

ZOC Comments

Chapter 5 – Development Standards

April 18, 2022

ID	Section
#7302	Chapter 5: Development Standards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	<p>"Observation submitted by Save Rural Loudoun:</p> <ol style="list-style-type: none"> 1. Entire 5.04 and the rest of the ZO References to "districts" are confusing. a. In the current and draft ZO, the word "districts" refers both to zoning districts defined in the GP and to "special and overlay districts" defined in Article 4 of the ZO. b. In the current ZO, dimensional standards only appear to apply to specific "special and overlay districts," not to entire zoning districts. c. Some parts of draft 5.04 appear intended to apply to general by-right subdivision options in entire zoning districts, not just to the individual "special and overlay districts" listed in Article 4 of the ZO. d. This makes it difficult to tell which type of "district" Section 5.04 (and other sections) are referring to. e. To avoid confusion with the broader category of zoning districts, it would be helpful to re-label "special and overlay districts" as "planned developments." All the subsections of Article 4 of the current ZO are labeled "planned developments."
#7947	Chapter 5: Development Standards
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/26/2022	Noted. Staff will attempt to clarify those concerns.
#7635	Chapter 5: Development Standards
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/22/2022	<p>Will there be any sustainability development or performance standards? I see nothing for energy efficiency requirements, solar incorporated into building or parking lot requirements, LID or green infrastructure/stormwater management BMPs that go above and beyond existing requirements.</p> <p>Am I missing something?</p>
#7946	Chapter 5: Development Standards
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/26/2022	You aren't missing anything, but we would like suggestions where you feel some of these measures are most appropriate.
#7204	5.01 Site Development

ID	Section
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date:1/15/2022	E.1.a This is confusing: "Where two or more principal uses are located on one parcel, the required parcel size must be the is the larger of two or more uses requirements, and not the sum of all the minimum lot sizes."
#7563	5.01 Site Development
By: Steve Goodrich Tags: public,staff steve.goodrich@loudoun.gov Date:1/20/2022	Agreed. There is a typo which has been corrected. See tracked change.
#7205	5.01 Site Development
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date:1/15/2022	E.1.a Scaling should work here - Large parcels should have more flexibility than smaller parcels. Example: 20 or 40-acre base density should have only one principal use. 80-acre parcels can have more than one such use. And so on.
Needs Followup	
#7562	5.01 Site Development
By: Steve Goodrich Tags: public,staff steve.goodrich@loudoun.gov Date:1/20/2022	For further consideration, this comment is similar in nature to others received on same subject.
#7206	5.01 Site Development
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date:1/15/2022	E.1.b. "Dwelling unit" is the wrong term unless the new ZO has different definitions than the existing ZO: Under the old ZO, "dwelling units" mean one room with cooking facilities. More broadly, there are 11 different types of dwellings in the old ZO.
Needs Followup	
#7561	5.01 Site Development
By: Steve Goodrich Tags: public,staff steve.goodrich@loudoun.gov Date:1/20/2022	We will continue to evaluate this section that was borrowed from another jurisdiction to determine if it is appropriate to retain in light of current multiple dwelling unit types.

#7207	5.01 Site Development
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date:1/15/2022	E.1.d.3. Use ARN and ARS rather than the old AR-1 etc. district names.
Needs Followup	
#7560	5.01 Site Development
By: Steve Goodrich Tags: public,staff steve.goodrich@loudoun.gov Date:1/20/2022	Acknowledged. All district and section references will be updated to new district labels and numbering format.
Needs Followup	
#7208	5.01 Site Development
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date:1/15/2022	E.1.e.1 might be construed as requiring all house frontages to be exactly parallel to the street. In turn, that means all houses would be lined up as straight as little soldiers. Boring! Instead, we should promote a lot of variation in the orientation of houses.
Needs Followup	
#7559	5.01 Site Development
By: Steve Goodrich Tags: public,staff steve.goodrich@loudoun.gov Date:1/20/2022	Comment is acknowledged and understood. This section is the simplest version of stating how to apply the minimum front yard. Encouraging variation of yards, which is clearly good, may be more appropriate in district language where it can be tailored to specific district goals and intent.
Needs Followup	
#7209	5.01 Site Development
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date:1/15/2022	H.1.a With our rolling topography, many homeowners will want privacy fences that exceed the 3.5 foot limit in this section. At least allow the ZA to permit taller fences (up to 6') if appropriate.
Needs Followup	
#7558	5.01 Site Development
By: Steve Goodrich Tags: public,staff steve.goodrich@loudoun.gov Date:1/20/2022	This requirement only limits fence height in residential front yards. It can be re-evaluated, however, the effect and appearance of 6 foot fences in residential front yards needs to be considered. Include criteria for ZA to use in considering if this is going to be revised to allow.

#7210	5.01 Site Development
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date:1/15/2022	H.1.a Four-board farm fences are typically 4' high. Suggest specifically excluding fences on farms. ("Farm" is not defined in old ZO. Defining it properly in the ZOR will probably be helpful elsewhere.)
Needs Followup	
#7557	5.01 Site Development
By: Steve Goodrich Tags: public,staff steve.goodrich@loudoun.gov Date:1/20/2022	This provision appears to allow all fences in all yards with a height restriction on only residential fences, N/A to true farm fences. However, definition of "farm" may be appropriate.
Needs Followup	
#7211	5.01 Site Development
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date:1/15/2022	H.1.b. These ground-level improvements are by definition, at ground level. That means a height of 0-inches, not 30 inches.
Needs Followup	
#7556	5.01 Site Development
By: Steve Goodrich Tags: public,staff steve.goodrich@loudoun.gov Date:1/20/2022	Ground level may need definition. There will be situations where portions of deck will be ground level and others above ground level due to changes in elevation of lot. Ground level/30 inches may also be related to building code requirements for railings. Will research and evaluate as needed.
Needs Followup	
#7212	5.01 Site Development
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date:1/15/2022	H.1.f seems to prohibit old-fashioned front porches, which we should encourage. Suggest going to 10', or somehow revising this standard.
Needs Followup	
#7555	5.01 Site Development
By: Steve Goodrich Tags: public,staff steve.goodrich@loudoun.gov Date:1/20/2022	We will revisit to determine if revision is needed. For consideration, this section is allowing projection into yard max of 3 ft. but does not prohibit deeper porch behind front setback.

#7213	5.01 Site Development
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date:1/15/2022	H.1.k Bus stops should be only for residents of the welling.
Needs Followup	
#7554	5.01 Site Development
By: Steve Goodrich Tags: public,staff steve.goodrich@loudoun.gov Date:1/20/2022	As written, comment may need address in a different section if the intent is to limit use rather than placement in a yard or term may need revisit.
Needs Followup	
#7214	5.01 Site Development
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date:1/15/2022	2.3.3.a. This needs to be rewritten to be clearly understood.
Needs Followup	
#7553	5.01 Site Development
By: Steve Goodrich Tags: public,staff steve.goodrich@loudoun.gov Date:1/20/2022	Section reference is assumed to be 2.e.3.a and will be reviewed to determine if it can be clarified.
Needs Followup	
#7215	5.01 Site Development
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date:1/15/2022	H.2.e.3. "Attached garage" is not currently a defined term. Historically an attached garage was a separate structure from a house, with four walls of its own. Now, though, homebuilders incorporate garages into the house itself. This makes the house seem larger and thus more marketable. This provision needs to be re-thought to reflect this reality.
Needs Followup	
#7552	5.01 Site Development
By: Steve Goodrich Tags: public,staff steve.goodrich@loudoun.gov Date:1/20/2022	We will re-evaluate to determine continued applicability.

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#7216	5.01 Site Development
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date:1/15/2022	H.2.e.3.d. There are many garages with office space above. Suggest barring bedrooms and kitchens. That alone should solve the problem.
Needs Followup	
#7551	5.01 Site Development
By: Steve Goodrich Tags: public,staff steve.goodrich@loudoun.gov Date:1/20/2022	Will revisit and determine if revision is needed. Regulation refers to conversion of "Garage" while comment seems to apply to 2nd floor conversion. Requirement may need revision to address both levels.
Needs Followup	
#7256	5.01 Site Development
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date:1/16/2022	5.01 SITE DEVELOPMENT TERMS. E.1.b.1. Does this address the prior issues with the definition of Country Inn?
Needs Followup	
#7550	5.01 Site Development
By: Steve Goodrich Tags: public,staff steve.goodrich@loudoun.gov Date:1/20/2022	Would need more information on the "prior issue". Accommodations at Country Inn not considered dwelling units. Does this refer to a dwelling unit for a caretaker on same site as the Country Inn.
Needs Followup	
#7495	5.01 Site Development
By: Rich Brittingham Tags: public rbrittingham@dewberry.com Date:1/19/2022	Need to address pipistem lots. referenced in FSM but not in ZO
Needs Followup	
#7549	5.01 Site Development
By: Steve Goodrich Tags: public,staff steve.goodrich@loudoun.gov Date:1/20/2022	See response to #7494 in 7548

#7494	5.01 Site Development
By: Rich Brittingham Tags: public rbrittingham@dewberry.com Date: 1/19/2022	Lot definitions need to include Pipestem lots. The FSM discusses pipestems and references ZO, but there is no definition or discussion of pipestems in ZO and thus review by zoning & B&D is a challenge
Needs Followup	
#7548	5.01 Site Development
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/20/2022	Acknowledged and agreed, pipestem reference in FSM is "pipestem driveway" with a definition. Only one reference to pipestem lot, not driveway, in ZO, regarding limits on paved parking in yards. Needs definition or deletion and link to FSM.
Needs Followup	
#7363	5.01 Site Development
By: John Merrithew Tags: public Date: 1/17/2022	F. 1, 2, and 3 seem to be repetitive. They refer to road dedications and public uses and have similar qualifiers. Seems they could be consolidated. What is the purpose of the Board review of the density and what criteria will they use to evaluate a request for density credit? Sounds like they are simply back checking the zoning administrator's calculations.
Needs Followup	
#7450	5.01 Site Development
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/18/2022	These sections carried over verbatim from existing Ordinance and may be considered for revision or consolidation. However repetition may be necessary due to the unique requirements of each section for the unique situation. Regarding Board review of density credit it would seem to be a routine concern and decision since the uses are public. For additional consideration if revisions are made.
Needs Followup	
#7364	5.01 Site Development
By: John Merrithew Tags: public Date: 1/17/2022	G. Seems unnecessary when each district will determine how density is measured.
Needs Followup	
#7442	5.01 Site Development
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/18/2022	This section carried over verbatim from existing Ordinance and will be considered for revision or deletion.

#7362	5.01 Site Development
By: John Merrithew Tags: public Date: 1/17/2022	E. d. 3. this section seems unnecessary. Seems to repeat the previous subsection except for the 80% clause. What is the purpose of the 80% clause?
Needs Followup	
#7430	5.01 Site Development
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/18/2022	This section carried over verbatim from existing Ordinance and will be considered for revision or deletion. Additional research is needed to determine the purpose of the 80% reference.
Needs Followup	
#7361	5.01 Site Development
By: John Merrithew Tags: public Date: 1/17/2022	<p>E. c. Width measurement. Suggest requiring the lot width to be measured at the rear of the front yard and measured parallel to the street. There seems to be a lot of text that confuses the issue.</p> <p>The street line measurement with limits on the street radius, and frontage width seem very suburban and seem to require large lots. How do we accommodate larger cul de sacs?</p>
Needs Followup	
#7413	5.01 Site Development
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/18/2022	This text carried over verbatim from existing Ordinance and will be considered for revision. Additional research needed to determine if a separate regulation for cul-de-sacs with radii greater than 90' exists.
Needs Followup	
#7255	5.01 Site Development
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.01 SITE DEVELOPMENT TERMS. F.2.a Density Calculation, Floor Area states? "the terms "lot" and "lot area" may include all adjacent parcels owned in common and which are the subject of an approved unified concept development plan specifying the allocation of density calculated pursuant to this section." Does this concept apply to calculation of density THROUGHOUT the ZO, including cluster subdivision?
Needs Followup	
#7405	5.01 Site Development
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/18/2022	This text carried over verbatim from existing Ordinance and will be considered for revision if needed. This text also needs further research to address the question. However, with regard to the question of application in cluster subdivisions, they would usually be residential and not subject to FAR

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#7360	5.01 Site Development
By: John Merrithew Tags: public Date: 1/17/2022	E. b. Just want to make sure tenant housing is an accessory dwelling and can be located on the same lot as another dwelling, and that a farm principal use includes a dwelling.
#7401	5.01 Site Development
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/18/2022	This text carried over verbatim from existing Ordinance and will be considered for revision or deletion.
#7357	5.01 Site Development
By: John Merrithew Tags: public Date: 1/17/2022	B. Exemptions - most exemptions are vertical tower-type uses except barns and farm buildings. The term farm buildings seems very broad. Does the State Code exempt these buildings from local zoning? Is a farm house a farm building? Do we need barns and farm buildings both listed?
#7395	5.01 Site Development
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/18/2022	Changed to agricultural buildings. These are not exempted from State Code. A single family dwelling is not an agricultural building. We will seek to clarify this where it occurs within the ZO.
#7359	5.01 Site Development
By: John Merrithew Tags: public Date: 1/17/2022	D. Are there other road classes? If there are public roads that we do not permit access? Suggest a use must have access to a public road or an approved private access easement.
#7393	5.01 Site Development
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/18/2022	The revision has been made to "public" road, which staff are working on defining.
#7365	5.01 Site Development
By: John Merrithew Tags: public Date: 1/17/2022	H. 2. e. Accessory buildings. I find the language confusing. Can you illustrate how the standards apply?

Needs Followup

#7392	5.01 Site Development
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/18/2022	We will revisit the language and try to clarify. We are currently trying to determine which sections need illustrations, so we will flag this one.
#7358	5.01 Site Development
By: John Merrithew Tags: public Date: 1/17/2022	C. Is there a reason we are still referring to yards and setbacks? I never understood the difference. Is C. Setting a standard? Not clear. I assume where multiple yards, setbacks and buffers are called for, the widest shall apply.
#7524	5.02 Utilities
By: John Merrithew Tags: public Date: 1/20/2022	C.2.a. What is the objective of setting a 70% limit on offsite drain fields?
#8008	5.02 Utilities
By: Mark Holland Tags: public, staff mark.holland@loudoun.gov Date: 1/26/2022	This is carryover language from the current code. Staff can discuss any possible revisions to this percentage.
#7525	5.02 Utilities
By: John Merrithew Tags: public Date: 1/20/2022	C.2.d. In the JLMA there is no limit on the number of drain fields that can locate on the open space. Unlike the 70% cap on offsite drain fields in the rural area. Is the difference intentional?
#8007	5.02 Utilities
By: Mark Holland Tags: public, staff mark.holland@loudoun.gov Date: 1/26/2022	This is carryover language from the current code. The understanding is this distinction was intentional.
#7526	5.02 Utilities
By: John Merrithew Tags: public Date: 1/20/2022	3. Refers to rural villages. Yet subsection b. permits public water and sewer systems. I thought the Plan opposes public/central sewer and water in the rural area except for specific purposes. Are we referring to communal systems operated by Loudoun Water?

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#8006	5.02 Utilities
By: Mark Holland Tags: public, staff mark.holland@loudoun.gov Date: 1/26/2022	This is carryover language from the current code. It's my understanding that although located within a Rural Policy Area a PD-RV would need to meet this requirement.
#7527	5.02 Utilities
By: John Merrithew Tags: public Date: 1/20/2022	4.a. And b. Another reference to public water and sewer in the rural area. Please confirm we are consistent with Plan policy.
#8004	5.02 Utilities
By: Mark Holland Tags: public, staff mark.holland@loudoun.gov Date: 1/26/2022	This language is carryover language from the current code and should be consistent with plan policy.
#7528	5.02 Utilities
By: John Merrithew Tags: public Date: 1/20/2022	5.a. Is the exemption for individual user, service connections consistent with past practice? I thought all utilities in a subdivision have to be underground?
#8003	5.02 Utilities
By: Mark Holland Tags: public, staff mark.holland@loudoun.gov Date: 1/26/2022	This language, with exception to the 138 kV references, is carryover language from the current code.
#7500	5.02 Utilities
By: Rich Brittingham Tags: public rbrittingham@dewberry.com Date: 1/19/2022	Transmission line exclusion should be 120kv or more, as the intent appears to exclude transmission lines
#8002	5.02 Utilities
By: Mark Holland Tags: public, staff mark.holland@loudoun.gov Date: 1/26/2022	The 138 kV requirement is established by the Code of Virginia. Staff revised this section to be consistent with the state code.

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#7501	5.02 Utilities
By: Rich Brittingham Tags: public rbrittingham@dewberry.com Date:1/19/2022	C.5.a. Exemptions is confusing: it says transmission lines are excluded, then says "but not including substations, transmission lines....."
#8001	5.02 Utilities
By: Mark Holland Tags: public,staff mark.holland@loudoun.gov Date:1/26/2022	Revised transmission line requirement to include those less than 138 kV. Transmission line of less than 138 kV can be located underground.
#7217	5.02 Utilities
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date:1/15/2022	B.1.a. Does this undergrounding requirement apply to public utilities as they pass by, or just to homeowners?
#7409	5.02 Utilities
By: Ryan Reed Tags: public,staff ryan.reed@loudoun.gov Date:1/18/2022	It applies to all utilities except those that are exempt in 5.02.05
#7218	5.02 Utilities
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date:1/15/2022	B.1.a. Does this undergrounding requirement apply to public utilities as they pass by, or just to homeowners?
#7408	5.02 Utilities
By: Ryan Reed Tags: public,staff ryan.reed@loudoun.gov Date:1/18/2022	It applies to all utilities except those that are exempt in 5.02.05
#7219	5.02 Utilities
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date:1/15/2022	B.1.d. Does this apply to public utilities?

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#7407	5.02 Utilities
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/18/2022	It applies to all utilities except those that are exempt in 5.02.05
#7220	5.02 Utilities
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date: 1/15/2022	C.1.a.1.b. Make "system" plural -"systems." Here's why: A project may have smaller lots where water systems (in this case, multiple wells) are located in clusters on open space
#7404	5.02 Utilities
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/18/2022	We will review this language with Loudoun Water, but it is likely that multiple communal systems within a single cluster subdivision are a) not allowed by LW and b) cost prohibitive. It is more likely that a single system serving the community, but sourced by multiple wells would be used.
#7221	5.02 Utilities
By: Charles Houston Tags: public cghnodrog@yahoo.com Date: 1/15/2022	C.1.a. These standards should align with the new lot classifications for cluster projects - BDO, RCL, PFL, REL and OSL.
#7403	5.02 Utilities
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/18/2022	When ZOAM-2020-0002 is adopted, this section will be revised accordingly.
#7222	5.02 Utilities
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date: 1/15/2022	C.1.b.2 There is a difference between "communal water" and a cluster of individual wells located on open space.
#7402	5.02 Utilities
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/18/2022	Yes, a communal system is owned or operated by Loudoun Water, from its source water, in this case a well or group of wells. Individual wells, if allowed and eased in open space, serve an individual lot and are not owned or operated by Loudoun Water.

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#7223	5.02 Utilities
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date:1/15/2022	3. Rural Villages. Many of the "village" terms used here are not in the existing ZO. Note that "Rural Village" is not a defined term in the old ZO. The definitions in the ZOR should mesh with language in this subsection.
#7400	5.02 Utilities
By: Ryan Reed Tags: public,staff ryan.reed@loudoun.gov Date:1/18/2022	This term is found within existing Section 4-1200, but yes, agreed that all terms need to be consistent throughout the ZOR.
#7224	5.02 Utilities
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date:1/15/2022	4.a.1.a I like this language about individual wells. Why not use this language in cluster standards?
#7399	5.02 Utilities
By: Ryan Reed Tags: public,staff ryan.reed@loudoun.gov Date:1/18/2022	Noted. Will pass this comment on to the ZOAM-2020-0002 project manager.
#7225	5.02 Utilities
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date:1/15/2022	4.b.1.a This should be for septic systems and for alternative systems' discharge areas.
#7398	5.02 Utilities
By: Ryan Reed Tags: public,staff ryan.reed@loudoun.gov Date:1/18/2022	Language corrected to defined term "Individual sewage disposal system" which includes the septic tank, conveyance line and absorption field.
#7246	5.02 Utilities
By: Kevin Ruedisueli Tags: public kevinruedisueliZOC@gmail.com Date:1/16/2022	Offsite water and sewer is/will be allowed in Cluster Subdivisions, which is conflict this section. Are there other exceptions? Should they all be listed here?

#7397	5.02 Utilities
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/18/2022	Approval of ZOAM-2020-0002 will supersede this text and will revise the conflicts in this section.
#7303	5.02 Utilities
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.02.C.2 UTILITIES. SPECIFIC STANDARDS. Rural Policy Area District. As indicated for ZOAM-2020-0002, allowing, "a maximum of 70% of the lots may have primary and or reserve septic fields within common open space" is excessive and contrary to the goals of the ZOAM. If the ZOAM modifies this then it will also be changed here, correct?
#7396	5.02 Utilities
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/18/2022	That is correct. The ZOAM will provide the guidance for changing this text. Currently this is carry-over language.
#6846	5.03 Natural and Environmental Resources (NER)
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	<p>"5.03.02 STEEP SLOPES. APPLICABILITY & EXEMPTIONS. B.2.a states, ""Single Family Dwelling on Existing Legal Lot. Construction of a single residential use on a legal lot existing as of June 16, 1993, is exempt from the requirements of Section 5.03.02.D. Such exemption does not apply to nonresidential uses. Development on such lot is subject to all applicable standards provided in Section 5.03.04.""</p> <p>The only thing that has changed from current zoning is the date, which still indicates that the steep slopes protection is ruled null and void if the lot existed 30 years ago. The primary issue is that many of the ""lots of concern"" are the old wood lots on the Short Hill, Blue Ridge, and Catoctin Ridges, which are the areas that tend to have the most steep slopes.</p> <p>If the new Zoning Ordinance does not protecting those slopes -- probably our most sensitive and most important to protect -- what are we protecting? The logic is similar to the prime ag soils question -- ""protecting"" the asset as long as the residential development potential is still allowed to supersede any agricultural or environmental concern."</p>

Needs Followup

#6905	5.03 Natural and Environmental Resources (NER)
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/4/2022	<p>That is a good point, especially as we see less available, or more easily developable lots. It is important to note that the exemption is only for 5.03.02.D - which prohibits land disturbance except for a limited amount of uses. These lots are still subject to the standards that are now in 5.03.03.</p> <p>Regardless, removing this exemption has been considered, in the past, a "taking" and therefore avoided. Additionally, the Board has clarified their direction with the ZOR to not change the density in western Loudoun. We will further discuss internally.</p>
#6997	5.03 Natural and Environmental Resources (NER)
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/5/2022	Additional clarity provided during the ZOC 5JAN22 meeting concerning the assessed value of many of these lots as "developable" sets the stage for them to be considered for development as the number of available parcels becomes more scarce. This fact is recognized by staff and will be further considered while revising the text.
#8191	5.03 Natural and Environmental Resources (NER)
By: Jason Hobbie Tags: public, staff jason.hobbie@loudoun.gov Date: 2/7/2022	The biggest issue is not steep slopes, it is getting access to these lots that meets ZO access requirements.
#6847	5.03 Natural and Environmental Resources (NER)
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	5.03. CIRCULAR REFERENCES BETWEEN ZOR AND FSM. The Zoning Ordinance needs to be updated to initiate an update of the FSM. Otherwise circular logic of the ZO pointing to the FSM before the FSM standards have been updated to reflect the new ZO is circular and non-effective.) When will this review be done for ZOR/FSM updates?
#6904	5.03 Natural and Environmental Resources (NER)
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/4/2022	An amendment to the FSM is anticipated as part of the process, however, at this pre-referral stage, it is premature for the FSM-PRC to begin drafting changes that could change.
#6999	5.03 Natural and Environmental Resources (NER)
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/5/2022	Clarity provided during the ZOC 5JAN22 meeting, the comment is more seeking when the amendments to the FSM would be initiated, during the PC in parallel to the ZOR review?

#6845	5.03 Natural and Environmental Resources (NER)
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	"5.03.02 STEEP SLOPES. APPLICABILITY & EXEMPTIONS. CLOSING B&D LOOPHOLES. Staff (including the ZOR Project Manager) are directly aware of instances where land is being cleared on Steep Slopes under the guise of a non-existing (or expired) ""Forestry Management Plan,"" after the County was made aware of the lack of VDOT entrance permits, with no applied for or approved grading permits or review for erosion, and attempts to use a third party ""soils report"" to obtain a farm management plan on property in conservation easement -- all with the directly knowledge of the ultimate development plans based on boundary line adjustment submission and county approval. Due to the KNOWN lack of communication and enforcement issues related to grading/clear cutting, and ignoring permits, how will these loopholes be closed with the new zoning ordinance for steep slope areas?"
Needs Followup	
#6906	5.03 Natural and Environmental Resources (NER)
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/4/2022	Indeed, staff are aware and have experienced "loopholes" and challenges with enforcement. Staff is working with the CAO to develop strategies, and the existing steep slopes exemptions represents the most contemporary starting point, with revisions adopted 12/2/2015 in effort to align with state code but address challenges realized in the 2000's.
#6998	5.03 Natural and Environmental Resources (NER)
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/5/2022	Further clarity at the ZOC 5JAN22 meeting indicated concerns, not with enforcement, but with communication and process/procedures. The Procedures section is still being drafted, however, staff continually attempt to improve internal procedures to align with the intent of the Ordinance.
#6838	5.03 Natural and Environmental Resources (NER)
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	"LIMITED EnCodePlus DISPLAY FOR ZOC MEMBERS. At a previous meeting I requested a full Table of Contents of all sections for the new Zoning Ordinance with section numbers referenced. This was displayed on enCodePlus at the next meeting. However, now that ZOC has limited view after the Planning Commission has started ZOR work, there is no way to cross-check / confirm / review the links referenced in the draft text under review. Either provide a pdf full table of contents or allow the table of contents on enCodePlus to REMAIN VISIBLE to ALL users."
#6913	5.03 Natural and Environmental Resources (NER)
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/4/2022	Staff have created a pdf that is under review prior to distribution.

#6840	5.03 Natural and Environmental Resources (NER)
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	<p>"2019 COMP PLAN COMPLIANCE CHECKLIST.</p> <p>Although the Staff summary memo is very useful, distribution of only ""a clean version of draft text"" (p. 2 of memo) makes it difficult to determine to what extent this draft implements the 20+ environmental actions called for in the Comprehensive Plan. Rather than ""tracked changes"" that Staff feels is ""impracticable,""(p.2) could a reverse check list be provided that lists the 2019 Comp Plan Policy/Action (bullet or column format) with the reference to where it is implemented in the Draft text by Section reference? Without this general means to review the draft text, if it is difficult for ZOC members and associates to evaluate how each Policy/Action has been achieved then it may result in exponential volume of questions from the general public when the draft is released for 90-day review in April 2022.</p> <p>Does such a 2019 Comp Plan ""checklist view"" already exist for ANY/ALL sections? If not, can it be prepared before ZOC Subcommittee review in March/April?"</p>
#6912	5.03 Natural and Environmental Resources (NER)
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/4/2022	Thank you for this idea, this seems to be a valuable tool for both staff and external reviews. Staff will discuss how to best approach such a tool.
#6842	5.03 Natural and Environmental Resources (NER)
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	5.03. 2019 COMP PLAN SUSTAINABILITY POLICIES. How will new Zoning Ordinances to reflect the new Sustainability Policies in the new Comprehensive Plan be handled?
#6911	5.03 Natural and Environmental Resources (NER)
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/4/2022	The RSCR and Steep Slopes standards serve to continue to and increase the current protections of the natural and environmental resources that this section sets out to protect. Aspects of the Clean Water Initiative, the Environmental Policy and Stormwater Management Program are implemented in these sections. Bringing our attention to specific additions or opportunities are appreciated, and will be considered, by staff.
#6843	5.03 Natural and Environmental Resources (NER)
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	"5.03. PROHIBITION OF CLEAR CUTTING. Is there a place where clear cutting of lots is prohibited in advance of building lots or future uses (e.g., solar commercial) later? While there may be restrictions in the state codes on how this is handled, at the least there could be a grace period to disincentivize people to clear lots in anticipation of selling them to a developer to be built upon without as many restrictions due to the lack of a tree canopy."
Needs Followup	
#6909	5.03 Natural and Environmental Resources (NER)

By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/4/2022	Staff needs more clarification. Clear cutting, i.e. land disturbing activity, for any non-exempt use is not permitted within RSCR or Steep Slopes without complying with these standards. Unpermitted activity transfers with the property, and remains unpermitted regardless of ownership.
#6848	5.03.01 River and Stream Corridor Resources (RSCR)
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	5.03.01. RIPARIAN BUFFER PLANTINGS. Is there a place within the RSCR section where the County could initiate the needed studies to revisit the FEMA ruling on riparian buffer plantings?
#7949	5.03.01 River and Stream Corridor Resources (RSCR)
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/26/2022	FEMA's direction applies to the Floodplain Overlay District (FOD), the RSCR is not part of FEMA's authority.
#7568	5.03.01 River and Stream Corridor Resources (RSCR)
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/21/2022	D. RSCR Management Area. Thank you Chris for your response to the question about increasing the buffer to 500ft for certain streams per the source water protection BMI. If that can be included with the rewrite, then please make those changes herein.
Needs Followup	
#7948	5.03.01 River and Stream Corridor Resources (RSCR)
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/26/2022	We will take this into consideration when revising the text.
#6850	5.03.01 River and Stream Corridor Resources (RSCR)
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	5.03.01.E.4. MODIFICATION OF REQUIRED BUFFER. Uses a, b, and c: are these uses, such as parking, limited?

