



# **LCPCC ZONING COMMITTEE**

## ***“Problems with Permits”***

### ***Primer***

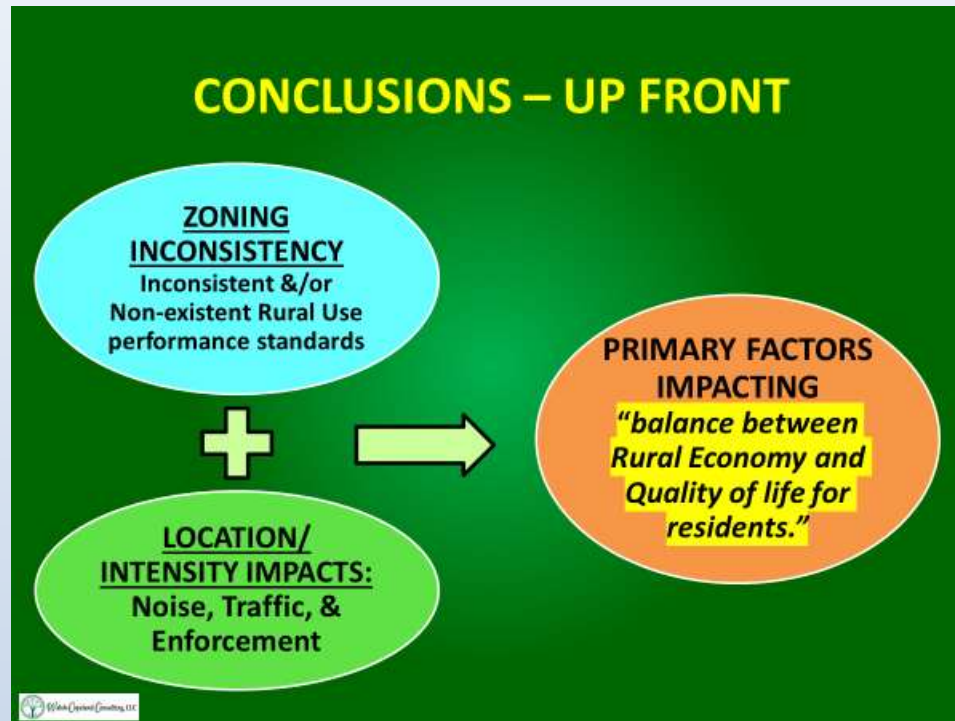
***County Senior Staff Presentation***

***May 14, 2018***

# LCPPCC ZONING: ACTIVITIES TO DATE

TIMEFRAME	ACTIVITIES / PRESENTATIONS
<b>Dec, 2016- Mar., 2017</b>	<b>CASE STUDIES:</b> Identify primary factors impacting <i>“balance between Rural Economy and Quality of Life for residents”</i> (BOS Strategic Plan, Sept., 2016)
<b>June, 2017</b>	Interim report to REDC PIC / Rural Business Owners
<b>Feb., 2018</b>	Final Ad-Hoc Committee report
<b>March, 2018</b>	ZOAG request for information ( <i>Requested Dec. 2017</i> )
<b>April, 2018</b>	<ul style="list-style-type: none"> <li>❑ Heritage Commission: permits/complaints primer</li> <li>❑ LCPCC Zoning Committee Kick-off</li> </ul>

# 2017 Case Study - Summary



**2017 UPDATED Zoning Comparison—**  
**CAN'T READ THIS?**  
*(Don't worry, we can't either)*

[illegible]

## OUTDOOR SOUND/MUSIC



## OUTDOOR TENT USE



## HOURS OF OPERATION/NOISE YARD IMPACTS

### IMPACTS: YARD STANDARDS



Gravel Road



Neighbor's  
Property Line /  
House



## ADEQUATE PARKING

Paved Road

Good Screening



## VS. INADEQUATE PARKING - IMPACTS



# PARKING & ROAD ACCESS IMPACTS

## ROAD ACCESS

SUFFICIENT WIDTH



INSUFFICIENT WIDTH



# AG STRUCTURE REUSE

## Ag Barn Venue



- Sufficient yard setbacks
- No interior bathrooms or sinks
- Barns still used for farm storage

## Ag Structure – Reuse

BEFORE



AFTER



- Added 3 bathrooms and catering kitchen

## In-Use Ag Barn

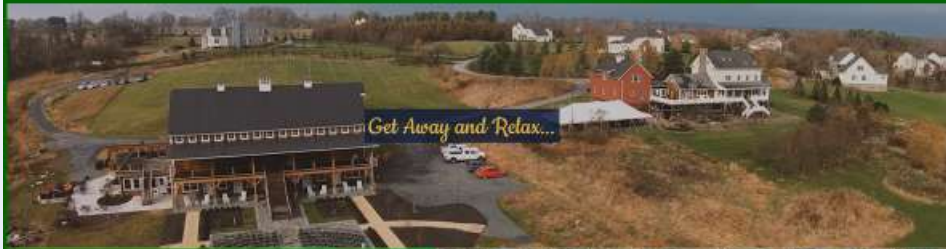


- No interior bathrooms
- Livestock on lower level
- Sufficient yard setbacks





## COMPARISON: B&B/Wedding Venue



- Constructed without permits or inspections
- Insufficient setbacks to neighbors (noise, lighting, traffic issues)
- Claiming "Ag Structure"
- Non-Ag large scale use



## "Ag Barn" – New construction (2017)



Non-Ag large scale use in residential area



## "Light Utility Building" or "Restaurant"?



2017 WebLogs: No visible Ag, manufacturing, music venue



## "Ag Barns"



- No building code permits;
- No electrical inspections;
- No plumbing inspections;
- No fire safety inspections;

- No Health Dept./Office of Drinking Water (ODW) permits, unless bathroom, sink or catering kitchen disclosed to Health Department & ODW.

