

ZOAM-2020-0002

Rural Cluster Development and Prime Agricultural Soils

I. Purpose

Amend the *Revised 1993 Loudoun County Zoning Ordinance* (Zoning Ordinance) to improve the design of clustered residential development by incorporating natural features, protecting and conserving agriculturally productive prime agricultural soils, allowing for productive and effective equine and rural economy uses, and further implementing the policies of the Loudoun County 2019 Comprehensive Plan (General Plan) with respect to clustered rural residential development in order to guide all future cluster subdivision applications in the Rural North (AR-1 Agricultural Rural-1) and Rural South (AR-2 Agricultural Rural-2) Zoning Districts of the Rural Policy Area.

II. Resources

A. Project Team

Jacob Hambrick – Project Manager, Planning and Zoning

Mark Stultz – Zoning Administrator, Planning and Zoning

Michelle Lohr – Deputy Zoning Administrator, Planning and Zoning

B. Outreach Groups

1. Zoning Ordinance Committee (ZOC)
2. Rural Economic Development Council (REDC)
3. Loudoun Soil and Water Conservation (LCSW)
4. Loudoun Preservation & Conservation Coalition (LPCC)
5. Northern Virginia Building Industry Association (NVBIA)
6. Farm Bureau
7. Dulles Area Association of Realtors (DAAR)
8. Save Rural Loudoun (SRL)

C. Referral Agencies

1. Community Planning
2. Building & Development, Subdivision

3. Building & Development, Natural Resources Team (NRT)
4. Economic Development
5. Health Department
6. ZOC

III. Background

A. Board Member Initiative (BMI)

Chair Randall and Supervisor Buffington introduced the Board Member Initiative (BMI) (Attachment 1) at the June 16, 2020 Board of Supervisors (BOS) Business Meeting. The BOS voted (9-0) to direct County staff to begin the process of a Zoning Ordinance Amendment (ZOAM) and Development Ordinance Amendment (DOAM) to revise zoning regulations and associated regulations in the Facilities Standard Manual (FSM) and Land Subdivision and Development Ordinance (LSDO) to improve the design of clustered residential development by conserving prime agricultural soils, rural economy uses and further implementing the policies of the Loudoun County 2019 General Plan.

B. Overall ZOAM Work Plan

At the September 1, 2020 BOS Business Meeting, the BOS voted (9-0) to endorse the revised ZOAM Work Program with three distinct amendment projects, one of which was the Cluster Subdivision Regulations ZOAM. The estimated completion timeframe provided for this ZOAM is 18-24 months. (See Project Work Plan)

IV. 2019 General Plan Policies

A. Rural Policy Areas

- a. *Rural North*: Characterized by a mix of smaller lots that are interspersed with larger parcels in agricultural use. The Rural North, proximate to the Towns within the Route 7 Corridor, has the highest concentration of residential development and a more developed paved roadway network with easy access to commuter routes.
- b. *Rural South*: Characterized by an existing large lot pattern and represents the center of Loudoun's prominent equine industry. The Rural South contains a number of large working farms that are accessed by a network of mostly unpaved rural roads. The Rural South contains Loudoun County's largest amount of permanently protected land that is held under voluntary conservation easements.

- #### **B. Land Use and Development, RPA Policy 1**: Foster land use and development patterns that incorporate natural, cultural, heritage, and agricultural resources to preserve character-defining features of the rural landscape while providing opportunities for rural living and businesses. (Chapter 2-98)

Strategy 1.1 – Support uses that protect, preserve, and enhance natural areas and open space, retain farmland and the vitality of the rural economy, and foster a high quality of life for residents.

Actions – 1) Provide incentives for the consolidation of underutilized or undeveloped small lots into larger parcels for agricultural and rural economy uses. 2) Consider cost-share initiatives to assist in establishing conservation easements

- C. Rural Residential, RPA Policy 2: Limit residential development to protect land resources for agricultural operations, rural economy uses, and open space uses. (Chapter 2-99)

Strategy 2.1 – Design residential development to preserve the rural character and natural features, conserve land for agricultural uses.

Actions – 1) Evaluate and revise zoning regulations and design standards to improve the **design of subdivisions and clustered residential development**, 2) Educate property owners about alternatives to residential subdivision

- D. Soils and Geologic Resources, SGR Policy 3: Preserve and Protect the County's soils and farmland recognizing their sensitivity to land disturbance and development.

