental ponds, flooded roof tops and similar water holding sites. Landfill containers, salvage yards, abandoned vehicles Do not apply to natural or artificial containers of water intended for consumption by people, animals, or livestock.	3.5 - 9 (0.018 - 0.045) For small to medium size containers, apply 1/8 teaspoon (about 0.37 g) of Natular G per 10-20 gallons of water. For very small containers, apply a pinch of Natular G (0.02 g) per ½ - 1 gallon of water. This is approximately 7 - 9 granules per ½ - 1 gallon of water.

Agricultural/Crop Sites Where Mosquito Breeding Occurs:

Apply NATULAR® G at the rate of 3.5 to 9 lb per acre (0.018 - 0.045 lb ai/acre) in standing water within agricultural/crop sites where mosquito breeding occurs: pastures/hay fields, rangelands, orchards, vineyards, and citrus groves. Do not apply to waters intended for irrigation.

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal.

Pesticide Storage: Store in a cool dry place in original container only. Keep away from moisture.

Pesticide Disposal: Wastes resulting from the use of this product may be disposed of on site according to label use directions or at an approved waste disposal facility.

Container Handling for Non-Refillable Bag: Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment. Offer for recycling if available, or puncture and dispose of in a sanitary landfill, or by incineration, or by other procedures allowed by state and local authorities.

Warranty

To the extent consistent with applicable law CLARKE MOSQUITO CONTROL PRODUCTS, INC. makes no warranty, express or implied, concerning the use of this product other than as indicated on the label. Buyer assumes all risk of use/handling of this material when use and/or handling is contrary to label instructions.

Natular® is a Registered Trademark of Clarke Mosquito Control Products, Inc.

IN CASE OF MEDICAL EMERGENCY, CALL THE INTERNATIONAL POISON CONTROL CENTER 1-800-214-7753

Manufactured By:
CLARKE MOSQUITO CONTROL PRODUCTS, INC.
159 North Garden Avenue
Roselle, IL 60172, U.S.A.
1-800-323-5727

EPA Reg. No.: 8329-80

EPA Est. No.: 8329-IL-03

Net Weight: _____

Lot: _____

AL0772

SAMPLE LABEL

NATULAR® G30

Mosquito Larvicide / Extended Release Granule

Controls larvae of mosquitoes which may transmit Dengue, Chikungunya, or Zika.

To be used in governmental mosquito control programs, by professional pest control operators, or in other mosquito or midge control operations.

Active Ingredient (dry weight basis):	
Spinosad (a mixture of Spinosyn A and Spinosyn D)	2.5%
Other Ingredients	97.5%
Total	100.0%

U.S. Patent No. 5,362,634 and 5,496,931
Natular® G30 is a 2.5% extended release granule.

KEEP OUT OF REACH OF CHILDREN

CAUTION

Precautionary Statements

Hazards to Humans and Domestic Animals
Harmful if swallowed. Causes moderate eye irritation. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Avoid contact with eyes or clothing. Wear protective eyewear (such as goggles, face shield, or safety glasses).

First Aid	
If swallowed:	• Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by a poison control center or doctor. • Do not give anything to an unconscious person.
If in eyes:	• Hold eye open and rinse slowly and gently with warm water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing. • Call a poison control center or doctor for treatment advice.
Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact 1-800-214-7753 for emergency medical treatment information.	

Environmental Hazards
This product is toxic to aquatic organisms. Non-target aquatic invertebrates may be killed in waters where this pesticide is used. Do not contaminate water when cleaning equipment or disposing of equipment washwaters.

Directions For Use

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

Read all Directions for Use carefully before applying.

Product Information
Natular® G30 is a product for killing mosquito and midge larvae. This product's active ingredient, spinosad, is biologically derived from the fermentation of *Saccharopolyspora spinosa*, a naturally occurring soil organism. Natular® G30 releases effective levels of spinosad for up to 30 days under typical environmental conditions. Natular® G30 may be applied with ground or aerial equipment.

Use Precautions

Integrated Pest Management (IPM) Programs
Natular® G30 is intended to kill mosquito and midge larvae. Mosquitoes are best controlled when an IPM program is followed. Larval control efforts should be managed through habitat mapping, active adult and larval surveillance, and integrated with other control strategies such as source reduction, public education programs, harborage or barrier adult mosquito control applications, and targeted adulticide applications.

Insecticide Resistance Management (IRM)
Natular® G30 contains a Group 5 insecticide. Insect biotypes with acquired resistance to Group 5 insecticides may eventually dominate the insect population if appropriate resistance management strategies are not followed. Currently, only spinetoram and spinosad active ingredients are classified as Group 5 insecticides. Resistance to other insecticides is not likely to impact the effectiveness of this product. Spinosad may be used in rotation with all other labeled products in a comprehensive IRM program.

To minimize the potential for resistance development, the following practices are recommended:

- Base insecticide use on comprehensive IPM and IRM programs.
- Monitor after application for unexpected target pest survival. If the level of survival suggests the presence of resistance, consult with your local university specialist or Clarke representative.
- Rotate with other labeled effective mosquito larvicides that have a different mode of action.
- In dormant rice fields, standing water within agricultural/crop sites, and permanent marine and freshwater sites, do not make more than 5 applications per year.
- Use insecticides with a different mode of action (different insecticide group) on adult mosquitoes so that both larvae and adults are not exposed to products with the same mode of action.
- Contact your local extension specialist, technical advisor, and/or Clarke representative for insecticide resistance management and/or IPM recommendations for the specific site and resistant pest problems.
- For further information or to report suspected resistance, you may contact your local Clarke representative by calling 800-323-5727.

Application

Proper application techniques help ensure adequate coverage and correct dosage necessary to obtain optimum kill of mosquito and midge larvae. Apply Natular® G30 prior to flooding as a prehatch application to areas that breed mosquitoes, or at any stage of larval development after flooding in listed sites. Do not allow this product to drift onto neighboring crops or non-crop areas or use in a manner or at a time other than in accordance with label directions.

Ground Application
Use conventional ground application equipment that provides even coverage at labeled rates.

Aerial Application
Fixed wing aircraft or helicopters equipped with granular spreaders capable of applying rates from 5 to 20 lb per acre may be used to apply Natular® G30. Aerial application equipment should be carefully calibrated before use to be sure it is working properly and delivering a uniform distribution pattern. Avoid flight path overlaps while dispensing granules. Do not exceed labeled limits.

Avoiding spray drift at the application site is the responsibility of the applicator. The interaction of many equipment and weather related factors determine the potential for spray drift. The applicator and the treatment coordinator are responsible for considering all these factors when making application decisions.

Application Sites and Rates
Apply Natular® G30 at rates (see table) for the targeted treatment site. Within these rate ranges apply at a rate appropriate to site habitat and conditions at the time of application. Use lower labeled rate when water is shallow, vegetation and/or pollution are minimal, and mosquito populations are low. Do not use less than labeled minimum rate. Within the labeled rate range, use higher rates when water is deep, vegetation and/or pollution are high, and mosquito populations are high in number.

Natular® G30 may be applied at rates up to 20 lb per acre in waters high in organic content, deep-water mosquito habitats or those with dense surface cover, and where monitoring indicates a lack of kill at typical rates.

Reapply after 30 days, if needed for extended control in continuously flooded habitat. More frequent applications may be made if monitoring indicates that larval populations have reestablished or weather conditions have rendered initial treatments ineffective.

AL0697

SAMPLE LABEL

Treatment Area	Natular® G30
Temporary Standing Water: Woodland pools, snow pools, roadside ditches, retention ponds, freshwater dredge spoils, tire tracks and other natural or manmade depressions, rock holes, pot holes and similar areas subject to holding water. **Other Freshwater Sites:** Natural and manmade aquatic sites; edges of lakes, ponds, canals, stream eddies, creek edges, and detention ponds. **Dormant Rice Fields:** Impounded water in dormant rice fields (for application only during the interval between harvest and preparation of the field for the next cropping cycle). **Freshwater Swamps and Marshes:** Mixed hardwood swamps, cattail marsh, common reed wetland, water hyacinth ponds, and similar freshwater areas with emergent vegetation. **Marine/Coastal Areas:** Intertidal areas above the mean high water mark, mangroves, brackish water swamps and marshes, coastal impoundments and similar areas.	Apply 5 to 12 lbs per acre (5.6 to 13.5 kg per hectare). Rate is equivalent to 5 to 12 g per 100 sq. ft. of water.
Stormwater/Drainage Systems: Storm sewers, catch basins, drainage ditches, and similar areas. **Wastewater:** Sewage effluent, sewers, sewage lagoons, cesspools, oxidation ponds, septic ditches and tanks, animal waste lagoons and settling ponds, livestock runoff lagoons, wastewater impoundments associated with fruit and vegetable processing, and similar areas.	Apply 5 to 20 lbs per acre (5.6 to 22.4 kg per hectare). Rate is equivalent to 5 to 20 g per 100 sq. ft. of water.
Natural and Artificial Containers: Tree holes, bromeliads, leaf axils, and other similar natural water holding containers; cemetery urns, bird baths, flower pots, rain barrels, buckets, single tires, tires stockpiled in dumps, landfills, recycling plants and other similar areas, abandoned swimming pools, ornamental ponds, flooded roof tops and similar water holding sites; landfill containers, salvage yards, abandoned vehicles. Do not apply to natural or artificial containers of water intended for consumption by people, animals, or livestock.	Apply 5 to 20 lbs per acre (5.6 to 22.4 kg per hectare). Rate is equivalent to 5 to 20 g per 100 sq. ft. of water. For small to medium size containers, apply 0.15 g of Natular G30 per 10-25 gallons of water. For very small containers, apply a pinch of Natular G30 (about 0.02 g) per 5 liters (1.3 gallons) of water. This is approximately 8-10 granules per 5 liters of water.
Agricultural/Crop Sites Where Mosquito Breeding Occurs Apply Natular® G30 to standing water within agricultural/crop sites where mosquito breeding occurs to kill mosquito larvae species, including: pastures/hay fields, rangeland, orchards, vineyards, and citrus groves. **Do not apply to waters intended for irrigation.**	Apply 5 to 20 lbs per acre (5.6 to 22.4 kg per hectare). Rate is equivalent to 5 to 20 g per 100 sq. ft. of water.

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage and disposal.

Pesticide Storage: Store in a cool dry place in original container only. Keep away from moisture.

Pesticide Disposal: Wastes resulting from the use of this product must be disposed of on site or at an approved waste disposal facility.

Container Handling for Non-Refillable Bag: Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment. Offer for recycling, if available, or puncture and dispose of in a sanitary landfill or by incineration, or by other procedures approved by state and local authorities.

Container Handling for Rigid Refillable Tote: Refillable container. Refill this container with granular spinosad pesticide formulation only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the re-filler. To clean the container before final disposal, empty the remaining contents from this container into application equipment. Use a sprayer with water to quickly and completely rinse the interior of the container. Ensure the top, bottom, and all sides are rinsed. A high pressure sprayer with a rinsing nozzle could provide a thorough rinse of the interior. Drain and collect rinsate from the container into a collection system for later disposal. Drain the container dry so no water remains. Return to point of sale. Then offer for recycling if available or reconditioning if appropriate or puncture and dispose of in a sanitary landfill, or by incineration, or by other procedures approved by State and local authorities.

Warranty: To the extent consistent with applicable law, CLARKE MOSQUITO CONTROL PRODUCTS, INC. makes no warranty, express or implied, concerning the use of this product other than as indicated on the label. Buyer assumes all risk of use/handling of this material when use and/or handling is contrary to label instructions.

Natular® is a Trademark of Clarke Mosquito Control Products, Inc.

Manufactured For:
CLARKE MOSQUITO CONTROL PRODUCTS, INC.
159 North Garden Avenue
Roselle, IL 60172, U.S.A.
1-800-323-5727

EPA Reg. No.: 8329-83
EPA Est. No.: 8329-IL-03
Net Contents: _____
Lot: _____

SAMPLE LABEL

AL0697

VectoBac® G

BIOLOGICAL LARVICIDE

GRANULE

ACTIVE INGREDIENT:

Bacillus thuringiensis, subspecies *israelensis*, strain AM 65-52, fermentation solids, spores, and insecticidal toxins	2.80%
OTHER INGREDIENTS	97.20%
TOTAL	100.00%

Potency: 200 International Toxic Units (ITU) per mg
(Equivalent to 0.091 billion potency: ITU per pound)

The percent active ingredient does not indicate product performance and potency measurements are not Federally standardized.

EPA Reg. No. 73049-10
EPA Est. No. 33762-IA-001 List No. 05108

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2.0 Precautionary Statements
  2.1 Hazard to Humans (and Domestic Animals)
  2.2 Environmental Hazards
3.0 Directions for Use
4.0 Application Directions
5.0 Storage and Disposal
6.0 Notice to User

KEEP OUT OF REACH OF CHILDREN
CAUTION

1.0 FIRST AID

If in Eyes	• Hold eyes open and rinse slowly and gently with water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eyes. • Call a poison control center or doctor for treatment advice.

HOT LINE NUMBER

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-877-315-9819 (24 hours) for emergency medical treatment and/or transport emergency information. For all other information, call 1-800-323-9597.

2.0 PRECAUTIONARY STATEMENTS

2.1 HAZARD TO HUMANS (AND DOMESTIC ANIMALS)

CAUTION

Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling.

Mixers/loaders and applicators not in enclosed cabs or aircraft must wear a dust/mist respirator meeting NIOSH standards of at least N-95, R-95 or P-95. Repeated exposure to high concentrations of microbial proteins can cause allergic sensitization.

2.2 ENVIRONMENTAL HAZARDS

Do not contaminate water when cleaning equipment or disposing of equipment washwaters. Do not apply directly to treated, finished drinking water reservoirs or drinking water receptacles when the water is intended for human consumption.

3.0 DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

4.0 APPLICATION DIRECTIONS

VectoBac G is an insecticide for use against mosquito larvae.

Mosquitoes Habitat (Such as the following examples):	**Suggested Range Rate***
Irrigation ditches, roadside ditches, flood water, standing ponds, livestock watering ponds and troughs, woodland pools, snow melt pools, pastures, catch basins, storm water retention areas, tidal water, salt marshes and rice fields	2.5 - 10 lbs. / acre

In addition, standing water containing mosquito larvae, in fields growing crops such as alfalfa, almonds, asparagus, corn, cotton, dates, grapes, peaches, sugar cane and walnuts may be treated at the recommended rates.

* Use 10-20 lbs. / acre when late 3rd and early 4th instar larvae predominate, mosquito populations are high, water is heavily polluted (sewage lagoons, animal waste lagoons), and/or algae are abundant.

Apply uniformly by aerial or ground conventional equipment.

Avoiding spray drift at the application site is the responsibility of the applicator. The interaction of many equipment and weather related factors determine the potential for spray drift. The applicator and the treatment coordinator are responsible for considering all of these factors when making decisions.

A 7 to 14 day interval between applications should be employed.

SPECIMEN

5.0 STORAGE AND DISPOSAL

Do not contaminate potable water, food or feed by storage or disposal.

Storage: Store in a cool [59-86°F (15-30°C)], dry place.

Pesticide Disposal: Completely empty bag into application equipment. Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

Container Disposal: Nonrefillable container. Do not reuse or refill this container. Once cleaned, some agricultural plastic pesticide containers can be taken to a container collection site or picked up for recycling. To find the nearest site, contact your chemical dealer or manufacturer, or contact Ag Container Recycling Council at 202-861-3144 or www.acrecycle.org. If recycling is not available dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

6.0 NOTICE TO USER

Seller makes no warranty, express or implied, of merchantability, fitness or otherwise concerning the use of this product other than as indicated on the label. User assumes all risks of use, storage or handling not in strict accordance with accompanying directions.

VectoBac is a registered trademark of Valent BioSciences Corporation.

VALENT BIOSCIENCES CORPORATION
870 TECHNOLOGY WAY
LIBERTYVILLE, IL 60048 USA
PH: 800-323-9597

04-6623/R6 ©Valent BioSciences Corporation, January 2012

VectoLex® WSP

BIOLOGICAL LARVICIDE

WATER SOLUBLE POUCH

ACTIVE INGREDIENT:

Bacillus sphaericus 2362, Serotype H5a5b, strain ABTS 1743 Technical Powder (670 BsITU/mg)	7.5%
OTHER INGREDIENTS	92.5%
TOTAL	100.0%

Potency: This product contains 50 BsITU/mg or 0.023 Billion BsITU/lb.

Expiration Date: (Two years from the date of manufacture).

The percent active ingredient does not indicate product performance and potency measurements are not federally standardized.

EPA Reg. No. 73049-20 List No. 05722
EPA Est. No. 33762-IA-001 (Lot No. Suffix 'N8')
EPA Est. No. 33967-NJ-1 (Lot No. Suffix 'Q5')

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KEEP OUT OF REACH OF CHILDREN

CAUTION

1.0

FIRST AID	
If in eyes	• Hold eye open and rinse slowly and gently with water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center for treatment advice.
If on skin or clothing	• Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes. • Call a poison control center or doctor for treatment advice.

HOT LINE NUMBER

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-877-315-9819 (24 hours) for emergency medical treatment and/or transport emergency information. For all other information, call 1-800-323-9597.

2.0 PRECAUTIONARY STATEMENTS

2.1 HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Harmful if absorbed through the skin. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling.

2.2 ENVIRONMENTAL HAZARDS

Do not contaminate water when disposing of equipment washwaters or rinsate. Do not apply directly to treated, finished drinking water reservoirs or drinking water receptacles when the water is intended for human consumption.

3.0 DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

4.0 STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal. Do not contaminate water when disposing of equipment washwaters.

Pesticide Storage: Store in a cool, dry place.

Pesticide Disposal: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

Container Disposal: Non refillable container. Do not reuse or refill this container. Offer for recycling if available. Completely empty bag into application equipment. Then dispose of empty bag in a sanitary landfill or by incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke. For Water Soluble Pouches, dispose of empty outer foil bag in trash.

Continued

SPECIMEN

5.0 DIRECTIONS FOR USE - VECTOLEX WATER SOLUBLE POUCHES (WSP)

Once the foil bag containing Water Soluble Pouches is opened, use pouches within one day.

5.1 APPLICATION DIRECTIONS

MOSQUITO CONTROL

VectoLex WSP is a selective microbial insecticide for use against mosquito larvae in a variety of habitats. VectoLex WSP can be applied to areas that contain fish, other aquatic life, and plants. VectoLex WSP can be applied to areas used by or in contact with humans, pets, horses, livestock, birds or wildlife.

I. For control of mosquito larvae species* in the following non-crop sites:

Habitat	Rate Range
Drainage/Drainage Systems:	
Storm drains, catch basins, retention, detention and seepage ponds.	1 pouch/50 sq.ft.(1)

Treatment Areas (For Use In)(1):

Ponds	Standing water	Unused swimming pools or spas
Lagoons	Storm water retention areas	Flooded basements
Water gardens	Catch basins	Pool covers
Hollow trees and tree holes	Birdbaths	Gutters and drains
Urns	Fountains	Wheelbarrows
Rain barrels	Flowerpots and planters	Garbage cans and covers
Livestock watering troughs/ponds/tanks	Snowmelt pools	Discarded tires
Irrigation ditches	Abandoned swimming pools	
Roadside ditches		
Flood water		

Any location where water accumulates and remains standing for periods of time, except treated, finished drinking water for human consumption.

(1)Treat on basis of surface area of potential mosquito breeding sites by placing one (1) VectoLex Soluble Pouch for up to 50 square feet of treatment area. Re-apply as needed after 1 to 4 weeks.

5.1 APPLICATION DIRECTIONS (cont'd)

Longer periods of mosquito population suppression may result where sufficient numbers of non-target aquatic invertebrate parasites and predators are present since these are not affected by the product and contribute to mosquito population reduction.

* Mosquito species effectively controlled by VectoLex WSP, including many of those known to carry/transmit West Nile Virus:

Culex spp.
Aedes vexans
Ochlerotatus melanimon *(Aedes melanimon)*
Ochlerotatus stimulans *(Aedes stimulans)*
Ochlerotatus nigromaculis *(Aedes nigromaculis)*
Psorophora columbiae
Psorophora ferox
Ochlerotatus triseriatus *(Aedes triseriatus)*
Ochlerotatus sollicitans *(Aedes sollicitans)*
Anopheles quadrimaculatus
Coquillettidia perturbans

6.0 NOTICE TO USER

To the fullest extent permitted by law, seller makes no warranty, express or implied, of merchantability, fitness or otherwise concerning the use of this product other than as indicated on the label. User assumes all risks of use, storage or handling not in strict accordance with accompanying directions.

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870 TECHNOLOGY WAY
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PH: 800-323-9597

04-7321/R6 ©Valent BioSciences Corporation, August 2012

VectoLex® FG

BIOLOGICAL LARVICIDE

FINE GRANULE

ACTIVE INGREDIENT:

Bacillus sphaericus 2362, Serotype H5a5b, strain ABTS 1743 fermentation solids, spores, and insecticidal toxins . . .	7.5%
OTHER INGREDIENTS	92.5%
TOTAL	100.0%

Potency: This product contains 50 BsITU/mg or 0.023 Billion BsITU/lb.
Expiration Date: (Two years from the date of manufacture).

The percent active ingredient does not indicate product performance and potency measurements are not federally standardized.

EPA Reg. No.73049-20
EPA Est. No. 33762-IA-001 List No. 05722

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KEEP OUT OF REACH OF CHILDREN
CAUTION

1.0 FIRST AID

If in eyes	• Hold eye open and rinse slowly and gently with water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center for treatment advice.
If on skin or clothing	• Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes. • Call a poison control center or doctor for treatment advice.
If inhaled	• Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth if possible. • Call a poison control center or doctor for further treatment advice.

HOT LINE NUMBER

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-877-315-9819 (24 hours) for emergency medical treatment and/or transport emergency information. For all other information, call 1-800-323-9597.

2.0 PRECAUTIONARY STATEMENTS

2.1 HAZARDS TO HUMANS AND DOMESTIC ANIMALS
CAUTION

Causes moderate eye irritation. Harmful if absorbed through the skin or inhaled. Avoid contact with skin, eyes or clothing. Wear protective eyewear. Avoid breathing dust. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove and wash contaminated clothing before reuse.

Mixers/loaders and applicators not in enclosed cabs or aircraft, must wear a dust/mist filtering respirator meeting NIOSH standards of at least N-95, R-95, or P-95. Repeated exposure to high concentrations of microbial proteins can cause allergic sensitizations.

2.2 Environmental Hazards

Do not apply directly to treated, finished drinking water reservoirs or drinking water receptacles when the water is intended for human consumption.

3.0 DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

For use only by federal, state, tribal or local government officials responsible for public health or vector control, or by persons certified in the appropriate category or otherwise authorized by the state or tribal lead pesticide regulatory agency to perform mosquito control applications, or by persons under their direct supervision. IN CALIFORNIA: This product is to be applied by County Health Department, State Department of Health Services, Mosquito and Vector Control or Mosquito Abatement District personnel, or persons under contract to these entities only.

4.0 STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal. Do not contaminate water when disposing of equipment washwaters.

Pesticide Storage: Store in a cool, dry place.

Pesticide Disposal: Wastes resulting from the use of this product must be disposed of on site or at an approved waste disposal facility.

Container Handling: Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment, then offer for recycling if available or dispose of empty bag in a sanitary landfill or by incineration or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

5.0 DIRECTIONS FOR USE - VECTOLEX FG

5.1 Application Directions

MOSQUITO CONTROL

VectoLex® FG Biological Larvicide Fine Granule (hereafter referred to as VectoLex FG) is a selective microbial insecticide for use against mosquito larvae in a variety of habitats. VectoLex FG can be applied to areas that contain fish, other aquatic life, and plants. VectoLex FG can be applied to areas used by or in contact with humans, pets, horses, livestock, birds, or wildlife.

CONTINUED

SPECIMEN

I. For control of mosquito larvae species* in the following non-crop sites:

Habitat	Rate Range
Wastewater: Sewage effluent, sewage lagoons, oxidation ponds, septic ditches, animal waste lagoons, impounded wastewater associated with fruit and vegetable processing.	5-20 lbs/acre**
Stormwater/Drainage Systems: Storm sewers, catch basins, drainage ditches, retention ponds, detention ponds and seepage ponds.	5-20 lbs/acre**
Marine/Coastal Areas: Salt marshes, mangroves, estuaries.	5-20 lbs/acre**
Water Bodies: Natural and manmade aquatic sites such as lakes, ponds, rivers, canals, streams and livestock watering ponds and troughs.	5-20 lbs/acre**
Dormant Rice Fields: Impounded water in dormant rice fields. (For application only during the interval between harvest and preparation of the field for the next cropping cycle.)	5-20 lbs/acre**
Waste Tires: Tires stockpiled in dumps, landfills, recycling plants, and other similar sites.	0.5-2 lbs/ 1000 sq. ft.

II. For the control of mosquito larvae species* in the following agricultural/crop sites where mosquito breeding occurs:

Habitats:	Rate Range
Rice, pastures/hay fields, orchards, citrus groves, irrigated crops.	5-20 lbs/acre**

Apply VectoLex FG uniformly by aerial or conventional ground equipment. Reapply VectoLex FG as needed after 1 to 4 weeks.

* Mosquito species effectively controlled by VectoLex FG, including many of those known to carry/transmit West Nile virus:

Culex spp.	
Aedes vexans	
Ochlerotatus melanimon	*(Aedes melanimon)*
Ochlerotatus stimulans	*(Aedes stimulans)*
Ochlerotatus nigromaculis	*(Aedes nigromaculis)*
Psorophora columbiae	
Psorophora ferox	
Ochlerotatus triseriatus	*(Aedes triseriatus)*
Ochlerotatus sollicitans	*(Aedes sollicitans)*
Anopheles quadrimaculatus	
Coquillettidia perturbans	

**Use higher rates (10 to 20 lbs/acre) in areas where extended residual control is necessary, or in habitats having deep water or dense surface cover.

Avoiding spray drift at the application site is the responsibility of the applicator. The interaction of many equipment and weather related factors determine the potential for spray drift. The applicator and the treatment coordinator are responsible for considering all these factors when making decisions.

6.0 NOTICE TO USER

To the extent consistent with applicable law, seller makes no warranty, express or implied, of merchantability, fitness or otherwise concerning the use of this product other than as indicated on this label. To the extent consistent with applicable law, user assumes all risks of use, storage or handling not in accordance with accompanying directions.

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04-8636/R2 ©Valent BioSciences Corporation, June 2015

VectoMax® FG

BIOLOGICAL LARVICIDE

FINE GRANULE

FOR ORGANIC PRODUCTION

MADE WITH BioFuse™ TECHNOLOGY

ACTIVE INGREDIENTS:

Bacillus sphaericus 2362, Serotype H5a5b, Strain ABTS 1743 Fermentation Solids, Spores, and Insecticidal Toxins	2.7%
Bacillus thuringiensis subsp. *israelensis* Serotype H-14, Strain AM65-52 Fermentation Solids, Spores, and Insecticidal Toxins	4.5%
OTHER INGREDIENTS	92.8%
TOTAL	100.0%

Potency: This product contains 50 BsITU/mg or 0.023 Billion BsITU/lb.

Expiration Date: (Two years from date of manufacture)

The percent active ingredient does not indicate product performance and potency measurements are not Federally standardized.

EPA Reg. No.73049-429
EPA Est. No. 33762-IA-001 List No. 05750
US Patent No. 7,989,180, US Patent No. 8,454,983

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KEEP OUT OF REACH OF CHILDREN
CAUTION

1.0

FIRST AID	
If in eyes	• Hold eye open and rinse slowly and gently with water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice.
If on skin or clothing	• Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes. • Call a poison control center or doctor for treatment advice.
If inhaled	• Move person to fresh air. • If person is not breathing, call 911 or ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. • Call a poison control center or doctor for further treatment advice.
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-877-315-9819 (24 hours) for emergency medical treatment and/or transport emergency information. For all other information, call 1-800-323-9597.	

2.0 PRECAUTIONARY STATEMENTS

2.1 Hazards To Humans and Domestic Animals

CAUTION

Causes moderate eye irritation. Harmful if absorbed through the skin or inhaled. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Avoid contact with skin, eyes, or clothing. Avoid breathing dust. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove and wash contaminated clothing before reuse.

