



COMPREHENSIVE PLAN / ZONING & ORDINANCES AUDIT: FARM BUREAU

Use form to provide key audit information: 1) Review both the 2001 and 2019 Comp Plan to note policy gaps and issues not addressed. 2) Review three ordinance documents (Zoning, FSM, LSDO) to determine existence or levels of enforcement for policies/issues. Use Section (§) references where applicable. 3) Describe Issue and Recommendations. Links to key documents: [2019 Comp Plan](#), [2001 Comp Plan \(RGP\)](#), [CPAM Revisions to the 2001 RGP](#), [Facilities Standards Manual \(FSM\)](#), [Land Subdivision & Development Ordinance \(LSDO\)](#).

1. Comp Plan Policy or Issue Area (2001 & 2019)	2a. Zoning Ordinance § Reference or N/A (Brief text or summary)	2b. Facilities Standards Manual § Reference or N/A (Brief text or summary)	2c. Land Subdivision & Dev. Ordinance § Reference or N/A (Brief text or summary)	3. Issue Description / Recommendations
<p>Preservation of prime agricultural soils for future farming—this current priority is only indirectly addressed in the 2019 General Plan under Future of Rural Strategy p. 2-98 and under RPA Policy p. 2-99 under Strategy 1.1 with reference to “retain farmland” and under RPA Policy 2 p.2-99 under Strategy 2.1 with reference to “protect the land resource for agricultural operations.”</p>	<p>The Zoning Ordinance (ZO) lacks reference for the priority need to “preserve” Prime Agricultural Soils. There is no basis, therefore, to enforce any such requirements.</p>	<p>The Facilities Standards Manual (FSM) lacks reference for the priority need to “preserve” Prime Agricultural Soils. There is no basis, therefore, to enforce any such requirements.</p>	<p>The Land Subdivision & Development Ordinance (LS&DO) lacks any reference or enforcement basis to address the priority need to “preserve” Prime Agricultural Soils under Cluster and Hamlet Subdivision plans. Specific language is needed to address this priority and to consistently link such requirements with similar provisions to be included in the ZO and FSM.</p>	<p>PROTECTION OF PRIME AGRICULTURAL SOILS RECOMMENDATION:</p> <ul style="list-style-type: none"> • Farm Bureau is recommending “Preservation” of USDA Class I, Prime Agricultural Soils (for example 23B/Purcellville Loam) soils. • Reference to “protection” may be only short-term, particularly if land in question is not under a Conservation Easement. • So, for purposes of amending the ZO, FSM and LSDO, specific references should be included to “preserve” prime agricultural soils for future generations to be able to farm.
<p>Preservation of prime agricultural soils for future farming as previously referenced above</p>	<p>There is no language in this Ordinance to address the priority need to preserve prime agricultural soils when reviewing a cluster or hamlet subdivision plan during a Presubmission Meeting.</p>	<p>There is no language in this Ordinance to address the priority need to preserve prime agricultural soils when reviewing a cluster or hamlet subdivision plan at the Presubmission Meeting.</p>	<p>Sections 1241.02, 1241.03 and 1241.04 need to contain specific language as recommended to address the priority need to preserve prime agricultural soils when reviewing a cluster or hamlet subdivision plan at the Presubmission Meeting.</p>	<p>PRESUBMISSION MEETING (PSUB) CHANGES ISSUE: No pertinent reference language is contained within LSDO to link consistent requirements for consideration of the percentage of prime agricultural soils contained within the proposed cluster development during the Presubmission Meeting (PSUB).</p> <p>RECOMMENDATION: Farm Bureau recommends the following language or language closely approximating the following:</p> <ul style="list-style-type: none"> • “A prime objective of the Presubmission Meeting (PSUB) shall be a determination of the total available prime agricultural soils contained within the acreage plot being considered for cluster or hamlet development.” • “The Presubmission Meeting shall determine what design option(s) best preserve a minimum of 80 percent of the prime agricultural soil acreage embodied within the proposed cluster or hamlet development.”