#6915	5.03.01 River and Stream Corridor Resources (RSCR)
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/4/2022	The parking here refers to parking associated with a use specified as permitted within the RSCR. Parking is a requirement, so if there is interest in limiting the parking requirement within the RSCR for a RSCR permitted use, please provide that input.
#7376	5.03.01 River and Stream Corridor Resources (RSCR)
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/18/2022	a and c are requirements for the use, and b must meet the definition for an accessory use/structure (customarily incidental and subordinate to the permitted principal use). However, we would like to further consider whether specific limitations on parking and accessory structures for RSCR permitted uses are necessary/to what extent. Any specific recommendations are welcome.
#6841	5.03.01 River and Stream Corridor Resources (RSCR)
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	<p>"In regards to codifying the recommendations of the LPAT Framework Plan, what is PRCS's stance? Does PRCS believe ""they will take care of it"" and therefore does not require reference in the Zoning Ordinance? If that is the case, how will the environmental protections put forth in the LPAT Framework Plan actually be incorporated?</p> <p>Is PRCS staff able to request provisions in the new Zoning Ordinance? If not, it would be helpful for PRCS to achieve what they want to achieve in regards to the LPAT Plan if there is language in the Zoning Ordinance to codify.</p> <p>Being part of the Zoning Ordinance would help ensure that environmental protections are included as part of implementation, and would provide accountability for the public and PRCS, and it seems like the RSCR section would be an appropriate place. It would also ensure that employees, current and future, would have to follow the standards, which is important during the long-term LPAT project that may last longer than the current employees.</p> <p>In general, how will the County ensure that LPAT Framework Plan design elements, (which are good), will not be cast aside if they are not incorporated into the Zoning Ordinance?"</p>
#6921	5.03.01 River and Stream Corridor Resources (RSCR)
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/4/2022	The LPAT will be subject to the entirety of the new zoning ordinance, including, but not limited to the environmental and resource provisions of the MDOD, LOD, FOD, RSCR, and/or Steep Slopes

#7375	5.03.01 River and Stream Corridor Resources (RSCR)
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/18/2022	The LPAT includes a range of implementation policies, including land leases and public land ownership, and recommends trail systems without identifying a defined, final network of trailheads and infrastructure. As such, the LPAT is a policy document and cannot in its entirety be codified into the zoning ordinance. The new ZO can and should be aligned with LPAT policies, so if there are specific ZO regulations that are related to LPAT implementation (open space, RSCR, uses, parking, etc) we are happy to consider any specific recommendations for better LPAT policy alignment. The LPAT as a whole was reviewed by the ZOR team and DPZ prior to final adoption by the BOS.
#6814	5.03.01 River and Stream Corridor Resources (RSCR)
By: Kevin Ruedisueli Tags: public kevinruedisueliZOC@gmail.com Date: 12/31/2021	5.03.01.B.2.b There seems to be a contradiction here, in that first it says an existing building can be added onto, and then it says if destroyed by fire, etc. it can be rebuilt to only the original size. If you could have made it bigger before it was destroyed, why should the rebuilt structure be then limited?
#6923	5.03.01 River and Stream Corridor Resources (RSCR)
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/4/2022	Additional language added for the purposes of discussion. Subject to CAO review.
#7374	5.03.01 River and Stream Corridor Resources (RSCR)
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/18/2022	We would consider the rebuilt structure to be eligible for the allowable expansion. The expansion language is just supposed to function as a hard limit to expansion of the use. We'll try to work on this exemption language to see if it can be rewritten to be clearer.
#6976	5.03.01 River and Stream Corridor Resources (RSCR)
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/5/2022	A. Landscape Plans This section should not only prohibit the use of invasive non-native plants of all kinds, but should also specify the requirement to remove invasive non-natives in tree save and natural areas.
#7373	5.03.01 River and Stream Corridor Resources (RSCR)
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/18/2022	Please provide the section reference for this comment - we are having a hard time identifying the corresponding regulation/language.

#6983	5.03.01 River and Stream Corridor Resources (RSCR)
By: Rich Brittingham Tags: public rbrittingham@dewberry.com Date: 1/5/2022	<p>Current ordinance offers the following:</p> <p>The above setbacks may be reduced as follows:</p> <p>(1) A reduction of 100 feet shall be allowed for the retention of an existing forested area or the creation of a forested area, as approved by the County Urban Forester as part of a management plan between the ultimate setback line and the channel scar line; or</p> <p>(2) A reduction of 100 feet shall be allowed for the use of and retention of stormwater management/BMP practices in accordance with the FSM at time of development within any developed area on the lot or site.</p> <p>This should be retained in some form or fashion.</p>
#7372	5.03.01 River and Stream Corridor Resources (RSCR)
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/18/2022	Staff will consider retaining this regulation if in accordance with the RSCR policies of the 2019 GP.
#6849	5.03.01 River and Stream Corridor Resources (RSCR)
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	5.03.01.B.2.b. EXISTING STRUCTURES can be "added to." Is there a limit on this? There is apparently a limit on rebuilding, but it is not apparent for adding to existing structures?
#6917	5.03.01 River and Stream Corridor Resources (RSCR)
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/4/2022	There are no limits beyond the limits of the zoning districts and related development standards. If you would like a specific percentage limitation, please recommend a percentage.
#6944	5.03.01 River and Stream Corridor Resources (RSCR)
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/4/2022	I proposed a limit for discussion.
#7001	5.03.01 River and Stream Corridor Resources (RSCR)
By: Kevin Ruedisueli Tags: public kevinruedisueliZOC@gmail.com Date: 1/5/2022	For the purpose of preserving property values and expectations of existing owners, I recommend not imposing limits on the size of new, rebuilt or existing structures. Language could require that construction stay out of the buffer areas as much as practicable. Of course, underlying existing setbacks would remain in force.

#7371	5.03.01 River and Stream Corridor Resources (RSCR)
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/18/2022	acknowledged. Exemption language has been revised to propose a limit.
#7153	5.03.01 River and Stream Corridor Resources (RSCR)
By: Joe Paciulli Tags: public joepaciullizoc@gmail.com Date: 1/12/2022	5.03.01 These kinds of requirements need opportunity to adapt to the specific landforms. These requirements come across hard to read, hard to implement and too rigid. Landforms vary. There should be more opportunities to modify and more clear exemptions.
#7370	5.03.01 River and Stream Corridor Resources (RSCR)
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/18/2022	Staff is willing to consider specific recommendations for further clarifying the regulations or additional appropriate modifications within the prescribed RSCR policies of the 2019 GP.
#7154	5.03.01 River and Stream Corridor Resources (RSCR)
By: Joe Paciulli Tags: public joepaciullizoc@gmail.com Date: 1/12/2022	5.03.01 Similar requirements in other jurisdictions are much more specific. Ordinances need to be clear. These requirements can be interpreted many ways. The addition of graphics will help, but the fact this reads more Comp Plan like needs work to make it an Ordinance.
#7369	5.03.01 River and Stream Corridor Resources (RSCR)
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/18/2022	Acknowledged. Staff is willing to consider any specific recommendations for clarifying the RSCR regulations.
#7155	5.03.01 River and Stream Corridor Resources (RSCR)
By: Joe Paciulli Tags: public joepaciullizoc@gmail.com Date: 1/12/2022	5.03.01.D The graphic shown at the ZOC meeting is helpful but the concept of a mandated 100 or 300 foot wide corridor that can be centered anywhere seems odd. For the Ordinance or FSM to not be specific is tremendously lacking. A 300 foot corridor that may only warrant 200 feet in width due to landforms is completely arbitrary to decide how to place since there is no apparent need on the surface. I don't see how the ordinance can not address the lacking need or how to place if landforms are missing. Or how to modify since the landform does not exist. 100 or 300 foot dimensions in all cases is arbitrary.

#7368	5.03.01 River and Stream Corridor Resources (RSCR)
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/18/2022	the 100 and 300 foot buffers are directly prescribed by Chapter 3 of the 2019 General Plan. The 2019 GP also defines the resources and how the buffer is applied. Site specific determinations may be required, similar to other protected environmental features under the R93 ZO.
#7156	5.03.01 River and Stream Corridor Resources (RSCR)
By: Joe Paciulli Tags: public joepaciullizoc@gmail.com Date: 1/12/2022	5.03.02.B.2.a The exemption should apply to nonresidential uses also. How is it not arbitrary to include one, not the other? Why 1993? Steep slopes that are now a part of RSCR creates a new restriction from before adoption because they are part of the newly created RSCR. This Exemption should be similar as far as effective date in 5.03.01.B.2
#7367	5.03.01 River and Stream Corridor Resources (RSCR)
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/18/2022	Plesae see response to comment 7157
#7157	5.03.01 River and Stream Corridor Resources (RSCR)
By: Joe Paciulli Tags: public joepaciullizoc@gmail.com Date: 1/12/2022	5.03.01.B.2 The exemptions should not be residential only. The wording/punctuation is not clear if that is the case. In any event - business uses, civic uses, government uses, etc. should not be intentionally or inadvertently excluded.
#7366	5.03.01 River and Stream Corridor Resources (RSCR)
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/18/2022	This exemption is to specifically allow an exemption for 1 residential dwelling unit where the zoning district prescribes a residential dwelling unit limitation. If you wish to recommend that non residential uses be exempted, please recommend a limitation that you think is comparable to a single dwelling unit limitation and would be appropriate for the RSCR (FAR? lot coverage?)

#6907	5.03.01 River and Stream Corridor Resources (RSCR)
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/4/2022	<p>One important purpose is missing, plus some specifics that could be incorporated into the new list:</p> <p>At the end of the Purpose statement, add: ..."to regulate construction of buildings, structures, parking, and other impervious surfaces adjacent to all waterways greater than 100 acres to":</p> <p>This list of goals is good, but it's much less specific than some of the existing language to clarify the "how" the ordinance accomplishes the purpose: i.e. provide setback major and minor fp, how it increases groundwater recharge, promote stream health through vegetated riparian buffers and riparian tree canopy cover, and also to maintain scenic beauty and implement the Comp Plan. What is the reasoning on this?</p>
#6920	5.03.01 River and Stream Corridor Resources (RSCR)
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/4/2022	<p>One of the modernization approaches we are taking with the new zoning ordinance is to limit the purpose statements to policy goals and enabling references. We can include more specific goal language in the purpose statement, but something as specific as a reference to the setbacks would be a regulation and is included below the purpose statement.</p>
#6910	5.03.01 River and Stream Corridor Resources (RSCR)
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/4/2022	<p>D. RSCR Management Area. Is there any possibility that the outcome of the Stream Buffer/Source Water Protection BMI could be included in this ZOR update?</p>
#6919	5.03.01 River and Stream Corridor Resources (RSCR)
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/4/2022	<p>If this is referring to exploring a 500 foot buffer for specific rivers and streams, we can consider this as part of the rewrite.</p>
#6908	5.03.01 River and Stream Corridor Resources (RSCR)
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/4/2022	<p>2. Exemptions. a. Existing Lots of Record. Has a typo ("as of as of"). Does the reference to "attendant unpaved or permeable surface driveway, unpaved or permeable surface parking area..." mean that these are required to be unpaved? Not clear.</p>
#6914	5.03.01 River and Stream Corridor Resources (RSCR)
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/4/2022	Corrected. Thank you.

#6851	5.03.02 Steep Slope Areas
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	"5.03.02 STEEP SLOPES. APPLICABILITY & EXEMPTIONS. Timber Harvesting. Does the County ensure or monitor the requirement below and ENFORCE when presented with KNOWN violations? (Recent examples know to the ZOR Project Manager indicate the answer may be no and need to be addressed.) Section 10.1-1181.2.H of the Code of Virginia. Prior to completion but not later than three working days after the commencement of an operation, the operator shall notify the State Forester of the commercial harvesting of timber. . . . The notification may be verbal or written and shall (i) specify the location and the actual or anticipated date of the activity, (ii) include an owner's name or the owner's representative or agent and contact information, and (iii) be provided in a manner or form as prescribed by the State Forester. If an operator fails to comply with the provisions of this subsection, the State Forester may assess a civil penalty of \$250 for the initial violation and not more than \$1,000 for any subsequent violation within a 24-month period by the operator. Such civil penalties shall be paid into the state treasury and credited to the Virginia Forest Water Quality Fund pursuant"
#8014	5.03.02 Steep Slope Areas
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/26/2022	The County has an open communication with Virginia Department of Forestry (DOF), and tracks all timber harvests, however, enforcement of Section 10.101181.2.H of the Code of Virginia is DOF's authority, not the County's.
#6918	5.03.02 Steep Slope Areas
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/4/2022	2. Exemptions b. Agriculture Three questions: How is this enforced? What definition of agriculture applies? Is stockpiling included? Stockpiling should be disallowed in floodplains, riparian buffers, and on steep slopes where the potential for slippage and erosion are likely.
#8012	5.03.02 Steep Slope Areas
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/26/2022	The agricultural exemption applies to those operations as defined in the state code. This section seeks to enforce this similar to the county's most recent enforcement of Forest Management Plans, with updated standards in the FSM, as well the Conservation Farm Management Plan. Stockpiling is a waste-related use, not permitted in the Rural Policy Area.

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#6984	5.03.02 Steep Slope Areas
By: Rich Brittingham Tags: public rbrittingham@dewberry.com Date: 1/5/2022	Minimum Size of Steep Slope Area: does the 15' in width mean that if any part of the contiguous area is less than 15' that can count as a break in continuity? It should.
#7377	5.03.02 Steep Slope Areas
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/18/2022	Ryan Doug and I had similar mapping decisions to make for the RSCR. I do not have the history on how steep slopes contiguity was determined. Do you know?
#8010	5.03.02 Steep Slope Areas
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/26/2022	Yes. That is how it is displayed using the County's data in WebLoGIS and that what is accepted in data submitted to the County.
#6982	5.03.02 Steep Slope Areas
By: Rich Brittingham Tags: public rbrittingham@dewberry.com Date: 1/5/2022	Exemptions: While it is implied with the term "naturally occurring", I think exemptions should clearly state that "man-made" or "previously disturbed" steep slopes should be added to the exemptions.
#7378	5.03.02 Steep Slope Areas
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/18/2022	This seems appropriate if the previously disturbed steep slopes are legally disturbed. Should we add language for this?
#8009	5.03.02 Steep Slope Areas
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/26/2022	This was addressed in the previous revisions to the Steep Slope Standards, by revising the definition to what exists and is being carried over with the ZOR: Very Steep Slope Area: Naturally occurring land areas with slopes greater than 25%. The Steep Slope Standards do not apply to slopes created by permitted land disturbing activities, such as, but not limited to, building and parking pad sites; berms; temporary construction stock-piles; and road-side ditches.

#6916	5.03.02 Steep Slope Areas
By: Gem Bingol Tags: public gbingol@pecva.org Date:1/4/2022	<p>2. Exemptions a. Single Family Dwelling on Existing Legal Lot.</p> <p>As written, would this allow for residential development on lots that were designated as wood lots and were not planned for residential or other development? If so, it should be rewritten to clarify that that would not be allowed.</p>
#7381	5.03.02 Steep Slope Areas
By: Christopher Blough Tags: public,staff christopher.blough@loudoun.gov Date:1/18/2022	<p>if a lot within a zoning district that permits single family residential uses has not been developed with a single family residential use, this exemption would allow for one even if the lot is currently a "wood lot".</p>
#6926	5.03.02 Steep Slope Areas
By: Gem Bingol Tags: public gbingol@pecva.org Date:1/4/2022	<p>C. Establishment of Steep Slope Areas. Protecting naturally occurring steep slopes should not vary based on zoning district, particularly in the suburban area, because the impacts of permitted density and intensity of development actually has more potential impact stream resources than in the transition and rural areas. Streams are equally affected, and ecosystem losses are inevitable in such situations. These areas are fairly limited and mostly along stream valleys--Goose Creek, Broad Run and Sugarland Run.</p> <p>There are not that many undeveloped areas where this is even applicable in eastern Loudoun--particularly along our streams. Is staff able to provide an estimate of the developable acreage, both including and apart from land along Goose Creek, Broad Run and Sugarland Run?</p>
#7380	5.03.02 Steep Slope Areas
By: Christopher Blough Tags: public,staff christopher.blough@loudoun.gov Date:1/18/2022	We would need to conduct a mapping analysis to determine the impact you have described. We can consider consolidating the minimum extent criteria.
#7226	5.03.02 Steep Slope Areas
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date:1/15/2022	5.03.02 I'd love to see that one purpose is to protect viewsheds from elsewhere.

#7379	5.03.02 Steep Slope Areas
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/18/2022	Please provide additional context on how the steep slopes might protect viewsheds.
#6816	5.03.02 Steep Slope Areas
By: Kevin Ruedisueli Tags: public kevinruedisuelizoc@gmail.com Date: 12/31/2021	Clarify minimum slope area in 5.03.02.C.2.a: if an area is greater than 5,000 sf but less than 15' wide, do the regulations apply? It is not clear in the text.
#6896	5.03.02 Steep Slope Areas
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/3/2022	Acknowledged. It seems like the sentence would be clarified by the word "either" or "both". We'll clarify intent and make the revision.
#6924	5.03.02 Steep Slope Areas
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/4/2022	The correction to "or" meets the intent of staff direction from ZOAM-2014-0004 when the minimum sizes were last updated.
#7159	5.03.03 NER Use Table
By: Joe Paciulli Tags: public joe.paciulli@zoc.loudoun.gov Date: 1/12/2022	Public crossings for Trails, etc. in very steep slopes should be allowed somehow. Make it an S, but for example the bridging of a steep slope area to build the Greenway should be able to be considered.
#8016	5.03.03 NER Use Table
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/26/2022	Staff will contemplate this suggestion during text revisions.

#6857	5.03.03 NER Use Table
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	"5.03.03 NERS USE TABLE FOOTNOTE 2 indicates, ""All Minor Special Exception and Special Exception uses listed in the underlying zoning district, and overlay district if applicable, may be permitted within moderately steep slope areas by the Board of Supervisors by separate Special Exception approval of this Section 5.03.xx, and if approved, may be subject to certain conditions, pursuant to the provisions of Section 7.09."" This is the PRIMARY justification for separate use lists for MDOD, LOD, FOD, etc. that specifically DO NOT INCLUDE SPEX or Moderate SPEX uses that would violate the intent and purpose of the 2019 Comp Plan."
Needs Followup	
#7466	5.03.03 NER Use Table
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/18/2022	Ryan, any thoughts on this? My thoughts are the 2019 general plan provides no specific use limitations within moderately steep slopes, but there may be a better more technical answer here.
#8015	5.03.03 NER Use Table
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/26/2022	Staff need more context, any SPEX or SPMI (minor SPEX) are evaluated by staff during review in terms of plan policy. If the comment is: Chapter 4 sections should have separate use lists and tables like this, staff will discuss and contemplate.
#7163	5.03.03 NER Use Table
By: Joe Paciulli Tags: public joepaciullizoc@gmail.com Date: 1/12/2022	In the Other area all three items should be P in the RSCR area.
#7465	5.03.03 NER Use Table
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/18/2022	staff will consider these uses within the context of the use table for RSCR provided in the 2019 GP.
#6979	5.03.03 NER Use Table
By: Rich Brittingham Tags: public rbrittingham@dewberry.com Date: 1/5/2022	5.03.03 NERS Use Table: Why are "Open space, and other conservation uses" not permitted in the RSCR? This space is exactly Open space per the definition. BY this language you wouldn't be able to count it as open space at time of site plan.

#7464	5.03.03 NER Use Table
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/18/2022	agreed. open space has been added as "P" within the RSCR.
#6855	5.03.03 NER Use Table
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	5.03.03 NERS. USE TABLE: Are the uses on very steep slopes in the 25% area under "Purposes" for this section allowed? Does this mean a blanket permit for them would also be allowed without review?
#7463	5.03.03 NER Use Table
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/18/2022	only principal uses and activities listed as permitted or SPEX under table 5.03.03 would be permitted within the very steep slopes areas. Ordinance requirements (such as parking, or other FSM requirements) and accessory structures and uses associated with a specified principal use would still be required and/or allowed unless explicitly prohibited here.
#6854	5.03.03 NER Use Table
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	5.03.03 NERS USE TABLE - CONSERVATION AND PRESERVATION. Why are Planting Native Vegetation and Historic and Archaeological Sites not permitted uses in Steep Slopes?
#7462	5.03.03 NER Use Table
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/18/2022	agreed. these have been added in very steep slopes.
#6821	5.03.03 NER Use Table
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date: 1/2/2022	Agricultural uses, permitted on steep slopes, should tie to the precise definition in Virginia Code 3.2.300 (Right to Farm Act,) which clearly defines agriculture and silviculture. If this is not done, a variety of uses that are not true agriculture but are under that heading in this draft ZO may assert that they are Permitted uses here. Examples: Restaurants, Farm Machinery Repair, and others.

#6927	5.03.03 NER Use Table
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/4/2022	Agreed. Staff is working with the CAO to ensure our regulations and definitions align with state code.
#7389	5.03.03 NER Use Table
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/18/2022	Agreed. An agricultural definition or language with similar criteria to Section 5.03.02.B.2. for Steep Slopes will be added.
#6819	5.03.03 NER Use Table
By: Kevin Ruedisueli Tags: public kevinruedisueliZOC@gmail.com Date: 12/31/2021	Exemptions in 5.03.01 relative to existing buildings would seem to be contradicted in the last section of the NERS Use Table, which seems to indicate expansion is not permitted in the RSCR.
Needs Followup	
#6930	5.03.03 NER Use Table
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/4/2022	Agreed. We will revise to align existing structures in RSCR to 5.03.01 while maintaining the language in Steep Slopes (which is what appears in the table).
#7388	5.03.03 NER Use Table
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/18/2022	Agreed. We will clarify expansion for the RSCR column.
#6932	5.03.03 NER Use Table
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/4/2022	<p>5.03.03 NERS Use Table</p> <p>Paths and trails, including footpaths, biking or hiking paths, and horse trails and raised public boardwalks should have designated distances that they are permitted parallel to streams, in addition to the surface material.</p> <p>A nature trail/footpath that is no more than a single track around a foot wide is much less impactful than most bike or horse trails.</p> <p>Location of boardwalks along streams should also be carefully considered if they could be subject to inundation and the force of flooding.</p>

#7387	5.03.03 NER Use Table
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/18/2022	specific provision or recommendations for a recommended distance, type or width of trail, and boardwalk locational criteria are welcome, particularly within the context of the LPAT policies and system plan.
#6940	5.03.03 NER Use Table
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/4/2022	Allowing all underlying uses in the suburban area means much greater potential for intense development that would defeat the purposes of protecting the slopes. Generally the streamside slopes are a mix of moderately steep and very steep slopes, making more intense development likely to have a detrimental impact. In these limited areas, it's more reasonable to only allow the base density level of development and not allow special exception and minor special exception uses if the goal really is to protect the sensitive resources per the purpose of this section.
#7386	5.03.03 NER Use Table
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/18/2022	staff can consider additional standards, particularly; extending protections to moderately steep slopes originating within 50 feet of a floodplain (similar to the RSCR protections for very steep slopes as "adjacent steep slopes"). However, the 2019 GP specifically only defines RSCR adjacent steep slopes to include very steep slopes.
#6986	5.03.03 NER Use Table
By: JOHN MERRITHEW Tags: public JOHN.MERRITHEW@LOUDOUN.GOV Date: 1/5/2022	5.03.03 permits various parks if the use is "dependent on RSCR or very steep slopes. Why use the term "dependent" and what does it mean? Seems very restrictive. I assume parks do not require a steep slope or floodplain but they can take advantage of them. Similarly Terms like "when no other alternatives are available or feasible" seem vague and subjective.
#7385	5.03.03 NER Use Table
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/18/2022	This description is not specific but is intended to cover a range of parks that might require a steep slope for the park activity. An example might be a ski park or rock climbing park.
#7160	5.03.03 NER Use Table
By: Joe Paciulli Tags: public joepaciullizoc@gmail.com Date: 1/12/2022	Parks should be a P in RSCR. Can't understand how they are not allowed.

#7384	5.03.03 NER Use Table
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/18/2022	This is a specific park that would be dependent on a very steep slope area (an example would be a ski park). Most other "conventional" park activities should be covered as other uses listed in the table such as "paths and trails" or "open space"
#7161	5.03.03 NER Use Table
By: Joe Paciulli Tags: public joepaciullizoc@gmail.com Date: 1/12/2022	Open space must be a P in RSCR
#7383	5.03.03 NER Use Table
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/18/2022	Open space has been made "P" within the RSCR.
#7162	5.03.03 NER Use Table
By: Joe Paciulli Tags: public joepaciullizoc@gmail.com Date: 1/12/2022	Conservation, including stream restoration should be an S for Very Steep Slopes. Allow the opportunity to contemplate minor infringements to create enhanced conservation, nature, mitigation opportunities. Making it not permitted eliminates the opportunity to explore positive things.
#7382	5.03.03 NER Use Table
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/18/2022	Conservation has been switched to "P" for very steep slopes.
#6817	5.03.03 NER Use Table
By: Kevin Ruedisueli Tags: public kevinruedisueliZOC@gmail.com Date: 12/31/2021	Seems paths and trails should be permissible on Very Steep Slope Areas with guidance for construction and maintenance. After all, such trails are permitted all the time in parks and forests, Federal, State and otherwise. So, why not here?
#6945	5.03.03 NER Use Table
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/4/2022	That was an oversight, paths and trails have been added as "permitted" under Infrastructure for VSS.

#6815	5.03.03 NER Use Table
By: Kevin Ruedisueli Tags: public kevinruedisueliZOC@gmail.com Date:12/31/2021	In the NERS Use Table, why is the Moderately Steep Slope Areas column filled with solid a color? What does that mean, in contrast to the Very Steep Slope Areas column, which has designations in it or left blank, when a use is not permitted?
#6931	5.03.03 NER Use Table
By: Christopher Blough Tags: public,staff christopher.blough@loudoun.gov Date:1/4/2022	P1/P2 and corresponding footnotes 1 and 2 explain that all underlying permitted uses are permitted within moderately steep slopes, which is the same as currently allowed for moderately steep slopes under the current R93 ZO.
#6853	5.03.03 NER Use Table
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date:1/3/2022	5.03.03 NERS USE TABLE - RECREATION. Why are there not additional specific standards to protect buffers for river and stream health and wildlife habitat?
#6925	5.03.03 NER Use Table
By: Christopher Blough Tags: public,staff christopher.blough@loudoun.gov Date:1/4/2022	Please recommended specific standards for the Recreation uses allowed within the RSCR. FAR limitation (specific percentage), parking limitation (specific rate), lot coverage (specific percentage)?
#6856	5.03.03 NER Use Table
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date:1/3/2022	5.03.03 NERS. USE TABLE: Why, if water, sewer, roads and driveways are permitted on steep slopes, are planting native vegetation, historic and archaeological (studies), and conservation and scientific research not permitted?
#6922	5.03.03 NER Use Table
By: Christopher Blough Tags: public,staff christopher.blough@loudoun.gov Date:1/4/2022	These uses have been clarified as permitted within very steep slopes.

#6852	5.03.03 NER Use Table
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	"5.03.03 NERS USE TABLE: INFRASTRUCTURE. Paths and Trails...and Raised Public Boardwalks. There should be extra protections to ensure there is adequate space for the infrastructure/recreation use while protecting buffers for river and stream health including wildlife habitat. Design standards from the LPAT Framework Plan could be incorporated here. Protecting the environment and natural resources should be the primary objective for this section. Why are there not additional specific standards to protect buffers for river and stream health and wildlife habitat?"
#6818	5.03.03 NER Use Table
By: Kevin Ruedisueli Tags: public kevinruedisueliZOC@gmail.com Date: 12/31/2021	OK, so now I see P1/S1 in the filled Moderately Steep Area. That's even more confusing. Which is it, P or S? How is one to know?
#6835	5.03.03 NER Use Table
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/3/2022	Thank you for finding this. This should say P1/S2, which references footnotes 1 and 2 provided at the bottom of the table. Corrected.
#7636	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/22/2022	B.1.Roads, etc. Is there any requirement for roads to be perpendicular in stream crossings (here or in the FSM)?
#8018	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/26/2022	For Floodplain, Major, yes but that is a good point that it could be required for all streams. Staff will contemplate revising text to add this requirement.
Needs Followup	
#9558	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 4/8/2022	I cannot find where this is a zoning regulation here. Is perpendicular for major floodplain an FSM requirement?

#6953	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Gem Bingol Tags: public gbingol@pecva.org Date:1/4/2022	B. Additional Use Specific Standards in RSCR adjacent steep slopes and Very Steep Slopes. 1.e. The reference to "whichever is greater" could mean a whole lot more than 200 ft, correct? Instead could this be limited to a max of 200 ft. If an unusual circumstance exists, it could be waived.
Needs Followup	
#7467	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Christopher Blough Tags: public,staff christopher.blough@loudoun.gov Date:1/18/2022	Ryan, I believe this is what the regulation already allows?
#8022	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Ryan Reed Tags: public,staff ryan.reed@loudoun.gov Date:1/26/2022	Yes, it could mean much greater. Staff will contemplate limiting to 200' and a waiver or similar extenuating circumstance provision.
Needs Followup	
#6947	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Gem Bingol Tags: public gbingol@pecva.org Date:1/4/2022	7.Preservation of Existing Vegetation. This should also apply to Moderately Steep Slopes.
Needs Followup	
#7469	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Christopher Blough Tags: public,staff christopher.blough@loudoun.gov Date:1/18/2022	Ryan, any thoughts on this?
#8021	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Ryan Reed Tags: public,staff ryan.reed@loudoun.gov Date:1/26/2022	Also contemplating.

