

Ellison Heights – Mt. Daniel Civic Association
Comments on Zoning Ordinance Modernization Project Proposal – January 20, 2021

The Ellison Heights-Mt. Daniel Civic Association is a Fairfax County civic association representing residents in an area located generally between the Falls Church City line, Great Falls Street, I-66, and Haycock Road.

We of the Board of Directors of the association have recently become aware of the Zoning Ordinance Modernization Project (zMOD) that was undertaken by the County Planning and Zoning staff beginning in 2017 and for which a proposal was recently presented to a committee of the Board of Supervisors. While we understand that the stated purpose of this initiative is to modernize permitted uses and regulations and to make the County's existing Zoning Ordinance easier to understand, it has come to our attention that certain provisions could threaten the character of existing residential neighborhoods such as ours.

These provisions were a focus of a resolution passed by the McLean Citizens Association (MCA) on January 6, 2021. Among the provisions that the MCA noted, our association board is concerned about those that would substitute issuance of an Administrative Permit for the public hearing process to allow home-based businesses and accessory living units (ALUs) in residential districts, and to allow home-based businesses to hold special events in residential districts. These zoning changes would apparently eliminate any public input for these uses and allow them to occur through administrative approval.

We are also concerned with provisions that would remove the current ALU requirement that someone on the property, either in the principal dwelling or the ALU, be at least 55 years in age or a person with a disability, and that would increase the size limit of ALUs in basements with separate doors for people other than those over 55 and with disabilities. As the MCA resolution points out, the additional residential density this might create could add to school overcrowding and strain local infrastructure.

Like the MCA, we find troublesome certain provisions for home-based businesses that could encourage encroachment of commercial-like uses on areas that are primarily zoned as residential. These include provisions that would increase the number of customers permitted at a home-based business at one time or in a given day, allow a by-right display of 12 square feet of permanent yard signs, and allow such businesses to obtain administrative permits for up to 21 days of special events in residential districts.

In addition, we are concerned about provisions that would allow by right an unlimited number of accessory storage structures with a combined enclosed area of up to 50 percent of the gross floor area of the principal structure and allow a by-right increase in the height of freestanding accessory structures to 25 feet.

While we can understand that the Zoning Ordinance could need to be improved, and while there may be worthwhile changes proposed in the County Planning and Zoning staff's extensive proposal, we are focused on provisions that could diminish the quality of life in residential

neighborhoods, and we ask the Planning Commission and the Board of Supervisors to weigh seriously the possible negative effects of the provisions we have highlighted in deciding how much of the zMOD proposal to approve.

Sincerely,

Board of Directors, Ellison Heights-Mt. Daniel Civic Association
David Wuehrmann, President
Robert Boggs, Vice-president
Sonia Goldstein, Secretary
Jay Bass, Treasurer
Lowry Taylor and Sarah Liberatore, Area Representatives

Cc: John Foust, Dranesville District Supervisor
John Ulfelder, Dranesville Planning Commissioner
Clerk, Fairfax County Board of Supervisors
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