

**ZONING ORDINANCE REWRITE - ROUND ONE INPUT**  
**ZONING ISSUES SURVEY**  
**ZONING ORDINANCE ACTION GROUP (ZOAG) RESPONSES**  
*July 28, 2020*

<b>TOPIC 1: DEVELOPMENT REVIEW PROCESS</b>	
<b>LIKE</b>	<b>DISLIKE</b>
<b>ZOAG Response 1</b>	
<ul style="list-style-type: none"> <li>● A more orderly process that applications like CPAP follow;</li> <li>● Schedules that one can rely on that creates a timely process;</li> <li>● Can do attitude.</li> </ul>	<ul style="list-style-type: none"> <li>● Uncertainty;</li> <li>● Differing understanding one reviewer to a next;</li> <li>● Applications that lag behind and don't follow the schedule;</li> <li>● Disorganized Ordinances;</li> <li>● Processes that change because person X retires and person Y becomes involved;</li> <li>● Can't do attitude.</li> </ul>
<b>ZOAG Response 2</b>	
<ul style="list-style-type: none"> <li>● Collaboration between applicant, consultant, staff, elected officials.</li> </ul>	<ul style="list-style-type: none"> <li>● Lack of decision makers at staff level;</li> <li>● Minimal flexibility;</li> <li>● Often conflicting referral comments among referral agencies that are not resolved internally.</li> </ul>
<b>ZOAG Response 3</b>	
<ul style="list-style-type: none"> <li>● N/A</li> </ul>	<ul style="list-style-type: none"> <li>● N/A</li> </ul>
<b>ZOAG Response 4</b>	
<ul style="list-style-type: none"> <li>● Thorough review.</li> </ul>	<ul style="list-style-type: none"> <li>● Question value of pre-app process, too cumbersome to waive;</li> <li>● Whole process takes too long;</li> <li>● Many redundant staff comments;</li> <li>● Lack of face to face discussion with review agencies;</li> <li>● Too much detail "requested" on CDP &amp; SPEX plats;</li> <li>● Why have to restate ordinance requirements on plans and plat;</li> <li>● Due too scheduling of PC &amp; Board hearings too much time in between.</li> </ul>
<b>ZOAG Response 5</b>	
<ul style="list-style-type: none"> <li>● Seems to be moving from broad concepts to specifics.</li> </ul>	<ul style="list-style-type: none"> <li>● I have the impression that the process may be moving forward on a pre-determined path, so that individual inputs, or those of a group, may be of little matter.</li> </ul>

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**ZOAG Response 6**

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- Section 5-600 is a good foundation, and Article 6 has the intent to enforce regulations; however there is insufficient Staff to investigate, address and resolve the volume required by enforcement by complaint.

- Major disconnects between the former (RGP) policies and the review process to conform;
- Disconnects must be corrected for the 2019 Comp Plan to ensure B&D/ESI will legally be able to enforce the policies in the Plan;
- Lack of permit adherence, causing loophole abuses and volume of back-end enforcement by complaint;
- Current lack of proper notice to landowners and HOA's for commercial uses adjacent to residential;
- The level of complexity difference between a "site plan" and a "sketch plan" is too large;
- Can another option be defined between the two ("site plan light?") that would be more informative (and accurate) than a sketch plan, but not as onerous or costly as a site plan;
- Lack of coordination between zoning code requirements and other LC & State entities – health dept., fire marshal, VDOT, VaABC, ODW, etc.

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**ZOAG Response 7**

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- The steps as presented in the Ordinance are fairly clear.

- The magnitude at which an application can change between Planning Commission and the Board. Though similar applications go through the same steps, their processing varies and is not predictable.

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**ZOAG Response 8**

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- Lack of notice/public input for by-right development where neighbors may be impacted;
  - Loopholes in process of well-permitting regarding hydrogeologic studies, and lack of adequate detail in testing requirements and standards;
  - Disconnects in requiring environmental permits to ensure prior to well-drilling to ensure that there's a way to prevent disturbance of sensitive areas without review;
  - Inadequate existing conditions review at the outset;
  - Lack of requirement to get VOF sign-off before processing development that entails land under conservation easement.
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<b>ZOAG Response 9</b>	
<ul style="list-style-type: none"> <li>• It's understandable.</li> </ul>	<ul style="list-style-type: none"> <li>• It's inconsistent and sometimes you get "new" responses (referral comments) that were overlooked in earlier submissions and responses (referrals).</li> </ul>

