



## Legislation Details (With Text)

**File #:** 16-309      **Version:** 1      **Name:**  
**Type:** Action Item      **Status:** Agenda Ready  
**File created:** 11/22/2016      **In control:** Town Council Meeting  
**On agenda:** 12/5/2016      **Final action:**  
**Title:** The Fairfax County School Board (FFCSB) seeks approval to provide an additional public-use trailer as a temporary classroom at Cedar Lane School. The school is located at 101 Cedar Lane SW and is further identified as Fairfax County Tax Map Parcel 49-1-(2)-3.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 21928 - Revised Site Plan, 2. 21928 - Public Use Trailer application, 3. 21928 - Cedar Lane ES - Surroundings

Date	Ver.	Action By	Action	Result
12/5/2016	1	Town Council Meeting	approved	Pass

**Subject:**

The Fairfax County School Board (FFCSB) seeks approval to provide an additional public-use trailer as a temporary classroom at Cedar Lane School. The school is located at 101 Cedar Lane SW and is further identified as Fairfax County Tax Map Parcel 49-1-(2)-3.

**EXPLANATION AND SUMMARY :**

**Introductory Comments/Characteristics of the Existing Property:**

Town of Vienna Council will consider a Fairfax County School Board (FFCSB) request to provide an additional public use-trailer as a temporary classroom at Cedar Lane School. The school is located at 101 Cedar Lane SW and is further identified as Fairfax County Tax Map Parcel 49-1-(2)-3.

The property is zoned RS-10 and RS-12.5. The school is a special education school for grades 9-12. Due to recent increases in student enrollment for school year 2016-17, a public-use trailer is needed to provide additional instructional space. The application was filed by Paul A. Scott on behalf of Fairfax County Public Schools, owner.

It should be noted that many of the students have significant behavioral issues that have resulted in numerous police calls. Below is incidence data logged by the Town of Vienna Police Department over the last few years. Police are dispatched to the school for a wide range of events; most require that the police department send two officers for officer safety reasons. Apparently there are three such schools in the county with similar student populations; these schools each have County Police assigned. It appears that some of those students from other schools have been moved to Cedar Lane. More Town police services may be needed to deal with any program increase. Here are the number of calls for service to Cedar Lane School over last three years:

2013 - 75

2014 - 58

2015 - 55  
2016 - 42 YTD

### **Required Board Approvals**

Per Town Code Section 18-152.2-A&B-Public use trailers and manufacturing

The Town may initially approve trailer use for three years and then provide two-year extensions to allow continued use of existing trailers.

**Departmental Recommendation** : The Planning and Zoning Department recommends approval of this request. Given the special programming needs and documented increase in enrollment at this special education school, it appears that the trailer is needed. An alternative would be to ask the school board to house this population of students at other county schools.

**Finance Recommendation** : N/A

**Purchasing Recommendation** : N/A

**Town Attorney Recommendation** : Pursuant to Town Code Sections 18-4 and 18-152.2 (set forth below), Town Council may approve interim use of public-use trailers in its discretion upon a finding that the public health, safety, and welfare of the Town will not be impaired.

### ***Sec. 18-4. - Definitions.***

*Trailer, public use, means a trailer used by the Town or the county public schools and dedicated to providing services to the public*

### ***Sec. 18-152.2. - Public use trailers and manufactured homes.***

*Notwithstanding the prohibitions set forth in [section 18-152](#)*

*[https://www.municode.com/library/va/vienna/codes/code\\_of\\_ordinances?](https://www.municode.com/library/va/vienna/codes/code_of_ordinances?nodeId=PTIICOOR_CH18ZO_ART18SURE_S18-152TR)*

*[nodeId=PTIICOOR\\_CH18ZO\\_ART18SURE\\_S18-152TR](https://www.municode.com/library/va/vienna/codes/code_of_ordinances?nodeId=PTIICOOR_CH18ZO_ART18SURE_S18-152TR)>, a public use trailer or a public use manufactured home may be permitted to serve an interim need as part of a permitted public use subject to the following standards and procedures:*

*A. The Town Council may approve, for a period of up to three years, a public use trailer or temporary public use manufactured home upon finding that such installation complies with the applicable provisions of this chapter and is consistent with the conditions of any permit for the principal use issued pursuant to [section 18-209](#) [https://www.municode.com/library/va/vienna/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH18ZO\\_ART21COUSPE\\_S18-209USPESUCECO](https://www.municode.com/library/va/vienna/codes/code_of_ordinances?nodeId=PTIICOOR_CH18ZO_ART21COUSPE_S18-209USPESUCECO).*

*B. For an existing public use trailer permitted pursuant to subsection A of this section or approved pursuant to this subsection B, the council, upon a finding that the public health, safety and welfare of the Town will not be thereby impaired, may extend the time allowed for a public use trailer for additional periods of up to two years each pursuant to [section 18-256](#)*

*[https://www.municode.com/library/va/vienna/codes/code\\_of\\_ordinances?](https://www.municode.com/library/va/vienna/codes/code_of_ordinances?nodeId=PTIICOOR_CH18ZO_ART21COUSPE_S18-209USPESUCECO)*

*C. All public use trailers must comply with all provisions of this chapter and be consistent with all conditions of any permit issued pursuant to [section 18-209](#)*

*[https://www.municode.com/library/va/vienna/codes/code\\_of\\_ordinances?](https://www.municode.com/library/va/vienna/codes/code_of_ordinances?nodeId=PTIICOOR_CH18ZO_ART21COUSPE_S18-209USPESUCECO)*

*, unless such requirements are modified pursuant to [section 18-256](#)*

*[https://www.municode.com/library/va/vienna/codes/code\\_of\\_ordinances?](https://www.municode.com/library/va/vienna/codes/code_of_ordinances?nodeId=PTIICOOR_CH18ZO_ART21COUSPE_S18-209USPESUCECO)*

*D. Notwithstanding the provisions in subsections A through C of this section, the Town Manager may approve installation of a public use trailer or public use manufactured home in order to respond to exigent needs. Such approval shall be for an interim period, not to exceed one school year, pending satisfaction of the requirements of this section.*

**Town Manager's Recommendation** : I recommend the Town Council accept Fairfax County Public School's withdrawal of their application.

Cost and Financing: N/A

Account Number: N/A

Decision Needed by This Date: December 5, 2016

**PROPOSED/SUGGESTED MOTION**

"Upon a finding that the public health, safety, and welfare of the Town will not be impaired, I move to approve the addition of a temporary public-use classroom trailer at Cedar Lane School through June 30, 2018 to provide the school board and county an opportunity to develop a more permanent solution to overcrowding issues."

Or

Other action deemed necessary by Council.