

RPA and Cluster Ordinance

The focus of this review is to provide improved standards to the rural policy area.

- Define “rural character” to provide design standards to assure consistency.
- Support buffers around towns and villages.
- Provide standards that minimize water runoff and maximize ground permeability.
- Reintroduce Hamlet and architectural design standards for clusters.
- Including design standards such as in the Goose Creek Overlay District guidelines.
- Add development standards to consider road traffic capacity for rural economy uses.
- Develop model HOA documents that preserve open space for farming.
- Provide buffers for clusters and eliminate driveways to existing public roads.
- Consider adding standards for housing in the RPA for agricultural workforce.
- Set aside land for multi-use trails.
- Consider Matrix such as the following for Cluster Subdivision Zoning Criteria:

Cluster Calculation - Methods

“GROSS ACRES” SUBTRACTION

ALGORITHM	EXAMPLE: Route 9 near Hillsboro
Total Gross Acres (TA)	107.2 TA
- Steep Slopes (SS)	-15.4 SS
- Floodplain (FP)	- 25.2 FP
- Designated Open Space (OS)	- 2.5 OS
- Right-of Way (RoW)	- 3.0 RoW
=Total Potential Farmland (TPF)	= 61.1 TPF or Rural Economy Lot
- Prime Soils (PS)	- 49.9 PS
= Residual Acreage for Clustering	= 11.2 Residual Acreage for Clustering

PARCEL “SCORING”

CATEGORY / WEIGHT	% of Site	Retained	Score
Continuity & Retention of Prime Ag Soils & Pastureland	40%	35%	87.50%
Minimize impermeable surfaces	10%	9%	90.00%
Set aside areas for multi-use trails	5%	5%	100.00%
Architectural Styles - Diversity	10	8	80.00%
Building envelopes that control Visibility of non-ag buildings	10	8	80.00%
Retention of farm & other historic buildings	10	10	100.00%
Screening and buffering	10	10	100.00%
Roads & Parking surfaces	10	8	80.00%
Runoff Controls	10	9	90.00%
Overlay Zone (Limestone, Mountain, ...)	10	10	100.00%
SCORE			90.75%
BONUS over 1/5 acres: 100 acres 20 lots, 4500 sf footprint + 2000 sf	20	+ 2 =	22

“Bonus”

A=>95%	20%
B=>90%	10%
C=>75%	0%
D=>70%	-20%
F</70%	No Go

Committee Report: Unintended Consequences of changes to the Cluster Ordinance

While we understand that to downzone or eliminate clusters in order to preserve the rural character of western Loudoun, there would be unintended consequences:

1. Reduced Density could discourage Conservation Easements. It could stop the otherwise healthy conservation easement activity in Western Loudoun.
 - a. Conservation easements contain permanent restrictions lasting in perpetuity that reduce development and protect the conservation values of the land. A typical easement will provide significant development restrictions (one house and accessory dwelling per 50 acres) coupled with numerous restrictions to preserve the conservation values of the land such as building height, building size and location, wetland, stream and forest protection with buffers and no-cut/no-clear restrictions on forests and wetlands.
 - b. Zoning regulations and approvals are **not** permanent, do not last in perpetuity, are subject to the political process, and may not fully protect the conservation values of the land. There have been three very different zoning schemes in the last thirty years.
 - c. The proposed changes will diminish potential open space as the development pattern will change from one of easements and clusters to one that encourages housing “sprawl.”
 - c. Current easement process in Loudoun is very healthy, with about 10,000 acres of land placed in easement since the AR zoning went into effect. We are aware of about 30 conservation easements in process comprising almost 4,500 of additional acres of land in Loudoun.
2. Diminishes Land Values. Density changes could diminish the land values of Western Loudoun land.
 - a. For many of these landowners, the property represents their life savings and possibly a legacy to leave to their children.
 - b. Reduction in land values could impact the landowner’s ability to borrow funds to enable the landowner to pursue rural economy uses (e.g. Bed & Breakfast, Vineyard, Farm Store, etc.) or other personal uses, accelerating development of the land. In addition, reduction in land values could violate existing loan to value covenants in mortgages.
 - c. Reduced Density will cause some landowners to take legal action against the County, or political actions against the Board, to protect their interests. Last time there was a rezoning there were more than 100 lawsuits.
 - d. Reduced Density could cause landowners to file numerous protective subdivision applications placing a burden on County staff and resources potentially increasing development.
3. Density Packing. Undesirable changes will put increased development pressure on Eastern Loudoun and the transition area.
 - a. Reduced Density will cause increased development pressure in the transition area.
 - b. Reduced Density will cause greater density issues in Eastern Loudoun exacerbating workforce affordability issues, school and road crowding.
 - c. Reduced Density will move development to Winchester and West Virginia exacerbating traffic issues as the commuters cross the County.

Proposed Alternatives

We would like to propose the following alternatives, which will achieve the overall goals of an orderly development, while permanently preserving the rural character of Western Loudoun:

1. Control conservation values through development standards.
2. Re-establish a vigorous purchase of development rights programs.
3. Encourage and hold conservation easements. Fauquier and Clarke counties (who arguably have less resources than Loudoun) have very successful PDR and easement programs. Too many restrictions on the cluster option would have many unintended consequences which may ultimately hinder a controlled and orderly development plan for the County.

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