

**BOARD OF SUPERVISORS
BUSINESS MEETING
INFORMATION ITEM**

SUBJECT: Silver Line Comprehensive Plan Amendment Update

ELECTION DISTRICT: Broad Run and Dulles

CRITICAL ACTION DATE: At the pleasure of the Board

STAFF CONTACTS: Richard Klusek AICP, Project Manager, Planning and Zoning
Ricky Barker, AICP, Director, Planning and Zoning

PURPOSE: This item provides a continuation of discussion on the Silver Line Comprehensive Plan Amendment (CPAM) studies that took place on September 16, 2015. Staff will provide additional information in response to questions relating to the Market Analysis and Best Practices Study. Staff will also provide a summary of the comments received through interviews with Board members on the Scenario Planning Study and provide an opportunity for the full Board to provide overall feedback to assist in the development of the consultant's recommendation, which Staff anticipates presenting at the Board's December 2nd meeting.

BACKGROUND: On September 16, 2015, consultants for the County's Silver Line CPAM Studies presented project updates to the Board of Supervisors (Board). The Market Analysis and Best Practices Consultants (HR&A Advisors and Kimley Horn) presented their final report and the Scenario Planning Consultants (Stantec) presented an interim project update. At the meeting, Board members asked questions and requested that Staff conduct interviews with individual Board Members to further discuss the Scenario Planning Study and provide additional feedback. The Board further asked that Staff return to the Board at the October 7, 2015 meeting to report the results of the interviews and obtain overall feedback from the Board.

PART A: MARKET ANALYSIS AND BEST PRACTICES STUDY

At the September 16, 2015 Board Business Meeting, the Board voted 5-1-2 (Delgaudio opposed; Clarke and Reid absent) to accept the consultant's recommendations regarding 1) Maintaining Transit Related Employment Center (TREC) policies and zoning; 2) Considering partnerships and opportunities for catalytic anchor uses; 3) Working with the Metropolitan Washington Airports Authority (MWAA) to encourage airport-compatible development; 4) Maintaining existing policies to encourage commercial development at the Ashburn Station Area; and 5) Considering policy and zoning revisions to allow interim uses to help activate the Station Areas, provide income for property owners, and generate tax revenues. The Board also requested 1)

additional information regarding precedents for “interim use zoning” in the stateside jurisdictions studied during airport case studies and 2) additional information and recommendations regarding more clearly defined boundaries and methods of limiting residential development in the Dulles airport flight path.

Interim Uses: Regarding interim uses, Staff has conducted a preliminary analysis of zoning ordinances and comprehensive Plans for the Cities of Dallas, TX; Fort Worth, TX; Irving, TX; Denver; CO; Aurora, CO; Minneapolis, MN; and Saint Paul, MN. Of these communities, the City of Minneapolis is the only jurisdiction that has ordinances to define interim uses in the context of ongoing discussions in Loudoun County. In general, the City’s ordinance requires that an interim use be a use that is normally permitted in a given zoning district and that time periods for the use be limited to five years or less. Staff does not believe that the communities researched provide good examples of interim use ordinances for Loudoun County and will continue to evaluate other precedents for interim use ordinances once the Board directs specific amendments to the Comprehensive Plan and/or Zoning Ordinance. Staff specifically notes that Fairfax County may provide some precedent with respect to planning efforts around Tyson’s Corner

Dulles Airport Flight Path: Questions arose at the September 16, 2015 Board meeting regarding potential tools for regulating land use related to aircraft noise. The consultants emphasized in their recommendations and case study research that residential development in airport flight paths often requires mitigation investments, hampers airport operations, decreases property values, and results in economic impacts. However, as discussed during the Board meeting, “flight path” is not a clearly defined term as aircraft can and do travel in various directions immediately upon leaving the runway. Staff notes that several Board Members discussed this issue and the need to protect the airport extensively during the September 16 meeting.

Currently, the County’s primary means of regulating residential development in the Airport flight path is the County’s Airport Impact Overlay (AI) zoning district. This overlay district clearly delineates areas of the County where residential development is prohibited or subject to noise mitigation standards based on past studies of noise contours. The consultant team has recommended that the boundaries of the AI zoning district remain as currently defined.