<b>ZOAG Response 10</b>	
<ul style="list-style-type: none"> <li>• Clear process to follow</li> </ul>	<ul style="list-style-type: none"> <li>• Lack of appreciation for timeliness in the review process by review agencies/departments.</li> </ul>

<b>TOPIC 2: ZONING DISTRICTS</b>	
<b>LIKE</b>	<b>DISLIKE</b>

<b>ZOAG Response 1</b>	
<ul style="list-style-type: none"> <li>• An attempt to follow "typical" districts (R-4, C, I, etc.);</li> <li>• Sorry, the ZO is so outdated it is hard to like much.</li> </ul>	<ul style="list-style-type: none"> <li>• PDH administered as _____;</li> <li>• Too much PD and not enough "typical" districts (R-4, C, I, O, etc.);</li> <li>• Format with Rural, isolated from Transition, isolated from Suburban;</li> <li>• Too many "district" requirements hidden in other areas of the Ordinance;</li> <li>• 40,000 SF as equivalent to 1 acre..</li> </ul>

<b>ZOAG Response 2</b>	
<ul style="list-style-type: none"> <li>• Comfort level as an experienced consultant.</li> </ul>	<ul style="list-style-type: none"> <li>• Lack flexibility, often requires numerous detailed modifications;</li> <li>• Mixed use districts not modernized.</li> </ul>

<b>ZOAG Response 3</b>	
<ul style="list-style-type: none"> <li>• Rural Districts...I appreciate the Purpose and Intent stated in the ordinance but have a concern about the Cluster Option. It seems to have become the prevalent means of subdivision rather than an option because it provides free increased density. Thus one per 5 acre density has become the norm and I don't think that meets the original intent.</li> </ul>	<ul style="list-style-type: none"> <li>• The rural cluster option as it has been implemented. Nothing is sacrificed in exchange for the bonus density option.</li> </ul>

<b>ZOAG Response 4</b>	
<ul style="list-style-type: none"> <li>• Not too much.</li> </ul>	<ul style="list-style-type: none"> <li>• Too many districts, especially R districts;</li> <li>• No true PD district since refer back to R districts;</li> <li>• Not much difference between PD-OP, IP &amp; GI districts;</li> <li>• Much info across districts repetitive assimilate into one area;</li> <li>• Too much verbege use illustrations more;</li> <li>• More opportunity for mix use districts.</li> </ul>

<b>ZOAG Response 5</b>	
<ul style="list-style-type: none"> <li>• Already covered in previous ZOAG input session.</li> </ul>	<ul style="list-style-type: none"> <li>• Already covered in previous ZOAG input session.</li> </ul>

<b>ZOAG Response 6</b>	
<ul style="list-style-type: none"> <li>• ZOAG discussed 2/19/20</li> </ul>	<ul style="list-style-type: none"> <li>• ZOAG discussed 2/19/20</li> </ul>

<b>ZOAG Response 7</b>	
	<ul style="list-style-type: none"> <li>• There are too many districts and there are too many that are similar;</li> <li>• Plans should be done by place making;</li> <li>• P Districts require too many modifications on a regular basis.</li> </ul>

<b>ZOAG Response 8</b>	
	<ul style="list-style-type: none"> <li>• Rural economy lots in AR1 and AR2 are not required to be at least equal to the base density (i.e.20 and 40 acres respectively).</li> </ul>

<b>ZOAG Response 9</b>	
<ul style="list-style-type: none"> <li>• They are currently familiar.</li> </ul>	<ul style="list-style-type: none"> <li>• There are too many and they are way too specific and lack flexibility.</li> </ul>

<b>ZOAG Response 10</b>	
<ul style="list-style-type: none"> <li>• I've become familiar with them over the last 20 years.</li> </ul>	<ul style="list-style-type: none"> <li>• Too much single use and don't reflect current trends in mixed use.</li> </ul>

<b>TOPIC 3: ENVIRONMENTAL OVERLAY DISTRICTS</b>	
<b>LIKE</b>	<b>DISLIKE</b>

<b>ZOAG Response 1</b>	
<ul style="list-style-type: none"> <li>• They serve their purpose.</li> </ul>	<ul style="list-style-type: none"> <li>• Specificity for the studies to define being in ZO, not FSM;</li> <li>• Comp Plan type definition or characteristics that create vagueness or manipulation that gets twisted to suit differing purposes;</li> <li>• Steep slopes that are not steep.</li> </ul>

<b>ZOAG Response 2</b>	
<ul style="list-style-type: none"> <li>• Conceptually they provide environmental protection.</li> </ul>	<ul style="list-style-type: none"> <li>• Little opportunity for modification, variance etc.;</li> <li>• Environmental design is inherently site specific, overlays do not account for that.</li> </ul>

