



# LCPCC ZONING & ORDINANCES AUDIT LOUDOUN HISTORIC VILLAGE ALLIANCE As of 4/24/2020

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 \(LSDO\)](#).

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<b>Chapter 2: Rural Historic Villages:</b> RHV Policy I: <i>Development and uses in Rural Historic Villages must be compatible with the historic development pattern, community character, visual identity, intensity, and scale of the individual villages.</i>		FSM 1.100	Land Subdivision and Development Ordinance Chapter 1241 1241-01 thru 1246.05	<b><u>ENFORCE VCOD STANDARDS</u></b> <b>Issue(s):</b> <ul style="list-style-type: none"><li>• Ability to enforce “compatible”.</li><li>• In order to be consistent with the philosophy of the RPA, the Place Type Villages need to be protected and buffered from the encroaching development/town sprawl.</li><li>• Village Conservation Overlay Districts (VCODs) previously established to protect traditional development patterns in Loudoun’s Rural Historic Villages (RHVs). Twelve (12) RHVs currently recognized in the 2019 Comp Plan, but there are more historic villages that are not recognized/covered by VCOD, so are not currently protected.</li><li>• FSM does have specifics about developing plans for RHVs relating to water, wastewater, transportation, and the environment. Some can be very helpful, some are innovative.</li></ul> <b>Recommendation(s):</b> <ul style="list-style-type: none"><li>• “Compatible” needs to be reflected in the zoning criteria and be flexible to be “unique” to the historic village.</li><li>• Review VCOD boundaries in existing RHVs as needed and adjust if appropriate.</li><li>• Add VCOD to other RHVs that qualify.</li><li>• Require Certificate of Appropriateness (CAPP) during Land Use Application process if property known to be historic. (on National Register or county register (Heritage Commission list) if not in VCOD).</li></ul>

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				<ul style="list-style-type: none"><li>VCOD and CAPP require that new buildings or changes to historic ones must retain pattern, character, mass, scale of visual identity of the historic village to be compatible.</li><li>No use should be permitted which might be harmful to the ambiance of the community at-large.</li><li>Cluster development and rural economy uses need to be especially sensitive to location and design of features in order to maintain a rural-like buffer around historic villages so they may retain their identity and character.</li><li>Development potential within the historic villages should protect “hard edges” of the historic village</li><li>Retain language in FSM related to water, wastewater, transportation and the environment as it relates to RHVs.</li></ul>
1.1 Encourage the retention/development of a variety of compatible residential, commercial, and community uses that enhance the attractiveness and vitality of RHVs.	<b>Section 2:</b> 2-500 CR1 2-600 CR2 2-700 etc  2-100 AR +  2-900 RC	Chapter 7 Environmental: Lighting, Trees + Plantings. Sub. 7.8 Archeology.	N/A	<p><b><u>ADAPTIVE REUSE</u></b></p> <p><b>Issue(s):</b></p> <ul style="list-style-type: none"><li>Currently, RHVs’ historic properties have difficulty meeting current zoning standards for most uses in underlying zoning.</li><li>Also, may want to use Historic property as museum or visitor center. Define simple criteria to allow this use.</li></ul> <p><b>Recommendation(s):</b></p> <ul style="list-style-type: none"><li>Adjust zoning standards when property is historic. Various uses allowed by underlying zoning, but historic properties have trouble meeting current standards. Eg: Waterford had to verify a use was grandfathered in order to use/rent some historic properties.</li><li>Add museum/visitor center to by right uses. Some historic villages (Lincoln, Waterford) have considered small museum/visitor center but difficult to implement.</li></ul> <p><b>Clarke County zoning ordinance:</b> <i>HISTORIC STRUCTURE MUSEUMS: Structures listed on the Virginia Landmarks Registry or National Register of Historic Places (individually or as a contributing structure) that are arranged, intended, and designed to be viewed by the public with or without an admission charged, and which may include as an accessory and secondary use</i></p>