RESULT: Concern of adjacent property owners/patrons





# TRAFFIC / VENUE DENSITY IMPACTS

## QUANTITY OF EVENTS: EXAMPLE



- 125 acres
- EXIT RIGHT: ~4 Residences, Tar & Chip -- sufficient width
- EXIT LEFT: ~40 Residences, Gravel/tar & chip -- insufficient width



VDOT 2016 AADT\* ~ 1200 trips/week

Peak Season  
Tasting rooms est. ~ 7000+ trips/week  
& weddings

**% Inc. for residents = est. 400-500+%**

\* Annual Average Daily Traffic Volume



## VENUE DENSITY EXAMPLE



## VENUES IN PROXIMITY IMPACT: EXAMPLE

Spinks Ferry Rd	M	T	W	Th	Fri	Sat	Sun	
2016 VDOT AADT	100	100	100	100	100	100	100	700
Winery 1								
Winery 2	60	60	60	60	150	800	600	1790
Winery 3								
Brewery 1	0	0	0	0	150	500	300	950
Wedding Venue 1								
Wedding Venue 2	0	0	0	0	0	500	400	900
Wedding Venue 3								
TOTAL								4340
% Increase								620%
Limestone School:								
Winery 4	20	20	20	20	50	500	300	930
Farm Tourism	50	50	50	50	50	200	200	650
TOTAL								1580
								5920
% Increase								846%

**RURAL TOURISM  
VIEW:**

Venues in close proximity benefit  
tourists/limo companies

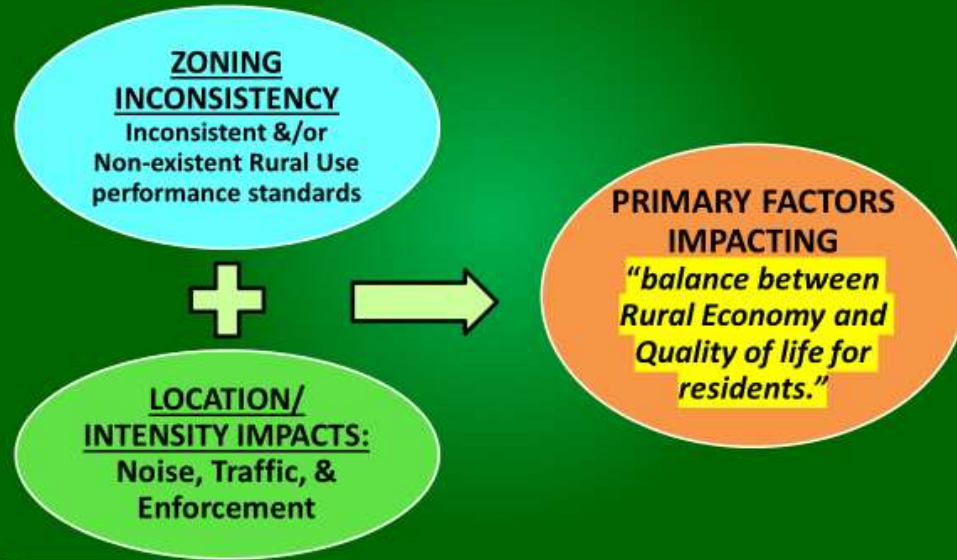
**RESIDENT/  
NEIGHBOR VIEW:**

Venues in close  
proximity cause peak  
traffic increase in excess  
of 600%





## CONCLUSIONS – Response to Original Questions



## WHAT CAN BE DONE

- **ZOAM-2015-0006, PHASE II: 2018\***
  - ✓ Review rural use performance **standards consistency**: use, scale and intensity.
  - ✓ Review/update **definitions** (Ag requirements/"farm")
- Define **Farm Management Plan** requirements (no "FINO"\*)
- Support Rural Business Association **Best Practices/guidelines**
- Primarily non-ag, commercial public use/manufacturing **meet codes**
- Clarify/implement Zoning **Enforcement improvements** (noise, traffic, building permit, violations)
- Improve/implement citizen input/**complaint tracking and reporting**



