


<b>ZONING ORDINANCE REWRITE</b>	 <b>CONSULTANT ZONING AUDIT -- PUBLIC INPUT (ROUND 2)</b> SUBMITTED BY: <u>LCPCC Member Organization Representatives</u>	
<b>CODE AUDIT SECTION</b>	<b>TOPIC: ZOR-2020-0001</b>	<b>LCPCC ORGANIZATIONS -- COMMENTS / QUESTIONS</b>
Administration	<b>Purpose, Metrics &amp; Conservation Design</b>	LCPCC, Friends of Blue Ridge Mountains, REDC
Administration	<b>Public Input</b>	LCPCC, Loudoun Rural Landfills, Blue Ridge Mountain Civic Association
Approach	<b>Enforcement Tools</b>	LCPCC, Friends of Blue Ridge Mountains, REDC
Code Audit Organization	<b>Walkability</b>	Loudoun Walking
Code Audit Natural, Environmental & Heritage Resource Protection	<b>Environmental Protection: Overall, Linear Parks &amp; Trails, Open Space</b>	Loudoun Wildlife Conservancy, Piedmont Environmental Council
	<b>River/Creek &amp; Standards</b>	Goose Creek Association
	<b>Environmental Standards</b>	Save Rural Loudoun
	<b>Historic Resource Protection</b>	Virginia Piedmont Heritage Association
Introduction/Rural Area	<b>Rural Uses - Farm based uses</b>	LCPCC, Friends of Blue Ridge Mountains, REDC
Code Audit Supplemental & Additional Use Regulations	<b>Rural incompatible uses -- Permitted Uses, Plan/application approval</b>	Blue Ridge Mountain Civic Association, Loudoun Rural Landfills, Virginia Piedmont Heritage Association
Code Audit Definitions code Audit Landscaping	<b>Land Use Definitions Landscaping: Rural incompatible uses</b>	LCPCC, Loudoun Rural Landfills
Code Audit Soils & Geologic Resources/ MDOD	<b>MDOD environmental protection</b>	LCPCC, Loudoun Rural Landfills, Blue Ridge Mountain Civic Association
Code Audit Affordable Dwelling Units	<b>PUD-Affordable Dwelling Units</b>	LCPCC, Unmet Housing Needs Committee
Code Audit Sustainable Development Practices	<b>Sustainability regulations</b>	LCPCC, Piedmont Environmental Council, Goose Creek Association, Loudoun Climate Project
Code Audit Parking	<b>Parking environmental stds</b>	LCPCC, Friends of Blue Ridge Mountains, Piedmont Environmental Council
Code Audit Natural, Environmental & Heritage Resource Protection	<b>PDR program, Prime Ag Soils, Rural Hamlet, Cluster design</b>	<b>HOLD FOR ZOAM-2020-0002 meeting March 8th</b>
Code Audit Districts: Rural Historic Villages	Loudoun Historic Villages	<b>DISCUSSED at meeting on February 26, 2021</b>

CODE AUDIT SECTION	TOPIC: ZOR-2020-0001	LCPC ORGANIZATIONS -- COMMENTS / QUESTIONS
1a Code Audit I. Introduction	Administration -- New Zoning Ordinance statement of Purpose and Intent	<p>Consultant's report did not include any reference to or text on setting forth the objectives of the Zoning Ordinance. The Revised 1993 Zoning Ordinance had a clear statement to that affect.</p> <p>General Comments</p> <ol style="list-style-type: none"> <li>1. The new Zoning Ordinance needs to reflect an understanding that the Loudoun 2019 Plan is fundamentally changing the 1993 Zoning Concept that Loudoun was the "low density, fringe of the Washington Metropolitan Area" to support the introduction of much higher residential densities in the UPA and SPA. This will require zoning regulations that protect and preserve the already built planned communities and low density development while accommodating the new higher densities the County desires.</li> <li>2. Part of this effort is to carefully consider the impact of higher density zoning on traffic, schools, parks, and other public facilities to avoid creating pockets of underserved residential communities.</li> <li>3. Environmental and Open Space regulations are very important, but the huge land price differential between the policy areas suggests carefully fitting the regulations to the policy area with a balance between essential preservation and protection needed and its land cost implications. Our current situation is our regulations in the UPA and SPA are too costly to maintain and therefore the developer are using ZOAM's to get them reduced. A better policy is to consider what is essential in relation to the Policy Area and then strictly enforce them.</li> </ol>
1b Code Audit I. Introduction	Trails and Walkability	<p>Trails are not cited (zero returns on search for "trail"! Neither are "safe routes to school" (SRTS)—design standards need to be incorporated, if only to require that design incorporate practices that make it safe for children to walk to school (I am not sure what LCPS has done in this regard—I'm told SRTS is assigned to the physical education department staff at LCPS HQ. Sidewalks are barely mentioned though they should be an integral part of policy area development.</p>
10 Code Audit Approach	Administration - How "metrics" will be determined?	<p>Page 8. Performance Zoning. According to the report the: "metrics (for performance zoning) are more precise than conventional zoning incorporating things like minimum percentages of landscaping or livability space and maximum impervious cover to minimize a development impact on environmental resources and to achieve use compatibility." However, the consultant does not explain how the ratios are derived. There was extensive discussion of this point at the 2/3/2021 ZOC meeting. The consultant was unable to provide adequate explanation for how the appropriate ratios will be determined for Loudoun County's zoning. If one does not know the basis for determining ratios how and why is it better than conventional zoning – particularly for Western Loudoun.</p>
68 Code Audit Natural, Environmental & Heritage Resource Protection	Conservation Design	<p>The report recommends bring back "Conservation Design" which is a major step forward.</p> <p>p. 30. The recommendation to expand "passive recreation uses" should have very strict performance standards regarding location, scale, traffic generation, land disturbance, lighting, etc. All uses will have greater or lesser negative impacts on the environment, eco-systems, animal and bird migrations corridors, forest cover etc.</p> <p>p. 30. The definition of "passive recreation" must be tightly drawn (pp30). Zip Lines, Mountain Bike trails, Campgrounds, etc. should not be considered "passive."</p>
69 Code Audit Natural, Environmental & Heritage Resource Protection	Conservation Design	<p>(Page 26) Natural, Environmental, and Heritage Resources (NEHR) Policy Agree with potential regulatory options that Zoning Ordinance "should provide for contextually appropriate incorporation of low-impact development (LID), environmentally sensitive site design, and conservation design into both the site design regulations and robust menu of open space options."</p>
143 Code Audit VII. Conclusion	Administration	<p>2) How will the three ZOAM's be added to / reconciled with the rewrite.</p>
14 Code Audit Codification	Administration	<p>p. 17. The Consultant's point about making section numbering format properly with enCodePlus is not a suggestion, but a requirement for proper implementation.</p>
142 Code Audit VII. Conclusion	Administration	<p>1) will the zoning code be available in Spanish and /or any other language beside english? Same question regarding the consultant's major reports.</p>

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138 Code Audit VI. Administration	Public Input	<p>Page 49, How can Loudoun County improve its zoning processes? <i>“Require neighborhood meetings for rezoning, comprehensive plan amendments, preliminary subdivision plats, special use permits, and variances.”</i></p> <p>Question: Does this recommendation protect the public against more unregulated landfills and dumps?</p> <p>The numerous negative impacts of the Gable Landfill might not have happened if there had been neighborhood meetings prior to approval of the “Personal Recreational Field”. Public notice and neighborhood meetings should be required for a “Personal Recreational Field” or sites that are stock piling dirt or “excessive fill” dumps that might negatively impact neighboring property or any unlisted use.</p> <p><i>The emphasis in this section tends to be on “neighborhood impacts” but what about environmental impacts?</i></p>
7 Code Audit Approach	Public Input -- Community and HOA	<p>Page 6. Item # 5 Community Support – The statement should address what is meant by “community.” Is community the whole population of Loudoun County? Is community the immediate neighborhood of the proposed project? Is community the HOA? How and when is the community notified of the proposed project? How strong a voice should the immediate neighborhood and/or the HOA have in shaping a project? On pages 49 and 50 under Administration the statements about public input and neighborhood meetings are generic. What mechanisms do other jurisdictions employ for identifying and weighing community/neighborhood support or lack thereof for a project?</p> <p>Page 6. Item #7 Balance Flexibility and Certainty – This warrants a much clearer, and detailed discussion of exactly what the consultant is proposing. In the example given, the planning staff would have the authority to balance the parking requirements with environmental or heritage requirements and reduce the number of parking spaces. Would the planning staff have the authority to balance affordable housing needs with environmental requirements and allow affordable housing to be built in wetlands? Would the planning staff have the authority to balance recreational needs with agricultural protections and allow ball fields and parking on prime agriculture soil? In short what exactly are the parameters of the proposed flexibility and who sets the parameters?</p>
139 Code Audit VI. Administration	Public Input	<p>Pg. 46 Neighborhood meetings sound like a good idea, but probably would be incredibly time consuming and labor intensive to carry out. Need to find a way to reasonably, and within a reasonable time frame inform a neighborhood or any proposed permit. There seem to be some vagaries as to who needs to be informed, and at what point: there should be clarity regarding the distance from a proposed development/commercial business plan (e.g. within 1 mile) as in rural areas 2-lane roads and traffic patterns are very different than in more urban areas.</p>
137 Code Audit VI. Administration	Public Input	<p><i>Pg. 47: Special Exceptions - should not be permitted in MDOD lands due to 2021 environmental impact concerns.</i></p> <p>Pg 49 How LC can improve:</p>
140 Code Audit VII. Conclusion	Public Input	<p>Pg 51 Continue to seek public input</p>
9 Code Audit Approach	Enforcement tools	<p>Page 7. Item # 10 Provide enforcement tools – Currently Loudoun County relies on “complaint-driven” neighbor-on-neighbor reporting to enforce the zoning code. Was the consultant made aware of this? This policy/method should at least be mentioned in this section of the document. What are the alternative enforcement methods? What do other jurisdictions do? What are the cost implications of various enforcement mechanisms?</p>
8 Code Audit Approach	Enforcement tools	<p>P. 7. Agree with the approach, especially priority to provide enforcement tools. Appreciate the example on Page 7 that resource preservation could outweigh parking needs.</p>
6 Code Audit Approach	Enforcement tools	<p>Page 6, #1: Good to recognize the diversity of areas and the need for unique zoning rules.</p> <p>Page 7, #10: Good statement on the importance of enforcement.</p>
12 Code Audit Organization	Walkability	<p>Laudable that walkability cited in context of parking is cited in examples (see supplement)</p>
18 Code Audit Definitions	Definitions	<p>Makes sense. Especially when the various County documents include as many, if not more, acronyms than the standard peer-reviewed medical journal.</p>
47 Code Audit Districts: Transition Policy Area (TPA)	Districts	<p>p. 10-11. Does Staff agree with the Consultant’s proposed “Small Lot Neighborhood,” “Compact Neighborhood,” and “Community Center” new districts definitions?</p> <p>How are rezoning requests for Compact Neighborhood being evaluated during this pre-ZOR time period, specifically regarding, <i>“None of these options reach the 50 percent open space required by the Place Type?”</i></p>
49 Code Audit Districts: Urban Policy Area (UPA)	Districts	<p>p. 16. Overall, how and/or will the impacts of the pandemic on employment and work-at-home changes in the past year influence the plans for the UPA in the near and long term?</p>