<b>ZOAG Response 3</b>	
<ul style="list-style-type: none"> <li>• As a resident, I appreciate these protections.</li> </ul>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>

<b>ZOAG Response 4</b>	
<ul style="list-style-type: none"> <li>• Most protect sensitive areas</li> </ul>	<ul style="list-style-type: none"> <li>• Not well mapped or should specify limits to be determined;</li> <li>• Evaluate to move more technical stuff to FSM;</li> <li>• Needs to be better cross referenced to regular (base) zoning districts;</li> <li>• Needs to provide more incentives to protect and/or buffer sensitive areas.</li> </ul>

<b>ZOAG Response 5</b>	
<ul style="list-style-type: none"> <li>• Already covered in previous ZOAG input session.</li> </ul>	<ul style="list-style-type: none"> <li>• Already covered in previous ZOAG input session.</li> </ul>

<b>ZOAG Response 6</b>	
<ul style="list-style-type: none"> <li>• ZOAG discussed 2/19/20</li> </ul>	<ul style="list-style-type: none"> <li>• Overlay districts need to be factored into all calculations for usable development, and not use gross density;</li> <li>• Overlay district requirements must be factored into applicable building and use standards – and apply an exception to an allowed district use when conflicts with overlay.</li> </ul>
<b>ZOAG Response 7</b>	
<ul style="list-style-type: none"> <li>• They provide a quick resource as to impacts that need to be analyzed in the early planning stages.</li> </ul>	<ul style="list-style-type: none"> <li>• Steep slopes ordinance is cumbersome and rarely serves its purpose;</li> <li>• The boundaries of the overlays are not always clear or certain;</li> <li>• The overlays should be somewhat flexible based upon field proofing.</li> </ul>
<b>ZOAG Response 8</b>	
	<ul style="list-style-type: none"> <li>• Process of determining what is in/out of Limestone doesn't include enough bore holes;</li> <li>• The lack of a riparian buffer overlay or equally protective method of buffering streams.</li> </ul>
<b>ZOAG Response 9</b>	
<ul style="list-style-type: none"> <li>• Somewhat understandable.</li> </ul>	<ul style="list-style-type: none"> <li>• They are sometimes redundant and/or conflict with other sections of the Ordinances.</li> </ul>
<b>ZOAG Response 10</b>	
<ul style="list-style-type: none"> <li>• N/A</li> </ul>	<ul style="list-style-type: none"> <li>• Subjectivity, not always clear, too much up for interpretation</li> </ul>
<b>TOPIC 4: USES</b>	
<b>LIKE</b>	<b>DISLIKE</b>
<b>ZOAG Response 1</b>	
<ul style="list-style-type: none"> <li>• An effort to make more understandable.</li> </ul>	<ul style="list-style-type: none"> <li>• Needing a PhD to figure out;</li> <li>• Too much contradiction, too many variations, just too many;</li> <li>• Confusion between uses listed and then the multitude of definitions.</li> </ul>
<b>ZOAG Response 2</b>	
<ul style="list-style-type: none"> <li>• N/A</li> </ul>	<ul style="list-style-type: none"> <li>• Need to be modernized;</li> <li>• Need some ability for interpretation.</li> </ul>
<b>ZOAG Response 3</b>	
<ul style="list-style-type: none"> <li>• I appreciate the breadth of uses in rural policy area.</li> </ul>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>

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**ZOAG Response 4**

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- There are a lot, giving a lot of variety.

- The definitions of specific uses tend to be too narrow;
- Ordinance not updated regularly to address new types of uses;
- Use matrix of uses and zoning districts;
- In some sections "uses" terminology not consistent, i.e. districts, parking, landscaping, etc;
- Lack of consistency between Comp Plan and Zoning Districts.

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**ZOAG Response 5**

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- Well, they are specifically listed.

- There are far too many, leading to redundancy and inconsistency. For example, "small business use" lists (in Section 5-614) as acceptable examples studios and antique shops, even though these are independent uses and separately regulated;
- Changing use types can require new site plans, SPEX approval even if the change is minor in nature (a change from one office type to another). Ordinance should instead apply "use categories," with approval for one use category (office, retail shop, etc.) carrying over to other use types within the same category. And limit the number of categories!
- Specific recommendations:
  - a) Eliminate the "small business use" (Section 5-614), which imposes significant restrictions on owners and expressly allows the County to terminate a business that has become too "successful";
  - b) Eliminate "home occupation" (Section 5-400), which likewise imposes significant restrictions (for example, only 5 round trip extra vehicle trips per day, which pretty much precludes home based teaching);
  - c) Replace these 2 sections with an office/small business use as a permitted use, with standardized performance standards based on the size of the use (see comments re: standards).