Mixers/loaders and applicators not in enclosed cabs or aircraft, must wear a dust/mist filtering respirator meeting NIOSH standards of at least N-95, R-95, or P-95. Repeated exposure to high concentrations of microbial proteins can cause allergic sensitization.

2.2 Environmental Hazards

Do not apply directly to treated, finished drinking water reservoirs or drinking water receptacles when the water is intended for human consumption.

3.0 DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

For use only by federal, state, tribal or local government officials responsible for public health or vector control, or by persons certified in the appropriate category or otherwise authorized by the state or tribal lead pesticide regulatory agency to perform mosquito control applications, or by persons under their direct supervision.

IN CALIFORNIA: This product is to be applied by County Health Department, State Department of Health Services, Mosquito and Vector Control or Mosquito Abatement District personnel, or persons under contract to these entities only.

CONTINUED

SPECIMEN

4.0 APPLICATION DIRECTIONS

MOSQUITO CONTROL

VectoMax® FG Biological Larvicide Fine Granule (hereafter referred to as VectoMax FG) is a selective microbial insecticide for use against mosquito larvae in a variety of habitats. VectoMax FG can be applied to areas that contain fish, other aquatic life, and plants. VectoMax FG can be applied to areas used by or in contact with humans, pets, horses, livestock, birds, or wildlife.

I. For control of mosquito larvae in the following non-crop sites:

Habitat	Application Rate Range
Wastewater: Sewage effluent, sewage lagoons, oxidation ponds, septic ditches, animal waste lagoons, and impound wastewater associated with fruit and vegetable processing.	5-20 lbs/acre*
Storm Water/Drainage Systems: Drainage ditches, roadside ditches, retention ponds, detention ponds, and seepage ponds.	5-20 lbs/acre*
Marine/Coastal Areas: Tidal water, salt marshes, mangroves, and estuaries.	5-20 lbs/acre*
Water Bodies: Natural and manmade aquatic sites such as lakes, ponds, canals, rivers and streams (including river & stream edges), floodplains, swamps, marshes, irrigation ditches, flood water, woodland pools, snow melt pools and livestock watering ponds and troughs.	5-20 lbs/acre*
Waste Tires: Tires stockpiled in dumps, landfills, recycling plants, and other similar sites.	0.5-2 lbs/ 1000 sq. ft.

II. For control of mosquito larvae in agricultural/crop sites where mosquito breeding occurs.

Habitat	Application Rate Range
Rice fields, pastures/hay fields, orchards (including citrus groves, peaches, almonds, dates, and walnuts), asparagus fields, corn fields, cotton fields, alfalfa fields, and vineyards.	5-20 lbs/acre*

Apply VectoMax FG uniformly by aerial or conventional ground equipment. Reapply VectoMax FG as needed (after 1-4 weeks under typical environmental conditions).

*Use higher application rates (10-20 lbs/acre) in areas where 4th instar *Aedes* or *Ochlerotatus* spp. larvae predominate, or in areas where very high densities of late instar mosquito larvae are present, or under conditions where local experience indicates the need for higher application rates to achieve extended residual control.

Avoiding spray drift at the application site is the responsibility of the applicator. The interaction of many equipment and weather related factors determine the potential for spray drift. The applicator and the treatment coordinator are responsible for considering all these factors when making desicions.

5.0 STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal.

Pesticide Storage: Store in a cool, dry place.

Pesticide Disposal: To avoid wastes, use all material in this container by application according to label directions. If wastes cannot be avoided, offer remaining product to a waste disposal facility or pesticide disposal program (often such programs are run by state or local governments or by industry).

Container Handling: Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment. Then offer for recycling if available or dispose of empty bag in a sanitary landfill or by incineration. Do not burn, unless allowed by State and local ordinances. If burned, stay out of smoke.

6.0 WARRANTY AND DISCLAIMER

To the extent consistent with applicable law, seller makes no warranty, express or implied, of merchantability, fitness or otherwise concerning the use of this product other than as indicated on this label. To the extent consistent with applicable law, user assumes all risks of use, storage, or handling not in accordance with the accompanying directions.

VectoMax is a registered trademark and BioFuse is a trademark of Valent BioSciences Corporation.

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PH: 800-323-9597

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Altosid® XR
EXTENDED RESIDUAL BRIQUETS

ZOËCON®

A SUSTAINED RELEASE PRODUCT TO PREVENT ADULT MOSQUITO EMERGENCE
(INCLUDING THOSE WHICH MAY TRANSMIT WEST NILE VIRUS)

SPECIMEN LABEL

ACTIVE INGREDIENT:

(S)-Methoprene (CAS #65733-16-6)) (Dry Weight Basis):	2.1%
OTHER INGREDIENTS:	97.9%
Total	100.0%

EPA Reg. No. 2724-421
EPA Est. No. 2724-TX-1

KEEP OUT OF REACH OF CHILDREN
CAUTION
SEE ADDITIONAL PRECAUTIONARY STATEMENTS

INTRODUCTION

ALTOSID® XR BRIQUETS are designed to release effective levels of (S)-Methoprene insect growth regulator over a period up to 150 days in mosquito breeding sites. Release of (S)-Methoprene insect growth regulator occurs by dissolution of the briquet. Soft mud and loose sediment can cover the briquets and inhibit normal dispersion of the active ingredient. The product may not be effective in those situations where the briquet can be removed from the site by flushing action.

ALTOSID® XR BRIQUETS prevent the emergence of adult mosquitoes including: *Anopheles, Culex, Culiseta, Coquillettidia,* and *Mansonia* spp., as well as those of the floodwater mosquito complex (*Aedes, Ochlerotatus,* and *Psorophora* spp.) from treated water. Treated larvae continue to develop normally to the pupal stage where they die.

NOTE: (S)-Methoprene insect growth regulator has no effect on mosquitoes which have reached the pupal or adult stage prior to treatment.

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS - CAUTION

Causes moderate eye irritation. Harmful if absorbed through skin. Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling.

FIRST AID

Call a poison control center or doctor for treatment advice.

If in eyes	• Hold eye open and rinse slowly and gently with water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.
If on skin or clothing	• Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-248-7763 for emergency medical treatment information.

ENVIRONMENTAL HAZARDS

Do not contaminate water when disposing of unused product.

DIRECTIONS FOR USE

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.

APPLICATION TIME

Place **ALTOSID® XR BRIQUETS** at or before the beginning of the mosquito season. Apply **ALTOSID® XR BRIQUETS** prior to flooding when sites are dry, or on snow and ice in breeding sites prior to spring thaw. Under normal conditions, one application will last the entire mosquito season, or up to 150 days, whichever is shorter. Alternate wetting and drying will not reduce their effectiveness.

APPLICATION RATES

***Aedes, Ochlerotatus,* and *Psorophora* spp.:** For control in non-(or low-) flow shallow depressions (≤ 2 feet in depth), treat on the basis of surface area, placing one **ALTOSID® XR BRIQUET** per 200 ft^2. Place briquets in the lowest areas of mosquito breeding sites to maintain continuous control as the site alternately floods and dries up.

***Culex, Culiseta* and *Anopheles* spp.:** Place one **ALTOSID® XR BRIQUET** per 100 ft^2.

Coquillettidia and *Mansonia* spp.: For application to cattail marshes and water hyacinth beds. For control of these mosquitoes, place one **ALTOSID® XR BRIQUET** per 100 ft^2.

***Culex* sp. in storm water drainage areas, sewers, and catch basins:** For catch basins, place one **ALTOSID® XR BRIQUET** into each basin. In cases of large catch basins, follow the chart below to determine the number of briquets to use. For storm water drainage areas, place one briquet per 100 ft^2 of surface area up to two ft deep. In areas that are deeper than two feet, use one additional briquet per two feet of water depth.

Water flow pressure increases the potential dissolution of the briquet. Conduct regular inspections (visual or biological) in areas of water flow to determine if the briquet is still present. Adjust the retreatment interval based on the results of an inspection.

ALTOSID® XR BRIQUETS Application Chart

Number of Briquets	Catch Basin Size (Gallons)	Surface Area/ Water Depth (ft)
1	0 – 1500	0 – 2
2	1500 – 3000	2 – 4
3	3000 – 4500	4 – 6
4	4500 – 6000	6 – 8

APPLICATION SITES

ALTOSID® XR BRIQUETS are designed to control mosquitoes in treated areas. Examples of application sites are: storm drains, catch basins, roadside ditches, fish ponds, ornamental ponds and fountains, other artificial water-holding containers, animal watering troughs, cesspools and septic tanks, waste treatment and settling ponds, flooded crypts, transformer vaults, abandoned swimming pools, tires, construction and other manmade depressions, cattail marshes, water hyacinth beds, vegetation-choked phosphate pits, pastures, meadows, rice fields, freshwater swamps and marshes, salt and tidal marshes, treeholes, woodland pools, floodplains, and dredging spoil sites. For application sites connected by a water system, i.e., storm drains or catch basins, treat all of the water-holding sites in the system to maximize the efficiency of the treatment program.

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage or disposal.

STORAGE: Store in a cool place. Do not reuse empty container.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL: Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment. Then offer for recycling, if available, or dispose of empty container in a sanitary landfill or by incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

WARRANTY AND CONDITIONS OF SALE

Seller makes no warranty, expressed or implied, concerning the use and handling of this product other than indicated on the label. To the extent permitted by law, Buyer assumes all risks of use and handling of this material when such use and handling are contrary to label instructions.

For information, or in case of an emergency, call 1-800-248-7763.

www.altosid.com

Wellmark International
1501 East Woodfield Road 200W
Schaumburg, Illinois 60173

ZOËCON® Professional Products

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Made in USA

300507286

May, 2010
Schaumburg, IL

COCOBEAR™
Mosquito Larvicide Oil

Kills larvae and pupa stages of mosquitoes. Physical control of mosquito broods: kills by suffocation - mosquitoes do not develop resistance. Prevents mosquito emergence.

Standing water treatment. Use on: ponds, pools, ditches, standing water within irrigated croplands and pastures, flood waters, and other listed areas where mosquitoes develop.

ACTIVE INGREDIENT	
Mineral Oil*	10.0%
OTHER INGREDIENTS	90.0%
TOTAL	100.0%

* Contains petroleum distillate

KEEP OUT OF REACH OF CHILDREN

CAUTION

FIRST AID	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-214-7753 for emergency medical treatment information.	
IF SWALLOWED:	Call a poison control center or doctor immediately for treatment advice. DO NOT induce vomiting unless told to do so by a poison control center or doctor. Do not give ANY liquid to the person. Do not give anything by mouth to an unconscious person.
NOTICE TO PHYSICIANS: This product contains petroleum distillate and may pose an aspiration pneumonia hazard.	

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS & DOMESTIC ANIMALS

CAUTION. Harmful if swallowed. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet.

Personal Protective Equipment (PPE): Mixers, loaders, applicators, and other handlers must wear long-sleeved shirt and long pants, and shoes plus socks.

User Safety Requirements: Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry. Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them.

User Safety Recommendations: Users should wash hands before eating, drinking, chewing gum, tobacco, or using the toilet. Users should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Users should remove PPE immediately after handling this product. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS

Do not apply directly to water, except as directed for use on this label. Aquatic organisms may be killed in waters where this pesticide is used. Consult with the State or tribal agency with primary authority for regulating pesticides before applying this product to public waters to determine if a permit is needed.

DIRECTIONS FOR USE

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.

This product may cause injury to plants in the treatment area. Stressed plants may be more susceptible.

COCOBEAR may only be used to control mosquito larvae and pupae. COCOBEAR leaves a thin film on the surface of treated, non-flowing water and kills mosquito larvae and pupae by suffocation. COCOBEAR kills immature mosquitoes where they develop.

This product may be used for surface applications to standing water within irrigated croplands and pastures, drainage areas, ditches, stagnant pools, swamps, marshes, temporary rain pools, sloughs, log ponds, open sewage basins, settling ponds, catch basins, waste tires and intermittently flooded areas.

Apply at uniform rates of 3 gallons per surface acre (for smaller areas, treat at 10 ounces per 1,000 sq. ft. or 1 1/2 quart per 5,000 sq. ft.). Where there is extremely dense vegetation or if the water to be treated is high in organic content, up to 5 gallons per acre (15 ounces per 1,000 sq. ft. or 2 quarts per 5,000 sq. ft.) may be used.

When applying by aerial application, adjust spray volume up to 5 gallons per acre dependent on vegetation and surface conditions. 3 gallons per acre (36 gallons per 100 ft swath mile) is likely to be sufficient for most conditions.

Spray Drift Management

A variety of factors including weather conditions (e.g. wind direction, wind speed, temperature, and relative humidity) and method of application (e.g. ground, aerial) can influence pesticide drift. The applicator must evaluate all factors and make appropriate adjustments when applying this product.

Wind Speed: Do not apply this product at wind speeds greater than 15 mph at the application site.

Droplet Size: Apply as a medium or coarser spray (ASABE Standard

SAMPLE LABEL

AL0337

572), and the minimum mean volume diameter (VMD) for spinning atomizer nozzles.

Temperature Inversions: Application is allowed under stable and/or temperature inversion conditions as long as application is done below the point in the atmosphere where the inversion begins and the droplet size meets the dimensions of very coarse or extremely coarse as defined in ASABE Standard 572 (VMD of 400-500 microns).

Release Height for Ground Applications: Apply using a nozzle height of no more than 4 feet above the surface.

Aerial Applications: Applications must conform to the requirements indicated above regarding wind speed, droplet size, and temperature inversions and to the additional requirements listed below.

Release Height: Aircraft altitude should be maintained at the lowest altitude necessary for aircraft safety in order to reduce the exposure of droplets to evaporation and wind.

Boom Length: The boom length must not exceed 75% of the wingspan or 90% of the rotor blade diameter. Nozzle placement may be extended to 100% of rotor blade diameter when very coarse droplets of VMD 400-500 microns (ASABE Standard 572) are used. Orient nozzles to spray backward and parallel to the air stream.

Swath Adjustment: When applications are made with a cross-wind, the swath will be displaced downwind. The applicator must compensate for this displacement at the upwind and downwind edges of the application area by adjusting the path of the aircraft upwind.

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage and disposal.

PESTICIDE STORAGE: Store upright at room temperature. In case of spill or leakage, soak up with absorbent material such as sand, sawdust, earth, fuller's earth, etc.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL:

(REFILLABLE DRUMS & TOTES): Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning the container before refilling is the responsibility of the refiller. To clean the container before disposal, drain the container until it is empty. Add a minimum amount of clean water to allow recirculation through the pump, meter and hoses. A commercial tank-cleaning detergent may be used, if desired. Thoroughly drench the interior sides, ceiling, and floor of the container. Using a steam-cleaning process or a high-pressure/low-water process, clean sides, ceiling, and floor of container. Recirculate wash water through the pump, meter and hoses. Drain the tank. Dispose of wash water or rinsate with pesticide waste. Offer cleaned container for recycling, if available, or puncture and dispose of it in a sanitary landfill, or by other procedures approved by State and local authorities.

(2.5 GALLON JUGS): Nonrefillable container. Do not reuse or refill this container. When container is empty, drain it completely, then puncture and dispose of it in a sanitary landfill or by other procedures approved by State and local authorities.

MANUFACTURED FOR:
CLARKE MOSQUITO CONTROL PRODUCTS, INC.
159 N. GARDEN AVENUE
ROSELLE, ILLINOIS 60172
For more information call: 1-800-323-5727

EPA REG. NO. 8329-93

EPA EST. NO._____

Available Packaging: 2.5 GAL, 30 GAL, 55 GAL, 275 GAL, BULK

LOT NO: Marked on Container Label

COCOBEAR™ is a trademark of Clarke Mosquito Control Products, Inc.

NOTICE: To the extent consistent with applicable law, Clarke Mosquito Control Products, Inc. makes no warranty, express or implied, concerning the use of this product other than as indicated on the label. To the extent consistent with applicable law, buyer assumes all risk of use/handling of this material when use and/or handling is contrary to label instructions.

AL0337

FLIT® 10EC

Broad Spectrum Multi-Use Insecticide

Quick Knockdown. For Use Outdoors and in Non-Food/Feed Areas of Commercial Buildings, Warehouses, and Food/Feed Processing Establishments. For Use on Livestock: Cattle (Beef and Dairy), Goats, Sheep, Swine, Horses, and Poultry.

Active Ingredient:	
Permethrin	10.00%
†**Other Ingredients:**	90.00%
	100.00%

†Contains petroleum distillate

KEEP OUT OF REACH OF CHILDREN

WARNING

FIRST AID	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-214-7753 for emergency medical treatment information.	
IF ON SKIN OR CLOTHING	• Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes. • Call a poison control center or doctor for treatment advice.
IF IN EYES	• Hold eye open and rinse slowly and gently with water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing the eye. • Call a poison control center or doctor for treatment advice.
IF INHALED	• Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible. • Call a poison control center or doctor for further treatment advice.
IF SWALLOWED	• Call a poison control center or doctor immediately for treatment advice. • Do not induce vomiting unless told to do so by a poison control center or doctor. • Do not give any liquid to the person. • Do not give anything by mouth to an unconscious person.
Note to Physician: Contains petroleum distillate – vomiting may cause aspiration pneumonia. Do not administer or instill milk, cream or other substances containing vegetable or animal fats which enhance absorption of lipophilic substances.	

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS & DOMESTIC ANIMALS

WARNING. Causes skin irritation. Do not get on skin, or on clothing. Harmful if inhaled. Avoid breathing vapor or spray mist. Causes moderate eye irritation. Avoid contact with eyes. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wear Coveralls worn over long sleeved shirt and long pants, socks, chemical resistant footwear, and chemical resistant gloves (barrier laminate, nitrile rubber, neoprene, rubber, Viton, selection category F*).

Personal Protective Equipment (PPE): Some materials that are chemical-resistant to this product are barrier laminate, butyl rubber greater or equal to 14 mils, and nitrile rubber greater or equal to 14 mils. If you want more options, follow the instructions for category F on an EPA chemical-resistance category selection chart.

Applicators using ULV cold foggers or fog/mist generators in indoor spaces must wear:

- Coveralls over long-sleeved shirt and long pants,
- Chemical resistant gloves,
- Chemical-resistant footwear plus socks, and
- Chemical resistant headgear, if overhead exposure.

Applicators using ULV cold foggers and/or fog/mist generators in outdoor spaces must wear:

- Long-sleeve shirt and long pants,
- Shoes plus socks, and
- Chemical-resistant gloves

All other mixers, loaders, applicators, and other handlers must wear:

- Long-sleeve shirt and long pants,
- Shoes plus socks,
- Chemical-resistant gloves for all handlers except for applicators using motorized ground equipment, pilots, and flaggers.
- Chemical resistant apron for mixers/loaders, persons cleaning equipment, and persons exposed to the concentrate and for handlers performing animal dip.

See engineering controls for additional requirements.

User Safety Requirements: Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them.

Users should wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.

Users should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

Users should remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

Entry Restrictions:

For space spray use:

Do not enter or allow others to enter until vapors, mists, and aerosols have dispersed, and the treated area has been thoroughly ventilated.

For surface spray use:

Except when applying to livestock, do not enter or allow others to enter treated area until sprays have dried.

ENVIRONMENTAL HAZARDS FOR TERRESTRIAL APPLICATIONS

This pesticide is extremely toxic to aquatic organisms, including fish and invertebrates. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean water mark. Do not apply when weather conditions favor drift from treated areas. Drift and runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water when disposing of equipment wash waters. This pesticide is

SAMPLE LABEL

highly toxic to bees exposed to direct treatment on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds while bees are foraging the treatment area.

ENVIRONMENTAL HAZARDS FOR WIDE AREA MOSQUITO ADULTICIDE APPLICATIONS

This pesticide is extremely toxic to aquatic organisms, including fish and invertebrates. Runoff from treated areas or deposition of spray droplets into a body of water may be hazardous to fish and aquatic invertebrates. When applying as a wide area mosquito adulticide, before making the first application in a season, it is advisable to consult with the state or tribal agency with primary responsibility for pesticide regulation to determine if other regulatory requirements exist.

When applying as a wide area mosquito adulticide, do not apply over bodies of water (lakes, rivers, permanent streams, natural ponds, commercial fish ponds, swamps, marshes or estuaries), except when necessary to target areas where adult mosquitoes are present, and weather conditions will facilitate movement of applied material away from the water in order to minimize incidental deposition into the water body.

PHYSICAL & CHEMICAL HAZARDS

Do not use or store near heat or open flame. Do not use this product in or on electrical equipment due to the possibility of shock hazard.

DIRECTIONS FOR USE

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.

APPLICATION RESTRICTIONS

- Do not breathe vapors or spray mist.
- Do not use in aircraft cabins.
- Use in a handheld cold or thermal fogger is prohibited.
- Except when applying to livestock or as a wide area mosquito adulticide, do not apply this product in a way that will contact workers or other persons, either directly or through drift.
- Except when applying to livestock or as a wide area mosquito adulticide, only protected handlers may be in the area during application.
- Do not apply when food is present.

WIDE AREA MOSQUITO CONTROL

For use by federal, state, tribal, or local government officials responsible for public health or vector control, or by persons certified in the appropriate category or otherwise authorized by the state or tribal lead pesticide regulatory agency to perform adult mosquito control applications, or by persons under their direct supervision.

APPLICATION INSTRUCTIONS

Do not exceed 25 applications at 0.007 lbs. of permethrin per acre or 0.18 lbs. of permethrin per acre in any given season. More frequent treatments may be made to prevent or control a threat to public and/or animal health determined by a state, tribal or local health or vector control agency on the basis of documented evidence of disease causing agents in vector mosquitoes or the occurrence of mosquito-borne diseases in animal or human populations, or if specifically approved by the state or tribe during a natural disaster recovery effort. Apply when wind speed is greater than 1 mph.

GENERAL

FLIT® 10EC Broad Spectrum Multi-Use Insecticide is designed for application as an Ultra-Low Volume (ULV) aerosol to control adult mosquitoes and flies in residential, industrial, urban, recreational and other areas where adult mosquitoes and flies are found. FLIT® 10EC is also recommended for application with mist-blowers, backpack sprayers, handheld sprayers, and low pressure hand sprayers for barrier or surface applications. FLIT® 10EC is used for control of annoyance flies and mosquitoes, mosquitoes and flies of public health or disease vector importance in areas such as but not limited to residential areas, industrial areas, urban areas, parks, campsites, woodlands, athletic fields, golf courses, playgrounds, recreational and overgrown waste areas, roadsides, and other areas where adult mosquitoes and flies occur. Apply at a rate not to exceed 0.007 pounds of permethrin per acre in any given 24 hour period.

In the treatment of corrals, feed lots, swine lots, poultry ranges and zoos cover any exposed drinking water, drinking fountains and animal feed before application.

FLIT® 10EC provides effective control of adult mosquitoes, black flies, gnats, biting and non-biting midges, stable flies, horse flies, deer flies, sheep flies, horn flies, and nuisance flying insects such as houseflies.

SPRAY DROPLET SIZE DETERMINATION

Ground Equipment: Spray equipment must be adjusted so that the volume median diameter is less than 30 microns (Dv 0.5 < 30 µm) and that 90% of the spray is contained in droplets smaller than 50 microns (Dv 0.9 < 50µm). Directions from the equipment manufacturer or vendor, pesticide registrant or a test facility using a laser-based measurement instrument must be used to adjust equipment to produce acceptable droplet size spectra. Application equipment must be tested at least annually to confirm that pressure at the nozzle and nozzle flow rate(s) are properly calibrated.

GROUND APPLICATION

Vehicle-Mounted ULV Cold Aerosol Generators or Vehicle-Mounted Non-Thermal Aerosol (Cold Fog): Dilute 1 part concentrate with 1 part water or suitable oil solvent or at proportional oil dilutions calculated on the basis of vehicle speed and swath width to achieve the target dose. Apply through non-thermal ULV application equipment and base acreage calculations on the equipment manufacturer's recommended swath width. Apply at a rate not to exceed 0.007 pounds of permethrin per acre in any given 24 hour period. An optimum swath is created when FLIT® 10EC is applied from a truck that is being driven perpendicular to the wind direction. Direct the spray head of equipment to ensure even distribution of the spray cloud throughout the area. For best results, apply when insects are most active and meteorological conditions are conducive to keeping the spray cloud in the air column close to the ground. An inversion of air temperatures and a light breeze is preferable. Do not exceed 25 applications at 0.007 pounds of permethrin per acre (not to exceed a total of 0.18 pounds of permethrin per acre) in any given season. More frequent applications may be made to prevent or control a threat to public and/or animal health determined by a state, tribal or local health or vector control agency on the basis of documented evidence of disease causing agents in vector mosquitoes or the occurrence of mosquito-borne disease in animal or human populations, or if specifically approved by the state or tribe during a natural disaster recovery effort. Application during the cooler hours of the night or early morning is recommended.

FLIT® 10EC may be applied through ULV Cold Aerosol Generators, or other equipment designed for non-thermal ULV aerosol applications. The desired application rate may be obtained under different conditions by altering the dilution rate of FLIT® 10EC, the flow rate of the insecticide from the application equipment and the vehicle speed. Where dense vegetation is present, the use of higher rates and/or slower speeds is recommended.

BARRIER APPLICATIONS

For control and exclusion of resting or flying adult mosquitoes in areas such as animal quarters, roadsides, urban areas, residential areas, industrial areas, golf courses, parks, recreational areas, tire piles and all public areas where adult mosquitoes may occur. May be used to treat aggregation and harborage areas such as the perimeter of residential buildings, storage buildings, empty rail cars, truck transport trailers, abandoned buildings and other areas where adult mosquitoes find harborage. For application to resting or aggregation surfaces using low pressure hand sprayers or other similar equipment which has demonstrated the capacity to deliver an even distribution of the labeled rate over the desired treatment area, mix 1 part concentrate with 1 part of water or suitable oil diluents and apply sufficient spray to dampen surface. For application using backpack or truck-mounted mist blower equipment, apply at a rate not to exceed 36.6 fl. oz. of diluted product per acre or diluted at a rate not to exceed 0.1 lbs. a.i. per acre.

SAMPLE LABEL

Direct spray onto foliage at the perimeter of areas from which mosquitoes or flies are to be excluded or direct spray into harborage areas or resting areas where adult mosquitoes or flies may be found. When this product is applied as a barrier application using low pressure hand sprayers, hydraulic sprayers, or ground ULV equipment, do not apply within 100 feet (30 meters) of lakes and streams.

Not for use in outdoor residential misting systems.

To prepare dilutions, the concentrate should first be stirred or agitated well. Add the required amount of concentrate to water or oil and blend thoroughly. Do not hold dilutions for more than 24 hours.

For maximum effectiveness, a combination of localized application and space treatment is recommended. Remove pets, birds, and cover fish aquaria before spraying.

USE RESTRICTIONS FOR WIDE AREA MOSQUITO USE

Do not allow spray treatment to contaminate cropland, poultry ranges or water supplies. Do not use on crops used for food or forage.

USE RESTRICTIONS FOR INDOOR USE

Except when making wide area mosquito adulticide applications or treating livestock, do not apply this product in a way that will contact workers or other persons, either directly or through drift.

Except when making wide area mosquito adulticide applications or treating livestock, only protected handlers may be in the area during application.

Do not breathe dusts, vapors, or spray mist.

For applications to food/feed handling and service areas:

Do not apply when food is present.

Do not use in food areas of food handling establishments, restaurants, or other areas where food is commercially prepared or processed.

Do not use in serving areas while food is exposed or facility is in operation. Serving areas are areas where prepared foods are served, such as dining rooms, but excluding areas where foods may be prepared or held. All food processing surfaces and utensils should be covered during treatment or thoroughly washed before use. Exposed food should be covered or removed.

Do not apply indoors at residential sites, including nurseries, day care centers, schools, hospitals, and nursing homes.

Not for broadcast use.

Application is prohibited directly into sewers or drains, or to any area like a gutter where drainage to sewers, storm drains, water bodies, or aquatic habitat can occur. Do not allow the product to enter any drain during or after application.

USE RESTRICTIONS FOR OUTDOOR AND ANIMAL QUARTER USE

When used in dairy barns or facilities: Close milk bulk tank lids to prevent contamination from spray and from dead or falling insects. Remove or cover milking utensils before application. Wash teats of animals before milking.

All outdoor applications must be limited to spot or crack-and-crevice treatments only, except for the following permitted uses:

(1) Treatment to soil or vegetation around structures;
(2) Applications to lawns, turf, and other vegetation;
(3) Applications to building foundations, up to a maximum height of 3 feet.