Other zoning districts offer additional protection of the airport. Areas beyond the AI overlay district are currently mapped with the Planned Development-Office Park (PD-OP) District and Planned Development-Industrial Park (PD-IP) District. These districts prohibit residential development. Current adopted policies of the Revised General Plan also limit residential development in the study area and designate portions of the study area for employment uses accordingly.

The Federal Aviation Administration (FAA) provides guidance that represents minimum standards for residential development within airport noise contours. This guidance seeks to prohibit residential development within 65 LDN noise contours. However; the guidance also explicitly states that local land uses should be determined by local authorities based on “locally determined needs and values in achieving noise compatible uses.” As an example, the Board may

choose to entirely limit residential development in the 60 LDN contour where it is currently permitted with noise mitigation under current AI district guidance.

In addition to zoning, other tools and options available to the Board include land use policy amendments, purchasing land they wish to control, and working with MWAA to better understand airport growth plans. Use of these tools is dependent on Board priorities. Staff is currently investigating MWAA's noise monitoring programs to determine if these activities can assist in establishing policy direction.

PART B: SCENARIO PLANNING STUDY

At the September 16 Board meeting, Stantec provided a presentation of the process that has taken place and described four scenarios that have been developed. The methodology used to measure tradeoffs between scenarios was also discussed. This item will provide continuing discussion of the Scenario Planning Study. In particular, Staff seeks additional feedback regarding the following key questions:

1. What do you like and dislike about the first four scenarios?
2. Which of the performance measures do you consider to be the highest priority?
3. What other feedback do you have regarding potential development in the Scenario Planning Study Area?

For the past two weeks, staff has held individual Board member feedback sessions on these questions. Based upon staff's understanding, the following ideas and key themes have been identified through the interviews. Board members can provide additional feedback at the October 7th meeting to clarify these items or to add any other themes and ideas:

1. The future land use plan amendment needs to provide the opportunity to maximize revenues in tax district.
2. The future land use plan amendment must clearly ensure that the local and regional transportation system can adequately accommodate the projected development.
3. The County's existing Airport Overlay District must be maintained to support the existing and future growth of Dulles Airport;
4. Planned future housing needs to cater to preferences of millennials and older populations by providing urban multifamily options not currently available in the County.
5. Board members who shared feedback, thus far, have expressed interest in the compact development scenario provided that the County is able to adequately plan for and address the public infrastructure and facility needs (e.g., transportation, schools, etc.).
6. Focus on setting a vision for land use in the study area and then allow the flexibility for the development of projects (i.e., do not tie residential development with the construction of the non-residential).
7. Appropriately located data centers (further away from the metro stations) with proper infrastructure planning are important.
8. All modes of transportation (e.g., pedestrians, bicyclists, buses, shuttles, etc.) must be accommodated to maximize use of Metro (including future transit stop shelters).

9. Interim uses within the study area should be considered.
10. The future land use plan amendment needs to consider and plan for future school and other facilities including possible locations.
11. New single family housing is not desired within the study area.
12. Board members have differing viewpoints with regard to residential development outside of, but in proximity to the Airport Overlay District.
13. Metrorail should be viewed as an economic development tool.
14. The Ashburn Station should be considered the primary location for mixed-use development.
15. Performance standards should be considered for any data centers.

At the October 7, 2015 meeting, Staff will update the Board with any additional feedback received and Board members will have the opportunity to make additional comments and provide overall feedback. Any Board feedback will be used to help Stantec get a better understanding of priorities as they develop a recommended scenario that best achieves the four goals for the Metrorail Tax District established at the start of the CPAM process: 1) Prompt realization of tax revenues to support future Metrorail operations, 2) Maximizing future employment generation, 3) Achieving the desired land use pattern, and 4) Minimizing demands on the County's transportation infrastructure.

SILVER LINE CPAM NEXT STEPS: Following the October 7, 2015 meeting, Staff will work with Stantec to finalize the Scenario Planning Study. At this time, Staff anticipates presentation of a final report at the Board's December 2nd meeting. At that time, Staff will provide a recommended strategy and work plan for implementing recommendations of the Market Analysis and Best Practices Study and Scenario Planning Study.

FISCAL IMPACT: The Board of Supervisors has previously approved funding for the Silver Line CPAM Studies; therefore, there is no fiscal impact.