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**ZOAG Response 6**

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- Uses attempt to provide a wide variety of business and tourism opportunities, but they need better definitions and performance standards to mitigate issues between competing non-commercial tax-paying property owners.

- Scale, size, intensity and compatibility of uses must be evaluated by location (parcel) before approval instead of only geographic area of allowed uses;

- Owner requirements are not being screened/enforced (e.g., residency requirements for B&B to avoid AirB&B / Short Term Rental uses);

- Traffic studies not performed or compliant with Section 5-654;

- Quantity and size of "private parties" and events by use must be reviewed for impacts to adjacent property owners;

- Buffering requirements between commercial use and residential properties do not provide consistent protection to adjacent properties for types of uses allowed;

- Enforcement by complaint – leads to violations as a "normal course of business";

- Too many by-right uses that conflict with 2019 Comp Plan policies;

- Proper notice prior to approval should be provided to adjacent property owners for commercial uses that produce non-residential level noise, traffic, lighting, and other known impacts;

County Zoning permits and approvals have been provided in advance of approval by VA Dept of Health and Virginia Office of Drinking Water (ODW). All required water, sewer and environmental actions required by the County for the facility must be completed prior to the facility being approved for operation. Conditional approval while waiting for completion of actions is not recommended;

Define "farm" before it's too late and they're all gone!

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<b>ZOAG Response 7</b>	
<ul style="list-style-type: none"> <li>• Generally comprehensive.</li> </ul>	<ul style="list-style-type: none"> <li>• If a use is silent in a zoning district, the perception is that it is not allowed;</li> <li>• The uses could be less descriptive if based on traffic or population and not so much on the description of the use. For example, if you are selling or distributing widgets or hosting a trampoline park. the impacts to the community are not necessarily the activity itself, but the patronage of the use;</li> <li>• The zoning uses and definitions also do not promote changing with market conditions.</li> </ul>
<b>ZOAG Response 8</b>	
	<ul style="list-style-type: none"> <li>• Acreage required for breweries is not adequate;</li> <li>• Lack of definition for farming.</li> </ul>
<b>ZOAG Response 9</b>	
<ul style="list-style-type: none"> <li>• The industry has learned to work within them and their definitions (but it is often hard).</li> </ul>	<ul style="list-style-type: none"> <li>• Too specific.</li> </ul>
<b>ZOAG Response 10</b>	
<ul style="list-style-type: none"> <li>• N/A</li> </ul>	<ul style="list-style-type: none"> <li>• Have become too specific;</li> <li>• If its not listed, cant do it.</li> </ul>
<b>TOPIC 5: LOT AND BUILDING STANDARDS</b>	
<b>LIKE</b>	<b>DISLIKE</b>
<b>ZOAG Response 1</b>	
<ul style="list-style-type: none"> <li>• Some are generally consistent with other jurisdiction's ZO.</li> </ul>	<ul style="list-style-type: none"> <li>• Having "yards" and "setbacks" - both being scattered around the ordinance (TR for example).;</li> <li>• Having road setbacks buried someplace else;</li> <li>• Lot coverage needs re-examination.</li> </ul>
<b>ZOAG Response 2</b>	
<ul style="list-style-type: none"> <li>• Work well in typically suburban development.</li> </ul>	<ul style="list-style-type: none"> <li>• Confusing and challenging in PD districts when referenced back to base zoning.</li> </ul>
<b>ZOAG Response 3</b>	
<ul style="list-style-type: none"> <li>• NA</li> </ul>	<ul style="list-style-type: none"> <li>• NA</li> </ul>
<b>ZOAG Response 4</b>	
<ul style="list-style-type: none"> <li>• Generally clear what requirements are.</li> </ul>	<ul style="list-style-type: none"> <li>• Too euclidean and suburban, need more flexibility;</li> <li>• Too spread out without cross reference, specifically Sec 5-100 &amp; 5-200;</li> <li>• Sec 5-200 too restrictive, very old standards &amp; too suburban;</li> <li>• No real incentives to provide innovative or creative design.</li> </ul>

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**ZOAG Response 5**

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- The setback standards are generally reasonable.