Other than applications to building foundations, all outdoor applications to impervious surfaces such as sidewalks, driveways, patios, porches, and structural surfaces (such as windows, doors, and eaves) are limited to spot and crack-and-crevice applications only.

Do not water the treated area to the point of run-off.

Do not make applications during rain.

INDOOR USE AREAS

Bakeries, Flour Mills, Granaries, Meat Packing Plants, Truck Trailers, Beverage Plants, Food Processing Plants, Industrial Installations, Railroad Cars, Warehouses, Canneries, Grain Elevators, Kennels, Ships' Holds

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal.

PESTICIDE STORAGE AND SPILL PROCEDURES: Store upright at room temperature. Avoid exposure to extreme temperatures. In case of spill or leakage, soak up with an absorbent material such as sand, sawdust, earth, fuller's earth, etc. Dispose of with chemical waste.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product must be disposed of on site or at an approved waste disposal facility.

CONTAINER HANDLING:

Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times. Then offer for recycling or reconditioning or puncture and dispose of in a sanitary landfill or incineration, or if allowed by State and Local authorities, by burning. If burned, stay out of smoke.

Rigid, Non-refillable containers, small enough to shake (i.e., with capacities equal to or less than 5 gallons)

Non-refillable container. Do not reuse or refill this container. Offer for recycling, if available. Triple rinse or pressure rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling or reconditioning or puncture and dispose of in a sanitary landfill or incineration, or if allowed by State and Local authorities, by burning. If burned, stay out of smoke.

SAMPLE LABEL

IMPORTANT: READ BEFORE USE

Read the entire Directions for Use, Conditions, Disclaimer of Warranties and Limitations of Liability before using this product. If terms are not acceptable, return the unopened product container at once. By using this product, user or buyer accepts the following Conditions, Disclaimer of Warranties and Limitations of Liability.

CONDITIONS: The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of Clarke Mosquito Control Products, Inc. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, CLARKE MOSQUITO CONTROL PRODUCTS, INC. MAKES NO OTHER WARRANTIES, EXPRESS OR IMPLIED, OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE OR OTHERWISE, THAT EXTEND BEYOND THE STATEMENTS MADE ON THIS LABEL. No agent of Clarke Mosquito Control Products, Inc. is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, CLARKE MOSQUITO CONTROL PRODUCTS, INC. DISCLAIMS ANY LIABILITY WHATSOEVER FOR SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.

LIMITATIONS OF LIABILITY: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER FOR ANY AND ALL LOSSES, INJURIES OR DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, WHETHER IN CONTRACT, WARRANTY, TORT, NEGLIGENCE, STRICT LIABILITY OR OTHERWISE, SHALL NOT EXCEED THE PURCHASE PRICE PAID, OR AT CLARKE MOSQUITO CONTROL PRODUCTS, INC.'S ELECTION, THE REPLACEMENT OF PRODUCT.

FLIT® is a Registered Trademark of Clarke Mosquito Control Products, Inc.

In Case Of Medical Emergency, Call The International Poison Control Center 1-800-214-7753

In Case Of Transportation Emergency, Call Info-Trac 1-800-553-5053

For More Information Call: 1-800-323-5727

Application Sites	Pests Controlled	Use Directions	Diluent	Dilution Rate	Application Rate
LIVESTOCK SPRAY: Dairy & Beef Cattle, Sheep, Goats, Swine, Horses, and Poultry (For swine, do not ship animals for slaughter within 5 days of last treatment).	Horn Flies, House Flies, Mosquitoes, and Gnats	Apply to wet the hair thoroughly, with particular attention to topline, underline, flanks, withers, and other infested areas. Repeat treatment at intervals of 5 to 12 days for small insect populations or as needed when flies are emerging in large numbers.	Water	1 part concentrate in 100 parts water (1.3 fl ounces per gallon)	
	Stable Flies, Horse Flies, and Deer Flies	Apply a quart per adult animal to wet the hair thoroughly with particular attention to the legs, flanks, barrel, topline, and other body areas commonly attacked by these flies. Repeat daily as needed.	Water	1 part concentrate in 100 parts water (1.3 fl ounces per gallon)	
	Face Flies	Apply using spray which produces large wetting droplets. Apply to the face of the animal in the morning before release to pasture. Apply sufficiently to wet the face but not more than 1.5 ounces per animal. Repeat daily as needed.	Water	1 part concentrate in 100 parts water (1.3 fl ounces per gallon)	
	Sheep "ticks" or keds	Thoroughly wet all portions of the body by dipping or by spraying with sufficient pressure and with a nozzle adjustment to give penetration of the wool. Treat at a rate sufficient to wet the animal.	Water	1 part concentrate in 100 parts water (1.3 fl ounces per gallon)	
	Fleas on Livestock (To kill and to protect against reinfestation)	Wet the animal by dipping or spraying	Water	1 part concentrate in 20 parts water (6.5 fl ounces per gallon)	
AS A SPACE SPRAY LIVESTOCK PREMISES: Barns, Milking Parlors, Milk Rooms, Dairies, Poultry Houses, Swine and Livestock Housing. Bakeries, Beverage Plants, Canneries, Flour Mills, Food Processing Plants, Granaries, Industrial Installations, Kennels, Meat Packaging Plants, Railroad Cars, Ships' Holds, Truck Trailers, Warehouses	Fleas, Mosquitoes, and Gnats	Apply as a fog or fine mist, directing the spray toward the ceiling and upper corners until the area is filled with mist, using about 2 ounces per 1000 cubic feet of space. For best results, close doors and windows before spraying and keep them closed for ten to fifteen minutes. Vacate the treated area and ventilate before reoccupying. Repeat treatment daily as needed.	Water	1 part concentrate in 20 parts water (6.5 fl ounces per gallon)	2 ounces per 1000 cubic feet
	House Flies, Fruit Flies, Gnats, Mosquitoes, Skipper Flies, Wasps, Hornets, Bees, Black Flies, Small Flying Moths.	Apply with mechanical or compressed air equipment (non-thermal) adjusted to deliver a fine mist. Close doors and windows and shut off ventilating systems. When using an oil dilution for space spraying extinguish all flames and pilot lights when applying. For rapid control of Houseflies, Fruit Flies, Gnats, Mosquitoes, Skipper Flies, Wasps, Hornets, Bees, Black flies, Small Flying Moths, direct spray at an upward angle distributing uniformly through the entire area at a rate of 1 ounce per 1000 cubic feet of space. Keep area closed for at least 10 minutes. Vacate areas after treatment and ventilate and sweep up dead insects before reoccupying. For rapid kill of exposed or accessible stages of other insects named on this label, apply using conventional mechanical or compressed air equipment (non-thermal) following directions for space spraying.	Oil or Water	1 part concentrate in 20 parts oil or water (6.5 fl ounces per gallon)	1 ounce per 1000 cubic feet

SAMPLE LABEL

MANUFACTURED BY:
CLARKE MOSQUITO CONTROL PRODUCTS, INC.
159 N. GARDEN AVENUE
ROSELLE, ILLINOIS 60172 U.S.A.

EPA Reg. No.: 8329-67
EPA Est. No.:

Lot No.: Marked On Container
Net Contents: Marked on Container

Aqua Zenivex™ E20

For use only by federal, state, tribal or local government officials responsible for public health or vector control, or by persons certified in the appropriate category or otherwise authorized by the state or tribal lead pesticide regulatory agency to perform adult mosquito control applications, or by persons under their direct supervision.

- **FOR EFFECTIVE ADULT MOSQUITOES, NON-BITING MIDGE CONTROL AND BLACK FLY CONTROL**
- **FOR USE AS A ULV, THERMAL OR SPACE SPRAY BY AIR AND GROUND APPLICATION TO CONTROL ADULT MOSQUITOES**
- **APPROVED FOR USE OVER AGRICULTURAL CROPS (INCLUDING THOSE INTENDED FOR HUMAN CONSUMPTION), PASTURE AND RANGELAND**
- **CAN BE USED UNDILUTED OR DILUTED**
- **FORMULATION ALLOWS DILUTION WITH WATER RATHER THAN OIL**
- **QUICK PERMANENT KNOCKDOWN OF ADULT MOSQUITOES AND OTHER TARGET INSECTS**
- **CONTROLS NON-BITING MIDGES AND NUISANCE FLIES**
- **CONTROLS ADULT MOSQUITOES THAT MAY CARRY WEST NILE, EASTERN EQUINE ENCEPHALITIS, ST. LOUIS ENCEPHALITIS, AND CHIKUNGUNYA VIRUSES**

SPECIMEN LABEL

ACTIVE INGREDIENT:

Etofenprox (CAS #80844-07-1)	20%
OTHER INGREDIENTS:	80%
TOTAL	100%

Contains 1.48 lbs Etofenprox per gallon

EPA Reg. No. 89459-81 EPA Est. No. 2724-TX-1

KEEP OUT OF REACH OF CHILDREN

WARNING

See additional Precautionary Statements

PRECAUTIONARY STATEMENTS – HAZARDS TO HUMANS & DOMESTIC ANIMALS – WARNING

Causes substantial but temporary eye injury. Do not get in eyes. Avoid contact with skin or clothing. Applicators and other handlers must wear long-sleeved shirt, long pants, socks and shoes. Repeated exposure to etofenprox can cause skin irritation.

FIRST AID

If in eyes	• Hold eye open and rinse slowly and gently with water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice. *(continued)*
If on skin	• Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes. • Call a poison control center or doctor for treatment advice.

Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact 1-800-248-7763 for emergency medical treatment information.

USER SAFETY REQUIREMENTS

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry. Discard clothing and other absorbent materials that have been drenched or heavily contaminated with the product's concentrate. Do not reuse them. Wash thoroughly with soap and water after handling. Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

USER SAFETY RECOMMENDATIONS

Users should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.

Users should remove clothing/PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to aquatic organisms, including fish and aquatic invertebrates. Runoff from treated areas or deposition into bodies of water may be hazardous to fish and other aquatic organisms. Do not apply over bodies of water (lakes, rivers, permanent streams, natural ponds, commercial fish ponds, swamps, marshes or estuaries), except when necessary to target areas where adult mosquitoes are present, and weather conditions will facilitate movement of applied material away from water in order to minimize incidental deposition into the water body. Do not contaminate bodies of water when disposing of equipment rinsate or washwaters.

This product is highly toxic to bees exposed to direct treatment on blooming crops or weeds. Time applications to provide the maximum possible interval between treatment and the next period of bee activity. Do not apply to blooming crops or weeds when bees are foraging the treatment area, except when applications are made to prevent or control a threat to public and/or animal health determined by a state, tribal, or local health or vector control agency on the basis of documented evidence of disease-causing agents in vector mosquitoes or the occurrence of mosquito-borne disease in animal or human populations, or if specifically approved by the state or tribe during a natural disaster recovery effort.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

READ AND FOLLOW ALL LABEL DIRECTIONS. Before making the first application of the season, it is advisable to consult with the state or tribal agency with primary responsibility for pesticide regulation to determine if other regulatory requirements exist.

PRODUCT INFORMATION

Aqua Zenivex™ E20 is an effective insecticide used at low doses to control adult mosquitoes, non-biting midges, biting and non-biting flies. Use Aqua Zenivex™ E20, either undiluted as Ultra-Low Volume (ULV) or diluted with water, for the control of pest species in or near residential, industrial, commercial, urban, recreational areas, woodlands, golf courses, and other areas where these pests are a problem. Aqua Zenivex™ E20 may be applied over agricultural areas prior to or following harvest for the control of adult mosquitoes within or adjacent to these areas. Apply Aqua Zenivex™ E20 aerially (both fixed and rotary aircraft) for low volume applications or through mist-blowers, backpack, and handheld sprayers for ground applications. Aqua Zenivex™ E20 will control non-biting midges, black flies and mosquitoes and can be used as part of a total integrated pest management program for controlling disease vectors. Apply Aqua Zenivex™ E20 at rates from 0.00175 to 0.00700 pounds of etofenprox per acre. Dilute this product with water. Apply when wind is ≥ 1 mph. Do not apply when wind speeds exceed 10 mph. A temperature inversion is preferable to keep the fog close to the ground and apply when labeled insects are most active.

Do not spray more than 0.18 lbs etofenprox per acre per site per year. Do not make more than 25 applications per site per year. More frequent treatments may be made to prevent or control a threat to public and/or animal health determined by a state, tribal, or local health or vector control agency on the basis of documented evidence of disease-causing agents in vector mosquitoes or the occurrence of mosquito-borne disease in animal or human populations, or if specifically approved by the state or tribe during a natural disaster recovery effort.

GROUND APPLICATION

Use a vehicle-mounted cold aerosol ULV sprayer to apply the product. Direct the spray equipment nozzle to provide even distribution of the product. For best results, apply perpendicular to the wind direction using a swath width of 300 ft. Spray equipment must be adjusted so that the volume median diameter (VMD) is between 7-30 microns (10μ ≤ $Dv_{0.5}$ ≤ 30μ) and that 90% of the spray is contained in droplets smaller than 50 microns ($Dv_{0.9}$ < 50μ). Directions from the equipment manufacturer or vendor, pesticide registrant, or test facility using a laser-based measurement instrument must be used to adjust equipment to produce acceptable droplet size spectra. Application equipment must be tested at least annually to confirm that nozzle flow rate(s) are properly calibrated.

The appropriate application rate can be achieved by altering the dilution rate of Aqua Zenivex™ E20. Refer to the following chart for examples.

Application rate pound AI per acre	Vehicle Speed MPH	Flow rates			
		Undiluted	Diluted 1 to 1	Diluted 1 to 2	Diluted 1 to 4.5
		Oz/minute	Oz/minute	Oz/minute	Oz/minute
0.00175	10	0.9	1.8	2.7	5.0
	15	1.4	2.7	4.1	7.6
	20	1.8	3.6	5.5	10.1
0.00350	10	1.8	3.6	5.5	10.1
	15	2.7	5.4	8.3	15.1
	20	3.6	7.2	11.0	20.2
0.00700	10	3.6	7.2	11.0	20.2
	15	5.4	10.8	16.5	30.3
	20	7.2	14.4	22.0	40.4

Use the higher label rates when spraying areas where dense vegetation is present. Conduct applications when temperatures are between 50-95° F.

Backpack Sprayer ULV Application: Apply Aqua Zenivex™ E20 diluted or undiluted through non-thermal ULV backpack sprayer capable of applying the product in the 7 to 30 micron range. Apply product to the area as evenly as possible. Apply at the rate of 0.00175 to 0.00700 pounds etofenprox per acre.

Urban ULV Mosquito Control Applications: For control of

resting or flying adult mosquitoes, biting flies and non-biting midges in areas such as utility tunnels, sewers, storm drains and catch basins, pipe chases, underground basements, underground passages, parking decks, crawl spaces or uninhabited buildings, apply Aqua Zenivex™ E20 using mechanical foggers, handheld or truck-mounted ULV equipment, thermal foggers or other spray equipment suitable for this application. Apply Aqua Zenivex™ E20 at rates up to but not exceeding 0.00700 pounds of etofenprox per acre.

Thermal Fogging Application: Apply using a truck, dolly mounted, handheld, or other thermal fogging equipment. Following the equipment manufacturer's instructions, apply this product at a rate of 0.00175 to 0.00700 pounds etofenprox per acre. Direct fog to areas where mosquitoes and other pests are located. The volume median diameter (VMD) of droplets produced by thermal foggers is less than 60 microns ($Dv_{0.5}$ < 60μ) and 90% of the spray is contained in droplets smaller than 100 microns ($Dv_{0.9}$ < 100μ).

AERIAL APPLICATION

Apply Aqua Zenivex™ E20 aerially, either diluted or undiluted, by fixed wing or rotary aircraft. Apply at the rate of 0.00175 to 0.00700 pounds of etofenprox per acre. Apply using ULV equipped and capable aircraft. Spray equipment must be adjusted so that the volume median diameter (VMD) produced is less than 60 microns ($Dv_{0.5}$ < 60μ) and that 90% of the spray is contained in droplets smaller than 100 microns ($Dv_{0.9}$ < 100μ). Directions from the equipment manufacturer or vendor, pesticide registrant, or test facility using a wind tunnel and laser-based measurement instrument must be used to adjust equipment to produce acceptable droplet size spectra. Application equipment must be calibrated annually to confirm that nozzle flow rate(s) are accurate. Do not apply Aqua Zenivex™ E20 at altitudes below 100 feet. Apply at altitudes from 100–300 feet. Apply when wind speed on the ground is ≥ 1 mph. Apply when labeled insects are most active. For best results, use Global Positioning System (GPS) equipped aircraft.

Applications over crops or to areas favoring drift over crops

Aqua Zenivex™ E20 may be applied over crops (including row, tree, fruit, citrus, pasture and other areas where agricultural enterprises take place) or to areas where drift over cropland could occur. Aqua Zenivex™ E20 can be applied to these areas by either ground or aerial application. Use label rates and follow Directions For Use as directed in this label. Applications over crops or where drift may occur over crops are limited to 4 applications per month to the same site but no more than two applications within a seven day interval. Do not apply more than 0.028 pounds of active ingredient per month to the same site within a month. Do not spray more than 0.18 lbs etofenprox per acre per site per year. Do not make more than 25 applications per site per year.

IN FLORIDA: Aerial applications of this product require trained personnel to perform industry accepted assays to monitor resistance formation in targeted mosquitoes.

PESTICIDE STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage or disposal.

Storage and Spill Procedures: Store upright at room temperature, but do not store at temperatures below 50° F. Avoid exposure to extreme temperatures. In case of spill or leakage, soak up with an absorbent material such as sand, sawdust, earth, fuller's earth, etc. Dispose of with chemical waste.

Pesticide Disposal: Wastes resulting from the use of this product must be disposed of on site or at an approved waste disposal facility.

Container Disposal: Refillable 275 Gallon Totes: Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. If not refilled, offer for recycling if available, or puncture and dispose of in a sanitary landfill, or by incineration. To clean the container before final disposal, triple rinse (or equivalent) promptly after emptying. Triple rinse as follows. Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times.

In case of an emergency or for product use information, call 1-800-248-7763.

To the extent consistent with applicable law, seller makes no warranty, expressed or implied, concerning the use of this product other than indicated on the label. Buyer assumes all risks of use and handling of this material when such use and handling are contrary to label instructions.

Manufactured for:

Central Garden & Pet Company
1501 East Woodfield Road 200W
Schaumburg, Illinois 60173

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VEC 16-020

May 2016
Schaumburg, IL

Board Agenda Item
March 18, 2025

ACTION - 2

Approval of Calendar Year 2025 Forest Health Program

ISSUE:
Board of Supervisors (Board) approval of the Calendar Year 2025 Forest Health Program.

RECOMMENDATION:
The County Executive recommends that the Board direct staff to take the following actions concerning Fairfax County's (County) Calendar Year 2025 Forest Health Program per Appendix I of the Code of the County of Fairfax, Fairfax County Special Service District for the Control of Infestations of Insects that May Carry a Disease that is Dangerous to Humans, Gypsy Moths, Cankerworms and Certain Identified Pests.

Asian Longhorned Beetle (ALB)

a. Update the long-term management plan for ALB.
b. Continue visual surveys for ALB in areas surrounding industrial activity.
c. Continue to investigate new methods to monitor areas that have been identified as being at high risk for ALB introduction.

Beech Leaf Disease (BLD)

a. Identify and map beech forest stands in the County. Initiate an inventory of high value landscape beech trees.
b. Identify, diagnose, and map BLD infestations and their spread throughout the County.
c. Participate in the U.S. Department of Agriculture (USDA) Forest Service's research project to understand the biology and the underlying dynamics of the spread of BLD and beech bark disease (BBD).
d. Continue to monitor and participate in the latest scientific research for BLD.
e. Seek out opportunities to advance the science surrounding treatment of BLD by aiding through funding or in-kind resources.
f. Finalize a management plan for BLD.

Cooperative Agriculture Pest Survey (CAPS)

a. Conduct a monitoring program for oak ambrosia beetle (OAB), sudden oak death (SOD), and redbay ambrosia beetle (RAB) in support of CAPS monitoring efforts.
b. Investigate potential control methods for OAB, SOD, thousand cankers disease (TCD), and RAB including the use of biological control.
c. Continue to monitor the latest scientific research for OAB, SOD, TCD, and RAB.

Emerald Ash Borer (EAB)

a. Continue to inventory the County's ash resources as well as investigate new control methods for EAB, including the use of biological control.
b. Continue a control program for EAB on high value ash trees on County owned properties. Staff plan to use the trunk injected pesticide Mectinite® and basal bark trunk spray Safari® 20 SG.
c. Continue annual health evaluations of treated ash trees to determine efficacy and future treatments.
d. Continue monitoring existing biological control release sites to assess parasitoid establishment and expand release efforts to suitable areas.
e. Continue coordinating the remediation of tree damage caused by EAB, including the removal of dead ash trees from the County's property.

Fall Cankerworm (FCW)

a. Continue FCW defoliation surveys in the spring and conduct adult trapping over winter as needed.

Forest Health Initiative

a. Review i-Tree ECO™ report results of the ecosystem services and characteristics of the urban forest.

Hemlock Woolly Adelgid (HWA)

a. Continue to inventory the County's hemlock resources and investigate new control methods for HWA, including the use of biological controls.
b. Continue a control program in naturally occurring forest stands of eastern hemlock on the County and NOVA Parks property. Staff have selected

sites in the Dranesville and Springfield districts and provided control at each site. Staff plan to use the soil injected pesticide Xytect 75 WSP® and Xytect 2F®, bark and soil applied pesticide Transect®, and trunk injected pesticide IMA-jet®.

c. Continue health evaluations of hemlock trees to determine treatment efficacy and future treatments.
d. Continue to release predatory beetles and pursue expanding biocontrol efforts.

Spongy Moth (SM)

a. Continue a monitoring program for SM life stages on residential and County-owned properties.
b. Continue to monitor SM population dynamics in the eastern United States.

Spotted Lanternfly (SLF)

a. Continue to monitor impacts on forest resources now that the County is considered infested with SLF.
b. Continue to survey all life stages of SLF to determine the extent of infestations and monitor the success of treatment methods.
c. Continue to inventory tree-of-heaven (Ailanthus altissima) on County property. Continue to treat these trees with an herbicidal treatment of JLB Oil Plus®, Garlon® 3A, Garlon® 4 Ultra, and Rodeo®. Monitor treatment sites and reforest with native trees where appropriate.
d. Initiate a control program with Transect®, Merit® 2F and Safari® 20 SG, that deliver systemic insecticides into host trees, or Botanigard®, a contact insecticide. Continue to implement mechanical methods of control such as vacuum removal of SLF infestations.

TIMING:
Board action is requested on March 18, 2025. The timing of this item corresponds with the beginning of program monitoring activities.

BACKGROUND:
The Appendix I of the Code of the County of Fairfax, Fairfax County Special Service District for the Control of Infestations of Insects that May Carry a Disease that is Dangerous to Humans, Gypsy Moths, Cankerworms and Certain Identified Pests,

requires the submission of the annual Integrated Pest Management Program proposal for the Board's approval. The Department of Public Works and Environmental Services (DPWES), Urban and Community Forestry Division (UCFD) works in cooperation with state and federal agencies for monitoring, treatment, and public education for listed forest pests. Information on the monitoring, inventories, treatment, and public education of the Forest Health Branch (https://storymaps.arcgis.com/stories/32b2c7b785c84a8a815638d8897a1c91) can be found in the 2024 fiscal year report. Pesticide trade names change frequently, and those mentioned below are current at the time of this writing. Treatments will only be performed using pesticides containing active ingredients listed in this document. Specific trade names may differ if safer pesticide formulations are released prior to treatment following approval of this document.

Asian Longhorned Beetle (ALB)
ALB (Anoplophora glabripennis) is an invasive insect that is thought to have been brought to the United States in wood packing material used in commercial shipping. Since the mid 1990's, ALB infestations have been discovered in Illinois, New York, New Jersey, Massachusetts, Ohio, and South Carolina. ALB will infest many hardwood species. According to an analysis conducted by the UCFD, approximately 4.2 million maples and other hardwoods in the County are susceptible to this pest. ALB larvae kill trees by boring into the tree and disrupting its nutrient flow causing eventual tree death.

ALB infestations are difficult to detect. Most ALB infestations in the United States have been established for several years before detection. Eradication can be particularly difficult since they have had time to spread well beyond the initial site of introduction. The USDA and its partners have eradicated infestations in Illinois, New Jersey, various parts of New York City (Brooklyn, Queens, Manhattan, Staten Island), Islip (New York), Boston (Massachusetts), and two (2) townships in Ohio. Eradication efforts are still ongoing in other parts of New York, Massachusetts, Ohio, and South Carolina. ALB could have drastic economic and social impacts if it is introduced in the County. It is critical that private and public tree care experts remain vigilant in monitoring this pest to find it early. According to the USDA Forest Service, most of the infestations found in the United States have been detected by tree care professionals or informed homeowners.

Staff attempted to use monitoring traps in industrial areas where the risk of pest introductions is higher. Unfortunately, researchers discovered that the monitoring traps were ineffective for early detection. In the absence of effective monitoring traps, staff perform visual surveys for ALB damage in trees growing in industrial areas. In August 2023, teams of staff conducted a one-day survey of all major industrial areas in the

County. Visual surveys at over 60 sites and inspection of over 200 trees showed no signs of ALB damage. Surveys will continue in the summer of 2025 using the same methodology. Staff focused on outreach to increase the chances of early detection and reporting of the pest. Staff continue to explore new methods to monitor areas that have been identified at high risk for introduction.

Beech Leaf Disease (BLD)

Beech Leaf Disease (BLD) is a relatively new and nearly 100% fatal disease in the United States. It affects native American beech (Fagus grandifolia), commonly planted European beech (Fagus sylvatica), and Asian beech (Fagus engleriana). First identified in Ohio in 2012, BLD has since spread to many Northeastern and Mid-Atlantic states, as well as Ontario, Canada. It was discovered and confirmed in the County in 2022.

The disease is caused by microscopic leaf-feeding nematodes (Litylenchus crenatae ssp. mcannii (Lcm)) that are native to Japan. A nematode is a tiny, worm-like creature that lives in soil, water, and inside plants and animals, often requiring a microscope to be seen. Researchers are studying how nematodes are spread locally and have found that birds, insects, rain, wind, and possibly other microscopic organisms contribute to their distribution. Feeding damage can initially be seen in the leaves as dark striping between the veins, curling, and/or leathery texture. The nematodes enter the leaf buds in the fall, feeding the buds inside and laying eggs into the winter. By springtime the emerging leaves are already damaged or destroyed. The nematodes can multiply and spread rapidly in the tree canopy until there are too few healthy leaves to support the tree so it eventually dies. Seedlings and saplings die in one 1-3 years; more mature trees in 4-10 years. Research to further the understanding of this disease is ongoing while treatments are being sought and developed.

Currently there is no treatment for BLD in a forested environment. The Virginia Department of Agriculture and Consumer Services (VDACS) has issued a Special Local Need Label for Arbotect® 20-S for the treatment of BLD in beech trees. The label will expire at the end of 2028. The product contains the active ingredient Thiabendazole that must be mixed with a large volume of water which is then injected through multiple injection sites into a single tree over a period of 2-6 hours. The treatment provides protection from nematode damage for 2-3 years, but because of its high cost in materials, time, and labor, its use would by necessity be limited to select individual trees. Staff continue to research new methods to monitor and manage BLD.

There is a good reason to be concerned about BLD. American beech trees are important to our ecosystem and, along with red maple trees, are the most common

species in the County. According to a UCFD analysis, approximately 4.3 million beech trees in the County are vulnerable to BLD. Beech trees are critical to the native forest ecosystem. Their nuts feed wildlife through the winter.

Staff are monitoring BLD in the County. Staff mapped and surveyed beech stands known to be at risk for BLD. Six infestations totaling sixty acres were identified and mapped within regional and County parks. The severity of each infestation was assessed. Two of the areas that have been monitored since they were discovered in 2022 have shown significant increases in both size and severity. Additionally, four sightings of BLD affecting only a single branch or tree were mapped on public and private properties. A new survey for 2025 is being planned to inventory high value landscape trees growing on the County property that may be considered for treatment in the future. All infestations will be closely monitored throughout 2025.