#6946	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/4/2022	6. Revegetation. This should also be required on moderately steep slopes. All revegetation should be consistent with Chesapeake Bay Professional Certification guidelines.
Needs Followup	
#7470	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/18/2022	Ryan, and thoughts on this?
#8020	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/26/2022	See comment #6858 and my response. Staff is contemplating this during the revisions.
#6858	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	5.03.04-1 TABLE NERS DEVELOPMENT & LAND DISTURBANCE STANDARDS. 4-10. These are good standards. Why are they not also applied to Moderately Steep Slopes?
Needs Followup	
#7471	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/18/2022	Ryan, I added 9 and 10 to moderately steep slopes but i'm less sure about 5, 6, 7, 8. And 4 seems like a definite "no" to me.
#8019	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/26/2022	Staff have added 9 & 10, and will further contemplate the remaining standards for Moderately Steep Slopes.

#7637	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/22/2022	<p>It appears that the FOD does not prohibit stormwater detention or retention ponds, and I missed this earlier.</p> <p>Either in RSCR or FOD that should be avoided per EPA. This includes dry or wet detention ponds.</p> <p>Note the following on wet ponds; other information is also available on the best siting of dry ponds:</p> <p>The placement of ponds or wetlands, especially large regional facilities, in low-lying areas may harm natural wetlands or existing riparian habitats. Siting ponds or other structural management practices within natural buffer areas and wetlands degrades their functions and may interrupt surface water and ground water flow when soils are disturbed for installation. In addition, during large rain events, breaches of large wet ponds can cause downstream erosion and degradation due to high volumes and velocity of the discharge (EPA, 2005b).</p>
#8017	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/26/2022	<p>In the FOD, stormwater infrastructure is only permitted for uses that are permitted in the FOD.</p> <p>We will contemplate further protecting with standards in the RSCR.</p>
#6948	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/4/2022	8. Siting and Disturbance. These guidelines should also apply to Moderately Steep Slopes. Also blasting should not be allowed in moderate and very steep slopes directly along streams as it increases the potential for erosion into the stream.
#7468	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/18/2022	please see previous response related to moderately steep slopes not being defined as RSCR.
#6952	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/4/2022	B. Additional Use Specific Standards in RSCR adjacent steep slopes and Very Steep Slopes. 1d. and 2c. Both have very convoluted language that could be simplified to be easier to follow.
#7461	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/18/2022	agreed. this language has been revised and restructured for clarity.

#6951	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/4/2022	B. Additional Use Specific Standards in RSCR adjacent steep slopes and Very Steep Slopes. 1.c. Could this be rewritten to be easier to follow?
#7460	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/18/2022	fixed a typo
#6822	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date: 1/2/2022	B. 1.c is not clearly written
Needs Followup	
#6934	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/4/2022	Agreed. When we combined the RSCR and SS development standards, we discovered we needed to add the newly defined RSCR term "adjacent steep slopes" however, this addition creates confusion. Marked for follow up so that we can work on an appropriate revision.
#7459	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/18/2022	fixed a typo
#6950	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/4/2022	10. Natural Heritage Resources. Guidelines should also apply to Moderately Steep Slope areas, as well as everywhere in the county.
#7458	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/18/2022	revised accordingly.

#6949	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Gem Bingol Tags: public gbingol@pecva.org Date:1/4/2022	9. Permeable Surfaces. Guidelines should apply to moderately steep slopes as well.
#7457	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Christopher Blough Tags: public,staff christopher.blough@loudoun.gov Date:1/18/2022	revised accordingly
#6859	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date:1/3/2022	"5.03.04.A NATURAL & ENVIRONMENTAL RESOURCE DEVELOPMENT, Land Disturbance, and Additional Use Specific Standards. The design standards of the LPAT Framework Plan should be codified in the Zoning Ordinance. If the LPAT plan is going to be exempt from these use standards, how will the Zoning Ordinance ensure that the natural resource, environment, and wildlife habitat/corridor protections outlined in the LPAT Framework Plan will be implemented and enforced?"
#7456	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Christopher Blough Tags: public,staff christopher.blough@loudoun.gov Date:1/18/2022	The LPAT contains policy recommendations, not all of which can be codified under a zoning ordinance without corresponding, specific zoning enabling legislation under the Code of Virginia.
#6954	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Gem Bingol Tags: public gbingol@pecva.org Date:1/4/2022	B. Additional Use Specific Standards in RSCR adjacent steep slopes and Very Steep Slopes. 2. Public Sanitary Sewer and Water Line Standards. f. 1. e. has a typo- 6)
#7455	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Christopher Blough Tags: public,staff christopher.blough@loudoun.gov Date:1/18/2022	Corrected. Thank you for pointing this out.
#6955	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Gem Bingol Tags: public gbingol@pecva.org Date:1/4/2022	2. Public Sanitary Sewer and Water Line Standards. k. 2. What am I missing? While it's good that 2 rows of super silt fence must be installed, why would the inner row not have to have filter fabric? Isn't the point increased erosion protection?

#7454	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/18/2022	We will consider if K2 is still a best practice
#6956	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/4/2022	<p>2. Public Sanitary Sewer and Water Line Standards.</p> <p>I.</p> <p>Does the VA E&S Control handbook require the use of soil stabilization blankets and matting above a certain percentage of slope? If not, can Loudoun require these measures?</p> <p>Both natural and man-made/ altered development slopes will experience erosion failure with rain events without more protective measures than just seeding and straw.</p>
#7453	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/18/2022	The specific requirement for public sanitary sewer and water line standards within the RSCR or very steep slopes applies to any disturbed areas for this use.
#6981	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Rich Brittingham Tags: public rbrittingham@dewberry.com Date: 1/5/2022	<p>This gives performance standards for SWM BMPs, is this to assume that is permitted within the NERS? It may be necessary to add this to the Use table in 5.03.03.</p> <p>Currently there is much confusion about SWM permissions in 50's management buffer, etc... this should be clarified in the use table.</p>
#7452	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/18/2022	local and regional SWM BMPs are allowed within the minor floodplain of the RSCR.
#7164	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Joe Paciulli Tags: public joepaciullizoc@gmail.com Date: 1/12/2022	In the table 5.03.04-1 item 9 uses the term "fully" permeable. Please remove the word "fully". It's creating un unclear standard that isn't enforceable.

#7451	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/18/2022	text has been rewritten to clarify that fully permeable means permeable to stormwater.
#6820	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Kevin Ruedisueli Tags: public kevinruedisueliZOC@gmail.com Date: 12/31/2021	There is something wrong with 5.03.04.B.1.d. Perhaps it's just the word 'not' in the 5th line.
#6935	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/4/2022	Agreed. We meant the opposite. Corrected.
#6860	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	5.03.04.B.2.f.1 NATURAL & ENVIRONMENTAL RESOURCE DEVELOPMENT, Land Disturbance, and Additional Use Specific Standards. As part of protecting natural heritage resources, should state species of concern, or studies for exemplary natural communities, habitats, and ecosystems also be added studies requested by the Zoning Administrator? This should be universal, not just for this specific use in the RSCR, does Staff agree?
Needs Followup	
#6933	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/4/2022	Yes. While the list states "including, but not limited to:" staff agrees that these specific studies could and should be added here.
#6823	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date: 1/2/2022	3.a should define "heavy equipment." Otherwise it's vague.
Needs Followup	

#6929	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/4/2022	acknowledged. we will consider a definition for heavy equipment.
#6824	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date: 1/2/2022	<p>2.k. "Super silt fence" sounds descriptive, but I assume the intent if for something prescriptive and defined.</p> <p>This comment holds true throughout the ZO draft: The language needs to avoid terms-of-art, techniques and products unless there is a definition. If the intent is cite something specific, then elaborate enough to make the intent clear.</p>
Needs Followup	
#6928	5.03.04 Development, Land Disturbance, and Additional Use Specific Standards
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/4/2022	acknowledged. we will consider defining a super silt fence, aligning with the VESCH.
#6957	Adjacent Steep Slopes
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/4/2022	Why can't adjacent steep slopes definition have a vertical incline of greater than 15%?
#8024	Adjacent Steep Slopes
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/26/2022	We will contemplate changing to 15%
#7165	Rivers and Streams
By: Joe Paciulli Tags: public joepaciullizoc@gmail.com Date: 1/12/2022	This definition is very broad and subject to debate. This may be the most important definition to define clearly. There are many areas draining 100 acres that don't "flow". Then, how do you define "flow", if it does exist. Many regulatory bodies have spent excessive time defining Streams. This is way too general.

#6861	Other Protected Resources
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date:1/3/2022	5.03.05 DEFINITIONS. OTHER PROTECTED RESOURCES. Wetlands are mentioned as "other protected resources." Wetlands creation and protection could be used as a tool to reduce post-development runoff peak rate, frequency, volume. Why are there not guidelines and performance standards to also protect wetlands and wetland buffers to protect and improve stream and watershed health?
#8025	Other Protected Resources
By: Ryan Reed Tags: public,staff ryan.reed@loudoun.gov Date:1/26/2022	Staff will discuss internally
#9266	5.04 Open Space Standards
By: Jeff Browning for REDC Tags: public jeff@browningequipment.com Date:3/24/2022	Chapter 5: Development Standards 5.01E1a: Where two or more uses are located on one parcel the required parcel size should be the sum of all minimum lot sizes. For consistency this SHOULD be additive, just as parking is additive.
#9262	5.04 Open Space Standards
By: Jeff Browning for REDC Tags: public jeff@browningequipment.com Date:3/24/2022	5.04L3: Agree!
#9261	5.04 Open Space Standards
By: Jeff Browning for REDC Tags: public jeff@browningequipment.com Date:3/24/2022	5.04I4: Uses should include Nursery Production (unless nursery production is defined as horticulture).
#9260	5.04 Open Space Standards
By: Jeff Browning for REDC Tags: public jeff@browningequipment.com Date:3/24/2022	5.04H3a: should include trails designated as LPAT for pedestrian, bike and equestrian use. Open space LPAT trails can be along the perimeter of the property in order to connect with other development.
#9259	5.04 Open Space Standards
By: Jeff Browning for REDC Tags: public jeff@browningequipment.com Date:3/24/2022	5.04F3 Or connect to open space of another development in order to further the goals of LPAT.

#9254	5.04 Open Space Standards
By: Jeff Browning for REDC Tags: public jeff@browningequipment.com Date:3/24/2022	5.04F1a: Include equestrian and follow LPAT.
#9253	5.04 Open Space Standards
By: Jeff Browning for REDC Tags: public jeff@browningequipment.com Date:3/24/2022	5.04E2e This statement should include equestrian as defined by LPAT.
#9252	5.04 Open Space Standards
By: Jeff Browning for REDC Tags: public jeff@browningequipment.com Date:3/24/2022	5.04E1 and 2: How do bonus credits and 1:1 credits fit into house yield?
#9251	5.04 Open Space Standards
By: Jeff Browning for REDC Tags: public jeff@browningequipment.com Date:3/24/2022	5.04D2 Public open space. This is a good area to place LPAT and consider County ownership rather than HOA.
#9249	5.04 Open Space Standards
By: Jeff Browning for REDC Tags: public jeff@browningequipment.com Date:3/24/2022	5.04D1 Common open space. REDC questions placing sewer facilities here. Prefer they be placed on home lot.
#9244	5.04 Open Space Standards
By: Jeff Browning for REDC Tags: public jeff@browningequipment.com Date:3/24/2022	5.04C4 Clarification of meaning of last sentence? Example?

#9240	5.04 Open Space Standards
By: Jeff Browning for REDC Tags: public jeff@browningequipment.com Date:3/24/2022	5.04C4 Agricultural Should include equestrian use (boarding or pasture of)
#9239	5.04 Open Space Standards
By: Jeff Browning for REDC Tags: public jeff@browningequipment.com Date:3/24/2022	5.04C4b Passive: Should include multi-use trails, specifically LPAT (equestrian, hiking, biking)
#9238	5.04 Open Space Standards
By: Jeff Browning for REDC Tags: public jeff@browningequipment.com Date:3/24/2022	5.04B3a What types of easements? utility, open space, etc.
#9211	5.04 Open Space Standards
By: John Merrithew Tags: public Date:3/22/2022	5.04A.6 is unnecessary and should be deleted. The section creates an additional process/required documentation that simpl=ly repeats the CDP. A landscaping plan is already required for site plans. Don't need the added expense or administrative bureaucracy.
#9210	5.04 Open Space Standards
By: John Merrithew Tags: public Date:3/22/2022	5.04A.5. Is completely unnecessary and should be deleted. It simply restates A.2.
#7406	5.04 Open Space Standards
By: Kevin Ruedisueli Tags: public kevinruedisueliZOC@gmail.com Date:1/18/2022	With regard to LPAT trails: Does the Plan require that all trails will be 'accessible'? These sorts of trails are not required everywhere in the National Park system, nor should they be required in Loudoun. There are places where building such trails will not be practicable, nor desirable from an environmental point of view. Strike or drastically amend 5.04.H.6.b. Footpaths should be completely acceptable for the LPAT where constructing accessible trails are not reasonable to build. This should be the case in Open Space too.

Needs Followup

#7943	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	The overarching intent is to be compliant with ADA requirements. Not prepared to justify or explain why Loudoun should not be compliant.
#7410	5.04 Open Space Standards
Needs Followup	
#7942	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	It isn't a known loophole, just a prediction of an attempt to avoid providing open space. The consequence will be that the required open space for the previous 4 units will be provided with the application for dwelling unit #5.
#7411	5.04 Open Space Standards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/18/2022	5.04.A.5.a OPEN SPACE. APPLICABILITY. How do and will these standards apply to ZOAM-2020-0002 for consistent application?
Needs Followup	
#7941	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	As noted in reply to similar earlier comments, progress of ZOAM is being monitored and one or the other will be aligned to eliminate conflict.
#7412	5.04 Open Space Standards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/18/2022	"5.04.B OPEN SPACE, CALCULATION. States, ""Open Space is calculated by multiplying the required percentage as provided in the district requirements specified in Chapter 2, Zoning Districts by the gross acreage of the subject parcel or combined parcels."" However, ZOAM-2020-0002 (Cluster/Prime Ag Soils) is proposing an overall 70% that is split between farming lots (PFLs) Rural Economy Lots (RELs) and Open Space -- which appears to get the ""leftover"" area after PFL and REL. How will that ZOAM be compliant with this ZO requirement?"

Needs Followup	
#7940	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	As noted in reply to other comments, progress of ZOAM is being monitored and ZOAM and ZOR will be aligned where necessary.
#7414	5.04 Open Space Standards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/18/2022	5.04.B.2. OPEN SPACE, CALCULATION. States that "any portion of the parcel that may be included in an easement" would be excluded from the gross acreage used in calculation. Can you be more specific for what TYPES of easement (utility, conservation, development, open space, etc.)?
Needs Followup	
#7939	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	As also stated in B.2 "that would prevent use as part of the development or open space." Actual easement language would have to be provided and reviewed.
#7415	5.04 Open Space Standards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/18/2022	5.04.C.1. OPEN SPACE Types/Recreation. Definitions of Active and Passive Open Space were majorly changed from current ZO. Focus proposed is now on the activities involved (versus the amount of land development involved for the activity). Kudos.
Needs Followup	
#7938	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	Thanks for the kudos. These are meant to reflect GP.

#7416	5.04 Open Space Standards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/18/2022	<p>"5.04.C.1 OPEN SPACE STANDARDS. Recreation. These definitions are different from previous definitions. Have other sections been updated to reflect these changes? While the added language could be helpful in defining these uses, there is still room for ambiguity.</p> <p>For example, would hiking along a boardwalk be a passive recreation use? While hiking is a passive recreation use, a guided nature walk would be a group activity that would require ""equipment designed specifically for the activity"" - with the equipment being the boardwalk. It seems that more clarity may be needed to avoid confusion. Also, how do these definitions, and uses listed, conform to the LPAT Framework Plan (in relation to defining the terms, but also allowing particular uses)?"</p>
Needs Followup	
#7937	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	These are not standards they are summarized descriptions from the GP to assist in understanding the goals of open space. They are also not definitions. Acknowledge your example of ambiguity. There is room for clarifications if needed.
Needs Followup	
#7417	5.04 Open Space Standards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/18/2022	5.04.C.3 OPEN SPACE STANDARDS. Natural, Environmental, and Heritage. In addition to contiguous forests, shouldn't wildlife travel corridors, and native plant and pollinator habitat also be included to comply with 2019 GP policies (especially NHR 6.2, but also FTV 4 and NEHR 1)? Shouldn't this also include language to protect viewsheds the County's scenic rivers (2019 GP HASR 5.2.O)?
Needs Followup	
#7936	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	GP policies will be reviewed for specific guidance.
Needs Followup	
#7418	5.04 Open Space Standards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/18/2022	5.04.C.3.a OPEN SPACE STANDARDS. Natural, Environmental, and Heritage. How will man-made landscapes that have "gained importance" be defined? Shouldn't wildlife and/or habitat evaluations be used as criteria (to be evaluated by ecologists and biologists)? This would help define "exemplary natural communities, habitats, and ecosystems" mentioned in the 2019 GP NHR 6.2. At the least, shouldn't wetlands mitigation projects be included? Shouldn't this also include species of greatest concern from the Virginia Wildlife Action Plan?
Needs Followup	

#7935	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	All legitimate concerns that can be considered in additional language.
#7419	5.04 Open Space Standards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/18/2022	5.04 D.1. OPEN SPACE CATEGORIES. COMMON. Given the stated purpose of the open space standards, why are sewer facilities considered common open space and calculated as open space in development?
Needs Followup	
#7934	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	Facilities themselves are not considered open space but some types are currently allowed in open space such as communal facilities in cluster subdivisions. This is a current permission carried over from existing ordinance. This is also the subject of current debate yet to be decided.
#7420	5.04 Open Space Standards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/18/2022	5.04.D.2. OPEN SPACE Categories/Public. While the categories apply to all Open Space, this one only applies to HOAs and "comparable" which rules out the public lands owned by the county and comparable governmental entities. Can this definition be expanded to include all public open space?
Needs Followup	
#7933	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	Do not agree that public lands owned by the County are ruled out but the language could be modified.
#7421	5.04 Open Space Standards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/18/2022	5.04.D.3. OPEN SPACE Categories/Private. Is there a requirement for signage designating the area as private to be considered such? Can there be?
Needs Followup	

#7932	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	If there is consensus that it is needed it could be added.
#7422	5.04 Open Space Standards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/18/2022	5.04.D.3. OPEN SPACE CATEGORIES. PRIVATE. Why is privately owned land to which access is prohibited considered open space?
Needs Followup	
#7931	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	It can provide open space without providing access, for example prime soils on land being farmed and under an open space easement.
#7423	5.04 Open Space Standards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/18/2022	5.04.E.1 OPEN SPACE STANDARDS. Are wetlands mitigation projects defined as a "water feature"? Shouldn't wetlands be explicitly added? Shouldn't wildlife travel corridors and native vegetation for pollinators also be included in contiguous habitats to protect against habitat fragmentation (and not just trees)?
Needs Followup	
#7930	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	Mature forest and "other areas not mentioned" should cover these. See other responses to concerns for native vegetation, pollinator habitat and wildlife travel corridors. A consensus could cause these areas to be added to the list.
#7424	5.04 Open Space Standards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/18/2022	"5.04.E.2 OPEN SPACE. PRIORITIES AND BONUS CREDIT. Indicates various ""bonus credit"" will be applied for various types of open space (e.g., prime ag soils, forest, trails, historic resources, etc.) Please provide an example calculation to show how the ""bonus credit"" is applied. How will the ""bonus credit"" be applied for ZOAM-2020-0002 calculation with open space for cluster subdivisions? [OR does 5.04.F.13 override all bonus credit for clustering?]"
Needs Followup	

#7929	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	Application of anything to ZOAM would be premature. Intent would be not to create a standard or requirement that would "override" another unless specifically noted. Example of application of bonus credit: 15 acres of mature forest x 1.25 would receive credit for providing 18.75 acres of open space (1.25 x 15 = 18.75)
#7425	5.04 Open Space Standards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/18/2022	5.04.E.2 OPEN SPACE STANDARDS. As noted, shouldn't native vegetation for pollinators be included? Also, in regards to bullet "e", the LPAT Framework Plan includes more than just pedestrian or bicycle trail considerations, shouldn't linear parks and wildlife corridors also be included as part of the LPAT Framework Plan considerations?
Needs Followup	
#7928	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	Staffs opinion would be that "native vegetation or pollinator habitat would be excessively difficult to maintain or monitor or describe in a protective easement."
#7426	5.04 Open Space Standards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/18/2022	5.04.F OPEN SPACE STANDARDS. General Open Space Design Standards. Aside from one reference to RSCR, why are there no standards pertaining to wildlife travel corridors, native vegetation, or ecological services that open space should provide (to comply with the 2019 GP)? Why is the only consideration for landscaping (bullet 2.b) for "enjoyment and shade"? Shouldn't landscaping be required to incorporate ecological value (ie native plants)?
Needs Followup	
#7927	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	These areas not intended to be excluded just because they are not mentioned specifically. Standards specifically for these are too specific for Zoning Ordinance and the jurisdiction of others.
#7427	5.04 Open Space Standards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/18/2022	5.04.F.1.b. OPEN SPACE Standards & Type-Specific Open Space Design Standards/Outdoor Gathering Space. Amenities on parcels greater than [TBD] must include restrooms at regular intervals or those must be in close proximity and open to the public. PRCS and NOVA Parks, including the W&OD Trail, already are providing this necessary amenity. Have PRCS and NOVA Parks been asked to determine the appropriate interval?
Needs Followup	

#7926	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	Section references aren't clear. However, PRCS and NOVA have not provided review, yet.
#7428	5.04 Open Space Standards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/18/2022	5.04 F. 5 OPEN SPACE STANDARDS. Why is a credit for meeting minimum open space requirements given for meeting other requirements of the zoning code?
Needs Followup	
#7925	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	Double dipping is not unheard of or always disallowed. Meeting all standards separately can occasionally become burdensome. This section probably needs revision to be more specific and apply to overlapping with environmental and natural resources.
#7429	5.04 Open Space Standards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/18/2022	5.04.H OPEN SPACE STANDARDS. Type specific open space standards. Why don't these type specific standards include mentions of contiguous habitat, wildlife travel corridors, native plant vegetation, etc. to achieve 2019 GP NEHR policies? At the least, shouldn't Section 3 "Passive Recreation Use" have these ecological considerations? The standard to "contain a variety of natural features" is extremely weak language considering that passive recreation uses are typically intended to connect people with nature.
Needs Followup	
#7924	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	No intention to exclude. Language can be strengthened.
#7431	5.04 Open Space Standards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/18/2022	"5.04.H.1.d OPEN SPACE DESIGN STANDARDS. Why must open space be centrally located? How is centrally located measured? 5.04.H.2.a OPEN SPACE. Commercial or Employment Districts. Why must open space be centrally located? How is centrally located measured? 5.04.H.3.a. OPEN SPACE. Passive Recreation Space. Why must open space be centrally located? How is centrally located measured?"

#7923	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	Deleted from H1 due to other comments. Will delete from H2 and H3 and add 1/4 mile mile as reasonable walking distance to ensure accessibility which was intent of central location.
#7432	5.04 Open Space Standards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/18/2022	5.04.H.1.g OPEN SPACE Design Standards. Is there a parameter somewhere for "well-drained?"
Needs Followup	
#7922	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	No. needs follow-up
#7433	5.04 Open Space Standards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/18/2022	5.04.H.4.d.5.c. OPEN SPACE. Add to end "or sidewalk." Emphasis should be on all acceptable accessibility.
#7921	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	Added or sidewalk to H5c believed to be the intent of comment.
#7434	5.04 Open Space Standards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/18/2022	5.04.H.5. OPEN SPACE. Type-Specific Open Space Design Standards/Pedestrian and Bicycle Network. Glad to see inclusion of the LPAT Plan in the ZO. This reinforces the County's commitment! Kudos.
Needs Followup	

#7920	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	Acknowledged and Thank you.
#7435	5.04 Open Space Standards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/18/2022	5.04.H.5. OPEN SPACE PEDESTRIAN & BICYCLE NETWORK. Why isn't a pedestrian and bicycle network, or similar amenity, required in the Rural Policy Area?
Needs Followup	
#7919	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	Pedestrian and bicycle trails were initially specified in district requirements and only recently determined appropriate for inclusion here. They are not a district requirement. There is also a concern for conflict with FSM requirements in rural areas.
#7436	5.04 Open Space Standards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/18/2022	5.04.H.6 OPEN SPACE Design Standards. Trails. Why does this section not include or reference equestrian trail requirements?
Needs Followup	
#7918	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	Likely an oversight on the part of the staff. Equestrian trails may be inappropriate in urban areas for obvious reasons which may have contributed to that oversight. Staff will look for appropriate location to specify inclusion of equestrian trails in certain areas and exclude elsewhere.
#7437	5.04 Open Space Standards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/18/2022	5.04.H OPEN SPACE STANDARDS. Type specific open space standards. Trails. Why doesn't this section include any considerations for the linear parks portions of the Linear Parks and Trails plan? Why doesn't this section include any of the LPAT design elements related to wildlife corridors, native vegetation, and environmental protection?
Needs Followup	

#7917	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	Even though they are not mentioned they are not prohibited. Design elements are included in the LPAT with a conscious decision not to reproduce them here.
#7438	5.04 Open Space Standards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/18/2022	5.04.H OPEN SPACE STANDARDS. Type specific open space standards. Trails. Could this language be clarified? It appears that if land is not dedicated to the county, or it is not included within the boundary of the parcel owned by an HOA or individual, then the path must be provided by an easement. Is that correct? If so, would that preclude land within an HOA from providing a path via an easement?
Needs Followup	
#7916	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	Interpretation is correct and it would NOT preclude land within HOA from providing a path via an easement.
#7439	5.04 Open Space Standards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/18/2022	5.04.I OPEN SPACE STANDARDS. Uses in Open Space. Why are botanical gardens or nature study areas permitted on HOA land, but not the other land types mentioned? Shouldn't they also be allowed on private parcels?
Needs Followup	
#7915	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	This use list taken directly from use list in current ordinance for uses permitted in common open space in TR districts.
#7440	5.04 Open Space Standards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/18/2022	5.04.I.1., 3 & 4. USES IN OPEN SPACE. The list of uses permitted in open space under private ownership and HOA ownership include agriculture. However, as discussed with Uses and Use-specific standards, some uses categorized as "Agricultural uses" are significantly more "high-intensity" than others. Blanket permitted use on open space for some uses should be consistent with the Use and Use-specific standards requests to evaluate based on HIGH-INTENSITY USE impacts (traffic, noise, lighting, etc.). How will high-intensity uses be addressed?
Needs Followup	

#7914	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	Similar comment by other ZOC member regarding meat processing. May need further limitations of uses or exceptions.
#7441	5.04 Open Space Standards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/18/2022	5.04.I.1., 3 & 4. USES IN OPEN SPACE. How will Uses in open space be applied for ZOAM-2020-0002, specifically, will the restrictions and standards only apply to "open space lots" or will PFLs (prime farmland lots) and RELs (Rural Economy Lots) have similar or the same requirements?
Needs Followup	
#7913	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	Duplicate comment. See response to comment # 7443
#7443	5.04 Open Space Standards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/18/2022	5.04.I.1., 3 & 4. USES IN OPEN SPACE. How will Uses in open space be applied for ZOAM-2020-0002, specifically, will the restrictions and standards only apply to "open space lots" or will PFLs (prime farmland lots) and RELs (Rural Economy Lots) have similar or the same requirements?
Needs Followup	
#7912	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	Unknown at this time. See response to previous comment regarding coordination with ZOAM.
#7444	5.04 Open Space Standards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/18/2022	5.04.J OPEN SPACE STANDARDS. Comprehensive Open Space Plan. Shouldn't these plans also include linear parks? This section raises another question, are linear parks defined within the new Zoning Ordinance, as defined by the Linear Parks and Trails Plan? As mentioned previously, only design standards including trails, and not linear parks, of the Linear Parks and Trails plan have been included in this section of the zoning ordinance.
Needs Followup	

#7911	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	Even though they are not mentioned doesn't mean that type of park per LPAT design could not be provided as open space.
#7445	5.04 Open Space Standards
Needs Followup	
#7910	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	In my opinion this is too specific for Zoning Ordinance to handle, regulating or defining pollinator habitat, may be more appropriate for natural resources team.
#7446	5.04 Open Space Standards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/18/2022	5.04.K.3.f. OPEN SPACE. Add "Maintenance of any prepared surface, e.g., multi-use path or trail, or sidewalk." Any of these features present must be maintained too.
Needs Followup	
#7908	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	Done
#7447	5.04 Open Space Standards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/18/2022	5.04.L.1.b OPEN SPACE. Ownership, Operation & Management. b states that membership in the HOA/corp/trust/etc. must be mandatory for all residential property owners. How will this apply to ZOAM-2020-0002 lots categorized as PFL and REL? Will they be considered "residential" and be required to be a member of the HOA or equivalent?

