

Date of Meeting: June 20, 2019

3 Supplemental

**BOARD OF SUPERVISORS
BUSINESS MEETING
ACTION ITEM**

SUBJECT: CPRV-2016-0001, Review and Adoption of a New Loudoun County Comprehensive Plan – The Loudoun County 2019 Comprehensive Plan

ELECTION DISTRICT: Countywide

CRITICAL ACTION DATE: At the pleasure of the Board

STAFF CONTACTS: Charles Yudd, Deputy County Administrator
Alaina Ray, Director, Planning & Zoning
Dan Galindo, Community Planning Manager, Planning & Zoning

UPDATE: Following the distribution of the draft Loudoun County 2019 Comprehensive Plan (Plan) in the June 20, 2019 Board Business Meeting Packet, inquiries were raised as to whether the Plan sufficiently addressed the Board motions (Attachment 1-A) approved at the June 5, 2019 Board Work Session, regarding water and sewer service and annexation in the Leesburg JLMA.

In response to these inquiries, staff reviewed the revisions to the Plan that were made regarding the Leesburg JLMA, reflected in Attachment 1-B, and believes that the revisions did reflect the Board motions. However, staff also believes that additional clarity may be beneficial to the end-reader. As such, minor revisions are proposed and are reflected in redline and highlighted on page 2-131 of Attachment 1-B. These minor changes should provide clarity and certainty to the reader without the need to cross-reference other provisions of the Plan.

Staff also discovered a discrepancy to the Water/Sewer Service Areas Map, which showed the Lenah Run development as being served by a communal system. Staff has corrected the map to reflect that this development is served by the central system (Attachment 1-C). The Glossary (Attachment 1-D) has also been updated so that the definition for Central System references the Water/Sewer Service Area Map.

In anticipation of potential Board motions during the June 20, 2019 Board Business Meeting, the Board resolution adopting the Loudoun County 2019 Comprehensive Plan has been modified to capture the possibility for any motions that may be made during the meeting. This revised resolution is provided as Attachment 1-E.

REVISED DRAFT MOTIONS: *(Replaces motion in original staff report)*

[Please make motion 1 before motion 3]

1. I move the Board of Supervisors approve the revisions to the JLMA section of Chapter 2, reflected in Attachment 1-B, the Water/Sewer Service Area Map provided as Attachment 1-C, and the Central Sewer Definition reflected in Attachment 1-D, and included with Supplemental packet 3 to the June 20, 2019, Board Business Meeting.

OR

2. I move an alternate motion.

[Motion 3 is for the final approval of the Plan]

3. I move that the Board of Supervisors approve the Resolution included in Supplemental Packet 3 to the June 20, 2019, Board Business Meeting as Attachment 1-E, approving and adopting the Loudoun County 2019 Comprehensive Plan (CPRV-2016-0001).

OR

4. I move an alternate motion.

ATTACHMENT:

- 1-A. Excerpt from the Action Report of the June 5, 2019, Board of Supervisors Loudoun 2019 Draft Comprehensive Plan Work Session
- 1-B. Excerpt from Chapter 2, pages 1-129 through 131
- 1-C. Water/Sewer Service Areas Map
- 1-D. Glossary
- 1-E. Resolution Approving and Adopting the Comprehensive Plan

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

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 Umstatted’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 Umstatted 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 Umstattd. 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 Umstattd 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, Umstattd opposed; Supervisor Higgins abstained.