Staff proactively seek opportunities to support university research studies. In 2023 and 2024, they contributed infected twig samples to a regional nematode DNA study conducted by the University of Connecticut. Additionally, in the fall of 2024, they tested an early eDNA detection device developed by a researcher at Grand Valley State University.

Furthermore, staff are participating in a regional long-term USDA Forest Service study of BLD. Within the County, four permanent monitoring plots were established in beech stands confirmed to have, or at high risk of developing, BLD. The plots are assessed annually, collecting detailed data about the plot location, forest composition, and BLD symptoms. The goal of outreach efforts is to inform decision-makers and the public about BLD.

Cooperative Agricultural Pest Survey (CAPS)

CAPS is a USDA Animal and Plant Health Inspection Service program. The mission of this domestic program is to utilize a network of cooperators and stakeholders to detect non-native, invasive pests of concern. Using various traps and visual surveys, the UCFD monitors pests of concern to the forest resources of the County in collaboration with VDACS. The pests of concern that are monitored in the County are generally not known to be present in the Eastern United States, however, their potential impacts to agriculture and natural resources warrants monitoring efforts to find them quickly should they arrive here. Specific pests monitored in the County are oak ambrosia beetle, red bay ambrosia beetle, sudden oak death, and thousand cankers disease.

Oak ambrosia beetle (OAB) (Platypus quercivorus) is a small woodboring pest of concern globally because it has the potential to spread a serious fungal disease,

Japanese oak wilt (Raffaelea quercivora), to willow oak and other oak species found in the County. The native range of this insect includes Japan and several places in Southeast Asia, but it has not yet been found in the United States. The County has a high density of potential hosts, according to the USDA Animal and Plant Health Inspection Service and could see significant financial and environmental impacts if OAB were to become established.

If OAB is found in the County, staff will work with VDACS and other partners to manage its spread and impact. Staff will monitor OAB and implement an outreach component to educate private and public groups about this pest and its control.

Red bay ambrosia beetle (RAB) (Xyleborus glabratis) is a woodboring beetle of global concern because it has the potential to spread a serious fungal disease, laurel wilt (Raffaelea lauricola) to sassafras and spice bush, both species found throughout the County. The native range of this insect includes India, Japan, Myanmar, and Taiwan. It was first found in the United States in 2002 and in southern Virginia in 2021. The potential hosts of RAB are valuable understory species that provide food and habitat to many native animals. USDA Animal and Plant Health Inspection Service could see significant financial and environmental impacts if RAB were to become established.

If RAB is found in the County, staff will work with the VDACS and other partners to manage its spread and impact. Staff will monitor RAB and implement an outreach component to educate private and public groups about this pest and its control.

Sudden oak death (SOD) is a disease caused by a water-borne algae-fungus Phytophthora ramorum. This pathogen has caused wide scale oak mortality in California and Oregonand could threaten eastern oak species if moved. It has been successfully intercepted in a few plant nurseries in the eastern United States and officials feel that it has been contained.

If SOD is found in the County, staff will work with the VDACS and other partners to manage its spread and impact. Staff will monitor for SOD and implement an outreach program to educate private and public groups about SOD and its control.

Thousand cankers disease (TCD) is a fungal canker disease (Geosmithia morbida) that is spread by walnut twig beetles (WTB) (Pityophthorus juglandis). The beetles were first recorded on walnut trees in Arizona in the 1920s and they and TCD have since been found in black walnut (Juglans nigra), a common native tree in the eastern states including Virginia.

TCD was found in the vicinity of Richmond, Virginia, in the summer of 2011 and in Fairfax and Prince William Counties in 2012. There were 199 positive WTB specimens confirmed in FY 2024. 186 of them were collected at a single trap site in Lorton. 5 other traps in the County each had a single confirmed WTB. Staff will continue to monitor walnut trees through appropriate methods.

Emerald Ash Borer (EAB)

EAB was first identified in the County in 2003 at a school site in the Wolf Trap area. Due to the extremely destructive nature of this pest, the VDACS and the USDA Animal and Plant Health Inspection Service ordered that all ash trees within a one-half mile radius of the introduction site be removed and destroyed. Staff carried out this project during the spring of 2004 and implemented a monitoring program for EAB.

Most ash trees have died since the pest's initial introduction. Forest Health funds have been used to remove tree hazards to help reduce negative economic impacts for homeowners, parks, and private businesses. Staff are implementing a research based EAB control program for individual ash trees on public lands within the County. Staff have coordinated with those responsible for the maintenance of the trees, advising them of ongoing control activities. An annual health assessment is made for each of the treated trees to evaluate its overall health and crown condition based on parameters set in the EAB Management Plan. To date, there are over 200 ash trees in this control program. Staff will continue to implement an outreach and education program to educate County residents about the current status of EAB infestation and management options.

EAB control is currently accomplished through tree injections that deliver an insecticide directly into the tree. The insecticide is then transported throughout the tree by its vascular tissues. Insecticide is a material containing emamectin benzoate that is sold by the trade name Mectinite®. Research indicates that the treatment used is effective, providing control for up to three years. Injections are performed by a combination of staff and contracted services. Most live ash trees are too small for tree injections. Basal bark trunk sprays are more suitable for treating small trees. The preferred insecticide for this technique contains dinotefuran and is sold by the trade name Safari® 20 SG. The material is sprayed on a segment of the trunk and absorbed through the bark into the vascular tissues of the wood.

Research has shown that the introduction of EAB parasitoids is an effective control option. Since 2017, staff have released EAB parasitoids at Fairfax County Park Authority properties. Parasitoids are produced and supplied by the USDA EAB Parasitoid Rearing Facility in Brighton, Michigan. Staff will continue to monitor the

release sites to determine if the parasitoids have successfully established. Staff also continue to research additional locations that qualify for parasitoid release. In 2021, staff planted 108 ash seedlings at a parasitoid release site in Flatlick Stream Valley Park. This is an effort to support the growth and establishment of the released parasitoids. Staff planted over 400 ash seedlings at another parasitoid release site, Bren Mar Park. Staff will manage the tree planting sites for tree health and establishment for five years after planting. If necessary, staff will arrange for invasive plant management to increase the probability of the seedlings establishment and survival.

According to an analysis conducted by the UCFD, over 1.6 million trees are susceptible to this pest. EAB has caused widespread damage and mortality to ash trees in the County. The dead and dying trees require remediation as they may pose a safety risk to people and property. In July 2019, amendments in Appendix I of The Code of the County of Fairfax, Virginia enabled the use of service district funds for the remediation of damage caused by forest pests, including pruning or removal of trees directly killed or damaged by forest pests. In FY 2025, $50,000 was allotted in service district funds to remove hazardous infested ash trees. Fairfax County Park Authority will be using service district funds for the removal of hazardously infested ash trees in 2025.

The federal domestic EAB quarantine rule that included regulations restricting the movement of firewood ended on January 14, 2021. The movement of firewood for EAB is also not regulated in Virginia. However, VDACS and the UCFD actively discourage the movement of firewood due to the ever-present risk of transporting many invasive species and diseases.

Fall Cankerworm (FCW)

FCW (Alsophila pometaria) populations were monitored this winter in those areas of the County that have experienced outbreaks in the past. In fiscal year 2024, low population levels are indicated from monitoring adult FCW moths in the Mount Vernon, Mason, and Franconia magisterial districts. Staff have identified no areas that will require treatment in 2025.

The method used for monitoring FCW is a USDA Forest Service recommended technique that involves trapping female moths as they emerge in the winter. Staff will implement this monitoring method if there is an indication of population levels that pose a threat of defoliation. Staff will continue to conduct an outreach program to the public on the insect's role in the environment and its potential impact on trees.

Parasite Study – FCW have natural predators and parasites that can influence their population levels. One explanation for outbreak populations in these areas is a lack of these, like Telenomus alsophilae, an egg parasitoid. Staff have been monitoring T. alsophilae to determine its presence in the County.

Staff collect FCW egg masses from survey sticky bands and from small branches of trees located near the bands. FCW eggs are reared indoors, and the viable eggs are counted to determine the level of parasitism in the mass. The data acquired from this survey increases understanding of the overall FCW population dynamics in the County.

Defoliation Survey – In fiscal year 2024, staff conducted an extensive defoliation survey to locate and assess any damage caused by fall cankerworm. The data acquired from this survey provides an understanding of overall cankerworm activity in the County, as well as flagging areas of rising populations to be targeted in the ensuing year's FCW banding survey. No significant defoliation was observed from survey.

Staff plan to continue these monitoring activities in 2025.

Forest Health Initiative
In 2022, the County contracted with Conservation Management Institute to conduct a tree survey and incorporate the data into the i-Tree ECO™ model. This model estimates ecosystem services and characteristics of the urban forest. Conservation Management Institute completed all field data collection in 2023. In 2017, staff conducted a Countywide survey and incorporated the data collected into the i-Tree ECO™ model. The survey involved evaluating forest conditions in 204 randomly selected sites throughout the County. Data from i-Tree is used to communicate forest health impacts on ecosystem services such as stormwater runoff reduction, energy savings, carbon sequestration, and pollution removal. The survey can also be used to forecast potential impacts from invasive insects and diseases.

The Conservation Management Institute will process and analyze the data recently collected and compare it to the 2017 results. Additionally, the Conservation Management Institute will produce a report with an assessment of the potential resilience of the urban forests in the County and stand level carbon stocks. The report will also include suggested management actions, where appropriate, to increase stand level resilience and/or carbon stocks.

Hemlock Woolly Adelgid (HWA)
Staff continue to explore various control options and management strategies for HWA (Adelges tsugae). HWA is an insect that attacks and kills eastern hemlock (Tsuga

canadensis) trees. Native Eastern hemlock is relatively rare in the County. The rarity of this species, the multiple benefits to wildlife, and the natural beauty that they impart make them worthy of protection. Prior to HWA infestation the species was an important landscape tree in the County. Staff will continue to inventory the County's natural stands of eastern hemlock. Staff have identified native stands in Dranesville and Springfield districts for HWA control.

Staff will utilize the County's HWA Management Plan to help guide management practices. The HWA Management Plan integrates chemical and biological control to protect hemlock trees and improve their health in the long-term.

Chemical Control - HWA control can be accomplished through trunk injections, soil injections, soil drench, or bark spray. Soil injections and soil drench are effective methods for providing control to a target tree. Once injected into the soil or poured around the base of the tree, an insecticide is absorbed by the tree roots. The insecticides that will be used for soil injection and soil drench are materials containing imidacloprid that are sold by the trade name Xytect™75WSP and Xytect™ 2F. Another viable soil injection treatment option is a soil pellet containing imidacloprid that is sold by the trade name CoreTect®. Control by soil injection or tablet can last five to seven years. Trunk injections are another effective method for providing control to a target tree. Once injected, the insecticide is transported throughout the tree's vascular tissues. The insecticide that will be used for trunk injection is another imidacloprid that is sold by the trade name IMA-jet®. Control by trunk injection can last up to eight years. Rapid control of HWA can be achieved with a bark spray, soil drench, or soil injection containing dinotefuran which is sold by the trade name Transtect™70WSP. This treatment is well suited for heavy infestations that require immediate control, but it is only effective for one to two years. Treatment selections are made based on the site location and conditions. Staff can conduct this control activity, therefore treatment will be cost effective, as well as biologically effective. Staff continue to investigate other insecticide options that may provide better control for HWA while minimizing environmental impacts.

Chemical Treatments – Staff applied chemical treatments to 602 hemlock trees in four different parks (Hemlock Overlook Regional Park, Bull Run Regional Park, Fountainhead Regional Park, and Sandy Run Regional Park). Treatments included soil injection and soil drench using either imidacloprid or dinotefuran insecticide products. An important component of management is monitoring the health of hemlock trees post-treatment. Approximately 22 hemlock trees were evaluated for the density of HWA egg sacs, the presence of new twig growth, and other factors to determine the effectiveness of treatments.

Biological Control - In addition to chemical control, staff released 627 predator beetles at Bull Run Marina Regional Park in Clifton in November 2024. The beetles protect hemlock trees by feeding on HWA through the fall and winter. At Scotts Run Nature Preserve where predator beetles were released in 2022, staff performed a follow-up survey for the predator beetle in December 2023. Staff recovered six predator beetles at Scotts Run Nature Preserve, which is a positive sign of beetle establishment. Additional monitoring will be completed to assess the establishment of beetles at both release sites. A self-sustaining beetle population will hopefully establish a more balanced environment for the trees. These efforts are conducted in cooperation with the Virginia Department of Forestry and Virginia Tech. The possibility of releasing additional predators to additional sites in the future is being investigated. Staff will continue to conduct outreach to the public about the role of hemlocks in the ecosystem and the methods used to control HWA.

Spongy Moth (SM)

SM, formerly known as gypsy moth, (Lymantria dispar) populations have remained low. Staff conducted 151 egg mass surveys Countywide during the fall of 2023 and found no egg masses. Staff identified no areas that required treatment in 2025.

SM populations are monitored using egg mass surveys. Staff survey 1/40-acre plots and visually inspect oak trees and other objects near survey points to look for SM egg masses. According to VDACS guidelines, infestations eligible for treatment must meet a minimum of 250 egg masses per acre.

The leading edge of the SM's southward spread through the eastern United States hit the County hard in the late 1980s and early 1990s. Residents were alarmed by the intensity of the repeated defoliations, home and yard mess, and very real risk of extensive tree losses. The County drafted an Integrated Pest Management Plan and participated in VDACS Cooperative Suppression Program with the USDA Forest Service. Teamed with Virginia Cooperative Extension, the County staff mobilized residents to kill SM caterpillars manually while discouraging the use of broad-spectrum insecticides. Thousands of acres of forested public and private land were treated from the ground and from the air with the safest, most selective products available. These combined actions prevented wide-spread tree mortality, provided residents with some relief from caterpillar nuisance, and reduced the unnecessary and improper use of broad-spectrum pesticides. From the mid-1990s SM populations began to fall.

SM populations, like many insect populations, can be cyclical in nature. There are many factors which influence outbreaks and declines. Staff believe that the recurrent low SM levels are the result of effective treatment programs in the past and a fungus,

Entomophaga maimaiga, to which SM caterpillars are very susceptible. This fungus became well established in the County and has had a dramatic stabilizing effect on SM populations. SM outbreaks continue to be observed and treated in western Virginia and other locations in the eastern United States. Staff will continue to monitor the SM population in 2025. Staff will continue to conduct an outreach program targeting the tree care industry and County residents for help monitoring SM populations.

Spotted Lanternfly (SLF)

SLF (Lycorma delicatula) is an insect native to Asia that was first detected in the United States in 2014. In 2022, SLF was discovered in the County at Frying Pan Park. By the end of 2023, the entire National Capital Region was considered generally infested. Although SLF was initially found only in the northern and western parts of the County in 2022, 61 traps tested positive in 2023. SLF are now found in every magisterial district. Increased numbers of insects and impacts should be anticipated for the next few years. Staff are considering trapping for SLF during the growing season to determine the extent of infestations, to monitor treatment success, or as a management tool. Due to the destructive nature of this pest, VDACS have implemented a quarantine to reduce its spread to surrounding uninfested areas. To date, the County has not been placed under quarantine. Staff are working in partnership with VDACS to treat any infestation found in the County. On County property, staff will implement treatment through contracted services and mechanical removal methods. The goal of treatment efforts is to reduce population sizes to minimize impacts to the County residents and slow the spread of SLF. Staff will utilize the County's SLF Management Plan to guide how they manage the spread of SLF as it moves across the area.

As SLF infestations spread across the County, they could cause serious problems. SLF can become a nuisance to residents by swarming in large numbers on certain trees and plants to suck sap from stems and branches. Like aphids, they excrete honeydew, which attracts flies, ants, bees, wasps, and other insects. Black mold can quickly grow on the honeydew, creating an unpleasant mess on and around the affected trees or plants. This insect feeds on a wide variety of trees and has a strong preference for the invasive species tree of heaven (Ailanthus altissima), its native host tree from Asia. Staff have undertaken a Countywide SLF monitoring program to find the insect early before high population has established. Special attention is being given to locations most likely to become infested first, including light industrial areas, transportation corridors (railways and highways), orchards, vineyards, and any areas where the tree of heaven is found. Monitoring involves searching for SLF egg masses, trapping for all SLF life stages, and inventorying the tree of heaven throughout the County.

In 2022, staff created a mailbox, ReportSLF@fairfaxcounty.gov, as a call to action for County residents to report SLF in their community. SLF is now established in the County and staff no longer need early detection reports. Consequently, this email address has been discontinued. Staff continue to encourage any reports from residents through the iNaturalist app.

In 2024, Bryant Alternative School, Glasgow Middle School (MS), Groveton Elementary School (ES), Quander Road School, Virginia Run ES, Jackson MS, Ravensworth ES, and Washington Irving School have had tree of heaven removed. The removal of tree of heaven will continue on County properties in 2025. Removal of tree of heaven includes an herbicidal application of JLB Oil Plus®, Garlon® 3A, Garlon® 4 Ultra, or Rodeo® to the tree stumps. Herbicides are essential for successful removal since cutting alone would result in vigorous resprouting. Staff monitor all treatment sites for post-treatment effectiveness. Remediation at sites where the tree of heaven is removed may be necessary to ensure the success of the effort.

Targeted insecticidal treatments will become necessary to minimize the negative impact caused by SLF. A variety of effective options are available, including systemic insecticides Merit® 2F and Safari® 20 SG, that will deliver the insecticide into host trees, or contact insecticides such as Botanigard® 22 WP. In coordination with staff, Fairfax County Park Authority will continue using service district funds for the removal and remediation of tree of heaven in 2025 at various parks.

EQUITY IMPACT:
There is no adverse equity impact. The Forest Health Branch is tasked by the Board to provide monitoring, treatment, and outreach on listed forest insect pests and diseases. The Service District includes the entire area of the County, excluding the area within the Lake Barcroft Watershed Improvement District. Monitoring, treatment, and outreach of listed forest pests have been identified as an important measure to protect the urban forest and environmental resources of the County.

Staff strive to be a useful resource for the County residents and partner with many organizations to provide information and services. Staff engage with the community through a variety of outreach and education programs that target the residents of the County. Staff printed 4,000 Fairfax County Tree Basics booklets for distribution to all the County libraries. The booklets are printed in English, Arabic, Korean, Mandarin, Spanish, and Vietnamese. The booklets contain information on the benefits of trees, how to select, plant, and maintain trees, and additional information. The booklets can also be downloaded from the County website. Additionally, information about tree

identification, forest health, and forest pests is made available on the County website. The County website offers a translation service through “machine translation” powered by Google™ Translate. The translation service makes the content of the County website accessible to the County residents who are not proficient in English.

In 2024, staff drafted an equity assessment initiative to update the Tree Basics booklets by including a QR code that links to online versions and translations in six languages. Staff will oversee the distribution of the booklet to County libraries, aiming for widespread coverage, and will track both the initial distribution numbers and any subsequent requests for additional copies. This initiative is part of the DPWES Equity Impact Plan.

FISCAL IMPACT:
Currently, the Forest Health Program is funded through the Special Service District for the Control of Infestations that May Carry a Disease that is Dangerous to Humans, Gypsy Moth, Fall Cankerworm, and Certain Identified Pests. The total amount budgeted for FY 2025 is sufficient for this program.

CREATION OF POSITIONS:
No positions will be created.

ENCLOSED DOCUMENTS:
None.

STAFF:
Jennifer Miller, Deputy County Executive
Christopher Herrington, Director, Department of Public Works and Environmental Services (DPWES)
Eleanor Ku Codding, Deputy Director, Water Resources and Infrastructure, DPWES
Brian Keightley, Division Director, Urban and Community Forestry Division, DPWES

ASSIGNED COUNSEL:
John W. Burton, Senior Assistant County Attorney

Board Agenda Item
March 18, 2025

CONSIDERATION - 1

Adoption of Resolutions Dissolving the Fairfax County Citizen Corps Council, the Oversight Committee on Distracted and Impaired Driving and the Airports Advisory Committee

ISSUE:
Adoption of three resolutions dissolving the Fairfax County Citizen Corps Council, the Oversight Committee on Distracted and Impaired Driving, and the Airports Advisory Committee.

TIMING:
Board action is requested on March 18, 2025.

BACKGROUND:
On February 20, 2024, Chairman McKay and Supervisor Smith introduced a Joint Board Matter to initiate a comprehensive review of Fairfax County's 84 Boards, Authorities and Commissions (BACs). The purpose of this task is to ensure that the BACs meet their objectives and are still relevant to the community, and to identify opportunities to reduce any redundancies. Supervisor Smith and Sully District staff are working with the Office of the County Executive to thoroughly review the County's BACs and formulate a set of recommendations to the Board of Supervisors. The recommendations will include ways to reduce redundancies and inefficiencies and improve the efficiency, effectiveness, and diversity of the BAC system.

During this review, various BACs were determined to be ready for dissolution immediately. Three BACs identified for immediate dissolution include the Fairfax County Citizen Corps Council, the Oversight Committee on Impaired and Distracted Driving, and the Airports Advisory Committee. Each of these BACs were established pursuant to *Virginia Code § 15.2-1411*, which authorizes the Board of Supervisors to appoint advisory boards, committees and commissions as it deems necessary to advise on any matter of concern to the locality.

1. The Citizen Corps Council was established in 2001 as a mechanism to receive funding from the federal Citizens Corps Program and is managed by the Department of Emergency Management and Security. The funding was used to bolster community emergency preparedness activities after the September 11th attacks on the United States. The Citizen Corps Council has 10 set seats, including one appointee from each Supervisor district and one from the

Chairman's office. Additional appointments from affiliate organizations may be made by the County Executive. As of January 2025, the Council has four appointees and last met in April 2024.

The federal Citizen Corps Program and associated funding ended in 2016, with the last disbursement of funding to the Citizen Corps Council occurring in Fiscal Year 2019. In addition, the group has fulfilled all goals originally outlined, and ongoing work is being fulfilled by participation on other committees, as well as with staff and volunteers. For these reasons, attendance and participation in meetings have been low for the past four years.

Based on the end of the federal funding mechanism, redundancies with other programs and staff initiatives, and declining meeting participation, the Office of the County Executive recommends dissolution of the Citizen Corps Council.

2. The Oversight Committee on Distracted and Impaired Driving was formed in 1983 under the name Oversight Committee on Drinking and Driving, before being renamed and rebranded in 2017. This group is managed by the Fairfax County Police Department. The purpose of this Committee is to advise the Board of Supervisors on issues related to impaired, drowsy, and distracted driving for the purpose of reducing crashes. The Committee has 11 set seats, including one from each Supervisor district and one from the Chairman's office, as well as one County employee. There are an open number of seats for citizens from professional fields and advocacy groups related to drinking and driving, as determined by the Committee. As of January 2025, there are two appointees.

   The Committee has not met in approximately 10 years. Clerk Services records identified the last official meeting in 2010, but unofficial meetings were held until 2015. When the Committee was meeting, it was not serving the intended purpose of advising the Board of Supervisors on impaired and distracted driving. The dissolution of the Committee will not result in any loss of work toward the goal of reducing vehicular crashes, as this work is carried out by various County agencies. The Police Department implements pertinent laws related to vehicular safety, assesses reasons for crashes in concert with the Department of Transportation, and engages the community on such matters. In addition, various County agencies implement roadway safety campaigns to raise awareness, including the Department of Transportation and Office of Public Affairs. Fairfax County Public Schools also has a Safe Routes to School (SRTS) program to promote safe walking and bicycling to and from school and reduce vehicular trips and crashes.

Based on the inactivity of the Committee and the purpose being carried out by various County agencies, the Office of the County Executive recommends dissolution of the Oversight Committee on Impaired and Distracted Driving.

3. The Airports Advisory Committee was formed in 1987 for the purpose of studying and evaluating the impacts of airports and aircraft operations on the County and making recommendations to the Board of Supervisors concerning the resolution of identified impacts. The Committee is managed by the Department of Planning and Development, and has 19 seats, including one from each Supervisor district and one at-large appointment from the Chairman's office. The Hunter Mill, Sully, Mount Vernon and Dranesville districts each have an additional representative for their respective business districts. Additionally, there is one appointee from each of the following entities: the Economic Development Authority (EDA), Fairfax Chamber of Commerce, Federation of Citizens Association, the Fairfax County Planning Commission and the League of Women Voters of the Fairfax Area.

   As of January 2025, the Committee has seven members. The Committee last met in May 2024. The purpose of the group has become unclear, leading to discussions amongst the group about potentially dissolving due to lack of clear tasks to undertake. The lack of clarity on the group's purpose is largely due to overlap in scope with County staff as well as other local airport groups including the DCA Community Working Group (DCA CWG). The Department of Planning and Development is generally tasked with assessing the impacts of airport initiatives, rather than the work being undertaken by the Committee. Attendance and meeting participation have been low for the past four years due to the unclear purpose. For future airport issues that arise, ad hoc committees may be formed to efficiently foster public participation in decision-making processes when necessary. When appropriate, airport-related initiatives may also be discussed within the scope of another BAC.

   Based on the overlap in scope with staff and the DCA CWG, declining meeting attendance and participation, as well as the associated lack of clarity regarding the group's purpose, the Office of the County Executive recommends dissolution of the Airports Advisory Committee.

EQUITY IMPACT:
The comprehensive review of the BACs that identified these BACs for dissolution supports the County's Strategic Outcome Area: Effective and Efficient Government (EEG). Two EEG strategies are related to the BAC dissolution: "Review and improve the structure, operations and impact of county boards, authorities and commissions to better reflect the current needs and demographics of the county" (EEG 7), and "Ensure

diverse representation and inclusiveness in power and decision-making opportunities" (EEG 16). In addition to the dissolutions proposed in this Item and in the comprehensive review overall, additional recommendations will be proposed for the system of BACs to promote BAC composition that more closely reflect the diversity of the County related to race/ethnicity, gender, age, and other characteristics. Recommendations will include capacity building, greater awareness of opportunities, and consideration of demographics in appointments to involve people who have been historically excluded in decision making. The proposed dissolutions represent one facet of this overall review that will make the BAC system more efficient, effective and diverse.

The proposed dissolutions will not result in less engagement with the community on the topic areas of emergency preparedness, distracted and impaired driving, and the impacts of airports on communities. Since the inception of these groups, the functions of staff have expanded to encompass the work that the groups were intended to complete, creating overlap in scope and redundancies. Consideration of community input on the topic areas of these BACs was an important aspect of this review. Members of the public will continue to have opportunities to provide their input on these topic areas through the work of staff, alternative groups that have been formed since the inception of these BACs, and future ad hoc committees to be formed as necessary.

FISCAL IMPACT:
None.

ENCLOSED DOCUMENTS:
Attachment 1 - Resolution to Dissolve the Fairfax County Citizen Corps Council
Attachment 2 - Resolution to Dissolve the Oversight Committee on Distracted and Impaired Driving
Attachment 3 - Resolution to Dissolve the Airports Advisory Committee

STAFF:
Ellicia Seard-McCormick, Deputy County Executive
Brianne Fuller, Countywide Coordinator, Office of the County Executive
Courtney Arroyo, Assistant Coordinator, Department of Emergency Management and Security
Bob Blakely, Assistant Chief of Police, Operations, Fairfax County Police Department
Corinne Bebek, Senior Planner, Department of Planning and Development

ASSIGNED COUNSEL:
John A. Dorsey, Assistant County Attorney

RESOLUTION
DISSOLVING THE FAIRFAX COUNTY CITIZEN CORPS COUNCIL

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia ("Board"), held in the Board Auditorium of the Fairfax County Government Center at 12000 Government Center Parkway in Fairfax, Virginia, on March 18, 2025, the following resolution was adopted:

WHEREAS, the Board established the Fairfax County Citizen Corps Council ("CCC") pursuant to Virginia Code § 15.2-1411, and

WHEREAS, the CCC was established as a mechanism to receive funding from the Citizen Corps Program, which funding ended in 2016 with the last disbursement of funds to the CCC occurring in 2019, and

WHEREAS, the CCC has fulfilled all of its original goals, and its ongoing work is being fulfilled by other County committees, staff, and volunteers, and

WHEREAS, continuation of the CCC is within the discretion of the Board under Virginia Code § 15.2-1411,

NOW THEREFORE BE IT RESOLVED that the CCC is hereby dissolved, and that the Department of Emergency Management and Security will take all steps necessary to fully dissolve the CCC, including retention of all records of the CCC as required by Virginia law.