Needs Followup	
#7907	5.04 Open Space Standards
By: Steve Goodrich Tags: public,staff steve.goodrich@loudoun.gov Date:1/25/2022	Project Manager for ZOAM-2020-0002 has been consulted on coordination with ZOR and we have concluded that ZOAM language needs to be finalized before adjustments are made to ZOR and that continuous coordination is critical. Application of noted section is unclear at this time.
#7448	5.04 Open Space Standards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date:1/18/2022	5.04.N.2 OPEN SPACE. MODIFICATIONS. e. states, "permission to locate uses in open space must be governed by the zoning district within which the site, parcel or development is located." This indicates that it IS possible and feasible to assign different Uses permitted in Open Space by zoning district, correct?
Needs Followup	
#7906	5.04 Open Space Standards
By: Steve Goodrich Tags: public,staff steve.goodrich@loudoun.gov Date:1/25/2022	It's possible. The section needs additional language to make it clear that uses requested need BOS approval of SPEX.
#7449	5.04 Open Space Standards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date:1/18/2022	Submitted Jan. 5th. Resubmitted by request: 5.03. 2019 COMP PLAN SUSTAINABILITY POLICIES. How will new Zoning Ordinances to reflect the new Sustainability Policies in the new Comprehensive Plan be handled?
Needs Followup	
#7905	5.04 Open Space Standards
By: Steve Goodrich Tags: public,staff steve.goodrich@loudoun.gov Date:1/25/2022	Will need additional information to determine how this comment is relevant to open space requirements.
#7480	5.04 Open Space Standards
By: Rich Brittingham Tags: public rbrittingham@dewberry.com Date:1/18/2022	5.04.B.5: This section should be removed as it is a duplicate requirement of 5.04.B.4 Requiring easement holder to "acknowledge and approve" means that application can be delayed or stopped by an unresponsive easement holder. If 5.04.B.4 remains in ZO, then applicant can show deed language to ensure open space is allowed.
Needs Followup	

#7904	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	Agree there is some duplication. Maybe 5 should be 4.a. County Attorney should weigh in on "acknowledge and approve" and if deed language is acceptable.
#7483	5.04 Open Space Standards
By: Rich Brittingham Tags: public rbrittingham@dewberry.com Date: 1/18/2022	<p>C. Open Space Types and Purposes:</p> <ul style="list-style-type: none"> - recognizing these types of open spaces come straight from the 2019 GP, there needs to be acknowledgement of disturbed open space that is grass, mulch, landscaped, or similar. Not sure if its new category or new language in one of the categories - current applications have received staff comment that since replanted grass lawn do not fall into any of the 2019 GP categories it does not count as open open space. - especially problematic in the Urban policy area.
Needs Followup	
#7903	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	The referenced section is intended to incorporate the GP descriptions generally. Not clear on the need for acknowledgement of disturbed open space or the background of staff comments on current applications.
#7484	5.04 Open Space Standards
By: Rich Brittingham Tags: public rbrittingham@dewberry.com Date: 1/18/2022	<p>E.2:</p> <ul style="list-style-type: none"> - language says "in any district" does this mean the area can be outside the limits of the application/property and only within the same district?
Needs Followup	
#7902	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	Cannot determine which E.2 the comment applies to.
#7485	5.04 Open Space Standards
By: Rich Brittingham Tags: public rbrittingham@dewberry.com Date: 1/18/2022	<p>F.1.b:</p> <ul style="list-style-type: none"> - this essentially precludes open, unprogrammed lawn areas by requiring amenities. - this makes sense in urban areas, but not all suburban amenity open space areas should be this formal - who determines that enough amenities are installed? does 1 trash can fulfill this requirement for ZO?

Needs Followup	
#7901	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	Amenities are required when the space is provided as a community amenity (like outdoor gathering space) which probably needs a better description to distinguish from other types of open space. Agreed that additional standards for the number of trash cans, etc may be needed.
#7486	5.04 Open Space Standards
By: Rich Brittingham Tags: public rbrittingham@dewberry.com Date: 1/18/2022	F.2: - to encourage "incremental addition" of open space, essentially encouraging larger contiguous open space, there should be extra incentive. Maybe add to E.2. as 1.25x the area to encourage.
Needs Followup	
#7900	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	If you are saying provide extra credit for those incremental additions that are larger than the minimum required and/or are provided in 1+ acre pieces, the suggestion is understood and will be considered for addition.
#7487	5.04 Open Space Standards
By: Rich Brittingham Tags: public rbrittingham@dewberry.com Date: 1/18/2022	F.8: - what does this statement mean?? you can count it as open space but its doesn't count as open space..... - if we are saying any area of open space less then 1,000 SF is not open space, I disagree with this.
Needs Followup	
#7899	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	It means that it can be identified as open space but the amount is not included to meet the minimum requirement for the district.
#7489	5.04 Open Space Standards
By: Rich Brittingham Tags: public rbrittingham@dewberry.com Date: 1/18/2022	F.9: - every area of grass has "functional value" as it reduces impervious surface and reduces SWM runoff, all goals of the Revised GP. Thus this statement should be removed.
Needs Followup	

#7898	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	Acknowledged that all previous areas provide functional value for SWM but this doesn't always equate to open space value
#7490	5.04 Open Space Standards
By: Rich Brittingham Tags: public rbrittingham@dewberry.com Date: 1/18/2022	2.c: - This is not Zoning appropriate language. Too subjective.
Needs Followup	
#7897	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	It's not clear which "2.c" this comment refers to.
#7503	5.04 Open Space Standards
By: Rich Brittingham Tags: public rbrittingham@dewberry.com Date: 1/19/2022	J.Comprehensive Open Space Plan. It says "final plan set", does this mean at time of site plan? or does it mean after approval another submission is required? Having submission after BOS approval seems inappropriate. this should be a requirement of a CDP plan set throughout the process (already is requested) not required AFTER approval.
Needs Followup	
#7896	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	Agreed, this section needs clarification. It is intended to require that the final version of the CDP include a final version of the COSP and that each subsequent development plan refer to and depict appropriate portions of the approved COSP if they are included within the area under review.
#7504	5.04 Open Space Standards
By: Rich Brittingham Tags: public rbrittingham@dewberry.com Date: 1/19/2022	As discussed during 1/19/2022 ZOC meeting, the entire definition of Open Space changes with this draft language. Some of what was once open space would no longer count with this language: <ul style="list-style-type: none"> - how does this impacts Site Plan Amendments? MOST applications would never be able to file SPAM because they wouldn't be able to meet open space requirements under new ordinance -Not all open space needs the formal definitions and programming outlined in the 2019 GP. Those types of open space are necessary and relevant, but they are not the only types and the County ZO should not limit all future applications to only the few defined, formal open space categories listed within.

Needs Followup	
#7895	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	Many issues contained in 1 comment. Disagree that entire definition of open space changes although the ZOR is intended to implement a new GP. Possible that additional exemptions may be warranted to address concern for SPAM. Not clear on source of the comment regarding formal definitions and programming. May need further elaboration and discussion.
#7597	5.04 Open Space Standards
By: Kevin Ruedisueli Tags: public kevinruedisueliZOC@gmail.com Date: 1/21/2022	Is F.1. referring to a Community space with a capital 'C' or is it a more generic use of the word. If the latter, this requirement is overbearing. If the former it seems reasonable. However, it does not quantify the amenities, which will lead to problems in reviewing applications. Or is such in the FSM or elsewhere. Should there be a reference to clarify?
Needs Followup	
#7894	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	Community is used in the generic sense. Additional guidelines for providing amenities can be considered for ease of application.
#7598	5.04 Open Space Standards
By: Kevin Ruedisueli Tags: public kevinruedisueliZOC@gmail.com Date: 1/21/2022	.B.5. What is the point of restricting the amount of Open Space on eased property? Especially given that Open Space can have the various purposes listed in C.?
Needs Followup	
#7893	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	Several reasons. The eased area may not contain true "open space" qualities, it may provide unfair advantages to heavily eased parcels, "protect" areas already protected and detract from other areas more appropriate for open space protection.
#7638	5.04 Open Space Standards
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/22/2022	A. 5a. Text intent isn't clear--something along these lines would be clearer: In cases where open space was not required or provided in an initial application for up to 4 dwelling units, the next piecemeal application for up to 4 dwelling units will be required to provide the required amount of open space.
Needs Followup	

#7892	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	The comment is acknowledged. Several other comments on the same section have been offered and will all be reviewed before a revision is made.
#7639	5.04 Open Space Standards
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/22/2022	A.6 Third sentence could be reworded to be clearer. Is this close to what's intended? Required open space amounts and locations must be referenced and illustrated on site plans for each parcel(s) where open space is planned to ensure the COSP total amount, type and location is achieved. Provisions to insure its long-term protection must also be noted.
Needs Followup	
#7891	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	Site plans will not be the only plan where this requirement may need to be implemented. Will consider proposed language but it will take timely analysis that is not available in this exercise to reply to comments.
#7640	5.04 Open Space Standards
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/22/2022	B. Calculation of Open Space. Could the different items in this section that are considerations related to easements be grouped under a single sub-heading of easement considerations or something like that?
Needs Followup	
#7890	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	2a and 4 may be saying the same thing. Will review and revise if needed.
#7641	5.04 Open Space Standards
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/22/2022	C. 3. Rare species and those species sensitive to human activity should also be noted for protection through open space.
Needs Followup	

#7889	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	This appears to be covered by inclusion of "threatened or endangered species habitat."
#7642	5.04 Open Space Standards
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/22/2022	D. Open Space Categories 2. Public Shouldn't ownership by the county also be an option here? Could ownership also be by a separate entity that wasn't created specifically for the purpose of ownership/management, but which performs that role?
Needs Followup	
#7888	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	Comment highlights other changes that may be necessary regarding categories where the County is identified as a receiver. After further review, revisions will be made.
#7643	5.04 Open Space Standards
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/22/2022	E. Priorities for Inclusion in Open Space and Bonus Credit. 1.b. Is there a typo in the "subject to the limits of 5.04.1k" reference?
Needs Followup	
#7887	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	Yes, it should be G.2.b. Changed it.
#7644	5.04 Open Space Standards
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/22/2022	E. Priorities for Inclusion in Open Space and Bonus Credit. 1.b. For purposes of LPAT, shouldn't major and minor floodplain be an automatic inclusion?
Needs Followup	

#7886	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	Floodplain is already protected. There is the matter of unfair advantage for development that doesn't include floodplain. Although net gain is NOT a goal or criteria for open space, there would be no gain in open space.
#7645	5.04 Open Space Standards
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/22/2022	E. Priorities for Inclusion in Open Space and Bonus Credit. How about including Specimen and Champion Trees with adequate root zone protection getting 1.5x the area if they are not within (c) or (d)?
Needs Followup	
#7885	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	The intent is understood. Trees are not permanent and protective measures or easements on individual trees is impractical. Mature forest may cover this.
#7646	5.04 Open Space Standards
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/22/2022	F.9. To encourage the use of LID practices in parking lots, could you provide further detail regarding function? For example, an island that isn't functionally part of a parking lot stormwater storage/management system because the island is surrounded by curb with no curb cut allowing stormwater inflow, should not get full open space credit.
Needs Followup	
#7884	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	The intent is understood and can be discussed further but there is concern for the impermanence of parking lots if redevelopment occurs.
#7647	5.04 Open Space Standards
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/22/2022	F. Open Space Standards General comment on what's considered open space. The county has improved its open space standards over time to require it to be usable open space. This section works to further define that. Consider incentivizing a wide variety of green infrastructure and LID practices in public spaces through higher credits to help to encourage the use of such Best Management Practices which have multiple co-benefits.
Needs Followup	

#7883	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	Will give this consideration. Incentives may be appropriate but consider that BMP's are not permanent.
#7648	5.04 Open Space Standards
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/22/2022	3. Passive Recreation Space. d. Would this language prohibit open space that is on a stand-alone, non-contiguous parcel? It's not clear--perhaps it could be beefed up?
Needs Followup	
#7870	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	Don't understand the comment. The intent of limiting location to local roads is to enhance the area for passive recreation which would not be as desirable next to high traffic areas.
#7649	5.04 Open Space Standards
By: Kevin Ruedisueli Tags: public kevinruedisueliZOC@gmail.com Date: 1/22/2022	E.1.e. & E.2.b. Why distinguish between ag soils currently in production and those not, and therefore (as written) give a bonus for those not in production? Why not rather give the bonus in either case? Doesn't the current wording encourage people to take land out of production prior to development?
Needs Followup	
#7868	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	Good comment. This may need further guidelines to determine "currently" and "not currently" in production. The intent is to try to protect known prime soils for future ag use.
#7650	5.04 Open Space Standards
By: Kevin Ruedisueli Tags: public kevinruedisueliZOC@gmail.com Date: 1/22/2022	F.2. What difference does it make if added open space is similar or not in characteristics to the existing open space to which it is being added? Cannot open space be made of a variety types? Suppose one wanted to add a wooded area as open space which was adjacent to playing fields? Why not?
Needs Followup	

#7867	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	Good point. deleted the language.
#7652	5.04 Open Space Standards
By: Kevin Ruedisueli Tags: public kevinruedisueliZOC@gmail.com Date: 1/22/2022	F.9 Same comment as for F.8 above. What am I missing here?
Needs Followup	
#7866	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	See reply to F8 comment. F 8, 9, 10 and 11 work together to produce functional open space.
#7651	5.04 Open Space Standards
By: Kevin Ruedisueli Tags: public kevinruedisueliZOC@gmail.com Date: 1/22/2022	F.8. Seems nonsensical. Please explain what this regulation is for?
Needs Followup	
#7865	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	F8 is an attempt to prevent meeting minimum open space requirement with un-useable or "leftover" areas. These can still be used or designated as open space because they do provide some benefit but not included in meeting minimum requirement.
#7653	5.04 Open Space Standards
By: Kevin Ruedisueli Tags: public kevinruedisueliZOC@gmail.com Date: 1/22/2022	F.12. One would not want to make Agricultural open space accessible to all individuals for a number of reasons. Nor may it not be practicable to make Natural Resource, etc. areas accessible. Edit this accordingly.
Needs Followup	

#7864	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	Deleted as suggested because accessibility is addressed in other sections.
#7654	5.04 Open Space Standards
By: Kevin Ruedisueli Tags: public kevinruedisueliZOC@gmail.com Date: 1/22/2022	H.1.d. Why does an active recreation area need to be 'centrally located'? Central is hard to define anyway--open to interpretation. If the space is accessible by bike and ped, that should be sufficient.
Needs Followup	
#7863	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	Deleted the central location requirement which may also be addressed by the 1/4 mile radius.
#7655	5.04 Open Space Standards
By: Kevin Ruedisueli Tags: public kevinruedisueliZOC@gmail.com Date: 1/22/2022	H.2.c. How do we judge whether an open space provides 'a respite from work activities'? Better to strike this?
Needs Followup	
#7862	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	Agreed "respite" is vague. Revised to combine c and d.
#7656	5.04 Open Space Standards
By: Kevin Ruedisueli Tags: public kevinruedisueliZOC@gmail.com Date: 1/22/2022	H.3. a. Often open spaces may benefit by being adjacent to woods or streams and therefore be situated at an edge of a development. Can we strike 'centrally located'?
Needs Followup	

#7861	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	Accessibility to all is an overriding concern which drives the centrally located desire but adjacent to other natural areas, especially if they are preserved is also a valid locational guide. Will review for appropriate revision.
#7657	5.04 Open Space Standards
Needs Followup	
#7860	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	Assuming this applies to 5.04H.4.b.1.Green. This comment will be helpful and considered when developing a definition.
#7658	5.04 Open Space Standards
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/23/2022	H. 6. Trails. LPAT trails are envisioned to be nature trails largely along streams that should definitely have accessible sections, but not necessarily be uniform in width or character. If this section is intended to provide guidance for trails that will be included in the LPAT trail system, it may be too prescriptive.
Needs Followup	
#7859	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	This is not necessarily designed for LPAT purposes but more focus on accessibility for ADA reasons.
#7659	5.04 Open Space Standards
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/23/2022	H.6.a. To be most accessible, the LPAT Trail system is envisioned to connect to existing HOA community trails if/where the connection is welcomed by the community. In newly developing communities, these connections should provide the community the same access from the start, except for explicitly private facilities.
Needs Followup	

#7855	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	This section written to avoid public access to private trails in existing communities based on very strong objection to the arrangement evident from public input to LPAT. Determining existing community agreement could prove difficult and inconclusive. Revised language may be appropriate to distinguish new from existing communities.
#7660	5.04 Open Space Standards
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/23/2022	I. Uses in Open Space. 4.e.3.Agricultural Processing I'm not sure if the definition includes a meat processing building, but that seems like it might be too intense a use.
Needs Followup	
#7841	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	Staff's opinion, current definition of agricultural processing would appear to include meat processing and a change to the definition would have wide ranging effects, not just in this section. May need an exclusion here if determined appropriate.
#7661	5.04 Open Space Standards
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/23/2022	K. Maintenance and Management of Open Space. 2. LPAT is just at the initial phase of implementation. There may be agreements that the county and HOAs make regarding maintenance that would be outside of what's indicated. To avoid having to revisit the ordinance for a minor tweak, can this be slightly reworded to say "dedicated and/or accepted through an appropriate process?"
Needs Followup	
#7840	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	If the comment is understood correctly, there won't be one (dedicated) without the other (accepted).
#7662	5.04 Open Space Standards
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/23/2022	L. Ownership, Operation, and Management of Common Open Space and Common Facilities. 1. Is it stated adequately elsewhere that a developer can dedicate open space to a land trust or similar entity for permanent protection of the open space as opposed to requiring the county or the HOA to take on that responsibility so that this section does not need an additional reference?
Needs Followup	

#7839	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	That may not be clear or obvious enough so additional language can be added.
#7663	5.04 Open Space Standards
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/23/2022	L. Given the timing required for establishing an organization to maintain and administer the open space, is it possible for a developer to get credit for open space that is planned and has an signed agreement to go to the county or another entity for protection and maintenance so that the developer can get credit for providing the open space without having to go through the process of setting up an organization that won't be needed?
Needs Followup	
#7838	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	Staff may be a bit confused here. If developer has a signed agreement with "another entity" it would appear the entity already exists and the time needed for a process to set up wouldn't be needed. In any event the County wouldn't be giving credit without a firm agreement.
#7664	5.04 Open Space Standards
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/23/2022	L.1.4 Should the COSP acronym be used here instead of "OS Plan" for consistency?
Needs Followup	
#7837	5.04 Open Space Standards
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/25/2022	Revision has been made.
#6273	5.05.01 Applicability
By: Jeff Browning for REDC Tags: public jeff@browningequipment.com Date: 11/27/2021	5.05.02 C Agree that application shall include location and dimensions of parking and means of ingress and egress.

#6272	5.05.01 Applicability
By: Jeff Browning for REDC Tags: public jeff@browningequipment.com Date:11/27/2021	Agree that parking required for multiple uses must be cumulative for each use.
Needs Followup	
#6834	5.05.02 Parking Ratios
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date:1/2/2022	Suggest a maximum of 20 cars per Country Inn, as a way to control the size of these often-misused category.
Needs Followup	
#6274	5.05.02 Parking Ratios
By: Jeff Browning for REDC Tags: public jeff@browningequipment.com Date:11/27/2021	<p>5.05.03-4 Table</p> <ul style="list-style-type: none"> a. BnB regulations require $1 + .75$ parking spaces per bedroom. Why is Guest Farm or ranch only $1 + .5$? b. Camping requires 5/campground? Should this be 1/DU (campsite) plus parking for staff? c. Why does accessory dwelling have no parking standard when tenant dwelling is 1/DU as a minimum and 2.5/DU as maximum and BnB regulations are as in question (a)? This should reflect that accessory dwellings will/could be used as STR. d. Under Arts, Recreation and Entertainment <ul style="list-style-type: none"> 1. How was .33 of permitted capacity plus 1/employee calculated for equestrian event facility? e. Under Agriculture <ul style="list-style-type: none"> 1. Limited Brewery is 2/1,000sf, commercial and farm wineries are 2/winery. Similar uses are 5/1000sf for banquet facilities, 8/1000 for amphitheater and 8/1000sf for outdoor recreation. REDC asks why wineries and limited breweries are not 8/1000sf of building with 2 spaces being ADA? For standards, REDC requests that parking must be on-site on land contiguous to and owned by the facility and be permitted in fields so as not to require impermeable or permanent gravel parking spaces. There should be parking minimum of 8/1000 sf of building. Satellite parking may be allowed for special events as long as transportation to the facility is provided. 2. How was 1 space/4 stalls determined for stable private or stable livery?
Needs Followup	
#3405	5.05.04 Electric Vehicle Parking
By: john merrithew Tags: public Jm@lo.gov Date:8/25/2021	Why would an amphitheater require 2% ev parking and dinner theater and most other uses in this use category only require 1%. These numbers seem arbitrary so I'd like to know the logic behind the ratios and I would suggest starting out that we require a fixed percentage anywhere we want ev parking.

#3597	5.05.07 Oversized Vehicle Parking
By: john merrithew Tags: public john.merrithew@loudoun.gov Date:9/1/2021	Can the owner of the RV park it behind his house for the winter? He should be able to. To repeat an earlier comment, guests should be allowed to park in my driveway for the weekend.
#9636	5.05.07 Oversized Vehicle Parking
Needs Followup	
#3457	5.05.08 Parking Adjustments
By: Rich Brittingham Tags: public rbrittingham@dewberry.com Date:8/25/2021	<p>The parking requirements in urban area do not align with goals of comp plan. The density of parking required will not allow the development density goals of comp plan.</p> <p>The transit reduction is great concept but percentages need to be doubled or tripled. Fairfax is great example of successful parking ratio in areas around transit and there no reason Loudoun shouldn't match that in the areas 1/4 to 1/2 mile from metro.</p> <p>Fairfax requires 1.5 sp for 2 BR MF units and 1.6 spaces for 3 BR or more in the Transit Areas.</p>
#6960	5.06 Tree Planting, Replacement, and Preservation
By: Gem Bingol Tags: public gbingol@pecva.org Date:1/5/2022	<p>5.06 Tree Planting, Replacement, and Preservation</p> <p>B. Canopy Requirements.</p> <p>Hopefully the General Assembly will strengthen tree regulations. But in addition to those requirements, in order to protect existing trees, what kind of incentive could staff come up with to foster the preservation of existing trees. Mature trees have much greater ecological, stormwater and canopy benefits, so those benefits could be preserved?</p>
#7002	5.06 Tree Planting, Replacement, and Preservation
By: Kate McConnell Tags: public,staff kate.mcconnell@loudoun.gov Date:1/6/2022	Added 5.06.B.5, which allows tree cover credit for preserving existing trees. In consultation with County Urban Forester there was not much appetite for reducing required canopy because they retained trees to meet the canopy requirement. However, will revisit again to identify opportunities to support tree preservation.
#8827	5.06 Tree Planting, Replacement, and Preservation
By: Kate McConnell Tags: public,staff kate.mcconnell@loudoun.gov Date:2/24/2022	Consulted with County Urban Forester. While they agree that incorporating credit will be beneficial and an option to encouraging conservation, this will necessitate a companion amendment to the FSM indicating how the credit will be applied.

#6958	5.06 Tree Planting, Replacement, and Preservation
By: Gem Bingol Tags: public gbingol@pecva.org Date:1/4/2022	While tree plant types have been moved to the FSM, it seems that the purpose of Section 5.06 should include some overarching language that details the reasoning behind the specific tree requirements in the FSM--especially since the FSM is waivable. Add under Purpose: Foster greater biodiversity and ecological integrity by prioritizing the use of Virginia native tree species.
Needs Followup	
#7765	5.06 Tree Planting, Replacement, and Preservation
By: Kate McConnell Tags: public,staff kate.mcconnell@loudoun.gov Date:1/24/2022	Will consult 2019 GP and Community Planning regarding suggested language and revise as appropriate.
#8671	5.06 Tree Planting, Replacement, and Preservation
By: Kate McConnell Tags: public,staff kate.mcconnell@loudoun.gov Date:2/17/2022	Revised purpose statement based on plan policy. Also, consulted with Natural Resources Team who indicated that the issuance of waivers has decreased recently and the request for a waiver must be accompanied with mitigation and/or offsets.
Needs Followup	
#7167	5.06 Tree Planting, Replacement, and Preservation
By: Joe Paciulli Tags: public joepaciullizoc@gmail.com Date:1/12/2022	Both 5.06 and 5.07 bounce around concerning "Standards". AmericanHort seems to be a general abbreviation, other times other conflicting organizations are cited, later other sections of the Zoning Ordinance are cited, and finally there are references to go to the FSM because it's the source to use. I'm not sure all of the paths end in the same place and likely contradict each other. All of the Zoning Ordinance should reference one concise area in the FSM to see the technical standards as far as planting, materials, size, placement, methodology, etc., etc. All of 5.06 and 5.07 should point only to the FSM. The FSM was recently updated, but if it is lacking correct that document - the FSM is where all of these references should point.
Needs Followup	
#7763	5.06 Tree Planting, Replacement, and Preservation
By: Kate McConnell Tags: public,staff kate.mcconnell@loudoun.gov Date:1/24/2022	AmericanHort is from State Code and is the name of the organization - see https://www.americanhort.org/ . No plant sizes or FSM references have been revised, but will confirm with County Urban Forester that requirements are not duplicated and in the appropriate place.
#8670	5.06 Tree Planting, Replacement, and Preservation
By: Kate McConnell Tags: public,staff kate.mcconnell@loudoun.gov Date:2/17/2022	The regulation of plant size in the ZO and plant type in the FSM was addressed with the recent buffer ZOAM and has not been changed with these revisions.

#6863	5.06 Tree Planting, Replacement, and Preservation
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	5.06 TREE PLANTING, REPLACEMENT AND ENFORCEMENT. Why is there no mention of requiring tree plans to join with neighboring contiguous habitats to reduce habitat fragmentation and promote wildlife corridors?
Needs Followup	
#7770	5.06 Tree Planting, Replacement, and Preservation
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/24/2022	Will evaluate inclusion, as well as cross references to other requirements in the zoning ordinance that address connecting open space.
#8669	5.06 Tree Planting, Replacement, and Preservation
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 2/17/2022	Connection with other habitats is addressed in open space development standards. Since we cannot require the preservation of trees to meet canopy requirements due to state code limitations, it would be illogical to require connections in this section. The FSM also encourages connections with tree conservation areas.
#6867	5.06 Tree Planting, Replacement, and Preservation
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	"5.06.A.4 TREE PLANTING, REPLACEMENT AND ENFORCEMENT. The current FSM Table 3 of Tree Conservation and Landscape Plan includes 45% non-native trees. Why does the Zoning Ordinance not include a 100% (or other minimum percentage) native trees and shrubs requirement? A minimum requirement is needed to prioritize native vegetation per the 2019 General Plan - FTV 4.2 Action A. (The Zoning Ordinance needs to be updated to initiate an update of the FSM. Otherwise circular logic of the ZO pointing to the FSM before the FSM standards have been updated to reflect the new ZO is circular and non-effective.) When will this review be done for ZOR/FSM updates?"
Needs Followup	
#7771	5.06 Tree Planting, Replacement, and Preservation
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/24/2022	Will consult with County Urban Forester regarding appropriate percentage and location for requirement and revise accordingly.
#8668	5.06 Tree Planting, Replacement, and Preservation
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 2/17/2022	Consulted with the County Urban Forester and Natural Resources Team (NRT). The appropriate location for the native species % requirement is in the FSM. NRT is anticipating an update to the FSM to address native species policies of the 2019 GP as a companion to the ZO Rewrite. In addition, the Urban Forester noted that increasingly they see more native species in landscape palettes.

#6865	5.06 Tree Planting, Replacement, and Preservation
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	5.06 TREE PLANTING, REPLACEMENT AND PRESERVATION. While the policy statement was updated to be consistent with 2019 GP Policy Chapter 3, FTV p.3-7 and FTV Action 4.1.B., there are many other relevant and important policies as part of FTV Policy 4 including, but not limited to, 4.1.C "require the removal of invasive plant species during the development process" and 4.2.A "prioritize the planting of native vegetation, specifically along those corridors that provide connections to other natural, environmental, and heritage resources". Why was this, and other actions from FTV policy 4 omitted from the Zoning Ordinance? And, why are there not corollary ordinances related to removal of invasive species and planting native vegetation along corridors (which would reduce habitat fragmentation)?
Needs Followup	
#7778	5.06 Tree Planting, Replacement, and Preservation
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/24/2022	Will consult with County Urban Forester and determine best location/way to address removing invasive species and revise appropriately.
#8667	5.06 Tree Planting, Replacement, and Preservation
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 2/17/2022	Consulted with the County Urban Forester and Natural Resources Team (NRT). The appropriate location for the native species % and removal of invasive species requirements is in the FSM. NRT is anticipating an update to the FSM to address native species policies of the 2019 GP as a companion to the ZO Rewrite. The FSM does not allow concentrated stands of invasive species to count toward tree conservation areas. In addition, the Urban Forester noted that increasingly they see more native species in landscape palettes.
Needs Followup	
#6959	5.06 Tree Planting, Replacement, and Preservation
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/4/2022	5.06 Tree Planting, Replacement, and Preservation A. General Standards. To foster biodiversity and resist the spread of disease, add a reference under General Standards to augment the FSM language: Trees used to meet planting, replacement and preservation requirements should be 80% native. AND No more than 1/4 of plantings consisting of more than 40 trees shall consist of a single tree species.
Needs Followup	
#6993	5.06 Tree Planting, Replacement, and Preservation
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/5/2022	The no more than 1/4 of 40 trees may be a single species requirement is an FSM requirement for new plantings to meet canopy requirements. A goal of the rewrite is to eliminate duplicate regulations (and thereby decrease the chance of inconsistencies over the long term). However, will consider inclusion of a native species percentage requirement.