# FOCUS AREAS

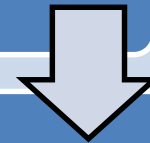
Permits Primer



Complaint Process/Tracking



Enforcement

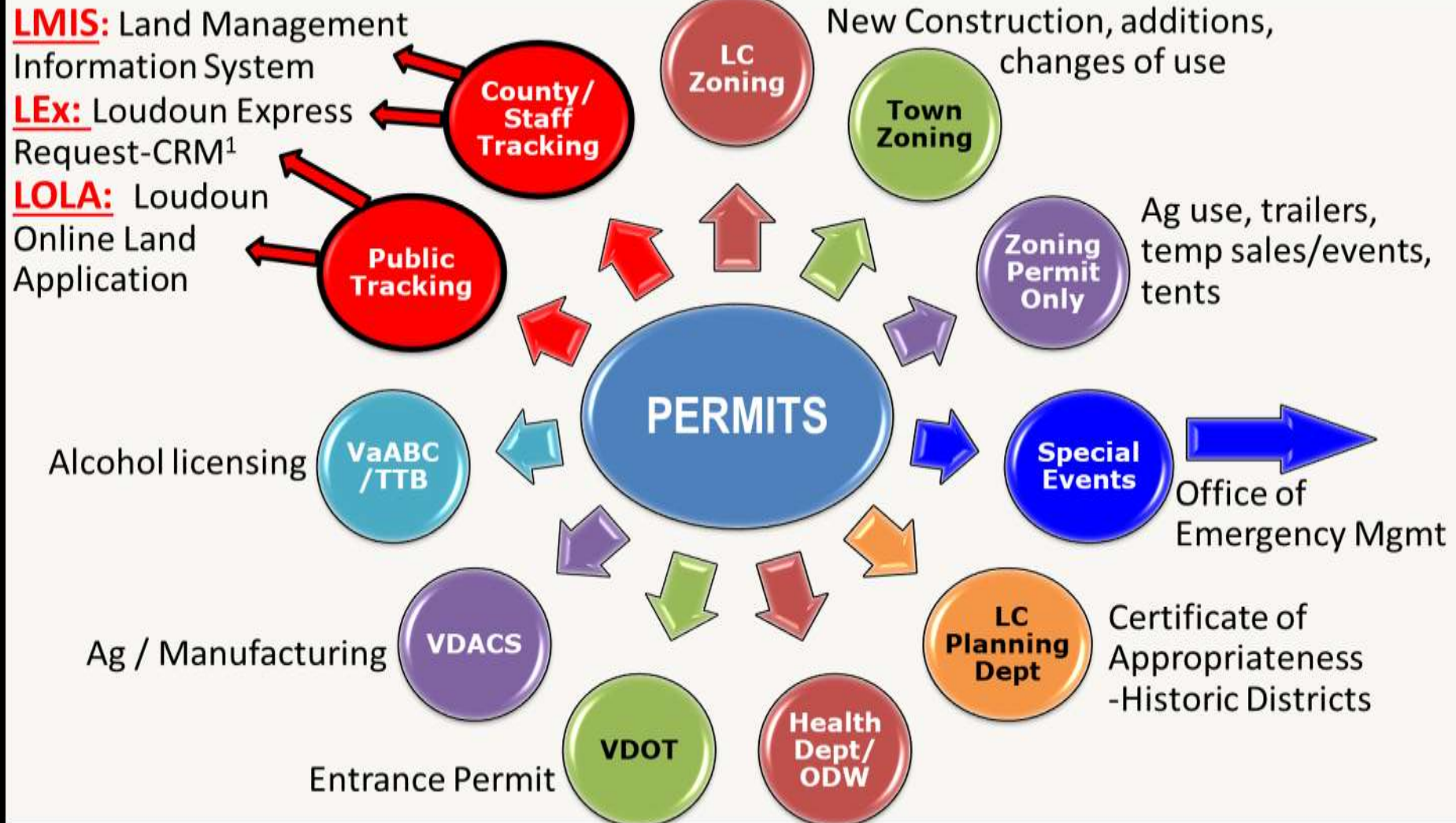


Systems Constraints



# PERMITS – Primer:

## No Consolidated way to track Permit violations



<sup>1</sup> Customer Relationship Management System