GIVEN under my hand this _____ day of _____, 2025.

_____
Jill G. Cooper
Clerk for the Board of Supervisors
Department of Clerk Services

RESOLUTION
DISSOLVING THE OVERSIGHT COMMITTEE ON
DISTRACTED AND IMPAIRED DRIVING

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia ("Board"), held in the Board Auditorium of the Fairfax County Government Center at 12000 Government Center Parkway in Fairfax, Virginia, on March 18, 2025, the following resolution was adopted:

WHEREAS, the Board established the Oversight Committee on Distracted and Impaired Driving (OCDID), pursuant to Virginia Code § 15.2-1411; and

WHEREAS, the OCDID has been inactive for a number of years, its purpose is carried out by various other Fairfax County agencies, and the County Executive recommends its dissolution; and

WHEREAS, continuation of the OCDID is within the discretion of the Board under Virginia Code § 15.2-1411,

NOW THEREFORE BE IT RESOLVED that the OCDID is hereby dissolved, and that the Fairfax County Police Department will take all steps necessary to fully dissolve the OCDID, including retention of all records of the OCDID as required by Virginia law.

GIVEN under my hand this _____ day of _____, 2025.

_____
Jill G. Cooper
Clerk for the Board of Supervisors
Department of Clerk Services

RESOLUTION
DISSOLVING THE AIRPORTS ADVISORY COMMITEE

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia ("Board"), held in the Board Auditorium of the Fairfax County Government Center at 12000 Government Center Parkway in Fairfax, Virginia, on March 18, 2025, the following resolution was adopted:

WHEREAS, the Board established the Airports Advisory Committee ("AAC"), pursuant to Virginia Code § 15.2-1411, and

WHEREAS, the AAC's mission has over time been absorbed by County staff, including staff of the Department of Planning and Development, and local airport groups such as the DCA Community Working Group, leading to a lack of clear tasks for the AAC, declining participation, and redundancy with other entities, and

WHEREAS, continuation of the AAC is within the discretion of the Board under Virginia Code § 15.2-1411,

NOW THEREFORE BE IT RESOLVED that the AAC is hereby dissolved, and that the Department of Planning and Development will take all steps necessary to fully dissolve the AAC, including retention of all records of the AAC as required by Virginia law.

GIVEN under my hand this _____ day of _____, 2025.

_____
Jill G. Cooper
Clerk for the Board of Supervisors
Department of Clerk Services

Board Agenda Item
March 18, 2025

CLOSED SESSION:

(a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.2-3711(A) (1).

(b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.2-3711(A) (3).

(c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, as identified below, where discussion in an open session would adversely affect the negotiating or litigating posture of the public body, as well as consultation with legal counsel regarding specific legal matters listed below requiring the provision of legal advice by such counsel, all as permitted by Virginia Code § 2.2-3711(A) (7) and (8).

1. *CoreSite, LLC, CoreSite Real Estate Sunrise Technology Park LLC, and CoreSite Real Estate 12100 Sunrise Valley Drive LLC v. County of Fairfax, Virginia,* Record No. (pending) (Hunter Mill District)

2. *AM Worldgate Owner LLC v. Board of Supervisors of Fairfax County, Virginia, et. al,* Case Nos. CL-2023-0010787 and CL-2023-0010803 (Fx. Co. Cir. Ct.) (Dranesville District)

3. *AM Worldgate Owner LLC v. Board of Supervisors of Fairfax County, Virginia, et. al,* Case Nos. CL-2023-0010812 and CL-2023-0010813 (Fx. Co. Cir. Ct.) (Dranesville District)

4. *Melissa Johnson, Personal Representative of the Estate of the late Timothy Johnson v. Wesley Shifflett, Michael Conner, William Arnest, Robert Bauer, Matthew Lane, Jonathan Steier, Scott Colwell, Carolyn Kinney, Derek Grey, Wilson Lee, Tonny Kim, Robert Blakeley and Kevin Davis,* Case No. 1:25-cv-80 (E.D. Va.)

5. *Pamela Sledge v. Officers Richard Castilon, Michael Scatchard, and Cassandra Zamora,* Case No. CL-2022-0012322 (Fx. Co. Cir. Ct.)

6. *Matthew Andrew Guzzetta v. Fairfax County Police Department et al.*, Case No. CL-2024-0002762 (Fx. Co. Cir. Ct.)

7. *Orayl Ingram v. Commonwealth of Virginia; City of Fairfax, Virginia; Fairfax County Department of Child Protective Services; Fairfax County Police Department; Fairfax County Commonwealth's Attorney's Office; Commonwealth of Virginia Department of Social Services; Richard Mullins; Jonathan Ortiz; Angie Combs; Steve Descano; Elizabeth Carter; and County of Fairfax, Virginia,* Case No. 24-7182 (U.S. Ct. of App. for the Fourth Cir.)

8. *Daniel Barker v. Fairfax County, Virginia,* EEOC Charge No.: 570-2023-03130

9. *Tallas Bianca Robinson v. Kate Abigail Perry*, Case No. GV24- 009843 (Fx. Co. Gen. Dist. Ct.)

10. *State Farm Mutual Automobile Insurance Company, as subrogee of Helen Cassidy v. Sophia Marie Bunce,* Case No. GV24-014575 (Fx. Co. Gen. Dist. Ct.)

11. *State Farm Fire and Casualty Company, as subrogee of Robert Bowman v. Nicholas Ullom,* Case No. GV24-027915 (Fx. Co. Gen. Dist. Ct.)

12. *State Farm Fire and Casualty Company, as Subrogee of Iris Barrera and Alonso Alfaro-Lopez v. Mark Robey,* Case No. GV24-029703 (Fx. Co. Gen. Dist. Ct.)

13. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Yelena Romanov,* Case No. GV24-027311 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)

14. *Jay Riat, Building Official for Fairfax County, Virginia v. David Michael Rodak, Susan Jeanne Rodak, and TMAC Grounds, LLC,* Case No. GV25-004849 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)

15. *Jay Riat, Building Official for Fairfax County, Virginia v. Danford R. Deakin and Elizabeth G. Deakin,* Case No. GV25-005169 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)

16. *Leslie B. Johnson, Fairfax County Zoning Administrator and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Tewodage Mulugeta,* Case No. CL-2021-0007589 (Fx. Co. Cir. Ct.) (Mason District)

17. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Chase Elias Francis,* Case No. CL-2024-0015173 (Fx. Co. Cir. Ct.) (Mason District)

18. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Ena Xiomara Martinez, Carlos A. Lopez Martinez, Julio A. Lopez Martinez,* Case No. GV25-001397 (Fx. Co. Gen. Dist. Ct.) (Mason District)

19. *Jay Riat, Building Official for Fairfax County, Virginia v. MD Najmul Bhuiyan and Hasna Begum,* Case No. GV25-001592 (Fx. Co. Gen. Dist. Ct.) (Mason District)

20. *Gabriel M. Zakkak, Property Maintenance Code Official for Fairfax County, Virginia v. Pamela J. Leibfreid, Trustee of the Leibfreid Living Trust and Charles W. Leibfreid, Jr., Trustee of the Leibfreid Living Trust,* Case No. GV25-004308 (Fx. Co. Gen. Dist. Ct.) (Mason District)

21. *Jay Riat, Building Official for Fairfax County, Virginia v. Johnnie A. Zelaya and Rachel R. Zelaya,* Case No. CL-2024-0008630 (Fx. Co. Cir. Ct.) (Mount Vernon District)

22. *Jay Riat, Building Official for Fairfax County, Virginia v. Susan Kay Mahon Revocable Trust,* Case No. CL-2025-0001531 (Fx. Co. Cir. Ct.) (Mount Vernon District)

23. *Jay Riat, Building Official for Fairfax County, Virginia v. Dennis L. Fry and Donna S. Fry,* Case No. GV24-011789 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)

24. *Jay Riat, Building Official for Fairfax County, Virginia v. Amani Investment, LLC,* Case No. GV25-004311 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)

25. *Gabriel M. Zakkak, Property Maintenance Code Official for Fairfax County, Virginia v. Ingrid Teasdale,* Case No. CL-2025-0002847 (Fx. Co. Cir. Ct.) (Providence District)

26. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Conrad D. Kiser,* Case No. GV24-027553 (Fx. Co. Gen. Dist. Ct.) (Providence District)

27. *Jay Riat, Building Official for Fairfax County, Virginia v. Robert Thompson and Laiping Fong,* Case No. GV25-005851 (Fx. Co. Gen. Dist. Ct.) (Providence District)

28. *Jay Riat, Building Official for Fairfax County, Virginia and Leslie B. Johnson, Fairfax County Zoning Administrator v. Akhtar H. Shah and Humera Akhtar Shah,* Case No. CL-2025-0002637 (Fx. Co. Cir. Ct.) (Springfield District)

29. *Leslie B. Johnson, Fairfax County Zoning Administrator and Gabriel M. Zakkak, Property Maintenance Code Official for Fairfax County, Virginia v. G. Thomas Pendleton and Diana G. Pendleton,* Case No. CL-2025-0002277 (Fx. Co. Cir. Ct.) (Sully District)

Board Agenda Item
March 18, 2025

3:30 p.m.

Public Hearing on SEA 85-D-097-06 (The Potomac School) to Amend SE 85-D-097 Previously Approved for a Private School of General Education to Permit Modifications to Development Conditions, Located on Approximately 89.99 Acres of Land (Dranesville District)

This property is located at Tax Map 31-1 ((1)) 5, 7, 8, 10A, 10B, 10C and 12A.

PLANNING COMMISSION RECOMMENDATION:
On February 26, 2025, the Planning Commission voted 7-0 (Commissioners Carter, Clarke, Sargeant and Wang were absent from the meeting) to recommend to the Board of Supervisors the following actions:

- Approval of SEA-85-D-097-06, subject to the development conditions consistent with those dated February 20, 2025; and

- Approval of the requested modifications of the transitional screening and barrier requirements along all property lines that shown on the SEA Plat.

ENCLOSED DOCUMENTS:
Additional information available online at:
https://www.fairfaxcounty.gov/planning-development/board-packages

Planning Commission Meetings Video Archive available online at:
https://www.fairfaxcounty.gov/cableconsumer/channel-16/planning-commission-meetings-video-archives

STAFF:
Suzanne L. Wright, Director, Zoning Evaluation Division (ZED), Department of Planning and Development (DPD)
Carl Shumate, Planner, ZED, DPD

Board Agenda Item
March 18, 2025

3:30 p.m.

Public Hearing on SEA 2007-MA-019 (PMG Northern Virgina, LLC) to Amend SE 2007-MA-019 Previously Approved for a Vehicle Fueling Station to Permit a New Vehicle Fueling Station with a Convenience Store and Associated Modifications to Site Design and Development Conditions, Located on Approximately 43,778 Square Feet of Land (Mason District)

This property is located at Tax Map 80-2 ((7)) Z1 and Z2.

PLANNING COMMISSION RECOMMENDATION:
On February 5, 2025, the Planning Commission voted 11-0 to recommend to the Board of Supervisors the following actions:

- Approval of SEA 2007-MA-019, subject to the development conditions, dated January 23, 2025; and

- Approval of the waiver of the requirement for a vehicle fueling station with a convenience store to be part of an industrial building or complex in Sections 4102.5. CC. and 4102.5. NN of the Zoning Ordinance in favor of the redevelopment shown on the SEA Plat.

ENCLOSED DOCUMENTS:
Additional information available online at:
https://www.fairfaxcounty.gov/planning-development/board-packages

Planning Commission Meetings Video Archive available online at:
https://www.fairfaxcounty.gov/cableconsumer/channel-16/planning-commission-meetings-video-archives

STAFF:
Suzanne L. Wright, Director, Zoning Evaluation Division (ZED), Department of Planning and Development (DPD)
Ciarra Downing, Planner, ZED, DPD

Board Agenda Item
March 18, 2025

3:30 p.m.

Public Hearing on PCA 88-D-005-12 (RZPA 2022-PR-00001) (Board of Supervisors of Fairfax County, Virginia) to Amend the Proffers for RZ 88-D-005 Previously Approved for an Office Development to Permit a Change in Use and Associated Modifications to the Site Design with an Overall Floor Area Ratio of 0.20, Located on Approximately 4.05 Acres of Land (Providence District)

This property is located on the N. side of Jones Branch Dr., S. side of Dulles Toll Rd. and E. side of Spring Hill Rd. Tax Map 29-1 ((14)) A.

PLANNING COMMISSION RECOMMENDATION:
On February 5, 2025, the Planning Commission voted 10-0 (Commissioner Wang was not present for the vote) to recommend to the Board of Supervisors the following actions:

- Approval of PCA 88-D-005-12, subject to the execution of the proffers consistent with those dated January 15, 2025;

- Approval of the modification of subsection 5100.2.D(8)(a) of the Zoning Ordinance to permit commercial and industrial buildings 50 feet from the right-of-way of Dulles Airport Access Road as shown on the GDP;

- Approval of the modification of subsection 5108.5.B(1)(b) of the Zoning Ordinance to reduce the amount and width of the transitional screening requirement along Jones Branch Drive; and

- Approval of the waiver of subsection 5108.5.C of the Zoning Ordinance to waive the requirement of a Type D or E barrier along Jones Branch Drive property frontage.

ENCLOSED DOCUMENTS:
Additional information available online at:
https://www.fairfaxcounty.gov/planning-development/board-packages

Planning Commission Meetings Video Archive available online at:
https://www.fairfaxcounty.gov/cableconsumer/channel-16/planning-commission-meetings-video-archives

Board Agenda Item
March 18, 2025

STAFF:
Suzanne L. Wright, Director, Zoning Evaluation Division (ZED), Department of Planning and Development (DPD)
Sunny Yang, Planner, ZED, DPD

Board Agenda Item
March 18, 2025

3:30 p.m.

Public Hearing on RZ 2024-DR-00014 (Falls Church Propco LLC) to Rezone from R-1 to R-4 to Permit a Building Addition with an Overall Floor Area Ratio of 0.17, Located on Approximately 7.66 Acres of Land (Dranesville District) (Concurrent with SEA 2021-DR-004)

and

Public Hearing on SEA 2021-DR-004 (Falls Church Propco LLC) to Amend SE 2021-DR-004 Previously Approved for a Medical Care Facility to Permit a Building Addition and Associated Modifications to Site Design and Development Conditions, Located on Approximately 7.66 Acres of Land (Dranesville District) (Concurrent with RZ 2024-DR-00014)

This property is located on the the W. side of Powhatan St., and E. side of Wicomico St., S. of Freedom Ln. and N. of Orland St. Tax Map 41-1 ((1)) 62B.

This property is located on Tax Map 41-1 ((1)) 62B.

PLANNING COMMISSION RECOMMENDATION:
On February 5, 2025, the Planning Commission voted 10-0 (Commissioner Wang was not present for the vote) to recommend to the Board of Supervisors the following actions:

- Approval of RZ-2024-DR-00014, subject to the executed proffers consistent with those dated January 28, 2025;
- Approval of SEA-2021-DR-004, subject to the development conditions consistent with those dated January 22, 2025;
- Approval of the modification of the transitional screening requirements along all property lines in favor of that shown on the GDP/SEA Plat; and
- Approval of the waiver of the barrier requirements along all property lines.

Board Agenda Item
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ENCLOSED DOCUMENTS:
Additional information available online at:
https://www.fairfaxcounty.gov/planning-development/board-packages
Planning Commission Meetings Video Archive available online at:
https://www.fairfaxcounty.gov/cableconsumer/channel-16/planning-commission-meetings-video-archives

STAFF:
Suzanne L. Wright, Director, Zoning Evaluation Division (ZED), Department of Planning and Development (DPD)
Karen Yee, Planner, ZED, DPD

Board Agenda Item
March 18, 2025

3:30 p.m.

Public Hearing on RZ 2024-FR-00007 (Burgundy Farm Country Day School, Incorporated) to Rezone from R-3 to R-1 to Permit a Stable, Riding, or Boarding Establishment; a Residence Hall; and a Child Care Center with an Overall Floor Area Ratio of 0.01, Located on Approximately 5.65 Acres of Land (Franconia District) (Concurrent with SE 2024-FR-00017)

and

Public Hearing on SE 2024-FR-00017 (Burgundy Farm Country Day School, Incorporated) to Permit a Stable, Riding, or Boarding Establishment; a Residence Hall; and a Child Care Center, Located on Approximately 5.65 Acres of Land (Franconia District) (Concurrent with RZ 2024-FR-00007)

This property is located at 5715 Sable Dr. Tax Map 82-2 ((5)) (D) 20A.

This property is located at Tax Map 82-2 ((5)) (D) 20A.

PLANNING COMMISSION RECOMMENDATION:
On February 5, 2025, the Planning Commission voted 10-0 (Commissioner Wang was not present for the vote) to recommend to the Board of Supervisors the following actions:

- Approval of RZ-2024-FR-00007, subject to the execution of proffers consistent with those dated January 22, 2025;
- Approval of SE-2024-FR-00017, subject to the proposed development conditions dated January 23, 2025;
- Approval of a modification of transitional screening and barrier requirements along the northern, eastern, and southern property lines to that shown on the GDP/SE Plat;
- Approval of a modification of the setback requirements for all structures, riding areas, and parking areas associated with the stable, riding, or boarding establishment to that shown on the GDP/SE Plat; and
- Approval of a modification to the setback requirements for light poles along the western boundary line to that shown on the GDP/SE Plat.

Board Agenda Item
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ENCLOSED DOCUMENTS:
Additional information available online at:
https://www.fairfaxcounty.gov/planning-development/board-packages

Planning Commission Meetings Video Archive available online at:
https://www.fairfaxcounty.gov/cableconsumer/channel-16/planning-commission-meetings-video-archives

STAFF:
Suzanne L. Wright, Director, Zoning Evaluation Division (ZED), Department of Planning and Development (DPD)
Daniel Creed, Planner, ZED, DPD

Board Agenda Item
March 18, 2025

4:00 p.m.

Public Hearing to Expand Parking Restrictions on Boone Boulevard (Providence District)

ISSUE:
Public hearing to consider a proposed amendment to *Appendix R of The Code of the County of Fairfax, Virginia* (Fairfax County Code), to expand the area where certain parking is restricted on Boone Boulevard in the Providence District.

RECOMMENDATION:
The County Executive recommends that the Board of Supervisors adopt an amendment to *Appendix R of the Fairfax County Code* (Attachment 1) to prohibit commercial vehicles, recreational vehicles (watercraft, boat trailers, motor homes, or camping trailers), and any trailer or semitrailer, as defined, respectively, in *Fairfax County Code §§ 82-5-7, 82-5B-1 and 82-1-2(a),* from parking on the south side of Boone Boulevard, from Howard Avenue to the southeastern property line of 8229 Boone Boulevard, twenty-four hours per day, seven days a week.

TIMING:
On February 18, 2025, the Board authorized advertisement of a public hearing to consider the proposed amendment to Appendix R of the Fairfax County Code, to take place on March 18, 2025, at 4:00 p.m.

BACKGROUND:
Fairfax County Code Section 82-5-37(5) authorizes the Board of Supervisors to designate restricted parking in non-residential areas where long term parking of vehicles diminishes the capacity of on-street parking for other uses.

The owner of the commercial parcels located at 8229 and 8245 Boone Boulevard contacted the Providence District office seeking assistance to restrict commercial vehicles, recreational vehicles, and trailers from parking on the unrestricted block of Boone Boulevard along their properties.

This block of Boone Boulevard was studied multiple times over a 30-day period and staff found that long-term parking of commercial vehicles is occurring, thereby diminishing the capacity of on-street parking for other uses. Staff recommends parking

restrictions for all commercial vehicles, recreational vehicles, and trailers along the south side of Boone Boulevard, from Howard Avenue to the southeastern property line of 8229 Boone Boulevard, twenty-four hours per day, seven days a week.

A parking restriction for the north side of Boone Boulevard, from Howard Avenue to the southeastern property line of 8230 Boone Boulevard, that prohibits parking of commercial vehicles, recreational vehicles, and trailers, twenty-four hours per day, seven days a week, was approved by the Board of Supervisors on July 25, 2023. The proposed parking restriction will expand the existing restriction to include the south side of Boone Boulevard.

EQUITY IMPACT:
Generally, the establishment of restrictions to prohibit parking in commercial areas supports One Fairfax Focus Area 12, a healthy and quality environment in which to live and work that acknowledges the need to breathe clean air. The restrictions support that goal by reducing the number of vehicles traveling on the street, leading to fewer vehicle emissions in the affected environment. However, parking restrictions in one area can lead to additional parking in other areas. As such, at this time, there is insufficient information to determine an overall equity impact related to this change.

FISCAL IMPACT:
Funding in the amount of approximately $700 is required for signage and installation. Funds are currently available in Fairfax County Department of Transportation Fund 100-C10001, General Fund.

ENCLOSED DOCUMENTS:
Attachment 1: Proposed Amendment to the Fairfax County Code, Appendix R (General Parking Restrictions)
Attachment 2: Area Map of Proposed Parking Restriction

STAFF:
Jennifer Miller, Deputy County Executive
Gregg Steverson, Director, Fairfax County Department of Transportation (FCDOT)
Lisa Witt, Chief, Administrative Services, FCDOT
Eric Teitelman, Chief, Active Transportation, Capital Projects, and Traffic Engineering Division, FCDOT
Neil Freschman, Chief, Traffic Engineering Section, FCDOT
Henri Stein McCartney, Sr. Transportation Planner, FCDOT

Board Agenda Item
March 18, 2025

ASSIGNED COUNSEL:
F. Hayden Codding, Assistant County Attorney

Attachment 1

PROPOSED CODE AMENDMENT

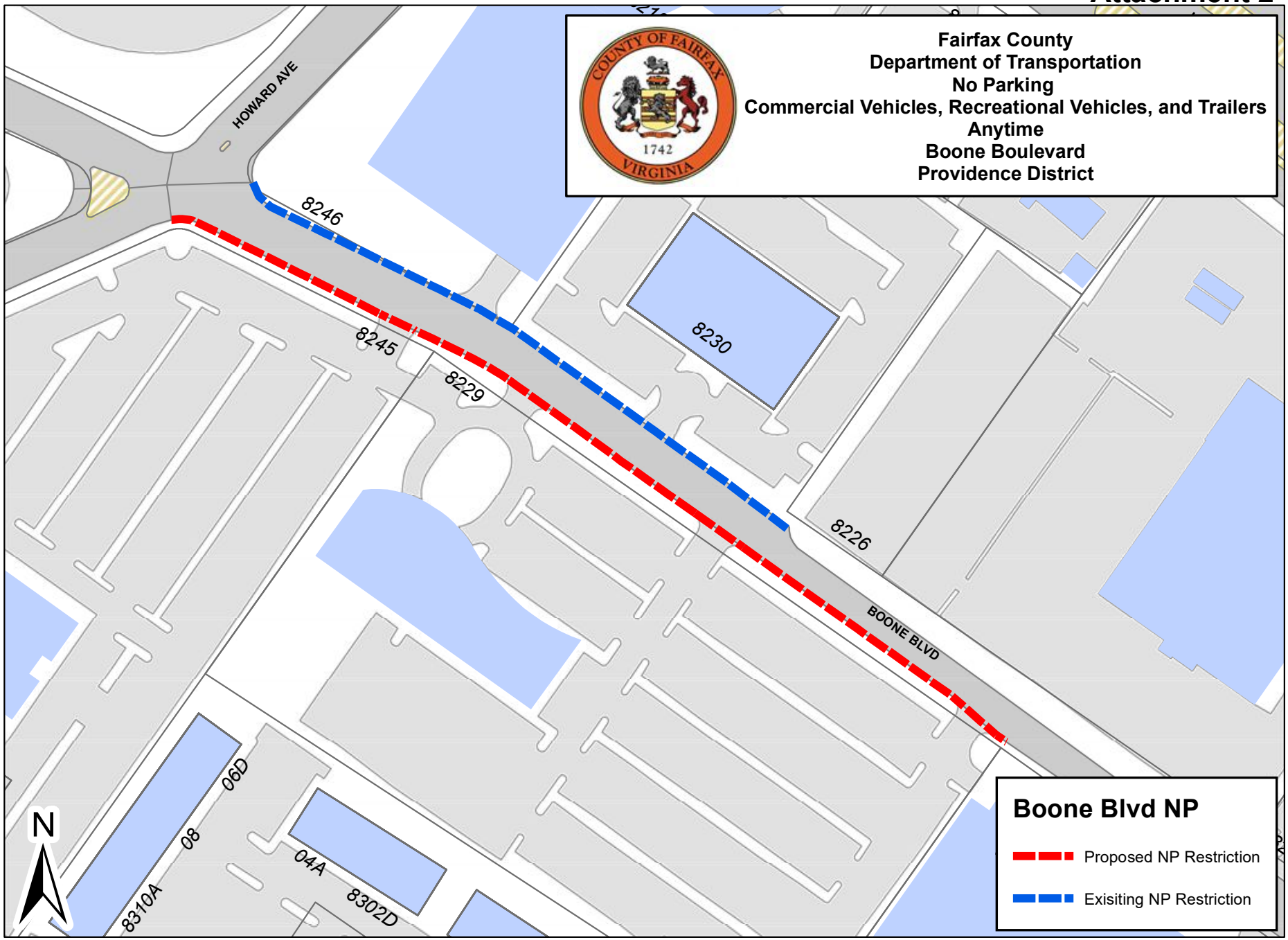
THE CODE OF THE COUNTY OF FAIRFAX, VIRGINIA
APPENDIX R

Amend *The Code of the County of Fairfax*, *Virginia,* by adding the following to Appendix R, in accordance with Section 82-5-37:

Boone Boulevard (Route 786)

Commercial vehicles, recreational vehicles (watercraft, boat trailers, motor homes, or camping trailers), and any trailer or semitrailer, as defined, respectively, in Fairfax County Code §§ 82-5-7, 82-5B-1 and 82-1-2(a), are restricted from parking on the north side of Boone Boulevard, from Howard Avenue to the southeastern property line of 8230 Boone Boulevard, and on the south side of Boone Boulevard, from Howard Avenue to the southeastern property line of 8229 Boone Boulevard, twenty-four hours per day, seven days a week.

Attachment 2



Board Agenda Item
March 18, 2025

4:00 p.m.

Public Hearing on the Draft One-Year Action Plan for FY 2026

ISSUE:
Public hearing before the Fairfax County Board of Supervisors (Board) on the draft of the One-Year Action Plan for FY 2026, as forwarded by the Consolidated Community Funding Advisory Committee (CCFAC).

RECOMMENDATION:
The County Executive recommends that, following the public hearing, the Board forward comments received on the draft FY 2026 One-Year Action Plan to the CCFAC for its consideration before the CCFAC makes its final recommendation to the Board for action on May 13, 2025.

TIMING:
On February 4, 2025, the Board authorized advertisement of a public hearing to take place on March 18, 2025, at 4:00 p.m. Board action on the draft FY 2026 One-Year Action Plan is scheduled for May 13, 2025.

BACKGROUND:
Fairfax County (County) is required to prepare a five-year consolidated plan (a consolidated plan) to inform County residents and the U.S. Department of Housing and Urban Development (HUD) about the County's affordable housing and community development goals during the period and the intended uses of Community Development Block Grant (CDBG), HOME Investment Partnerships Program (HOME), and Emergency Solutions Grant (ESG) funds (collectively, the Federal Funds) to achieve the identified goals. The County is also required to file a one-year action plan for each year covered by the consolidated plan to disclose the County's intended use of the expected Federal Funds and the consolidated plan goals that are expected to be achieved in that year. The Consolidated and One-Year Action plans each identify and describe a wide range of needs, current programs and strategies, gaps and priorities for housing, community services, homelessness, community development, neighborhood preservation and revitalization, employment and economic opportunity programs, and other services in the County. FY 2026 will be the fifth and final year covered by the Five-Year Consolidated Plan for FY 2022 – FY 2026, adopted by the Board on May 4, 2021.

On January 14, 2025, the CCFAC authorized the release of the draft FY 2026 One-Year Action Plan for a public comment period. On February 4, 2025, the Board authorized advertisement and scheduling of a public hearing on the draft FY 2026 One-Year Action Plan to be held on March 18, 2025, at which citizens may express their views on the proposed housing and community development goals, priorities, and needs, as well as on the proposed uses of the Federal Funds. The public comment period will end at the conclusion of the Board's public hearing.