- i. Support the clustering of residences as a method to obtain additional open space.
 - ii. Oppose development that proposes an average density greater than it would have been without clustering unless a rezoning is also involved.
 - iii. Advocate for walkable neighborhoods in the JLMA using connected streets in a grid pattern and discourage the use of culs-de-sac.
- A. Encourage housing for the elderly that will allow residents to remain in the Town of Round Hill.
 - B. Encourage rural economy business development in the greater Round Hill Area to provide local goods, services and jobs to Town of Round Hill residents and visitors.
 - C. Oppose any increase in density and development outside of the JLMA that is not consistent with the traditional rural character of western Loudoun County.
 - D. Avoid high density development between the current boundaries of Purcellville and Round Hill and expand open space around Franklin Park to help maintain a greenbelt between communities.
 - E. Enhance the gateways to the Town of Round Hill by developing features or retaining a clear distinction between the surrounding rural area and the edge of the town. Techniques may include measures to protect existing trees, hedgerows, viewsheds, and vistas; design guidelines for lot configuration to retain the rural lot pattern; new landscaping and entrance features and other techniques.
 - F. Support development of sidewalks, trails, and linear parks that connect civic and public facilities with residential and commercial neighborhoods in the Town of Round Hill and JLMA and extend to Franklin Park and the W&OD Trail.
 - G. Coordinate transportation planning with the Town of Round Hill to ensure that traffic generated from development within the County does not adversely affect Round Hill. The County will work with the Town of Round Hill on traffic calming measures.

Towns and Joint Land Management Areas – Municipal Water and Sewer

Town Policy 2: Town municipal systems will be given the opportunity to provide utilities to surrounding Joint Land Management Areas. An alternative municipal provider shall only be used when the Town, the County, and the Health Department agree.

Strategy

- 2.1 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 County 2019 Comprehensive Plan*. If the property owner is not able to come to an agreement with the

central system provider or the central system provider 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.

- 2.2. Except as provided in Strategy 2.1, serve all development in JLMAs by a municipal system when agreed to by the adjacent Town.

Actions

- A. 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.
- B. Consider potential impacts of surrounding development on Town wells during the development review process.
- C. Any future expansion of municipal (Town) sewer and water into the County JLMA will support development that is consistent with the goals and policies of the County and Town adopted plans.
- D. Retain the option to use shared or alternative sewer and water facilities to serve Town and County owned and operated public facilities upon agreement between the Town and the County.
- E. Permit the extension of municipal sewer and water into the Rural Policy Area only to serve public facilities or to address a potential public health risk. (See also, Chapter 6, Fiscal Management and Public Infrastructure, Rural Sewer and Water)

Design Guidelines

The Design Guidelines are to build upon our current development patterns in a manner that allows innovative design and new responses to the market. The Design Guidelines are not meant to be prescriptive and are not intended to be treated as a checklist, but are instead meant to provide a framework for how the desired character of the JLMAs can be achieved, with the acknowledgement that other methods could achieve the intended results. The Design Guidelines do not supersede or otherwise limit the application of adopted zoning regulations, ordinances, building codes, proffers or any other design standards or regulations administered by Loudoun County.

When using these Design Guidelines, make sure to analyze the impact a potential development may have on the landscape, considering not only appearance, but practical considerations such as proximity to utilities, community amenities, jobs, and housing to maximize the use of existing infrastructure and limit travel distances.

The County encourages the use of a design process when planning development in the JLMA that conserves natural, environmental, and heritage resources and incorporates any such features into the site design. (See Appendix for Design Guidelines for the JLMAs)

County/Town Annexation Agreement/Corporate Boundary Line Adjustment Guidelines

The County and the incorporated Towns will explore entering into annexation agreements to facilitate the annexations of properties that are receiving Town sewer and water services and are compatible with Town comprehensive plans. Agreements might include language based on the following recommendations:

1. **Notwithstanding anything else in this Plan to the contrary, ~~There~~** shall be a presumption that land in the Leesburg 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 the Town.
2. **With the exception of the Leesburg JLMA, ~~the~~** Town and the County should only honor requests for the extension of municipal sewer and/or water services outside the Town's corporate limits, within the designated JLMA when the beneficiaries of such service provide written acknowledgement of the right of the Town Council to annex the subject properties. If the Town should desire, this written acknowledgement may include the beneficiaries' written agreement to join with the Town in a joint annexation petition.
3. Parcels located within the designated JLMA and contiguous to the corporate boundaries of the Town, which have agreed to annexation in exchange for **Town-municipal** sewer and/or water service, should be immediately annexed by the Town upon County approval of the rezoning and/or development proposal that requires **municipal** water and/or sewer service.
4. Parcels located within the designated JLMA, which have agreed to annexation in exchange for **Town-municipal** sewer and/or water but which are not contiguous to the corporate boundaries of the Town, should enter into an agreement with the Town as follows: that annexation of these parcels should take place at such time as the subject parcels become contiguous with the corporate limits of the Town or five years from the date of County approval of the rezoning and/or land development proposal, which requires **Town municipal** water and/or sewer service, whichever comes first. In the latter case, where parcels receiving Town sewer and water remain noncontiguous to the corporate limits of the Town, any parcels lying between the corporate limits of the Town and the noncontiguous parcel which is receiving **Town-municipal** sewer and water should be annexed at the end of the five-year period. However, these intervening parcels should not be required to hook into the Town sewer and/or water service unless desired by the property owner or necessary to maintain public health standards.
5. **With the exception of the Leesburg JLMA, ~~W~~hen** the County approves the rezoning and/or development proposal of a property in the JLMA, which would require **Town municipal** sewer and/or water service, such approval should constitute the County's approval of annexation. At the time of such approval, the County should also provide the Town with written consent of annexation.
6. The County and Towns may proceed with annexations or with corporate boundary line adjustments, pursuant to State Code requirements, irrespective of whether the Town has a JLMA.

RESOLUTION OF THE BOARD OF SUPERVISORS OF LOUDOUN COUNTY, VIRGINIA
APPROVING THE LOUDOUN COUNTY 2019 COMPREHENSIVE PLAN

WHEREAS, the Board of Supervisors of Loudoun County, on March 1, 2016, initiated the process for a new comprehensive plan and directed County staff to prepare a proposed plan charter that would serve as a roadmap for developing the new plan; and

WHEREAS, on April 21, 2016, the Board of Supervisors endorsed the Loudoun County Comprehensive Plan Charter and directed staff to execute the process as prescribed therein, including the formation of a Stakeholders Committee and a Staff Technical Advisory Committee; and

WHEREAS, from June 2016 through July 2018, the County conducted three rounds of intensive public outreach (totaling 17 sessions); during that same period the Stakeholders Committee conducted dozens of meetings and (with assistance from the Staff Technical Advisory Committee) developed an initial draft plan entitled, the Loudoun 2040 Comprehensive Plan, which consisted of the Loudoun 2040 General Plan and the Loudoun 2040 Countywide Transportation Plan; and

WHEREAS, on July 19, 2018, the Board of Supervisors forwarded the draft Loudoun 2040 Comprehensive Plan to the Planning Commission for further consideration and recommendation; and

WHEREAS, from August 2018 through March 2019, the Planning Commission conducted 17 work sessions and one public hearing, resulting in preparation of a revised draft Loudoun 2040 Comprehensive Plan dated March 13, 2019; and

WHEREAS, on March 26, 2019, pursuant to Virginia Code § 15.2-2225, the Planning Commission adopted a resolution approving the draft Loudoun 2040 Comprehensive Plan dated

March 13, 2019, and recommending that the Board of Supervisors adopt said plan with any amendments as the Board of Supervisors may deem appropriate; and

WHEREAS, on April 24, 2019, the Board of Supervisors voted to change the name of the draft Loudoun 2040 Comprehensive Plan to the draft Loudoun County 2019 Comprehensive Plan, and to change the name of the component parts of the plan to the draft Loudoun County 2019 General Plan and the draft Loudoun County 2019 Countywide Transportation Plan; and

WHEREAS, on April 24 and 27, 2019, the Board of Supervisors conducted public hearings on the draft plan recommended by the Planning Commission; and on April 3, 2019, May 1, 8, 20 and 29, 2019, and June 1, 5 and 15, 2019, the Board of Supervisors conducted work sessions concerning said draft plan; and