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Preservation of prime agricultural soils for future farming as previously referenced above	There is no language in this Ordinance to address the priority need to preserve prime agricultural soils when reviewing design options under a cluster or hamlet subdivision plan.	There is no language in this Ordinance to address the priority need to preserve prime agricultural soils when reviewing design options under a cluster or hamlet subdivision plan.	The LS&DO contains no language to consistently link requirements with ZO and FSM regarding the need to preserve prime agricultural soils during review of design options for a cluster or hamlet subdivision plan.	<p>CLUSTER SUBDIVISION DESIGN OPTIONS ISSUE: Consideration of preserving prime agricultural soils is not being considered as part of the preliminary discussions regarding design options for the cluster or hamlet subdivision.</p> <p>RECOMMENDATION: Farm Bureau recommends the following language for inclusion into Sections 1241.02, 1241.03 and 1241.04:</p> <ul style="list-style-type: none"> • “Design options shall prioritize protection of prime agricultural soils and the protection of environmental and cultural resources identified on the subject site.” • “Such design options shall prioritize retention of prime agricultural soils, to the extent possible, in larger tracts of land that do not include steep slopes (SS), floodplain (FP), designated open spaces (OS) and right-of-way (RoW).”
Preservation of prime agricultural soils for future farming as previously referenced above	There is no guidance or methodology to regulate how LC Bldg. & Development staff must consider preservation of prime agricultural soils during technical reviews of cluster and hamlet subdivision plans.	There is no guidance or methodology to regulate how LC Bldg. & Development staff must consider preservation of prime agricultural soils during technical reviews of cluster and hamlet subdivision plans.	There is no guidance or methodology to regulate how LC Bldg. & Development staff must consider preservation of prime agricultural soils during technical reviews of cluster and hamlet subdivision plans. Such requirements must be consistent with similar requirements contained within the ZO and FSM.	<p>TECHNICAL REVIEW REQUIREMENT CHANGES ISSUE: No guidance or methodology is contained within the Zoning Ordinance, Facilities Standards Manual (ZO, FSM, LS&DO) that allow LC Bldg. & Development to consider preservation of prime agricultural soils as part of technical reviews of Minimum Submission Reviews, Preliminary Plat Submissions, Site Plans and Geotechnical Reports as well as other reviews required of Cluster Subdivision or Rural Hamlet submissions.</p> <p>RECOMMENDATION: Farm Bureau recommends the following algorithm be included in all three pertinent ordinances (Zoning Ordinance, Facility Standards Manual and Land Subdivision & Development Ordinance);</p> <ul style="list-style-type: none"> • “Determination of the availability of potential prime agricultural soils for preservation as part of any cluster or hamlet submission shall first be determined by subtracting from the total acreage of the plot being evaluated, the acreage of steep slopes(SS), the acreage of floodplain(FP), the acreage of open space(OS), the acreage of right-of Way (RoW), thus yielding the acreage of Total Potential Farmland (TPF), of which not less than 80 percent of classified prime agricultural soils shall be included and designated as “Prime Farmland Preserve.” The residual acreage will be applied to the proposed residential cluster or hamlet design.”