Funding estimates used in the draft FY 2026 One-Year Action Plan are based on the grant awards received from HUD for FY 2025, and program income either received or projected for FY 2026. The estimates are used to allow citizen participation in the preparation of the draft One-Year Action Plan, pending receipt of HUD notification of the actual funding awards for FY 2026. The draft FY 2026 One-Year Action Plan also includes a HUD-mandated contingency plan (Contingency Plan) that describes how the allocations of the estimated Federal Funds are to be adjusted after HUD notice of the actual awards for FY 2026 has been received. Upon receipt of the HUD notice, HCD staff will make the adjustments to the draft FY 2026 One-Year Action Plan based on instructions provided in the Contingency Plan.

The draft FY 2026 One-Year Action Plan includes a total $8,340,997 estimated allocation of Federal Funds to the County for FY 2026, as follows:

- $5,804,077 in CDBG
- $2,037,491 in HOME
- $499,429 in ESG

The draft FY 2026 One-Year Action Plan further includes a total $2,300,278 in estimated program income, as follows:

- $1,920,760 in CDBG
- $379,518 in HOME

After the end of the public comment period, the CCFAC will consider all comments received and will forward its Draft FY 2026 One-Year Action Plan to the Board for final action on May 13, 2025. Any necessary budgetary adjustments to the FY 2026 Adopted Budget based on the actual HUD award will be made during the FY 2025 Carryover Budget process, as outlined in the Contingency Plan.

STAFF IMPACT:
None. No positions will be added as a result of this action.

EQUITY IMPACT:
The planned investment of federal funds across the 11 projects identified in the Draft FY 2026 One-Year Action Plan not only meets the critical housing, human services, and community development needs but also aligns with multiple focus areas of the One Fairfax policy:

- Community and economic development policies and programs that promote wealth creation and ensure fair access for all people.
- Housing policies that encourage all who want to live in Fairfax to be able to do so, and the provision of a full spectrum of housing opportunities across the county.
- A health and human services system where opportunities exist for all individuals and families to be safe, be healthy and realize their potential through the provision of accessible, high quality, affordable and culturally appropriate services.

The Virginia Center for Housing Research at Virginia Tech (VCHR) estimated Fairfax County's housing affordability gap summarized in the FY 2022–2026 Consolidated Plan. Finding affordable housing is becoming more difficult, especially for low-income households. There are not enough affordable units in the county to accommodate extremely low- and very low-income households. Housing costs (both owner costs and gross rent) also increased. Cost burden is more severe among extremely low- and very low-income households. The number of extremely low- and very low-income cost-burdened renter and owner households has increased since 2011.

A disproportionately high number of minority, non-white households pay more than 30 percent of their household income for housing. This disproportionality is greatest among Black/African Americans and Hispanics. Hispanic households experience cost burden most frequently, and approximately 44 percent of Hispanic households are cost-burdened.

The Five-Year Consolidated Plan for FY 2022 – FY 2026 (the Consolidated Plan) identifies the shortages of housing affordable to low-income, disabled, homeless and senior populations as priority needs. The One-Year Action Plan for FY 2026 implements the fifth and final year of the Consolidated Plan by funding programs and activities that address the priorities and thereby increase the housing opportunities for those priority individuals and families to live in the county. The Plans also promote the long-term economic health of the county by supporting the provision of an adequate supply of housing that is affordable to essential workers who provide critical services to all residents.

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In compliance with HUD citizen participation plan requirements, as well as the county's commitment to inclusive public engagement, the public is involved during the entire Consolidated Plan planning cycle through a robust outreach campaign and provided with many opportunities to offer input. The engagement plan involves multiple formats (e.g., in person, electronic, written), is language accessible, and reflects input from county leaders, service providers, advocates, community partners, and residents.

FISCAL IMPACT:
Funds identified in the draft FY 2026 One-Year Action Plan include CDBG ($5,804,077), HOME ($2,037,491), and ESG ($499,429). Total estimated program income of $2,300,278, including CDBG program income of $1,920,760 and HOME program income of $379,518 are programmed for use in FY 2026 through this action. Any adjustments to this plan based on the actual FY 2026 HUD award and an as-yet-undetermined amount of previously programmed, unexpended funds would be carried forward or adjusted during the FY 2025 Carryover Budget process.

ENCLOSED DOCUMENTS:
Attachment 1: The Draft One-Year Action Plan for FY 2026 is available online at https://www.fairfaxcounty.gov/housing/data/consolidated-plan

STAFF:
Christopher Leonard, Deputy County Executive
Thomas Fleetwood, Director, Housing and Community Development (HCD)
Anna Shapiro, Deputy Director, Real Estate Development and Finance, HCD
Callahan Seltzer, Real Estate & Community Development Finance, HCD
Laura O. Lazo, Associate Director, Grants Management (GM), HCD
Sherryn Craig, Program Manager, GM, HCD

Board Agenda Item
March 18, 2025

4:00 p.m.

Public Hearing on Proposed Plan Amendment SSPA 2023-II-1V, Briarwood Farm, Located on Swanee Lane at its Intersection with Nutley Street (Providence District)

ISSUE:
Plan Amendment SSPA 2023-II-1V proposes to amend the Comprehensive Plan recommendations to increase the planned residential density for seven single family properties located along Swanee Lane, in the Providence Supervisor District, from a range of 1-2 dwelling units per acre (du/ac) to a range of 4-5 du/ac.

PLANNING COMMISSION RECOMMENDATION:
On February 5, 2025, the Planning Commission voted 10-0 (Commissioner Wang was not present for the vote) to recommend to the Board of Supervisors the adoption of the staff recommendation for SSPA 2023-II-1V, as found on pages 14 to 15 of the staff report dated January 15, 2025.

RECOMMENDATION:
The County Executive recommends that the Board of Supervisors adopt the Planning Commission recommendation.

TIMING:
Planning Commission Public Hearing – February 5, 2025
Board of Supervisors' Public Hearing – March 18, 2025

BACKGROUND:
On April 11, 2023 the Board of Supervisors authorized the consideration of a Comprehensive Plan amendment for 2903, 2904, 2905, 2906, 2907, 2910 and 2911 Swanee Lane, Tax Map Parcels 48-2 ((7)) (33) 4, 5, 6, 11, 12, 13 and 14, in the Providence Supervisor District, in response to a nomination received during the 2022-2023 Site Specific Plan Amendment (SSPA) process. The subject properties are located within the Vienna Planning District, V1-Lee Community Planning Sector, located east of Nutley Street and north of Route 29. The proposed amendment would increase the planned residential density on the subject properties from a range of 1-2 dwelling-units-per-acre (du/ac) to a range of 4-5 du/ac by integrating the parcels into an adopted Plan option that previously enabled the development of the neighboring Briarwood

Trace neighborhood. Staff and the nominator met multiple times with the neighboring community associations and the amendment has their support.

EQUITY IMPACT:
None.

FISCAL IMPACT:
None.

ENCLOSED DOCUMENTS:
The Planning Commission Meetings Video Archive is available online at:
Planning Commission Meetings Video Archive - Fairfax County, Virginia

The Planning Commission Action:
Planning Commission Actions 2025 | Planning Commission.

The Staff Report for SSPA 2023-II-1V has been previously furnished and is available online at: Staff Report for SSPA 2023-II-1V, Briarwood Farm.

STAFF:
Jennifer Miller, Deputy County Executive of Community Development
Tracy Strunk, Director, Department of Planning and Development (DPD)
Kelly Atkinson, Director, Planning Division (PD), DPD
Graham Owen, Branch Chief, Policy & Plan Development Branch, PD, DPD
Michael Lynskey, Planner III, Policy & Plan Development Branch, PD, DPD

Intent to Defer to 05/13/2025 at 4:30p.m.

Board Agenda Item
March 18, 2025

4:00 p.m.

Public Hearing on Proposed Plan Amendment SSPA 2023-IV-2S, Franconia Triangle (S-9 Beulah Community Planning Sector Recommendation #3) Study (Franconia District)

ISSUE:
Plan Amendment SSPA 2023-IV-2S proposes to amend the Comprehensive Plan for S-9 Beulah Community Planning Sector Recommendation #3, to add Plan options subject to development conditions for:

- Tax Map Parcel 81-3 ((5)) 13 and along Franconia Road: Retail use up to 0.30 FAR;
- Franconia Governmental Center site [Tax Map Parcels 81-3 ((5)) 3A, 2A, 2B, 2C1 and 83-3 ((8)) 503]: Multi-family residential use up to 120 units inclusive of bonus related to affordable and workforce dwelling units;
- Beulah Street SSPA site [Tax Map Parcels 81-3 ((5)) 15, 15A, 15B, 15C, 17C and 17D]: Multi-family and attached residential use up to 12 dwelling units per acre exclusive of bonus related to affordable and workforce dwelling units;
- Tax Map Parcel 81-3 ((5)) 16: Attached residential use subject to consolidation or coordination of development with the adjacent residentially planned parcels.

PLANNING COMMISSION RECOMMENDATION:
The Planning Commission meeting is scheduled for March 12, 2025. The Planning Commission's recommendation will be forwarded upon decision.

RECOMMENDATION:
The County Executive recommends that the Board of Supervisors adopt the Planning Commission recommendation.

TIMING:
Planning Commission Public Hearing – March 12, 2025
Board of Supervisors' Public Hearing – March 18, 2025

BACKGROUND:
On April 11, 2023, the Board of Supervisors authorized the Franconia Triangle Study to evaluate and update Plan recommendation #3 of the S-9 Beulah Community Planning

Intent to Defer to 05/13/2025 at 4:30p.m.

Sector, including but not limited to specific considerations for the proposed land use mix and density/intensity proposed for land areas within the study area accepted into the 2022-2023 Countywide Site-Specific Plan Amendment (SSPA) process. The study area consists of the area bounded by Franconia Road, Beulah Street, and Grovedale Drive. Portions of the study area include the "Beulah Street SSPA" area (nomination CPN22-LE-003, submitted via the 2022-2023 SSPA process, which proposed to redevelop and repurpose two office buildings for single-family detached and multifamily residential uses, as well as the proposed redevelopment of the Franconia Governmental Center with affordable multifamily residential use.

EQUITY IMPACT:
The Plan amendment supports One Fairfax Policy Area of Focus #2 "Housing policies that encourage all who want to live in Fairfax to be able to do so, and the provision of a full spectrum of housing opportunities across the county, most notably those in mixed-use areas that are accessible to multiple modes of transport" by supporting the creation of 120 affordable multi-family units and additional market-rate townhomes and multi-family units. The site is within walking distance of retail stores and services and has access to multiple bus routes. The Plan amendment was reviewed by the community in a series of meetings with the Franconia District Land Use Committee and at two community meetings. The Plan amendment was advertised for comment on the County website, email listserv, Facebook, PublicInput and Nextdoor.

FISCAL IMPACT:
None.

ENCLOSED DOCUMENTS:
The Planning Commission Meetings Video Archive available online at:
https://www.fairfaxcounty.gov/cableconsumer/channel-16/planning-commission-meetings-video-archives

The Staff Report for SSPA 2023-IV-2S has been previously furnished and is available online at:
https://www.fairfaxcounty.gov/planning-development/plan-amendments/staff-reports

Intent to Defer to 05/13/2025 at 4:30p.m.

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March 18, 2025

STAFF:
Jennifer Miller, Deputy County Executive
Tracy Strunk, Director, Department of Planning and Development (DPD)
Kelly Atkinson, Director, Planning Division (PD), DPD
Graham Owen, Chief, Policy & Plan Development Branch, PD, DPD
Katrina Newtson, Planner III, Policy & Plan Development Branch, PD, DPD

Board Agenda Item
March 18, 2025

4:00 p.m.

Public Hearing on Proposed Plan Amendment SSPA 2023-II-1F, AT&T Oakton (Providence District)

ISSUE:
Plan Amendment 2023-II-1F proposes to amend the Comprehensive Plan recommendations for the Flint Hill Suburban Center in the Providence District. The proposed updates would create a new core area for the suburban center and facilitate a residential mixed-use development pattern on the 33-acre AT&T office campus, Tax Map Parcel 47-2 ((1)) 58, consisting of multifamily and townhome residences, community-serving retail, public amenities and recreational open spaces, and multimodal transportation improvements to support the new development. Other editorial revisions are made to the suburban center and areawide guidance for clarity and to create the core area. This Plan amendment is being processed concurrently with rezoning application RZ 2023-PR-00020.

PLANNING COMMISSION RECOMMENDATION:
On February 26, 2025, the Planning Commission voted 7-0 (Commissioners Carter, Clarke, Sargeant and Wang were absent from the meeting) to defer the decision only for Plan Amendment SSPA 2023-II-1F to a date certain of March 12, 2025, with the record remaining open for public comments. The Planning Commission's recommendation will be forwarded upon decision.

RECOMMENDATION:
The County Executive recommends that the Board of Supervisors adopt the Planning Commission recommendation.

TIMING:
Planning Commission Public Hearing – February 26, 2025
Planning Commission Decision Only – March 12, 2025
Board of Supervisors' Public Hearing – March 18, 2025

BACKGROUND:
On April 11, 2023, the Board of Supervisors authorized the consideration of SSPA 2023-II-1F, AT&T Oakton, in the Flint Hill Suburban Center, Fairfax Planning District, in the Providence Supervisor District. This study considers a Comprehensive

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Plan amendment for Tax Map Parcel 47-2 ((1)) 58 for residential mixed use up to 1.0 FAR, consisting of single family attached and multifamily dwellings, office use, and community-serving retail use. Specific considerations include evaluating the site as the potential core area for the Flint Hill Suburban Center, achieving compatible transitions to adjacent residential areas, tree preservation and multimodal access and circulation. Editorial updates to the suburban center and areawide guidance are proposed to create the new core area and for clarity during Plan implementation.

This proposed Plan amendment is being processed concurrently with rezoning case RZ2023-PR-00020. Hearings on the rezoning have not been scheduled.

EQUITY IMPACT:
The Plan amendment supports One Fairfax Policy Area of Focus #2 “Housing policies that encourage all who want to live in Fairfax to be able to do so, and the provision of a full spectrum of housing opportunities across the county, most notably those in mixed-use areas that are accessible to multiple modes of transport” and Area of Focus #11 “A quality built and natural environment that accommodates anticipated growth and change in an economically, socially, and environmentally sustainable and equitable manner that includes mixed of land use that protects existing stable neighborhoods and green spaces, supports sustainability, supports a high quality of life, and promotes employment opportunities, housing, amenities and services for all people.”

The amendment supports the creation of additional housing and a diversity of residential options in a new mixed-use center with available transportation alternatives. Development of the site would create residences and employment opportunities within walking distance of each other and facilitate access to bus routes serving Metrorail and connections to two major trail networks, the 66 Integrated Trail and the Gerry Connolly Cross County Trail. New Plan recommendations support the creation of new parks and recreational open space; preserve existing tree cover; support community-serving retail, services, and social opportunities; promote the county’s adopted green building and Low Impact Development (LID) policies; and ensure compatibility with the surrounding residential neighborhoods. The Plan amendment process included over two years of ongoing community engagement with residents, community associations, and stakeholder groups in individual conversations, small group discussions, larger community town hall-style meetings, and virtual events. The staff report’s recommendations were further informed by over 880 unique comments from community members in online polling.

FISCAL IMPACT:
None.

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ENCLOSED DOCUMENTS:
The Planning Commission Meetings Video Archive is available online at:
Planning Commission Meetings Video Archive - Fairfax County, Virginia

The Planning Commission verbatim excerpt is accessible at:
https://www.fairfaxcounty.gov/planningcommission/verbatim-home.

The Staff Report for SSPA 2023-II=1F has been previously furnished and is available online at: Link to Staff Report

STAFF:
Jennifer Miller, Deputy County Executive
Tracy Strunk, Director, Department of Planning and Development (DPD)
Kelly Atkinson, Director, Planning Division (PD), DPD
Graham Owen, Branch Chief, Policy & Plan Development Branch, PD, DPD
Ryan Stewart, Planner III, Policy & Plan Development Branch, PD, DPD

Board Agenda Item
March 18, 2025

4:30 p.m.

Public Hearing on Proposed Revisions to the Board of Supervisors' Countywide and Tysons Urban Center Workforce Dwelling Unit (WDU) Administrative Policy Guidelines

ISSUE:
The revisions to the Countywide and Tysons Urban Center Workforce Dwelling Unit (WDU) Administrative Policy Guidelines (Administrative Guidelines) propose to replace the current guidelines, adopted February 23, 2021, with an updated version based on recently adopted changes to Appendix 1 of the Policy Plan Housing Element, Guidelines for Provision of Workforce Dwelling Units (WDU Policy) in the Comprehensive Plan. The Administrative Guidelines serve as the implementation and administrative mechanism for the WDU Policy. The revisions would clarify guidance to reflect current practices and interpretations; translate the structure and language in the document into plain English to make the document easier to read and chronological based on the process; remove overlaps with the WDU Policy; encourage earlier submission of the legal documents for staff review; clarify the Department of Housing and Community (DHCD) involvement in the review process; reflect adjustments to the initial and resale pricing formulas; and address certain covenant recordation concerns. Editorial changes that, for example, make typographic, stylistic, or grammatical changes, are also proposed.

RECOMMENDATION:
The County Executive recommends the approval of the proposed revisions to the county's WDU Administrative Guidelines, per the staff report dated February 18, 2025.

TIMING:
Board of Supervisors' action is requested on March 18, 2025, to begin implementation of the new Administrative Guidelines that supplement the recently adopted WDU Policy.

BACKGROUND:
The Board of Supervisors directed staff to prepare for public hearing modifications to the Administrative Guidelines on December 5, 2023, with the authorization to consider revisions to the county's WDU Policy. As adopted on September 10, 2024, the WDU Policy revisions lowered the income levels served in the For-sale WDU program, expanded the geography to which the WDU Policy applies, and adjusted aspects of the WDU program, such as bedroom mix and room sizes. The Administrative Guidelines serve as the implementation tool for the policy and address aspects of the WDU

program such as the integration and dispersion of WDUs within a development; technical requirements for the units; WDU sale, resale, and rental requirements; and legal documentation for commitment of the WDUs.

EQUITY IMPACT:
The revisions to the Administrative Guidelines support the One Fairfax Policy Area of Focus #2 “Housing policies that encourage all who want to live in Fairfax to be able to do so, and the provision of a full spectrum of housing opportunities across the county…” by updating and clarifying the expectations for inclusionary workforce housing. As stated in the Communitywide Housing Strategic Plan, “when everyone has access to housing that is affordable for them: positive outcomes are more likely for families and children, including better educational outcomes for children and better health outcomes for people of all ages. People have better prospects for upward economic mobility and self-sufficiency. Employers can hire workers who are able to live close to where they work, and there is less congestion on our roads. Persons with disabilities have access to housing that is appropriate for their needs and the elderly are more able to age in place.” The proposed changes provide for better readability, understanding, and consistent application of WDU program requirements. The revisions aim to increase access to opportunities and contribute to the prosperity of all residents.

Stakeholders were engaged in the review process. The draft revisions were published for public review and comment between October 23, 2024 through November 21, 2024. Stakeholders were notified about the changes, and two virtual meetings were held to present the updates, gather feedback, and answer questions.

FISCAL IMPACT:
None.

ENCLOSED DOCUMENTS:
Attachment 1 – Staff Report for the Proposed Revisions to the Countywide and Tysons Uban Center Workforce Dwelling Unit Administrative Policy Guidelines, dated February 18, 2025**,** revised March 6, 2025.

Board Agenda Item
March 18, 2025

STAFF:
Christopher Leonard, Deputy County Executive
Thomas Fleetwood, Director, Department of Housing and Community Development (HCD)
Anna Shapiro, Deputy Director, Real Estate Finance and Development, HCD
Meghan Van Dam, Division Director, Planning and Inclusionary Housing Programs, HCD
Tracy Strunk, Director, Department of Planning and Development (DPD)
Kelly Atkinson, Division Director, Planning Division (PD), DPD
Graham Owen, Branch Chief, Policy and Plan Development Branch (PPDB), PD, DPD
Lia Niebauer, Planner II, PPDB, PD, DPD
Susan Timoner, Assistant County Attorney, Office of the County Attorney

PROPOSED REVISIONS TO

THE FAIRFAX COUNTY BOARD OF SUPERVISORS' COUNTYWIDE AND TYSONS URBAN CENTER WORKFORCE DWELLING UNIT ADMINISTRATIVE POLICY GUIDELINES

STAFF REPORT

February 18, 2025, revised March 6, 2025
(Revisions shown in italics font.)

Background

On September 10, 2024, the Fairfax County Board of Supervisors (Board) adopted revisions to the county's Workforce Dwelling Unit policies in the Comprehensive Plan Area Plans and Appendix 1 of the Policy Plan Housing Element, Guidelines for the Provision of Workforce Dwelling Units (WDU Policy), following recommendations by the WDU For-Sale Task Force. The revisions lowered the income levels served in the For-sale WDU program, expanded the geography to which the WDU Policy applies, and adjusted aspects of the WDU program, such as bedroom mix and room sizes. The Board also directed staff to prepare revisions to the Board's Countywide and Tysons Urban Center WDU Administrative Policy Guidelines (the Administrative Guidelines), which serve as the administrative mechanism to implement the WDU Policy. The Administrative Guidelines address such aspects of the program as integration and dispersion of WDUs with a development; technical requirements for the units; WDU sale, resale, and rental requirements; and legal documentation for commitment of the WDUs.

Summary of the Proposed Revisions

The proposed revisions to the Administrative Guidelines in Attachment A incorporate and provide additional guidance on the recently adopted WDU Policy changes and would replace the current Administrative Guidelines, adopted February 23, 2021. The revisions also propose to clarify guidance to reflect current practices and interpretations of the guidance; translate the structure and language in the document into plain English making the document easier to read and chronological; remove overlaps with the WDU Policy; encourage earlier submission of the legal documents for county review; clarify the Department of Housing and Community Development (DHCD) involvement in development review and subsequent agreements; reflect adjustments to the initial and resale pricing formulas, as recommended by the WDU For-Sale Task Force and, for the initial

sales price, approved by the County Executive; and address certain covenant recordation issues. Editorial changes are also proposed. The following explanations provide summaries of significant changes to the Administrative Guidelines:

***Integration and Dispersion**:* Subject to adequate integration and dispersion, the current guidance allows for flexibility in the location of WDUs to be distributed across buildings, phases, and unit types, and when the flexibility furthers the WDU policy and offers appropriate controls. The proposed revisions would clarify this guidance to better define adequate integration and increase predictability in the expectations. For example, the ability to transfer for-sale WDUs as rental WDUs in high-rise condominium development where there is a high cost of construction and high condominium fees would be retained as well as the language regarding financing or other affordable housing opportunities. Other potential transfers, for example from for-sale WDUs to rental WDUs within developments with multiple unit types, would be defined at a maximum of 30% of the affordable units or the development will need to demonstrate that there would be a deleterious impact on the project if a greater number of transferred affordable units does not occur and that there are no reasonable alternatives, for example, adjustments to the land use mix.

Since the February 18, 2025 publication, a concern was raised that the flexibility in the Policy Plan, Housing element, Appendix 1 Guidelines for Provision of Workforce Dwelling Units, dated September 10, 2024, stating,

> *In the event that a specific development warrants consideration of an alternative to this WDU Policy to capitalize on either the development of housing or on the incomes of households, such as low income housing tax credits, tax exempt housing bonds, tax increment financing, tax abatement, or other programs, it is the intent of the Policy to consider such variations when the applicant can demonstrate to the satisfaction of the Department of Housing and Community Development that the alternate proposal furthers the WDU Policies set forth in the Comprehensive Plan and offers appropriate controls to regulate, monitor, administer, and manage such units,*

was not clearly translated into the Administrative Guidelines. Section II.A. has been revised to reiterate this flexibility in such development proposals based on the Policy Plan language. Timing provisions for the transfer of WDUs have also been added to the section, based on the for-sale provisions in the current guidance.

***Unit Sizes and Finishes**:* The minimum sizes of the WDUs and their size expectations relative to the market-rate units would be removed due to the overlap

with the WDU Policy. Guidance about bedroom and living room sizes and bedroom mix proportionality would be added per the recently adopted WDU Policy. In addition, guidance would be added about providing comparable finishes, appliances, and other features in the WDUs as the market rate units in the same development.

Covenants and Offering Agreements: Revisions are proposed to address an issue raised during the WDU For-Sale Task Force review, whereby the WDUs sales process could not progress until the condominium declarations and legal descriptions of the WDUs are available. Revisions propose covenant recordation in a manner that will move the WDUs to sale and closing more quickly. This process is generalized for condominiums in the case that the issue arises for other types of for-sale condominium units, such as triplexes. Furthermore, new guidance is added about the submission timing for the covenants for rental developments and timing of the rental and for-sale offering agreements concurrent with the covenants to encourage earlier submission.

First Rider: The current practice of using a First Rider to the Covenants to define the term of expiration of WDU rentals is added and no longer solely defined in covenants.

Sales/Rental: The initial and resale pricing formulas would be updated per the For-Sale Task Force recommendations, such that the initial sales price would be adjusted for WDUs with a homeowners or condominium association fee that exceeds 30% of the fees estimated in the Maximum Price Schedule, and the resale pricing would be based on the original sales price adjusted by a five-year compounded annual growth rate (CAGR) of the Area Median Income. In addition, the timeframes for the FCRHA's and non-profit organization's right to purchase is proposed to be removed or adjusted with a more realistic time to identify and close on the purchase. Further, the language about preferential treatment to those households already possessing a Certificate of Qualification has been adjusted to facilitate sales. Additionally, the FCRHA's ability to lease WDUs and then sublease to qualified applicants is clarified. Finally, the language allowing and limiting broker fees to 1.5% and requiring a dual agent has been removed.

Since the February 18, 2025 publication, it was recognized that a portion of the language related to the limitations on the issuance of residential use permits for a multifamily development was inadvertently omitted (Section II.F). This language establishes a verification in the development process to ensure WDUs are

committed in a development, similar to the current language. The revised language proposes that the Offering Agreement for the WDUs must be executed prior to the issuance of residential use permits for the development. In order to facilitate this, Section V.B.1 encourages a developer to submit this document to the county with the covenant at least six months before the anticipated issuance of a residential use permit.

Finance/Refinance: In order to allow for refinancing to take advantage of the equity gained on the WDUs, the proposed revisions would allow for owners to refinance their WDUs based on maximum control price at the time of refinance, rather than limiting the refinance to the outstanding first trust debt.

Stakeholder Outreach and Comments

Staff published the draft revisions online between October 23, 2024, and November 20, 2024, and shared the link with stakeholders involved in the WDU Task Force and Comprehensive Plan policy changes. This included the task force, business groups, developers, realtors, affordable housing advocacy groups, attorneys, and district committees. Staff also held two virtual information sessions to present the proposed revisions, gather feedback, and answer questions. The primary concern expressed during this stakeholder outreach related to the proposed revisions to the section describing the Integration and Dispersion of WDUs within a development with multiple unit types and the ability to transfer units among the unit types. Staff has revised the language from the October 22, 2024 draft to set more defined criteria for the flexibility regarding this transfer, as described previously.

Another comment recognized that there has been a lack of clarity in the past regarding the limits to refinancing amounts that a homeowner can attain. Section XII.B clearly states that the amount of refinancing cannot exceed the Maximum Control Price of the WDU at the time of refinancing; *however, the language has been adjusted since the February 18, 2025 publication, to make clear that an owner is prohibited from refinancing over the Maximum Control Price for their WDU at the time of refinance. Furthermore, following action on these guidelines by the Board, this issue can be similarly addressed in the updates to the related documents, including the Offering Agreement and the Covenants*. Finally, regarding a comment about the original proposed removal of the language about preference for sale to prequalified buyers, new language has been added to encourage potential buyers to apply to the qualification process as soon as possible in their home search process.

Additional revisions since the February 18, 2025 publication are noted previously.

Conclusion

The proposed revisions to the WDU Administrative Guidelines reflect a significant step toward enhancing the efficiency and sustainability of the WDU program. By integrating the updated WDU policy changes, streamlining the guidelines for clarity, and addressing stakeholder feedback, these revisions aim to keep the program flexible, equitable, and responsive to community needs. Key improvements, such as adjustments to technical expectations, pricing formulas, and administrative processes, will modernize the program and reaffirm the county's commitment to increasing the housing supply for diverse income levels through sound planning and inclusive practices. Attachment A contains the Proposed Revisions to the WDU Administrative Policy Guidelines. Attachment B contains a Tracking Table of the Revisions by section explaining where existing language from the the 2021 Administrative Guidelines would be relocated within the proposed Adminstrative Guidelines.