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70 Code Audit Natural, Environmental & Heritage Resource Protection	Environmental protection	Agree with “establish a more robust river and stream protection requirement as recommended by the River and Stream Corridor Resources (RSCR) policies.”
73 Code Audit Natural, Environmental & Heritage Resource Protection	Environmental protection	(Page 28) Agree with potential regulatory options for offsetting impacts elsewhere on site.
74 Code Audit Natural, Environmental & Heritage Resource Protection	Environmental protection	(Page 29) Agree with potential regulatory options to create linkages to prevent habitat fragmentation. (Page 29) Agree with potential regulatory options to protect RSCR.
76 Code Audit Natural, Environmental & Heritage Resource Protection	Environmental protection	Missing from analysis: Regulations for mitigating wetlands impacts within Loudoun County. Missing from analysis: Regulations relating to protecting wetlands and/or wetlands buffers which would also improve water quality in Loudoun watersheds in addition to stream and floodplain protections. Zoning Ordinance and FSM require wetlands delineation and mitigating measures, but lack protections. Missing from analysis: GP RSCR Strategy 2.6 Action I: “Study best practices/guidelines to reduce impervious surfaces and minimize increases in post-development runoff peak rate, frequency, volume.” Question: Are current Zoning Ordinance and FSM requirements meeting best practices?
77 Code Audit Natural, Environmental & Heritage Resource Protection	Environmental protection	(Page 34) I really appreciate Figure 8 River and Stream Corridor Resources Map. It clearly shows the extent of a 100-year floodplain, then the 50’ management buffer, then the additional buffer needed to achieve the 100’ minimum stream buffer. It would be helpful to also include a graphic with a floodplain greater than 100’ wide that still shows the 50’ management buffer.
103 Code Audit Forests, Trees & Vegetation	Environmental protection	(Page 31) Forests, Trees, and Vegetation (FTV) Develop and adopt a Tree Preservation Ordinance. Agree with analysis of existing provisions that “does not require applicants to identify existing trees or tree clusters, protect existing trees, or establish protective measures” Agree with potential regulatory options, but would like to include the following recommendations: Current Zoning Ordinance has very few, very specific applications for tree preservation. New Zoning Ordinance needs to cover all situations. Current Zoning Ordinance does not address planting native vegetation or invasive species removal. In the FSM, Table 3 of Tree Conservation and Landscape Plan should include 100% native trees and shrubs. The Zoning Ordinance should cross-reference this priority. Ensure any nonconformities with Landscaping/Buffering are addressed. Agree that requiring the removal of invasive plant species during the development process needs to be added to FSM. (Page 32) Further recommendation: to require methods to minimize the introduction of invasive species during the construction phase of development projects.
108 Code Audit Rural Policy Area <i>NOTE: Relates to Subdivision/Soils Zoning Ordinance Amendment (ZOAM 2020-0002)</i>	Environmental protection	As noted in RSCR, there are no mentions of minimizing impervious surfaces.
119 Code Audit Building Design	Environmental protection	As noted in RSCR, there are no mentions of minimizing impervious surfaces.
123 Code Audit Site Design	Environmental protection	There are no references to standards for impervious surfaces, though there are mentions in the Parking section to reduce excess parking lots.
72 Code Audit Natural, Environmental & Heritage Resource Protection	Linear parks & trails	Missing from analysis: NEHR Policy 1 Strategy 1.4 Link resources in recreational corridors. Linear Park and Trail regulations including donations of land, funding plans, etc. This could be included in a RSCR Overlay District to protect natural resources while providing recreational connectivity.
75 Code Audit Natural, Environmental & Heritage Resource Protection	Linear parks & trails	Further recommendations: Inclusion of linear parks and trails standards that equally protect wildlife habitat/corridors and provide passive recreational opportunities. These standards should avoid nonconformities with the Linear Parks and Trails Framework Plan currently being developed by a consultant (target completion date of June 2021). These standards should also be integrated within RSCR, Landscaping, Building Design, Site Design, and Transition Design standards.

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<p>86</p> <p><b>Code Audit Natural, Environmental &amp; Heritage Resource Protection</b></p>	<p>Environmental - River &amp; Stream protection</p>	<p>The Audit’s suggestion of establishing a more robust river and stream protection regulation is highly desirable. The Board of Supervisors currently has under consideration a development application for the Goose Creek Overlook project on Goose Creek at Sycolin Road. This project on the steep slopes between the ridgeline of Belmont Ridge and the waterline of Goose Creek in Ashburn would destroy the view scape for boaters on Goose Creek in an area that remains largely pristine. The banks of Goose Creek are better suited for public parks with creek access.</p> <p>Requiring demolition permits and notice to local preservation organizations before demolition of historic structures would be highly desirable. A magnificent 18th Century home “Glengyle” just off Route 50 in the Aldie area was demolished in 2018-2019 to make way for a religious meeting structure only for the purchasers of the land to discover after the fact that the site did not meet the parking requirements of the zoning ordinance. The site remains vacant and Glengyle was demolished in vain. Procedures should be in place to ensure that development plans are viable before important structures like this are demolished and preservation organizations should be given an opportunity to weigh in on the importance of historic structures before demolition permits are issued. One of the county’s distinguishing characteristics is its large inventory of important structures from the 18th and 19th centuries.</p> <p>Another important goal mentioned in the Audit is ensuring that nonconforming status is not applied to historic sites and buildings. See the comment above about nonconforming structures owned by the Waterford Foundation.</p> <p>Other excellent heritage site suggestions in the Audit include establishing incentives to conserve significant heritage sites and adopting adaptive reuse supplemental regulations. The county has an abundance of such resources, such as those in Waterford mentioned above, which can become economically obsolescent if not exempted from use or other restrictions of the zoning ordinance.</p> <p>The Audit’s suggestions for avoiding fragmentation of open space in new developments are all excellent and apply with particular force to rural subdivisions under the Cluster Option.</p>
<p>91</p> <p><b>Code Audit Natural, Environmental &amp; Heritage Resource Protection</b></p>	<p>Environmental - River &amp; Stream protection</p>	<p>The Audit’s suggestions for protections of River and Stream Corridor resources are all good; however, setbacks from the stream corridors need to be increased to protect them from the visual impact of developments and best practices need to be implemented pertaining to stormwater runoff. The county should adhere to suggestions from stream monitoring data sources to maintain and improve water quality.</p> <p>It is especially important to develop standards based on best management practices for uses that propose storage, dispensing, sale or transfer of pollution sources and potential contaminants. For example, in 2019, the Board of Supervisors approved the True North Data Center project on a tract adjoining Goose Creek at Sycolin Road. The plans called for storage of large quantities of backup fuel in storage tanks on this site adjoining Goose Creek, which is the water supply for Loudoun Water and large portions of Eastern Loudoun. The application for the Goose Creek Overlook project currently before the Board proposes to install a sewer pumping station on the banks of Goose Creek in this same area that serves as Loudoun Water’s source of drinking water. There should be strict standards for storage or handling of such potential pollutants in proximity to the county’s rivers and streams. Provision should also be made for implementation of the proposed Emerald Ribbons project to connect recreational resources in the county through a series of bike and hiking trails in the county’s river and stream corridors.</p> <p>Finally, the county’s current floodplain overlay ordinance restricts planting of trees and building of fences to exclude livestock in floodplains adjoining the county’s rivers and streams such as Goose Creek. Specifically, the ordinance requires securing a floodplain study, an engineer’s certification of “no rise,” and a floodplain alteration permit before Goose Creek Association and similar conservation organizations can plant riparian buffers. Further, for livestock exclusionary fencing, it specifies only 2 or 4 wire high tensile electric fencing rather than woven wire fencing preferred by many farmers or board fencing popular with owners of horse farms.</p>