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Preservation of prime agricultural soils for future farming as previously referenced above	There are no technical oversight requirements to determine the acreage and classification of prime agricultural soils on any given tract of land being considered for cluster or hamlet subdivision development.	There are no technical oversight requirements to determine the acreage and classification of prime agricultural soils on any given tract of land being considered for cluster or hamlet subdivision development.	There are no technical oversight requirements to determine the acreage and classification of prime agricultural soils on any given tract of land being considered for cluster or hamlet subdivision development.	<p>LSDO TECHNICAL OVERSIGHT REQUIREMENTS ISSUE: The LSDO lacks any technical oversight requirements to determine the acreage and classification of prime agricultural soils availability on any given parcel of land being considered for cluster or hamlet development.</p> <p>RECOMMENDATION: Farm Bureau recommends that specific and consistent language be included in the Zoning Ordinance, the Facility Standards Manual and the Land Subdivision & Development Ordinance to provide oversight by the Loudoun Soil and Water Conservation District (LSWD) to review all preliminary applications for cluster or hamlet development, so as to assure adequate technical review of the acreage and soil classifications of prime agricultural soils which may be negatively impacted on such land parcels.</p>
Preservation of prime agricultural soils for future farming as previously referenced above	No restriction on utilization of prime agricultural soils in “Rural Economy Lot(s) for disposition or treatment of sewage and/or waste water	No restriction on utilization of prime agricultural soils in “Rural Economy Lot(s) for disposition or treatment of sewage and/or waste water	No restriction on utilization of prime agricultural soils retained within Rural Economy Lots for disposition or treatment of sewage and/or waste water	<p>WATER/WASTE DISPOSITION IN CLUSTERS ISSUE: The Zoning Ordinance, Facilities Standards Manual and Land Subdivision and Development Ordinance (ZO, FSM, SD&DO) lack protections for prime agricultural soils being utilized for disposition and/or treatment of residential sewage and/or waste water produced from clustered residential units.</p> <p>RECOMMENDATION: Farm Bureau recommends that cluster and hamlet subdivisions be designed to avoid discharge of wastes through septic fields and package treatment plants located within the “Prime Farmland Preserve” (Rural Economy Lot). Prime soil preserve farmland must be free from such impediments which interfere with normal farming practices.</p>
Preservation of prime agricultural soils for future farming as previously referenced above	Lack of clarification of ownership of “Rural Economy Lot(s)	Lack of clarification of ownership of “Rural Economy Lot(s)	Lack of clarification of ownership of “Rural Economy Lot(s)	<p>OWNERSHIP OF “PRIME FARMLAND PRESERVE” ISSUE: The Zoning Ordinance must contain a clarification for retention of ownership of the “Prime Farmland Preserve” (as it should be designated in place of the designation “Rural Economy Lot”).</p> <p>RECOMMENDATION: Farm Bureau recommends that “The Prime Farmland Preserve” (as it should be designated) should not be common land owned by the new development Home Owners Association (HOA), but rather be established as a “Prime Farmland Preserve” lot to be kept by the original owner or sold to a new private owner.”</p>

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				<ul style="list-style-type: none"> This is a very important recommendation to avoid interference with approved farming practices employed on the “Prime Farmland Preserve” by future generations.
<p>Protection of water resources and other natural resources under Land Use & Development, RPA Policy 1 p. 2-99, Loudoun County 2019 General Plan.</p>	<p>Need to include protection of farm water sources in general and farm water wells in Karst Overlay Zones specifically</p>	<p>Need to include protection of farm water sources in general and farm water wells in Karst Overlay Zones</p>	<p>Need to include protection of farm water sources in general and farm water wells in Karst Overlay Zones</p>	<p>PREVENTION OF ILLEGAL STOCKPILING/DUMPING RECOMMENDATION:</p> <ul style="list-style-type: none"> Farm Bureau recommends that all three ordinances (ZO, FSM, LS&DO) need to be consistent in preventing dumping of “potentially hazardous wastes” including construction site debris and pavement millings or any other unapproved chemical and/or biological substance(s) on any property or site which could potentially contaminate and/or inhibit, expose or mitigate “recommended good farming practices,” including the potential to contaminate and/or infect any private well(s) on or near such property, including any stream and/or water source providing water availability to any farming operation in the nearby vicinity, as determined by the Loudoun Soil and Water Conservation District. Farm Bureau further recommends that dumping of any substance and/ or materials of any type be strictly prohibited on any property which is zoned under a Limestone Overlay District or which is underlaid by a Karst (limestone) geological formation as specified by maps created by the U.S. Geological Survey.
<p>Protection of Limestone Overlay Districts from Subdivision development</p>	<p>Lacks appropriate reference and adequate long-term protections</p>	<p>Lacks appropriate reference and adequate long-term protections</p>	<p>Lacks appropriate reference and adequate long-term protections</p>	<p>STRENGTHEN LIMESTONE OVERLAY ZONES RECOMMENDATION:</p> <ul style="list-style-type: none"> Farm Bureau recommends that current zoning restrictions for subdivisions in Limestone Overlay Zones be maintained and strengthened so that special exceptions not be granted for any surface land disturbance that might negatively impact private wells within a 5 mile radius and until a complete mapping and adequate bore site geophysical study is conducted, reviewed and approved by the U.S. Geological Survey and that such a subdivision proposal be extensively evaluated for potential groundwater contamination by the Loudoun Soil and Water Conservation District.