

From: **G. Kimball Hart** <kim@goodworksva.com>

Date: Mon, Jun 6, 2022 at 9:47 AM

Subject: More ZOC about Chapter 8--Attainable Housing

To: Tony Howard (thoward@loudounchamber.org) <thoward@loudounchamber.org>, kirsten@langhornecustomhomes.com <kirsten@langhornecustomhomes.com>, hillary@dominiontea.com <hillary@dominiontea.com>, Matthew Leslie (MLESLE@THELANDLAWYERS.COM) <mleslie@thelandlawyers.com>, jakem@buyguernsey.com <jakem@buyguernsey.com>, Theofilos Stamatis <tstamatis@loudounchamber.org>

Tony and Team,

I have attached two documents for your review:

#### 1. ZOR Chapter 8—Attainable Housing Comments (by me)

- As promised, this is my effort to look at all public comments that staff received on Chapter 8 (Attainable Housing) and then do two things:
  - First, assess whether or not I feel that staff has “addressed” the comment and
  - Second, to add my own, new, “Round Three” comment. Remember: the goal here is to be able to say “Staff, you didn’t address this comment in Round 1. You didn’t address this comment in Round 2. And (likely) you didn’t address this comment in Round 3.” So that is why I get to speak to this point at the Planning Commission and then at the Board.
- Having now read all staff comments, many more lines of public comments have been marked “addressed.”
- However, I have still picked my Top Four sections that have NOT been adequately addressed:
  - Line 1: Parking Reduction for ADUs/AHUs;
  - Line 4: Limiting residential to within ½ mile of commercial development or transit;
  - Line 10: Continuing to link ADU/AHU Occupancy Permits to market rate Occupancy Permits; and
  - Line 12: Tying Zoning Administrator approval of design to Site Plans instead of Building Permits.
- There are many other comments that could or should be addressed. They are marked “Not Addressed.” Feel free to pick a few of your own to address.

#### 2. ZOR Staff Comments—Attainable Housing

- This is the full list of all staff comments in answer (or not) to all comments received.
- Note: this full list includes staff responses to comments provided by the ZOR Committee. There is more good stuff here. For any of you that have the time, feel free to pick one or more of these points to address in your “Round 3—Public Comments.”

That’s it from me. Please remember that your comments have to be posted by July 18!

Onward.....

Kim

G. Kimball Hart

703-850-3980 mobile/direct

540-687-5866 office

[kim@goodworksva.com](mailto:kim@goodworksva.com)

PO Box 1258, Middleburg, VA 20118

102 W. Washington St., Middleburg, VA 20117

**From:** G. Kimball Hart

**Sent:** Wednesday, June 1, 2022 6:56 PM

**To:** Tony Howard ([thoward@loudounchamber.org](mailto:thoward@loudounchamber.org))

<[thoward@loudounchamber.org](mailto:thoward@loudounchamber.org)>; [kirsten@langhornecustomhomes.com](mailto:kirsten@langhornecustomhomes.com); [hillary@dominiontea.com](mailto:hillary@dominiontea.com); Matthew Leslie ([MLESIE@THELANDLAWYERS.COM](mailto:MLESIE@THELANDLAWYERS.COM)) <[mleslie@thelandlawyers.com](mailto:mleslie@thelandlawyers.com)>; [jakem@buyguernsey.com](mailto:jakem@buyguernsey.com); Theofilos Stamatis <[tstamatis@loudounchamber.org](mailto:tstamatis@loudounchamber.org)>

**Subject:** ZOC Update

Tony And Team,

I humbly apologize for being on radio silence. I had a huge proposal due (for my day job), which finally got handed in yesterday.

When we all talked on Monday morning, May 16, I promised to provide a summary of the key comments I had concerning the Zoning Ordinance Rewrite. Here is my update on where I am in accomplishing that task:

1. Formal Comments—to be submitted as part of Public Comment—Round 3. (Deadline July 18)
  - Step 1: Review all comments submitted to date on Chapter 8.01—Attainable Housing (in Encode+)
    - 30 comments have been submitted for Chapter 8 to date (about 40% from me)
    - For each comment, mark down whether or not this comment has been “Addressed” in the DRAFT ZOR text as of 4-18-22
    - I have completed this task.
    - In my judgment, staff has sufficiently “Addressed” three (3) of the 30 comments submitted. (Please contain your shock.)
  - Step 2: Review all comments made by staff to date in response to the 30 public comments submitted.
    - I have just started this task.
    - Here is where we see whether staff actually addressed a public comment and specified why they did not choose to modify the ZOR text. Or, whether they just ignored the public comment altogether and did not change the text.
    - I hope to accomplish this task this coming weekend.
    - This is important because this allows me/us to explain in our response why we disagree with the staff analysis or demand that they address the still unaddressed comment.
  - Step 3: Submit my and your comments on as many of the 30 line items as you wish.
    - Yep. Got to get this done before July 18.
  - Note: All of the above is important because it is documenting that staff has NOT addressed a public comment. Not addressed in Round 1. Not addressed in Round 2. (Likely not addressed in Round 3—this round.) THIS IS YOUR TICKET to show up at the Planning Commission and at the Board of Supervisors and have standing to speak on all the unaddressed comments.

Public Comment at ZOC meeting this morning (6-1-22)—Attached

- In the midst of the above work, I found out that ZOC had Chapter 8—Attainable Housing--on their agenda to discuss this morning.
- I called the ZOC Chairman, Kevin Ruedisueli, and told him I had major concerns about Chapter 8.
- Kevin invited me to speak for 3 minutes during the required “Public Comment” period at the beginning of the meeting.
- My statement is attached:
  - Note that I give a HUGE shout out to the fact that this DRAFT retains the AHU “exemption.” This is absolutely critical to me/us/the county being able to get Virginia Housing or HUD funding.
  - I then presented my “top four” concerns. That is all the 3 minutes would allow. But these are my top four.

- Once I have completed the homework described in (1) above, I will probably expand this list with 4-6 more concerns. But the four above are likely to remain my top four.

I hope the above helps. Happy to answer any questions.

Kim

G. Kimball Hart

703-850-3980 mobile/direct

540-687-5866 office

[kim@goodworksva.com](mailto:kim@goodworksva.com)

PO Box 1258, Middleburg, VA 20118

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