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92 <b>Code Audit Natural, Environmental &amp; Heritage Resource Protection</b>	Environmental - River & Stream protection	Riparian buffers are an extremely effective and inexpensive means for filtering pollutants from runoff and seepage into streams from agricultural lands. In addition, tree plantings by the Goose Creek Association and similar conservation organizations are terrific hands-on ways of introducing young people to the importance of environmental stewardship. Goose Creek Association believes that landowners, who agree to maintain and to periodically inspect livestock exclusionary fencing should be permitted to install the type of fencing most appropriate for their agricultural endeavors. We would be delighted to work with the Loudoun Soil and Water Conservation District, the Va. Department of Conservation and Recreation and other entities to develop appropriate guidelines for planting riparian buffers and installation/maintenance of exclusionary fencing.
105 <b>Code Audit Forests, Trees &amp; Vegetation</b>	Environmental protection	Most of this can only be addressed by sharing outside documentation of disappearing forest lands nationwide, climate impacts, etc. A Case Study overview if you will. The Virginia Dept of Forestry, for example, maintains active survey of state forest lands and their health. They are also involved in managing fire risk assessments; north western Loudoun County forests are in a high risk area, as they much of LC's MDOD land lies close to urban areas, the #1 cited risk factor (see web site map); agree, BMP natural resources, e.g. MDOD/forests/slopes  page 30: exert caution when adding new types of agricultural businesses allowed; must consider existing land, neighborhood, <u>country roads and traffic</u>
106 <b>Code Audit Forests, Trees &amp; Vegetation</b>	Environmental protection	The Audit's suggestions concerning Forests, Trees and Vegetation are all very good. Establishing a list of species to be protected based upon minimum size and canopy makes great sense.
104 <b>Code Audit Forests, Trees &amp; Vegetation</b>	Environmental protection	Encouraging, if not requiring, towns, communities, etc. to meet The Tree City USA program [ www.arboday.org ] standards would be a worthwhile addition, perhaps in a new 7.306, to guide community tree canopy efforts. 2019 FSM, 7.300, Page 195ff
46 <b>Code Audit Districts: Joint Land Management Areas (JLMA)</b>	Open Space	p. 7. Appreciate that the Consultants did their "math," showing the current 30% open space requirements cannot be achieved with 8K sqft minimum lot and 4Du/ac.
122 <b>Code Audit Site Design</b>	Open space requirements	(Page 40) Agree with the "Menu approach" for open space. Further recommendation: This should be cross-referenced with NEHR potential regulatory options on page 26 to avoid nonconformity: "should provide for contextually appropriate incorporation of low-impact development (LID), environmentally sensitive site design, and conservation design into both the site design regulations and robust menu of open space options." As written in this section, it lacks the detail that it does in the previous section on the document.
125 <b>Code Audit Transition Standards</b>	Open space requirements/transitions	(Pages 40-41) This section notes importance of "providing compatible transitions between land uses can enhance connectivity and help create more pedestrian-friendly neighborhoods" (page 40). While there are references to open space, this section should also include the importance of connectivity for habitats and wildlife – tree canopy, native vegetation, and reducing habitat fragmentation (incorporated into landscape buffers or otherwise). This would enhance habitat and wildlife corridors, which is an NEHR policy.

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79 <b>Code Audit Natural, Environmental &amp; Heritage Resource Protection</b>	Environmental protection	<p>p. 24-30. SRL supports            “The Zoning Ordinance should provide for contextually appropriate incorporation of low-impact development (LID), environmentally sensitive site design, and conservation design into both site design regulations and a robust menu of open space options.” (p. 24)            “Establish a more robust river and stream protection requirement as recommended by the River and Stream Corridors Resources (RSCR) policies.” (p. 24)            Establish “Neighborhood Conservation Districts” for Loudoun’s historic towns and villages. (p. 25)            Adopt a demolition review ordinance. (p. 25)            Adopt provisions to avoid isolated pockets of fragmented open space. (p. 26)            Provide for coordinated review of open space requirements between properties. (p. 26)            Add buffers for the broader RCSR thresholds. SRL does not support the alternative suggestion of relying on applicants’ evaluations of disturbance thresholds. (p. 26)            Adopt land disturbance, building height, and building design restrictions on either side of a ridgeline in the Mountainside Development Overlay District (MDOD). (p. 28)            Require special exception approval for the subdivision of properties into three or more lots in Sensitive and Highly Sensitive Mountainside areas. (p. 28)            Establish clearing limits for steep slopes outside the MDOD. (p. 29)</p>
80 <b>Code Audit Natural, Environmental &amp; Heritage Resource Protection</b>	Environmental protection	<p>p. 29. The consultants’ report points out that the Zoning Ordinance “does not require applicants to identify existing trees or tree clusters, protect existing trees, or establish protective measures.” (p. 29)            SRL recommends establishing mandatory protections for clusters of native trees on by-right developments in the RN and RS districts.</p>
109 <b>Code Audit Rural Policy Area</b> <i>NOTE: Relates to Subdivision/Soils Zoning Ordinance Amendment (ZOAM 2020-0002)</i>	Historic resource protection	<p>The Audit’s suggestion concerning the Rural Policy Area are all good. The suggestions about adaptive reuse of heritage resources and improvement of rural economy lots are especially important.</p>
83 <b>Code Audit Natural, Environmental &amp; Heritage Resource Protection</b>	Historic resource protection	<p>Page 27, Potential Regulatory Options state “Adopt a demolition review ordinance that requires assessment of historic significance prior to issuance of any demolition permit for structures 50 years of age or older.” VPHA SUGGESTS ADDITION OF “WHEN HISTORIC STRUCTURES REMAIN DURING A DEVELOPMENT, A TREATMENT PLAN WITH NPS GUIDELINES FOR PRESERVATION PRACTICES NEEDS TO BE SUBMITTED AND IN COMPLIANCE. DEMOLITION BY NEGLECT CANNOT BE ALLOWED.”</p>
84 <b>Code Audit Natural, Environmental &amp; Heritage Resource Protection</b>	Historic resource protection	<p>Page 27-28, Potential Regulatory Options state “Continue to require identification of unique geological resources, archeological resources, and related heritage resources in the submittal requirements of the zoning ordinance.” VPHA COMMENT: REFERENCE HERE THE COUNTY’S HERITAGE PRESERVATION PLAN DOCUMENT ADOPTED IN 2003, WHICH MANDATES THE HERITAGE COMMISSION. THE HERITAGE COMMISSION NEEDS TO BE CONSULTED AS REFERRAL AGENCY DURING LAND USE APPLICATIONS TO REVIEW THE RESOURCES IDENTIFIED AND THEIR TREATMENT PLANS.</p>
85 <b>Code Audit Natural, Environmental &amp; Heritage Resource Protection</b>	Historic resource protection	<p>Page 28, Potential Regulatory Options state “Establish incentives to conserve significant heritage sites, such as expedited application review, density bonus, transfer development rights, and voluntary density transfers.” VPHA SUGGESTS ADDITION OF “WORKING WITH COUNTY MAPPING &amp; GIS STAFF TO ENCOURAGE USE OF CONSERVATION EASEMENT WHEN OPEN SPACE IS INCLUDED.”</p>
134 <b>Code Audit Supplemental &amp; Additional Use Regulations</b>	RPA -- permitted uses	<p>Page 48: Good Recommendation. Once a final list of uses is created, the current criteria and regulations now being used should be reviewed and revised to clearly define the requirements for the use that meet the new comprehensive plan guidance. The Loudoun County Preservation and Conservation Coalition has reviewed the current use list and provided recommendations for this purpose in their audit material.</p>



