

MEMORANDUM  
COUNTY OF LOUDOUN

DATE: June 10, 2019

TO: Department and Agency Heads

FROM: Tim Hemstreet, County Administrator

SUBJECT: Action Report of the June 5, 2019, Board of Supervisors Loudoun 2019 Draft Comprehensive Plan Work Session

Link to meeting video:

[http://loudoun.granicus.com/MediaPlayer.php?view\\_id=77&clip\\_id=5921](http://loudoun.granicus.com/MediaPlayer.php?view_id=77&clip_id=5921)

Listed below is a summary report of the Board of Supervisors (Board) Loudoun 2019 Draft Comprehensive Plan Work Session. Please work with your staff to follow through on the action as noted.

Loudoun County 2019 Comprehensive Plan – Towns and Joint Land Management Areas (JLMAs)

Vice Chairman Buona moved that the Board of Supervisors:

1. add a new Strategy 2.1 in Chapter 2, Town Policy 2 (page 33 of the June 5, 2019 packet) as follows:

“Due to the proximity of central system water and wastewater systems to the Leesburg JLMA, and in order to avoid out-of-town utility rates for County residents and businesses, the central system shall be the presumed utility service provider in the Leesburg JLMA for new service put in place after adoption of the Loudoun 2019 Comprehensive Plan. In the event central system water declines or is unable to provide utility service to the Leesburg JLMA, or any portion thereof, utility service may be provided by the municipal system.

2. renumber the existing Strategy 2.1 in Chapter 2, Town Policy 2, to Strategy 2.2, and revise to read as follows:

“Except as provided in Strategy 2.1, serve all development in Joint Land Management Areas by a municipal system when agreed to by the adjacent Town.”

3. revise Strategy 2.2, Action A as follows:

“Prior to approval of development in the JLMA beyond current zoning, require written assurance from the central system provider or the adjacent town, for a municipal system, that water and sewer will be provided,” and

4. direct staff to review all other related policies in the draft to ensure that the draft is consistent with the above motions. (Seconded by Supervisor Volpe.)

Vice Chairman Buona did not accept Supervisor Umstatttd's Friendly Amendment to add the following language to the Leesburg section of the JLMA Loudoun County 2019 General Plan: "before any change is made to the policy, as to service areas and preferred utility providers in the Leesburg JLMA, the County shall work with the town to fully analyze the towns and others' present and future capacity and past and planned investments in utility infrastructure."

Supervisor Umstatttd moved a SUBSTITUTE motion to add the following language to the Leesburg section of the JLMA Loudoun County 2019 General Plan: "before any change is made to the policy, as to service areas and preferred utility providers in the Leesburg JLMA, the County shall work with the town to fully analyze the towns and others' present and future capacity and past and planned investments in utility infrastructure." (Seconded by Supervisor Higgins. The motion FAILED 4-5: Supervisors Buffington, Buona, Letourneau, Meyer and Volpe opposed.)

Vice Chairman Buona and Supervisor Volpe accepted Supervisor Buffington's friendly amendment to amend the language in part 1 of the motion to: ~~In the event central system water~~ **If the property owner is not able to come to agreement with central system or declines or is unable to provide utility service to the Leesburg JLMA, or any portion thereof, utility service may be provided by the municipal system.**

Supervisor Higgins made a motion to table. (Seconded by Supervisor Umstatttd. The motion FAILED: Supervisors Buffington, Buona, Letourneau, Meyer, Randall and Volpe opposed.)

The original motion, as amended, passed 5-2-2: Supervisors Higgins and Randall abstained; and Supervisors Saines and Umstatttd opposed.)

Vice Chairman Buona moved that the Board of Supervisors replace paragraph number 1 on page 35 of the June 5, 2019 packet) under **County/Town Annexation Agreement/Corporate Boundary Line Adjustment Guidelines** with the following:

There shall be a presumption that land in the Joint Land Management Area which can be served by the Central System shall remain in the County and not be brought into the corporate boundaries of any Town. (Seconded by Supervisor Letourneau.)

Vice Chairman Buona and Supervisor Letourneau accepted Supervisor Buffington's Friendly Amendment to add the word "Leesburg" to Joint Land Management Area.

The motion, as amended, passed 5-3-1: Supervisors Randall, Saines, Umstatttd opposed; Supervisor Higgins abstained.

Supervisor Letourneau moved that the language in Towns and JLMAs, Town Policy 1: be amended to:

The County recognizes that the Towns may be impacted by proposed development near their borders and will consider, as appropriate, Town comments on development ~~elsewhere in the County~~ **near their borders**. (Seconded by Chairman Randall. The motion passed 9-0.)