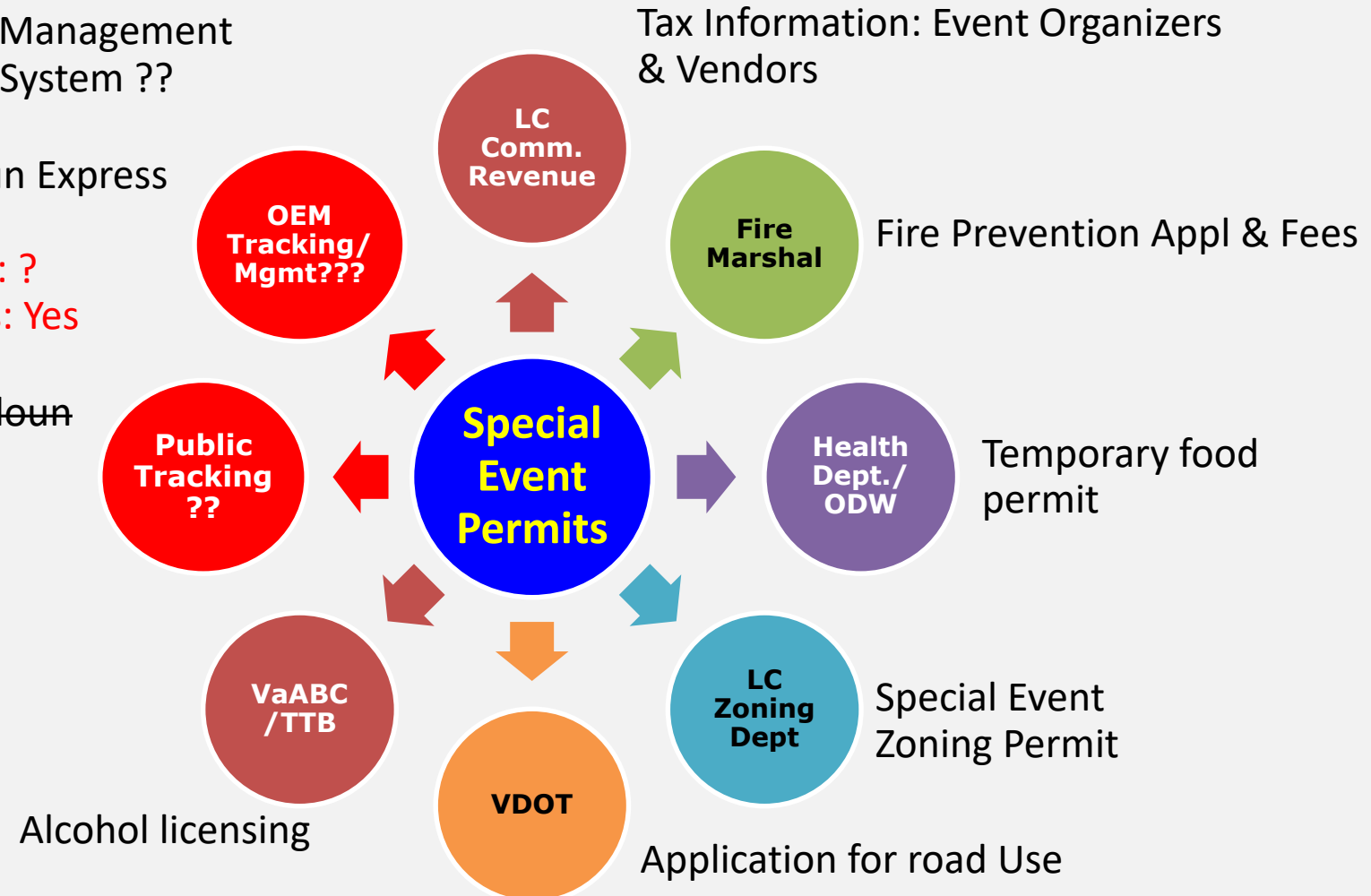
# SPECIAL EVENT PERMITS –

## No way to track Special Event Permit violations

**LMIS:** Land Management Information System ??

**LEx:** Loudoun Express Request  
- Permission: ?  
- Complaints: Yes

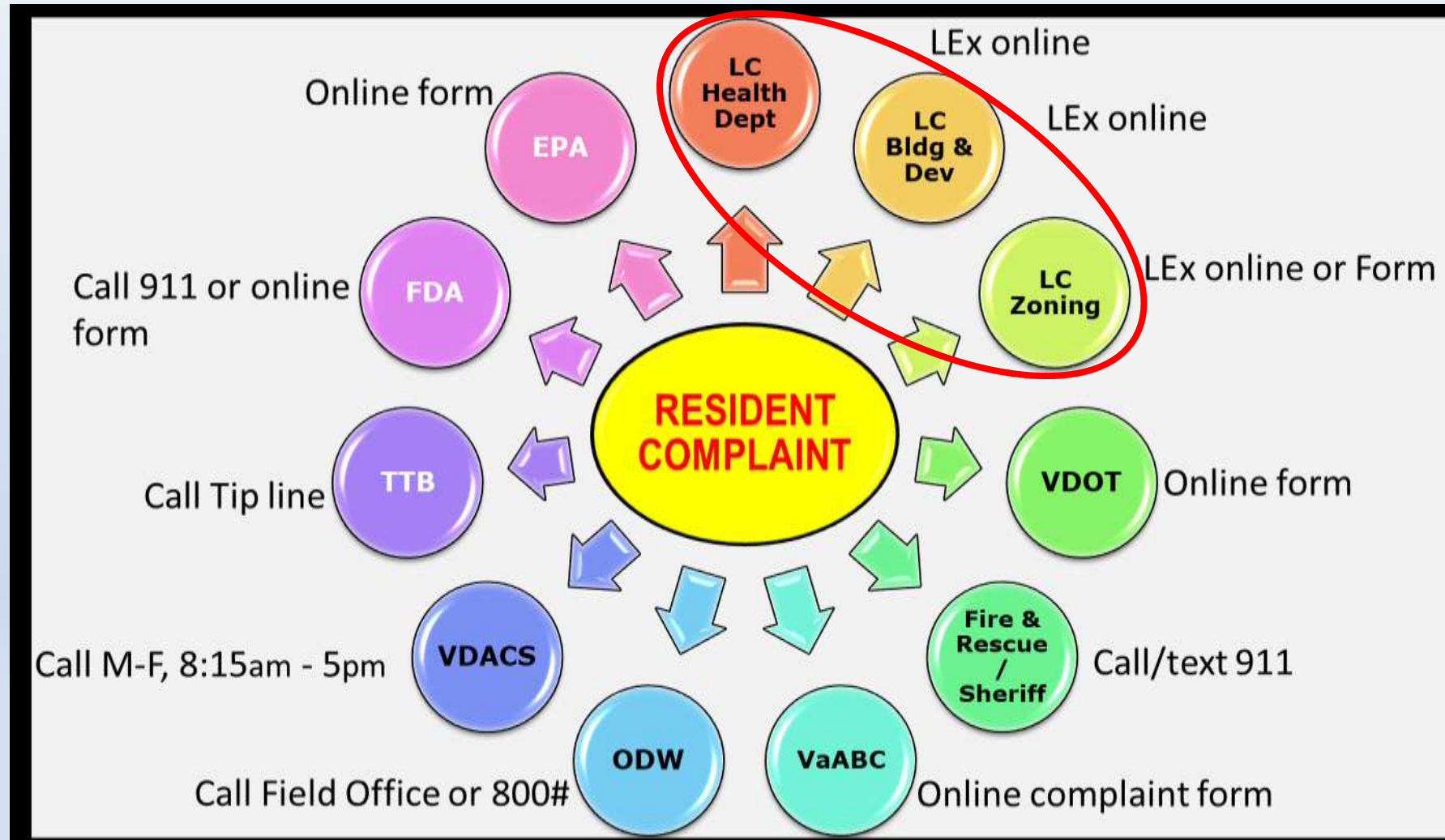
**LOLA:** Loudoun Online Land Application