CODE AUDIT SECTION	TOPIC: ZOR-2020-0001	LCPCZ ORGANIZATIONS -- COMMENTS / QUESTIONS
2 <b>Code Audit I. Introduction</b>	Farm-based land uses, "right to farm"	<p>The consultant's Approach as outlined in the Zoning Text Analysis 12/11/2020 does not appear to understand the problems inherent in having both farm-based land uses and rapidly expanding suburban/urban land uses in the relatively small geography (521 square miles) of Loudoun County. Did the consultant audit scope include background and recognition of the issues associated with farm-based land uses? If not, how will staff augment zoning for a farm-based economy? Specific questions/comments include:</p> <ol style="list-style-type: none"> <li>1. Virginia is by law a "right-to-farm" State. What are the implications of that for Loudoun County zoning?</li> <li>2. Active farming generates sights, sounds, smells, and road uses that many people find incompatible with suburban type housing. This fundamental conflict should be acknowledged in discussion of the Approach.</li> <li>3. Loudoun County has more miles of unpaved road than any other County in the Commonwealth. Loudoun County likes it that way. There is a County policy against paving unpaved roads. Citizens organizations have successfully petitioned to have the County's network of unpaved roads declared eligible for inclusion in both the state and the national register of historic places, the first and only road network determined eligible for such designation. While recognizing that roads are not a zoning issues the Loudoun County zoning ordinance should certainly be shaped by and consistent with Loudoun's unique relationship with its unpaved road network. At a minimum, the Approach section should acknowledge this unique characteristic of Loudoun County.</li> </ol>
96 <b>Code Audit Soils &amp; Geologic Resources/MDOD</b>	Rural permitted uses -- "Ag" Barns	<p>Page 32 Question – is it possible and appropriate that the zoning code can restrict the use of farm type buildings for non-farm uses that are incompatible with farming? Event venue "barns" that are built and constructed as event barns and go through the appropriate and relevant permitting processes are fine. Barns that are built as barns and permitted as barns but used as event barns are a problem in Western Loudoun County.</p> <p>Page 33 Table 4 addresses the policy "Maintain zoning regulations and design standards that protect the right to farm" The consultants list of potential Regulatory Options provided only two options – consider residential setbacks and do whatever the County decides to do with the prime soils ZOAM. This is an area where we should expect much more thorough analysis and information about what other jurisdictions are doing. It may be that the consultant's comment here indicates a lack of deep experience with this issue, requiring more input from Staff and community experts.</p>
95 <b>Code Audit Soils &amp; Geologic Resources/MDOD</b>	Rural permitted uses and compatibility (comment w/ above)	<p>Page 32, Potential Regulatory Options state "The zoning enabling legislation also addresses rural economy uses such as wineries and breweries." And "Additional Regulations for Specific Uses, as well as other regulations, to ensure adequate infrastructure is provided, affects from incompatible uses are sufficiently mitigated, and site design protects the rural historic landscape." VPHA COMMENT: THIS IS FAR TOO VAGUE CURRENTLY, AND NEEDS TO DEFINE WHAT IS A PROPER RURAL ECONOMY USE, I.E. SOME BEVERAGE FACILITIES ARE NOT ENGAGED IN AGRICULTURAL WORK. THIS NEEDS TO REGULATORY AND CLEARLY DEFINED AND ENFORCED WITHIN PLANNING AND ZONING.</p>
30 <b>Code Audit Districts: Rural Policy Area (RPA) NOTE: Relates to Subdivision/Soils Zoning Ordinance Amendment (ZOAM)</b>	RPA: Public input, SPEX, exceptions	<p>Page 5: There should be no discretionary leeway when it comes to the Rural Policy Area, unless by public input. There should be no discretionary input when it comes to Exceptions, or Minor Exceptions in Rural Policy areas, period. In fact, there should be no exceptions in MDOD lands.</p>
17 <b>Code Audit Definitions</b>	Land Use Definitions	<p>Page 19, first paragraph. "The ordinance should, however, define every land use listed in the zoning district regulations..."  <i>EXAMPLE:</i> With respect to the Gable Farm Landfill, the land use "Personal Recreational Field" was not defined in the Zoning Ordinance in 2015. The Zoning Administrator/County created a new use on 4.28.2015: "Personal Recreational Field". If a use is not defined in the new ordinance, can it be "created" or added without public comment/feedback? If new uses are acceptable, what process will be followed that involves public comment/feedback to assure residents that they will not be negatively impacted by the new use?</p>



CODE AUDIT SECTION	TOPIC: ZOR-2020-0001	LCPCC ORGANIZATIONS -- COMMENTS / QUESTIONS
11 <b>Code Audit Approach</b>	Rural Areas & Form Based Codes	Page 8, Form Based Codes. According to the report: "In their purest manifestation, form-based codes regulate by design features rather than strictly segregated land use. In other words, districts are governed by building form rather than by use." This statement appears to have limited validity with regard to Western Loudoun's farm-based land uses, correct? In many cases it is the use of the building -- not the form of the building -- that causes the conflicts that zoning seeks to minimize. One current problem in Western Loudoun is that property owners are constructing buildings that look like "ag barns" however they are not used as barns. The use of the building generates traffic and has other impacts that are not compatible with farming. Furthermore, where farms are concerned conflicting uses are not based upon buildings but on the use of the open land. For some people, the basic operation of growing and harvesting crops and caring for animals conflicts with suburban style living.
88 <b>Code Audit Natural, Environmental &amp; Heritage Resource Protection</b>	Rural by-right development	The ZOR must establish enforceable means of implementing the County's land-use policies in rural by-right developments.
132 <b>Code Audit Codifying Uses</b>	Rural incompatible uses -- Plan/application approval	Page 48, Recommendations to Improve, Unlisted Uses. <i>"The zoning regulations should establish a process for the Zoning Administrator to determine whether and how unlisted uses are permitted. This would include rules for determining whether an unlisted use simply falls within the definition of a permitted use and whether unlisted uses are permitted as part of the same industry or use category."</i>
135 <b>Code Audit Supplemental &amp; Additional Use Regulations</b>	Rural incompatible uses -- Plan/application approval	P. 48. <i>"...the zoning ordinance should include a separate Article devoted to regulations for individual uses. These can range from those with nuisance type impacts (such as landfills), community character issues, and special legal protections (such as cell towers, groups homes and churches). Agree.</i> EXAMPLE: With respect to the Gable Landfill, the County approved the landfill but lacks the regulatory tools to properly monitor the landfill to protect the public. (The County declined to test soil after liquid dumping. The County never responded to the need for manifests.) County regulations need to incorporate new tools (manifests, testing of soil, surface water and groundwater, etc.) to properly monitor "Personal Recreational Fields" and other rural dumps.
136 <b>Code Audit Supplemental &amp; Additional Use Regulations</b>	Rural incompatible uses -- Plan/application approval	Page, 48. "These sections (regulations) warrant a review...." Agree. Regulations for "Personal Recreational Fields" are currently not defined in the ordinance. Standards for dirt stockpiles should apply to "Personal Recreational Field". Current regulations and policies regarding "excessive fill" will not prevent future activities of this kind and should be significantly revised to achieve that end. The revisions for regulations should provide for public notice, public hearings, clearly defined physical standards that are not subjective, manifesting of waste, and careful monitoring.
127 <b>Code Audit V. Use Regulations</b>	Rural incompatible uses -- Plan/application submission	Page 45. This section lacks information on the role of plan sheet descriptions. With respect to "use," will the new ordinance address the need to make the plan sheet descriptions for "use" binding? EXAMPLE: When the County issued a violation to Gable Farm limited partnership on 1/30/2018, it included this description taken from the plan sheets: The property's approved REST-2015-003 states that the use of the property shall be for a "personal recreational field not open to the public or used for any commercial purposes." However, the process of creating the "personal recreational field" was a highly commercial and lucrative business
131 <b>Code Audit Codifying Uses</b>	Rural incompatible uses -- Plan/application submission	Page 47, second paragraph, Current regulations, Unlisted Uses. <i>"Where uses are not listed, Loudoun County's Zoning Administrator currently makes an administrative determination whether the use meets the definition of one of the listed uses and/or whether the use is permitted in a zoning district."</i> EXAMPLE: With respect to the Gable Landfill, the determination by staff to add a new use "Personal Recreational Field" was subjective and arbitrary and had -- and continues to have -- a negative impact on surrounding properties.
133 <b>Code Audit Codifying Uses</b>	Rural incompatible uses -- Public input process	Agree. However, the public should be involved in this process. Unlisted uses, should be subject to not only a stringent review process by County officials and rules for determination of use, but also the County should be required to provide notification to neighbors for an unlisted use. Neighbors have the right to peace and tranquility on their property and they should have the opportunity to comment on the proposed unlisted use. Additionally, there should be a clearly defined process for challenges to the proposed unlisted use. EXAMPLE: Involvement of the public helps reduce potential negative effects to neighbors of a new proposed use such as the Gable Landfill or "Personal Recreational Field". Criteria for notification to neighbors is currently inconsistent for uses.

CODE AUDIT SECTION	TOPIC: ZOR-2020-0001	LCPCC ORGANIZATIONS -- COMMENTS / QUESTIONS
128 Code Audit Codifying Uses	Rural permitted Uses	Page 45: Using more complete and modern list of uses is a very good recommendation. Need to clearly define what will be done in each category and not have confusion over what can and can not be done under a category (bed & breakfast can be just a bed and breakfast or a wedding venue or a meeting hall under current use definitions.
20 Code Audit Districts: Rural Policy Area (RPA) NOTE: Relates to Subdivision/Soils Zoning Ordinance Amendment (ZOAM)	Rural permitted uses and compatibility	The Rural Uses section does not go into details that will ultimately become crucial as its references to rural uses needing performance standards is correct, but what those standards are is the key point.  The conflict both in the Loudoun 2019 Plan and the 1993 Revised Zoning Ordinance is carried forward as there is a conflict between permitted rural uses and a clear vision of the RPA as a compatible whole.  The emphasis on permitting a wide range of economic activity which has negative consequences such as traffic generation, noise, light pollution, deforestation, land disturbance and creation of unusable unplanned open space all need to be carefully reviewed and performance standards and other regulations put in place to preserve the overall vision for the future of the RPA. For example, a large-scale solar farm could ruin the viewshed of wineries, breweries, and event centers causing them economic damage.
130 Code Audit Codifying Uses	Rural roads & Traffic	Traffic and Rural Roads: The impact of large scale commercial business on rural roads has been a detriment. Case report: Bear Chase Brewery. Review of PRAP application for a Campground with 35 cabins and 15 campsites, with access and egress delineated from a 2-lane rural road, bounded by steep slopes, historic stone walls, and forest. Example: Route 734 Snickersville TPK and Bluemont events. Route 7 and all of the foregoing, as well as BChord brewery.
107 Code Audit Rural Policy Area NOTE: Relates to Subdivision/Soils Zoning Ordinance Amendment (ZOAM 2020-0002)	Rural Uses - Quality of life	Page 32: The section on reviewing all factors related to rural uses to look at the overall impact on the rural character and quality of life is important. Also, in this section need to better define the definitions of farm and agri-business since at present it is not clear and leads to the wrong types of uses being considered.
66 Code Audit Landscaping	Landscaping: MDOD, environmental & Dark Sky	p. 24. Focus is mainly on more residential developments/clusters; mentions AR-1 and Ar-2, but doesn't specifically address MDOD, where forest canopy is important for all reasons discussed in Comp Plan Chapter 1, 2 and 3. The point of any landscape buffer is to project adjacent properties from noise, glare, and unsightliness, and in the RPA to ensure congruence with the local layout; in the MDOD to minimize impact on habitat loss, night sky, health of stream corridors, ground water and soils.
63 Code Audit Landscaping	Landscaping: Rural areas	(Page 25) Agree with requirement to include tree canopy requirement for rural cluster subdivisions. Agree with adding a minimum open space requirement for most zoning districts, and allowing applicants to substitute civic open space and usable open space for required landscaping. Recommendations: Require native plantings as part of landscaping, buffers, street tree requirements. Non-native trees and shrubs should be removed from ZO Section 5-1400 Buffering and Screening Require invasive species management and removal during construction and installation phases of landscaping. In regards to conformity, landscaping ordinances should cross-reference with Forests, Trees, and Vegetation ordinances.
62 Code Audit Landscaping	Landscaping: Rural areas	Pages 24, 25: Need to address rural use landscaping/buffering to maintain privacy and protect the rural character.
64 Code Audit Landscaping	Landscaping: Rural incompatible uses	Page 24, second sentence. "Buffer and landscaping requirements mitigate environmental site conditions, minimize conflicts between incompatible uses, and soften the visual impacts of parking area and intensive uses." Agree. EXAMPLE: There should be landscape requirements for the unregulated Gable Landfill as it rises up to more than 30 feet above the original soil line over 18 acres and dominates a quarter-mile-long boundary with neighboring property without any buffer or screen.
65 Code Audit Landscaping	Landscaping: Rural incompatible uses	Page 25, How can Loudoun County regulate landscaping more effectively? "Create specific buffer types and standards that can be applied as needed throughout the zoning districts." QUESTION: How can this recommendation be applied to the Gable Farm Landfill or "Personal Recreational Field" use or other dumps or stockpiling of dirt sites that visually dominate and overpower neighboring sites?