- Too rigid;
  - Much of the design criteria could be in the FSM;
  - Leads to cookie-cutter development, reduces innovative design;
  - In rural areas, floor area ratios can make little sense and are difficult to understand.
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**ZOAG Response 6**

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- They provide guidance to builders and attempt consistency in areas (districts/place types), but need improvement to avoid ambiguities and placement of structures not appropriate for area.

- Lack of integration and ordinance ambiguities between the ZO, FSM and LSDO;
  - Need clearer guidelines for adaptive reuse of structures that also conform to proper health & safety building requirements;
  - Property owners are applying for an “agricultural building” (that does not require any building permits or safety inspections), for use as a non-ag “tasting room,” or event venue. The practice has become “normal,” without any review by zoning, building & development prior to application approval. This is a health, safety and welfare issue for the general public, as “ag buildings” may be unsafe for the general public;
  - Accessory buildings provide needed ADU’s however, they should be sized appropriate for surrounding area (not by general district);
  - Current standards for yard/setbacks, FAR, height, buffering, etc. are constantly being waived by request;
  - New standards (Form Based?) should ensure sufficient requirements with less need and ability for continued variance requests.
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**ZOAG Response 7**

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- Lot coverage and FAR can be overly restrictive. As redevelopment occurs in the Urban districts, these will become less important;
  - Needs to be clarified how multi-use blocks are evaluated.
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**ZOAG Response 8**

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- Lot coverage requirements don't provide for ways to reduce/minimize impervious cover--particularly with commercial/industrial uses. Should include incentives to reduce impervious cover;
  - Outdoor storage.
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**ZOAG Response 9**

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- Industry has learned them.

- They are sometimes redundant; sometimes inconsistent and too specific and restrictive.
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<b>ZOAG Response 10</b>	
<ul style="list-style-type: none"> <li>• Clear</li> </ul>	<ul style="list-style-type: none"> <li>• Too much focus on separation between residential and commercial uses</li> </ul>

TOPIC 6: SUBDIVISION DESIGN (E.G. DEVELOPMENT OPTIONS)	
LIKE	DISLIKE

<b>ZOAG Response 1</b>	
<ul style="list-style-type: none"> <li>• It is usable.</li> </ul>	<ul style="list-style-type: none"> <li>• Limits creativity, due to too many specific requirements (this plus that plus this = I can't do what I wanted);</li> <li>• Open space is confusing;</li> <li>• Parking regs. need to be redone</li> <li>• Regulating design doesn't always create good design. Guidance is good. Require, is not.</li> </ul>

<b>ZOAG Response 2</b>	

<b>ZOAG Response 3</b>	
<ul style="list-style-type: none"> <li>• NA</li> </ul>	<ul style="list-style-type: none"> <li>• Concern about cluster option in Rural area. See above;</li> <li>• Also concern for some preservation of prime agricultural soils.</li> </ul>

<b>ZOAG Response 4</b>	
<ul style="list-style-type: none"> <li>• Nothing really.</li> </ul>	<ul style="list-style-type: none"> <li>• Should be more incentive based;</li> <li>• Too spread out some in districts, some in Sec 5-700;</li> <li>• Can get pretty complicated, should be simplified;</li> <li>• Requirements tend to be too euclidean, need more flexibility;</li> <li>• Since LSDO deals with subdivision look for opportunities to move things to LSDO.</li> </ul>

<b>ZOAG Response 5</b>	
<ul style="list-style-type: none"> <li>• Tends to promote walkable development, can protect open space.</li> </ul>	<ul style="list-style-type: none"> <li>• Open space should protect farming and best farmland (BOS has begun action on this). But open space protection should go further by incorporating an actual agricultural use in the open space area at the development stage (have an ag use in place, don't just cordon off an open space area for the new residents to deal with.);</li> <li>• Configure adjacent developments to promote flow between them;</li> <li>• Provide for mass transit (bus, metro accessibility).</li> </ul>

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**ZOAG Response 6**

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- They attempt to provide structure to land areas and development process, but need improvement to be consistent with 2019 Comprehensive Plan policies.

- Cluster subdivision is calculated using “gross acres,” which overstates and gives increased density for unbuildable land areas (steep slopes, floodplain, limestone, etc.);
- Cluster Design guidelines do not provide as much protection as former “Hamlet” design guidelines for open space;
- Prime soils at risk - consider soils overlay for Cluster/Soils BMI;
- Design review process needs to conform to intent of 2019 Comp Plan;
- Lack of regulation consistency in ZO, FSM and LSDO;
- Road standards should be appropriate for Place Types (e.g., road widths for SPA/TPA subdivisions not appropriate for RPA smaller clusters off rural roads);
- Infrastructure capacity, water usage and restrictions must be considered during design and review.

