MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, APRIL 22, 2026

PRESENT: Phillip A. Niedzielski-Eichner, Chair, At-Large
Evelyn S. Spain, Vice Chair, Sully District
Candice Bennett, Parliamentarian, Commissioner At-Large
Alyssa Batchelor-Causey, Dranesville District
John A. Carter, Hunter Mill District
Chris Landgraf, Franconia District
James Thomas, Springfield District
Alis Wang, Mason District
Walter C. Clarke, Mount Vernon District

ABSENT: Jeremy Hancock, Secretary, Providence District
Mary D. Cortina, Braddock District
Timothy J. Sargeant, Commissioner At-Large

OTHERS: Pamela Pineros, Zoning Administration Division (ZAD), DPD
William Mayland, Assistant Zoning Administrator, ZAD, DPD
Nicole Blackwell, Clerk to the Planning Commission,
Department of Clerk Services (DCS)
Satabdi Samaddar, Administration, DCS
Catherine Dushin, Deputy Clerk, Planning Commission, DCS

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The meeting was called to order at 7:30 p.m., by Chair Phillip A. Niedzielski-Eichner, in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

Chair Niedzielski-Eichner explained that the agenda for tonight's meeting included commission business, deferrals, and a public hearing.

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SE-2023-DR-00036 – LAURA WINFIELD BERKEBILE AND JULIA HELENA EUGENIA BERKEBILE FAZIO

Commissioner Batchelor-Causey MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING FOR SE-2023-DR-00036 TO A DATE CERTAIN OF JULY 15, 2026.

Commissioners Landgraf and Bennett seconded the motion, which was carried by a vote of 8-0. Commissioners Cortina, Hancock, and Sargeant were absent from the meeting. Commissioner Clarke was not present for the vote.
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2232-2025-SU-00006 – AVION SUBSTATION

Commissioner Spain MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING FOR APPLICATION 2232-2025-SU-00006 TO A DATE TO BE DETERMINED IN THE FUTURE.

Commissioner Bennett seconded the motion, which was carried by a vote of 9-0. Commissioners Cortina, Hancock, and Sargeant were absent from the meeting.

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Commissioner Carter announced that his intent was to defer the public hearing for RZ/FDP-2025-HM-00018 – OLD RESTON ASSOCIATES LLC from May 6, 2026, to June 3, 2026. A deferral motion will be made on May 6, 2026.

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Due to Secretary Hancock's absence, Parliamentarian Bennett announced that on April 17, 2026, Commissioners were emailed copies of the draft minutes for January 7, 2026, January 14, 2026, and January 28, 2026, Planning Commission meetings. She then requested that Planning Commission members review the January meeting minutes and submit comments to staff no later than April 27, 2026. Parliamentarian Bennett announced her intent to move approval of the January 2026 meeting minutes during the Planning Commission meeting on April 29, 2026.

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Chair Niedzielski-Eichner announced that there would be no Committee meetings this week.

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ORDER OF THE AGENDA

Chair Niedzielski-Eichner established the following order of the agenda:

1. PROPOSED ZONING ORDINANCE AMENDMENT – MINOR AND EDITORIAL REVISIONS AND CHANGES TO REFLECT VIRGINIA CODE UPDATES

This order was accepted without objection.

Chair Niedzielski-Eichner recited the rules for public testimony.

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PROPOSED ZONING ORDINANCE AMENDMENT – MINOR AND EDITORIAL REVISIONS AND CHANGES TO REFLECT VIRGINIA CODE UPDATES

To consider a proposed amendment to Chapter 112.2 (the Zoning Ordinance) of the County Code regarding minor and editorial revisions and changes to reflect Virginia Code updates (which may include additions and deletions), which are advertised by reference. The changes as specifically set forth in the staff report may include, without limitation:

(1) correcting errors, providing clarification, correcting or adding cross references, and making other minor editorial revisions;

(2) revising the use-specific standards for massage therapy establishments;

(3) clarifying that standards pertaining to minimum distance between data center buildings and residential property do not include property developed with an international airport and related uses;

(4) removing the requirement for Zoning Administrator approval to create a blanket exemption to reduce certain highway and railroad setback standards for lots created before August 14, 1978;

(5) allowing a special permit to amend setbacks previously shown on any variance approved before July 10, 2006;

(6) revising earthborn vibration standards to create an exception for temporary activities;

(7) clarifying that transitional screening, barrier, and parking lot landscaping requirements may be modified or waived by the Board where deemed appropriate or for interim uses;

(8) revising standards to eliminate administrative approval of permitted modifications to Correlated Color Temperature for outdoor lighting fixtures;

(9) revising standards to remove the allowance of an additional yard sign for a single-family dwelling under active construction, improvement, or renovation;

(10) revising standards for signs in commercial and industrial districts to clarify requirements for determining building frontage when separate buildings are located on the same property;

(11) revising notice and appeal application requirements to align with the Virginia Code, including standards to permit notice of certain land use actions by first-class mail instead of certified mail and making other clarifying edits to review procedures;

(12) revising interpretations to clarify that the terms written, submitted, or filed include online submissions;

(13) revising appeal period for violations involving storage or disposal of nonagricultural material;

(14) revising submission requirements for phased development applications;

(15) revising the submission requirements for special exception applications for Independent Living Facility;

(16) increasing civil penalties for zoning violations on multifamily properties;

(17) removing the definition for net floor area; and

(18) revising the definitions of frond yard; kennel (replacing it with animal boarding, breeding, or recreation establishment), and residence for manager or employee.
COUNTYWIDE. PUBLIC HEARING.

