

June 11, 2013

Dear Chairman Bulova, Supervisor Smyth, and other members of the Fairfax County Board of Supervisors:

On behalf of the Providence District Council membership and board of directors, we are writing to express PDC's views regarding Fairfax Forward. In recent months, PDC members, joined by leaders of other community groups, have conducted a close review of the Feb. 20, 2013, staff report as a starting point for extensive, and constructive, dialogue with the planning staff.

Fairfax Forward has many positive approaches to long-term planning. But the Feb. 20 staff report also prompted deep unease among community leaders. Despite Fairfax Forward's commendable attempt to put planning in a broader context, instead of focusing on "spot replannings," there were disturbing omissions and silences in the Feb. 20 report on the role of the public in submitting and reviewing land use proposals.

Put simply, the Feb. 20 report suggested to many of us that some very positive features of the Area Plans Review process, which ensured a high degree of community participation, were being abandoned. This in turn provoked fears that Fairfax Forward could be construed, now and in the future, in a way that reduces, rather than expands, the community's role in charting the county's future. These concerns were at the heart of extended dialogue with county planning staff. I am happy to say that the resulting changes to the Fairfax Forward documentation have made a very positive difference.

Addressing Fairfax Forward, and the broader questions of planning long-term county land use, inevitably is a complex subject. For simplicity, 10 proposals approved by the PDC at its April 16 meeting are attached as an appendix at the end of this letter. But these requests for change are based on a few broad principles, which we call on the board to endorse as it reviews Fairfax Forward.

- 1) The Comprehensive Plan must truly remain the "People's Plan." Therefore, Fairfax Forward must protect a meaningful avenue of submission and review by all community stakeholders, at all stages of the land use process.
- 2) The Comprehensive Plan must protect stability of suburban neighborhoods and low-density areas, and the residents who live within them, by discouraging capricious attempts to rewrite the rules.

- 3) The Comprehensive Plan review must meaningfully incorporate public impacts, such as on roads, parks and schools, to name just a few, in assessing possible changes.
- 4) Public trust, and public input, are essential to sound land use planning, and these are best achieved through a commitment to transparency and open participation.

We are happy to report that substantial progress has been made in recent months. The planning staff has invested considerable time and energy in assessing community concerns raised at PDC meetings on April 2 and 16, as well as in other community discussions. Since then, the staff has made significant changes, both in a revised descriptive flow chart and in a “Frequently Asked Questions” document on how Fairfax Forward will work in practice. These changes clarify and enhance the community’s role in ways that remove many of the perceived omissions in the Feb. 20 staff report. At the same time, other repairs can only be made by the Board of Supervisors, individually and collectively.

Therefore, the Providence District Council urges the board to incorporate all staff materials that clarify and enhance the public’s role, as binding board guidance for the execution of Fairfax Forward. These materials include an April 3 staff report, the revised descriptive flow chart (Link: <http://www.fairfaxcounty.gov/dpz/fairfaxforward/review-planning-studies.htm>) and the FAQ document (Link: <http://www.fairfaxcounty.gov/dpz/fairfaxforward/faqs/>), into the board’s formal adoption of Fairfax Forward.

We want to call particular attention to two points. First, Fairfax Forward promotes long-term study groups to assess proposed land-use changes in depth. It is important, however, that the conclusions of any long-term study be vetted by a broader group more representative of the community. For this reason, PDC has stressed the importance of a “back-end” review of all land-use proposals, either by the land use committees of affected districts, or by an ad-hoc task force similar to the APR task forces in districts that used that model. This late-stage community review was one of the genuinely strong features of the old APR. It was the strong consensus of PDC that preserving this type of back-end review was essential to protect the community’s voice, and it was greatly encouraging to us that the staff added such a mechanism into its FAQ document.

We further urge the board members to adopt a second practice that is not in the staff recommendation, and this regards the role of the community in forming land use task forces, committees and study groups. Specifically, we urge the Board of Supervisors to adopt

countywide the model long used in Providence, in which civic associations and homeowners associations are permitted to select their own representatives to such bodies. This model has greatly enhanced public participation in land use reviews, and public trust in the final results. Because this decision is at the discretion of individual board members, we urge you, individually and as a body, to recommend this representation model as part of Fairfax Forward as it goes forward.