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A. Develop criteria to evaluate RHVs and other historic crossroad communities to: <ul style="list-style-type: none"><li>● Determine if current RHV designation is warranted.</li><li>● Define/Redefine community boundaries as necessary.</li><li>● Amend the Comp Plan and Zoning Ordinance, as appropriate</li></ul>	<b>Section 4- 2100</b> 4-2102A 4-2102 B VCOD only Expansion of VCOD boundaries	Chap. 7.8.1 Archeology survey	N/A	<b><u>VILLAGES WITHOUT VCOD PROTECTION</u></b> <b>Issue(s):</b> <ul style="list-style-type: none"><li>● Currently only 12 historic villages listed in Comp Plan/RHV section. All 12 historic villages in a Village Conservation Overlay District (VCOD)</li><li>● There are more historic villages in Loudoun that qualify (eg: Unison, Willisville, Howardsville, Morrisonville)</li><li>● Based on an agreed upon RHV definition, need to determine which additional RHVs belong on Comp Plan list and include using VCOD criteria (i.e. Unison, Willisville, and Howardsville, etc...). Determine boundaries of new VCOD historic village</li></ul> <b>Recommendation(s):</b> <ul style="list-style-type: none"><li>● VCOD language allows for boundary expansion.</li><li>● Verify boundaries of current VCOD historic villages (eg: many historic properties in Philomont not included in VCOD)</li><li>● Look at criteria used when current VCOD list of historic villages created, revise/expand as needed to meet the unique needs of each individual RHV</li></ul>
B. Work with RHVs to develop community plans that will support their community goals and address issues related to: <ul style="list-style-type: none"><li>● Land Use/Zoning,</li><li>● Economic Development,</li><li>● Natural, Environmental and Historic resources,</li><li>● Community facilities/services, Water/wastewater,</li><li>● Transportation</li></ul> to maintain the character of the villages	<b>Section 4-2100</b>  <b>Section 4 – 2104</b> Additional Neighborhood Development Standards	Chapter 3: Waste Collection and Disposal. Chap. 5: Water Resource Mgmt; Chap. 6: Soils and Hydrology Chap. 4: Transportation. (Rural non-residential roads, village through roads, trails) Chap. 7: Environment	N/A	<b><u>MINIMAL PROTECTION IN VCOD/NEED MORE ROBUST STANDARDS/COMMUNITY PLANNING/PROTECT RESOURCES</u></b> <b>Issue(s):</b> <ul style="list-style-type: none"><li>● Current VCOD originally established to recognize traditional development of rural historic villages. Some RHVs are missing.</li><li>● Currently provides minimal protection for VCOD villages. Need more “Additional Neighborhood Development Standards” in VCOD.</li><li>● Suburban sprawl emanates from the historic villages as well as the towns located in the RPA. This happens because public utilities tend to promote linear development.</li><li>● FSM needs to expand to be inclusive of historic villages. FSM provides criteria and procedures for most of the categories in this section but does not pull together ANY information for Rural historic villages or Rural life. Most are passing references</li></ul>

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				<p>(ie “refer to zoning laws for rural regs” or “this does not apply in rural areas”).</p> <p><b>Recommendation(s):</b></p> <ul style="list-style-type: none"><li>● Encourage RHVs to create community plans for their historic village. County developed format with help from LHVA</li><li>● Assess/Revise criteria from current VCOD to provide more protection to the RHVs</li><li>● The design, size and siting of public service and public safety facilities within village boundaries needs to be compatible with the historic village character and appearance and adopted with the consultation of the historic village residents. (eg: Some fire suppression vehicles too large for historic village streets, unpaved roads and farm lanes)</li><li>● Water and septic facilities for new construction or upgrades within historic villages shall not degrade the quality of water supplies or septic systems for existing residents. Much stronger “guidelines” are critical.</li></ul> <p><i>Clarke County zoning ordinance: No use should be permitted which might be harmful to the adjoining land uses and the residential ambiance of the community at-large</i></p> <ul style="list-style-type: none"><li>● Public utilities should emanate in a nuclear pattern from center of historic villages rather than a linear fashion to prevent sprawl in the RPA and around historic villages.</li><li>● Commercial uses within an RHV should be consistent with the character of historic villages, including infrastructure like cell towers.</li><li>● VDOT needs to recognize RHVs and their boundaries in order to ensure planned road improvements/repair are compatible in a traditional historic village</li></ul> <p><b>Example:</b> Subdivision type development in the historic village of St Louis is violating almost every category in 1.1B. Absolutely no consideration to natural resources, compatibility, impact of new wells on water quality of old wells and more.</p>

