

## Loudoun Coalition of Homeowners and Condominium Associations (LCHCA)

### Zoning Ordinance Rewrite - Focus Group Sessions (Session 1: 5/2/2020; Session 2: 5/20/2020)

#	Session Date	LCHCA Input
1	5/2/2020	Not enough parking in residential communities, don't want driveways to count towards parking requirement (need more off-lot parking - allowing driveways to meet requirement creates problems).
2	5/2/2020	Want the County to assist in setting parking rules/guidance for HOAs; would assist with ensuring consistent application of ordinance standards, improve outcomes in practice.
3	5/2/2020	Private roads are too narrow, width of road impacts how much can be used for parking (tied to FSM standards).
4	5/2/2020	Fire Marshal retroactively requiring residential communities to meet certain requirements after subdivision approved/developed/off-bond; HOA (e.g. residents) forced to incur costs to correct mistakes made during review process that further constrains parking (e.g. installing signage, painting curbs/spaces).
5	5/2/2020	Need better consistency between Zoning Ordinance and other county regulations related to parking (codified, FSM, etc); such consistency critical to proactively prevent issues for residents and also improve enforcement of parking requirements.
6	5/2/2020	Garages are allowed to be counted toward parking requirement, but this allowance ignores the reality that garages are used for household storage rather than automobile parking. Garages should not count toward the parking requirement; counting garages toward required parking is beneficial for developers and/or builders at the front-end of a project, but detrimental for ultimate residents of a neighborhood in practice/reality.
7	5/2/2020	Plowing snow on HOA-maintained private streets/parking areas results in snow piles being located in parking spaces; design standards should account for such maintenance and ensure that parking is not lost indefinitely during winter months.
8	5/2/2020	Commercial vehicles are parking in residential communities occupying spaces intended for residents and/or guests; exacerbates parking issues and should be regulated.
9	5/2/2020	The County should have a group focused on growth management.
10	5/2/2020	Additional parking could seemingly be provided except for the need to abide by landscaped open space requirements; relaxing landscaped open space requirements could provide more flexibility for sufficiently parking residential communities.
11	5/2/2020	Zoning regulations should require VDOT to solicit HOA input about on-street parking (e.g. decisions to restrict or permit).
12	5/2/2020	Applicable design standards (e.g. FSM) provide developers options of road widths/configurations that don't work in practice; instead, the Zoning Ordinance should require a minimum width sufficient to accommodate parking, snow plows/removal/storage, and public safety access.
13	5/2/2020	Parking requirements should consider adjacent uses and potential "over flow" demands.
14	5/2/2020	Design standards for parking areas in residential communities should also incorporate/accommodate space for trash pickup, in addition to space for snow removal/storage, public safety vehicles, and parking.
15	5/2/2020	Parking and other development regulations have been written to be too developer-friendly and should now be more resident-focused; design standards shouldn't be viewed simply through lens of engineering exercise, but instead should consider the resident/citizen experience.
16	5/2/2020	Trails are being built without signage related to wayfinding or regulations for how the trail should be used by users (e.g. bicycles should give certain signals to pedestrians); currently no consistency between trails within different communities, despite being interconnected; should be uniformity of signage and use expectations/rules.