# COMPLAINTS:

**No Consolidated Tracking outside  
County LEx system**



# COMPLAINTS:

## Not Tracked or Discretionary Reporting

### NOT TRACKED:

#### Letters/emails to

- BOS
- Planning Commission
- State elected officials
- State Agencies
- Federal elected officials
- Federal Agencies
- Social Media/News

### INCOMPLETE TRACKING\*

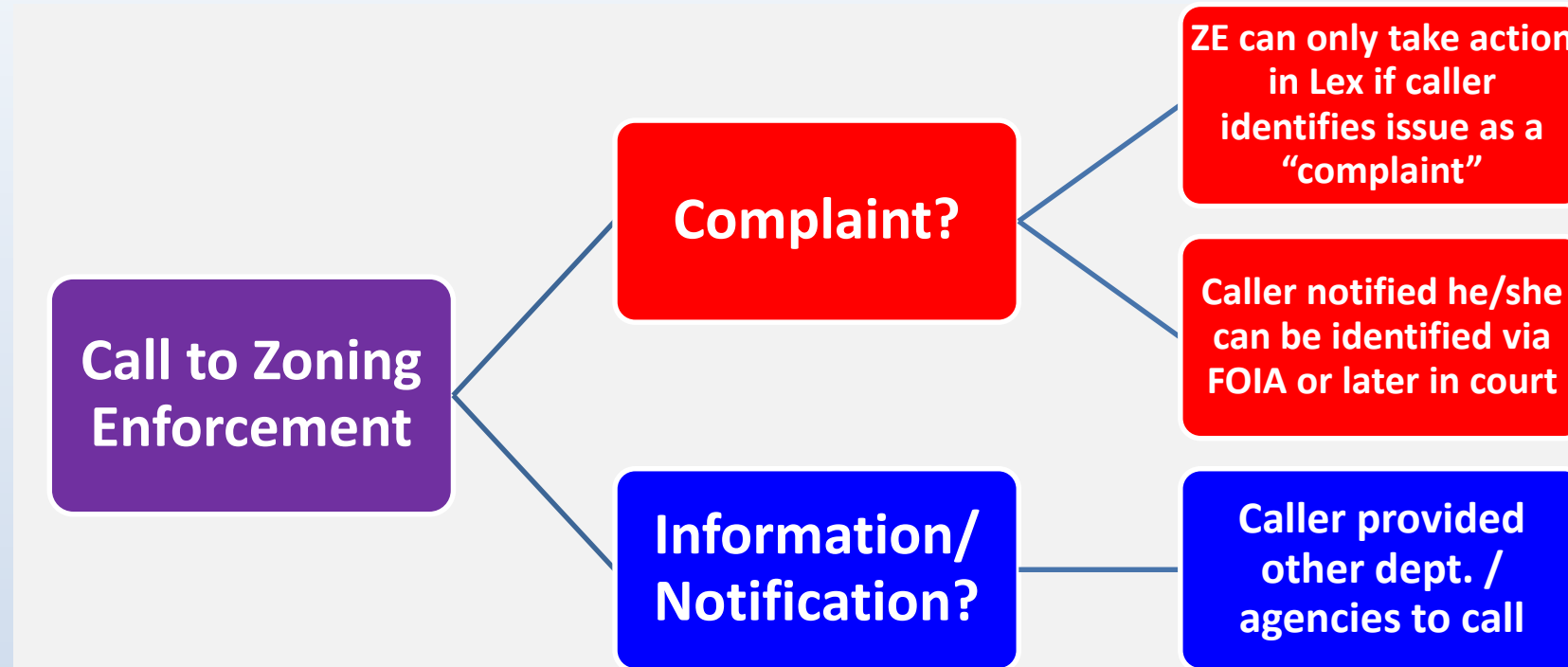
- Calls to Sheriff
- Virginia ABC

\* Not all complaints reported on public reports. Discretion and plea bargaining impact incident reports.