#8666	5.06 Tree Planting, Replacement, and Preservation
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 2/17/2022	Consulted with the County Urban Forester and Natural Resources Team (NRT). The appropriate location for the native species % requirement is in the FSM. NRT is anticipating an update to the FSM to address native species policies of the 2019 GP as a companion to the ZO Rewrite. In addition, the Urban Forester noted that increasingly they see more native species in landscape palettes.
#6862	5.06 Tree Planting, Replacement, and Preservation
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	5.06. TREES: This is overall very weak on preserving existing trees. Lots on "planting" and "replacement" - the latter indicating removal of existing trees, which cannot be actually replaced as they would have been already established. I assume that the strong recommendation of use of native species (for all plantings) is in the FSM.
#7777	5.06 Tree Planting, Replacement, and Preservation
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/24/2022	The state code enabling the tree preservation requirement is very limited in what we can require. The County cannot require preservation and limits the canopy percentages to those included in the regulations.
#8665	5.06 Tree Planting, Replacement, and Preservation
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 2/17/2022	Also revised canopy requirements in the ARN, ARS, A-3, and A-10 so that they have to replace 20% of canopy or, if less, the amount of existing canopy, but at a minimum provide 2.5% or 3,000 SF/lot.
#6826	5.06 Tree Planting, Replacement, and Preservation
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date: 1/2/2022	5.06.B should impose minimum tree canopy (existing plus supplemented) on all single-family subdivisions in ARN and ARS. Perhaps the most offensive land development is a SFD subdivision in what used to be a pasture, with only minimal tree planting. Impose a canopy requirement and eventually these projects may heal in and look better.
#6936	5.06 Tree Planting, Replacement, and Preservation
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/4/2022	Noted. We will discuss such a provision internally .

#8561	5.06 Tree Planting, Replacement, and Preservation
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 2/15/2022	Added a requirement by eliminating exempted districts. Now all subdivisions for single-family and duplexes must meet the canopy requirement in B.2.
#7166	5.06 Tree Planting, Replacement, and Preservation
By: Joe Paciulli Tags: public joe.paciullizoc@gmail.com Date: 1/12/2022	I find it impossible to find what has changed in 5.06 and 5.07 without the benefit of a redline markup.
#8560	5.06 Tree Planting, Replacement, and Preservation
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 2/15/2022	General response about redlines provided to ZOC.
#7571	5.06 Tree Planting, Replacement, and Preservation
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/21/2022	Purpose Encourage the preservation of existing trees to meet canopy requirements. Suggested addition: Encourage the preservation of existing trees to meet canopy requirements and to support insect populations critical to human and wildlife food webs.
#7761	5.06 Tree Planting, Replacement, and Preservation
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/24/2022	Will consult 2019 GP and Community Planning regarding suggested language and revise as appropriate.
#8559	5.06 Tree Planting, Replacement, and Preservation
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 2/15/2022	Revised Purpose statement with policies and language from the 2019 GP. The specific language proposed is not included in the plan.

#6866	5.06 Tree Planting, Replacement, and Preservation
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	5.06 TREE PLANTING, REPLACEMENT AND PRESERVATION. Why are 2019 General Plan NHR Policy 6 strategies 6.1 actions A-C, and 6.2 actions A-E not incorporated into Section 5.06? While 6.2.D is included in Section 5.07, many of these strategies and actions also apply to this section as they relate to protecting wildlife, wildlife corridors, native vegetation, and other elements that relate to trees. How/where will they be incorporated?
#7779	5.06 Tree Planting, Replacement, and Preservation
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/24/2022	The state code enabling the tree preservation requirement is very limited in what we can require. The County cannot require preservation and limits the canopy percentages to those included in the regulations.
#6864	5.06 Tree Planting, Replacement, and Preservation
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	5.06 TREE PLANTING, REPLACEMENT AND ENFORCEMENT. Does this satisfy the requirement for a Tree Preservation Ordinance? Or will a separate ZOAM be used to satisfy the 2019 General Plan policy for a Tree Preservation Ordinance?
#7769	5.06 Tree Planting, Replacement, and Preservation
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/24/2022	The County is limited to the enabling statute referenced at the beginning of this section. We cannot require tree preservation, only encourage preservation and require replacement.
#7497	5.06 Tree Planting, Replacement, and Preservation
By: Rich Brittingham Tags: public rbrittingham@dewberry.com Date: 1/19/2022	Need to exclude Electrical Substations from Tree Canopy requirements. Substation sites are often pigeon holed into leftover unwanted land and they are an ESSENTIAL utility for all county stakeholders. The transmission and distribution lines in and out preclude extensive canopy for safety reasons.
#7762	5.06 Tree Planting, Replacement, and Preservation
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/24/2022	Please provide an example where this has been an issue. Confirmed with County Urban Forester that meeting canopy requirements in this scenario has been worked out in the past. However, will conduct more research and evaluate the most appropriate way to address this potential concern.

#7569	5.06 Tree Planting, Replacement, and Preservation
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/21/2022	<p>Purpose: Kate, Thank you for the additions to this section! Under the second bullet, I'd suggest a slight alteration since as it stands, it might confuse the reader that "corridor" refers to road corridors (and how I also initially read it).</p> <p>Suggestion: "Prioritize the planting of native vegetation, specifically to create wildlife habitat corridors that provide connections between..."</p>
#7760	5.06 Tree Planting, Replacement, and Preservation
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/24/2022	Revised slightly to clarify wildlife corridor but also keep with language of 2019 GP.
#7168	5.06 Tree Planting, Replacement, and Preservation
By: Joe Paciulli Tags: public joepaciullizoc@gmail.com Date: 1/12/2022	<p>I cant find street trees. 5.06.B.2.d points me to 5.07.02.E. This then says "where required" "provide them". Street trees are only required in certain types of subdivisions. The following wording in the existing ordinance, I can not find -</p> <p>For development requiring a plan of subdivision, but not a site plan, property not zoned A-3, A-10, AR-1, AR-2, i.e. single family and duplex dwellings. When a plan of subdivision is required under the Land Subdivision and Development Ordinance and the property is not zoned A-3, A10, AR-1, AR-2, a landscape plan shall be included at Record Plat or construction drawings, whichever shall occur first, that provides for the planting or replacement of trees on the site to the extent that, at maturity of twenty (20) years, minimum tree canopies will be provided as follows:</p> <p>Street trees are only required as an element of this section and I don't see it anywhere.</p>
#7498	5.06 Tree Planting, Replacement, and Preservation
By: Joe Paciulli Tags: public joepaciullizoc@gmail.com Date: 1/19/2022	I have since found this text. You can ignore this comment
#7247	5.06 Tree Planting, Replacement, and Preservation
By: Kevin Ruedisueli Tags: public kevinruedisueliZOC@gmail.com Date: 1/16/2022	.A.3 references a section that does not exist--should be 5.07.07.D?

#6868	5.06 Tree Planting, Replacement, and Preservation
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date:1/3/2022	5.06.B.1 TREE PLANTING, REPLACEMENT AND ENFORCEMENT. These percentages should be raised to better protect trees. Are there higher percentages allowed by Virginia Code?
#6996	5.06 Tree Planting, Replacement, and Preservation
By: Kate McConnell Tags: public,staff kate.mcconnell@loudoun.gov Date:1/5/2022	Not currently. These are the maximum requirements allowed by state code.
#6869	5.06 Tree Planting, Replacement, and Preservation
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date:1/3/2022	5.06.B.4 CANOPY REQUIREMENTS, 4: Though tree canopy requirements can be filled with preservation of existing trees or replacement of trees, shouldn't the County be encouraging the preservation of existing trees on a site? Can Staff change the first sentence to: "Existing trees are encouraged to be preserved and may be included to meet...." rather than "Existing trees which are to be preserved may be included..."
#6995	5.06 Tree Planting, Replacement, and Preservation
By: Kate McConnell Tags: public,staff kate.mcconnell@loudoun.gov Date:1/5/2022	Revised.
#6825	5.06 Tree Planting, Replacement, and Preservation
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date:1/2/2022	A.1. "American Hort." should not be abbreviated and probably needs an explanation.
#6937	5.06 Tree Planting, Replacement, and Preservation
By: Ryan Reed Tags: public,staff ryan.reed@loudoun.gov Date:1/4/2022	Too late in the day to run past our team of foresters & arborists, but flagged for follow up after consultation with them.
#6994	5.06 Tree Planting, Replacement, and Preservation
By: Kate McConnell Tags: public,staff kate.mcconnell@loudoun.gov Date:1/5/2022	This is the term in the state code and it is the name of the organization. See https://www.americanhort.org/ .

#6961	5.06 Tree Planting, Replacement, and Preservation
By: Gem Bingol Tags: public gbingol@pecva.org Date:1/5/2022	B. Canopy requirements 2.c Why not require 2.5% or 3,000 square feet, whichever is more?
#6992	5.06 Tree Planting, Replacement, and Preservation
By: Kate McConnell Tags: public,staff kate.mcconnell@loudoun.gov Date:1/5/2022	A lot in this scenario could be 3,000 SF (or less), so the "or less" wording accounts for smaller lots/does not create a scenario where the entire lot would have to be used to meet the canopy requirement.
#6827	5.06 Tree Planting, Replacement, and Preservation
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date:1/2/2022	Paragraph B should probably state that existing trees count toward canopy requirements.
#6828	5.06 Tree Planting, Replacement, and Preservation
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date:1/2/2022	Ignore last comment - This was handled in the draft later on.
#6877	5.07.01 Purpose, Applicability, and Exceptions
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date:1/3/2022	5.07.01.D PURPOSE, APPLICABILITY AND EXCEPTIONS.. The current Tree Conservation Plan within the FSM does not include minimum requirement of native vegetation. Strategy 6.2.C specifically states development "ensure" that it "incorporates existing native vegetation and plantings of native vegetation into the landscape design." Shouldn't this section include a requirement that it is existing native vegetation and supplemented by new native vegetation? (The word "native" is currently missing.)
#7756	5.07.01 Purpose, Applicability, and Exceptions
By: Kate McConnell Tags: public,staff kate.mcconnell@loudoun.gov Date:1/24/2022	Will consult with County Urban Forester and determine best location/way to address achieving native species and revise appropriately.
#8653	5.07.01 Purpose, Applicability, and Exceptions
By: Kate McConnell Tags: public,staff kate.mcconnell@loudoun.gov Date:2/16/2022	Consulted with the County Urban Forester and Natural Resources Team (NRT). The appropriate location for the native species % requirement is in the FSM. NRT is anticipating an update to the FSM to address native species policies of the 2019 GP as a companion to the ZO Rewrite. In addition, the Urban Forester noted that increasingly they see more native species in landscape palettes.

#6875	5.07.01 Purpose, Applicability, and Exceptions
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	5.07.01 PURPOSE, APPLICABILITY AND EXCEPTIONS. While "contribute to ecosystem benefits" is good language to include, it could be more specific. Why are more elements of NHR Policy 7 Strategies and actions related to 6.1 and 6.2 not included in this section?
#7755	5.07.01 Purpose, Applicability, and Exceptions
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/24/2022	Will revisit 2019 GP policy and revise purpose statement as appropriate.
#8564	5.07.01 Purpose, Applicability, and Exceptions
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 2/15/2022	The requirement to provide buffers between uses is not the regulatory method to achieve the policies, strategies, and actions of Sections 6.1 and 6.2.
#6873	5.07.01 Purpose, Applicability, and Exceptions
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	"5.07.01 PURPOSE, APPLICABILITY, AND EXCEPTIONS, PURPOSE: Is this list intended to be a comprehensive list? Should add: ""Protect our night sky from light pollution and intrusive artificial light; Enhance water quality and storm water control by reducing runoff and erosion; Reduce heat-island impact; Increase property values to homeowners by 10%-20%; Increase economic benefits to homeowners and commercial property owners; Reduce crime; Clean our air; Protect, feed and shelter wildlife;"
#7757	5.07.01 Purpose, Applicability, and Exceptions
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/24/2022	Will revisit 2019 GP policy and revise purpose statement as appropriate.
#8563	5.07.01 Purpose, Applicability, and Exceptions
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 2/15/2022	Protect our night sky from light pollution and intrusive artificial light - Addressed in Performance Standards and/or FSM for lighting. Enhance water quality and storm water control by reducing runoff and erosion - added language consistent with 2019 GP Increase property values to homeowners by 10%-20%; Increase economic benefits to homeowners and commercial property owners; Reduce crime; - did not add, as not policy in the 2019 GP. Some Purpose statements address Clean our air; Protect, feed and shelter wildlife; - added language consistent with 2019 GP Reduce heat-island impact - added language consistent with 2019 GP

#6870	5.07.01 Purpose, Applicability, and Exceptions
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	5.07 LANDSCAPING BUFFER YARDS, SCREENING AND LANDSCAPE PLANS. Except for 5.07.04 Cemetery, Burial Ground, and Grave Buffer, there are no mentions of invasive species removal. As per 2019 General Plan FTV Policy 4 Strategy 4.1.C, shouldn't language be included throughout Section 5.07 to "require the removal of invasive plant species during the development process"?
#7758	5.07.01 Purpose, Applicability, and Exceptions
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/24/2022	Will consult with County Urban Forester and determine best location/way to address removing invasive species and revise appropriately.
#8562	5.07.01 Purpose, Applicability, and Exceptions
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 2/15/2022	Addressed removal of invasive species in Policy section.
#6871	5.07.01 Purpose, Applicability, and Exceptions
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	5.07. LANDSCAPING. PURPOSE & APPLICABILITY. D. Regular references to "existing vegetation MAY be used. It seems that it should using existing vegetation SHOULD be encouraged.
#7759	5.07.01 Purpose, Applicability, and Exceptions
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/24/2022	Allowing it to be used is encouragement. It cuts down on landscaping costs. Many people use existing vegetation to achieve buffers.
#6876	5.07.01 Purpose, Applicability, and Exceptions
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	5.07.01 PURPOSE, APPLICABILITY AND EXCEPTIONS. We appreciate the inclusion of NHR Policy 7 Strategy 6.2.D on pollinator habitat to apply to all new landscaping rather than just the Rt. 7 corridor, as noted on Page 4 of the 1.5.22 Cover Memo. However, why is this not mentioned as part of section 5.07.01?

#6874	5.07.01 Purpose, Applicability, and Exceptions
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	5.07.01 PURPOSE, APPLICABILITY, AND EXCEPTIONS, Purpose: Shouldn't the County encourage the use of native plants in landscaping? Why is there no mention in this section of naturalistic plantings especially for government buildings and sites?
#7169	5.07.02 Road Corridor Buffers and Setbacks
Needs Followup	
#7786	5.07.02 Road Corridor Buffers and Setbacks
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/24/2022	Will evaluate further and revise as appropriate.
#8676	5.07.02 Road Corridor Buffers and Setbacks
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 2/17/2022	Made revisions to address comments.
Needs Followup	
#7253	5.07.02 Road Corridor Buffers and Setbacks
By: Kevin Ruedisueli Tags: public kevinruedisueliZOC@gmail.com Date: 1/16/2022	Does Table 5.07.02.-1 show all the possible road types? It should. See my previous comment relative to Alleys, etc.
Needs Followup	
#7783	5.07.02 Road Corridor Buffers and Setbacks
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/24/2022	Agree with concept. Will evaluate further and revise accordingly.

#8675	5.07.02 Road Corridor Buffers and Setbacks
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 2/17/2022	Revised table as suggested
#7252	5.07.02 Road Corridor Buffers and Setbacks
By: Kevin Ruedisueli Tags: public kevinruedisueliZOC@gmail.com Date: 1/16/2022	The Exception to not require street trees in alleys, etc seems to be in the wrong place. Could it be placed in Table 5.07.02-1, where it and any other road not requiring street trees would be shown with 'NA' in the Buffer Type column?
Needs Followup	
#7784	5.07.02 Road Corridor Buffers and Setbacks
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/24/2022	Agree with concept. Will evaluate further and revise accordingly.
#8674	5.07.02 Road Corridor Buffers and Setbacks
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 2/17/2022	Revised table as suggested
#6990	5.07.02 Road Corridor Buffers and Setbacks
By: Rich Brittingham Tags: public rbrittingham@dewberry.com Date: 1/5/2022	Gateway buffers require buffer immediately adjacent to ROW, and all plant material within first 50'. No opportunity to shift buffer backwards in the event of natural features that preclude landscaping (wetlands...) should be carveout in the event wetlands (or similar) exist in that specific area immediately adjacent to ROW which would not allow the required buffer to be installed.
#7789	5.07.02 Road Corridor Buffers and Setbacks
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/24/2022	If this issue arises, then the applicant can request a waiver or modification in accordance with 5.07.08.
#8673	5.07.02 Road Corridor Buffers and Setbacks
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 2/17/2022	See also, 5.07.02.A.4.

#6880	5.07.02 Road Corridor Buffers and Setbacks
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	5.07.02.E.3 ROAD CORRIDOR BUFFERS & SETBACKS. Specific Requirements for Street Trees. It currently states that "all vegetative material must meet the specifications included in the FSM." Does the FSM need to be updated to include greater provisions to comply with new 2019 General Plan policies in regards to native plants, pollinator habitat, and removal of invasives that have not yet been updated in the FSM? If so, how and when? Otherwise, circular logic will not result in requiring updates to the FSM, because it was not required by the Zoning Ordinance.
Needs Followup	
#7796	5.07.02 Road Corridor Buffers and Setbacks
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/24/2022	Will consult with County Urban Forester and determine best location/way to address removing invasive species and revise appropriately.
#8580	5.07.02 Road Corridor Buffers and Setbacks
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 2/15/2022	Moved to Section 5.07.01 because it applies to all buffers provided in this section.
#8672	5.07.02 Road Corridor Buffers and Setbacks
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 2/17/2022	Consulted with the County Urban Forester and Natural Resources Team (NRT). The appropriate location for the native species %, pollinator, and invasive species removal requirements are in the FSM. NRT is anticipating an update to the FSM to address these policies of the 2019 GP as a companion to the ZO Rewrite. In addition, the Urban Forester noted that increasingly they see more native species in landscape palettes. Also, added removal of invasive species requirement for existing vegetation to be used as a buffer.
#6964	5.07.02 Road Corridor Buffers and Setbacks
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/5/2022	E.3 Specific Requirements for Street Trees. FSM does require variety in tree species, but should also be updated to require a higher percentage of native trees (suggest 80% be designated in ZO and FSM)
#7792	5.07.02 Road Corridor Buffers and Setbacks
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/24/2022	Will consult with County Urban Forester and determine best location/way to address removing invasive species and revise appropriately.

#8654	5.07.02 Road Corridor Buffers and Setbacks
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 2/16/2022	Consulted with the County Urban Forester and Natural Resources Team (NRT). The appropriate location for the native species % requirement is in the FSM. NRT is anticipating an update to the FSM to address native species policies of the 2019 GP as a companion to the ZO Rewrite. In addition, the Urban Forester noted that increasingly they see more native species in landscape palettes.
#6831	5.07.02 Road Corridor Buffers and Setbacks
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date: 1/2/2022	Please add significant buffer requirements along Virginia Scenic byways and roads in a County Historic Roadway District.
#6938	5.07.02 Road Corridor Buffers and Setbacks
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/4/2022	Noted. Staff will contemplate this suggestion.
#8582	5.07.02 Road Corridor Buffers and Setbacks
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 2/15/2022	In general, the buffer requirements are not applicable to ag uses or uses in the rural districts. We also cannot require the retention of buffers because something is identified as a Virginia Scenic Byway. This protection could be available to roads in the Historic Roadways District, which are locally designated, and the requirement would be in the district guidelines, not in this section.
#6977	5.07.02 Road Corridor Buffers and Setbacks
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date: 1/5/2022	Please add significant undisturbed buffers for any road that the VA Department of Historic Resources deems appropriate for listing on the National Register of historic Places.
#7790	5.07.02 Road Corridor Buffers and Setbacks
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/24/2022	I am not sure what this comment is suggesting. That buffers be undisturbed if they are significant and allow NR listed roads?
#8581	5.07.02 Road Corridor Buffers and Setbacks
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 2/15/2022	In general, the buffer requirements are not applicable to ag uses or uses in the rural districts. We also cannot require the retention of buffers because something is listed in the state or national registers for historic places. This protection could be available to roads in the Historic Roadways District, which are locally designated, and the requirement would be in the district guidelines, not in this section.

#6878	5.07.02 Road Corridor Buffers and Setbacks
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	5.07.02 A-D ROAD CORRIDOR BUFFERS & SETBACKS. Since D.1 specific requirements for Gateway Corridor Buffers includes specific language for pollinator habitat, but the other buffer types do not, it is not clear if all buffer types are to follow the same requirements. Supporting pollinator habitat is also mentioned under General Landscape Provisions, which would seem to apply to all buffer types. If it is to be required in all buffer types, why is it not mentioned?
#7797	5.07.02 Road Corridor Buffers and Setbacks
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/24/2022	Will consider edits to clarify requirements. As proposed, all buffers must meet the pollinator requirement.
#8558	5.07.02 Road Corridor Buffers and Setbacks
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 2/15/2022	Deleted under Road Corridor Buffers and Setbacks and retained as general requirement that applies to all buffers.
Needs Followup	
#6962	5.07.02 Road Corridor Buffers and Setbacks
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/5/2022	A. General Provisions 5. Why should Road corridor buffers be permitted on any residential lots, regardless of size when an individual homeowner would be impacted? Suggest ending the sentence after the word "lots."
#7794	5.07.02 Road Corridor Buffers and Setbacks
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/24/2022	There are only rare instances when this is permitted and it is only an option, not a requirement. It is permitted to allow in these rare instances so that the road corridor can be provided in these cases.
Needs Followup	
#6963	5.07.02 Road Corridor Buffers and Setbacks
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/5/2022	5.07.02 Road Corridor Buffers and Setbacks A change in A.5 General Provisions-- to remove buffers from individual lots of any size would eliminate the need for A.6

#7793	5.07.02 Road Corridor Buffers and Setbacks
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/24/2022	There are only rare instances when this is permitted and it is only an option, not a requirement. It is permitted to allow in these rare instances so that the road corridor can be provided in these cases.
#7257	5.07.02 Road Corridor Buffers and Setbacks
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.07.02-1. LANDSCAPING, BUFFER YARDS, SCREENING. Road Corridor Buffer. TABLE. While perhaps laudable to acknowledge the W&OD Trail, it is not a Road Type and therefore inappropriate in this table.
#7782	5.07.02 Road Corridor Buffers and Setbacks
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/24/2022	This has been a longstanding requirement and is not proposed for revision.
#7496	5.07.02 Road Corridor Buffers and Setbacks
By: Rich Brittingham Tags: public rbrittingham@dewberry.com Date: 1/19/2022	Should Road Corridor buffers be revised in Urban districts to align with removal of setback criteria?
#7781	5.07.02 Road Corridor Buffers and Setbacks
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/24/2022	See 5.07.01.B.2.a. which only requires road corridor buffers along the edge of certain districts, including urban districts.
#7574	5.07.02 Road Corridor Buffers and Setbacks
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/21/2022	<p>General Provisions: 5 and 6.</p> <p>Road Corridor Buffers should not be permitted to be on private residential lots of any size due to conflicts with homeowner lot management and difficulty of enforcement years down the line.</p> <p>Suggestion: End the sentence for #5 after the word "lots" and delete #6.</p>

#7780	5.07.02 Road Corridor Buffers and Setbacks
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/24/2022	There are only rare instances when this is permitted. It is permitted to allow in these rare instances so that the road corridor can be provided in these cases.
#7171	5.07.02 Road Corridor Buffers and Setbacks
By: Joe Paciulli Tags: public joepaciullizoc@gmail.com Date: 1/12/2022	5.07.02.E Please confirm that the new requirement of 20 plant units per 100 feet of street is 20 on one side of the road or a total of 20 (both sides combined) per 100 feet? This should be worded clearer.
#6879	5.07.02 Road Corridor Buffers and Setbacks
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	5.07.02.D.1 ROAD CORRIDOR BUFFERS & SETBACKS. Gateway Corridor Buffer. The supporting pollinator habitat references 5.07.07.B.8, but should it be 5.07.07.B.7?
#6885	5.07.03 Buffer Yards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	5.07.03.A.9 BUFFER YARDS. General Provisions. This section has the same circular logic of vegetative materials meeting specifications of the FSM. As noted previously, does this need to be updated to include greater provisions to comply with new 2019 General Plan policies in regards to native plants, pollinator habitat, and removal of invasives that have not been updated in the FSM yet?
#7803	5.07.03 Buffer Yards
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/24/2022	Will consult with County Urban Forester and determine best location/way to address removing invasive species and requiring native species and revise appropriately.
#8663	5.07.03 Buffer Yards
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 2/16/2022	Consulted with the County Urban Forester and Natural Resources Team (NRT). The appropriate location for the native species %, invasives, and pollinator requirements is in the FSM. NRT is anticipating an update to the FSM to address related policies of the 2019 GP as a companion to the ZO Rewrite. In addition, the Urban Forester noted that increasingly they see more native species in landscape palettes.

#6883	5.07.03 Buffer Yards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	5.07.03.A.7 BUFFER YARDS, GENERAL PROVISIONS: Shouldn't the County emphasize native and non-invasive vegetation? Change to: "Existing native and non-invasive vegetation and trees are encouraged to be used to meet requirements...." Rather than "Existing vegetation and trees may be used to meet the requirements..."
#7805	5.07.03 Buffer Yards
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/24/2022	Will confirm with County Urban Forester, but I believe the FSM limits the trees that can be used to count toward buffer requirements and does not include invasive species.
#8655	5.07.03 Buffer Yards
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 2/16/2022	See Section 5.07.01.D. Also, consulted with the County Urban Forester and Natural Resources Team (NRT). The appropriate location for the native species % and removal of invasives requirements are in the FSM. NRT is anticipating an update to the FSM to address native species policies of the 2019 GP as a companion to the ZO Rewrite. In addition, when trees are used to count toward buffer requirements, concentrated stands of invasive species are not allowed to be counted per FSM.
#6965	5.07.03 Buffer Yards
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/5/2022	A lot of time and discussion went into the Use Buffer Yard Matrix Table, and I don't suggest revisiting it extensively, but would suggest reconsidering the value of buffers between like uses. These would provide habitat connections/corridors when planted with native plant materials. Creating more habitat linkages through buffer yards and general landscaping is essential if other species are to thrive.
#7802	5.07.03 Buffer Yards
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/24/2022	Noted. Staff will contemplate this suggestion. Mark for follow-up.
#8584	5.07.03 Buffer Yards
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 2/15/2022	Consulted with the County Urban Forester and Natural Resources Team (NRT). Buffers are not the opportune place to focus on establishing habitat due to their highly landscaped nature. In addition to buffer requirements, there are new open space and natural resource protection requirements that protect "messy" spaces that serve this purpose better. Therefore, we did not increase buffer requirements between like uses.

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#6881	5.07.03 Buffer Yards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	5.07.03.1 USE BUFFER YARD MATRIX: Where in this matrix does the Gable landfill or "personal recreational field" or stockpile fall under? Category 6? Community and Active Recreation Uses, and if so, what are the buffer requirements?
#7808	5.07.03 Buffer Yards
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/24/2022	We would not require a buffer of an illegal use, because the use is not permitted. Stockpiling is subject to Section 5.07.03.A.6.
#6882	5.07.03 Buffer Yards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	5.07.03 BUFFER YARDS: Where in this section does the County address the need for buffers for illegal landfills, stockpiles of dirt and "personal recreational fields"? These sites need to be heavily buffered and/or screened from neighboring properties. For example, the Gable landfill rises more than 30 feet at the top of the Watershed over 18 acres. Why is there no buffer or screen anywhere on this site?
#7807	5.07.03 Buffer Yards
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/24/2022	We would not require a buffer of an illegal use, because the use is not permitted. Stockpiling is subject to Section 5.07.03.A.6.
#6884	5.07.03 Buffer Yards
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	5.07.03.A.7 BUFFER YARDS. General Provisions. Should this read "existing native vegetation and native trees" rather than just existing vegetation and trees?
#7806	5.07.03 Buffer Yards
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/24/2022	Will confirm with County Urban Forester, but I believe the FSM limits the trees that can be used to count toward buffer requirements and does not include invasive species.
#6829	5.07.03 Buffer Yards
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date: 1/2/2022	Buffer matrix: Buffers need to be shown for such uses as wineries, breweries, country inns, etc. and they need to be substantial. As the table is written, they would claim to be "Agricultural" and need only minimum buffers.

#6939	5.07.03 Buffer Yards
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/4/2022	Noted. Staff will contemplate this suggestion. Mark for follow-up.
#7804	5.07.03 Buffer Yards
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/24/2022	See also Section 5.07.03.A.6
#7235	5.07.03 Buffer Yards
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date: 1/15/2022	5.07.03-1. What buffers, if any, are required for wineries and breweries?
#7801	5.07.03 Buffer Yards
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/24/2022	The Landscaping, Buffer Yard, and Screening requirements were recently adopted; therefore, buffer yard type requirements have not been revised with this draft and the buffer yards requirements for wineries and breweries remain the same. See also Section 5.07.03.A.6
#7355	5.07.03 Buffer Yards
By: Ben Keethler Tags: public benkeethler@outlook.com Date: 1/17/2022	Table 5.07.03-1 why are buffer yards reduced to type "B" when the proposed use is residential and Flex industrial is the adjacent use? When industrial/Flex industrial is the proposed use buffer type "C" is required when residential is an adjacent use. Suggest they both be Type C.
#7800	5.07.03 Buffer Yards
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/24/2022	The most intensive use provides more screening than the lesser intensive use since the more intensive use is creating the greater impacts.
#7356	5.07.03 Buffer Yards
By: Ben Keethler Tags: public benkeethler@outlook.com Date: 1/17/2022	Table 5.07.03-1 - Type "C" buffers as defined are insufficient to buffer 70ft tall data centers.