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17	5/2/2020	Public trails are being integrated with privately/HOA-managed and -maintained trails; such private trails are managed/maintained at cost of HOAs (e.g. residents) but are publicly accessible, essentially requiring HOAs (e.g. residents) to provide and maintain public amenities; if the County will be relying on this public-private approach to developing its trail network, then County should create program to prevent HOAs from being overburdened by the cost of public use (e.g. maintenance, liability).
18	5/2/2020	There should be a minimum lighting requirement for roadways of a certain speed for public safety.
19	5/2/2020	It is unfair that HOAs must cover the cost to maintain points of interconnection between private and public trail networks; HOAs are effectively subsidizing a public amenity/service.
20	5/2/2020	The County is not enforcing dog waste pickup on trails; HOAs are paying for this and trail management, despite public access.
21	5/2/2020	Private trails should not be relied upon for public access to school properties (e.g. students walking to school, etc.).
22	5/2/2020	Home daycare applicants claim - and the County approves - the use of HOA-managed/maintained parking spaces that in reality they are not allowed to use; this situation exacerbates parking shortages/conflicts.
23	5/2/2020	HOAs should review special exceptions to ensure that applicants who are property owners in an HOA-managed/maintained community are not misleading the County about what they're allowed to do relative to applicable HOA regulations.
24	5/2/2020	The Zoning Ordinance permits private businesses (e.g. home daycares, home occupations) in residential neighborhoods that use/rely upon infrastructure provided by HOA; unfair that HOAs have to cover the cost of private business use of infrastructure (e.g. additional maintenance).
25	5/2/2020	Accessory dwelling units should not be allowed in Cascades and would be bad for communities overall.
26	5/2/2020	The County should establish an HOA liaison who can ensure HOA awareness/engagement in the development review process; HOA liaison could also coordinate/facilitate communication between HOAs and County government on other matters of interest/concern.
27	5/2/2020	Staff review of applications should formally solicit input from HOA boards/councils (e.g. via referral request/distribution).
28	5/2/2020	There should be an HOA advisory commission that reviews development applications that can leverage the expertise of HOA members.
29	5/2/2020	HOAs need more help from staff understanding proposed/draft proffers and other development impacts during the review process; HOAs are often working with incomplete information, and the staff PM is not always available or interested in getting the HOA up to speed; a staff HOA liaison could help.
30	5/20/2020	Buffers, especially buffers related to data centers, should be considered that address mitigation of sound to augment noise standards. Buffers to address noise impacts could include plantings or incorporation of other noise-absorbing materials/methods. Bottom line, buffering should be considered/applied as an impact mitigation tool that goes beyond landscaping and visual impacts.
31	5/20/2020	Noise studies and other data provided as part of development applications should be provided publicly to impacted adjacent property owners as part of development review processes, otherwise communities may not have the awareness or opportunity to provide valuable community specific context; communities also need assistance understanding the studies provided by applicants and ensuring that information shared during the process to gain community support is valid/accurate; again, a designated staff liaison to HOAs would be helpful.

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32	5/20/2020	Buffers required by ordinance and especially as part of entitlements should specify spacing requirements for planting components; adjoining communities should be able to see accurate depictions of the proposed landscape design while there is still an opportunity to influence changes/improvements during the legislative process (e.g. design plans accounting for easements, etc. that highlight/show potential gaps in plantings; also should include section graphics/exhibits to scale that clearly depict impact of topography on vertical location of buffer/landscaping).
33	5/20/2020	Utility easements prohibit buffer plantings, which provide none of the intended mitigation for a use's impact that a provided buffer offers; there needs to be assurance that easements will not result in permanent gaps in required buffers, particularly when the use being buffered adjoins a residential neighborhood (e.g. shifted plantings or use of an alternative screening method should be required).
34	5/20/2020	The regulations should ensure the use of native species as much as is reasonably possible for required buffering and landscaping.
35	5/20/2020	While plant survivability is important in the analysis of long-term buffering/landscaping viability, the cost of replanting/replacement should also be considered when determining which plant species are permitted to compose required buffer landscaping (e.g. FSM plant tables). It is not practical/beneficial for communities for the County to permit especially costly planting components/species given that long-term maintenance burdens fall on HOAs. This is also true for earthen berms, which over time can be prone to erosion and are costly to repair.
36	5/20/2020	Tree canopy requirements, especially when developers have tighter/smaller lots, are not always reasonable or attractive use of required open space to the degree that canopy requirements preclude other uses of space and therefore constrain HOA ability to respond to other issues/needs in the future (e.g. the developer has maxed out the site, meaning the open space, tree canopy, etc. is at the minimum required and the balance of site is developed - HOA cannot use any of the open space to add parking, etc. without falling below canopy or some other ordinance requirement - need to be mechanisms in the ordinance to give HOAs ability to address evolving community issues/needs).
37	5/20/2020	Developers often commit to tree save areas but without any program/mechanism to ensure long-term maintenance/viability; can result in poorly maintained tree save areas.
38	5/20/2020	Provided tree plantings are often not survivable due to poor site conditions that are known at time of development, such as inappropriate soil types (e.g. too wet) and/or locations for the chosen species (e.g. too close to SWM or other infrastructure). Such inappropriate plantings ultimately shift the cost for ensuring the survivability/viability of required landscaping from developers to HOAs (e.g. homeowners), as replacement of plantings is often necessitated after bond release, meaning the developer is no longer obligated to the County to correct deficiencies. Regulations and/or development review process should give more clarity and/or attention to survivability of required plantings based on field conditions (e.g. soils, grading/built condition, actions of developers/contractors) prior to bond release to ensure HOAs aren't stuck with landscaping that is likely to die and require replacement.
39	5/20/2020	Root systems of plantings/landscaping on a given property are often impacted by development on adjacent property (e.g. grading for SWM, roads, etc.), resulting in the loss of such plantings/landscaping. Regulations need to ensure protection of existing plantings on adjoining properties, not just on developing sites (FSM).
40	5/20/2020	Current development regulations allow for non-native ground cover (most commonly turf grass), which predominates in required open space areas, to include buffers. Turf grass is costly to maintain (e.g. mowing, repair), often unattractive, and poses negative environmental impacts (e.g. need for fertilizer, routine watering), all of which must be managed by HOAs. Development regulations should limit the use of turf grass and similar non-native ground cover and/or promote use of native ground cover in open space areas that are easier (and less costly) to maintain, more attractive, and superior in terms of environmental outcomes.