Staff Recommendation

Staff recommends that the Board approve the replacement of the Board's Countywide and Tysons Urban Center WDU Administrative Policy Guidelines, adopted February 23, 2021, with the proposed revisions in Attachment A of this document (Fairfax County's Board of Supervisors' Workforce Dwelling Unit Administrative Policy Guidelines). Following the Board's approval, staff will consider the best means to create a summary of the guidelines or other materials that would increase the accessibility and understanding for those invovled in the process. This would include possible translation into other languages.

REPLACE: Fairfax County Board of Supervisors' Countywide and Tysons Urban Center Workforce Dwelling Units Administrative Policy Guidelines, as adopted February 23, 2021, with the following guidance

(Revisions since the February 18, 2025 staff report are shown with deleted language as ~~strike-through~~ and added language in underlined text):

"FAIRFAX COUNTY BOARD OF SUPERVISORS'
WORKFORCE DWELLING UNIT ADMINISTRATIVE POLICY GUIDELINES

The following Workforce Dwelling Unit Administrative Policy Guidelines (the "Administrative Guidelines") are hereby adopted by the Board of Supervisors (Board) as the preferred administrative tool for the implementation and administration of Workforce Dwelling Units that are proffered in conjunction with a rezoning application. It is the intent of the Board that proffered Workforce Dwelling Units ("WDUs") accepted in conjunction with a rezoning application include a proffer of compliance with these Administrative Guidelines.

If a specific development warrants consideration of an alternative scheme for the administration and continued availability of WDUs, the Board will consider such variations when the applicant can clearly demonstrate that the alternate proposal furthers the WDU policies set forth in the Comprehensive Plan and offers appropriate controls to properly regulate, monitor, administer, and manage such units. Such controls must be provided in sufficient detail to clearly demonstrate that the WDUs will function in the manner intended by the provisions of the preferred administrative tools set forth below.

On October 30, 2018, the Board delegated its authority to administer and regulate the sale and rental of WDUs to the Fairfax County Redevelopment and Housing Authority ("FCRHA"). The delegation includes the Board's right to acquire certain WDUs pursuant to the Guidelines for Provision of Workforce Dwelling Units, Appendix 1 in the Housing Element of the Comprehensive Plan's Policy Plan and the Area Plans ("the WDU Policy"). The FCRHA may adopt additional rules, policies, and guidelines to assist in the regulation and monitoring of the rental, sale, and resale of WDUs.

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VIII. Resale of For-Sale WDUs
IX. Conversion of WDUs from Rental to Condominium
X. Occupancy Eligibility
XI. Reporting and Monitoring
XII. Financing Control and Foreclosure of WDUs

I. Overview of the Administrative Guidelines

A. Purpose. The Countywide and Tysons Urban Center Workforce Dwelling Unit ("WDU") Administrative Policy Guidelines ("Administrative Guidelines") are adopted to establish a framework for the administration, monitoring, and long-term compliance of units proffered under the Guidelines for Provision of Workforce Dwelling Units, Appendix 1 in the Housing Element of the Comprehensive Plan's Policy Plan and the Area Plans ("the WDU Policy"). The Administrative Guidelines are designed to outline the process of establishing, approving, and administering the long-term affordability of housing for persons with low or moderate income within market-rate housing developments through proffers of WDUs in accordance with the WDU Policy.

B. Opt-In. For any WDUs proffered prior to the adoption of these Administrative Guidelines, the owner may elect to voluntarily comply with the provisions of these guidelines, to the extent that such election does not conflict with any proffered conditions associated with the subject WDUs. To facilitate such voluntary compliance, the owner must submit a request to the Director of the Zoning Evaluation Division of the Department of Planning and Development, who must determine, in consultation with the Department of Housing and Community Development ("DHCD"), whether such request conforms to the proffered conditions applicable to the property and complete the DHCD Opt-In Agreement.

II. Technical Requirements

A. Integration, Dispersion, and Equivalency.

1. WDUs should be integrated into and dispersed throughout a development to the extent feasible subject to the satisfaction of DHCD. It is recommended that developers provide unit locations and plans for review as early as possible in the development process for efficient compliance review.

   (a) WDUs should neither be overly concentrated by unit type or location, nor located in the least desirable locations within a building or on a site.

(b) Subject to adequate integration and disbursement within the development, WDUs may be distributed in a manner that permits smaller or larger percentage within a building, phase, or unit type.

(c) Transferring for-sale WDUs into rental WDUs in developments with multiple unit types is *discouraged* ~~*not highly desired*~~. *However, flexibility is acceptable under certain scenarios:*

(1) ~~*In the case of a*~~ development *Developments* that ~~*has*~~ *have* both a high-rise condominium and a rental component~~,~~ *may provide* WDUs generated by for-sale units in the high-rise building, as defined in the Virginia Construction Code Section 202, ~~*may be provided*~~ as rental units~~;~~.

(2) ~~*Other d*~~*D*evelopments with both for-sale and rental components may transfer up to 30% of the for-sale WDUs as rental WDUs~~;~~.

(3) *Developments with both for-sale and rental components that propose transferring more than 30% of the for-sale WDUs to rental WDUs in accordance with the Flexibility section in the Policy Plan, Housing element, Appendix 1, must demonstrate to the satisfaction of the DHCD that such transfer better contributes to the County's affordable housing priorities;*

(4) *Developments with both for-sale and rental components that propose transferring more than 30% of the for-sale WDUs to rental WDUs outside of the Flexibility section in the Policy Plan, Housing element, Appendix 1, must demonstrate to the satisfaction of the DHCD that (i) such transfer better contributes to the County's affordable housing priorities; and (ii) that the project would not be possible without the WDU transfer.*

~~*If a greater number of for-sale WDUs is proposed to be transferred as rental WDUs, the proposal must clearly demonstrate to the satisfaction of the departments of Housing and Community Development and Planning and Development that the project would not be possible without the WDU transfer and the transfer provides an equivalent or greater value toward affordable housing priorities, per the Plan policies. In this case, the developer must demonstrate that there is no other reasonable alternatives to the transfer, and that the*~~

~~*transfer functions in a manner intended by these administrative guidelines. In all of these cases, the transferred WDUs in the rental component must be provided with the number of units and bedroom mix of WDUs based on the for-sale unit component* but offered for rent at the income tiers applicable of the rental policy~~ *In all such cases, the number and bedroom mix of WDUs transferred into the rental component must be provided in accordance with the for-sale WDU policy but must be offered for rent at the income tiers outlined in the rental policy. Additionally, RUPs must not be issued for more than 75 percent of the total number of for-sale units in the development until such time as RUPs have been issued for all the affordable units.*

2. WDUs should include comparable finishes, fixtures, equipment, and appliances as market rate units within the same development. The provision of less expensive materials and appliances in WDUs, relative to the market rate units in the same development, must be durable, good quality, and consistent with contemporary standards for new residential development.

B. Unit Sizes and Types. The gross floor area for any WDU should be in accordance with the WDU Policy in terms of unit mix and size of the WDUs.

1. The floor area for WDUs must be in accordance with the gross floor area definition of the Zoning Ordinance and must comply with all applicable requirements in the Virginia Construction Code.

2. The WDU unit type mix should be proportional to the market rate unit type mix, in accordance with the WDU Policy. Units with more than three bedrooms will not be held to strict proportionality but may not be provided as a unit type smaller than a three-bedroom unit.

3. All single-family WDUs must have a primary bedroom of at least 100 square feet and all other bedroom and living room sizes must conform with the Virginia Construction and Property Maintenance codes. All bedroom sizes are exclusive of closets, which must be provided with each bedroom.

4. Neither the WDU Policy nor these Administrative Guidelines precludes the developer from providing WDUs as larger sized units, in terms of the square footage and/or the number of bedrooms.

C. Designation of For-Sale WDUs on Approved Plans.

1. For for-sale developments, each approved site plan, record subdivision plat, condominium plat/plan, and building plan (as applicable, the "Plans"), must identify the development as a for-sale project and must note, to the satisfaction of DHCD, (i) the total number of WDUs; (ii) the specific lots or units that are the for-sale WDUs; (iii) the AMI level, gross floor area, and unit type of each WDU lot and/or unit; (iii) the number of bonus market rate units and/or bonus floor area provided. In addition, the floor area of all non-WDUs by bedroom count must be noted on the Plans.

2. If there is any change in the location of a WDU after the original approval of the Plans, the developer must amend the approved Plans to reflect the designation of the alternate WDU prior to the issuance of a Residential Use Permit ("RUP") for the alternate WDU. Such change should be reviewed for compliance with these policy guidelines to the satisfaction of DHCD.

3. The location of the lots or units designated as for-sale WDUs should be noted in the zoning approval so that staff may review for compliance and note any adjustments that might be needed to meet the intent of these Administrative Guidelines as early as possible in the development process.

D. Designation of Rental WDUs on Approved Plans. For rental developments, the Plans must identify the development as a rental project and must note (i) the total number of WDUs, (ii) the number of bonus market rate units and/or bonus floor area provided, (iii) the average floor area of each WDU and market rate units by bedroom count, and (iv) the bedroom mix and count of WDUs.

E. Phased Developments/Multiple Locations. All Plans for multi-phased developments where the WDUs will be provided over a series of phases must

contain a tabulation or table identifying in which phase(s) the WDUs will be provided and a total of all WDUs for which the Plans have been approved. If the WDUs are approved to be provided at a location that is not on the same building, land bay, or lot as the market rate dwelling units with which the WDUs are associated, the Plans for all associated properties must include a tabulation or table identifying the Plans that include the WDUs.

F. Building Permits and Residential Use Permits ("RUPs"). Building Permits may be issued at the same time or in phases for the dwelling units in a development; provided, however, that for any for-sale development, RUPs must not be issued for more than 75 percent of the total number of units in the development until such time as RUPs have been issued for at least 75 percent of the WDUs in the applicable phase of the development *or pursuant to Section II.A.1.c*. A rental development is not subject to the limitation on the issuance of RUPs, *except that the Notice of Availability and Rental Offering Agreement must be executed prior to the issuance of the first RUP for any dwelling unit in the development, pursuant to Section V.B.1*.

III. Determination of Sales Price and Rent

A. Initial Developer Sales Price.

1. The County Executive, or their designee, will publish a Maximum Price Schedule annually (or more frequently at their discretion) to set forth the maximum initial sales prices for for-sale WDUs.

2. The Maximum Price Schedule will be established based upon a maximum affordable monthly payment for households at the designated area median income ("AMI") levels. AMI is defined and updated periodically by the Department of Housing and Urban Development ("HUD"). Pricing will take into consideration household size and economic conditions such as interest rate, taxes, mortgage and homeowners' insurance, and condominium and homeowner's association fees. The maximum sales price will be adjusted by HCD for WDUs with an association fee that exceeds 30% of the fees estimated in the Maximum Price Schedule.

3. The sales price formula may be amended periodically by the County Executive or their designee after consideration of written comment from the public and other information that may be available, such as the area's current real estate market and economic conditions.

B. Rental Pricing.

1. The County Executive, of their designee, will publish a Maximum Rent Schedule annually (or more frequent at their discretion).

2. Maximum rents for rental WDUs are calculated based on the annual AMI published annually by HUD, and adjusted by the following factors for different unit types:

Number of Bedrooms	Adjustment Factor
Efficiency (0 bedroom)	70%
1 Bedroom	85%
2 Bedrooms	100%
3 Bedrooms	115%
4 Bedrooms	130%

The result of this calculation for each size WDU is then divided by 12, then multiplied by 25 percent and rounded to the nearest whole number to establish the rent for the unit, excluding utilities.

3. Developments may rent units below the maximum WDU rental limits at their discretion.

IV. Declaration Of Workforce Dwelling Unit Covenants and Notice of Workforce Dwelling Unit Proffer

A. For-Sale Developments.

1. In for-sale developments containing WDUs, covenants that run with the land in favor of the FCRHA (the "For-Sale Covenants"), must be recorded on the WDUs upon approval of the site plan or simultaneously with the recordation of the final subdivision plat. In the case of a condominium, covenants must be recorded simultaneously with the condominium declaration. The WDUs should be designated as part of the recorded

condominium declaration and must be disclosed in the required public offering statement.

2. The For-Sale Covenants shall be in a form prescribed by DHCD and will provide that (i) the WDUs are subject to the provisions of these Administrative Guidelines, including the term of price control, and any other proffered conditions; (ii) the WDUs may not be sold for an amount that exceeds the Maximum Price Schedule; (iii) each unit may only be sold to a qualified household at the income level specified in the For-Sale Covenants; and (iv) the resale price and equity share of each unit shall be determined by DHCD, upon resale (Section VIII below).

3. In the case of a condominium where For-Sale Covenants are initially recorded before WDUs have been added to the Declaration of Condominium and created as individual legal entities, the legal description attached to the Declaration of Covenants must identify all of the WDUs, which have yet to be constructed. Prior to executing a contract on a WDU with a qualified homebuyer, the developer must have (a) recorded an amendment to the condominium declaration applicable to the property, establishing the WDU as an independent parcel of real property; and (b) recorded the Declaration of Covenants, in a form provided by DHCD, on the subject WDU, and (c) recorded any restatements of the previously recorded Declaration of Covenants as deemed necessary by DHCD.
4. The For-Sale Covenants must be senior to all instruments securing financing and binding upon all assignees, mortgagees, purchasers, and other successors in interest.

B. Rental Developments.

1. In rental developments containing WDUs, covenants that run with the land in favor of the FCRHA (the "Rental Covenants"), must be recorded on the property at least six months prior to the issuance of the first RUP for any dwelling unit in the development, concurrent with the submission of a Notice of Availability and Rental Offering Agreement (the "Rental OA"), pursuant to Section V.B. The Rental Covenants shall be in a form prescribed by DHCD and will provide, among other things, that (i) the property is subject to the provisions of these Administrative Guidelines,

including the term of price control, and any other proffered conditions; (ii) WDUs may not be rented for an amount that exceeds the Maximum Rent Schedule; and (iii) each unit may only be rented to a qualified household at the income level specified in the Covenant.

2. The Rental Covenants must be senior to all instruments securing financing and binding upon all assignees, mortgagees, purchasers, and other successors in interest.

V. Notice of Availability and Offering Agreement

A. For-Sale Developments.

1. After the issuance of the building permit for a property containing For-Sale WDUs, the developer must complete and submit to DHCD a Notice of Availability and For-Sale Offering Agreement (the "For-Sale OA") in the form provided by DHCD. The purpose of the For-Sale OA is to advise when WDU(s) will be completed and ready for purchase. The For-Sale OA must reflect the site and building plans and, at minimum, identify: (i) the unit or units being offered in the For-Sale OA; (ii) the unit type for each WDU, including number of bedrooms, the floor area, and amenities; (iii) the sales price and associated fees for each unit, in accordance with the Maximum Price Schedule; and (iv) the evidence of issuance of a building permit for the units. A For-Sale OA should be provided to DHCD concurrently with the For-Sale Covenants, pursuant to Section IV.A.

B. Rental Developments.

1. After the issuance of the building permit for a property containing Rental WDUs, the developer must complete and submit to DHCD Rental OA in the form provided by DHCD. The purpose of the Rental OA is to advise when WDUs will be completed and ready to rent. The notice must identify: (i) the unit or units being offered; (ii) the number of bedrooms, the floor area, and amenities for each unit; (iii) the rent, utilities, and other fees for each unit; and (iv) the evidence of issuance of a building permit for the units. The Rental OA should be provided to DHCD concurrent with the Rental Covenants, pursuant to Section IV.B, at least

six months prior to the issuance of the first RUP for any dwelling unit in the development.

2. The location of WDUs may be redesignated to a new location after the execution of the Rental OA, pursuant to Section X.B.3, provided that the developer must notify the FCRHA of such change in location, on a form prescribed by DHCD, to be reviewed and approved by the FCRHA for continued compliance with the WDU Policy and these Administrative Guidelines.

VI. Term of Price Control and First Rider

A. For-Sale Developments.

1. The price of WDUs and income levels of WDU owners must be controlled for a period of 30-years, beginning on the date of the deed from the developer to the initial owner. If a WDU is sold to a new owner prior to the expiration of the initial 30-year control period, a new 30-year control period will begin on the date of such resale. A new 30-year control period will begin on the date of each subsequent resale until the WDU is owned for an entire 30-year control period by the same individual(s), at which time the control period will expire.

2. During any 30-year control period, a WDU may not be sold or otherwise transferred or pledged as security for an amount higher than the Maximum Control Price approved by DHCD (Section VIII below).

B. Rental Developments.

1. The rents of WDUs and the income levels of WDU tenants must be controlled for a period of 50 years from the date of issuance of the first RUP of the WDUs in the development, in a form determined by DHCD.

2. A property owner, developer, or their designee must record a First Rider to the Rental Covenants (the “First Rider”) in a form provided by DHCD. The First Rider states, among other things, that the unit is part of the WDU program, is subject to the restrictions of the WDU Policy and the Declaration of Covenants, and defines the control period expiration date.

In developments with multiple buildings, separate riders will be recorded upon the issuance of the first RUP for each building.

VII. Initial Sale/Rental and Right to Purchase/Rent

A. Initial Sale.

1. It is a violation of the proffered conditions associated with a WDU to purchase a unit or to sell it or otherwise transfer or pledge it as security for an amount higher than the approved sales price during any period of price control.

2. The initial sale of a WDU, including the initial sale of a condominium conversion unit, must be for a price no greater than the Maximum Sales Price.

3. The initial sale of a WDU must be made only to a person or household that meets the applicable income qualifications for the occupancy of a WDU and has been issued a Certificate of Qualification by DHCD. It is the preference of HCD for potential buyers to complete the pre-qualification process as soon as possible, prior to searching for a WDU, in order to facilitate a more efficient sales process.

4. Developers are responsible for marketing the WDUs. All WDU marketing materials must include a statement clearly explaining the income restrictions and that the units will be encumbered by an affordability covenant. Marketing materials should be provided to DHCD for review and posting on its website.

5. At the time of the initial sale of an individual WDU, the developer must:

   (a) provide a copy of the recorded For-Sale Covenants to prospective purchasers with the sales contract;

   (b) include in the deed a statement that the WDU is subject to the For-Sale Covenants, with a specific reference to the deed book and page where the For-Sale Covenants are recorded; and,

(c) include in the deed a statement that the total aggregate amount of indebtedness that may be secured by the WDU is limited and that other terms and conditions apply, including, but not limited to, a right for the FCRHA or a nonprofit agency designated by the County Executive to acquire the WDU on certain terms in the event of a pending foreclosure sale.

6. Right to Purchase.

(a) For a period of 90 days from the date that the For-Sale OA is fully executed (the "90-Day Period"), the FCRHA has an exclusive right to elect to purchase up to one-third of the WDUs shown on the For-Sale OA (the FCRHA Purchase Right). If the FCRHA elects to exercise its purchase option, the FCRHA will notify the developer in writing of its intent to purchase all or a portion of the WDUs it has been offered. An all-cash closing must occur within 150 days from the date of the FCRHA notification of election to purchase, provided a RUP has been issued for the WDU(s) being purchased prior to closing.

(b) The remaining two-thirds of the WDUs and any WDUs that the FCRHA does not elect to purchase pursuant to the FCRHA Purchase Right are to be offered for sale to persons who have been issued a Certificate of Qualification by DHCD, or its designee, subject to Section VII.A. It is a violation of this WDU Policy for a developer to sell a WDU to a household who has not been issued a Certificate of Qualification. Developers must refer any potential buyers to DHCD, or its designee, for eligibility qualification.

(c) After the first 30 days of the 90-Day Period, the FCRHA may elect to purchase up to one-half of the remaining WDUs then available. The FCRHA must provide for an all-cash closing in accordance with Section VII.5.

(d) Upon expiration of the FCRHA Purchase Right, the WDUs not sold to the FCRHA or qualified purchasers may be sold to nonprofit housing groups, as designated by the County Executive or their designee, subject to the established WDU prices and the requirements of the applicable proffered conditions.

B. Rental Developments.

1. Lease Requirements.

(a) Any WDUs not leased by the FCRHA, per Section VII.B.2 below, are to be leased for a minimum six-month period with a maximum renewable lease term of one year to a person or household who meets the eligibility criteria established by DHCD.

(b) The lease agreements for such units must include conditions that require the tenant to occupy the unit as his or her domicile, that prohibit the subleasing of the unit, that require continued compliance with the applicable eligibility criteria, and that require the tenant to annually verify, on a form approved by the DHCD, his or her annual income and such other facts that the landlord may require in order to ensure that the tenant continues to meet the applicable eligibility criteria.

(c) The landlord is responsible for determining that the individual or household meets the eligibility criteria applicable to tenants in rental WDUs. Eligible tenants must continue to meet the income criteria established by DHCD to continue occupancy of the WDU. However, a tenant who no longer meets such criteria may continue to occupy a WDU until the end of the lease term.

(d) It is a violation of this WDU Policy for a landlord to rent or continue to rent a WDU to an individual or household who does not meet or fails to continue to meet the eligibility criteria established by DHCD, except for circumstances specifically set forth in the previous section and Section X.B.

2. Right to Rent. The FCRHA has an exclusive right to lease, and subsequently sublease, up to one-third of the WDUs within a development and must notify the developer in writing of its intent to lease all or a portion of such WDUs within 30 days from the date that the Rental OA is fully executed. The FCRHA may request to lease additional rental units at the WDU rent or market rent, as appropriate. The developer may

lease the additional requested units to the FCRHA as their election under the terms of a mutually agreed upon lease form.

VIII. Resale of For-Sale WDUs

A. During the 30-Year Control Period.

1. If a WDU owner desires to sell their WDU prior to the expiration of the 30-year control period, they must first provide DHCD with written notification that the WDU is being offered for sale in a form prescribed by DHCD (the "Sale Notice"). In response to the Sale Notice, DHCD will provide the WDU owner with a resale price calculated according to Section VIII.A.4 (the "Maximum Control Price") and a notification of its election under Section VIII.A.2.

2. After receipt of the Sale Notice, the FCRHA has the exclusive right to purchase the WDU and must notify the WDU owner in writing within 45 days after receipt of the Sale Notice of its election. If the FCRHA elects to purchase the subject WDU, then the FCHRA will provide the WDU owner with a purchase contract for the WDU, on a form approved by DHCD and subject to certain conditions, such as acceptable condition of title and acceptable physical and environmental conditions. The purchase price of the WDU offered to the FCRHA shall not exceed the Maximum Control Price. An all-cash closing must occur within 120 days after DHCD's receipt of the Sale Notice, provided all conditions of the purchase contract are satisfied.

3. If the FCRHA does not elect to purchase a WDU pursuant to Section VIII.A.2 above, then the WDU is to be offered to households who have been issued a Certificate of Qualification by DHCD or their designee.

4. WDUs may not be offered for sale for a price greater than the Maximum Control Price. The Maximum Control Price is calculated as follows and will be determined by DHCD:

   (a) For properties purchased prior to [Adopted date of these Administrative Guidelines]: original sales price plus a percentage of

the WDU's original sales price equal to the increase in the U.S. Department of Labor's Consumer Price-Urban Area Index.

(b) For properties purchased after [Adopted date of Administrative Guidelines], the original sales price adjusted by a five-year compounded annual growth rate ("CAGR") of the Area Median Income, or such other index selected by the County Executive.

(c) The Maximum Control Prices for any WDUs may be adjusted to include the lesser of the current fair market value or the actual original cost of certain improvements made to the unit between the date of original sale and the date of resale. The value of such improvements shall be in accordance with the capital improvement policies as outlined in the For-Sale Covenants recorded on each WDU.

5. No increase in sales price is allowed for the payment of broker fees associated with the sale of the WDU, except as may be outlined in resale policies developed and updated periodically by DHCD.

B. <u>After Expiration of the 30-Year Control Period</u>.

1. For the sale of a WDU after the expiration of the 30-year control period under a single ownership, the FCRHA has the first right to purchase the WDU. The WDU owner must first provide DHCD with the Sale Notice. Within 45 days of DHCD's receipt of the Sale Notice from a WDU owner, DHCD will respond to the owner in writing advising whether or not the FCRHA elects to purchase the WDU. If the FCRHA elects to purchase the subject WDU, then the FCHRA will provide the WDU owner with a purchase contract on a form approved by DHCD and subject to certain conditions, such as acceptable condition of title and acceptable physical and environmental conditions. An all-cash closing must occur within 120 days after DHCD's receipt of the Sale Notice, provided all conditions of the purchase contract are satisfied.

2. In all instances, whether or not the FCRHA elects to purchase the WDU, one-half of the amount of the difference between the net sales price paid by the purchaser at such sale and the Maximum Control Price, pursuant

to Section VIII.A.4 above, is to be contributed to the Fairfax County Housing Trust Fund as part of the disbursement of settlements proceeds. Notice of such Fairfax County Housing Trust Fund equity interest may be evidenced by a document recorded among the land records of Fairfax County, Virginia, encumbering any WDU. Net sales price must exclude closing costs such as title charges, transfer charges, recording charges, commission fees, points, and similar charges related to the closing of the sale of the property paid by the seller. The final determination of the net sales price will be made by DHCD.

3. All amounts necessary to pay and satisfy any and all liens, judgments, deeds of trust, or other encumbrances on the WDU, other than the payment to the Fairfax County Housing Trust Fund, must be paid by the seller out of proceeds from such sale, as determined in accordance with this section, or must be paid otherwise by the seller. In no event may any such amounts required to be paid by the seller reduce the amount, as determined in accordance with this section, which is to be contributed to the Fairfax County Housing Trust Fund.

4. At the closing of the first sale of a WDU after the expiration of 30-year control period, the For-Sale WDU Covenant will be released from the WDU.

IX. Conversion of WDUs from Rental to Condominium

A. If a building is initially built as a rental project and subsequently converts to a condominium, then:

1. The development must provide for-sale WDUs in accordance with the for-sale guidelines set forth in this WDU Policy and the requirements of the applicable proffered conditions in terms of percentage of units and income tiers.

2. The WDUs must be specifically identified by unit number as part of the recorded condominium declaration. In addition, a new For-Sale OA must be submitted to DHCD through the process described in Section V.A.

For-Sale WDU Covenants must be recorded on each For-Sale WDU prior to sale.

3. The initial sale of a condominium conversion WDU must be for a price no greater than the Maximum Sales Price.

4. The rental tenant occupants of the WDUs subject to the condominium conversion must have the right to purchase the unit they occupy at the price up to the Maximum Sales Price.
5. The FCRHA shall have the right to purchase some or all of the WDUs that are not purchased by the then-current rental WDU tenants, pursuant to the terms of Section VII.6 above.

B. For condominium conversion WDUs, regardless of the length of time the unit was offered as a rental WDU, the initial term of price control for the first sale of the unit after conversion must be for a period of 30 years from the date of the initial sale, per Section VI. Term of Price Control. Subsequent resale of such converted WDUs must be administered under the provisions of Section VIII above.

X. Occupancy Eligibility

A. For Sale Development.

1. Before an individual may purchase a WDU, he or she must obtain a Certificate of Qualification from DHCD, or their designee. Before issuing a Certificate of Qualification, the DHCD, or their designee, will make the determination that the applicant meets the criteria established by the DHCD for low- and moderate-income persons applicable to for-sale WDUs.

2. Except for circumstances specifically set forth in these Administrative Guidelines, it is a violation of these Administrative Guidelines for someone to sell a WDU to an individual who has not been issued a Certificate of Qualification by the DHCD, or its designee.

B. Rental Development.

1. Renters of WDUs must occupy the unit as their primary residence and must provide an executed affidavit on an annual basis certifying their continuing occupancy of the WDU. Renters must provide such affidavit to their landlords by the date specified in their lease or is otherwise be specified by the landlord. If the renter of a WDU fails to provide their landlord with an executed affidavit within 30 days of a written request for such affidavit, then the lease will automatically terminate, become null and void, and the renter will vacate the unit within 30 days of written notice from the landlord.

2. If a renter fails to occupy a WDU for a period in excess of 60 days, unless such failure is approved in writing by DHCD, then the lease will automatically terminate, become null and void and the renter will vacate the unit within 30 days of written notice from the landlord.