#7799	5.07.03 Buffer Yards
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/24/2022	A Type C provides the most screening. Screening primarily protects views at ground level. We cannot screen tall things such as monopoles or tall buildings.
#7577	5.07.03 Buffer Yards
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/21/2022	A. General Provisions. 7. Instead of "may be used" substitute "are encouraged to be used"
#7798	5.07.03 Buffer Yards
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/24/2022	Allowing their use is encouragement. Landscaping is expensive. Applicants use this provision often to meet requirements.
#7011	5.07.03 Buffer Yards
By: Kevin Ruedisueli Tags: public kevinruedisueliZOC@gmail.com Date: 1/7/2022	Table 5.07.03-2 footnote 1 directs us to a non-existing table 5.07.06 for plant units.
#7013	5.07.03 Buffer Yards
By: Kevin Ruedisueli Tags: public kevinruedisueliZOC@gmail.com Date: 1/7/2022	Footnote 1 in Table 5.07.03-2 should refer to Table 5.07.07-1
#7012	5.07.04 Cemetery, Burial Ground, and Grave Buffer
By: Kevin Ruedisueli Tags: public kevinruedisueliZOC@gmail.com Date: 1/7/2022	5.07.04.A.1.c. Should be clarified to indicate that the buffer is not required on the grounds of the church, but would be required on an adjacent developing property.
#8029	5.07.04 Cemetery, Burial Ground, and Grave Buffer
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/26/2022	Noted and marked for follow up during revisions.

#7580	5.07.04 Cemetery, Burial Ground, and Grave Buffer
By: Gem Bingol Tags: public gbingol@pecva.org Date:1/21/2022	To clarify my earlier comment about keeping protection and preservation buffers off individual development lots, I meant new residential lots being developed around an existing cemetery, to preserve the buffers as intended. This will preclude conflicts with a private homeowner's property management and avoid enforcement challenges.
#8028	5.07.04 Cemetery, Burial Ground, and Grave Buffer
By: Ryan Reed Tags: public,staff ryan.reed@loudoun.gov Date:1/26/2022	We'll follow up on this.
#6966	5.07.04 Cemetery, Burial Ground, and Grave Buffer
By: Gem Bingol Tags: public gbingol@pecva.org Date:1/5/2022	There is no stipulation to prevent Protection Buffers and Preservation Buffers from extending onto adjacent individual development lots. This should not be allowed.
#7809	5.07.04 Cemetery, Burial Ground, and Grave Buffer
By: Kate McConnell Tags: public,staff kate.mcconnell@loudoun.gov Date:1/25/2022	Comprehend issue. Will consult with staff that previously drafted this section, determine approach, and revise accordingly.
#6886	5.07.05 Screening of Certain On-site Components
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date:1/3/2022	5.07.05 SCREENING OF CERTAIN ON-SITE FUNCTIONS: Does this section provide for the screening of illegal landfills, stockpiles of dirt or "personal recreational fields" from neighboring properties? The Gable landfill rises more than 30 feet at the top of the Watershed over 18 acres but has no screen or buffer. If loading areas, dumpsters, outdoor storage areas etc. are required to be screened from neighboring properties, surely illegal landfills, stockpiles of dirt and "personal recreational fields" should be screened.
#7812	5.07.05 Screening of Certain On-site Components
By: Kate McConnell Tags: public,staff kate.mcconnell@loudoun.gov Date:1/25/2022	This section is only to address unsightly functions on a site that are part of a use, such as the mechanical equipment or dumpsters, it is not for screening uses, which is addressed in Section 5.07.03.
#6830	5.07.05 Screening of Certain On-site Components
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date:1/2/2022	?????? This screening should not apply to residences, farms, etc. Please define to which uses these requirements apply.

#6941	5.07.05 Screening of Certain On-site Components
By: Ryan Reed Tags: public,staff ryan.reed@loudoun.gov Date:1/4/2022	Staff will review and ensure that this standard does not reach into unintended uses. Marked for follow-up.
#6968	5.07.06 Parking Area Landscaping and Screening Requirements
Needs Followup	
#7813	5.07.06 Parking Area Landscaping and Screening Requirements
By: Kate McConnell Tags: public,staff kate.mcconnell@loudoun.gov Date:1/25/2022	Will consult with SWM staff and confirm appropriate requirements and locations for them and revise accordingly.
#8702	5.07.06 Parking Area Landscaping and Screening Requirements
By: Kate McConnell Tags: public,staff kate.mcconnell@loudoun.gov Date:2/22/2022	Discussed recommendation with SWM staff. For practicality and flexibility purposes, we did not include the requirement to provide LIDs in parking lot landscaping, as it may not always be appropriate. Native species requirement recommendation addressed in response to other comments.
#6967	5.07.06 Parking Area Landscaping and Screening Requirements
By: Gem Bingol Tags: public gbingol@pecva.org Date:1/5/2022	Parking lot landscaping requirements should include green infrastructure/low impact development features such as bioswales, rain gardens or other facility to provide stormwater infiltration and management capability, utilizing a minimum percentage (80%) of native plant materials.
Needs Followup	
#7814	5.07.06 Parking Area Landscaping and Screening Requirements
By: Kate McConnell Tags: public,staff kate.mcconnell@loudoun.gov Date:1/25/2022	Will consult with SWM staff and confirm appropriate requirements and locations for them and revise accordingly.
#8701	5.07.06 Parking Area Landscaping and Screening Requirements
By: Kate McConnell Tags: public,staff kate.mcconnell@loudoun.gov Date:2/22/2022	Discussed recommendation with SWM staff. For practicality and flexibility purposes, we did not include the requirement to provide LIDs in parking lot landscaping, as it may not always be appropriate. Native species requirement recommendation addressed in response to other comments.

#6888	5.07.06 Parking Area Landscaping and Screening Requirements
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	5.07.06 PARKING AREA LANDSCAPING AND SCREENING REQUIREMENTS. As part of 2019 General Plan FTV Policy 4 Strategy 4.2, should this section include more tree canopy to reduce the heat island effect?
Needs Followup	
#7816	5.07.06 Parking Area Landscaping and Screening Requirements
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/25/2022	Will consult with County Urban Forester about appropriateness and survivability of requiring additional large canopy trees in parking lots and revise accordingly.
#8677	5.07.06 Parking Area Landscaping and Screening Requirements
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 2/18/2022	Added min. 15% req for small deciduous trees resulting in 90% canopy requirement.
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#6887	5.07.06 Parking Area Landscaping and Screening Requirements
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	5.07.06 PARKING AREA LANDSCAPING AND SCREENING REQUIREMENTS. Should this section include language in regards to 2019 General Plan CE Policy 7 Strategy 7.3 to prevent light pollution?
#7815	5.07.06 Parking Area Landscaping and Screening Requirements
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/25/2022	Light and glare performance standards are located under Section 5.08.05. Parking lot lighting will be required to meet them.
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#6832	5.07.06 Parking Area Landscaping and Screening Requirements
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date: 1/2/2022	1.b.4. A "large deciduous tree" as of now, or at 20 years, or at maturity? Perhaps the entire ZO needs review by an outsider to correct spelling, grammar, specificity, vagueness, etc.
#6942	5.07.06 Parking Area Landscaping and Screening Requirements
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/4/2022	We haven't linked the definitions yet, but here is the definition for Tree, Large Deciduous: A deciduous tree, usually single trunked, with a definitely formed crown of foliage and which attains a mature height of at least 30 feet. Preferred species are provided in the Facilities Standards Manual.

#6972	5.07.07 General Landscape Provisions
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/5/2022	A. Landscape Plan. Suggest requiring the inclusion of green infrastructure/LID BMPs to manage stormwater runoff. . The county generally requires only one such BMP, but to offset the impacts of and reduce stormwater impacts of development, these BMPs should be standard practice.
#7823	5.07.07 General Landscape Provisions
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/25/2022	Will consult with SWM staff about LID requirements and include additional regulations accordingly.
#8774	5.07.07 General Landscape Provisions
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 2/22/2022	Consulted with SWM staff - the preference is to allow flexibility, also not all sites may be conducive. Also, BOS direction is to not exceed state code requirements. Therefore did not include.
#6973	5.07.07 General Landscape Provisions
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/5/2022	A. Landscape Plan. Suggest requiring the installation of native grasses and other appropriate native plants in areas that are difficult to mow in order (i.e slopes, wet areas and medians) instead of non-native turf to reduce energy use and maintenance costs for the property owner and increase biodiversity.
Needs Followup	
#7821	5.07.07 General Landscape Provisions
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/25/2022	Will consult with County Urban Forester and Community Planning Staff about requiring native plantings and include requirements accordingly.
#8685	5.07.07 General Landscape Provisions
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 2/18/2022	Slope stabilization and wetland areas are addressed in the VA erosion and sediment control handbook which is referenced in the FSM. We are reducing duplicative requirements in the ZO that could possibly contradict what the VA E&S Handbook would require. Other areas suggested (medians) would not be subject to the landscape plan in this section, which address buffers and parking lot landscaping only.
Needs Followup	

#6974	5.07.07 General Landscape Provisions
By: Gem Bingol Tags: public gbingol@pecva.org Date:1/5/2022	A.1. Landscape Plan. Suggest adding a requirement that landscaping plans be designed by a certified Chesapeake Bay Landscape Professional and follow those guidelines in the design. See https://cblpro.org/
Needs Followup	
#7819	5.07.07 General Landscape Provisions
By: Kate McConnell Tags: public,staff kate.mcconnell@loudoun.gov Date:1/25/2022	Will consult with County Urban Forester and Community Planning Staff about recommendation and include requirements accordingly.
#8679	5.07.07 General Landscape Provisions
By: Kate McConnell Tags: public,staff kate.mcconnell@loudoun.gov Date:2/18/2022	Consulted with NRT. They indicated that this certification is largely related to localities subject to Chesapeake Bay regulations and to contractors and installers. Also, there are currently only 3 certified professionals in Loudoun County. Therefore, they did not find it a relevant requirement.
#7633	5.07.07 General Landscape Provisions
By: Gem Bingol Tags: public gbingol@pecva.org Date:1/21/2022	B. Plant Unit Requirements. Although these guidelines were previously discussed for buffer yards and road corridor buffers, I may have missed, but don't see any requirements for general landscaping plans. Ecosystem benefits are an essential purpose of landscape plans, so this section should be revised to include requirements related to the ecological function and value of vegetation, as well as purely aesthetic, screening and buffering values. I'd suggest that this can be addressed at least in part, by changes to plant unit requirements (in follow-on comments).
Needs Followup	
#7820	5.07.07 General Landscape Provisions
By: Kate McConnell Tags: public,staff kate.mcconnell@loudoun.gov Date:1/25/2022	Will consult with County Urban Forester, Zoning, and Community Planning Staff about general landscape plan requirements include regulations accordingly.
#8678	5.07.07 General Landscape Provisions
By: Kate McConnell Tags: public,staff kate.mcconnell@loudoun.gov Date:2/18/2022	The landscape plan requirements in this section are only for the buffers and parking lot landscaping. The draft ZO has incorporated more requirements for open space and natural areas such as the River and Stream Corridor Resources. In consultation with NRT, they indicated that leaving more areas in natural "messy" state is better than requiring additional landscaped areas.

#7634	5.07.07 General Landscape Provisions
By: Gem Bingol Tags: public gbingol@pecva.org Date:1/21/2022	<p>These suggestions include references to overall landscape plans with more specific performance standards related to the needs of pollinator species.</p> <p>B. Plant Type Requirements.</p> <p>Plant types and composition in Landscape Plans, all Buffer yards and Road Corridor Buffers must support ecosystem function and provide pollinator habitat, in addition to visual aesthetics, buffering and screening. Plant units must be provided as follows:</p> <ol style="list-style-type: none"> 1. A minimum of 80% must consist of native species as specified in the Facilities Standards Manual, and; 2. A minimum of 50% of large deciduous trees, small deciduous trees and shrubs must be identified as host species specified in the Facilities Standards Manual, for Lepidoptera (butterfly and moth) larvae that require the leaves of these woody species to complete their life cycle. 3. A minimum of 50% of the small deciduous trees, shrubs and herbaceous plants provided must produce nectar and pollen from conspicuous flowers across a variety of seasons during the year. 4. The following requirements apply to the plant types used to meet the Plant Unit requirements for each Buffer Yard or Road Corridor Buffer: (renumber and use text for previous #1, 2, 3, 4, 5, 6, 8. Delete previous #7 as it's covered in the new suggestions for #1, 2 and 3).
#7818	5.07.07 General Landscape Provisions
By: Kate McConnell Tags: public,staff kate.mcconnell@loudoun.gov Date:1/25/2022	Will consult with County Urban Forester and Community Planning Staff about requiring pollinator and native species and include requirements accordingly.
#8662	5.07.07 General Landscape Provisions
By: Kate McConnell Tags: public,staff kate.mcconnell@loudoun.gov Date:2/16/2022	Consulted with the County Urban Forester and Natural Resources Team (NRT). The appropriate location for the pollinator habitat requirement is in the FSM. NRT is anticipating an update to the FSM to address pollinator habitat policies of the 2019 GP as a companion to the ZO Rewrite. Until this time, this requirement will apply.
#6971	5.07.07 General Landscape Provisions
By: Gem Bingol Tags: public gbingol@pecva.org Date:1/5/2022	<p>B. Plant Unit Requirements</p> <p>7c. Suggest amending this to recognize that the essential feature that pollinators need is that the plants are native species. They also need native large canopy trees and herbaceous plants to complete their full life cycles.</p>

#7822	5.07.07 General Landscape Provisions
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/25/2022	Will consult with County Urban Forester and Community Planning Staff about requiring pollinator and native species and include requirements accordingly.
#8661	5.07.07 General Landscape Provisions
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 2/16/2022	Consulted with the County Urban Forester and Natural Resources Team (NRT). The appropriate location for the pollinator habitat requirement is in the FSM. NRT is anticipating an update to the FSM to address pollinator habitat policies of the 2019 GP as a companion to the ZO Rewrite. Until this time, this requirement will apply.
#6970	5.07.07 General Landscape Provisions
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/5/2022	Plant Unit Requirements 7b. Suggest upping the minimum percentage of native species to 80% to support pollinator habitat and biodiversity of other native species.
#7824	5.07.07 General Landscape Provisions
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/25/2022	Will consult with County Urban Forester and Community Planning Staff about requiring pollinator and native species and include requirements accordingly.
#8660	5.07.07 General Landscape Provisions
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 2/16/2022	Consulted with the County Urban Forester and Natural Resources Team (NRT). The appropriate location for the native species % requirement is in the FSM. NRT is anticipating an update to the FSM to address native species policies of the 2019 GP as a companion to the ZO Rewrite. In addition, the Urban Forester noted that increasingly they see more native species in landscape palettes.
#6969	5.07.07 General Landscape Provisions
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/5/2022	B. Plant Unit Requirements. Suggest adding requirements to prohibit the use of invasive non-native tree, shrub or herbaceous plants.
#7825	5.07.07 General Landscape Provisions
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/25/2022	Will consult with County Urban Forester about precluding species and include requirements accordingly.

#8659	5.07.07 General Landscape Provisions
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 2/16/2022	FSM plant list was recently updated to remove invasive species from the permitted plant list. The intent is to periodically review and update this list on an ongoing basis.
#6892	5.07.07 General Landscape Provisions
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	5.07.07.E GENERAL LANDSCAPE PROVISIONS. Maintenance. Different pollinators need access to food throughout the growing season from April through October, and many overwinter in stems. Should language be added limit disturbances to overwintering pollinators? This could include restrictions on when mowing could occur, or the minimum height of stems to allow overwintering pollinators homes.
#7827	5.07.07 General Landscape Provisions
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/25/2022	Will consult with County Urban Forester and Community Planning Staff about requiring pollinator and native species and their maintenance and include requirements accordingly.
#8658	5.07.07 General Landscape Provisions
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 2/16/2022	Consulted with the County Urban Forester and Natural Resources Team (NRT). The appropriate location for the pollinator habitat requirement is in the FSM. NRT is anticipating an update to the FSM to address pollinator habitat policies of the 2019 GP as a companion to the ZO Rewrite. Until this time, this requirement will apply.
#6890	5.07.07 General Landscape Provisions
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	5.07.07.B.7 GENERAL LANDSCAPE PROVISIONS. Why is the percentage of native species only 50%? To truly support pollinator habitat, that percentage should be higher, if not 100%.
#7828	5.07.07 General Landscape Provisions
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/25/2022	Will consult with County Urban Forester and Community Planning Staff about pollinator requirements and include requirements accordingly.
#8657	5.07.07 General Landscape Provisions
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 2/16/2022	Consulted with the County Urban Forester and Natural Resources Team (NRT). The appropriate location for the native species % requirement is in the FSM. NRT is anticipating an update to the FSM to address native species policies of the 2019 GP as a companion to the ZO Rewrite. Until this time, this requirement will apply to all buffers. In addition, the Urban Forester noted that increasingly they see more native species in landscape palettes.

#6872	5.07.07 General Landscape Provisions
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	5.07. LANDSCAPING: D. 3 - Could this be strengthened by recommending using native species wherever possible?
#7830	5.07.07 General Landscape Provisions
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/25/2022	Will consult with County Urban Forester and Community Planning Staff about requiring native species and include requirements accordingly.
#8656	5.07.07 General Landscape Provisions
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 2/16/2022	Consulted with the County Urban Forester and Natural Resources Team (NRT). The appropriate location for the native species % requirement is in the FSM. NRT is anticipating an update to the FSM to address native species policies of the 2019 GP as a companion to the ZO Rewrite. In addition, the Urban Forester noted that increasingly they see more native species in landscape palettes. Moreover, all buffers must meet pollinator habitat that requires 50% native species.
#6889	5.07.07 General Landscape Provisions
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	5.07.07.B GENERAL LANDSCAPE PROVISIONS. Plant Unit Requirements. Should these buffers take into account existing vegetation on neighboring lots to create contiguous habitat between lots as part of the buffers?
#7829	5.07.07 General Landscape Provisions
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/25/2022	No, because the buffer is required on the lot with the use, not the neighboring lot. This buffer would be in addition to vegetation on the neighboring lot.
#6891	5.07.07 General Landscape Provisions
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/3/2022	5.07.07.C.1 GENERAL LANDSCAPE PROVISIONS. Use of Buffers. Should passive recreation trails include references and/or requirements to comply with the LPAT Framework Plan design standards? How is the LPAT Framework Plan being utilized to incorporate into buffer requirements?

#7826	5.07.07 General Landscape Provisions
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/25/2022	This regulation only indicates that a trail, required or not, is allowed in a buffer if the plantings can be accommodated.
#7227	5.07.07 General Landscape Provisions
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date: 1/15/2022	5.07.07 One goal should be for new residential lots to have a minimum tree cover within, say, 15 years. That cover may include existing vegetation. A critical purpose of this requirement is for new projects on previously-pastured land, to end up looking naturalized rather than blemish-like.
#7817	5.07.07 General Landscape Provisions
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/25/2022	Canopy requirements (minimum tree cover) are addressed in Section 5.06 and are limited in scope by the enabling legislation of § 15.2-961 of the Code of Virginia. In a separate response in this page, we note we will evaluate canopy requirement for rural districts.
#6833	5.07.07 General Landscape Provisions
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date: 1/2/2022	D.2.a should specify the height at which caliper is measured. I suggest a 3" caliper requirement. A 1" caliper just gets you skinny stalks.
#6943	5.07.07 General Landscape Provisions
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/4/2022	Our subject matter experts preferred 1" caliper for their ability to acclimate, wider species variety commercially available, and a higher survival rate.
#6989	5.07.08 Waivers and Modifications
By: Rich Brittingham Tags: public rbrittingham@dewberry.com Date: 1/5/2022	Administrative waivers allowed for "buffer yards"; Legislative for "Road Corridor setbacks". Chance for mis-interpretation that Road corridor buffers (plantings) are also only available to be modified legislatively. It should be clarified that Road Corridor Buffers & Buffer yards can be modified administratively.
#7831	5.07.08 Waivers and Modifications
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/25/2022	Understand question. Will consult with zoning staff who drafted the initial ordinance, but is currently not available, to determine whether the intent is to allow road corridor buffers to be modified as well.

#6975	5.07.08 Waivers and Modifications
By: Gem Bingol Tags: public gbingol@pecva.org Date:1/5/2022	b.2. Design Exhibit. Editorial suggestion-use "When" instead of "For."
#7665	5.08 Performance Standards
By: Gem Bingol Tags: public gbingol@pecva.org Date:1/23/2022	General question: I've made several suggestions in the development standards section for environmental requirements. Are those more appropriate in this section (with alterations to the purpose), or does it matter whether they are in development versus performance standards, as long as they are universally applicable for by-right as well as all other types of legislative applications?
Needs Followup	
#8031	5.08 Performance Standards
By: Ryan Reed Tags: public,staff ryan.reed@loudoun.gov Date:1/26/2022	It doesn't matter. As we go through and make revisions, we will figure out where additional items fit. Thanks
#9263	5.08.01 Purpose, Applicability, Exceptions, and Administration
By: Jeff Browning for REDC Tags: public jeff@browningequipment.com Date:3/24/2022	5.08.01C: This should be tightened to exclude "production agricultural" uses. Simply stating agricultural uses is too broad.
#8183	5.08.01 Purpose, Applicability, Exceptions, and Administration
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date:2/3/2022	5.08.01.D.1. Are zoning permits required for by-right uses? Where is "zoning permit" defined? (enCode doesn't permit me to look back at some chapters, or forward to Definitions.)

#7667	5.08.01 Purpose, Applicability, Exceptions, and Administration
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/23/2022	<p>D. Administration of Performance Standards.</p> <p>1. Zoning Permit Procedure.</p> <p>This section seems very appropriate for the inclusion of environmental data and certification requirements for site regulations.</p> <p>One example that could/should be addressed (and hasn't yet) is maximum impervious cover standards for different types of development.</p> <p>The goal is to provide quantifiable standards that are not subjective, yet flexible and preserve property rights while also preserving important environmental and historic features through better site design.</p>
#8034	5.08.01 Purpose, Applicability, Exceptions, and Administration
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/26/2022	Agree with that example. Is it possible to obtain other specific suggestions?
#7668	5.08.01 Purpose, Applicability, Exceptions, and Administration
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/23/2022	<p>E. 2 and 3.</p> <p>These sections seem like they could provide a better mechanism for addressing certain development violations in a timely manner than is possible today because performance standards are lacking, but I may be reading too much into it. Staff discussion and CAO perspectives would be helpful.</p>
Needs Followup	
#8033	5.08.01 Purpose, Applicability, Exceptions, and Administration
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/26/2022	We will need to follow up on those perspectives.
#7701	5.08.01 Purpose, Applicability, Exceptions, and Administration
By: Kevin Ruedisueli Tags: public kevinruedisueliZOC@gmail.com Date: 1/24/2022	<p>D. 1. Perhaps this paragraph should be amended to more clearly state what "At the discretion of..." means. To me if a use will be intensive in some way, then the ZA would want a,b,c & d to be fulfilled to ensure the intent of this section of the ordinance is met. This section should not be used to require unnecessary paperwork for non-intensive uses.</p>
Needs Followup	
#7945	5.08.01 Purpose, Applicability, Exceptions, and Administration
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	It means the ZA can use judgement to decide what is needed (among the items listed) to make a defensible determination that the standards will be met.

#7704	5.08.01 Purpose, Applicability, Exceptions, and Administration
By: Kevin Ruedisueli Tags: public kevinruedisueliZOC@gmail.com Date:1/24/2022	E.1.b What does this mean? Does it mean, if the County cannot measure the complaint easily, it will not enforce the regulations?
#7944	5.08.01 Purpose, Applicability, Exceptions, and Administration
By: Steve Goodrich Tags: public,staff steve.goodrich@loudoun.gov Date:1/26/2022	No it means (as further provided in the reg) that if the County is reasonably certain there is a violation without measurement it will indicate that to the violator and provide an opportunity for correction. If there is no action for correction then the County will hire the experts needed to perform the measurement. If the measurement indicates a violation then the violator will have another chance to correct and be responsible for the costs of the expert measurer. If the measurement shows that the County was incorrect and there is no violation, the county will pay the costs.
#7260	5.08.01 Purpose, Applicability, Exceptions, and Administration
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date:1/16/2022	5.08.01 PURPOSE, APPLICABILITY, EXCEPTIONS AND ADMINISTRATION Have any penalties for violations been revised or increased from the R93Zoning Ordinance, or will they be identical when Chapter 7 is released for draft text review? If they are not revised, then what has all the focused input, case studies and complaints in LEx since 2020 been used for?
Needs Followup	
#7693	5.08.01 Purpose, Applicability, Exceptions, and Administration
By: Steve Goodrich Tags: public,staff steve.goodrich@loudoun.gov Date:1/24/2022	The methods to address violations are included in the Zoning Administrator's duties which are spelled out in Chapter 10 and are currently under development. An increase in penalties is not expected but yet to be determined.
#7262	5.08.01 Purpose, Applicability, Exceptions, and Administration
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date:1/16/2022	"5.08.01.C PERFORMANCE STANDARDS, APPLICABILITY. If the 5.08.01.A question is correct, then the requirement is inconsistent and directly contrary for 5.08.01.C, Agricultural Uses, as applied to high-intensity uses that are not bona fide agricultural operations, ""lawful"" or not. This is exactly why there is a need to further clarify agricultural operations, define a ""farm,"" and not permit all uses to equally be exempted when they are known to have high-intensity impacts (traffic, noise, parking, etc.). When will this be included in draft text for review?"
Needs Followup	

#7692	5.08.01 Purpose, Applicability, Exceptions, and Administration
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/24/2022	The need for further clarification of "farm" in the concern for exemption of agricultural uses/operations has been raised often and will be evaluated holistically to determine any needed revision. Since a revision and an appropriate location haven't been identified yet cannot determine a schedule for additional review.
#7666	5.08.01 Purpose, Applicability, Exceptions, and Administration
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/23/2022	D. Administration of Performance Standards. 1. Zoning Permit Procedure As a follow-on to my question at the start of this section, when I read this part, it seems more appropriate to place the environmental suggestions that I made under development standards, here instead of there, particularly because of the enforcement of performance standards section. What are the pros and cons, or appropriateness of placement in one section versus the other?
#7267	5.08.01 Purpose, Applicability, Exceptions, and Administration
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.08.01.E. PERFORMANCE STANDARDS. ENFORCEMENT. Violations: The explanation of how violations will be handled appeared to address the administration of violations appropriately. The action verb 'must' appears in most of the actions which assures some type of action will be taken. The section does not provide any indication of how violations are discovered, reported or recorded. Will that all be detailed in Chapter 7, and if so, when and how will comments be received in time for that chapter?
Needs Followup	
#7567	5.08.01 Purpose, Applicability, Exceptions, and Administration
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/21/2022	Chapter 7 is devoted to review processes and still under development so the question of "how violations are discovered, reported or recorded" cannot be fully addressed at this time although the concern for that is now noted and recorded. Staff and process is committed to providing ZOC the opportunity to review and comment on all Chapters of the ZOR.
#7230	5.08.01 Purpose, Applicability, Exceptions, and Administration
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date: 1/15/2022	5.08.02.c. IMPORTANT. Do breweries and wineries qualify for this exemption from performance standards? These are active uses in the RPA and they will focus on how performance standards apply to them. The ZOR needs to make this clear one way or the other.
Needs Followup	

#7566	5.08.01 Purpose, Applicability, Exceptions, and Administration
By: Steve Goodrich Tags: public,staff steve.goodrich@loudoun.gov Date:1/21/2022	It's likely the reference/question applies to 5.08.01C rather than 5.08.02.c. Since "agricultural operations" is not a defined term and wineries and breweries could include some that are considered agricultural and some that are not, this section may need further evaluation and/or expanded or clarifying language to insure only true agricultural operations are included as intended to be exempt.
#7529	5.08.01 Purpose, Applicability, Exceptions, and Administration
By: John Merrithew Tags: public john.merrithew@loudoun.gov Date:1/20/2022	3.b. If the violation requires complex or precise measurements will the ZA be able to determine compliance without conducting those measurements as 3.b. suggests? Can you offer an example?
#7565	5.08.01 Purpose, Applicability, Exceptions, and Administration
By: Steve Goodrich Tags: public,staff steve.goodrich@loudoun.gov Date:1/21/2022	Determination of compliance is highly dependent upon the specific situation. However, as an example, if light trespass onto another property is alleged, it may be obvious that it occurs but require specialized equipment to measure the degree. If the violator removes the offending light it will also be obvious that the violation has been corrected and not need to be measured. Not every violation can be addressed in this manner.
#7231	5.08.01 Purpose, Applicability, Exceptions, and Administration
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date:1/15/2022	A.1. Better language: "All permitted uses (including uses approved by special or minor exceptions)..."
#7537	5.08.01 Purpose, Applicability, Exceptions, and Administration
By: Ryan Reed Tags: public,staff ryan.reed@loudoun.gov Date:1/20/2022	Language retained but we will seek the guidance of the CAO. Special exception and minor special exception uses are not "permitted" uses.
#7258	5.08.01 Purpose, Applicability, Exceptions, and Administration
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date:1/16/2022	"5.08. PERFORMANCE STANDARDS. Direct quotation from citizen: Perusal of what Staff has for Lights shows they apparently didn't even read what was sent over in Rounds 1 & 2. Not much has changed from the existing regs -- right down to still leaving incorrect references to organizations. Why have we done all this work over the past two years with so little input being used? "
#7536	5.08.01 Purpose, Applicability, Exceptions, and Administration
By: Ryan Reed Tags: public,staff ryan.reed@loudoun.gov Date:1/20/2022	Noted. Staff requests more specificity.