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C. Review/Revise: <ul style="list-style-type: none"><li>• Zoning regulations,</li><li>• design standards/guidelines to achieve compatible building and street design to ensure quality development occurs within RHVs.</li></ul>	HDRC  Minimal in VCOD		N/A	<b><u>RECOGNIZE UNIQUENESS OF EACH VILLAGE</u></b> <b>Issue(s):</b> <ul style="list-style-type: none"><li>• Deficiencies in VCOD criteria/zoning. Needs strengthening while still allowing for the uniqueness of each historic village</li></ul> <b>Recommendation(s):</b> <ul style="list-style-type: none"><li>• Add some HDRC-like guidelines and design standards to VCOD to ensure changes are compatible</li><li>• Get more RHVs covered by VCOD</li><li>• Increase area in RHVs covered by VCOD, including a “green zone” to better protect the RHV.</li><li>• Limit development within and adjacent to the RHVs and their “green zones”.</li></ul>
D. Coordinate with RHV’s community organizations to determine appropriate methods to differentiate entrances into the villages from surrounding areas including through street design, landscaping, and building placement.	N/A	N/A on entrances in FSM	N/A	<b><u>GREEN BUFFER</u></b> <b>Issue(s):</b> <ul style="list-style-type: none"><li>• Most of the RHVs “gateways” are not recognizable to the nonresident.</li><li>• Most of the RHVs need protection from encroaching or internal development.</li><li>• Historic villages need “hard boundaries” so obvious to residents and public when in a historic village.</li></ul> <b>Recommendation(s):</b> <ul style="list-style-type: none"><li>• Protect more historic villages with <b>VCOD</b></li><li>• Add more Standards to <b>VCOD</b></li><li>• Make RHV entrances, through street, landscaping, building placement, green zones, etc... part of their individual community plan development</li><li>• Prevent the encroachment of buildings and structures which are architecturally incongruous.</li><li>• Promote protection of green space around historic villages so historic villages have hard edges. (eg Waterford good example)</li><li>• Private road(s) and parking lots visible from a public road should not distract from the historic village view shed.</li></ul>

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E. Incorporate traffic calming measures that are compatible with the village character where appropriate to reduce vehicle speeds and provide a pedestrian-friendly environment.	N/A	Chap. 4 Transportation Trails, rural non-residential roads. Traffic studies required. Regulates traffic calming methods.	N/A – covers subdivision of parcels in AR-1 and AR-2 zoning districts	<b><u>TRAFFIC CALMING</u></b> <b>Issue(s):</b> <ul style="list-style-type: none"><li>Western RHVs are unique to the county. Eastern Loudoun and other suburban criteria should not be applicable to RHVs.</li><li>Public road(s), sidewalks, bridge design, road striping and road signage within RHVs need to be compatible with the character of the historic village and adopted with the input from historic village residents.</li><li>FSM’s slant to suburban or urban makes only passing reference to rural road construction and NO discussion of dirt roads.</li></ul> <b>Recommendation(s):</b> <ul style="list-style-type: none"><li>Consider traffic calming measures, including speed limits in VCOD standards.</li><li>“No thru trucks” for historic villages, as applicable.</li><li>Include individual historic village input as part of VDOT plans.</li><li>Make VDOT aware of using different approach on rural historic village roads and the county’s dirt roads</li></ul>
F. Evaluate/Revise existing Rural Commercial (RC) zoning district regulations to implement Plan policies & design standards for development in the RHVs that ensure compatibility w/settlement patterns and neighborhood scale.	<b>Section 2-900 RC</b>  4 lots/acre	N/A	N/A – covers procedures and standards for new subdivisions	<b><u>CHANGE RURAL COMMERCIAL ZONING IN VILLAGES</u></b> <b>Issue(s):</b> <ul style="list-style-type: none"><li>Current RC zoning should not be applicable in Western Loudoun’s RHVs per the VCOD.</li><li>Building 4 new units/acre is too dense in RHVs (RC zoning)</li><li>Yet unclear, what is allowed on small parcels: i.e., would current dimensions allow apartment upstairs with business downstairs in same building even if on very small lot?</li></ul> <b>Recommendation(s):</b> <ul style="list-style-type: none"><li>Create new rural commercial zoning category for RHV (such as <b><i>Historic Rural Commercial ...HRC</i></b>)</li><li>Ensure that <b><i>HRC</i></b> zoning in VCOD, uses “shall be compatible with existing historic village and neighborhood scale and character”.</li><li>Per <b><i>HRC</i></b>, consider one residential use with one commercial use on a parcel.</li></ul>

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				<ul style="list-style-type: none"><li>● Eliminate right to build 4 units per acre as in current RC.</li></ul>
1.2 Preserve the character of the villages and their historic structures and sites through the rehabilitation and adaptive reuse of existing buildings.	N/A	Chapter 7: When is Archeology study required etc.	N/A	<b><u>ADAPTIVE REUSE</u></b> <b>Issue(s):</b> <ul style="list-style-type: none"><li>● Current zoning standards do not allow many uses in underlying zoning when it is an historic property.</li></ul> <b>Recommendation(s):</b> <ul style="list-style-type: none"><li>● Need flexibility in current standards concerning what you can do with an historic building to generate income in order to preserve.</li><li>● Use HDRC- like standards to review uses of historic properties to ensure compatibility with historic setting. Add to VCOD Standards.</li><li>● Make public aware of financial benefits (tax credits) when rehabilitating an historic structure.</li></ul>
A. Promote/support building maintenance/improvements to preserve the existing building stock & character of the villages.	HDRC	N/A	N/A	<b><u>HISTORIC PRESERVATION</u></b> <b>Issue(s):</b> <ul style="list-style-type: none"><li>● No incentive for a property owner to maintain a structure they are unable to generate income from or use themselves.</li><li>● Need to preserve, not allow demolition or neglect.</li></ul> <b>Recommendation(s):</b> <ul style="list-style-type: none"><li>● Identify incentive(s) to property owners to avoid building neglect.</li><li>● Encourage maintenance that preserves historic character of property in VCOD.</li><li>● Use Secretary of Interior standards.</li><li>● Penalty for demo by neglect.</li></ul>
B. Evaluate the establishment of additional County Historic Districts in the RHVs.	<b>Section 6-1800</b>	N/A	N/A	<b><u>CREATE MORE COUNTY HISTORIC DISTRICTS</u></b> <b>Issue(s):</b> <ul style="list-style-type: none"><li>● Only a few of the current RHVs are County/State/National Historic Districts</li></ul> <b>Recommendation(s):</b> <ul style="list-style-type: none"><li>● Current zoning allows new county HD to be established.</li><li>● Requires ZOAM.</li></ul>