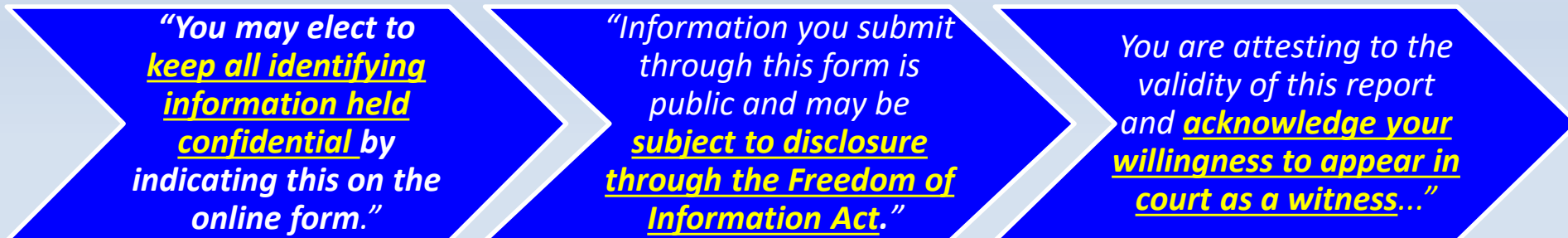
**RESULT: TOTAL COMPLAINTS UNDER REPORTED**



# ZONING ENFORCEMENT



## PRIVACY AT RISK: *Conflicting information regarding submissions*



# ZONING ENFORCEMENT POLICY\*

Since 1992 BOS direction –  
Zoning Enforcement staff investigates



As of June, 2010:

- Zoning Enforcement approved for **Proactive Enforcement** in Sterling Area (only). Mon-Fri workweek, weekend inspections as necessary.

\* BOS Action #11, June 15, 2010  
BOS Action #11, Nov. 17, 2009  
BOS Action #13.b April 19, 2005





# LEX: Loudoun Express Request

## PROS

- “Efficient way to connect with county staff”
- “24/7. Question or concern after business hours “

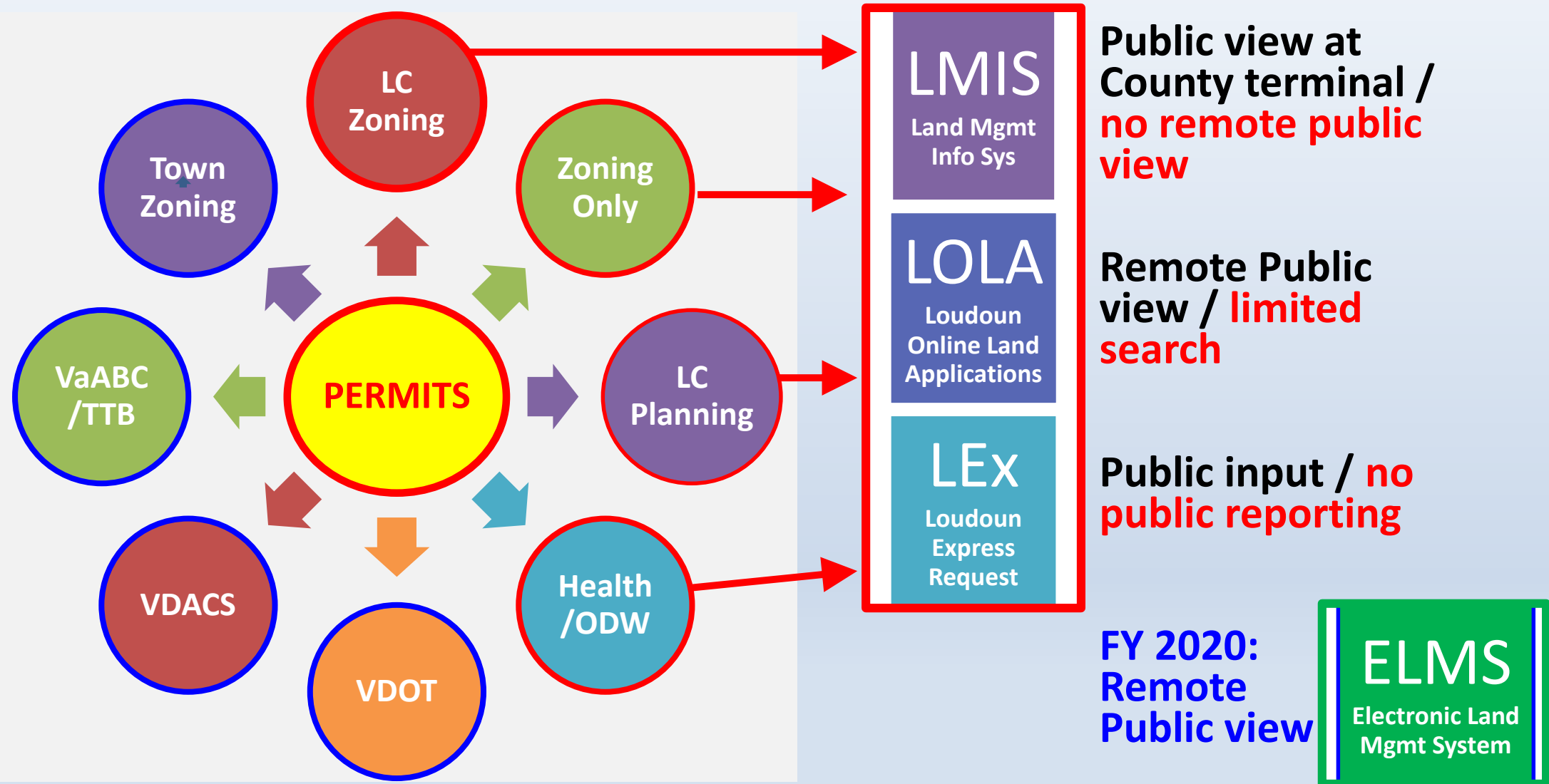
## CONS

- Who knows about it?
- Limited / insufficient back-end reporting of complaints by type/source
- Does not consolidate all complaints sources