#7259	5.08.01 Purpose, Applicability, Exceptions, and Administration
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.08.01 PERFORMANCE STANDARDS. PURPOSE. Add the same bullet as 5.04 Open Space, 5.09 Adaptive Reuse, and 5.10 Homeowner's Association Standards: "Promote the public health, safety and welfare."
#7535	5.08.01 Purpose, Applicability, Exceptions, and Administration
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/20/2022	Initial statement revised.
#7261	5.08.01 Purpose, Applicability, Exceptions, and Administration
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.08.01.A. PERFORMANCE STANDARDS, APPLICABILITY. Confirm: the statement that, "1. All permitted and special exception uses, whether such uses are permitted as a principle use or an accessory use, must operate in conformance with the performance standards set forth in this Chapter" applies to ANY AND ALL uses listed in the Chapter 3 use tables, and not only those uses with additional specifications under Use-Specific Standards, correct?
#7534	5.08.01 Purpose, Applicability, Exceptions, and Administration
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/20/2022	Agreed. Language added to A.1 to reference Use Tables.
#7263	5.08.01 Purpose, Applicability, Exceptions, and Administration
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.08.01.C. PERFORMANCE STANDARDS - AGRICULTURAL USES. Given the stated purpose of the Performance Standards to protect the community from dangerous, injurious or noxious activity and conditions, why are lawful agricultural operations given a blanket exemption? Why doesn't the community need protection from dangerous, injurious, or noxious activity that originates in an agricultural facility?
#7488	5.08.01 Purpose, Applicability, Exceptions, and Administration
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/18/2022	<p>This has been done to ensure the County is following Code of Virginia 15.2-2288.6. Agricultural operations; local regulation of certain activities. However, there is the caveat "unless there is a substantial impact on the health, safety, or general welfare of the public."</p> <p>Therefore, we will request the CAO provide further insight.</p>

#7264	5.08.01 Purpose, Applicability, Exceptions, and Administration
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date:1/16/2022	5.08.01.C: PERFORMANCE STANDARDS. This section states that the regulations contained in the Performance Standards area do not apply to Agricultural Uses. A sentence should be added to refer people to the section that does apply to Performance Standards in the rural area. This clause also seems to conflict or cause confusion with section 5.08.04.D where rural economy uses have a noise limit implied.
Needs Followup	
#7482	5.08.01 Purpose, Applicability, Exceptions, and Administration
By: Ryan Reed Tags: public,staff ryan.reed@loudoun.gov Date:1/18/2022	Changed "uses" to "operations" as many uses may fall under the definition of "agricultural use" but "agricultural operations" are different and defined differently. This will need to be further vetted by the CAO and therefore marked for follow-up.
#7265	5.08.01 Purpose, Applicability, Exceptions, and Administration
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date:1/16/2022	5.08.01.d.1: PERFORMANCE STANDARDS. This section describes what data that is required for a zoning permit, i.e. in very general terms the data that the County needs in order to complete their review. However, at the end of the section a sentence says a plot plan "may" be required. By changing the 'may' to a 'shall' the county would assure receiving much of the basic data they need and avoid going back to ask for more. Also, by requiring a plot plan with verified data, many of the issues with a zoning permit could be avoided.
#7481	5.08.01 Purpose, Applicability, Exceptions, and Administration
By: Ryan Reed Tags: public,staff ryan.reed@loudoun.gov Date:1/18/2022	Agree. Reworded to still allow the Zoning Administrator's discretion, but replaced "may" with "must." Therefore it places the decision on the ZA to accept less, or an alternative, versus the ambiguity of an applicant reading the previous text.
Needs Followup	
#7266	5.08.01 Purpose, Applicability, Exceptions, and Administration
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date:1/16/2022	"5.08.01.D.1. & 2 PERFORMANCE STANDARDS. ZONING PERMIT PROCEDURE. 1.b asked for ""a description of the activity to be conducted regarding waste products, external effects or other conditions which are regulated.""" "External effects"" required is too nebulous. There is sufficient history to now require more detailed information on the permit including, but not limited to, estimated traffic, parking totals, events, water usage, etc. and 2. indicates ""all information and evidence submitted . . . must constitute a certification and an agreement on the part of the applicant . . . "" How is veracity determined? There are numerous cases where the original permit description of use was falsified (flipped to another use after approval). What are the consequences for such a flip other than a response from Staff of, ""Oops, let's help you fix that?"" "

#7710	5.08.03 Stone Quarrying, Extraction and Mining
By: Kevin Ruedisueli Tags: public kevinruedisueliZOC@gmail.com Date:1/24/2022	A.3.b. Could the screening created by this section be required to meet an equivalent 'Buffer Type', say, at least type 2 or maybe 3.
#7950	5.08.03 Stone Quarrying, Extraction and Mining
By: Steve Goodrich Tags: public,staff steve.goodrich@loudoun.gov Date:1/26/2022	The reference "In addition to Section 5.07" brings in the requirement for a Type C buffer from 5.07.03 with a 25 foot width and 120 plant units/100 linear feet.
Needs Followup	
#7695	5.08.03 Stone Quarrying, Extraction and Mining
By: Steve Goodrich Tags: public,staff steve.goodrich@loudoun.gov Date:1/24/2022	Can or does this section need to be more specific as to landscaping and berthing requirements in addition to the 5.07.03 buffer yards section to provide more reliably enforceable performance standards?
Needs Followup	
#7232	5.08.03 Stone Quarrying, Extraction and Mining
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date:1/15/2022	5.08.03.A.2.f. Suggest measuring at the nearest property line of property owned by other parties. Why? To protect lots that have not yet been built upon.
#7546	5.08.03 Stone Quarrying, Extraction and Mining
By: Ryan Reed Tags: public,staff ryan.reed@loudoun.gov Date:1/20/2022	Revised for clarification.
Needs Followup	
#7233	5.08.03 Stone Quarrying, Extraction and Mining
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date:1/15/2022	5.08.03.A.2.f. For what it's worth, among other things, I was a consultant to Vulcan Materials, the country's largest aggregate producer, on what it should do with buffering and with any surplus land around its quarries.

#7545	5.08.03 Stone Quarrying, Extraction and Mining
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/20/2022	We look forward to your insight.
#7234	5.08.03 Stone Quarrying, Extraction and Mining
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date: 1/15/2022	5.08.03. A.3. The ZOR needs to be precise as to (a) the extent of landscaping, berms, etc., and (b) the extent, in linear feet, of the protective space set out (vaguely) in this subparagraph.
#7544	5.08.03 Stone Quarrying, Extraction and Mining
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/20/2022	Do the provisions in 5.07 address the specificity that you are looking for with this comment?
#7716	5.08.04 Noise
By: Kevin Ruedisueli Tags: public kevinruedisueliZOC@gmail.com Date: 1/24/2022	C.5 Being required to measure the sound at the property line, may not yield the point of greatest noise impact. Such a point may be topographically low relative to both source and the receiving location on the adjacent property. I'd suggest amending this to indicate that the sample be taken no closer than the property line, but may be taken anywhere, especially close to a residence where the sound is actually being heard.
Needs Followup	
#7954	5.08.04 Noise
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	The suggestion will be considered for revision.
#9570	5.08.04 Noise
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 4/9/2022	revised to address comment
#7670	5.08.04 Noise
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/23/2022	I concur with the points raised by other ZOC members for this section. There are most specific and consistent standards for uses/noise that could be made to reduce quality of life impacts on adjacent or nearby residents.

#8035	5.08.04 Noise
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/26/2022	Noted. We will take all of these comments under consideration while revising.
#7268	5.08.04 Noise
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.08.04 NOISE Should there be a section on waivers?
Needs Followup	
#7956	5.08.04 Noise
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	It can be considered although exemptions, SPEX conditions and proffers may be sufficient to address special concerns. There are currently no guidelines for waivers in the ZO.
#7269	5.08.04 Noise
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.08.04-1 PERFORMANCE STANDARDS. NOISE. TABLE Where do sound levels and time limits for stockpiles fall on this chart if thousands of truckloads are being used to create or partially dismantle a "personal recreational field" or other use such as a brewery or winery? Is it considered a rural economy use?
Needs Followup	
#7955	5.08.04 Noise
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	The noise in this example is from trucks, not the stockpile, and would fall under the general guidelines provided unless exempt. The number of trucks seems extreme but would likely be regulated or better regulated through conditions on a SPEX or result from a required traffic study.
#7270	5.08.04 Noise
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.08.04 PERFORMANCE STANDARDS. NOISE. Methods of Measurement. 3. Who is the "operator," how are they contacted, and what are the response times for measurement by complaints?

#7953	5.08.04 Noise
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	The operator is the person taking the sound measurement. Procedures for addressing violations are listed under the Zoning Administrators duties in Chapter 11 which is still under development.
#7271	5.08.04 Noise
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.08.04.E. PERFORMANCE STANDARDS. EXEMPTIONS. Why are sounds associated with power equipment given a blanket exemption? Why isn't there more specificity to the exemption with regard both to the type of power equipment in use and to the duration of the noise. It is not hard to imagine situations in which unusually loud equipment is used and/or power equipment is used for an unusually long period of time.
#7952	5.08.04 Noise
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	The requirement or lack of requirements is consistent with current Zoning Ordinance language and practice. For further consideration, imagine the number of lawnmowers in the community and the myriad of reasons why people mow their lawn when they do and the fact that the noise they produce is a product of their nature (controlled by the manufacturer) limits on noise and time would be impossible or at least impractical to enforce.
#7272	5.08.04 Noise
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.08.04 PERFORMANCE STANDARDS. NOISE. EXEMPTIONS. Shouldn't there also be a section that lists what sounds are prohibited and at what times they are prohibited? Should time limits be added to this section or should there be a reference to time limit information?
Needs Followup	
#7951	5.08.04 Noise
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	This section is carried over from the current ordinance where there isn't prohibitions or time limit information.
#7236	5.08.04 Noise
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date: 1/15/2022	5.08.04.F.3. Suggest no outdoor music after 9:00 PM Sunday - Thursday; and until 11:00 PM Friday and Saturday.

#7768	5.08.04 Noise
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date:1/24/2022	We can consider this comment when looking at alignment between performance standards, use specific performance standards, and hours of operation for use specific standards.
#7273	5.08.04 Noise
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date:1/16/2022	"5.08.04.F PERFORMANCE STANDARDS. NOISE Standards for Specific Uses states, ""The following noise standards apply to specific uses in this section when they are expressly referenced in the standards for the specific use in Chapter 3. "" This does not apply the noise standards listed consistently across ALL uses, and therefore provide inconsistent protections to adjacent properties and area residents (Single family residential use within 250 feet). If this ONLY applies to those use WITH Use-Specific Standards in Ch. 3 then HIGH-INTENSITY USES that have been a primary cause of complaints for noise from outdoor music and events will not be covered. It also inconsistently applies regulations for outdoor music hours not permitted after 11pm. (e.g., applies to B&B weddings and event centers but not breweries/wineries). Because these standards are inconsistent and have known, (documented impacts via LEx complaints, emails and letters over many years), how and when will this be reviewed and rectified?"
#7767	5.08.04 Noise
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date:1/24/2022	We can consider applying this provision generally if appropriate.
#7530	5.08.04 Noise
By: John Merrithew Tags: public john.merrithew@loudoun.gov Date:1/20/2022	F.2. It is not clear to me what "designed for a single family home" means. Does it mean zoned or part of an approved subdivision?
#7766	5.08.04 Noise
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date:1/24/2022	I believe this is a typo and should have said designated instead of "designed".
#7531	5.08.04 Noise
By: John Merrithew Tags: public john.merrithew@loudoun.gov Date:1/20/2022	E.4. Suggest a distinction be made between generators being tested, and those operating during an emergency. Suggest generator testing be limited to between the hours of 9:00 AM to 5:00 PM

#7547	5.08.04 Noise
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/20/2022	Revised accordingly.
#7274	5.08.05 Light and Glare
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.08.05. PERFORMANCE STANDARDS. LIGHTING. Where are the zoning regulations to comply with Dark Sky requirements as outlined in the 2019 Comprehensive Plans?
Needs Followup	
#7973	5.08.05 Light and Glare
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	As noted in previous comments regarding dark sky, references in GP are acknowledged and additional evaluation of the referenced material is needed to determine if revisions are appropriate.
#7275	5.08.05 Light and Glare
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.08.05. PERFORMANCE STANDARDS. LIGHTING: Throughout section 5.08.05 athletic facilities seem to receive exemptions from some of the regulations when these exemptions have been known to negatively impact area citizens. These issues are normally created by having an athletic facility too near residents property. The way this section reads, an athletic facility could be directly adjacent to a residence and this would lead to a real issue for a resident. Comments?
Needs Followup	
#7972	5.08.05 Light and Glare
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	lighting at athletic facilities are addressed by Use specific standards.
#7277	5.08.05 Light and Glare
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.08.05 PERFORMANCE STANDARDS. LIGHT AND GLARE Why isn't there an "APPLICABILITY" clause in this section similar to that in other places? Recommend that language be added that all outdoor lighting installed after the date of effect of the revised ZO shall comply with the revised requirements, which would include, but is not limited to, new lighting, replacement lighting, or any other lighting whether attached to structures, poles, the earth, or any other location, including lighting installed by any third party.
Needs Followup	

#7971	5.08.05 Light and Glare
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	This can be addressed for consistency throughout the ordinance.
#7280	5.08.05 Light and Glare
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.08.05 PERFORMANCE STANDARDS. LIGHT AND GLARE Why isn't there a "DEFINITIONS" section here similar to that in other sections of the draft revised ZO? Recommend that Staff consider adding Definitions, as appropriate. The International Dark-Sky Association ("IDA") and the Illuminating Engineering Society ("IES") have jointly created a Model lighting Ordinance ("MLO") for local jurisdictions. This document contains numerous definitions that could be adopted and incorporated into the revised ZO. Copy of the MLO available here: https://loudouncoalition.org/wp-content/uploads/2022/01/MLO_FINAL_June2011.pdf
Needs Followup	
#7968	5.08.05 Light and Glare
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	Comments acknowledged and can be considered for inclusion. See comments elsewhere regarding dark sky.
#7279	5.08.05 Light and Glare
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	"5.08.05 PERFORMANCE STANDARDS. LIGHT AND GLARE Recommend that Staff consider adding a clause that would address exceptions to the APPLICABILITY clause. The revised (March 2021) Fairfax County Ordinance, section 5109, provides examples of exceptions that Fairfax added to its ZO. Such exceptions used by Fairfax include, but are not limited to: lighting fixtures and standards required by the Federal Communications Commission, Federal Aviation Administration, Federal and State Occupational Safety and Health Administrations, or other federal, state, or county agencies, to include street lights within the public right-of-way. Routine lighting fixture maintenance, and Holiday lighting fixtures. section 5109 can be found here: https://online.encodeplus.com/regs/fairfaxcounty-va/doc-viewer.aspx?tocid=001.006.010#secid-255 "
Needs Followup	
#7967	5.08.05 Light and Glare
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	Comment acknowledged.

#7281	5.08.05 Light and Glare
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.08.05 PERFORMANCE STANDARDS. LIGHT AND GLARE Reduce the enforcement aspect for zoning personnel by requiring that all applications for rezoning, building, electrical, sports illumination etc. be submitted with a lighting plan that addresses the revised standards that the County adopts with regard to lights, color temperature/glare. A photometric plan or a sports illumination plan (depending on the nature of the application) prepared by a lighting professional should be required.
Needs Followup	
#7966	5.08.05 Light and Glare
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	Photometric plans are already a requirement when lighting is proposed to determine compliance with current standards and will continue to be a requirement.
#7282	5.08.05 Light and Glare
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.08.05 PERFORMANCE STANDARDS. LIGHT AND GLARE. Once the revised ZO is completed and approved, the County should develop "cheat sheet" graphics detailing Loudoun's lighting ordinance for residential and non-residential areas/districts. These graphics will provide an easy-to-follow guides with the rules for Loudoun citizens and businesses to follow, thus ensuring compliance with the regulations from the start. Samples of those developed and used by Fairfax County can be found here: https://loudouncoalition.org/wp-content/uploads/2022/01/FAIRFAX-Res-Non-Res-Lighting-Zoning-Regs.pdf
Needs Followup	
#7965	5.08.05 Light and Glare
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	Comments and suggestions acknowledged. Graphics are being considered for inclusion in many sections of the Ordinance for clarity and ease of application.

#7283	5.08.05 Light and Glare
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.08.05 PERFORMANCE STANDARDS. LIGHT AND GLARE A. GENERAL REQUIREMENTS. Recommend that Staff consider the use of defined Zones that each District in the County be assigned. Lighting Zones are recommended by the Dark Sky Association. Implementing lighting zones will allow different amounts of light in areas with different nighttime characteristics. Zones can be defined based on ambient light levels, population density, and other community considerations. For example, the downtown Sterling area would require different standards for outdoor lighting than would a residential zone in Purcellville/Hillsboro areas. The Model lighting Ordinance ("MLO") developed by the International Dark-Sky Association ("IDA") and the Illuminating Engineering Society ("IES") provides examples of lighting zones that could be adopted/modified by Loudoun and delineated in the revised ZO. Each standard for specific use defined in Chapter 3 could then reference the applicable zone as defined in section 5.08.05. Copy of the MLO available here: https://loudouncoalition.org/wp-content/uploads/2022/01/MLO_FINAL_June2011.pdf
Needs Followup	
#7964	5.08.05 Light and Glare
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	Comments and suggestions acknowledged and will be considered.
Needs Followup	
#7284	5.08.05 Light and Glare
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.08.05 PERFORMANCE STANDARDS. LIGHT AND GLARE. B. METHOD OF MEASUREMENT. There is a typo here (and in the 1993 ZO). The reference should be to the "INTERNATIONAL Commission on Illumination", not to the "INTERNAL" Commission on Illumination. Regardless, the standards set forth by the International Dark-Sky Association ("IDA") and the Illuminating Engineering Society ("IES") should be used here as they are now the two leading organizations helping jurisdictions establish outdoor lighting standards to reduce the impacts of glare, light trespass, and light pollution, while still promoting safety and security as well as encouraging energy conservation.
Needs Followup	
#7963	5.08.05 Light and Glare
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	Typo corrected. See other replies to comments regarding dark sky standards which can be considered.
Needs Followup	
#7285	5.08.05 Light and Glare
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.08.05.A. PERFORMANCE STANDARDS. LIGHT AND GLARE, GENERAL STANDARDS. Shouldn't there be required neighborhood meetings when lights are being proposed in any residential use especially in the rural sections of the county?

#7962	5.08.05 Light and Glare
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	If it's a permitted use and requires lighting additional meetings should not be necessary. SPEX uses have additional public meeting requirements.
#7286	5.08.05 Light and Glare
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.08.05.C PERFORMANCE STANDARDS. SPECIAL EXCEPTION REVIEW FOR LIGHTING THAT DOES NOT COMPLY WITH STANDARDS. Should add: "Neighborhood meetings are required."
Needs Followup	
#7961	5.08.05 Light and Glare
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	Special Exception hearings should address neighborhood inclusion.
#7333	5.08.05 Light and Glare
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.08.05.A.4 PERFORMANCE STANDARDS. LIGHT AND GLARE How do guidelines for permitted Public facilities align with General Policy Dark Sky Ordinances? 5.08.05 PERFORMANCE STANDARDS. LIGHT AND GLARE. How do the 5.08.05 Light and Glare regulations adhere to the Dark Sky Ordinance in general?
Needs Followup	
#7960	5.08.05 Light and Glare
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	Aware of references in GP to dark sky guidelines. Additional research is needed before an answer can be provided. Standards to address the issue can be considered.
#7335	5.08.05 Light and Glare
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.08.05.A.4 PERFORMANCE STANDARDS. LIGHT AND GLARE How can a resident determine if the lumens or foot candles allowed by public facility athletic fields are in accordance with standards? For example, if a resident can see the Tuscarora HS lights from over 6 miles away how can a resident generally determine compliance before submitting a complaint?

#7959	5.08.05 Light and Glare
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	It is not up to citizens to do the measuring, only to report the complaint of non-compliance to Enforcement.
#7337	5.08.05 Light and Glare
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.08.05 PERFORMANCE STANDARDS. LIGHT AND GLARE How does a citizen go about the process for determining and then rectifying an out of compliance light or glare infraction?
#7958	5.08.05 Light and Glare
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	The same as any complaint about a Zoning violation, contact Enforcement. Citizens should not be measuring light or glare infractions.
#7671	5.08.05 Light and Glare
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/23/2022	<p>A. General Requirements. The color of LED lighting matters and should be added to the requirements. Yellow, amber, red spectrum lights have a demonstrably less disruptive impact on insects critical to pollination and thereby the timing of plant flowering that depends on insects. Bright white/blue spectrum lights are the most disruptive.</p> <p>This is important across the county, but most important in the rural area, which should have as little nighttime lighting as possible to have the least ecosystem impact.</p> <p>Lighted ballfields in the rural area would seem to have the greatest potential for negative impacts.</p> <p>Here are two articles, among many that provide more general information: https://wildlife.org/increasing-use-of-led-lamps-may-affect-wildlife/ https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/</p>
Needs Followup	
#7957	5.08.05 Light and Glare
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/26/2022	Can be considered for revision but substantial research and justification will be needed to support inclusion of such requirements.

#7676	5.08.05 Light and Glare
By: John Merrithew Tags: public john.merrithew@loudoun.gov Date:1/24/2022	D. 3. should we require the light be directed downward to avoid horizontal glare?
#7764	5.08.05 Light and Glare
By: Christopher Blough Tags: public,staff christopher.blough@loudoun.gov Date:1/24/2022	added an angling requirement for shielded lighting fixtures.
#7334	5.08.05 Light and Glare
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date:1/16/2022	5.08.05.D.2 PERFORMANCE STANDARDS. LIGHT AND GLARE How do standards apply to event facilities located in ARN considered as "Ag Use" ? There are known locations / buildings in rural neighborhoods whose lights remain on all night long. They are not illuminating a sign or for "safety." They illuminate the building itself. Some buildings are highly viewable from over a mile away. The rules read that this is not permissible, is that correct?
Needs Followup	
#7517	5.08.05 Light and Glare
By: Christopher Blough Tags: public,staff christopher.blough@loudoun.gov Date:1/19/2022	A Banquet/Event Facility under proposed Section 3.06.04.05.C is subject to the Light and Glare Standards for Specific Uses under Section 5.08.05.D. Illuminated signs for a Banquet/Event Facility would be prohibited pursuant to Section 5.08.05. Under the R93 Zoning Ordinance, this prohibition on illuminated signs under Section 5-652(A)(4) can be modified by minor special exception.
#7276	5.08.05 Light and Glare
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date:1/16/2022	5.08.05 PERFORMANCE STANDARDS. LIGHT AND GLARE Why isn't there a "PURPOSE" clause in this section similar to that in other places? Recommend the following be added: The purpose of this section is to establish outdoor lighting standards to reduce the impacts of glare, light trespass, and light pollution; to promote safety and security; and to encourage energy conservation.
Needs Followup	
#7516	5.08.05 Light and Glare
By: Christopher Blough Tags: public,staff christopher.blough@loudoun.gov Date:1/19/2022	Earthborn Vibration, Stone Quarrying, Noise, Light and Glare are all Performance Standards under Section 5.08. The purpose statement for performance standards is in Section 5.08.01. We can consider adding your suggestion to the purpose statement there if recommended.

#7237	5.08.05 Light and Glare
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date:1/15/2022	Lighting D.2. Align lighting hours with outdoor music hours: until 9:00 PM most days, 11:00 PM Fridays and Saturdays.
Needs Followup	
#7515	5.08.05 Light and Glare
By: Christopher Blough Tags: public,staff christopher.blough@loudoun.gov Date:1/19/2022	Lighting hours will ultimately be dictated by the specific hours of operations for 5-600 uses, since we likely cannot legally allow hours of operations for a use and require that they shut off their lights while legally operating. In other words, there will need to be alignment between hours of lighting, noise, and operation for 5-600 uses that will need to be set according to the hours of operation. We are open to considering recommendations regarding the hours of operation for uses with significant impacts.
Needs Followup	
#7287	5.08.05 Light and Glare
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date:1/16/2022	"5.08.05.D PERFORMANCE STANDARDS. LIGHT & GLARE Standards for Specific Uses states, ""The following light and glare standards apply to specific uses in this section when they are expressly referenced in the standards for the specific use in Chapter 3."" This does not apply the light and glare standards listed consistently across ALL uses, and therefore provide inconsistent protections to adjacent properties and area residents. If this ONLY applies to those use WITH Use-Specific Standards in Ch. 3 then high-intensity uses with complaints for light and glare from activities and events will not be covered. It also inconsistently applies regulations for exterior lighting hours to be extinguished between 10pm and 6am. No reference is made for ""holiday lighting"" that has received complaints for large displays on mountainside properties visible for long distances. Because these standards are inconsistent and have known impacts, how and when will this be reviewed and rectified?"
Needs Followup	
#7513	5.08.05 Light and Glare
By: Christopher Blough Tags: public,staff christopher.blough@loudoun.gov Date:1/19/2022	If this comment recommends applying what currently applies only to specific "5-600" uses to all uses as a general performance standard, we acknowledge the recommendation and will take this shift under consideration.
Needs Followup	
#7278	5.08.05 Light and Glare
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date:1/16/2022	5.08.05. PERFORMANCE STANDARDS. LIGHT & GLARE. Do the light and glare standards apply to seasonal commercial lighting? Do the light and glare standards apply to all vineyards, wineries, breweries? If not why not?
Needs Followup	

#7512	5.08.05 Light and Glare
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/19/2022	Please see response #5711 related to religious implications and definition of "seasonal"
#7288	5.08.05 Light and Glare
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.08.05.D PERFORMANCE STANDARDS. LIGHT & GLARE: Add language to address seasonal lighting at commercial establishments such as: "Seasonal lighting is permissible from Thanksgiving to January 15 at commercial businesses except between the hours of 10:00 PM to 6:00 AM. All outdoor lighting displays must be contained within 150 feet of any commercial building."
Needs Followup	
#7511	5.08.05 Light and Glare
By: Christopher Blough Tags: public, staff christopher.blough@loudoun.gov Date: 1/19/2022	Seasonality would be difficult to implement without a specific legal impetus either under the Code of Virginia or another form of enabling legislation. We want to avoid regulations with religious freedom implications.
#7241	5.09.01 Road Access
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date: 1/15/2022	C. Private streets. Why don't these provisions apply to residential developments in the RPA? Private roads are the norm in clusters and common in Hamlets and AR-3. In my experience there is frequent squabbling among residents as to maintenance decisions and costs. The ZOR can help.
#8040	5.09.01 Road Access
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/26/2022	Noted. Previous comments regarding the standards in the FSM and duplicative standards is pertinent.

#7296	5.09.01 Road Access
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	<p>"5.12. ROAD ACCESS STANDARDS. F. USE SPECIFIC ROAD ACCESS STANDARDS. The volume of traffic on all roads is directly dependent on the quantity of residential and commercial properties accessing the road, as well as the volume of patrons to commercial entities. The re-written footnote for Table 5.12 Road Access Standards (former Table 5-654) no longer states that Vehicle trips Per Day are to be ""calculated,"" which is good.</p> <p>However, it now states that Vehicle Trips per Day (VTD) must be ""determined by traffic study if required or as estimated based on proposed use and most current edition of ITE Trip Generation Rate or an approved substitute. Questions:</p> <ol style="list-style-type: none"> 1. Traffic studies are common for large developments in SPA, TPA and possible large RPA. The primary issues causing complaints have been for commercial entities located on public unpaved roads or smaller paved roads. When in the process will the ""traffic study"" or equivalent be required in the permitting process? when evaluated? when is compliance confirmed? Or will it remain, as has been and problematic, only by complaint? 2. Whose responsibility will it be to estimate the VTD ""based on proposed use? 3. Whose responsibility is it to determine what is an ""approved substitute? 4. Whose responsibility is it to enforce when a Special Exception Review is required? Traffic caused by HIGH-INTENSITY USES has been an issue for many years, with poorly collected information during permitting, county approvals of permits without verification, and lax enforcement for traffic levels that should have required special exception review. <p>Why rewrite a Zoning Ordinance if the known issues will not be addressed and fixed?"</p>
#8039	5.09.01 Road Access
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/26/2022	Staff will take these comments under consideration.
#7325	5.09.01 Road Access
By: Eric Zicht Tags: public zicht@erols.com Date: 1/16/2022	<p>5.12</p> <p>This largely seems redundant of the FSM, where such standards seem more appropriate.</p> <p>Other parts duplicate the LSDO</p>
#7474	5.09.01 Road Access
By: Joe Paciulli Tags: public joepaciullizoc@gmail.com Date: 1/18/2022	I agree. We should strive to eliminate ZO language when all its doing is repeating the FSM or LSDO. Duplicating the wording will ultimately create conflict when one is edited and the others are not. Or typos enter the picture.
#8038	5.09.01 Road Access
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/26/2022	Agreed. Staff will take under consideration during our revisions.

