



ZOAM-2020-0001-Zoning Ordinance Rewrite -- Round 3 Input

REVIEWER INSTRUCTIONS:

Below are comments submitted to County DPZ/ZOR Staff as public input during Zoning Ordinance Committee review by organizations and citizens, being shared for your public input review.

Reviewers are requested to

- 1. COMPARE the original request and**
- 2. Indicate on the left column whether the 4/18/2022 draft text does or does not address the original request.**

Comments/questions not addressed can be submitted during Round 3 Public Input through July 18, 2022.

-- Be aware that all comments will become part of the public record after submission via enCodePlus. Please be mindful to use language in an appropriate and professional manner.

-- **Please continue to use the draft text SECTION NUMBER REFERENCE** at the START of each comment, followed by ALL CAPS short heading (see sample on the template)

-- You do NOT need to review or submit comments in any order; please focus on sections for your area of expertise first, then go back to review other areas. (Be sure to include the Section Number in each of your comments.)

SORT	ADDRESSED in 4-18-2022 Draft Text?	Section (for sorting only)	CHAPTER 2 -- VILLAGE CONSERVATION OVERLAY DISTRICTS (VCOD) LOUDOUN HISTORIC VILLAGE ALLIANCE (LHVA) -- 4-18-2022 Draft Text REVIEW
	NO	4.06	4.06 VCOD. OVERALL. Each village is unique so will benefit from each having Small Area Plan (Community Plan) as recommended by 2019 Comprehensive Plan. Support from the county will be necessary to accomplish this. (Comp Plan, Rural Historic Villages, Section 1.1.B) When can we expect to start work on Small Area Plans for villages? What county department will provide support to villages so these Small Area Plans may be completed effectively? How do they become law?
	NO	4.06	4.06 VCOD. OVERALL. VILLAGE CONSERVATION OVERLAY DISTRICT (VCOD). It is understood that VCOD has been separated from the other ZOR Overlay Districts in review, and will have separate consideration during the development of Village Small Area Plans. However, to avoid an overall delay in mitigating current issues there are changes being recommended BEFORE or IN PARALLEL WITH Village Small Area Plan development. They include but are not limited the following that should be INCLUDED in current review PRIOR to Village Small Area Plans as they apply to Villages (to get the discussions started):
	NO	4.06	4.06 VCOD. OVERALL. Underlying zoning must be flexible to allow adaptive reuse of historic properties. At the same time, there can be no damage to historic fabric (Sec Standards of Rehab used). Recommend new zoning districts be created for historic villages. Density needs to be unique to each village per their Small Area Plan: e.g., there are small lots in Waterford but larger ones in St Louis. also, RC zoning density will not work in all villages
	NO	4.06	4.06 VCOD. OVERALL. If current parcels on well and septic, will water studies be required to ensure availability of these resources after new development complete?