**ACTION/ Enforcement** **≠** **Actual Qty of Complaints**  
→ **Inductive/McNamara Fallacy**

# PERMITS – Primer: Systems/Tools

No Consolidated way to track Permits/violations

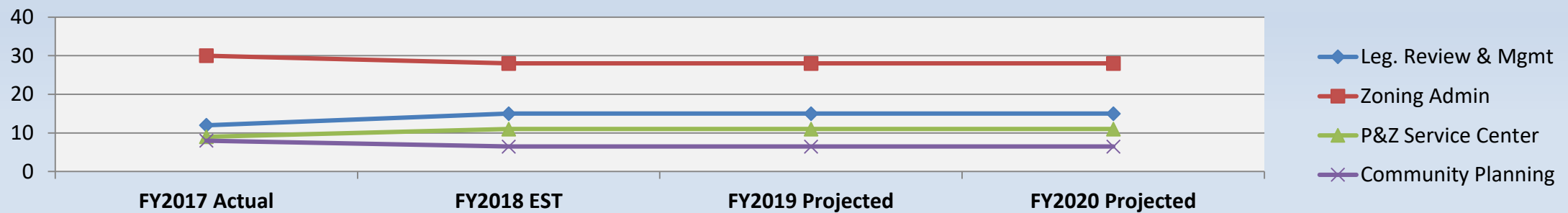
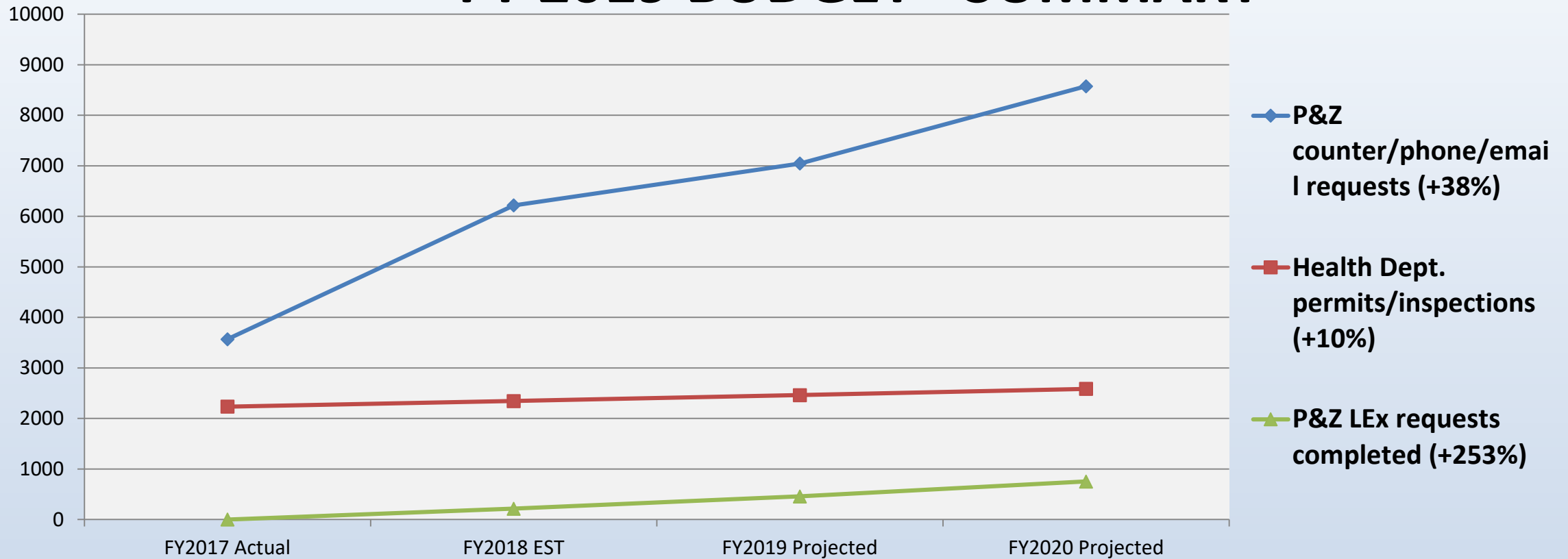