Pamela Pineros, Zoning Administration Division (ZAD), Department of Planning and Development (DPD), presented the staff report, a copy of which is in the electronic data file. She noted that staff recommended adoption of the proposed Zoning Ordinance Amendment.

There was a discussion between Ms. Pineros; William Mayland, Assistant Zoning Administrator, ZAD, DPD; and multiple Commissioners on the following issues:

- Clarification from staff that the color temperature standard for outdoor lighting was required, but administrative approval of permitted modifications to Correlated Color Temperature was eliminated;

- Explanation from staff that the existing earthborn vibration standards codified prior zoning interpretations, and the proposed change clarified that those standards did not apply to vibrations generated by temporary activities of short duration, such as construction, demolition, or maintenance work;

- Clarification from Commissioner Landgraf that a mining operation activity would be an example of an operation with a long-term impact;

- Confirmation from staff that in Fairfax County there were two mining operations regulated by special permits subject to renewals;

- Explanation from staff that current standard district setbacks and other related standards would remain in effect, and noise and transitional screening standards would apply during the rezoning process;

- Confirmation from staff that proposed revisions to highway and railroad setback would automatically exempt lots created prior to August 14, 1978, from the additional setback requirements;

- Clarification that currently the Zoning Administrator might approve a modification of this setback to no less than the minimum required by the Zoning District for lots recorded prior to August 14, 1978;

- Explanation from staff that the Board of Supervisors would have the ability to modify the new requirement, and staff would determine the appropriateness of such modification;

- Clarification from staff that the owner of the lot recorded before August 14, 1978, would have the ability to build a lot abutting a property line as close as the setback allowed with an additional setback of 200 feet;

- Clarification from staff that the owner could ask for the modification of the minimum setback requirement;

- Clarification from staff that the proposed revision would consider noise barriers for side yards and rear yards and would not apply to lots built after 1978 on the property within the 200-feet setback range;

- Clarification that a by-right development would not require the developer to build sound barriers, unless they already were installed by other agencies, such as Highway Department or a rail station;

- Explanation from staff that if the development had an ability to build a lot with a setback of 300 feet, it would not be allowed to have a setback of 200 feet, particularly within a floodplain or across Resource Protected Areas;

- Explanation from staff that a portion of the property located outside a 200-foot setback would be subject to the Zoning Administrator's review;

- Clarification from staff that the number of properties built prior to August 14, 1978, was unknown;

- Clarification from staff that the size of an outdoor yard sign was either 2` by 2`, or 2` by 3`;

- Explanation that the four-square foot sign was proposed in addition to the 12 square feet of yard signs allowed on a property developed with residential use;

- Explanation from staff that the proposed zoning change effectively allowed for 16 square feet of signage during the construction or renovation period;

- Explanation from staff that written notices would be sent to the manufactured home occupants surrounding the application property, and at least 25 different property owners in the immediate vicinity would be notified;

- Clarification from staff that currently a work program did not include an option for notification of all manufactured home occupants;

- Explanation from staff that the reduction of a time frame for written notices from 15 to 10 days before the hearing was in response to the adjustments to the State Code and allowed for flexibility;

- Clarification from staff that the deleted Subsection (a) in Section 4 under Conduct of Public Hearings on page 25 of the Staff Report was moved to Subsection (b);

- Explanation from staff that any changes in the procedures for the conduct of public hearings would be aligned with the provisions of the State Code and with recommendations from the County Attorney office, and the possibility of the conduct of the second public hearing during the next day would be preserved; and

- Confirmation from staff that the proposed change related to phased developments expanded a rezoning submission requirement and would be applied not only to PTC districts, but also to all districts.

Following the public hearing, Chair Niedzielski-Eichner called for speakers. Chair inquired of the Clerk, who confirmed that there were no callers.

With no speaker testimony presented, there being no further comments or questions from the Commission, and staff had no closing remarks; therefore, Chair Niedzielski-Eichner closed the public hearing and recognized Commissioner Bennett to make a motion.

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Commissioner Bennett MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THE FOLLOWING ACTIONS, AS AMENDED:

- ADOPTION OF THE PROPOSED ZONING ORDINANCE AMENDMENT FOR MINOR AND EDITORIAL REVISIONS AND CHANGES TO REFLECT VIRGINIA CODE UPDATES, AS SET FORTH IN THE STAFF REPORT DATED MARCH 3, 2026, WITH THE STAFF RECOMMENDED OPTIONS; AND

- THAT THE AMENDMENT BECOME EFFECTIVE AT 12:01 A.M., THE DAY FOLLOWING ADOPTION.

Vice Chair Spain, and Commissioners Clarke, and Landgraf seconded the motion which was carried by a vote of 8-0-1. Commissioners Cortina, Hancock, and Sargeant were absent from the meeting. Chair Niedzielski-Eichner abstained from the vote.

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The meeting was adjourned at 8:11 p.m.
Phillip A. Niedzielski-Eichner, Chair
Jeremy Hancock, Secretary

Audio and video recordings of this meeting are available at the Planning Commission Office, 12000 Government Center Parkway, Suite 552, Fairfax, Virginia 22035.

Minutes by: Catherine Dushin
Approved on: July 15, 2026

Nicole Blackwell, Clerk to the
Fairfax County Planning Commission

County of Fairfax
Commonwealth of Virginia
The foregoing instrument was acknowledged before me this 20 day of July 2026, by Nicole Blackwell

Signature of Notary

Notary registration number: 7114113

Commission expiration: January 31, 2028

Notary Seal