In closing, it is significant to note that many concerns raised by the Providence District Council also have been mentioned by Planning Commission members in reviewing Fairfax Forward. On May 3, Commission Chairman Peter Murphy said, “I still have those concerns about the involvement of the citizens in this process. And we continuously say that the Planning Commission is the custodian of the Comprehensive Plan, but it is the citizens’ plan. And my concern was that with this new process there is a possibility that we may be taking citizens out of the process—not completely, but diluting their participation in the process.”

In working with the planning staff, Providence District Council has sought to preserve the best elements of Fairfax Forward, while suggesting improvements—including some of the best features of the old Area Plans Review—to ensure that the public’s role is meaningful, robust, and in no way diluted.

In our discussions with staff, and with other community organizations, there has been a strong consensus that land use is a unique area of government endeavor. Unlike a tax increase, for instance, land use changes cannot easily be undone. Land use therefore requires more, not less, active citizen oversight at all stages.

We believe that Fairfax Forward has substantially improved and clarified its provisions for public participation since the Feb. 20 staff report, but it is likely that issues will continue to surface, given the scope and ambition of Fairfax Forward as a planning model. Moving forward, PDC strongly endorses the Planning Commission’s recommendation to treat Fairfax Forward as a two-year pilot study, and it urges that public participation be a central metric in assessing Fairfax Forward’s success.

PDC again wants to thank the staff for its extensive work in addressing our concerns, and to thank the board for your consideration. The PDC is happy to help in any way to make a revised and clarified Fairfax Forward an exemplary model for community-based planning, one that will continue to make Fairfax County one of the greatest communities in America.

Yours very truly,

Charles Hall, Chair, Providence District Council

C. Flint Webb, PDC Vice Chair

Cynthia Lee, PDC Secretary

R. Dana Opp, PDC Treasurer

## **Appendix: Ten requests from Providence District Council (approved April 16 by PDC membership)**

Note: Where staff changes have responded to community concerns, this is noted in italic at the end of each item.

### **Citizen and Community Involvement**

1) **Ensure that the early process of defining the work plan is long enough to accommodate meaningful citizen participation.** *Note: Changes made by the staff since the Feb. 20 staff report address this concern, by more than doubling the early review period. PDC supports the new, slower timetable for defining the work plan.*

2) **Enhance community outreach.** A grave weakness of the Feb. 20 staff report is that its tools for engaging public participation seemed fundamentally inadequate, creating a situation where even active land-use participants simply might not know that a Comprehensive Plan review is underway. PDC strongly urges that the staff, with the explicit encouragement of the Board of Supervisors, set up an ongoing community outreach working group that invites the Fairfax County Federation of Citizens Associations, the district councils and other interested community players to help devise specific ways to engage the public, and to ensure that all web material on Comprehensive Plan proposals be maximally transparent. *Note: the Planning staff held a very positive meeting with community leaders on May 6. It is our earnest hope that this will be the beginning of a long-term advisory body, and that community groups will be enlisted to help publicize Comprehensive Plan reviews.*

**3) Create a broad notification process for proposals that affect multiple magisterial districts.** Many Fairfax Forward reviews could cross multiple district lines. PDC urges that a broad notification process be instated, so that all potentially affected stakeholders will learn in a timely manner of proposed replannings, even if they reside in multiple districts. *Note: Staff has addressed this concern in a recent FAQ document, and it is hoped that community groups also can assist in notifying the public about multi-district cases.*

**4) Reinstate and clarify the right of the community to submit nominations for change.** An important feature of the APR process was that citizens could endorse changes to the Plan and get a hearing from fellow citizens, even when the staff recommended against adopting the proposal. The PDC requests two remedies: a) That all proposals for planning changes, and their status, be posted prominently online, so that there is sufficient transparency for community members to suggest land use changes in a timely way. b) That residents who fail to gain staff support for their replanning requests have some means of raising their proposals to a district land use community or district land use task force, so that residents' perspectives can be gauged. *Note: The staff has agreed to post all proposed changes, including those that have been rejected, online, which the PDC endorses as an important step toward public transparency. However, PDC encourages retention of some practice of allowing citizens to have their planning suggestions heard by a body of fellow citizens before Planning Commission review. At present, it is not clear that this is a part of Fairfax Forward.*