CODE AUDIT SECTION	TOPIC: ZOR-2020-0001	LCPCC ORGANIZATIONS -- COMMENTS / QUESTIONS
27 Code Audit Districts: Rural Policy Area (RPA) NOTE: Relates to Subdivision/Soils Zoning Ordinance Amendment (ZOAM)	Lot coverage: Agriculture exceptions	Page 2. RPA - Rural South Place Type = AR-2 District : WSP recommends DECREASING the lot coverage from 10%-7% for residential development, and from 15% to 12% for “non-residential structures”, which is a good start, BUT they EXCEPT AGRICULTURE, HORTICULTURE AND ANIMAL HUSBANDRY. These entities, if allowed “by right” according to State Statutes, should not be allowed more lenient Base Densities. State statutes are fuzzy in defining “farm breweries, farm wineries, and agri-tourism; a number of these “faux farms,” often little more than tap rooms and event centers, have sprung up disrupting rural environments, neighborhoods, and habitat, thus requirements for minimum acreages, setbacks, lighting, traffic studies and environmental impact statements need to be strictly set.
93 Code Audit Soils & Geologic Resources/MDOD	MDOD allowed uses	p. 30. The objectives of the MDOD need to be clearly identified. It is necessary to clarify that the regulations are in place to protect the public interest. The regulations cannot be drawn from the point of view of creating maximum profitable development opportunities for mountain property owners, but rather to provide “reasonable use.” The underlying zoning in the mountains will be the new version of AR-1 or AR-2, but these zones are primarily created for the flat lands in the valley below the mountains and if not modified will create totally inappropriate permitted uses on the mountains, often by-right.
94 Code Audit Soils & Geologic Resources/MDOD	MDOD allowed uses	Page 30. Table 4 the consultant lists as a Potential Regulatory Option: “Expand the passive recreational uses allowed in the MDOD, such as park sites and use of existing recreational facilities.” This requires a much fuller statement as to the consultant’s intention. It also requires full identification of and consideration of the implications. For example, does expanding passive recreation require expanding parking? Further on page 30 Table 4 under Potential Regulatory Options the consultant says, “Add a list of agricultural uses permitted in these areas (Steep slopes), and other low impact uses if appropriate.” As with #2 above this requires a much fuller statement as to the consultant’s intention as well as Staff and community review. It also requires full identification of and consideration of the implications.
129 Code Audit Codifying Uses	MDOD allowed uses	Pg. 42 Noted AR-1 and AR-2 districts allow the highest # of uses;, which is a tragedy for prime soils and MDOD lands. Many of the uses currently listed are inappropriate for the MDOD; the MDOD document, Revision 4/11/2006 state “All uses and structures permitted by right in the underlying zoning district are permitted subject to the performance standards listed in Section 4-1604 (MDOD: states percentages of clearing, footprint, etc....except in highly sensitive areas shall meet the criteria of Section 4-1605 (same with different percentages), and shall require special exception approval granted per Section 6-1300 (states the conditions for applying for a Special Exception: doesn’t detail any clearing limitations, etc).
3 Code Audit I. Introduction	MDOD: Ordinance	Page (v): Text Analysis Report (TAR) points out that between 1942 and 1972 zoning ordinances focused on residential and business development management; MDOD added at some point after the 1972 document, suggesting first attention to protect rural forest threats. 20 years later, the 1993 ZOR emphasized the need to further protect rural lands by recognizing additional special Districts and an overlay for historic villages. The most recent MDOD revision was in 2006. Points out that Policy Areas and Place Types, as defined in the 2019 GP do not necessarily correlate well with the Zoning Ordinance districts: agree.
29 Code Audit Districts: Rural Policy Area (RPA) NOTE: Relates to Subdivision/Soils Zoning Ordinance Amendment (ZOAM)	MDOD allowed uses	Page 3. RPA - Rural North Place Type = AR-1. In years past, AR-1 was differentiated from AR-2 based on the number of easements in existence, and the tendency toward smaller lot sizes in AR-1. In 2021, as environmental information and enlightenments have crystallized, this distinction should no longer be a defining factor in protecting rural Loudoun. The Zoning Ordinance should prohibit large scale commercial development in the MDOD, regardless of AR-1 or AR-2 status. This limitation would be consistent with the principles stated in the 2019 GP Chapters 1, 2 and 3, and with Section 4-1600, 4-1601, and 4-1602 of the current Zoning Ordinance.
98 Code Audit Soils & Geologic Resources/MDOD	MDOD environmental protection	The Audit’s suggestions for protection of Soils and Geologic Resources are all excellent. Limiting clearing of trees and vegetation on mountainsides and steep slopes is especially important.
100 Code Audit Soils & Geologic Resources/ MDOD	MDOD environmental protection	(Page 31) Soils and Geologic Resources Agree with potential regulatory options to preserve forests and native vegetation on steep slopes. Further recommendation: Add language to ensure that former woodlots are not converted to development lots

CODE AUDIT SECTION	TOPIC: ZOR-2020-0001	LCPCC ORGANIZATIONS -- COMMENTS / QUESTIONS
28 Code Audit Districts: Rural Policy Area (RPA) NOTE: Relates to Subdivision/Soils Zoning Ordinance Amendment (ZOAM)	MDOD lot sizes, setbacks	FOR MDOD: It is more reasonable to establish minimum lot sizes based on the proposed development. For example a Farm Brewery or a Farm Winery would require a minimum of 25 acres, FOR MDOD: When addressing setbacks....using %s may be difficult if not impossible to document when dealing with steep slopes. If any commercial or residential structure is to be built, including service buildings, driveways and parking lots, set-backs for each should be a minimum of 500 feet from any adjacent property line. This ensures some preservation of green space and limits negative impact on residences due to event noise, traffic noise and lighting, and/or general grounds lighting.
101 Code Audit Soils & Geologic Resources/ MDOD	MDOD permitted uses	Many notes above. Lands in the MDOD should be managed identically whether AR-1 or AR-2. ZO 2-100 (AR-1) and ZO 2-200: where lands lie within the MDOD, all permitting should be identical, and exclusive to the MDOD. The extensive list of permitted activities in AR Districts should be culled when the MDOD supersedes.
120 Code Audit Building Design	MDOD standards	Addresses Urban and Suburban, Transition areas: In general, MDOD would focus on set-backs, limited footprints, minimum acreages height, lighting, buffering, so as to be unobtrusive to MDOD residents, and to environment.
13 Code Audit Organization	Overlay districts	Pages 9: nice way to compare the various zoning approaches; the 4 Overlay Districts should be maintained and ordinances closely reviewed, especially where environmental concerns are key. Page 13: agree with organizing flow of each zoning ordinance.
15 Code Audit Format	Overlay districts	p. 19. Agree. Overlay Districts should have their unique chapter; easy to find; any Special Exceptions should be included at the end of this chapter and referenced as such.
113 Code Audit Affordable Dwelling Units	PUD-Affordable Dwelling Units	p. 35. Need to recognize that there is an UNLIMITED demand for Affordable Housing as it is a DC Metropolitan wide deficit. Loudoun needs to construct its program on what is in the public interest in terms of financial contribution, land availability and targeted response.
114 Code Audit Affordable Dwelling Units	PUD-Affordable Dwelling Units	p. 36. Potential use of "density bonuses" up to 30% for creating ADU's raises issues as to why the original density was set for the site, and the additional impact on traffic, schools, and public facilities shared by the larger community. Density Bonuses hide the true cost to the public as the public tax deficit per additional market rate house runs for the life of the project.
115 Code Audit Affordable Dwelling Units	PUD-Affordable Dwelling Units	p. 36. The proposal that Affordable Housing Project be "by-right" is probably made because it will reduce the cost to the developer, but it also shuts out the citizens of the affected community from their opportunity to participate in the Public Hearings of the Planning Commission and Board of Supervisors. This raises the fundamental question of what "rights" do the existing citizens have for their views to be heard during the development process.
116 Code Audit Affordable Dwelling Units	PUD-Affordable Dwelling Units	p. 38. The list of "incentives" proposed by the Consultants all have the effect of weakening the standards that otherwise would apply to the site and project. For example, increase building height, reduce setbacks, increase FAR, reduce Civic and Open Space, modify buffering requirements... Is it in the public interest to have Affordable Housing projects constructed at significantly lower standards than conventional housing? What is the purpose of having "Standards" if it is of no consequence to break them for Affordable Housing?
117 Code Audit Affordable Dwelling Units	PUD-Affordable Dwelling Units	Recommendations 1. The County should use primarily financial incentives to stimulate Affordable Housing such as waiver of financial fees for planning review, no cost water and sewer hook ups, direct subsidies to the developer, rather than incentives that compromise the Quality of Life of the residents and surrounding communities and run with the entire life of the project. 2. The County should encourage the developers to allocate Land in lieu of meeting the ADU requirements (in a reasoned relationship) so that cost free land could be provided to specialized ADU developers. This land might be considered as some percentage of the Civic Space requirement.
48 Code Audit Districts: Suburban Policy Area (SPA)	PUD-Affordable Dwelling Units	p. 14. Regarding "Compact Neighborhood," are new regulations being planned for "manufactured homes," and would they include modular construction? Both may be of assistance to create more Affordable Dwelling Units as an interim use on certain parcels planned for denser or alternative uses where such use may not be viable for 10-20-30 years. The benefit of modular construction include the capability to relocate the units to other sites in the future.