Strategy 3.2 – Preserve and protect prime farmland and agricultural soils, recognizing their importance to the overall economic health of the rural economy. (Chapter 3-23) (See Attachment2)

Actions – 1) Encourage the retention and conservation of prime agricultural soils within open space areas, 2) Update, maintain, and make available the Countywide Prime Agricultural Soils Map. (See Attachments 3 & 4)

V. Zoning Districts Impacted

AR-1 Agricultural Rural -1: The purpose and intent of the AR-1 district is to support the use of land for rural economy uses, with residential uses allowed at densities consistent with the general open and rural character of the rural economy uses; allow for a broad range of rural economy uses, recognizing the County's tourism industry is interconnected with these uses; promote consistency between residential development and rural economy uses through low density development while maintaining the rural economy uses are compatible with existing residential development.

AR-2 Agricultural Rural-2: The purpose and intent of the AR-1 district is to support the use of land for rural economy uses with the pattern of rural and agricultural land uses, especially the significant equine industry; allow residential uses at densities consistent with the rural character of the district; allow for rural economy uses (traditional and new) keeping in mind the County's tourism industry; promote consistency between residential development and rural economy uses through

lower density residential development while maintaining the rural economy uses are compatible with existing residential development.

VI. Focus Questions

- What do you see as being the major opportunities and advantages that this proposed amendment will provide?
- What do you see as being the major concerns or issues that this proposed amendment will need to address?
- In general, what would you like to see included in the text amendments (limitations/allowances) that would help preserve prime agricultural soils.
- In general, what text amendments would you be opposed to?
- Please provide any additional comments, questions or concerns that you have related to this proposed amendment.

VII. Project Work Plan

All dates are tentative and subject to change.

ACTION STEPS	RESOURCES	TIMELINE
1. <i>Research and Preparation</i> -	Project Team	November 2020 – January 2021
2. <i>First Outreach Meetings (Prior to drafting text)</i>	Loudoun Soil & Water Conservation (LCSW)/Rural Economic Development Council (REDC)/Zoning Ordinance Committee (ZOC)/ Environmental Coalition, Northern Virginia Building Industry Association (NVBIA), Dulles Area Association of Realtors (DAAR), Farm Bureau, Save Rural Loudoun (SRL)	February & March 2021 LCSW: Feb. 2 nd NVBIA: Feb. 18 th REDC Ad Hoc: Feb. 24 th Preservation & Env. Coalition: March 8 th DAAR: March 11 th ZOC: March 17 th Farm Bureau: TBD SRL: TBD
3. <i>TLUC or BOS (Info Item) Check-In (Update on input from Outreach meetings and to obtain direction)</i>	Project Team	April 2021
4. <i>DRAFT Zoning Ordinance (ZO) Text based on input from Outreach Groups & BOS</i>	Project Team, County Attorney's Office (CAO)	May 2021

5. <i>1st Referral</i>	Referral Agencies: <ul style="list-style-type: none"> • Community Planning • B&D (Subdivision & NRT) • Economic Development • Health Dept. • ZOC 	June 2021
6. <i>Revise DRAFT text based on referral comments</i>	Project Team, County Attorney's Office (CAO)	July & August 2021
7. <i>Second Outreach Meetings Regarding Draft Text</i>	Zoning /Loudoun Soil & Water Conservation (LCSW)/Rural Economic Development Council (REDC)/Zoning Ordinance Committee (ZOC)/ Environmental Coalition, Northern Virginia Building Industry Association (NVBIA)	August-September 2021
8. <i>Revise DRAFT ZO Text with input provided from Second Outreach Meetings</i>	Project Team	October 2021
9. <i>Meet with Referral Agencies to discuss revised DRAFT text (based on Referrals and Outreach)</i>	Project Team Referral Agencies: <ul style="list-style-type: none"> • Community Planning • B&D (Subdivision & NRT) • Economic Development • Health Dept • ZOC 	November 2021
10. <i>ROIA to BOS for Approval</i>	Project Team	November 2021
11. <i>Planning Commission Public Hearing</i>	Planning Commission Project Team	December 2021

<i>12. Planning Commission Work Session</i>	Planning Commission Project Team	January 2022
<i>13. Board of Supervisors Public Hearing</i>	Board of Supervisors Project Team	February 2022
<i>14. TLUC Meeting (if necessary)</i>	Project Team	March 2022
<i>15. Board of Supervisors Business Meeting</i>	Board of Supervisors Project Team	April 2022

ATTACHMENTS

- 1 - Board Member Initiative
- 2 - Loudoun County Prime Agricultural Soils Map
- 3 - Prime Farmland & Secondary Cropland Rural 20: Protected and Unprotected Areas
- 4 - Prime Farmland & Secondary Cropland Rural 20 & Rural 40: Protected and Unprotected Areas