



Date of Council Meeting: April 26, 2016

**TOWN OF LEESBURG
TOWN COUNCIL MEETING**

Subject: Telecommunication Policies in the Town Plan

Staff Contact: Susan Berry Hill, Director, Planning and Zoning

Council Action Requested: Approve a resolution to initiate an amendment to the Town Plan to clarify Town policy on the location, extent, and review of telecommunication facilities.

Staff Recommendation: Staff recommends that Town Council initiate an amendment to the Town Plan to clarify policy on telecommunication facilities to provide better guidance on the location of telecommunication facilities. This amendment will align with the work currently underway by staff to amend the Zoning Ordinance to address Distributed Antenna Systems (DAS) and small cell facilities.

Commission Recommendation: None at this time. If initiated, the Planning Commission will review the amendments and make a recommendation to Town Council.

Fiscal Impact: None.

Work Plan Impact: Ten (10) Zoning Ordinance amendments are currently initiated by Council including an update of the regulations pertaining to telecommunication facilities. This Town Plan amendment would be a companion amendment with the proposed Zoning Ordinance text amendment, and it would track through the review process concurrently with the Zoning Ordinance amendment.

Executive Summary: On January 12, 2016, Council initiated a Zoning Ordinance text amendment to expand the number of zoning districts which will allow Distributed Antenna Systems (DAS) and small cell telecommunication facilities. Staff is currently drafting the text amendment to bring forward in the public hearing review process, but has determined that the Town Plan policies pertaining to telecommunication facilities also need to be expanded to better describe locational criteria for these facilities. This is recommended to address state code direction on when commission permits are necessary to locate new facilities including telecommunication facilities. This Town Plan amendment will also serve as a foundation to guide the Zoning Ordinance text amendment noted above.

Background: Section 15.2-2232 of the State Code states that public facilities should be planned in the comprehensive plan and that the general locations for such facilities should be planned. This section states that the comprehensive plan "...shall control the general or approximate location, character and extent of each feature shown on the plan." This state

code provision requires that unless a telecommunication facility is a “feature shown” on the Town Plan, a commission permit must be required for each new facility. The locations of existing or anticipated facilities can be shown on a map or through guidelines that describe a community’s preferences for how and where to locate such facilities.

Currently, the Town Plan states simply that telecommunication facilities should be co-located. There are no locational criteria. Telecommunication facilities have traditionally included larger scale towers, monopoles, and antenna. Collocation is accomplished by attaching antenna to existing public structures such as fire stations or water tanks. However, the new generation of telecommunication networks can include micro facilities such as Distributed Antenna Systems (DAS) and small cell. The Town Plan does not currently provide locational guidance for these new telecommunication facilities. The DAS facilities can be well-suited for residential areas and deployment into residential areas can extend capacity. However, the Town Plan does not currently contain any locational or performance criteria for such facilities in residential areas.

The addition of such policy language will provide better guidance for preferred locations for DAS and small cell telecommunication facilities, and will include guidance on visual impacts to address the state code requirements noted above. This Town Plan guidance will serve as the foundation for development of performance standards in the Zoning Ordinance (as directed by Town Council in Resolution 2016-009) to expand the number of zoning districts where these types of telecommunication facilities will be permitted. By updating the Town Plan to include this guidance, commission permits may not be necessary for location of most DAS and small cell facilities if performance standards can be met thereby streamlining the review process for such facilities.

Attachment:

1. Initiating Resolution

PRESENTED APRIL 26, 2016

RESOLUTION NO.: _____

ADOPTED _____

A RESOLUTION: INITIATING AMENDMENTS TO THE LEESBURG TOWN PLAN FOR THE PURPOSE OF PROVIDING GUIDANCE FOR TELECOMMUNICATION FACILITIES.

WHEREAS, the Town Plan provides policy guidance for land use and public facility planning including guidance for telecommunication facilities; and

WHEREAS, the Town Plan presently contains limited guidance on preferred locations and development parameters for telecommunication facilities; and

WHEREAS, the telecommunication industry has developed new types of telecommunication facilities that are smaller in size which are intended to increase coverage and capacity; and

WHEREAS, the Town Plan should be amended to update policy guidance to address the new, smaller scale types of telecommunication facilities; and

WHEREAS, the public necessity, convenience, general welfare and good planning practice require the proposed amendments.

THEREFORE, RESOLVED by the Council of the Town of Leesburg in Virginia as follows:

SECTION I. Amendments to Town Plan chapter on Community Facilities and Services are hereby initiated and referred to the Planning Commission to update policies for the location of telecommunication facilities within the Town of Leesburg.

RESOLUTION: INITIATING AMENDMENTS TO THE LEESBURG ZONING
ORDINANCE FOR THE PURPOSE OF PROVIDING GUIDANCE FOR
TELECOMMUNICATION FACILITIES.

SECTION II. The Planning Commission shall hold a public hearing to consider these amendments to the Town Plan and report its recommendation to the Town Council pursuant the Chapter 22, Title 15.2-2204 of the 1950 Code of Virginia, as amended

PASSED this 26th day of April, 2016.

David S. Butler, Mayor
Town of Leesburg

ATTEST:

Clerk of Council