WHEREAS, during the Board of Supervisors' work sessions, staff recommended certain amendments to the draft plan as reflected in the staff reports for each work session; and

WHEREAS, during the work sessions on May 1, 8 and 29, 2019 and June 1, 5 and 15, 2019, the Board of Supervisors passed various motions accepting certain staff recommendations and directing staff to make certain other amendments to the draft plan; and

WHEREAS, staff has revised the draft plan to incorporate amendments approved by the Board of Supervisors during the May 1, 8 and 29, 2019 and June 1, 5 and 15, 2019 work sessions, resulting in preparation of a draft Loudoun County 2019 Comprehensive Plan dated June 20, 2019; and

WHEREAS, upon adoption by the Board of Supervisors, the Loudoun County 2019 Comprehensive Plan will supersede and replace, in their entirety, the following previously-adopted planning documents: the *Revised General Plan* (2001, as amended); the *2010 Countywide Transportation Plan* (2010, as amended); the *Bicycle and Pedestrian Mobility*

Master Plan (2003); the Greenways and Trails Policies (1994); the Toll Road Plan (1995); the Countywide Retail Policy Plan Amendment (1997, as amended); the Route 28 Keynote Employment Policies, which includes the Route 28 Corridor Plan (2011); the Arcola Area/Route 50 Corridor Plan (2006); the Leesburg Area Management Plan (1982, as amended); the Dulles North Area Management Plan (1985, as amended); the Dulles South Area Management Plan (1993); the Cub Run Area Management Plan (1989); and the Eastern Loudoun Area Management Plan (1980, as amended).

NOW, THEREFORE, BE IT RESOLVED that on this 20th day of June, 2019, pursuant to Virginia Code § 15.2-2226, the Board of Supervisors of Loudoun County, Virginia, hereby approves and adopts the Loudoun County 2019 Comprehensive Plan dated June 20, 2019, which is comprised of the Loudoun County 2019 General Plan and the Loudoun County 2019 Countywide Transportation Plan, with such additional revisions and edits as authorized by the Board of Supervisors in this Resolution; and

BE IT FURTHER RESOLVED that the Board of Supervisors hereby directs staff to make such additional revisions and edits (including to text, maps and pictures) as necessary to implement all amendments approved by the Board of Supervisors during the work sessions and during the June 20, 2019 Business Meeting; and

BE IT FURTHER RESOLVED that the Board of Supervisors hereby directs staff to prepare an updated Travel Demand Model (TDM) based upon the final land uses approved in the Loudoun County 2019 General Plan and the final roadway network approved in the Loudoun County 2019 Countywide Transportation Plan, and to add a summary of the TDM results as Appendix 2 to the Loudoun County 2019 Countywide Transportation Plan; and

BE IT FURTHER RESOLVED that the Board of Supervisors hereby directs staff to make additional, non-substantive edits to correct grammatical and typographical errors; to correct internal cross-references; to correct citations to any statutes, ordinances, regulations, maps or other documents identified in the plan; and otherwise as necessary to ensure internal consistency within the plan; provided, however, that staff shall not make any change, alteration, amendment, deletion or addition of a substantive nature that has not been expressly approved by the Board of Supervisors through a duly adopted motion; and

BE IT FURTHER RESOLVED that, upon incorporation of the additional revisions and edits authorized in this Resolution, the Board of Supervisors hereby directs staff to prepare the final Loudoun County 2019 Comprehensive Plan for publication on the County's website and elsewhere.

Phyllis J. Randall, Chairman
Board of Supervisors of Loudoun County, Virginia

ATTEST:

Tim Hemstreet
Clerk to the Board of Supervisors
of Loudoun County, Virginia

Adopted by the Board of Supervisors of Loudoun County, Virginia this ____ day of June, 2019.