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1.3 Limited increases in residential densities within RHVs may be considered through legislative approval processes when the design of the project reinforces the character, development pattern, & identity of the village. <b>Conventional/Suburban forms of development are not appropriate in or contiguous to RHVs.</b>	CR 1 – 4  RC	FSM mostly discusses suburban development. Does not ever say “not appropriate in rural areas.”	N/A	<b>PREVENT SPRAWL/PROTECT NATURAL RESOURCES</b> <b>Issue(s):</b> <ul style="list-style-type: none"> <li>● Density will increase if public sewer and/or water available</li> <li>● Current RC allows 4 lots/acre, but silent on water/sewer</li> <li>● Criteria for 40k lots with own water &amp; sewer</li> <li>● Building in and around VCOD must maintain character of historic development and be limited.</li> </ul> <b>Recommendation(s):</b> <ul style="list-style-type: none"> <li>● Limit the ability to increase densities in and around RHVs in order to preserve the identity of the RHV.</li> <li>● Review and enforce proactively not reactively.</li> <li>● Use HDRC-like review process for building projects in RHVs.</li> </ul>
A. Adopt zoning regulations and design standards to encourage housing on smaller lots, allow accessory apartments attached to single family residential units, and allow residential units above commercial/retail uses within the RHVs to provide housing options.	RC allows multi family CR1& 2 &CR 3, CR4 ok with accessory & single family  CR 1, 2...tenant	N/A	N/A – contemplates only subdivision of large lots in the AR-1 and AR-2 zoning districts	<b><u>MIX OF USES</u></b> <b>Issue(s):</b> <ul style="list-style-type: none"> <li>● Unmet housing needs in Western Loudoun.</li> </ul> <b>Recommendation(s):</b> <ul style="list-style-type: none"> <li>● Allow accessory apartments in RC (new <b>HRC</b> ).</li> <li>● Be sure accessory housing can be made available above a business in <b>HRC</b> when in an historic property.</li> <li>● Permit mix of uses in existing historic structures</li> <li>● Separate ingress/egress available must preserve historic significance of property.</li> </ul>
1.4 Business/Commercial uses in the RHVs should be: <ul style="list-style-type: none"> <li>● Small scale</li> <li>● Compatible with existing development patterns</li> <li>● Generate limited vehicular traffic</li> <li>● Meet local community needs or support rural tourism</li> </ul>		N/A on commercial vs private uses.	N/A – the subdivision ordinance covers the creation of new subdivisions from large parcels	<b><u>CHANGE RC ZONING</u></b> <b>Issue(s):</b> <ul style="list-style-type: none"> <li>● Rural/Commercial Uses must be compatible (small scale, limited vehicular traffic, meet local community needs and support rural tourism).</li> </ul> <b>Recommendation(s):</b> <ul style="list-style-type: none"> <li>● Review RC zoning, but consider new/revised zoning regulations (<b>HRC</b>) and development standards to encourage adaptive reuse, and</li> <li>● Rural/community uses in RHVs must be compatible with settlement patterns and scale in community.</li> </ul>



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A. Adopt zoning regulations, design standards and performance criteria that are specific to the types of small-scale, community-related commercial uses that the County encourages within the RHVs.		N/A	N/A	<b><u>MORE PROTECTIVE STANDARDS IN VCOD</u></b> <b>Issue(s):</b> <ul style="list-style-type: none"><li>Community-related commercial uses must meet RHV small scale compatibility criteria.</li></ul> <b>Recommendation(s):</b> <ul style="list-style-type: none"><li>New zoning regulations in VCOD could use HDRC like guidelines to consider and approve uses that, while may not be specifically addressed in the approved list of uses would contribute to historic preservation consistent with RHV community plan and HDRC-like guidelines.</li></ul>