

**FAIRFAX COUNTY PLANNING COMMISSION
TELECOMMUNICATIONS COMMITTEE
WEDNESDAY, MAY 5, 2011**

COMMITTEE MEMBERS PRESENT:

Earl L. Flanagan, Mount Vernon District
James R. Hart, At-Large
Kenneth A. Lawrence, Providence District
James T. Migliaccio, Lee District
Peter F. Murphy, Jr., Springfield District

COMMITTEE MEMBERS ABSENT:

John L. Litzenberger, Jr., Sully District
Janet R. Hall, Mason District
Timothy J. Sargeant, Commissioner At-Large

OTHER COMMISSIONERS PRESENT:

Frank A. de la Fe, Hunter Mill District
Jay P. Donahue, Dranesville District

FAIRFAX COUNTY STAFF PRESENT:

Chris Caperton, Chief, Public Facilities Branch, Planning Division (PD), Department of
Planning and Zoning (DPZ)
Lorrie Kirst, Branch Chief, Ordinance Administration, Zoning Administration Division, DPZ
Anita Capps, Senior Planner, PD, DPZ
Fred Selden, Acting Director, DPZ
Barbara J. Lippa, Executive Director, Planning Commission Office
Sara Robin Ransom, Assistant Director, Planning Commission Office
Jeanette Nord, Deputy Clerk, Planning Commission Office

OTHERS PRESENT:

Frank Stearns, Esquire, Donohue and Stearns

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Chairman Peter F. Murphy, Jr. called the meeting to order at 7:02 p.m., in the Board Conference Room of the Government Center, 12000 Government Center Parkway, Fairfax, VA 22035.

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Chairman Murphy reminded members about the Planning Commission's Telecommunications Seminar on May 14, 2011, and provided scheduling information.

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Chairman Murphy MOVED TO APPROVE THE TELECOMMUNICATIONS COMMITTEE MINUTES OF March 3, 2011.

Commissioner Hall seconded the motion which carried unanimously.

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PROPOSED EDITS TO POLICY PLAN LANGUAGE FOR MOBILE AND LAND-BASED TELECOMMUNICATION SERVICES

Chairman Murphy referenced the revised strawman draft and additional emails that Committee members had been sent prior to the meeting; and introduced Chris Caperton, Chief, Public Facilities Branch, Planning Division (PD), Department of Planning and Zoning (DPZ), to discuss current outstanding issues.

Mr. Caperton explained that the changes submitted by Committee members since the meeting on March 23, 2011 had been incorporated into the strawman draft and said that that the guide for tonight’s meeting would be the draft copy entitled, “Proposed Comprehensive Plan Amendment With Approved Changes From March 24, 2011 PC Telecommunications Meeting,” a copy of which is in the date file. In addition, he said he would discuss the “Summary of Proposed Changes By Topic” and “Revised Policy h” documents, and introduced Lorrie Kirst, Branch Chief, Ordinance Administration, Zoning Administration Division, DPZ, and Anita Capps, Senior Planner, PD, DPZ, both of whom would provide expertise on this subject matter. (A copy of the “Summary of Proposed Changes By Topic” and “Revised Policy h” is in the date file.)

Ms. Capps pointed out that pages 1 through 3, ending at Policy j., of the draft strawman document, contained the text Committee members had acted upon at the meeting on March 23, 2011. She then began the discussion with “Revised Policy h,” and noted that staff had provided draft language as follows:

Staff revision:

“Policy h. Ensure that the height of any proposed telecommunication facilities is no greater than necessary to allow for potential collocation features and service area requirements yet achieve balance with the visual impact of the facility.”

She noted staff’s concern with the phrase, “yet achieve balance with the visual impact of the facility,” and said that it could be misconstrued as a means to pursue a waiver from visual impact mitigation to permit the collocation of additional facilities. A brief discussion followed, after which the Policy was revised as follows:

“Policy h. Ensure that the height of any proposed telecommunication facility is no greater than necessary to allow for appropriate collocation on the telecommunication facility based on its

service area requirements while still mitigating the visual impact of the facility.”

The Committee resumed discussion on the policies under Mobile and Land-Based Telecommunication Services General Guidelines, Objective 42, beginning with Policy k.

Policy k. – No change was recommended for the opening paragraph; however, the first word of each bullet point would be changed to its infinitive to align with the language throughout the document.

First bullet: Change “locating” to “locate;”

Second bullet: Change “blending” to “blend;”

Third bullet: Change “obscuring” to “obscure;” and

Fourth bullet: Change “replacing” to “replace.”

In addition, Ms. Capps noted that the word “telecommunications” would be modified to the singular “telecommunication” form in the first, second, and fourth bullets.

In the first bullet, fifth line, “their” would be changed to “the” to read as follows:

- “Locate proposed telecommunication facilities near to or within areas of mature vegetation and trees which effectively screen or provide an appropriate setting for the proposed structure or which, when viewed in context, considering perspective views, relative topography and other factors, mitigate the visual presence and prominence of the structure;”

There was a lengthy discussion concerning the fourth bullet, particularly with regard to visual impact and compatibility with surrounding areas. Staff was asked to modify the language, as shown below:

- “Replace existing telecommunication facilities with taller structures or extending their overall height to reduce the need for another structure when such height increases or structure replacements are in the context with the type, style and pattern of the selected structure and appropriate to the site and the surrounding area and consistent with the type, style and pattern of the selected structure.”

Policy l. – No change recommended.

Policy m. – Commissioner Hart asked if language should be added to address environmental and/or wildlife impacts. After a brief discussion, Ms. Capps said she would prepare modified language.

Frank Stearns, Esquire, Donohue and Stearns, asked about collocating on existing power lines within Resource Protection Areas. Ms. Capps explained that permission for such collocation was made on a case-by-case basis.

Commissioner Hall stated that she saw nothing in the policy addressing mitigation efforts and emphasized the importance of clarifying that “mitigation” did not mean “elimination.” A lengthy discussion ensued regarding the definition of “mitigate” and where it should occur in the document. It was decided that Objective 42 would be revised to include mitigation concepts.

Policy n. – Ms. Capps noted that “telecommunications” would be modified to the singular form. Chairman Murphy also noted that the policy was unclear as to what could be expanded: the amount of equipment, the site itself, or both. Commissioner Hart added that the wording for screening should be modified to correspond with other clarifications.

Policy o. – No change recommended.

Commissioner Litzenberger suggested Grasscrete as a visual mitigation measure. Ms. Capps said that while it would be taken under consideration, it would most likely be placed with language regarding utility easements.

Policy p. – No change recommended.

Commissioner Litzenberger inquired about the legal viability of a County definition for “mitigation.” Ms. Capps explained that staff would research several sources prior to finalizing language that would be appropriate to Fairfax County’s needs.

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The meeting was adjourned at 7:56 p.m.
Peter F. Murphy, Jr., Chairman

An audio recording of this meeting is available in the Planning Commission Office, 12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Minutes by: Jeanette Nord

Approved: September 21, 2011

Kara A. DeArrastia, Clerk to the
Fairfax County Planning Commission