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**ZOAG Response 7**

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- There could be more provisions for private streets to allow for more clustered open space;
  - Too many restrictions/regulations to figure out the cluster ordinance;
  - The current subdivision options do not promote developments that can evolve with market conditions.
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**ZOAG Response 8**

- 5-664 Data Centers  
Data Centers do not have noise standards.  
Issue: Set noise standards for Data Centers  
Recommendations: Include language in this section to require sound buffering such that noise from electrical and mechanical equipment shall be below 55 decibels (A standard) at property border.
- 5-702-1.4.b. Waiver of road standards for hamlets.  
Despite language in ZO that says future maintenance considerations must be taken into consideration, HOAs deal with roads that have maintenance problems.  
Issue: Poorly constructed private roads can't sustain a load of trash trucks, delivery vehicles and other heavy, but common vehicles in a community.  
Recommendations: Private Roads in HOA maintained areas categorized as "Category A" roads should meet VDOT Class II Construction Standards, not County Standards  
(These are from HOA group that I forgot to forward)

**ZOAG Response 9**

- Not sure.
- Not sure.

**ZOAG Response 10**

- No comment.
- No comment.

**TOPIC 7: PERFORMANCE STANDARDS**

**LIKE**

**DISLIKE**

**ZOAG Response 1**

- They are a plenty, so you know they are likely and you need to keep digging to find.
- Typically restrictive or limiting in nature and not encouraging or geared to achieving a better product. If I perform well, shouldn't I be better and not beaten down?

**ZOAG Response 2**

- Use-specific standards for implementation are clear, easy to understand.
- SPMI process is not "minor";
- The standards are important;
- The mod process needs to be simplified.

**ZOAG Response 3**

- N/A
- Lighting standards in rural area. Some attempt to reduce light pollution from McMansions with multiple floodlights or other uses which light up more area than necessary;
- Also a general caution about circumstances where suburban standards are applied in rural places.

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**ZOAG Response 4**

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- Establish needed requirements for certain uses.

- Tend to be too complex;
  - Perhaps certain aspects could be added to definition of uses;
  - Could be better organized;
  - Use of graphics to better explain certain items.
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**ZOAG Response 5**

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- They provide a "laundry list" of requirements for the use that the owner can review to determine what uses are appropriate/available.

- Much of the 5-600s are redundant; many refer to already standardized requirements re lighting, landscaping, setbacks, parking, noise. Link setbacks and minimum lot sizes to anticipated trips per day and size of use;
  - In the rural districts, minimum lot sizes, etc. are waived for structures in the Historic Districts, for certain uses. Apply waiver to all proposed uses, and adopt the waiver in Section 5-656(C), which includes properties eligible for National or VA historic listing, not just those in a County Historic District. And extend the waiver to adaptive reuse of historic farm structures (barns, outbuildings). These may not qualify for historic listing but are worthy of preservation.
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**ZOAG Response 6**

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- They attempt to mitigate issues with adjacent property owners from residential and commercial uses, but need improvement.