Supervisor Letourneau moved that the Board of Supervisors eliminate Strategy 1.4, Action H which states: “Support continued operation of Hamilton Elementary school at its present site.” (Seconded by Supervisor Volpe. The motion passed 5-3-1: Supervisor Buffington, Higgins and Umstatted opposed; Supervisor Meyer absent.)

Supervisor Buffington moved the Board of Supervisors approve the redlined version of the Towns and JLMA section of Chapter 2, as recommended by staff and included as Attachment 1-A in the supplemental packet to the June 5, 2019, Board Work Session staff report, as may be revised by Board motions. Seconded by Supervisor Higgins. The motion passed 8-1: Supervisor Umstatted opposed.)

### Chapter 3: Natural, Environmental and Heritage Resources

Chairman Randall moved that the Board of Supervisors add to Strategy 3.2, a new Action C, “The County will update, maintain, and make available the Countywide Prime Agricultural Soils Map.” (Seconded by Supervisor Buffington. The motion passed 9-0.)

Vice Chairman Buona moved that the Board of Supervisors amend Chapter 3, Sustainability Strategy 8.1 Action G (page 82 of the iPad packet) to read: “Continue to monitor the efforts of MWCOG.” (Seconded by Supervisor Letourneau. The motion passed 9-0.)

Chairman Randall moved that the Board of Supervisors add the following action to Strategy 2.6.: Action I: Study and study best practices/guidelines to reduce impervious surfaces and minimize increases in post-development runoff peak rate, frequency, and volume. (Seconded by Supervisor Umstatted. The motion passed 9-0.)

Vice Chairman Buona moved that any language adding either Transfer of Development Rights (TDR) or Purchase of Development Rights (PDR) be removed from the Comprehensive Plan. (Seconded by Supervisor Letourneau.)

Vice Chairman Buona did not accept Chairman Randall’s Friendly Amendment to edit the motion that any language mandating TDR or PDR programs be removed from the Comprehensive Plan.

Chairman Randall moved a SUBSTITUTE motion that any language mandating TDRs be removed from the Comprehensive Plan. (Seconded by Supervisor Buffington.)

Chairman Randall moved to table the motion until later in the meeting. (Seconded by Supervisor Letourneau. The motion passed 8-1: Supervisor Buffington opposed).

Chairman Randall moved that the Board of Supervisors add to Strategy 9.5, a new Action C, “support solar farms.” (Seconded by Supervisor Saines.)

Chairman Randall and Supervisor Saines accepted Supervisor Letourneau's Friendly Amendment to add "Support solar farm **with locational criteria to be identified.**"

The motion, as amended, passed 9-0.

Supervisor Umstadd moved to add to Chapter 3, Policy 8, Section 8.1 the following new Action: (M.) Whenever feasible, provide for electric car charging stations at County-constructed facilities. (Seconded by Chairman Randall.)

Supervisor Umstadd and Chairman Randall accepted Supervisor Higgins' Friendly Amendment to add the language: provide for electric car charging stations at **newly constructed facilities.**

Chairman Randall, as the seconder did not accept Supervisor Buffington's Friendly Amendment to also add: at newly constructed **and non-LCPS facilities.**

Supervisor Buffington moved a SUBSTITUTE motion to add to Chapter 3, Policy 8, Section 8.1 the following new Action: (M.) Consider providing electric car charging stations at newly constructed County-constructed facilities. (Seconded by Supervisor Higgins. The motion passed 9-0.)

Supervisor Umstadd moved to add to Chapter 3, Policy 7, Section 7.1 the following new Action: (C) Develop a public education program that will focus on communication advantages of clean air and impacts of poor air quality. (Seconded by Supervisor Saines. The motion FAILED 1-8: Supervisors Buffington, Buona, Higgins, Letourneau, Meyer, Randall, Saines and Volpe opposed.)

Supervisor Umstadd that the Board of Supervisors approve the redlined version of Chapter 3: Natural, Environmental and Heritage Resources, as recommended by staff and included as Attachment 2 in the June 5, 2019, Board Work Session staff report, as may be revised by Board motions. (Seconded by Supervisor Saines. The motion passed 9-0.)

#### Chapter 4: Housing

Supervisor Letourneau moved that the Board of Supervisors eliminate Strategy 3.3, Action D which states: "When obtaining real property for public use, promote collocating public facilities with affordable housing."

Supervisor Letourneau further moved that the Board of Supervisors eliminate Strategy 3.3, Action E which states: "Amend the County's Capital Improvement Program (CIP) process to require that all projects involving constructing new public facilities or redeveloping existing public facilities prepare an assessment of the appropriateness of co-locating housing on the project site." (Seconded by Vice Chairman Buona.)