3. Designation of Replacement WDU.

    a. If a WDU tenant no longer meets the WDU eligibility or occupancy requirements and the landlord or property owner at its discretion elects to allow the tenant to remain in the unit as a market-rate unit, the landlord must immediately designate an additional comparable unit as a WDU to be leased under the Administrative Guidelines requirements. In such an event, the landlord must notify the FCRHA of the proposed changes in the location of a WDU, on a form prescribed by DHCD, to be reviewed and approved by DHCD for continued compliance with the WDU Policy and these Administrative Guidelines.

    b. If a landlord or property owner wants to redesignate a WDU for other tenant non-renewal reasons, the landlord or property owner must notify the FCRHA of the proposed changes in the location of a WDU, on a form prescribed by DHCD, to be reviewed and approved by DHCD for continued compliance with the WDU Policy and these Administrative Guidelines.

    c. In either circumstance, DHCD does not approve a proposed redesignation, the landlord or property owner must propose an

alternative comparable WDU until compliance with WDU Policy and these Administrative Guidelines is achieved.

XI. Reporting and Monitoring

A. For-sale Developments. Purchasers of WDUs must provide an executed affidavit on an annual basis certifying their continuing occupancy of the units, as a form prescribed by DHCD. Owners of for-sale WDUs must forward such affidavit to the DHCD each year that they own the unit.

B. Rental Developments.

1. By the end of each month, the property owner, landlord, or their designee, of a development containing rental WDUs leased to individuals other than the FCRHA must provide DHCD with a statement signed by the property owner or their designee that certifies the following as of the first of such month (the "Compliance Certification"):

   (a) The property name, address, the name of the ownership entity, and points of contact for the owner entity and property manager;
   (b) The number of WDUs leased to the FCRHA by unit type and floor area;
   (c) The number of vacant WDUs by unit type and floor area, other than those leased to the FCRHA; and,
   (d) The number of WDUs leased directly to individuals and household. For each occupied unit, the statement must contain the following information:
      (1) The unit address/number;
      (2) Designated AMI level;
      (3) Unit type by bedrooms, bathrooms, and floor area;
      (4) Name of leaseholder(s) and household size;
      (5) The effective date of the lease;
      (6) The tenant's household income as of the date of the eligibility qualification of the current lease term, as confirmed by the landlord or their designee;
      (7) The current monthly rent; and,
      (8) Any required and optional fees paid by the household to the landlord;

(e) That to the best of the owner's information and knowledge, the tenants who are leasing WDUs at the time of the Compliance Certification meet the eligibility criteria established by the DHCD and are qualified to lease the WDUs.

2. The property owner, landlord, or their designee will provide DHCD with copies of documentation related the Compliance Certificate detailing each new or revised annual tenant verification obtained from the renters of WDUs pursuant to Section XI.B.1 above.

XII. Financing Control and Foreclosure of WDUs

A. The total amount of financing secured by an individual for-sale WDU must not exceed the owner's purchase price, as adjusted in accordance with these Administrative Guidelines.

B. *The owner of an individual for-sale WDU is prohibited from refinancing for an amount more than the Maximum Control Price of the WDU at the time of refinancing.* ~~*Refinancing of an individual for-sale WDU must not exceed the Maximum Control Price of the WDU at the time of refinancing.*~~ DHCD will issue a determination of the Maximum Control Price ~~*upon*~~ *within 15 business days from receipt of the* notice of intent to refinance.

C. No sale, pledge of a security interest, foreclosure or other transfer of a WDU will affect the validity of the For-Sale Covenants or the Rental Covenants, except as set forth in these Administrative Guidelines.

D. The For-Sale Covenant and the Rental Covenant must be senior to all instruments securing financing, and are binding upon all assignees, mortgagees, purchasers, and other successors in interest.

E. In the event of foreclosure of a development comprised solely of rental multi-family dwelling units, where such development contains WDUs, the Rental Covenants must not be released.

F. In the event of a foreclosure of an individual for sale WDU, the For-Sale Covenants recorded on that WDU may terminate upon a foreclosure by an institutional lender holding a first priority purchase money deed of trust on the subject for-sale WDU ("Eligible Lender") or upon the sale of the WDU by

a trustee on behalf of the Eligible Lender to a bona fide purchaser for value at a foreclosure sale. All requirements set forth in these Administrative Guidelines, the applicable proffers, the covenants, and all other applicable regulations with respect to such foreclosure sale must be satisfied prior to the release of the For Sale Covenant. Such requirements include, but are not limited to, providing the FCRHA written notice of the foreclosure sale proposed and the FCRHA's right to acquire, as set forth in these Administrative Guidelines.

G. Each Eligible Lender and any other lender secured by an interest in the WDU must provide written notice of a foreclosure to the FCRHA at least 90 days prior to the foreclosure sale. At any time during such 90-day period, the FCRHA or its designee will have the right to acquire the WDU at or before any foreclosure sale. The FCRHA's purchase price will be the lesser of (i) the outstanding indebtedness on the WDU owed to the Eligible Lender, including principal, interest, and reasonable and customary fees (the "Outstanding First Trust Debt") or (ii) the amount of the owner's Maximum Control Price, as adjusted in accordance with Section VIII.A.4, and other reasonable and customary costs and expenses. No owner, prior owner, or other party, whether secured or not, will have any rights to compensation under such circumstances.

H. If neither the FCRHA nor its designee exercises the right to acquire the WDU, and the WDU is sold for an amount greater than the Outstanding First Trust Debt, the remaining amount in excess of the Outstanding First Trust Debt must be paid to the Fairfax County Housing Trust Fund in Fairfax County as part of the disbursement of settlement proceeds."

Tracking Table by Section, 2021 Administative Guidelines to the Proposed Revisions

Section of 2021 Administrative Guidelines	**Section in Proposed Administrative Guidelines**
Introduction	Introduction and Section I. Overview of Administrative Guidelines
Section 1. Integration and Dispersion	Section II Technical Requirements (Sects. II.A.1)
Section 2. Workforce Dwelling Unit Floor Area	Section II. Technical Requirements (Sect. II.C.1; II.B.1; II.B.4)
Section 3. Designation of Workforce Dwelling Units on Approved Plans	Section II. Technical Requirements (Sect. II.B.4; II.C.1-2; II.D; II.E
Section 4. Condominium Developments	
Section 4.A	Section II. Technical Requirements (Sects. II.A and II.C)
Section 4.B	Section IX. Conversion of WDUs from Rental to Condominium (Sect. IX.A)
Section 5. Limitations on Building Permits and Residential Use Permits.	Section II Technical Requirements (Sect. II.F) and Section V. Notice of Availability and Offering Agreement
Section 6. Workforce Dwelling Unit Specifications	Deleted; superseded by Section II. Technical Requirements
Section 7. Administration of For Sale Workforce Dwelling Unit	
Section 7.A	Introduction
Section 7.B	Section VII. Initial Sale/Rental and Right to Purchase/Rent, Initial Sale (Sect. VII.A.6) and Section V. Notice of Availability and Offering Agreement, For-Sale Developments, (Sect. V.A)

Sections 7.C through 7.E	Section VII. Initial Sale/Rental and Right to Purchase/Rent, Initial Sale, Right to Purchase (Sect. VII.A.6)
Sections 7.F through 7.H	Section III. Determination of Sales Price and Rent, Initial Developer Sales Price (Sects. III.A.1-3)
Section 8. Administration of Rental Workforce Dwelling Units	
Sections 8.A through 8.C	Introduction; Section V. Notice of Availability and Offering Agreement, Rental Developments, (Sect. V.B.1); Section VII. Initial Sale/Rental and Right to Purchase/Rent, Rental Developments, (Sect. VII.B)
Section 8.D	Section XI. Reporting and Monitoring, Rental Developments (Sect. XI.B)
Section 8.E and 8.F	Section III. Determination of Sales Price and Rent, Rental Pricing (Sect. III.B)
Section 9. Term of Price Control of WDUs	
Section 9.A and 9.B	Section VI. Term of Price Control and First Rider
Section 9.C	Section IX.B Conversion of WDUs from Rental to Condominium
Section 10. Initial Sale and Re-sale of WDUs	
Section 10.A	Section VII. Initial Sale/Rental and Right to Purchase, Initial Sale (Sect. VII.A)
Section 10.B and 10.C	Section VIII. Resale of For-Sale WDUs, During the 30-Year Control Period (Section VIII.A)
Section 10.D	Section VIII. Resale of For-Sale WDUs, After Expiration of the 30-Year Control Period (Section VIII.B)

Section 11. Financing Control and Foreclosure of WDUs	Section XII. Financing Control and Foreclosure of WDUs
Section 12. Covenants and Deed Notifications	
Section 12.A, 12B, and 12D	Section IV. Declaration of Workforce Dwelling Unit Covenants and Notice of Workforce Dwelling Unit Proffer
Section 12.C	Section VII. Initial Sale/Rental and Right to Purchase, Initial Sale (Sect. VII.A)
Section 13. Occupancy of WDUs	
Section 13.A, 13.B, 13.C, 13.E, 13.F, 13.h, 13.I	Section X. Occupancy Eligibility
Sections 13.D and 13.G	Sections VII Initial Sale/Rental and Right to Purchase, Rental Developments (Sect. VII.B)

Board Agenda Item
March 18, 2025

4:30 p.m.

Public Hearing on Proposed Amendments to Fairfax County Code Chapter 12, Tenant-Landlord Relations

ISSUE:
Public Hearing on proposed amendments to Fairfax County Code Chapter 12, Tenant-Landlord Relations. As a result of the proposed amendments, the Fairfax County Tenant-Landlord Commission would be dissolved. The proposed amendments also contain minor updates to Fairfax County Code Chapter 12.

RECOMMENDATION:
The County Executive recommends approval of the proposed amendments to Fairfax County Code Chapter 12, effective upon adoption.

TIMING:
On February 18, 2025, the Board authorized advertisement of a public hearing on proposed amendments to Fairfax County Code Chapter 12, Tenant-Landlord Relations to be held on March 18, 2025, at 4:30 p.m. Board action is requested on March 18, 2025.

BACKGROUND:
On February 24, 2024, Chairman McKay, jointly with Supervisor Smith, moved a Board Matter for a review of the over 80 Fairfax County Boards, Authorities and Commissions (BACs). The review was to include ensuring the BAC's original purpose is still relevant, the BAC is still fulfilling its purpose, and to identify any opportunities to reduce any potential redundancies in the work of BACs. The review was to conclude with recommendations to the Board of Supervisors that ensure continued contributions from the community through a well-organized and high-performing BAC system.

As a result of this review, the Fairfax County Tenant-Landlord Commission has been recommended for dissolution.

The Tenant-Landlord Commission (Commission) was established on October 27, 1971, by resolution of the Board and is currently supported by the Department of Cable and Consumer Services (Department). Provisions regarding the Commission, including its composition and duties, were later added to the County Code and are now found in Fairfax County Code Chapter 12, Tenant-Landlord Relations.

The Commission is composed of 10 members, three of whom represent tenants; three of whom represent landlords; and four of whom represent the community at large, one of whom must be a condominium unit owner. The Commission currently has three of the 10 seats filled by two tenant members and one public member. One term expired on January 31, 2024, and the two other terms expire January 31, 2026.

As set forth in County Code Section 12-2-2, the duties of the Commission include:

a. Shall provide information to the public concerning the rights and responsibilities of tenants and landlords.
b. Shall forward to the Board of Supervisors, as appropriate, recommendations for changes in legislation at all levels of government.
c. Shall represent the County interests concerning tenant-landlord matters before judicial, legislative, administrative and other public or private bodies upon direction of the Board of Supervisors.
d. Shall advise the Board of Supervisors about the nature, causes and possible solutions to tenant-landlord problems.
e. May hold public hearings and report its findings to the Board of Supervisors on tenant-landlord issues that affect the public interests.
f. Shall make tenants and landlords aware of the conciliation and mediation services available through the Fairfax County Department of Consumer Affairs.
g. May arbitrate tenant-landlord complaints, upon agreement of the parties, pursuant to the Rules of Procedures adopted by the Commission.
h. Shall report periodically to the Board of Supervisors on the activities of the Commission.

The Commission has had difficulty with vacancies and quorums over the past few years. The table below shows the Commission scheduled 48 meetings over the last four years, of which only 22 meetings were held.

Year	Participation Rate	Total Meetings	Recommendations to the Board	Average Vacancy Rate
2024	80.0%	5	0	70%
2023	81.5%	8	1	67%
2022	84.6%	5	0	50%
2021	79.2%	4	0	35%

The chart set forth below illustrates the Department's planned response to address the current duties of the Commission. This plan ensures the public continues to have information on, access to, and services for tenants and landlords rights and responsibilities.

Commission Duties	Department Response
Shall provide information to the public concerning the rights and responsibilities of tenants and landlords.	The Department currently provides information to the public, conducts community outreach, and maintains online resources concerning the rights and responsibilities of tenants and landlords. *The Department will continue this if the Commission is dissolved.*
Shall forward to the Board of Supervisors, as appropriate, recommendations for changes in legislation at all levels of government.	The Department currently reviews General Assembly bills through the County's Virginia Legislation Monitor System, providing comments on the affected parties and estimated impact of proposed legislation. The Department reviewed 21 tenant-landlord related bills during the 2024 legislative session. *The Department will continue this if the Commission is dissolved.*
Shall represent the County interests concerning tenant-landlord matters before judicial, legislative, administrative and other public or private bodies upon direction of the Board of Supervisors.	The Department currently represents County interests concerning tenant-landlord matters at the direction of the Board of Supervisors. *The Department will continue this if the Commission is dissolved.*
Shall advise the Board of Supervisors about the nature, causes and possible solutions to tenant-landlord problems.	The Department currently advises the Board of Supervisors, as necessary, on tenant-landlord problems. *The Department will continue this if the Commission is dissolved.*

Commission Duties	Department Response
May hold public hearings and report its findings to the Board of Supervisors on tenant-landlord issues that affect the public interests.	If dissolved, the Commission could no longer hold public hearings and report its findings, of which there have been none held by the Commission over the last four years. *The Department will continue to advise the Board of Supervisors on tenant-landlord issues if the Commission is dissolved.*
Shall make tenants and landlords aware of the conciliation and mediation services available through the Fairfax County Department of Consumer Affairs.	Pursuant to Fairfax County Code Section 12-3-1, the Department currently receives, investigates, records, and mediates tenant-landlord complains upon mutual agreement of the parties. In FY 2024, the Department responded to 1,703 tenant-landlord inquiries such as lease agreements, security deposits, maintenance and repair, evictions, and other issues impacting rental dwellings. The Department also conducted 16 tenant-landlord outreach events throughout the County. *The Department will continue this if the Commission is dissolved.*
May arbitrate tenant-landlord complaints, upon agreement of the parties, pursuant to the Rules of Procedures adopted by the Commission.	Tenant-landlord complaints involving violations of the Virginia Consumer Protection Act would be referred to the Department's arbitration panel for a voluntary, legally binding hearing. There have been no requests for arbitration services from FY 2021-FY 2024. *The Department will provide arbitration services if the Commission is dissolved.*
Shall report periodically to the Board of Supervisors on the activities of the Commission.	The Department currently prepares and publishes the Commission's Annual Report which would no longer be required if the Commission is dissolved.

Based on the discretionary status of the Commission and Department's ability to continue to provide services to tenants and landlords, the public will not be adversely affected by this action. The Department recommends that the Board adopt the proposed amendments to County Code Chapter 12 and dissolve the Commission.

EQUITY IMPACT:
While this action, if approved, would dissolve the Commission, the review and action taken supports the County's Strategic Outcome Area: Effective and Efficient Government (EEG). Under the EEG Strategy of Ensure Inclusive Community Engagement, Representation and Governance, the Strategic Plan states to, "Review and improve the structure, operations and impact of county boards, authorities and commissions to better reflect the current needs and demographics of the county." This review concludes that the duties of the Commission will continue to be provided or assumed by the Department. This action will result in no loss of engagement, representation, or governance on behalf of tenants and landlords in Fairfax County.

It is also important to note that the County's Strategic Outcome Area: Housing and Neighborhood Livability has several strategies related to accessible and affordable housing which is supported by the County's BAC: Affordable Housing Advisory Council.

FISCAL IMPACT:
None.

ENCLOSED DOCUMENTS:
Attachment 1 – Proposed Amendments to Fairfax County Code Chapter 12 – Strikethrough

STAFF:
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AN ORDINANCE AMENDING
CHAPTER 12 OF THE FAIRFAX COUNTY CODE, RELATING TO
TENANT-LANDLORD RELATIONS

Draft of January 20, 2025

AN ORDINANCE to amend the Fairfax County Code by amending and readopting the Chapter 12 heading, Sections 12-1-1, 12-1-2, 12-1-4 and 12-3-1, and repealing Sections 12-2-1, 12-2-2 and 12-2-3, relating to Tenant-Landlord relations.

Be it ordained by the Board of Supervisors of Fairfax County:

1. **That Sections 12-1-1, 12-1-2, 12-1-4 and 12-3-1 are amended and readopted, and Sections 12-2-1, 12-2-2 and 12-2-3 are repealed as follows:**

CHAPTER 12. Tenant—Landlord Relations. ~~[1]~~

~~Footnotes:~~
~~— (1) —~~
~~1. As to "Virginia Landlord and Tenant Act," see Va. Code Ann., § 55-248.2 thru § 55-248.40.~~

ARTICLE 1. In General.

Section 12-1-1. Definitions.

(a) For the purposes of this Chapter, the following words and phrases shall have the meanings ascribed to them by this Section:

(1) Landlord shall mean any person, firm, corporation, or other legal entity who is the owner, lessor or sublessor of the dwelling unit or building of which such dwelling unit is a part; and landlord also means a manager of the premises who fails to disclose the name of such owner, lessor, or sublessor, except as otherwise provided by the Virginia Residential Landlord and Tenant Act, ~~Code of Virginia~~ Va. Code §§ 55.1-1200 through -1262, as amended.~~, Chapter 13.2 of Title 55.~~ Landlord shall also include any owner or sublessor of a mobile home park pursuant to the Manufactured Home Lot Rental Act, ~~Virginia~~ Va. Code §§ 55.1-1300 through -1319, as amended. ~~Code of Virginia, Chapter 13.3 of Title 55.~~

(2) Tenant shall mean any person entitled under any rental agreement to occupy a dwelling unit to the exclusion of others and shall include roomer as defined in ~~Virginia~~ Va. Code § 55.1-1200, as amended. ~~Code of Virginia, Section 55-248.4(k)~~. Tenant shall also include a person entitled under a rental agreement to occupy a mobile home lot to the exclusion of all others.

(3) Director shall mean the Director of the Fairfax County Department of Cable and Consumer Services. ~~Affairs.~~

(4) Department shall mean the Fairfax County Department of Cable and Consumer Services. ~~Affairs.~~

(5) ~~The Commission shall mean the Fairfax County Tenant-Landlord Commission.~~ Reserved.

(6) Conversion condominium shall mean a condominium containing structures which, before the recording of the condominium declaration, were wholly or partially occupied by persons other than those who have contracted for the purchase of condominium units and those who occupy with the consent of such purchasers.

(7) Cooperative shall mean real estate owned by an association, each of the members of which is entitled, by virtue of his ownership interest in the association, to exclusive possession of a unit.

(8) Conversion building shall mean a building that at any time before creation of the cooperative was occupied wholly or partially by persons other than purchasers and persons who occupy with the consent of purchasers.

(9) Declarant shall mean any or all person(s) acting in concert who:

(A) Offers to dispose of his or its interest in a condominium unit not previously disposed of, in the case of a condominium, or who, in the case of a cooperative, as a part of a common promotional plan, offers to dispose of his or its cooperative interest not previously disposed of;

(B) Reserves or succeeds to any special declarant right; or

(C) Applies for registration of the condominium under the Virginia Condominium Act or applies for registration of a cooperative under the Virginia Real Estate Cooperative Act, as the case may be.

(10) Elderly shall mean a person not less than ~~sixty-two (62)~~ 62 years of age.

(11) Disabled shall mean a person suffering from a severe, chronic physical or mental impairment which results in substantial functional limitations.

Section 12-1-2. Signs in office of landlord.

Every landlord shall post, in a conspicuous place in that portion of his or her office or offices normally used for negotiating the rental of dwelling units or the rental of mobile home lots or for normal tenant contact with management personnel, a sign containing notice of the existence of the Fairfax County ~~Tenant-Landlord Commission~~ Department of Cable and Consumer Services

and the telephone number of its office. Landlords shall obtain such signs from the Fairfax County Department of Cable and Consumer ~~Affairs~~ Services.

~~**Section 12-1-4. Locks and peepholes. (Repealed, effective July 1, 1989)**~~

~~(a) This Section shall apply to multifamily rental housing constructed prior to February 7, 1976. Multifamily rental units constructed after the above date shall be governed by the requirements of Sections 612.5.6 and 612.5.7 of the Uniform Statewide Building Code.~~

~~(1) Any landlord who rents five (5) or more dwelling units in any one (1) building shall upon the written request of the tenant install a deadbolt lock with not less than five-eighths inch (⅝″) throw case-hardened steel inserts on all exterior swinging doors. The locks on these doors shall be capable of being locked or unlocked by key from the outside or public hallways and by turn-knob from the inside. Alternate devices providing equal security may be substituted with prior approval by proper County authority.~~

~~(2) In addition, at the written request of the tenant, all exterior doors shall be equipped with a visual detection device (magnifying peephole) which will allow for inspection of the exterior entryway prior to allowing entry. A visual detection device shall not be required on any exterior door having a transparent glass panel. Once installed, said deadbolt locks and peepholes shall become permanent fixtures of the dwelling unit and it shall thus be the landlord's responsibility to maintain said fixtures in good working condition.~~

~~(3) The installation of deadbolt locks and visual detection devices shall occur within sixty (60) days after receipt of the tenant's request. The actual cost of such locks and peepholes installed to bring the dwelling unit into compliance with this Section may be charged to the tenant. However, in no event shall the charges to the tenant exceed Twenty-five Dollars ($25.00) per lock and Ten Dollars ($10.00) per peephole.~~

~~(4) Within thirty (30) days following the effective date of this Ordinance all landlords who rent five (5) or more dwelling units shall notify in writing the tenants of all dwelling units which are not equipped with deadbolt locks and visual detection devices meeting the requirements of this section of the rights afforded them by this Section.~~

Section 12-1-4. Locks and peepholes. ~~(Effective July 1, 1989)~~

(a) Any landlord who rents ~~five (5)~~ 5 or more dwelling units in any one multifamily building shall install:

(1) Deadbolt locks ~~which~~ that meet the requirements of the Uniform Statewide Building Code, ~~Virginia~~ Va. Code §§ 36-97 through -119.1, as amended, for new multifamily construction and peepholes in any exterior swing entrance door to any such unit; however, any door having a glass panel shall not require a peephole.

(2) Manufacturer's locks ~~which~~ that meet the requirements of the Uniform Statewide Building Code and removable metal pins or charlie bars in accordance with the Uniform Statewide Building Code, ~~Virginia~~ Va. Code §§ 36-97 through -119.1, as amended, on exterior sliding glass doors located in a building.

(3) Locking devices ~~which~~ that meet the requirements of the Uniform Statewide Building Code, ~~Virginia~~ Va. Code §§ 36-97 through -119.1, as amended, on all exterior windows.

ARTICLE 2. ~~Tenant-Landlord Commission.~~ - Reserved.

~~Section 12-2-1. Created; members; staff; meetings.~~

~~(a) There is hereby created a Tenant-Landlord Commission. The Commission shall be composed of ten (10) members, three (3) of whom shall represent tenants (hereinafter called "tenant members"), three (3) of whom shall represent landlords (hereinafter called "landlord members"), and four (4) of whom shall represent the community at large (hereinafter called "public members," one (1) of whom shall be a condominium unit owner). All members shall be residents of Fairfax County, Virginia. Members of the Commission shall be appointed by the Board of Supervisors for terms of three (3) years each. The terms shall be staggered with no more than four (4) and no less than three (3) terms to commence in any one (1) year. Vacancies shall be filled by the Board of Supervisors as they arise. A Chairperson shall be elected by the Commission from among the public members of the Commission. The Commission may adopt bylaws and rules and regulations governing the conduct of its responsibilities and duties hereinunder.~~

~~(b) For purposes of membership on the Tenant-Landlord Commission, a "tenant member" shall be defined as a person who, prior to the time of his or her appointment, and throughout his or her term, shall be the lessee of and reside in a dwelling unit in Fairfax County; a "landlord member" shall be defined as a person who owns and leases, or serves as a manager for, four (4) or more leased dwelling units in Fairfax County or is employed by a real estate management firm that manages more than four (4) rental units; and a "public member" shall be defined as anyone who is neither a lessee nor lessor of any dwelling unit in Fairfax County.~~

~~(c) When a person occupying a "tenant," a "landlord," or a "public" position on the Commission ceases to meet the qualifications for that position as defined above, he or she shall be deemed to have automatically and immediately vacated such position on the Commission.~~

~~(d) The Commission shall meet at the call of the Chairperson, or four (4) members of the Commission after notice to all members, or upon request of the Board of Supervisors. The staff of the Commission shall be supplied by the Department of Consumer Affairs. The Director of the Department of Consumer Affairs, or his designee, shall, at the pleasure of the Commission, attend all meetings of the Commission.~~

~~Section 12-2-2. Duties of the commission.~~

~~(a) The Commission shall provide information to the public concerning the rights and responsibilities of tenants and landlords.~~

~~(b) The Commission shall forward to the Board of Supervisors, as appropriate, recommendations for changes in legislation at all levels of government.~~

~~(c) The Commission, or its duly appointed representatives, shall represent the County interests concerning tenant-landlord matters before judicial, legislative, administrative and other public or private bodies upon direction of the Board of Supervisors.~~

~~(d) The Commission shall advise the Board of Supervisors about the nature, causes and possible solutions to tenant-landlord problems.~~

~~(e) The Commission may hold public hearings and report its findings to the Board of Supervisors on tenant-landlord issues that affect the public interest.~~

~~(f) The Commission shall make tenants and landlords aware of the conciliation and mediation services available through the Fairfax County Department of Consumer Affairs.~~

~~(g) The Commission may arbitrate tenant-landlord complaints, upon agreement of the parties, pursuant to the Rules of Procedures adopted by the Commission.~~

~~(h) The Commission shall report periodically to the Board of Supervisors on the activities of the Commission.~~

~~**Section 12-2-3. Powers of the Commission.**~~

~~In carrying out its duties as described in Section 12-2-2, the Commission shall have the power to make findings of facts and to make and adopt such rules of procedure, which shall be published, as may be necessary or proper for carrying out its functions under the provisions of this Chapter.~~

ARTICLE 3. Department of Cable and Consumer Services. ~~Affairs.~~

Section 12-3-1. Duties of the Department of Cable and Consumer Services. ~~Affairs.~~

(a) The Department shall receive, investigate, record, and ~~attempt to resolve~~ mediate tenant-landlord complaints upon mutual agreement of the parties.

(b) The Department shall provide information to the public concerning the rights and responsibilities of tenants and landlords. ~~forward, when appropriate, complaints that cannot be successfully mediated to the Tenant-Landlord Commission for arbitration, upon agreement of the parties, pursuant to the arbitration procedures officially adopted by the Commission.~~

(c) The Department shall refer, when appropriate, suspected violations of law to the proper enforcing agency.

(d) The Department shall maintain records of tenant-landlord complaints and their disposition.

(e) The Department shall develop programs of tenant and landlord education and information and disseminate such information.

(f) The Department may provide advice and information on tenant and landlord relations matters to judicial, legislative, administrative and other public and private bodies.

(g) The Department shall analyze the nature of tenant-landlord relations problems in Fairfax County and recommend to the Board of Supervisors legislative and administrative changes.

2. **That the Fairfax County Tenant-Landlord Commission is dissolved.**

3. **That the provisions of this ordinance are severable, and if any provision of this ordinance or any application thereof is held invalid, that invalidity shall not affect the other provisions or applications of this ordinance that can be given effect without the invalid provision or application.**

4. **That the provisions of this ordinance shall take effect upon adoption.**

GIVEN under my hand this_____ day of _____, 2025.

_____
Jill G. Cooper
Clerk for the Board of Supervisors
Department of Clerk Services

Board Agenda Item
March 18, 2025

4:30 p.m.

Public Comment on Issues of Concern