CODE AUDIT SECTION	TOPIC: ZOR-2020-0001	LCPCC ORGANIZATIONS -- COMMENTS / QUESTIONS
112 <b>Code Audit Sustainable Development Practices</b>	Sustainability regulations	The Audit makes excellent suggestions about Sustainable Development Practices, including special provisions to accommodate solar photovoltaic projects. No mention is made of wind energy development within the county, especially on the ridge lines where such facilities are often located to obtain access to prevailing winds. Deployment of such facilities on the Blue Ridge, Catoctin Mountain and Short Hill would present a real conundrum for those interested in maintaining the beauty of the county's landscape, but also cognizant of the urgency of shifting away from fossil fuels to mitigation climate change. Consideration should be given to this specific use in the new zoning ordinance.
110 <b>Code Audit Sustainable Development Practices</b>	Sustainability regulations	Sustainability Policies in Loudoun 2019 are new. Little reference to/facilitation of Sustainability Polices are in the ZO or LSDO or FSM. Comments provided are suggestions, based largely on Round 1 comments, for the kind of ordinance needed to implement the new Sustainability Policies included in Loudoun 2019. Round 1 input, 3-20-20, can be found on link to the LCPCC website for the EHRS Module: <a href="https://loudouncoalition.org/wp-content/uploads/2020/04/EH-audit-LCPCC-AUDIT-INPUT-3-20-2020-DRAFT.pdf">https://loudouncoalition.org/wp-content/uploads/2020/04/EH-audit-LCPCC-AUDIT-INPUT-3-20-2020-DRAFT.pdf</a> VA General Assembly bills under consideration impact recommendations. The Virginia Conservation Network has an excellent Bill Tracker document, <a href="http://www.vcnva.org/bill-tracker/">http://www.vcnva.org/bill-tracker/</a> Finally, Sustainability includes not just mitigation, such as using renewable energy, but also adaptation and resiliency. Climate Change is already baked into our future, so we need to prepare for it. Adaptation and resiliency efforts do not fall entirely within land development activities, but must be addressed elsewhere in County government policies and procedures.
111 <b>Code Audit Sustainable Development Practices</b>	Sustainability regulations	p. 33: The last bullet point cannot be accomplished since there are no Plan policies for location in the County.
118 <b>Code Audit Building Design</b>	Sustainability regulations	Could green roofs be incorporated into building design?
51 <b>Code Audit Parking</b>	Parking: Ratios, application to Rural businesses	1. It is not clear how the consultant will determine appropriate parking ratios i.e., number of parking places required per townhouse or number of spaces per square foot of retail. 2. The consultant is not using/does not have enough "Loudoun Centric" data. a. The consultant report did not reflect field surveys in Loudoun of what is and is not working. b. Consideration should be given to somehow involving HOAs in identifying the inadequacies in the current residential parking standards. c. Are there creative ways to use existing data bases to determine the "real" need for parking? Can car registration data be used to develop parking standards? 3. Currently there is a demand for curbside pickup for everything from groceries to restaurants to many types of retail. Will this continue? How does this impact parking requirements? 4. Will the increasing need for electric car charging stations impact parking requirements? 5. The consultant needs to carefully address the unique parking needs in Western Loudoun. Non-traditional land uses are growing – breweries, vineyards, event barns, farm tourism. Parking problems for these uses spill out onto public roads.
52 <b>Code Audit Parking</b>	Parking: Ratios, application to Rural businesses	Page 22: Need to address parking for RURAL USES since this presents unique challenges.
53 <b>Code Audit Parking</b>	Parking: Recommendations	Environmental - Parking area should not negatively impact water run off or disrupt neighboring property via water flow - Parking area should be permeable type to avoid impacting water table - Parking area should be built in a way that does minimal harm to wildlife, good soil availability, tree cover, etc. - Great care should be taken to assure parking area lighting does not impact wildlife.
54 <b>Code Audit Parking</b>	Parking: Recommendations	Landscaping/Buffering - Great care should be taken to landscape the area around the parking area to blend in with neighboring properties. - Buffering should be natural and prevent impacting neighboring properties. - In the rural use areas, parking should not be designed like a shopping center or strip mall.

CODE AUDIT SECTION	TOPIC: ZOR-2020-0001	LCPCC ORGANIZATIONS -- COMMENTS / QUESTIONS
55 <b>Code Audit Parking</b>	Parking: Recommendations	Size of Parking Area -The size of the parking area should in some way be tied to the size of the overall property and in a manner that avoids dramatic changes to the surrounding area. (Maybe a percent of open space could be established as a baseline.)
56 <b>Code Audit Parking</b>	Parking: Recommendations	Traffic -Parking area reviews should have a careful traffic study done to assure that access and egress of parking area can be done in a safe manner. -Parking areas should be limited to assure they do not negatively impact overall traffic in an area.
57 <b>Code Audit Parking</b>	Parking: Recommendations	Viewshed -Parking area should blend in with the surrounding area and not disrupt or change the viewshed -Great care needs to be taken to assure parking area lighting does not create a dark skies disruption and does not cause a change to the viewshed of areas in the surrounding area
61 <b>Code Audit Parking</b>	Parking: environmental standards	All of the trees shown on the example are by themselves surrounded by pavement. This is plan is sure to cause tree death when the trees grow to a certain age. Planting trees in islands where there is plenty of soil around them is best. There are many documents online to be looked at but the bottom line is the FSM must contain rules for planting trees that allow the trees to grow to mature age by having good soil, room for roots to grown, and plenty of natural water (where frequently the drainage is made to go off-site to protect the parking areas but do not water trees adequately. Best if this is stated in the Ordinance. Trees need to be in islands not all alone, surround by pavement. One example: The minimum size of a parking lot island shall be 9' x 19' to insure proper growth and protection of the landscaping materials plannted therin. Minimum size of an island can be 9' x 17' to correspond with a 9'x17'parking space if certain conditions exist (2' overhang). <a href="https://las.depaul.edu/centers-and-institutes/chaddick-institute-for-metropolitan-development/programs/mdrn/Documents/Glenview_Design_Guidelines--Parking_Lots.pdf">https://las.depaul.edu/centers-and-institutes/chaddick-institute-for-metropolitan-development/programs/mdrn/Documents/Glenview_Design_Guidelines--Parking_Lots.pdf</a>
60 <b>Code Audit Parking</b>	Parking: environmental standards	The Audit provides many interesting options for dealing with parking issues, including the elimination of parking minimums in order to leave supply to the marketplace and addressing spillover parking issues through a residential parking permit system or metering. The Audit does not seem to address the issue of stormwater runoff from impervious surfaces, an issue of high importance to water quality in Goose Creek, Catoctin Creek and other scenic rivers and waterways in the county. The Goose Creek Association believes it would be desirable to encourage or require permeable parking surfaces combined with bioswales for filtering of stormwater runoff as described at <a href="https://fcs.cornell.edu/projects/peterson-green-parking-lot">https://fcs.cornell.edu/projects/peterson-green-parking-lot</a> (last visited 2/14/2021). See example in attachment.
59 <b>Code Audit Parking</b>	Parking: environmental standards	Also mentioned under RSCR, Building Design, Site Design, and Rural Policy Area Guidelines (where it is referenced in the Comp Plan), but there are no mentions of impervious surface standards.
58 <b>Code Audit Parking</b>	Parking: Ratios, application to Rural businesses	Page 22. Establishing maximums and minimums seems reasonable. Must also consider set backs and buffering when constructing parking lots. MDOD. These are rural lands, peppered with 5 to 50 acre residential lots, with most being in the 5-acre range. Parking and driveway setbacks are crucial to protecting adjacent residents from traffic lights and noise. As forests are an important source of air and water cleansing, parking lots should be limited (and thus so should the size of any commercial business development) if the latter is allowed at all. ZO 4-1604 & 4-1605 speak to performance standards related to soils and land disturbing activities in general. While these remain concerns, set backs and buffering are also crucial when construction is planned near pre-existing homes. The WSP's survey of many city's parking algorithms, only 2 with rural policy area parking, Montgomery, MD (allows leeway for developers to either miss the minimum, or overshoot the maximum allowed parking in a "limited build" zone, under certain conditions. NO! and Buffalo, NY (seems to allow absolute developer's discretion in deciding how much space to a lot to parking) NO!