- Current performance standards are inconsistent across uses. Lack of integration between the ZO, FSM and LSDO;
  - Performance standards should be applied by impacts to the area (district, place type, neighborhood, HOA), not just business type;
  - The volume of newer applications that "stack" multiple uses on the same parcel are ignoring the compounding impact of multiple uses when evaluating each use as an "island";
  - Enforcement by complaint must be mitigated with better performance standards and initial application/process review;
  - Traffic studies required (Section 5-654 is not evaluated during approval or enforced after completion);
  - Noise regulations between 5-600 and Section 5-1507 are inconsistent, confusing to property owners, and cannot be consistently enforced;
  - Whole new section should define standards for data centers to mitigate noise and visual impacts adjacent to residential.
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<b>ZOAG Response 7</b>	
<ul style="list-style-type: none"> <li>• Serves to protect adjacent property owners</li> </ul>	<ul style="list-style-type: none"> <li>• How the performance standards are or are not enforced. If an application is meeting the performance standard, it should not be further subjected to scrutiny or rejected. Once the performance standard is established, it should be followed.</li> </ul>
<b>ZOAG Response 8</b>	
	<ul style="list-style-type: none"> <li>• Performance standards for by-right rural uses do not adequately address the impacts of uses that bring lots of people to small parcels;</li> <li>• Performance standards for street lights on private streets need to be developed. <i>Issue:</i> Street light standards for private roads. <i>Recommendation:</i> Language should be included that LED light fixtures or equivalent should be used whenever possible (HOA group comment that was missed);</li> <li>• Performance standards do not adequately address minimum environmental standards.</li> </ul>
<b>ZOAG Response 9</b>	
<ul style="list-style-type: none"> <li>• They tend to be more flexible if administered fairly and consistently.</li> </ul>	<ul style="list-style-type: none"> <li>• They can be very subjective.</li> </ul>
<b>ZOAG Response 10</b>	
<ul style="list-style-type: none"> <li>• Gives guidelines for many uses that no longer require a SE, can be modified by SE.</li> </ul>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>
<b>TOPIC 8: LANDSCAPING, SCREENING, AND BUFFERING</b>	
<b>LIKE</b>	<b>DISLIKE</b>
<b>ZOAG Response 1</b>	
<ul style="list-style-type: none"> <li>• Much improved with recent revisions.</li> </ul>	<ul style="list-style-type: none"> <li>• Still creates too much intensity at 10+ year growth;</li> <li>• Plants that die due to over plant population;</li> <li>• One size fits all planting intensity. Suburbia is way different than rural and in between is different too.</li> </ul>
<b>ZOAG Response 2</b>	
<ul style="list-style-type: none"> <li>• New ordinance is an improvement in clarity and flexibility.</li> </ul>	<ul style="list-style-type: none"> <li>• Not ZO, but staff insistence on TCA's (Tree Conservation Area) during every legislative process on top of ZO buffering requirements is overreach.</li> </ul>
<b>ZOAG Response 3</b>	
<ul style="list-style-type: none"> <li>• N/A</li> </ul>	<ul style="list-style-type: none"> <li>• Again, caution about suburban standards in rural applications.</li> </ul>
<b>ZOAG Response 4</b>	
<ul style="list-style-type: none"> <li>• Since recently updated in good shape;</li> <li>• The detailed list of uses separated from ordinance allowing more flexibility.</li> </ul>	<ul style="list-style-type: none"> <li>• Make sure width of buffer yards agree with setbacks/yards in districts;</li> <li>• Insure any changes with ZOR cross references get updated.</li> </ul>

**ZOAG Response 5**

<ul style="list-style-type: none"><li>• These have been changed over the years to reduce invasive species.</li></ul>	<ul style="list-style-type: none"><li>• The standards still result in too much predictability in planting layouts and plants used;</li><li>• Minimum caliper sizes are too large, resulting in plant death that could be avoided if smaller trees were planted;</li><li>• Developers should be encouraged (incentives?) to preserve existing plants and landscape topography;</li><li>• Leveling the ground leads to excessive runoff and stream degradation.</li></ul>
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**ZOAG Response 6**

<ul style="list-style-type: none"><li>• It provides the intent to protect environmental, village, and historic resources, Village conservation, however, needs improvement to mitigate weak protections for agricultural soils, trees, MDOD, LOD, light, noise and other related issues.</li></ul>	<ul style="list-style-type: none"><li>• Weak resource protection; Regulations incompatible with historic properties;</li><li>• FSM plant requirements should focus on native plants, survivability and ongoing maintenance requirements for small and large HOAs;</li><li>• Insufficient LSB (landscaped buffers) between commercial uses and residential property owners.</li></ul>
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**ZOAG Response 7**

<ul style="list-style-type: none"><li>• The recent changes were well done.</li></ul>	
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**ZOAG Response 8**

	<ul style="list-style-type: none"><li>• Not enough consideration for ecosystem services and ways to require sustainable practices when development gets built;</li><li>• Not enough requirement for using native plants to help ensure long-term survivability;</li><li>• Not enough limitation on single species plantings that can get wiped out, increasing maintenance cost and headaches for HOAs and commercial property owners;</li><li>• Lack of prohibition on planting any species (not just trees) that have been identified as moderately to highly invasive.</li></ul>
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**ZOAG Response 9**

<ul style="list-style-type: none"><li>• A lot of that is new so a little early to tell.</li></ul>	<ul style="list-style-type: none"><li>• Not sure how it will be administered.</li></ul>
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**ZOAG Response 10**

<ul style="list-style-type: none"><li>• It has just been updated, hope it is much improved.</li></ul>	<ul style="list-style-type: none"><li>• No issues yet.</li></ul>
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**TOPIC 9: PARKING STANDARDS**

**LIKE**

**DISLIKE**

**ZOAG Response 1**

- They are needed.

- Seas of asphalt that don't get used;
- Inconsistent "use" names from other areas of the Ordinance;
- A complete update is needed;
- Did COVID19 change this forever?

**ZOAG Response 2**

- Clear formulas and format.