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41	5/20/2020	Recreation facilities originally programmed/approved for a community such as tennis courts, basketball courts, etc. may not meet the evolving needs of residents over time (changing interests, trends, etc.). Currently, it can be difficult for an HOA to change facilities despite community interest in doing so. Flexibility for HOAs to alter/evolve recreation facilities over time should be expressly built into/provided by the Zoning Ordinance.
42	5/20/2020	Amenity requirements should be based on community size (number of households or residents); the ordinance should specify certain "packages" of amenities that correlate to community size and corresponding "carrying capacity" for maintenance, replacement, etc. (e.g. 100 households can support X; 2,000 households can support Y); bottom line, the amenity-related requirements of the ordinance should consider/account for cost to maintain and the financial limitations typical for smaller communities (could possibly be structured on a sliding scale that adjusts as the community grows over time).
43	5/20/2020	SWM facility maintenance costs can grow over time and become overwhelmingly costly for a community to maintain; SWM facilities sometimes serve multiple "upstream" users, but the ownership and associated costs fall solely on HOA (FSM).
44	5/20/2020	Dead-end/stubbed/incomplete streets create access problems for communities; development options should require interconnectivity and/or minimum of two means of vehicular access.
45	5/20/2020	Communities need more USABLE green space, not static/unusable green space.
46	5/20/2020	Proffers that stipulate/require shared facilities between communities/neighborhoods should ensure that residents enjoy full and equal access to all of the amenities maintained by the HOAs of the communities party to the shared-use agreement.
47	5/20/2020	Some type of FAQ sheet and/or other informational resource should be provided to impacted property owners and/or HOAs when an adjoining property is proposed to be developed (at both legislative and administrative stages of review); sharing such information should be proactive on part of County staff and occur early in the review process to allow constructive communication/input with applicant/developer about concerns, remedies, etc. (e.g. neither HOA nor individual property owners should have to seek such information themselves).
48	5/20/2020	Landscaped open space requirements (e.g. manicured open space) do not result in the right kind of "green space" resource. They often replace natural green space to the detriment of the environment, native species, etc. Should be more emphasis on integrating natural areas into a community's open space program.
49	5/20/2020	On an individual property level, changes to the developed conditions on existing residential lots can occur that impacts adjacent properties, particularly in terms of SWM (e.g. changes to site grading to accommodate additions/new improvements or other landscape alterations); improved sources of information for property owners are needed to ensure right technical/design questions are asked, approvals obtained before work starts (FSM).