CODE AUDIT SECTION	TOPIC: ZOR-2020-0001	LCPC ORGANIZATIONS -- COMMENTS / QUESTIONS
	HOLD for ZOAM-2020-0002	
71 Code Audit Natural, Environmental & Heritage Resource Protection	PDR program	Further recommendations: Create TDR ordinance. Revamp criteria and fund PDR program. Create map identifying environmental and heritage resources.
78 Code Audit Natural, Environmental & Heritage Resource Protection	Prime Ag Soils	Page 26. Table 4 Under Column #3 – Potential Regulatory Options -- USDA defined prime agricultural soils should be added to the list of resources (geological, archaeological, etc.) that should be identified in project submissions.
24 Code Audit Districts: Rural Policy Area (RPA) NOTE: Relates to Subdivision/Soils Zoning Ordinance Amendment (ZOAM)		<p>p. 4. To effectively implement the intent of the 2019 GP, the percentage of cluster subdivision properties that must be dedicated to a combination of open space and rural economy lots should be increased to 85% (aligned with the County's "Rural Hamlet" standards). The consultants' report notes that this could be increased to 90% without affecting the maximum permitted density. The Zoning Ordinance currently does not require any open space in clustered subdivisions. Rather, it requires that the combination of land in "rural economy lots" and "common open space" equal 70% of the gross acreage of the subdivided property (see sections 2-103(C)(2)(h) and 2-203(C)(2)(h) of the Zoning Ordinance).</p> <p>Rural economy lots may account for the bulk of this requirement and, in practice, they generally do. Those rural economy lots may have a combination of residential and non-residential buildings, which may cover up to 35% of the acreage of each lot.2 If we interpret the GP's open space recommendation to apply to the portion of the rural economy lots that is not covered by buildings, the Zoning Ordinance allows such "open space" to be more than a third less than 70% of the gross acreage of the subdivided property.</p>
25 Code Audit Districts: Rural Policy Area (RPA) NOTE: Relates to Subdivision/Soils Zoning Ordinance Amendment (ZOAM)		<p>"Rural South Place Type" (RS district) Current lot coverage is too large for the lot sizes (10% for residential, 25% for non-residential). Propose reducing to 2% and 7%. SRL supports the recommendation with respect to principal/subordinate and clustered residential lots. However, we are concerned that the proposed changes may have inadvertent negative impacts on farm operations on rural economy lots. Among other considerations, this regulation should take into account the types of farm or farm-support buildings that the County includes in its calculation of coverage. SRL recommends that the County consult with the Farm Bureau and other relevant stakeholders to consider the potential impacts on farming operations using real-world examples. Propose increasing minimum lot width from 175 feet to 500 feet. SRL supports. Increase setbacks. Setbacks should be set as percentages of lot width and depth, not absolute numbers for all size lots. Propose front and side setbacks of 10% of lot depth and width, respectively, rear setback of 20% of lot depth. Same comment as for lot coverage, above. Cluster subdivision option: Setbacks should be set as percentages of lot width and depth, not absolute numbers for all size lots. Propose front setbacks of 10% of lot depth, side and rear setbacks of 20% of lot width and depth, respectively. Same comment as for lot coverage, above. Principal and subordinate subdivision options don't require open space, but require minimum lot size (25 acres). Should retain minimum size of rural economy lots or impose an open space requirement. SRL supports retaining minimum size of rural economy lots on these subdivisions.</p>
26 Code Audit Districts: Rural Policy Area (RPA) NOTE: Relates to Subdivision/Soils Zoning Ordinance Amendment (ZOAM)		<p>"Rural North Place Type" (RN district) Current lot coverage is too large for the lot sizes (10% for residential, 25% for non-residential). Propose reducing to 3% and 15%. Same comment as for RS lot coverage, above. Propose increasing minimum lot width from 175 feet to 300 feet. SRL supports. Setbacks for principal/subordinate subdivisions should be set as percentages of lot width and depth, not absolute numbers for all size lots. Propose front and rear setbacks of 10% of lot depth, side setback of 20% of lot width. Same comment as for RS lot coverage, above. Setbacks for cluster subdivisions should be set as percentages of lot width and depth, not absolute numbers for all size lots. Propose front and rear setbacks of 10% of lot depth, side setbacks of 20% of lot width. Same comment as for RS lot coverage, above.</p>



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<p>21</p> <p><b>Code Audit Districts: Rural Policy Area (RPA)</b>  <b>NOTE: Relates to Subdivision/Soils Zoning Ordinance Amendment (ZOAM)</b></p>		<p>At pp. 2-6, the Audit carries forward the fiction that minimum lot sizes in AR-2 (Rural South) are 40 acres and in AR-1 (Rural North) are 20 acres. As a practical matter, almost all development occurs under the Cluster Option at densities of 15 acres and 5 acres, respectively.</p> <p>While these higher densities may not be the most desirable development pattern from a theoretical standpoint, they have the practical advantage of creating strong financial incentives that are driving the protection of increasingly large areas of the Rural Policy Area through conservation easements. Conservation buyers interested in federal tax savings and cash proceeds of approximately \$5,000 per acre that can be realized from sale of Virginia's land preservation tax credits are effectively competing with and out-bidding developers for available development tracts in the RPA. Therefore, doing away with the Cluster Option in the interest of protecting the RPA from development, as some forward-looking thinkers have suggested, would be ironically purpose-defeating. It would also be highly unpopular with landowners, whose property values would decrease.</p> <p>If the Cluster Option is here to stay, it would be desirable if it were treated as the default option and the other two development options (Base Density and Principal/Subordinate) were treated as the seldom-used options that they are in actual practice. This would make the Zoning Ordinance easier to understand and would focus the attention of policy makers on getting all of the details of the Cluster Option right, including (1) lot dimensions for cluster and rural economy lots, (2) protection of prime agricultural soils, (3) location of sewer fields for cluster lots within those lots, instead of in rural economy lots, (4) insuring that rural economy lots are actually usable for farming, agritourism and other desirable rural economic uses and (5) insuring that the view scape from the county's unique network of rural roads is not destroyed by suburban-style, out-of-context houses spread out across the rural countryside in unconstrained Cluster subdivisions.</p>
<p>23</p> <p><b>Code Audit Districts: Rural Policy Area (RPA)</b>  <b>NOTE: Relates to Subdivision/Soils Zoning Ordinance Amendment (ZOAM)</b></p>		<p>p. 2-3. SRL strongly disagrees with the consultants' suggestion that "the densities of the design options are within the range of the 2019 GP for this Place Type" (p. 3). SRL recommends that Loudoun align the RN's maximum densities for cluster subdivisions with those of Fauquier County and other neighboring counties (maximum of one residence per 15 acres).</p> <p>The currently permitted maximum density of one residence per 5 acres in cluster subdivisions is fundamentally inconsistent with the description of the rural Place Type described in the 2019 GP. Farming is under increasing pressure from land fragmentation, competition for use of public roads, and other impacts of rapid residential growth. As a recent report by America Farmlands Trust shows, the fragmentation of rural land that results from large numbers of clustered residential developments being scattered throughout the rural landscape rapidly accelerates the loss of farmland, which is the backbone of the rural Place Type.<sup>1</sup></p> <p>The ongoing rapid residential development in the Rural Policy Area (RPA) also threatens Loudoun's vibrant rural tourism sector, bringing more congestion and the degradation or loss of neighboring farms and iconic viewsheds. In addition, full build out of the currently allowed density in the RN would cause serious damage to the environmental services provided by the RPA and its wildlife habitats.</p> <p>The Zoning Ordinance currently allows developers to build many more houses on rural properties in Loudoun than neighboring counties in Virginia and Maryland allow in their rural areas. This creates a powerful financial incentive for regional developers to prioritize development in rural Loudoun. As a result, Loudoun is absorbing much more residential growth in its rural areas than is occurring in other rural areas within the regional DC Metropolitan housing market. This is not fair to Loudoun residents, and is not in the long-term interest of Loudoun County. (Additional input submitted separately by SRL, for discussion of ZOAM-2020-0002)</p>
<p>81</p> <p><b>Code Audit Natural, Environmental &amp; Heritage Resource Protection</b></p>		<p>p. 26. The Zoning Ordinance should require that the land reserved for rural economy uses in cluster subdivision properties be divided into no more than two rural economy lots, none of which should be smaller than 20 acres in the RN and 40 acres in the RS (the base densities of those districts). This will implement Rural Economy Strategy 3.2 of the 2019 GP and the consultants' recommendation to avoid further fragmentation of valuable farmland (p. 26).</p> <p>A minimum of 10% of the gross acreage of such properties should be dedicated to "Open and Usable Space," as defined in Article 8 of the current Zoning Ordinance.<sup>3</sup> This will implement QD Policy 4 and QD Policy 7.1(C) of the 2019 GP.</p>

