

My name is Jay Johnston. I am the President of the Virginia Run Board of Trustees and member of the Sully District Council. I am presenting this position today as an extremely concerned and dually elected member of the homeowner's association and as a private citizen.

Please understand, that I appreciate all that you do for the County and the Districts that you represent. It is a difficult position, as I can attest, but also understand that we must listen without prejudice to those we represent and to those who have placed their trust and confidence in the decisions we make. That said, I must speak out when I perceive a miscarriage of the oath each of you have taken and one that I have taken as a member of this country's military, "to support the constitution of the United States (and support the constitution of the Commonwealth of Virginia) and that I will faithfully and impartially discharge all the duties incumbent upon me as supervisor . . . to the best of my ability." It is a significant honor that is bestowed upon us as an elected/appointed official.

The Virginia Run Community Association represents 1405 homes in the western portion of Sully Magisterial District in Fairfax County, and is one of the largest single homeowner's association in Fairfax County's residential conservation (R-C) zoning district, in the downzoned Occoquan watershed, surrounded by environmentally sensitive parkland, including globally rare forest. As a member of the Sully District Council Citizens Association, we unanimously support their December 2020 letter to the Board of Supervisors (BOS) in opposition to the most recently adopted zMOD provisions.

I hope that I do not have to remind you that the homeowner associations, citizens associations, and those not represented by an association are the life blood of this county. The HOAs and citizen associations are the foundational legislators for managing a safe and healthy environment for our resident owners. We have a fiduciary responsibility and are held accountable to the owners to ensure we provide regulations and guidelines that protect the investments they have made in their homes. It is incumbent upon each elected representative to protect those investments by regulating, guiding, and reenforcing the Declaration and By-Laws of the association. We have a great privilege and high honor as elected officials. As leaders we are judged not by our words but more importantly by our actions.

The bottom line: I believe as many of my constituents and other HOA elected officials believe that its critically important that the zMOD committee open a direct, free, and open dialogue with the homeowner associations et al, to better understand the potential impacts to the associations. We believe it is important that these zoning amendments not destabilize the needs of these all-important organizations. I implore you not to undermine the roles and responsibilities of the lifeblood of Fairfax County.

As a collective, the HOAs et al actively participate in district activities, and strongly support citizen and neighborhood engagement in amending the Fairfax County zoning ordinances and the land use approval process, as well as robust citizen participation in governmental public hearings before significant decisions, as well as the principles of governmental transparency and accountability. While you believe you are adding much needed housing in the county, at the same time you are causing unintended consequences in these communities.

The most important issue for HOAs is to preserve the right to speak up regarding BOS amendments, planning commission decisions, and zoning issues. For example, abolishing the public hearings for legislative matters prevents the citizenry the opportunity to comment on potential detrimental impacts to their quality of life. That basic right to receive notice and to be given an opportunity to be heard ought not be taken away by you or any legislative action. The freedom of speech is one of this country's basic rights and must not be infringed. The matter is simple, a basic right we have now, is in serious jeopardy, due to anti-citizen Gartner streamlining and trendy California social engineering. You just cannot legislate the HOAs roles and responsibilities away.

Most of the criticism is that ZMOD allows too many "trendy" changes that will cause overcrowding in the neighborhoods. Fairfax County is known for its excellent school system, high standards for housing, sustainable infrastructure, and rules and regulations that are enforceable through the zoning ordinance processes. Some of the "unintended consequences" that I spoke of earlier are that zMOD will cause overcrowding in our schools, overburden our infrastructure, increase the density in neighborhoods already challenged with parking, traffic, signage, and unwanted non-resident infiltration. The lack of county monitoring will pit neighbor

against neighbor because the county is unprepared and ill equipped to monitor and check on the ordinances they are attempting to incorporate.

We are Fairfax County. We can do better than this. We are the best county in Virginia and one of the best counties in the country. I am proud to be a resident but recognize there is plenty of room for improvement, especially where the environment is concerned, availability of a public forums, and consideration for all the county's resident's safety, health, and general welfare – sound familiar – it is in the Fairfax County Comprehensive Plan. Please be respectful of our rural lifestyle, our neighborhoods, the investment in our homes and neighborhoods. We have spent 40 years building strong, resilient, and financially sound communities. Let us not destroy that with the stroke of a pen in the next few months.