Supervisor Letourneau did not accept Supervisor Volpe's Friendly Amendment to strike "promote" and add "evaluate the feasibility of."

Supervisor Letourneau accepted Vice Chairman Buona's Friendly Amendment strike "When obtaining real property for public use" from Strategy 3.3, Action D and eliminate Action E.

The motion, as amended, passed 9-0.

Chairman Randall moved the Board of Supervisors approve the redlined version of Chapter 4: Housing, as recommended by staff and included as Attachment 3 in the June 5, 2019, Board Work Session staff report, as may be revised by Board motions. (Seconded by Vice Chairman Buona. The motion passed 9-0.)

#### Urban Employment Place Type Options:

Supervisor Meyer moved that the Board of Supervisors change the area designated as Urban Employment in the Planning Commission's recommended Plan to Urban Transit Center place type with the revisions noted in Section 5, Option 2, of the June 5, 2019, Board Work Session staff report. (Seconded by Supervisor Saines.)

Supervisor Meyer amended his motion (accepted by Supervisor Saines) to keep everything Urban Employment except for Parcel PIN 089-30-9997, which should be designated as Urban Transit Center, with Option 2, as presented in the June 5, 2019 Board Work Session staff report.

The motion, as amended, FAILED 3-6: Supervisors Buffington, Buona, Letourneau, Randall, Umstatt and Volpe opposed.

#### Tabled Motion on TDR

Chairman Randall moved that the Board of Supervisors direct staff to remove the current references on page 66 and 78 of the draft plan and add a new policy in the appropriate location in Chapter 3; as follows:

Should the Board of Supervisors consider adopting a transfer of development rights program in the future, a thorough evaluation of the countywide impact on sending and receiving areas for density transfers will be conducted and, if acceptable to the Board of Supervisors, such additional policies will be added to the comprehensive plan and considered for implementation with a future transfer of development rights ordinance. (Seconded by Supervisor Buffington. The motion passed 7-1-1: Supervisor Volpe opposed; Supervisor Meyer absent for the vote.)

#### Chapter 6: Fiscal Management and Capital Infrastructure

Charles Yudd, Deputy County Administrator, stated that Fire & Rescue had concerns with the Planning Commission's recommendation to remove the following actions under Emergency Development Standards from the Draft Plan:

1. Support adoption of State legislation enabling the County to adopt regulations requiring sprinklers for all new residential construction.

2. Higher densities proposed in compact and mixed-use communities, and design concepts such as narrower streets, reduced yards and less space between buildings should be contingent on installation of sprinkler systems in all buildings.

Without objection the Board agreed to add back in item 2, above, into the Draft Plan and Item 1, above, in the Board's Legislative Program.

Supervisor Letourneau moved the Board of Supervisors approve the redlined version of Chapter 6: Fiscal Management and Capital Infrastructure, as recommended by staff and included as Attachment 5 in the June 5, 2019, Board Work Session staff report, as may be revised by Board motions. (Seconded by Vice Chairman Buona. The motion passed 8-0-1: Supervisor Meyer absent for the vote.)

#### Transition Policy Area and Rural Policy Area Wrap-Up Motions

Supervisor Buffington moved that the Board of Supervisors revise Rural Historic Villages Strategy 1.1, Action B as follows:

“**Work with the Rural Historic Villages to develop master plans that will support their** community goals and address issues related to land use and zoning; economic development; natural, **environmental**, and historic resources; community facilities and services; water and wastewater; and transportation to maintain the character of the villages.” (Seconded by Higgins. The motion passed 8-0-1: Supervisor Meyer absent for the vote.)

Supervisor Buffington moved that the Board of Supervisors approve the redlined version of the Transition Policy Area section of Chapter 2, as recommended by staff and included as Attachments 6 and 7 in the June 5, 2019, Board Work Session staff report, as have been or may be revised by Board motions. (Seconded by Chairman Randall. The motion passed 7-1-1: Supervisor Umstatt opposed; Supervisor Meyer absent for the vote.)

Supervisor Higgins moved that the Board of Supervisors approve the redlined version of the rural Policy Area section of Chapter 2, as recommended by staff and included as Attachment 8 in the June 1, 2019, Board Work Session staff report, as have been or may be revised by Board motions. (Seconded by Chairman Randall. The motion passed 8-0-1: Supervisor Meyer absent for the vote.)

Chairman Randall announced that at the following topics would be taken up at the final Work Session scheduled for June 15, 2019:

- SPA: Suburban Commercial Place Type
- SPA Redline Wrap-up Motion
- Implementation Chapter
- Glossary
- Introduction Chapter
- Remainder of CTP
- Infill & Redevelopment Wrap-up Motion

- Economic Development Chapter
- Potential Wrap-up Items