#7674	5.09.01 Road Access
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/23/2022	Road access and parking challenges are intertwined in SFA and MF stacked/attached neighborhoods. Staff thoughts on whether this need to be addressed solely in the parking section, or could it also be addressed through certain street width requirements in such neighborhoods?
#8037	5.09.01 Road Access
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/26/2022	Agreed, staff will specifically looking at most appropriate locations in the ordinance during the revisions.
#7683	5.09.01 Road Access
By: John Merrithew Tags: public john.merrithew@loudoun.gov Date: 1/24/2022	Suggest the Ordinance rely on State standards for all roads and access easements...
#8036	5.09.01 Road Access
By: Ryan Reed Tags: public, staff ryan.reed@loudoun.gov Date: 1/26/2022	We will take this under consideration while revising.
#7294	5.09.04 Visibility at Intersections
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.11. VISIBILITY AT INTERSECTIONS. PURPOSE. Add the same bullet as Open Space and Homeowner's Association Standards: "Promote the public health, safety and welfare."
Needs Followup	
#7776	5.09.04 Visibility at Intersections
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/24/2022	This statement is made in the Purpose statement for the entire Ordinance at 1-102. There is still debate about whether it should or needs to be restated in each chapter. The recommendation is noted.

#9576	5.09.04 Visibility at Intersections
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 4/9/2022	Revised
#7240	5.09.04 Visibility at Intersections
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date: 1/15/2022	5.11 Viz at Intersections. These should not apply in the RPA for single-family residential or farm uses if (1) the road is unpaved, and (2) less than 30 homes use that intersection.
Needs Followup	
#7795	5.09.04 Visibility at Intersections
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/24/2022	This suggestion is acknowledged and appreciated and will be considered in any revisions or additions to this chapter intended to protect public safety. However it is a matter of safety that should apply everywhere.
#7248	5.09.04 Visibility at Intersections
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date: 1/16/2022	I AM VERY CONCERNED that these visibility standards could seriously damage many elements that add to the character of the RPA. I doubt if these strictures would be met by more than a few intersections and driveway entrances. See next comment.
Needs Followup	
#7791	5.09.04 Visibility at Intersections
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/24/2022	It will be a difficult balancing act since it's a public safety concern. As with all revisions, it will receive serious consideration. These new standards will apply to new applications and there may be other options to removal.
#7249	5.09.04 Visibility at Intersections
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date: 1/16/2022	Until we see diagrams, the geometry of these visibility triangles is incomprehensible.
Needs Followup	

#7788	5.09.04 Visibility at Intersections
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/24/2022	Fully intend to provide illustrations to clearly represent the simplified but expanded language.
#7250	5.09.04 Visibility at Intersections
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date: 1/16/2022	EXCEPTIONS: Please add these as other exceptions by saying the visibility triangles shall not apply to roads within a Historic Roadway District, within rural villages, or roads deemed eligible by the VA Dept. of Historic Resources as being eligible for listing on the National Register of Historic Places.
Needs Followup	
#7787	5.09.04 Visibility at Intersections
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/24/2022	Acknowledged. We will be seeking input from historic district advocates.
#7251	5.09.04 Visibility at Intersections
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date: 1/16/2022	Add language to say that in following these provisions, there is no requirement to remove existing stone walls or farm fences, nor to remove any tree with a caliper of 4" or more (measured 2' above grade,) nor to require any grading.
Needs Followup	
#7785	5.09.04 Visibility at Intersections
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/24/2022	There may be merit in some additional exemptions and they will require careful consideration and construction of language since some will be existing and the requirements will apply to new applications. "Allowed to grow" and "maintained" will require special attention.
#7295	5.09.04 Visibility at Intersections
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.11.B. VISIBILITY AT INTERSECTIONS. Standards. It is nice to know that "no impediment to visibility is to be placed, allowed to grow, erected, or maintained" but enforcement is terrible. How many intersections set signs and lines so far back or have landscaping obscuring the view that you can't see oncoming cross traffic? At times landscaping obscures the signs themselves too. How will County and VDOT enforcement be improved to ensure compliance?
Needs Followup	

#7775	5.09.04 Visibility at Intersections
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/24/2022	Improvements to enforcement would be included in Chapter 10 under Zoning Administrator duties which is still under development.
#7682	5.09.04 Visibility at Intersections
By: John Merrithew Tags: public john.merrithew@loudoun.gov Date: 1/24/2022	Why can't we simply refer to VDOT standards and require all streets, private or public need to meet the standards.
Needs Followup	
#7774	5.09.04 Visibility at Intersections
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/24/2022	Although VDOT standards seek to protect visibility at intersections, they are related to the road classification and speed limit. Depending on conditions and variables they can be much more restrictive. The current proposal is designed to preserve and clarify the current County methods.
#7351	5.10 Adaptive Reuse
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.09.C. ADAPTIVE REUSE STANDARDS. PERMITTED USES. Table 5.09-1. What does the acronym "HPO" stand for?
#9312	5.10 Adaptive Reuse
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 3/30/2022	revised to HOD
#9303	5.10 Adaptive Reuse
By: Kevin Ruedisueli Tags: public kevinruedisueliZOC@gmail.com Date: 3/29/2022	While the purpose states that it is the goal to foster adaptive reuse of existing obsolete, underutilized, or historically significant structures, the regulations seem geared toward historic buildings to the exclusion of simply underutilized ones. Can the text be adjusted to address buildings which do not fall into the category of historically significant or contributing to historic districts? Such buildings could/should require architects or engineers, but should not require expertise in historic preservation as such.

#9311	5.10 Adaptive Reuse
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 3/30/2022	These regulations are geared toward reuse of historic buildings. The redevelopment standards to be developed by a consultant will address how non-historic buildings can be reused. We do not want to allow any building to be reused at anytime, especially if it would be more appropriate to be rezoned. Also, if the use is permitted, then they would not have to meet the requirements, the building could simply change uses.
#7228	5.10 Adaptive Reuse
By: Kevin Ruedisueli Tags: public kevinruedisueliZOC@gmail.com Date: 1/15/2022	5.09.B.2. Is it necessary to reference Parking & Lighting Standards? Wouldn't they be required to be met anyway?
#9221	5.10 Adaptive Reuse
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 3/23/2022	deleted
#7229	5.10 Adaptive Reuse
By: Kevin Ruedisueli Tags: public kevinruedisueliZOC@gmail.com Date: 1/15/2022	A common adaptive reuse in AR districts is to convert a barn into residential. Is that allowed by the language here? If not, is there some reason?
#7882	5.10 Adaptive Reuse
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/25/2022	If a residential use is permitted in the district where the barn is located, then conversion from the barn to the residence would be allowed under current regulations. However, we will further evaluate whether it is needed and how to allow the retrofitting of nonconforming lots to allow a new use.
#7238	5.10 Adaptive Reuse
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date: 1/15/2022	5.09.A.1.d. I cannot find the "Loudoun County Historic Register." Does such a thing exist?
#7881	5.10 Adaptive Reuse
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/25/2022	This was a placeholder and language from the Heritage Preservation Plan. There will be a future proposal to the BOS, likely from the Heritage Commission, to establish a County Historic Register. We will revise the text then to include it in the list.

#7254	5.10 Adaptive Reuse
By: Kevin Ruedisueli Tags: public kevinruedisueliZOC@gmail.com Date:1/16/2022	Why are uses so limited? Shouldn't any use in the underlying zoning district be permitted in adaptive reuse? Why even list the uses at all, unless it is to offer the incentives for certain uses? If that is the goal, make it clear. But do not limit uses that do not seek incentives.
#7880	5.10 Adaptive Reuse
By: Kate McConnell Tags: public,staff kate.mcconnell@loudoun.gov Date:1/25/2022	If the use is already allowed in the underlying zoning district, then adaptive reuse regulations would not be necessary because they could simply change the use. I edited to make this more clear. The point is to allow other uses in buildings that are not permitted in the district to increase the options for the building (as an adaptive reuse).
#7328	5.10 Adaptive Reuse
By: Eric Zicht Tags: public zicht@erols.com Date:1/16/2022	5.09A2 ADAPTIVE REUSE What about free-standing structures that are not within historic districts. Don't we want to preserve these as well?
#7879	5.10 Adaptive Reuse
By: Kate McConnell Tags: public,staff kate.mcconnell@loudoun.gov Date:1/25/2022	The building has to meet 1 of the criteria, not all of them. A freestanding structure could be a building in a VCOD/village, a building that is 50+ years old, as well as being a stand alone historic structure/building. Also, these regulations are geared toward reuse of historic buildings. The redevelopment standards to be developed by a consultant will address how non-historic buildings can be reused. We do not want to allow any building to be reused at anytime, especially if it would be more appropriate to be rezoned. Also, if the use is permitted, then they would not have to meet the requirements, the building could simply change uses.
#7329	5.10 Adaptive Reuse
By: Eric Zicht Tags: public zicht@erols.com Date:1/16/2022	5.09A3 Existing Use non-viable Eliminate this criteria. It is just a barrier to re-use. Subjective
#7878	5.10 Adaptive Reuse
By: Kate McConnell Tags: public,staff kate.mcconnell@loudoun.gov Date:1/25/2022	It is only one of several criteria that need to be met. The regulation identifies methods to determine if the use is non-viable. We want to be careful not to allow every potential building to be adaptively reused under these criteria. Buildings can be retrofitted for another use permitted in the district where it is located. This is to address buildings important to a community, but hard to retrofit to a use permitted in the district where it's located.

#7332	5.10 Adaptive Reuse
By: Eric Zicht Tags: public zicht@erols.com Date:1/16/2022	5.09A3 b1 & c3 These seem redundant. Could combine
#7877	5.10 Adaptive Reuse
By: Kate McConnell Tags: public,staff kate.mcconnell@loudoun.gov Date:1/25/2022	5.09.B.3.b.1. requires determination of whether a building that is 50+ years old is eligible for listing and if it is, then the adaptive reuse needs to follow certain requirements. 5.09.B.3.c.3 states the professional certifications a person needs to meet to provide documentation that may be requested to determine eligibility. They are 2 different things.
#7336	5.10 Adaptive Reuse
By: Eric Zicht Tags: public zicht@erols.com Date:1/16/2022	5.09B1a Sometimes don't have any reasonable option except parking in front - Aldie Mill?
#7876	5.10 Adaptive Reuse
By: Kate McConnell Tags: public,staff kate.mcconnell@loudoun.gov Date:1/25/2022	Provision applies to new parking. The parking referenced in the example currently exists and would not be required to be removed.
#7338	5.10 Adaptive Reuse
By: Eric Zicht Tags: public zicht@erols.com Date:1/16/2022	5.09B2a Parking Screening Is clause needed? isn't it covered by the general landscaping requirements? If anything, there should be provisions for reduced standards. The general standards do not require landscaping if there are 10 or fewer parking spaces
#7875	5.10 Adaptive Reuse
By: Kate McConnell Tags: public,staff kate.mcconnell@loudoun.gov Date:1/25/2022	Will revise text to remove repeated requirement, but also to ensure parking is scaled in a manner that is subordinate to the existing building or structure and must be compatible with and not adversely impact the character.

#7339	5.10 Adaptive Reuse
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.09.01. ADAPTIVE REUSE STANDARDS. PURPOSE. 2nd bullet – What is a Legacy Village Core?
#7874	5.10 Adaptive Reuse
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/25/2022	Legacy Village Cores are designated in the 2019 GP. See Legcy Village Core, Map Number 2019-148 in Chapter 2.
#7340	5.10 Adaptive Reuse
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.09.01. ADAPTIVE REUSE STANDARDS. PURPOSE. 5th bullet - How does this relate to R HVs/VCOD and small area plans yet to be developed? Facilitate redevelopment in the priority areas identified on the Priority Commercial Redevelopment Areas Map and other qualifying projects pursuant to Section 5.0x Redevelopment Standards.
#7873	5.10 Adaptive Reuse
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/25/2022	Priority Commercial Redevelopment Areas have been removed. They will be addressed through redevelopment standards in development by our consultant, so this is TBD, but generally villages and redevelopment areas are not coincident/the same thing.
#7341	5.10 Adaptive Reuse
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.09.01. ADAPTIVE REUSE STANDARDS. PURPOSE. 6th bullet - Generate activity within vacant buildings and underutilized areas. What are the specifics of "generate activity" and "underutilized areas"?
#7872	5.10 Adaptive Reuse
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/25/2022	Language comes directly from the 2019 GP Infill and Redevelopment Chapter. It means that the purpose of Adaptive Reuse is to start using (activate) vacant and underutilized (not used to its full potential) buildings.

#7342	5.10 Adaptive Reuse
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.09.01. ADAPTIVE REUSE STANDARDS. PURPOSE. 7th bullet - How does this relate to RHVs/VCOD and small area plans yet to be developed? Increase and improve the variety and affordability of housing stock in locations consistent with the General Plan and where permitted.
#7858	5.10 Adaptive Reuse
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/25/2022	It is possible that a building in a village could be adaptively reused to provide affordable housing. Any housing in a village would need to adequately served by public water and sewer and if there is not adequate service, then the residential use would not be feasible.
#7343	5.10 Adaptive Reuse
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.09.01. ADAPTIVE REUSE STANDARDS. PURPOSE.. 8th bullet – Renovations per the Secretary of Interior Standards for Rehabilitation?
#7857	5.10 Adaptive Reuse
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/25/2022	Consulted with Historic Preservation Planner. This proposal creates 2 problems. First, not all adaptive reuse projects should have to (or can) meet the SoIs. Also, it would not be appropriate for County staff to decide if the Standards are met for a project. In addition, properties listed on the National Register are currently not required to meet these standards unless the work is tied to a federal project, such as a permit or tax credit.
#7344	5.10 Adaptive Reuse
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.09.A ADAPTIVE REUSE. APPLICABILITY. LHVA does not see the need for #1, 2, & 5 If the property meets req 3 & 4, what purpose are 1, 2, & 5?
#7856	5.10 Adaptive Reuse
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/25/2022	I don't understand this question. There is no 5.

#7345	5.10 Adaptive Reuse
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.09.A.3.c. ADAPTIVE REUSE. APPLICABILITY. LHVA: Why is this costly requirement necessary, it only adds more of a deterrent to anyone attempting to save an historic property?
#7854	5.10 Adaptive Reuse
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/25/2022	The documentation "may be required." Also, to ensure that not every single building qualifies to be an adaptive reuse project.
#7346	5.10 Adaptive Reuse
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.09.A.4. ADAPTIVE REUSE. APPLICABILITY. LHVA: How does this relate to RHVs/VCOD and small area plans yet to be developed? The building or structure is located in a Priority Commercial Redevelopment Area or qualifies as a redevelopment project pursuant to Section 5.0x.
#7853	5.10 Adaptive Reuse
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/25/2022	Priority Commercial Redevelopment Areas are designated in the 2019 GP. Redevelopment standards and regulations are to be developed by a consultant, so this is TBD, but generally villages and redevelopment areas are not coincident/the same thing.
#7347	5.10 Adaptive Reuse
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.09.B.1 & 2. ADAPTIVE REUSE. STANDARDS. LHVA: Historic properties usually can not meet parking standards. It's our understanding that Parking will be handled by Small Area Plans as each situation is unique in RHV, but what happens in the meantime?
#7852	5.10 Adaptive Reuse
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/25/2022	See Table 5.09-2, Parking.

#7348	5.10 Adaptive Reuse
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.09.C. ADAPTIVE REUSE STANDARDS. PERMITTED USES. Table 5.09-1. Lodging Uses -- how will constraints be implemented per ZOAM-2018-0001 (Short Term Residential Rentals/Commercial Whole House) for Adaptive Reuse?
#7851	5.10 Adaptive Reuse
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/25/2022	If STRR, especially whole house, is classified as a Lodging use, which it likely will be, then it would be allowed. Additional use standards are being proposed. If they are adopted, then they would apply.
#7349	5.10 Adaptive Reuse
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.09.C. ADAPTIVE REUSE STANDARDS. PERMITTED USES. Table 5.09-1 Commercial Uses -- Permitting all commercial uses except kennels, dry cleaning, convenience store and gas/automotive does not take into consideration the INTENSITY of other use types and impacts to comply with the purpose to "Maintain compatibility of the adaptively reused building or structure with a surrounding neighborhood, community, Place Type, village, or historic district."
#7850	5.10 Adaptive Reuse
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/25/2022	Incorporating how things are approved, e.g. by special exception, and requiring use specific standards to apply should address this comment. Also, they will only be allowed to expand the footprint by 1/3, not add on to the front, will be limited by yard requirements except in the rear.
#7352	5.10 Adaptive Reuse
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.09-2. ADAPTIVE REUSE. DENSITY. LHVA asks, "Does this allow mixed use then? Retail and residential on same property not bound by underlying per acre zoning density?"
#7849	5.10 Adaptive Reuse
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/25/2022	It is possible, but the uses would have to comply with those permitted in Table 5.09-2.

#7350	5.10 Adaptive Reuse
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.09.C. ADAPTIVE REUSE STANDARDS. PERMITTED USES. Table 5.09-1. VCOD/Village Small Area Plan spec uses permitted by right with exceptions does not take into consideration the INTENSITY of other use types and impacts to comply with the purpose to "Maintain compatibility of the adaptively reused building or structure with a surrounding neighborhood, community, Place Type, village, or historic district."
#7848	5.10 Adaptive Reuse
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/25/2022	Incorporating how things are approved, e.g. by special exception, and requiring use specific standards to apply should address this comment. Also, they will only be allowed to expand the footprint by 1/3, not add on to the front, will be limited by yard requirements except in the rear.
#7353	5.10 Adaptive Reuse
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.09-2. ADAPTIVE REUSE. PARKING STANDARDS: Can all parking standards be waived for Adaptive Reuse Projects? It is often impossible for historic properties/districts to meet parking standards because parking was not an issue when these properties were built on. Historic districts each deal with parking in way that works for them. Issue for Small Area Plans but what will be done in the meantime if Small Area Plans are years off for evaluation and implementation?
#7847	5.10 Adaptive Reuse
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/25/2022	As currently drafted, if there is no parking there would be no requirement to provide parking since 0 would be less than any requirement.
#7354	5.10 Adaptive Reuse
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.09.2.Table. D. ADAPTIVE REUSE INCENTIVES. LVA find this table confusing, asking, "How is this table interpreted and how can it be implemented? Hard to determine what the incentives are?"
#7846	5.10 Adaptive Reuse
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/25/2022	5.09 D provided directions on how to use the table. Will determine a better term than "incentives."

#7532	5.10 Adaptive Reuse
By: John Merrithew Tags: public john.merrithew@loudoun.gov Date:1/20/2022	The bulleted list may confuse people into thinking the AR is intended only for historic properties when as you go down the list it can be used for any vacant building.
#7845	5.10 Adaptive Reuse
By: Kate McConnell Tags: public,staff kate.mcconnell@loudoun.gov Date:1/25/2022	Revised to largely apply to historic properties. Non-historic properties will be addressed in redevelopment standards in development by our consultant.
#7533	5.10 Adaptive Reuse
By: John Merrithew Tags: public john.merrithew@loudoun.gov Date:1/20/2022	A. Applicability is contrary to the purpose statements, which appear to come from the Plan. AR should not be limited to historic properties. We need to be able to accommodate reuse of schools, office buildings, and data centers (when that internet fad fades).
#7844	5.10 Adaptive Reuse
By: Kate McConnell Tags: public,staff kate.mcconnell@loudoun.gov Date:1/25/2022	You are correct that AR is largely limited to historic properties, because we want to be careful not to allow every single building to be adaptively reused under these criteria. Buildings are allowed to be retrofitted for another use permitted in the district where it is located. This is to address buildings important to a community, but hard to retrofit to a use permitted in the district where it's located. Also, want to be careful that people are simply adaptively reusing buildings to circumvent a rezoning and increase density. Redevelopment standards currently in development by our consultant should address the reuse of non-historic buildings.
#7672	5.10 Adaptive Reuse
By: Gem Bingol Tags: public gbingol@pecva.org Date:1/23/2022	<p>Purpose:</p> <p>Suggest adding an additional bullet referencing a major value of adaptive reuse here and in the redevelopment section.</p> <p>There are sustainability and energy benefits of using existing buildings versus tear-down/new construction:</p> <p>reduced construction waste; reduced demand for new materials and the environmental cost of raw material loss, and the cost to create man-made materials and the overall cost of transporting those materials.</p> <p>Adaptive reuse of commercial buildings for affordable housing can also reduce the cost to provide affordable housing and should be mentioned in the purpose section here and in the redevelopment section.</p>

#7843	5.10 Adaptive Reuse
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/25/2022	In this case, we want to be careful not to allow every single building to be adaptively reused under these criteria. Buildings are allowed to be retrofitted for another use permitted in the district where it is located. This is to address buildings important to a community, but hard to retrofit to a use permitted in the district where it's located. Also, want to be careful that people are simply adaptively reusing buildings to circumvent a rezoning and increase density. Redevelopment standards currently in development by our consultant should address the reuse of non-historic buildings and can include a sustainability statement.
#7673	5.10 Adaptive Reuse
By: Gem Bingol Tags: public gbingol@pecva.org Date: 1/23/2022	<p>Applicability: Expanding on John Merrithew's comments, I suggest adding that county facilities should always be considered for adaptive reuse over sale/demolition due to the sunk costs/sustainability benefits.</p> <p>This should also be expanded to branded stand-alone buildings (big box, drug stores, etc).</p> <p>In legislative applications, could the county ask for/require a cost/benefit modeling/analysis of reuse versus demolition/new construction in an effort to promote discussion around increasing sustainability and reducing energy consumption?</p>
#7842	5.10 Adaptive Reuse
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/25/2022	We want to be careful not to allow every single building to be adaptively reused under these criteria. Buildings are allowed to be retrofitted for another use permitted in the district where it is located. This is to address buildings important to a community, but hard to retrofit to a use permitted in the district where it's located. Also, want to be careful that people are simply adaptively reusing buildings to circumvent a rezoning and increase density. Redevelopment standards currently in development by our consultant should address the reuse of non-historic buildings.
#7675	5.10 Adaptive Reuse
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date: 1/24/2022	<p>5.09.A. These requirements are waaaay over the top. Many old buildings work well for adaptive reuse, but would never be considered historic and would not qualify for any historic register.</p> <p>The 50-year rule may be too restrictive. Consider past-their-prime shopping centers. They should be candidates for reuse.</p>
#7836	5.10 Adaptive Reuse
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/25/2022	Not all buildings must be considered historic - this is only one category. And, we want to be careful not to allow every single building to be adaptively reused under these criteria. Buildings can be retrofitted for another use permitted in the district where it is located. This is to address buildings important to a community, but hard to retrofit to a use permitted in the district where it's located. Redevelopment standards currently in development by our consultant should address the reuse of non-historic buildings.

#7677	5.10 Adaptive Reuse
By: John Merrithew Tags: public john.merrithew@loudoun.gov Date: 1/24/2022	5.09-2 If the intent is to minimize parking, why not say parking will be limited to the lesser of existing parking or that required by Ordinance.
#7835	5.10 Adaptive Reuse
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/25/2022	I believe it does say this.
#7678	5.10 Adaptive Reuse
By: John Merrithew Tags: public john.merrithew@loudoun.gov Date: 1/24/2022	5.09-2 Same issue with loading spaces. There should be no requirement. If they need one they can build one.
#7834	5.10 Adaptive Reuse
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/25/2022	There is no requirement for a loading space if the building is not expanded. If they want to use an existing space, or want to provide a loading space, then the ZO regs apply. These regulations will prevent the use of existing loading space from being in a buffer, in the front yard, on the sidewalk, etc.
#7679	5.10 Adaptive Reuse
By: John Merrithew Tags: public john.merrithew@loudoun.gov Date: 1/24/2022	Adaptive reuse should be able to make enhancements to the structure such as a new entrance or fenestration. Any historic structures should be reviewed by the HDRC.
#7833	5.10 Adaptive Reuse
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/25/2022	The regulation does not limit changes to fenestration. It disallows an addition to the front of a building, which is the most prominent aspect to the public and should be protected. Also, if a historic structure is designated as an HOD, then the HDRC would review. This is addressed in Section 4.07. A new entrance addition could be added to the side of the building.
#7680	5.10 Adaptive Reuse
By: John Merrithew Tags: public john.merrithew@loudoun.gov Date: 1/24/2022	While adaptive reuse allows an existing nonconforming building to be used without a limit on density, required parking or open space, I would think any expansion should meet minimum setback standards.

#7832	5.10 Adaptive Reuse
By: Kate McConnell Tags: public, staff kate.mcconnell@loudoun.gov Date: 1/25/2022	Section 5.09.C. requires that adaptive reuse projects comply with the requirements of this Zoning Ordinance, except as set forth in Sections 5.09.C and D below. Therefore, any new parking setback requirements must be met. Open space requirements may be very restrictive especially considering this requirement is being updated with this rewrite.
#7326	5.12 Owner's Associations
Needs Followup	
#7773	5.12 Owner's Associations
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/24/2022	Pursuant to similar comments, revisions may be made to address repetition of requirements in Code of VA although some sections referenced here are not included in State code.
#7327	5.12 Owner's Associations
By: Eric Zicht Tags: public zicht@erols.com Date: 1/16/2022	<p>5.10 HOMEOWNERS ASSOCIATIONS How much of this is already in or should be in the LSDO instead of the Zoning Ordinance?</p> <p>With this designated section, eliminate the separate sections (or at least the common clauses) included under the zoning district and development option sections.</p>
Needs Followup	
#7772	5.12 Owner's Associations
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/24/2022	HOA's appear to be "regulated" more by the Code of VA than the FSM or LSDO. County Attorney has made significant comments of a similar nature so these concerns will be addressed at the same time.
#7289	5.12 Owner's Associations
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.10.A.8 HOMEOWNER'S ASSOCIATION REQUIREMENTS. States that up to date contact information for the HOA must be provided to the County when approved or modified "whenever it changes," but within what timeframe?
Needs Followup	

#7753	5.12 Owner's Associations
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/24/2022	This item is likely to be revised per County Attorney comments and an appropriate time frame can be included if determined appropriate.
#7290	5.12 Owner's Associations
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.10.C.2. HOA STANDARDS. HOA/Applicability. Word "space" missing after third word.
Needs Followup	
#7752	5.12 Owner's Associations
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/24/2022	Word inserted per comment.
#7291	5.12 Owner's Associations
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.10.C.3 HOA APPLICABILITY. Typo? "The developer must 'finally' determine and make known the choice of an HOA . . . "
Needs Followup	
#7751	5.12 Owner's Associations
By: Steve Goodrich Tags: public, staff steve.goodrich@loudoun.gov Date: 1/24/2022	It's intended to mean that the developer must make a final decision by record plat or site plan. It has been revised.
#7292	5.12 Owner's Associations
By: Maura Walsh-Copeland Tags: public Maura@Walsh-CopelandConsulting.com Date: 1/16/2022	5.10.C.4 HOA APPLICABILITY. "The landowner must submit documents for creation of the HOA . . ." This could be confused by resident landowner vs. developer landowner. Can the reference be made more clear?
Needs Followup	

#7750	5.12 Owner's Associations
By: Steve Goodrich Tags: public,staff steve.goodrich@loudoun.gov Date:1/24/2022	It applies to any landowner creating an HOA but this can be clarified.
#7293	5.12 Owner's Associations
Needs Followup	
#7749	5.12 Owner's Associations
By: Steve Goodrich Tags: public,staff steve.goodrich@loudoun.gov Date:1/24/2022	Inconsistencies in terminology will be addressed.
#7239	5.12 Owner's Associations
By: Charles Houston Tags: public CharlesHouston3@yahoo.com Date:1/15/2022	HOAs. I strongly suggest that developers grant a permanent easement or a covenant that estops HOAs from imposing any strictures that prevent farming that is otherwise covered by the Right to Farm Act. (I believe that absent such document, HOA rules could trump the Right to Farm Act.)
Needs Followup	
#7748	5.12 Owner's Associations
By: Steve Goodrich Tags: public,staff steve.goodrich@loudoun.gov Date:1/24/2022	Similar concerns raised by other ZOC members and the subject will be discussed with County Attorney.

#7330	5.12 Owner's Associations
By: Ben Keethler Tags: public benkeethler@outlook.com Date:1/16/2022	<p>A.5 "Regulations" is too broad of a term and could fold in minutiae like design guide changes, creation of new committees, etc, which should not raise to the county level.</p> <p>Suggest that focus should be on changes/amendments to an HOA's Articles of Incorporation or Declaration documents. Should be confirmed with Loudoun legal dept. as well.</p> <p>Suggest 90 days for submission.</p> <p>Also, it would make sense to list where such notifications should be sent.</p>
Needs Followup	
#7747	5.12 Owner's Associations
By: Steve Goodrich Tags: public,staff steve.goodrich@loudoun.gov Date:1/24/2022	Acknowledged. Several ZOC members have made similar comments regarding being more specific about HOA regulation changes of interest to the County and others that are not. County Attorney will be consulted on many needed changes including this one.
Needs Followup	
#7331	5.12 Owner's Associations
By: Ben Keethler Tags: public benkeethler@outlook.com Date:1/16/2022	A.5 " by laws" find and replace with bylaws
Needs Followup	
#7746	5.12 Owner's Associations
By: Steve Goodrich Tags: public,staff steve.goodrich@loudoun.gov Date:1/24/2022	This can be done. There are a significant number of comments and this can be included when they are addressed.
Needs Followup	
#7681	5.12 Owner's Associations
By: John Merrithew Tags: public john.merrithew@loudoun.gov Date:1/24/2022	Can the County prohibit an HOA prohibition on connecting to streets and pedestrian trails?
Needs Followup	
#7745	5.12 Owner's Associations
By: Steve Goodrich Tags: public,staff steve.goodrich@loudoun.gov Date:1/24/2022	This will need consultation with County Attorney who has made a significant number of substantive comments.