	NO	4.06	4.06 VCOD. OVERALL. Villages concerned about impact on village fabric with approval of Short Term Rentals and impact on availability Affordable Housing. Can STRR be EXCLUDED from Rural Historic Villages, primarily STRR-Commercial Whole House?
	Addressed	4.06	4.06 VCOD. OVERALL. If more than one overlay covers a property, which language prevails?
	Addressed	4.06	4.06 VCOD. PURPOSE. Regarding, "Ensure new commercial and residential construction is designed to complement surrounding properties and maintain existing development pattern within each village by: Respecting each village's historic precedents.....and considering the context of each village's historic buildings" LHVA likes the language but is concerned about enforcement, evaluation and density to achieve. Will this reduce density then to accomplish this? How will this be enforced? Who evaluates?
	Addressed	4.06	4.06 VCOD. PURPOSE. Regarding, "Maintain areas of open space and natural areas on the perimeter of the villages to retain a hard edge and visual separation" Villages are very supportive of this requirement. How will this be accomplished? Will this open space be inside the VCOD boundaries? Will some boundaries be expanded to enable this?
	NO	4.06.0	4.06. VCOD. PURPOSE. District Boundaries. Need to add VCOD overlay to other villages: Morrisonville, Unison, Willisville. Delete Ashburn. Change Aldie Mt to Bowmantown. How would new ones be added in the future? Would a CPAM be required for each village to be added or can several villages be added under same CPAM?
	Addressed	4.06.D.01	4.06.D.1. VCOD. BUILDING HEIGHT. Height of new building no greater than height of any building on same side of street within 150 yards. If large oversize structures are to be considered for a village (e.g., fire house, schools), Small Area plan must be consulted as well as community. How can this be made a requirement in the zoning ordinance?
	Addressed	4.06.D.09	4.06.D.9. VCOD. GARAGE LOCATIONS. Agree with set back of 20 feet, front loading, but need to add that to hold no more than 2 vehicles and detached only garages should be permitted. Attached garages were not originally found on historic properties. Can this requirement be added?
	Addressed	4.06.D.10	4.06.D.10) VCOD. CONNECTIONS TO EXISTING STREETS. Extending existing streets good as long as cul de sac does not result. How will that be prevented? Each village is unique so this must be addressed in each village's Small Area Plan. "Continue the predominate street pattern in the village"...differs for each village. How will this prevent development of a subdivision within a village? 10a 1 Delete "if possible to avoid". Then "Developments must be designed so road connections avoid regulated natural resources." What does 10 b 2 mean? Does 10c prevent cul de sac?
	Addressed	4.06.D.11	"4.06.D.11. VCOD. SIDEWALKS. Allowed if appropriate in specific village. Some have, some do not. Can a requirement be for existing pattern to be considered (in advance of Small Area Plans) for that village? 4.06 D b Delete. Sidewalks should never be REQUIRED in a village."
	Addressed	4.06.D.12	4.06.D.12. VCOD. STREET TREES. Support language 100%. Thank you.
			NEW ROUND THREE PUBLIC INPUT
		5/13/22	No mention in new Chapter 4.07 of how other villages might seek VCOD overlay if they want to.
		5/14/22	No mention of how water supply will be protected

		LVHA COMMENTS ON 11/3 STAFF COMMENTS
		5734/5822: Each historic village unique. Some have sidewalks (or remnants) and some have never had them. REQUIRING them in these instances could change character of that village completely. (No idea where that requirement came from!) This needs to be part of Small Area Plan (SAP). Until then, please follow existing pattern in a village.
		5733/5825: Cul de Sacs would not be appropriate in an historic village. Dead end would work but not a circular pattern with development around it.
		5732/5826: Most historic villages do not have garages at all. Some have detached ones or use barns that have been repurposed. But they certainly would not be attached. Requiring that they be recessed and for 2 vehicles max would retain feel of historic setting.
		<p>5727/5830: LVHA and supporters are very concerned about current density in villages especially the fairly new density added to RC. Density is determined by underlying zoning which we know some are reluctant to change. Village representatives and supporters hope there will be a hard look at densities in the historic villages during the SMALL AREA PLANNING process. This is the single biggest threat to Loudoun’s historic villages.</p> <p>Each historic village needs a unique density depending on the traditional layout of that historic village. Sooner rather than years later. It's hard to maintain historic precedent for development when the density allows more development than precedent would allow, e.g. St Louis.</p> <p>Current RC density could also stand in the way of adaptive reuse because of the minimum lot size. [E.g.: Waterford PO has apartment above it on a very small lot. Would not be allowed by current RC zoning. Philomont Store has apartments above it.] Multi use is common for historic properties.</p> <p>Village reps were told at that time that the BOS understood, and that it could/would be fixed when rewriting the zoning. With the delay of the Small Area Plans, that means when zoning (ZOR) is approved the issue will still remain for, what, several more years?</p> <p>When RC zoning had residential density added to it a few years ago (in response to potential excessive density in Ashburn Historic village), many Village representatives pointed out the unintended consequences of the approach approved (4 units/ acre plus a minimum lot size). The minimum lot size could be just as damaging as the 4 units/acre.</p>
		5726/5831: Often the stronger/more restrictive language prevails eg: if easement allows 1 house per acre but zoning allows 3, easement language prevails.
		5731/5827: There is no mention of dealing with oversize buildings (eg: firehouses/schools) unless heights and new setbacks apply to them. Do they?
		5728/5828: How do Road Corridor Setbacks provide a buffer area around an historic village?