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89 Code Audit Natural, Environmental & Heritage Resource Protection		p. 30. SRL supports Establish setbacks for residential lots adjoining existing farm operations. (p. 30) As mentioned above, SRL recommends expanding this proposal to include setbacks for residential lots adjoining all rural economy lots. Amend the Zoning Ordinance to avoid development on prime agricultural land (p. 30)
90 Code Audit Natural, Environmental & Heritage Resource Protection		<p>p. 32. The consultants' recommendations on site design rely on the current approach of defining those requirements only in terms of the internal characteristics of each lot type. As the consultants suggest in the document "Zoning Text Analysis," SRL recommends another approach.</p> <p>Site design guidelines for the RN and RS should be based not just on the internal characteristics of each lot (e.g., lot dimensions), but also on the characteristics of adjoining properties.</p> <p>For example, the required buffer for a small residential lot in a clustered rural housing development should be greater if that lot is adjacent to a rural economy lot than if it is adjacent to another clustered residential lot. This is consistent with the graphic illustrations of the RN Place Type on p. 2-110 of the 2019 General Plan.</p> <p>In particular, we recommend the following site design requirements:</p> <p>For clustered residential lots adjacent to existing agricultural operations or rural economy lots, ample setbacks should be established to minimize conflicts between agricultural and residential land uses. (See p. 30 of the consultants' Zoning Text Analysis report).</p> <p>For any rural lot adjacent to a route the County has designated to be part of the Emerald Ribbons linear parks and trail network, a sufficient setback should be required to allow for the development of trails.</p> <p>For clustered residential lots adjacent to a public road, a dense screen of mixed native evergreens should be required (as illustrated on p. 2-110 of the 2019 GP, also see p. 30 of the consultants' "Zoning Text Analysis" report).</p>
67 Code Audit Landscaping		The Audit has many good suggestions concerning landscaping requirements. In particular, the "canopy requirement" for rural cluster subdivisions is a very good idea. Too many cluster subdivisions have been developed in former livestock pastures or hay fields that are essentially treeless. This increases the visibility of the large houses from the surrounding network of rural roads, destroying the rural view scape. Mandatory siting of cluster lots in wooded areas or planting of large-sized, fast-growing trees would go a long way toward alleviation of this problem.
87 Code Audit Natural, Environmental & Heritage Resource Protection		P. 30-31. Protection of Prime Soils. SRL welcomes and strongly supports the consultants' endorsement of the Board of Supervisors' decision to amend the Zoning Ordinance to protect prime farming soils
22 Code Audit Districts: Rural Policy Area (RPA) NOTE: Relates to Subdivision/Soils Zoning Ordinance Amendment (ZOAM)		The Rural Hamlet development option receives no mention in Section III of the Audit even though it has resulted in some of the best-designed examples of rural subdivision development in the county. Either the Cluster Option should be amended to conform more closely to the standards of the Rural Hamlet concept or the latter should be listed as a primary option ahead of the largely-unused Base Case and Principal/Subordinate options. What is now called the Base Case Option should be renamed the Large-Lot Option and the Cluster or Rural Hamlet option named as the Base Case Option.
43 Code Audit Districts: Rural Historic Villages		The Audit proposals for Rural Historic Villages make sense. In addition to what is dealt with here, there are problems with the adaptive reuse of many structures in historic villages such as Waterford. For example, the Waterford Foundation owns historic properties it is unable to rent out for income or otherwise put to valuable use due to non-compliance with current zoning restrictions, health department well location requirements or building standards. It would be desirable to establish an administrative mechanism to grant waivers for grandfathered historic structures in Rural Historic Villages to insure they do not become or remain economically obsolescent and can be adaptively reused.
82 Code Audit Natural, Environmental & Heritage Resource Protection		<p>Policy #2, pg 27 Preserve heritage resources etc.</p> <p>Bullet 1: improvements to VCOD necessary, flexible standards to address use limitations.</p> <p>Bullet 2: Better demolition review for historic structures.</p> <p>Bullet 7: Adopt adaptive reuse regs. Support all bullet points</p>

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4 Code Audit I. Introduction		Pg 4 RV one of only 3 Place Types in RPA Pg 5 Like the 17 bullets but especially #6 Encourage adaptive reuse; #14 protect Waterford NHL; #16 Minimize impacts on Historic Resources Pg 7 #10 Zoning ordinance must be enforceable. Mentions 12 villages. Need to add all villages.
44 Code Audit Districts: Rural Historic Villages		Page 5 Final Assessment states: "The intent of the Rural Historic Village Place Type is to accommodate mixed use while protecting and preserving the existing character of each Village." VPHA COMMENT: ADD "SETTING" TO THE STATEMENT BECAUSE THE ENTRYWAY INTO HISTORIC VILLAGES, I.E. THE SURROUNDINGS, IS PART OF THE CHARACTER AND AUTHENTICITY OF THE VILLAGE ITSELF.
45 Code Audit Districts: Rural Historic Villages		Page 5 Final Assessment states: "Provide for administrative approval of these provisions subject to a demonstration of compliance." VPHA COMMENT: CHANGE TO "PROVIDE FOR ADMINISTRATIVE AND COUNTY PRESERVATION PLANNING STAFF APPROVAL OF THESE...". A PRESERVATION PLANNER NEEDS TO VERIFY THE HISTORIC VILLAGE INTEGRITY IS NOT COMPROMISED BY INAPPROPRIATE SCALE OR DESIGN.
32 Code Audit Districts: Rural Historic Villages		Pg 4 Rectify Place Type boundaries with VCOD. New regulatory mechanism (Village Conservation District) to recognize/perpetuate development patterns of individual villages. Place Type for HV would accommodate mixed use while protecting existing character. Each village warrants unique approach. Care must be taken to maintain harmony.....etc.
33 Code Audit Districts: Rural Historic Villages		Concerns: Administrative approvals? Pg 6: HV zoning.....look like? How differ to provide for uniqueness of each village? VCOD not an historic overlay. Would Village Conservation District be historic overlay?
34 Code Audit Districts: Rural Historic Villages		Page 5, first bullet, beginning with "Classify any lot and building...". At some point will uses be addressed? Nonconformity has three components: Lot, building and use. The focus appears to be on lot and building but is silent on use.
35 Code Audit Districts: Rural Historic Villages		What is the advantage of making all lots conforming and do we want to remove the controls? Nonconforming lots are already allowed any permitted use providing they can meet the other requirements of the ZO. Nonconforming buildings (and uses) have restrictions but do we really want to remove them?
36 Code Audit Districts: Rural Historic Villages		There is probably a good reason why a lot, building or use became nonconforming and we should understand what that reason is. Currently a nonconforming use or structure can be made conforming through the SPEX process.
37 Code Audit Districts: Rural Historic Villages		Page 5, fifth bullet, beginning with "Establish street-side setbacks as equal to the front yard setback...". How are zero setbacks handled? For example, many buildings on Waterford's Main Street open directly to the sidewalk.
38 Code Audit Districts: Rural Historic Villages		Should new construction have some kind of a setback to help distinguish it from historic buildings? In general, the Secretary of the Interior's Standards for Rehabilitation want new construction to be distinguished from historic structures so that false history is not created.
39 Code Audit Districts: Rural Historic Villages		Page 5, sixth and seventh bullets, beginning with "Provide for by-right encroachment..." and "Allow for a one-time exemption..." respectively. If you establish by-right encroachment and exemptions, you may as well just reduce lot requirements so that what can be done is in the open and there are no surprises.
40 Code Audit Districts: Rural Historic Villages		Page 6, HV Standards in the Table, Cover (max). Coverage should be on a sliding scale where the larger the lot, the less % coverage is permitted.
41 Code Audit Districts: Rural Historic Villages		Page 6, HV Standards in the Table, Gross Density/FAR (max), 4/ac. Four dwelling units/ac is too high for most areas in the historic villages although there may be specific and limited situations where a community receives a vital benefit from the increased density. However, there is no reason to impose a "lowest common denominator" solution on all historic villages. There is a reason why the current zoning leans towards CR zoning and those reasons aren't going away.
42 Code Audit Districts: Rural Historic Villages		Page 6, HV Standards in the Table, Gross Density/FAR (max), 0.4 FAR. Like Cover (max), this should be on a sliding scale where larger lots have a lower FAR.
141 Code Audit VII. Conclusion		Overall -- A lengthy job, and a decent job of organizing and explaining evaluations and suggestions.
16 Code Audit Definitions		Being easily accessible a plus. Pg 20: Agricultural Operations...new definition? Also good
5 Code Audit II. Zoning Ordinance Structure		

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19 Code Audit III. Districts (separate document)		
31 Code Audit Districts: Rural Historic Villages		
50 Code Audit IV. Development Standards		
99 Code Audit Soils & Geologic Resources/ MDOD		NOTE: Relates to Subdivision/Soils Zoning Ordinance Amendment (ZOAM 2020-0002)
102 Code Audit Forests, Trees & Vegetation		
121 Code Audit Site Design		
124 Code Audit Transition Standards		
126 Code Audit V. Use Regulations		

PARKING EXAMPLE: Goose Creek Association

**CAN YOU SPOT THE POROUS PAVEMENT IN THE PARKING LOT?**

**Porous Pavement**  
Porous pavement allows water to drain through the pavement rather than run off towards the nearest storm drain. This slows stormwater from overworking stormdrains during heavy rain and helps water infiltrate the soil to recharge groundwater.

**Bioswale**  
Bioswales help collect stormwater and filter particles that may have run off from nearby pavement, cleaning the water before it returns to the water cycle. Plants here generally tolerate a wide range of soil moisture to handle periods of heavy rain and drought.

**CU-Structural Soil®**  
A mixture of stone and soil, structural soil allows the roots of nearby plants to reach further for nutrients and water. CU-Soil® increases the volume of soil available to trees and plants near paved areas while also supporting pavement.

**Plantings are both drought- and wet-soil tolerant**

- Russian Sage (*Perovskia atriplicifolia*)
- Flameleaf Sumac (*Rhus copallina*)
- Creeping Silver Willow (*Salix repens*)

**Stone reservoir** stores collected stormwater that slowly infiltrate the ground

**CU-STRUCTURAL SOIL®** gives roots from bioswale more space to expand

**BIOSWALE** collects water, filters pollutants and silt from stormwater

**porous asphalt vs typical asphalt**

**coarse stone provides structure**

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**Interior Parking Area Landscaping Example**