**5) Explicitly reinstate late-stage community review meetings to provide “back-end” review of all proposed Comprehensive Plan changes.** A strength of Fairfax Forward is that it incorporates much greater “front-end” review than did the APR process. But perhaps the greatest weakness of the Feb. 20 report is that it offered no clear road map for a “back-end” or “late-stage” community review of projects, before submission to the Planning Commission. These community reviews, which were a central feature of the APR process, are an important protection of community values and were strongly endorsed in the Fairfax Forward public surveys. The PDC strongly urges that all land use proposals, as they near completion by a study group, be presented to a district-wide task force or land use committee, for feedback, before moving proposals forward to the Planning Commission. Where multiple districts are affected, PDC urges that committees/task forces of all affected districts be engaged in a late-stage review. *Note: Staff has included a role for back-end reviews in a descriptive flow chart and FAQ document, and we urge the board to make this a requisite of Fairfax Forward.*

**6) Allow community organizations to choose their own representatives to task forces and land use study groups.** This goal can only be achieved by individual supervisors. Staff correctly notes that composition of land use task forces is the prerogative of board members. However, at its April 16 meeting, PDC members unanimously voted to communicate to the board that we urge supervisors to identify stakeholder groups, but then allow those groups to name their own representatives to planning review processes. This ensures bona fide community representation, and avoids any perception that land use task forces may be “hand-picked” to achieve specific outcomes.

### **Other Process Recommendations**

**7) Mandate a two-year Planning Commission review of any new process and include citizens as part of that oversight process.** The PDC strongly endorses a recommendation by the Planning Commission to mandate a two-year review of Fairfax Forward. Further, we request that any Planning Commission review process include citizen participants, and include successful community outreach and participation as a metric for evaluation of Fairfax Forward. This model, in which interested citizens work in support of a Planning Commission task force, was highly effective in formulating Fairfax County’s Residential Development Criteria and Transit-Oriented Development policy. In the case of Fairfax Forward, this model also would ensure that a community perspective is included in the review process.

**8) Strengthen the county’s commitment that broad impact analyses, on traffic and other basic services such as schools and parks, are included in reviews, as a central goal of Fairfax Forward.** *This goal always was a part of Fairfax Forward, but in the Feb. 20 report, it appeared to be very softly, and even indirectly, expressed. This critical, and commendable, goal of Fairfax Forward has been stated very clearly in the staff FAQ document.*

**9) Include a strong statement of support for preserving the stability of suburban neighborhoods and low-density residential area.** For average citizens, waging a land –use battle against paid development professionals is draining and potentially intimidating. There is a sense that opening the door to continuous replanning proposals, whatever the specific outcomes in a given year, by itself undermines the stability of neighborhoods and citizens’ quality of life. PDC recommends including language, perhaps from “Concept for Future Development,” to assure the public that Fairfax Forward will not open the door to disruptive, open-ended replanning proposals that do not conform to the Comprehensive Plan’s goals. *Note: Staff has*

*strengthened its expression of this goal, which was partially addressed in Page 5 of the Feb. 20 report, in its recent FAQ document.*

**10) Consider preserving the North-South County planning calendar, especially for suburban and low-density residential area studies, to discourage use of out-of-turn plan amendments.** The underlying point of this proposal is more important than the specific means. At the March 27 Planning Commission hearing, commissioners expressed concerns that the lack of a clear calendar, and the fear that a specific area might go many years without getting on the work plan, could drive land holders to aggressively use the out-of-turn planning process. The staff has stated valid reasons for why the two-year rotating north-south calendar may not work under Fairfax Forward, but the PDC urges all supervisors, as well as staff, to strongly discourage the casual use of out-of-turn Comprehensive Plan amendments. As much as possible, plan reviews should be routed through a transparent, participatory community process, and out-of-turn plan reviews often fail to achieve this goal, which is so important to public trust.