- The procedure for parking reduction is extremely arduous, no real template or standard process exists, should be an administrative exercise;
- Parking is changing, and formulas need updating along with ability to create more site specific parking strategies based on creative design.

**ZOAG Response 3**

- N/A

- Again, caution about suburban standards in rural applications.

**ZOAG Response 4**

- Generally easy to use.

- Out of date in terms of # of spaces required, i.e. too many;
- Difficult to determine what standards apply to certain uses;
- Better integration of mixed use type development requirements (needed);
- Easier method to waive/ modify requirements based on justification (needed).

**ZOAG Response 5**

- Generally reasonable in new developments.

- Existing standards may not work well in the rural districts;
- Ordinance needs to be scrubbed to delete references to "dust free parking" in the performance standards re uses in the rural districts;
- Permeable paving should be encouraged (or even required) in new developments.

**ZOAG Response 6**

- Intends to provide a consistent algorithm for various areas/uses, however, they must be updated to provide sufficient parking given a changing environment, and better protection and utilization of precious land.

- Consider new parking standards and use excess land for ADU's;
- Need better, more consistent parking standards for communities, not defined differently one subdivision at a time.

<b>ZOAG Response 7</b>	
	<ul style="list-style-type: none"> <li>• Parking standards don't align with how some of the residential units, especially townhouses, are being lived in;</li> <li>• More families and drivers are sharing living spaces to afford housing in the County.</li> </ul>
<b>ZOAG Response 8</b>	
	<ul style="list-style-type: none"> <li>• Inadequate with private streets in residential areas that are not in walk/bike distance to metro or bus routes.</li> </ul>
<b>ZOAG Response 9</b>	
<ul style="list-style-type: none"> <li>• Not much.</li> </ul>	<ul style="list-style-type: none"> <li>• They need to be "updated."</li> </ul>
<b>ZOAG Response 10</b>	
<ul style="list-style-type: none"> <li>• N/A</li> </ul>	<ul style="list-style-type: none"> <li>• Parking ratios out of date;</li> <li>• Shared parking not easy to implement.</li> </ul>
<b>TOPIC 10: SIGN REGULATIONS</b>	
<b>LIKE</b>	<b>DISLIKE</b>
<b>ZOAG Response 1</b>	
<ul style="list-style-type: none"> <li>• Better than it used to be.</li> </ul>	<ul style="list-style-type: none"> <li>• Limiting square footage allowed;</li> <li>• Limiting requirements that preclude quality community entrance features.</li> </ul>
<b>ZOAG Response 2</b>	
<b>ZOAG Response 3</b>	
<ul style="list-style-type: none"> <li>• Glad that Loudoun has limitations on signage and no billboards.</li> </ul>	<ul style="list-style-type: none"> <li>• Some of the limits are difficult in rural economy applications. Consider scale.</li> </ul>
<b>ZOAG Response 4</b>	
<ul style="list-style-type: none"> <li>• Generally think in good shape.</li> </ul>	<ul style="list-style-type: none"> <li>• Need better definition of "comprehensive" sign package - need a simpler process if only want to modify one or two signs.</li> </ul>
<b>ZOAG Response 5</b>	
<ul style="list-style-type: none"> <li>• The regulations bar signs that are eyesores.</li> </ul>	<ul style="list-style-type: none"> <li>• The rural sign issue.</li> </ul>
<b>ZOAG Response 6</b>	
<ul style="list-style-type: none"> <li>• Intent of sign regulations to avoid cluttered volume of signs, however, needs improvement for better enforcement application in all areas of the county.</li> </ul>	<ul style="list-style-type: none"> <li>• Sign size and quantity – lack of enforcement and unlimited temporary signs;</li> <li>• Inconsistent application and enforcement of signs throughout the county;</li> <li>• Should sign regulations be more Place type or district specific?</li> </ul>
<b>ZOAG Response 7</b>	
<ul style="list-style-type: none"> <li>• It has limited impacts of signage on viewshed.</li> </ul>	<ul style="list-style-type: none"> <li>• Better balance between sign visibility and business locations (needed);</li> <li>• Sign regulations are overly restrictive in that it is hard to locate services unless you already know where they are.</li> </ul>

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**ZOAG Response 8**

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- Limits on sign clutter.

- Limitations have decreased over time. Garish (excessively large with bright colors) neon signs and buildings designed to stand out at night (mini-storage) do not have adequate limits.
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**ZOAG Response 9**

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- They have been around for some time and are understood by the industry.

- Too specific and lack flexibility.
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**ZOAG Response 10**

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- N/A

- Too restrictive.
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