# FY 2019 BUDGET - SUMMARY

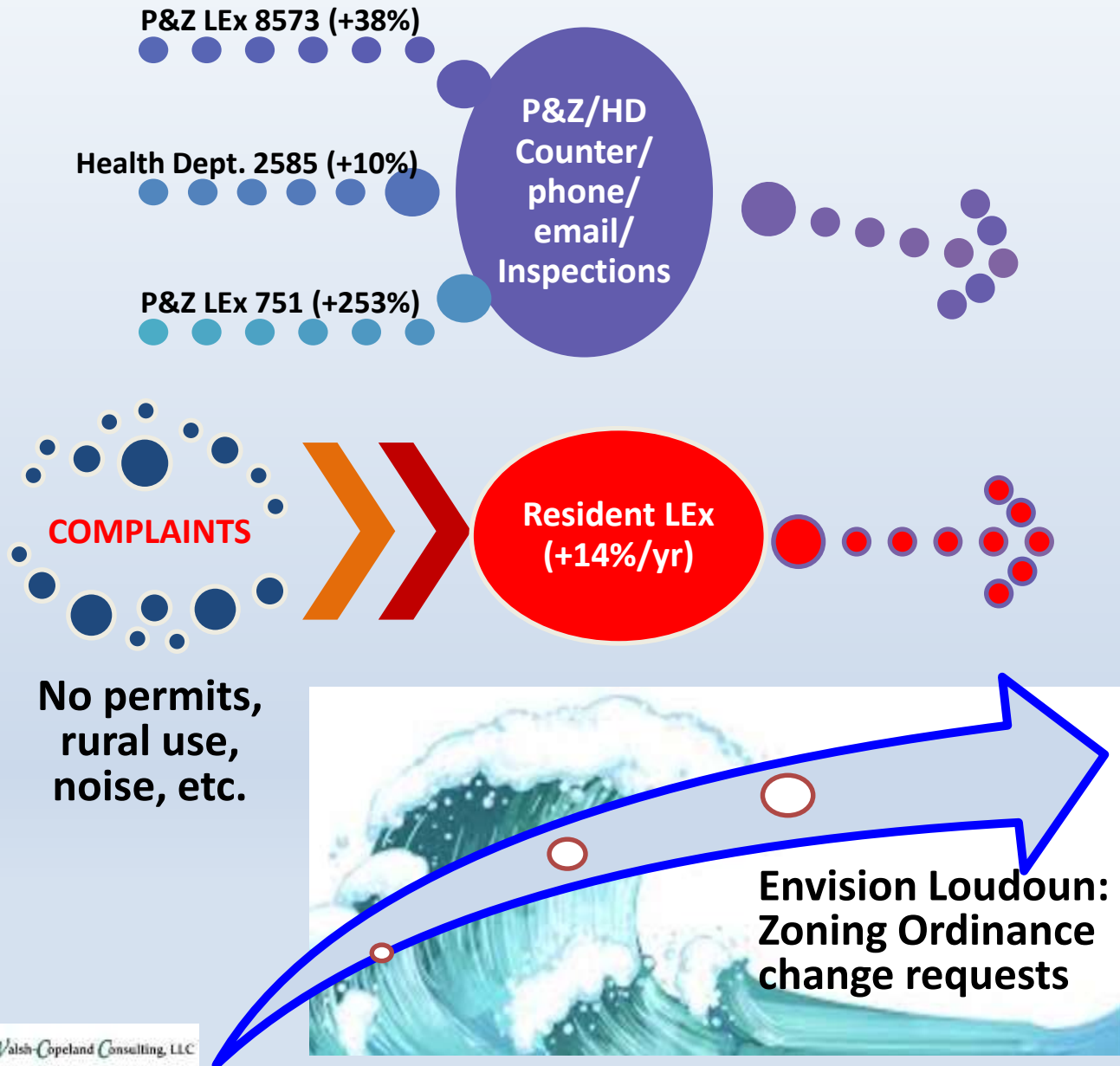
		FY2017 Actual	FY2018 EST	FY2019 Projected	FY2020 Projected	% Inc
EXECUTIVE MGMT	FOIA requests	159	180	190	200	11%
	% Departments using LEx	70%	75%	75%	75%	
	No. LEx requests	11,070	12,000	12,000	12,000	0%
COUNTY ATTORNEY	Pending Reg. Enforcement	45	48	49	50	4%
SPECIAL EVENTS MGMT	No. Special Events	419	400	425	425	6%
	No. Sp. Events Staff Hrs	691	1850	1900	1900	3%
HEALTH DEPARTMENT	Permits/inspections	2233	2345	2462	2585	10%
BUILDING & DEV	Counter Assistance	7120	6000	5500	5000	-17%
	LEx Requests	3450	3500	3600	3700	6%
	B&D Permit Issuance	59,939	59,670	60,860	62,000	4%
PLANNING & ZONING	Counter/phone/email requests	3568	6215	7045	8573	38%
	LEx requests completed	n/a	213	457	751	253%
	FOIA Requests	68	65	65	65	0%
	ZOAMs reviewed	8	6	5	2	-67%
P&Z - FTE	Leg. Review & Mgmt	12	15	15	15	0%
	Community Planning	8	6.47	6.47	6.47	0%
	P&Z Service Center	9	11	11	11	0%
	Zoning Admin	30	28	28	28	0%



# FY 2019 BUDGET - SUMMARY



# HITTING THE WALL



**POLICY?** Legislation  
County, State/VaABC

**PRODUCTS?**  
Rural Uses/Zoning

**PRACTICES?**  
Proactive vs. reactive?

**PEOPLE?**  
Staffing

**PROCESS?**  
Improve coordination

**PROCEDURES?**  
Systems/Tools

**PUBLIC PREVIEW?**  
LMIS, LOLA, ELMS?

**PROMOTION?**  
Staff Consulting

**PRICING?**  
Permits, violations

# WHAT CAN BE DONE?

## Work with Staff & Committees:

